

1 COMMITTEE ON TRANSPORTATION JOINTLY WITH THE
2 COMMITTEE ON RESILIENCY AND WATERFRONTS AND THE
3 COMMITTEE ON ENVIRONMENTAL PROTECTION 1

4 CITY COUNCIL
5 CITY OF NEW YORK

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7 TRANSCRIPT OF THE MINUTES

8 Of the

9 COMMITTEE ON TRANSPORTATION JOINTLY
10 WITH THE COMMITTEE ON RESILIENCY AND
11 WATERFRONTS AND THE COMMITTEE ON
12 ENVIRONMENTAL PROTECTION

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14 September 14, 2021

15 Start: 10:19 a.m.

16 Recess: 2:25 p.m.

17 HELD AT: Council Chambers - City Hall

18 B E F O R E: Ydanis Rodriguez,
19 Chairperson for the Committee on
20 Transportation

21 Justin Brannan,
22 Chairperson for the Committee on
23 Resiliency and Waterfronts

24 James F. Gennaro,
25 Chairperson for the Committee on
Environmental Protection

COUNCIL MEMBERS:

Selvena N. Brooks-Powers
Fernando Cabrera
Ruben Diaz, Sr.
Robert F. Holden
Peter A. Koo
Stephen T. Levin
Mark Levine

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4 COUNCIL MEMBERS (CONT.):

5 Carlos Menchaca
6 I. Daneek Miller
7 Antonio Reynoso
8 Deborah L. Rose
9 D. Diaz
10 Eric A. Ulrich

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4 A P P E A R A N C E S

5 John Scrivani
6 Commissioner of New York City Emergency
7 Management

8 Jaaney Bavishi
9 Director of Mayor's Office of Climate and
10 Resiliency

11 Vincent Sapienza
12 Commissioner of Department of Environmental
13 Protection

14 Angela Licata
15 Deputy Commissioner of Department of
16 Environmental Protection

17 Tasos Georgelis
18 Deputy Commissioner of Department of
19 Environmental Protection

20 Edward Grayson
21 Commissioner of Department of Sanitation

22 Gregory Anderson
23 Deputy Commissioner of Department of Sanitation

24 Melanie LaRocca
25 Commissioner of Department of Buildings

Ann Marie Santiago
Department of Housing Preservation and
Development Deputy Commissioner of Enforcement
and Neighborhood Services

Kim Darga
Associated Commissioner of Preservation

Leon Hayward
Transportation Deputy Commissioner for Sidewalks
and Inspection Management

Rebecca Zack
Assistant Commissioner for Intergovernmental and
Community Affairs

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5 A P P E A R A N C E S (CONT.)

6 Leslie Wolf
7 Executive Director of Capital Program Planning
8 Leslie Wolf

9 Kevin Woods
10 FDNY Chief Deputy Assistant

11 Raymond Spinella
12 NYPD Chief of Operations

13 Michael Clarke
14 NYPD Director

15 Demetrius Crichlow
16 MTA Senior Vice President of Subways New York
17 City Transit

18 Matt Best Chief Engineer for MTA Construction and
19 Development

20 Steven Loehr
21 Director of MTA Construction and Development

22 Lisa Daglian
23 Executive Director of the Permanent Citizens
24 Advisory Committee to the MTA or PCAC

25 Hayley Gorenberg
Legal Director of New York Lawyers for the Public
Interest

Tyler Taba
Fellow at the Waterfront Alliance

Chris Bellovary
Staff Attorney with Riverkeeper

Carlos Castell Croke
Associate for New York City Programs at the New
York League of Conservation Voters

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4 CHAIRPERSON RODRIGUEZ: [GAVEL] Good morning
5 everyone. Before I get into the business of today's
6 hearing, I would like to express my solidarity to the
7 family and to family for save street in
8 transportation as we've been dealing with the last
9 crisis in New York City.

10 Something that we know even when we will defeat
11 COVID-19, the level of crisis in the City of New York
12 is an epidemic that must bring all of us to also
13 commit to the 250. More than 250 last year, it's a
14 big number. So, I hope again that as we are going to
15 be speaking about protecting our city on flooding in
16 the future. But I also want to take this opportunity
17 to invite all of us to also continue putting our
18 ideas and initiatives on how we defeat the epidemic
19 of this crisis hit and run that save the lives of so
20 many beautiful individuals. So, as a child
21 unfortunately was [INAUDIBLE 1:58].

22 Thank you all for attending today's joint
23 Oversight Hearing of the Committee's on
24 Transportation and Resiliency and Waterfront and
25 Environmental Protection and DOT's and MTA's
Resiliency Efforts and Preparations for Coastal
Storms.

4 I want to first acknowledge the lives lost in the
5 aftermath of Hurricane Ida. This hearing is about
6 understanding what went wrong in making sure we do
7 everything possible to prevent it from happening
8 again in the future. This strategy makes clear the
9 reality that climate change will not affect all of us
10 equally. Of course, our responsibility is to protect
11 all New Yorkers of the five boroughs. But also, we
12 need to give special attention to us going on also
13 and the underserved community, where also we've been
14 dealing with a lack of investment to protect them
15 from flooding.

16 Our planning for the future can only focus on
17 protecting areas like lower Manhattan from rising sea
18 levels. And also, most of the big things of this
19 storm were trapped in the basement level housing unit
20 in Queens. Climate change only makes it more
21 difficult, the problems that we already face. Like
22 affordable housing and maintaining effective public
23 transit.

24 As we move forward, we have to resist the
25 flooding blamed for the response Hurricane Ida by
26 talking about the unprecedented nature of this storm.
27 Yes, it was an unprecedented nature storm but also,

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4 we were not prepared as a city, neither from the MTA
5 perspective.

6 Severe weather events like this one and the other
7 flooding events we have seen in the city this summer
8 are our new normal. In addition to improving the
9 ways that we communicate the dangers of impending
10 storms to the most vulnerable, we need to get to work
11 now on adopting our city for a rainier future.

12 We have known for years about the threat our
13 communities face from flooding. We saw these dangers
14 first hand almost ten years ago during Super Storm
15 Sandy. The storm this summer proves we don't have
16 time to wait on building a resilient city. That's
17 why it is disheartening to hear that almost a decade
18 after Sandy, some of the resiliency project that
19 began as a result of that storm have still not been
20 completed. We know other cities, other nation that
21 we complete at level that they are able to finish
22 projects in a shorter period of time. But for
23 example, in my district, the Resiliency Improvement
24 Project at 207 Street Transit Yard in Manhattan are
25 still ongoing. And protections are the critical
Coney Island Yard are only 50 percent completed.
That would not happen in another city, another state

2 that we complete at a level, that we have followed
3 the same level of procurement. This is unacceptable.
4 We need to get projects done in a shorter period of
5 time.

6 Our city was clearly not prepared for the damage
7 caused by the heavy rain we experienced. Countless
8 videos emerge of the flooded homes and crumbling
9 train station that gave way to the floor or rain
10 water. Being prepared for a future storm is simple,
11 not acceptable. We owe it to those who have suffered
12 as a result of this most recent tragedy to do
13 everything we can to make sure this doesn't happen
14 again.

15 In today's hearing, is our hope to gather as much
16 information as possible about the current resiliency
17 effort at both the city and the state level to
18 fortify and protect the transit system and improve
19 our city's infrastructure against severe weather
20 events.

21 Before I turn it over, before I turn it over to
22 Chairman Brannan for his opening statement. I would
23 like to acknowledge that the following Council
24 Members have joined us. Council Member Levine,
25

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4 Miller, Gennaro, Brannan and Holden. Now, I turn it
5 on to Chairman Brannan, Justin Brannan.

6 CHAIRPERSON BRANNAN: Thank you Chair. Good
7 morning, my name is Justin Brannan, I have the
8 privilege of chairing the Committee on Resiliency and
9 Waterfronts and I join Chair Rodriguez and Chair
10 Gennaro in welcoming you to today's joint hearing and
11 would also like to extend my thanks to my Co-Chairs
12 for holding this important hearing in a timely
13 manner.

14 Climate week is next week and if the past few
15 months have taught us anything that the climate
16 crisis is here sitting right next to us and we can't
17 hide from it because time is not on our side.
18 Flooding from rain storms is not a new phenomenon and
19 it effects more than just coastal areas as we saw.
20 When Tropical Storm Elsa hit the city in July and
21 more than five inches of rain fell in just a few
22 hours, areas of upper Manhattan in the West Bronx
23 experienced significant flooding. But areas that
24 typically flood from coastal storm events like the
25 area around the Gowanus Canal or Hamilton Beach did
not flood.

2 A month later, Tropical Storm Henri brought heavy
3 rains and high winds. Over seven inches of rain fell
4 over two days and then just two weeks later, Tropical
5 Storm Ida flooded the city and killed 13 New Yorkers
6 including a two-year-old boy.

7 For the first time ever, a flashflood emergency
8 was put in place for the five boroughs at the same
9 time. The subways were shutdown. Cars floated down
10 roadways. The sewers overflowed. The sewer system,
11 which was built 100-years-ago was not designed for
12 the once in a lifetime storms that we now get several
13 times a year. They were designed to handle no more
14 than 1.5 to 2 inches of rain per hour.

15 Two weeks ago, more than three inches of rain
16 fell in one hour. Almost two times the systems
17 designed capacity. For more than 70 percent of the
18 city is made up of hard surfaces like concrete and
19 asphalt. Services that prevent water from natural
20 infiltration into the ground. The city was not built
21 to handle such intense rain and flooding events don't
22 just occur when a tropical storm hits the city.

23 About 60 percent of the city is served by combined
24 sewer systems. This means that both waste water and
25

2 storm water are routed together to treatment plants
3 to be processed.

4 When these lines are full, the combined waste
5 water and storm water needs to go somewhere. Just
6 two weeks ago, that water turned streets into rivers
7 and devastated people's homes and businesses. Unless
8 we ensure that plants, green spaces and pervious
9 services are just as prevalent as hardscaped
10 surfaces, the rain will continue to turn streets into
11 rivers and flood subways, homes and businesses.

12 The city released its storm water resiliency plan
13 and storm water flood maps back in May, just before
14 the official June 1st start of the 2021 Atlantic
15 Hurricane season. The plan and the maps are a good
16 first step but some of the expected completion dates
17 are not for another two to three years. Emergency
18 management draft messaging to warn basement apartment
19 dwellers about the potential dangers of extreme rain
20 events will not be completed until 2023. Eleven
21 people died in basement apartments two weeks ago.
22 Two years is too long to develop these notification
23 systems.

24 As I said, the climate crisis is here. The time
25 for discussion is over and now, it's time to

2 prioritize and expedite shovels in the ground. We
3 weren't prepared for these storms, why? We know that
4 we are going to keep seeing intense storms more
5 frequently. We must act and we must take a five
6 borough holistic approach.

7 I look forward today to thinking forward and
8 figuring out how we are going to make sure that we
9 learn from this storm. New York City has always
10 recovered in the face of any adversity but it's
11 important that we recover smart and that we build
12 back smarter and stronger and that we learn about the
13 new challenges that we're facing.

14 I look forward to hearing from the MTA and the
15 Administration during today's hearing. Quickly,
16 before we begin, I want to thank my Committee Staff,
17 Committee Counsel Jessica Steinberg Albin, Senior
18 Policy Analyst Patrick Mulvihill, Senior Finance
19 Analyst Jonathan Seltzer and my Chief of Staff Chris
20 McCreight, my Senior Advisor Jonathan Yedin, my
21 Legislative Director Michael Sheldon as well as the
22 staff of the Transportation Environmental Protection
23 Committee's for all their hard work in putting this
24 important hearing together in a short amount of time.

4 I'll turn it back over now to Chair Rodriguez.
5 Thank you.

6 CHAIRPERSON RODRIGUEZ: Thank you. Thank you
7 Chairman. Next, I will turn it over to Chairman
8 Gennaro for his opening statement.

9 CHAIRPERSON GENNARO: Thank you Mr. Chairman.
10 I wish to thank you for your leadership and also
11 Chairman Brannan. It's a privilege to be able to
12 Chair a hearing with you.

13 Good morning. My name is Jim Gennaro, Chair of
14 the Committee on Environmental Protection and today,
15 we're holding an important hearing on the impacts of
16 Storm Ida and the response of the storm and the
17 preparedness of the city and the MTA to respond to
18 future storm events.

19 As Chair of the Committee on Environmental
20 Protection, I will be focusing on DEP and the
21 capacity of the city's water infrastructure as the
22 city's sewer infrastructure rather to manage storm.
23 In 2008, I authored Local Law 5, which mandated that
24 DEP and the Mayor's Office of Long Term Planning and
25 Sustainability create a comprehensive Storm Water
Management Plan. That was the first law of its kind
in the country at the time and it was a pretty big

1 deal. The development of the Storm Water plan
2 because central to Plan NYC, the city's plan as it
3 was known at the time and the development and
4 implementation of that plan notwithstanding and as
5 Justin said, it is still being implemented. It seems
6 that whatever cutting edge plans the city has made
7 and actions the city has taken to manage storm water,
8 Ida certainly showed me that whatever additional
9 ability the city has to manage storm water, we need
10 to do that and then some.
11

12 Recent tropical storms in the city show that more
13 storm water management strategies will be necessary
14 to grapple with the very severe weather and reduce
15 the risks of flooding. As we know, Ida cost 13 New
16 Yorkers their lives in storm water. I believe we
17 need to build on the good work of the City's Storm
18 Water Management Plan and take it to the next level.
19 To keep up with ever more intense weather events
20 brought on by climate change, the city needs to do
21 better period. This hearing begins that process.

22 I thank the administration for its presence here
23 today and all that DEP has done to manage storm
24 water. Without the storm water management, uh, uh,
25 uh, storm water management infrastructure that has

1
2 been deployed and the storm water management
3 strategies that have been adopted, the effects of Ida
4 would have been far worse.

5 I also thank the Committee staff who have done
6 such great work over the years. EP Committee Counsel
7 Samara Swanson, Policy Analyst Nadia Johnson, Ricky
8 Chawla, Financial Analyst Jonathan Seltzer and
9 finally, my Legislative Director Navi Kara (SP?) for
10 all of their hard work. And with that, I'll turn it;
11 I'll turn things back to Chair Rodriguez, Mr.
12 Chairman.

13 CHAIRPERSON RODRIGUEZ: Thank you Chairman. I
14 will give the opportunity to the Chairman of the
15 Committee of Sanitation, right? Antonio Reynoso to
16 also say a few words.

17 COUNCIL MEMBER REYNOSO: Thank you Chair. I just
18 wanted to thank Commissioner Grayson in the
19 Department of Sanitation for being here. It seems
20 like no matter what mess is put in front of us
21 related to infrastructure and other agency issues,
22 Sanitation is always there to clean up the mess. So,
23 I just wanted to thank you for being here and thank
24 you Chair for indulging me with some time.

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4 CHAIRPERSON RODRIGUEZ: Thank you. Thank you
5 Chair Reynoso. I will now have our Committee Counsel
6 call on the Administration to testify and to
7 administer the oath.

8 COMMITTEE COUNSEL: Thank you Chair. I will now
9 call on the following members of the administration
10 to testify. From New York City Emergency Management
11 Commissioner John Scrivani. From the Mayor's Office
12 of Climate and Resiliency Director Jainey Bavishi.
13 From the Department of Environmental Protection
14 Commissioner Vincent Sapienza, and Deputy
15 Commissioners Angela Licata and Tasos Georgelis.

16 From the Department of Sanitation Commissioner
17 Edward Grayson and Deputy Commissioner Gregory
18 Anderson. From the Department of Buildings
19 Commissioner Melanie LaRocca and from the Department
20 of Housing Preservation and Development Deputy
21 Commissioner of Enforcement and Neighborhood Services
22 Ann Marie Santiago and Associated Commissioner of
23 Preservation Kim Darga.

24 From the Department of Transportation Deputy
25 Commissioner for Sidewalks and Inspection Management
Leon Hayward. Assistant Commissioner for
Intergovernmental and Community Affairs Rebecca Zack,

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4 and Executive Director of Capital Program Planning
5 Leslie Wolf. From FDNY Deputy Assistant Chief Kevin
6 Woods and from NYPD Chief of Operations Raymond
7 Spinella and Director Michael Clarke.

8 Please raise your right hand. Do you affirm to
9 tell the truth, the whole truth and nothing but the
10 truth in your testimony before this Committee and to
11 respond honestly to Council Member questions?

12 MEMBERS OF THE ADMINISTRATION: Yes.

13 COMMITTEE COUNSEL: Thank you. You may begin
14 your testimony when ready.

15 JOHN SCRIVANI: Good morning Chairs Rodriguez,
16 Brannan and Gennaro and the members of the City
17 Council. I am John Scrivani Commissioner of
18 Emergency Management. I am pleased to be here today
19 at my first Council hearing since becoming Emergency
20 Management Commissioner in late April. I am joined
21 by my colleagues from DEP, DSNY, DOB, HPD, FDNY,
22 NYPD, DOT, and the Mayor's Office of Climate
23 Resiliency to outline the preparedness actions New
24 York City took in the lead up to Hurricane Ida, the
25 response during and after the storm and the current
services being provided as part of our ongoing
recovery process.

4 First, I want to acknowledge and give my
5 condolences to those who lost loved ones as a result
6 of this storm. This unprecedented storm has likely
7 impacted people who we all know personally and maybe
8 even your own homes. Allow me please to acknowledge
9 the pain of individuals that have lost their homes,
10 irreplaceable items and a sense of normalcy and
11 security in what is already an extremely trying time
12 due to the COVID-19 pandemic.

13 New York City Emergency Management began tracking
14 Hurricane Ida on August 26th, when it was then known
15 as Tropical Depression Nine. Based off multiple
16 consultations with the National Weather Service, we
17 activated the city's Flash Flood Emergency Plan on
18 August 30th. The Flash Flood Plan is the most
19 frequently activated plan. So far this year, it has
20 been activated 13 times and in 2020, it was activated
21 nine times. What does activating this plan mean? It
22 sets off a cascading – it sets off cascading
23 instructions for various agencies and partners as
24 they implement their portion of the plan to deal with
25 the potential for excessive and rapid flooding.

These components include all the agencies here
with us today, as well as other partners such as the

1 National Weather Service, the MTA and a utility
2 company such as Con Edison and National Grid. For
3 this storm, NYSEM's actions included issuing a travel
4 advisory on August 31st which included preparedness
5 measures and warnings, hosting daily interagency
6 conference calls with municipal and state agencies,
7 utility partners and public/private partners.
8 Placing the Down Tree Taskforce on alert, amplifying
9 information to elected officials and community
10 partners, issuing an advanced warning system message
11 to disability service providers and ultimately
12 putting a travel ban in place.

14 During the course of the event, NYCEM issued 30
15 Notify NYC messages, informing people about service
16 disruptions and aspects of the storm as it was
17 happening. And the national weather service issued
18 Wireless Emergency Alerts or WEA's that were sent to
19 all mobile phones in New York City. Our field
20 responders were deployed in each borough, so that
21 they can assess dangerous conditions quickly.

22 In addition to flooding conditions, they
23 responded to eight other multiagency incidents
24 including power outages at healthcare facilities, a
25 retaining wall collapse and fires. NYPD officers

2 assisted New Yorkers in high challenging situations.

3 They conducted 166 total rescues of which 69 were
4 water rescues and they also rescued more than 800
5 passengers from MTA trains.

6 The NYPD worked with private tow companies to
7 move more than 1,000 vehicles and went door to door
8 in highly impacted neighborhoods. Members of the
9 FDNY conducted hundreds of rescues and saved more
10 than 500 New Yorkers trapped on flooded road ways and
11 in submerged cars, subway stations and buildings. In
12 a number of these rescues, FDNY members used their
13 extensive training to navigate deep waters and
14 collapsed buildings. Their knowledge and experience
15 of water rescue allowed them to remove individuals
16 from dangerous situations and bring them to safety.

17 It was in general an extremely rainy August.
18 Between August 19th and September 1st, we saw over 16
19 inches of rain. However, this particular storm was
20 unprecedented and a record we are sorry to see
21 broken. Locally, we saw a maximum storm total of up
22 to ten inches of rain. At LaGuardia Airport, it was
23 the most recorded rain ever. In Central Park, it was
24 the fifth highest on record. For emergency managers
25 and for the city as a whole, we immediately pivoted

our posture to consequence management. NYCEM coordinated the opening of service centers, one in each borough, staffed by city agencies, nonprivate partners, the state and FEMA as a venue for effected residents to receive a wide range of resources and information including but not limited to, shelter needs, social service benefits available to them from all levels of government, food distribution, damage assessment guidance, dewatering information, distribution of red cross supplies, assistance to homes and businesses with various services including cleaning and debris removal and more.

These service centers will remain open for as long as they are needed and have already seen over 2,200 households. For those who cannot come in or prefer a virtual option, all services are also available by calling 311 or going through the website www.nyc.gov/ida, which has already seen more than 60,000 visits to date. We want to thank the City Council and other elected officials who have been instrumental in assisting us through this process, by providing information, connecting constituents and assisting us with ensuring that the service centers locations are in known and comfortable locations.

2 Multiple agency efforts related to recovery were
3 also swiftly underway. The Department of Buildings
4 responded to incidents, complaints and referrals from
5 agencies regarding storm damage. DOB is not issuing
6 violations to property owners impacted by storm
7 damage and all DOB fees related to construction work
8 associated with storm damage are waived, including
9 permit fees.

10 The Public Engagement unit organized door to door
11 knocking to ensure information in multiple languages
12 was received directly by those affected and NYCEM and
13 New York City Service activated volunteer
14 coordination taskforce. In addition to staffing the
15 surface centers, the Department of Housing
16 Preservation Development has been on the ground
17 working to connect displaced residents with the
18 American Red Cross for emergency hotel service and
19 its inspectors have been responding to storm related
20 311 complaints as well as assisting DOB with
21 buildings inspections and assessments.

22 The FDNY assisted with dewatering operations and
23 clearing down trees. My colleagues at DEP and DSNY
24 will testify after me in greater detail of their
25 roles and responsibilities in operations. The

2 Administrations role does not end when the response
3 if over and recovery is underway. NYCEM will conduct
4 an after action assessment both internally and with
5 our agency partners to best assess what we can do
6 better in the future. Constant improvement is part
7 of our core mission to best serve New Yorkers during,
8 before – before during and after emergencies.

9 We do and will continue to ensure that climate
10 change and its consequences are incorporated into all
11 of our plans and actions. Hurricane season is not
12 over and the potential for severe rain and flooding
13 is a rear round concern. We encourage all
14 individuals and families to make an emergency plan
15 that works for you. Have a go bag filled with items
16 that you may need in an emergency. Identify an
17 emergency contact both within and outside of the city
18 and please, sign up for Notify NYC. The city's free
19 emergency communications program that provides alerts
20 in multiple languages by visiting our website,
21 calling 311 or about downloading our app in multiple
22 languages by visiting our website – I said that
23 already, my apologies.

24 I now turn to my colleagues for their testimony
25 and after, this panel is available to take your

4 questions. Thank you very much for your time and
5 attention. I now turn it over to the Department of
6 Environmental Protection Commissioner Sapienza.

7 VINCENT SAPIENZA: Thank you. Thank you
8 Commissioner Scrivani. Good morning Chairs and
9 Council Members. I am Vincent Sapienza, the
10 Commissioner of the New York City Department of
11 Environmental Protection. On behalf of the agency, I
12 want to express our condolences to the family and
13 friends of people who lost their lives during the
14 storm. For those who experienced damages and losses
15 to their homes and businesses, we know that recovery
16 is not easy and we at DEP commit our continuing
17 support.

18 DEP is responsible for the city's drinking water
19 supply and for the waste water collection and
20 treatment systems, which include 7,500 miles of sewer
21 pipes that convey sanitary, sewage and storm water.
22 Much of that infrastructure was designed and
23 constructed decades ago for what is clearly a
24 different climate reality. During the past several
25 years, significant capital improvements have been
made using a variety of tools, which I'll speak about

4 shortly, but obviously far greater investments are
5 required.

6 I want to point out that the total amount of
7 rainfall during a storm uhm, is not what presents the
8 challenge but rather rainfall rates or intensity.
9 Occasionally during intense summer storms in New York
10 City, rainfall rates can exceed the capacity of local
11 sewers resulting in water accumulating on streets and
12 highways. This periodically triggers the National
13 Weather Service to issue flashflood watches and
14 warnings. The city has a longstanding flashflood
15 emergency plan that is routinely activated when
16 storms with such intensity or forecast. Given the
17 forecast that we had for Ida, city agencies jointly
18 activated the plans protocols on August 30th.

19 The record smashing 3.15 inches of rain that fell
20 within an hour just after sunset was not forecast.
21 The deluge far exceeded the capacity of the city's
22 sewer system causing significant quantities of water
23 to quickly accumulate on the ground. But water does
24 not accumulate uniformly, rather it runs downhill
25 rapidly to the lowest geographic point. Major
flooding began to occur in those low laying areas.

2 At around 9:30 p.m. the National Weather Service
3 issued the first ever flashflood emergency for New
4 York City. By that time, city agencies were already
5 responding to life threatening flooding. Community
6 driveways, which are below grade alleys behind
7 residential streets that provide access to basement
8 level garages were significantly flooded. Many of
9 these garages have over the years been converted into
10 living spaces.

11 While these community driveways are private
12 property, the city is committing to finding drainage
13 solutions to prevent future threats to public safety.
14 I wanted to spell the notion that clogged catch
15 basins were responsible for the flooding. DEP
16 programmatically inspects and cleans 148,000 catch
17 basins to ensure that local streets and highways are
18 drained. We also work in partnership with DSNY and
19 DOT to support removal of litter, which is the
20 primary cause of clogged catch basins. Again, the
21 flooding from Ida was a sewer system capacity issue,
22 not a catch basin issue.

23 As extreme weather events become more frequent
24 due to climate change, we need to continue making
25 improvements to the city's drainage infrastructure.

2 DEP's four year capital plan includes \$2.3 billion
3 within 278 projects to improve drainage. One major
4 effort is the Southeast Queens program where Mayor de
5 Blasio committed \$2 billion to build storm sewers.
6 High level storm sewers are another tool that will be
7 leveraged. Unlike traditional deep sewers that are
8 very costly to upgrade, supplementary non-network
9 high level storms can in some neighborhoods be at
10 just below the street surface to convey storm water
11 directly to a nearby waterway.

12 In partnership with the Mayor's office and other
13 city agencies, DEP performed a cloud burst planning
14 study in 2017 that identified primary sites for a
15 cloud burst design strategies which integrates
16 stormwater retention and to open spaces and
17 streetscapes informed by Copenhagen's internationally
18 recognized approach.

19 We have two cloud burst projects in Queens that
20 are in the design phase. One at NYCHA at the South
21 Jamaica houses and the other in the public right away
22 in Saint Albans. We've received funding from FEMA
23 for a feasibility study for a project in East Harlem
24 and we are exploring ways to expand this important
25 program across the city.

4 Keeping stormwater out of the sewer system is a
5 major objective for our drainage program. And so,
6 New York City has implemented the most aggressive
7 green infrastructure program in the country. Over
8 the past several years, we built more than 11,000
9 curbside rain gardens and infiltration basins and
10 implemented many best management practices for green
11 infrastructure.

12 We also partner with NYCHA, the Department of
13 Education and Parks and Recreation and other agencies
14 to retrofit paved areas with green infrastructure.
15 We have built more than 70 blue belts across Staten
16 Island and have begun to expand the program into
17 Queens and the Bronx. In total, there are more than
18 14,000 acres of blue belts in the city. We've also
19 partnered with DOT on a pilot program to install
20 porous pavement along the curb lines of city streets.

21 In addition to our capital projects, we are
22 developing unified storm order rule which will
23 streamline existing stormwater management for new and
24 redeveloped properties that connect to the city's
25 sewer system. The unified rule will result in new
developments managing more stormwater on their sites.

2 I want to thank the new leadership at the MTA for
3 recently partnering with us on storm preparation and
4 I look forward to working jointly to implement
5 additional protective measures. Obviously none of
6 these upgrades are cheap. Improvements to drainage
7 are currently funded through water bills that New
8 York City residents pay. Keeping water rates
9 affordable while funding major capital work can't
10 happen without a significant infusion of federal
11 funding.

12 Finally, I want to acknowledge the work of DEP
13 staff during the storm, both before, during and
14 after. They've continued to work diligently and
15 we've been aiding communities that have been affected
16 by the flooding. Including offering free pumping
17 services to anyone that needs it. With that, I'd
18 like to hand it off to my colleague Commissioner Ed
19 Grayson at Department of Sanitation.

20 CHAIRPERSON RODRIGUEZ: Thank you.

21 EDWARD GRAYSON: Thank you. Good morning Chair
22 Brannan, Chair Gennaro, Chair Rodriguez and the
23 members of the City Council Committee's on Resiliency
24 and Waterfronts, Transportation and Environmental
25 Protection. I am Edward Grayson, Commissioner of the

4 New York City's Department of Sanitation. We thank
5 you for the opportunity to testify on the departments
6 preparation for and response to the devastating
7 flooding caused by the remnants of Hurricane Ida.

8 First, I want to recognize the tremendous and
9 devastating impact of this storm on so many New
10 Yorkers. Their homes and their most treasured
11 possessions, their livelihoods are gone. And in some
12 cases, very sadly, our fellow New Yorkers have lost
13 their lives.

14 In advance of extreme rainfall and other tropical
15 weather events, the Department of Sanitation works
16 closely with our fellow agencies to implement
17 planning and preparedness activities. As
18 Commissioner Scrivani described, DSNY plays an
19 important role in the city's flashflood emergency
20 plan.

21 On Tuesday, August 31st, DSNY, DEP and DOT
22 inspected and cleaned 1,000 catch basins in major
23 flooding hot spots as well as all catch basins on
24 major highways. DSNY also regularly conducts tests
25 and preparedness at our facilities, ensuring that we
recovery after major weather events.

2 As soon as the rain began to slow overnight on
3 September 1st, the Department pivoted into an
4 emergency response posture. By Thursday morning,
5 department supervisors were out in the field
6 surveying effected neighborhoods and developing
7 deployment strategies for emergency response
8 operations. That day we deployed the first crews to
9 begin cleaning up debris and we have not stopped
10 since.

11 We've worked with local community leaders to
12 bring dumpsters to the hardest hit communities and we
13 immediately informed both residents employees to
14 expect the department to work throughout the Labor
15 Day holiday. And while many employees themselves
16 were affected by flooding at home, the department
17 continues to provide regular refuse in recycling
18 collection, more than 12,000 tons per day with only
19 minor delays.

20 Early in the morning on September 2nd, we worked
21 with Department of Transportation to suspend
22 alternate site parking regulations. And that
23 suspension was later extended through the Rosh
24 Hashanah holiday on September 8th. The department
25 also suspended all enforcement activities for dirty

1 sidewalks, trash setouts and other sanitation
2
3 violations and that enforcement suspension continues
4 in the affected areas.

5 Since that Thursday, DSNY has provided around the
6 clock debris removal operations in neighborhoods
7 affected by the storm. To date, sanitation workers
8 have worked more than 60,000 hours on debris removal
9 and storm cleanup activities. Removing more than
10 15,000 tons of debris, including more than 7,500 tons
11 in the borough of Queens. Our crews have repeatedly
12 visited every effected block coming back day after
13 day as residents continue the slow, painful and
14 tearful work of removing debris, possessions,
15 furniture and treasured keepsakes from their homes.

16 In addition to our work, the City Cleanup Corp
17 also contributed to the recovery work. Immediately
18 following the storm, thousands of Corp members were
19 out clearing accumulated litter and storm debris
20 across the city. Since last week, 140 Corp members
21 have helped seniors and other New Yorkers in need to
22 remove storm debris, furniture and appliances from
23 their homes. To date, Corp members have loaded an
24 estimated 48,600 bags of litter and debris citywide.

2 I've spent the last two weeks in neighborhoods
3 across the city. Speaking to residents, supervising
4 operations and working on the ground with many of my
5 fellow commissioners who join me at this hearing
6 today.

7 We know the work is not yet done. Many
8 homeowners and residents continue to sift through the
9 damaged belongings and pull sheetrock off the walls.
10 I want them to know that we are there for them. We
11 will keep coming until all the work is done. I want
12 to thank all the sanitation workers, uniformed
13 officers and support staff for their dedicated
14 commitment over these last two weeks. As well as all
15 other city workers who have been involved.

16 They have proven yet again that they are heroes,
17 truly essential workers that will move literal
18 mountains to help their fellow New Yorkers. Thank
19 you for the opportunity to testify today.

20 JAINEY BAVISHI: Good morning. I am Jainey
21 Bavishi, Director of the Mayor's Office of Climate
22 Resiliency. I would like to thank Chairs Brannan,
23 Gennaro and Rodriguez for the opportunity to testify
24 today. I would also like to acknowledge my
25 colleagues from New York City Emergency Management,

4 the Departments of Environmental Protection and
5 Sanitation, as well as the Departments of Housing,
6 Preservation and Development Buildings and
7 Transportation, NYPD and FDNY this morning who will
8 join me in responding to your questions.

9 I'd also like to express my condolences to those
10 who lost loved ones during the storm. As you know,
11 the Mayor's Office of Climate Resiliency is
12 responsible for ensuring that New York City is
13 prepared to withstand and emerge stronger from the
14 impacts of climate change. Our role is to lead the
15 strategic direction and planning to prepare for
16 extreme events and chronic impacts and coordinate
17 with agencies to implement this work.

18 Within our \$20 billion resiliency portfolio, the
19 city is preparing to adapt to a variety of climate
20 hazards. We call this a multi-hazard approach since
21 it addresses all the climate threats that impact our
22 city including a significant focus on managing
23 extreme rainfall and storm water.

24 This work has been in progress for more than a
25 decade and includes hundreds of completed projects as
well as important policy changes such as reforms to
building and zoning codes. While we are urgently

4 working to address multiple risks including coastal
5 storm surge, extreme heat waves and chronic title
6 flooding. My testimony today will focus on how we
7 are protecting New Yorkers from intense rainfalls
8 from storms like Hurricane Henri and Ida. Our
9 climate adaptation strategy also takes a multilayered
10 approach. This means that we are focused on
11 establishing multiple lines of defense at different
12 scales across the city to respond to the multiple
13 hazards.

14 As we have seen most recently with Hurricane Ida
15 and recent historic storms, all these lines of
16 defense, such as green infrastructure, expanded
17 sewers, grid resiliency, emergency communication and
18 flood insurance are critical components of our
19 system. And our work to develop and strengthen our
20 infrastructure in response to these climate hazards
21 must move forward with urgency funding and
22 partnership within all levels of government. We are
23 optimistic for example that the American jobs plan
24 will provide the city funding to tackle these large
25 infrastructure projects. Congress is considering
both a bipartisan infrastructure bill and budget
reconciliation bill. The city has worked to ensure

4 that green infrastructure, climate investments and
5 strong investments in housing are included in these
6 packages.

7 Congress is currently drafting the budget
8 reconciliation bill and we expect more action and
9 hopefully final passage in the next few weeks.

10 Concurrently, following the storm, the city worked
11 with the federal delegation to identify federal
12 disaster funding programs to assist with recovery.
13 The House Delegation sent a letter to the Chair of
14 the Appropriations Committee asking for a
15 supplemental disaster funding package. One that
16 includes transit dollars, CDBGDR and funding for
17 homeowner retrofits among others.

18 President Biden also requested disaster spending
19 to help meet the needs of communities effected by
20 Ida. We also need to work with the state to short
21 subway infrastructure. As we all witness, the MTA
22 cannot handle these types of events and need to
23 address their critical infrastructure. The need to
24 address their critical infrastructure is paramount.
25 It's why the Mayor has called for speeding up full
implementation of congestion pricing, which will
inject billions of dollars into the system.

2 The city has taken extensive steps to address the
3 risks caused by extreme rainfall. The Department of
4 Environmental Protection is the lead agency for this
5 work. Specifically, they are responsible for
6 maintaining and expanding the sewer and water capture
7 system. Each year, the Department invests hundreds
8 of millions of dollars to upgrade the entire city's
9 drainage system, which serves both inland and coastal
10 areas.

11 They are also investing heavily in nature-based
12 solutions. For example, over the last two plus
13 decades, the DEP constructed more than 70 blue belts
14 across Staten Island. New York City also has the
15 most aggressive green infrastructure program in the
16 country. Additionally, in the past several years,
17 the department has built more than 11,000 curbside
18 rain gardens, infiltration basins and implemented
19 best practices in green infrastructure as
20 Commissioner Sapienza mentioned. Innovative
21 stormwater capture projects using what we refer to as
22 cloud burst design, specially designed to address
23 heavy downpours are also ongoing at NYCHA housing
24 developments and being designed for street medians.
25 These cloud burst stormwater management strategies

2 are a mix of grey and green infrastructure designed
3 for a large volume events to absorb water where
4 possible and store excess water safely until the
5 event passes. These projects can also provide
6 amenities and increase open space. We look forward
7 to working with DEP to expand cloud burst design
8 beyond the pilot areas.

9 Areas that face unique risks are getting special
10 investments. For example, we know that many areas in
11 Southeast Queens are particularly vulnerable to
12 rainfall but face flooding. To address this
13 vulnerability, DEP along with DOT and DDC are
14 currently engaged in a massive \$1.9 billion buildout
15 of the sewer system there to alleviate flooding and
16 improve the quality of life for residents and
17 businesses.

18 This work and future investments will be
19 strengthened and guided by our stormwater resiliency
20 plan, which was required by Council legislation and
21 released earlier this year. The storm water plan
22 outlines exactly where the city expects to see future
23 stormwater flooding and lays out key actions that the
24 city is taking now and in the future to strengthen
25 our resiliency. Hurricane Ida made it clear that we

1 must speed up and augment these efforts and Mayor de
2 Blasio has created an extreme weather taskforce to do
3 exactly that. The city is also leading the way with
4 best practices and stormwater management under the
5 climate resiliency design guidelines. We're grateful
6 for Council's partnership and incorporating these
7 guidelines into Local Law 41 of 2021, which will
8 ensure that new public facilities and infrastructure
9 projects are designed to withstand the more severe
10 flooding we expect in the future.

12 DEP will also evaluate their long term drainage
13 planning with future conditions in mind. However,
14 even with these significant investments and policy
15 changes, we must recognize that we can never fully
16 eliminate risk. Encouraging New Yorkers to protect
17 their financial health with flood insurance is
18 another important component of our strategy. We are
19 continuing to advocate in Washington for reforms to
20 the National Flood Insurance program that would
21 increase affordability for low-income households.
22 This program will come up for reauthorization at the
23 end of this month. So, there is a critical window
24 for action.

2 Additionally, earlier this summer, we launched a
3 One million dollar advertising campaign in
4 partnership with FEMA to explain the importance of
5 flood insurance and promote risk awareness. We're
6 also exploring opportunities to retrofit New York
7 City's existing buildings. Our office was recently
8 awarded FEMA funding to conduct a study of where and
9 when backwater values work best in the city. Our
10 goal is to understand how this tool can benefit New
11 Yorkers in how to develop a sustainable program that
12 will reduce flooding in homes and businesses.

13 While the city is of course limited in our
14 ability to fund a large scale retrofit program, we
15 are always exploring ways to partner with different
16 levels of government to strengthen our existing
17 building stock. We look forward to working with
18 Council as the study progresses. There is no doubt
19 that much more work remains to be done to adapt New
20 York City to a hotter and wetter future. Even with
21 more funding, reforms and partnership implementing
22 new and complex solutions won't be easy and will
23 require incredible thoughtfulness and participation
24 of many communities and stakeholders over the coming
25 years and decades.

2 We also recognize the need for comprehensive
3 solutions that account for the city's multiple and
4 often simultaneous hazards. Despite the significant
5 scope of the work ahead, I remain optimistic about
6 our ability to meet these challenges rapidly and
7 equitably for all New Yorkers.

8 In conclusion, I would like to thank the
9 Committee on Resiliency and Waterfronts, the
10 Committee on Environmental Protection and the
11 Committee on Transportation for allowing me to
12 testify here today. I look forward to answering your
13 questions about the strategic planning in response to
14 the threat space by climate change.

15 CHAIRPERSON RODRIGUEZ: Thank you. I would like
16 to let the public know that the NYPD are also here
17 and that they will be ready even though they are not
18 preparing, presenting testimony but they are ready to
19 answer questions on how from the NYPD perspective,
20 they also respond during these storms.

21 So, they are here present ready to answer
22 questions. Second, I would like to let everyone know
23 that after we finish with the panels from the
24 administration at 12, we will have the MTA as a
25 second part of responding questions related to the

2 public transit system. So, as we will ask any
3 question, we will be aware that any question related
4 to the MTA will be asked in the second panel.

5 But before we get into questions I would like to
6 ask everyone to please stand up for a moment of
7 silence in the name of those people that we lost as a
8 result of this storm. [SILENCE 45:12-45:34].

9 There's no doubt that you know we are the best
10 city in the whole nation and the whole world and we
11 have to be thankful to the men and women that you
12 guys in and the rest of your team, that are the one
13 that had to be accountable for planning an executed
14 plan. Our role from this side to oversight, but you
15 are the ones that have to be working 24/7 to be sure
16 that you identify the best leaders in each agency,
17 ready to respond in any type of disaster.

18 And I can say that we as a Council appreciate in
19 the whole city. I know that you did the best you
20 could. So, any question that we would ask about how,
21 what did we learn? What went wrong? How can we be
22 better prepared? Is not disqualifying the great job
23 that you as the leaders and others in each agencies
24 here and the rest they had done during this past
25 storm and in any disaster that New York City has been

1 dealing with. And we know that the city, we all have
2 to plan to be better, to be stronger and that's what
3 we expect to come out from this hearing.

4 I feel that I have a few questions. I know that
5 my colleagues also have questions. So, I don't
6 pretend to cover every single area but at least a few
7 of those questions than my colleagues will continue
8 asking questions.

9 My own experience is that we have all
10 infrastructure. This is something that I know that
11 all of us bring. There is a lot of things that we
12 have on the ground, [INAUDIBLE 47:23] engineering
13 agency, we find that at the time we are doing certain
14 projects. And I feel that that all infrastructure
15 that we have play a role when it comes to the
16 accumulation of waters that we get in our street.
17 And I can give you let's say a local sample. In my
18 own district, Riverside Drive and Seaman Avenue, is
19 one of those intersections that I can tell you things
20 in 2019. I have been bringing that intersection to
21 the previous administration and the current
22 administration. Twelve years highlighting that that
23 particular area is the area that if you get even less
24 than one inch of water, all those businesses will be
25

1 dealing with the flooding because the water is coming
2 from the Fort Isham Park and all these leaves that go
3 down there are accumulating. By the same thing that
4 you will find out at Nagle Avenue and Dyckman because
5 in that side, in the east part of the Northern
6 Manhattan, then we have Highbridge Park. And all the
7 water come down from the bridge from the Highbridge
8 Park and now to raining and water is accumulating.
9 Twelve years highlighting to all the administration
10 that something must be done. Agencies that don't
11 connect. Agency, what I get, we will look at it but
12 there is no action. And I feel that that wouldn't
13 happen if that would be close to Central Park.

14 That would not happen if it was close to Central
15 Park West, 5th Avenue and these are the same
16 experiences that we will hear through borough after
17 borough when it comes to challenges that we have of
18 the need to invest in millions of dollars in capital
19 to deal with those local situations.

20 So, you know, I am not going to be asking a
21 question because what can you tell me? That you will
22 look at your team but I can tell you from Mayor
23 Bloomberg to Mayor de Blasio, it's not lack of being
24 noticed, it's that those areas have not been a
25

2 priority. And, and, and I feel again that we have
3 that responsibility to deal with certain area. Take
4 Dyckman public housing. It's one of those areas that
5 when you look Sandy, they got water into those
6 buildings. Talk about Academy Street 10th Avenue,
7 that has not been included in any investment. It
8 suffered during this storm but that's a potential
9 area to come.

10 And we know, again, we all know still we rookie
11 in government but it is already 12 years. We also
12 know that we have limited resources but sometimes we
13 also have to deal with it further when it comes to
14 invest in making the decision to invest in upgraded
15 infrastructure. Underserved, poor neighborhoods have
16 been left out.

17 That's in general what I wanted to bring. But I,
18 now looking at what happened, especially in those
19 cases of people that many of them, they die in their
20 basement. I have a question. The first question is,
21 at what time, does the city have a system to
22 communicate with the homeowners and if that's the
23 case, at what time did the homeowners receive a
24 notice that their basement could be at risk as a
25 result of the flooding?

4 JOHN SCRIVANI: Alright, thank you sir. I
5 appreciate your question and first, I'd like to just
6 thank you for your opening comments about our teams.
7 As you mention, these folks are really working hard.
8 They are not going home and I think your words really
9 resonate with them and we really appreciate you
10 making those as opening comments. So, thank you for
11 that.

12 CHAIRPERSON RODRIGUEZ: [INAUDIBLE 52:07-52:14].

13 JOHN SCRIVANI: So, thank you very much.
14 Alright, so, to address your specific question.
15 Multiple warnings were going out regarding the storm,
16 pre-storm and during the storm, both from New York
17 City and the National Weather Service as you probably
18 had received on your phone.

19 Your specific question about did we uhm, direct
20 people to evacuate their basements? That is not in
21 the current messaging and that's what the Mayor has
22 addressed in the Extreme Weather Taskforce where we
23 are going to be doing that and we will be releasing
24 that information next week. We have develop
25 messaging to give people guidance on when we believe
that the weather will change rapidly and we may see a
situation. We have been asked by the Mayor to make

1
2 sure we are leaning forward and looking at worst case
3 scenario, not just the forecast that's been provided
4 to us. So, we will be leaning forward. I can give
5 you and the Council an outline of all the messages
6 that had gone out that pre-storm and during the
7 storm, uhm, it's a quite extensive list. You know we
8 had sent out probably almost 30 messages pre and
9 during the storm. But to your specific question of
10 did we put out one that says specifically evacuate
11 your basement? No, we did not.

12 CHAIRPERSON RODRIGUEZ: Okay, so hopefully you
13 know, the taskforce and you guys work on it but you
14 know it is unfortunate that we didn't have the system
15 in place but it's also the area to move forward.

16 Where was the city - in which area do you feel
17 that the city could be better prepared to deal with
18 this flooding?

19 JOHN SCRIVANI: So, I think you just addressed
20 that. We uhm, we need to add a couple of new tools
21 to the toolbox. One of them is being more aggressive
22 on our messaging and not just taking the forecast
23 that we receive at face value. And really trying to
24 look at them as what is the possible worst case
25 scenario, so that we can get messages out quickly.

2 So, from the messaging perspective, we have a
3 comprehensive plan. The Mayor will be releasing that
4 in the coming weeks. We're ready to launch that.
5 So, from the emergency management side, there's the
6 messaging. Obviously, we need your partnership. We
7 need to make sure people are prepared to move if
8 something does happen.

9 As Jainey mentioned, we have multiple hazards
10 that come out of this simultaneously. We're dealing
11 with a pandemic. We're dealing with uh, climate
12 change and extreme weather and we really need the
13 Council and all the other elected official's help to
14 partner with us to make sure that we get that
15 preparedness message out as I mentioned in my
16 testimony.

17 Uhm, prepared people fair better when we have
18 emergencies. They get the information quicker
19 because they know what to look for. So, preparedness
20 is key, messaging is key and you know to speak to
21 broader you know preparedness on what we can possible
22 do in infrastructure, I'll ask Commissioner Sapienza
23 to address that.

24 VINCENT SAPIENZA: Thank you Commissioner. I
25 want to you know, Chair Rodriguez, just respond to

1 your question about old infrastructure and agreed. A
2
3 lot of our sewer infrastructure is old but that
4 doesn't mean that it doesn't function as it was
5 originally build to do. Which it does, it was just
6 designed and built for a different time, a different
7 reality both climate and city.

8 And so, we know that it needs to be improved. As
9 I mentioned in my testimony, we spend about \$500
10 million a year in upgrading our drainage
11 infrastructure in the city. Uhm, in Southeast
12 Queens, a long underserved community. The Mayor has
13 committed \$2 billion. Much of which has already been
14 spent over the last five years to provide a modern
15 drainage system there.

16 So, those things are underway but uhm, you know,
17 we, we, if we want to meet the challenges of climate
18 change, obviously a lot more has to be spent.

19 CHAIRPERSON RODRIGUEZ: Okay.

20 JAINEY BAVISHI: And I might chime in here as
21 well. Uhm, you know I think uhm, Commissioner
22 Sapienza also mentioned this in his testimony as did
23 I, that sewer infrastructure, even if we work to
24 modernize it to incorporate climate change
25 projections is only going to be part of the solution.

4 We can only build so big; they are going to have
5 their limitations. And so, we need to continue to
6 pair those investments with investments in more
7 innovative stormwater practices like green
8 infrastructure which DEP has already been leading on
9 and we also need to continue to expand our Cloud
10 Burst Management Program.

11 As both Commissioner Sapienza and I mentioned in
12 our testimonies, uhm, you know we have been piloting
13 those Cloud Burst Management Projects on a project
14 level basis. We have been learning from Copenhagen
15 which is really the city that's leading on this kind
16 of management practices. We've learned from
17 Copenhagen that cloud burst projects decrease volume
18 of water entering the sewer system by 30 percent
19 which is really an incredible number. So, we have an
20 opportunity to expand those kinds of practices and
21 basically it's taking open spaces, green spaces and
22 streetscapes and turning them into stormwater
23 retention areas. They would, during blue skies,
24 remain you know the open spaces, green spaces and
25 streets and provide recreational amenities and other
benefits to the community.

4 I also want to mention Chair since you brought up
5 the point about equity that this is incredibly
6 important to us. We absolutely want to make sure
7 that we are approaching this work with equity in
8 mind. The Storm Water Management, the Storm Water
9 Resiliency Plan and the maps that were provided with
10 those plans, show us where the risk is from rainfall
11 itself but we also need to overlay equity concerns on
12 top of that in order to decide where to make
13 investments in these cloud burst management practices
14 and other stormwater investments.

15 I also just wanted to address, you mentioned
16 public housing. We have invested over \$3 billion in
17 public housing upgrades since Sandy specifically
18 focused on resiliency.

19 CHAIRPERSON RODRIGUEZ: Look, I just feel that it
20 is better to take the approach to recognize where we
21 have failed. It's a more positive conversation
22 because if we take the approach to justify and come
23 out with the numbers, make things beautiful, I can
24 tell you last year, I was with Carlos Menchaca in his
25 district and based at some of those public housing
and those were projects that are still as a result of
Sandy. Still, NYCHA has not fixed it and I think

2 that if we get back and forth, yeah, we have a couple
3 million dollars as I say, DEP, you go to Riverside
4 Drive in Dyckman and Seaman or go back to the record
5 on the time of Bloomberg, Mayor de Blasio first and
6 second term. No one have been putting in the
7 resources to deal with why the drain is not working.
8 Why, and I can tell you without being an engineer,
9 for me it's about all the water come from the Fort
10 Triumph Park. When the summer is over, all those
11 leaves, they go underground and it's like an hour or
12 two of raining and that whole area is like a little
13 lake.

14 You go to the other area to the east side,
15 Dyckman down the riverside, the Highbridge Park is
16 the same thing. So, I feel like it's you know like,
17 it's better to understand that each of us will bring
18 different you know experience in the district that we
19 represent. As I said from the beginning, I'm one of
20 those Council Members that I am happy to say working
21 together with this administration, we are making poor
22 accomplishment. But the level of frustration and how
23 certain parts of the city have been left out is real
24 and we have to take responsibility. And that's when
25 we talk about the local part. Because when we talk

1 about the citywide view, our responsibility to
2 protect every single 1.6 million New Yorkers,
3 regardless of the socioeconomic ethnic background or
4 with the [INAUDIBLE 1:00:37].
5

6 So, but this experience you know, we leave Sandy,
7 we leave the others natural disasters and to deal
8 with things that can take this by surprise. It's
9 difficult to follow and I feel that again, like, I'm
10 happy to you know bring up those numbers of the
11 investment of City Hall but I also understand that
12 there is a lot more and we have to recognize that in
13 a certain area, we could do better. Preparing
14 before, during and then after this time. And my
15 second question before I turn it to my colleague is
16 related to when it comes to Sanitation, who are and
17 again, I will understand that DEP has a lot of
18 responsibility to be sure that the system is working.
19 But if you go to a particular area I can bring
20 [INAUDIBLE 1:01:46] and Broadway and you look under
21 the train, you see a lot of garbage. You see that
22 that area are not clean, so when the water comes in
23 many of those locations, they are close to entry
24 train stations. What type of assessment has been
25 done? How often are we looking at the drain system

4 to be sure that they are working. That they are
5 clean, so that we are prepared?

6 VINCENT SAPIENZA: Thank you Mr. Chair for that
7 question. So, there's about 148,000 catch basins
8 around the city and DEP programmatically inspects and
9 cleans them all year around. But you're right, that
10 street litter is the primary problem that we see. In
11 some commercial districts, we're out cleaning catch
12 basins much more frequently than in residential
13 areas. But we do work with Department of Sanitation,
14 he street sweeping program, with New York City DOT
15 for cleaning highways and that's part of our regular
16 program and also part of the flash flooding emergency
17 plan that we carry out a day or two before knowing
18 storms are coming.

19 EDWARD GRAYSON: Yes Chair, so uh, the routine
20 maintenance and cleanliness above grade, so above the
21 grades that comes into our purview because we sweep
22 the streets and try to keep them clean. Everything
23 below grade naturally gets cleared out by the
24 professionals at DEP because they have to go in and
25 get inside the grade. And most of the city that is
included in the alternate type parking program gets
mechanical broom service at least once a week and we

4 have additional MLP staff as well as district
5 officers that will take appropriate action when they
6 see a litter condition. However, litter does build
7 up every day as we all know, so it's more of a
8 balance in this particular event and whenever we
9 enact the flashflood plan, the Department of
10 Sanitation goes out to a specific number of catch
11 basins that are in known problematic areas to
12 inspect, clean everything that's above grade if there
13 is any deficiencies there and notify DEP if they have
14 to go below grade prior to the start of the storm.

15 CHAIRPERSON RODRIGUEZ: DEP in collaboration of
16 Sanitation have the men and women in power. How
17 many, what is the men in power that you have
18 dedicated to do regularly going out and maintain
19 those sites clean and ready for water, when the water
20 is coming? And can we think about a system where a
21 resident take a photo and send information that the
22 agency can say we can you know go and clean that
23 particular side in these numbers, the numbers a week?

24 VINCENT SAPIENZA: Yeah, Mr. Chair, so we do about
25 50,000 catch basins cleanings per year. Most of them
are just programmatic but we do take 311 calls for
homeowners as you know I have some ponding on my

1 block because I think a catch basin is blocked up.

2 We'll go out and do those but again, most of the work
3 we just do based upon inspections and programmatic
4 cleaning, again, you know as Commissioner Grayson
5 mentioned you know a lot of it is street debris. So,
6 the message to get out to everyone is you know try to
7 avoid littering because that's primarily what's
8 causing catch basins to get blocked up.

9
10 CHAIRPERSON RODRIGUEZ: But you don't think that
11 the city can have the men and women in power that
12 when they identify anyone who take a photo and can
13 notify the agency that they can commit it to say a
14 week ago, seven days or two weeks, we can send a team
15 to clean that site?

16 VINCENT SAPIENZA: Yeah, and we generally do so.
17 If someone either contacts us or more likely through
18 311, we're generally out there within a week to that.

19 CHAIRPERSON RODRIGUEZ: Okay, okay. My last
20 question to the NYPD, you were the ones that have the
21 men and women out at night taking care, giving
22 direction to people, especially around the train
23 stations. What is the experience that you guys as an
24 entity of DOE when it comes to safety in directing
25

4 people, especially those who were trapped in the
5 train station and the surrounding area to be safe?

6 RAYMOND SPINELLA: There were six trains that was
7 stopped in a tunnel. We evacuated approximately 135
8 people and basically we use our emergency service
9 team who are more trained in evacuation procedures
10 than regular patrol people.

11 CHAIRPERSON RODRIGUEZ: Chief, what can be
12 learned? What do you think based on that experience
13 we can say there is a one, two or three team that we
14 can do better to deal with this type of situation?

15 RAYMOND SPINELLA: So, what we learned is uhm, in
16 order to uhm, be prepared, what we're going to do in
17 the future. We know which stations you know flood
18 uhm, when they have an excessive of rain. So, we're
19 going to pre-stage people in those locations.

20 So, we'll either close those stations or uhm,
21 uhm, we'll have cops pre-staged at those particular
22 locations where we experience historical flooding.

23 CHAIRPERSON RODRIGUEZ: Okay, thank you. My
24 colleagues are also waiting. I'm going to give a
25 turn to them so I will give back. Chairman Justin
Brannan.

4 CHAIRPERSON BRANNAN: Thank you Chair. I just
5 want to read into the record quickly, one of my
6 colleagues Councilwoman Selvena Brooks-Powers who
7 couldn't join us today but she represents Far
8 Rockaway Arverne and Edgemere. So, I wanted to read
9 this into the record quickly, her statement.
10 Hurricane Ida is just the latest reminder, climate
11 changes are a new reality and it's already impacting
12 our communities.

13 Storms that used to be once in a lifetime events
14 are now occurring much more frequently. The response
15 from all levels of government needs to meet the
16 urgency of the moment and we must commit to solving
17 this crisis.

18 The City Council has made historic progress in
19 combating climate change by setting ambitious climate
20 targets to reduce the city's carbon emissions. For
21 instance, the Climate Mobilization Act of 2019
22 introduced higher standards for new large building
23 constructions, upgrades for utility efficiency and
24 green roof renovations.

25 Other key pieces of legislation like the five
26 borough resiliency plan hopefully will get done soon.
27 We can all see the evidence that our current work is

2 not sufficient. Videos circulate social media,
3 flooding in our streets and subway stations, forest
4 fires ravaging across the west coast and destroying
5 homes. It's time we act and do more. We cannot
6 afford to continue responding reactively to the
7 effects of climate change, we must be proactive. We
8 must redouble our efforts. This means investing in
9 NYCHA, our public transportation infrastructure and
10 so much more as we as New Yorkers rely on each day.
11 Otherwise future disasters will continue reeking
12 deadly havoc on our communities.

13 Our city agencies must be equipped and prepared
14 for these disasters. We know what agents – we need
15 to know what agencies like the MTA are doing to
16 safeguard our critical infrastructure against the
17 threats of a warmer world. That's from Councilwoman
18 Selvena Brooks-Powers. Thank you for allowing me to
19 read that into the record.

20 Uhm, I guess for OEM, how is – the information
21 that we receive from the National Weather Service,
22 how is that then synthesized into, you know, what the
23 preparation will be? I think as a Layman, it
24 certainly felt like we were with tropical storm
25 Henri, it felt like we were really bracing for it and

1 prepared for it and then I felt like Ida was the
2 opposite. Like, we knew it was coming but we weren't
3 making as big a deal as we were making about Henri
4 and I'd like to know that and I'd like to know the
5 information that when National Weather Service puts
6 out you know information that you and I or me, I
7 might just see it as a Tweet or something.

9 On a higher level with OEM, how is that
10 information synthesized and what is done with that
11 information?

12 JOHN SCRIVANI: Yeah sir, thank you for that
13 question. So, although they are both considered
14 tropical systems, the approach of Henri coming from
15 offshore makes it a much more difficult challenges
16 because we're looking at the cultural storm impacts
17 like a Sandy type event and we're looking at
18 evacuations. Our communication is coming from both
19 the local Weather Service Office and the National
20 Hurricane Center in a situation like that.

21 Ida is completely different because it made
22 landfall in Louisiana. It then just gets handed off
23 to the Local Weather Service office. We are no
24 longer communicating with the hurricane center
25 because it is not a tropical system by definition

2 that's coming from the ocean at that point, it's
3 coming over land.

4 So, we are getting communication as we you know
5 mentioned in the testimony. We started watching this
6 storm well in advance. We were forecasted to get up
7 to six inches of rain but as was mentioned earlier,
8 six inches of rain over five, six, seven hours is not
9 what we received. The original forecast was for a
10 very heavy rain event over multiple hours. That time
11 ended up getting compressed to as Commissioner
12 Sapienza said the intensity that the system, the
13 storm sewer system just could not handle.

14 So, our communication depending on the approach
15 of the storm, the type of the storm is a little bit
16 different because the National Weather Service does
17 have different tools and different you know I guess
18 entities within their own program that we'll
19 communicate with. But because of the difference of
20 one coming from the ocean and one coming over land,
21 the way we receive our information is not exactly the
22 same. I hope that answers your question.

23 CHAIRPERSON BRANNAN: Sure, thank you so, are
24 there now, what have we learned I guess from the
25 signs that Ida was giving us. That maybe obviously a

2 storm that devastates New Orleans and then travels
3 1,000 miles across land a couple days later to, to
4 wreak havoc on you know Hollis Queens is
5 unprecedented. But are there things now that we saw
6 from Ida that are going to be harbingers for the
7 future of knowing okay, well, you know are we going
8 to sort of go to the mattresses so to speak for every
9 storm. I mean, how are we going to sort of have that
10 triage?

11 JOHN SCRIVANI: It's very challenging. Uhm, I'm
12 not a meteorologist or a climate scientist. I'm you
13 know reliant on what the forecasters give us. Uhm,
14 but I have to look at it through a different lens to
15 your point of are we going to go to the mattresses
16 and go you know overboard?

17 As I mentioned in my earlier statement, we're
18 looking at worst case scenario much differently.
19 They are giving us information. If they tell us
20 there is six inches of rain, uhm, we'll work with the
21 team to assume that's going to come down in one hour
22 possibly and what would we need to do you know prior
23 to that to make sure that residents are alerted.
24 Obviously the basement apartments is a super focus
25 now, so we got to figure out how to get that message

2 out. We need your help to do that. You know your
3 communities and you know; we send messages out in
4 multiple languages up to 14 languages but we want to
5 make sure we are getting the right message to
6 everybody.

7 So, on the, you know, what have we learned? I
8 mean, I think we've learned that we just have to be
9 hyper aggressive with letting people know what we're
10 seeing. You know, we can't be reliant on peoples
11 apps on their phones or watching the news for the
12 weather. We're going to, you know the Mayor has
13 asked us to over communicate and that's what we're
14 planning on doing. We're over communicating and
15 being as aggressive as we can to get out there and
16 execute the plans and clean the streets and as well
17 as message people as much as we can and really give
18 as much advance warning of what people should do.
19 And that was the preparedness message I was speaking
20 to earlier.

21 CHAIRPERSON BRANNAN: Thank you. For the - the
22 Mayor recently announced the formation of the 30-day
23 extreme weather taskforce, so two questions. Has the
24 taskforce convened yet and then after 30-days will
25

4 there be a report on the findings or – and then how
5 will those recommendations be acted upon?

6 JOHN SCRIVANI: So, the answer to both of your
7 questions is yes. We have met multiple times
8 already. We met the day after he announced it and we
9 have met almost every day since. Uhm, there will be
10 a report that's generated that I'm sure the Mayor
11 will be communicating himself.

12 CHAIRPERSON BRANNAN: Okay, thank you. Uhm,
13 Commissioner Sapienza, uhm, I want to talk about the
14 very exciting and sexy issue of the New York City
15 sewer system.

16 Uhm, as I have learned now uh, the city's sewer
17 system is designed to handle about one in a half to
18 two inches of rain per hour. Is that correct?

19 VINCENT SAPIENZA: That's correct.

20 CHAIRPERSON BRANNAN: Okay, so, now that we're
21 seeing, we're seeing storms now that are bringing us
22 more than three inches of rain an hour. Uhm, which I
23 think we can all agree is extraordinary. Uhm, but no
24 longer unprecedented.

25 Uhm, what is the plan going forward? Is the city
planning to redesign the sewer systems to increase
capacity? That's first question and second is, any

2 uh, current replacement projects that are underway.

3 When a new sewer is installed at this point, I'm
4 hoping that we're not installing those same sewers
5 that we're seeing are being you know inundated. So,
6 is the new model sewer capable of handling more water
7 and are there projects underway right now that are
8 installing those new sewer systems?

9 VINCENT SAPIENZA: So, it's a complicated
10 question but I'll try to boil it down as much as I
11 can. So, right now, the system is designed to handle
12 about half of what we saw in Ida you know, from going
13 from one and three quarter inches to three and a half
14 inches in an hour.

15 So, to say we're going to, you know rip out the
16 entire 7,500 miles of sewers and put in sewers twice
17 as big, is not going to happen. We know that. It's
18 physically infeasible. It would cost \$100 billion,
19 so we're not going there. So, where we are looking
20 is, where is the supplement in the system? You heard
21 from Jainey about the Green Infrastructure program.
22 Keeping storm water runoff out of the sewer system in
23 the first place. Using the ground to absorb it or
24 retain it or store it. So, we're moving forward with
25 that.

4 The other thing is supplemental non-network
5 sewers. Something called High Level Storm Sewers.
6 They are called high level because they are just
7 below the street surface, not deep like old
8 traditional sewers. You know, some which may be 70
9 feet down, to just peel off some of the storm water
10 in localized areas and carry it away to a local water
11 body, like a river or stream. So, there is a bunch
12 of things that we are doing but uhm, you know we just
13 can't say those 7,500 miles of sewers, let's have a
14 plan to double size. It's not feasible.

15 CHAIRPERSON BRANNAN: Yeah, no, I mean look, a
16 lot of the infrastructure that we take for granted
17 under our feet that's 100 years old, we can't send
18 the whole city to Aruba while we replace everything.
19 I get that.

20 But I'd like to drill down on if there are - is
21 there a blueprint for a city sewer right? If I'm
22 getting a new sewer put in in my neighborhood, that
23 sewer that's being installed, does it have more
24 capacity than the sewers that got overwhelmed during
25 these storms or are we installing the same sewers?

VINCENT SAPIENZA: Yeah, so, the answer is it may
be larger. So, let me explain it this way. So, the

2 sewer system in New York City is like a tree. On
3 local streets, the sewers are like the branches of a
4 tree. Those feed into larger sewers like the lens of
5 a tree down avenues or boulevards, which then feed
6 into even larger sewers like the trunk of a tree. If
7 you want to say well, I'm having you know flooding
8 issues on my local blocks, I want a larger branch
9 sewer, it really effects the whole system.

10 So, it's just that we can't just upgrade those
11 branches without everything else. It makes it
12 complicated. So, that's why again, we're looking at
13 supplementary ways of improving drainage green
14 infrastructure, high level storm sewers, retention.
15 Those are more of the better tools for now.

16 CHAIRPERSON BRANNAN: Alright, so, I was speaking
17 with a friend earlier about uhm, normally in the
18 south shore of Staten Island, where normally during
19 just a simple rain storm, they would get flooded but
20 now that there have been new sewers installed in his
21 neck of the woods, during Ida, he didn't see any, any
22 flooding.

23 So, the sewers that were installed say somewhere
24 like in the south shore, are those sewers being
25

2 stalled elsewhere and what's different about those
3 sewers?

4 VINCENT SAPIENZA: So, most of the city has
5 what's called a combined sewer system. It's the
6 older type system. It's one type beneath each city
7 street that handles both sanitary sewage and storm
8 runoff. Newer parts of the city and in South Queens,
9 Staten Island have two pipes in the street. One for
10 sanitary sewage, one for storm flow. Much better.
11 Also in Staten Island, we've developed a blue belt
12 concept. These retainage basins that look like
13 natural system. So, that's helped as well.

14 Uhm, I do want to point out that during Ida
15 though, the rainfall wasn't the same across all of
16 the city. You know, parts of the areas got more,
17 parts of the areas got less and that goes into the
18 equation as well. But having separate sewers
19 certainly helps.

20 CHAIRPERSON BRANNAN: Yeah, I mean my district -
21 two of the main neighborhoods in my district have
22 names that include elevation right, Bay Ridge, Dyker
23 Heights. Normally, uh, we're immune from storms.
24 This time, I don't think there was a house in my
25 district that didn't take on water of some kind.

2 Uhm, so I want to move on but so, the answer
3 then, what you're saying is the answer is not - I'm
4 trying to synthesize this. We're saying that our -
5 the city sewers are not built to sustain this much
6 water. But isn't it crazy if we're installing those
7 same sewers. Wouldn't we be trying to build a bigger
8 tree using your analogy?

9 VINCENT SAPIENZA: Right, and we are. So, we
10 developed master sewer plans to try to do that. It's
11 just not going to happen you know within the next
12 year or two. Uhm, and again, in order to take steps
13 very quickly, we want to look at other things in the
14 interim. Building out the sewer system again to be
15 twice as big. Maybe it's not even feasible because
16 those pipes can't fit in the street. You know but we
17 certainly want to make them bigger than they are
18 today and build that tree out over the coming
19 decades.

20 CHAIRPERSON BRANNAN: Okay, uhm, I mean, I think
21 one of the things we need to prioritize and I hope
22 you would agree is that for constituents that tell us
23 that they get flooded on a regular basis, much less
24 than these once in a lifetime storms that now happen
25 three times a month. We've got to prioritize these

2 projects because if we're getting flooding now in
3 areas where most homeowners have never seen flooding
4 before, then the homeowners that have been seeing
5 flooding all along, even sunny day flooding or just
6 in a simple rain storm, uh, these are projects that
7 just have to be prioritized. And I certainly have a
8 bunch in my district. I'm sure my colleagues have
9 several in their district. I understand we can't
10 just wholesale replace all the sewers in the city.
11 But I think for folks where we know they are going to
12 get flooded; we've got to prioritize those projects.

13 So, I hope we can work together on that. Uhm, I
14 want to ask about back water valves. Something I
15 knew nothing about until about a month ago. Uhm,
16 these valves are used to prevent overflow as a result
17 of back water from a public sewer system coming into
18 your house. During Ida many basements were flooded
19 from backwater from sewage pipes because of the
20 combined sewers.

21 Uhm, does DEP have an inventory of how many
22 buildings are protected from such overflows by having
23 backwater valves installed?

24

25

4 VINCENT SAPIENZA: So, just a backwater valve you
5 know we think in many cases it does make sense for
6 properties. So, just -

7 CHAIRPERSON BRANNAN: It does or it doesn't?

8 VINCENT SAPIENZA: No, they do, they do, they do.

9 CHAIRPERSON BRANNAN: Okay.

10 VINCENT SAPIENZA: Uhm, when there is flooding on
11 a street from a heavy rain, water is going to seek
12 its own level and it's going to you know push down
13 through pipes, through the sewer connection from
14 homes and can come out in toilets and basements and a
15 backwater valve can help to prevent that. So,
16 they're good in that way. The issue is that the
17 homeowner then has to maintain them. Otherwise,
18 you're going to have worse problems.

19 So, while we do recommend in certain cases that
20 you install a backwater valve if you're in an area
21 that traditionally floods, that the issue is
22 maintenance and I don't know if we have an inventory
23 but if we do, I'll get that to you.

24 CHAIRPERSON BRANNAN: Yeah, I mean I think New
25 Yorkers are always inclined to do their part and
their fair share. I think when it comes to taking on

2 sewer water, I think that's where that relationship
3 ends.

4 JAINEY BAVISHI: And if I may?

5 CHAIRPERSON BRANNAN: Yeah.

6 JAINEY BAVISHI: Chairman Brannan, I just wanted
7 to add that uhm, the city actually just received a
8 federal grant. We won a federal grant to actually
9 conduct a study of where and when backwater valves
10 work best in the city. So, we had a program to
11 install backwater valves in Sandy effected areas. We
12 want to expand to program and so, our goal is to
13 actually put some specific numbers to the number of
14 buildings that could benefit from these and uhm, and
15 with the cost of installation and maintenance as
16 Commissioner Sapienza mentioned would be.

17 CHAIRPERSON BRANNAN: Okay, cause I know there
18 are cities where - you know for me part of this is
19 sort of lifting that vail of exceptionalism right.
20 This is the best city in the world. That's
21 undisputed. But if other cities or states or
22 countries are doing things better than we are, we
23 need to be unafraid to steal their ideas. And I see
24 in other cities, they are reimbursing homeowners for
25 installation of backwater valves.

4 So, it seems like certainly if we have federal
5 grant money, something we could be doing here where I
6 don't think that should be the responsibility of the
7 homeowner as far as the you know, the payment is
8 concerned.

9 Uhm, okay, I want to move along because a lot of
10 my colleagues have questions. I want to be
11 respectful. Talking about flooding, the city and
12 Center of New York Neighbors launched this consumer
13 education campaign called, Flood Help New York which
14 is really helpful. It's provided flood risk
15 information and support to homeowners who may not
16 understand how this stuff works, certainly I didn't.
17 Uhm, do we know if this resource is just for
18 residents in coastal areas or is it being expanded to
19 inland areas?

20 JAINEY BAVISHI: Uh, thanks for raising this
21 Chair Brannan. Uhm, the program was funded with post
22 Sandy federal dollars and so, it is limited at this
23 time to uhm, coastal areas that were impacted by
24 Sandy.

25 CHAIRPERSON BRANNAN: Okay and I guess this is
broad but what are the city's views on building homes
and business in areas that regularly flood now? What

2 are the city's views on constructing homes and
3 businesses in areas that will regularly flood five,
4 ten, twenty years from now?

5 JAINEY BAVISHI: So, you know I think that uhm,
6 we have been actively working to balance the uhm, the
7 affordable housing needs we have as a city with our
8 resiliency needs. Uhm, we've started - uhm, so it's
9 both about how we build and where we build right.
10 And so, all new buildings right now have to
11 incorporate Appendix G, which is one of the most
12 flood resilient building codes in the entire nation.
13 Uhm, and we appreciate our partnership with Council
14 to make it that way. Uhm, if a building goes through
15 substantial rehabilitation it would do the same
16 thing.

17 We've also started sort of thinking about where
18 we build and how we can limit density in certain
19 areas. In particular, Department of City Planning
20 has created a special zoning designation called,
21 Special Coastal Risk Districts, which limit density
22 in the most flood prone areas. Uhm, so this is to
23 account for the fact that these are places that are
24 flooding on a regular basis and we arrived at the
25

4 zoning designation with intense participation from
5 community residents.

6 We also appreciate Council's partnership on
7 passing Local Law 41 that will mandate the climate
8 resiliency design guidelines, which will take flood
9 risk into account in all capital projects including
10 buildings projects. So, you know, we're
11 incorporating these design changes to ensure flood
12 resiliency while also taking into account the
13 riskiest areas and uhm, applying special rules there.

14 CHAIRPERSON BRANNAN: Thank you. Last thing.
15 The city released a storm water resiliency plan and
16 the storm water maps back in May, I believe. The
17 maps so both moderate to severe flooding from rain.
18 The areas that flooded during the recent storms, how
19 are they depicted on the flood maps? Did the maps
20 predict the level of funding that occurred?

21 JAINEY BAVISHI: Uhm, yes, they did. They was a
22 pretty significant overlap between the hardest hit
23 areas and the storm water flood maps. Specifically
24 for the extreme scenario, there were two sets of maps
25 that modeled two different scenarios and there was an
overlap with the extreme scenario. Some of the
places that were shown on the maps that also were hit

4 by uhm, the remnants of Ida include Central Queens,
5 East Bronx, Central Brooklyn and North Staten Island.

6 CHAIRPERSON BRANNAN: And I know the plan has
7 goals and initiatives with some completion dates not
8 until 2027 and 2031. Based on the past month of what
9 we've seen over the past month, uhm, and what we know
10 will continue to occur, do we believe these timelines
11 should be accelerated?

12 JAINEY BAVISHI: Absolutely, I think the Mayor has
13 already acknowledged that the timeline should be
14 accelerated and that's something that we're working
15 through with the Extreme Weather Taskforce.

16 CHAIRPERSON BRANNAN: Okay, uhm, I want to be
17 respectful of my colleagues time. Obviously, I mean,
18 we want to be partners in this. You know, I don't
19 think, I don't think it helps anyone to come here
20 today and point fingers. Obviously, we want to know
21 what went wrong, also, what went right but I think
22 the main thing is we just don't want to be back here
23 again, right. I feel like sometimes it becomes déjà
24 vu all over again where you know, I'm feeling like
25 how many once in a lifetime things can I experience
in a lifetime or in a week or in a month. But we
want to be partners in this work, certainly with my

1 COMMITTEE ON TRANSPORTATION JOINTLY WITH THE
2 COMMITTEE ON RESILIENCY AND WATERFRONTS AND THE
3 COMMITTEE ON ENVIRONMENTAL PROTECTION 77

4 Committee and the committee's here today. So, just
5 to make sure that we're prepared for next time and
6 that this doesn't happen again and that no pain, no
7 gain. If people you know have to dig up streets to
8 do sewer repairs. That's what we have to deal with.
9 It's better than getting a basement full of sewage.

10 So, I want to turn it back to Chair Rodriguez.
11 Thank you guys.

12 CHAIRPERSON RODRIGUEZ: Thank you Chair. Now,
13 let's turn it to Chair Gennaro.

14 CHAIRPERSON GENNARO: Thank you Mr. Chairman.
15 Let me just before I begin, members of my Committee
16 who have been here or are here, uhm, Council Member
17 Ulrich was here. Uhm, Council Member Diaz is here
18 and I welcome her as a member of the Environmental
19 Protection Committee.

20 I've been following up with some of the important
21 points that Council Member Brannan or Chair Brannan
22 just brought up with regard to the capacity of the
23 sewer system. Now, when I came on as a staff member
24 of the Council, you know for the Environmental
25 Protection Committee 31 years ago, so I go back a
long way with this stuff. And it is my
understanding, this is my own you know, in my own

2 memory that once upon a time when the sewer system
3 was first established, it was - of course I'm
4 directing this to Vinney. And uhm, that the sewer
5 system had the capacity to process one inch per hour
6 and then there was a new standard of 1.5 inches per
7 hour and the current standard is 1.75 inches per
8 hour. Which is a lot of capacity. I don't know, you
9 know, it would be hard to process more than that in
10 an hour. But my question that I'm getting at is that
11 we probably have part of the city that has the
12 ability to do one inch and part 1.5 and part 1.75.
13 Does DEP have any sense of like what percentage is at
14 like the higher 1.75 capacity versus the 1.5 versus
15 the one? Is that a known, is that a known thing?

16 VINCENT SAPIENZA: Mr. Chair yeah, so I'll just
17 address that. So, when the sewer systems were
18 originally built going back to the time before the
19 consolidation of greater New York and then right
20 after, uhm, the sewers were under the jurisdiction of
21 each Borough President. And so the designs were
22 different. There was no citywide standard for a long
23 time.

24 CHAIRPERSON GENNARO: Right.

25

4 VINCENT SAPIENZA: So, you do have some pockets
5 of lesser than 1.75 inches per hour but for the last
6 50 years that's been the standard.

7 CHAIRPERSON GENNARO: Oh, for 50 years. For 50
8 years it's been 1.75?

9 VINCENT SAPIENZA: Yeah.

10 CHAIRPERSON GENNARO: Okay. And so, how much of
11 the city is at 1.75?

12 VINCENT SAPIENZA: We'll get to that number; I
13 don't have that off the top of my head.

14 CHAIRPERSON GENNARO: Yeah, now it the case that
15 when you have you know part of the city that's at the
16 higher standard of 1.75 feeds into another area of
17 the city or another branch of the tree that you get
18 bottlenecks, you get problems. As these - it's kind
19 of like you have a highway that's got four lanes or
20 you know three lanes and then you open up the four
21 lanes, it goes back to three lanes again and you
22 know, you get a little jammed up. Is that a
23 phenomenon or is the 1.75 capacity you know kind of
24 like on its own network and it all flows smoothly or
25 is it still kind of like a patch work where you get
bottlenecks here and there and they tend to be
problem areas. Is that what exits?

4 VINCENT SAPIENZA: Chair, we've done much better
5 I'm going to say a little less 20 or 30 years in
6 reducing what was a large number of bottlenecks. I
7 won't say they are all gone but we have done a really
8 good job particularly in the Jamaica drainage area
9 over the last few years or so.

10 CHAIRPERSON GENNARO: Right, and now, let's get
11 to overall capacity. I am a geologist but not an
12 engineer. You know can you foresee a New York City
13 sewer system that has a capacity of more than 1.75
14 inches per hour? We're starting to get in some
15 pretty big numbers here if we're going into like two
16 inches per hour. I mean, that's huge and so, what is
17 DEP's thinking in regarding how big we can build in
18 terms of inches processed per hour?

19 VINCENT SAPIENZA: Yeah and it's a great question
20 because we -

21 CHAIRPERSON GENNARO: Of course it's a great
22 question. I asked the question.

23 VINCENT SAPIENZA: Local, local, you know narrow,
24 narrow streets that are you know 25, 35 feet wide,
25 it's tough to get a much bigger sewer beneath there
with everything else with electric gas. You start
probably beyond two inches an hour to hit the maximum

2 size on many residential streets. Uhm, but again,
3 that's why we want to look at other things. Keeping
4 storm water out of the system in the first place with
5 green infrastructure, with retention, with more
6 porous pavement. We have to use all the tools in the
7 toolbox, not just the traditional mark pipe.

8 CHAIRPERSON GENNARO: So, we're looking at uh, a
9 build out of 1.75 with a thought of perhaps there
10 could be greater capacity in certain areas. Is that
11 like a fair assessment?

12 VINCENT SAPIENZA: Exactly.

13 CHAIRPERSON GENNARO: Okay and uh, and now, in
14 regard to sewer replacement over time and get into
15 those areas that are still less than the standard of
16 you know 1.75. We got 7,500 miles of sewer lines, as
17 per your testimony and if we were going to like
18 revamp the system entirely, kind of like you know
19 rebuild it. Uhm, Over the course of like, what's a
20 lifetime of a sewer main? Is it like 100 years?

21 So, let's just pull a number out of the air and
22 say you know, 100 years, we want to completely redo
23 the system. That would mean that we would have to do
24 75 miles of new sewer mains a year. I don't think
25

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4 we're doing that right? I mean, I don't think there
5 is anything close to that.

6 VINCENT SAPIENZA: I mean, we do - we're getting
7 a lot of storm sewers right now. Uhm, the older part
8 of the sewer system we actually do replacements along
9 with replacing old water mains and streets. We will
10 coordinate with DOT and DDC to do that work. I don't
11 know if we're quite at 75 miles but we do a lot of
12 replacements but we do much more mileage of new storm
13 sewers.

14 CHAIRPERSON GENNARO: Yeah, because my thought
15 involved with the water mains, which is not the
16 subject of today's hearing and also with the sewer
17 mains, I think the idea is to figure out you know how
18 many years you want to completely turn the system
19 over and then you know, divide that by 100 and then
20 that's what you ought to be doing every year, you
21 know ideally. Uhm, and so, and just a note to
22 Committee Counsel Samara, I just think we're looking
23 at Samara and oversight hearings, I don't want to go
24 too deep into the weed zone, this will take up
25 everyone's time. But it's going to be on the
capacity of the sewer system, how we're building it
out uh, and also, on the Storm Water Management Plan.

2 Which is my next line of questioning here. Although
3 I will try not to take too much time.

4 So, uh, Director Bavishi and you Commissioner
5 made reference to the release of the Final Storm
6 Water Management plan this year on holding Local Law
7 five from which I authored back in 2008 and that law
8 states that the – so this was passed on – passed in
9 January, signed in February and it had a date of
10 October 1, 2008, for a draft plan and two months
11 after release of the draft plan but no later than
12 December 1, 2008, the final plan was due.

13 So, it's, it's 13 years late. Am I getting that
14 wrong?

15 JAINEY BAVISHI: I think we're mixing up two
16 things. There was a more recent Local Law passed
17 specially related to storm water resiliency. That is
18 the plan that was released earlier this year, the
19 Storm Water Resiliency Plan. I think Chair Gennaro,
20 the Local Law you're referencing is a ◊

21 CHAIRPERSON GENNARO: It's kind of hard to – you
22 got to like shout right into the thing. I can't hear
23 you.

24 JAINEY BAVISHI: Can you hear me now?

25 CHAIRPERSON GENNARO: Yeah, yeah, it's better.

4 JAINEY BAVISHI: Okay, I just said that I think
5 we're mixing up two things. Uhm, there is a more
6 recent Local Law passed requiring a storm water
7 resiliency plan that takes climate risks into
8 account. Uhm, and that's the plan that was released
9 earlier this year. I think the Local Law that you're
10 referencing is a more general store modern management
11 plan which I'm hoping Commissioner Sapienza can speak
12 to.

13 CHAIRPERSON GENNARO: Yeah, because I was on the
14 internet last night and I saw a uh, you know 2012
15 updates that plan but I couldn't find the final plan
16 online. So, I had the original one like the draft
17 which got all wrapped up in Plan NYC and it was a
18 huge, you know a huge document put out in you know
19 2008.

20 So, like the draft happened and then there was an
21 update in 2012 and that where like the trail goes
22 cold. And so, uhm, uhm, uh, this is to say that you
23 know there is laws that I write and pass, there's
24 plan that have to get made but then there is actual
25 work that has to happen. I think the work is more
important than like the pieces of paper it's printed
on but it's important that we uh, you know move these

2 projects as you know quickly as possible and I'm all
3 for the green stuff. I was the guy that wrote this
4 bill. And so, you know I want all the bottles, all
5 the stuff, all the you know rain gardens, uh, even
6 though my constituents hate them and uh, and we have
7 to do that but at the end of the day, when we talk
8 about a storm like this, we really got to build the
9 system out fully.

10 And speaking of building out the system fully,
11 what is the uh, and I think my colleague Council
12 Member Miller may have something to say about this as
13 well. You know, how much of Southeast Queens has no
14 storm sewer capacity at all at the moment, right now
15 today?

16 VINCENT SAPIENZA: So, I don't have that number
17 for you Mr. Chair but uh, you know as mentioned
18 earlier, the Mayor made a major commitment to
19 Southeast Queens. The system was built with sanitary
20 sewers but certainly a lack or if no storm sewers and
21 the community suffered flooding's since, you know
22 it's been built in the you know 1940's and 50's.
23 There were a lot of natural streams in Southeast
24 Queens that drain that area that were filled in by
25 you know unscrupulous real estate developers who

4 subsequently sold that land for residential
5 development and we've now working with the Department
6 of Design and Construction have been installing those
7 storm sewers over the last few years. A lot of work,
8 \$2 billion. You know, we've heard from Council
9 Member Miller and other elected officials in the area
10 that the system is now working in certain areas but
11 there is still a lot to do.

12 CHAIRPERSON GENNARO: Yeah, but this is something
13 that I made a big deal about during the budget
14 hearings because when I was Chairman - I left the
15 Council in 2013. I was making a big deal about the
16 Southeast Queens buildout then and that was when my
17 hair was all black and I had a 34 inch waist. You
18 know, so I'm still having the same argument or the
19 same conversation. I certainly appreciate you know
20 the huge commitment by the Mayor but the people of
21 Southeast Queens you know have no storm sewer
22 capacity whatsoever and uh, and, and, and next year's
23 budget presentation, I think we have to have a date
24 certain for when all of Southeast Queens is going to
25 be built out. It's just you know unacceptable not to
have that uh, in this time of frequent storms.

4 So, that's a nod, so let the record show that he
5 is saying yes. Okay and Chairman Brannan was also
6 talking about the check valves. I am introducing a
7 bill; we'll see where it goes. Twenty five years
8 ago, we did the toilet rebate program. Uh, you know
9 the city felt it was in the interest of you know
10 water conversation to make an investment to put you
11 know, fixtures in private homes. I participated in
12 that program. I got a new toilet. You know 1.6
13 gallons. It like you know replaced one that was 3.2
14 and it was great. And so, and we went from bringing
15 down one billion and a half gallons a year from
16 upstate New York to like a little under one billion.
17 It is what we are living on now and so, it was a huge
18 success but we had to spend money to do it.

19 Now, the backfill prevention devices are a little
20 trickier because you know if the homeowner you know
21 wants to have one, there is a maintenance
22 responsibility but people who have sewer lines, like
23 I do. I make sure I get it snaked on a regular basis
24 and I you know keep it clean and they would have to
25 know that just because the city put it in doesn't
mean that they are going to come back and maintain
it. But with that said, uhm, you know what I would

4 like to see following up on what uh, uh, Chair
5 Brannan made mention of and wrote an op-ed about
6 recently, uhm, I want to make that a law. And
7 Samara, maybe we can tie this in with the oversight
8 hearing we want to have on the fill and management
9 plan and the buildout of the sewer system but this is
10 something that I you know, because my district, every
11 home including mine had a sewer backup. And my house
12 sits up.

13 So, for that, quite an angle, I've owned the
14 house 30 years. I've never had a sewer backup.
15 That's why I never got a check valve. I didn't think
16 I needed one. Now I need one. Uhm, and I am not
17 doing this bill to get a check valve for free. I'll
18 put my own in okay, just to let you know. But I
19 think it is, I mean, until we do the ultimate build
20 out and even when we do the build out, it's going to
21 be 1.75 inches. You know, if it's a miracle, it will
22 be like two inches per hour but we're going to get
23 storms greater than that which means we're going to
24 be living with backups. Like as far as the eye can
25 see, that's bad news but that's just reality and you
know, there is a fix for it. It's not 100 percent
but you know, I speak with the plumbing foundation

4 and other people and you know people at DEP and they
5 do a you know, pretty good job.

6 And so, uhm, this is something that I think the
7 city kind of has to you know, has to pursue this and
8 also, you know, the city gets claims that go through
9 the Comptroller's office every time someone gets a
10 sewer backup. So, I tried to figure out - I tried to
11 reach out to the Comptroller to figure out how much
12 the city is paying out in claims for sewer backups
13 and if everyone has a you know backfill prevention
14 device, then those claims go away, the city saves
15 money and people don't get their basements you know
16 full of sewage.

17 And so, uhm, I know you can't you know have you
18 know, uh, uh, uh, detailed comments on a bill that
19 hasn't even been written yet but just you know
20 conceptually, what are your thoughts on that?

21 VINCENT SAPIENZA: So, we're happy to you know
22 provide whatever information and collaborate with you
23 on crafting the legislation. You know I think as
24 Jainey said, there is a lot of opportunity.

25 CHAIRPERSON GENNARO: Right, yeah because we're
hearing about federal money or whatever and if there
is a pot of money from which to do this, I think that

1 would be, uh, I think that would be great. So, thank
2 you for that. Let me see if I have any, anything
3 else. I'm just going to get a little parochial uhm,
4 on the Utopia Corridor in my district, which is a
5 real disaster. This is going back to the you know,
6 to like the you know, the early 200's. I met with
7 Jim Roberts, he was a Deputy Commissioner at the time
8 and he had this concept of like the high level sewers
9 and you know and so, you know nothing ever happened.
10 Fast forward seven years and back and cars were
11 floating on Utopia Parkway. You know, once again and
12 I don't want too parochial because everyone knows the
13 bad spots. So, you know and to the extent that these
14 mitigation measures uhm, you know regarding - uh, I
15 mean, I'm going to ask for something. I'm going to
16 ask DEP to, to, to, to give me some sort of document
17 that you know talks about the areas that flood on a
18 regular basis and uh, and you know, what is the plan
19 for putting in the sort of local mitigation measures
20 that are essentially you know, outside the tree so to
21 speak because they don't feed into the main system.
22 You know and that's something I really think that I
23 you know need to see because - and you know, God
24 Bless your staff. I mean, I was on the phone with
25

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2 Mike Deloche(SP?) at one in the morning the other day
3 you know trying to get like blocks and so, I mean, I
4 couldn't say nice enough things about your staff.
5 And you know you got Angela, I've been working with
6 forever and all the good people on your team. But I
7 mean, I, I, I, think that we have to put this on
8 paper and we got to take a serious look at how we can
9 get this stuff in the budget so that a place like
10 Utopia Parkway, I'm just using that as an example,
11 you know, don't get you know really devastated on a
12 regular basis.

13 VINCENT SAPIENZA: Happy to get that to you.

14 CHAIRPERSON GENNARO: Sure, and uh, with that,
15 uh, uh, Mr. Chairman I yield.

16 CHAIRPERSON RODRIGUEZ: Thank you Chairman. We
17 are going to be put in the clock and uh, first I'm
18 giving the opportunity to Antonio Reynoso as the
19 Chairman of Sanitation Committee and then following
20 him, Council Member Levine.

21 COUNCIL MEMBER REYNOSO: Thank you. Thank you
22 Chair for this timely hearing. You know to be honest
23 I really feel that we could have had this hearing
24 four years ago. Uhm, a lot of folks have been
25 talking about climate change and how it is going to

2 affect us. Being the largest city or the greatest
3 city in the world, we would hope that this time would
4 never come because we would be prepared. I want to
5 be honest with the questioning that came from Council
6 Member Brannan to the Commissioner and understanding
7 the complexities of being able to build out an
8 entirely new sewer system. It stills feels like
9 we're kind of writing off the opportunity to start
10 solving for a system that is more - that can do
11 better.

12 This supplemental work is also going to take a
13 long time. So, all we have is time I guess at this
14 point to start building things out as of now. Is
15 there a master plan? Which I think you alluded to.
16 Is there a master plan to do better with the sewer
17 system and what does that mean in terms of built out
18 capacity once it's completed?

19 VINCENT SAPIENZA: Thanks for the question. You
20 know DEP has a very large and robust capital program.
21 Our ten year plan is \$24 billion, so we spent a lot
22 of money both on sewers and on the water system as
23 well. But all of that gets funded through people who
24 pay water bills. And I know we come you know, to
25 this chamber a couple of times a year for preliminary

2 budget hearings and exec budget hearings. We talk
3 about how much we want to spend. How much water
4 rates are going to have to get increased. We hear
5 from the public how you know that would be a disaster
6 for them for their affordability and we get it.

7 So, there is always a balance about how much more
8 work we can do. We'd love to do more and we're
9 hopeful at the federal government. We'll have a
10 large infrastructure program and we can get some
11 funding from that.

12 COUNCIL MEMBER REYNOSO: Alright, so then this
13 comes to and I'm glad everyone is here. So, planning
14 on sustainability. What if not - the infrastructure
15 we're talking about here related to DEP sewer system
16 and the flooding issues that we have are very
17 important. Why is it that the City of New York isn't
18 pouring money into arguably the most important issue
19 of our time, which is climate change? Just why is
20 the DEP concerned about money when if not handled or
21 taken care of, we have loss of life for residents and
22 significant long term structure damage to homes, to
23 businesses and to our local city infrastructure.

2 So, if not, you know what is planning a
3 sustainability of not to address that issue and cover
4 the cost of this work.

5 JAINEY BAVISHI: Well, we're spending over \$20
6 billion in our resiliency program citywide.

7 COUNCIL MEMBER REYNOSO: \$20 billion over how
8 many years?

9 JAINEY BAVISHI: Uhm, you know, I don't have that
10 figure right now. It's a mix of federal and local
11 funding for the most part. And we, as I said in my
12 testimony, we're preparing for a range of hazards
13 right. Uhm, New York City is at risk from coastal
14 storms, sea level rise, storm water and intense
15 precipitation like we saw with the remnants of Ida as
16 well as extreme heat.

17 All of these different challenges require
18 different solution sets and we're advancing them in
19 parallel with each other. Uhm, you know I will be
20 the first to say that resiliency is a process, it's
21 not an outcome. So, we still have much more work to
22 do and we will continue to move forward aggressively.
23 I also just want to mention as I said, uhm, in
24 response to previous questions in my testimony and I
25 think Commissioner Sapienza has been hitting this

4 point as well. That we can't rely on the sewer
5 system alone to mitigate our risk from intense
6 precipitation. We really have to pair our
7 investments in the sewer system with other solutions
8 including green infrastructure and what we're calling
9 cloudburst management practices. These are specific
10 management practices for heavy down pour like we saw
11 with Ida, converting open spaces, streetscapes, green
12 spaces into areas that can store storm water and
13 essentially uh, you know provide places for the water
14 to go so that it's not going into the sewer system
15 itself.

16 COUNCIL MEMBER REYNOSO: So, in an effort to
17 allow for other colleagues to ask questions, it's
18 just on two parts. The City Council is constantly
19 moving forward with attempting to pass a meaningful
20 climate change legislation and we constantly need to
21 get a watered down or a pushed back approach from the
22 administration regarding how aggressive we should or
23 should not be. Regarding changes to building codes,
24 expansion of green infrastructure, making sure we're
25 talking about significant lead programs in the
buildings out of these buildings. Car infrastructure
and the over reliance of vehicles in our city. You

2 know, expanding a bike lane in the Brooklyn Bridge for
3 six feet as opposed to having an expanded lane on
4 either side in an effort to accommodate drivers which
5 also effects climate change. We are always getting
6 pushed back from the Mayor's Office. So, it might
7 not be something that in the short-term we pay
8 attention to but long-term, all those decisions are
9 making it more and more difficult for us to protect
10 our residents and I'm talking about loss of life here
11 and I want to make sure that is not lost upon us.

12 The last thing I would say is tree pits. We do
13 these bioswales in some parts of the neighborhoods.
14 There is no reason why when we replace, insert a tree
15 pit, it is not a bioswale. Why is it that basic
16 infrastructure that makes significant changes that
17 could assist us? Why is it every time we are
18 replacing a tree, we're expanding tree lot sizes.
19 Why not make them all bioswales? Or is that also a
20 cost issue or is it a problem because of another
21 infrastructure issue that we may have. And that is
22 my last question. Thank you so much.

23 VINCENT SAPIENZA: Yeah, I could address that
24 just quickly and we are looking at putting rain
25 gardens, bioswales wherever we can in the city.

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4 We've already put 11,000 of them. In some areas,
5 it's just -

6 COUNCIL MEMBER REYNOSO: We have, there was a one
7 million tree project that was put forth by Mayor
8 Bloomberg, one million trees. And we're talking
9 about how many bioswales as if it is a significant
10 number. \$11 dollars into one million it's almost
11 statistically irrelevant and insignificant.

12 So, I just want to ask, why is it that when we
13 have an opportunity to install infrastructure that is
14 meaningful, that we're not taking advantage of that?
15 Why is it not parallel to the work that do?

16 VINCENT SAPIENZA: No and I'll answer that
17 because in some areas, in many areas, the subsurface
18 just isn't feasible for a rain garden. There may be
19 rock, so it's not permeable.

20 COUNCIL MEMBER REYNOSO: What is that number?

21 VINCENT SAPIENZA: It may be - there may be -

22 COUNCIL MEMBER REYNOSO: What is that number
23 Commissioner?

24 VINCENT SAPIENZA: Yeah.

25 COUNCIL MEMBER REYNOSO: So, these numbers? \$20
26 billion and you don't have a timeline as to when you
27 are going to spend that \$1 billion. That could be

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4 over 20 years. It's \$1 billion a year. It makes it
5 less significant but when it comes to this, how many
6 of our tree pits are incapable of becoming bioswales
7 because of the infrastructure issues?

8 VINCENT SAPIENZA: I, I, I want to say we've
9 rolled out the most aggressive green infrastructure
10 program in the United States. We have 11,000 rain
11 gardens. We've built, we continue to build more. We
12 will look at all tree pits but in many cases it's
13 just it's on the wrong part of the street. You are
14 not going to get the run off. This is a lot we look
15 at to build those engineered sub systems.

16 COUNCIL MEMBER REYNOSO: Look, I want to be
17 helpful like all of us here want to be helpful, but
18 this idea that we're doing enough is not, is not the
19 way we should be approaching this.

20 VINCENT SAPIENZA: No, no one said we're doing
21 enough. We know we need to do more.

22 COUNCIL MEMBER REYNOSO: The most aggressive, the
23 most aggressive climate change whatever in the
24 country, that is a submission here that we're doing
25 enough or that we are the best. We are way behind.
Climate change is real. My kids, our next generation
is going to suffer through this, so I can't except

4 that the standard that we're setting forth to solve
5 for climate change is something that is just the best
6 in this country. It should be enough or effective or
7 sufficient enough to solve the actual problem. Till
8 be get there, which we are not, then I don't care
9 what number you are in rankings regarding to like how
10 successful you think that is.

11 VINCENT SAPIENZA: If we've given that impression
12 that we think we're doing enough, we know we're not.
13 We know we need to do more. We know investments have
14 to come from elsewhere to get there. That's the
15 point.

16 COUNCIL MEMBER REYNOSO: Thank you. I appreciate
17 that. Thank you Chair.

18 CHAIRPERSON RODRIGUEZ: Council Member Levine
19 followed by Council Member Holden.

20 COUNCIL MEMBER LEVINE: Thank you Mr. Chair. I
21 actually want to follow-up with some of the excellent
22 points that my league Chair Reynoso was just making.
23 Uhm, Director Bavishi, you said very well that it's
24 not enough only to upgrade and modernize our sewer
25 system. We have to keep water from going into the
sewer system in the first place and that's this green

2 infrastructure that Chair Reynoso and many on the
3 panel have been speaking about today.

4 There is a map on the DEP's website. DEP Green
5 Infrastructure Program Map, I am sure you know it.
6 Has nice green and yellow dots and blue dots
7 everywhere you have a green infrastructure project.
8 I think I sese about, I don't know, 25 in Manhattan
9 out of the 11,000. Is the map incomplete or has
10 Manhattan largely been left untouched?

11 VINCENT SAPIENZA: Council Member, we've been
12 focusing primarily on areas where there are water
13 quality impacts. Through now, we've looked at where
14 we can reduce the amount of runoff into the combined
15 sewer system that ultimately during storms could
16 overflow untreated waste water into water bodies like
17 Newtown Creek or Barry Bay. So, that's been the
18 focus so far.

19 Manhattan also presents other challenges just for
20 the permeability of the soils, what's underneath.
21 But we want to flood all five boroughs with as many
22 bioswales as possible. There may have been a time
23 where we didn't understand that Manhattan could flood
24 but certainly after this summer, we understand that

4 even elevated areas like Washington Heights are
5 incredibly prone to flooding.

6 When the flooding's coming from above, not just
7 from the river or the ocean, nowhere is safe. And
8 particularly in the hilly terrain of uptown
9 Manhattan, we have seen a level of flooding that it's
10 miraculous no one has died. You've seen the video.
11 The threat is very real. There is no part of the
12 city that is immune from the threat of extreme
13 weather, heavy rain events and flooding and as the
14 Council Member – as Chair Reynoso said, uh, I think
15 there are 600,000 street trees in New York City. Do
16 you know how many of them currently have bioswales
17 under them?

18 VINCENT SAPIENZA: I don't.

19 COUNCIL MEMBER LEVINE: It's probably at best in
20 the hundreds if I'm not mistaking. Many in the low
21 thousands. That's probably overly optimistic. So,
22 measured against the scale of the potential, we have
23 barely begun, barely begun this project and leaving
24 large parts of the city, most of the Bronx or the
25 South Bronx and Northwest Bronx, also similarly
largely unimpacted by this project so far.

4 Another way to measure our progress is I guess
5 the portion of storm water that's being diverted by
6 this infrastructure. Can you give us an estimate on
7 that?

8 VINCENT SAPIENZA: We have, we put out a green
9 infrastructure report. I don't have the details on
10 the top of my head but we can get it out of our
11 annual report.

12 COUNCIL MEMBER LEVINE: But it's probably still
13 what -

14 VINCENT SAPIENZA: It's a small - it's a small
15 amount.

16 COUNCIL MEMBER LEVINE: Single digit percent?

17 VINCENT SAPIENZA: For sure.

18 COUNCIL MEMBER LEVINE: So, as, and my time is up
19 and I will wrap up but as Chair Reynoso said,
20 measured against the scale of the crisis, measured
21 against the potential to put an upside to this. A
22 city of 700,000 street trees, 800 playgrounds or
23 more, uh, we have huge potential to divert billions
24 of gallons of water from going into our sewers to
25 eliminate flooding, to eliminate overflow into the
rivers, which is a sanitary disaster as you know.

2 And uh, I think you're hearing from us the
3 urgency in doing far more than we've done today.
4 None of what we have done is enough and we now not to
5 think bigger than ever in the midst of a climate
6 change disaster, which is already here. We need to
7 do more and we're going to continue to push for that.
8 Thank you Commissioner. Back to you Mr. Chair.

9 CHAIRPERSON RODRIGUEZ: Thank you Council Member
10 and before Council Member Holden, you know before
11 when I mentioned the two particular locations in
12 Riverside Drive and Seaman Avenue down the Fort Tryon
13 Park, Nagle Avenue and Dyckman under the High Bridge
14 Park. That's a typical sample of what the Council
15 Member said. Twelve years that I will have this
16 month. That's two months from now. Twelve years
17 that I've been preaching day by day to the
18 Administration to agency.

19 An hour of raining, the water has accumulated
20 there. And part of that approach is that. Manhattan
21 is taking care of but where? So, even though I said
22 at the beginning, I said I don't want to bring the
23 question because that's a fact. I want to be able to
24 work closely with you and see how we can pay closer
25 attention to locations such as those two. The higher

1 point of Manhattan is in Washington Heights. A six
2 floor building at the George Washington High School
3 give you the view of the water center and the
4 [INAUDIBLE 2:02:24] Bridge. We have 600 acres of
5 land. With all those parks together. Council Member
6 used to be the Chairman of the Committee Park. High
7 Bridge Park, Fort Tryon Park and Inwood Park and I
8 don't think that we as a city have been giving
9 attention to those particular challenges.
10

11 So, I hope again, working with you in the time
12 that we have remanding, in the role they continue
13 playing, that we can really pay attention because for
14 me this is about why we have not fixed it because
15 that's not a mainly middle class and upper class
16 community.

17 VINCENT SAPIENZA: No, and the point you both
18 bring out about hilly terrain with more intense
19 rainfall means more water coming down you know from
20 those hillsides into lower drainage areas. It makes
21 it even more challenging.

22 CHAIRPERSON RODRIGUEZ: [INAUDIBLE 2:03:10-
23 2:03:18] those types of situations. You go to Nagle
24 they say eight or nine, many of the restaurants
25 there. So, again, like and for me it's about your

1 team and our team in the city, we know about it. And
2 that's why the level of frustration, that's why we at
3 the same time that we want to continue work in
4 collaboration.

5
6 Manhattan has not been a priority and I don't
7 want no one from the upper west side, from the upper
8 east side to be dealing with flooding as we do in the
9 other part of Manhattan. But sometimes when we take
10 the approach of Manhattan, we look down 96th Street.
11 We don't look at [INAUDIBLE 2:03:55]. We don't look
12 at the other park. So, I just hope that you know,
13 with you and the other agency, we definitely should
14 be paying close attention with the time that we are
15 reminded and of course we will continue working hard
16 with the future administration to address the issue
17 of inequality that has to face of any Super Storm, of
18 any storm, of any raining that will affect the City
19 of New York.

20 COUNCIL MEMBER HOLDEN: Thank you. Thank you
21 Chair. Thank you all for your testimony.
22 Commissioner Grayson, I want to congratulate you and
23 praise you men and women who did a great job. In the
24 days after the storm, they continue to do a great
25 job. Uhm, I just have a you know, a few things on

4 uh, I believe a lot of this obviously, it's the
5 superstorms that we're seeing but a lot of this is
6 also self-inflicted and I'll explain that.

7 Over development, we've seen overdevelopment for
8 decades and every time a community like mine or a
9 district like mine tries to fight it, uhm, we tell
10 the developers well, our sewer system is not going to
11 take this and the city always comes back. City
12 planning and BSA, they always say, no, it's fine.
13 And it's not fine. We've seen accident - obviously
14 we have accident prone locations in traffic in DOT
15 but we have flood prone locations here with DEP that
16 historically, doesn't need a superstorm to flood.

17 Cooper Avenue underpass in my district, the water
18 was up to the balcony here. Uh, it could have killed
19 people. Basements, apartments, which I have a lot,
20 uh, we report them, nothing happens. Nothing
21 happens, it's just we can't gain access or we just
22 don't have the resolve to correct it. Like the Mayor
23 said, we shouldn't fine them. Well, I beg to differ
24 because it does, illegal apartments actually test the
25 sewer system a lot and you know that Commissioner,
you've seen that. Just like community drives, which
I have a lot of in my district, those get flooded

2 because essentially the city allowed those designs in
3 the past and then we continue to pay the price. But
4 there's no - there doesn't seem to be a taskforce,
5 which I had recommended and I have a bill for this,
6 where multiple agencies respond to these locations
7 and try to correct it.

8 Paving over properties, we came up with a law
9 against that and yet, it's really not enforced. I
10 put that in my newsletter every few months. I have
11 don't pave over your property to create new parking.
12 It's a big problem. We're creating these rain
13 gardens but we're not enforcing people you know
14 really paving over their properties to the point
15 we're exacerbating the sewer system. And we need to
16 identify the locations that are flood prone. And
17 then descend on them to try to solve it.

18 Yeah, rain gardens, literally it's a drop in the
19 bucket. Obviously I know that but we need to enforce
20 regulations and not, you know, not tell people - and
21 tell people, don't pave over your property. If you
22 do, you'll get fined. Because it is going to hurt
23 your neighbors, hurt the city and actually flood the
24 areas but we're not correcting the flood prone
25 locations. Really not and my district will have

4 sewer projects for 50 years and still not catch up
5 because of over development and because of illegal
6 apartments. And that's the, but again, we keep
7 approving building projects in our city that can't
8 tolerate obviously or the sewer system cannot take
9 the capacity and that's historic.

10 So, I would just like to ask you about what we
11 could because you mentioned this in the beginning
12 about addressing the community driveways which are a
13 huge, huge problem.

14 VINCENT SAPIENZA: Thanks Council Member. So,
15 I'll address a few things. So, first, just talking
16 about how much of the city is now impervious and you
17 know as Jainey mentioned, some of the things we're
18 doing to look at retention basins. The new unified
19 storm water rule that's being developed or require
20 new developments to do onsite storage.

21 So, that's one thing. We have a study underway
22 to look at ways of billing property owners,
23 essentially disincentivize them to pave over lots.
24 So, that's underway as well. The community drives
25 you know certainly that was brought to; you know to
the top of the list during Ida. A lot of these
driveways are you know essentially below grade to

4 provide access to garages that are basement levels
5 and now many of those garages are living spaces.

6 There is just insufficient drainage. Private
7 property people put in, we saw seepage basins,
8 drywells, obviously not enough to handle the flow.

9 The mayor asked us under this 30-day plan to take
10 a look at those to see how best we can provide
11 drainage for those back yard alleys.

12 COUNCIL MEMBER HOLDEN: But do we have like, to
13 address that, yeah, we have a plan or we'll try to
14 come up with a plan but we're getting to a point
15 where even thunderstorms, normal summer thunderstorms
16 are flooding those locations. So, what I'm saying is
17 it's not yeah, it's not just addressing super you
18 know storms, it's really the design of the community
19 drives, our problem and at this point, with the
20 superstorms, they are jeopardizing peoples lives and
21 so, we need to address this but have like a date
22 where you will come back and say, this is what we
23 have to try. And if it needs extra funding from the
24 city or the City Council, we could address that but
25 there are many districts around the city that have
community drives and they are a design floor in some
low lying areas. And certainly drainage is a big

2 problem. But again, a joint effort from all the
3 agencies, your agency, uhm, department of buildings,
4 sanitation, all these agencies coming together and
5 forming a solution to address especially the flood
6 prone locations. And just one other thing, you look
7 at the LIE today, the Long Island Expressway. They
8 have dozens of catch basins that are totally clogged
9 with dirt. They haven't been cleaned in it looks
10 like years. There is trash all alongside the
11 expressway. No other city has this. No other large
12 city has such a problem with trash especially on our
13 arterial highways. Who is responsible for cleaning
14 those catch basins on the, let's say the expressways?

15 VINCENT SAPIENZA: So, we've been working with
16 city and state DOT to make sure that those catch
17 basins are cleaned on a more regular basis. We've
18 also DEP and our contractors have been, you may see
19 them out on the Long Island Expressway, these large
20 what we call vector trucks, cleaning, cleaning out
21 that material. It's a challenge. People for
22 whatever reason throw garbage out of their windows as
23 they are driving.

24 COUNCIL MEMBER HOLDEN: Just west of Maurice
25 Avenue on ELIE, where it's under the large six lane

4 LIE clogged for years. Trash for years. Dirt has
5 built up so much it's clogged.

6 So, this is the problem that we're facing all
7 over the city. So, we need to be proactive rather
8 than reactive all the time. Thank you Commissioner.

9 CHAIRPERSON RODRIGUEZ: Thank you. I want to
10 acknowledge Council Member Cabrera. Now we have the
11 next three Council Members. Council Member Miller,
12 Rose and Koo and then after they ask their questions,
13 we will have the MTA who are ready waiting for them
14 to take the second part of this hearing to hear on
15 what happened from the perspective of public
16 transportation. Council Member Miller.

17 COUNCIL MEMBER MILLER: Thank you Mr. Chair.
18 Good afternoon to the panel and thank you for being
19 here to some of our partners and I, as one who lives
20 and represents a designated flood area. One who has
21 experienced all of the phenomenon's that we're
22 talking about here today in southeast Queens and the
23 check valves and the sump pump investments and all
24 those things that just had not worked for years. I
25 am here to at least attest to uhm, the fact that the
recent investment in southeast Queens for the most
part has worked. That in areas such as Cambria

2 Heights and Saint Albans and Springfield Gardens and
3 even Rosedale, uhm, after the last two storms that,
4 that members of the community are really talking
5 about the fact that the traditional flooding places
6 had not flood right? And that has been a measure
7 when, when you live in a community that traditionally
8 floods and it has been a big issue.

9 So, we are very appreciative of that. But you
10 cannot quantify the success of such a program when
11 you measure it against the loss of life. And
12 unfortunately, uhm, we had that in the district as
13 well. And the most important part that it occurred
14 and probably on the infamous 183rd Street. And I
15 don't want you Commissioner Sapienza to really get
16 into the details of that so much as to talk about
17 number one, how do we support families that have been
18 impacted in a way through coordination and services
19 and where are we now and what do they need now? I
20 know we talked about early uhm, Red Cross and other
21 folks coming in but there are folks who still don't
22 have places to live that are food insecure without
23 power and gas and things of that nature there.

24 So, I want to talk about agency uh, coordination
25 but there's also a reality that in these areas that

1 continually flood that have flooded quite frankly for
2 you know that lowline area there goes back more than
3 a century. And I don't believe that there is much
4 that we can do and whether or not we continue to pour
5 money into this black hole and has the city and its
6 engineering expertise come out and take a real hard
7 realistic look about where we develop uh, in the
8 future but also, can we allow our residents to now
9 uhm, be jeopardized in such a way, in a life
10 threatening way and are we taking a hard look at
11 potentially condemning, building a park and
12 relocating families throughout the city.
13

14 Specifically, you know obviously that's a
15 southeast Queens issue and if we can talk about
16 agency coordination providing services uhm, and how
17 that happens. Because we've been reaching out to the
18 traditional hotspots and nothings happened but on a
19 regular - last night I got a call that Allen Senior
20 Facility has ten feet of water. And elevators aren't
21 working and they are food insecure. And you know,
22 like, how do we know these things? Are they 311
23 calls? What does that coordination look like and how
24 do we provide these services for these families?
25

2 JOHN SCRIVANI: Sure, so I'll take that one. So,
3 after every disaster, our main focus is the people,
4 right? The property uhm, although it's devastating
5 for folks. We want to make sure the people are taken
6 care of. So, as I mentioned in my testimony, we
7 immediately started doing outreach in these
8 communities. Uh at multiple agency level. Even the
9 NYPD going door to door. I'm sure the Chief can
10 speak to that as well.

11 We have services available immediately after the
12 storm for every body from hotels to transportation,
13 to our service centers, to food, to mental health
14 services, language access. All of these things have
15 been available since the day after the storm.

16 As you mentioned the challenges, making sure that
17 we get to everybody. Making sure that we are
18 partnered with our community based organizations,
19 with our faith based organizations, with our uh, uh,
20 with you all, right? With our political leaders. We
21 need to make sure that anybody who has constituents,
22 has an understanding of what services are available
23 and how do we get them to them immediately.

24 We know in some of these hardest hit areas, some
25 people are resistant and they don't want to leave

2 their home, even if they don't have utilities. And
3 we continually go out there and do outreach to them
4 to try and convince them that we have everything they
5 need right now. Between the Red Cross providing
6 hotels and even the Red Cross providing gift cards in
7 real time to people to just, if they have to buy new
8 clothes or shoes.

9 So, all of these things are available uhm, for
10 people right now. If there are you know,
11 constituents of yours that need additional support, I
12 believe you mentioned something about a facility
13 having ten feet of water. We can take care of that
14 immediately if they need pumping out and Vinny's
15 teams have done a great job with that. So, I hope, I
16 hope that answers your question.

17 COUNCIL MEMBER MILLER: Okay, I'm certainly going
18 to hold you to that because that is a senior facility
19 and uh, and uh, both elevators are out and that is
20 something that I hope -

21 JOHN SCRIVANI: If you give us that address now,
22 we will -

23 COUNCIL MEMBER MILLER: Yeah, absolutely we will
24 and I want to say that we did go to door to door.
25 The Commissioner was out and we're very thankful for

2 that but there are folks that and if I may, uhm,
3 Chair and I'll just leave with this. A text that I
4 got from a resident early this morning, that it's
5 useless. I spent four hours at Queens College and
6 all the agencies told me was call 311. I went there,
7 I'm very disappointed. I am having stress and that
8 elected officials are not doing anything at all to
9 help us. They are just doing you know and everybody
10 is showing up every day but nothings happening. We
11 are still fending for ourselves. I have personally
12 kept my family safe, figure out how to keep them
13 standing in this house and all talk over the last 13
14 days. When I cannot get a single agency to show up
15 and do anything to help us.

16 This is, this is what's happening in the
17 District. Aside from that, that particular location,
18 you know we were there and the infrastructure is just
19 bad. You know, when this happens uh, summer after
20 summer, that is they are sitting on the water and you
21 know we were in the house and builders came by and
22 vacated it because the infrastructure was so bad
23 because of the damage. Not only the damage, they've
24 been doing work and ultimately you know probably uh,
25 did further exacerbated the damage to the

2 infrastructure over there. How do we get the support
3 to these families in a real time way?

4 And, and uhm, we've been working with various
5 agencies but again, when people come out and they
6 have you know put out a paper for a comptroller in
7 the long you know, is not helping folks. They need
8 more immediate services and, and uhm, you know
9 hopefully we can have better coordination in doing
10 so. And I know we have to wait on the MTA, so I will
11 just leave it at that, so.

12 CHAIRPERSON RODRIGUEZ: Council Member Rose
13 followed by Council Member Koo. Debbie. Debbie, you
14 want to use that one?

15 COUNCIL MEMBER ROSE: Thank you Chair. Uhm, I
16 want to first start by publicly thanking the
17 Sanitation Department for their immediate response to
18 cleanup and to collected debris from the homeowners.
19 It really made a big difference. And uhm, I want to
20 echo Council Member Reynoso's remarks. That we
21 remember about this event it's not just about
22 contents. It is about the loss of life. We have to
23 do whatever we can to prevent you know a recurrence
24 of this.

4 And so, I'm really concerned about uhm, that we
5 are pitting communities against each other. Those
6 that have more clout, influence, finances and uhm, or
7 just scream louder. That you know they are going to
8 get a more immediate response and what's going to be
9 needed to remediate this situation.

10 So, I'm asking all of the agencies to address
11 this through an equity lens. And that, uhm, you
12 know, it's handled equitably and in a timely manner.
13 I want to thank Chair Brannan for addressing the back
14 water valve issue because to me this seems to be uhm,
15 something that we can do sooner rather than later.
16 Sort of a short-term goal versus long-term solutions.
17 And so, I really would like to hear whether the city
18 will take this on as a project funded and then
19 educate the public about how to maintain it so that
20 we don't get a reoccurrence of that backwater. And
21 also, in my district, there needs to be an
22 installation of more storm drains. We have blocks,
23 really long blocks where there is one storm drain or
24 none. And it was predicated on uhm, on gravity and
25 how the street was actually banked so that the water
would run off to somewhere. But since it's been
repaved, many iterations over, that that grating does

2 no longer exist. And so, we have an ordinate number
3 of amount of water that's pooling in these places.
4 And to have one storm drain on a street is not
5 adequate.

6 And then my last issue that I'd like addressed is
7 uhm, I heard that you know we're doing bioswales and
8 we've done a lot of work with the blue belt on Staten
9 Island. I have a blue belt project that had begun at
10 Snug Harbor and it was, it's been stalled for years.
11 I don't even know why you know it seized. But I want
12 to know if this is now going to be reactivated in
13 light of the uhm, the devastation that you know we
14 saw in these communities.

15 And I just want to say that this storm impacted
16 all communities that we know traditionally flood.
17 But there is not one community in my district that
18 was not impacted by the storm. Thank you.

19 VINCENT SAPIENZA: Council Member, I'll address a
20 couple of them. For the catch basins that you'd like
21 added, I'm happy to meet you out there you know
22 whenever you'd like and we can scope that out. That
23 should be pretty straight forward.

24 Uhm, yeah, the blue belts in Snug Harbor in Mid-
25 Island, there are more that we have on the drawing

1 COMMITTEE ON TRANSPORTATION JOINTLY WITH THE
2 COMMITTEE ON RESILIENCY AND WATERFRONTS AND THE
3 COMMITTEE ON ENVIRONMENTAL PROTECTION 120

4 board we want to move forward with and you know happy
5 to continue to work with the Council to get those
6 moved along.

7 COUNCIL MEMBER ROSE: Is that going to be
8 restarted because it was happening and then it just
9 stopped.

10 VINCENT SAPIENZA: Yeah, and I'll get you
11 additional information on the timeline on that and
12 the funding, the funding issues but we'll do that.
13 Uhm, the back water valves, backfill preventors,
14 Jainey, you want to take that?

15 JAINEY BAVISHI: Uhm, sure Council Member, I can
16 address uhm, some of your other points. On back
17 water valves, so there was a program after Sandy that
18 uhm, funded installation of back water valves in
19 certain Sandy effected areas. We want to build on
20 that and expand that. We were actually just notified
21 that we won a federal grant. That the city won a
22 federal grant to study exactly what kinds of
23 buildings we can install back water valves and kind
24 of where back water valves will work best in the
25 city. So, we're working with DEP on that and we
really look forward to working with Council to
advance a program here.

4 Uhm, as you mentioned, you know I think
5 installation is just one piece but we're also very
6 concerned about maintenance and we want to make sure
7 that uhm, that we tackle that as well. Uhm, I'm
8 sorry, could you maybe move your mic closer because
9 I'm not really understanding some of the things
10 you're saying.

11 JAINEY BAVISHI: Can you hear me now?

12 COUNCIL MEMBER ROSE: It's a little better.

13 JAINEY BAVISHI: What I said is that we uhm, we
14 were recently notified that we won a federal grant to
15 study back water valves and exactly where they would
16 be most effective and this is really building on the
17 program that we uhm, that was offered after Sandy and
18 Sandy effected areas to install back water valves.
19 So, we want to build and expand upon this and uh, our
20 you know, we'd love to work with Council on this as
21 well. The first step is to report back from the
22 study that we were just funded to conduct.

23 Uhm, and on your points about equity, I couldn't
24 agree more. We want to make sure that resilience
25 investments are made in an equitable way. Uhm, just
earlier this year, we really storm water resiliency
maps. So, to your point, you know we think about

1 usually in a city we think about traditional flooding
2 as flooding in postal areas. But this is a different
3 kind of flooding. It was a rainstorm; it wasn't a
4 surge event. And so, it was inland areas that were
5 also affected and the Storm Water Resiliency plan
6 provided maps to show where we might expect uhm,
7 flooding in both coastal and inland areas from storm
8 water, from intense precipitation.
9

10 These maps show where the risk is. Where the
11 physical risk is but we also know we need to think
12 about vulnerability more expansively than that, not
13 just based on the physical risk but also other equity
14 factors.

15 Uhm, so you maybe familiar with our heat
16 vulnerability index which takes into account physical
17 indicators of heat risk but also social indicators of
18 heat risk. We want to do the same on storm water and
19 make sure that you know we're taking equity into
20 account as we make storm water resiliency investments
21 going forward.

22 COUNCIL MEMBER ROSE: When will these maps, the
23 maps you're referring to, when were these maps drawn
24 up prior to the most recent rain events, water events
25 that we've had?

4 JAINEY BAVISHI: That's right.

5 COUNCIL MEMBER ROSE: If so, I just want to
6 finish the point. If so, it will not reflect the
7 areas that were impacted in these last two events.
8 That you know also need to be addressed. So, are you
9 going to then elicit our input into additional areas
10 that should be looked at or are you going to resurvey
11 based on the results of these two storm events?

12 JAINEY BAVISHI: The maps were released in May of
13 this year. So, it was before the recent storms.

14 Uhm, you know as previously asked about how the
15 damage that we saw from the most recent event from
16 the remnants of Ida actually overlapped with the maps
17 and they overlap pretty well. There was significant
18 overlap between the extreme scenario that we mapped
19 and what we saw during this most recent storm.

20 But we're happy to talk with your office about
21 them if you are interested and we can set up a
22 discussion.

23 COUNCIL MEMBER ROSE: Thank you. I will be
24 speaking with both of you after. Thank you.

25 CHAIRPERSON RODRIGUEZ: Thank you Council Member.
Last but not least, Council Member Koo.

4 COUNCIL MEMBER KOO: Thank you Chairs and thank
5 you all the Commissioners. The storm caused by
6 supplies and big picture solutions and small picture
7 solutions. You guys take care of the big picture
8 solutions and I'll take care of some small problems
9 in my district.

10 You know folks in my district which is
11 particularly in the area in the street 152nd and Pat
12 Avenue, they have no gas for over two weeks now. I
13 don't know, one of you, I hope you can expedite the
14 gas service for them. Because [INAUDIBLE 2:30:14]
15 and Building Department and they are passing each
16 other right? So, they need [INAUDIBLE 2:30:23] and
17 all these things, red tapes. So, I hope you can do
18 it as soon as possible for them.

19 The second problem is uh, in the same area Pat
20 Avenue, the area, there used to be a pond a long,
21 long time ago, right? So, it always gets flooded.
22 And the residents there complained to me uh, that
23 because they had no street cleaning there in the
24 whole area around four or five blocks. In Pat Avenue
25 and 56 Avenue. They need a park there. There is no
street cleaning and there is no alternate street
parking there.

2 So, a lot of neighborhood people use their
3 streets as parking. They park their cars there for
4 weeks sometimes. So, the streets, the storms, the
5 catch basins sometimes no street cleaning. They
6 didn't get clean. All the system gets clogged, so
7 the residents then request they have street cleaning
8 there. Maybe even two times a week, one time a week.
9 And they are alternate street parking. So, there
10 care is probably there all day long and all week long
11 sometimes you know. They use their place as a
12 parking space you know. So, that's a problem.

13 The third problem is during the night of the
14 storm, Fire Department and Policeman, they are
15 helping people in the houses right but nobody stopped
16 the cars. Driving into the lower lined areas, so
17 they get caught because when they're driving you
18 don't know how deep the water in front of you is, the
19 more area, it's a big pond. When your driving in the
20 heavy rain, you can't see too far.

21 So, from now on, please have some checkpoints
22 that help fire department - stations say, hey, don't
23 drive. No, don't drive. It jeopardizes all out
24 there, even your highways. Lowline points; I see
25 hundreds of cars get stuck there. So, maybe you can

2 stop them from entering the highway. Say, hey, no
3 driving there. No, this is dangerous.

4 And the last point I want to make is uh, since
5 the area, especially in [INAUDIBLE 2:32:51], it's a
6 pond. It was a pond before. They have so much more
7 damage. So, some residents suggest to me that why
8 didn't the city buy out these homeowners you know?
9 Create a park along there. Use this place as a park
10 or some soccer field so you won't jeopardize a
11 property owners life.

12 So, a lot of people are willing to sell their
13 properties. But right now, nobody want's to buy the
14 property there because the history of it. So, the
15 four points, I want you to -

16 The last thing, one more thing, residents
17 compliment the Sanitation Department. They said
18 Sanitation did a good job. Picked up all the garbage
19 there. Every day they come to pick up. So, the
20 residents there want me to thank all of you for doing
21 a good job. Thank you.

22 CHAIRPERSON RODRIGUEZ: Thank you Council Member
23 Koo. I have a summary question, one or two. As we
24 do a transition now to hear the MTA from the
25 perspective of the Office of Management and other

2 agencies with you guys here and others. What are the
3 levels of communication that is going on right now
4 between the city and the MTA? It's the same question
5 I am going to be asking them but I don't want to be
6 asking the MTA for them to say okay, we will refer to
7 the city. The flooding happened in the station, MTA
8 could say well, you know we just get the water from
9 their side.

10 So, how serious are the conditions at the tenant
11 station of seeing more stations being flooded and
12 seeing the pedestrian coming out you know and really
13 in danger. And especially when we have one million
14 New Yorkers that deal with physical challenges. You
15 know and how are we preparing to – an area when
16 people are trapped? You know in the station by the
17 first one, what is going on with the water coming to
18 the station? What is the city doing? What are you
19 calling it in with the MTA's and they are more led by
20 the state? Are the state adding additional resources
21 to cure those situations?

22 And the second part is how much do you anticipate
23 that in the infrastructure plan will pass in this
24 city? The city will get an amount of dollars to
25 investing in infrastructure?

4 VINCENT SAPIENZA: I'll handle the first part of
5 the question Mr. Chair. So, uhm, you know our
6 communication with the MTA on the drainage side
7 probably wasn't so good over the last couple of years
8 but when Janno(SP?) came in about three months ago,
9 the first thing he did was he reached out to us. He
10 said he wanted to reestablish the task force that we
11 have for drainage and our teams have been meeting
12 since then going over a number of issues.

13 So, I'm happy to report that you know, we're now
14 having active discussions. Uhm, in some cases
15 though, you know MTA is correct and you're correct
16 that flooding on local streets, overland flooding is
17 getting into subway entrances. Those are things that
18 you know we're working towards seeing how we can
19 address. Uhm, in other cases it's things that MTA
20 needs to do to tighten up you know some of the
21 drainage in their spaces but we are now again having
22 active conversations and good conversations with the
23 MTA.

24 CHAIRPERSON RODRIGUEZ: [INAUDIBLE 2:36:21-
25 2:36:38] that must be done you know city and state,
federal funding in order to you know give it hope to
the pedestrians.

4 VINCENT SAPIENZA: Yeah.

5 CHAIRPERSON RODRIGUEZ: That they would not be
6 trapped in a station as we have seen those images in
7 the last two storms.

8 VINCENT SAPIENZA: Yeah, I think the MTA could
9 discuss that a little bit better but again, I know
10 for some of the street flooding that gets onto
11 sidewalks and down the stairs, looking at elevating
12 some of the you know the entrances or at least the
13 first step. But the MTA have discussed a lot of good
14 things with us in the past couple months and I'm sure
15 they will present that.

16 CHAIRPERSON RODRIGUEZ: What is the creation
17 plan? Like, we saw with the whole blackout that
18 happened in the train where the pedestrian was, I
19 mean riders, correcting riders were trapped between a
20 station. But I know that the riders don't care about
21 the MTA run by the city or the state, they just want
22 to exit. And the MTA has sole responsibility but I
23 assume that you guys you know from the NYPD
24 coordinated with the Office of Management, also
25 working. What is the plan? Like, how are we doing
today from the exit to the street perspective to be
sure that during a flooding, during a blackout that

2 happened in the train, the riders know where they
3 should exit more than being trying to get a door to
4 walk in the middle of stations?

5 JOHN SCRIVANI: And so, if I understand your
6 question correctly is people are now stuck on the
7 train and what should they do, correct?

8 CHAIRPERSON RODRIGUEZ: Yeah, not from the
9 perspective of inside the station but how is the city
10 doing to be sure that there is exit for people to be
11 able to walk out?

12 JOHN SCRIVANI: Yeah, so I'll defer to the NYPD
13 and the FDNY to answer that question. They really
14 would handle the actual evacuations. So, Chief.

15 RAYMOND SPINELLA: So, basically what would
16 happen, the Conductor should give a message that
17 nobody should be leaving the train. And then what
18 happens is, a rescue train comes in from either say
19 from the station side or from the other side and
20 moves up close to this train that's stuck and the
21 people would board the rescue train. That's what
22 should happen.

23 CHAIRPERSON RODRIGUEZ: But and hopefully we will
24 right? This year, we could have the riders go more
25 than five million riders a day. Do you think that

2 there is a clear sign outside and inside the station
3 about where riders have an exit plan? Not waiting
4 for the Conductor to give direction.

5 RAYMOND SPINELLA: Well, we'd also have to work
6 with MTA on that problem.

7 CHAIRPERSON RODRIGUEZ: But from your end, what
8 is it that you bring to the table when you are having
9 those conversations with the MTA about the exiting
10 plan for riders who are trapped between the stations?

11 RAYMOND SPINELLA: For the rider - the message
12 for the riders? Is that what you're asking? Is it
13 the message for the rider or?

14 CHAIRPERSON RODRIGUEZ: What are the exits? What
15 are the emergency exits that we have? You know, no
16 one cannot at this moment, let's say no one - 311
17 doesn't work because people have to provide address.
18 What clear sign does the riders have outside and
19 inside the station or where do they have emergency
20 exits?

21 RAYMOND SPINELLA: I don't believe there are any
22 clear messages. Especially if a train is stuck in a
23 tunnel. If the train is stuck in a tunnel,
24 passengers should not leave the train until emergency
25 responders remove them. They should not leave the

4 train. That's why we have rescue trains and that's
5 why we have emergency services units that go in and
6 remove the people safely.

7 CHAIRPERSON RODRIGUEZ: Okay, I hope that this is
8 something that with the new collaboration between the
9 MTA, the state and the city, we can address because I
10 feel that a station that is so busy and overcrowded,
11 and of course we need to plan always for the worst.
12 We start with the blackout that happened, that wasn't
13 just the flooding but flooding can also happen.

14 Like, people need to know where to exit and sometimes
15 to leave it for the rider to try to figure out,
16 beside the announcement that they can get from the
17 Conductor, I think that this is something that I hope
18 that planning forward, we will see the use of
19 technology. Another way of how riders feel that they
20 know exactly from where they can exit. More that
21 relying on the Conductors giving direction to them.

22 [HEARING CUTS OUT 2:41:13-2:55:53]

23 So, as we continue this important hearing that
24 started with representations of the administration,
25 what we heard how prepared was the city to deal with
the flooding and we feel that they could do better.

4 Now, we're moving to hear from the MTA as
5 everyone knows, is the largest transportation system
6 in the whole nation. It's a corporation that has a
7 value of \$1 trillion. It is so important not only
8 for the residents but also for the visitors and for
9 the whole northeast.

10 As we express to the other members of the panels,
11 we know that the men and women in any of the
12 institutions including the MTA wake up, go to sleep
13 thinking to do the best to serve the riders but we
14 just want to be sure that today, as we will hear from
15 the MTA on what did they learn from this experience,
16 when we as an equation, it's not a personal question.
17 It's about how can we be better prepared to deal with
18 all the natural disasters that we have in the
19 previews. Super Storm know anyone that come in the
20 future.

21 So, with that, I will now have our Committee
22 Counsel call on the Administration to testify and
23 administer the oath.

24 COMMITTEE COUNSEL: Uh, okay, I'll now call from
25 the MTA Senior Vice President of Subways New York
City Transit Demetrius Crichlow, Chief Engineer for
MTA Construction and Development Matt Best and

4 Director of MTA Construction and Development Steven
5 Loehr.

6 Please raise your right hand. Do you affirm to
7 tell the truth, the whole truth and nothing but the
8 truth in your testimony before this Committee and to
9 respond honestly to Council Member questions.

10 PANEL: I do.

11 COMMITTEE COUNSEL: Thank you. You may begin
12 your testimony when ready.

13 DEMETRIUS CRICHLLOW: Hello and thank you for
14 having us today. My name is Demetrius Crichlow. I
15 am the Senior Vice President for the Department of
16 Subways at New York City Transit.

17 I'm joined here today by Matt Best, the Chief
18 Engineer for MTA Construction and Development and
19 Steven Loehr, Recovery and Resiliency Director within
20 C&D as well.

21 Before I begin, I'd like to take a moment to
22 thank Speaker Johnson, whose not here today, Chairs
23 Rodriguez, Gennaro, Brannan for the invitation for
24 the continued advocacy on behalf of our system and
25 all New Yorkers.

26 We're here today to talk about Hurricane Ida.
27 How New York City Transit prepared for it, how it

2 affected our customers and infrastructure, and what
3 we're doing to make the system resilient again
4 against future storms. Which make no mistake, lay
5 ahead due to the ongoing threat of global warming and
6 climate change.

7 Mass Transit is itself an antidote to climate
8 change. It should be emphasized at the onset that
9 our mass transit services allow New Yorkers to combat
10 climate change each and every day by simply foregoing
11 a longer congested commute than personal vehicles.
12 Helping us all to lead more carbon efficient lives.
13 It also allows the city to have extremely dense
14 development. One key to economic success, which also
15 allows us to have one of the lowest rates of
16 greenhouse gas emissions per capita in the nation.

17 On September 1st, the subway system was challenged
18 by a historic weather emergency that impacted not
19 just mass transit but the entire city and region.
20 The storm dropped the record three and a half inches
21 of rain in just one hour. The result in flashfloods
22 overwhelmed the city's storm sewer systems, flooding
23 streets and roads, and train tracks. Not just across
24 the city but the region. Naturally, they also

2 flooded many areas in the subways, which led to a
3 disruption of service on almost all lines.

4 Out of the roughly 350 subway trains that were
5 operating at the peak of the storm, less than 20 got
6 stranded outside of the stations. Transit
7 supervisors and managers including many off duty
8 personal who answered the call that evening,
9 evacuated around 1,000 passengers with the assistance
10 of the FDNY and NYPD. Many more of course were
11 delayed and/or had to use alternate routes.

12 Fortunately , no one was injured and the
13 overwhelming majority of our customers made it home
14 safely. I want to take a moment to thank our
15 incredible transit frontline employees for the
16 historic, heroic efforts in keeping people safe and
17 making sure the system was safe to restart. In
18 addition to the personal in the field, our employees
19 were corresponding with customers every step of the
20 way by phone, email, social media. Our partners in
21 buses also came through in a major way.

22 We have been planning for this storm for two days
23 before it hit. Understanding the potential for flash
24 flooding, we pre-deployed pumps, pump trainees and
25 engineering maintenance crews across the system and

2 install flood mitigation barriers at many locations
3 known for historical flooding from heavy rain to
4 mitigate effects. Because of these preparations, New
5 York City transit was able to run sustained bus
6 service throughout the storm and rapidly recover
7 subway service.

8 Within three hours of the end of the storm, New
9 York City Transit developed the majority, delivered
10 the majority of subway service in addition to
11 continuous full bus service. Within 32 hours,
12 service was restored on all lines except the segment
13 of the six in the Bronx. This took a herculean
14 effort. Our crews worked around the clock to pump
15 out 75 million gallons of water from the system. All
16 that water has to go somewhere. You've heard Janno
17 Lieber say, the subway system is not a submarine. It
18 cannot be made impervious to water. It's also not a
19 sponge. We can't absorb water either. Neither as
20 you've heard can the sewer system, which was
21 overwhelmed by the intense rainfall.

22 This isn't a new issue. Weeks before Henri and
23 Ida, upon being named acting Chair and CEO, Janno
24 made dealing with noncoastal flooding of our systems
25 a top priority and reactivated our special task force

2 on flash flooding with city partners at DEP, OEM and
3 DOT.

4 The taskforce would be determining ways to
5 improve our emergency response coordination. The
6 group will also help identify subway stations most
7 vulnerable to flooding and develop joint strategies
8 for flashflood mitigation investments. The focus
9 will be on keeping storm waters out of our system
10 through improved drainage along the streets and in
11 sewers and where necessary installing water
12 interdiction infrastructure to target locations to
13 protect the subway.

14 We recognize that this is an incredibly
15 challenging issue that will only continue to grow in
16 importance and we look forward to collaborating with
17 the city and all of you to deliver a more resilient
18 subway for New Yorkers. But to make it clear, we
19 have been aggressively doing our part to improve our
20 systems resiliency in low lying areas, especially
21 over the last decade.

22 Since Superstorm Sandy, we invested over \$2.5
23 billion to protect the subway system against flooding
24 from major coastal storms. We've installed flood
25 protection measures at over 3,500 vulnerable subway

2 openings at 33 stations, stairways, vents, elevator
3 shafts, emergency exits, hatches and manholes. As we
4 rebuilt our under river tubes, after Sandy, we've
5 upgraded emergency pumps, elevated critical equipment
6 and installed redundant cabling to ensure key systems
7 remain operational in the event of flooding. And
8 we're in the midst of constructing massive flood
9 walls around three of our most critical subway yards
10 as well as Saint George terminal in Staten Island.

11 However, it is important to understand that
12 coastal flooding and flash flooding present two very
13 different challenges and require different
14 strategies. Coastal storms like Sandy push massive
15 amounts of corrosive salt water over land. These
16 storms are generally slow moving, forecast well in
17 advance and impact define coastal areas. Thus, we
18 can target our coastal storm investments to these
19 known vulnerable locations and we can prepare and
20 deploy to these areas in a predictable manner, days
21 in advance of approaching a storm. Flash floods like
22 Ida on the other hand are very fast moving, less
23 predictable and can effect any part of the subway
24 system at any time.

2 Ida had impacts all across the city. Flash flood
3 impacts are typically more localized. And as we've
4 seen in many previous storms, it only takes a single
5 clogged drain or blocked vent at street level to send
6 storm water cascading into the subway system.

7 While fresh water from heavy rains is far less
8 devastating to our equipment and infrastructure in
9 salt water, it does have the potential to effect
10 subway service and to pose safety risks for our
11 customers and employees. And we take this concern
12 very seriously.

13 Following major flash flooding in 2007, the MTA
14 worked collaboratively with New York City DOT and
15 DEP, invested over \$60 million in flash flood
16 mitigation measures at 25 subway stations that had a
17 history of flooding during heavy rainstorms. These
18 improvements include ceiling vents, installing raised
19 vent gradings, adding a top landing at station
20 stairways, regrading sidewalks and adding check
21 valves at subway drains.

22 Prior to Ida's historic rainfall, these efforts
23 have proven to be quite successful. With
24 significantly fewer annual train delays due to heavy
25 rain since 2008. More recently, the subway action

2 plan included a systemwide expansion of drain repairs
3 and vent cleaning to maximize the efficiency of our
4 pumping system. But while a network of pumps is
5 robust and extensive, 786 pumps and remove 14 million
6 gallons of water on a dry day, they are primarily
7 designed to pump away ground water and are not
8 designed to be a substitute for the city's sewer
9 system, which they pump directly into.

10 Therefore, they require sufficient sewer capacity
11 in order to be effective. And as we experienced
12 during Ida, the city's sewer system is simply not
13 equipped to handle such massive volumes of
14 stormwater.

15 We have made billions of dollars of investments
16 in our system and the results of the subway action
17 plan and other efforts by New York City Transit,
18 heroic workforce have led to much improved on time
19 performance, but we must continue to adapt to the
20 reality of the impacts of climate change.

21 We are encouraged by the collaborative response
22 from many of the city agencies that were testifying
23 before us today. And we stand ready to partner with
24 them and the City Council to increase our systems
25 resiliency, to best serve our constituents, your

4 constituents and our customers. With that, we're
5 happy to take your questions.

6 CHAIRPERSON RODRIGUEZ: Thank you. I have a few
7 questions and my colleagues also, the Chairs and my
8 colleague Council Member Koo and others who come that
9 will also have questions.

10 When you talk about the taskforce, which is
11 important to have. When will the taskforce schedule
12 to submit their first report?

13 DEMETRIUS CRICHLow: So, they've had meetings
14 already even as early as yesterday. They were out in
15 the field viewing locations. They have targeted
16 specific locations where the flooding happened during
17 Ida. Taking a look at the local landscape to
18 determine what challenges exist there. I look
19 forward to hearing the results when we get that.

20 CHAIRPERSON RODRIGUEZ: To they have a schedule
21 when they will present a full, a full report of their
22 recommendations.

23 DEMETRIUS CRICHLow: So, I think it's larger than
24 just, if they were to give me a full report tomorrow,
25 I would not be happy with the results. I think this
problem is a lot larger than something that can be
solved in the short-term and it requires a real

4 investment of time and effort into determining what
5 the challenges are.

6 CHAIRPERSON RODRIGUEZ: But they don't have — as
7 they were created, there was no giving a timeline and
8 say we have created a yellow taxi report and say,
9 that report must be ready in three months, two
10 months. What is the timeframe of that report?

11 DEMETRIUS CRICHLow: I can follow up and get a
12 time for you but I don't have one.

13 CHAIRPERSON RODRIGUEZ: Okay, okay and what are
14 the assignment — what is the assignment of that
15 taskforce? What are the specific areas that we want
16 for them to focus on?

17 DEMETRIUS CRICHLow: So, there is a couple things
18 right. So, first, we determine what location's
19 actually flooding or got rain and then you look at
20 the areas around that area. The street locations,
21 uhm, the sewer areas. Uhm, and you take an
22 assessment as to what the challenges are that cause
23 the flooding to enter our system.

24 I'll turn it over to Matt Best, who is our
25 Engineering Expert and he can talk a little bit about
the specifics.

2 MATT BEST: Yeah, so to — our first meeting was
3 actually on August 6th. So, a little before Henri or
4 Ida. We recognize this as was Commissioner Sapienza
5 stated when Janno took it over, this was a top
6 priority and it was immediately identified as
7 something that we want to address immediately.

8 So, we convened a meeting within days to begin
9 addressing the issues. And we see it as a taskforce
10 that where we're going to jointly approach these
11 problems. We obviously are focused on keeping water,
12 storm water out of our subway system. That's our
13 primary goal. Uhm, as Demetrius said, our system is
14 not to be a substitute for the storm sewer. We
15 primarily are concerned about keeping it dry from
16 ground water. But with that, we need to work with
17 the city to make sure that their system is designed
18 in a way that keeps the water out.

19 So, we are working collaboratively with them to
20 identify the locations where systemically there have
21 been issues. This was done back in 2007 where a
22 number of locations were identified across the city,
23 probably the largest concentration was in Queens
24 Boulevard. Along the Queens Boulevard line where it
25 was identified that sewer capacity issues, we're

4 going to lead to overtopping of the curbs
5 periodically.

6 So, we worked with the city to design
7 interdictions to protect our vents. To make the
8 stairways be a little bit higher, just to keep the
9 storm water out of our system and prevent the
10 flooding from occurring. That's what this taskforce
11 will do. Again, we'll continue to look at locations
12 that have been experiencing these conditions
13 historically and we'll also, we're sharing all the
14 data that we collected, all the data they're
15 collecting. Where the trouble spots are and we're
16 going to focus on those areas and then just continue
17 to work out.

18 We have had - in this summer, we have had
19 flooding in locations where we have never had
20 flooding before. So, either it's just random chance
21 or something has changed. So, this group will
22 continue to meet probably in perpetuity so that we
23 can address these things as conditions change.

24 CHAIRPERSON RODRIGUEZ: Have you identified the
25 problem that you guys, the institution, the
corporation and the system deal with. With so much
water getting into the stations and even though, you

2 know, as we already know that our generation is the
3 one that have to be dealing with a lot of natural
4 disaster. Something that didn't happen probably 50
5 years ago, but now we cannot say that this is the
6 last one. There was one, there is no storm, now with
7 Ida, that's more of a concern to us. There is a lot
8 of water that moves under the stations. Like, like,
9 when you look at 1571 Train or if you look at knowing
10 this past flooding by the past, the train have been
11 getting a lot of water and that water is not
12 necessarily coming from the outside. It's that the
13 water that's more in front of the inside of the
14 station.

15 So, what are the challenges that you see right
16 now when it comes to you know a station being
17 flooded, dealing with the flooding of water?

18 DEMETRIUS CRICHLLOW: So, I'll say New York City
19 Transit is accustomed to dealing with water. Uhm, as
20 I mentioned on any given day, we pump out around 14
21 million gallons of water a day. So, we're accustomed
22 to dealing with water. We make sure that we maintain
23 -

24 CHAIRPERSON RODRIGUEZ: And where is those water
25 coming from? From underground?

4 DEMETRIUS CRICHLLOW: Yes.

5 CHAIRPERSON RODRIGUEZ: Is that what happened?

6 DEMETRIUS CRICHLLOW: Yes.

7 CHAIRPERSON RODRIGUEZ: The water is too close to
8 the station, is that what happened?

9 DEMETRIUS CRICHLLOW: We're at the low level of
10 the city.

11 CHAIRPERSON RODRIGUEZ: Lower level.

12 DEMETRIUS CRICHLLOW: Right, so, uhm, so we make
13 sure that the drains that the water does into are
14 cleared. We uhm, have uh, pumps located throughout
15 the system that continually are maintained. We have
16 a process for which, for triaging specific locations.
17 Uhm, we have uhm, maintenance schedules based upon
18 the amount of water that a location will receive.
19 Uhm, and again, on any given day, this is handled
20 without any impact to the customer. They don't see
21 this just happened seamlessly if this is just a
22 unique circumstance.

23 CHAIRPERSON RODRIGUEZ: But that's a
24 responsibility that we now have to be planning from
25 now on, right?

DEMETRIUS CRICHLLOW: Hmm, hmm.

4 CHAIRPERSON RODRIGUEZ: Because that's life.

5 Like, you know, this week, the weather has been very
6 nice right?

7 DEMETRIUS CRICHLLOW: Hmm, hmm.

8 CHAIRPERSON RODRIGUEZ: But for me like the
9 message that the winter will be tough. Because for
10 me, the weather that we get is like the weather that
11 in a traditional year, it happened like August. Like
12 the 80 degrees usually is like the August weather.
13 So, for me, it's about we need to be ready also,
14 let's enjoy this day but let's also take it as a
15 signal that the winter will be tough. It could be
16 that it doesn't happen but you know without having
17 that background expertise, that's what the average
18 New Yorker will see.

19 So, so, you know like, that's our challenge and
20 especially for those of you in the leadership
21 position. What are they - when you look at the past
22 flooding, do you think at some point the MTA should
23 shutdown the station? Is this something, not
24 necessarily, I'm not saying that the state, we failed
25 because we didn't do it. Probably, we can learn from
this. Do you anticipate that one of the initiatives
probably to be put on the table is that when there is

4 a weather prediction that we're going to be getting
5 this number, so inches of water. That's so
6 important. We have to probably get you to say, you
7 know will we shut it down stations in order to
8 prevent you know for a rider to be in a situation as
9 we saw in so many images.

10 DEMETRIUS CRICHLLOW: So, you make an excellent
11 point. One of the challenges that we face in every
12 day tackling of incidents or issues is, we move
13 millions of people to work to the city around the
14 infrastructure in order to get to some place.

15 Once we've done that, once we've moved them to
16 that location, we have a commitment, an obligation to
17 return them to their homes. This specific issue,
18 this specific incident had we handled it differently
19 and determined that we would shut down, we would have
20 stranded those folks who we brought into the city to
21 get to work. The challenge is really in the
22 forecast. Having good information upfront and I
23 think it's clear, there is no question that at the
24 beginning, there was no effort to shut down the city.
25 There was no call that uhm, that the storm was coming
that would require no one to go to work.

2 So, we have an obligation to bring those folks to
3 work. The question is really about when do you shut
4 down and for an event like a Sandy, where we can
5 forecast an event, what we're going to get, when
6 we're going to get and how we're going to get it. We
7 do plan to shut down the system. We have a very,
8 very strict plan on how to do it. Flooding
9 especially as we talked about for this type of flash
10 flooding could happen at any location. So, if you
11 have flash flooding in the Bronx, while we take
12 select, we do at certain lines, we will restrict
13 service. We will stop service on those lines. We
14 will close off the stations to those lines. We don't
15 shut down the entire system because we don't want to
16 impact the entirety of our ridership based upon flash
17 flooding in one location.

18 So, it's really based upon where we receive the
19 report and the information that we have at hand.

20 CHAIRPERSON RODRIGUEZ: Okay. Do you think that
21 [INAUDIBLE 3:19:42-3:20:05] 70 percent of the station
22 they have camera before but the announcement
23 yesterday that now all of them have from now on they
24 will have camera. With those technology that camera
25 use at the station, do you think that they also can

2 be used for you to have a better second to look at
3 the situation at the station so that you know that we
4 avoid as much as possible to see some even senior
5 citizens, people with physical challenges you know
6 try to come up from the station. You know, like, how
7 do you think that we did a whole new plan and now
8 every single station based on what you said
9 yesterday, come out in the media yesterday, now they
10 will have camera. It will also help for you to
11 monitor the situation when there is a potential
12 raining coming up.

13 DEMETRIUS CRICHLow: So, the cameras are great
14 for reviewing something after the fact. Unless you
15 have a team of people that are there watching these
16 thousands of cameras uhm, at the very time while this
17 is going on. You really don't have the ability to do
18 that. The cameras don't monitor all locations within
19 the station. So, I think the best information that
20 we could have is based upon the eyes and ears that we
21 have on our property. Our conductors, our train
22 operators, our engineers, our station agents, our
23 maintenance crews that we strategically placed
24 throughout the system. Uhm, who are there to

2 respond. Uhm, so I think that's the best way that we
3 monitor.

4 CHAIRPERSON RODRIGUEZ: Also that you know as you
5 have the taskforce and all of us open to look at
6 innovation, innovating idea that you know of course,
7 if you think about one location to monitor all the
8 camera on location it's different by few divided per
9 borough per area.

10 I think that you know cameras are important only
11 to send the message to the rider that they should
12 feel safe with a crime that is effecting our stations
13 but also that, you know, when any situation happen in
14 the station, that they know that there is someone
15 looking at that, what's going on. From the black out
16 that happened to you know this situation. So, you
17 know, I hope that again, as you continue having the
18 taskforce working and the rest of the leadership, the
19 MTA to really look at that technology, they have
20 something to monitor. I think that riders want to
21 feel that they are being watched when they are in the
22 station.

23 DEMETRIUS CRICHLLOW: So, your point is dually
24 noted and Matt here is on the taskforce, so he will
25 make sure to take it back to the team.

4 CHAIREPERSON RODRIGUEZ: Yeah, should nobody use
5 after. I think that it should be working 24/7 and I
6 feel that if you talk to the tech community and of
7 course you guys work with all of them, most of, some
8 in the private sector, I think that it's important to
9 see what are the capacity of those cameras? How much
10 more can they do?

11 My last question before my colleague has
12 questions is about the Emergency Exit Plan. I feel
13 that up to now when we look at the Emergency Exit
14 Plan, we have been happy to send a message that no
15 one should get out of the train unless they get
16 direction from conductors, the conductor.

17 When we saw the black out and rider at some
18 point, they are desperate and they get out of the
19 train and they try to get an exit to go out to a new
20 station into the street. It could be again for human
21 error that happened with the black out but it can
22 happen because of the natural disaster. How do you
23 feel is the exit plan, the exit signal in the station
24 for people to know where they should exit? Besides
25 waiting for direction. And I know, I'm not
pretending that in a city that situation that there
is powerful energy, electricity. We are expecting

2 that people should be walking out knowing that there
3 is a powerful cable there. But my concern is that I
4 don't think that there is right now a plan, an
5 emergency exit plan in our stations.

6 And I'm thinking about from the inside of you
7 guys including the NYPD but also from the outside
8 exit at the street level for people to know this is
9 an exit that if someone is in the station because of
10 flooding, because of a natural disaster or any other
11 type of disaster, people should know exactly where to
12 exit. Besides waiting for the conductor to give them
13 direction.

14 DEMETRIUS CRICHLLOW: So, I certainly understand
15 your concern and each circumstance, each scenario is
16 different and how you handle it is different. Our
17 primary objective is to make sure to keep customers
18 safe and knowing first hand the inherent dangers of
19 having customers on the tracks. Without our
20 guidance, I can't offer any other solution other than
21 to remain on the train where it's safe.

22 A plan that, that, that advocates for customers
23 making their own determination as to what is safe and
24 exiting a train, uhm, will ultimately lead to
25 something that is unsafe. There is no question. And

2 again, in these scenarios, we have a very, very
3 strict protocol on how to deal with crews. What the
4 emergency response should be, our relationship with
5 the police and FDNY. We have them in our control
6 center. That relationship is seamless. What's not
7 seamless is when customers take their own safety into
8 their hand. We have no control of their safety when
9 they are taken into their own hands.

10 So, we ask that customers under all
11 circumstances wait for our direction before taking
12 their own safety into their own hands, in a system
13 that they just don't know.

14 CHAIRPERSON RODRIGUEZ: Okay, now let's go to the
15 Council Member. Council Member Miller.

16 COUNCIL MEMBER MILLER: Thank you Chair. So,
17 uhm, I appreciate uh, MTA and Vice President, you and
18 your team being here and information that you have
19 given to the Committee. Uhm, I have a couple of
20 questions and uhm, one, I'd be remiss if I really
21 didn't talk about the workforce and its preparedness
22 uhm, to be able to evacuate and really service
23 transition, their line of service to, to the public.
24 Uhm, what does that look like? Has it evolved since
25 my many years on that side? And what kind of

2 training can we expect and how has that – how did
3 that transition into uhm, removing folks from trains
4 and buses around the city first?

5 DEMETRIUS CRICHLow: So, uhm, in terms of our
6 folks, there's no question New York City Transit
7 employees, MTA employees at large are a fantastic
8 workforce. Uhm, the work that they get done on a
9 daily basis when under normal circumstances is just
10 amazing but when circumstances like this arise, they
11 have the ability, the desire, the dedication, to go
12 above and beyond under all circumstances to get the
13 job done.

14 But it is our responsibility to train them to do
15 that. So, uhm, it's interesting because right now
16 we're undertaking this huge uhm, infusion of new
17 employees in and one of the things that we talk about
18 in training is the evacuation of customers. What the
19 communication should be. Uhm, we have a, we have a
20 simulation of a train in distress with no lights, a
21 smoke condition within a tunnel. We take our
22 employees through that. We let them simulate that in
23 real life.

24 So, we understand the value of training our
25 employees. We're always looking for opportunities to

2 do better. Uhm, but your point is well taken. We
3 have to have a training program and we have to invest
4 in our employees so that they can be what they need
5 to be when those circumstances arise.

6 COUNCIL MEMBER MILLER: That I can appreciate and
7 uhm, and so, uhm, part of that is the coordination
8 and the support from where there is management and
9 supporting the agents of the surrounding agencies and
10 allow them to do so because it is very difficult from
11 a conductor, motormen or bus operator to kind of
12 transition from driving to now instructing folks to
13 get out and whether or not the riding public is
14 willing to receive those instructions. I think that
15 part of the problem of what we've seen in this
16 particular instance there is some of those situations
17 there but particular instructions around dealing with
18 the stressed public. If it doesn't occur and I know
19 that it does, that we would kind of step that up.

20 And then secondly, you know I'd like to ask how,
21 how - and this is generally whether it's upstairs and
22 down in trains or buses. But there's been a lot of
23 focus on the subway system and I'd like to talk about
24 surface a little bit and how do we, how do you
25 aggregate and compile data based on service

4 disruption and then ultimately use that data to
5 mitigate and prevent future disruptions in service?

6 And I say that, I looked at some of the bus lines
7 that have been disrupted and they are no different
8 from the bus lines that were disrupted 10, 15 years
9 ago when it was part of my task to manage that. And,
10 and, and so, uhm, is there a coordination in DOT and
11 DOT and agency coordination that you know, this, we
12 consistently forbid it from going down a particular
13 roadway. That roadway is a problem. You know, what
14 are you guys doing? What can we do differently? Can
15 you speak to those interagency conversations?

16 DEMETRIUS CRICHLLOW: Sure thing. So, uh, to your
17 first point about making sure that our folks on the
18 trains have the ability to be able to communicate
19 with our customers when they are evacuating them. It
20 is certainly an amazing undertaking, particularly
21 when you are under strain.

22 So, this last event, what we did was, when we
23 first identified that there were trains stranded, we
24 immediately dispatched supervisors and managers to
25 those trains, immediately. We didn't have any idea
of how long the outage would be but our immediate
position was to send people to those trains. That

2 facilitates the communication level where a conductor
3 may not necessarily feel comfortable dealing directly
4 with the Fire Department and discharging them. We
5 would love for them, we give them the tools to do
6 that but when you are first doing that, you may not
7 necessarily feel the most comfortable doing it.

8 So, we dispatched supervisors and managers to
9 assist with that process to help shepherd them
10 through that. Uhm, and then again, you know
11 approximately 1,000 customers were evacuated without
12 issues. So, that just speaks to the amazing efforts
13 that were put forward by the Police Department, FDNY,
14 the supervisors and managers, many of which who came
15 from their own homes on their own time to pitch in.

16 Uhm, again, so that effort is just it's hard to
17 find words to just how the level of commitment that
18 these folks have for the job. And second point we
19 spoke about is, is how do we do better with
20 communicating uhm, to our city partners, DEP, what's
21 that coordination like? And uhm, so it does happen
22 within the different districts, the different
23 boroughs at the depots but I do think that this, that
24 this new group that we're setting up, the taskforce
25 will have a better impact on that. I think that when

2 you loop in the larger agencies and have them all
3 involved in discussions, you with that information
4 becomes power. Uhm, I'll let Matt comment a little
5 more on that.

6 MATT BEST: Yeah, as we continue to work, we're
7 taking multipronged approach to this taskforce and
8 one of them is specifically on the side of operations
9 and how do we receive the information? How do we
10 deploy the information before an event and then how
11 do we communicate during an event? And we have a
12 very tight connection between our operation center
13 and when we activate emergency response along with
14 direct communication with the city and how they
15 respond.

16 I know that DEP will specifically deploy
17 resources to trouble spots. We do the same thing.
18 And as we bring data together and discuss it, we'll
19 find perhaps more efficient ways to do that so that
20 we can multiply our own efforts as we respond to
21 these from an operational standpoint.

22 So, it's really about getting the information to
23 the right peoples hands at the right times in order
24 for that to be actionable and just to make the
25 results better.

2 DEMETRIUS CRICHLLOW: So, Matt commented on an
3 amazing point. That information is critical. So,
4 within New York City Transit, I have the areas that
5 are important to me. What areas I know flood for me.
6 Uhm, but that doesn't mean that that, that DOT has
7 the same concerns. There are areas at street level,
8 they may be completely flooded at street level and we
9 just haven't seen it in the subway system yet. That
10 issue still needs to be tackled. So, the taskforce
11 is going to take all of that information. Again,
12 that information is a critical piece in having a good
13 plan to go forward. So, taking that information and
14 from different various stakeholders is to me, is
15 what's going to make a really concrete plan for
16 response.

17 COUNCIL MEMBER MILLER: So, currently Command
18 Center, they get a call from the bus operator on a
19 road and that this street is blocked. Does
20 coordination with agencies at that point there right?
21 Whether it's FDNY, Police Department, DEP and others
22 that not only are you dispatching perhaps the
23 supervisor dispatcher to the scene but the
24 appropriate agencies are also being notified that -
25 is that currently happening now?

4 DEMETRIUS CRICHLLOW: Yes, yes. So, in an
5 incident, they work hand and hand during an incident.
6 I'm sorry, I thought we were talking about how do we
7 fix this going forward?

8 COUNCIL MEMBER MILLER: Yeah, yeah, absolutely
9 but at the same time, we are you know in the moment,
10 we're coordinating with other folks and then I was
11 certainly saying, how do we take a look at the
12 information because you know often times is the same
13 stations. It's the same routes that are being
14 impacted and so, you know customers over the years
15 are saying like, you know why, why me? Why is it
16 that BNF and folks from Jamaica you know can't get
17 back home and/or certain bus routes, why can't we and
18 if it continues to happen, you know there should be
19 enough information that is gathered in order for us,
20 for the future to be able to address it.

21 And then finally, you know we've all seen this
22 fine post that you have here. I want to talk about -
23 allow you to speak on how you guys have really dived
24 into it and what that really means and, and, and if
25 in fact for me and the greater Jamaica area, what
26 difference in the future of sustainability will a
27 fully electric bus depot and bus fleet have on the

4 environment and mitigating some of these things that
5 we see in the future.

6 DEMETRIUS CRICHLLOW: So, I think New York City
7 Transit, again as we talked about it is a key element
8 to success and the sustainability of our environment.
9 Without mass transportation, New York City or any of
10 the boroughs areas that surround it, just don't
11 survive. We don't thrive.

12 So, uhm, successful transportation uhm, our
13 stakeholders, community leaders, government
14 officials, we all should be committed to
15 sustainability of our environment and New York City
16 Transit, the MTA as a whole is a huge, huge part of
17 that.

18 So, we're always looking for opportunities to do
19 things brighter, faster, smarter. You know, I'll
20 tell you that Craig as the Acting Interim President
21 for New York City Transit has been a huge proponent
22 of doing things on the bus side first hand that have
23 been ground breaking in terms of where we used to be
24 on our buses and where we're going.

25 So, we're definitely, definitely supportive of
that. Do you want to add anything?

2 STEVEN LOEHR: Not on your bus depot, I was just
3 going to jump in on your data sharing point before.
4 Just talking about getting ahead of this problem a
5 little bit more. We have worked with the city in the
6 past looking at historic trouble spots. As Matt
7 said, the floods from Ida effected places we've never
8 seen flood before and I think we're really excited
9 about the modeling the city has done and shared with
10 us for future flooding under different sea level rise
11 scenarios, under greater storms, so we can expand the
12 stations that we're addressing right? And the
13 locations where we have worked previously to mitigate
14 flash flooding with physical improvements. We've
15 seen uh, you know, big improvements in delay
16 reductions from that. So, I think the you know the
17 next oppress is getting ahead of the problem instead
18 of just being reactive to historic trouble spots and
19 that's what you know, one of the exciting parts of
20 the taskforce.

21 CHAIRPERSON RODRIGUEZ: Thank you.

22 STEVEN LOEHR: Sure.

23 CHAIRPERSON RODRIGUEZ: Thank you. Now let's go
24 to Council Member Holden who has a few questions.

4 COUNCIL MEMBER HOLDEN: Thank you. Thank you for
5 your testimony. Uhm, I know it's a huge challenge
6 and uh, when you see storms like Ida but uhm, on the
7 25 stations that you did work on, flood mitigation
8 and this 33 others that you uhm worked on, did the
9 improvements hold? Did it work? Did the mitigation,
10 flood mitigation systems work? Like check valves and
11 so forth?

12 DEMETRIUS CRICHLLOW: So, we'd love to tell that
13 story.

14 MATT BEST: Yeah, sure, so thank you for your
15 enthusiasm from my response. Uhm, so, a couple
16 points there I guess. So, the 33 that we mentioned
17 earlier that are coastal flood stations right, those
18 really were not places where we saw a correlation
19 with flooding during Ida and we usually don't during
20 heavy rains. Right at the areas near the coast,
21 usually drain better to the rivers or the harbor and
22 it's these inland stations and valleys you know are
23 steeper areas that are the problem in these heavy
24 rainstorms.

25 So, for those, and this is places like Hillside
Avenue in Jamaica. Upper Manhattan there's some
spots, 138 Street in the Bronx. Those areas, yeah,

2 they did relatively well compared to the rest of the
3 city. They're as we mentioned, you know the places
4 that have flooded in previous lesser rainstorms than
5 Ida, so we were you know somewhat expecting that
6 those areas were spots to address. The primary
7 objective of those right, in the initial, that
8 initial program from like ten years ago, was
9 minimizing impacts on subway service.

10 We've seen those deliver in the decades since. I
11 think the next wave is making sure that there's you
12 know, water on the streets will become water in the
13 stations. So, to the extent that those investments
14 can be helpful in reoccurring spots, that's great but
15 if it's you know we have tens of thousands of
16 openings to the subway system. It's completely
17 infeasible to install those at every one of them.

18 And so, the mission for us working with the city
19 will be keep waters, keep water on the streets, keep
20 water in the sewers. Not down the staircases, not
21 through the vents.

22 COUNCIL MEMBER HOLDEN: So, we're doing better.
23 We're doing better but there's other things involved.
24 You mentioned Queens Boulevard flooding because that
25 hits home. It's next to my district and uh, were

2 there any - we saw a video of people wading through
3 four feet of water and uhm, water coming up from
4 underneath. Obviously those stations, and I know the
5 taskforce will identify the worst stations but does
6 one come in mind that it's a huge problem like Queens
7 Boulevard. Because Queens Boulevard, historically
8 that area is flooded and I'm going back 15, 20 years
9 when we had storms.

10 Uh, that area was flooded and so, nothings
11 changed. Do we have those chronic locations that we
12 worry about to the point where maybe we should warn
13 people not to go in? With some kind of warning like,
14 we have technology that can warn people you know, you
15 can do it in an instant. Warn people on Queens
16 Boulevard, don't go down to the subway and the light,
17 red light comes on.

18 DEMETRIUS CRICHLLOW: So, interestingly we do have
19 locations that we uh, we consider to be more likely
20 to have some type of water condition and we prepare
21 for those locations. So, we will send folks to those
22 locations. We will have pumps prepared at those
23 locations. We will cover the events at those
24 locations. We take a lot of steps to ensure that
25 those locations don't have any issues.

4 And to your point, those are the locations that
5 we generally don't have the issues with. But I think
6 that one of Janno's, Janno Lieber's key elements in
7 setting up this taskforce is its critical identify
8 systemwide where we stand. Uhm, and again, this was
9 before, this was before Ida. We want to make sure
10 that we have the best plan systemwide that addresses
11 this.

12 COUNCIL MEMBER HOLDEN: Okay, just one other
13 question. Just a point possibly. Uhm, was there any
14 - was there an effort to clean the tracks prior to
15 the storm? Because we always see - we see debris on
16 the tracks and I have to think that some of that
17 might have been the reasons for the excessive
18 flooding. Some of the debris on the tracks. Was
19 there an effort to clean?

20 DEMETRIUS CRICHLLOW: So, we have, we have huge
21 efforts for drain cleaning both in our stations and
22 on our tracks. We have some locations that are
23 cleaned monthly, some locations up to three years.
24 Uhm, our because of Sandy, I'm sorry - because of the
25 funding we got for uhm -

26 STEVEN LOEHR: The Subway Action Plan?

4 DEMETRIUS CRICHLLOW: Thank you. The Subway
5 Action Plan, thank you. The Subway Action Plan we
6 got uhm, we spend a ton of effort in making sure that
7 those drains are clean. Again, even when there's no
8 storm coming.

9 But remember we had Henri that was not too, not
10 too, that was just before -

11 COUNCIL MEMBER HOLDEN: I know but my question is
12 about Ida. Was there a specific cleaning effort in
13 the days prior?

14 DEMETRIUS CRICHLLOW: Yes, yes, yes.

15 COUNCIL MEMBER HOLDEN: Okay, thank you.

16 CHAIRPERSON RODRIGUEZ: Thank you. Thank you.
17 I'd like to thank you for working with us with this
18 many of the issues and you guys, hopefully it's a new
19 day with the MTA where it's not so controlled by the
20 governor. Because I think that when Biden left MTA
21 in New York City Transit, it was a big loss. And I
22 hope that again, that we get into the new environment
23 where you know, the MTA should be treating, seeing as
24 even though most of the members and Chairman is
25 appointment by the governor but you have a level of
independence to continue working with these ideas and

1 COMMITTEE ON TRANSPORTATION JOINTLY WITH THE
2 COMMITTEE ON RESILIENCY AND WATERFRONTS AND THE
3 COMMITTEE ON ENVIRONMENTAL PROTECTION

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4 be able to work with the City of New York.

5 Especially with the DOT and other agencies.

6 Before - so thank you for your participation.

7 Before calling the members of the public, we have a

8 few of them. I am going to say in Spanish and

9 recognizing Council Member Levin. [SPEAKING IN

10 SPANISH 3:46:25-3:47:14].

11 With that, thank you to the members of this

12 panel. Now, we are going to be calling members of

13 the public and we will have on the clock two minutes.

14 CHAIRPERSON GENNARO: Mr. Chairman, if I may, I

15 just want to point out that uh, one more member of

16 the Environmental Committee, of my Committee has

17 joined us uh, Council Member Steve Levin.

18 COMMITTEE COUNSEL: Okay, next we'll hear from

19 members of the public. Uhm, we have Lisa Daglian,

20 Adam Roberts, Hayley Gorenberg and Tyler Taba. And

21 if there are any other members of the public that are

22 here at this time to testify, if you could uh, come

23 up to the panel here.

24 CHAIRPERSON RODRIGUEZ: If you feel that your

25 testimony is longer than two minutes, just summarize

so that we can keep in two.

2 COMMITTEE COUNSEL: Lisa, would you like to go
3 first.

4 LISA DAGLIAN: Hi, good afternoon. I am Lisa
5 Daglian, I am the Executive Director of the Permanent
6 Citizens Advisory Committee to the MTA or PCAC.

7 Thank you for this opportunity to testify today.

8 We've heard a lot today about how these last few

9 weeks have been a wake up call for all of us. And

10 how more must be done to protect the Transit system

11 that is the lifeblood of our region from the ravages

12 of mother nature.

13 The storms Henri, Ida, and whatever comes next,

14 are a clear indication that new solutions must be

15 found. The fact that service was restored was

16 quickly as it was is a testament to the hard work of

17 everyone at the MTA. Riders counted on them and they

18 delivered and we thank them for everything they did.

19 We also thank the first responders and city and state

20 agencies and utilities that responded quickly and in

21 force to get the region back on the move.

22 But the storms highlighted the fragile ecosystem

23 in which we live. Subways are not submarines but

24 people ride in a whole in the ground and that's the

25 level that water seeks. We heard earlier that the

4 MTA pumped 75 million gallons of water out of the
5 subways after Ida. That's staggering. It's a
6 miracle that no one lost their life in the subway
7 system.

8 It's critical that the MTA, city and state
9 accelerate their lessons learned reviews, which we've
10 heard are already underway and we know are underway
11 at the MTA. Take a hard look at third party causes
12 of water infiltration, such as the manhole that
13 seemingly caused the 28 street gusher. It's
14 essential that immediate steps be taken to harden
15 infrastructure like street streams, subway pumps and
16 sewers. All of the systems that we need to rely on
17 to handle a deluge like we saw most recently during
18 Ida but that we expect with increasing regularity.

19 The MTA and the city must also look to their
20 capital programs in the context of resiliency and
21 reprioritize their projects as necessary. Chair
22 Rodriguez, earlier you talked about the 207 Street
23 and Coney Island yards and these are certainly
24 included and we are looking at their prioritizations.

25 The taskforce that we heard more earlier about
26 uhm, we must also look at the joint priority projects
27 and how to move them forward expeditiously. This

2 will all take money. That's why it's so critical
3 that funding come to the MTA and federal state and
4 local sources, including the city's commitment to the
5 MTA's 2024 Capital Program and highlights more than
6 ever the importance of central business district
7 tolling, otherwise known as congestion pricing. We
8 will be speaking in support of that at upcoming
9 public meetings and urge you to support it and do so
10 as well. Thank you.

11 HAYLEY GORENBERG: Thank you.

12 COMMITTEE COUNSEL: Could you say your name
13 please.

14 HAYLEY GORENBERG: Sure, my name is Hayley
15 Gorenberg and I am the Legal Director of New York
16 Lawyers for the Public Interest for a community
17 driven civil rights organization with an
18 environmental justice program.

19 We must use this moment to address inadequate
20 infrastructure and transform New York City's
21 environmental justice community, so that they are
22 resilient and thriving as part of the citywide
23 initiative to better prepare for more powerful storms
24 like Hurricane Ida and other challenges brought by
25 global warming.

4 Much of what we need to do is work right under
5 our feet on the city's sewer system. When storms
6 slam into the city and dump rain and run off the
7 fitness of our sewers determines our wellbeing. Are
8 they flooding and collapsing? If so, our
9 infrastructure failings contaminate homes and
10 waterways, destroy possessions and lives and even
11 potentially drown fellow New Yorkers. Especially in
12 poor communities and communities of color.

13 Since the Thanksgiving 2019 sewage backup
14 disaster that wrecked homes and lives for hundreds of
15 New Yorkers in South Ozone Park's Queens, NYLPI has
16 convened and been working with a half dozen excellent
17 New York law firms working Pro bono as part of
18 NYLPI's South Ozone Park Sewer Legal Assistance
19 Project or SLAP, to pursue justice for families
20 flooded out by sewage.

21 When Ida hit the city, the storm hit our team and
22 community partners with a sense of dread full
23 familiarity. Ida's rain synergized with decrepit and
24 inadequate sewer infrastructure to cause disastrous
25 flood damage and even death. The record dropped by
the previous Queens sewer disasters caused by
infrastructure malfunction for which the city

2 appropriately took responsibility provides a case and
3 point.

4 With our without storms, the state of the city's
5 sewers has become life-threatening. These are
6 examples from one of the city's numerous
7 environmental justice communities fighting
8 marginalization on any number of fronts. Including
9 horrendous impacts of dilapidated infrastructure,
10 especially when it's stressed by more and more
11 frequent and violent storms.

12 Again and again, climate disasters will hit these
13 communities first and worst but if our government
14 addresses their needs, the city will be uplifted and
15 everyone will be safer.

16 Okay, I'm going to skip to some points about what
17 we learned from the city's claims process, which is
18 also part of the agency infrastructure that the
19 city's lack and that families need to be resilient in
20 the face of disaster and that's why we created our
21 project. Because I think that these problems that
22 Queens residents experienced provide a roadmap to
23 improved service.

24 So, quickly some examples. The city helped with
25 cleanup in some instances but it didn't ensure that

4 sewage damage belongings were cataloged or
5 photographed or otherwise recorded before they were
6 hauled away. So, when residents sought to get
7 compensated for the damage, they lacked what would
8 have been simple records to support their claims.
9 Replacement boilers installed by the city lead to
10 complaints of substandard installation and lack of
11 necessary insulating barriers and residents had
12 trouble procuring what they were told should have
13 been simple tracking documentation from agencies
14 showing exactly what was installed.

15 Overall, proof's of loss were poorly understood
16 and inappropriate downward pressure on losses
17 resulted. Here is just one example, people with low
18 limits on their homeowners insurance -

19 CHAIRPERSON RODRIGUEZ: Sorry, if you don't mind,
20 just summarize.

21 HAYLEY GOORENBERG: Yes. I am just doing these
22 two last bullet points. Uhm, people with low limits
23 on their homeowners insurance, would receive
24 insurance appraisals essentially showing they maxed
25 their policies at a few thousand dollars with no
specification of their actual loss beyond the maximum
of the policy.

4 And then, these low appraisals would be
5 misinterpreted as showing their actual loss and
6 creating a ceiling inappropriately limiting their
7 compensation.

8 CHAIRPERSON RODRIGUEZ: Okay. Let's take this
9 testimony reading and we leave it as it is and we
10 move to the next one. Thank you. You know we have
11 to accommodate others.

12 COMMITTEE COUNSEL: Adam Roberts? Tyler Taba?

13 TYLER TABA: It's on?

14 CHAIRPERSON RODRIGUEZ: Yes.

15 TYLER TABA: Okay, my name is Tyler Taba, I'm a
16 fellow at the Waterfront Alliance. The leader in
17 waterfront revitalization, climate resilience and
18 advocacy for the New York, New Jersey Harbor Region.
19 The Waterfront Alliance is committed to
20 sustainability and to mitigating the effects of
21 climate change across the regions hundreds of miles
22 of waterfront. We've spearheaded the Rise to
23 Resilience Coalition of 100 plus groups advocating
24 for policy related to climate resilience and we run
25 the Waterfront Edge Design Guidelines Program for
promoting innovation and climate design. Recent
storms particularly Ida demonstrated the importance

2 of resilience across the boroughs and we urge the
3 next Mayor to expedite the fourth coming climate
4 adaptation roadmap.

5 While large scale government lead infrastructure
6 upgrades are in dire need, the city also requires a
7 network of smaller scale solutions at the building
8 and neighborhood level. New York City has options
9 for small scale interventions to retrofit buildings
10 and properties for higher resiliency. At an
11 individual level, critical, mechanical and electrical
12 systems can be moved to higher floors and potential
13 penetration points for water like utility hookups can
14 be sealed. Investments in green infrastructure at
15 the building scale can reduce the burden on
16 stormwater systems.

17 There is substantial value in a citywide climate
18 resilience retrofit incentive program, to facilitate
19 meaningful change at scale. The city and states
20 climate responses must include incentives, grants and
21 loans that support resilience retrofitting by
22 property owners and this incentive program has
23 precedent with the recent enacting of Local Law 97.
24 Addressing environmental injustices and passed
25 disinvestments should be central to any programs

4 funding structure to ensure protection in the most
5 vulnerable communities.

6 We also call for the Mayor to immediately commit
7 resources to the New York City Department of
8 Environmental Protection and the Office of Emergency
9 Management to ensure not one more New Yorker is
10 caught and killed by flood waters in their own home.
11 Prioritize funding for a comprehensive citywide
12 initiative to expand a drain capacity throughout the
13 city to prevent flooding starting with building out
14 stormwater sewers or retention tanks in vulnerable
15 areas with limited drainage systems. More immediate
16 actions on implementing city infrastructure for
17 greener and more sustainable solutions such as blue
18 belt systems are essential.

19 And finally, we call on the Mayor to create a
20 public information campaign for homeowners on flood
21 insurance enrollment and to expand communication to
22 New Yorkers about flood insurance through advertising
23 on the subway, bus and ferry routes. As the
24 insurance rates are likely to go up once FEMA updates
25 their currently out-of-date flood maps. Thank you.

CHAIRPERSON RODRIGUEZ: Thank you.

COMMITTEE COUNSEL: Okay, uh, Chris Bellovary.

4 CHRIS BELLOVARY: Hello, my name is Chris
5 Bellovary, I'm a Staff Attorney with Riverkeeper.
6 Thank you for holding this meeting and thank you for
7 inviting us.

8 Riverkeeper is a member supportive watchdog
9 organization dedicated to the protection and
10 restoration of the Hudson River from source to sea
11 working with and advocating for communities
12 throughout the region and safeguarding the drinking
13 water supply for over ten million residents of New
14 York City in the Hudson River Valley.

15 New York City and communities throughout the
16 watersheds in the Hudson River and the New York City
17 water supply are grappling with how climate change is
18 reshaping the flood risks in multiple ways. I mean,
19 basically the standard 100 year storm is the storm
20 that has a one percent chance of happening on any
21 given year. Well, what we have defined as the 100
22 year storm clearly occurs more than one percent of
23 the time and what actually is a 100 year storm is
24 much more intense than what we have designed for.

25 Similarly, our flood plains have the same issue.
Uhm, and as long as humans continue making climate
change worse, these are going to remain moving

2 targets, which makes this a difficult thing to plan
3 for.

4 Riverkeeper encourages the city and MTA to keep
5 some following principles in mind. Uhm, first one is
6 developing holistic solutions based on all possible
7 forms of flood risk. And the reason for that is
8 there is multiple forms of flooding that the city
9 experiences. Obviously the uhm, the overwhelming
10 draining system is the one that's most present at the
11 moment but there is also ground water flooding as MTA
12 was talking about. River flooding, title flooding
13 and flooding from coastal storm surges. They all
14 have different qualities and solutions that are only
15 designed to address one of those can be
16 counterproductive for other forms of flooding. And
17 so, that's why we are advocating that all forms of
18 flooding are considered at the same time.

19 This is a simple example. Draining systems are
20 designed to get water out of a city if they don't
21 have backflow preventors. Obviously, it can allow
22 storm surge in other water just to be brought into
23 the city as well.

24 Uhm, other principles that I wanted to touch on
25 was that there is going to be certainly some sort of

2 thought about how you cannot upgrade an entire city's
3 storm water system all at the same time. And so,
4 there should be some thought about how essentially
5 where it might be preferrable to have plans shutdown
6 – for shutdowns and how to sequence those also
7 considering the disadvantaged communities in the
8 process. Obviously, we don't want to exacerbate
9 that.

10 CHAIRPERSON RODRIGUEZ: Okay.

11 CHRIS BELLOVARY: So, uhm, uh, basically one of
12 the other things is basically designing uhm, flood
13 protection designs that are multilayered, flexible
14 components, with adaptability in resilience. Because
15 the climate is changing in ways that we don't – there
16 are ways that we know and ways that we don't know.

17 Uhm and another thought was that the systems need
18 to be designed for the city to, not just survive but
19 thrive. And so, we need to be looking at all the
20 side benefits, side problems and co-benefits of the
21 various plans.

22 CHAIRPERSON RODRIGUEZ: Thank you.

23 CHRIS BELLOVARY: Thank you very much.

24 COMMITTEE COUNSEL: Okay uhm, Carlos Castell
25 Croke.

4 CARLOS CASTELL CROKE: Yes, uh, good afternoon.

5 My name is Carlos Castell Croke and I am the
6 Associate for New York City Programs at the New York
7 League of Conservation Voters. I want to thank all
8 the Chairs who are here today and the Council
9 Members.

10 Uhm, when Hurricane Ida hit our city a few weeks
11 ago, our subway system was devastated. Almost every
12 line was affected stranding New Yorkers and
13 disrupting commuters. A deadly storm such as this
14 should no longer come at a surprise. We've been
15 saying for years now that climate change is here. We
16 no longer have the luxury of time. If we want to
17 prevent costly damages, keep our critical transit
18 infrastructure running during disaster and continue
19 to fight climate change in the process, we must
20 invest heavily in resilient infrastructure now.

21 This will involve cooperation and coordination
22 between the MTA, NYC DOT and NYC DEP. First and
23 foremost, we must implement green infrastructure
24 across New York including by reclaiming a large
25 portion of our roads as public pedestrian spaces.

Green infrastructure will not only help to absorb
rainwater and mitigate flooding but also increase

4 cooling and improve local air quality as well as
5 beautify our neighborhoods. Furthermore, greening
6 and pedestrianizing our roads will cutdown on
7 congestion in cars, which are the number one
8 contributor to greenhouse gas emissions from the
9 transportation sector.

10 Initiatives such as these will be particularly
11 important for environmental justice communities that
12 often already lack green space and have high levels
13 of air pollution. We must also upgrade our other
14 forms of public transportation such as our buses, to
15 ensure that our network is robust and reliable. In
16 order to fund these improvements, we need significant
17 investments in the MTA's capital plan through federal
18 programs like the Build Back Better Act and from
19 local sources such as congestion pricing.

20 We must also create a comprehensive five borough
21 resiliency plan, so we can efficiently implement
22 these programs. Not just to protect our coast but
23 also to preserve our inland neighborhoods and
24 communities. Public transit is one of our strongest
25 weapons in the fight against climate change. It
provides an affordable and sustainable way to get
around while also giving New Yorkers an alternative

2 to automobiles. However, one must ensure that our
3 public transit networks and our streets are built to
4 withstand the increased flooding in storms that
5 climate change will continue to bring.

6 It will be short sided and irresponsible to allow
7 the very thing public transit seeks to upend for it's
8 very operation. Thank you.

9 CHAIRPERSON RODRIGUEZ: Thank you. Thank you.
10 I'd like to thank everyone. The Chairman of -

11 CHAIRPERSON GENNARO: Thank you Mr. Chairman. I
12 just wanted to commend this panel. I've in my
13 previous years at the Council, I've really enjoyed
14 working with all of your organizations and I feel
15 that the - this last panel has been among the most
16 enlightening that we've had all day. And I
17 appreciate your continued advocacy. I hope the
18 Mayor's Office, I don't think anyone here is here
19 from the Office of Legislative Affairs. But I can
20 only hope that they're watching this over the stream,
21 so that they get the benefit of your good views. And
22 uhm, please feel free to reach out to me anytime I
23 have your good testimony here and I look forward to
24 working with all of you as I uhm, now that I am back
25 as the Chair of the Committee on Environmental

2 Protection. I appreciate you all being here very
3 much.

4 CHAIRPERSON RODRIGUEZ: Thank you Chair. So, I'd
5 like to thank the two other Committee's and the
6 Chairman for being part of this joint hearing with
7 Committee of Transportation while they advocate as we
8 will finish in this hearing, if any one from the
9 audience want to follow and I know the panel that we
10 had this afternoon led by the city and state and
11 that's why I had to close on this one to move to the
12 other one, even though it's not a City Council
13 hearing. But it's a panel going on about the future
14 of housing but also the future of transportation
15 organized by the city and the state.

16 So, I'm sorry for rushing a little bit but it's
17 about being able to move to the new responsibility
18 to. And with that, thank you to everyone and this
19 hearing is adjourned. [GAVEL]

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C E R T I F I C A T E

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



Date September 24, 2021