



**Testimony of Commissioner Zach Iscol**  
**New York City Department of Emergency Management**  
**Before the New York City Council**  
**July 12, 2023**

Good morning members of the New York City Council. I am Zach Iscol, Commissioner of New York City Emergency Management, and I am here to discuss the air quality impacts to New York City during the first week of June 2023 as well as subsequent air quality events that we expect to continue into the future. I am joined today by New York City Department of Health and Mental Hygiene Deputy Commissioner for Environmental Health Corinne Schiff.

As climate change unfolds in real time, monitoring the Air Quality Index is – and will remain – part of our new normal. This became jarringly obvious when orange smog from the Canadian wildfires blanketed our city last month. The good news is, if New Yorkers take some simple precautions we can help prevent or limit the health impacts of these air quality events – but only if we work together.

Our city’s response to the wildfires serves as a good blueprint for future events. About a week before the air pollution from Canada’s wildfires began permeating the five boroughs, public messaging about the incoming hazards and guidance for protecting oneself began. Immediately after, hundreds of thousands of masks were distributed to firehouses and police precincts across the city – where they remain available to all New Yorkers today. Hospital visits and EMS response times were closely monitored, ferry schedules were adjusted, outdoor events and activities were modified, and we coordinated with the Department of Health, Department of Social Services, Mayor’s Office for People with Disabilities, the Mayor’s Office for Immigrant Affairs, the Department for the Aging, and others to ensure the people most at risk – from our elderly to delivery workers and people with special needs – had the information they needed to stay safe. Throughout it all, essential services like sanitation and transportation were uninterrupted.

Forecasting Air Quality Indexes, especially for smoke, is incredibly difficult and complex and only available less than 24-hours in advance by New York State’s Department of Environmental Conservation. The AQI forecasts for Tuesday, June 6<sup>th</sup> and Wednesday, June 7<sup>th</sup>, never placed the AQI in the red, which is the ‘unhealthy’ category for the general population. June 7<sup>th</sup>, the day Mayor Adams held the first of three press conferences on the subject, was the only day we saw the AQI hit what is considered ‘hazardous’ levels. Still, with advisories in place for sensitive groups, our team and agency partners began messaging warnings and guidance as far back as June 1<sup>st</sup> through NotifyNYC and other channels. Notify NYC has been providing air quality alerts since 2009 with an AQI threshold for issuance of 100 or higher. With more than one million subscribers and available in 14 languages including English, Arabic, Bengali, Chinese, French, Haitian Creole, Italian, Korean, Polish, Russian, Spanish, Urdu, Yiddish, and American Sign Language, this is the city’s primary emergency notification system.

Emergency Management is responsible for the development, maintenance, and oversight of dozens of emergency plans, protocols, and playbooks for the City of New York. Emergency plans help prepare the City to respond effectively during an incident in order to reduce disruptions to people and services. NYCEM creates and updates the City’s emergency plans for a range of hazards and functional areas that support events such as the recent air quality emergency. Air quality is something we have long monitored and built into our response procedures, but tied to more common causes such as heat-related ozone pollutants. This wildfire was an anomaly for the New York City region, but we had the tools to pull from to stand up and address the response in a time of need. These plans are scalable, flexible, and are made up of a menu of operations and response options. Since no two emergencies are the same, having a menu of options that can be used for a wide range of incidents and hazards is essential - especially for new-to-NYC events like wildfire-induced air quality emergencies.

For example, a response for a hazard can require multiple plans be used. A coastal storm can trigger over 20 operational documents, such as the Coastal Storm Activation Playbook, Coastal Storm Sheltering Plan, Coastal Storm Evacuation Plan, Logistics Section Plan, Debris Management Plan, Interim Flood Protection Measures Playbook, Disaster Assistance Service Center Plan and Manual, and the Citywide Health and Safety Plan. A winter weather event can include turning on our Winter Weather Emergency Plan, Flash Flood Emergency Plan, Power Disruption Plan, Tow Truck Task Force Protocol, Advance Warning System Protocol, or Emergency Public Information Protocol. An earthquake event could require turning on the Advance Warning System Protocol, Area Evacuation Plan, Commodity Distribution Plan, Debris Management Plan, Disaster Assistance Service Center Protocol, or Healthcare Facility Evacuation Plan.

No matter the event, we can leverage strategies and tools from our plans to quickly coordinate the response to an event. This includes identifying the key partners for operational coordination, holding interagency calls to provide situational awareness, monitoring and tracking impacts critical services and infrastructure, identifying key decisions and resources needed to reduce impacts from the event, and tracking key actions to support the response by agency partners. For the air quality event in June, we pulled response operations and capabilities from a wide range of pre-existing plans based on the needs of the emergency at hand. This is similar to what we would do during many other extreme weather emergency, as well as how we operate for any other novel event. For example, we used the:

- Advance Warning System Protocol to enhance communication with and outreach to vulnerable populations;
- Emergency Public Information Protocol to notify the public via Notify NYC, and other communication channels;
- Citywide Incident Management System to conduct interagency coordination based on core competencies;
- Citywide Health and Safety Plan to coordinate environmental health and monitoring and citywide worker health and safety coordination;
- Hazard Mitigation Plan Extreme Heat Profile to assess the relevance of historic events and risk factors of air quality;
- Heat Emergency Plan to coordinate outreach to vulnerable populations, the health care system, and homeless populations, as well as coordinate with outdoor events and conduct syndromic surveillance;
- Logistics Section Plan to source and coordinate distribution of masks;
- Winter Weather Plan to discuss school closures.

All in all, we issued 11 Notify NYC messages, held four press conferences and three interagency calls, distributed over 100,000 masks, and responded to dozens of press inquiries. Ultimately the best evidence of a successful response comes from public health data, which saw emergency room visits involving breathing complaints just 100 visits above seasonal averages on the day with the worst AQI rating – in a city of more than 8 million people – similar to increases we observed in April due to pollen season. While our goal is to keep emergency room visits as close to zero as possible, it is my firm belief that had it not been for our team, our partner agencies, city hall leadership, and the smart precautions taken by millions of New Yorkers, that number would have been far higher and the impacts to our most vulnerable far worse.

After any emergency, our team conducts thorough after-action reviews to improve our responses in the future. This crisis was no exception, and we will continue to pivot and shift our responses to ensure New Yorkers are best served and protected. That said, I am incredibly proud of our robust response. We continue to coordinate across all city agencies to distribute masks, share information with delivery workers and immigrant communities about staying safe, provide the best advice to New Yorkers, intensify outreach to unhoused New Yorkers, and much more.

This was not a one-time, standalone event. The summer is far from over, and more air quality events are likely to come both this year and in the future. As we have seen with other aspects of severe weather, climate change



and its impacts continue to pose new challenges to New York City, and City agencies are working to adjust our plans and outreach to New Yorkers to address this hazard. As we did for this incident, we continue to lean forward in messaging to New Yorkers the most up-to-date information of the potential dangers from poor air quality so they can make any adjustments to their activities as needed.

Thank you for this opportunity to testify today. We will now take your questions.



**JUMAANE D. WILLIAMS**

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS  
TO THE NEW YORK CITY COUNCIL COMMITTEES ON HEALTH, OVERSIGHT  
AND INVESTIGATIONS, AND ENVIRONMENTAL PROTECTION, RESILIENCY  
AND WATERFRONTS  
JULY 12, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chairs Schulman, Brewer and Gennaro and the members of the Committees on Health, Oversight and Investigations and Environmental Protection, Resiliency and Waterfronts for holding this important hearing.

Just four weeks ago, our city faced an unprecedented air quality crisis when smoke from over 400 wildfires in Canada were pushed into our city. Unlike our West Coast sister cities, who routinely deal with wildfire smoke and its harmful effects due to drought and long wildfire seasons, New Yorkers were not prepared for the poor air quality that arose during the week of June 4th. The COVID-19 pandemic should have prepared us in delivering speedy communication around this issue; instead, the failure to prepare and respond to this event was not only a failure at the city level but at all levels of government.

Over the past few weeks, my office has been corresponding with officials from West Coast municipalities like Seattle, San Francisco, Los Angeles, Santa Barbara and San Diego, gathering best practices and resources on how New York City can best respond to this crisis when it arises in the future. As we've seen over these past few weeks, with a mere shift of the wind, wildfire smoke has the ability to impact New Yorkers' daily life and we must be prepared to meet those instances as they arise. From these conversations, we compiled a list of recommendations, which can be read in our report "Orange Sky, Red Alert", that we urge our city and state partners to implement in order to proactively respond to these air quality issues as they arise. This report also finds shortcomings in the city's response to the air quality emergency, and particularly the lack of speed and scope of our public notification system and hazard mitigation efforts.

As we've seen, climate change is rapidly reshaping natural hazards at an alarming rate of pace and it will not wait for us to be prepared. But it is no longer enough to reflect and develop plans for what we've already encountered thus far, we must also anticipate and prepare for the unforeseen in order to keep our city safe and healthy.





**JUMAANE D. WILLIAMS**

I do want to just say, notwithstanding the mayor's comments that folks are criticizing just to criticize – nothing could be further from the truth – it is part of my job to review what the city is doing and make sure that we can do things better.

I also just want to put out there – I don't think there's any way any of us could have been prepared for a sky on fire and how poor the air quality was at that time. What I have focused on is preparation, information, and communication, and it does seem that we were not prepared to communicate as effectively and accurately as we could have. I noticed in the op-ed that information was sent out, I think that is true. I just want to be clear that NotifyNYC is not the most effective way to put information out there. When the Yankee game happened the day before [June 6th], we had reached levels of 200. And so [communication] should have been more effective and more urgent to let people know how bad the air quality was at that time. When it is 200, it is dangerous for members of the general public, not just those with underlying conditions.

During COVID, we saw press conferences daily that helped us back up our communications. I think had the mayor and commissioner done a press conference sooner, and really dug into how bad the air quality might be, we would have had a better chance to understand what to do when the sky caught on fire. Thank you.

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July 12, 2023

## New York City Environmental Justice Alliance Testimony on The Administration's Response to Summer 2023 Air Quality Emergencies

Good morning Chairs Gennaro, Schulman, and Brewer, and members of the Council. My name is Eunice Ko and I'm the Deputy Director at the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a non-profit citywide membership network linking 13 grassroots organizations from low-income neighborhoods and communities of color across all the 5 boroughs in their struggle for environmental justice. Over 76% of people living in our members' neighborhoods are BIPOC.

Last month, the City was overwhelmed with orange skies, red moons, and choking smoke from the raging Canadian wildfires. The city gasped for breath as it turned gray, orange, and then red. "What the hell is this?" asked the Mayor a little too late as he stepped outside. By the time the Mayor issued a statement late on Tuesday night, people were already getting headaches and chest pains, coughing, and/or having trouble breathing. Neighbors, kids, family, and friends were scared and confused as we asked ourselves – fan or AC? How bad is it to leave a window open? What will this do to my health?

NYC residents were left on their own again and, of course, those most vulnerable like the unhoused, delivery workers, and those with asthma and other health conditions, suffered the most consequences. Asthma related emergency visits spiked during this time and many areas in the city like the Bronx reached AQI levels higher than 400. According to the Public Advocate's "Orange Sky, Red Alert" report, between June 6 and June 7, the hospitalization rate in New York City jumped 81% with 175 asthma-related ER visits on June 6 and 317 ER visits on June 7. For June 8 and June 9, ER visits remained in the 200s.<sup>1</sup> Unsurprisingly, the New York City ZIP codes with the highest numbers of asthma-related emergency room visits during last week's smoke haze were disproportionately in low-income, predominantly Black and Latino communities, according to Gothamist's analysis of DOHMH and Census data.<sup>2</sup>

Despite how unhealthy and hazardous conditions were, the administration didn't act swiftly and aggressively enough to alert the public and protect the most vulnerable. The administration failed to minimize the effects of the wildfire smoke by not providing timely notice and sufficient information and failed to lead a strong coordinated response. Although the State's DEC issued its second air quality health advisory on Monday, it wasn't until Wednesday morning that Mayor Adams held a press conference to address the air quality crisis and issue guidance. Eventually, the City also handed out masks to some public housing residents. While the event on this scale

<sup>1</sup> <https://www.pubadvocate.nyc.gov/static/assets/AQI-UPDATED.pdf>

<sup>2</sup>

<https://gothamist.com/news/asthma-er-visits-during-nyc-smoke-haze-were-highest-in-high-poverty-black-and-latino-areas>

was unprecedented, the administration could and should have done a lot more for a public health emergency at that scale. Disappointing, yes. Shocking, no.

Our immediate concern is the people most vulnerable to hazardous air quality and aren't plugged into traditional government communication channels. The City should have canceled outdoor events and activities sooner. Instituted a policy similar to Codes Red and Blue where all shelters would have to take in anyone unhoused and seeking shelter. Set up free mask distribution points all across the city like we did during the pandemic. Immediately encouraged other energy-saving and emissions-saving activities like minimizing car use, household appliances, and indoor sources of PM 2.5 such as smoking. Used LinkNYC to show AQI levels and alerts and DOE schools to disseminate information to students and their families.

The reality is that some communities in NYC experience bad air quality and pollution every day. These communities live by polluting peaker power plants that get turned on in the summer when energy demands spike; highways and heavily-trafficked roads; waste infrastructure, last mile e-commerce facilities, and truck traffic; and other polluting facilities that spew greenhouse gas emissions and co-pollutants. NYC-EJA and our members are fighting daily to change the very built environment in our neighborhoods that were designed and zoned to push out, marginalize, and sicken our communities. Together, we're pushing for the Last Mile Coalition's DCP Zoning Text Amendment to address last mile facilities; the PEAK coalition's goal to shut down peaker plants statewide; net-positive emission reductions in the Bronx with the congestion pricing plan; and more.

We're also extremely concerned at how ill-prepared this administration is to handle and respond to multiple extreme events happening at the same time like a wildfire or hurricane during a heat wave. Summer is now in full swing, and as experts have warned, it's shaping up to be one of the hottest on record, with the global high temperature record broken 4 days in a row just last week. Extreme heat disproportionately kills Black and Brown New Yorkers with heat waves tripling, and potentially quadrupling, by the 2050s according to NPCC. Each summer, an estimated 370 New Yorkers die prematurely because of hot weather in NYC and we can only expect this to increase. As we know, high temperatures trap pollutants in the lower atmosphere, making air quality worse. So as heat worsens, and extreme climate events like out of control wildfires become the norm, life-threatening air quality will become a problem that even the wealthy and resourced will be unable to ignore in NYC.

We need to look at the bigger picture. Climate change is here, today, and it will continue to wreak havoc on our lives. As emissions continue to pour into our atmosphere, the planet will get warmer. As the heat intensifies, air quality will worsen, and severe weather will be more frequent. We need to anticipate, prepare, and plan for all of these things and be able to adapt to the severity and scale of the problem with proportional planning and funding.

These types of climate-driven emergencies will happen more regularly in this city, but we don't have to accept the City's response as the norm and **we can** be better prepared. The City needs to take a more active role in improving its processes, rather than continuing to fall back on outdated, insufficient strategies and plans. Disaster after disaster, from Sandy to Ida to wildfires, we see communities being left in the dark and forgotten during emergency response and recovery.

Given the speed, scale, and regularity of extreme weather events today and in the future, agencies need to re-imagine and innovate emergency outreach, communications, and planning

and engage and resource community organizations who know their communities best to improve emergency and disaster response. We need an enhanced notification system and comprehensive communications strategies that target wide ranges of New Yorkers so that everyone is informed and can stay safe.

The City also needs to plan for these events in the short-term and long-term. EM should include wildfires as a hazard in their mitigation planning and develop an operational playbook similar to their heat wave and hurricane ones to provide agencies guidance on response and coordination. MOCEJ should evaluate wildfires as a climate threat to NYC and implement climate adaptation strategies to address this risk. DEP should consider how frequent wildfires will affect our air quality in the city. All agencies should be assessing how wildfires and every climate risk that the city faces will affect their operations, budget, and planning. DOHMH should start thinking about how to raise public awareness and campaigns on air quality and the impacts of wildfires on health.

Additionally, we need to measure air quality at the hyperlocal level, in addition to the standard regional levels, to gain a clearer understanding of what communities are breathing in their neighborhoods. NYC-EJA and 6 of its members in Brooklyn and the South Bronx found that their communities were breathing in PM2.5 concentrations 20x higher than State-run monitors after collecting and analyzing air quality data in their neighborhoods ([CAMP-EJ Report](#)). Knowing the true level of co-pollutants in communities across the city will allow for more targeted and timely mobilization of resources and response networks. The City should create clean air centers all across the city, but make sure to distribute them equitably in EJ communities.

We understand how enormous and complex the challenges that climate change presents us are. But if we treat these challenges as serious as they are then we can actually have a shot at minimizing the impacts of climate change. Unfortunately, the level of urgency from this administration is not commensurate with how dangerous and lethal the climate crisis at hand is. If you think this administration is serious about climate change, you need to look no further than its strategic climate plans (e.g., AdaptNYC, PlaNYC) and the City's budget. With effective planning and funding, the City can quickly prepare and respond to the many impacts on health, transportation, housing, education, etc. that climate change will have.

We must anticipate and prepare for the unforeseen in order to keep our city safe and healthy. The city can't put New Yorkers in a position to respond and adapt to climate change on their own whether it be from wildfires, flooding, or extreme heat because it will mean that our city and the communities made most vulnerable to climate change will suffer the most. Mayor Adams needs to take the impacts of wildfires and climate change as seriously as he takes his nightlife schedule and photo opportunities.



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**July 15, 2023**

**To:**

**Oversight & Investigations jointly with  
Health and Environmental Protection,  
Resiliency and Waterfronts**

**NYC City Council  
43 Park Row  
New York, NY 10038**

**Re: Committee Meeting 7-12-23, Testimony**

**To the Council and Committees,**

Crises can emerge suddenly and escalate quickly—such as the current coronavirus pandemic—or emerge slowly but then accelerate alarmingly—such as the effects of human-caused climate disruption. Increasingly sophisticated systems for identifying global risks and predicting large-scale crises warn us how important it is to turn shrugging acceptance that accidents will happen into decisive preparation.

The International Science Reserve (ISR) aims to help with decisive preparation by unifying scientists to engage in readiness exercises. Global risk assessments tend to identify the same potential crises: climate impact hazards such as floods, droughts, and collapsing supplies of food and water; digital threats and cyberattacks; and ever-more-deadly pandemics. The ISR draws its purpose from the recognition that in all these emergencies, the human impact is usually uneven: falling most heavily on people and communities who are poor and have the least power. The United Nations 2030 Sustainable Development Goals, a global blueprint for a better shared future, reflects the principle that no one should be left behind. The ISR shares this commitment to making sure our work protects and benefits everyone.

In each anticipated crisis, cutting-edge scientific research and technology will be crucial to marshalling an effective, purposeful response, to help protect people and ecosystems, and help communities recover from disasters. While readiness exercises are an established method for preparing for crisis response, they are conventionally focused on preparing first responders and local authorities, rather than scientists and scientific resources, for rapid deployment.

For the Wildfire Readiness Exercise, the ISR adopted both a discussion-based test and an operations-based test. In discussion-based exercises, facilitators lead discussions that help participants understand or develop new roles, procedures, and plans. Operations-based exercises use scenarios to mirror realistic situations and ask participants to engage in “real-time response,” e.g., mobilizing personnel.

In just a few months, the ISR successfully recruited more than 1,000 scientists from over 90 countries with the simple goal of preparing scientists, as a community, for future crises. Of the scientists participating in wildfire research who we surveyed as part of our readiness exercise, 90 percent pursue cross-disciplinary work. Over 80 percent of the scientists who have never participated in wildfire research want to join collaborations to address wildfire crises.

EXAMPLES OF SCIENCE-BASED  
INTELLIGENCE NEEDED:

- Developing multiple evacuation routes given fire behavior predictions
- Surface fire behavior models, mapping and fire behavior modeling outputs (predicting fire behavior for next 7 days)
- Locating potential fire suppression control lines
- Modeling where smoke plumes will impact both evacuation routes and fire responders
- Mapping of where water resources are, and which can be used for fire suppression

POST-FIRE RECOVERY NEEDS EXPECTED:

- Flooding/landslides
- Water contamination
- Economic and social impacts
- Understanding housing relocation/assistance for impacted residents

Please see the [full ISR white paper](#) published on this wildfire readiness discussion.

**Cordially,**

**Robin Stephenson**  
**Senior Vice President, Advancement**  
**New York Academy of Sciences**

**The New York City Council**

**Committee on Oversight and Investigations**

**Wed 7/12/23 – 10:00 AM – City Hall Council Chambers**

**Topic: Oversight - The Administration's Response to Summer 2023 Air Quality**

**Emergencies. (Jointly with the Committee on Health and the Committee on Environmental Protection, Resiliency and Waterfronts.)**

**Testimony submitted on behalf of the New York Environmental Law & Justice Project**

**from:**

**Jared Williamson: Pace Law Student & Summer Intern**

**Jared Williamson:** The Need for Better Access to Cooling Centers

Good morning/afternoon,

I am here to discuss the need for an increase and improvement of cooling centers in the City of New York. We at the Environmental Justice Initiative are seeking purified air spaces as a refuge from the Canadian fire smoke and similar environmental dangers. Our goal is for the city to upgrade the equipment in existing cooling centers (to improve the air quality) and create new ones where need is greatest to help our most vulnerable communities. Public cooling centers can provide a space of clean air especially during the current and like reoccurring Canadian wildfire smoke crisis.

Cooling Centers are locations where a person can use the space as a means to cool down and have access to clean/pure air. As of 2022, New York City designated more than 500 places as cooling centers.<sup>1</sup> Many residents in New York City do not have access to air conditioning as

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<sup>1</sup> <https://www.nytimes.com/2022/08/04/nyregion/weather-ny-cooling-centers-east-flatbush.html>



the buildings are older and not retrofittable with HVAC units. This can cause a substantial problem as we have seen temperatures rising and summers getting hotter as the years continue.

Sadly, there is not universal access to clean air, making this right inaccessible to many New Yorkers. Cooling centers are a resource that provides clean air and environmentally safe spaces to our most vulnerable residents and communities in New York City. Certain cooling centers are not available to the public on weekends.<sup>2</sup> Unfortunately for residents, the need for protections that cooling centers provide is not only necessary on weekdays. Cooling centers must be made easily and readily accessible to our communities.

Under the Americans with Disabilities Act of 1990, discrimination on the basis of disability is prohibited.<sup>3</sup> Disabilities are defined as physical or mental impairments that substantially limits one or more major life activities of the individual.<sup>4</sup> While the heat experienced during New York City summers substantially impacts many New Yorkers, individuals with disabilities are especially impacted by the heat and would benefit greatly from better and easier access to cooling centers as a resource. The ADA requires reasonable accommodations and reasonable modifications for individuals with disabilities.<sup>5</sup> Reasonable accommodations are changes, exceptions, or adjustments to a rule, policy, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.<sup>6</sup> Reasonable modifications require structural changes to be made in order for someone with a disability to enjoy the premises.<sup>7</sup> Under Section 504 of the Rehabilitation Act, housing providers are required to provide and pay for structural modifications unless there is a fundamental

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<sup>2</sup> <https://observer.com/2022/08/gov-report-shows-nyc-is-disastrously-unprepared-for-heat-waves-cooling-centers-closed-on-weekends-not-open-to-families/>; <https://www.nytimes.com/2022/08/04/nyregion/weather-ny-cooling-centers-east-flatbush.html>

<sup>3</sup> See: Americans with Disabilities Act <https://www.govinfo.gov/content/pkg/COMPS-803/pdf/COMPS-803.pdf>

<sup>4</sup> Americans with Disabilities Act, Pub. L. 101-336 Section 102.

<sup>5</sup> Americans with Disabilities Act, Pub. L. 101-336 Section 102.

<sup>6</sup> [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/reasonable\\_accommodations\\_and\\_modifications](https://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications)

<sup>7</sup> [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/reasonable\\_accommodations\\_and\\_modifications](https://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications)

alteration to the program or there is an undue financial burden. New York City Human Rights Law lists the following considerations for undue hardships:<sup>8</sup>

1. The nature and cost of the accommodation
2. The overall financial resources of the facility or the facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility
3. The overall financial resources of the covered entity; the overall size of the business of covered entity with respect to the number of its employees; the number, type, and location of its facilities; and
4. The type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.”

Asthma is a recognized disability under the ADA, provided that it substantially limits one or more major life activities.<sup>9</sup> Air pollution can worsen asthma symptoms, including making it more difficult for people with asthma to breathe.<sup>10</sup> Additionally, individuals who suffer from asthma are at greater risk of inhaling the particles from the air pollution, so these individuals are more likely to experience health problems such as reduced lung function and more severe asthma attacks.<sup>11</sup> This means that our city should be providing more resources that help individuals with asthma as

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<sup>8</sup> NYCCHR p. 80; N.Y.C. Admin. Code §8-102(18).

<sup>9</sup> <https://aafa.org/asthma/living-with-asthma/asthma-allergies-and-the-american-with-disabilities-act/#:~:text=Yes.,considered%20disabilities%20under%20the%20ADA.>

<sup>10</sup> <https://aafa.org/asthma/asthma-triggers-causes/air-pollution-smog-asthma/#:~:text=People%20with%20asthma%20are%20at,function%20and%20more%20asthma%20attacks.>

<sup>11</sup> <https://aafa.org/asthma/asthma-triggers-causes/air-pollution-smog-asthma/#:~:text=People%20with%20asthma%20are%20at,function%20and%20more%20asthma%20attacks.>

well as other disabilities. When the air is unhealthy, people with asthma need a safe space with clean air where they can go and not be at risk.

These cooling centers must be more accessible to individuals with disabilities. Using funds to improve the equipment and physical plant, thus improving the air quality of the centers, will make cooling centers more accessible and usable for individuals with asthma and respiratory distress. In 2022, 22% of senior centers and 16% of all cooling center facilities were not wheelchair accessible.<sup>12</sup> The city must ensure that equitable access to these cooling centers for individuals with disabilities. For NYCHA specifically, they need to provide reasonable accommodations and modifications to an already existing program.<sup>13</sup> Since NYCHA runs cooling center facilities, they must ensure equitable access to cooling centers for people with disabilities. In general, New York City should prioritize expanding and adding more cooling centers, as this will go a long way to protect the most vulnerable populations in our city. Providing better equipment (such as air filters, well filtered HVAC systems, and AC units) is not an unreasonable use of city funds, as it can be life saving for many NYC residents. We at the Environmental Justice Initiative advocate for the use of public spaces (such as libraries) to be used as cooling and safe air spaces, as well as utilizing spaces such as tenant association meeting rooms to be converted into cooling centers. Increased access to these spaces will provide local refuge that is much needed during this time. New York City is experiencing record heat waves and unprecedented levels of dangerous air quality, which emphasizes the importance of having these cooling centers available, accessible, and in good condition.<sup>14</sup> These are necessary fixes that are achievable and should be implemented. Thank you for your time.

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<sup>12</sup> <https://comptroller.nyc.gov/reports/overheated-underserved/#:~:text=Of%20the%20254%20senior%20cooling,centers%20were%20not%20wheelchair%20accessible.>

<sup>13</sup> Louis v. New York City Hous. Auth., 152 F. Supp. 3d 143 (S.D.N.Y. 2016).

<sup>14</sup> <https://finance.yahoo.com/news/yorkers-hot-theyre-breaking-2023-184330116.html>;  
[https://gothamist.com/news/in-spicy-hearing-nyc-council-grills-mayor-adams-administration-air-quality-response.](https://gothamist.com/news/in-spicy-hearing-nyc-council-grills-mayor-adams-administration-air-quality-response)



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[Reports \(https://comptroller.nyc.gov/reports/\)](https://comptroller.nyc.gov/reports/) / Overheated, Underserved

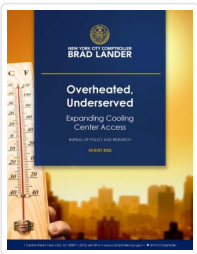
# Overheated, Underserved

## Expanding Cooling Center Access

August 4, 2022

Photo Credit: Tom Wang/Shutterstock

**Download Report**



<https://comptroller.nyc.gov/wp-content/uploads/documents/Overheated-Underserved-Expanding-Cooling-Center-Access.pdf>

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- ▶ [Resources to Stay Safe in the Heat](#)
- ▶ [Methodology](#)
- ▶ [Appendix](#)
- ▶ [Endnotes](#)

## Executive Summary

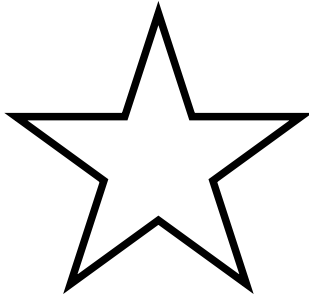
Cooling centers offer vital, life-saving spaces for people to access air conditioning during heat waves. However, cooling centers are not located equitably across neighborhoods. This report analyzes cooling center availability in New York City during the weeklong heat wave that lasted from July 19-25, 2022. The analysis reflects a snapshot in time using data downloaded from the City's [Cooling Center Finder](#)

(<https://maps.nyc.gov/cooling-center/inactive.html?1659021900000>)

during that heat emergency, painting a picture of disparities in cooling center access for New Yorkers across the five boroughs.

## Snapshot of Key Findings

- East Flatbush was significantly underserved by cooling centers, with only two open cooling centers available to its 162,400 residents.
- The top 10 neighborhoods with the highest heat vulnerability (HVI 4 and 5) and lowest number of cooling centers per 100,000 people were: East Flatbush, Elmhurst and Corona, Kingsbridge Heights and Bedford, Kew Gardens and Woodhaven, Crown Heights and Prospect Heights, Borough Park, South Crown Heights and Lefferts Gardens, Bedford Stuyvesant, Fordham and University Heights, and Highbridge and Concourse.
- Queens had the lowest number of cooling centers per 100,000 people (5.0), while Manhattan has the highest (7.1).
- Half of all cooling centers were listed as being closed on Saturdays, and 83% were listed as being closed on Sundays—even while the weeklong July 2022 heat emergency spanned the course of a weekend.
- Nearly half of the City's activated cooling centers were senior centers, only open to people over 60 years old. Of those senior cooling centers, 56% did not offer extended hours and 22% did not have wheelchair access.



## Summary of Recommendations

1. Increase the number of cooling center locations in the most underserved neighborhoods, starting with East Flatbush.
2. Expand alternate cooling center siting options, especially in underserved neighborhoods.
3. Establish outdoor cooling stations.
4. Increase extended and weekend hours, especially in heat-vulnerable neighborhoods.
5. Make cooling center information permanently available to enable proactive emergency planning.
6. Ensure all cooling centers are wheelchair accessible.
7. Transition to more sustainable cooling systems.
8. Reduce urban heat island effect with more green spaces and cool pavements in heat-vulnerable neighborhoods.

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## The Dangers of Extreme Heat

Heat waves can be dangerous, and even deadly. Extreme heat is the leading cause of weather-related fatalities across the country.[1] In New York City, 370 people experience heat-related deaths annually. [2] Health impacts of heat include heat strokes, respiratory illness, and cardiovascular disease.

The threats of extreme heat will only increase as climate change causes global temperatures to rise. By the 2080s, the New York City Panel on Climate Change projects that average temperatures will increase by as much as 8.8°F,[3] with triple the number of annual heat waves and 87 days above 90°F each year.[4] As heat waves get

According to NYCEM, cooling center locations and hours may change at any time during a heat emergency or year-to-year, due to planned or unexpected disruptions like construction or broken air conditioners.

## Analysis of Cooling Center Equity in NYC

This report analyzes cooling center access across New York City during the seven-day heat wave that lasted from July 19 to July 25, 2022. The data underlying this report come from information downloaded from the City's [Cooling Center Finder](https://maps.nyc.gov/cooling-center/inactive.html?1659021900000) (<https://maps.nyc.gov/cooling-center/inactive.html?1659021900000>) as of July 20, 2022, which included 542 cooling centers. There is limited publicly available information about how the City identifies cooling center locations, including how various factors are weighed in cooling center site selection. The NYC Comptroller's Office sought to assess the distribution of cooling centers using the information available on the Cooling Center Finder. While this analysis reflects a snapshot in time and does not account for changes that may have occurred throughout the weeklong heat wave, it helps paint a picture of how well different communities were served by cooling centers across geography, race and ethnicity, age, and other characteristics.



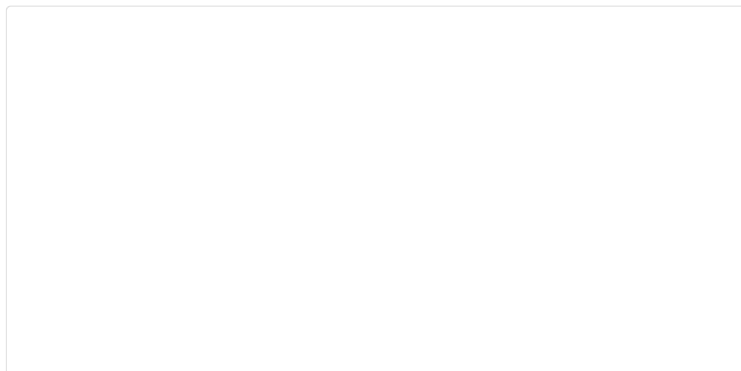
(<https://maps.nyc.gov/cooling-center/>)

NYC Cooling Center Finder Website

## Geographic Distribution of Cooling Centers

New York City's 542 cooling centers were not equally distributed across the five boroughs. Accounting for population size, Queens had the lowest number of cooling centers per 100,000 people (5.0), while Manhattan had the highest (7.1) (see Figures 1-2).

**Figure 1: Number of Cooling Centers by Borough**



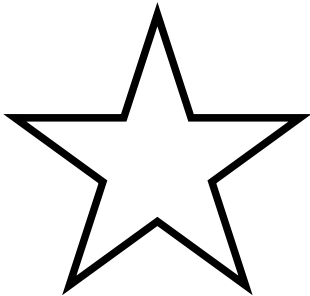
Moreover, half the cooling centers (268 facilities) were listed as being closed on Saturday and 83% (450 facilities) were listed as being closed on Sundays—even while the July 2022 heat emergency spanned the course of a weekend. These limitations will increasingly pose challenges for New Yorkers seeking relief from heat as the frequency and duration of heat waves increase.

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## Recommendations

### Short-Term Actions

Some near-term actions should be taken to improve the accessibility of cooling centers that can significantly reduce heat risks for New Yorkers.



1. **Increase the number of cooling center locations in the most underserved neighborhoods, starting with East Flatbush.**

This analysis illustrates significant disparities in the number of cooling centers based on heat vulnerability and population size. It is worth noting that a handful of heat-vulnerable neighborhoods (Brownsville, Central Harlem, Mott Haven/Melrose, and East Harlem) are relatively well-served by cooling centers. This should not be the exception, but rather, the norm. The City should ensure that each neighborhood has equitable access to a network of cooling centers that reflects its heat vulnerability and population size. The City should prioritize efforts to increase cooling center locations in neighborhoods with the highest heat vulnerability, starting with East Flatbush as the neighborhood with greatest need for more cooling center locations.

2. **Identify new cooling center siting options, especially in underserved neighborhoods.**

Neighborhoods that have faced legacies of historic disinvestment may not have sufficient cooling center sites available, such as libraries, senior centers, community centers, or Cornerstone Programs. If lack of existing community facilities is a barrier, the City should explore partnerships with other types of facilities, such as houses of worship, schools (identified as a cooling center facility type but had none listed as open), and potentially private establishments that are able and willing to provide free, air-conditioned spaces. The City's existing diversity of facilities provide precedent for different partnership types. All new cooling centers should be fully equipped with appropriate resources and information—especially those not owned or operated by the City—to be able to properly serve New Yorkers during heat advisories.

3. **Establish outdoor cooling stations.** While air-conditioned indoor spaces provide the best guarantee for cooling down, the City should also deploy additional cooling interventions in public spaces. One innovative example was Refreshing Waters, a temporary outdoor cooling center installed in Hunts Point in 2020.<sup>[20]</sup> Designed in partnership between Southeast Bronx Community Organization, Interboro Partners, and DOHMH, the site provided outdoor fans, overhead water sprays, and seating in the pedestrian plaza on Tiffany Street next to the Hunts Point Library. The outdoor cooling center provided a comfortable,



Covid-safe area using relatively low-tech, flexible, and inexpensive equipment that can easily be replicated in other neighborhoods across the city. Such outdoor cooling measures are also common in public plazas and parks across the Southeast.



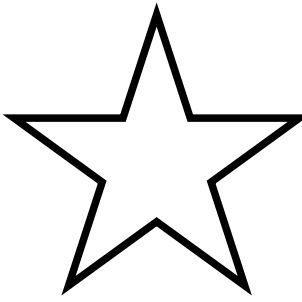
Photo of Refreshing Waters outdoor cooling station in Hunts Point. Photo Credit: Dean Kaufman

This type of program would enhance the City's existing outdoor cooling initiatives. The NYC Parks [Cool It!](https://www.nycgovparks.org/about/health-and-safety-guide/cool-it-nyc#:~:text=to%20Stay%20Cool-,Cool%20It!,heat%20illness%20and%20even%20death.) (<https://www.nycgovparks.org/about/health-and-safety-guide/cool-it-nyc#:~:text=to%20Stay%20Cool-,Cool%20It!,heat%20illness%20and%20even%20death.>) Program offers spray showers, pools, and drinking fountains in parks across NYC, and turns on sprinklers on days above 80°F.[21] In addition, the NYC Department of Environmental Protection (DEP) [Water on the Go](https://www1.nyc.gov/site/dep/whats-new/water-on-the-go.page) (<https://www1.nyc.gov/site/dep/whats-new/water-on-the-go.page>) program brings portable drinking water fountains to different neighborhoods, particularly in areas with high foot traffic like Grand Army Plaza and Union Square.[22]

**4. Increase extended and weekend hours, especially in heat-vulnerable neighborhoods.** NYC is already experiencing record high temperatures, and longer and more frequent heat waves. In anticipation that extreme heat will only worsen with climate change, the City should proactively identify the funding and staffing resources needed to allow more cooling centers to operate with extended hours on weekends and evenings to better serve the needs of people across the city.

**5. Make cooling center information permanently available to enable proactive emergency planning.** The NYC Cooling Center Finder only displays information when the City has declared a heat emergency that triggers the activation of cooling centers. New Yorkers cannot find any information about cooling centers outside of that time period, even in the days leading up to an anticipated heat wave.

While it is understandable that NYCEM wants to ensure accuracy of information and avoid confusion if cooling center locations or hours change, it makes it difficult for New Yorkers to prepare for heat waves in advance. Emergency preparedness best practices call for developing household and community plans in advance so that people are equipped during emergency situations. Heat waves are no exception. Advanced planning for logistics and transportation is



especially important for New Yorkers with disabilities or responsibilities for child and elder care. Other New York cities, including Albany, Rochester, Syracuse, and Ithaca, publicize cooling center locations outside of emergency heat declarations.[23] The City of New York should follow suit. Identifying even just a subset of facilities that can commit to serving as permanent cooling centers would better prepare New Yorkers for upcoming heat waves.

## Long-Term Actions

In addition to these near-term improvements, the City should also take further steps to mitigate heat risks and improve long-term heat resiliency across the five boroughs. The recommendations below augment the strategies outlined in [WeACT's Extreme Heat Policy Agenda](https://www.weact.org/wp-content/uploads/2022/06/WEACT-2022-Extreme-Heat-Policy-Agenda.pdf) (https://www.weact.org/wp-content/uploads/2022/06/WEACT-2022-Extreme-Heat-Policy-Agenda.pdf) released in 2022, which calls for policy action, legislative reforms, and improved communications about heat risk to respond to the growing threats of extreme heat.[24]

1. **Ensure all cooling centers are wheelchair accessible.** The City should invest in ramps or elevators in community facilities that serve as cooling centers so that all people who use wheelchairs, walkers, and strollers can access those spaces safely. The City should prioritize such wheelchair accessibility improvements in senior centers.
2. **Transition to more sustainable cooling systems.** While air conditioning can be lifesaving during deadly heat waves, the city should look toward cleaner long-term solutions for cooling. Heat pumps and building efficiency retrofits can provide more efficient cooling in line with city and state climate and decarbonization goals. Because such improvements will take time to implement across community facilities, it is imperative that the City start planning for the transition of cooling technologies early. In addition to building-level improvements, the City should also permit cooling assistance programs like HEAP to be used toward more sustainable cooling measures.
3. **Reduce urban heat island effect with more green spaces and cool pavements in heat-vulnerable neighborhoods.** Tree plantings,[25] community gardens,[26] and vegetative cover are some of the most effective interventions for reducing surface temperatures in a neighborhood. The City must increase efforts to green public spaces, especially in heat-vulnerable communities. Street reconstruction projects present the opportunity to add street trees and green infrastructure to the public right-of-way. These improvements can leverage federal funding through the newly created PROTECT and Healthy Streets Programs, established in the 2021 Infrastructure Investment and Jobs Act (IIJA), that support green infrastructure and heat mitigation for complete and resilient streets. Lighter colored pavements, roofs, and building materials also cool built environments by reflecting, instead of retaining, heat. The 2017

Cool Neighborhoods NYC report set the framework for several heat resiliency initiatives, including the CoolRoofs program to transform blacktop asphalt roofs into reflective, energy-efficient, and heat-resilient rooftops.[27] The City should go even further by installing cool pavements on city streets. Transportation land uses make up 30% of New York City. Transforming asphalt streets and parking lots to cooler pavements would go a long

## Not Enough Cooling Centers in New York City's Hottest Areas, Study Finds

The city's most vulnerable residents need more public places to cool down, especially at night, to prevent heat wave deaths, the city comptroller said.



By Anne Barnard

Climate and environment reporter, Metro

Aug. 4, 2022

On days when heat and humidity in New York reach levels dangerous enough to trigger a heat advisory — as they did Thursday — the city designates more than 500 places as official cooling centers, where people can go for free to stay cool and safe.

But some of the neighborhoods that need the centers most — with the hottest temperatures, the fewest green spaces and the most households without air conditioning — have the fewest per capita, the city comptroller's office found in a study released Thursday.

The hardest hit areas are in central Brooklyn, central Queens and parts of the Bronx. Most underserved of all is the East Flatbush section of Brooklyn, which had just two cooling centers open during last month's heat wave for 162,400 residents.

That is despite having the city's highest heat vulnerability rating, a measure of risk that weighs social and environmental factors including poverty, park access and temperature. The street surface temperature can vary by tens of degrees depending on a neighborhood's tree cover, infrastructure and location.

The comptroller, Brad Lander, called on the city to immediately open more cooling centers in underserved areas like East Flatbush — for instance, by extending hours at more libraries and senior centers — and to make them easier to find, and gain access to, for all residents.

"As climate change makes deadly heat waves more prevalent, New York City must shade its residents from dangerous health effects," he said in a statement.

As the planet heats up from the effects of burning fossil fuels, cities like New York are grappling with increasing heat risks and heat inequality. Around 370 New Yorkers die from the heat each year; the New York City Panel on Climate Change predicts that by 2080 that number could be 3,300. And because of historical racism in zoning and planning and other social factors, risks are much greater for lower-income and Black New Yorkers.

The number of centers per capita varies widely even among hot, low-income areas; Brownsville, in Brooklyn, has 17.3 centers per 100,000 residents, compared to 1.2 in Elmhurst and Corona in Queens.

One of the study's most striking findings: It is hard to find cooling centers at night, even though the inability to cool off at night is one of the main factors for heat illness and death.

Of the 542 centers on the city's map during the heat wave of July 19-25, only half were open Saturdays and 83 percent were closed on Sundays. Only 11 percent were open during evening hours, the study found, with many closed even during peak daytime heat hours.

And nearly half are senior centers, meaning younger relatives cannot access them along with elders. Of senior cooling centers, 22 percent lacked wheelchair access and fewer than half had extended hours.

**Anne Barnard** covers climate and environment for the Metro desk. She was Beirut bureau chief from 2012 to 2018. She joined The Times in 2007 after covering the Middle East and the Iraq war for The Boston Globe. [More about Anne Barnard](#)

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### Weather Updates >

- Icy storm knocks out power across Texas.
- Asia has had a really cold month, courtesy of the polar vortex.
- Picking through the rubble after tornadoes tear through the Southeast.
- At least eight are killed as severe weather sweeps the South.
- Evacuations ordered in Montecito amid mudslide fears, as heavy rains lash Los Angeles.

## AMERICANS WITH DISABILITIES ACT OF 1990<sup>1</sup>

[Public Law 101–336; Enacted July 26, 1990]

[As Amended Through Public Law 113–287, December 19, 2014]

【Currency: This publication is a compilation of the text of Public Law 101-336. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To establish a clear and comprehensive prohibition of discrimination on the basis of disability.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. [42 U.S.C. 12101] SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Americans with Disabilities Act of 1990”.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definition of disability.
- Sec. 4. Additional definitions.

#### TITLE I—EMPLOYMENT

- Sec. 101. Definitions.
- Sec. 102. Discrimination.
- Sec. 103. Defenses.
- Sec. 104. Illegal use of drugs and alcohol.
- Sec. 105. Posting notices.
- Sec. 106. Regulations.
- Sec. 107. Enforcement.
- Sec. 108. Effective date.

#### TITLE II—PUBLIC SERVICES

subtitle SUBTITLE A—PROHIBITION AGAINST DISCRIMINATION AND OTHER  
GENERALLY APPLICABLE PROVISIONSSUBTITLE

- Sec. 201. Definition.
- Sec. 202. Discrimination.
- Sec. 203. Enforcement.
- Sec. 204. Regulations.
- Sec. 205. Effective date.

<sup>1</sup>Section 102(a) of Public Law 104–1 (109 Stat. 5) provides in part as follows: “The following laws shall apply, as prescribed by this Act, to the legislative branch of the Federal Government.” Such section includes the Americans with Disabilities Act of 1990 as one of the relevant laws. See paragraph (3) of section 102(a).

**Sec. 2** **AMERICANS WITH DISABILITIES ACT OF 1990** **2**

subtitle SUBTITLE B—ACTIONS APPLICABLE TO PUBLIC TRANSPORTATION PROVIDED BY PUBLIC ENTITIES CONSIDERED DISCRIMINATORY

PART I—PUBLIC TRANSPORTATION OTHER THAN BY AIRCRAFT OR CERTAIN RAIL OPERATIONS

- Sec. 221. Definitions.
- Sec. 222. Public entities operating fixed route systems.
- Sec. 223. Paratransit as a complement to fixed route service.
- Sec. 224. Public entity operating a demand responsive system.
- Sec. 225. Temporary relief where lifts are unavailable.
- Sec. 226. New facilities.
- Sec. 227. Alterations of existing facilities.
- Sec. 228. Public transportation programs and activities in existing facilities and one car per train rule.
- Sec. 229. Regulations.
- Sec. 230. Interim accessibility requirements.
- Sec. 231. Effective date.

PART II—PUBLIC TRANSPORTATION BY INTERCITY AND COMMUTER RAIL

- Sec. 241. Definitions.
- Sec. 242. Intercity and commuter rail actions considered discriminatory.
- Sec. 243. Conformance of accessibility standards.
- Sec. 244. Regulations.
- Sec. 245. Interim accessibility requirements.
- Sec. 246. Effective date.

TITLE III—PUBLIC ACCOMMODATIONS AND SERVICES OPERATED BY PRIVATE ENTITIES

- Sec. 301. Definitions.
- Sec. 302. Prohibition of discrimination by public accommodations.
- Sec. 303. New construction and alterations in public accommodations and commercial facilities.
- Sec. 304. Prohibition of discrimination in specified public transportation services provided by private entities.
- Sec. 305. Study.
- Sec. 306. Regulations.
- Sec. 307. Exemptions for private clubs and religious organizations.
- Sec. 308. Enforcement.
- Sec. 309. Examinations and courses.
- Sec. 310. Effective date.

TITLE IV—TELECOMMUNICATIONS

- Sec. 401. Telecommunications relay services for hearing-impaired and speech-impaired individuals.
- Sec. 402. Closed-captioning of public service announcements.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Construction.
- Sec. 502. State immunity.
- Sec. 503. Prohibition against retaliation and coercion.
- Sec. 504. Regulations by the Architectural and Transportation Barriers Compliance Board.
- Sec. 505. Attorney's fees.
- Sec. 506. Rule of construction regarding regulatory authority.
- Sec. 507. Technical assistance.
- Sec. 508. Federal wilderness areas.
- Sec. 509. Transvestites.
- Sec. 510. Coverage of Congress and the agencies of the legislative branch.
- Sec. 511. Illegal use of drugs.
- Sec. 512. Definitions.
- Sec. 513. Amendments to the Rehabilitation Act.
- Sec. 514. Alternative means of dispute resolution.
- Sec. 515. Severability.

**SEC. 2. [42 U.S.C. 12101] FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Congress finds that—

accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this title, consideration shall be given to the employer's judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

(9) **REASONABLE ACCOMMODATION.**—The term “reasonable accommodation” may include—

(A) making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and

(B) job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

(10) **UNDUE HARDSHIP.**—

(A) **IN GENERAL.**—The term “undue hardship” means an action requiring significant difficulty or expense, when considered in light of the factors set forth in subparagraph (B).

(B) **FACTORS TO BE CONSIDERED.**—In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include—

(i) the nature and cost of the accommodation needed under this Act;

(ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility;

(iii) the overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and

(iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

**SEC. 102. [42 U.S.C. 12112] DISCRIMINATION.**

(a) **GENERAL RULE.**—No covered entity shall discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

(b) CONSTRUCTION.—As used in subsection (a), the term “discriminate against a qualified individual on the basis of disability” includes—

(1) limiting, segregating, or classifying a job applicant or employee in a way that adversely affects the opportunities or status of such applicant or employee because of the disability of such applicant or employee;

(2) participating in a contractual or other arrangement or relationship that has the effect of subjecting a covered entity’s qualified applicant or employee with a disability to the discrimination prohibited by this title (such relationship includes a relationship with an employment or referral agency, labor union, an organization providing fringe benefits to an employee of the covered entity, or an organization providing training and apprenticeship programs);

(3) utilizing standards, criteria, or methods of administration—

(A) that have the effect of discrimination on the basis of disability; or

(B) that perpetuate the discrimination of others who are subject to common administrative control;

(4) excluding or otherwise denying equal jobs or benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association;

(5)(A) not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless such covered entity can demonstrate that the accommodation would impose an undue hardship on the operation of the business of such covered entity; or

(B) denying employment opportunities to a job applicant or employee who is an otherwise qualified individual with a disability, if such denial is based on the need of such covered entity to make reasonable accommodation to the physical or mental impairments of the employee or applicant;

(6) using qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the standard, test or other selection criteria, as used by the covered entity, is shown to be job-related for the position in question and is consistent with business necessity; and

(7) failing to select and administer tests concerning employment in the most effective manner to ensure that, when such test is administered to a job applicant or employee who has a disability that impairs sensory, manual, or speaking skills, such test results accurately reflect the skills, aptitude, or whatever other factor of such applicant or employee that such test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of such employee or applicant (except where such skills are the factors that the test purports to measure).

(c) COVERED ENTITIES IN FOREIGN COUNTRIES.—





# FACT SHEET



U.S. Department of Health and Human Services • Office for Civil Rights • Washington, D.C. 20201 • (202) 619-0403

## YOUR RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT

### What Is Section 504?

**Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability.** The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency, including the U.S. Department of Health and Human Services (DHHS). These organizations and employers include many hospitals, nursing homes, mental health centers and human service programs.

Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

### Who Is Protected from Discrimination?

Section 504 protects **qualified individuals with disabilities**. Under this law, **individuals with disabilities** are defined as persons with a physical or mental impairment which substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. Major life activities include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.

In addition to meeting the above definition, for purposes of receiving services, education or training, **qualified individuals with disabilities** are persons who meet normal and essential eligibility requirements.

For purposes of employment, **qualified individuals with disabilities** are persons who, with reasonable accommodation, can perform the essential functions of the job for which they have applied or have been hired to perform. (Complaints alleging employment discrimination on the basis of disability against a single individual will be referred to the U. S. Equal Employment Opportunity Commission for processing.)

**Reasonable accommodation** means an employer is required to take reasonable steps to accommodate your disability unless it would cause the employer undue hardship.

## Prohibited Discriminatory Acts in Health Care and Human Services Settings

Section 504 prohibitions against discrimination apply to service availability, accessibility, delivery, employment, and the administrative activities and responsibilities of organizations receiving Federal financial assistance. A recipient of Federal financial assistance may not, on the basis of disability:

- ✗ Deny qualified individuals the opportunity to participate in or benefit from federally funded programs, services, or other benefits.
- ✗ Deny access to programs, services, benefits or opportunities to participate as a result of physical barriers.
- ✗ Deny employment opportunities, including hiring, promotion, training, and fringe benefits, for which they are otherwise entitled or qualified....

These and other prohibitions against discrimination based on disability can be found in the DHHS Section 504 regulation at 45 CFR Part 84.

For information on how to file a complaint of discrimination, or to obtain information of a civil rights nature, please contact us. OCR employees will make every effort to provide prompt service.

**Hotlines: 1-800-368-1019 (Voice)**

**1-800-537-7697 (TDD)**

**E-Mail: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)**

**Website: <http://www.hhs.gov/ocr>**



**Testimony of Alia Soomro, Deputy Director for New York City Policy  
New York League of Conservation Voters  
City Council Committees on Oversight and Investigations, Health, and  
Environmental Protection, Resiliency and Waterfronts  
Oversight Hearing on the Administration’s Response to  
Summer 2023 Air Quality Emergencies  
July 12, 2023**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chairs Brewer, Schulman, and Gennaro, as well as members of the Committees on Oversight and Investigations, Health, and Environmental Protection, Resiliency and Waterfronts for the opportunity to comment.

As our planet continues to experience [record-breaking heat this summer](#), New Yorkers were reminded once again of the dangers of climate change when the City’s Air Quality Index (AQI), a measure of air pollution, reached “hazardous” levels [on June 7, 2023](#) due to smoke from Canadian wildfires hundreds of miles away. While the scale of the air quality emergency on June 7, 2023 was particularly exceptional, poor air quality has been a fact of life for environmental justice areas for decades. New York City has one of the country’s [highest rates](#) of asthma hospitalizations and deaths among children, young adults, African American and Latino residents, and residents of high-poverty neighborhoods. Due to environmental racism and historic disinvestment, this problem becomes more prevalent near New York City’s major highways and toxic facilities where, too often, these communities are low-income and communities of color.

We know that climate change is already [exacerbating](#) existing social, environmental, economic, and public health disparities. Data from the City’s Department of Health and Mental Hygiene exemplified this trend in the days surrounding June 7th when [New York City ZIP codes with the highest numbers of asthma-related emergency room visits were disproportionately in low-income, predominantly Black and Hispanic communities](#).

As wildfires and subsequent air quality emergencies [become more frequent](#) and as our planet continues to warm, it is imperative that the City take steps to improve our preparedness and protect New Yorker’s health. This includes, but not limited to, the following:

- The City should utilize and implement the recommendations contained on the [CDC’s website](#) and the [CDC’s Wildfire Smoke Guide for Public Health Officials](#). The strategies range from individual actions such as creating a clean room at home, targeted protective measures for children and other at-risk groups, improving public advisories and communications, and more.
- Mobilize the City’s emergency response system for air quality alerts, educate New Yorkers of the dangers of poor air quality, and have better advanced warning of air quality emergencies. In addition to expanding Notify NYC, the City should [improve](#)

[notification timing and reach](#) utilizing channels in multiple languages such as radio, TV, ads on public transit, LinkNYC, neighborhood grassroots organizations, community centers, local doctor's offices, and more. Additionally, educating residents about air quality alerts and its health risks, especially for vulnerable populations, along with earlier alerts could allow people to prepare by refilling prescriptions for respiratory meds and avoiding outdoor activities. Public health risks associated with wildfire smoke are [outlined on the CDC's website](#), including risks to children, people who are pregnant, have COPD, and heart disease. The City should establish an AQI level of when outdoor activities should be canceled.

- Similar to cooling centers during extreme heat events, the City should open clean air centers. Appendix B of the [CDC's Wildfire Smoke Guide for Public Health Officials](#) includes recommendations for identifying and preparing clean air shelters for the public during wildfire smoke emergencies. Moreover, if a future air quality emergency coincides with an extreme heat event—which [disproportionately impacts lower-income](#) Black and Brown New Yorkers—the City must ensure that clean air and cooling centers are [equitably located](#) and have upgraded HVAC systems and adequate air purifiers. The City should regularly check indoor air quality (IAQ) capabilities at designated clean air and cooling centers, along with places where at-risk populations congregate (e.g., hospitals; schools, preschools and daycares; senior centers and nursing homes) and investigate approaches to improving IAQ, if necessary.
- Lastly, lessons from the Covid-19 pandemic should be utilized here. As the [CDC](#) has emphasized, building ventilation system upgrades or improvements can improve indoor air and dilute potential contaminants. Building owners and operators can participate in the [EPA's Clean Air in Building Challenge](#) to improve indoor air quality and protect public health, and the City can invest in the highest standard of indoor air quality in schools, libraries, and senior centers, allowing these facilities to operate safely during air quality emergencies and also serve as clean air centers if necessary.

For the long-term, the City needs to continue making strides towards reducing our carbon emissions, whether from buildings, transportation, waste, and more. We look forward to working with the City Council, Administration, and fellow advocates to improve our daily air quality and fight the worsening impacts of climate change.

Thank you for the opportunity to comment.



**HOMELESS SERVICES UNITED**

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**Testimony before the NYC Council Committee on General Welfare  
Homeless Services United  
City FHEPS Rental Assistance Reform Bills  
July 13, 2023**

Good morning, my name is Catherine Trapani, Executive Director of Homeless Services United, a coalition of mission driven nonprofit service providers dedicated to addressing and ending homelessness. I want to sincerely thank Speaker Adams, Deputy Speaker Ayala, Council Members Sanchez and Caban for their steadfast leadership on this package of legislation and also to thank the members of the General Welfare Committee for allowing me to testify.

On behalf of Homeless Services United and all of our member programs thank you. Reforming City FHEPS to ensure that everyone experiencing homelessness has access to a voucher has been a long standing goal for our coalition. Similarly, we've long sought ways to upstream access to preventive assistance and make vouchers more usable. At a time when homelessness and evictions are at all-time highs in New York, these CityFHEPS bills are a win-win for the City, saving it up to \$730 million per year<sup>1</sup> while making our safety net more compassionate and humane.

The simple fact is that everyone needs a home. It shouldn't matter which shelter system best meets your emergency needs, how many hours you do or don't work, whether you receive disability payments or unemployment or if you struggle in the margins between public assistance eligibility and being able to afford fair market rent: everyone who is homeless or at imminent risk of displacement should receive the help they need to get stable housing.

Thank you to the Council for your steadfast commitment to these fiscally responsible bills which will cut through needless City bureaucracy and connect folks to stable housing. Over the years, the City has created a maze of confusing requirements limiting who can get access to vouchers. The Administration will tell you this is because they need to "target" aid and save City resources, but the truth is, these rules only serve to prolong shelter stays and needlessly plunge people into a cycle of instability and homelessness which actually costs the City even more money in emergency services and untold human costs.

The rate of homelessness in New York City has never been this high. The need to quickly procure so much new shelter so quickly has driven the cost of emergency services through the roof. Hotels are expensive and we are spending a fortune on them when we could be focusing on providing long term housing options for those who have been languishing in the system for years, ineligible for City FHEPS due to restrictive work, shelter system and income requirements.

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<sup>1</sup> <https://winnyc.org/wp-content/uploads/2023/07/CityFHEPS-Bill-Packagev5.pdf>

With the Council's override of the mayor's veto, that can end. Your actions today will deliver a message that this Council is putting struggling New Yorkers first. You are affirming that you understand that whether they were displaced by fire, domestic violence, eviction or overcrowding the City will help them get back on their feet. You are assuring them that after enduring an arduous eligibility process at the front door of the shelter system, they needn't wait an additional arbitrary period of time before qualifying for housing assistance. You are telling the working men and women in shelters that they no longer have to carefully calculate their hours to ensure they work enough, but not too much, to maintain housing eligibility; you are allowing them to focus on their careers and economic mobility without the fear that it will prolong their homelessness. You are allowing parents of young children and folks with barriers to employment the option to avail themselves to services before reentering the workforce without that meaning they can't get access to housing as well. You are telling the family that fell on hard times and are at risk of eviction that they can have access to preventive housing assistance even if they have never been in a shelter before. All of these people deserve our help and thanks to you, they will finally be able to get it.

We thank you for taking the long view and making the sound decision to invest in the people and communities that make New York City a great place to live, offering pathways to stability for all. Thank you for the opportunity to testify.



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## **5BORO Testimony on Air Quality Mitigation and Response Strategies to the NYC Council Hearing before the Committees on Oversight and Investigations; Environmental Protection, Resiliency and Waterfronts; and Health**

July 12, 2023

Thank you for the opportunity to submit testimony on behalf of the 5BORO Institute — a think tank dedicated to advancing innovative and implementable solutions to tackle NYC's most challenging problems. In our testimony, we aim to highlight innovative initiatives that the City should pursue to prepare against and respond to future air quality events. The strategies we recommend include initiatives that city governments across the world have successfully been taking in the face of air quality emergencies.

### **Background**

One month ago, New York City was engulfed in smoke from the [over 400 wildfires](#) raging across Canada, with New Yorkers experiencing the [worst air quality of any city](#) in the world at the time. Some areas in the city recorded an [Air Quality Index \(AQI\)](#) as high as 484, well above the 100 AQI threshold designating unhealthy conditions.

The impact of wildfire smoke on public health is a [critical concern](#). NYC Health + Hospitals, the city's public system, saw an [uptick in patients](#) with respiratory symptoms in some of its emergency departments during the city's poor air quality days. Lower-income, mostly Black and Hispanic communities, represented a [disproportionate share of asthma-related emergencies](#) in the city.

Wildfire smoke is composed of fine particulate matter (also called PM2.5), which are minuscule enough to penetrate deep into the lungs and flow into our bloodstream. Particulate matter is the largest environmental health risk in the nation, responsible for [63% of deaths](#) from environmental causes. A [2010 assessment](#) from the NYC Department of Health and Mental Hygiene estimated that each year, PM2.5 pollution in New York City caused more than 3,000 deaths, 2,000 hospital admissions for lung and heart conditions, and approximately 6,000 emergency department visits for asthma in children and adults.

[Short-term exposure](#), in the range of hours to days, can cause immediate issues such as premature mortality, increased hospital admissions, acute and chronic bronchitis, asthma attacks, emergency room visits, and respiratory symptoms like coughing and irritation. Long-term exposure can result in reduced lung function and premature death, particularly in people with pre-existing conditions. Seniors, children, and residents of environmental justice neighborhoods that are historically underserved are also [particularly at risk](#).



During June's air quality emergency event, many [New Yorkers](#), including [public servants](#) and [city workers](#), expressed their discontent with the City's response and shared that the smoke-filled skies seemed to catch our city off guard. In the subsequent air quality event in early July, the City took some more proactive measures to alert and prepare the public.

With climate change, wildfire frequencies are projected to [continue rising](#), suggesting that similar events are likely to occur again. Given the negative health impacts associated with poor air quality, the City must prepare to protect New Yorkers in the face of future air quality threats — especially our most vulnerable residents, including children, seniors, outdoor workers, residents with pre-existing conditions, and New Yorkers who are impacted by environmental justice inequities.

## **Recommendations**

During periods of wildfire smoke and on poor air quality days, the City should implement measures to improve air quality levels, reduce health risks, and help New Yorkers better prepare for such events. The City should work with public health experts to establish tiers of AQI thresholds that trigger a set of compounding response actions to protect New Yorkers. This includes taking action to prevent additional air pollution, reduce New Yorkers' exposure to harmful air pollutants, and advance education, outreach, and preparedness. We highlight potential strategies to address each of these actions below:

### **[1. Prevent additional air pollution](#)**

While up to 40% of the fine particulate pollution in New York City's air comes from [areas upwind of the city](#), the rest of the pollution comes from the five boroughs. In-city pollution primarily comes from fuel combustion in vehicles, trucks, buildings, and industrial uses. During extreme air quality days, the City should aim to limit the pollution it generates to prevent worsening air quality and associated health risks, including with measures to:

#### **Reduce vehicular traffic**

Every year, motor vehicles generate [over a tenth](#) of the fine particulate pollution in the air in NYC. Vehicle emissions can have significant health impacts, with [more than 2,000 New York State residents](#) estimated to have died prematurely in a single year from its effects. Since vehicles are significant sources of air pollutants, reducing the number of them traversing our roads during bad air days could help mitigate New Yorkers' exposure to polluted air. NYC took some action in line with this principle during the June emergency, by canceling Alternate Side Parking during the height of the poor air quality to limit idling, traffic, and New Yorkers' exposure to the ambient air.

Many other cities worldwide have implemented policies to further restrict traffic on poor air quality days. One example is the [No-Drive Day](#) program in Mexico City. This program restricts the use of private vehicles on different days of the week based on their license plate numbers, with exemptions for vehicles including emergency vehicles, vehicles registered for people with disabilities, and electric and hybrid vehicles. Another example is [Delhi's Graded Response Action Plan](#). This is a set of emergency measures implemented in the Indian region to curb air pollution. When the AQI exceeds 450, measures include restrictions on truck entry and bans on certain vehicles and industries.

### **Limit unnecessary construction and City pollution sources**

[Dust and debris from construction](#) can add additional coarse particulate matter to the air and exacerbate respiratory illnesses. The City has enacted regulations to limit dust emissions from construction-related activities, but to reduce the risks posed by poor air quality to construction workers working outside and to limit the amount of construction pollution generated, the City should also pause its non-critical construction work on the most severe air quality days. As a part of its [Graded Response Action Plan](#), Delhi halts all construction activities on the worst air quality days.

The City should also consider similar measures when possible for garbage collection. Garbage trucks in NYC emit high levels of pollutants, particularly worsening the air quality in [neighborhoods near waste transfer stations](#). Like construction workers, sanitation workers also work outdoors and are at higher risk of exposure to ambient air pollution. To address this issue, the City of Philadelphia [paused garbage collection and road repavings](#) during the height of the air pollution last week to protect its employees and residents.

### **Discourage grilling or gas appliance use**

The City should inform the public of the risks of exposure to additional pollution from grilling and cooking, both outdoors and indoors. Outdoors, grilling or barbecuing can [emit air pollutants](#), making it evident that taking steps to discourage these methods on bad air days can reduce an individual's risk. The City should also do direct outreach to street vendors with guidance to exercise care, since they are directly exposed for extended periods of time to both bad ambient air quality and pollution generated by their gas or diesel grills.

Indoors, appliances like gas stoves add additional harmful air pollutants, like particulate matter and nitrous oxides, that can exacerbate the health effects of wildfire smoke. Children living in households with gas stoves are [42% more likely to have asthma](#), and gas burners and ovens increase indoor nitrous oxides to levels that surpass EPA outdoor standards. Regardless of the type of stove, cooking methods like char-broiling, burning food, and cooking with low-smoke point oils can further add air pollution. During bad smoke days, the City should encourage

at-risk residents to limit cooking times, use cooking methods that limit air pollution, and whenever possible, use range hoods that vent outdoors.

## **2. Reduce New Yorkers' exposure to harmful air pollutants**

Staying indoors and following certain precautionary measures can reduce an individual's exposure to wildfire smoke. During days with severe air quality conditions, the City should proactively take measures to limit New Yorkers' exposure to outdoor pollution, including with strategies to:

### **Establish Clean Air Centers**

To mitigate heat-related illnesses or fatalities during extreme heat events, the City operates [cooling centers](#) in air-conditioned public facilities. Drawing from this approach, the City should establish Clean Air Centers as well, providing New Yorkers with safe havens during poor air quality days. The City should outfit libraries, museums, shopping malls, theaters, NYCHA community centers, schools and other spaces across the five boroughs with effective air filtration systems and resources for communities during air quality emergencies.

This has been a model commonly deployed across the west coast, where cities have been disproportionately affected by wildfire smoke. The State of California is outfitting [over 300 public and private facilities](#) like libraries and senior centers with ventilation system upgrades and portable air cleaners to create a statewide network of Clean Air Centers. In 2019, the City of Seattle began rolling out its [Clean Air Shelter](#) program, which upgraded community centers and hubs with HVAC and air filtration systems in advance of the wildfire season.

### **Promote remote work and school options**

During poor air quality days, the City should promote remote work for eligible public employees when feasible, and encourage private employers to follow suit by facilitating remote work arrangements.

The City took some action on schooling during the June emergency, by cancelling outdoor school activities on Wednesday, June 7 during the worst of the wildfire smoke and offering remote schooling on Friday, June 9 (students were already scheduled to be off of school on Thursday, June 8 for what's known as Anniversary Day/Chancellor's Conference Day).

In future air quality events, schools should proactively offer the option for students to stay home if their family circumstances allow and provide as early a notice as possible. It is important to recognize that many NYC parents are essential workers or do not have the flexibility for children to stay home during the day, so providing flexibility is key to ensure the safety of students.

### **Provide shelter and direct outreach to New Yorkers experiencing homelessness**

New York City enacts a [Code Blue](#) and [Code Red](#) weather emergency policy during days when temperatures plunge to extreme cold or rise to extreme highs, respectively. Under these policies, outreach teams actively check on people who live on the streets and in the subway more frequently and provide transportation to facilities. These policies also enable individuals experiencing homelessness to stay at shelters or drop-in centers without going through the normal intake process.

Drawing from these existing protocols, the City should implement a similar system during poor air quality days to conduct active outreach and ease barriers to appropriate shelter to support New Yorkers experiencing homelessness. Other cities have taken alternative measures to protect unhoused residents. For example, Seattle opened [temporary shelters](#) to provide additional respite to people experiencing homelessness during wildfire smoke days.

### **Distribute appropriate masks**

Respirator masks (commonly referred to as N95 or KN95 masks) can protect residents from wildfire smoke and air pollution. During the June emergency, Governor Hochul announced that approximately one million masks would be distributed across the state at transit centers, parks, and other facilities. The City also announced it was distributing masks the day following the peak smoke at select fire stations and police precincts. During the early July smoke event, the City was more proactive, announcing that they were distributing masks at these locations the day of the peak air quality impact.

Given the discomfort or distrust that many NYC communities have with police, the City should establish distribution points in facilities such as hospitals and libraries to effectively respond to smoke events and poor air quality days. The City should also focus on neighborhoods and communities that are disproportionately at risk of respiratory illness. Schools should also have masks ready to be distributed to staff and students. Given the proliferation of both reusable and disposable masks following the onset of the COVID-19 pandemic, the City should provide clear guidance to residents on which masks are effective against air pollutants.

### **Improve air quality in underground subway stations**

The City should also advocate for the State to mobilize resources to improve air quality levels in our public transportation system, especially for underground subway stations. A [NYU-led study](#) found that NYC's underground stations can have high concentrations of fine particulate matter. Pollution levels can climb further during poor air quality events, [increasing underground pollution levels overall](#). During the June wildfire smoke emergency, researchers conducted air quality

measurements in various subway platforms and found [elevated AQI readings](#), including an AQI surpassing 1,000 in one PATH station. However, air quality improves significantly inside a train.

Our subways are the life-blood of our city, with millions of daily riders. To protect the majority of New Yorkers who use transit to commute, the State should monitor air quality in subway stations and take appropriate measures to reduce levels of pollution underground. This could be done by installing more powerful [ventilation fans or platform filtration systems](#).

### **[3. Advance education, outreach, and preparedness](#)**

Given the risk of misinformation and New Yorkers' need for clear guidance on safety practices, the City should develop a communication framework to properly inform residents on the best practices to adopt during poor air quality days. This may include taking action to:

#### **Send out alerts and raise awareness on the impacts of poor air quality**

The public should be notified of poor air quality in advance whenever possible and receive regular up-to-date information. The City's [NotifyNYC program](#) and [Advance Warning System](#) disseminates information and alerts to residents during emergencies and critical situations. Although the City released an [air quality advisory alert](#) on Monday, June 5 in advance of the poor air quality, only people that had signed up were notified. The City did not issue alerts through their own channels until the evening of June 7, after the AQI had already started to spike.

During the following air quality event in early July, the City was more proactive by sending out alerts and increasing awareness via social media one day in advance, a strategy they should continue to take for future events. For future air quality emergencies, additional strategies could include pushing a [wireless emergency alert message](#) sent to every NYC-area mobile device — similar to AMBER alerts. To serve NYC's diverse population, these alerts should include links to information in different languages. The City should also utilize its partnership with LinkNYCs to deliver both real-time data and clear instructions about precautionary measures. During severe emergency events, the City could also consider using megaphones on police cruisers to deliver key messages on safety precautions such as closing windows — a measure it took to share safety information during the [heights of the COVID-19 pandemic](#).

#### **Ensure the preparedness of outdoor employers and workers**

People with outdoor employment — such as employees working in sanitation, park maintenance, street vending, and delivery services — are particularly at risk of extreme pollution. Comprehensive safety guidelines should be provided to employers and their workers engaged in outdoor activities.



The City should develop informative [fact sheets](#), detailed [health and safety plans](#), and potential trainings that outline specific measures and protocols to be followed. The [State of California](#) has created tailored resources for outdoor employers, and both [Oregon and Washington](#) implemented emergency rules for outdoor workers in 2021 to address wildfire smoke conditions.

### **Enhance emergency management readiness through proactive planning**

NYC Emergency Management, the City's emergency planning and response agency, provides resources to New Yorkers on how to [prepare against various hazards](#), including extreme heat, building collapses, and terrorist attacks. The City should develop resources for poor air quality and smoke days, with tips and resources to plan for such events.

The agency also runs a number of programs to train the public and community groups on emergency preparedness. NYC Emergency Management should offer trainings on air quality and deploy trained individuals to provide resources to their communities during events. This includes adding air quality resources to its existing NYC Community Emergency Response Team (NYC CERT) program as well as its Community Preparedness program. The City should also deploy up-to-date guidance and alerts to leaders in community groups and faith-based organizations with best health practices and precautions to disseminate across their communities.

### **Advocate for federal climate resilience action**

New York City should advocate for the federal government to develop a comprehensive national climate resilience strategy. Cities across the nation are already experiencing a wide array of climate impacts — including flooding, extreme heat, and wildfire smoke — and these symptoms of the climate crisis will continue to grow in scale and geography. In addition to the critical need to decarbonize our systems and advance a green economy, federal policy should help our cities be better prepared for a changing climate and its impacts. A comprehensive national climate resilience strategy could help to inform and shape the next generation of infrastructure, policies, and programs — such as natural disaster assistance, flood insurance, and [coastal resilience projects](#) — to set up frameworks to account for a changing climate and help protect cities and residents.

It is time for NYC to establish new policies to protect New Yorkers from poor air quality. With a warming climate and increasing climate threats — we must act now to prepare our city and all New Yorkers.

**Committee on Oversight and Investigations jointly with the Committee on Health and the  
Committee on Environmental Protection, Resiliency and Waterfronts  
July 12, 2023**

**Oversight - The Administration's Response to Summer 2023 Air Quality Emergencies**

**Testimony Submitted By:** Myra Batchelder, MPA

Thanks for holding this hearing! My name is Myra Batchelder and I lead COVID Advocacy Initiative and Mandate Masks NY, a NY advocacy initiative on COVID prevention.

I want to thank the city for providing free N95 and KN95 masks during the wildfire smoke last month and to urge the city to put in place an ongoing free N95 and KN95 mask distribution program for the public moving forward.

Everyone has a right to protect themselves from unhealthy air quality as well as COVID, which is still a serious health concern. Protecting yourself should not depend on your financial ability to purchase masks. But unfortunately it does. Not everyone can afford to purchase N95 masks. The federal government ended their free N95 mask distribution program in pharmacies around a year ago. NYC provided free masks directly to some businesses and organizations, however there was no public list available of where the general public could access free masks.

Our organization and others have advocated for months for the city to provide free N95 and KN95 masks to the public. We sent a letter signed by 18 organizations in December 2022 urging the city to improve and expand free N95 mask distribution and we met with some city officials. We urged free N95 and KN95 masks to be given out at multiple community locations including:

1. Community locations that provide free rapid tests (libraries, cultural organizations, NYC Parks locations, NYCHA sites, and others).
2. Vaccine sites.
3. COVID testing sites, including Test-to-Treat sites. It is essential that people with active COVID infections are given free N95 masks, if they need them, to help protect the people they interact with traveling on public transit, in their apartment building, or their families and roommates, and others.
4. Community-based organizations, faith-based organizations, and nonprofits for distribution in local communities.
5. Schools.
6. Businesses, medical settings, and other public spaces, similar to how NYC provides free condoms.
7. Public transit locations.

We also urged the city to advertise where the public can access free N95 and KN95 masks.

We have had many community members reach out asking how to get free masks. Previously, 311 directed people to the federal program. After the program ended however when I called 311 I was told they were telling people just to go to dollar stores to get cheap surgical masks.



Our organization and many community groups have been providing free masks to the public, but we need an expanded ongoing program led by the city where the general public knows where to access free N95 and KN95 masks.

It was great to see free masks being provided to the public during the unhealthy air quality last month. However, it was frustrating that people had to go out in unsafe air quality in order to access them. It would have been much better if people had access to free masks ahead of time.

We also urge people handing out free masks to the public to wear masks to help protect people from COVID as well.

It was striking when news reports in February 2023 showed NYC had excess N95 and KN95 masks, however the city sold them off for pennies on the dollar instead of providing them to the public.<sup>1</sup>

NYC air quality has been at unsafe levels and is expected to continue.

NYC wastewater data is still showing high levels of COVID.<sup>2</sup>

We need to help people protect themselves and their families.

New York City needs to provide free N95 and KN95 masks to everyone who needs them and make them accessible to the public in known locations.

In addition, New York City needs to invest in clean air infrastructure, including air ventilation and purification.

The city also needs to improve alerts and public education on both COVID and air quality for the public.

Thank you!

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<sup>1</sup> <https://www.thecity.nyc/2023/2/21/23607913/covid-bridge-vent-ppe-auction>  
<https://www.thecity.nyc/2023/2/24/23612872/99m-covid-gear-dcas-destroyed>

<sup>2</sup> <https://mbcolli.shinyapps.io/SARS2EWSP/>



**July 12, 2023**

**Written Delos Testimony**

**Committee on Oversight and Investigations**

The devastating impact of wildfire pollution over the past month, coupled with the Covid-19 pandemic, has left a lasting impact on New York City. This confluence of crises has placed a spotlight on the urgent need of creating healthier indoor environments with a strong emphasis on improving indoor air quality. As stewards of the city, it is our duty to carefully evaluate the environments where our residents spend the majority of their lives. These are the spaces that should actively support and promote their health and well-being.

Experts from various fields widely recognize that another pandemic is inevitable, the question is when. At the same time, extreme weather events are becoming more common due to the effects of climate change and recent incidents like wildfire smoke in New York - while new to many city residents - are not likely to be isolated. Shockingly, indoor air quality can be two to five times worse than outdoor air quality, posing a significant risk to public health. Pathogen transmissions, as well as harmful particulates and compounds from increased traffic and industrial emissions, wildfire smoke, and even human activities like cooking and smoking indoors - all contribute to indoor air quality issues.

A clear link has been established between environmental challenges and human health and well-being and short- and long-term health costs. It is vital that we evaluate and ensure that we are creating and providing spaces that improve the health and well-being of occupants, promote productivity and cognitive function, and help to lower short- and long-term health care costs for the city.

Delos is the pioneer of the healthy buildings movement, having researched the health impacts of indoor environments for over a decade. Delos has researched hundreds of products in the market utilizing a science-backed approach to evaluate the performance of health and wellness products and their impact on human health outcomes. Through product solutions such as indoor air quality sensors which support a data driven approach to driving environmental infrastructure and community policy changes, and portable air purification devices which require no installation or costly renovations and efficiently remove airborne pollutants, Delos offers its support to the City of New York to evaluate and help create healthier spaces across the city. Delos has worked closely with the New York City Department of Education to support a multi-layered approach in creating safer, healthier classrooms for students and staff, helping to deploy over 190,000 highly efficient air purification devices that help reduce aerosols (which may carry pathogens), wildfire smoke pollutants and other indoor pollutants. Delos has also recently worked with the State of Kansas to implement indoor air quality sensors across its schools to evaluate indoor air quality concerns and support the state's efforts to allocate budget and improve school infrastructure with a data driven, consultative approach.

Delos stands ready to support a comprehensive focus on improving indoor environments throughout the city. By actively evaluating and implementing health and wellness solutions we can effectively support the health and well-being of New York City residents and help positively impact the city budget for years to come through lower health care costs. We must learn from the challenges we

faced in recent weeks, months and years, and adopt a more proactive approach to help better the health and well-being of New York City residents.

Sincerely,

Paul Scialla  
*Founder and Chief Executive Officer*  
Delos Living LLC

# NYC Library CO2 Monitor Lending



## Testimony to the NY City Council Oversight Hearing on The Administration's Response to Summer 2023 Air Quality Emergencies

TO: NYC Council Committee on Health, jointly with the Committee on Oversight and Investigations and the Committee on Environmental Protection, Resiliency and Waterfronts

Submitted via email to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov)

July 13, 2023

Thank you for holding this important hearing on the Administration's Response to the Summer 2023 Air Quality Emergencies. My name is Sonja Shield and I am the founder of NYC Library CO2 Monitor Lending, an organization of New York City residents who are seeking to establish a lending program for carbon dioxide (CO2) monitors through our three city public library systems. I'm submitting this testimony on behalf of NYC Library CO2 Monitor Lending.

We urge the City to immediately establish a lending program for carbon dioxide (CO2) monitors through our three city public library systems.

Carbon dioxide monitors can be used to assess the indoor air quality of indoor environments. Indoor air quality is improved with good ventilation, but we cannot tell if a space is well ventilated just by looking at it. With carbon dioxide (CO2) monitors, you can better understand how much of the air you are breathing in was exhaled by other people.

New Yorkers face risks from airborne particulates that are particular to a large, dense, urban environment.

Yorkers typically live in apartment buildings, not in private houses; travel by subway or bus, not by private car; and shop in small, crowded stores, not wide-aisled supermarkets. In the course of a regular day, New Yorkers share air-space with a substantial number of other people. And because many illnesses are airborne, any of those interactions could put us at risk of contracting – or spreading – airborne viruses or other illnesses.

In addition, many New Yorkers live close to highways, car repair shops, and other industrial hazards that create pollution, exhaust, and toxic volatile organic compounds. And of course, we have now seen that our air can be damaged by environmental catastrophes hundreds of miles away, and events such as these will only become more common as climate change continues.

The summer 2023 air quality emergencies demonstrated how poor air quality can have an immediate impact on our ability to attend school or work, or to participate in everyday activities as simple as going outside.

We cannot address what we don't measure. Having access to a CO2 monitor can help New Yorkers assess how well ventilated the places they frequent are. New Yorkers could bring the CO2 monitor to their homes, their local supermarket, their worksite, and more. Measuring CO2 levels in these indoor spaces would empower New Yorkers to better assess the quality of the indoor air they breathe.

CO2 monitors can help inform the public when they should improve ventilation and/or filtration where possible in occupied spaces to help mitigate the risks of airborne transmission of pathogens, high levels of CO2, and other pollutants that may be found in indoor air.

However, at roughly \$250 per device, the highest quality consumer CO2 monitors are financially out of reach for most New Yorkers. Cost makes these useful devices inaccessible to all but the richest New Yorkers.

New York City can solve this problem by having its public library systems lend CO2 monitors. **It would cost less than \$40,000 to purchase CO2 monitors to be placed for loan in each and every public library branch in the entire city.** Purchase of the devices would cost **\$11,050 in Queens** (65 branches), **\$10,200 in Brooklyn** (60 branches), and **\$15,640 for the New York Public Library** (92 branches in Manhattan, the Bronx, and Staten Island), for a total cost of \$36,890. This one-time funding allocation would put access to a CO2 monitor within reach of every New Yorker.

CO2 lending programs have been established in Toronto and a number of other municipalities in North America,<sup>1</sup> chiefly in Canada. The first CO2 lending library program was launched in the spring of 2022 in Peterborough, ON and such programs have since grown rapidly. Over 21% of Canadians now have access to a CO2 monitor through a local library. By contrast, only 0.08% of Americans currently have access to a CO2 lending program. If New York City alone were to establish a CO2 lending program, that would expand access dramatically, bringing CO2 monitor lending through public libraries to 8.5 million New Yorkers – 2.6% of all Americans.

**We urge New York City to establish a pilot program providing CO2 monitors for lending from all City library branches.** Providing access to easy-to-use monitors would give New Yorkers the opportunity to identify poorly-ventilated indoor spaces and use that information to address and correct the issue before it can lead to negative health effects.

Thank you for the opportunity to submit testimony.

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<sup>1</sup> <https://www.cavico2.com/map-of-libraries-with-co2-monitors>

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**From:** Wendy Brawer <web@greenmap.org>  
**Sent:** Wednesday, July 12, 2023 11:49 AM  
**To:** Testimony  
**Subject:** [EXTERNAL] testimony - T2023-3804

To the Committee on Health:

I am Wendy Brawer, co-founder of LES Breathe, a committee of East River Park Action (ERPA), which installed [PurpleAir sensors](#) around the LES in Summer 2021 and in June 2023, convened the first AQ Mixer for the Lower East Side.

I represent ERPA on the ESCR CAG but do not speak for the CAG. I'm an eco designer, co-creative and nonprofit director, and an LES resident for more than 30 years.

1. We need regulations on construction when Air Quality surpasses the PEL (Permissible Exposure Limit (PEL), which is 35 (35 micrograms of PM2.5 per cubic meter). I asked about this 2 years ago at the ESCR CAG (see image below). The time for no regulations has passed.
2. ESCR: 'open pitfall mining' impacting waterways and roads. Concurrent Parallel Conveyance, BMCR (pending Two Bridges towers), brings construction and its traffic closer to vulnerable residents. Much of NYC has related issues. We must have enforceable AQ guidelines that protect public health.
3. Real time data on AQ, noise, vibration should be public. With CB3's recent tree loss including more than 600 at East River Park, nearly 300 in Baruch, dozens more to recent storms. How specifically is my community's health impacted?

Just since Aug 2021, the last summer before major removals, [NYC data](#) on covid deaths shows there are 165 more in 10002 and 67 more lost in 10009. Covid is respiratory, as is Asthma, for which ER visits [doubled on June 7th](#) (Gothamist).

What is the comprehensive health data and how is this being communicated in this EJ neighborhood? Every New Yorker is concerned with their neighborhood.

4. Public reporting by the Health Dept on AQ should be transparent and accessible. Would Air flags in residential lobbies, public buildings, shop windows, reach vulnerable people? [Air Quality Flag Program Main Page | AirNow.gov/](#)
5. Health Dept should report quarterly at CB hearings regarding AQ and related health impacts.
6. Help New Yorkers be in on prevention. Air cleaners, PSAs and other outreach on idling, powering down when away, removing shoes & tips to protect AQ at home, leaf blowing, etc.

7. Could there be fees for using cars during hazardous times, 'air congestion pricing'

sincerely,

Wendy Brawer,

Aug 2021, via the CAG, I sent this [AQ question deck](#) to DDC

## CAG LETTER 3 | QUARTERLY MONITORING REPORT

- **Bus idling:** MTA has been contacted
- **Construction Communications:**
  - Weekly Bulletin: two weeks advanced notice of construction activities
  - Advisories: updates on new work items
  - Mitigation techniques prevent escalations of particulate matter; therefore, it is at the discretion of the individual to determine when they should close windows.
  - The public will be advised should levels from construction activities impact public health
- **Bad Air Days:**
  - There are not regulations which halt citywide construction on bad air days.
  - Mitigation techniques prevent escalations of particulate matter and are employed daily
  - The public should continue to follow New York State Department of Environmental Conservation Air Quality Health Advisories.

The Air Quality Monitoring program for the ESCR Project measures both PM10 and PM2.5 levels as well as atmospheric conditions. The table here illustrates the Permissible Exposure Limit (PEL) and Action Levels (AL) for net PM 2.5 and PM10 concentrations over a 24-hour Time Weighted Average (TWA):

	Action Level (AL) over a 24-hour TWA	Permissible Exposure Limit (PEL) over a 24-hour TWA
PM 2.5	25 µg/m <sup>3</sup>	35µg/m <sup>3</sup>

**Chinatown/Lower East Side**  
ZIP Code: 10002

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Case rate: 10500.15 per 100,000 people

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Case count: 7909  
Death count: 340  
Death rate: 451.39 per 100,000 people

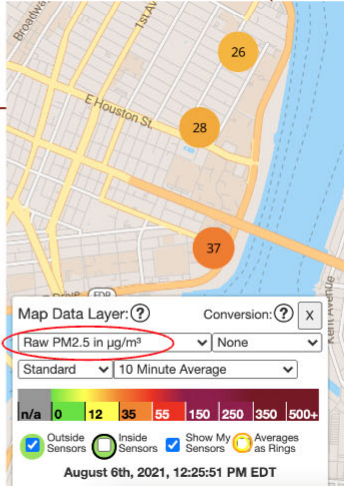
**Alphabet City/East Village/Stuyvesant Town-Cooper Village**  
ZIP Code: 10009

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Case rate: 9333.15 per 100,000 people

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Case count: 5334  
Death count: 142  
Death rate: 248.46 per 100,000 people



Map Data Layer: Raw PM2.5 in µg/m<sup>3</sup> Conversion: None

Standard 10 Minute Average

n/a 0 12 35 55 150 250 350 500+

Outside Sensors  Inside Sensors  Show My Sensors  Averages as Rings

August 6th, 2021, 12:25:51 PM EDT

482 covid deaths in the 2 closest zip codes

Although C illness, has NO to addi 'lower wind to ESCR's

**Question: health me as the Cit elevated I during co**

[Page 8 of th](#) says for PM µg/m3 and Limit (PEL) i:

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**Written Testimony by Brooklyn Resident Christa Angelios for the New York City Council Hearing of the Committee on Oversight and Investigations Regarding the Response to the Canadian Wildfire Smoke Event Held July 12<sup>th</sup>, 2023 at 10 A.M. ET**

Dear Council Members and all those whom it may concern,

I appreciate the opportunity to submit to you my written testimony about my experience with New York City's response to the Canadian wildfire smoke, which was at its worst early last month, but which continues to impact us even today.

On Wednesday, June 7th, 2023, a massive plume of smoke from the wildfires burning in Canada passed over New York City. For many, the rust-orange skies created an apocalyptic harbinger of climate change damage, but most were able to shelter inside buildings with adequate ventilation and air filtration.

That wasn't the case for me.

I was living in a basement apartment in Sheepshead Bay, Brooklyn when the wildfire smoke set in. I didn't have an air purifier or the tools to make a DIY one before the crisis, and was unable to locate any of those items locally. So I did my best to take whatever precautions I could as advised—remaining indoors, closing all windows, wearing an N95 mask, and sealing doorways with wet cloths.

But there was a vent in the boiler room that proved difficult to seal off, and the smoke filtered into my apartment.

It thickened throughout the night and into early Thursday morning—the wildfire smoke pollutant that the United States Environmental Protection Agency tracks, particulate matter with a diameter of 2.5 microns or less (known as PM 2.5) reached hazardous levels of over 400  $\mu\text{g}/\text{m}^3$  on street level. For comparison, the EPA sets safe levels at 12.0  $\mu\text{g}/\text{m}^3$ .

I found it harder and harder to breathe. I locked myself in my bathroom—the room furthest from the boiler room, as sealed off as it could be—and waited out the night. But it was as if I spent the entire night outdoors, directly breathing in the toxic fumes.

My friends and colleagues, including my emergency contacts, had either moved from New York City during the pandemic, or were too far away to reach quickly, so I sat on my toilet poring over websites to see what I could do. Those for whom wildfire smoke is a relatively common phenomenon all pointed to one immediate resource—a cooling center or clean air shelter. These places are meant to provide shelter, clean air, and a place to cool down for those whose housing is inadequate for sheltering in during a wildfire smoke hazard. I trusted my city to provide these resources.

Unfortunately, New York City is not prepared for a wildfire smoke event. There were no cooling centers anywhere in the City. Officials like Mayor Eric Adams had done nothing except to issue the woefully inadequate guidelines I'd already followed: stay indoors and shelter in place, close all doors and windows, wear a mask. These guidelines may work well for most middle-class and wealthy New Yorkers who have easy access to adequately filtered air, adequate cooling systems, and adequately sealed homes—but they were not designed with people like me in mind. Masks were eventually distributed, but only after the worst of the smoke had already passed through—and I already had a mask, but it wasn't enough.

New York City District 33 Council Member Lincoln Restler had a list of actionable steps:

- 1) Dispatch air purifiers to every NYCHA community room, library, school, and jail without adequate ventilation systems and open cooling centers with purified air around the City for those most at risk;
- 2) Instruct New Yorkers to work from home to reduce car traffic and further pollution;
- 3) Limit all outdoor City work like sanitation and parks departments and distribute N95 masks to everyone who must work outside;
- 4) Call on private companies like food delivery apps and construction companies to provide adequate protection and guidance to their workers; and
- 5) Issue Emergency Alerts to all New Yorkers on best practices to stay safe during unhealthy air quality conditions.

Had Mayor Adams and other New York City officials responded in the way that Council Member Restler outlined, I would have had safe conditions in which to shelter. But there was nothing to indicate that other City officials listened to Council Member Restler, or that anything to the effect of his plan was being implemented. So I was trapped in a hazardous environment with nowhere to go, feeling my city had abandoned me.

I cried and panicked. I didn't have the money to evacuate to a hotel. A friend in Texas stayed up all night with me, troubleshooting and trying to help me find any resources they could, though we both ran into wall after wall. City officials, it seemed, had made up their minds that the bare minimum was enough, because it was enough *for them*. Unlike Council Member Restler, they were out of touch with their constituents' needs, to the detriment of the most vulnerable, which included me.

Luckily, I was fortunate enough to have friends who stepped in where the City did not.

When they awoke Thursday morning to my flurry of overnight panic posts on social media, they sent me funds to evacuate to a hotel for a couple of nights while I waited for the air purifier I bought online to arrive, so I wouldn't have to sit in my smoke-filled apartment any longer. After a night of intense panic, very little rest, and toxic fumes, I had a good meal, showered, and then slept most of the following day in a room with clean air.

But when I returned, my apartment felt like Pompeii, and I knew the clean-up effort was going to be herculean. I ran the air purifier as soon as it arrived, and kept it running constantly for a couple of weeks, but the stench the smoke had brought with it seemed to be going nowhere.

The trouble with PM 2.5 is that this particulate matter consists of very fine particles that can travel deep into the respiratory system. It leaves people prone to heart attacks and respiratory infections, including COVID-19, among a litany of other health concerns—even leading to premature death. Because it's so small, it's invisible to the naked eye, and testing needs to be done to verify its presence and make appropriate recommendations for cleaning.

I knew that everything in my apartment had likely been covered with these small, harmful particles, and that I'd need to hire professionals to test for them and help me clean all of my belongings.

But I'd been living in the conditions that led to this crisis in the first place because I didn't have the savings to pay the upfront costs to move. So in the aftermath, I called every City agency I could think of, again looking for resources and again finding none.



I called 311, but they could only provide the same completely irrelevant guidance the City had issued the night the smoke rolled in. I called FDNY, who suggested I open my windows once the smoke cleared out to help dispense with the odor—which I've done, but only off-and-on, since the smoke keeps coming back. I contacted my City Council Representative, Councilwoman Inna Vernikov, and though her staff was incredibly kind, they were unable to provide any meaningful assistance beyond pointing me to an online contact form for Commissioner Rohit T. Aggarwala at the Department of Environmental Protection to request an inspection, if possible. I filled out the form and even sent a follow-up email—no one responded. I called the office, but no one was able to direct me to the right person to handle my inquiry. So I have again fallen through the cracks.

And again, I have had to depend on my personal network where the City has failed to provide adequate solutions.

Without renter's insurance, I put up a GoFundMe, and raised more than I ever thought possible, but even that is insufficient to cover the costs of having a hygienist test for harmful residue and hiring professional cleaners—which, with the estimates I've received, would be about \$7,000. And that's just including the cost of cleaning my belongings—it would be roughly another \$4,000-5,000 to have the apartment building itself cleaned—the walls, ceiling, floor, etc.—which is roughly the same as it would be to cover the upfront costs of moving to a better apartment. Nevermind the cost of storage and movers and the cost of living while in flux. Books, I was told, were among the most expensive items to have cleaned from smoke damage, as they require a third-party specialist—and I work in publishing, so most of my belongings and certainly my most treasured ones, are books. I was told it could be in the tens of thousands to have those cleaned, alone.

Since the City does not have any resources for this cleanup, I will need to borrow from my 401k to be able to get to better housing, and from there, I will need to assess the damage to my belongings. Had it not been for my 401k, it would likely take me months—if not years—to get to better housing, and in the meantime, I would either need to live with whatever toxicity is in my apartment, or with a friend outside of the City.

So a month later, I'm still wrestling with the aftermath of the wildfire smoke, which has upended my life and put me in quite a precarious situation—one which New York City officials can either choose to help with, or continue to ignore. I have faith that I will make it to a better situation only because of those in my network who stepped in when the City did not, but I am lucky. There are many more who aren't—who have no other option but to depend on New York City officials like all of you to help provide them safe living conditions. I'm trusting you to hear this testimony, to listen to Council Member Restler's suggestions and to consider deploying City departments to aid in inspection, testing, and clean-up in the aftermath of such events. Please don't let me—and the many others like me who depend on you—down again.

Thank you for listening.

Respectfully,  
Christa Angelios

Hi, my name is Cynthia Norris and I live in Brownsville. I am a mother of two children and suffer from asthma.

Last month, even before the skies turned orange, I had to take my asthma treatments.

The prednisone pill I take makes my body shake and prevents me from breastfeeding my newborn.

On the morning when our city's air quality was the worst in the world, I had to choose between pumping breast milk for my child and taking another asthma pill.

When you're breastfeeding, you can't be stressed. The milk will not come out if you're worried.

As I walked downstairs, I could feel my chest tightening, even before I went outside.

I'm glad I wasn't rushed to the emergency room, but worried that I may have to.

Like many New Yorkers with asthma, I never want to go through this again.

But I fear I will have to – not just occasionally, but regularly.

In 2019, the NYC Council passed a landmark climate law - Local Law 97. With 70% of our city's climate-heating pollution coming from energy use in buildings, this law will cut pollution from buildings and help me breathe easier, save money for me and my family by lowering utility bills, and create tens of thousands of jobs across the city.

Four years later, we are still waiting for the final rules to be released by the Adams Administration and are growing concerned that Mayor Adams will undermine the City Council's mandate by weakening the law or delaying it even longer.

Meanwhile, we have worsening air quality, massive flooding, and declining health.

The New York City Council must ensure Mayor Eric Adams doesn't not gut this important climate law and cave into real estate industry pressure to weaken and delay Local Law 97.

Thank you for your time today.

2020.07.10 Committee on Oversight and Investigations testimony on the Adams Administration's Heat and Smoke Response

Written submission by Ken Schles, a lifelong New Yorker and a volunteer with Food and Water Watch. ###-###-#### residing at ### Vanderbilt Avenue, Brooklyn NY 11238

Hi, my name is Ken Schles. I'm a volunteer with Food and Water Watch, a national environmental advocacy organization with over 50,000 supporters in New York City. As a child I had severe asthma. In the 1960s, when I was a child in NYC, on smoggy days I'd stay home from school and try not to move too much for fear of triggering an asthma attack. And when an attack came — and they would come more often than I care to share — my world would collapse as I fixated on a single thing: my struggle for air. Hunched over gasping for breath, gripped by fear that my lungs would close, I hoped I wouldn't slip further into hypoxia and panic as confusion and darkness took over. Now our air is even more dangerous, with unimaginably high AQI levels.

June 7th, with particulate levels breaking all known records, I went for my 6 month check-up at my cardiologist. Like many who suffer from Asthma as children, as an adult, I now suffer from cardiovascular disease. In 2016 I had a heart attack that nearly killed me. My cardiologist tells me PM2.5, thickening our air, induces inflammatory processes setting off an immune response that increases rates of cancers, asthma, cardiovascular diseases and stroke. The particulate pollution we saw in the skies is an ongoing manifestation of our fossil fuel induced climate crisis. It will sicken us, shorten our lives and kill many. We (and I mean governments) are not acting swiftly enough or with enough determination.

The climate crisis is, above all, fueling a health crisis, forcing bodies into scenarios they were never designed to endure, condemning us to a lifetime of cascading chronic illness. Those without resources — Black and brown communities, frontline communities, the poor, immigrants — are especially vulnerable. All of us need to breathe, so we all need a concerted collective government response and intervention. It's been four years since the City Council passed Local Law 97, yet the Adams Administration has yet to finalize implementation rules. This is unconscionable. It's time for Mayor Adams to get off the sidelines and champion LL97, not let shills who work for the real estate industry undermine or delay implementation (here is a news article on a six-figure misinformation campaign recently launched <https://nypost.com/2023/04/30/co-op-owners-rebel-against-massive-nyc-climate-law-costing-millions/>). As New Yorkers choke on smoke, have their lives upended by flash floods and suffer through extreme

heat, it's high time for Mayor Adams to ensure this critical law's landmark climate provisions become a reality. Mayor Adams must stop dragging his feet and implement Local Law 97 now. Mayor Adams's inaction on LL97 is harming NYers, harming children, harming the elderly, harming the poor and communities of color who are all especially vulnerable to the effects of toxic air pollution and heat island effects.

Lack of action during our worsening climate crisis condemns millions in NYC unnecessarily to a lifetime of ongoing climate induced health crises, increased mortality and morbidity. On the City level it seems we pass laws, but take years to implement them and defang them before they take effect. We see similar feckless acts on the state level, where during this last legislative session Governor Hochul wanted to gut the CLCPA GHG accounting rules during budget negotiations (<https://nysfocus.com/2023/04/04/hochul-climate-grenade-methane-accounting-clcpa>). Speaker Heastie refused to bring the HEAT Act to a vote even with passage in the Senate and a majority 64 co-sponsors in the Assembly. And on a federal level we have Senator Schumer making deals to put in Manchin's pipelines and President Biden, who ran on a platform of no fossil fuel drilling on public lands, leasing more areas of exploration and development of fossil fuels than any president in US history. Even with the forward vision embodied in the Climate Leadership and Community Protection Act, NYS's climate law, the NY Public Service Commission retains policies that mandate ongoing utility expansion of fossil fuel infrastructure. NYC utility rate payers subsidize, to the tune of hundreds of millions of dollars, continued fracked gas infrastructure buildout.

This prevarication and paltering by elected and appointed officials who claim to be working in the public interest towards climate goals and who instead set up roadblocks to derail environmental policy and legislation must stop.

We know the science, we know what needs to be done. Mayor Adams, the Public Service Commission, Speaker Heastie, Governor Hochul, Senator Schumer and President Biden need to act. They need to move real legislation that will give us a fighting chance against the cascading crisis we face. 50 plus years ago, when smog was severe, we took action. In NYC we banned burning garbage, banned burning coal, banned burning No. 6 heating oil in buildings. Nationally we passed NEPA regulations and the Clean Air Act. We knew what to do and found the political will to do it. Today should be no different.

Not passing the HEAT Act continues utility expansion of fracked gas infrastructure and condemns the health of millions, forcing not only children and the elderly inside, but destroying

families to longer hospitalizations and higher rates of mortality. Not releasing regulations for LL97 allows real estate interests to take a page from the fossil fuel company's playbook of denial, delay and disseminating disinformation for their own enrichment, wasting time we don't have time while the climate crisis worsens and the lives of regular New Yorkers are damaged and destroyed.

We know what needs to be done. We know what the science tells us we need to do. We know what is just and equitable. Our elected and appointed officials have to find the political will to end this environmental crisis. Local Law 97 must be fully implemented and we need the political support to enact legislation on the State level, laws like the NY HEAT Act and others. We need to have dedicated leaders on the local and national level who will stand up to prevaricators, palterers and fossil fuel shills.

Unprecedented torrential rains, flash floods, deadly heat waves and droughts are circling the globe, devastating communities close and far. Our planet recently experienced the hottest day of the hottest week of the hottest month of what looks what will be the hottest year ever recorded — the hottest since at least the last interglacial period 125,000 years ago. And our predicament is deteriorating. Ocean temperatures are rising off the charts. CO2 levels breached 420ppm, the highest in 4-1/2 million years. This tells me: even worse is yet to come. LL97 is our best chance locally to dial the crisis down, eliminating up to 70% of NYC's carbon footprint.

This is personal. My Brooklyn basement flooded during hurricane Ida. We lost my children's childhood treasures. As mentioned, Growing up in the city, I suffered from Asthma. I know what it's like to struggle to breathe, to have an asthma attack set off by smokey conditions. When the smoke came from the fires now devastating Canada, turning our sun blood red, I donned my N-95 mask to venture out against all warnings for vulnerable individuals to stay inside, to meet with my cardiologist to check the status my cardiovascular disease.

In 2019 when LL97 was enacted, NYC declared a climate emergency. The City Council said NYC would act with an urgency commensurate to the crisis we faced, that NY would be a climate leader. It's been 4 years and it's time for you to lead Mayor Adams, time to take ownership of this law, fully enforce it and claim it as your mantle and your legacy. Delay only means more deaths. Delay means more catastrophic storms and broken homes. Delay ensures suffering and heartbreak. And it's our lives on the line. For me, it's personal. Pollution is not the

solution. Mayor Adams must release rules for LL97. No shenanigans, no loopholes, no carveouts. We must align the work of the Public Service Commission to NY State law and to stop the buildout of fossil fuel infrastructure that fuels the droughts and extreme heat that fuels the fires that imperil us. Governor Hochul must enact the HEAT Act in the next state budget.

New Yorkers shouldn't have to fear skies darkened by smoke, or fear floods while they sleep in their bedrooms.

Thank you for your time.

Ken Schles

Food and Water Watch volunteer

### Vanderbilt Avenue

Brooklyn, NY 11238

###-###-####

## Written Testimony:

After watching New York City's leadership stumble in response to a real world environmental crisis, one has to wonder if Eric Adams and his administration suffers from indifference, incompetence or an absolute lack of judgment. The administration failed on multiple fronts and on multiple occasions and the leadership's inability to communicate effectively was put on full display. I am one of countless residents that did not receive alerts from the city, nor did I receive any helpful information. I did not receive any emails or text alerts to my phone. I do not recall hearing any warnings on the subway or seeing any signs. Those that noticed the smog took to social media, which was filled by people expressing confusion over the lack of alerts and information available. Was there ever any thought given to those without internet access, those without a smartphone, those that do not speak English as a first language or those with disabilities that might interfere with receiving any messages? When the administration finally began to acknowledge the heavy smog covering the city in ineffective social media posts and poorly timed press conferences, they failed to provide clear, evidence-based guidance. The Mayor was slow to recommend or even mention the use of respirators and air purifiers. The administration failed to communicate the gravity of the situation, explain short and long-term health consequences to individuals and provide guidance on how to keep the smog from seeping indoors. Most buildings in the city are not airtight and operate without proper air filtration. Like many middle class residents, I rely on a window air conditioning unit and the only way to get any ventilation is to open our windows. I did not hear any concern, acknowledgement or guidance on what I and my elderly neighbors should have done during this time. Even with the windows shut tight and the AC turned off, I could smell the smoke, which left me with a sore throat and painful chest for days afterward. If I—a relatively young, fit and healthy person with no pre-existing medical conditions—suffered, I can only imagine the damage that was done to elderly residents and vulnerable babies. When I shared one of my remaining N95 respirators with a neighbor, I was thanked profusely—the young woman had been suffering from summer-time pneumonia and the smog irritated her fragile lungs to the point that she was breathless just walking down the street. I suppose the administration intends to dodge responsibility as lung damage tends to be cumulative with diseases such as asthma not appearing until years in the future when Mayor Eric Adams' term has already ended. I am often proud of the city's resilience and our way of doing things, but with the stakes so high, we should have reached out to medical experts and leaders on the West Coast for guidance. In the future, we simply do not have time for city leaders to formulate plans from scratch and trial solutions one-by-one until something sticks.

Lisa Fu



My name is Miranda Stinson, I live in Queens, New York, and I'd like to give written testimony about grassroots community responses to the recent air quality emergency, and to compare those grassroots actions with the response from city officials.

I am writing as a founding member of COVID Solidarity NYC, a grassroots public health collective which provides mutual aid and community education in response to the ongoing crisis of COVID and Long COVID, and the erasure of disabled and medically vulnerable people from society. Our work has naturally translated into emergency response to the wildfire smoke, as the N95 and KN95 masks we have been distributing as protection from COVID are also an essential resource to protect from air pollution.

In the month of June, we distributed more than 8,000 N95 and KN95 masks to communities across New York City, working with our partner organization The People's PPE (a student-led group based in New York and Connecticut). Specifically, the week of June 7, when the sky turned orange with smoke, we worked with individuals and neighborhood mutual organizations to facilitate emergency distributions of masks in Brooklyn, Queens, Manhattan, and the Bronx—every single borough except Staten Island. Many of these neighborhood distributions were organized at extremely short notice, via text messages and social media, something we were only able to do because we already had the necessary supplies, infrastructure, and community relationships as a result of our ongoing COVID work.

Contrast the government's response: There was little to no communication about the emergency until it was already in full swing. Just to give one example, I work for a School of Public Health, and we had an outdoor event the evening of Tuesday, June 6, and many of us went into the office on Wednesday June 7, the day the sky turned orange. None of us had any idea how serious the emergency was—and if highly educated people who work in public health didn't know, then how was the general public supposed to get the message?

I also personally attempted to take advantage of the city's emergency mask distribution, but the only place I could find giving out masks was the Grand Central subway station, and the masks themselves were completely inadequate. (Please see my recorded testimony from 7/12 for a visual.) Firstly, they were not

individually packaged, and the worker handing them out did not wear gloves, which rendered them unsanitary per their own use instructions. Secondly, while they were N95 certified, the specific masks that were given out were entirely inappropriate for use by the general public. This specific type of mask, the [Makrite 9500](#), is intended for construction workers; the inflexible cup design means they fit poorly on many face shapes and are also very uncomfortable for long-term wear.

Far from being the comprehensive, well-thought-out distribution plan that was promised, it felt to me as though the city was giving out whatever they could find lying around at short notice. Our scrappy little mutual aid group quite literally did better than that! For the technically inclined, these are the N95 masks that we give out:

- [3M Aura](#): This is a top-of-the-line N95 used by both healthcare workers and the general public
- [3M VFlex](#): This is a similar quality N95 that comes in two sizes and offers a comfortable range of motion for speaking and other jaw movements; they're also very light, which makes them comfortable for summer!

Finally, I want to mention very briefly the physical symptoms that I personally experienced as a result of the wildfire smoke. As a person with a chronic condition that makes me medical to both COVID and air pollution, I would have liked to be able to stay at home to protect my health, but I felt it was important to be out and about in order to distribute these masks to the community groups we work with. As a result, I experienced burning eyes, burning throat, chest pain, and a significant increase in the severity of my migraines, which affect my mobility and my ability to work and perform daily care tasks. I would not have had to take on this risk to my health if the city had simply done its job.

I hope this testimony will demonstrate to some extent that, as has always been true in emergencies, the people with essential knowledge and resources are those who are directly affected and have been doing the work on the ground in their own communities. Wildfire smoke is going to continue to be a threat to New York City, and it's not too late for officials to listen so the next time the sky turns orange, fewer people get hurt.

Thank you.

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**From:** Olivia Goldberg <ogoldberg24@gmail.com>

**Sent:** Wednesday, July 12, 2023 6:07 PM

**Subject:** [EXTERNAL] Air quality hearing comment

To Whom It May Concern,

I was very glad to know that the air quality on June 7 and 8 was being addressed in a hearing. I would like to add that, as someone who works outdoors, I felt the city government did not provide any protections for the safety of laborers with jobs that require strenuous outdoor activities. My boss let us go home when the Air Quality Index had far passed 200. Given that this issue will likely be affecting us in the future, it would be helpful to have a mandate that allows workers to go home when the air quality is unsafe. Leaving it up to managers, I fear, will end in many people putting their health and safety at risk for fear of losing their jobs.

Thank you for your time,

Olivia Goldberg  
11217

Council members,

I urge your support for Intro 1130-2023. City employees that have been forced to return to the offices we knew to be poorly maintained have been told repeatedly that they were made safe from COVID yet no proof of this was ever offered, no evidence that any studies or walkthroughs were actually done. Against the empty words of administration officials we have the evidence of our own senses. We see the water leaks, the mysterious fuzz around the vents. We sit in the unventilated spaces with windows we can't open. We see the vermin and evidence of their passing. We *know* these offices are not safe and no one is held accountable. We also know that in this age of climatic change we will increasingly face reduced outdoor air quality, as witnessed by the entire city on June 6<sup>th</sup> of this year. To finally get a publicly available measure of air quality in real time would go a long way to restoring the trust of city workers.

Thank you,

Stephen Visovsky

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**From:** Lin Barton <lin.barton@gmail.com>  
**Sent:** Friday, July 14, 2023 8:25 PM  
**To:** Testimony  
**Subject:** [EXTERNAL] regarding Mayor Adams's failure to notify New Yorker regarding dangerous health conditions.

Hello

I am writing to provide testimony regarding the Mayor's failure to react, provide information and advice in a timely manner to the dangerous air conditions on June 6 2023.

On June 6 at about 6 pm, I was out shopping in my neighborhood, the east village, I was immediately aware of the poor air quality and visibility and wondered if there was a local fire. I googled fire, east village, then smog and the only information I found was on the ABC local news website, about Canadian wildfire smoke being the cause of the bad air quality. I called several friends of mine, including an 81 year old man who has multiple health conditions, including COPD and heart disease, to let him know about it, and not to go outside, he was not aware of this.

The next day the air quality in New York was the worst in history, including on 9/1/2001. I found out on Thursday that Mayor Adams knew about the conditions as early as 4pm on Tuesday, and called his relatives, and advised them to stay home but did not make a public announcement until nearly midnight. His excuse, that it was a rapidly changing situation, is outrageous and invalid, as is the fact that his relatives with health conditions got notice from him in a timely manner that all of his other constituents did not. This is evidence of a bad character, and that Mayor Adams is unsuitable for the job of Mayor of New York. I am asking that immediate steps be taken to impeach him and remove him from office so he will not cause further harm. I am a 68 year old woman, a survivor of ocular melanoma, and my eyes were burning for that week and several weeks after, and it is outrageous that Mayor Adams does not take measures to protect us from harm. He should not have another opportunity to avoid responsibility and should resign immediately. As noted in the hearing, these situations are likely to happen more and more, and we should not have a mayor who has his priorities mixed up.

I look forward to hearing about the committee's findings and decisions about action to be taken.

Yours Sincerely,  
Lin V Barton

---

**From:** Lin Barton <lin.barton@gmail.com>  
**Sent:** Saturday, July 15, 2023 11:29 AM  
**To:** Testimony  
**Subject:** [EXTERNAL] Fwd: regarding Mayor Adams's failure to notify New Yorker regarding dangerous health conditions.

addendum to previous email:

I would also like to point out that because of the Mayor's delayed response and announcement, the union square greenmarket was held on Wednesday June 7, bringing hundreds of people into the city under dangerous conditions, and encouraging outside shopping, on the day of the worst air quality in the city's history, but also because of the delay, the grewenarket was canceled on friday june 9 when the air quality had improved. It has been reported in numerous articles since then that breathing this air without the precautions Mayr Adams encouraged his relatives to take early on, but not the rest of the city, we all have suffered some kind of permanent damage, unnecessarily to this extent. Mayor Adams must step down so we will not be further endangered by his callousness.

Lin Barton  
East Village, NYC 10003

----- Forwarded message -----

**From:** Lin Barton <[lin.barton@gmail.com](mailto:lin.barton@gmail.com)>  
**Date:** Fri, Jul 14, 2023 at 8:24 PM  
**Subject:** regarding Mayor Adams's failure to notify New Yorker regarding dangerous health conditions.  
**To:** <[testimony@council.nyc.gov](mailto:testimony@council.nyc.gov)>

Hello

I am writing to provide testimony regarding the Mayor's failure to react, provide information and advice in a timely manner to the dangerous air conditions on June 6 2023.

On June 6 at about 6 pm, I was out shopping in my neighborhood, the east village, I was immediately aware of the poor air quality and visibility and wondered if there was a local fire. I googled fire, east village, then smog and the only information I found was on the ABC local news website, about Canadian wildfire smoke being the cause of the bad air quality. I called several friends of mine, including an 81 year old man who has multiple health conditions, including COPD and heart disease, to let him know about it, and not to go outside, he was not aware of this.

The next day the air quality in New York was the worst in history, including on 9/1/2001. I found out on Thursday that Mayor Adams knew about the conditions as early as 4pm on Tuesday, and called his relatives, and advised them to stay home but did not make a public announcement until nearly midnight. His excuse, that it was a rapidly changing situation, is outrageous and invalid, as is the fact that his relatives with health

conditions got notice from him in a timely manner that all of his other constituents did not. This is evidence of a bad character, and that Mayor Adams is unsuitable for the job of Mayor of New York. I am asking that immediate steps be taken to impeach him and remove him from office so he will not cause further harm. I am a 68 year old woman, a survivor of ocular melanoma, and my eyes were burning for that week and several weeks after, and it is outrageous that Mayor Adams does not take measures to protect us from harm. He should not have another opportunity to avoid responsibility and should resign immediately. As noted in the hearing, these situations are likely to happen more and more, and we should not have a mayor who has his priorities mixed up.

I look forward to hearing about the committee's findings and decisions about action to be taken.

Yours Sincerely,  
Lin V Barton

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: July 12, 2023

(PLEASE PRINT)

Name: DOMINA IS BRENDA BLACK

Address: \_\_\_\_\_

I represent: myself

Address: health plus

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Carine Schiff

Address: Deputy Commissioner of

I represent: Environmental Health

Address: (DCEHMH)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Commissioner Zachary Iscol

Address: NYCEM

I represent: \_\_\_\_\_

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MILES Aiken

Address: West 138<sup>th</sup> Street

I represent: Hudson Community (BB)/Chenal

Address: Same as above.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 7/12/23

(PLEASE PRINT)

Name: Eunice Ko

Address: Johns Place BK NY 11238

I represent: Nyc Environmental Justice Alliance

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JANET Harriott

Address: WATERSIDE PLAZA

I represent: Waterside Towers / TRAI PRG

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



T 2023-3803  
Committee on  
Oversight

**THE COUNCIL  
THE CITY OF NEW YORK**

2 OTHERS

- 2. Health
- 3. Environmental

Appearance Card

3

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Resiliency + Waterfronts  
AIR QUALITY Emergency Date: July 12 '23

(PLEASE PRINT)

Name: Marguerite Chandler

Address: Thames St

I represent: Medical Freedom Party

Address: City Council District 34

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 07/12/2023

(PLEASE PRINT)

Name: Shanae

Address: Queens County

I represent: Sui juris, a woman.

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T-2023-3803 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 7/12/23

(PLEASE PRINT)

Name: Martha Rowen

Address: Clark St Bklyn NY 11201

I represent: Medical Freedom Party

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 07/12/23

(PLEASE PRINT)

Name: Donna Gionell - Romo

Address: West 64th St

I represent: Medical Freedom Party

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ERIC RASSI

Address: E 107th

I represent: NYC Liberty Party

Address: same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Joy Amanda - Women Living on Queens County

Address: \_\_\_\_\_

I represent: Queens County

Address: Committee on Health, Oversight & Investigations



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 07/13/2023

(PLEASE PRINT)

Name: Jared Williamson

Address: \_\_\_\_\_

I represent: Env. Justice Initiative

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 7/12/23

(PLEASE PRINT)

Name: Joel Kuperman

Address: W 107th St

I represent: ENV. JUSTICE INITIATIVE

Address: 11

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 7/12/23

(PLEASE PRINT)

Name: Michael O'Hara

Address: 78 N Broadway

I represent: NY ELSP

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 7/12/2023

(PLEASE PRINT)

Name: Daniel Lynn - Man Living on Queens County

Address: \_\_\_\_\_

I represent: Queens County

Address: Origination & Investigation and Health Committee

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Beth DeFalco

Address: \_\_\_\_\_

I represent: DEP, Deputy Commissioner

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Tania

Address: Brooklyn NY

I represent: Kings County

Address: \_\_\_\_\_