

COMMITTEE ON ENVIRONMENTAL PROTECTION,
RESILIENCY, AND WATERFRONTS

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

OF THE

COMMITTEE ON ENVIRONMENTAL PROTECTION,
RESILIENCY, AND WATERFRONTS

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FRIDAY, JUNE 20, 2025

START: 1:16 P.M.

RECESS: 3:06 P.M.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: HON. JAMES F. GENNARO, CHAIR

COUNCIL MEMBERS:

ALEXA AVILÉS
JUSTIN L. BRANNAN
ROBERT F. HOLDEN
KRISTY MARMORATO
SANDY NURSE
LINCOLN RESTLER
RAFAEL SALAMANCA, JR.
SUSAN ZHUANG

A P P E A R A N C E S

Beth Golub,
Director of Sustainability Policy and Legal
Affairs at the New York City Department of
Buildings

Elijah Hutchinson
Executive Director, New York City Mayor's Office
of Climate & Environmental Justice (MOCEJ)

Paul Onyx Lozito,
Deputy Executive Director for Planning,
Adaptation from the New York City Mayor's Office
of Climate & Environmental Justice (MOCEJ)

Angela Licata,
Deputy Commissioner of Sustainability from the
Department of Environmental Protection (DEP)

Robert Altman,
Queens & Bronx Building Association

Michelle Luebke,
Program Manager at the Stormwater Infrastructure
Matters (SWIM) Coalition

Alia Soomro,
Deputy Director for New York City Policy at the
New York League of Conservation Voters (NYLCV)

Christopher Leon Johnson,
Representing — Self

1 COMMITTEE ON ENVIRONMENTAL PROTECTION,
RESILIENCY, AND WATERFRONTS

3

2 SERGEANT KUSHNER: This is a microphone
3 check for the Committee on Environmental Protection,
4 Resiliency, and Waterfronts recorded in the Chambers
5 on June 20, 2025, by Pat Kushner (phonetic).

6 (PAUSE)

7 SERGEANT AT ARMS: Good afternoon, and
8 welcome to the New York City Council hearing on
9 Environmental Protection, Resiliency, and
10 Waterfronts. At this point, we ask that you silence
11 all electronic devices.

12 At no point during today's hearing are you
13 to approach the dais.

14 If you would like to testify today, please
15 see one of the Sergeants at Arms.

16 Thank you for your cooperation.

17 Chair, you may begin.

18 CHAIRPERSON GENNARO: Thank you, Sergeant.

19 [GAVEL]

20 Good afternoon, I am Council Member Jim
21 Gennaro, Chair of the Committee on Environmental
22 Protection, Resiliency, and Waterfronts.

23 Today, we will be hearing Introduction
24 Number 499, sponsored by Council Member Abreu, in
25 relation to studying the feasibility of implementing

1 solar-ready measures for commercial
2 buildings.

3
4 Next is Introduction Number 1271,
5 sponsored by me, in relation to requiring review of
6 the long-term sustainability plan by the
7 Environmental Justice Advisory Board.

8 Next is Introduction Number 1302, also
9 sponsored by me, in relation to the reporting
10 requirements of the Office of Long-Term Planning and
11 Sustainability, which is-- their business is now
12 handled by MOCEJ (Mayor's Office of Climate &
13 Environmental Justice).

14 And we will also be hearing a
15 Preconsidered Introduction, also sponsored by me, in
16 relation to maintenance easements for post-
17 construction stormwater management facilities—the
18 whole SWPTS process.

19 And Resolution 926, sponsored by Speaker
20 Adams, declaring that New York City adopts the New
21 York State Climate Smart Communities pledge.

22 Introduction 499 would direct the
23 Department of Buildings, in coordination with DEP
24 (Department of Environmental Protection), the Fire
25 Department, and other relevant agencies to conduct a

1 year-long study to determine the feasibility of
2 implementing solar ready measures for commercial
3 buildings, after which DOB would be would be required
4 to submit a report with the results of said report to
5 the Speaker of the Council and to the Mayor.
6

7 Intro 1270--Okay, that was 499. Now we are
8 moving on to 1271 and the details—Intro No. 1271
9 would require the Office of Long-Term Planning and
10 Sustainability (“OLTPS”), the responsibilities of
11 which are currently fulfilled by MOCEJ, to provide
12 drafts and proposed revisions of the long-term
13 sustainability plans required under Local Law 17 of
14 2008, otherwise known as PlaNYC, to Environmental
15 Justice Advisory Board (EJAB), and would require EJAB
16 to review the drafts and proposed revisions and make
17 recommendations to OLTPS prior to the finalization of
18 the long-term sustainability plans. The whole idea is
19 to cut in the EJ community, you know, to cut them a
20 little more-- (INAUDIBLE) for sugar candy, I’ve got
21 these little dot things or whatever, these little
22 wafer things. They will have to do. Where were we? I
23 have to go back—otherwise known as PlaNYC, to EJAB--
24 oh, I said that, right, I said that we were going to
25

1 try to give--oh, more candies, total upgrade here--
2 trying to give more input for the EJ community.
3

4 Next item, the Preconsidered Introduction
5 would streamline the stormwater permitting process,
6 the so-called SWPTS process, by allowing developers
7 to obtain a stormwater construction permit before
8 executing and recording a maintenance easement. The
9 maintenance easement would instead be required as a
10 condition of obtaining a stormwater maintenance
11 permit. There has been a lot of, uh, huffing and
12 puffing over the SWPTS process, and we are trying to
13 make it better, and we are going to make it better,
14 uh, in cooperation with, you know, DEP, we are all on
15 the same page.

16 Next, Introduction 1302 would require
17 OLTPS to publish the long-term energy plan-- OLTPS to
18 publish the long-term energy plan required by Local
19 Law 248 of 2017, and the climate adaptation plan
20 required by Local Law 122 of 2021, within its update
21 to the long-term sustainability plan. The bill would
22 also increase the publication frequency of the
23 climate adaptation plan from once every 10 years to
24 once every four years. It would remove the
25 prohibition on members of the NPCC receiving

1 financial compensation for their work and better
2 align the City's climate reporting with the IPCC
3 (Intergovernmental Panel on Climate Change) reporting
4 cycle. That was kind of hard to follow, but we will,
5 you know, when the Administration gives its
6 testimony, we'll have a better understanding.

7
8 And, finally, Resolution 926 would serve
9 as the first step in the City's application to join
10 the program, meaning the Climate Smart Cities
11 program, and become a climate-smart community. The
12 resolution states that New York City pledges to
13 undergo or engage in 10 actions related to decreasing
14 energy usage, inventorying emissions, engaging in
15 emissions reduction work, increasing renewable energy
16 usage, and other climate actions. Certainly, we have
17 met those bars. This would make the City more
18 eligible for funding from the state, which we never
19 get anyway, but we can dream, can't we? I was not
20 reading, "We can dream, can't we?" That was from me.

21 At this hearing, I look forward to public
22 feedback on the legislation on the docket today, so
23 that we can incorporate your feedback and ensure that
24 these bills are the best and most effective versions

1 themselves. We look forward to the hearing--we look
2 forward to the testimony by the Administration.
3

4 We have been joined by Council Member
5 Marmorato, Council Member Holden, Council Member
6 Zhuang, and, on Zoom, we have Council Member Restler.

7 I would like to thank the Committee staff,
8 Natasha Bynum, Legislative Counsel to my right,
9 Sierra Townsend, as well as Ricky Chawla, Senior
10 Legislative Policy Analyst; Andrew Bourne, Senior
11 Legislative Policy Analyst; Tanveer Singh, Financial
12 Analyst; and my Legislative Director, Josh Gachette,
13 for all of their hard work and for leading us to this
14 good hearing.

15 I recognized Council Members already,
16 okay, we did that. And now I will turn it over to the
17 Committee Counsel to give the affirmation to the
18 witnesses before us. So I recognize the Committee
19 Counsel to do that.

20 COMMITTEE COUNSEL: Good afternoon, please
21 raise your right hands. Do you affirm to tell the
22 truth, the whole truth, and nothing but the truth,
23 before this committee, and to respond honestly to
24 council member questions?

25 [ADMINISTRATION AFFIRMS]

2 COMMITTEE COUNSEL: Great, please just
3 state your name and position for the... (CROSS-TALK)

4 CHAIRPERSON GENNARO: Yeah, and... and...

5 COMMITTEE COUNSEL: record before you begin
6 your testimony... (CROSS-TALK)

7 CHAIRPERSON GENNARO: Sure, and it looks
8 like we have actual testimony from (INAUDIBLE), thank
9 you, thank you, Josh, uh, from DEP, and from MOCEJ,
10 and from Buildings. So there will be testimony from
11 each of-- oh, good, that's the way I like it. Make
12 sure you get my picture, too. (LAUGHTER) Okay, it's
13 Friday afternoon, it's been a long week, it's been a
14 long week. So, who is going to go first?

15 DIRECTOR GOLUB: Hi, can go first.

16 CHAIRPERSON GENNARO: Okay, please state
17 your name for the record and proceed. And you will be
18 testifying on behalf of?

19 DIRECTOR GOLUB: My name is Beth Golub, and
20 I am testifying on behalf of the Department of
21 Buildings.

22 CHAIRPERSON GENNARO: All right, the
23 Department of Buildings. Okay, let me get to your
24 testimony. Okay, please.

DIRECTOR GOLUB: Great. Okay, Good

afternoon, Chair Gennaro and Members of the
Committee, my name is Beth Golub, and I am the
Director of Sustainability Policy and Legal Affairs
at the New York City Department of Buildings. Thank
you for the opportunity to provide testimony today
regarding Intro 499 in relation to studying the
feasibility of implementing solar-ready measures for
commercial buildings.

We appreciate the Council's continued
focus on sustainability and the critical role that
Buildings play in advancing the City's climate goals.
As the agency charged with enforcing the City's
Construction and Energy Codes, DOB remains committed
to implementing policies that promote energy
efficiency, reduce greenhouse gas emissions, and
ensure safe building practices.

In 2019, the Council passed the Climate
Mobilization Act, including Local Laws 92 and 94 of
2019, requiring all new buildings and existing
buildings undergoing major roof renovations to
install either a solar photovoltaic system, a green
roof system, or a combination of both. Since the
passage of these laws, buildings across the city have

1
2 been working to incorporate solar systems or green
3 roofs in accordance with these requirements. These
4 efforts are yielding measurable impacts and helping
5 the city advance toward its climate goals. In 2016,
6 there were 3,902 solar jobs permitted across the
7 city. In 2020, following the passage of Local Laws 92
8 and 94, there were 5,172 solar jobs permitted
9 citywide. The number of solar installations has
10 continued to steadily increase, with 9,118 solar jobs
11 permitted last year in 2024.

12 Additionally, DOB is currently working
13 with stakeholders to update the New York City Energy
14 Conservation Code. We look forward to partnering with
15 the Council later this year to pass the legislation
16 necessary to publish the new code. The Energy code
17 updates will include new provisions that require
18 onsite renewable energy readiness, including solar.
19 These forthcoming code revisions will align with the
20 Energy Conservation Construction Code of New York
21 State and further solidify solar-ready construction
22 as a standard requirement.

23 Given the existing requirement for
24 buildings to install solar or green roof systems and
25 the upcoming enhancements to both New York City and

1 State energy codes, we believe that the proposed
2 study is not necessary. The City is already
3 integrating renewable energy into commercial building
4 design and construction, and these efforts continue
5 to evolve through code development and enforcement.
6

7 We look forward to further discussing this
8 proposal and future enhancements to the New York City
9 Energy Code with the Council.

10 We thank the Council for its leadership on
11 climate and sustainability and for the opportunity to
12 speak today. DOB remains committed to working with
13 you to build a more sustainable and energy-efficient
14 city. Thank you.

15 CHAIRPERSON GENNARO: Thank you very much
16 for your position on 499. We will get into that
17 during the question phase. So, thank you for that.

18 Okay, who wants to go next?

19 EXECUTIVE DIRECTOR HUTCHINSON: MOCEJ can
20 go next.

21 CHAIRPERSON GENNARO: Sure, please state
22 the witness's name for the record, and please
23 continue.

24 EXECUTIVE DIRECTOR HUTCHINSON: Sure. Good
25 afternoon, Chair Gennaro and Members of the Committee

1 on Environmental Protection, Resiliency &
2 Waterfronts. My name is Elijah Hutchinson, and I am
3 the Executive Director of the NYC Mayor's Office of
4 Climate & Environmental Justice, or MOCEJ for short,
5 which is the first Mayoral office to have
6 environmental justice (EJ) in its name.

7
8 I am joined today by my colleague, Paul
9 Lozito, MOCEJ's Deputy Executive Director for
10 Planning, Adaptation, and EJ. For those who may not
11 be familiar, MOCEJ works to protect all New Yorkers
12 from the threats of climate change and extreme
13 weather by creating and advancing policies, programs,
14 and projects that secure the city, while making our
15 critical infrastructure cleaner and more reliable.
16 And throughout all of our work and decision-making,
17 we prioritize addressing a legacy of environmental
18 inequity in our communities.

19 Since joining MOCEJ as Executive Director
20 in September 2023, we have undertaken great strides
21 to advance efforts to combat climate change and
22 incorporate environmental justice into the city's
23 fabric, demonstrating our office's ability to get
24 stuff done, including:
25

1
2 1. On my very first day, we released the
3 City's first-ever long-term energy plan.
4 PowerUP NYC outlines 29 clean energy
5 initiatives centered on equity, affordability,
6 and health in our move away from polluting
7 fossil fuels and operationalizing our clean
8 energy future.

9 2. We released the Environmental Justice NYC
10 (EJNYC) Report, the city's first comprehensive
11 study on the disproportionate environmental
12 burdens affecting low-income communities and
13 communities of color in all five boroughs, and
14 an accompanying interactive online mapping tool
15 that provides policymakers, community leaders,
16 and everyday New Yorkers with over 100 data
17 layers relevant to understanding EJ concerns
18 within New York City.

19 3. As outlined in PlaNYC, we are working with
20 agency partners to launch the City's First Blue
21 Sky Housing Mobility program to acquire homes
22 facing pronounced flood risk where there are no
23 other viable alternatives to reducing that
24 risk.
25

1
2 4. We're deep into the planning phase for the
3 city's first Urban Forest Plan with NYC Parks,
4 City Parks Foundation, and other stakeholders,
5 which will equitably expand the City's tree
6 canopy to 30% and keep New Yorkers safe from
7 extreme heat, flooding, beautify streets, and
8 clean the air.

9 5. With the Office of Management and Budget,
10 we introduced the city's first-ever
11 climate budgeting publication through the FY25
12 Executive Budget. Climate budgeting
13 incorporates science-based climate
14 considerations into budget decision-making.

15 6. We're in the process of expanding the NYC
16 Accelerator and have developed
17 financing tools and innovative mechanisms to
18 accelerate Local Law 97 compliance by
19 2030, including establishing the J-51 Reform
20 tax incentive program, which will help
21 modernize our building stock and reduce utility
22 costs.

23 The list goes on of things our office is
24 working on right now. But with the release of the EJ
25 report behind us, we're now taking what we learned

1
2 and applying it to develop a multi-agency, citywide
3 environmental justice plan. Working with the experts
4 serving on the Environmental Justice Advisory Board,
5 or EJAB, this next step in the EJNYC Initiative aims
6 to level the playing field for all New Yorkers. The
7 EJAB is a critical advisory body for MOCEJ, as they
8 assist us in ongoing EJ efforts and are charged with
9 ensuring our work is grounded in the lived
10 experiences of New Yorkers in the city's
11 environmental justice communities.

12 Collaborating with more than 20 city
13 agencies and mayoral offices, we're developing
14 recommendations for citywide initiatives and agency-
15 specific actions that target investments in
16 communities and public spaces, integrate
17 environmental justice considerations into city
18 systems and budgeting, and enable resilience and
19 efficient building upgrades to protect residents from
20 climate threats and rising energy costs, and improve
21 accountability through data transparency and
22 communications, while promoting collaboration with
23 community-based organizations who are directly
24 serving these environmental justice communities.

1 We are also advancing environmental
2 justice through other citywide planning efforts,
3 including the aforementioned Urban Forest Plan, which
4 will address extreme heat and ensure every
5 neighborhood can benefit from trees, which help keep
6 our neighborhoods cool, absorb stormwater, beautify
7 streets, and clean our air.

8
9 Turning to today's legislation, Intro 1271
10 would require MOCEJ to share a draft of the long-term
11 Sustainability Plan, also known as PlaNYC, with EJAB,
12 the Environmental Justice Advisory Board, prior to
13 its release every four years. Through this bill, the
14 EJAB could make recommendations and propose revisions
15 to the draft PlaNYC.

16 The Administration is in full alignment
17 with the intent of this bill. It is excited to work
18 with the Council to ensure environmental justice
19 continues to be a top consideration in all of PlaNYC
20 policies. However, MOC suggests modifications to the
21 order of operations on a consultation with the
22 Environmental Justice Advisory Board. We suggest that
23 the proposed local law include an obligation to MOCEJ
24 to collect information and recommendations from the
25 Environmental Justice Advisory Board as part of the

1 analysis, which informs the final recommendations in
2 PlaNYC. Our experience in working with the
3 Environmental Justice Advisory Board and PlaNYC has
4 been that early consultation allows for more
5 opportunities to incorporate suggestions instead of
6 waiting to modify existing recommendations at the end
7 of the process. This achieves the same desired
8 outcome, but is more efficient and streamlined from a
9 process standpoint, and aligns more with the
10 procedural justice goals outlined within the
11 Environmental Justice NYC report.
12

13 On Intro 1302, we appreciate Chair
14 Gennaro's leadership on this topic. Introduction 1302
15 integrates the objectives of the Long Term
16 Sustainability Plan or PlaNYC, the Long Term Energy
17 Plan, the Adaptation Plan, and other MOCEJ
18 initiatives into one comprehensive, cohesive
19 framework. When MOCEJ was created, the Mayor's Office
20 of Sustainability and the Mayor's Office of Climate
21 Resiliency were all consolidated under one structure,
22 as well as the legacy requirements and obligations
23 stemming back to the original Office of the Long Term
24 Planning and Sustainability, or OLTPS.
25

1
2 This bill provides a more streamlined and
3 aligned set of mandates for our office and allows us
4 to look at the cumulative impacts of Intro 1302 to
5 provide a standardized and consistent set of
6 opportunities for public review and input on the
7 City's policies on all climate-related matters, which
8 MOCEJ fully supports. So thank you for the
9 opportunity to testify, and I'm happy to take any
10 questions you may have.

11 CHAIRPERSON GENNARO: Thank you very much,
12 Director. Okay, Commissioner, Director, I have to
13 make sure I called the people by the right title, and
14 so okay, I appreciate your good testimony. And so I
15 guess that leaves DEP.

16 DEPUTY COMMISSIONER LICATA: Okay, I'm up.
17 Good afternoon, Chair Gennaro and Members
18 of the Environmental Protection Committee. I am
19 Deputy Commissioner of Sustainability, Angela Licata,
20 from the Department of Environmental Protection
21 (DEP). I am here today to discuss the Pre-Considered
22 Introduction T2025-3757, which relates to maintenance
23 easements for post-construction stormwater management
24 facilities and civil penalties for violations of the
25 water pollution control code.

1 To start, we thank Chair Gennaro for
2 sponsoring this bill and the Committee for hearing it
3 today. I also want to thank the Council staff we have
4 been working with on this legislation. The pre-
5 considered bill would make two straightforward
6 changes to improve the stormwater management
7 permitting process and strengthen DEP's enforcement
8 of water pollution controls.
9

10 As the Deputy Commissioner of
11 Sustainability, I oversee the teams that provide
12 planning, design, construction, and operations and
13 maintenance of much of the distributed nature-based
14 stormwater control around the city, including DEP's
15 rain gardens and other green infrastructure.
16 Commissioner Aggarwala and I have discussed this work
17 at several recent Council hearings, so I will not go
18 into great detail here, but anyone who wants to learn
19 more about our green infrastructure work should look
20 at our 2024 Green Infrastructure Annual Report, which
21 can be found on the green infrastructure page of
22 DEP's website.

23 Green infrastructure is a powerful tool
24 for stormwater management that improves the health of
25 our waterbodies, enhances our sewer operations, and

1 distributes important co-benefits that come along
2 with an increase in our green spaces, like urban heat
3 island mitigation or diverse habitat for wildlife.
4 We've been building green infrastructure for
5 stormwater control since 2011 and have invested more
6 than \$1.4 billion, with much of that investment
7 happening within the public right of way. But more
8 than 70% of the city is comprised of public or
9 privately held lots, and capturing stormwater on
10 these lots and doing so as they redevelop is a cost-
11 effective strategy for enhancing flood resilience
12 through stormwater management and improving water
13 quality through stormwater treatment. This is why we
14 also develop and implement stormwater regulations,
15 including the Stormwater Construction and Maintenance
16 Permitting Program, which is the focus of the
17 legislation being considered today.

18
19 DEP launched the Stormwater Construction
20 and Maintenance Permitting Program in 2019, as
21 required under the NYC Municipal Separate Storm Sewer
22 System (MS4) Permit issued to the City by the New
23 York State Department of Environmental Conservation.
24 This program existed prior to 2019, but it was
25 implemented by New York State DEP and has been since

1 the Clean Water Act was amended to include regulatory
2 requirements for MS4s. Under the MS4 permit, we were
3 required to make program enhancements to include more
4 development sites than DEC was regulating. For
5 example, the qualifying soil disturbance threshold
6 was reduced from 1-acre to 20,000 square feet to
7 account for the more typical redevelopment projects
8 in NYC.

10 In 2022, the City program was further
11 expanded to apply to combined sewer areas to help
12 meet both combined sewer overflow reduction goals and
13 sewer operations goals. This change is known as the
14 Unified Stormwater Rule, because it created a uniform
15 stormwater policy across sewer capacity and water
16 quality goals and provided more upfront clarity for
17 calculating the requirements. Anyone developing sites
18 must adhere to these rules, including DEP and other
19 agencies. These regulations have been essential as we
20 evaluate the impacts on our infrastructure of new
21 growth through rezonings and other major
22 redevelopments. In fact, these regulations were so
23 important that they were expedited to meet the
24 Gowanus rezoning schedule so that we could ensure
25 that all redeveloped sites would comply with the

1 enhanced on-site stormwater retention and detention
2 requirements, allowing for a net-zero CSO outlook for
3 the Gowanus Canal and reducing wet weather impacts to
4 our sewers. We are just seeing some of these green
5 infrastructure practices come online now, three years
6 later.
7

8 While the benefits of this program are
9 tremendous, we acknowledge that we have work to do to
10 ease the burden on the developer community. We want
11 to support the work that developers do. Our
12 requirements are in place because the opportunity to
13 establish stormwater management upon reconstruction
14 is so great. We have to have management systems on
15 private land, not just public space, so we have to
16 seize these opportunities for onsite controls.

17 We want the permitting program process to
18 be as smooth as possible, so we have been assessing
19 the process, and for the past 18 months, we have been
20 intensely workshopping process improvements with
21 developers, representatives, and the architecture and
22 engineering firms preparing their applications.

23 Legislative change is one of the steps
24 that we hope to take to ease the process for
25 applicants. The legislation facilitates rule changes

1 that will streamline parts of the process. Other
2 improvements to the program will include building out
3 and enhancing our stormwater permit tracking system,
4 which was not fully completed when the program was
5 expanded and is cumbersome for applicants and DEP
6 review staff alike.
7

8 We look forward to continuing to work with
9 Council on this legislation to ensure that it
10 implements the changes in a way that best complements
11 our other improvements and that benefits all
12 stakeholders, including DEP developers and all the
13 residents of the city.

14 In closing, I want to reiterate that DEP
15 thanks you for your partnership on this issue and for
16 the opportunity to testify about this legislation
17 today. My colleagues and I look forward to continuing
18 our partnership, and I'm happy to answer any
19 questions that you may have.

20 CHAIRPERSON GENNARO: Thank you, Deputy
21 Commissioner. We certainly appreciate your good
22 testimony.

23 (PAUSE)

24 CHAIRPERSON GENNARO: As is my practice, I
25 make little notes in the margins of the witness

1
2 statements. I always try to get to the members who
3 have questions. And I don't want to sit up here for a
4 long time before they have an opportunity. So I'm
5 quickly going to go through some of the notes that I
6 made in the margins of the statements. That should go
7 pretty quickly, and then Council Member Holden has
8 questions, and I have other prepared questions, so
9 it'll be my reaction to the statements, then
10 questions from Members, and then my longer set of
11 questions. Do I need more candy or a drink of water?
12 I'm going to go with the water. I've been chairing
13 this Committee for a long time, and this is my first
14 lollipop that I've had sort of like on the record, so
15 to speak. Nothing. No giggles, no laughs, no Nothing.
16 Everybody just smirks, okay, good.

17 So, DEP first, you know, thank you, Madam
18 Deputy Commissioner, for your good testimony. You
19 mentioned in your statement the process that involves
20 my team and the Council and DEP and folks in the
21 community, who have to comply with the SWPTS
22 (Stormwater Permitting and Tracking System) and all
23 that, which not only includes the private development
24 sector, but also city agencies. So we have this, you
25 know, very well-intended and needed process by which

1
2 we have to harness all the capabilities that we have
3 to manage stormwater, where we're going crazy here,
4 right? So we're trying to increase the capacity of
5 the infrastructure that we have in the street, and we
6 have, you know, green infrastructure. And when it
7 comes to development or redevelopment, we have to,
8 you know, we have to seize those opportunities and
9 make it better for those that have to comply and
10 better for those that have to review. Do I have two
11 statements? Oh, I have two statements together.

12 In talking about the desire to work with
13 the Council to implement changes, are there things in
14 the offing that are not mentioned in your statement
15 that are in sort of like the incubation stage of how
16 we might make this a little better, or does the
17 legislation as written kind of speak to the, you
18 know, to the main thrust of we're going for?
19 Anything you could share in that realm, that'd be
20 appreciated.

21 DIRECTOR GOLUB: Yes, of course. Well,
22 first, thank you for acknowledging as well that it's
23 a very well-intentioned program, and we have been
24 studying all of the pinch points.

25

1
2 One of the ways in which we know that we
3 can improve the review process is to shorten the time
4 frame between reviews. And one of the ways that we
5 can do that is we have what is known as an erosion
6 sediment control, and that is what protects sites
7 during construction from any material leaving the
8 site, related, uh, runoff that might happen during a
9 rain event, while soil is exposed and disturbed.

10 And we have been receiving reports from
11 the engineers and the architects on how they might
12 control that potential for erosion during
13 construction. Sometimes these are over 100 pages long
14 with a lot of review back and forth. *You missed that,*
15 *you didn't include this.* So at this point, what we
16 think is a much better use of everyone's time is to
17 get that document, do one review, submit the
18 checklist, and say this is now approved, your erosion
19 sediment control. With the checklist, you know what
20 you need to do—in the field is where we really see
21 the problems. And that's where we want to focus our
22 attention, sending out inspectors when we have
23 problems, either citizen complaints or we want to
24 audit certain number of sites each and every year.

1 We think it's going to be a much better
2 use of everybody's time. Because you could have an
3 engineer and architect do a perfect job, even on an
4 erosion sediment control plan, but if the contractor
5 has no intention of complying, that's where the
6 problem occurs.
7

8 CHAIRPERSON GENNARO: Right. Well, we
9 certainly appreciate that. Because your testimony was
10 so comprehensive, that's all I have in my kind of
11 first round.

12 This is for Director Hutchinson from
13 MOCEJ. You talk on the second page of your statement,
14 or at least the second page of the statement that I
15 have in the large print edition. Thank you for
16 providing that; my eyesight is not what it used to
17 be.

18 Tell us a little more about the Blue Sky
19 Housing Mobility program. I'm not familiar with it.
20 You referred to it, and I'm going to use this
21 opportunity to get better familiar with those, along
22 with the millions of people in TV Land who are
23 watching us right now.

24 EXECUTIVE DIRECTOR HUTCHINSON: Thank you,
25 Council Member Gennaro, for the question.

1 While I was summarizing some of the things
2 that are keeping MOCEJ busy these days, one of those
3 things is launching a citywide Blue Sky Housing
4 Mobility Program that would be optional for people
5 who wanted to elect to move and have the City acquire
6 their property because they're facing extreme climate
7 risks—that the City have a program available for
8 those people that is not entirely reactionary during
9 storms, but it is available during all times, which
10 is why we call it a Blue Sky program.
11

12 CHAIRPERSON GENNARO: Where would the money
13 come from to do that?

14 EXECUTIVE DIRECTOR HUTCHINSON: We are
15 coordinating with the state to try to get some
16 funding for this. But we are, right now, going
17 through the process of program design and identifying
18 resources that would be available. And we have the
19 person here, Deputy Executive Paul Lozito, who is
20 designing the Blue Sky program right now and who
21 could also answer some more detailed questions for
22 you.

23 CHAIRPERSON GENNARO: Sure, if you wanted
24 just to state your name for the record and give us a
25

1 little overview of where you think this may go over
2 the short term.

3
4 DEPUTY EXECUTIVE DIRECTOR LOZITO: Sure.
5 Happy to answer your questions, Council Member.

6 So, as outlined in PlaNYC in 2023, we made
7 a commitment as an office to develop a Blue Sky
8 buyout program by 2026. Over the course of the last
9 year, we've been doing program development with a
10 constellation of agency partners. And what we are
11 doing in the program design process, while doing so,
12 is identifying how to identify volunteer parties that
13 would want to sell their property to the City. We're
14 trying to identify willing agency partners to acquire
15 the lands, because what we've found through this
16 process is that it's important to start at the end to
17 understand what you're going to do with the land,
18 because that helps give you a continuity of the
19 process for folks. And then we're working out many
20 additional details, including the funding and
21 financing.

22 As Director Hutchinson has outlined, we're
23 towards the tail end of the design of the process.
24 We're looking forward to sometime later this year
25 making available for public commentary our draft

1
2 recommendations for an Evergreen program design for
3 this program, which would be intended to be available
4 during what we call Grey Skies post-disaster, to be
5 scaled up to acquire lands wherever necessary and
6 prudent. But it would also, over the course of a
7 period of time, allow the city a framework to
8 identify properties, acquire those lands, and find
9 willing agency partners to allow homeowners in areas
10 of extreme flood risk to move out of harm's way.

11 CHAIRPERSON GENNARO: And this is all
12 willing buyer-willing seller. This is
13 (UNINTELLIGIBLE) eminent domain here...

14 DEPUTY EXECUTIVE DIRECTOR LOZITO: It's all
15 voluntary.

16 CHAIRPERSON GENNARO: And with regard to--
17 is it envisioned that something like this could
18 happen, absent significant, uh, state support or
19 state dollars? And I know that there are a lot of
20 state environmental programs that we don't really get
21 the benefit of. And we represent 45% of the state--
22 half of the state, whatever. But we get very meager
23 amounts when it comes to almost every environmental
24 program, either funded directly by Albany or federal
25 money that goes through Albany to us.

1
2 Any way to pull this off without money
3 that comes from outside the City's coffers?

4 DEPUTY EXECUTIVE DIRECTOR LOZITO: We're
5 currently in the process of trying to figure out
6 every creative means to resource the program. The
7 program design is intended to be flexible. So, to
8 your point, federal resources have historically been
9 available through the Community Development Block
10 Grant program, the FEMA Hazard Mitigation Grant
11 program, BRICK program, and other programs. We've
12 been in contact with our state partners on the up to
13 \$250 million available through the Environmental Bond
14 Act to acquire properties... (CROSS-TALK)

15 CHAIRPERSON GENNARO: Yeah, we're not
16 getting any Bond Act money, but still, like I said
17 before...

18 DEPUTY EXECUTIVE DIRECTOR LOZITO: And we
19 are looking at all...(CROSS-TALK)

20 CHAIRPERSON GENNARO: Yeah, okay.

21 DEPUTY EXECUTIVE DIRECTOR LOZITO: all of
22 our options.

23 CHAIRPERSON GENNARO: And, you know, to the
24 extent that we can, you know, that if the Council can
25 partner with you, we can partner with you to, you

1 know, do a resolution in support of the state, you
2 know, giving us our fair share of bond, that money.
3 And it's one thing just to say that in the abstract,
4 but also to point to specific things that we need
5 that Bond Act money for, you know, we remain ready
6 and willing to work with you to send a message to the
7 state if that would be helpful. So, thank you for
8 that.
9

10 Yeah. If I ask you about the financing
11 tools, the Local 197 will end up turning this into an
12 oversight hearing, which it's not. It's a legislative
13 hearing.

14 Oh, okay, I got a goodie for you, I got a
15 goodie for you, okay, about the Urban Forest Plan,
16 Parks Foundation, other stakeholders, which will
17 equitably expand the city's tree canopy to 30%.

18 Let me tell you what's going on. You may
19 or may not know this, but the Parks Department would
20 know this, and I have a bill in on this. Here's a way
21 to keep old-growth trees from coming down--every
22 street in New York City, the City retains for itself
23 a right of way, and that right of way--so, you know,
24 within that right of way, it controls activities
25 within that right of way. And people are limited as

1
2 to what they can do within the confines of that right
3 away. Now, in my area of Queens, the right of way
4 that the City reserves for itself, some streets, it's
5 50 feet wide, centered in the middle of the street.
6 And in some streets, it's 60 feet.

7 Let me just use my block for an example.
8 The right-of-way on my block is 60 feet wide. The
9 street is 28 feet wide. So when you go from the
10 center of the street, you go 30 feet each way, and,
11 uhm, 14 feet from the center of the street, you hit
12 the curb. So the City's right of way goes past the
13 curb, 16 feet past that. And so it goes past that
14 little grass strip between the sidewalk and the curb,
15 goes over the sidewalk, and goes on to the people's
16 front lawns. I live in a single-family neighborhood,
17 and so there are many times that I have seen old-
18 growth trees about to be cut down, and I call the
19 Forest Division or the Parks Department. I get them
20 out there. And they measure, and then if any part of
21 that tree--and, you know, a place like Jamaica, the
22 state says trees are like 100 feet tall. I mean, you
23 know, like you can't buy trees like that and the
24 canopy that they provide.

1
2 So I have a bill that we're trying to
3 advance, but if you want just to steal it and go and
4 do it as policy, that's fine. We can still do the
5 bill. But right now, I think one of the unprobed
6 areas in reducing the city's tree canopy is to make
7 sure that old-growth trees don't get cut down. And
8 this is a great way to do that, and it would require,
9 presumably, uh, tree contractors, you know, garden
10 services, whatever, but you know, like the people who
11 take down big trees, you know, for them to be--and
12 it's no secret who they are. They have some sort of
13 trade association or whatever. And whether they're
14 based within the city or outside the city, if they do
15 business with the city, we know who they are, and
16 there is going to be some way to, you know,
17 communicate with them about how they can ascertain
18 the right of way.

19 Let's say someone wants them to do a job,
20 and so they should look up whether or not that tree
21 is within the city's right of way. And if they want
22 to ignore that, I think that's where we come in and
23 indicate what they're going to be looking at. If they
24 remove a tree, there is a contract they should have
25 known better not to remove—akin to what a homeowner

1 would face from the Parks Department if they take
2 away a tree that's between the curb and the sidewalk.
3 Everybody knows that's a city tree. But there is this
4 notion among tree contractors, some of whom I think
5 know better, that if it's on the property side of the
6 sidewalk, that's four, five, six, seven, 10 grand,
7 whatever that's there for the taking by taking that
8 tree down. And they're going to take that tree down.
9 They're going to grind that stump, and within a
10 couple of weeks, no one is going to know that tree
11 was ever there.
12

13 And I don't know the extent to which the
14 tree has a sense of how many trees are within these
15 right of ways (sic). I don't think the city even
16 knows. I don't think they are mapped, so to speak. I
17 think certain city trees are mapped if they're
18 between the curb and the sidewalk.

19 But on the other side of the sidewalk, I
20 think that's the Wild West. But we tamed the Wild
21 West once upon a time in this country. Tamed it?
22 Well, we did whatever we did. But, I mean, how many
23 hundreds or thousands of old-growth trees are we
24 losing when they're just low-hanging fruit? And if we
25 put all our minds together, we could figure that out.

1
2 And I'm nodding to staff as well. I know we're
3 working on that bill, but you know, nothing is
4 stopping the people who are doing their urban forest
5 plan and all this. And like the tree canopy, the 30%,
6 nothing is stopping the City from just doing what it
7 needs to do to inform people, impose penalties, or
8 whatever. A homeowner who takes down a city tree,
9 it's a huge, you know, amount of money that they get
10 fined. So I'm just trying to preserve trees. You
11 know, and so are you.

12 Now, what I just said, did you know any of
13 that?

14 DEPUTY EXECUTIVE DIRECTOR LOZITO: We're in
15 the process, Council Member, of drafting the
16 recommendations for the Urban Forest Plan. We were
17 made aware of your bill. We're going to examine your
18 bill and see if it can be incorporated into the plan.
19 We're at the point now. We're talking with our city
20 agency partners. We have a stakeholder advisory
21 committee of public partners, private partners, and
22 nonprofit partners (INAUDIBLE)... (CROSS-TALK)

23 CHAIRPERSON GENNARO: Okay, well, the
24 answer is, should have been, like, "Of course, I knew
25 that, and working to, like, do that." You know?

1

DEPUTY EXECUTIVE DIRECTOR LOZITO: Okay.

2

3

CHAIRPERSON GENNARO: And, so, uhm, yeah,

4

that is something we have on our mind.

5

EXECUTIVE DIRECTOR HUTCHINSON: I wanted

6

to add, we also have a citywide survey on the urban

7

forest that's live right now. If people are looking

8

to provide input to us, we've done borough-based

9

kickoffs of the Urban Forest plan that has just

10

completed. We started in Staten Island a couple of

11

weeks ago, and we just completed our citywide virtual

12

kickoff. But if people have more input or want to

13

give us more ideas for the Urban Forest plan...

14

(CROSS-TALK)

15

CHAIRPERSON GENNARO: Well, I think

16

certainly it would be very important to include

17

trees...

18

EXECUTIVE DIRECTOR HUTCHINSON:

19

Absolutely.

20

CHAIRPERSON GENNARO: That within the

21

city's domain, that are inside this city's right of

22

way, those are New York City trees, and no one gets

23

to, you know, mess with them.

24

I planted two trees right at the front of

25

my-- I planted two trees, and I know that they are

1
2 city trees now. And I get that, but how many people
3 know that? So, to the extent that there's a mapping
4 effort going on right now, I think it should endeavor
5 to include trees that are within the city's right of
6 way and therefore cannot be cut down by homeowners.
7 And I'm not making this up. I mean, I have called the
8 Parks Forestry Division, they come out to where the
9 person is just about to fire up the chainsaw, and
10 they take a measurement, and if any part of that tree
11 is inside the city's right of way, then the tree
12 can't come down. So, there you have it.

13 All right, I will do my formal questions,
14 so that's my first pass on MOCEJ. And what happened
15 to Buildings? I think I can get to this in my formal
16 questions. So, Department of Buildings, you're off
17 the hook for right now.

18 Okay, I will come back with my formal
19 questions, but it is my pleasure to recognize my good
20 friend Council Member Bob Holden for his questions.
21 Bob, you are recognized.

22 COUNCIL MEMBER HOLDEN: Thank you, Chair.
23 Thank you, everyone, for your testimony.
24
25

1
2 A couple of questions about the
3 environmental justice communities: Is it solely based
4 on income?

5 EXECUTIVE DIRECTOR HUTCHINSON: No, we
6 have metrics that we've developed in coordination
7 with the state using their disadvantaged criteria.
8 And when we pull them together in environmental
9 justice communities or neighborhoods, we are pulling
10 census tracts together that are contiguous, that have
11 a certain set of criteria that we then group together
12 and call those environmental... (CROSS-TALK)

13 COUNCIL MEMBER HOLDEN: So, for instance,
14 my communities, which are the middle-income, I would
15 say, working-class areas, but as far as environmental
16 challenges, let's talk about that. Because I don't--
17 I'm not included, at least my communities were told
18 we're not included in the environmental justice
19 communities. That means I can't get trees planted
20 until 2036 now from the New York City Parks
21 Department, because I'm not an environmental justice
22 community. Yet--let me just ask the question--yet I'm
23 under, my communities are under a takeoff and landing
24 pattern of LaGuardia Airport. That's the one. We also
25 have the Long Island Expressway cutting through our

1 neighborhoods. We have the BQE cutting on the edge of
2 our district. And now I've got the Jackie Robinson.
3 And since we're 100 feet above sea level, most of my
4 district gets storms that knock out a good percentage
5 of our trees. Yet, I put in money for tree planting,
6 and I can't get it because it's going to be way into
7 the future. I might not even be on this planet
8 anymore before I see another tree, even though I put
9 money into my budget. So I just had a storm yesterday
10 that knocked out several trees, because again, we're
11 on a higher elevation in most of my district.

12
13 So I'm asking you, how do I get on the
14 list? Because we are faced with all these challenges
15 of pollution. We are faced with, you know, we love
16 trees. Yet, I've spoken to DEP many times at these
17 hearings when I got the utility coming in putting in
18 gas lines, and then we have more concrete than when
19 we started. Commissioner, how can we get to a point
20 where I could say, I have to get more grass in my
21 community on, you know, on the curb, and yet, every
22 time, for years now I've been asking—I got a project
23 starting up today—they're doing every block, and I
24 get more concrete and less grass at this strip. What
25 are we doing about that?

1
2 Again, I get nowhere at these hearings.
3 Nothing happens. So, I'm going to get more concrete.
4 I got front yards--DOB, by the way, telling me that
5 there's no violation, when I have photographs of the
6 guys paving over this entire front yard. So, we're
7 putting bioswales in, and yet we are losing ground
8 here. And I have tremendous stormwater runoff into
9 the Newtown Creek, which gets more polluted.

10 So, I'm trying to combat all of this, but
11 I am getting no cooperation from any of the agencies
12 that you represent. And that's true because the proof
13 is in, uh, I am going to show you photographs,
14 hundreds of photographs, where I have more concrete
15 after a utilities project. Yet, nobody is stepping
16 in.

17 Can anybody answer that? When are we going
18 to see some relief on utilities, telling them they
19 have to put a grass strip at the curb, which is City
20 property? Why are they concrete? Why is it all
21 concrete? What's DEP doing about it... (CROSS-TALK)

22 CHAIRPERSON GENNARO: I'm not going to jump
23 in and...

24

25

1
2 COUNCIL MEMBER HOLDEN: What's
3 Environmental Justice doing about? What's DOB doing
4 about it... (CROSS-TALK)

5 CHAIRPERSON GENNARO: I'm not going to
6 cross swords with Bob if you're waiting for me. You
7 know? So...

8 EXECUTIVE DIRECTOR HUTCHINSON: I can...
9 No, no, no. I can--we can follow up with you on who
10 would be the best person to answer a question about
11 the sidewalk, but we're not DOT here at the moment.
12 But... you will? Okay, sure.

13 DEPUTY COMMISSIONER LICATA: Thank you,
14 Council Member. And we did look into that. The
15 problem, as I understand it, is they're just not
16 required to do it. And there is no, uh, I think we
17 would possibly need to have some kind of legislation.
18 We may need to have a rule change... (CROSS-TALK)

19 COUNCIL MEMBER HOLDEN: Yeah, see, that's
20 why I ask...

21 DEPUTY COMMISSIONER LICATA:
22 (INAUDIBLE)... (CROSS-TALK)

23 COUNCIL MEMBER HOLDEN: And I didn't get--I
24 never a got an answer. At the last hearing, I asked
25 that.

1
2 DEPUTY COMMISSIONER LICATA: Well, we do
3 look into (INAUDIBLE)... (CROSS-TALK)

4 CHAIRPERSON GENNARO: Let me jump in for a
5 second, if I could, just make a note to staff, to
6 Josh. Like he was going on, right? And so why don't
7 we just put in, you know, put in an LS request...

8 COUNCIL MEMBER HOLDEN: We did.

9 CHAIRPERSON GENNARO: And... Oh? Okay.

10 COUNCIL MEMBER HOLDEN: We did. However...

11 CHAIRPERSON GENNARO: Well...

12 COUNCIL MEMBER HOLDEN: That's gonna take--
13 again, it won't be in this Council probably. But, I
14 don't think that the City can say, "Well, we need
15 legislation." I just think it's City (TIMER)
16 property. You just have to--You could do an executive
17 order. The Mayor's Office could do an executive
18 order, say, we, you know, again, we have a stormwater
19 problem, especially in the 30th district, it runs
20 into the Newtown Creek. What are we doing about it?
21 You're putting in bioswales for billions of dollars,
22 yet you're losing ground on storm runoff.

23 EXECUTIVE DIRECTOR HUTCHINSON: We're in
24 the process right now of coming up with the
25 recommendations, the policy recommendations that will

1
2 come out of the Environmental Justice Plan. So we can
3 take this, we can talk with the agencies, we can
4 analyze it and understand what the barriers and
5 limitations are, and then suggest some policy
6 proposals and recommendations... (CROSS-TALK)

7 COUNCIL MEMBER HOLDEN: Yeah, and then you
8 guys, and then the... Yeah...

9 EXECUTIVE DIRECTOR HUTCHINSON: That would
10 be part of the EJNYC... (CROSS-TALK)

11 COUNCIL MEMBER HOLDEN: Yeah. And then,
12 DEP, the Commissioner comes out in favor of the City
13 of Yes, which is going to create more concrete. And I
14 think there was a conflict—and I told him that—
15 there was a conflict with being the Climate Czar and
16 then being the DEP Commissioner. Because what you're
17 doing is you're creating more concrete, you're
18 creating more building space in challenged
19 neighborhoods, and then you're not coming up with a
20 solution for storm runoff. So these are basic stuff--
21 You can come up with all the task forces, all the
22 committees you want, but on the boots on the ground,
23 nothing is happening, and we're losing the battle.
24 And the Newtown Creek gets more polluted, and I get
25

1 more flooding, and I have more pollution. Thank you.

2 Thank you, Chair.

3
4 CHAIRPERSON GENNARO: Thank you, uh, thank
5 you. Did you want to follow up on that?

6 EXECUTIVE DIRECTOR HUTCHINSON: I did want
7 to add that we are looking specifically at concrete
8 and low-carbon alternatives and substitutes for
9 concrete through Executive Order 23, which we had two
10 years ago from the Administration to look at new ways
11 of decarbonizing some of our capital projects and
12 looking at embodied carbon. So it is a work effort
13 and separate work stream to try to decarbonize some
14 of those pieces, specifically looking at concrete and
15 steel as being particularly problematic in the
16 construction sector. And it's something that we're
17 looking at as part of our Clean Construction
18 Initiatives. So this is a topic we're looking at.
19 Thank you... (CROSS-TALK)

20 CHAIRPERSON GENNARO: Okay, yeah, let me
21 just jump in with a couple of observations. First of
22 all, Council Member Holden, you know, we all are red,
23 but when it comes to the City of Yes, I mean, it's
24 the Mayor's program. He's the Mayor's commissioner. I
25 don't know how much latitude he had to like kind of

1 not get behind City of Yes. That's just kind of like
2 how that goes. And, I'm also directing staff to take
3 a look at the bill that you indicate, uh, Council
4 Member Holden, has already been put in. Was that from
5 you, Bob? Was that your bill?

6
7 COUNCIL MEMBER HOLDEN: I'm sorry, I
8 couldn't hear.

9 CHAIRPERSON GENNARO: No, because I said
10 that... (CROSS-TALK)

11 COUNCIL MEMBER HOLDEN: We put in a
12 request...

13 CHAIRPERSON GENNARO: Yeah.

14 COUNCIL MEMBER HOLDEN: From the last
15 hearing, because I asked... (CROSS-TALK)

16 CHAIRPERSON GENNARO: Oh, okay, I mean, uh,
17 your office, right?

18 COUNCIL MEMBER HOLDEN: Yeah, I think I--
19 we were talking to your office, too. So, I think we
20 both put in a request. I think your office might have
21 done it, too.

22 CHAIRPERSON GENNARO: Okay, well, I can...

23 COUNCIL MEMBER HOLDEN: You'll be here next
24 year, not me, so that's why.

1
2 CHAIRPERSON GENNARO: I--yeah, I wake up
3 every day and say, Okay, I'm glad for another day. So
4 let me just add to that, God willing. And so I'll ask
5 the committee counsel to--and if a bill is in and
6 it's not mine, this is like a veil of, you know,
7 confidentiality and privilege that's, you know,
8 that's around that. But you know, if you want to
9 suspend your privilege and get me and my team to take
10 a look at it, then we can do--although it would go to
11 yeah--I would ask the committee counsel, you know, to
12 engage with your legislative director and just see
13 what planet that that-- or where that Legal Services
14 Request, that bill drafting request is, where that's
15 right now. It sounds important, and as chair, if I
16 could help to move it along, I would certainly like
17 to do that. But thank you, Council Member Holden, for
18 bringing good common-sense issues to light as you
19 always do, so thank you.

20 (PAUSE)

21 CHAIRPERSON GENNARO: Okay, the Department
22 of Buildings is no longer off the hook. Okay, in your
23 statement, you make the statement, and I can see the
24 paper now, but now when I look at you, I really can't
25 see anything. Now I can see you. You know, but now I

1 can't see this. All right, I know you're there. Now I
2 don't know where you are. But, in your statement,
3 let's see, "Given the existing requirement for
4 Buildings to install solar or green roofs (INAUDIBLE)
5 in the upcoming enhancements, and the upcoming
6 enhancements of both the New York City and State
7 Energy codes, we believe that the proposed study is
8 not necessary." I just want you to elaborate a little
9 more on that. You know, you obviously have looked at
10 it--Oh, hang on. I thought the Council Member,
11 Council Member Abreu, might be here. It's his bill.
12 He's not. But if you can elaborate a little more on
13 why you think that the study that he calls for in his
14 bill, am I on that bill? Am I on the bill?
15 (UNINTELLIGIBLE) Okay, I'm on the bill. Just
16 elaborate a little more. Because, you know, sometimes
17 we get a reply like, "Good intent, we want to work
18 with you", and stuff like that. Normally, we don't
19 get the point-blank "The proposed study is not
20 necessary." But if you can expand a little bit on
21 that?
22

23 DIRECTOR GOLUB: Sure, absolutely.

24 CHAIRPERSON GENNARO: And now I'm putting
25 my glasses on so I can see you as you're...

1 DIRECTOR GOLUB: (LAUGHS) Great. So, as I
2 described in my testimony... (CROSS-TALK)

3 CHAIRPERSON GENNARO: Oh, you've got to
4 turn your mic on.

5 DIRECTOR GOLUB: Is it--hello, can you hear
6 me?

7 CHAIRPERSON GENNARO: Yeah, you got to move
8 close, yeah.

9 DIRECTOR GOLUB: Great. Okay, so as I
10 described in my testimony, the Council did pass Local
11 Laws 92 and 94 in 2019. So those laws include a
12 requirement for any building, any new building, or
13 any building doing significant construction on its
14 roof, to install as much solar, or green roof, or
15 both, as possible. And, in coordination with that
16 law, there is a state property tax abatement to cover
17 a good proportion, up to 30% of the costs of the
18 installation. So we have seen solar jobs steadily
19 increasing.

20 CHAIRPERSON GENNARO: Right.

21 DIRECTOR GOLUB: We do know of some
22 barriers to installation, for example, there might be
23 mechanical equipment on a roof that makes it
24 prohibitive, or a roof might be shaded or vulnerable
25

1 to development that would result in shade. So, not
2 every building is a good candidate for solar. But we
3 don't have a concern about the buildings that are
4 good candidates, seeing that as an attractive option.
5

6 CHAIRPERSON GENNARO: Okay. Yeah, I just
7 want to get that on the record, so thank you for
8 that.

9 DIRECTOR GOLUB: Great.

10 CHAIRPERSON GENNARO: I'm being coached. If
11 you don't like the question, it's her fault. Okay,
12 how would commercial solar-ready measures differ from
13 residential solar-ready measures? Does that have
14 enough context that you can answer that?

15 DIRECTOR GOLUB: Yeah, that's fine.

16 CHAIRPERSON GENNARO: Yeah.

17 DIRECTOR GOLUB: So the way the bill
18 defines commercial, it references the energy code, so
19 it's really a matter of residential being small one
20 to four-family homes, like you described in your
21 neighborhood, and then commercial is essentially
22 everything else. So, the technology that is needed to
23 prepare a building that is a small one to four family
24 homes, or any building that can be as big as, you
25 know, the buildings covered by Local Law 97, 25,000

1 square feet or more, the technology or the technical
2 requirements are different. But there are no really
3 structural barriers for commercial buildings to be
4 solar-ready. It's more about the roof itself being
5 able to support the solar panels, and whether that
6 roof would be a good producer of energy due to shade
7 or other issues. For the energy use in the building,
8 the times at which the solar would be active might
9 not match the use of the building. So there are a lot
10 of reasons why solar makes sense for some commercial
11 buildings and not others. But it's not because of
12 structural barriers.
13

14 CHAIRPERSON GENNARO: Okay, thank you.

15 Okay, I have a question about Intro 1271,
16 the EJ bill, in relation to requiring review of the
17 long-term sustainability plan by the--oh, yeah, okay.
18 How would greater involvement by EJ improve PlaNYC? I
19 mean, you already testified that you have a--well,
20 let me not put words in your mouth. I asked a
21 question; I should be polite enough to let you answer
22 it.

23 EXECUTIVE DIRECTOR HUTCHINSON: Sure, and
24 we appreciate the question because there are so many
25 different ways in which the Environmental Justice

1
2 Advisory Board works with us both on PlaNYC, and just
3 on the normal development of policy and programs.

4 CHAIRPERSON GENNARO: Who makes those
5 appointments, by the way, to the EJAB?

6 EXECUTIVE DIRECTOR HUTCHINSON: Sure. So,
7 currently, the EJAB is co-chaired with us with the
8 WEAP (Worker Environmental Awareness Program)
9 Environmental Justice, and we have...

10 CHAIRPERSON GENNARO: Right.

11 EXECUTIVE DIRECTOR HUTCHINSON:
12 representatives who are appointed both by the Mayor
13 and the Council, who are on the board.

14 CHAIRPERSON GENNARO: No, I just wanted to
15 know. You don't have to read the names of the people
16 who are on it. I just want to know the process,
17 that's all.

18 EXECUTIVE DIRECTOR HUTCHINSON: So EJAB was
19 just stipulated and has come together, and it's only
20 in its second year, since we were established as an
21 environmental justice...

22 CHAIRPERSON GENNARO: Right.

23 EXECUTIVE DIRECTOR HUTCHINSON: body, in
24 addition to a climate office. We still do need

1 Speaker and Council appointments for a Environmental
2 Justice Advisory Board. So there's been some...

3
4 CHAIRPERSON GENNARO: Shame on us.

5 EXECUTIVE DIRECTOR HUTCHINSON: (INAUDIBLE)
6 has been somewhat of a backlog. But there is a lot of
7 coordination and transition going on. So, we have a
8 robust, active a Environmental Justice Advisory Board
9 currently...

10 CHAIRPERSON GENNARO: Right.

11 EXECUTIVE DIRECTOR HUTCHINSON: And we are
12 currently working with both the formal appointees and
13 others who we consider plan contributors. So we don't
14 try to limit engagement through the Environmental
15 Justice Advisory Board; we have others who also
16 coordinate with us. But the Environmental Justice
17 Advisory Board, in our proposed modification to your
18 recommendation...

19 CHAIRPERSON GENNARO: Right.

20 EXECUTIVE DIRECTOR HUTCHINSON: We are
21 interested in getting their input and feedback
22 earlier and informing the...

23 CHAIRPERSON GENNARO: Right.

24 EXECUTIVE DIRECTOR HUTCHINSON: and
25 informing the analysis. As we know from working on

1 the Environmental Justice Advisory Board, we can't do
2 environmental justice by adding it on at the end. And
3 it is important for procedural justice to include
4 them in the formulation of the recommendations. So,
5 we agree with your...
6

7 CHAIRPERSON GENNARO: Yeah.

8 EXECUTIVE DIRECTOR HUTCHINSON:
9 wholehearted attempt to include environmental justice
10 and actually suggest just some process improvements
11 to make sure we truly get... (CROSS-TALK)

12 CHAIRPERSON GENNARO: Yeah, can, uh...

13 EXECUTIVE DIRECTOR HUTCHINSON:
14 coordination with them.

15 CHAIRPERSON GENNARO: Just hang on one
16 second.

17 (PAUSE)

18 CHAIRPERSON GENNARO: We would be most
19 receptive to any kind of language changes that you
20 could put forward to help us achieve, you know, what
21 you think would be a way forward for this bill, in
22 getting folks in earlier at the front end rather than
23 at the back end. So we would be very receptive. And
24 you know how to contact the Committee Counsel. So we
25 would appreciate that.

EXECUTIVE DIRECTOR HUTCHINSON: Thank you.

CHAIRPERSON GENNARO: Sure, you bet.

Okay, moving on to Intro 1302, this is the reporting consolidation bill. There are a whole bunch of questions; let's jump to question four. Question one, two, three didn't, they didn't make it.

This bill dissolves the New York City Climate Change Adaptation Force. It consolidates the report regularly published by the task force with the City's Climate Adaptation Plan. So, you know, it's kind of a big move there. And does MOCEJ believe it's appropriate to dissolve the Climate Adaptation Task Force? I mean, I actually created it, but I am always trying to do different things and figure out-- move the chess pieces around on the board to get to checkmate faster. You know?

So, there's the question. Does MOCEJ believe it is appropriate to dissolve the Climate Adaptation Task Force, of course, given what we have proposed happens after that?

EXECUTIVE DIRECTOR HUTCHINSON: Yes, we proposed a new structure for coordination through a task force that would include representation and additional topics, and actually expand what we

1 currently use the Sustainability Advisory Board for—
2 and these other task force for—to be in one new
3 integrated task force covering multiple topics, and
4 then dividing that task force into subsets of topic
5 areas so that people with unique specializations and
6 interests, whether it's on energy policy or
7 resilience or adaptation, can participate within
8 those more smaller dedicated forums. But the goal is
9 to actually bring them all together so that they can
10 synthesize and report information in ways that are
11 truly helpful to the Council and the public.
12

13 CHAIRPERSON GENNARO: Yeah, I would tend to
14 agree. I am a real enemy of sort, like the silo
15 mentality. We have various silos doing what they're
16 doing and not talking to one another. It's not the
17 same kind of open collaboration that you would have
18 if everybody were getting together and just going
19 through it. So, thank you for that answer.

20 Pursuant to Local Law, the City's Climate
21 Adaptation Plan must propose additional strategies to
22 address climate change. Arguably—I love to argue—
23 arguably, the most recent Climate Adaptation Plan,
24 Adapt NYC, does not fulfill this requirement as it
25 primarily summarizes existing climate change

1 adaptation strategies. So what does this say? It says
2 that the whole goal--so sub question, the question
3 that follows that statement: Will the Administration
4 commit to considering new climate adaptation
5 strategies and the next Climate Adaptation Plan,
6 which will be required in 2028, if this bill were to
7 be enacted?

9 DEPUTY EXECUTIVE DIRECTOR LOZITO: Thank
10 you for your question. So the answer to your question
11 is, yes. Part of the benefit of the consolidated
12 planning effort is that we will be able to appreciate
13 adaptation, sustainability, and energy all at the
14 same time. So that will help us really isolate and
15 hone in on additional risks that might emerge over
16 the course of a period of time, as well as visiting
17 adaptation as part of our normal processes on a more
18 frequent basis.

19 CHAIRPERSON GENNARO: Thank you, I
20 appreciate that.

21 (PAUSE)

22 CHAIRPERSON GENNARO: Okay, going back to
23 the whole SWPTS thing, uh, question. What's the
24 difference? At the basic level, what's the difference
25 between a stormwater construction permit and a

1 stormwater maintenance permit? New Yorkers want to
2 know, you know?

3
4 DEPUTY COMMISSIONER LICATA: The stormwater
5 construction permit is what allows for the post-
6 construction stormwater measure to be implemented,
7 and the maintenance permit is what comes at the very
8 end of the line, which allows for continued
9 inspection and enforcement.

10 CHAIRPERSON GENNARO: Okay.

11 DEPUTY COMMISSIONER LICATA: So...

12 CHAIRPERSON GENNARO: I...

13 DEPUTY COMMISSIONER LICATA: At its most
14 simply put.

15 CHAIRPERSON GENNARO: Yes, and all New
16 Yorkers are breathing a sigh of relief now that they
17 know that.

18 DEPUTY COMMISSIONER LICATA: (LAUGHS)

19 CHAIRPERSON GENNARO: So, how long does DEP
20 take to issue a stormwater permit today? And
21 following that up, how does this duration impact
22 building development and the city in general? I guess
23 that's what we are trying to get at. But, please...

24 DEPUTY COMMISSIONER LICATA: Yeah, frankly,
25 in our opinion, obviously, Commissioner Aggarwala and

1 the whole DEP team support the Mayor's agenda for
2 affordable housing, and we want to see the burden
3 eased on the development community. So the whole
4 process is taking too long. It's a short answer. It's
5 somewhere between seven and nine months, and there's
6 a lot of hand-holding going on. There's been an awful
7 lot of training, but the program itself, obviously,
8 there is a ramp-up. There's information that needs to
9 be exchanged, lessons that need to be learned, and
10 developers who want to test our mettle in terms of
11 the hierarchy for green infrastructure. *Do we really*
12 *mean it? Can they get away with something less than*
13 *that?*

14
15 So there have been a lot of growing pains,
16 and I believe that will be eased. But there are also
17 a lot of process improvements that are necessary, and
18 we are firmly committed and understand that we can
19 still achieve our goals and ease the burden for time
20 on developers.

21 What we would ultimately like to see is no
22 greater than two submissions. So they submit an
23 application, we may have comments, they address the
24 comments, and they're done. Now what we're seeing is
25 sometimes four passes back and forth... (CROSS-TALK)

CHAIRPERSON GENNARO: (INAUDIBLE) Yeah.

DEPUTY COMMISSIONER LICATA: Yeah.

CHAIRPERSON GENNARO: Well, thank you for that. And thank you for the approach. I mean, I've been in government for 42 years, and so often I have seen reluctance and recalcitrance, big word, you know, on the part of government that is--usually their answer is, "We came up with this, and this is the way we do it. And that's that." So this is not what we are getting with the Adams Administration and with the DEP. We see a problem, and we try to figure out a way to do it better. So, I've always appreciated the cooperation that DEP tries to provide when faced with a problem that can be made better.

(PAUSE)

CHAIRPERSON GENNARO: We're getting close, we're getting close. This is still a SWPTS thing. How will increasing the maximum penalty for violations of the water pollution control code to \$15,000 improve the permitting process?

DEPUTY COMMISSIONER LICATA: We spoke a little bit about that earlier, whereby we're going to put less burden on review of the Erosion Sediment Control Plans and place more emphasis on inspection

1 in the field. And this will protect the good actors,
2 right? So they're going to move more quickly through
3 the process, and those who want to defy the Erosion
4 Sediment Control Plans that they've submitted that
5 are on file, or that they know must be implemented in
6 accordance with the regulations, and with our design
7 manuals, they'll be the ones who receive those higher
8 penalties.
9

10 CHAIRPERSON GENNARO: Right, okay. So, I
11 mean, uhm, the phrase "carrot and stick" means
12 something. And that is our time-tested concept.

13 This gets to the New York State Climate
14 Smart Community pledge. We have two questions on
15 that. To what degree can state climate grant funding
16 make up for the loss of federal climate funding under
17 the current presidential administration? Yeah, state
18 funding, federal funding, tough question. But to what
19 degree can state climate grant funding make up for
20 the loss of federal climate funding under the current
21 presidential administration?

22 EXECUTIVE DIRECTOR HUTCHINSON: It's high.
23 We need every dollar we can get, and we've always
24 been pursuing all avenues. Our agency, MOCEJ, was the
25 beneficiary of a lot of federal funding through the

1
2 IRA Bill and other discretionary programs that are at
3 risk, particularly resilience funds and environmental
4 justice funds, particularly those through the EPA.

5 We are assessing for each one of the
6 things that we're trying to do, how to do them still,
7 and put one foot in front of the next, and find
8 alternative sources of funding. But we absolutely
9 need to have conversations with the state about fair
10 share in New York City and getting every available
11 resource that we can to meet our local programs. And
12 we're actively looking at everything we're trying to
13 do in pivot resources accordingly.

14 CHAIRPERSON GENNARO: And, just for the
15 benefit of the public who may be watching, or who may
16 see this, can you characterize, you know, so far,
17 uhm, the landscape with regard to the federal funding
18 and environmental initiatives? Just paint a picture
19 of how things have gone, what has dried up, and what
20 may dry up, for the people who may want to be
21 enriched by the information. What's your assessment
22 of that?

23 EXECUTIVE DIRECTOR HUTCHINSON: Sure, we
24 have several different funding sources and agencies
25 that we tap into, particularly NOAA, the Department

1 of Energy, EPA, and HUD are some of the big agencies
2 of money that we spend. Discretionary programs--or
3 sorry programs that were passed through
4 authorizations through Congress, like CDBG-DR funds
5 (Community Development Block Grant funds) and IDA
6 (Individual Development Account) funds are harder to
7 go after, because of the nature in which that funding
8 was appropriated. Where we're seeing the most
9 vulnerability and risks are the federal funds to the
10 agencies whose climate priorities or environmental
11 justice priorities are fundamentally being
12 questioned, or there are questions about the criteria
13 that were used to prioritize disadvantaged
14 communities, including whether they are considered
15 race-based or other criteria that are being
16 questioned under the courts currently.

17
18 We are moving forward with what we can
19 move forward with, including some recent Department
20 of Energy grant funding to improve our inventory, to
21 improve how we're accounting for greenhouse gas
22 emissions. There are other pools of funds that are in
23 question, including FEMA and the BRICK program, which
24 have direct community impacts and I think impact a
25 lot of projects across the city—including

1 environmental justice funds, WEAP, and the funding
2 for Fordham and other partners that were going to be
3 by our side doing this work. So, we're all trying to
4 figure out what to do right now, what's stopping, and
5 what's starting, what's able to move forward, and
6 where we can't move forward.
7

8 It is challenging because what's
9 concerning is that the federal government is also
10 rescinding rules and other policy frameworks that
11 allow for public participation, public comment on
12 federal actions as they start to undo the policy, and
13 regulatory frameworks that guide a lot of this work.

14 So we're also actively working with our
15 law department and others to come up with legal
16 strategies, other types of strategies to try to stop
17 the defunding of our work and lift the restraining
18 orders or other notices that our office has received
19 to hold or a freeze on funding.

20 CHAIRPERSON GENNARO: Okay, well, thank you
21 for, uhm, painting that picture and putting that out
22 on the record, and I think it's important to do that.

23 Finally, you know the resolution, you've
24 read it, and you've looked at it. Are there other
25

1 benefits, in your estimation, to adopting this
2 resolution? A softball.

3
4 DEPUTY EXECUTIVE DIRECTOR LOZITO: Short
5 answer is it makes us more competitive for the
6 Climate Smart Communities Grant Program at the state,
7 whereas Director Hutchinson said we were able to
8 receive resources last year to help enhance our
9 greenhouse gas inventory, as well as potentially
10 other state grant opportunities. They look highly on
11 designating a community as a climate-smart community.

12 CHAIRPERSON GENNARO: Thank you, I
13 appreciate that. And with that, uh, we have no more
14 questions for this panel. We appreciate the fact
15 that, you know, we got three rounds of testimony. I
16 heard it was going to be one person testifying for
17 everybody, and then questions or whatever, and I like
18 this format better where everybody gets to speak for
19 their own agency. That is the way I like it, and it
20 was a pleasant surprise to see that that's how it all
21 shook out. So, yeah, we look forward to working with
22 you going forward. And, we're just going to take a
23 minute recess or whatever.

24 (PAUSE)

1
2 CHAIRPERSON GENNARO: Okay, now we are
3 going to start the public comment period. This is the
4 boilerplate that I have to put on the record:

5 I will now open the hearing for public
6 testimony. I remind members of the public that this
7 is a formal government proceeding and that decorum
8 shall be observed at all times. As such, members of
9 the public shall remain silent at all times.

10 The witness table is reserved for people
11 who wish to testify. No video recording or
12 photography is allowed from the witness table.
13 Further, members of the public may not present audio
14 or video recordings as testimony, but may submit
15 transcripts of such recordings to the Sergeant at
16 Arms for inclusion in the hearing record.

17 If you wish to speak at today's hearing,
18 please fill out an appearance card with the Sergeant
19 at Arms and wait to be recognized. When recognized,
20 you will have two minutes to speak on the legislation
21 and the resolution being heard today at this hearing.

22 If you have a written statement or
23 additional testimony you wish to submit for the
24 record, please provide a copy of that testimony to
25 the Sergeant at Arms.

1
2 You may also email written testimony to
3 testimony@council... That is C O U N C I L, so that's
4 testimony@council.nyc.gov within 72 hours after the
5 close of this hearing. Audio and video recordings
6 will not be accepted.

7 So, I don't believe we have an [in-person]
8 panel. So, now we are going to the protocol for Zoom
9 testimony.

10 We will now turn to remote testimony. Once
11 your name is called, a member of our staff will
12 unmute you, and the Sergeant at Arms will give you
13 the go-ahead to begin. Please wait for the Sergeant
14 at Arms to announce that you may begin before
15 delivering your testimony.

16 Okay, the first witness, no stranger to
17 this Council, someone who worked here for many years
18 as a committee counsel, back in the day, he is a
19 representative of the Queens and Bronx Building
20 Association, and his name is Robert Altman. So, I
21 recognize Robert Altman. Now you have to wait for the
22 sergeant to give the go-ahead.

23 SERGEANT AT ARMS: You may begin.

24 ROBERT ALTMAN: Thank you. As the Chair
25 said, I am Robert Altman. I'm here to testify on

1
2 behalf of the Preconsidered Intro for the Queens &
3 Bronx Building Association.

4 First of all, the Association would like
5 to thank the Council Member and the Department of
6 Environmental Protection for hearing our concerns
7 about the length of time to get approvals on
8 Stormwater Pollution Prevention Plans. This is an
9 area of concern not only for the industry, but a
10 number of Council Members have also expressed concern
11 to us about the delays the current set-up creates
12 regarding parks and other projects that are important
13 in their districts. This bill represents an excellent
14 first step in addressing everyone's concerns.

15 Second, we would like to request and look
16 forward to working with your office, Mr. Chair, and
17 DEP's office in the drafting of the regulations. We
18 hope that these regulations are drafted expeditiously
19 so that other concerns can be addressed and so that
20 we achieve the twin goals of speedier approvals and
21 the minimization of stormwater pollution.

22 Again, thank you, and we support the bill.

23 CHAIRPERSON GENNARO: Thank you, Robert. As
24 you heard during the testimony, the Adams
25 Administration and DEP are deeply committed to making

1
2 sure that we get the best result with a minimum of
3 paperwork and lengthy delays. We want to streamline a
4 program that works for everyone, and we've had a good
5 relationship to get to this good day. And we
6 continue--and we pledge to continue that. I'd like to
7 thank you and the Queens & Bronx Building
8 Association, and other organizations, who provide
9 critical feedback as people who have to work under
10 the SWPTS program. It has been very helpful to work
11 with this. So, I certainly appreciate your thanks,
12 but, uh, please accept my thanks, and my thanks to
13 your members, for the very calm, sober, deliberate
14 way, not complaining, but seeking to go forward and
15 choosing to, you know, light a candle rather than
16 curse the darkness. So, we treasure our, you know,
17 working relationship with you and other builders. And
18 that will continue, you have my word, and have a good
19 weekend, Robert.

20 ROBERT ALTMAN: Thank you. You, too, Mr.
21 Chair.

22 CHAIRPERSON GENNARO: And our next witness
23 is Alia--Oh, I'm sorry, my eyes are not what they
24 used to be, our next witness is Michelle Luebke from
25 the SWIM Coalition.

SERGEANT AT ARMS: You may begin.

MICHELLE LUEBKE: Thank you. Sorry, I
accidentally muted myself again.

Good afternoon. My name is Michelle
Luebke, and I am the Program Manager at the
Stormwater Infrastructure Matters (SWIM) Coalition.
Thank you for the opportunity to deliver public
testimony, and thank you to Chairman Gennaro and
members of the Committee for your leadership on
behalf of environmental protection, climate
resiliency, and protecting water resources in New
York City.

SWIM Coalition is a group of 70
organizations dedicated to ensuring swimmable and
fishable waters around New York City through
sustainable stormwater management practices—both
green and grey infrastructure. SWIM Coalition has
long advocated for nature-based solutions to address
flooding, stormwater, and climate resiliency, not
only because green infrastructure has the capability
to manage water and highly urbanized areas, but also
because of the myriad co-benefits associated with
greening our cities.

1 COMMITTEE ON ENVIRONMENTAL PROTECTION,
2 RESILIENCY, AND WATERFRONTS

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3 In terms of Intro 499, while the SWIM
4 Coalition supports climate change and resiliency
5 measures, we would like to see a broader
6 implementation of green roofs in conjunction with
7 solar, since the co-location of the two optimizes the
8 function of both.

9 And we reiterate what the DOB said about
10 Local Law 9294.

11 In terms of 1271, as environmental justice
12 advocates, the SWIM Coalition supports the
13 recommendations of the Mayor's Office of Climate and
14 Environmental Justice to include the Environmental
15 Justice Advisory Board in the process of developing
16 the plans, reviewing the drafts, and proposing
17 revisions of long term sustainability plans like
18 PlaNYC with the Office of Long Term Planning and
19 Sustainability and Support giving the EJAB power to
20 participate in the process, not just review and make
21 revisions prior to the finalization of any long term
22 sustainability plans.

23 In terms of Preconsidered 3757, the SWIM
24 Coalition supports the Department of Environmental
25 Protection (DEP) in fully implementing the Unified
Stormwater Rule (USWR). We understand the intent of

1 this intro to be streamlining the permitting process,
2 and if so, we support.

3
4 Additionally, we would like to emphasize
5 that the stormwater rule (TIMER) would run more
6 efficiently if DEP...(CROSS-TALK)

7 SERGEANT AT ARMS: Thank you, your time has
8 expired... (CROSS-TALK)

9 CHAIRPERSON GENNARO: Sergeant, I'd like to
10 give the SWIM Coalition a little latitude. I have a
11 long relationship with this organization. They're
12 most productive in what they bring to the Committee.
13 So, please finish your statement.

14 MICHELLE LUEBKE: Thank you. We believe
15 that the Unified Storm Water Rule would run more
16 efficiently if DEP had more staff, and the fee paid
17 by the permittee should be spent on hiring DEP staff
18 to administer the permits. The Unified Storm Water
19 Rule is a strong defense against future flooding and
20 must be preserved.

21 In terms of Resolution 926, we support the
22 City adopting the New York State Climate Support
23 Smart Communities pledge, and we will be submitting
24 written testimony. Thank you so much for your time.

1
2 CHAIRPERSON GENNARO: I want to thank you
3 and all the good members of the SWIM Coalition for
4 all the value added and the advocacy you've brought
5 to the Committee over the years. You should be proud
6 of yourselves. And I order you to have a good
7 weekend. How about that? So that's my decree. So,
8 have a good weekend, and thank you for your patience
9 and for giving us the benefit of the SWIM Coalition's
10 good views on the business on today's agenda. We
11 appreciate that.

12 Okay, the next witness is Alia Soomro from
13 the New York League of Conservation Voters.

14 SERGEANT AT ARMS: You may begin.

15 DEPUTY DIRECTOR SOOMRO: Good afternoon, my
16 name is Alia Soomro, and I am the Deputy Director for
17 New York City Policy at the New York League of
18 Conservation Voters. Thank you, Chair Gennaro, and
19 the Members of the Committee on Environmental
20 Protection, for the opportunity to testify today.

21 NYLCV strongly supports Resolution 926,
22 which would declare that the City of New York adopts
23 the New York State Climate Smart Communities pledge.
24 Climate Smart Communities is a New York State program
25 that helps local governments take action to reduce

1
2 greenhouse gas emissions and adapt to a changing
3 climate. The program offers grants, rebates for
4 electric vehicles, and free technical assistance.

5 The impact of this proposed action is
6 huge. To date, 9.6 million people, over 400
7 municipalities around New York State, live in a
8 community that has adopted the New York State Climate
9 Smart Communities pledge. By taking this pledge, our
10 city will be in a stronger position to access state
11 funding with the Climate Smart Communities grant
12 program. NYLCV urges the City Council to swiftly pass
13 Reso 926.

14 NYLCV also supports Intro 1271, requiring
15 MOCEJ to provide drafts and proposed revisions of
16 PlaNYC to the Environmental Justice Advisory Board.
17 This is a commonsense bill since environmental
18 justice should be intertwined with every step of the
19 process of any sustainability proposals that are part
20 of future PlaNYC amendments.

21 Similarly, we also support Intro 1302,
22 which would require MOCEJ to quadrennially support
23 the Long Term Energy Plan and the Climate Adaptation
24 Plan with its update to PlaNYC. This is another
25 common sense bill that would consolidate and

1 streamline some of the different reporting
2 requirements that MOCEJ already does.

3
4 And lastly, we support the concept of
5 Intro 499 to conduct a year-long study to determine
6 the feasibility of implementing solar-ready measures
7 on commercial buildings. Solar is an essential
8 component of the City's efforts to move away from
9 fossil fuel-generated electricity, both in the public
10 and private spheres. We (TIMER) recommend that the
11 Council work with DOB (INAUDIBLE)... (CROSS-TALK)

12 CHAIRPERSON GENNARO: Thank you. Please
13 continue. Please continue, Alia. I want to get the
14 benefit of what the League has to say.

15 DEPUTY DIRECTOR SOOMRO: Thank you. We just
16 recommend that the Council work with the DOB so that
17 the bill is not redundant with existing DOB efforts.
18 But in terms of things to consider, we would like to
19 see this bill be more specific when it comes to
20 identifying financing aspects of installing solar-
21 ready measures—more specifically, what the
22 availability or lack thereof is when it comes to
23 incentives, grants, and other financing tools at the
24 federal, state, and city levels for commercial
25 buildings. We also think that the bill should

1
2 consider zoning and permitting impediments to solar
3 installations. Thank you for the opportunity to
4 testify.

5 CHAIRPERSON GENNARO: Thank you. Thank you,
6 Alia. And please give my best to Julie and all of the
7 good folks at the New York League of Conservation
8 Voters. What would we do without you? So, we really
9 appreciate your patience and your willingness to give
10 the League's valuable input on today's business. We
11 appreciate it. Have a great weekend.

12 And the next witness will be Christopher
13 Leon Johnson.

14 SERGEANT AT ARMS: You may begin.

15 CHRISTOPHER LEON JOHNSON: (***Transcriber**
16 **Note: Witness Has Poor Zoom Connection Throughout.**)

17 Yeah, hello, my name is Christopher Leon Johnson.
18 Thank you, Chair Gennaro, for having this hearing
19 today.

20 So, I'm inside City Hall for (INAUDIBLE)
21 assignment. (INAUDIBLE) Okay, whatever. But I'm here
22 to support a Resolution 926 that is sponsored by the
23 Speaker, Adrienne E. Adams, and you, Mr. Gennaro. And
24 the reason we need this resolution is because it will
25 unlock more money for an electric car vehicle, uh,

1 electric cars and stuff like that. We need more
2 electric car stations in the city of New York.

3 There's a lot of electric cars in the city of New
4 York, especially when it comes to Uber use and Lyft
5 use. And we need more stations.

6
7 Now, I want to call on the City Council,
8 including you, Mr. Gennaro, to put a bill into the
9 City Council to allow electric car stations, uh,
10 electric car (INAUDIBLE) to be built with no
11 community input. Because what's--with, like, a fast
12 track, like, Intro 417 would (INAUDIBLE) put out,
13 like, 417, which will allow the DOP to put bike lanes
14 without no community input. You need to introduce the
15 bill to allow the City, uh, to install car-charge
16 stations without community input. Because what's
17 going on is that with the City of Yes carbon
18 neutrality, this allows the City to open up bike
19 battery stations, bike battery swap stations, and
20 electric bike vehicle charger stations with no
21 community input, but it's always community backlash.
22 And everybody knows that all of this is about
23 election time and democrat/republican stuff, but if
24 you put the City--if you already advocate for the
25 City of Yes, and you voted for the City of Yes carbon

1
2 neutrality, why are you trying to fight--why are you
3 trying to fight against--why are you trying to fight
4 against the tide? (UNINTELLIGIBLE), Mr. Gennaro, like
5 I said, I think (INAUDIBLE) as the Chair of the City
6 (INAUDIBLE) Committee, you need to put your foot down
7 and start calling out Joann Ariola about the City of
8 Yes carbon neutrality. Because that's--and Vickie
9 Paladino, as the Chair of the Committee. Because I
10 know you're great, Chair, you care about the
11 environment, I know you do, but there's a lot of
12 resistance when it comes to the electric car vehicles
13 to charging stations (sic) in these districts,
14 especially in the more, like, Caucasian affluent
15 districts. And it's just getting ridiculous. I go
16 (INAUDIBLE) electric car time with Uber, DoorDash,
17 and Lyft. (TIMER) Why, if I want to drive
18 (INAUDIBLE)... (CROSS-TALK)

19 SERGEANT AT ARMS: Your time is expired,
20 thank you.

21 CHRISTOPHER LEON JOHNSON: (INAUDIBLE)
22 Wait, wait, can I go (INAUDIBLE), Mr. Gennaro?

23 CHAIRPERSON GENNARO: Uh, Christopher,
24 please finish your thought.

25

1
2 CHRISTOPHER LEON JOHNSON: Yeah, I'll wrap
3 it up.

4 Like I said, why should I be driving or
5 riding an electric car where the car breaks down
6 because there's no power, and I can't even get a car
7 in (INAUDIBLE), but I can't even access it. We can't
8 even access it, because the community doesn't want a
9 car --it's no--they don't want it there, they don't
10 want it there because of election time. This is
11 ridiculous.

12 Mr. Gennaro, like I said, do the right
13 thing, and you start calling out Joann Ariola or
14 Vickie Paladino for being--spearheading for this
15 carbon neutrality stuff, like the electric car
16 stations and bike battery stations.

17 There's a hearing on Monday, and you
18 should--you need to call it out. So, thank you so
19 much. Please call it out on Monday, oh I mean
20 Tuesday, I mean on Wednesday, the 25th, when Ariola
21 have a hearing in the (INAUDIBLE) Management, please
22 call out. Thank you, sir. Thank you.

23 CHAIRPERSON GENNARO: I just want to let
24 you know that I am a member of that Committee. I will
25 be there on the 25th. And I appreciate your advocacy

1 and your passion. Those are the most--the last three
2 minutes have been the most passionate-filled of the
3 whole hearing, and that's all thanks to you,
4 Christopher. I appreciate your good input. And
5 message received. And thank you very much, and don't
6 be a stranger. Make sure you follow what we're doing
7 here. And we want you back again. Okay? Thank you.
8 Thank you.

10 If we have inadvertently missed anyone who
11 registered to testify today and has yet to be called,
12 please use the Zoom Raise Hand Function if you are
13 testifying remotely, and you will be called in the
14 order that your hand has been raised.

15 If you are testifying in person, please
16 come to the dais. And that is actually to see the
17 sergeant.

18 Seeing no one, I will now close the
19 hearing. Thank you to the members of the
20 Administration and the members of the public who have
21 joined us today, and those who may be watching via
22 stream, we thank you as well. I look forward to
23 further engagement with all of you as the Committee
24 does the business of the people in future hearings.

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COMMITTEE ON ENVIRONMENTAL PROTECTION,
RESILIENCY, AND WATERFRONTS

Thank you all very much. Have a great
weekend. And this hearing is adjourned. [GAVEL]

C E R T I F I C A T E

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



Date September 8, 2025