

COMMITTEE ON ENVIRONMENTAL PROTECTION, RESILIENCY

AND WATERFRONTS 1

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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December 12, 2023

Start: 1:24 p.m.

Recess: 3:54 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: James F. Gennaro, Chairperson

COUNCIL MEMBERS:

Jennifer Gutiérrez

Kamillah Hanks

Robert Holden

Julie Menin

Lincoln Restler

A P P E A R A N C E S

Beatrice Thuo, Executive Deputy Commissioner for Citywide Operations at the Department of Citywide Administrative Services

Sana Barakat, Deputy Commissioner for Division of Energy Management at the Department of Cultural Affairs

Keith Kerman, Deputy Commissioner for Fleet Management and Chief Fleet Officer at the Department of Citywide Administrative Services

Joe Chavez, Deputy Director of Resilient and Efficient Buildings at the Mayor's Office of Climate and Environmental Justice

Jane Gajwani, Director of the Office of Energy and Resource Recovery Programs and Agency Chief Decarbonization Officer at the Department of Environmental Protection

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

Anna Pavlova, Carbon Quest

Harrison Nesbit, NYC H2O

Daniel Chu, New York City Environmental Justice Alliance

Kristin St. Louis, Policy and Legislative Intern at New York Lawyers for the Public Interest

COMMITTEE ON ENVIRONMENTAL PROTECTION, RESILIENCY
AND WATERFRONTS 3

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

Glen Bolofsky, 504 Democratic Club

Nina Guiduce, Policy Manager at Transportation
Alternatives

1
2 SERGEANT-AT-ARMS: Good afternoon. This is
3 a microphone check for the Committee on Environmental
4 Protection. Today's date is December 12, 2023,
5 located in the Committee Room, recording done by
6 Pedro Lugo.

7 SERGEANT-AT-ARMS: Good afternoon and
8 welcome to the New York City Council hearing of the
9 Committee on Environmental Protection.

10 At this time, could everybody please
11 silence your cell phones.

12 If you wish to testify, please come up to
13 the Sergeant-at-Arms' desk to fill out a testimony
14 slip.

15 Written testimony can be emailed to
16 testimony@council.nyc.gov. Again, that is
17 testimony@council.nyc.gov.

18 At this time and going forward, no one is
19 to approach the dais. I repeat, no one is to approach
20 the dais.

21 Thank you for your cooperation.

22 Chair, we are ready to begin.

23 CHAIRPERSON GENNARO: Thank you, Sergeant.

24 [GAVEL] Good afternoon. I am Council Member Jim
25

2 Gennaro, Chair of the Committee on Environmental
3 Protection, Resiliency and Waterfronts.

4 Today, we will be holding an oversight
5 hearing on New York City's obligation to reduce
6 carbon emissions from government operations.

7 At this hearing, we will examine how the
8 City intends to meet its obligation to achieve a 40
9 percent reduction in greenhouse gas emissions from
10 government operations by Fiscal Year 2025 and a 50
11 percent reduction by Calendar Year 2030 relative to a
12 baseline of 2006.

13 The Committee will discuss the City
14 government's largest emissions sources and the
15 effectiveness of various efforts to reduce those
16 admissions such as the goal to install 100 megawatts
17 of PV systems on City buildings, the City's Clean
18 Fleet program, and efforts to increase the
19 sustainability of the City's wastewater resource
20 recovery facilities.

21 The Committee welcomes the testimony from
22 DCAS, MOCEJ, and Chief Climate Officer who is not
23 going to be joining us today, advocates, and members
24 of the public.

2 New York City has taken very historic
3 action in passing landmark climate legislation and
4 setting serious decarbonization goals, actually
5 decarbonization mandates, but those actions are not
6 fully meaningful without the programs required to
7 achieve them so we're going to talk about that today.
8 While there are certainly things worth celebrating,
9 we must remain forward-facing if we are to tackle the
10 existential threat of climate change. Way back in
11 2008, I and my Council Colleagues passed the New York
12 City Climate Protection Act which established the
13 requirement for the City to regularly publish the
14 PlaNYC Sustainability and Climate Adaptation Plan to
15 do the PlaNYC process on a periodic basis, make an
16 annual greenhouse gas inventory, and, relevant to
17 this hearing, achieve a 30 percent reduction in
18 emissions from government operations by 2017. That
19 was the 2008 law. We are six years beyond that and
20 still well short of that goal alone. It was not a
21 goal; it's a mandate. On top of that, Local Law 97 of
22 2019, which is perhaps better known for its
23 provisions relating to private building owners,
24 requires the City to achieve a 40 percent reduction
25 in emissions from government operations by 2025 and a

1 50 percent reduction in such emissions by 2030. Kind
2 of the backstory to that was that there was a mandate
3 for the City to achieve 30 percent City government
4 generated greenhouse gas reduction mandate of 30
5 percent by 2017. That mandate was never met, and so
6 when it came to write Local Law 97, it was agreed
7 upon that the goal of a 30 percent greenhouse gas
8 reduction that was not met in 2017, so they put
9 language in Local Law 97 that superseded the language
10 in the 2008 bill so instead of 30 percent reduction
11 in City government greenhouse gas emissions by 2017
12 that became 25 percent by 2040. That's the backstory
13 on that. The City has already shown that
14 decarbonization is possible. Emissions from City
15 government operations decreased by 25.4 percent
16 between FY-06 and FY-22. Despite this, the City is
17 still not on track to meet its emissions reduction
18 requirements for government operations pursuant to
19 either Local Law 97 or the New York City Climate
20 Protection Act, but it's really only Local Law 97,
21 the 40 percent by 2030 that applies because that
22 language superseded the old language, and the City
23 missed its 2017 emissions reduction target by 2.5
24 percentage points, close but no cigar, and still
25

1 needs to reduce FY-22 emissions by 14.6 percentage
2 points before FY-25 in order to fully comply with
3 Local Law 97. That's a lot. That's why we're having
4 this hearing to figure out how we get from here to
5 there.
6

7 Furthermore, I am concerned, I'm going to
8 turn the page and tell you why I'm concerned, wait
9 for it, wait for it, furthermore I am concerned that
10 emissions reductions from City government operations
11 have stalled in recent years. Between FY-2017 and FY-
12 22, which was the previous Administration, emissions
13 from City government operations actually increased by
14 2.9 percent, that's almost 3 percent, and with all
15 that we are asking of the private sector in Local Law
16 97 it would be shameful, I didn't write the word
17 shameful, Staff wrote that in but I'm reading it, it
18 would be shameful for us not to achieve the mandates
19 we set for ourselves. The Staff had milestones, but
20 they're not milestones so I crossed it out and put
21 mandates we set for ourselves. That said, there are
22 some noteworthy initiatives underway that may help us
23 achieve these emissions reductions. In 2014, the de
24 Blasio Administration set a goal of installing 100
25 megawatts of solar powered generation on City

1 buildings by 2025 to help the City meet its emissions
2 reduction mandates. Unfortunately, as of March 2022,
3 DCAS had only met 16 percent of this goal as much as
4 we love DCAS and we do. The City has been working to
5 implement the Clean Fleet Plan which has been
6 transitioning our municipal fleet to renewable
7 diesel. I'm sure Keith Kerman is going to have a lot
8 to say about that. He is the high priest of RD as we
9 say. RD is renewable diesel. We are also working on
10 expanding methane recovery from sewage treatment
11 plants, reducing emissions from our waste disposal
12 practices through our curbside organics program, and
13 electrifying our public school buildings. These are
14 all things that are happening under the Adams'
15 Administration which is very nice. These initiatives
16 are a great start, but it is clear that there is
17 still much more to be done. This year's seemingly
18 endless string of climate crises from unprecedented
19 wildfire smoke to catastrophic flooding showed us
20 that New York City's emissions reductions efforts
21 must proceed apace.

22
23 Climate change will not wait for a more
24 convenient time for us to act. Therefore it is
25 critical that New York City redouble its commitment

2 to achieving the emissions reductions mandates that
3 we have laid out for ourselves. We look forward to
4 hearing from the Administration today on what
5 progress the City has made in reducing emissions from
6 government operations and how we can work together in
7 the future to meet our decarbonization goals, I mean
8 mandates, to meet our decarbonization mandates under
9 Local Law 97 and by that I mean the 40 percent by
10 2025.

11 I would like to extend my deepest
12 appreciation to Committee Counsel Samara Swanston who
13 retired last week so she's not with us today for her
14 16 years of dedicated service to this Committee. We
15 can all quite literally breathe easier thanks to the
16 work she has done in her time here. We had a whole
17 thing for her. We miss her. She did a lot of great
18 work, and she's a great person.

19 I would also like to thank the terrific
20 Committee Staff, the word terrific was put in by
21 Staff, I'd also like to thank the terrific Committee
22 Staff, but I'm for that. I would've used a nicer
23 adjective, but terrific will suffice. Terrific
24 Committee Staff who do such great work in putting
25 these hearings together. To my right, we have

2 Committee Counsel Claire MacLachlan, Policy Analysts
3 Ricky Chawla and Andrew Bourne, Financial Analysts
4 Andrew Lane-Lawless and Tanveer Singh, and finally my
5 terrific, and I'm putting that word in, it's not in
6 but I'm saying it, and finally my terrific
7 Legislative Director Nabby Kaur for all of their hard
8 work.

9 I'd like to recognize the following
10 Council Members who have joined us. We have Council
11 Member Hanks, Council Member Holden, Council Member
12 Restler. That's what we have so far.

13 I'll now turn it over to the Committee
14 Counsel to give the affirmation to the witnesses.

15 COMMITTEE COUNSEL MACLACHLAN: Thank you.
16 I am Claire MacLachlan, Counsel to the Committee on
17 Environmental Protection, Resiliency and Waterfronts
18 of the New York City Council.

19 Our first witnesses will be Beatrice
20 Thuo, Executive Deputy Commissioner for Citywide
21 Operations at the Department of Citywide
22 Administrative Services; Sana Barakat, Deputy
23 Commissioner for Division of Energy Management at
24 DCAS; and Keith Kerman, Deputy Commissioner for Fleet
25 Management and Chief Fleet Officer at DCAS.

2 I will now administer the oath. Please
3 raise your right hands.

4 Do you affirm to tell the truth, the
5 whole truth, and nothing but the truth before this
6 Committee and to respond honestly to Council Member
7 questions?

8 DEPUTY COMMISSIONER KERMAN: I do.

9 EXECUTIVE DEPUTY COMMISSIONER THUO: I do.

10 DEPUTY COMMISSIONER BARAKAT: I do.

11 COMMITTEE COUNSEL MACLACHLAN: Thank you.

12 You may begin when ready.

13 CHAIRPERSON GENNARO: Just before you
14 start, I want to thank you for all of your efforts to
15 try to reach out to me before the hearing. You were
16 all excited about the good things that you're doing.
17 I was kind of elusive. I just wasn't able to be
18 pinned down. This is the end of session. Everything's
19 going crazy, and I just came out of a meeting with
20 the Speaker. The bills that are going to be voted out
21 at the last Stated of the Session all have to be laid
22 on the desk tonight so there's a lot of back and
23 forth and stuff going on and I'm part of that process
24 so sorry about not being able to catch up with you
25

1 before but you're here now so this is going to be
2 great.
3

4 With that, I'd ask you to proceed with
5 your good testimony.

6 EXECUTIVE DEPUTY COMMISSIONER THUO: Good
7 afternoon, Chair Gennaro and Members of the
8 Committee. My name is Beatrice Thuo, and I'm the
9 Executive Deputy Commissioner of Citywide Operations
10 at the Department of Citywide Administrative
11 Services, DCAS. I'm joined today by the City's Chief
12 Decarbonization Officer and DCAS' Deputy Commissioner
13 of Energy Management, Sana Barakat, and Chief Lead
14 Officer and DCAS' Deputy Commissioner for Fleet
15 Management, Keith Kerman, Deputy Director of
16 Resilient and Efficient Buildings at the Mayor's
17 Office of Climate and Environmental Justice, MOCEJ,
18 Joe Chavez, and Director of the Office of Energy and
19 Resource Recovery Programs and Agency Chief
20 Decarbonization Officer at the Department of
21 Environmental Protection, DEP, Jane Gajwani.

22 CHAIRPERSON GENNARO: If I could just jump
23 in for a second. I think early on I guess I kind of
24 made a mistake between Rit Aggarwala who is the Chief
25

Climate Officer and I said that, but that's different than the City's Chief Decarbonization Officer.

EXECUTIVE DEPUTY COMMISSIONER THUO:

Correct.

CHAIRPERSON GENNARO: And so I kind of misspoke when I said the Chief Decarbonization Officer wasn't going to be here, but you're here so I just want to correct the record here and sorry for that sleight. Please proceed. Sorry for the interruption.

EXECUTIVE DEPUTY COMMISSIONER THUO: I

want to extend a special welcome to Sana who joined DCAS this past July after many years in the sustainable design and engineering consultancy sector, managing largescale and multidisciplinary projects for public sector clients, including several City agencies. We're excited to have her take the reins as the City's Chief Decarbonization Officer and accelerate our work reducing greenhouse gas emissions from City government operations. I am excited to give you an update so let's dive right in.

Local Law 97, part of New York City's landmark Green New Deal legislation of 2019, requires New York City to reduce greenhouse gas emissions from

1 City government operations 40 percent by 2025 and 50
2 by 2030 compared to Fiscal Year 2006 baseline. This
3 includes emissions reductions from the City's
4 portfolio of over 4,000 municipal properties. We are
5 talking about schools, universities, firehouses,
6 police stations, courts, hospitals, museums, zoos,
7 libraries, and much more. City government is mandated
8 to reduce emissions further and faster than the City
9 as a whole which is expected to achieve a 40 percent
10 reduction by 2030. These mandates set the City on a
11 path to carbon neutrality by the year 2050. The City
12 has also committed to meeting targets including
13 reducing greenhouse gas emissions in the City
14 government fleet 50 percent by 2025 and 80 by 2030
15 compared to a Fiscal Year 2006 baseline in addition
16 to reducing City government energy use by 20 percent.
17 In December 2021, pursuant to Executive Order 89,
18 DCAS released the Local Law 97 Implementation Action
19 Plan which sets the path for City government's Local
20 Law 97 compliance, identifies the resources necessary
21 to meet our Local Law 97 mandates, and establishes
22 agency emissions reductions targets. These targets
23 can be found on our website, and we update agency
24

2 emissions reductions performance annually as required
3 by Executive Order 89.

4 According to our latest data, City
5 government has reduced emissions from operations by
6 over 25 percent below the Fiscal Year 2006 baseline
7 compared to 17 percent for the city as a whole,
8 including the private sector. City government is
9 leading by example and outpacing the decarbonization
10 of city across all sectors and industries. Let me be
11 clear, while City government is leading by example
12 and outpacing the private sector, we are still facing
13 considerable challenges and expect to fall short of
14 our Local Law 97 reduction target for 2025. As this
15 Administration has been saying since early 2022, we
16 are optimistic, but the 2025 target set in 2019 was
17 also going to be very difficult to meet. I'll repeat
18 what the City's Chief Climate Officer, Rohit
19 Aggarwala, said before this Committee in April 2022.
20 The reality is that time is not on our side to meet
21 the 2025 mandate. However, this Administration
22 remains steadfast in our commitment to achieving our
23 emissions reductions goals, and we expect that we
24 will not only meet but surpass our 50 by 30 target.
25 It's an all hands on deck effort to get as close to

1 40 by 25 as possible, but, as we shared with you last
2 year, many of the challenges to achieve 40 percent on
3 this ambitious timeline are outside the City's
4 control. I will outline some of these challenges for
5 you later in my testimony.
6

7 Onto focus now and all that we are doing
8 to meet and exceed our long-term targets. To date,
9 the City has invested well over a billion dollars
10 towards decarbonization and, since Local Law 97
11 passed, has laid the groundwork to accelerate this
12 work by designing focused programs to make building
13 improvements like our Direct Install Lighting program
14 and collaborating with NYPA to scale solar
15 installations. We are also close to soliciting
16 vendors to complete solar projects and deep energy
17 retrofit of buildings under existing design build
18 authority. We are at an inflection point, positioned
19 to make great strides over the next several years.

20 Decarbonizing City government operations
21 is also center to this Administration's larger focus
22 on improving the quality of life of New Yorkers and
23 addressing longstanding inequities. We all know
24 fighting climate change is not just about reducing
25 greenhouse gas emissions. It's also about improving

1 public health, addressing historic disinvestment, and
2 creating jobs. Using less fossil fuels reduces
3 emissions of pollutants like particulate matter that
4 are a public health threat, particularly for older
5 adults, children, and people with heart and lung
6 conditions. We are investing in disadvantaged
7 communities. 56 percent of solar capacity installed
8 on City buildings is located in disadvantaged
9 communities, 57 percent of City government operations
10 greenhouse gas emissions reductions are from projects
11 in disadvantaged communities, and 53 percent of
12 particulate matter reductions have been in
13 disadvantaged communities.
14

15 Finally, DCAS' work on energy saving
16 projects has generated over 6,100 good-paying jobs
17 since Fiscal Year 2006. DCAS leads the City's
18 decarbonization efforts and partners with more than
19 20 City agencies to implement energy efficiency,
20 electrification, and renewable energy generation
21 projects throughout the city.

22 The City takes a multi-tiered approach to
23 decarbonizing City government operations. We are
24 driving down energy consumption at City-owned
25 buildings through retrofitting building systems,

2 improving operations and maintenance, and optimizing
3 building controls. Over the past decade, we have
4 partnered with City agencies to invest over 1 billion
5 in building energy efficiency projects which has
6 resulted in an annual energy reduction of
7 approximately 8 percent compared to before making
8 these investments and despite significant growth in
9 total square footage of our building portfolio. We
10 also expanded our Demand Response Program in summer
11 2023. Over 600 facilities from 34 agencies
12 participated, reducing energy usage during hot summer
13 months to protect the city from brownouts and
14 blackouts.

15 We are electrifying building systems
16 including heating, hot water systems, and appliances,
17 which the City committed to in PlaNYC, helping set
18 the City on a course to achieve the decarbonization
19 mandates for 2050 and improve air quality in
20 communities. This includes the Adams' Administration
21 landmark Leading the Charge initiative to electrify
22 100 existing schools over the next decade and start
23 transitioning all New York City school to operate on
24 electric power. Four electrification projects have
25 begun construction this year with another 15 in

2 planning and design. This plan and, Council Member
3 Gennaro, your recently passed Local Law 32 of 2023
4 will also accelerate the phase-out of number 4
5 heating oil by five years.

6 We are decarbonizing processes and
7 systems of wastewater resource recovery facilities to
8 achieve net zero energy consumption in the wastewater
9 treatment sector by 2050. We are making our processes
10 leaner while maintaining a robust operation and are
11 leveraging DEP's unique infrastructure to not only
12 decarbonize the agency but also it helps the City
13 decarbonize as a whole. These efforts are led by our
14 partners at DEP.

15 We are decarbonizing the City's fleet by
16 transitioning to electric vehicles and investing in
17 renewable diesel. These efforts are led by our Chief
18 Fleet Officer, Keith Kerman, and we'll go into more
19 detail about them in a minute.

20 We are also investing in clean energy
21 generation. First and foremost, we are generating
22 renewable energy on our own properties by building
23 solar PV arrays. To date, DCAS in partnership with
24 several agencies has doubled our solar capacity on
25 City-owned buildings since COVID, we've installed

2 22.7 megawatts of solar PV on City facilities, enough
3 to power nearly 6,400 New York City households per
4 year, and we have executed contracts that will bring
5 an additional 50 megawatts of solar by December 31,
6 2025. I want to emphasize what a feat this is in an
7 urban environment as dense as New York City.

8 Additionally, New York City has committed
9 to purchasing tier 4 renewal energy credits generated
10 from CHPE and Clean Path New York projects, which
11 will help fund these projects that will bring 2,500
12 megawatts of clean renewable energy from Canada and
13 Upstate New York into New York City. This will allow
14 City government operations to be powered by 100
15 percent clean electricity by 2026 and amplify the
16 greenhouse gas emissions reductions that result from
17 the City's investment in building system
18 electrification. These projects will also reduce the
19 City's reliance on fossil fuel power plants, improve
20 grid reliability, and make more clean electricity
21 available to all New Yorkers and help the private
22 sector meet their own Local Law 97 obligations.

23 EDC on behalf of the City is also playing
24 a critical role in creating a nation-leading offshore
25 wind hub at South Brooklyn Marine Terminal. In

2 parallel, EDC is investing in education pipelines for
3 jobs and creating job programs that identify and
4 train talent from historically underrepresented areas
5 to ensure all New Yorkers can benefit from green
6 opportunities.

7 On the buildings and solar energy side,
8 DCAS has partnered with City agencies to implement
9 over 13,700 energy efficiency and decarbonization
10 measures in over 2,000 buildings since Fiscal Year
11 2006. Our efforts have reduced annual energy costs by
12 137 million and greenhouse gas emissions by over
13 420,000 metric tons of carbon dioxide equivalent.
14 That's equal to removing nearly 92,000 cars from the
15 road. In order to implement these decarbonization
16 projects, the City has created processes, policies,
17 and grown the capacity of government to scale work.
18 We are building human capital so agencies have the
19 capacity to implement energy efficiency,
20 electrification and renewable energy generation
21 projects. This includes providing more than 20 agency
22 partners with training tools, technical expertise,
23 funding and staff including agency chief
24 decarbonization officers which will elevate
25 decarbonization priorities within agency leadership.

OMB is leading a new initiative, climate budgeting, which incorporates an analysis of climate impact into budget plans and develops new actions to move the City towards its climate goals.

The Administration is also making significant efforts to cut red tape, make it easier to build and procure goods and services, and amend zoning citywide so that we can do what we need to do to meet our climate goals more efficiently and faster while creating jobs.

I want to thank the Council for approving the City of Yes for Carbon Neutrality Zoning Initiative last week, which will allow us to decarbonize our buildings more and faster. We greatly appreciate the Council's partnership on that effort and are thrilled that it's over the finish line.

The City is also a vocal advocate for the State to make smart energy policy decisions and accelerate renewable energy projects that will clean our grid. The City and the State must be strong partners to achieve both the City's Local Law 97 mandates and the State's targets under the Climate Leadership and Community Protection Act. DCAS

2 supports our partners at MOCEJ which leads this
3 advocacy.

4 Finally, the Administration released
5 PlaNYC in April which lays out clear achievable
6 actions that the City will take to decarbonize and
7 make our city more livable and resilient for all New
8 Yorkers, especially in communities that have been
9 neglected in the past. Following that, the
10 Administration released PowerUp, the City's long-term
11 energy plan, which connects the work that all of our
12 City agencies are doing to the larger energy
13 strategies that will ensure all New Yorkers have
14 clean, reliable, and affordable energy.

15 I'd like to give you a few examples of
16 projects. Chair Gennaro, in your District, DOE and
17 DCAS partnered to install a 582-kW solar PV system on
18 the roof of Thomas Edison Career and Technical
19 Education High School, generating 60 percent of the
20 school's electricity needs and supporting hands-on
21 student learning.

22 In Council Member Restler's District,
23 DCAS is partnering with DEP to install a gravity belt
24 thickener and thermal energy installation at the
25 Newton Creek Wastewater Resource Recovery Facility.

2 This will reduce energy use equivalent to nearly
3 19,000 New York City households and lead to 4.5
4 million in annual energy cost savings.

5 DCAS is working with NYPA to install 10
6 megawatts of solar PV at the Wards Island Wastewater
7 Recovery Facility using the novel approach of
8 installing solar canopies over process tanks which
9 increase the install capacity tenfold. This will be
10 the largest clean energy installation on a wastewater
11 treatment facility anywhere in the world. Yes, you
12 heard that right, in the world.

13 In Harlem, DCAS has partnered with DEP to
14 install 12 megawatts of electricity generation that
15 will run year-round on renewable biogas generated
16 onsite and be able to make significant load off the
17 electrical grid during peak demand times.

18 At the Met Museum, DCAS is implementing
19 major lighting fixture upgrades of 20,000 fixtures in
20 three special exhibition spaces. This project is
21 estimated to save the City over 100,000 in annual
22 electricity utility bills.

23 DCAS is upgrading many different energy
24 systems at CUNY campuses. These upgrades include
25 building management system controls, HVAC

2 replacement, electrical submetering, and other
3 retrofit measures.

4 There are so many more projects I would
5 love to share, and I would be happy to meet with you
6 all and discuss the projects in your Districts but
7 I'll stop there for now.

8 Moving on to non-stationary assets. The
9 City fleet plays an integral role in the reduction of
10 greenhouse gas emissions from City operations.
11 Vehicles account for nearly 9 percent of the 2006
12 greenhouse gas emissions baseline and, under the
13 leadership of Chief Lead Officer and Deputy
14 Commissioner Keith Kerman, DCAS fleet has developed
15 the greenest municipal fleet in the country. In 2015,
16 New York City published the New York City Clean Fleet
17 Plan. This plan committed the City to reducing
18 greenhouse gas emissions 50 percent by 2025 and 80 by
19 2035. The plan updated in 2021 outlined three broad
20 strategies, electrify the fleet as fast as
21 operationally feasible, replace diesel fuel with
22 biofuels, and improve fleet efficiency. DCAS has
23 aggressively pursued this approach and is on pace to
24 achieve fleet 50 by 2025.

2 In 2023, DCAS worked closely with the
3 City Council on codifying the Electric Fleet
4 initiative into law. On October 23, 2023, Mayor Adams
5 signed Local Law 140 which calls for the City's fleet
6 to transition to electric by 2038. This legislation
7 further established New York City as a leader in
8 fleet sustainability and is a model for other cities
9 and fleets to adopt. DCAS currently operates one of
10 the largest electric fleets and charging networks in
11 the United States and will soon surpass the 5,000
12 electric fleet mark. We also operate 1,600 electric
13 charging points and will add at least 200 fast
14 chargers and carports each year through 2030.

15 Further, on November 28 of this year,
16 Mayor Adams and DCAS Commissioner Pinnock announced
17 the City was transitioning to renewable diesel for
18 the entire trucking and offroad diesel fleet.
19 Renewable diesel is made of the same waste and
20 organic food stocks as biodiesel. However, renewable
21 diesel is manufactured to the same technical
22 specification as regular diesel while fully replacing
23 fossil fuel diesel in our fleet. Unlike biodiesel
24 which can only be used in blends of 20 percent or
25 less, the new mix does not have petroleum base and

1 burns cleaner with 15 percent to 35 percent fewer
2 tailpipe emissions. As we transition to an electric
3 fleet, the switch to renewable diesel is a critical
4 measure to immediately cut down on greenhouse gas
5 emissions from the fleet as the technology and market
6 for electrical heavy-duty vehicles develops. Today,
7 all trucks from Sanitation, Parks, DOT, Corrections,
8 and DEP are fully operating on renewable diesel, and
9 the entire fleet will complete the transition by June
10 30, 2024.

12 Finally, DCAS continues to operate our
13 fleet more efficiently in order to reduce fuel use.
14 Following the Mayor's April 2022 Fleet Reduction
15 initiative, DCAS has reduced the number of City
16 vehicles by 4 percent or over 900 units.

17 Overall, over 20,000 fleet units now use
18 some type of cleaner fuel alternative including
19 electric, hybrid, solar, and biofuel. Since Fiscal
20 Year 2018, DCAS has reduced total fleet use by 4.6
21 million gallons annually or 16 percent. The three
22 approaches of electrification, biofuels, and
23 efficiencies are working and have led to a cleaner,
24 more efficient fleet and kept DCAS on pace to achieve
25 50 by 2025.

2 While the City's work to date is
3 impressive, we know that we expect to fall short of
4 our Local Law 97 2025 mandate, and I want to explain
5 some of the challenges that the City continues to
6 face as we approach 2025 and beyond.

7 First, COVID set the City's progress back
8 by about two years. Staff were redirected to other
9 critical work, projects were cancelled, contracts
10 were delayed, and we're still facing supply chain
11 issues and higher costs of materials and equipment.

12 Additionally, in 2022, the electricity
13 grid serving New York City was nearly 12 percent
14 dirtier than in 2019 because the Indian Point Nuclear
15 Facility closed. This increases the greenhouse gas
16 emissions that result from using electricity and
17 reduce the benefits of electrification projects.

18 Procurement and contracting challenges
19 have slowed project delivery. DCAS is focused on
20 making our procurement and contracting faster to
21 overcome contracting delays and has launched the
22 Local Law 97 Contracting Resources Working Group to
23 stand up faster, more flexible ways to deliver
24 projects.

2 Finally, as we all know, the City is
3 facing extraordinary budget pressures that could
4 force us to do more with less in the coming years.

5 Despite those challenges, the Adams'
6 Administration is fully committed to achieving our
7 climate goals, and we are working at full steam to
8 make our City government buildings and operations
9 more efficient, reduce greenhouse gas emissions, and
10 modernize buildings that serve New Yorkers. We are
11 showing the private sector that this work is not just
12 achievable but pivotal for making sure our City is
13 livable and thriving in the future.

14 We appreciate the support and advocacy
15 you have shown toward our work, and we look forward
16 to continued partnership with the Council as we
17 continue our aggressive march toward carbon
18 neutrality.

19 We are happy to answer any questions you
20 may have.

21 CHAIRPERSON GENNARO: Thank you very much
22 for your comprehensive testimony. I'll start my
23 questioning in a moment.

24 First, I want to indicate that we're
25 joined by Council Member Gutiérrez, a valued Member

2 of this Committee. I just want to hold a sidebar with
3 my Counsel for a second.

4 I was just planning my attack. That's
5 all. I need some herbal tea to calm me down before I
6 jump in.

7 I'm going to be the easy guy to deal
8 with. After that, you have to deal with Lincoln
9 Restler, and then it's like all bets are off when he
10 takes the microphone.

11 COUNCIL MEMBER RESTLER: I'm feeling very
12 nice today. I had the herbal tea too.

13 CHAIRPERSON GENNARO: Okay. I have some
14 prepared questions, but I want to just go through the
15 statement. I made some notes.

16 I guess my overarching concern is that
17 the City notwithstanding the resources at its
18 disposal doesn't meet the 2017 mandate set out by the
19 2008 Climate Protection Act so 2017 comes and goes,
20 the mandate is not realized, and it's my
21 understanding through the Council that the law
22 provides for something, if the Administration can't
23 meet it, they're supposed to do an official
24 announcement or they're supposed to invoke something
25 in the law saying we can't get here but this is why

1 and this is what we're going to do. There's something
2 in the law by which if you're not going to meet it
3 you have to do an official something. To my
4 knowledge, the official something that was supposed
5 to happen in 2017 when the mandate was not realized
6 never actually happened, and no one from the
7 environmental community that I know of, I was not in
8 City government at the time, came forward and said
9 hey, you had this mandate in 2017, it didn't get met,
10 this law is not a suggestion, it's an actual law, and
11 you're supposed to meet it or give a really good
12 reason why you can't, which is more than the building
13 owners that are subject to Local Law 97, they don't
14 get to come before this Committee and say you know,
15 we can't get it done, it's not going to work out, and
16 they can't talk about how COVID loused them up and
17 whatever, all of which are valid, but we as a
18 Council, I wasn't here when Local Law 97 was passed,
19 but Local Law 97 is all the rage now about how are
20 co-ops and condos going to comply and how is this all
21 going to work and there really wasn't a lot of
22 thought, and this is not your fault, this is the
23 Council's fault quite frankly, about where were the
24 resources and tax credits, there was no J-51 at the
25

1 time, or there was not a lot of brainwaves put into
2 how folks were going to meet the mandates of Local
3 Law 97. What people don't like about government is
4 government says we're doing a lot of good things and
5 we're working hard and we're like investing tons of
6 money, we've got programs coming out of everywhere
7 and they're going to bear fruit down the road, and
8 the testimony today is we're not really going to make
9 the 40 percent reduction by 2025, and we kind of
10 don't know when we're actually going to make that
11 happen, but co-op owners in my District, if they say
12 that, they're going to be in trouble. They're going
13 to have to pay fines so it's kind of a standard that
14 the government creates for itself. Look at City
15 government. City government has all kinds of consent
16 decrees with the State and then show me a consent
17 order that the City has ever actually complied with
18 and I'll buy you a Buick because we just don't comply
19 with them so we just roll it over, we do like another
20 negotiation, and so on this side of the table, we're
21 left to kind of process how there's like one standard
22 for government and there's one standard for private
23 building owners that have to comply that don't have
24 the ability to just say nah, we kind of can't get it
25

2 done on time but it's going to happen. That's kind of
3 the fundamental disconnect that I have to go home to
4 my District and I have to say notwithstanding the
5 fact that you have to comply with Local Law 97, and
6 such a huge pushback was made when the Adams'
7 Administration I think wisely tried to use the full
8 discretion given to it under Local Law 97 to write
9 rules that were sympathetic to building owners. I
10 thought that was the right way to go, but still the
11 Adams' Administration doesn't have the ability to go
12 beyond the discretion that was put in the law when
13 writing the rules, but I think they went as far as
14 they reasonably could in trying to give local
15 building owners a break when it comes to Local Law 97
16 compliance, with the whole decarbonization plan filed
17 in 2025 in lieu of suffering penalties and all that
18 so I give them credit for that. They tried to do the
19 compassionate thing or the realistic thing with
20 regard to the private sector, but when it comes to
21 itself, and I have to laud the Adams' Administration
22 for moving the ball forward more quickly than did the
23 previous Administration, but when that's all said and
24 done, the testimony here is we're not going to meet
25 2025, the 40 percent, we're not exactly sure when

1 that's going to happen and that's already been kind
2 of indicated to you by previous pronouncements of the
3 City's Chief Climate Officer so you knew that was
4 coming so it's frustrating when the City,
5 notwithstanding all of the efforts it is doing, kind
6 of comes up short and the statement is we're coming
7 up short but we're doing a lot.

8
9 Now, you're me. So I have to go back to
10 my District and explain how they have to meet the
11 letter of the law when it comes to Local Law 97 but
12 the City has just kind of testified before my
13 Committee and said we're going to try real hard.
14 That's not something that Bob's constituents have the
15 ability to say nor mine nor anyone else who is here
16 today. This is almost like a philosophical thing.
17 You're me. What do I tell my constituents how they
18 have to tow the line with regard to Local Law 97 but
19 the City, itself, with the resources that it has
20 although we're going to have tough budget years
21 coming up, this is something that the City set for
22 itself in 2019, 2019. Was IP closed in 2019? I don't
23 know if it was closed, but it was certainly on the
24 docket to be closed. No one could have foreseen
25 COVID. My constituents aren't getting a COVID break

2 so it's disappointing that I don't even hear when we
3 think we're going to get to 40 percent. First some
4 kind of response to my angst, and the second is what
5 is a realistic time that we're going to see the 40
6 percent by 2025 which is not going to happen in '25.
7 It's not going to happen in 2025. When is it going to
8 happen? Unlike 2017 when no official instrument was
9 filed pursuant to law saying okay, it's 2017, we're
10 not going to get there but this is all that's going
11 on, and pursuant to the law, if we're not going to
12 make it we have to file this instrument that says X,
13 Y, and Z about why we're not making it and when we're
14 going to make it, and so, under my watch when 2025
15 comes, there's either going to be compliance, which I
16 now know there's not, or there's going to be the
17 filing of an instrument saying this is the pathway to
18 the 2025 mandate of 40 percent and this is when it's
19 going to happen. Why don't we work backward? When are
20 we going to get to 40 percent and then you can back
21 into like the angst that I have. I think it's real.
22 I've said enough at least for that question. It was
23 probably a world's record length question. I don't
24 know, it was a question, it was a rant, I don't know

2 what it was, and so that's what I'm coming at you
3 with. Now it's your turn to come back at me.

4 EXECUTIVE DEPUTY COMMISSIONER THUO: Thank
5 you for question and your comments.

6 I do have to say that the government is
7 still leading by example, that the targets that were
8 set for us and the timelines that were set for us
9 were pretty aggressive compared to the private
10 sector.

11 CHAIRPERSON GENNARO: Yes, they're
12 aggressive, but also in your statement you indicated
13 that you were outpacing the private sector which
14 anyone would expect because the City has kind of
15 infinite resources compared to the private sector so
16 if the City is not outpacing the private sector then
17 it really has a lot of answering to do because the
18 City has (INAUDIBLE) resources whereas little
19 building owners don't. You made the case in stereo
20 here about all the things that are in the pipeline,
21 about everything that's going on. Hard to take issue
22 with everything that's happening, but in the law is
23 40 percent by 2025, and I think it's reasonable for
24 this Council to expect that if it's not going to be
25 2025, when is it going to be because you have a lot

2 of brainpower working on all of these things and I
3 don't think it takes that much of a crystal ball to
4 figure out when these programs are going to manifest
5 into greenhouse gas reductions, and that should be
6 measurable because 2025 is pretty soon, and so that's
7 what I'm looking for. When are we getting to 40
8 percent? Again, this is after a whiff in 2017, like a
9 swing and a miss on the 30 percent so this is now the
10 second time around so 2017 was a whiff, 2025 is a
11 whiff, so when are we going to make contact? Baseball
12 reference. There's three strikes, you know what that
13 means.

14 EXECUTIVE DEPUTY COMMISSIONER THUO: There
15 are a number of things going on that we have to
16 contend with and a number of variable factors.

17 I know you did say that as a City we'll
18 have more resources than the private sector. There
19 are also some challenges that are very unique to the
20 City.

21 CHAIRPERSON GENNARO: That's what my
22 constituents would say about their condos and co-ops.
23 They tell me that every day.

24 EXECUTIVE DEPUTY COMMISSIONER THUO: I
25 know we did mention all the things that we are doing,

2 but Sana Barakat just joined us from the private
3 sector, and I remember her just being amazed by the
4 work that we are doing in spite of all the challenges
5 with its procurement. As you know, the procurement
6 process is never easy, but even notwithstanding all
7 that, how much we've done so far. I have been really
8 impressed that as the challenges that we have and how
9 much we've achieved. Speaking on that, we are looking
10 at our data. In terms of when it'll happen, we were
11 anticipating a gap of around 5 percent. There is more
12 data. We are refining our data. As you know, projects
13 take a timeline. We have an anticipated timeline. We
14 are revisiting our projects. We also have just design
15 build so design build has enabled us now to actually
16 get more projects off the ground so we're in the
17 process of doing that. We're in the process of
18 enlarging our solar projects with a contract that we
19 just had with NYPA. There are a lot of moving parts
20 right now so we anticipate that we'll be able to meet
21 that mandate shortly after 2025. Sana, I'm not sure
22 that there is anything you need to add, but...

23 CHAIRPERSON GENNARO: I'm really looking
24 for a date because I was the one that set the 2017
25 date back in 2008, and both the Bloomberg

2 Administration and Council management didn't want me
3 in 2008 to set a mandate. They just wanted goals, and
4 I'm like goals are like, I'd rather have greenhouse
5 gas reduction poetry contest than a law that had
6 goals. I mean goals are not what you hang your hat
7 on, and so I fought to get mandates, I fought my own
8 institution to get mandates and then 2017 came and
9 went and no one even as much as yawned, including the
10 environmental community which kind of like rubs me
11 the wrong way because where were they when the City
12 didn't meet its greenhouse gas reductions in 2017 and
13 no one said a peep, so soon thereafter, we want to do
14 a little better than that and maybe, Sana, if I can
15 call you by your first name, can help us out with
16 what's your, can we have the Sergeants give Sana the
17 Council crystal ball that she can look into? Do we
18 have that, Sergeants? Do we have the crystal ball? We
19 don't have that?

20 DEPUTY COMMISSIONER BARAKAT: No, I'm just
21 making reference to a crystal ball that you could
22 look into and give me a date. The Council doesn't
23 have an official crystal ball, and the Sergeant is
24 looking at me very quizzically right now. You're off
25 the hook, Sergeant, but you're on the hook.

2 DEPUTY COMMISSIONER BARAKAT: I just
3 joined DCAS back in July.

4 CHAIRPERSON GENNARO: A very heralded
5 appointment and we're so glad that you're here.

6 DEPUTY COMMISSIONER BARAKAT: Thank you.
7 Thank you, Council Member. As Beatrice said, we had a
8 lot of challenges.

9 CHAIRPERSON GENNARO: Can you speak right
10 into the mic so I can hear you a little better?

11 DEPUTY COMMISSIONER BARAKAT: Better?

12 CHAIRPERSON GENNARO: Yes.

13 DEPUTY COMMISSIONER BARAKAT: Okay, can
14 you hear me?

15 CHAIRPERSON GENNARO: Yeah, you have to
16 speak right into it.

17 DEPUTY COMMISSIONER BARAKAT: I was saying
18 that I just joined DCAS back in July, and my mission
19 and all my energy, no pun intended, is to look into
20 how we can accelerate our projects because, as you
21 know, projects take a long time, and COVID set us
22 back. No excuses. It's just the reality of things.
23 I'm looking into what we can do now with all the
24 agencies that have a gap and what we can do with
25 them, what are their challenges, what opportunities,

2 what projects we can do with them to implement more
3 projects and accelerate the projects they have on
4 hand right now.

5 CHAIRPERSON GENNARO: Okay. That still
6 doesn't give me a date so why don't we do this.
7 That's okay. Hang on. Today is what, like the 12th,
8 right? Today's the 12th so December 12th, January
9 12th, February 12th. That's two months, February,
10 right, so three months is March 12th. How about I
11 give DCAS three months to give me a number, like a
12 date when we're going to get to 40 percent? I think
13 just to have this hearing, again, this is not just
14 like a question that comes up in the hearing, this is
15 the purpose of the hearing. The whole rationale of us
16 being here today, the whole preparation of the gift
17 bags and everything else was all for, no gift bags,
18 was to talk about this specific question. We expect a
19 lot of our private building owners, and this has been
20 going on with the City since 2008, 15 years, so we're
21 15 years into this process and, of course, we changed
22 things in 2019 with Local Law 97, but I think this
23 Council that passed both laws in cooperation with
24 this Administration, both Administration, first with
25 Bloomberg, second was with de Blasio, but we're 15

2 years into the City reducing its own carbon
3 emissions. I would like to set a date of three months
4 from today for the Administration to give this
5 Council its best estimate of when we're going to get
6 to the 40 percent carbon reduction date. Lincoln,
7 does that sound fair to you?

8 COUNCIL MEMBER RESTLER: (INAUDIBLE)

9 CHAIRPERSON GENNARO: Okay, so that's what
10 I'm calling for. That's my official thing, and we're
11 joined by Council Member Julie Menin. Do we have
12 other Council Members to ask questions?

13 CHAIRPERSON GENNARO: You know what, I'm
14 going to regroup, and I'm also of the mind that I
15 always love when my Members come to the hearings. I
16 want to give them the opportunity to get their
17 questions on the record. This is a very busy day in
18 the Council, I'm sure they have other things to do,
19 and I'm going to be here for the duration and so I
20 ask my opening question so now we've got, this is the
21 order of questions?

22 COMMITTEE COUNSEL MACLACHLAN: Yes.

23 CHAIRPERSON GENNARO: Okay. First for
24 questions we have Council Member Holden. I recognize
25 Council Member Holden for questions.

2 COUNCIL MEMBER HOLDEN: Thank you, Chair.
3 Thank you for your testimony, Deputy Commissioner.

4 Electrifying building systems. You
5 mentioned in your testimony you want to electrify 100
6 existing schools over the next decade. That seems
7 very low since we have over 1,800 schools. How many
8 school buildings do we have that solar power
9 installed on their roof?

10 EXECUTIVE DEPUTY COMMISSIONER THUO: Right
11 now, and I will give it over to Sana, for now, in
12 terms of the solar capacity on the City's buildings
13 it's 22.7 megawatts that we have. In terms of what
14 percentage of that is on school buildings, we can get
15 back to you on that in terms of the specific number,
16 but I have to say I think one thing, all new schools
17 have to be electrified so I think that's an important
18 thing to note. Any new school being constructed...

19 COUNCIL MEMBER HOLDEN: And that includes
20 solar?

21 EXECUTIVE DEPUTY COMMISSIONER THUO: That
22 may include solar just to make sure that it will be
23 clean energy.

24 COUNCIL MEMBER HOLDEN: Right. Here's the
25 concern I have. I think we should use solar because

2 there are many Council Districts that don't have the
3 proper electric grid. For instance, my District, the
4 30th, we probably lead the city in blackouts and
5 brownouts because most of the grid that we have is
6 above ground so a 30-mile-an-hour wind will knock out
7 the grid and black out a lot of people. If we had
8 solar power installed in our buildings, especially
9 schools because we have a lot of schools, it would
10 actually be cost-effective, forget about the building
11 systems for now because that's a more involved effort
12 I guess, but having only 100 existing schools over
13 the next decade to be turned to electric, I think
14 right now we could actually if we had some companies
15 come in and just assess can we install solar power on
16 all our schools at least for the needs of that
17 particular school, the electric needs. If you can
18 elaborate on that, is there any massive plan to do
19 that, to install solar?

20 EXECUTIVE DEPUTY COMMISSIONER THUO: Sana,
21 I guess you can say, yes...

22 COUNCIL MEMBER HOLDEN: Because there are
23 two different issues here.

24 EXECUTIVE DEPUTY COMMISSIONER THUO:
25 That's are. Actually, we are actively assessing,

2 we've been assessing City buildings which includes
3 the schools to see the feasibility of installing
4 solar. As you know, with solar work, first the roofs
5 sometimes have to be replaced and have to be redone
6 to be able to do that solar installation. At the same
7 time, we're also working with SCA on the
8 electrification and bringing the building systems up
9 so there's a lot of work and coordination that's
10 going on, but, to me, the work that the DCAS team has
11 been doing has already been undergoing through that
12 assessment and doing that installation. Sana, do you
13 want to add some more?

14 DEPUTY COMMISSIONER BARAKAT: Yeah, I will
15 add also that electrifying schools has a lot of
16 complexities in it so now that we're starting the
17 process of electrifying some schools, we're going to
18 learn from that process and see how we can apply
19 lessons learned to more. With budget constraints, now
20 the plan is 100, but we will continue to update that
21 plan as the fiscal crisis comes to an end.

22 COUNCIL MEMBER HOLDEN: Yeah, because a
23 day doesn't go by that I don't get solicited from a
24 solar company wanting to install panels on my roof
25

1
2 and they make a deal with you, it won't cost you much
3 or cost you anything.

4 CHAIRPERSON GENNARO: (INAUDIBLE) I have
5 to run and check in at the hearing I'm at next door
6 so you're the Chair right now then call Lincoln.

7 COUNCIL MEMBER HOLDEN: Listen to that
8 one.

9 CHAIRPERSON GENNARO: I'm coming back.

10 COUNCIL MEMBER HOLDEN: No, it's fine.

11 COUNCIL MEMBER HOLDEN: Because you're
12 Chair, you can go over a little bit.

13 COUNCIL MEMBER HOLDEN: So I don't have to
14 call on Lincoln then? Okay.

15 CHAIRPERSON GENNARO: You have to do that.

16 COUNCIL MEMBER HOLDEN: Sorry. Go ahead.

17 EXECUTIVE DEPUTY COMMISSIONER THUO:
18 Actually, we talked about Thomas Edison, one of the
19 high schools that we've done.

20 COUNCIL MEMBER HOLDEN: Right, I saw that
21 in the testimony.

22 EXECUTIVE DEPUTY COMMISSIONER THUO:
23 (INAUDIBLE) Sheepshead Bay is one of the largest
24 solar installations on any public school so that work
25 is already happening, and we actually got into a

2 contract with NYPA earlier this year so we're
3 enlarging our solar program.

4 COUNCIL MEMBER HOLDEN: So you would
5 actually get some companies to come in and assess
6 some of the larger schools that have the space and
7 the right direction they're facing and so forth and
8 so on?

9 EXECUTIVE DEPUTY COMMISSIONER THUO:
10 That's right, and that's part of the contract, and
11 we'd love to sit down with you about your District
12 and the ideas that you have for your schools.

13 COUNCIL MEMBER HOLDEN: I'm going to give
14 myself more time.

15 EXECUTIVE DEPUTY COMMISSIONER THUO: So
16 we're already doing that work, and we're expanding it
17 with a new NYPA contract.

18 COUNCIL MEMBER HOLDEN: Okay. You
19 mentioned something about there's a supply chain
20 problem still in 2023, the end of 2023. Could you
21 name a couple of things that you can't get?

22 EXECUTIVE DEPUTY COMMISSIONER THUO: An
23 example is actually the solar panels.

24 COUNCIL MEMBER HOLDEN: Solar panels are
25 in short supply?

EXECUTIVE DEPUTY COMMISSIONER THUO:

That's an example of where we have had challenges with supply, but, with the new contract that we have, we've been able to secure solar for certain projects, but that is one example of where we faced supply chain or where it's delayed and then it becomes more expensive.

COUNCIL MEMBER HOLDEN: Okay. I didn't there was, with all these companies promising solar energy on my roof, like I said, I get a number of calls. I even get people meeting me at City Hall who are representing companies they want to do it to our homes so I didn't know there was a shortage, but we'll look into that.

EXECUTIVE DEPUTY COMMISSIONER THUO: You can also imagine the volume when it comes to our projects, the volume of the solar panel.

COUNCIL MEMBER HOLDEN: Yeah, but you have to start somewhere, and I just don't think that...

EXECUTIVE DEPUTY COMMISSIONER THUO:
That's right.

COUNCIL MEMBER HOLDEN: 100 schools in the next decade is a lot considering.

2 EXECUTIVE DEPUTY COMMISSIONER THUO: We
3 are working to increase that number, but there are
4 challenges in terms of SCA is doing the construction
5 and we are assessing so there are definitely
6 challenges as we mentioned but, yes, we are looking
7 to how we can increase that number and accelerate
8 that.

9 COUNCIL MEMBER HOLDEN: So what I said
10 before about the electric grid in many Districts,
11 especially in Queens because we have a lot of
12 overhead wires there and things can knock it out, but
13 as we ask for more demands on our electric grid, and,
14 if it's not adequate, then we need to find
15 alternatives like solar. That's what I think should
16 be a priority in the Administration. Thank you.

17 Is Lincoln Restler next? Okay. Calling on
18 my Colleague, Lincoln Restler.

19 COUNCIL MEMBER RESTLER: Thank you, Chair
20 Holden, for graciously, if reluctantly, agreeing to
21 give me a chance to speak, and thank you to the DCAS
22 team for testifying today.

23 I really want to echo the sentiments of
24 Chair Gennaro which are progress has been made, you
25 all deserve credit for that, 25 percent reduction is

1 consequential but it is substantially short of our
2 goal, of the 40 percent threshold. At least 25
3 percent reduction is what was provided to us in the
4 Council report of what we've achieved over the last
5 15 years. It's disappointing to not have a timeline
6 for when we're going to achieve the goal that we're
7 mandated to achieve, and we set up these hearings
8 well in advance, give proper notice, set expectations
9 that this is exactly what we want to discuss, and
10 then to not come with an answer to the question is
11 disappointing, and I appreciate Chair Gennaro's
12 suggestion that y'all come back to us within the next
13 three months with an answer because just as he said
14 we have set aggressive benchmarks in Local Law 97
15 that our communities have to comply with and we want
16 the public sector to be leading the darn way, and in
17 many ways we are. There are lots of great things to
18 show for progress around transportation and the fleet
19 and wastewater treatment and more good things to
20 come.
21

22 I was particularly struck by a couple of
23 areas that have been moving in the wrong direction. I
24 think with the legislation that we passed earlier
25 this year we should reverse the problematic trends

1 with regard to usage of heating oil number 4, which
2 we all know how awful it is, but I was concerned
3 about the increased dependence on natural gas that
4 we've seen in City buildings over the last 15 years
5 and wanted to kind of firstly understand when do we
6 expect to see substantial reductions in our
7 dependence on natural gas in City buildings start to
8 manifest. Let me just leave it there. I have a couple
9 other questions, but I'd like to just start on that
10 first.
11

12 EXECUTIVE DEPUTY COMMISSIONER THUO: Thank
13 you, Council Member Lincoln.

14 I have to say although we will definitely
15 work on that request that we have received, but we do
16 expect in 2030 that we will surpass actually the
17 target so I think that's one thing we can confidently
18 say. With all the work that we are doing, with CHPE
19 coming on and the transmission lines, we do expect in
20 2030 that we will have surpassed our target.

21 By that, in 2030, we do expect in terms
22 of even how we're relying and the energy that we're
23 using in our buildings. Sana, you may want to add
24 some more to that particular question.
25

2 DEPUTY COMMISSIONER BARAKAT: Thank you
3 for your comments, Council Member.

4 In terms of giving you a number, we are
5 now in the process, as one of us mentioned before,
6 that we're looking at the data that we have. The
7 Fiscal Year 2022 emissions just got published. We're
8 taking that information and evaluating, making sure
9 that that information is now incorporated into our
10 projections which is changing. That's why it's taking
11 us a little bit longer now to see where we are, but
12 we are in the process of doing it now, and we should
13 be able to know where we will be when (INAUDIBLE)

14 COUNCIL MEMBER RESTLER: When you look
15 across the board and see generally we're moving in
16 the right direction although perhaps not at the clip
17 that we were hoping for, we're moving in the right
18 direction across the board but not in a couple of key
19 areas, notably natural gas. I just would've thought
20 we would set narrower annual benchmarks for ourselves
21 for the goals we're trying to achieve and hope that
22 as you come back to Chair Gennaro with a broader
23 timeline for when we're going to achieve the FY-25
24 goals, you can also share some insight in our
25 progress there.

1
2 I think I represent more public buildings
3 than any Council Member probably shy of Chris Marte,
4 and I'm eager to be a real partner in helping to
5 decarbonize each and every one of them. We just
6 recently went on a tour of (INAUDIBLE) with DCAS
7 leadership and some of our neighbors which was
8 incredibly helpful. I really want to thank Executive
9 Deputy Commissioner Ringelheim and Brandon for making
10 the time, but I was surprised that despite doing a
11 comprehensive renovation of the building..

12 CHAIRPERSON GENNARO: Lincoln, it is my
13 prerogative, I get to do this, so don't worry about
14 the clock.

15 COUNCIL MEMBER RESTLER: Thank you very
16 much. Council Member Gutiérrez says I talk too much
17 so I'll try to be brief.

18 COUNCIL MEMBER GUTIÉRREZ: I stand by it.

19 COUNCIL MEMBER RESTLER: I'll wrap this
20 question up and add a corollary question on, but I
21 was surprised that we had a new gas boiler going into
22 the building. At this stage, I just would've figured
23 we would've had a more ambitious approach and was
24 somewhat disappointed by that.

25

2 Relatedly, very pleased that we have our
3 Chief Decarbonization Officer here with us. My
4 recollection was that the end of the de Blasio
5 Administration had an EO that required every agency
6 to appoint a Chief Decarbonization Officer and to set
7 targets for decarbonizing by agency. Could we perhaps
8 in writing, if you can give us a topline right now
9 would welcome it, have those Chief agency
10 Decarbonization Officers been appointed, do we have
11 agency targets, can you share progress, who is doing
12 a good job, who is not? Thank you.

13 EXECUTIVE DEPUTY COMMISSIONER THUO: 11
14 agencies to need appoint agency Chief Decarbonization
15 Officers. Out of the 11, two have already appointed
16 their own Chiefs, and the others...

17 COUNCIL MEMBER RESTLER: Which agencies?

18 EXECUTIVE DEPUTY COMMISSIONER THUO: Who
19 are they?

20 COUNCIL MEMBER RESTLER: Which agencies?

21 EXECUTIVE DEPUTY COMMISSIONER THUO: DEP
22 and DOT.

23 COUNCIL MEMBER RESTLER: DEP and DOT.

24 Well, that makes sense.

2 EXECUTIVE DEPUTY COMMISSIONER THUO: The
3 others are in the process of interviewing or making
4 the selections so (INAUDIBLE)

5 COUNCIL MEMBER RESTLER: And agency
6 targets for decarbonization, have those been
7 identified and do we have progress reports that you
8 can share?

9 EXECUTIVE DEPUTY COMMISSIONER THUO: In
10 terms of the emissions, by the end of this year,
11 we're going to publish where every agency is at so
12 I'd rather not reveal that right now until we
13 finalize the numbers but it's coming.

14 COUNCIL MEMBER RESTLER: We'll have those
15 numbers with targets associated for further
16 reductions? So you'll publish where they're at with
17 targets for future (INAUDIBLE)

18 EXECUTIVE DEPUTY COMMISSIONER THUO: Yes,
19 in comparison to their own targets, yes, because our
20 IAP establishes those targets by agency.

21 COUNCIL MEMBER RESTLER: Thank you. Thank
22 you, Chair, and thank you, DCAS.

23 CHAIRPERSON GENNARO: Thank you, Council
24 Member Restler. I recognize Council Member Gutiérrez
25 for questions.

2 COUNCIL MEMBER GUTIÉRREZ: Thank you so
3 much, Chair, and thank you, DCAS and the other
4 agencies, for joining us. I also just want to echo
5 Chair Gennaro's sentiments about I think
6 disappointment of what feels like a snail's pace
7 because I think this Council is constantly pushing
8 back, especially on instances where this
9 Administration seems to walk back some of these
10 goals, and we definitely want to work together and
11 you all are the experts certainly and I think have a
12 deep vested interest and so do we so before I ask any
13 questions, just want to echo how important it is for
14 us to continue to work together, and I know Chair
15 Gennaro is going to continue to hold us all
16 accountable.

17 My questions are, I'm really curious
18 about this Leading the Charge initiative. I know you
19 mentioned it in your opening remarks, Deputy
20 Commissioner. What can you tell me about the timeline
21 and if you want to just share if there's any
22 information that are currently in the pipeline and
23 specifically how are you all prioritizing, how are
24 you all kind of making your way through the goals of
25 integrating these in public schools borough by

1
2 borough or EJ and impacted communities, what is the
3 method there?

4 EXECUTIVE DEPUTY COMMISSIONER THUO: Thank
5 you for that question, and also just want to mention
6 we have one of the actors here, our DEP, Jane
7 Gajwani. She's the agency Decarbonization Officer for
8 DEP, but thank you for that question.

9 For Leading the Charge is that we would
10 electrify the schools by 2030, 100 schools. In all
11 our work in terms of looking what we're going to give
12 projects a priority, being in EJ communities is one
13 of the factors that we look at and that's the way
14 they're prioritized. We're making sure that that's
15 part of the assessment that we're doing, that the
16 projects are prioritized in EJ communities. Now in
17 terms of specific schools, right now I think we have
18 69 schools.

19 COUNCIL MEMBER GUTIÉRREZ: 69 schools, and
20 is there anything specific that you're looking at?
21 Maybe this is an opportunity for us to like what is
22 the definition of an environmental justice community,
23 but are there any specific metrics or data that you
24 are all using just so that we can be clear?

25

2 EXECUTIVE DEPUTY COMMISSIONER THUO: We're
3 working together with SCA. Do you want to add
4 something, Sana?

5 DEPUTY COMMISSIONER BARAKAT: That is
6 true. We are working with SCA to establish what the
7 priorities because you cannot just move students out
8 to do the construction work so that's one of the
9 factors we look at.

10 COUNCIL MEMBER GUTIÉRREZ: Okay, so it's
11 SCA primarily being involved...

12 EXECUTIVE DEPUTY COMMISSIONER THUO: And
13 DOE. We work with both of them.

14 COUNCIL MEMBER GUTIÉRREZ: Okay, but is
15 DEP weighing in on I guess the level of priorities is
16 what I'm saying so I'm asking about the specificity
17 of like joining the categorization of an
18 environmental justice community married with the
19 prioritization of the 100 buildings is what I am
20 trying to understand. I get the DOB piece, I get SCA.
21 We're leaning on DEP potentially to maybe help
22 determine this is an environmental justice community,
23 and that's the question I'm asking, what is that
24 specific metric?
25

2 EXECUTIVE DEPUTY COMMISSIONER THUO: MOCEJ
3 is pretty instrumental also in terming of EJ
4 communities, and we have Joe Chavez here that could
5 add to it.

6 COUNCIL MEMBER GUTIÉRREZ: Come on down.

7 COMMITTEE COUNSEL MACLACHLAN: Please
8 raise your right hand.

9 Do you affirm to tell the truth, the
10 whole truth, and nothing but the truth before this
11 Committee and to respond honestly to the Council
12 Member questions?

13 DEPUTY DIRECTOR CHAVEZ: Yes.

14 CHAIRPERSON GENNARO: Also, please state
15 your name for the record.

16 DEPUTY DIRECTOR CHAVEZ: Joe Chavez.

17 CHAIRPERSON GENNARO: Nice and loud.

18 DEPUTY DIRECTOR CHAVEZ: Joe Chavez.

19 CHAIRPERSON GENNARO: Thank you.

20 COUNCIL MEMBER GUTIÉRREZ: Perfect. Thank
21 you. You want me to repeat that question?

22 DEPUTY DIRECTOR CHAVEZ: No, I think I've
23 got it.

24 The Mayor's Office of Climate and
25 Environmental Justice has currently been working on

2 an environmental justice report. We have used a lot
3 of criteria, demographic criteria on a lot of
4 environmental hazards, air quality is a major one,
5 communities that have seen disinvestment or
6 underinvestment in environmental justice so the EJ
7 report is considering a lot of different factors, and
8 we have identified EJ zones and have shared that
9 information with DCAS which is what they have been
10 using to prioritize projects in EJ zones. We also are
11 using the New York State Designated Disadvantaged
12 Communities Maps to also help make sure that we're
13 targeting certain geographies that the State has
14 identified for environmental justice.

15 COUNCIL MEMBER GUTIÉRREZ: Wonderful.

16 Chair, can I have one more minute?

17 CHAIRPERSON GENNARO: By all means.

18 COUNCIL MEMBER GUTIÉRREZ: Thank you. I'm
19 really encouraged by that. Would you be able to
20 confirm if some other factors included are related to
21 hospital admission rates or access to green space?
22 Are those also factors kind of considered in that
23 calculation?

24 DEPUTY DIRECTOR CHAVEZ: There are I think
25 over 50 different factors that were considered so I

1
2 can't name all of those right now, but I can get back
3 to you with specific factors that we included.

4 COUNCIL MEMBER GUTIÉRREZ: Okay,
5 wonderful. I also noticed, please confirm, for the
6 Leading the Charge initiative, there are 4 billion
7 dollars committed to it in the lifespan of the
8 initiative?

9 EXECUTIVE DEPUTY COMMISSIONER THUO: Yes.

10 COUNCIL MEMBER GUTIÉRREZ: Where 1.7
11 billion of it has been allocated to date more or
12 less? Is there a specific plan or a timeline for the
13 remaining billions of dollars to be allocated? If you
14 said this, I'm sorry. I know I came in late.

15 EXECUTIVE DEPUTY COMMISSIONER THUO: As I
16 mentioned before, we are fully committed to the 100.
17 We're working with DOE, we're working with SCA to
18 figure out how we can make that happen, but right now
19 we're committed to 69 and we're moving forward with
20 it. As I mentioned before, too, the lessons learned
21 we're going to get from the construction of the 69
22 will serve us well in the next.

23 COUNCIL MEMBER GUTIÉRREZ: Wonderful.
24 Thank you. Just one more question. Of the 69 schools

25

2 that you mentioned, those are the schools that have
3 been designated, correct? Yeah? And the goal is 100?

4 EXECUTIVE DEPUTY COMMISSIONER THUO: The
5 goal is 100, yes.

6 COUNCIL MEMBER GUTIÉRREZ: Has the work
7 begun in any of the 69 schools?

8 EXECUTIVE DEPUTY COMMISSIONER THUO: Yes,
9 some of the work has begun...

10 COUNCIL MEMBER GUTIÉRREZ: Oh, great. How
11 many?

12 EXECUTIVE DEPUTY COMMISSIONER THUO: We'll
13 circle back in terms of the specific schools that the
14 work has already begun.

15 COUNCIL MEMBER GUTIÉRREZ: Okay.

16 EXECUTIVE DEPUTY COMMISSIONER THUO: But,
17 yes, the work has begun.

18 COUNCIL MEMBER GUTIÉRREZ: Wonderful. I
19 think that's what advocates would love to see.
20 Wonderful. Thank you so much, Chair. Thank you, guys.

21 CHAIRPERSON GENNARO: Thank you, Council
22 Member Gutiérrez. Appreciate your questions.

23 I just have some followup questions for
24 the panel. This will kind of be like a lightning
25

1 round here. Staff has come up with some good
2 questions.
3

4 The narrative for the first question is
5 that the Administration has a goal to install 100
6 megawatts of solar power on City-owned buildings by
7 2025. Maybe this was covered in your statement; I'm
8 not sure. What is the amount of power that can be
9 produced by PV systems on City-owned buildings today?
10 Do you mean how much is actually being produced or
11 what's the capacity? Oh, so the question what is the
12 amount of PV that is being produced by PV systems on
13 City-owned buildings today I guess in megawatts.

14 EXECUTIVE DEPUTY COMMISSIONER THUO: As of
15 today, it's 22.7.

16 CHAIRPERSON GENNARO: Okay. In September
17 2022, the Administration reported that it was in the
18 process of installing PV systems on City-owned
19 buildings that would produce a net power of 46.3
20 megawatts. Have these systems since been installed?
21 That's a little more than a year ago it was reported
22 that there would be a net power supply of 46.3. Oh,
23 not many because you're at what...

24
25

2 EXECUTIVE DEPUTY COMMISSIONER THUO: Well,
3 we actually have projects now underway for 50
4 megawatts more.

5 CHAIRPERSON GENNARO: Okay.

6 EXECUTIVE DEPUTY COMMISSIONER THUO: Yeah.

7 CHAIRPERSON GENNARO: Thank you. Has the
8 Inflation Reduction Act made it cheaper for the City
9 to procure rooftop solar panels? I guess embedded in
10 that question is there is money coming from the IRA
11 to the City to do that. Is that the reality and has
12 the Inflation Reduction Act made it cheaper for the
13 City to obtain rooftop solar panels? Is there some
14 nexus between the IRA and our solar program?

15 EXECUTIVE DEPUTY COMMISSIONER THUO: Thank
16 you for that question. I have to say we're taking a
17 holistic picture of really trying to take advantage
18 of any federal grants we have that are available to
19 us, and this is one of the aspects that we are
20 looking at to see how it can make it cheaper for us
21 and be able to be able to install more solar, and I
22 think fleet is a great example of how Keith has taken
23 advantage of grants to just expand our
24 electrification, our chargers, and I don't know

2 whether, Keith, you want to talk a little bit more
3 about that.

4 CHAIRPERSON GENNARO: Keith, please.

5 DEPUTY COMMISSIONER KERMAN: Sure. Thank
6 you. We announced early in the year in January with
7 Mayor Adams that 10 million dollars of CMAQ federal
8 DOT dollars would go into buying 1,000 electric
9 vehicles so we began the year with 4,000 electric
10 vehicles. We are now on the cusp, not quite there but
11 pretty close to 5,000, and that's the pace we're
12 going to need to keep as we go to the Local Law 140
13 requirements to electrify the fleet. There is a tax
14 credit as part of the IRA, a tax credit for electric
15 vehicles of up to 7,500 dollars a vehicle so we've
16 been waiting to get, there's guidance that we've been
17 waiting for to submit for that, and we expect to get
18 that guidance very soon so that could be a real major
19 support for us as we try and offset some of the
20 budget issues. 7,500 dollars per 1,000 electric
21 vehicles is 7-plus million dollars. It's a lot of
22 money that we plan and hope to put right back into
23 sustainable fleet.

24 We also are pursuing other grants in
25 partnership with the Mayor's Office of Operations and

1 DOT for more solar carports. We have 159 solar
2 carports right now throughout the city so we're
3 looking for federal grant money to expand that
4 program, clean energy, zero emissions, and also
5 resiliency for us. Answering that question of what
6 happens if we have power outages so we're pushing on
7 all fronts on the federal side.
8

9 CHAIRPERSON GENNARO: Thank you. Local Law
10 32 of 2023, which you made reference to in your
11 statement, prohibits the use of number 4 heating oil
12 in public buildings including public school buildings
13 after July 1, 2025. Is the Administration prepared to
14 meet this deadline? This was my bill so, you know...

15 EXECUTIVE DEPUTY COMMISSIONER THUO: We're
16 very appreciative of your bill.

17 CHAIRPERSON GENNARO: I want a true answer
18 on this.

19 EXECUTIVE DEPUTY COMMISSIONER THUO: The
20 answer is yes. We are transitioning out of number 4
21 fuel oil into number 2, and we have 200 schools that
22 are going to be transitioning into it, and roughly
23 100 schools right now have...

24 CHAIRPERSON GENNARO: 200 schools, but
25 when we passed the law, it was about 25 percent of

1 public school buildings were using number 4. I don't
2 know how many public school buildings there are. What
3 is it, like 1,100 or something, and 25 percent of
4 that is I guess about 300 or so, so the universe of
5 school buildings that were using number 4 was closer
6 to 300, right? Whatever it was, you just answered
7 that you plan on having it all done by the deadline
8 of July 1, 2025.

10 EXECUTIVE DEPUTY COMMISSIONER THUO:

11 Correct.

12 CHAIRPERSON GENNARO: Great answer. Love
13 that answer. Thank you.

14 Here's a Keith question if I ever saw
15 one. In 2019, DCAS published a study of the use of
16 renewable diesel or RD as a heating fuel in City-
17 owned buildings. What proportion of heating systems
18 in City-owned buildings use RD today? As a followup,
19 does DCAS intend to increase the number of heating
20 systems in City-owned buildings which use RD? I'll
21 just take this as an opportunity to have Keith kind
22 of do his whole RD, like the story of RD, even though
23 this is about the proportion of heating systems in
24 City-owned buildings that are using RD today and do
25 you plan to increase that, but you've got a whole

2 story behind RD so why don't we just, the question is
3 just tell us about RD and the promise you believe it
4 holds on all frontiers.

5 DEPUTY COMMISSIONER KERMAN: You bet.

6 First, what is renewable diesel and what is
7 biodiesel? These are non-fossil fuels. We are not
8 digging up and going underground to unearth all kinds
9 of pollution to get our fuel. We are using waste
10 products and farm products, byproducts, not food by
11 the way, we don't use a bean, we don't use corn, we
12 use waste products. Used cooking oil, waste animal
13 fat are our current two sources for our renewable
14 diesel.

15 CHAIRPERSON GENNARO: I'd just point out
16 the subtlety of that. The fact that you're using
17 waste products takes out all of the sort of carbon
18 footprint that would be involved if you were growing
19 these and producing them and so that is much more
20 carbon friendly using waste products than using
21 virgin products that got grown for this purpose.

22 DEPUTY COMMISSIONER KERMAN: Absolutely.

23 CHAIRPERSON GENNARO: And that's
24 significant.

2 DEPUTY COMMISSIONER KERMAN: And we follow
3 the lead of the California Air Resources Board in
4 assessing the climate intensity in the what are
5 called the pathways, and we are achieving 60 percent
6 minimum, up to 80 percent greenhouse gas reduction
7 using these biofuels as well as at the tailpipe 15 to
8 35 percent in reductions at the tailpipe so major
9 environmental move forward. We've long used biodiesel
10 which is the same feed stock so same waste products,
11 farm products and, through your leadership, we've
12 been implementing Local Law 73 of 2013 in the fleet.
13 Biodiesel has certain operating restrictions and
14 really can only be used in 20 percent or less so you
15 can use 20 percent in a Sanitation truck but the
16 other 80 percent has to be regular fossil diesel.
17 What's the next stage? How do you get to 100 percent
18 switch, and that's renewable diesel. Renewable diesel
19 is manufactured to the exact same specification,
20 what's called ASTM 975, as regular diesel. It is
21 regular diesel at an operating level, but at a
22 production level it's a recycled product, a renewable
23 product, and more environmentally friendly product.
24 As you know, we know announced and Mayor Adams and
25 Commissioner Pinnock announced just a few weeks ago

2 that we're moving the whole fleet to renewable
3 diesels, not just the trucks on-road but also the
4 off-road equipment. We have 5,000 off-road equipment
5 pieces, chippers and stump cutters and front-end
6 loaders and snow melters and I could keep going on so
7 that's an important area of emissions. It's not just
8 what is driving on the road. We are well on our way
9 to that. Most agencies, Commissioner Thuo mentioned
10 Sanitation, every truck today is using renewable
11 diesel. Parks, DEP, DOT, Department of Correction,
12 we're beginning that process with the Police and Fire
13 Departments so there is the potential, and our focus
14 right now is to get the fleet done. We are the first
15 city east of the Rocky Mountains to be doing this.
16 The first entity east of the Rocky Mountains. Most
17 renewable diesel is sold in California, which uses it
18 in extraordinary scale. We are the first group under
19 the Adams' Administration to bring renewable diesel
20 anywhere to the East Coast, frankly anywhere east of
21 the Rocky Mountains, anywhere in most of the country.
22 We're focusing on getting fleet done, and we're close
23 to that, but there is potential so we did publish a
24 report that you mentioned on the potential for
25 renewable diesel in two other important areas,

2 heating oil and marine vessels, so now our focus is
3 the fleet and we want to get the fleet done, make sur
4 it works well, prove that it's successful, but those
5 are two very important potential areas. We've begun
6 internal discussion of those. We're beginning that
7 process. When we did renewable diesel, we had a long
8 regulatory process with the Fire Department, with
9 EPA, with State DEC, we did a lot of nation-leading
10 work to get renewable diesel ready for underground
11 storage tanks, for dispensers, for trucks. We did a
12 1-million-gallon demonstration project in 2018 so we
13 have to do the due diligence. We're beginning
14 internally that due diligence on the heating oil side
15 and on the ferry side so while we don't have anything
16 to announce on either of those yet, what we want to
17 do is make sure the trucking program gets fully
18 implemented and done. There is extraordinary
19 potential on carbon reduction on both the heating oil
20 side and heating oil is 25 to 35 million gallons a
21 year so fleet is 15 to 16 million gallons. Heating
22 oil is a bigger opportunity. Then on the ferry side
23 as well. After trucks, the largest emitter on
24 transportation is vessels so renewable diesel, right
25 now we're getting it done on the trucking side.

1 That's why we're going to meet and, under DCAS'
2 leadership, we will meet 50 by 2025, a more
3 aggressive target than the other targets. We will
4 meet that on the fleet side. Then there's real
5 opportunity on the heating oil side and ferry side as
6 well.
7

8 CHAIRPERSON GENNARO: Let me just ask you
9 on the heating oil side and on the ferry side, with
10 heating oil I guess you're dealing with the fuel oil
11 burners and the warranties and this is going to void
12 the warranty, is it going to work, so there's all
13 that. I guess the same thing with the engines that
14 are on the ferries, right. The makers of those
15 engines or whatever, are they going to certify that
16 this fuel is usable in their equipment and will it
17 void the warranty or whatever so this that's probably
18 what you're talking about, right?

19 DEPUTY COMMISSIONER KERMAN: Exactly,
20 Council Chair. We had many, many years of due
21 diligence and a lot of extraordinary work was done by
22 DCAS, also the Department of Sanitation was very
23 involved, and I wrote my newsletter about Spiro
24 Kattan at the Department of Sanitation who has done
25 this work for decades and was hugely important to

1 this effort. We need to do that same work now in the
2 burner manufacturer world, the Becketts of the world,
3 a whole different set of equipment and less
4 experience in biofuels but very interested. We've had
5 really good initial forays into the heating oil
6 equipment side. They are very interested in the
7 potential of this fuel. The same with the vessels,
8 and we're partnering, there are five vessel programs,
9 of DOT, DEP Sludge Boats, the Fire and Police
10 Department emergency vessels, and then EDC, the NYC
11 Ferry so that's a little bit newer equipment for DCAS
12 or at least for my program. Obviously, we tend to
13 stay on land, but we are in conversations with
14 everybody, and we have to do that due diligence on
15 the equipment side with the manufacturers, also on
16 the regulatory side so it's a little bit different on
17 the regulatory side. The Department of Buildings will
18 be involved. Vessels have some other regulatory
19 requirements including the U.S. Coast Guard, but that
20 work is all ahead of us and very tremendous potential
21 to help DCAS and the City meet these targets.

22
23 CHAIRPERSON GENNARO: Thank you. I think
24 the RD program has been phenomenal. Like when I
25 started on my biofuels journey years ago, I didn't

2 think we'd get this far this fast, and it's really
3 extraordinary.

4 Although you work on the public sector
5 side, is there an interest in this fuel on like the
6 private side to the extent that you know a little bit
7 about that? I'm just curious what's going on with
8 that, if you could share that.

9 DEPUTY COMMISSIONER KERMAN: Yeah, there's
10 enormous interest. There are a lot of entities. For
11 everybody who is listening in, renewable diesel is
12 not a new fuel. It's a fuel that's being used in
13 billions of gallons in California and also in
14 Washington and Oregon and Canada is also developing a
15 substantial renewable fuels program, and it's a
16 complete switch out from fossil fuel. On the West
17 Coast, there's a policy called the Low Carbon Fuel
18 Standard, and the LCFS is what's driving not just
19 renewable fuels but it's also driving
20 electrification. It's essentially a version of a
21 carbon market and how if you're an electric vehicle
22 maker or an electric charger installer, you can get
23 carbon credits. If you're renewable diesel instead of
24 fossil diesel, you can get carbon credits. So that
25 policy is one of the major California policies, and

1
2 it's the reason all this fuel gets sold out there and
3 not there. We're trying to change that. I can tell
4 you I've talked to a lot of major entities, I won't
5 name them as a courtesy, but I've talked to some of
6 the biggest fleet operators in New York State and
7 they're all extraordinarily interested in moving to
8 this fuel, and a lot of them are national in scope so
9 they're using the fuel in California so they already
10 know the fuel, it's not a theory to them, they are
11 kind of saying hey, all of our trucks run on
12 renewable diesel or electric in California, in New
13 York we can't get it. One of our hopes is, and DCAS
14 has moved to this, is to try and create the market,
15 make the market for renewable diesel, help educate
16 people that this is an alternative that's out there,
17 but there's a lot of interest, and I think if we can
18 look at the regulatory side and build supply, you
19 would see a lot of big name companies, I'm tempted to
20 name them but it's not the right thing to do, but a
21 lot of big name companies that everybody knows who
22 are using it in California and would be using it in
23 New York if we can get the supply here.

24 CHAIRPERSON GENNARO: Would it be fair to
25 say that New York City's foray into RD and the huge

2 contract that you just let for this is going to bring
3 some kind of economy of scale to others that want to
4 purchase this fuel so there will be kind of carbon
5 impacts beyond just what New York City realizes for
6 New York City government because we went first and so
7 now RD is here and all the infrastructure or whatever
8 for it is in place and that's going to allow the
9 private sector to avail itself more of this. Is that
10 a fair statement?

11 DEPUTY COMMISSIONER KERMAN: Absolutely.

12 This has been a challenging contracting process. The
13 Commissioner mentioned that a lot of these
14 contracting processes are difficult. I will tell you
15 having done this for a long time, as you know, this
16 is one of the toughest contracts we've ever done
17 because we've had to bring a product that does not
18 exist anywhere nearby and bring it here, but we got
19 it done. Now, there are multiple vendors out there
20 who are now trying to promote renewable diesel as a
21 product in New York State so we've already seen a
22 jump in the vending base. My understand is we'll see
23 our first retail location, our first gas station,
24 that's offering renewable diesel very soon so that's
25 what we want to spark. Obviously, we need to see more

1 of that, but that's what we want to spark and, if we
2 can get renewable diesel widely available in New York
3 City and New York State, that is going to help both
4 the government side and the private side meet these
5 targets.
6

7 CHAIRPERSON GENNARO: It's probably the
8 case that there's a price delta between RD and
9 regular diesel so how much is that?

10 DEPUTY COMMISSIONER KERMAN: First, I'll
11 say in California, Oregon, and Washington, renewable
12 diesel is selling at the same price as diesel or less
13 because they've created a market. Obviously, we are
14 an early adopter, but let me just tell you a little
15 bit on the pricing because it's interesting. Fuel
16 prices are very volatile things. We have brought in
17 7.5 million gallons of RD so far, two barges. We just
18 finished the first barge. We're working on the second
19 barge, our first Arctic barge, and I will say that we
20 have what's called the Arctic blend so we'll be the
21 first cold weather user in the United States of
22 renewable diesel. We're paying 4.82, 4 dollars 82
23 cents a gallon. That's what we're paying, and it's a
24 fixed price per barge. I'll give you some reference
25 points. For the last year, where we go to retail

2 diesel which is mostly emergency services, we've paid
3 \$5.12, we've paid more when we go to a gas station
4 for retail diesel, and price has been as high as
5 \$6.10 one year ago in November 2022. We fuel in-house
6 so right now RD in-house where we have our own in-
7 house dispensers, in-house tanks is more expensive.
8 That price has been \$4.13 so we're paying a little
9 bit more on the in-house side. We're paying less than
10 the retail side, more on the in-house side, but even
11 on the in-house side, one year ago, we were paying
12 \$5.77 for regular diesel. We were paying more than we
13 pay for RD. I can tell you we expected to pay more
14 for RD because there's no market, and we have already
15 offset those costs through reduction in total fuel
16 use so we're saving, same thing we do with electric,
17 we pay more upfront for an electric vehicle, we save
18 in maintenance, we save in fuel over time. We have
19 reduced, as was mentioned in the testimony, 4.6
20 million gallons a year of total fuel use so any
21 increase in renewable diesel will be totally self-
22 funded, totally offset by the fact that we're burning
23 less fuel. The fuel budget is going to maintain
24 itself. That said, I'm not prepared to say renewable
25 diesel will be more expensive at the end of the year

2 because who knows what we'll be paying in diesel
3 fuel. Diesel fuel went up two dollars in the last two
4 years so on the pricing side we expect it to be more
5 expensive, I'll concede that because there is no
6 other market, we're an early adopter and frankly
7 you're paying for a lot better product, but diesel
8 fuel has been so expensive, the fossil diesel has
9 been so expensive that frankly I think renewable
10 diesel makes total sense and, of course, it's a
11 different marketplace. It's based on the California
12 Low Carbon Fuel Standard, it's different feed stocks
13 so you aren't impacted necessarily by the same
14 factors that impact fossil diesel.

15 CHAIRPERSON GENNARO: That's all great
16 news so we really have nothing to fear about belt-
17 tightening and looming budget cuts making us move
18 away from this fuel. We're too far in to do that,
19 right, and everyone's always wondering about outyear
20 budget gaps or whatever and trying to squeeze every
21 last penny.

22 DEPUTY COMMISSIONER KERMAN: I'll never
23 opine on the potential for reductions because that is
24 sometimes universal, but what I will say is we
25 employed a strategy which was to bring this fuel in

2 to meet our greenhouse gas goals, our emissions
3 goals, and to offset any additional costs by the
4 efficiencies in the fleet. By the way, that's exactly
5 what we do for electric. Every electric vehicle we
6 buy is more expensive than the gas version, but, over
7 time, we make it up by savings so that's what we
8 employed here and it's working.

9 CHAIRPERSON GENNARO: God forbid there is
10 any kind of budgetary pushback. Let me know. We have
11 our own ability here in the Council to advocate for
12 stuff, and this is really a huge success story that's
13 going to pay clean air and carbon reduction
14 efficiencies all up and down the East Coast as this
15 grows.

16 Would it be fair to say that there is
17 sufficient capacity to produce as much of this fuel
18 because one would think that maybe there's only so
19 much waste agricultural product out there or
20 whatever, and so are we like the Saudi Arabia of RD,
21 it's just like we have an endless supply or how does
22 that work?

23 DEPUTY COMMISSIONER KERMAN: I mean there
24 are absolutely feed stock limitations. I don't think
25 anyone would say that there is feed stock

2 availability to replace all fossil fuel in the United
3 States today. That said, we're seeing enormous growth
4 in renewable diesel supply, and somebody's announcing
5 a new renewable diesel plant with support from the
6 federal government, the renewable fuel standard, all
7 the time. When we started this program back in 2017
8 and 2018 when we did our demonstration project, there
9 was far less supply out there than there is today.
10 California has an insatiable appetite for it, and
11 they are planning I believe by 2030 to have all fuel
12 in the State of California, public and private, be
13 renewable fuel so there's a lot of additional supply
14 out there. I'm hopeful that in a couple of years
15 we're talking about New York using tens of millions
16 of gallons and worrying about whether we need more
17 feed stock, but we have enormous growth opportunity
18 in front of us right now, and that's what we should
19 focus on.

20 CHAIRPERSON GENNARO: Thank you. It's in
21 large part to your good efforts, Keith, so we
22 certainly do really appreciate that.

23 I almost don't want to ask any more
24 questions based on the great answer we got there. I
25 don't think it gets better than that. Where are we?

2 In June 2023, DEP launched a partnership
3 with National Grid to provide natural gas to 5,200
4 homes using the methane produced by the wastewater
5 treatment process at Newtown Creek Wastewater
6 Resources Recovery Facility. However, in November
7 2023, just last month, the publication, Gothamist,
8 either accurately or inaccurately, reported that the
9 program had gone offline with no timeline for its
10 return. That's what Staff was able to glean from the
11 media. Again, that's either true or it's not so the
12 first question is why did the program go offline and
13 when might it start back up again?

14 COMMITTEE COUNSEL MACLACHLAN: Before you
15 begin, if you could please state your name for the
16 record and I'll administer the oath.

17 Do you affirm to tell the truth, the
18 whole truth, and nothing but the truth before this
19 Committee and to respond honestly to Council Member
20 questions?

21 FIRST DEPUTY DIRECTOR GAJWANI: I do. I'm
22 Jane Gajwani from DEP.

23 CHAIRPERSON GENNARO: Okay, there you go.
24 You heard the question.
25

2 FIRST DEPUTY DIRECTOR GAJWANI: Right.

3 Just for context, we have at Newtown Creek which is
4 our largest wastewater resource recovery facility, we
5 have a program where we have our eight anaerobic
6 digestors, they create biogas, and any excess biogas
7 that is generated is cleaned up by a system that
8 National Grid owns and operates and maintains. It
9 cleans up to Natural Gas Standards, and it's injected
10 into the grid to be used in local homes and
11 commercial establishments, etc. The system started up
12 at the end of March. It took a long time to
13 construct. I think that was also fairly well-
14 publicized. It started up at the end of March and in
15 August there was a vibration issue that developed
16 that, it's a high-pressure system.

17 CHAIRPERSON GENNARO: There was a what
18 issue that started up?

19 FIRST DEPUTY DIRECTOR GAJWANI: There was
20 some vibrations. It's a high-pressure system that
21 separates the, biogas is composed of about 65 percent
22 methane and 35 percent carbon dioxide so there's a
23 high-pressure system that actually separates out the
24 carbon dioxide from the methane so that it could
25 purify the biogas to meet Natural Gas Standards which

2 is most entirely methane. They had a small vibration
3 issue but, because of the high pressures, it started
4 to compromise the vessels itself so they had to take
5 the entire system down in order to identify what the
6 vibration issue is. That took some time, they made
7 some repairs. They've actually been up and running
8 periodically for the last couple of weeks now so for
9 about two and a half months the system was down while
10 they made those repairs and they were doing
11 troubleshooting of the vibration issue. Just to be
12 completely clear, we've been using about 60 percent
13 of the gas on-site so this is just the excess gas
14 that's going.

15 CHAIRPERSON GENNARO: Oh, whereas most of
16 the gas that's produced there is used on-site to run
17 the facility?

18 FIRST DEPUTY DIRECTOR GAJWANI: Correct.
19 It's used to heat the digestors themselves and also
20 seasonally for building heat.

21 With this extra 40 percent that would be
22 going to National Grid, for that time period, that
23 was being flared, but within the last few weeks,
24 they've been operating about half a day, like on for
25 half a day, off for half a day, so about 20 percent

2 of it was going to the grid and about 20 percent was
3 being flared. They're getting a thermocouple replaced
4 this week, and so we anticipate that they'll actually
5 be back up and running by the end of the week.

6 CHAIRPERSON GENNARO: Yeah, there are
7 other followups, but I think that covered it so
8 thanks for that and good luck with that.

9 FIRST DEPUTY DIRECTOR GAJWANI: Thank you,
10 Chair.

11 CHAIRPERSON GENNARO: Okay, I have two
12 more here then you'll be free.

13 How will DCAS' November Plan and PEGs
14 affect its ability, if it will affect its ability, to
15 achieve the decarbonization of City government
16 operations necessary for Local Law 97 so do we have
17 any budget problems with regard to the
18 decarbonization? Is that foreseen?

19 EXECUTIVE DEPUTY COMMISSIONER THUO: Every
20 agency obviously has PEGs, but our expense budget, it
21 was not cut so that's good news. For our capital
22 plan, however, we are now in discussions with OMB to
23 see how we can keep our funds and plan for the
24 future.

2 CHAIRPERSON GENNARO: I used to work for
3 OMB 40 years ago. The people I worked with I don't
4 think are still there but if I have any contacts,
5 I'll...

6 EXECUTIVE DEPUTY COMMISSIONER THUO: I
7 have to say that they've really been advocating for
8 us.

9 CHAIRPERSON GENNARO: Yeah, let us know
10 how that goes.

11 No, really, I worked there in 1983, '83
12 to '85, a long time ago. This is like when the City's
13 budget was like 20 billion or 10 billion or
14 something. Yeah, a long time ago. Thank you for that.

15 According to the 2022 New York City
16 Government Greenhouse Gas Inventory, which is
17 available on MOCEJ's website, the greenhouse gas
18 emissions from the City's water supply system
19 increased by over three times, like it tripled,
20 between FY-06 and FY-22 due to an increase in power
21 consumption. What accounts for this increase? Using a
22 lot more energy in the City's water system so the
23 question is what accounts for this increase in power
24 consumption to deliver water to the city?

2 FIRST DEPUTY DIRECTOR GAJWANI: Yeah,
3 there's a really clear reason for it. I should start
4 out by saying that New York City has one of the most
5 energy efficient water supplies in the entire
6 country.

7 CHAIRPERSON GENNARO: Because of me,
8 you're welcome.

9 FIRST DEPUTY DIRECTOR GAJWANI: But it is
10 because we have a pristine water supply from Upstate,
11 and then also...

12 CHAIRPERSON GENNARO: Also because of me,
13 you're welcome.

14 FIRST DEPUTY DIRECTOR GAJWANI: And then
15 it also comes from the mountains so it actually
16 mostly flows with gravity.

17 CHAIRPERSON GENNARO: Mountains, I didn't
18 do. The mountains were there longer than I've been
19 around.

20 FIRST DEPUTY DIRECTOR GAJWANI: Almost all
21 of the water that comes, the billion gallons of water
22 that comes to the city each day is mostly conveyed by
23 gravity. It's a marvel of modern engineering. We're
24 very proud of it. Following 2006, we had two really
25 large facilities come online. One is the Croton Water

2 Filtration Plant, and the other one is the
3 Catskill/Delaware Ultraviolet Disinfection Facility.

4 CHAIRPERSON GENNARO: Right, right, right,
5 yeah. Those are pretty intensive users of power,
6 yeah.

7 FIRST DEPUTY DIRECTOR GAJWANI: Yeah, the
8 Croton Water Filtration Plant provides both
9 filtration and disinfection to about 10 to 25 percent
10 of the water supply and then the UV facility covers
11 about 75 to 90 percent, and they're both pretty
12 significant. Even with those online, we are actually
13 still one of the most efficient. It was a really
14 small number to begin with and so, even though it
15 tripled, we're still one of the most efficient water
16 supplies in the country.

17 CHAIRPERSON GENNARO: No argument. With
18 that, I want to thank the panel. I know it was like a
19 toughie at the outset, but I really appreciate all
20 the good work that you're doing and best of luck to
21 you in your new position, and it's really a pleasure
22 to work with the Adams' Administration in general and
23 their commitment to decarbonization, environmental
24 quality, you name it, and Rit and the whole team,
25 just really great people to work with and I

2 appreciate your efforts, but I'm holding you to the
3 three-month thing about when we're going to be at 40
4 percent reduction so you get three whole months. You
5 can have a nice holiday season but, after that, you
6 have to get rid to it.

7 EXECUTIVE DEPUTY COMMISSIONER THUO: Same
8 for you.

9 CHAIRPERSON GENNARO: I want to thank this
10 panel very much for being here today, and I want to
11 thank Rob Cataldo (phonetic) for always being a great
12 liaison between us and all things environmental in
13 the Administration. He's a great American. I'm sure
14 somebody is either going to hang back to listen to
15 the rest of the testimony or watch it on livestream
16 or something so that the Administration gets the
17 benefit of the people yet to testify who have views
18 that I want the Administration to see. Thank you very
19 much, really appreciate it. Wish you all a healthy
20 and happy holiday season and hope to see you real
21 soon.

22 DEPUTY COMMISSIONER KERMAN: Same. Bye.
23 Thank you.

24 COMMITTEE COUNSEL MACLACHLAN: We will now
25 turn to public testimony.

2 Each panelist will be given three minutes
3 to speak.

4 For panelists testifying in person,
5 please come to the dais as your name is called and
6 wait for your turn to speak.

7 For panelists who are testifying
8 remotely, once your name is called, a Member of our
9 Staff will unmute, and the Sergeant-at-Arms will give
10 you the go-ahead to begin. Please wait for the
11 Sergeant to announce that you may begin before
12 delivering your testimony.

13 CHAIRPERSON GENNARO: Also, if anyone has
14 written testimony that they would like us to have,
15 you can hand that to the Sergeant, and the Sergeant
16 will bring it up to the dais.

17 The Counsel will call the first panel.

18 COMMITTEE COUNSEL MACLACHLAN: The first
19 panel will be Alia Soomro with the New York League of
20 Conservation Voters, Anna Pavlova with Carbon Quest,
21 and Harrison Nesbit with NYC H2O.

22 You may begin when ready.

23 ALIA SOOMRO: Good afternoon. My name is
24 Alia Soomro, and I'm the Deputy Director for New York
25 City Policy at the New York League of Conservation

2 Voters. Thank you, Chair Gennaro as well as Members
3 of the Committee on Environmental Protection, for the
4 opportunity to testify today. I have submitted longer
5 written testimony.

6 New York has some of the most ambitious
7 climate laws and policies in the country including 80
8 by 50, Local Law 97, and earlier this year the
9 release of PlaNYC: Getting Sustainability Done.

10 Nevertheless, New York City's government operations
11 has a long way to go to cut its carbon emissions.

12 While NYLCV appreciates the City's leadership
13 developing PlaNYC report as well as the City
14 Council's leadership in passing many important
15 climate laws such as the law establishing the
16 phaseout of fuel oil grade number 4 in private and
17 publicly owned buildings, at this point we must focus
18 heavily on the implementation of existing laws and
19 policies and, perhaps most importantly, the need for
20 robust funding and long-term capital planning. I will
21 now highlight a few points from my written testimony.

22 Regarding building, the vast majority of
23 New York City's greenhouse gas emissions comes from
24 our buildings. With the recent passage of City of Yes
25 for Carbon Neutrality, NYLCV believes that our city

1 is better equipped to make much-needed building
2 retrofits to fight climate change. This zoning
3 amendment will help the City meet its goal to install
4 at least 100 megawatts of solar power on City-owned
5 buildings by the end of Fiscal Year 2025.

6 Additionally, we supported Mayor Adams' Leading the
7 Charge program, which calls for the construction of
8 all new City schools to be all electric. We hope the
9 City stands by these goals and timely implements
10 them.
11

12 Transportation is the third largest
13 source of greenhouse gas emissions in government
14 operations so electrifying the City's fleet is a key
15 component. This includes plans such as the City's
16 Clean Fleet Plan which commits the City to reducing
17 the City fleet by half by 2025. The City Council also
18 recently passed Local Law 140 sponsored by Council
19 Member Keith Powers which codified into law deadlines
20 for electrifying the City's fleet. We urge the City
21 to also work towards a mandate for an all-electric
22 school bus fleet by 2035.

23 The City must continue working with
24 utilities to invest in and expand EV charging
25

2 infrastructure, especially for medium and heavy duty
3 vehicles throughout the city.

4 Lastly, NYLCV would be remiss if we
5 highlighted all these laws and plans without
6 underscoring the importance of funding and staffing
7 for City agencies to implement them. We were deeply
8 disappointed by the budget cuts announced by the
9 Mayor in November. Although we understand the fiscal
10 challenges facing our City today, with the climate
11 crisis growing more urgent by the day, this is no
12 time for New York City to cut funding for vital
13 services and other environmental programs. Time and
14 time again, the climate crisis has shown us the need
15 for long-term capital planning. For example, the City
16 electrifies its buildings and fleets, the City must
17 allocate more capital funding for building retrofits
18 and the purchase of small, medium, and heavy duty
19 vehicles such as garbage trucks, snow plows, and
20 more. We encourage the City Council to continue
21 collaborating with advocates, City agencies such as
22 OMB and DCAS, and utilities such as Con-Ed and Nat
23 Grid to ensure EV charging infrastructure.

24 With the numerous challenges facing the
25 City, we must not lose sight of important climate

2 deadlines and goals. We urge the City Council to
3 continue working with advocates and the City to hold
4 them accountable and thank you for the opportunity to
5 speak.

6 CHAIRPERSON GENNARO: Thank you very much,
7 and we really appreciate the great advocacy that we
8 get from the League on all frontiers because they all
9 do it all and grateful for the League's input and say
10 hi to Julie for me and thank you for your good
11 testimony. Say hi to Josh too. Thank you.

12 Next witness.

13 ANNA PAVLOVA: Hello. My name is Anna
14 Pavlova, and I'm with the New York City startup,
15 Carbon Quest.

16 As the City works to meet the rest of its
17 emissions reductions goals, the City should continue
18 to lead by example with decarbonization retrofits of
19 its buildings and also serve as a demonstration
20 ground for innovation. Adopting and demonstrating new
21 technology in City buildings can speed up
22 decarbonization, attract innovators and new types of
23 jobs to the city, and also chart a path forward to
24 other buildings subject to Local Law 97 and to other
25 urban areas.

2 When it comes to emissions reductions,
3 not all buildings are the same. Many factors affect a
4 building's ability and speed with which they can
5 reduce emissions. In some larger buildings, such as
6 hospitals, universities, wastewater treatment,
7 complex systems like combined heat and power or fuel
8 cells that serve resilience requirements and our
9 critical infrastructure are either partially or fully
10 dependent from the grid. Some of them cannot go back
11 on the grid. In some other cases, large boilers and
12 heating equipment is new, and the building or
13 building complex is so large that immediate
14 electrification will require either very large sums
15 or significant operations disruptions. In other
16 words, to achieve decarbonization, we must understand
17 that not all buildings are the same and the speed of
18 electrification will be different, and the costs will
19 vary greatly, especially for those over 100,000
20 square feet. The City can showcase innovation in both
21 heat pumps but also additional technologies by
22 installing them in City buildings. Our company,
23 Carbon Quest, offers a solution that could be
24 installed in buildings that will otherwise not
25 electrify soon. We capture the building's carbon and

2 then store it in products like green concrete. Our
3 application works well in hospitals, universities,
4 other City buildings where there's combined heat and
5 power, where there are buildings with heating systems
6 that are fairly new, and where the costs of
7 electrification at this moment are too prohibitive to
8 engage in electrification right away. In many cases,
9 clients that come to us have done electrification
10 studies, and they show that the costs of
11 electrification are 3 to 10 times more than our
12 solution and where other operational complexities are
13 preventing these buildings from electrifying quickly.
14 In addition to ensuring that as many buildings as
15 possible implement real measures right now, we also
16 meaningfully contribute to the local green economy.
17 Our CO2 is captured, made into liquid, and then
18 permanently mineralized. It becomes rock during
19 concrete-making process. This disposal of CO2 is
20 permanent, but it only makes sense if the feed stock,
21 the CO2, is recycled, i.e., captured as opposed to
22 being brought from the commodity market where it's
23 often trucked from Texas and is obtained from the gas
24 flare. Even better if it is captured locally to avoid
25 transportation emissions. We encourage the City to

2 put carbon capture systems in one or more of the
3 suitable buildings, purchase the concrete blocks with
4 the captured CO2, and then also include our solution
5 as one of the options for Local Law 97 compliance for
6 public buildings. Adding such options for cities and
7 showcasing these technologies will also generate
8 additional union jobs in the city and attract private
9 and even federal capital. Most importantly, it will
10 lead to significant emissions reductions right away,
11 even in complex operational building environments.

12 Thank you for your time.

13 CHAIRPERSON GENNARO: Thank you. It's
14 Anna, right? Nabby is sitting there in the beige
15 sweater. Just make sure that she has your
16 information. I don't know if you've already met with
17 my Staff or not. I know I know of Carbon Quest. I
18 have a question. With regard to the utilization of
19 your technology and strategies that you have to offer
20 for Local Law 97 compliance, presumably you've
21 interacted with the Department of Buildings that's
22 writing the rules pursuant to Local Law 97. Has there
23 been receptivity on the part of the Administration
24 with regard to the technologies and the strategies
25 that you're advancing? Have those been kind of like

2 woven into the rules, like how is that working? Are
3 you getting anywhere?

4 ANNA PAVLOVA: Not yet. We've had several
5 discussions with the Department of Buildings about
6 our technologies and options, and they are thinking
7 about it, but it's probably been now a year or so so
8 we have not seen this being included as part of a
9 solution to Local Law 97.

10 CHAIRPERSON GENNARO: We had the first
11 round of rulemaking, second round of rulemaking,
12 presumably subsequent rounds of rulemaking. In the
13 section of the rules that have already been
14 promulgated thus far, could your technology have
15 played a role in that or are you more towards like
16 the subsequent go arounds of rulemaking, would your
17 technology be more, what's the word I'm looking for,
18 more relevant to the subsequent rounds of rulemaking
19 yet to come or has there been kind of like a missed
20 opportunity from your perspective?

21 ANNA PAVLOVA: From my perspective, we
22 could've absolutely been in the previous rulemakings,
23 quite a few of them in fact, because we have a lot of
24 clients who are ready to go who are not going to
25 electrify right now. They might later. This would be

2 kind of a bridge technology for them, and all they're
3 waiting for is for the DOB rulemaking that would
4 include us. In the past two rulemakings, we saw an
5 opportunity, but we were not included at those times.

6 CHAIRPERSON GENNARO: All right. Nabby,
7 why don't you meet with Anna if you haven't already?
8 Again, when it comes to rulemaking, I'm in the
9 Legislature. I can't put my thumb on the scale with
10 regard to rulemaking. That's the domain of the
11 Executive, but I talk to people. Nabby, just make
12 sure you get, I can't get into a whole thing now but
13 to the extent that, if you, Anna, could map that out
14 to Nabby about here's what Carbon Quest and others
15 who would purvey this technology offer, here are the
16 rules that could've been a marriage, what happened,
17 so Nabby, if you could get a handle on that, I'd
18 appreciate that.

19 Anna, thanks for coming out today for our
20 little hearing. No gift bag, but I think it was worth
21 it to hear your good testimony and get a sense of
22 what Carbon Quest has to offer so thank you for your
23 appearance today.

24 HARRISON NESBIT: Thank you, Chair Gennaro
25 and Members of the New York City Council Committee on

2 Environmental Protection. My name is Harrison Nesbit,
3 and I'm a member of the non-profit, NYC H2O. NYC
4 H2O's mission is to inspire and educate New Yorkers
5 of all ages to learn about, enjoy, and protect their
6 local water ecology. Our activities promote science-
7 based knowledge of New York City's ecosystems and of
8 what is needed for urban water resilience in a time
9 of escalating climate impacts.

10 In this testimony, we ask that the City
11 expand blue and green roofs on City-owned buildings
12 in an effort to mitigate stormwater runoff and keep
13 sewage out of New York City's water bodies. It is
14 vital for the City to lead by example in meeting the
15 emissions standards required by Local Laws 97 as well
16 as 92 and 94. Building Council Member Nurse's
17 legislation to expand solar panels on City-owned
18 buildings and public property, NYC H2O believes that
19 similar legislation should be developed to bolster
20 climate resilient infrastructure such as green and
21 blue roofs, which sequester stormwater, reduce urban
22 heat island effect, and support urban biodiversity.
23 These roofs also improve energy efficiency, aligning
24 with the City's 80 by 50 goals. These roofs represent
25 a mosaic of benefits for all New Yorkers, a tool for

2 both reducing emissions and adapting to hotter
3 weather. We also appreciate that transportation makes
4 up a large amount of carbon emissions, and we are
5 excited by the recent legislation for the fleet to be
6 zero emission by 2038. In light of this, we ask that
7 DCAS consider the feasibility of purchasing vehicles
8 that are capable of vehicle-to-grid charging. This
9 enables that power stored in electric vehicle
10 batteries be added to the grid when needed. This
11 takes stress off the grid by providing load balancing
12 during peak demand times, and this technology could
13 lower energy cost, add a redundancy, and that fleet
14 vehicles are ideal for vehicle-to-grid considering
15 that they are often parked during peak hours. Thank
16 you for your consideration, and we look forward to
17 continue working with the Council Members and partner
18 organizations as we meet the ambitious goals of the
19 Climate Mobilization Act. Thank you.

20 CHAIRPERSON GENNARO: Thank you, Harrison.
21 We appreciate you, and we appreciate NYC H2O for the
22 impact that your organization has been able to make.
23 Thank you for bringing up the Sandy Nurse bill. I was
24 going to do that, it was one of my things to do, so
25 thank you for bringing that up. I am bullish on that

2 bill so it's something that, as we look ahead to the
3 next session which is not too far off, that is
4 something that we certainly have our eye on. I
5 appreciate all the environmental organizations that
6 are coming out. We're doing a hearing on City
7 government reducing its carbon footprint. We have
8 Local Law 97 hearings that focus on private buildings
9 and the place looks like Woodstock. I have no problem
10 with that, but when it comes to City government
11 reducing its carbon footprint as mandated by law,
12 nobody cares, but you do and we appreciate that and
13 we appreciate the partnership that both organizations
14 and also Carbon Quest is trying to bring some value
15 added to what we're trying to do with Local Law 97
16 and you and Nabby are going to meet so really
17 appreciate this panel. Thank you very much for your
18 good testimony.

19 COMMITTEE COUNSEL MACLACHLAN: Our next
20 panel will be Daniel Chu with the New York City
21 Environmental Justice Alliance and Kristin St. Louis
22 with New York Lawyers for the Public Interest.

23 CHAIRPERSON GENNARO: These are two
24 powerhouse groups coming up here, my god. Thank you
25

2 both for coming. This is important and somehow I knew
3 you would be here so I'm grateful for that.

4 COMMITTEE COUNSEL MACLACHLAN: You may
5 begin when ready.

6 CHAIRPERSON GENNARO: Can I have the
7 slips? Let me see who I'm talking to here.

8 New York Lawyers for the Public Interest,
9 what's your first name?

10 KRISTIN ST. LOUIS: Kristin.

11 CHAIRPERSON GENNARO: You're killing me
12 with the small print, I'm telling you. You gotta see
13 this slip. Very neat though but very small.

14 Daniel, you could see from space. You can
15 see that slip from space.

16 Who's going first?

17 COMMITTEE COUNSEL MACLACHLAN: Daniel.

18 DANIEL CHU: Sure. Good afternoon, Chair
19 Gennaro. Thank you for holding this oversight hearing
20 on the government's obligation to reduce carbon
21 emissions. We'll be submitting our written testimony
22 later, but I want to highlight some things for you
23 today.

24 16.2 megawatts of solar installed on
25 City-owned and 46 total in development is not

2 acceptable given that we had almost 10 years to
3 prepare for building 100 megawatts of solar, and
4 we're so far behind from getting 1,000 megawatts
5 installed in New York City as a citywide goal. As a
6 goal set 10 years ago, it is unacceptable that DCAS
7 has not been better prepared to install more solar
8 and develop more solar in citywide properties.

9 Buildings are the most emitting sector in New York
10 City government operations, and schools account for
11 most of the emissions coming from City-owned
12 buildings because they are one-fourth of the City's
13 building profiles. Leading the Charge initiative was
14 a good start, but, out of the 4 billion dollars in
15 the Leading the Charge initiative, over 2 billion
16 dollars of funding is still not allocated, and more
17 programs need to be developed to electrify at least
18 100 of the most dismal schools, in conditions that
19 are not electrified, that are having fuel oil
20 operating their buildings so I think the City needs
21 to do more in terms of allocating the 2.3 billion
22 dollars in funding to make sure that we can electrify
23 some of these schools in most dismal conditions.

24 The second most emitting sector in City
25 government operations is wastewater. One-third of

2 wastewater emissions comes from fugitive emissions.

3 DEP's Newtown Creek Wastewater Resource Recovery

4 Facility only operated for weeks before they had to

5 shut down as you heard earlier today, and they're

6 flaring excess biogas and polluting Greenpoint and

7 Williamsburg. The Mayor has also cut organic waste

8 composting citywide for community composting, and a

9 lot of these organic wastes will be directed into

10 digestors with no plans from the City to how to

11 process these excess gasses being flared, and DEP has

12 plans to expand the digester program citywide in a

13 number of other facilities.

14 Lastly, renewable diesel and alternatives

15 fuels for fleet is not a viable solution in our

16 opinion. It is impossible actually to renewable

17 diesel and alternative fuels in citywide fleets

18 without excessive conversion and readoption of

19 different sort of vehicle technologies so it makes no

20 sense for the City to adopt renewable diesel or other

21 fuels when we can just electrify a lot of the

22 vehicles in the fleet that we already have.

23 In sum, I think the City should stop

24 producing biogas, stop generating or flaring

25 excessive biogas in places like Greenpoint and other

1 neighborhoods, the City should be technologies like
2 carbon capture, we should start composting our
3 organic waste, we should electrify schools,
4 buildings, vehicles in general, and we should start
5 building more offshore wind, on-shore wind, solar,
6 and energy storage. These are proven and scalable
7 that the City can do today to meet our 2025 and 2030
8 emissions reductions goals. Thank you for this
9 opportunity.
10

11 CHAIRPERSON GENNARO: Thank you. I'm kind
12 of bullish on RD. I guess that's where we diverge. At
13 least from like a philosophical perspective, I
14 believe in sort of like greening on all fronts, you
15 know what I mean.

16 DANIEL CHU: Sorry to intervene. Renewable
17 diesel and alternative fuels, we think they have..

18 CHAIRPERSON GENNARO: I didn't actually
19 ask a question, but let me let you opine.

20 DANIEL CHU: These fuels, they may have a
21 place..

22 CHAIRPERSON GENNARO: This is like the New
23 York City Environmental Justice Alliance. They get a
24 chance to jump in, they're jumping in so I admire
25 that. Please.

1
2 DANIEL CHU: They have a place in some
3 hard to electrify sectors and maybe like heavy-duty,
4 long-distance vehicles, but in our opinion,
5 electrification is a way better solution. There are
6 already proven and scalable technologies, and they
7 don't produce co-pollutant emissions like NOX
8 emissions or SOX emissions that harm the public
9 health of New Yorkers. We're not saying they don't
10 have a place, but they have a more limited place, and
11 the City is disproportionately investing in them
12 instead of investing in the solutions that are more
13 scalable to meet our emissions reductions
14 requirements.

15 CHAIRPERSON GENNARO: Right, and you
16 indicated you are going to submit your written
17 testimony because we want to get a handle on that.

18 DANIEL CHU: We'll definitely get it in.

19 CHAIRPERSON GENNARO: Okay, we certainly
20 appreciate that. Always love dealing with the New
21 York City Environmental Justice Alliance. Say hi to
22 Eddie for us. Thank you very much for being here.
23 You're one of the few environmental groups that
24 showed up. Good for you.

2 KRISTIN ST. LOUIS: Good afternoon. My
3 name is Kristin St. Louis. I'm a Policy and
4 Legislative Intern at New York Lawyers for the Public
5 Interest, and we are a member of the Climate Works
6 for All Coalition. Thank you, Chair Gennaro, for the
7 opportunity to testify today. My apologies for the
8 small writing. We will have written testimony..

9 CHAIRPERSON GENNARO: No, it's very neat,
10 it's very neat, but small.

11 KRISTIN ST. LOUIS: We will have more
12 elaborate written testimony that will be submitted.

13 We applaud the City Council for passing
14 appropriately ambitious climate legislation over the
15 past decade including Local Law 97 of 2019, Local Law
16 120 of 2021, and the Renewable Rikers Act of 2021 to
17 name a few. But these critical climate laws will not
18 sufficiently reduce emissions if they are not fully
19 implemented and vigorously enforced, and we are
20 deeply concerned about the impact that cuts to agency
21 budgets for enforcement and implementation are having
22 on our ability to regulate pollution, improve public
23 health, and affect an equitable and rapid transition
24 to sustainable City government operations. For
25 example, the City targets to develop 100 megawatts on

2 City-owned properties by '25 are only a fraction of
3 the 2.8 gigawatts of solar generation that the PEAK
4 Coalition has estimated as necessary to replace the
5 City's pollution and expensive fossil fuel peaker
6 plants. Therefore, we urge the City to think
7 expansively about the potential for properties
8 including rooftops, parking lots, Rikers Island, and
9 landfills as sites for renewable energy generation,
10 storage, and sustainable waste management
11 infrastructure. DCAS and the Department of Correction
12 have major obligations that they have not met under
13 an earlier act to begin transferring land and
14 evaluating sustainable uses of that land regarding
15 Rikers Island.

16 Additionally, sustainable waste
17 management practices in City schools and buildings
18 can and should be part of a comprehensive zero waste
19 campaign, promoting waste reduction, composting, and
20 recycling across the residential and commercial
21 sectors. This also extends to 9,500 school buses that
22 are de facto City vehicles that need to be
23 electrified.

24 Generally, rapidly improving the energy
25 efficiency of New York City's public buildings

2 including NYCHA buildings, electrification of New
3 York City's massive fleet of vehicles including the
4 school buses I just mentioned, and reducing the
5 amounts of waste disposed from public buildings and
6 schools should be top priorities for reducing climate
7 and air pollution in our city and for making New York
8 a global leader in sustainability.

9 We call on the City Council to ensure
10 that relevant agencies are fully staffed and
11 sufficiently funded in this year's budget and going
12 forward to make the investments necessary to make the
13 critical transition to low and zero emissions
14 operations across City government.

15 We look forward to working with this
16 Council to realizing the full potential of our City's
17 climate laws, improving health for our communities,
18 and creating thousands of good, green, local jobs.

19 Thank you.

20 CHAIRPERSON GENNARO: Thank you very much.
21 I've been working with the New York Lawyers for the
22 Public Interest since I became the Policy Analyst for
23 the Committee back in 1990, which is almost a long
24 time ago, so a third of a century working with New
25 York Lawyers and it never gets old, and your

2 organization makes a great contribution and I knew
3 you guys were going to show up today as well so thank
4 you very much for your good testimony. We appreciate
5 it. If you could submit your testimony to the Council
6 through the portal or however that works, that would
7 be great because we want that for the record.

8 KRISTIN ST. LOUIS: Of course.

9 CHAIRPERSON GENNARO: Thank you both very
10 much for coming and we appreciate it.

11 KRISTIN ST. LOUIS: Thank you.

12 DANIEL CHU: Thank you.

13 COMMITTEE COUNSEL MACLACHLAN: We will now
14 turn to remote testimony. The first witness will be
15 Glen Bolofsky with the 504 Democratic Club.

16 CHAIRPERSON GENNARO: Glen.

17 GLEN BOLOFSKY: Yes, your, I want to say
18 your honor.

19 CHAIRPERSON GENNARO: Not my your honor,
20 Glen. Glen and I go back, oh my god, yeah, what's
21 cooking?

22 Hey, you're freezing on me. What are you
23 doing?

24 GLEN BOLOFSKY: (INAUDIBLE) Gennaro for
25 holding this meeting today. I'd like to thank also

1 your Central Staff and your District Staff as well.

2 It takes many people to put this together, and we're
3 appreciative of that.

4
5 (INAUDIBLE) how DCAS is doing a great job
6 on converting all the vehicles and how all the other
7 agencies are doing the best they can do to. We
8 appreciate that. My ball of wax has to do with
9 paperwork and carbon emissions and carbon footprint
10 as most agencies are still mailing paperwork to the
11 public, a public that doesn't even open mail anymore,
12 and it's a waste of resources, waste of money in
13 these tight budget times when everything could be
14 digital. This hearing is digital, but many OATH
15 hearings still are face-to-face. All the parking
16 ticket hearings are still face-to-face even though
17 many in the Council have written, including your
18 office, to ask the Parking Bureau to conduct virtual
19 hearings. They promised Finance Chair that they were
20 going to do it by the end of the year, but they have
21 not provided (INAUDIBLE) to do that so that promise
22 is out the window. I had the ability to drop off at
23 your DO about a month ago a stack of carbon paper,
24 literally carbon paper that appears to have asbestos
25 and carcinogens in it that DOF is mailing out to

1 millions of people a year, and it's really, really
2 bad so I just want to put that on the record that DOF
3 is contributing to an environment that needs help to
4 reduce the carbon footprint but they're going out of
5 their way to make sure that the environment is not
6 clean. They could easily convert to virtual hearings.
7 They could easily send documents digitally. They have
8 all the technology, but they are just (INAUDIBLE) it
9 (INAUDIBLE) slow-walking.
10

11 That's my contribution today, and I thank
12 the Chair and the Committee for its valuable help.

13 CHAIRPERSON GENNARO: Thank you, Glen. For
14 full disclosure, everyone should know that Glen and I
15 are personal friends, and you dropped stuff off at my
16 District office. I just want to make sure that Nabby,
17 if you can get that from Henry or whoever, Henry is
18 my Chief-of-Staff, Nabby knows that but for the
19 record he's my Chief-of-Staff, and we can talk to
20 Council Member Brannan, Chair of the Finance
21 Committee about having the Department of Finance. I
22 know their Commissioner, Preston Niblack, very well,
23 and let's see if we can get to what Glen is talking
24 about here with being paperless, cleaner, and having
25 the Department of Finance and their adjudication

2 process which I guess is what you were referring to
3 move into the cleaner 21st century. Nabby, you got
4 that? Okay.

5 Glen, always good seeing you. I didn't
6 know you were going to be here, but this is a nice
7 City Council surprise that you came and graced us
8 with your presence today and all the best to you and
9 your family. We'll be talking soon, okay, buddy?

10 GLEN BOLOFSKY: Thank you, Chair.

11 CHAIRPERSON GENNARO: Okay, you bet. Thank
12 you, Glen.

13 COMMITTEE COUNSEL MACLACHLAN: The next
14 witness is Nina Guiduce with Transportation
15 Alternatives.

16 NINA GUIDUCE: Good afternoon and thank
17 you to Chair Gennaro and the Members of the
18 Committee. My name is Nina Guiduce, and I am the
19 Policy Manager at Transportation Alternatives. Thank
20 you for convening today's hearing. We will be written
21 comments as well.

22 The climate emergency is the existential
23 threat of our time. In just the past year, we've seen
24 smoggy skies, dangerous air quality, excessive heat,
25 and flash flooding, and it's clear that the planet is

2 going to exceed the target of 1.5 degrees warming in
3 the coming years if we do not treat the emergency
4 with the response it requires. Transportation remains
5 one of the largest sources of greenhouse gas
6 emissions in New York City that demands a government
7 response matching the severity and urgency of the
8 problem. Our transportation systems are complex but
9 represent an enormous opportunity to advance climate
10 justice, clean our air, improve public health, and
11 make New York a livable city for generations to come.

12 We've set a goal for reducing emissions
13 by 80 percent by 2050, and we cannot achieve our
14 current mandates, let alone net zero emissions,
15 without an urgent shift to green and sustainable
16 transportation. According to the City's Greenhouse
17 Gas Inventory, government transportation emissions
18 have dropped 15 percent. Significant reductions are
19 possible, but we need to accelerate quickly. The
20 Administration must lead by example and enact
21 policies that will set City agencies as a model for
22 sustainable transportation. That means everything
23 from consolidating the size of the City's fleet to
24 shifting to greener vehicles including e-micro-
25 mobility. The City should also invest and incentivize

1
2 its workers to choose greener transportation and make
3 it easier to do so as we approach the start of
4 congestion pricing. We call on the Administration to
5 study the most effective ways to provide and promote
6 green commuter benefits, and that includes tracking
7 how the over 300,000 City employees current get to
8 and from work and potential methods to reduce the
9 rate of employees driving alone to the office in the
10 most congested parts of the city and where parking is
11 most expensive.

12 Finally, the public deserves complete
13 transparency as to what the City is doing to lower
14 greenhouse gas emissions, especially in its internal
15 operations. Going forward, the Council should set and
16 track specific targets with interim goals by fuel
17 type for the City's transportation emissions
18 reduction and reducing the number of vehicle miles
19 traveled. Thank you.

20 CHAIRPERSON GENNARO: Thank you very much,
21 Nina. We certainly appreciate your good testimony,
22 and the Council is both sympathetic and in sync with
23 what you're putting forward, and it's always a please
24 to work with TA and the fact that the TA made you
25 available for this hearing means a lot for me

2 personally, and so I thank you for your good
3 testimony. I would urge you to submit it for the
4 record as well so that we can have that. Thank you
5 for appearing today and we greatly appreciate it.

6 COMMITTEE COUNSEL MACLACHLAN: Our next
7 witness is Chris Halfnight with Urban Green Council.

8 Okay.

9 CHAIRPERSON GENNARO: He's a good guy. We
10 need him.

11 SERGEANT-AT-ARMS: You may begin Chris.

12 CHAIRPERSON GENNARO: Chris, are you out
13 there?

14 He's not on the Zoom? Okay.

15 Let me say for the record that Chris
16 Halfnight is a good guy, and everyone knows Urban
17 Green, nice people.

18 COMMITTEE COUNSEL MACLACHLAN: If we have
19 inadvertently missed anyone that has registered to
20 testify today and has yet to be called, please use
21 the Zoom hand function if you testifying remotely and
22 you will be called on in the order that your hand has
23 been raised.

24 If you are testifying in person, please
25 come to the dais.

1
2 Seeing none, I will now turn it over to
3 Chair Gennaro for closing remarks.

4 CHAIRPERSON GENNARO: Firstly, I want to
5 thank the Administration for sending excellent
6 witnesses who were very nice and didn't push back at
7 me too hard. Always a pleasure to work with Robert
8 and with Members of this Administration as we move
9 the sustainability and the resiliency of the City
10 forward along with all of our necessary carbon
11 reduction goals. I think I made my point today that
12 we need to hear from the Administration on when we're
13 going to get to 40 percent reduction in greenhouse
14 gas emissions. We look forward to that either three
15 months from now or sooner. We appreciate the members
16 of the environmental groups that came forward to give
17 us the benefit of your views and all of the good
18 Staff who helped us put this together.

19 With that said, I have to go to work
20 doing other things, but this was more fun than what
21 I'm going to do next so thank you all very much.

22 With that, this hearing is adjourned.

23 [GAVEL]

24
25

C E R T I F I C A T E

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



Date December 15, 2023