

COMMITTEE ON ENVIRONMENTAL PROTECTION, RESILIENCY
AND WATERFRONTS JOINTLY WITH THE COMMITTEE ON
OVERSIGHT AND INVESTIGATIONS AND THE
COMMITTEE ON HEALTH

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

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Of the

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COMMITTEE ON OVERSIGHT AND INVESTIGATIONS
JOINTLY WITH
THE COMMITTEE ON HEALTH, AND THE
COMMITTEE ON ENVIRONMENTAL PROTECTION,
RESILIENCY AND WATERFRONTS

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July 12, 2023

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HELD AT: COUNCIL CHAMBERS - CITY HALL

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B E F O R E: Gale A. Brewer,
Chairperson of Committee on
Oversight and Investigations

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Lynn Schulman,
Chairperson of Committee on Health

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James Gennaro,
Chairperson of Committee on
Environmental Protections,
Resiliency and Waterfronts

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COUNCIL MEMBERS:

21

Jennifer Gutiérrez

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Kamillah Hanks

Robert F. Holden

23

Julie Menin

Sandy Nurse

24

Lincoln Restler

Mercedes Narcisse

25

Joann Ariola

Nantasha Williams

Diana Ayala

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2 AND WATERFRONTS JOINTLY WITH THE COMMITTEE ON
3 OVERSIGHT AND INVESTIGATIONS AND THE
4 COMMITTEE ON HEALTH 2

5 COUNCIL MEMBERS: (CONTINUED)

6 Rafael Salamanca, Jr.
7 Shahana Hanif
8 Oswald Feliz
9 Kalman Yeger
10 Shekar Krishnan
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A P P E A R A N C E S

Zachary Iscol
Commissioner of New York City Emergency
Management

Corinne Schiff
Department of Health and Mental Hygiene Deputy
Commissioner for Environmental Health

Beth DeFalco
DEP Deputy Commissioner

Jared Williamson
Legal Intern from the Environmental Justice
Initiative

Joel Kupferman
Executive Director and Senior Attorney of the New
York Environmental Law Initiative

Michael O'Hora
Law Student at the Elizabeth Haub School of Law
at Pace University

Joy Amanda
Resident of Queens

Eunice Ko
Deputy Director at the New York City
Environmental Justice Alliance

Janet Handal
President of the Waterside Tenants Association

Daniel Lynn
Resident of Queens New York

Domina DeBrenda-Black

Margurile Chandler
Member of the Medical Freedom Party

Donna Ginell-Romo

Eric Rassi
East 10th street in Lower Manhattan

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

Shanae

Tana
Resident of Brooklyn

Miles Aiken
Resident of Harlem, Rucker Park

Dr. Lucky Tran
Scientist and Public Health Communicator who
works at Columbia

Maranda Stinson
Resident of Queens

Leslie Vasquez
Clean Air Program Organizer at South Bronx Unite

Cynthia Norris
Mother of two and a Resident of Brownsville,
Brooklyn

Mbacke Thiam
Housing and House Community Organizer at Center
for Independence of the Disabled, CIDNY

Hayden Brackett

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SERGEANT AT ARMS: Good morning, this is a
microphone check for the Committee on Environmental
Protection jointly with Health, jointly with
Oversight and Investigation. Today's date is July
12, 2023 located in the Chambers. Recording done
by Layla Lynch.

SERGEANT AT ARMS: Quite please. Shh, keep it
on, keep it on. Thank you. Good morning and welcome
to the New York City Hybrid Hearing on the Committee
on Oversight and Investigation together with the
Committee on Health and the Committee on
Environmental Protection. At this time, please
silence all electronic devices. There will be no
eating and drinking in the Chambers. Chair, we are
ready to begin.

CHAIRPERSON BREWER: Thank you. Good morning, I
am [GAVEL] Gale Brewer, Chair of the City Councils
Committee on Oversight and Investigations. Today, we
are holding a hearing to discuss a recent
environmental and health crisis. It was likely just
a preview of climate threats yet to come to our city
and perhaps other places.

It was the early June Canadian wildfires and the
impact on our air quality, which was terrible. When

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1 smoke descended on New York last month, New Yorkers
2 were shocked to see the sky blotted out and find the
3 air was dangerous to breath. They looked to state
4 and local leaders for guidance during the
5 unprecedented incident. However, to many people it
6 appeared that our local executives and agency chiefs
7 had little advice to offer on how to stay safe or aid
8 to provide. We seem the curb at least to some
9 people, I know that's what we're going to be
10 discussing today.

12 In fairness, this was an unprecedented
13 challenges the city agencies had not ever confronted
14 before. Some would say it was, however, foreseeable.
15 For years, scientists have warned us that rising
16 global temperatures would lead to changing weather
17 patterns, climate disasters, direct harms to our
18 health. And Mayoral Administrations over years have
19 focused public health agencies on monitoring air
20 quality, and we'll talk more about that.

21 Thoroughly June wildfire emergency was the first
22 of its kind, but it didn't come out of nowhere. The
23 Council wants to understand what the Administration
24 knew about the threat posed by the smoke from the
25 wildfires and when. We need to know how the Mayor

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and the city agencies acted on the information and
whether they took advantage of tools and expertise to
meet the challenge as early as possible. And didn't
know how this information was evaluated, what the
response of the air quality emergency was to make
sure that we have good information in the future.

We need to also understand how the
Administration plans to meet crises in the future.
This was the first of its kind but it won't be the
last. Threats to air quality are one of the one part
of our new environmental normal. We also have rising
sea levels as we know, heat, storms. We have to plan
for these threats. We have snow storms; we have all
kinds of irregular weather events. Like the June
smoke emergency, it's challenging and it's scary but
we have and we're capable of rising to the
challenges.

Before we begin I would like to thank the
Oversight and Investigations Committee Staff, Counsel
Nicole Catà, Policy Analyst Alex Yablon for all their
hard work, certainly members of the OID division
Director Aaron Mendelsohn, Deputy Director Meagan
Powers, Counsel Kevin Frick, Lead Investigator Zach
Meher and

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Staff Sam Goldsmith and I'd like to now turn it over
to Health Chair Lynn Schulman.

CHAIRPERSON SCHULMAN: Thank you Chair Brewer.
Good morning everyone. I am Council Member Lynn
Schulman, Chair of the Committee on Health. I want
to thank all of you for joining us at today's joint
Oversight Hearing.

The purpose of today's hearing is to examine the
city's response to the first air quality emergency in
early June and to also discuss how the city can best
respond to such emergencies, communicate effectively
with the public and protect the most vulnerable New
Yorkers going forward.

With wildfires proliferating around the globe,
it's indisputable that very poor air quality from
wildfire smoke can contribute to adverse health
effects, even for those who are considered reasonably
healthy. According to the CDC, breathing in wildfire
smoke can have an immediate impact including
coughing, trouble breathing normally, stinging eyes,
headaches, fast heartbeat and chest pain. Older
adults, pregnant people, children and those with
preexisting respiratory and heart conditions may be
even more likely to get sick from breathing in

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wildfire smoke. According to data provided by the
Department of Health and Mental Hygiene, asthma
related emergency room visits increase during the
first air quality emergency in early June. An
increase not seen since April when tree pollen levels
were at their highest.

As the Chair of the Council's Committee on
Health, it is my responsibility to ensure that the
well-being of all New Yorkers is sufficiently
addressed and that New Yorkers are armed with the
necessary information and tools to protect themselves
during these types of emergencies. What we witnessed
in early June was that dangerous air quality levels
was unprecedented. Clearly, this is not something we
have previously experienced and the city responded in
the best way possible, given that the most reliable
data that was available about air quality was
limited.

With that said, we can certainly do better. Air
quality emergencies appear to be a new norm for New
York City and we must be prepared. Today, I'm
looking forward to hearing from the Administration on
the lessons we've learned from responding to this
public health threat as well as from the public on

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1
2 how we can best protect the health of all New Yorkers
3 going forward.

4 I want to conclude by thanking the Committee
5 Staff on their work on this hearing, Committee
6 Counsel's Chris Pepe and Sara Sucher and Policy
7 Analyst Mahnoor Butt as well as my team Chief of
8 Staff Jonathan Boucher and Legislative Director Kevin
9 McAleer.

10 I will now turn it over to Chair Gennaro for his
11 opening statement.

12 CHAIRPERSON GENNARO: Thank you very much Chair
13 Schulman and Chair Brewer. It is a real delight to
14 be able to Co-Chair this hearing with you. Thank you
15 very much for having me.

16 Good morning, I am Jim Gennaro, Chair of the
17 Committee on Environmental Protection, Resiliency and
18 Waterfronts and we're here today as you know with the
19 Committee on Oversight and Investigations, the
20 Committee on Health examining the Administrations
21 response. The air quality emergencies that have
22 occurred this summer. The Canadian wildfires have
23 made it painfully clear that the city needs a robust
24 response plan for events such as these.

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1 Much of my statement has already been said.
2
3 I'll try to cut it back. Fine particles that is
4 particulate matter 2.5 microns or less will be called
5 PM2.5. While the main pollutant in wildfire smoke
6 impose the greatest health risk as the small size
7 enables these particles to penetrate deep into the
8 lungs and into the blood stream. Many studies have
9 shown an association between exposure to particular
10 pollution and severe health risks.

11 Also, volatile organic chemicals in wildfire
12 smoke can interact with sunlight to form ozone.
13 That's the phenomenon that's happening today when you
14 have BOCs that mix in extreme heat and create smog or
15 ozone, which is an irritant to the lung. Exposure to
16 ozone can cause headaches, coughing, dry throat,
17 shortness of breath, worsening asthma symptoms and
18 fluid in the lungs, higher level of exposure leading
19 to more severe symptoms, you get the idea.

20 Children are at greater risk from exposure to
21 ozone because their lungs are still developing and
22 they're more likely to be active outdoors when ozone
23 levels are high, which increases their exposure.
24 They're also more likely to have results to have
25 asthma.

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2 New York City must warn residents prior to when
3 air quality is unhealthy, if that is predictable,
4 like it was today. When we know the temperature is
5 going to be x and like the surface conditions are y
6 and you add that and you have an ozone alert like we
7 have today.

8 So, New York City must warn residents prior to
9 when air quality isn't healthy. Ideally, this should
10 take place several days in the case of the Canadian
11 thing before there's likely to be an air quality
12 emergency so the residents have sufficient time to
13 plan according. We must also make sure that the city
14 has a plan to distribute the necessary PPE
15 efficiently and broadly particularly in the most
16 vulnerable communities.

17 We know that climate change means more severe
18 weather events will continue happening with increased
19 frequency. Let this serve as a wakeup call in
20 emergency preparedness planning is beyond the threats
21 from hurricanes and sea level rise.

22 Before I turn it back over to the Chairs, I'd
23 like to thank the great Committee Staff who have done
24 great work over the years. To my right, we have
25 Counsel Samara Swanston, she is terrific.

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1 Legislative Analyst Claire, help me out there.

2 MacLachlan, is that right? She is new right? Okay,
3 she's new, very good. This is kind of an open thing.

4 I just you know, you get what you get with Jim
5 Gennaro.

6
7 Uhm, Legislative Analyst Clair, oh, I just said
8 her, Policy Analyst Ricky Chawla my buddy and Andrew
9 Bourne and also my buddy Financial Analyst Andrew
10 Lane-Lawless, third buddy and finally my Legislative
11 Director the great Nabjot Kaur for all their hard
12 work. I'd like to shout out to members of my
13 Committee that are here with me, and we have Council
14 Member Nurse. I would expect other members of the
15 Committee will be joining us and it's also my
16 understanding that I spoke to the DP Commissioner and
17 he indicated that someone from DEP was going to be
18 available to answer questions.

19 Okay, great, oh Beth, okay it is going to be
20 Beth. That is great. Okay, with that, I'll turn it
21 over to the two Chairs and once again, I'm very
22 grateful to be part of this important hearing. Thank
23 you.

24 CHAIRPERSON BREWER: Thank you very much. Now
25 we're going to hear from Public Advocate Jumaane

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Williams based on his report and opening statement.

Thank you.

PUBLIC ADVOCATE WILLIAMS: Thank you so much
Madam Chair. As mentioned, my name is Jumaane
Williams, Public Advocate of the City of New York.
I'd like to thank Chair Schulman, Brewer and Gennaro
and the members of the Committees on Health,
Oversight and Investigations and Environmental
Protection, Resiliency and Waterfronts for holding
and supporting the hearing, also the Commissioner and
Administration for being here.

Just four weeks ago, our city faced an
unprecedented air quality crisis when smoke from over
400 wildfires in Canada were pushed into our city.
Unlike our west coast sister cities, who routinely
deal with wildfire smoke and its harmful effects due
to drought and long wildfire seasons. New York was
not prepared for the poor air quality that arose
during the week of June 4th.

The COVID-19 pandemic should have prepared us in
delivering speedy and accurate communication around
this issue, instead, there seems to be failures to
respond to this event and I think that was not just

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1 on the city level but on all levels of government,
2 state and federal.
3

4 Over the past few weeks, my office has been
5 corresponding with officials from the West Coast,
6 municipalities like Seattle, San Francisco, Los
7 Angeles, Santa Barbara, and San Diego, some who may
8 actually be viewing this remotely. Gathering best
9 practices and resources on how New York City can best
10 respond to this crisis when it arises in the future.
11 As we've seen over the past, these past few weeks,
12 with the main shift of the wind, wildfire smoke has
13 the ability to impact New Yorkers daily life and we
14 must be prepared to meet those instances if they
15 arise. From these conversations, we compile a list
16 of recommendations, which can be read in our report
17 Orange Sky Red Alert, that we urge our city and state
18 partners to implement in order to proactively respond
19 to the air quality issues as they arise.

20 This report also finds shortcomings in the
21 city's response to hear quality emergency and
22 particularly the lack of speed and scope of public
23 information system and has mitigation efforts. As
24 we've seen climate change is rapidly reshaping
25 natural hazards at an alarming rate of pace and it

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1 will not wait for us to be prepared but is no longer
2 enough to reflect and develop plans for what we've
3 already encountered thus far. We must also
4 anticipate and prepare for the unforeseen in order to
5 keep our city safe and healthy.
6

7 I do want to say, notwithstanding the Mayor's
8 comments that folks are criticizing just to
9 criticizing, nothing can be further from the truth.
10 It is part of my job to make sure that we review and
11 look at what the city is doing and that we can do
12 things better. I also just want to just put out
13 there the same that everyone is saying, I don't think
14 there's anyway any of us could have been prepared for
15 a sky on fire and the level of how poorly the air was
16 at that moment and time. What I have focused on is
17 preparation, information, and communication and it
18 does seem that we're not prepared to communicate as
19 effectively and accurately as we could have.

20 I noticed in the Op Ed that information was sent
21 out there. I think that is true. I just want to be
22 clear as we did notify NYC is not the most and
23 effective way to put information out there. When the
24 Yankee came happened the day before, we had reached
25 levels of 200, and so, they should have been more

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2 urgent and effective way to let people know how bad
3 the air quality was at that time. When it is 200, it
4 is dangerous and starting to be dangerous for members
5 of the public, not just those who have underlying
6 conditions.

7 During COVID we saw press conferences daily that
8 helped us back up our communications. I think had
9 the Mayor permission other than a press conference
10 sooner and really lifted and dug into how bad the
11 air quality might be. We're in a better space for
12 people to understand what to do and when the sky
13 caught on fire, even though we may not have been able
14 to prepare for that.

15 So, thank you so much for this opportunity and
16 thank you to the Council for having this hearing.

17 CHAIRPERSON BREWER: Thank you very much. Other
18 Council Members here, Council Member Narcisse,
19 Council Member Ariola, Council Member Williams, and
20 on Zoom Council Member Holden, Ayala and Salamanca.
21 And now, we'll have swearing in.

22 COMMITTEE COUNSEL: Thank you Chair Brewer. We
23 will now hear testimony from the Administration. We
24 will hear from Emergency Management Commissioner
25 Zachary Iscol, DOHMH Deputy Commissioner for

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2 Environmental Health Corinne Schiff and DEP Deputy
3 Commissioner Beth DeFalco.

4 Before we begin I will administer the
5 affirmation. Panelists, please raise your right
6 hand. Do you affirm to tell the truth, the whole
7 truth and nothing but the truth before this Committee
8 and to respond honestly to Council Member questions?

9 PANEL: I do.

10 COMMITTEE COUNSEL: Thank you, you may begin
11 when ready.

12 ZACHARY ISCOL: Good morning members of the City
13 Council. I am Zach Iscol, Commissioner of New York
14 City Emergency Management and I am here to discuss
15 the air quality impacts to New York City during the
16 first week of June 2023 as well as subsequent air
17 quality events that we expect to continue into the
18 future. I am joined today by New York City
19 Department of Health and Mental Hygiene Deputy
20 Commissioner for Environmental Health Corinne Schiff
21 and DEP, Department of Environmental Protection
22 Commissioner for Public Affairs Beth DeFalco.

23 Before we dove into the specifics, I would like
24 to take a moment to acknowledge the broader
25 environmental challenges that our nation is currently

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1 facing and grappling. In the South West, an intense
2 heat wave is testing the resilience of communities,
3 the North East is witnessing extreme rainfall events.
4 These conditions are not isolated but part of the
5 larger climate issues we must face and address. In
6 the midst of these extreme weather events, I want to
7 profoundly express my deepest gratitude to the first
8 responders, public servants and all of those who are
9 meeting these challenges head on. Their tireless
10 efforts in these times exemplify the best of human
11 spirit and determination and I am so grateful that
12 people like that exist.

14 In the midst of these extreme weather events,
15 excuse me, now, let's move on to our main discussion
16 today about the air quality impacts in New York City
17 and how we can mitigate and adapt to these conditions
18 for the welfare of all New Yorkers and the
19 communities that they are part of.

20 As climate change unfolds in real time,
21 monitoring the air quality index is and will remain
22 part of our new normal. This became jarringly
23 obvious when orange smog from the Canadian wildfires
24 blanketed our city last month. The good news is, if
25 New Yorkers take some simple precautions, we can help

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1
2 prevent or limit the health impacts of these air
3 quality events, but only if we work together.

4 Our city's response to the wildfire serves as a
5 good blueprint for future events. About a week
6 before the air pollution from Canada's wildfires
7 began permeating the five boroughs. Public messaging
8 about the incoming hazards and guidance for
9 protecting oneself began. Immediately after,
10 hundreds of thousands of masks were distributed to
11 fire houses and police precincts across the city
12 where they remain available to all New Yorkers today.
13 Hospital visits and EMS response times were closely
14 monitored. Ferry schedules were adjusted, outdoor
15 events and activities were modified and we
16 coordinated closely with the Department of Health,
17 Department of Social Services, Mayor's Office for
18 People with Disabilities, the Mayor's Office for
19 Immigrant Affairs, the Department for the Aging and
20 others to ensure that people most at risk from our
21 elderly to delivery workers and people with special
22 needs had the information and resources that they
23 needed to stay safe.

24 Throughout it all, essential services like
25 Sanitation and transportation were uninterrupted.

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Forecasting air quality indexes, especially for smoke
is incredibly difficult and complex and it's only
available less than 24 hours in advance by New York
States Department of Environmental Conservation.

The AQI forecast for Tuesday June 6th, and
Wednesday June 7th, never plays the AQI in the red or
the unhealthy category for the general population.
June 7th, the day Mayor Adams held the first of three
press conferences on the subject, was the only day we
saw AQI hit what is considered hazardous levels.
Still, with advisories in place for sensitive groups,
our team and agency partners began messaging warnings
and guidance as far back as June 1st through Notify
NYC and other channels.

Notify NYC has been providing air quality alerts
since 2009 with an AQI threshold for issuance of 100
or higher. With more than one million subscribers
and availability in 14 languages, including English,
Arabic, Bengali, Chinese, French, Asian Creole,
Italian, Korean, Polish, Russian, Spanish, Urdu,
Yiddish, and American sign language, this is the
city's primary emergency notification system.
Emergency management is responsible for the
development, maintenance and oversight of dozens of

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1 emergency plans, protocols and playbooks for the City
2 of New York. Emergency plans help prepare the city
3 to respond effectively during an incident in order to
4 reduce disruptions to people and services.
5

6 NYCEM creates and updates the city's emergency
7 plans for a range of hazards and functional areas
8 that support events such as the recent air quality
9 emergency. Air quality is something we have long
10 monitored and built into our response procedures but
11 tied to more common causes such as heat related ozone
12 pollutants. This wildfire was an anomaly for the New
13 York City region but we had the tools to pull from to
14 stand up and address the response in the time of
15 need.

16 These plans are scalable, flexible and are made
17 up of a menu of operations and response options.
18 Since no two emergencies will ever be the same,
19 having a menu of options that can be used for a wide
20 variety of incidents and hazards is essential,
21 especially for new to New York City events like
22 wildfire induced air quality emergencies.

23 For example, a response for a hazard can require
24 multiple plans be used. A coastal storm can trigger
25 over 20 operational documents, such as the Coastal

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Storm Activation Playbook, the Coastal Storm
Sheltering Plan, the Coastal Storm Evacuation Plan,
the Logistic Section Plan, the Debris Management
Plan, the Interim Flood Protection Measures Playbook,
Disaster Assist and Service Center Plan and Manual
and the Citywide Health and Safety Plan amongst
others.

A winter weather event can include turning on
our Winter Weather Emergency Plan, Flashflood
Emergency Plan, our Power Disruption Plan, our Tow
Truck Taskforce Protocol, the Advanced Warning System
Protocol or Emergency Public Information Protocol.

An earthquake event could require turning on the
Advanced Warning System Protocol, the Area Evacuation
Plan, the Commodity Distribution Plan, the Debris
Management Plan, the Disaster Assist and Service
Center Protocol or the Healthcare Facility Evacuation
Plan.

No matter the event, we can leverage strategies
and tools from our plans to quickly coordinate the
response to an event. This includes identifying the
key partners for operational coordination, holding
interagency calls to provide situational awareness,
monitoring and tracking impacts to critical services

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and infrastructure, identifying key decisions and
resources needed to reduce impacts from the event,
and tracking key actions to support the response by
agency partners.

For the Air Quality Event June, we pulled
response operations and capabilities from a wide
range of pre-existing plans based on the needs of the
emergency at hand. This is similar to what we do
during many other extreme weather emergencies, as
well as how we operate for any other novel event.
For example, during this event, we use the Advanced
Warning System Protocol to enhance communication with
and outreach to vulnerable populations. We use the
Emergency Public Information Protocol to notify the
public by Notify NYC and other channels.

We use the citywide incident management system
to conduct interagency coordination based on specific
core competencies of our agency partners. We use the
Citywide Health and Safety Plan to coordinate
environmental health and monitoring and citywide
worker health and safety coordination. We use the
Hazard Mitigation Plan Extreme Heat Profile to assess
the relevance of historical events and risk factors
of air quality. We use the Heat Emergency Plan to

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1 coordinate outreach to vulnerable populations, the
2 Healthcare System and homeless populations as well as
3 coordinate with outdoor events and conduct syndromic
4 surveillance. We use a logistic section plan to
5 source and coordinate the distribution of hundreds of
6 thousands of masks. We use the Winter Weather Plan
7 to discuss school closures. All and all, we issued
8 11 Notify NYC messages, held four press conferences,
9 three interagency citywide incident management system
10 calls, distributed over 100,000 masks and responded
11 to dozens of press inquiries.
12

13 Ultimately, the best evidence of a successful
14 response comes from public health data, which saw
15 emergency room visits involving breathing complaints,
16 just 100 visits above seasonal averages on the day
17 with the worst AQI rating. 100 visits above seasonal
18 averages in a city of more than 8 million people.
19 This is similar to increases we observed in April due
20 to pollen season.

21 While our goal is to keep emergency room visits
22 as close to zero as possible, it is my firm belief
23 that if it had not been for our team, our agency
24 partners, City Hall leadership and the smart
25 precautions taken by millions of New Yorkers, that

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number would have been far higher and the impacts for
our most vulnerable far worse.

After any emergency, our team conducts thorough
after-action reviews to improve our response in the
future. This crisis was no exception and we will
continue to pivot and shift our response to ensure
New Yorkers are best served and protected. With that
said, I am incredibly proud of our robust response.
We continue to coordinate across all agencies to
distribute masks, share information with delivery
workers and immigrant communities and others about
staying safe, provide the best advice to New Yorkers,
intensify outreach to unhoused New Yorkers and much
more. This was not a one-time stand-alone event.
The summer is far from over and more air quality
events are likely to come both this year and in the
future. As we have seen with other aspects of severe
weather, climate change and its impacts continue to
pose new challenges to New York City.

And our city agencies are working to adjust our
plans and outreach to New Yorkers to address this
hazard and others. As we did with this incident, we
continue to lean forward in messaging to New Yorkers
the most up to date information of the potential

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dangers from poor air quality, so they can make any
adjustments to their activities as needed. Thank you
for this opportunity to testify today. We will now
take your questions.

CHAIRPERSON BREWER: Thank you. We've been
joined by Council Member Restler also. So, my first
question is there's a lot of discussion about June
1st as you indicated and I'm certainly an NYC member
in terms of notifying. I must admit and this is I
think true of many New Yorkers, one million you said
who are members, is that we tend to discard it
because we do get a lot of missing persons and other
pieces of information and I have to say, I don't pay
as much attention to it as I should.

So, I just want to let you know that I assume
that's true of other people. So, that's one way to
tell people but it's not always the most effective,
just to be honest with you. So I do want to know in
addition sort of why did their agency wait until June
7th to start drafting a protocol? Because this is my
understanding for air quality emergencies, when you
did state and you've done that in the excellent op ed
in the Daily News today, that you said that air
quality alerts were sent to New Yorkers beginning on

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1 June 1st. And the reason I also want to mention that
2 is I want to understand a little bit more about
3 because you did mention a lot of reports and it's
4 hard to I'm sure staff-wise keep with all the
5 different places that you are keeping information in.
6 But I also understand that DCAS, to their credit, has
7 a guidance for what people should do in these kinds
8 of instances. And it's my understanding that it was
9 sent out but not all the agencies followed it or knew
10 to follow it. My understanding that Parks did a
11 great job. They alerted particularly survivors of
12 911 and I think one of the reasons this is so
13 important today, is those of us who are here on 911
14 are still concerned about air because we were given
15 at that point, I'm not saying this is true with the
16 city but the Feds gave us really bad information.

17
18 So, Parks did a good job. My understanding is
19 the Fire Department had middle day at the probably in
20 Council Member Schulman's District at the Tenant
21 Center but uhm, and people were participating even
22 though the air was very poor quality. Broadway had
23 closed down. The Department of Transportation had
24 workers on the highways even though much of the
25 sports, major sports leagues had closed down. So, I

1 guess my question is, very specifically, June 1st,
2 exactly what you were telling people and then didn't
3 seem to be happening in terms of the information came
4 up very late on June 7th. So, how do you reconcile
5 all of this different information? Because that's
6 what we're hearing, very I would say uneven either
7 information getting out or how it was adhered to.
8 That seems to be the problem.
9

10 ZACHARY ISCOL: Thanks for your question. So, I
11 think part of this is an understanding of the
12 forecast constraints and part of it is an
13 understanding of what we do at different air quality
14 hazard levels. So, the Department of Environmental
15 Conservation, a New York State agency, is the agency
16 tasked with monitoring and doing forecasting for air
17 quality. They have a remarkable team. I don't want
18 this to sound at all like I am throwing them under
19 their bus. Their meteorologists are fantastic.
20 Forecasting air quality is very, very difficult to do
21 and scientifically is very complex.

22 Each year, we face up to dozens of days where
23 the air quality index is forecasted to go above 100.
24 That's the level that DEC then issues an advisory.
25 When they issue the advisory, there is specific

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1 messaging we do. One of them is Notify NYC. At
2 different levels, there's other things we do and I
3 want to make this clear, Notify NYC is the primary
4 but not the only messaging system that we use. We
5 have strengthening communities programs in place
6 where we tap into local nonprofits and community-
7 based organizations. We do a lot of outreach to
8 electeds and to others. We can hold press
9 conferences. There's a lot. We have social media.
10 We do a lot more than just Notify NYC but on June
11 1st, just like we do dozens of times in the past when
12 this has occurred and you hit an air quality advisory
13 because of an index over 100, that's the protocol.

14 June 7th was the day that we hit hazardous
15 levels of air. Again, the forecast for June 6th, the
16 day before was 118. We hit I think we hit maybe 218
17 on June 6th late in the day. The forecast for June
18 7th, was I think it was uh, the forecast was 138.
19 Both of those are in the unhealthy for sensitive
20 groups but not the unhealthy category. And so, based
21 on the forecast, we started to amp up some of the
22 work that we're doing, some of the coordination, some
23 of the messaging but a forecast of 184 on the 6th for
24 the 7th and then hitting 484, we didn't have a
25

1 forecast telling us that we were going to hit
2 hazardous levels. And as soon as we did, the day
3 that the Mayor held the first press conference was
4 the day that we had the first indicator of hazardous
5 levels of air quality and so, I think that's why.
6 You know we have to trust the science. We have to
7 trust what we can do within the constraints of the
8 forecasting abilities and that's what we did in this
9 case.
10

11 CHAIRPERSON BREWER: Alright but how between the
12 1st and the 6th, do you know if other locations did a
13 better job perhaps of indicating that this was going
14 to be a hazard? It doesn't feel like there was a
15 concise understanding of what was going to happen
16 because the day it almost happened, by the time the
17 information was circulated the worst.

18 ZACHARY ISCOL: I mean again, I would point to
19 the forecast right. If the forecast is telling you
20 that it's going to be unhealthy for sensitive groups
21 and you end up in the hazardous levels, we have to go
22 with what the science is telling us, right? I don't
23 know how to tell you what we could do better based on
24 what the forecast; I can't predict the future other
25 than what the forecast is doing. I think we also

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2 have to operate with the understanding that these
3 forecasts are very unreliable and there's a lot of
4 complexity to them and difficulty. Forecasting any
5 whether event is difficult but air quality in
6 particular, in particular air quality caused by smoke
7 is notoriously difficult to do.

8 And again, I think how off these forecasts were
9 will point you to that and that is not at all a
10 slight against the remarkable meteorologist at EDC.
11 It's just where we are with the science of
12 forecasting air pollution.

13 CHAIRPERSON BREWER: So, on the evening of the
14 6th when it was unhealthy and very unhealthy, why not
15 message then? In other words or the other question
16 would be how would you do it differently in the
17 future?

18 ZACHARY ISCOL: Well, I think we did, we started
19 messaging even earlier on the 6th through a number of
20 different channels and again, the Mayor's first press
21 conference was, "you're not going to do that at 10
22 p.m., you're going to do that first thing in the
23 morning." Which is when we did but we were messaging
24 through a whole host of other channels. But I will
25 say you know we should not be knocking Notify NYC

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2 either. It is not the only message channel; it is
3 our primary one and I encourage all New Yorkers to
4 sign up for it.

5 CHAIRPERSON BREWER: Okay.

6 ZACHARY ISCOL: One other just Chair, if I may?
7 The comment about uhm, about missing persons, I think
8 that's actually a City Council mandate that we do the
9 citywide alerts for that.

10 CHAIRPERSON BREWER: I know but what I'm saying,
11 whatever it is, it is very constant and has many
12 different notifications. And so, to be honest with
13 you, I don't think people pay as much attention as
14 you think they should or did. And I don't think that
15 should be your only location of telling people about
16 such challenging air condition, not to mention other
17 emergencies. Did the Governor indicate earlier then
18 the city as to when the air conditions were
19 hazardous?

20 ZACHARY ISCOL: We rely on her Administrations
21 forecasting. So, it is their forecast that we use to

22 -

23 CHAIRPERSON BREWER: But I think that the
24 Governor actually announced earlier than the city
25 when this air was going to be hazardous.

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ZACHARY ISCOL: I don't know. I don't have
recollection of that but I'm happy to go back and
look.

CHAIRPERSON BREWER: Okay, what is the
determination made to send a Notify NYC alert? What
have precipitated that on June 1st or any other day?

ZACHARY ISCOL: A air quality, an EQI forecast
of 100 or more.

CHAIRPERSON BREWER: 100 or more and that's what
you would do?

ZACHARY ISCOL: So, if DEC issues an air quality
advisory, that is the trigger for us issuing a
Notify.

CHAIRPERSON BREWER: Okay, and when you talk
about the hospitalization being pretty normal, I mean
you said something to the effect of 100 I think.

ZACHARY ISCOL: It was an additional 100 which
is on par with what we see during seasonal allergies
season in April.

CHAIRPERSON BREWER: Okay but doesn't even that
didn't trigger more concern then even though it
sounds like it's same thing as pollen or other kinds
of challenges. There was no other way in which you

1
2 could possibly think that that was something that
3 trigger the hospitalizations?

4 ZACHARY ISCOL: The hospitalizations are not a
5 leading indicator. They are a trailing indicator.

6 CHAIRPERSON BREWER: Alright and then in terms
7 of the individuals who have either asthma or other
8 underlying conditions and so on. Those, how are they
9 notified specifically? Was it just through press
10 conferences and Notify NYC?

11 ZACHARY ISCOL: So, I think if you look at the
12 chart that you have here, you can see that we had a
13 pretty robust communication strategy. Yes, we had
14 the 11 Notify NYC messages. We also had a lot of
15 interagency partners amplifying our messages. So,
16 one of the things that we did is interagency calls
17 and specifically we invited and made sure that
18 agencies that are responsible for caring for our
19 city's most vulnerable were part of those calls, so
20 that they could make sure messaging was passed on to
21 the organizations that they work with and to the
22 people that are part of their communities.

23 Those organizations include the Mayor's Office
24 for People with Disabilities, Department for the
25 Aging, Mayor's Office for Immigrant Affairs, to make

1
2 sure that we were getting all of that messaging out
3 to the communities that needed it.

4 In addition, there was in-person outreach that
5 was done. You know we did do amplified homeless
6 outreach similar to what we do during the winter
7 weather or during an extreme heat. We also did a lot
8 of interagency calls, we did the press conferences,
9 we did social media, we did press inquiries and Dr.
10 Vasani and I also did a number of interviews with TV
11 and radio.

12 CHAIRPERSON BREWER: How do you explain city
13 workers as to my understanding DOT and FDNY, there
14 are probably others who were working during this time
15 period. Were they messaged in some way? You
16 understand I mean each agency is obviously
17 responsible for their own workers, I assume. But it
18 seems to me that there wasn't a lot of communication
19 either through the unions or through city agencies
20 and that they were out working. How would you
21 explain that?

22 ZACHARY ISCOL: I'd have to refer to OLR but I
23 will tell you that OLR issued pretty robust guidance
24 to all of agencies at the levels that were
25 forecasted. It was the appropriate response based on

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2 the science and we trust the science. And so, that
3 response was to provide the agencies with guidance,
4 which was provided by OLR and then the agencies, you
5 know all of us have different missions. All of us
6 have different abilities to pivot based on the needs
7 of the people who work for us, based on the need of
8 the people we serve but would have to refer you to
9 OLR.

10 CHAIRPERSON BREWER: Okay but DOT workers were
11 working and really challenging air quality
12 conditions. Would you handle that differently?

13 ZACHARY ISCOL: I would have to refer you to DOT
14 but I think again, we have to continue to there are
15 ways of mitigating the effects of air quality to make
16 sure that we are continuing to provide essential
17 services to the city. When you look at some of our
18 counterparts in California, they don't shut down city
19 services uhm until they get to extreme hazardous
20 levels.

21 CHAIRPERSON BREWER: We're not California.

22 ZACHARY ISCOL: Well, I would say even in our
23 levels that we were seeing, I would not shut down
24 essential city services and I think the guidance that
25 we gave was the right guidance. Again, I think the

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2 emergency room visits speak to that and I think it
3 shows something that our city was able to continue to
4 make sure that the buses were running, transportation
5 was continuing.

6 CHAIRPERSON BREWER: No, but I'm talking about
7 outdoor workers, outdoor specifically. I mean we're
8 all -

9 ZACHARY ISCOL: I think a lot of essential
10 services in the city require people working outdoors.

11 CHAIRPERSON BREWER: Okay, I have concerns based
12 on 911 still always in my head. Masks given out, so
13 obviously you mentioned Fire Department, Police
14 Department, Neighborhood Health Centers, are those
15 the only places that masks were available and when
16 were they told, when were people told to be able to
17 get masks? The reason I say that is with those of us
18 in elected office, in the past we were given masks
19 that were appropriate for distribution in terms of
20 high quality. And whatever reason, I don't know how
21 many are in storage but now we are only given the
22 surgical masks which were not appropriate for this
23 health concern. Could you describe a little bit more
24 about your mask distribution and why it's just
25 limited to those three places?

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2 ZACHARY ISCOL: So, we also distributed masks to
3 Immigrant Outreach Centers with the Mayor's Office
4 for Immigrant Affairs. We also and I'm not going to
5 get myself into trouble here Chair Brewer, but we
6 also did offer masks to all Borough Presidents. Only
7 one of them, I'm not mentioning any names, took us up
8 on the masks. I know Council Member Schulman
9 received masks from our agency and distributed them
10 to her constituents. And it takes a minute to get
11 hundreds of thousands of masks around the city. They
12 are also now available at public libraries around the
13 city.

14 CHAIRPERSON BREWER: Right, and when exactly
15 were they announced as being available based on this
16 particular situation?

17 ZAHARY ISCOL: I'd have to get back to you on
18 the exact timing but I'm happy to.

19 CHAIRPERSON BREWER: Alright, and then the other
20 question I just want to ask is, what guidance did
21 again, back to this additional guidance given to
22 people in the field. What you're telling me is
23 nothing should have changed; they should have
24 continued to have the Fire Department ceremony and
25 that the outside DOT workers should have been at work

1
2 as they are normally. Is that the decision that you
3 think should be made in the future?

4 ZACHARY ISCOL: I'm telling you that based on
5 the forecasting abilities, we did everything that we
6 should have done in terms of the guidance, the events
7 that took place. When you have those levels you know
8 and you're only expecting something in the unhealthy
9 for sensitive groups. Yeah, you have to provide
10 information to people and enable them to make their
11 own decisions based on their own specific health
12 needs.

13 Once we reached extreme hazardous levels, that
14 changes it. That's not where we were on the 6th.
15 That's not where the forecast was until the 7th and
16 when that happened on the 7th, we immediately kicked
17 into gear to address that. And I wish and you know
18 maybe this is something that we could apply more
19 resources to, to the science of forecasting air
20 quality, there's a lot of complexity to it. There's
21 a lot of difficulty. You even look at the
22 differences between the two recent air quality
23 incidents that we had in the city in early June and
24 then in mid-June, the source of the fires, the wind
25 direction, where that air is coming from. The

1 elevation, the time of day, all of those things
2 change the potential for the AQI levels in the city.
3 And so, given those complexities, yeah, I think the
4 city did the right thing on the 6th going into 7th and
5 I think we then responded effectively on the 7th as
6 soon as we saw things turn to hazardous levels.
7

8 CHAIRPERSON BREWER: So, you wouldn't do
9 anything differently in the future?

10 ZACHARY ISCOL: Of course Chairwoman.

11 CHAIRPERSON BREWER: What would you do
12 differently in the future?

13 ZACHARY ISCOL: So, I think there's a number of
14 things and one is, you know you never pitch a perfect
15 game. And one of the things we do after every single
16 incident, no matter how small or how large, is we do
17 an after-action report and our team is currently
18 working on that and I'm happy to provide that after
19 action report to you and make sure that's it's
20 available to you once we've fully done that
21 assessment.

22 CHAIRPERSON BREWER: Council Member Hanif is
23 also here and now, Council Member Schulman.

24 CHAIRPERSON SCHULMAN: Thank you and yeah, we
25 look forward to seeing that and I don't know, I'm

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1
2 sorry, I apologize if I'm asking a question that was
3 asked. The protocol you're putting together uhm,
4 when that's finished can we have a copy of that as
5 well? The new protocol because I'm looking forward
6 to that. I do want to say before I get into some
7 more questions and I want to thank you and your staff
8 for all the hard work that they did on this and I
9 know, you know as we've all sort of stated, this is
10 now a new normal, so we're going to be moving forward
11 and we would like to work with you on making sure
12 that New Yorkers are kept healthy and safe.

13 So, I have a few questions. One is on Notify
14 NYC because I have the app and I'm a big fan of
15 Notify NYC. I got an air quality alert I think it
16 was yesterday but it doesn't say what the air quality
17 is, is there a reason for that?

18 ZACHARY ISCOL: I'd have to look into it.

19 CHAIRPERSON SCHULMAN: Okay, it just says,
20 giving an alert but it doesn't say - because I
21 actually downloaded an app I guess from the federal
22 government it is or the state.

23 ZACHARY ISCOL: The Air Now?
24
25

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CHAIRPERSON SCHULMAN: Yeah. That says what the
number is. But it just doesn't say it on that, so
I'm like okay, what should I do? I just wanted to -

ZACHARY ISCOL: Yeah, so part of it is the
advisory is put in place once you're over 100. And
again, I think that there is a - this changes so
drastically minute to minute. The forecast is also
and I don't want to get too deep into the forecast
because I'm also not a meteorologist but the forecast
is based on a 24 average, it's not point to point, so
there are, there is an EPA run site, a federally run
site, airnow.gov where you can track the air quality
in real time. That's actually not a 24 hour, it's a
3-hour average but you can also then also see the
differences based on the neighborhood and where you
are. And so, you know I think you know one of the
things that this incident has just really reinforced
for me is just that in as we deal with more and more
extreme weather events, there is a challenge in
ensuring that we are providing and educating the
public.

And I think this is one of the things that you
know we really rely on our elected officials for help
with this. It's one of the reasons that it's so

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2 important that we have these types of hearings. It's
3 one of the important reasons that it's so important
4 that we work together because if we're able to speak
5 with one voice, it's far less confusing to the public
6 and there's a lot of misinformation out there
7 currently that I appreciate the opportunity to
8 address. Thank you.

9 CHAIRPERSON SCHULMAN: No, I agree, I mean we
10 want to be helpful. I just made the notice that on
11 the Notify NYC if there's just even a range or it
12 just gives a bit more information. It's just
13 something to look at.

14 ZACHARY ISCOL: Yup, absolutely.

15 CHAIRPERSON SCHULMAN: I also — so, now I want
16 to turn my questions to DOHMH. Give you a rest
17 Commissioner.

18 ZACHARY ISCOL: Appreciate it.

19 CHAIRPERSON SCHULMAN: Wildfires began
20 throughout Eastern Canada in May of 2023, the risk
21 posed to New York City by the smoke from these
22 wildfires was first projected by the National Weather
23 Service on May 29, 2023. Following suit, New York
24 State issued an air quality alert for several regions
25 including New York City. When did DOHMH begin

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1 monitoring the air quality affected by the wildfire
2 smoke?

3
4 CORINNE SCHIFF: Thanks Chair, so as you've
5 heard from Commissioner Iscol, it's really the New
6 York State Department of Environmental Conservation
7 that does that monitoring and issues those air
8 quality alerts. I think as you are aware at the City
9 Health Department, we have an air quality program,
10 the New York City Community Air Survey, which is
11 really a surveillance tool that lets us understand
12 air quality over time I New York City and is a tool
13 for us at the Health Department and for the City
14 Council to develop policies that help New York City
15 improve air quality over time and the Council has
16 actually been a national leader in that area but it
17 is the role of New York State DC to do that
18 monitoring as Commissioner Iscol has discussed.

19 CHAIRPERSON SCHULMAN: Are you working with the
20 New York City Emergency Management on the protocol?

21 CORINNE SCHIFF: The City Health Department and
22 Emergency Management work very, very closely on a
23 wide variety of emergencies, including this one to
24 prepare and respond.

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CHAIRPERSON SCHULMAN: Can you explain DOHMHs
role in this type of emergency just for edification?

CORINNE SCHIFF: So, our job in public health is
to develop public health guidance as guidance at a
population level. We identified subpopulations that
are more vulnerable all of the Chairs in your opening
comments. You listed those and to provide guidance
for how New Yorkers can mitigate those risks. Here
the risks are very individualized and that's why we
have been providing guidance generally about when we
are in these poor air quality days about limiting
time outdoors, limiting strenuous outdoor activities
but also really listening to your body, looking for
symptoms in yourself that you are experiencing
impacts from air quality, taking those seriously and
going inside.

CHAIRPERSON SCHULMAN: So, uhm, I know that
Commissioner Iscol said you work with community
partners too to inform and educate. Does DOHMH also
work with the same partners or different ones or how
does that work?

CORINNE SCHIFF: So, we know that community-
based organizations, faith-based organizations can be
the trusted messengers in communities and we have a

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1 very strong partnership with scores of organizations.

2 I'm sure there is some overlap with Emergency
3 Managements list as well. We worked with them during
4 this event. We work with them in a variety of urgent
5 areas and in routine matters to make sure that New
6 Yorkers have health guidance that they need.

7
8 CHAIRPERSON SCHULMAN: I'm sure the list is
9 extensive. Is there a way that we could get a copy
10 of the list from both agencies because we may be able
11 to add to it as well, so we want to just do it from a
12 spirit of collaboration.

13 CORINNE SCHIFF: We can check on that and I
14 would reiterate that we also count on all of you to
15 help us get that word out to your constituents.

16 CHAIRPERSON SCHULMAN: What are the short term
17 and long term health affects of exposure to wildfire
18 smoke?

19 CORINNE SCHIFF: So, I think that in your
20 opening comments, you articulated those. What we are
21 really concerned about is people with lung
22 conditions, heart conditions, older adults, young
23 children, wildfire smoke can be a respiratory
24 irritant and so it can lead to breathing problems.
25 And so, people who already come to that exposure with

1
2 vulnerabilities, can experience adverse health
3 impacts. As you heard from the Commissioner, what we
4 saw during the event was visits to our emergency
5 departments and urgent care centers, really like what
6 we see in April during pollen season.

7 For people who don't have those conditions, you
8 listed those as well. Irritations to your throat,
9 your nose, your eyes, some people experienced
10 headaches. For an extent of an exposure like we
11 experienced that first week in June, we don't expect
12 long term impacts.

13 CHAIRPERSON SCHULMAN: So, uhm, are you
14 monitoring, is DOHMH monitoring any long term affects
15 of the air quality on New Yorkers, especially
16 vulnerable populations?

17 CORINNE SCHIFF: The work we do in our Air
18 Quality Program is focused on acute impacts and
19 trying to understand those, so that policy makers
20 including all of you can continue to improve New York
21 City's air quality. We do make the data available,
22 so that those who do that kind of long-term
23 assessments of long-term impact can have that data
24 and use that.

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1
2 CHAIRPERSON SCHULMAN: Thank you. I had heard
3 some cities give out air purifiers. Is there any
4 thought to that or how people can use their purifiers
5 or even to give guidance on if people want to go out
6 and purchase their own?

7 CORINNE SCHIFF: We do have guidance and we did
8 include this in our messaging during that June event
9 about the importance of maintaining your indoor air
10 quality when the outdoor air quality is poor and
11 there are steps that people can take to preserve
12 their indoor air quality and we will continue to
13 message that so that New Yorkers are prepared.

14 CHAIRPERSON SCHULMAN: Put any thought to the
15 city giving out air purifiers?

16 CORINNE SCHIFF: We'll have to get back to you
17 about that.

18 CHAIRPERSON SCHULMAN: Okay, if let's see - does
19 DOHMH plan on creating any additional educational
20 materials or media campaigns around air quality or
21 climate related emergencies?

22 CORINNE SCHIFF: So, what we did do is we had
23 been issuing guidance throughout the event and we
24 have now documented that on our website and we will
25 be pushing that out through the community-based

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organization partnerships and continuing to educate
New Yorkers with this guidance and we'd be happy to
send you a link to those as well.

CHAIRPERSON SCHULMAN: Commissioner Iscol, so
this is my last question for this round. I know
September is Emergency Preparedness Month. Are you
going to institute with the materials that usually do
something about the air quality?

ZACHARY ISCOL: We are now.

CHAIRPERSON SCHULMAN: Okay, thank you.

ZACHARY ISCOL: Thank you Chair.

CHAIRPERSON BREWER: Council Member Gennaro.

CHAIRPERSON GENNARO: Yes, thank you Chair
Brewer. I'm just getting myself together here, I
just had to put in some eye drops. And my first
question will be for Commissioner Iscol. In the
fourth paragraph of your statement, there is
reference and reference has been continually since
the hearing began about the state DEC and they you
know DEC's ability to forecast air conditions.

Reading from your statement, forecasting air
quality in excess particularly for smoke, incredibly
difficult and complex and only available less than 24
hours in advance by the New York State DEC. I was a

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1 Deputy Commissioner for that agency for six years and
2 so I know them. I know the Commissioner, I used to
3 work for him. Do you find the DEC's ability to
4 forecast bad air quality sufficient given the events
5 of the last month? Maybe they could do a little
6 better or build a more robust capacity to do that.
7 I'm just asking you to offer your opinion on that.
8

9 ZACHARY ISCOL: Yeah.

10 CHAIRPERSON GENNARO: They're not going to get
11 mad at you, it's okay.

12 ZACHARY ISCOL: I'm not a meteorologist but I
13 think you know we work very, very closely with their
14 forecasting team and with the folks at DEC,
15 especially during this type of emergency. I think
16 given the constraints of the ability to forecast air
17 quality, I think they're doing as well as they can.
18 I would love to see improvements in the technology
19 and our capabilities of their forecasting qualities
20 but I think based on those constraints, they're doing
21 a fine job.

22 CHAIRPERSON GENNARO: Okay, let me ask you again
23 you know in a way that kind of probes a little deeper.
24 Uhm, this is happening, you're talking to the people
25 in your agency. You're talking to other agencies.

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1 Uhm, was there any discussion during that about hey,
2 we wish the DEC had a more robust capacity? Was that
3 - did you hear language to that affect?
4

5 ZACHARY ISCOL: I think they wish they had a
6 more robust capacity as well. You know and I think
7 we you know they would really lean into trying to
8 provide us uhm, in the most recent air quality event.
9 You know they would try and get us information.
10 Generally, they put the forecast out at 3 p.m. for
11 the next day. And then they update it the following
12 morning sometime between 8 a.m. and 10 a.m.. They
13 would do their best to try and give us direct updates
14 before those were put out. But I think like us, they
15 wish they could you know do a 48-hour, 72-hour
16 forecast.

17 CHAIRPERSON GENNARO: Right, okay, and so thank
18 you for that. I'm just going to make a little note,
19 the side notes in my Committee Council that I should,
20 we should do some outreach to DEC along the lines of
21 we live in a new world. You know what was working in
22 terms of you know bad air quality forecasting. You
23 know five years ago no longer works and we'll make an
24 official request to them to show us what capacity
25 they have and we could advocate for improved and a

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1
2 more robust capacity you know within the bounds of
3 science of course, so we're going to go and do that.

4 ZACHARY ISCOL: Yes sir.

5 CHAIRPERSON GENNARO: You're okay with that
6 right? That makes sense? I want them to do a better
7 job okay. And so, like I said, I have good
8 relations, I have good relationships with that agency
9 and maybe they need a more robust capacity. And now
10 I have some questions for Deputy Commissioner DeFalco
11 from DEP with whom I am good friends and as I am with
12 everyone at DEP. And you know we got the PlaNYC
13 process which is you know separate from what's going
14 on here but you know interrelated because PlaNYC is
15 all about sustainability and resiliency in the face
16 of climate challenges and if you could, if you could
17 expand a little bit on how PlaNYC intends to identify
18 and address various manifestations of climate
19 uncertainty, including how that uncertainty would
20 manifest into emergency conditions. Could you speak
21 about that a little bit?

22 BETH DEFALCO: I can, thank you. Thank you
23 Councilman. I think that the chief areas that we are
24 really focused on and I know that we've given an
25 overview to your Committee on PlaNYC recently.

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1
2 CHAIRPERSON GENNARO: Right.

3 BETH DEFALCO: Is how we prevent pollution from
4 starting in New York City, whether that's
5 electrifying our city owned car fleets, reducing
6 emissions from commercial cookware or whether you
7 know adding up the \$136 million commitment from this
8 Administration to planting more trees, which includes
9 you know include air quality. So, we've taken a
10 multifaceted approach to ways in which we'd like to
11 both protect and improve New York City's air quality.

12 CHAIRPERSON GENARRO: Yeah and we do appreciate
13 that but perhaps we may be able to sort of you know
14 push out the boundaries a little bit of PlaNYC to
15 think about external climate emergencies so to speak
16 and perhaps their impact on vulnerable communities.
17 I remember when we know reinstituted the New York
18 City panel of climate change, it was brought into
19 existence by Mayor Bloomberg to look at city
20 infrastructure, then it went out of business and then
21 my Committee back in the day brought it back into
22 existence, gave it a broader mandate, you know to
23 look at the city's economy, impacts in economy,
24 impacts on the vulnerable communities. I think
25 perhaps last months event could be a teachable moment

1 about how we could push out the boundaries of PlaNYC
2 to include and capture how you know climate
3 emergencies are going to impact the most vulnerable
4 communities. That I think is you know like a
5 forward-thinking way because you have OEM and they
6 deal with emergencies bang this is happening real
7 time. You know scramble the jets, let's do
8 something. You know but I think people look to
9 PlaNYC as kind of like the visionary climate document
10 and roadmap to how we navigate climate uncertainty
11 and now we've seen it you know across the border and
12 come and hit us and probably impact vulnerable
13 communities you know more than other communities in
14 the city.

16 So, what I'm calling for is for you know PlaNYC
17 and the body that advises PlaNYC on which I sit. To
18 kind of add this as an agenda item for how PlaNYC can
19 me a more encompassing planning document and roadmap
20 for you know climate emergencies. That sort of
21 thing. Do you have something to say about that?

22 BETH DEFALCO: No, I think that we 100 percent
23 agree that environmental justice communities are
24 impacted far more greatly than other communities by
25 smoke events like this and pollution events like

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1 this. They're less able to respond quickly right?

2 We know environmental justice communities that are
3 less likely to have air filters you know in the home
4 or in the office place and are more impacted by the
5 air quality of local businesses and uhm, especially
6 those that are industrial areas. So, yeah, take what
7 you say wholeheartedly and we'd love to work with you
8 on that.

9
10 CHAIRPERSON GENNARO: Okay and someone was
11 taking notes right? So, like we got this right?
12 Good.

13 BETH DEFALCO: It will be recorded, I hope.

14 CHAIRPERSON GENNARO: What's that?

15 BETH DEFALCO: I think it will all be recorded,
16 so.

17 CHAIRPERSON GENNARO: Yeah, we're definitely
18 being recorded and so, uhm, Madam Chairs, I wanted to
19 be brief with my questioning up front you know I
20 reserve the right to come for a second round but we
21 have other members here that are very eager to get
22 their -

23 CHAIRPERSON BREWER: Very eager.

24 CHAIRPERSON GENNARO: You know question in and I
25 always like to promote their ability to do so. So,

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1 I'm going to like step down for a while. I'm going
2 to be here for the whole day anyway but I want to
3 hear from some of my colleagues. I want to thank
4 this panel and you haven't heard the last of me
5 before you step down but for now, I'm turning it back
6 over to you Madam Chair Brewer.

8 CHAIRPERSON BREWER: Thank you. Thank you very
9 much. Council Member Feliz is here. Now, we'll hear
10 from Public Advocate Williams.

11 PUBLIC ADVOCATE WILLIAMS: Thank you Madam
12 Chair, much appreciated and thank you Commissioner
13 and Deputy Commissioners for that. I just want to
14 make sure I understand because based on the testimony
15 it seems that what you're saying is that given the
16 information and circumstances as they played out, the
17 city did the best it could. Is that accurate?

18 ZACHARY ISCOL: 100 percent.

19 PUBLIC ADVOCATE WILLIAMS: Which worries me and
20 troubles me a lot because that means given the same
21 circumstances again, you would do the same thing and
22 that's where my frustration comes in. Because I
23 think the Administration is the only one that
24 believes everything went the best way that it could.
25 And so, I want to walk through a couple things,

1 understand and make sure we're on the same page
2 because it's my belief and I said this before, if the
3 Mayor and the Commissioners are giving a press
4 conference a couple hours before the sky goes orange
5 because of how bad the air quality is, then we have
6 failed at communicating.
7

8 And I say that because the air quality is not
9 something that is usually talked about in the public.
10 It's something that the public has to learn about and
11 understand. I'm sure we would all agree on that. In
12 that case, we would have to prime the public so they
13 can understand the information that's coming to them.
14 So, if we got information on the second that air
15 quality might be bad, I don't think we did a good job
16 of explaining to the public what that might mean to
17 them. And what you're saying if I understand
18 correctly is most of that communication came from
19 Notify NYC maybe from the 1st or 2nd to the 7th. How
20 would the general population, including the one's
21 that are sensitive get information about what the air
22 quality was and what that actually means for them?

23 ZACHARY ISCOL: So, first off Mr. Public
24 Advocate, I appreciate your questions. I appreciate
25 your care and concern. Read with great interest the

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1 report that you and your team put out yesterday, I
2 appreciate our ability to talk yesterday. As I
3 mentioned in our call yesterday, I wish that you and
4 your team had actually sat down with us before
5 putting this report out. A lot of the information in
6 it is factually incorrect. A lot of it is stuff that
7 was done and has been done. A lot of it points to
8 existing or what would be redundant capabilities and
9 I think it's important for us to have these
10 conversations to make sure that all of us are on the
11 same page because it is confusing for New Yorkers and
12 it is really important that we are all speaking with
13 one voice, so that they have the clear information.

14
15 As I have said during this hearing, Notify NYC
16 is not the only public messaging system that we have.
17 We do a lot of thing through community-based
18 organizations. We do a lot of things on social
19 media. Dr. Vasan and I did a lot of press, both
20 radio and television and other interviews.

21 PUBLIC ADVOCATE WILLIAMS: Which days?

22 ZACHARY ISCOL: I could get you a list of -

23 PUBLIC ADVOCATE WILLIAMS: No, no, no, this is
24 important. This is very important and I wasn't going
25 to bring up the conversation. I'm glad that you did,

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1 so I can talk about it. Now, it's public. You also
2 said, we always going to bat 1,000 percent, so that's
3 important to point out as well. I would love to know
4 which press was done from the 2nd to the 7th. I'd
5 like to know which community organizations you
6 reached out to from the 2nd to the 7th to get this
7 information. I hate that these conversations have to
8 get tense because we should be looking forward. I
9 think there's a lot of things we agree we can do
10 forward but this is important because we've been
11 pushing a better way to communicate to the public
12 since COVID and we don't have it. And we're saying
13 that we communicated to the public the best way we
14 could have from the 2nd to the 7th and the public
15 would disagree with you because they had no idea that
16 there was a problem until the sky turned orange.

18 ZACHARY ISCOL: With all due respect, you're
19 missing a key phrase there.

20 PUBLIC ADVOCATE WILLIAMS: Okay.

21 ZACHARY ISCOL: The key phrase is, we did the
22 best communicating with the public with the
23 information in the forecast that we had in hand.

24 PUBLIC ADVOCATE WILLIAMS: And that's just not
25 true.

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1 ZACHARY ISCOL: I -

2 PUBLIC ADVOCATE WILLIAMS: So, wait, wait.

3 There are other ways to communicate. The Mayor
4 himself has said that Twitter is not the best way to
5 communicate, so -

6 ZACHARY ISCOL: You're saying Mr. Public
7 Advocate that you have a better forecasting tool than
8 what is available -

9 PUBLIC ADVOCATE WILLIAMS: Okay, so let's go
10 through the forecasting. What information did you
11 have about the air quality from the 2nd to the 6th?

12 ZACHARY ISCOL: So, I can tell you that the air
13 quality index forecast for June 6th was in the
14 unhealthy for sensitive groups category.

15 PUBLIC ADVOCATE WILLIAMS: Great.

16 ZACHARY ISCOL: The air quality forecast for the
17 7th was also in the unhealthy category for sensitive
18 groups. The exact numbers for the DEC forecast for
19 June 6th was 118, for June 7th it was 138.

20 PUBLIC ADVOCATE WILLIAMS: Let's stop right
21 there. Let's stop right there.

22 ZACHARY ISCOL: I want to make sure I'm
23 addressing your question.
24
25

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1
2 PUBLIC ADVOCATE WILLIAMS: No, I got it. I have
3 enough of my answer. Thank you. So, wait, wait, no
4 because that is not incorrect, so that is factually
5 incorrect. So, one, just so we're clear, if we're
6 saying that public who have sensitivities were in
7 danger, what you're saying is at some point they
8 might have been, that was not communicated and it was
9 not communicated effectively because as the Mayor
10 says, Twitter may not be the best way to do it and
11 Notify NYC is only reaching one million people.
12 You're saying you reached out and could have reached
13 out to TV stations and to CBOs. I don't think that
14 happened and what I'm saying is, even if we didn't
15 know how high it was going to go, there should have
16 been some priming so that people could know what
17 might possibly happen.

18 Let me just end with this because my time is up.
19 On the app right now, if you go to air now app of
20 NYSDEC, it says on the screenshot that I have that
21 the air quality for June 6th was 165, 155, 156. The
22 Mayor's statement that came out on June 6th, said it
23 was 218, which means it's going into the general
24 population. The Yankee game was put out and started
25 at 7:00, that air quality was over 150 as reported by

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1
2 the fan favorite of the Administration New York
3 Times. It went up to over 200 by the time the game
4 ended. CNBC also reported some of this. What I'm
5 saying is -

6 ZACHARY ISCOL: I'm sorry, I'm confused. You're
7 saying that the air quality reported is not as bad as
8 we're saying it was?

9 PUBLIC ADVOCATE WILLIAMS: No, I'm saying on
10 June 6th, there's reports -

11 ZACHARY ISCOL: The actual, I just want to make
12 sure I understand this. You're saying the actual, so
13 there's a difference between the forecast and then
14 observed. The forecast is what we will predict will
15 happen in the future.

16 PUBLIC ADVOCATE WILLIAMS: I understand the
17 forecast.

18 ZACHARY ISCOL: Observed is what actually
19 happens.

20 PUBLIC ADVOCATE WILLIAMS: What I'm saying the
21 two things. The forecast was saying there might be
22 problems with air quality. That's one. We don't
23 know how bad that was going to be, so I'm giving you
24 that. What I'm saying is that the forecast, we
25 should have provided more information publicly in

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1 public spaces so people could understand what that
2 means. So, do more with the information that we had
3 and we didn't do that.

4
5 The second part is as it was happening, as there
6 was actually fog in the sky on June 6th, as the app
7 was saying that the air quality was getting worse, as
8 we were seeing that this was happening, we should
9 have done more with that actually at the time in the
10 first press conference and the first time that
11 someone was speaking to the press should not have
12 been the following morning making decisions at the
13 time it was happening. Those are things that we
14 should be able to agree on. What frustrates me is
15 those are simple things and I want to give you to the
16 fact that we could not have predicted an orange sky.
17 We couldn't have predicted how it had gotten - we
18 couldn't do more with the information that we have.
19 I'm using all the information that you had and all
20 the information that we have and I'm simply saying we
21 should of have done more with it and we didn't.

22 ZACHARY ISCOL: Sure, with 20/20 hindsight, of
23 course we should have done more. But I think with
24 the information that we had at the time; the Mayor's
25

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press conference occurred on the first day we had
hazardous air quality.

PUBLIC ADVOCATE WILLIAMS: No, the first day was
218 by the Mayor's statement.

ZACHARY ISCOL: 218 is not hazardous air
quality.

PUBLIC ADVOCATE WILLIAMS: I just want to read
this. When the air quality is 150 to 200, some
member of the general public may experience health
effects. 201 to 300 health alert. The risk of
health effects is increased for everyone.

ZACHARY ISCOL: And if you look at what that
actually says in terms of the categories, 150 to 200
is unhealthy for sensitive groups. Above 200 is when
you get too unhealthy for the general population.

PUBLIC ADVOCATE WILLIAMS: 218--

ZACHARY ISCOL: Excuse me, above 300 is when you
start to get to hazardous levels.

PUBLIC ADVOCATE WILLIAMS: I understand that but
I'm going to end it and I'll give it back to the
Chair but what I'm saying is this. We have to prime
the public for information that they have never
received. And so, this information is confusing. If
we're starting to get this information right before

1 the sky turns orange and on fire, I'm just saying it
2 took too long. That should not be a statement that
3 is somehow controversial. And that's what frustrates
4 me with the Administration. There is never an
5 emissions of the simplest things that we could have
6 done and it makes our conversations tenser
7 unnecessary and this is not criticism to the Mayor or
8 the Administration for criticism sake, as he said.
9 This is literally my job.

11 ZACHARY ISCOL: Right, I think one of the things
12 that I look at is and I couldn't agree with you more
13 in terms of priming New Yorkers. I agree with you
14 100 percent on that. This is something that had
15 never happened before in New York City. One of the
16 things that we are doing now is robust communication
17 to start educating New Yorkers. We do this about
18 heat. We do this about extreme rainfall events and
19 now we are doing this about air quality, things like
20 this that we are probably not ahead of it but to
21 think that we could do that on the 6th with the
22 forecast that we had -

23 PUBLIC ADVOCATE WILLIAMS: You could not have.

24 ZACHARY ISCOL: We could not have. I want to be
25 clear about that.

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1
2 PUBLIC ADVOCATE WILLIAMS: So, we're clear on
3 that but I'm talking about the information that we
4 had and so, we're using the excuse of the information
5 we didn't have. And I'm talking about the
6 information that we actually had on the 2nd through
7 the 6th, what we could have done more of and how
8 effectively we could have gotten it to the people
9 that needed it. That's all I'm talking about. And
10 so, we're hiding behind the fact of the information
11 that -

12 ZACHARY ISCOL: Nobody's hiding behind anything
13 here.

14 PUBLIC ADVOCATE WILLIAMS: Okay, I appreciate
15 the time that I've had. Thank you so much. I
16 definitely look forward to more of our conversations.

17 CHAIRPERSON BREWER: Thank you.

18 ZACHARY ISCOL: I do to and I do look forward to
19 sitting down and talking about your report. I do
20 really wish your team had sat down before issuing
21 this with my team.

22 CHAIRPERSON BREWER: Okay, thank you.

23 PUBLIC ADVOCATE WILLIAMS: The Administration
24 doesn't admit when something went wrong, so that
25 makes it more difficult.

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CHAIRPERSON BREWER: Thank you. Thank you.
Council Member Ariola.

COUNCIL MEMBER ARIOLA: Thank you Chairs. Thank
you all for coming today. So, maybe I'm unique in
that we were watching for tweets on Notify NYC, so we
were aware when you first started to send them out.
So, thank you for that. We were then contacted by
the Mayor's Office, NYCEM, the City Council Emergency
Services. We had ample information regarding what
was and what could be coming. So, what I say is, if
you're paying attention to what Notify NYC is putting
out and you're paying attention to the emails that
are being sent to you from all the different agencies
including the Administration and our City Council
office, then you would have known and you would have
started posting on Facebook and all your social media
or reaching out to your constituents.

So, in that area, I disagree. I think that this
was something that came upon us and the city reacted
and you reacted well and you did your outreach.
NYCEM, DOHMH will get to you. So, Commissioner
Iscol, last month air quality issues was novel for
NYC, what protocols and procedures does NYCEM have in
place to address new issues that arise in real time

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1 and how did you apply these during the week of June
2 6th?

3
4 ZACHARY ISCOL: Yeah thank you, it's a great
5 question. So, I think one of the things is that is
6 to really talk a little bit about all our hazard
7 planning. You know, in emergency management, we're
8 always going to have to deal with things that are
9 novel and new, right? We cannot predict the future.
10 And so, we have a construct with the way that we do
11 planning where we have essentially plans that enable
12 us to - let me give some examples, for example if you
13 look at like our coastal storm plan for example,
14 that's comprised of maybe two, two and a half dozen
15 different plans. Our advanced warning system, our
16 bridge and tunnel closure protocol. Our disaster
17 cost recovery plan or disastrous system service
18 center plan or language access protocol, our logistic
19 center plan, our debris management plan. All of our
20 plans are made up of a whole host of other plans.

21 So, what we're able to do is we can look at the
22 impacts and then from there, we can then activate
23 different plans and that's what we did during this
24 event, whether it came to health concerns, educating
25 the public, distributing masks around the city, the

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1 commodity distribution plan or logistics plan. Those
2 are the protocols that were in place. Now, one of
3 the things that we're doing is codifying some of the
4 lessons from the actions we took and codifying it
5 into what's called an actual air quality protocol
6 that is currently in development.
7

8 COUNCIL MEMBER ARIOLA: That's great and
9 honestly, our office is one of the offices that was
10 contacted for masks and I want to thank you for that.
11 And it is only natural to use first responders for
12 locations for people to pick up masks and that's why
13 I think that that was what chosen first and then it
14 went to other locations like public libraries.

15 So, my second question is while none have been
16 as bad as this week, you know week of June 6th, what
17 we're discussing today, we have had some days with
18 poor air quality in the past few weeks, what
19 strategies did NYCEM employ to notify the public and
20 work with all city agencies on appropriate actions?

21 ZACHARY ISCOL: Yeah, thank you. So, number one
22 is again, Notify NYC. I know a lot of folks are
23 bashing Notify NYC during this panel, but it is our
24 primary messaging system. Over one million
25 subscribers, 14 languages. It's what we used during

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2 COVID. It's what we use during emergencies to get
3 information out there. We use social media, we use
4 radio, television and TV adds. You know I think we
5 also have community-based organizations that we work.
6 And again, one of the things that we did during this
7 event is and I can't emphasize this enough. We
8 brought in partner agencies that are generally not at
9 the table for emergencies because they're not the
10 operational agencies. Like the Mayor's Office for
11 Immigrant Affairs, like Mayor's Office for People
12 with Disabilities, like Department for the Aging, and
13 others to make sure that they have the right
14 information from the scientists, from the doctors,
15 from Dr. Katz, from Dr. Vasan, from the DEP
16 Commissioner.

17 And making sure that we are providing them the
18 right guidance so that they could get that out to the
19 organizations that they work alongside to the people
20 that they are sort of responsible for caring for to
21 also make sure that we're getting through those
22 channels as well.

23 COUNCIL MEMBER ARIOLA: Thank you. Now, for
24 DOHMH, what was the type of outreach that you did?
25 Because we didn't receive any from DOHMH.

1
2 CORINNE SCHIFF: So, the Health Department
3 complimented the outreach from Emergency Management.
4 We were Tweeting in English and Spanish. We were
5 using our networks that described earlier of
6 community-based organizations, faith-based
7 organizations to get messages to them, so that they
8 could communicate to their constituents. Our
9 commissioner did a lot of press, which is a really
10 important way to communicate with New Yorkers, so I
11 think those would be the primary ways that we
12 communicate it.

13 COUNCIL MEMBER ARIOLA: And do you believe that
14 DOHMH's response was adequate in this air quality
15 emergency and what do you think could have been done
16 better?

17 CORINNE SCHIFF: So, I think you've heard from
18 Commissioner Iscol about all of the ways that the
19 city responded. The Health Department was there to
20 provide the public health guidance, as the city
21 responded. We were looking, I think there was a
22 question earlier, we were looking to the guidance
23 that's issued out on the West Coast to the more
24 experienced jurisdictions to make sure that the
25 guidance that we were issuing was aligned with what

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1 they tell their residents and it was. So, I am
2 really proud of the work that we did in a very, very
3 rapid way to put out guidance to New Yorkers for
4 limiting their time outdoors, limiting strenuous
5 activity outdoors, ways to protect indoor air
6 quality.
7

8 COUNCIL MEMBER ARIOLA: And will you be putting,
9 thank you. And will you be putting anything out
10 today that you know, I have respiratory issues, so
11 you know of course when I went to see my
12 pulmonologist afterwards because my breathing quality
13 and I only have asthma, so it's not anything you know
14 anything that COPD or emphysema or anything like that
15 which are much worse but do you have any idea what
16 the impact will be on people with respiratory
17 diseases now that we have inhaled you know that type
18 of smoke?

19 CORINNE SCHIFF: So, we're really concerned
20 about acute experiences when we have that kind of
21 exposure. For the length of time that we had the
22 very poor air quality, we're not really concerned
23 about long term impacts. I can say another area of
24 outreach since you mentioned your health care
25 provider, is we have a mass communication network

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2 with health care providers and we communicated with
3 them as well, so that they would know what they might
4 be seeing, hearing from their patients and how they
5 could help their patients.

6 CHAIRPERSON BREWER: Thank you.

7 COUNCIL MEMBER ARIOLA: Good, thank you.

8 Council Member Yeger is here and now we're going to
9 hear from Council Member Nurse.

10 COUNCIL MEMBER NURSE: Thank you Chair. I just,
11 I had a question about the masks and going through
12 this experience just kind of made me a little bit
13 anxious about the fact that the last three years we
14 were relying on a piece of equipment to really keep
15 people safe and so, I'm just wondering if you can
16 discuss, what are the current stockpile levels that
17 you work to keep and can you discuss the process for
18 the protocol for rapid deployment and any lessons
19 you've learned from that. Where are they stored?
20 What are the triggers to move them? Where do you
21 stage them for an anticipated or very likely need to
22 distribute them?

23 ZACHARY ISCOL: Yeah, thank you. It's a great
24 question. So, we have a lot of masks located in a
25 lot of different locations. So, we have some at our

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1 warehouse in Brooklyn. We have another warehouse
2 where we have most of our coastal storm sheltering
3 equipment and supplies in New Jersey. We have DCAS,
4 at their warehouse they have a lot of masks, FDNY and
5 NYPD, they also have masks.
6

7 In this specific incident, essential what it was
8 was finding out where do we have of all the different
9 stockpiles of masks, and I can get you sort of more
10 of the specific numbers of different mask stockpiles
11 around the city and outside the city, but what was
12 going to be the fastest way of getting masks to the
13 public. And what we determined was it was going to
14 be at NYPD precincts and FDNY Fire Houses and we
15 relied on a stockpile of I think 25,000 or 50,000
16 masks that we had at our warehouse and the numbers,
17 and I think it was maybe 100, 125,000 masks in a DCAS
18 warehouse. That those were going to be the easiest
19 place. DEP I actually think, I think DEP might have
20 also participated in providing masks in that
21 distribution.

22 COUNCIL MEMBER NURSE: What's the city - what is
23 your current stockpile number, goal that you try to
24 keep at all times?
25

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2 ZACHARY ISCOL: I don't have that off the top of
3 my head but I can get it for you.

4 COUNCIL MEMBER NURSE: Okay.

5 ZACHARY ISCOL: And it would vary also, I'm
6 sorry by agency, not just by the city.

7 COUNCIL MEMBER NURSE: So, each agency is
8 responsible for their own determination of a
9 stockpile?

10 ZACHARY ISCOL: There's sort of stockpiles for
11 city agencies. There are stockpiles also for New
12 Yorkers and for these types of events. And so, it's
13 both for city workers and for New Yorkers but I could
14 try and -

15 COUNCIL MEMBER NURSE: Who would give the
16 ultimate authority over what the city should have in
17 total?

18 ZACHARY ISCOL: So, there are a -

19 COUNCIL MEMBER NURSE: Or where would that
20 guidance come?

21 ZACHARY ISCOL: Yeah, I'd have to get back to
22 you on that. I mean there are - do you have guidance
23 on that from Department of Health in terms of masks?
24 No, I mean, there's city policies. I'd have to go
25

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1
2 back to my team and find out if there are certain
3 federal or state requirements for masks as well.

4 COUNCIL MEMBER NURSE: Okay, okay. Can you - I
5 don't want to - I'm not trying to reopen what the
6 exchange with the Public Advocate, however, I am
7 curious in terms of walking back from the priming
8 people internally. Not even to the public priming
9 agency. So, if you know you're going to add a
10 hazardous level, you're going to close schools. At
11 what point on this scale do you start to communicate
12 to DOE and different agencies, start making
13 preparations for a potential closure? Start making
14 preparations for staff to work remotely? Where in
15 this do you start that trigger process?

16 ZACHARY ISCOL: Yeah, it's such a good question.
17 I'm going to defer this to Department of Health who
18 can talk about this but I just want to just ground
19 this in like, I can't emphasize this enough. Because
20 we're doing a lot of work now looking at different
21 triggers and I think just the imprecision and the
22 poor reliability of the forecast, the length of time
23 that you might have - you might have you know
24 hazardous levels of air but it might be for 30
25 minutes or an hour.

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2 COUNCIL MEMBER NURSE: No, I feel like you've
3 adequately laid out unpredictability and
4 unreliability and we empathize and sympathize with
5 the decisions that need to be made rapidly with
6 unpredictable technology. However, the point that
7 was being made was, we are seeing the wildfires
8 continue. They weren't contracting, they were
9 expanding. They were sustained. So, you knew that
10 the Northern part of New York State was experiencing
11 this, so at what point in the threshold, even if you
12 don't have a protocol, are you starting to
13 communicate with agencies? Like, this might be a
14 situation where we need to close schools and have
15 people working remotely. Like, there comes some
16 point where those kinds of questions start to get
17 communicated.

18 CORINNE SCHIFF: So, I'll say two things. One,
19 there was during the event the Health Department was
20 offering that guidance. You heard the Commissioner
21 describe multiagency calls and that was exactly the
22 sort of guidance that we were providing on those
23 calls and the guidance continue to be to limit
24 outdoor time and limit strenuous activity outdoors.
25 We've now documented that guidance and it is on our

1
2 website, including guidance for schools. For New
3 York City public schools and for all of the
4 independent schools that also look to the Health
5 Department for that guidance.

6 I do want to comment that I think we all have a
7 much deeper appreciation now about the harms and the
8 challenges of remote learning. And so, we don't have
9 an absolute trigger when there would be remote school
10 but rather, when the air quality is very, very
11 hazardous at that highest level, that's the soonest
12 point that we start to say to school leaders, start
13 to think about the balance of those risks but it's
14 not an absolute; there's no absolute trigger.

15 Because there is a lot of different factors that go
16 into that, including what's forecasted. You heard
17 the Commissioner say, it could be that we're going to
18 see very, very poor air quality but for a short time.

19 So, that might mean recess is going to be
20 different. Recess will come inside. Just like we
21 see during extreme weather. So, these are very
22 difficult decisions and we have now documented the
23 comments, the guidance that we made during the event.
24 We've now documented that, so that we can, now that
25 we know that this may happen again, we can be more

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1 forward thinking. And again, we'd be happy to share
2 the length to that, it's on our website.
3

4 COUNCIL MEMBER NURSE: When did - I'm just going
5 off of our Committee Council reports. So, they might
6 not have as much information as you have but when was
7 the interagency, the first interagency call conducted
8 where you were starting to have those kinds of
9 conversations about possibilities?

10 ZACHARY ISCOL: I would have to get back to you.
11 I think it might have been - I'd have to get back to
12 you. I think it might have been on, it was probably
13 on the 6th but I'd have to get back to you on the -
14 well, let me get back to you with the exact date.

15 COUNCIL MEMBER NURSE: Okay.

16 ZACHARY ISCOL: It could have been earlier than
17 that. It could have been later than that but -

18 COUNCIL MEMBER NURSE: Okay, I'm just going off
19 the flyer that was given to us.

20 ZACHARY ISCOL: Yup.

21 COUNCIL MEMBER NURSE: The last question I have
22 was maybe DEP related or maybe DOH. We've had a
23 number of hearings where Council Member Alexa Avilés
24 has talked about the air monitoring system. The
25

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1
2 NYCCAS, sorry, I don't know how to pronounce the
3 acronym.

4 Uhm, in our report, it says that you're able to
5 monitor in real time particulate matter but it
6 doesn't list Brooklyn as having a site and then we
7 saw also in the report that Brooklyn had the highest
8 level of folks coming to the hospital related to
9 asthma incidents on that day. So, I'm just wondering
10 from a longer term, longer you know ability to
11 respond, do you think it's time - well and I want to
12 clarify if you have a site in Brooklyn and if not, do
13 you think it's time to put a monitoring station in
14 Brooklyn?

15 CORINNE SCHIFF: So, let me clarify. The New
16 York City Community Air Survey, NYCAS, there are two
17 components to it.

18 COUNCIL MEMBER NURSE: Right.

19 CORINNE SCHIFF: Neither is able to be an
20 emergency alert system. For an emergency alert
21 system, we rely on DEC and we also all look now to
22 air now.

23 COUNCIL MEMBER NURSE: Understood.

24 CORINNE SCHIFF: The real time monitors, I'm
25 going to have to get back to you about that location.

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1 It's not meant to be an emergency alert system.

2 There are nine monitors, they measure PM2.5 only,
3 which is not adequate to tell us about air quality,
4 the air quality index overall. So, it's not intended
5 and it's not designed and it cannot be for these
6 purposes. But I'll get back to you about -

7
8 COUNCIL MEMBER NURSE: I understand that they
9 are monitoring over time trends and equity around air
10 quality. So, where there's disparities in the city
11 around air quality but what I'm saying is that as of
12 a piece of infrastructure, even though it's not for
13 rapid response, it can tell us things. It seems that
14 given the health impact that happened that day, it
15 would be important to have a monitoring facility in
16 Brooklyn and according to our, the Council's reports,
17 which maybe is not fully developed, I think we have
18 great researchers here. There just isn't one in
19 Brooklyn and so, I'm just suggesting and recommending
20 based on both the advocacy that's happened in these
21 hearings that one be put in Brooklyn considering
22 there is some clear health disparities here.

23 CORINNE SCHIFF: So, I'm going to get back to
24 you with the details but I will say that as I noted,
25 there are two pieces to NYCAS. One is this real time

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2 monitor, which I think is what you're referencing and
3 the other is our more extensive network, which is how
4 we look to air quality over time. I believe the
5 details are in the report that we submit to Council
6 but let me get back to you to make sure that I'm
7 answering your precise question.

8 COUNCIL MEMBER NURSE: Okay.

9 CHAIRPERSON BREWER: Thank you.

10 COUNCIL MEMBER NURSE: Thank you Chair.

11 CHAIRPERSON BREWER: Council Member Krishnan is
12 here and now we're going to hear from Council Member
13 Narcisse.

14 COUNCIL MEMBER NARCISSE: Hi. Thank you Chairs.
15 On the conversation here, I was listening. For when
16 Council Member Brewer, Chair Brewer asked the
17 question, would you have done anything different?
18 You said no. You would not do anything different.
19 But when Jumaane spoke, you said if you had 20/20
20 hindsight, you would have done differently. So,
21 which one that you feel like you had done everything
22 or you're not so sure?

23 ZACHARY ISCOL: So, I think within the
24 constraints of the forecast and the information we
25 had, I'm very proud of the city's response. I think

1 one of the things I did make clear and I will
2 reiterate this in my exchange with the Public
3 Advocate is, and I said this earlier in my testimony
4 as well.

5
6 We can never do enough to make sure we're
7 educating New Yorkers so that they have the
8 information they need to deal with extreme weather
9 events. Whether it's heat, whether it's air
10 pollution, whether it's rainfall, whether it's
11 coastal storms. And you know we need to get ahead of
12 that. There is always more we can be doing there but
13 given this was an unprecedented event, this was the
14 first time this had ever happened, I don't fault us
15 for not having done that before we knew what we were
16 going to be dealing with.

17 COUNCIL MEMBER NARCISSE: What I realize, we did
18 not get - do we get an alert on our phone? Like it
19 is very practical if something happening at the time
20 because everyone have a phone. So, can you consider
21 that? Because I did not recall I got one.

22 ZACHARY ISCOL: So, we have number of
23 notification systems in the city that we use for
24 emergency alerts. One of them is, I think we're
25 referring to as wireless emergency alerts. That's

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1 like the amber alert. You get them from National
2 Weather Service for flash floods for tornadoes. A
3 wireless emergency alert, the Governor said that she
4 would issue a wireless emergency alert in New York
5 State if we went above 200 at the most recent event.
6

7 COUNCIL MEMBER NARCISSE: But we went over 200.

8 ZACHARY ISCOL: So, she said that for the second
9 weather event, air pollution event we had in June but
10 not the first one. Uhm, I think that there's a
11 conversation here about you know in many jurisdiction
12 municipalities and places in like upstate New York,
13 the wireless emergency alerts are the only mechanism
14 they have for getting information out to people.

15 I think for us in New York City, we have a lot
16 of tools at our disposal to make sure we're getting
17 information to New Yorkers. And that a wireless
18 emergency alert really should only be used for
19 incidence that are imminent threats to life and
20 safety, right. And that's where we've really used
21 them in the past. Where you want somebody to take a
22 specific action like sheltering in place or something
23 like.

24 COUNCIL MEMBER NARCISSE: I get that. The
25 reason I'm asking all these questions, because the

1 most vulnerable that we talk about that we're
2 supposed to protect in New York City are the one that
3 always end up suffering. So, if we can find a way to
4 understand our responsibility for those population
5 that's most vulnerable, we're talking asthma. As a
6 nurse over three decades working in the ER, I
7 understand we cannot control things. Nature,
8 especially with this climate change but as our
9 responsibility is to make sure those that are
10 vulnerable are alert and have the message in the time
11 that they're supposed to receive it.

12
13 In the ER, like Sandy Nurse, Council Member just
14 mentioned and one of the things that I realize in the
15 Black/Brown communities that we serve, so far I will
16 say, if I may quote. According to DOHMH zip codes
17 with the highest asthma related ER visits during the
18 June 6th and in general house immigrants and Black
19 and Brown populations, so far, what outreach have you
20 done to this population? That's your question.

21 ZACHARY ISCOL: For me?

22 COUNCIL MEMBER NARCISSE: No, no, no, for DOH.

23 CORINNE SCHIFF: Thank you. Yeah, we agree, we
24 know we know that there are neighborhoods in New York
25 City where the asthma burden is higher and the Health

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1
2 Department does a lot of work to address asthma in a
3 variety of ways focused in those neighborhoods. And
4 as we all come to learn more and more about air
5 quality and the importance of monitoring air quality
6 and taking steps based on our own individual
7 circumstances when the air quality changes, we will
8 add that to the outreach that we do in those
9 neighborhoods.

10 COUNCIL MEMBER NARCISSE: Thank you and I've
11 very much interested in the mask supplies because
12 what happened during COVID, I think we should have
13 learned and we should have that data and the
14 guideline on hand when we ask questions on that
15 because this is very important and when you're
16 talking about the masks, I got my first group of
17 masks given to me by the Governor's Office. So, in
18 the meanwhile, I did not even think about it twice
19 because they called me first. So, I think that you
20 if you can work on that for the collaboration. You
21 have 51 Council Members and they each serve their
22 district and that's the fastest way that we know the
23 population, the inlet where we have to get supplies
24 right away in a timely fashion.

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So, thank you for your time and thank you Chairs
for the time. Thank you.

CHAIRPERSON BREWER: Council Member Restler.

COUNCIL MEMBER RESTLER: Thank you to Chairs
Brewer and Schulman and Gennaro for convening us
today. Very much appreciate your leadership and
thank you to the Commissioner and Deputy Commissioner
Schiff and Falco. I appreciate you guys being here
as well. When there is a snow storm or a hurricane
or a heat wave coming, as emergency preparedness
professionals, we prepare for the worst.

That did not happen here. The Administration
failed to prepare New Yorkers for this potentially
extreme incident and considering one in ten New
Yorkers have chronic respiratory conditions, we
failed them. The City of New York failed people who
are at risk. The revision is history that was
written in the Daily News this morning and has been
repeated again this morning is jarring, it's jarring.
It is disconnected from the reality that 8.4 million
New Yorkers experienced during this extreme weather
incident. I'm disappointed that the Administration
is not taking responsibility for its failures but I'm
even more disappointed that the Administration failed

1
2 to respond after the crisis took on the city – came
3 over the City of New York.

4 The failure to respond nimbly, aggressively to
5 actually protect people is totally unacceptable. So,
6 I want to focus my questions on that failure of
7 response today. You know while this was, as you've
8 noted, an unprecedented incident for New York City,
9 may cities around the country have had similar
10 extreme weather incidents with terrible air quality
11 in the very recent past and we know their playbook
12 for how to respond. We didn't do any of those things
13 but we know what we could have done, what we should
14 have done to keep New Yorkers safe.

15 So firstly, I'd like to ask about clean air
16 centers. Why was the decision made not to open clean
17 air centers when in many of our homes, there was
18 terrible air quality and there was no safe place for
19 people to go to get away from the horrible conditions
20 that people were facing?

21 ZACHARY ISCOL: So, in terms of clean air
22 centers, you know it's a good question and I think
23 there's a difference between the reality of what they
24 deal with in some places where they have clean air
25

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2 centers, like California and some municipalities who
3 choose to do it, others don't and where we are here.

4 For one, many of the clean air centers in
5 California are also fire shelters right because
6 people are in danger not just from air pollution but
7 also from fires because their proximity from fires.
8 There's also issues around transportation. People in
9 New York City rely on public transportation, on
10 walking, the safest place for people to be in New
11 York City during an event like this is inside and in
12 their home. When we think about and there's often a
13 comparison between clean air centers and things like
14 cooling centers that we do during heat events.
15 They're two very different things and it's based on
16 the science of what you need to be concerned about
17 based on the health impacts of that type of event.

18 So, we know during winter weather for example,
19 when we send out Code Blue teams, right we have
20 warming buses that are out and about to make sure
21 that we are getting people warm because we know even
22 just a few hours of warmer temperatures is healthy.
23 We know that also for people that with cooling
24 centers -

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2 COUNCIL MEMBER RESTLER: I appreciate your
3 response. I just want to be mindful of the time, so
4 I'm sorry but I have to say, people can put on a mask
5 and especially for folks in NYCHA developments where
6 we have terrible air quality and often times
7 problematic outdoor air gets into peoples apartments
8 even when the windows are closed, it's really
9 important for their to be a safe place to go.
10 Opening up the network of centers that are
11 traditionally cooling centers and operating them as
12 clean air centers, getting air purifiers out to them
13 would have been a rapid, effective response to better
14 keep New Yorkers safe.

15 The other area -

16 ZACHARY ISCOL: We think it would actually be
17 putting New Yorkers in danger by having them go
18 outside of their homes into outside.

19 COUNCIL MEMBER RESTLER: Wearing an N95 mask,
20 walking a couple blocks or getting on a subway stop
21 or taking a bus a couple blocks to get to a safe
22 place to go when they are currently in unsafe
23 conditions, that seems odd.

24 ZACHARY ISCOL: I would not want to put people
25 into unsafe conditions outside, is the point.

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2 COUNCIL MEMBER RESTLER: A brief period of time
3 outside when they're in unsafe conditions in their
4 current setting.

5 ZACHARY ISCOL: And we will trust the science
6 and the doctors and the medical experts on this but I
7 respect your opinion.

8 COUNCIL MEMBER RESTLER: It's not what other
9 cities do around the country in similar
10 circumstances. I'm surprised that when we've seen
11 wildfires across California, they set up clean air
12 centers for people to go. This was a safe mechanism
13 that was done repeatedly. We don't have that - we
14 didn't do that here.

15 Secondly, is the failure to call a Code Red. We
16 have, according to the HOPE survey, the HOPE count
17 that was completed last week, significant increases
18 in the number of street homeless individuals. Those
19 people have no place to go. They were breathing in
20 the toxic air minute after minute, hour after hour,
21 getting sick. These are people who have chronic
22 health conditions, as Deputy Commissioner Schiff
23 knows well.

24 And yet, we did nothing for them. There was
25 some additional outreach but there was no Code Red

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1 issued, so they could not enter any homeless shelter
2 in the City of New York to get the assistance they
3 needed because we failed to act. Why was a Code Red
4 not called?
5

6 ZACHARY ISCOL: So, a Code Red — so first off, I
7 agree. The most important thing during an event like
8 this is taking care of our city's most vulnerable and
9 we did that.

10 COUNCIL MEMBER RESTLER: I disagree.

11 ZACHARY ISCOL: Happy to have you disagree but
12 we had Department of Social Service outreach teams as
13 they would during a Code Red, going out encouraging
14 homeless New Yorkers to get off the streets, into
15 shelters, providing masks. The difference is that a
16 Code Red like a Code Blue are used for different
17 types of emergencies. A Code Red is specifically for
18 heat related emergencies. They are doing things like
19 getting them into a cooling bus to doing things like
20 handing out sun screen. They're doing things like
21 looking for signs of hydration.

22 COUNCIL MEMBER RESTLER: Of course they are
23 particular element to the Code Red.

24 ZACHARY ISCOL: Excuse me, the protocol is very
25 different from a Code Red or we also didn't execute a

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Code Blue, which is what we would do during a winter emergency because the risks to homeless individuals were not cold weather, just as it was not heat. It was air pollution. And so, our DSS teams -

COUNCIL MEMBER RESTLER: The risk would be outside.

ZACHARY ISCOL: Yes, and that's why we had DSS teams doing additional outreach, going to places with poor air, distributing masks and encouraging New Yorkers to come in.

COUNCIL MEMBER RESTLER: The most important element of a Code Red or a Code Blue policy is that any street homeless New Yorker can walk into any shelter in the City of New York and immediately get shelter. They can get a bed in any place, anywhere they go in the many hundreds of facilities around the city. Why did we not implement that policy during this toxic air emergency?

ZACHARY ISCOL: That was implemented, just not as a Code Red or a Code Blue -

COUNCIL MEMBER RESTLER: It's not.

ZACHARY ISCOL: Because a Code Red or Code Blue, there are very specific protocols for heat and cold winter weather.

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2 COUNCIL MEMBER RESTLER: At the June 7th Press
3 Conference that you held with the Mayor after this
4 onset of the emergency had occurred, the issue of
5 homelessness and homeless New Yorkers was not
6 mentioned once. Never during this time period was it
7 ever said that in the additional outreach that was
8 being done to homeless, street homeless New Yorkers,
9 that they could be told they could enter any homeless
10 shelter in the City of New York.

11 ZACHARY ISCOL: As I said, the teams, the
12 additional outreach was being done. We were handing
13 out masks. We were encouraging them to go into
14 shelter but we were not doing the same thing we would
15 do during heat.

16 COUNCIL MEMBER RESTLER: Encouraging people to
17 go into shelter at 30th Street Intake. For somebody
18 who's homeless on the streets in the Bronx -

19 CHAIRPERSON BREWER: Alright, come on, come on.

20 COUNCIL MEMBER RESTLER: Has to go to 30th
21 Street to enter into a shelter system. We failed
22 street homeless New Yorkers in this incident and I
23 hope moving forward, we develop the right and
24 necessary protocols so that we can ensure they can
25

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2 access shelter in their immediate vicinity to get to
3 safety. Thank you.

4 ZACHARY ISCOL: I 100 percent agree with the
5 value of your question but I think we need to just
6 accept that a Code Red or a Code Blue are different
7 protocols for different types of emergencies.

8 COUNCIL MEMBER RESTLER: I think I made clear,
9 the crucks of what was needed was to ensure that
10 people could enter shelter.

11 ZACHARY ISCOL: And that was done. With all due
12 respect, that was done.

13 COUNCIL MEMBER RESTLER: It has never been
14 communicated to this date. It was not communicated
15 during the emergency in the response from the Mayor's
16 Office at the time. There was no mention of
17 homelessness in the Press Conference, the first Press
18 Conference that you held. This was not prioritized.
19 These folks were ignored and I'm deeply disappointed.

20 CHAIRPERSON BREWER: Okay. Thank you.

21 ZACHARY ISCOL: We did additional outreach 24/7.

22 CHAIRPERSON BREWER: Alright, thank you both.
23 Council Member, do you have more questions? I don't
24 want to cut you off. Do you have something else?

25 COUNCIL MEMBER RESTLER: That's fine. I'm fine.

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2 CHAIRPERSON BREWER: Okay, Council Member Hanif.

3 COUNCIL MEMBER HANIF: Thank you. Good to see
4 you again Commissioner Iscol. I'll dive right in.
5 What guidance was specifically offered to families
6 and residents at the HERCs, the respite centers, the
7 emergency shelters and the shelter system more
8 broadly?

9 ZACHARY ISCOL: So, I can't speak to the shelter
10 system. I would have to refer you to DSS and DHS.
11 In terms of the respite centers that were running, it
12 was the same guidance that were providing to all New
13 Yorkers. We made sure that we did that through
14 language access and we also made masks available.

15 COUNCIL MEMBER HANIF: Could you share what
16 through language access was available? Flyers,
17 pamphlets?

18 ZACHARY ISCOL: Sure, I'm happy to get that
19 information for you.

20 COUNCIL MEMBER HANIF: You can't share anything
21 on the record about it because I know that the
22 Council had reached out to you shortly after our
23 clouds were, the sky was orange and fire to
24 understand how asylum seekers were receiving this
25 information and it seemed that your response was

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2 unclear. It was not a response you sort of ignored
3 the question. So, I'd like to know what after this
4 we would be receiving if -

5 ZACHARY ISCOL: 100 percent. I will talk to my
6 team and make sure we get the information for you.

7 COUNCIL MEMBER HANIF: And I'm also just
8 curious, I know you mentioned and emphasized the
9 interagency conversations. Why are you unable to
10 talk about what the plan entailed for DHS DSS?

11 ZACHARY ISCOL: Because uhm, they have their
12 protocols and you know I would defer to them to talk
13 about what was actually done in the shelters at the
14 taxable level.

15 COUNCIL MEMBER HANIF: So, just to be clear,
16 right now, you are unable to share exactly what the
17 outreach -

18 ZACHARY ISCOL: You asked me for specifically
19 the information that DSS provided at each of the
20 shelters. I know that additional information could
21 be provided, exactly what it is, I don't have in
22 front of me and I want to make sure you're getting
23 the most factual and accurate information.

24 COUNCIL MEMBER HANIF: I appreciate receiving
25 the factual information but it is disheartening to

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1 know that you can't share what kind of information
2 was shared or what the outreach entailed.

3
4 ZACHARY ISCOL: Again, I'm happy to make sure
5 that DSS and DHS to provide that information of how
6 they did it.

7 COUNCIL MEMBER HANIF: And then on housed New
8 Yorkers. Could you walk us through what the outreach
9 was?

10 ZACHARY ISCOL: So, it was 24/7. There was
11 additional outreach. I could get the cadence and the
12 time; I don't have those exact metrics in front of me
13 about the amount. Generally what they do during a
14 Code Red or a Code Blue is in addition to the weather
15 specific information that's provided, things like a
16 warming bus or things like sunscreen, they also go to
17 different locations, right? There are locations that
18 more of a concern during heat versus more of a
19 concern during cold weather. But I could get you
20 know, circle back with information on the cadence and
21 the time and the locations of where they were doing
22 that outreach. I don't have that in front of me.

23 COUNCIL MEMBER HANIF: That would be helpful and
24 also just what the cadence will look like in the
25

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1 future incidences to ensure that unhoused New Yorkers
2 are being escorted and not being told to jump in.

3
4 ZACHARY ISCOL: 100 percent and this is a
5 priority of ours and it's why we did 24/7 outreach.
6 It's why we did mask distribution. It's why we did
7 the enhanced outreach teams during this event because
8 we care about this.

9 COUNCIL MEMBER HANIF: Great and now I want to
10 focus on workers safety and Chair Brewer has raised
11 this question earlier, in these interagency calls
12 protecting municipal workers come up and I know you
13 mentioned that OLR provided guidance. Agencies have
14 different missions. What was the overall protocols
15 that the city sent out uhm for municipal workers and
16 their ability to work from home?

17 ZACHARY ISCOL: Yeah and I'm glad you asked this
18 question because I want to circle back to Chair
19 Brewer's question and just sort of you know we did
20 specific calls with the experts, with the medical
21 experts and with OLR and with Commissioners and the
22 agencies, specifically around making sure that we
23 caring for the health of the city workforce. That
24 guidance was provided to OLR. OLR provided their
25 guidance to different agencies but I just wanted to

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1 reiterate that the health of our workforce is a
2 paramount importance and that's one of the reasons
3 that we had those conversations. And in terms of
4 some of the guidance that Department of Health
5 provided during those conversations. You want to
6 talk about some it.
7

8 CORINNE SCHIFF: Sure, the guidance for workers,
9 including for city workers, parallels the guidance
10 for individuals. So, when the air quality is very,
11 very poor, the recommendation is to limit time
12 outside and to limit strenuous activity outside. So,
13 for office workers, they're already indoors, so
14 that's not a major concern.

15 For a city workforce that works outside,
16 especially for our central workers, there are ways to
17 mitigate some of those risks. So, to encourage
18 breaks, to provide workers with high quality masks
19 and those are the kinds of recommendations that we
20 provide to our sister agencies, which then have the
21 responsibility to take that guidance and figure out
22 how it applies to their workers considering the kinds
23 of work that they do.

24 COUNCIL MEMBER HANIF: Chair Brewer, I have a
25 few more questions that I want to wrap up on this

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2 topic. So, then did the city implement work from
3 home protocols for appropriate municipal workers?
4 Was there a memo sent out to the -

5 ZACHARY ISCOL: I would again defer, it was at
6 the Commissioners discretion based on agency
7 requirements, personal needs, but we'd be happy to
8 provide you the guidance of the state.

9 COUNCIL MEMBER HANIF: So, then at your
10 agencies, was there a memo sent out around what
11 protections workers needing to come to the office had
12 versus field workers?

13 ZACHARY ISCOL: Was there guidance provided?

14 COUNCIL MEMBER HANIF: Yeah, like was there a
15 memo sent? I know Google for example.

16 ZACHARY ISCOL: Yes, we provided guidance to our
17 workforce.

18 COUNCIL MEMBER HANIF: And would you be able to
19 share if there were workers who requested to work
20 from home. Like was there any -

21 ZACHARY ISCOL: I'd be happy to get you that
22 information.

23 COUNCIL MEMBER HANIF: And did the city
24 encourage private employers to implement work from
25

1 home protocols for workers who were able to? Is that
2 also an OLR?

3
4 ZACHARY ISCOL: I would you know; I am not sure
5 about the communication to private employers. I know
6 that there was some conversations but I would have to
7 refer you to City Hall on that one.

8 COUNCIL MEMBER HANIF: Okay. I'm just phasing
9 this because I live with an autoimmune disease and
10 the issue of reducing unnecessary exposure to adverse
11 environmental conditions is naturally very important
12 to me and particularly through what we've seen during
13 COVID and the sort of revival of the movement to work
14 from home and create different mechanisms to ensure
15 the safety, first and foremost for our city's
16 workers.

17 And workers from delivery workers to workers who
18 are running this city. All of our agencies, our
19 staff included and when the extent of the negative
20 air quality became clear last month, without having
21 any guidance myself, I immediately said, I'm going to
22 be working from home and I need my staff to work from
23 home too just to ensure that we are keeping ourselves
24 safe. So, I recognize all the ways in which we are
25 sharing out information but this is a larger

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1 conversation about the health of workers for the long
2 haul of the city's wellbeing and for us to be able to
3 do our work, whether it's outdoors, indoors. And I
4 know some companies are utilizing sensors around air
5 quality monitoring and those are going to need to be
6 some technologies that the city needs to research and
7 bring on as we continue to build a more resilient
8 city and adapt to these climate change, these impacts
9 of climate change.
10

11 So, want us to really focus on ensuring that we
12 are prioritizing workers first and foremost.

13 ZACHARY ISCOL: Thank you.

14 BETH DEFALCO: I would just like to add that DEP
15 and I don't know if the case is with other agencies.
16 We actually did robocalls for our entire workforce,
17 so much so that I started to think it might have been
18 a telemarketer who was calling repeatedly during the
19 days but we did that in addition to emails and having
20 supervisors talk to people directly because we have
21 an emergency response, you know critical employees
22 that have to stay on the job as well as those who can
23 work remotely.
24
25

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2 COUNCIL MEMBER HANIF: Well, that's good to know
3 because it seems like it differs from agency to
4 agency but based on some -

5 CHAIRPERSON BREWER: That's what I was going to
6 say. Do we know if other agencies did that because I
7 have to say I'm getting different impressions about
8 different agencies as to how they communicated. And
9 your workers at DEP often do work outside. Maybe
10 different than DSS. Do we know Commissioner?

11 ZACHARY ISCOL: This is one of the reasons that
12 the OLR guidance was specifically for Commissioners
13 to have some discretion. Because, like different
14 agencies have different - do different things right?
15 You know we have different workforces.

16 CHAIRPERSON BREWER: No, I understand.

17 ZACHARY ISCOL: And then I think at the same
18 time, we also wanted to make sure Commissioners had
19 the ability to take care of the most vulnerable
20 amongst our workforce and make exceptions or be
21 supportive of their needs during this time.

22 CHAIRPERSON BREWER: Okay, I mean I just think
23 again, looking hindsight in the future, maybe even
24 more specific guidance if we're having an outdoor
25 fire ceremony. If people are working in the streets

1 at DOT, I don't know if they got the information.

2 So, yes you might think that I just think they need
3 more guidance. I would say that for your debriefing.
4 Council Member Gutiérrez, welcome and go ahead with
5 your questions.
6

7 COUNCIL MEMBER GUTIÉRREZ: Thank you so much
8 Chairs and good to see you all. My questions will be
9 short because I think my colleagues have done a
10 really good job at I think elevating what our
11 concerns were on the ground and knowing full and well
12 that this is something that was new and that we
13 needed to remain flexible. I think I'll be honest
14 and say, I got my information from the news like
15 everyone else, I think before there was any City Hall
16 Press Conference.

17 My question is particularly to the impact on
18 already existing environmental justice communities
19 like mine in North Brooklyn for example. I know in
20 the days after June 6th, which I believe that was the
21 peak day, June 6th, June 7th?

22 ZACHARY ISCOL: June 7th.

23 COUNCIL MEMBER GUTIÉRREZ: June 7th, excuse me,
24 so in the days after I know that the quality index in
25 some areas of the manufacturing area was also very

1 scary. I don't know if it would be classified Code
2 Red or whatever but I'm just concerned about what is
3 the plan moving forward for communities that are
4 already impacted by existing poor air quality?
5

6 In my district, in the South Side, the
7 playgrounds, of course they wanted to limit outdoor
8 activity, sit on top of the BQE. We have significant
9 manufacturing where people now live and also work and
10 so, the quality index was really, really poor and I
11 would just like to know knowing what we've learned
12 since the beginning of June, what is the plan for
13 outreach in existing EJ communities and specifically
14 in these areas like myself in Council Member Avilés's
15 District for tiny manufacturing where the quality
16 just tends to stay poor for a lot longer. What is
17 the plan? Specially in the context of these
18 wildfires that we're expecting to go on for awhile
19 unfortunately?

20 CORINNE SCHIFF: Well, I'll say first at the
21 Health Department and our sister agencies that we
22 share, your concerns and your interests and we know
23 that these burdens are not distributed equally
24 throughout the city and we, as all of our agencies
25 and including the Health Department messaging

1 especially to communities that are disproportionately
2 burdened by air quality and conditions like asthma,
3 we were doing outreach to those communities and we're
4 going to continue to do that. We've now documented
5 the recommendations that we were making during the
6 event. On our website, we'll be sharing that. We
7 were working with community-based organizations,
8 faith-based organizations at the time and we will
9 continue with our community outreach to get that
10 information out to those communities so that people
11 can be aware and prepared because we may continue to
12 experience -

14 COUNCIL MEMBER GUITIÈRREZ: And when you say our
15 and I don't want to interrupt you, I only have a few
16 minutes. When you say outreach though, is it emails,
17 flyers? What does that like?

18 CORINNE SCHIFF: So, we share information with
19 community-based organizations as the trusted
20 messengers in those communities. We have information
21 at our neighborhood action centers and we have our
22 own community outreach workers who are out speaking
23 with New Yorkers and we use all of those methods,
24 including also sharing information with your office
25 and with the office of your colleagues, so that you

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1 can help us to continue to educate New Yorkers about
2 the steps they can take when the air quality is poor.

3
4 COUNCIL MEMBER GUITIÉRREZ: What's the - so I
5 would and maybe this is more specific for those
6 agencies but you know Wood Hall has some of the
7 highest emission rates for asthma related incidents
8 independent from this, so just really curious to see
9 kind of how they were able to integrate like advisory
10 to their community. Because I mean they're
11 constantly getting people coming in for respiratory
12 related issues, so would love to hear or just curious
13 to see how they changed that for this incident. But
14 for similar to what Council Member Hanif brought up
15 about the private industry, again, my manufacturing
16 area is pretty significant and again, the air quality
17 just a week and a half ago was terrible in this
18 particular area.

19 So curious is there is a plan, sustained plan
20 for outreach about air quality in this area or areas
21 where we see this is like habitually a problem
22 independent from this. I'm really concerned because
23 I don't believe that the private industry is
24 incentivized in the way often times that is
25 responsible for workers and these workers that are

1 loading and unloading and really susceptible to bad
2 air quality, so curious if there is a plan in action.
3 I know it's a little tricky because it's private but
4 would love to know if that is something, a request
5 that I can make or how we can further that?
6

7 ZACHARY ISCOL: Yeah, I think we would all
8 welcome that conversation. The only other thing I
9 would add to this is you know and Corinne spoke about
10 sort of the importance of some of these community-
11 based organizations but at New York City Emergency
12 Management, we run a program called strengthening
13 communities where we have now close to 50 community-
14 based organizations that we fund and train in
15 emergency response. I would love to invite you in to
16 sort of learn a little bit about the program but also
17 specifically see if there's any community-based
18 organizations or networks in your district that we
19 should be partnering with.

20 And I think those conversations, those
21 relationships, you know they know their districts.
22 They know their issues better than we do and they
23 become such a critical partner to us in addressing
24 some of these things. And so, I think that might
25 also be an access point for us addressing this.

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2 COUNCIL MEMBER GUITIÉRREZ: Yeah, I would love
3 to be a part of that. Thank you. Thank you Chair.

4 ZACHARHY ISCOL: Yeah, thank you for your
5 questions.

6 CHAIRPERSON BREWER: Council Member Gennaro.

7 CHAIRPERSON GENNARO: Thank you Chair Brewer.
8 Yeah, I just wanted to follow up a little bit. This
9 is directed to Commissioner Iscol. With regard to
10 the DEC air monitoring, I keep talking about this.
11 You recently, well just before you were talking to
12 Council Member Narcisse and you framed your answer.
13 You indicated that within the constraints of the
14 forecast, you know within the constraints of the
15 forecast and once upon a time when I came to the
16 office many years ago, you know New York State had a
17 Brownfield's program and uhm, you know a pretty
18 robust program but it really didn't do right by New
19 York City because you know the main contaminate in
20 New York City Brownfields is not one that was - it
21 didn't qualify for the state program.

22 So, we went way out on a ledge and created like
23 the first municipal Brownfields program in the
24 country, which was a lot of yelling and screaming and
25

1
2 it still, you know the only one of its kind in the
3 country.

4 My point is that you know the city took the
5 initiative to create its own infrastructure you know
6 so to speak to kind of deal with a pressing issue.
7 And you know before I – and yes, I am going to reach
8 out to DEC and ask them about their you know
9 capability and could it be more robust? They don't
10 really have to listen to me.

11 I'm wondering if you think it would be a
12 worthwhile endeavor for the city to consider building
13 its own apparatus in terms of forecasting bad air.
14 You know for lack of a better way to put it. Do you
15 think that is worthy of internal discussion within
16 the Administration to you know create that apparatus?
17 If you believe it's necessary, I'll take your
18 guidance on this because you know it better than
19 anybody.

20 ZACHARY ISCOL: Yeah, I definitely don't know it
21 better than anybody. I'm not a meteorologist. I've
22 made that clear but uhm, look, I think that there is
23 – it's a really good question. Uhm, and I would want
24 to go and speak to our on-staff meteorologist and
25 some member you know from our DEP and others to

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1 really talk about whether that would make sense
2 before giving you an answer. But I'm happy to have a
3 conversation with you about it and see if that makes
4 sense.
5

6 CHAIRPERSON GENNARO: No, that would be great,
7 so how should we do this? I'm sort of like an action
8 person.

9 ZACHARY ISCOL: I can give you my card after the
10 meeting or I can just have my team reach out and we
11 can schedule something to have a conversation, invite
12 you over.

13 CHAIRPERSON GENNARO: Yeah, that would be great
14 and you know, thank you Beth and so if you could,
15 because I'm in touch with Beth all the time, so if
16 you could you know loop us all in on this and make
17 that sort of like a formal request that that should
18 be. I don't necessarily want to put my finger on
19 that or put my thumb on the scale but I think it's a
20 worth while question to just ask internally or
21 whatever and maybe there are even I mean there are
22 other entity. The city could do its own. There are
23 other entities, I'll just pull a name out of the air
24 like you know Columbia University, like you know, who
25 knows.

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1 You know they got the [02:01:38] and all that.
2
3 You know whether there is capability that even if we
4 don't build a new one here in the city, that we could
5 sort of triangulate with to see. Because I'm hearing
6 a lot about the constraints of the forecast. Now,
7 the constraints of the forecast just could be the
8 constraints of the technology and for us to build an
9 apparatus, it might not be any better than the one
10 that they have in Albany, maybe and maybe not.

11 So, I just think that's something that we - you
12 know I think it's worth a conversation. You seem to
13 believe that. Uhm, and that if you -

14 BETH DEFALCO: Yeah, we're happy to coordinate
15 that. We're certainly to looking at - we can also
16 monitor.

17 CHAIRPERSON GENNARO: I'll be waiting for your
18 call okay. Alright, so thank you very much and so,
19 that was what I had to add Madam Chair. And with
20 that, my questioning of this good panel is concluded.

21 CHAIRPERSON BREWER: Thank you Council Member.
22 I just want to say one thing about masks because I
23 did check with staff. Yes, Fire Stations on Notify
24 NYC, terrific listed where the masks are but when we
25 call, Lynn Schulman is just smarter than I am. She

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1 called directly herself but the staff called and we
2 were told there were no 95's. So, just add to your
3 list in the future of debriefing that the mask
4 outreach when it's called for, if there are or there
5 are not but we were told there were no 95's, just
6 FYI.
7

8 ZACHARY ISCOL: Okay, thank you.

9 CHAIRPERSON SCHULMAN: So, uhm, Commissioner
10 Iscol, just to add to your list of responsibilities.
11 So, I attended an event in January with Organized
12 Labor about the building of carbon free schools and
13 uhm, so as we do developments of city buildings and
14 schools and things like that, is there a way to make
15 sure that air quality is built into that or some kind
16 of method, so that the air quality is pure based on
17 what's been happening? So, that's my question.

18 ZACHARY ISCOL: Yeah, you're speaking
19 specifically at schools?

20 CHAIRPERSON SCHULMAN: Schools, any kind of
21 public -

22 ZACHARY ISCOL: Yeah, I again, it's probably not
23 the answer you want but I would defer you to DOE but
24 I also know there was a lot of work done to HVAC
25 systems, air purifiers during COVID to the tune of

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1 thousands of installations. But I would defer to
2 them to get you that information. That was also true
3 of municipal buildings.
4

5 CHAIRPERSON SCHULMAN: Because I think even if
6 you know just a suggestion in terms of the protocol
7 that we need to take a look at the buildings that we
8 have and the ones in development like for example,
9 City Planning Commission to say when they look at
10 developments, when they get projects, before they
11 certify them, maybe this is something they should
12 look at as well.

13 ZACHARY ISCOL: Yup, great.

14 CHAIRPERSON SCHULMAN: So, the other question I
15 have, I mean, I know H&H is not here, so I'm going to
16 ask DOHMH but I would think that on a day that we had
17 the extreme hazard of air quality, when people are
18 being discharged from the hospital, would they get
19 special instructions when they leave and get N95
20 masks? That's my question.

21 CORINNE SCHIFF: I will defer to H&H but I'll
22 say again that we did issue guidance for health care
23 providers so that they would be able to counsel their
24 patients.
25

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2 CHAIRPERSON SCHULMAN: Okay, thank you very
3 much. Those were my – oh, I had I'm sorry, one other
4 Commissioner Iscol, so one of the things that was
5 confusing during this whole process was that the
6 Governor's Office very often or have a press
7 conference and we'd get notified as elected officials
8 the same time the Mayor or somebody on the city level
9 was having it.

10 So, is there coordination with them around this
11 and should there be better coordination?

12 ZACHARY ISCOL: With the Governor's Office in
13 particular? Yes, and you know throughout these
14 events, I'm in constant communication with Jackie
15 Bray my counterpart.

16 CHAIRPERSON SCHULMAN: Because we, I was
17 notified about a press conference at the same time
18 the city was having a press conference and it was
19 hard. Like, whose going to be where and where are we
20 going and all that, so I just wanted –

21 ZACHARY ISCOL: And I just, I don't want to
22 sound like a broken record here but part of this too
23 is like, I think sometimes these press conferences
24 are called. You've heard it here before, because of
25 the constraints of the forecast. Right when the air

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1
2 monitors are hitting something and so, there is a
3 time to target of you know having to be very quick
4 but I do hear you.

5 CHAIRPERSON SCHULMAN: We just want to have one
6 coordinated messages I guess is what I'm saying.

7 ZACHARY ISCOL: I would love that.

8 CHAIRPERSON SCHULMAN: Alright, thank you very
9 much.

10 ZACHARY ISCOL: Thank you Council Member.

11 CHAIRPERSON BREWER: I think that the Committee
12 on Oversight and Investigations asks for a lot of
13 this guidance. I think we sent a letter on June 21st
14 and I know you answered some portion of it but there
15 were documents related to some of the adjustments of
16 city operations and you know things that we've
17 mentioned, June 5th to 11th. Whatever directives were
18 issued from City Hall and from the Mayor's Office to
19 City agencies, trying to clarify what we've been
20 asking about, about which agency was doing what and
21 also, I think included in their was guidance for
22 shelters.

23 I know you mentioned it and then you did it.
24 Are you going to be able to put that in writing as to
25

1
2 what did take place in terms of those edicts so to
3 speak? Will that be something –

4 ZACHARY ISCOL: Are you speaking specifically
5 for DSS?

6 CHAIRPERSON BREWER: I'm talking, no I'm talking
7 specifically from the Mayor's Office. In other words
8 all of the edicts that would have gone out between
9 June 5th to the 11th regarding this issue, and then in
10 addition, there was a request for guidance. What
11 went out to the shelters or whatever DSS.

12 ZACHARY ISCOL: So, I can't speak for the other
13 agencies. I definitely can't speak for the Mayor's
14 Office.

15 CHAIRPERSON BREWER: Okay.

16 ZACHARY ISCOL: I can pass along your request
17 and would be happy to do that and I would just want
18 to caveat that with the you know again; I sound like
19 a broken record. Talk about sound like a broken
20 record. We didn't have a forecast on the 5th or the
21 6th telling us that there was going to be a problem.
22 So, right, we were amplifying the advisory, which is
23 what we do up to dozens of times a year when we have
24 a level of 100, which is you know really fine for
25 almost every New Yorker. Right, it's unhealthy for

1 some groups. It's just above the moderate category,
2 so you're not going to see a lot on the 5th or the 6th
3 because we didn't have a forecast to that. The 7th
4 was the first day where we said, okay, now we have
5 hazardous air. Now we are starting to do a lot of
6 the stuff that you're talking about because that was
7 the day that we actually knew we had hazardous air
8 and knew we were going to have hazardous air.
9

10 CHAIRPERSON BREWER: So, according to our
11 material, the night of the 6th, reached 218?

12 ZACHARY ISCOL: 218, there's one sensor in the
13 Bronx that showed 218 in the Bronx and that is when
14 we immediately started a lot of this coordination
15 that we've been talking about.

16 CHAIRPERSON BREWER: Okay, and then it went to
17 254 and then finally as we know -

18 ZACHARY ISCOL: 484.

19 CHAIRPERSON BREWER: 484, yeah. So, those were
20 the - Alright but I'm just saying in order to get
21 this information, you're telling us we have to write
22 to the Mayor's Office and we have to write to DSS.
23 Its always my impression that in this extreme
24 emergencies, you're agency, this is from my many
25 years, really becomes the Mayor's Office in a sense

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1
2 of being in control and would in fact have all of
3 this information, maybe not today but would be able
4 to get back to us, is that not correct?

5 ZACHARY ISCOL: That is not correct.

6 CHAIRPERSON BREWER: Okay, so it's all the
7 different agencies are on their own in giving out the
8 information?

9 ZACHARY ISCOL: We are closely coordinating and
10 managing but you know they are actually doing a lot –
11 they are doing the work and the Mayor's Office is
12 still running the show.

13 CHAIRPERSON BREWER: Okay, so in order to get
14 the information as to what they sent out to parks or
15 to fire or whatever, we would have to call them or
16 contact them.

17 ZACHARY ISCOL: Or go directly to the Mayor's
18 Office and –

19 CHAIRPERSON BREWER: And ask them to tell us
20 what the agency sent out.

21 ZACHARY ISCOL: Yeah.

22 CHAIRPERSON BREWER: That's not what I
23 understand how city government works but I appreciate
24 that. Are there any other questions?
25

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1
2 ZACHARY ISCOL: And I will try and help you get
3 that information as well.

4 CHAIRPERSON BREWER: No, it just seems to me
5 that you should be in charge when there's an
6 emergency and the Mayor's Office should defer to you
7 in getting the information to the public. Maybe we
8 need a new law. I'm just saying. Alright, any other
9 questions. Thank you very much if not. Thank you
10 panel very much.

11 ZACHARY ISCOL: Nice to see you Chair Brewer.

12 CHAIRPERSON BREWER: The next panel is -

13 COMMITTEE COUNSEL: Thank you very much for your
14 testimony. We will now turn to public testimony. We
15 will be limiting public testimony today to three
16 minutes each. For in person panelists, please come
17 up to the table once your name has been called.

18 For virtual panelists, once your name is called,
19 a member of our staff will unmute you and the
20 Sergeant at Arms will set the timer and give you the
21 go ahead to begin. Please wait for the Sergeant to
22 announce that you may begin before delivering your
23 testimony and I will announce the first panel
24 momentarily.

25

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1
2 Alright, for our first in-person panel, we will
3 hear from Jared Williamson, Joel Kupferman, Michael
4 O'Hora and Joy Amanda. Please note that if you are
5 here to testify in person, even if you registered to
6 testify online, please see the Sergeants table to
7 complete a witness slip, thank you.

8 CHAIRPERSON BREWER: Alright, whomever would
9 like to begin, go ahead.

10 Good afternoon everybody. My name is Jared
11 Williamson, I am a Legal Intern from the
12 Environmental Justice Initiative. I want to thank
13 you for taking the time to hear my testimony today.
14 I am here to talk about the need for an increase and
15 improvement in cooling centers in the City of New
16 York. We at the Environmental Justice Initiative are
17 particularly concerned about access for these
18 resources for people with disabilities, especially
19 when seeking refuge from the Canadian fires, smoke,
20 incident as well as other similar environmental
21 dangers.

22 In accordance with the Americans with
23 Disabilities Act, individuals with physical or mental
24 impairments that substantially limits one or more
25 major life activities, uhm, discrimination for access

1
2 to resources is strictly prohibited by that law. And
3 one of the things that we are concerned about is that
4 in 2022, 22 percent of cooling center facilities were
5 not wheelchair accessible. We strongly urge the City
6 of New York to take the necessary steps to ensure
7 that these cooling centers are handicap accessible.

8 Additionally, we strongly recommend that
9 resource or supplies such as air conditioners and air
10 purifiers are regularly updated in these cooling
11 centers for individuals with asthma. We want to
12 ensure cooling centers and clean safe air centers in
13 the City of New York are a very valuable resource and
14 we want to ensure that people with disabilities have
15 equitable access to these facilities. And I will
16 yield the rest of my time. Thank you so much for
17 taking the time to listen today.

18 CHAIRPERSON BREWER: Thank you. Next speaker.

19 MICHAEL O'HORA: Good afternoon. My name is
20 Michael O'Hora, I'm a Law Student at the Elizabeth
21 Haub School of Law at Pace University and I'm
22 interning at the Environmental Justice Initiative
23 with Mr. Joel Kupferman.

24 This summer, New York City was inundated with
25 smoke from wildfires in Cabot Canada. The air

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1 quality was incredibly unhealthy during the period in
2 early June with an all-time record being set at 413
3 on the AQI scale on Wednesday June the 7th. While
4 considered hazardous and the health warning of
5 emergency conditions according to airnow.gov., the
6 city's response was much to be desired. I would like
7 to focus on the existing air quality problems in New
8 York City if ever exacerbated by the city's
9 nonresponse to this crisis. When proper precautions
10 are not taken at construction sites, air quality can
11 be worsened by the use of fossil fuel burning
12 equipment and more importantly, the disturbance of
13 contaminated soil that introduces contaminants, such
14 as arsenic and led into the air.
15

16 During the air quality emergency in June, the
17 city should have suspended construction activities to
18 limit air quality from degrading further, but this
19 has not happened. In the limited time I have, I
20 would like to focus on one remediation site in
21 particular at the NYCHA Jacob Reese Houses located
22 between Avenues D and Franklin D Roosevelt Drive,
23 spanning two super blocks from 6th Street to 13th
24 Street. Construction activity at the site have
25 disturbed the soil and caused it to become airborne

1 that's resuspending harmful compounds from the soil
2 into the air but then enters resident apartments. We
3 know that the soil contains alarmingly high levels of
4 arsenic, led and other heavy metals and so, to does
5 NYCHA and the City of New York. As the city has
6 assessed 2007 for Con Edison, while the report may be
7 dated, arsenic, led and other similar harmful
8 contaminates are just simply elements on the periodic
9 table, meaning that they do not degrade over time or
10 break down into something else. Arsenic will always
11 be arsenic and lead will always be lead. New York
12 City has the jurisdiction to stop construction at
13 NYCHA developments during a crisis such as this.
14 NYCHA cannot be the sole agency responsible for Reese
15 residents and all other residents as it has failed
16 the residents in the past. As we know, all NYCHA
17 developments are currently under federal monitorship
18 due to the situation, lead abatements in resident
19 apartments.
20

21 And the solution to this problem are not
22 exceedingly complex. During this smoke emergency, the
23 city should have suspended all construction
24 activities and offered masks and other air filtering
25 equipment, especially to its most vulnerable

1 residents, some of which live in public housing.

2 Even without the wildfire smoke, precautions could
3 have been taken such as covering the soil and work is
4 being done in covering windows and AC units for
5 residents on the lower floors facing construction
6 activity and providing air filtration equipment for
7 apartments causes to the construction activity.
8

9 In short, New York City failed to protect its
10 residents. In a recent times article, Mayor Adams
11 dismissed concerns from reporters that the city
12 should have had plan in place for the smoke.
13 Professor Rebecca Bratspies from CUNY Law was quoted
14 in the same article saying that the masks were
15 distributed too late and that she herself have been
16 monitoring the smoke since at least the previous
17 week, so the city should have had some indication
18 that such an emergency was going to happen.

19 The City of New York must do better going
20 forward. Vulnerable populations are in these public
21 housing developments, many of them with previous
22 health conditions due to 911. They need to be
23 protected along with all New Yorkers. Thank you.

24 CHAIRPERSON BREWER: Thank you, next.

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2 JOEL KUPFERMAN: Thank you very much. Joel
3 Kupferman, Executive Director and Senior Attorney of
4 the New York Environmental Law Initiative. I
5 represent many community groups and workers after the
6 911 attack when nearby residents were told that the
7 air quality was safe. And I think it's important to
8 point out that it was DEC's reports, initial reports
9 that told us the air was safe and they depended on
10 their monitors. So, I think it's really incumbent
11 upon us not to just blame DEC but not to just totally
12 rely on DEC's warning system.

13 It's been brought up over and over again that
14 this situation now is unprecedented, it's not. We
15 have 911 to look at. We also have what happened with
16 the COVID. I, as Michael pointed out, represent
17 NYCHA residents where there's a lot of construction
18 that's going on, where the soil is not covered. A
19 lot of that's important is that it's the added
20 accumulative effect of the dust from Canada and the
21 local dust that's generated. New York City can
22 control that dust by just enforcing the law and the
23 regulations.

24 I represent Esther Regelson who lives at 109
25 Washington Street, a 911 survivor with cancer.

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1 There's a Brownfield site there, construction
2 continued on the worst day, on the 7th. DEP, New
3 York City sent an inspector in to check the site
4 based on our complaint and we were told that they
5 were just issued a violation because of visual dust
6 but that DEP inspector wasn't even aware that this
7 was a Brownfield site.
8

9 So, we have a major communication problem. The
10 city's also liable that it's sending its old
11 employees in to toxic sites during the worst times.
12 Esther on the 7th had a reading of 569 based on this
13 monitor that's only \$300, okay. The City Health
14 Department and the state refuse to monitor indoor
15 air. We heard today that that's the center where
16 most of the problems are. They're also denying that
17 dust is going into peoples air.

18 The city, Department of Health has a mandate and
19 the equipment and the ability to monitor that air. I
20 urge the City Council looking to DOHs responsibility
21 and also I take real afront that we kept on talking
22 about sensitive populations. New York City in terms
23 of the EJ community and the elderly have the highest
24 rate of sensitive things.
25

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1
2 So, we have a lot of problem in terms of equal
3 protection and also, there is, there is, we believe
4 that we're asking that - okay, could I just finish?

5 CHAIRPERSON BREWER: Yeah, go ahead and finish
6 quickly. Thank you.

7 JOEL KUPFERMAN: Okay. We're asking -
8 California was mentioned. We're going to present a
9 copy of the California Air Law. There's a lot that
10 could be borrowed for. They have much better control
11 over construction sites. And so, there's reporting
12 and enforcement, we want to increase injunctive
13 relief to DEP and DOH. DEP told us when they spotted
14 that air, they have no control over stopping that
15 construction. When we met shortly after with the
16 Department of Buildings, DOB was never informed by
17 DEP that there was air problems there. So, we have a
18 major problem with interaction.

19 CHAIRPERSON BREWER: You need to wrap up.

20 JOEL KUPFERMAN: Okay.

21 CHAIRPERSON BREWER: Because we have your
22 testimony and we will certainly read it.

23 JOEL KUPFERMAN: Okay, but I think it's
24 important for the city not to just blame the state
25 that there's a lot of enforcement abilities and that

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1 especially we're concerned about ongoing construction
2 at Brownfield sites and also the city workers have a
3 right for them.
4

5 CHAIRPERSON BREWER: Absolutely, thank you very
6 much. Next.

7 JOY AMANDA: There we go. My name is Joy from
8 Queens New York. I've been in New York for almost 40
9 years. My birthday was actually this weekend and I'm
10 pretty disappointed with City Council right now
11 because I came in and the room was pretty full with
12 my employees and now my employees are gone. And as
13 someone who has employed City Council, who is
14 supposed to hear exactly what the people feel,
15 exactly the opinions of whoever comes in and they
16 want to give a statement to their employees because
17 we are the ones that are in charge, it's
18 disappointing to see how many has left. Especially
19 the ones that are on the Committee of Health. Two of
20 your members are not here are actually on the
21 Committee of Health and they're gone. A lot of them
22 are gone. It honestly should be and from what I
23 heard there's 51 City Council members. They should
24 all be here. Every last one of them only for the
25 simple fact that they all take an oath to office.

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1
2 They all take an oath to the constitution, the State
3 Constitution and the City Charter and it directly
4 tells them what their job is and their job is to do
5 the will of the people and they are not doing the
6 will of the people. You take an oath. Everyone
7 takes an oath. You take this job; you take an oath.
8 Five USC 3331 says that you take an oath. You are
9 supposed to uphold the will of the people, the rights
10 of the people, defend and protect them and no one is
11 here to listen to the people.

12 CHAIRPERSON BREWER: Well, we're here. There's
13 some of us here. We're here listening.

14 JOY AMANDA: But you know that's not enough.
15 For the 8.4 million people that live in New York
16 City, just the six of you in here and it's actually
17 three of you because you Committee Counsel. It's not
18 enough and it's disappointing but the question is and
19 if I could get a response, do you take an oath?

20 CHAIRPERSON BREWER: Yeah, we all take an oath,
21 yeah.

22 JOY AMANDA: Have you submitted your oath?

23 CHAIRPERSON BREWER: Submitted oath, yes, we
24 have.

25 JOY AMANDA: Is it on file?

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2

CHAIRPERSON BREWER: Yes.

3

JOY AMANDA: Where can I find it?

4

CHAIRPERSON BREWER: Board of Elections City

5

Clerk.

6

JOY AMANDA: Okay, do you take that oath

7

serious?

8

CHAIRPERSON BREWER: We do.

9

JOY AMANDA: Do you know that if you violate

10

that oath that violations can be brought up on you.

11

CHAIRPERSON BREWER: Yeah, can I just say, feel

12

free to keep during your time period, we'd love to

13

hear your opinions also on the issue at hand today on

14

the air quality. We would love to hear-

15

JOY AMANDA: Well, I had to make that the

16

foundation of whatever my discussion will be with you

17

all because again, as the employer, I am disappointed

18

and when an employer is disappointed with any job

19

that you have, they are going to reprimand you and

20

they're going to tell you where you're wrong. And

21

this is where City Council is wrong. City Council

22

says that they are going to do the will of the people

23

and they are going to speak on their behalf. They

24

are going to pass these ordinances, make policies and

25

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1 regulations but then they're not here to listen to
2 what the people have to say about that.

3
4 CHAIRPERSON BREWER: Okay, I just want to be
5 clear, some people have other meetings. The people
6 who brought the meeting, Chairing the meeting are
7 here. We're taking everybody's information very
8 seriously. Just so you know.

9 JOY AMANDA: It's still disappointing. So, that
10 needs to be on the record.

11 CHAIRPERSON BREWER: That's fine.

12 JOY AMANDA: That the employer, the boss is
13 disappointed with the employee.

14 CHAIRPERSON BREWER: Okay, but now your time is
15 up.

16 JOY AMANDA: Well, I'm going to continue
17 speaking because it needs to be understood that City
18 Council only has one job to do.

19 CHAIRPERSON BREWER: Okay.

20 JOY AMANDA: And it's to uphold the will of the
21 people. To uphold the rights of the people. You
22 want to talk about the air, you want to talk about
23 air quality. You want to talk about public health.
24 You want to talk about regulations, what could be
25 passed, what could be put in place but no one is

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1
2 doing the will of the people or the rights of the
3 people and upholding it.

4 CHAIRPERSON BREWER: We are here.

5 JOY AMANDA: You have no authority.

6 CHAIRPERSON BREWER: Okay, we are here making
7 sure that laws get passed and we're listening
8 carefully to make changes. That's why we're here.

9 JOY AMANDA: And the laws would be for who?

10 CHAIRPERSON BREWER: The Oversight hearing is to
11 talk about air quality.

12 JOY AMANDA: And who are these laws for?

13 CHAIRPERSON BREWER: If you want to make some
14 statements on that fine, otherwise your time is up.

15 JOY AMANDA: Who are those laws for?

16 CHAIRPERSON BREWER: The people of the City of
17 New York.

18 JOY AMANDA: Who are the people of the City of
19 New York?

20 CHAIRPERSON BREWER: Ma'am, I can't go through
21 this. There are other people who want to testify
22 about air.

23 JOY AMANDA: And you're going to be asked the
24 same questions.

25

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1
2 CHAIRPERSON BREWER: Thank you. Thank you very
3 much for your testimony.

4 JOY AMANDA: We'll see you in court.

5 CHAIRPERSON BREWER: Thank you very much for
6 your testimony. The next panel.

7 COMMITTEE COUNSEL: Thank you for your
8 testimony. We'll next hear from Eunice Ko, Janet
9 Handal, Daniel Lynn, and Domina DeBrenda-Black. To
10 announce the second panel once more, Eunice Ko, Janet
11 Handal, Daniel Lynn, and Domina DeBrenda-Black.
12 Eunice Ko, you may begin when ready.

13 EUNICE KO: Great. Good morning Chairs Gennaro,
14 Schulman, and Brewer, and members of the Council. My
15 name is Eunice Ko, I'm the Deputy Director at the New
16 York City Environmental Justice Alliance. Founded in
17 1991, NYC-EJA is a non-profit citywide membership
18 network linking 13 grassroots organizations from low-
19 income neighborhoods and communities of color across
20 all the 5 boroughs in their struggle for
21 environmental justice.

22 Last month, the city was overwhelmed with orange
23 skies, red moons, and choking smoke from the raging
24 Canadian wildfires. The city literally gasped for
25 breath as it turned gray, orange, and then red. "What

1 the hell is this?" asked the Mayor a little too late
2 as he stepped outside. By the time the Mayor had
3 issued a statement late on Tuesday night, people were
4 already getting headaches and chest pains, coughing,
5 and/or having trouble breathing. Neighbors, kids,
6 family, and friends were scared and confused as we
7 asked ourselves, fan or AC? How bad is it to leave a
8 window open? What will this do to my health?
9

10 One of our members who has a son with asthma and
11 is a head of a nonprofit CBO in the South Bronx
12 didn't know what was going on and what to tell her
13 son when asked but EM reaches out to CBOs and is
14 doing everything they can on that front right? New
15 York City residents were left again, on their own
16 and, of course, those most vulnerable like the
17 unhoused, delivery workers, and those with asthma and
18 other health conditions, suffered the most
19 consequences. Asthma related emergency visits spiked
20 during this time and many areas in the city like the
21 Bronx reached AQI levels higher than 400.

22 According to the Public Advocate's report,
23 between June 6th and June 7th, the hospitalization
24 rate in New York City jumped 81 percent to 317 ER
25 visits on June 7th. Unsurprisingly, the New York

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1 City Zip codes with the highest numbers of asthma-
2 related emergency room visits during last week's
3 smoke haze were disproportionately in low-income,
4 predominantly Black and Latino communities, according
5 to Gothamist's analysis.
6

7 According to EM Commissioner Zach Iscol today,
8 these hospitalization rates are fine as he repeatedly
9 said today. I guess when we're talking about Black
10 and Brown communities, it's completely acceptable.
11 This is direct contradiction to when he stated that
12 EM "did everything to help vulnerable New Yorkers."

13 Despite how unhealthy and hazardous conditions
14 were, the Administration didn't act swiftly and
15 aggressively enough to alert the public and protect
16 the most vulnerable. The administration failed to
17 minimize the effects of the wildfire smoke by not
18 providing timely notice and sufficient information
19 and failed to lead a strong interagency coordinated
20 response. While the event on this scale was
21 unprecedented, the Administration could and should
22 have done a lot more for a public health emergency at
23 this scale, especially since as recently as two years
24 ago, New York City skies also turned hazy on July 13,
25 2021 and California wildfires. With our local air

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1
2 pollution levels spiking to unhealthy levels of over
3 100 AQI. So, this is not the first time this has
4 happened in the city.

5 Commissioner Iscol kept talking about the
6 forecasting constraints but there is air quality data
7 information that's available in real time. While
8 these may not be projections, there is a ton of
9 information and resources available. Before
10 Commissioner Iscol said he had any information from
11 the state. EPA updates federal monitors daily and I
12 was getting the information alerts from Google Maps,
13 Google Maps alert. Sorry, I'm almost done.

14 The city could have cancelled outdoor events,
15 activities sooner and instituted a clear community
16 policy where all shelters would have to take in
17 anyone in house seeking shelter, incurred other
18 energy saving emission saving activities like
19 minimizing car use, household appliance etc.

20 Some communities in New York City experience bad
21 air quality and pollution today. And these
22 communities again are being burdened by wildfire
23 events as such as today. We must anticipate, sorry,
24 I'm almost done. We must anticipate and prepare for
25 the unforeseen in order to keep our city safe and

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1 healthy. The city can't put New Yorkers in a
2 position to respond and adapt to climate change
3 completely on their own whether it be from wildfires,
4 flooding or extreme heat because it will mean our
5 communities will suffer the most. If the
6 Administrations posture is to be defense and give
7 polished non answers and say we are doing everything
8 we can, then we are in trouble because things are
9 getting worse. We may not be perfect as the EM
10 Commissioner dismissably stated today but we can be
11 better.
12

13 CHAIRPERSON BREWER: Okay.

14 EUNICE KO: And I didn't hear that
15 acknowledgement or responsibility from the
16 Administration today. Difficult to do is not an
17 accessible answer when climate change is increasing
18 and people are dying.

19 CHAIRPERSON BREWER: Thank you very much. Next.

20 JANET HANDAL: Good afternoon. My name is Janet
21 Handal and I'm here wearing I guess actually three
22 hats. I'm President of the Waterside Tenants
23 Association and represent the 4,000 people living at
24 Waterside. I'm also the President and Co-Founder of
25 TRACPAG, that's Transplant Recipients and

1 immunocompromised patient advocacy group. You see
2 that I came today wearing a mask almost the entire
3 time. I'm speaking without a mask now because I have
4 a sterilization device that gives me like a cone of
5 safe air. I'm also a member of the National Advisory
6 Committee of Johns Hopkins Global Health Security
7 Initiative on Air Quality.
8

9 Vulnerable populations depend on you, the Mayor
10 and the city agencies to keep us safe. In New York
11 City there are about 275,000 immunocompromised. We
12 ask you to step up your engagement on air quality
13 both outdoor and indoor. First, I think you should
14 raise public awareness on air quality both indoor and
15 outdoor on what PM2.5 is, why people should care
16 about it, what Co2 is and why you should pay
17 attention to that when you're indoors. I would
18 suggest that there be ongoing posting in the subway,
19 on LinkNYC, on city websites so people are seeing
20 this. Everywhere they go, 2.5 and what is that? Why
21 do I need to know about that? What does that mean?
22 Why it's better to have a good quality mask rather
23 than a surgical mask?

24 They need to understand that. If you give
25 people the information, they will take appropriate

1 action. Implement a public education program weight
2 the risk of 2.5 and other pollutants so people
3 understand why they should wear high quality masks.
4 Disseminate information on how to make do it yourself
5 indoor air purification devices. They can be made
6 very cheaply for about \$30 and provide a level of
7 safety in the home. Direct building owners to close
8 air tags on passive airflow systems.
9

10 I didn't hear anything about this today. In our
11 building there are fans on the roof that blow air
12 into every floor. Fortunately, our building shut
13 them down but there was no citywide mandate. If you
14 have a you know, building, so, all of these places
15 that are supposedly safe indoors, when they're
16 blowing all that air indoors, is it really safe?
17 Should you mandate that they upgrade their filtration
18 system on these air intakes because this is going to
19 be happening again and again and again. Our
20 buildings are 50 years old.

21 So, I'm sure they don't have robust air
22 filtration. I also think it's important to modify
23 multifamily buildings to have one switch shutdown.
24 So, that if an event of a bioterrorism event, in our
25 building, they had to go to like four buildings you

1 know eight floors to shut down all the fans. You
2 know they did it but that's not fast enough in
3 certain circumstances. I encourage you to set
4 guidelines for indoor air quality for Co2, PM2.5 and
5 ozone and require public spaces to post visible
6 monitors like this one I have right here. In Belgium
7 they are requiring this in a public space that there
8 be monitors so people know. Co2 is a proxy for the
9 amount of aerosols that are in the air. So, in a
10 time when COVID is very high and the Co2 level is
11 very high, you know that's a dangerous place to be.

12 I would also suggest that you suspend the
13 outdoor work and activity when levels go up a certain
14 level. I saw construction workers working when the
15 cloud was at its worst. You know, so how did that
16 happen? You know that should be suspended. And then
17 identify distribution stations, which will be used
18 again and again, so that just gets grained you know
19 engrained in peoples minds. When we have an air
20 quality event or we have a COVID event and I need a
21 mask, I know these are the five places I can look for
22 a mask, the library, the fire station, the school.....
23 You know, so that's it. Thank you very much. I
24 appreciate it.
25

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1
2 CHAIRPERSON BREWER: Thank you. Next.

3 DANIEL LYNN: Hi, I'm just concerned, a free man
4 living in Queens New York and we have heard all the
5 talk about what we brought to respond to air quality.
6 My question is, for my employees, what legislation is
7 being proposed for air quality? Who writes this
8 legislation for the record?

9 CHAIRPERSON BREWER: The legislation is drafted
10 by the City Council drafting legislative staff.

11 DANIEL LYNN: Is that by the corporate council?

12 CHAIRPERSON BREWER: No, no, City Council Staff
13 and then Corp Council and others look at it. It's a
14 long process.

15 DANIEL LYNN: Okay, well, you said Corporate
16 Council. That's all I need for the record. Thank
17 you.

18 CHAIRPERSON SCHULMAN: I also want to let you
19 know that there are a number of bills that are being
20 introduced on air quality that I'm Co-Prime Sponsor
21 on that's being done by Council Member Keith Powers
22 and Borough President Mark Levine.

23 DANIEL LYNN: That's good for the record too,
24 because I was going to ask the question who are the
25 Co-sponsors. Just as a reminder, stating Marbury V

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1 Madison, all laws, rules which are to the
2 Constitution are null and void. So, any legislation
3 that's proposed by Corporate Council or Co-sponsored
4 by, whichever my employees want to co-sponsor it, if
5 it violates my rights as a free man, it's null and
6 void. It can't be enforced.

7
8 And also citing [02:37:31], there can be no
9 limitation on the power of the people of the United
10 States of America. By their authority, the state
11 constitutions were made by their authority, the
12 Constitution of the United States. Because as was
13 mentioned, my employees take a public oath to uphold
14 the United States Constitution, the New York State
15 Constitution and the New York State Charter. So, if
16 my rights are violated, any legislation is null and
17 void. It can't be enforced. You can submit any
18 recommendations, suggestions, anything like that but
19 at the end of the day, it's my decision as a free man
20 living in New York to make that decision for myself,
21 how I protect myself and all the other of your
22 employers who employ you to uphold your oath. It's
23 their right as free men and women to make that choice
24 for themselves.

25

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1
2 And just to make it clear again, it's very
3 disappointing how nearly every one of my employees
4 has left this meeting. Everyone should be here to
5 listen to the will of the people and that clearly is
6 not being done. Not just when it pertains to air
7 quality but when it pertains to other matters as
8 well. Thank you.

9 CHAIRPERSON BREWER: Thank you. Next.

10 DOMINA DEBRENDA-BLACK: Hello, hi good afternoon
11 or morning. Uhm, I'm known professionally as DJ
12 Black but you may call me Domina. I'm here to speak
13 on behalf of myself, as an individual woman living on
14 the land of New York. I would like to say though
15 that I do volunteer with several groups, including
16 but not limited to Log Cabin Republicans New York,
17 the Conservative Republican Alliance. I also am the
18 Co-founder of the Lex & 3rd Block Association and the
19 Founder of TFK TWA. Training foster kids to work
20 with animals, a nonprofit academic program. Our dual
21 mission is to prepare foster kids for adulthood and
22 help animals at the same time.

23 All my opinions, though I associate with all
24 those groups, and views are my own and do not
25 necessarily reflect the views of those groups. I

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1 would like to make a brief statement and then I have
2 a question.
3

4 My statement is that I was listening today and I
5 was hearing a lot of appeal to authority and
6 arguments, and if we look at history, these same
7 agencies are the agencies that said it was okay to
8 operate on infants without anesthesia because they
9 said babies wouldn't remember and wouldn't feel pain.
10 That was happening till the 1980's. Some of these
11 organizations that they appeal to authority that is
12 being used to make these decisions, are the same
13 authorities that sterilized Puerto Rican women from
14 the 1930's up until the 1980's, saying that it was
15 for the public health.

16 I would also mention the geygie(SP?)
17 experiments. I may be saying that wrong, where Black
18 men were given cephalous so that the doctors could
19 see the effects of it. This was done in the name of
20 public health. So I get very concerned when things
21 are brought forth about being for the public health,
22 especially as a woman from the gay community and a
23 woman from who is Latino. We often are the ones who
24 get experimented on and it concerns me greatly that
25 the decisions that are being made are so shaky. Even

1 today there was arguments back and forth between who
2 is telling the truth. Who has the facts? There's no
3 substantial way to tell the air quality.
4

5 And also, I would like to say, could the person
6 who is from the Public Advocates Office please raise
7 their hand. Okay, when the Public Advocate left, I
8 asked him, I said, "is somebody going to be here for
9 the public when we speak? You are our advocate." He
10 said, "someone will be here." There's no one here.

11 I would like to echo the sentiment of earlier
12 citizens that it is not right that you leave, not you
13 but that your peers and the people that we elect, our
14 public servants who serve us, leave. Like, how do
15 you know the will of the people if you don't listen?

16 And I'd also like to say as far as climate
17 change, I'm 54 years old. Since I was 5 years old, I
18 was told that the sky was going to fall regarding the
19 weather. In the 70's, I was told the world was going
20 to end in 2000.

21 CHAIRPERSON BREWER: You need to wrap up.

22 DOMINA DEBRENDA-BLACK: I think that my point is
23 made in that and I would also just like to say in
24 wrapping up, please remember the Puerto Rican women
25 who were sterilized in the name of public health.

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1
2 CHAIRPERSON BREWER: Thank you.

3 DOMINA DEBRENDA-BLACK: Please don't make the
4 same mistake. I bless you all. God bless you. I
5 think you have the intension but also, I would just
6 like to say, where can I find your oaths of office?
7 Because I have never heard of that before and I would
8 like to read them. Can you tell me where I can find
9 them?

10 CHAIRPERSON BREWER: They are all the same and
11 they are at the City Clerks Office.

12 DOMINA DEBRENDA-BLACK: So, every single Council
13 Member -

14 CHAIRPERSON BREWER: All the same, yup.

15 DOMINA DEBRENDA-BLACK: And does the Public
16 Advocate take the same one?

17 CHAIRPERSON BREWER: Yes, he does but can I say,
18 there's a lot more people who want to testify.

19 DOMINA DEBRENDA-BLACK: Okay, I just wanted to
20 ask that. That was it. That was my last question.
21 I just wanted to ask where I could find those.

22 CHAIRPERSON BREWER: Thank you very much. Thank
23 you all very much.

24 DOMINA DEBRENDA-BLACK: Thank you. God bless
25 you.

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1
2 COMMITTEE COUNSEL: Thank you for your
3 testimony. We will now turn to our final in-person
4 panel, and we will hear from Morgurile Chandler(SP?),
5 Donna Ginell-Romo, Eric Rassi, Shanae, Tana, and
6 Miles Aiken.

7 If you're here to testify in person and you have
8 yet to hear your name called, remember please go to
9 the Sergeants table to fill out a witness slip.
10 Thank you.

11 Once more, the final in-person panel will
12 consist of Morgurile Chandler(SP?), Donna Ginell-
13 Romo, Eric Rassi, Shanae, Tana, and Miles Aiken.

14 CHAIRPERSON BREWER: Whomever would like to
15 start, go ahead. Thank you. You could go ahead, go
16 ahead. Thank you. You could go ahead. Go ahead.

17 TANA: Good afternoon, my name Tana from
18 Brooklyn and I want to start off by also sharing the
19 same concerns as to half of this panel being
20 nonexistent for the record. First question is, what
21 is your definition of public?

22 CHAIRPERSON BREWER: Okay, this is usually you
23 testifying, so go ahead and talk about air quality
24 and then we ask -

1
2 TANA: So, based upon the answer is how I will
3 proceed.

4 CHAIRPERSON BREWER: Public is the public
5 speaking and the elected officials listening and the
6 public being listened to. I'm here to listen to you.
7 I'm an elected official. We're here listening very
8 carefully and there are also people listening online.

9 TANA: Fantastic, so -

10 CHAIRPERSON BREWER: I would like to hear what
11 you have to say about the air quality.

12 TANA: So, on the record that's your definition
13 of public. So, now what's your definition of public
14 health?

15 CHAIRPERSON BREWER: Can you testify? That's
16 what I want to hear. If you have something to say,
17 that would be great. I really want to hear what you
18 have to say. That's what I need.

19 TANA: As men and women of the land of New York,
20 when we come to these hearings and we share what we
21 have to share and tell us what we're going to say, is
22 not going to work, okay. You guys take an oath to
23 the Constitution to adhere to your - the men and
24 women of who you serve. So, again, what is your
25 definition to public health?

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1
2 CHAIRPERSON BREWER: Public health to me means we
3 want to keep New Yorkers healthy and your testimony –

4 TANA: You want to keep all of workers healthy.

5 CHAIRPERSON BREWER: I do but can you. I mean,
6 I really want to say there are a lot of people who
7 want to testify about public air health. If you'd
8 like to make your comments, they would be much
9 appreciated.

10 TANA: So, the reason I ask is because when you
11 implement any of these policies or laws, or bills, we
12 want to know who exactly that is addressed to and
13 when you look at the term say for example person, you
14 say a lot in your paperwork, in your verbiage, a lot
15 of that has the term person and public, public health
16 and so forth. So, with that being said, the
17 definition of a person will let me know whether or
18 not what you're proposing holds any authority over
19 the men and women of NYC.

20 So, a person, according to reference –

21 CHAIRPERSON BREWER: Okay, ma'am you need to –

22 TANA: Section 7, –

23 CHAIRPERSON BREWER: Ma'am, you need to, you
24 need to wrap up. Thank you.

25

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1
2 TANA: Define person as an officer or employee
3 of the corporation, therefore these policies that
4 you're looking to implement apply to you and with
5 that, I yield back.

6 CHAIRPERSON BREWER: Thank you very much. Go
7 ahead, next person.

8 MARGURILE CHANDLER: Hi, can you hear me now?
9 Okay, my name is Margurile Chandler and I live in
10 Brooklyn and I'm a member of the Medical Freedom
11 Party. We have 20 people running this November for
12 City Council. One of the major issues we have is
13 with the lockdown and with the mandated injections.
14 It's come out that the so-called science that
15 everybody claims was real science, didn't actually
16 protect anybody. Didn't actually protect us and
17 actually people died as a result and businesses were
18 lost that aren't coming back. So, we're very
19 concerned that this issue about air quality will turn
20 into another mandated lockdown. Everybody wear masks
21 and what other kind of dictate - you know it's
22 dictatorial. It's basically taking - a mandate is a
23 dictator, a dictation or an edict by from the Roman
24 Times, by the Caeser, by the King.

1
2 We gave that up. That's why we're Americans,
3 that's our identity. Our identity is the Bill of
4 Rights, okay. That's what gives us our identity as
5 Americans. That's the only identity we have because
6 all of us come from different places. That's what we
7 are proud of and we can't have officers of the court
8 or judges or governors telling us that we no longer
9 have a right over our own body to decide whether we
10 want to have an injection, a mask, whether we have to
11 close down our business. We need to have our Bill of
12 Rights, that's number one. And it is true when
13 people bring up the oath of office, when you take an
14 oath of office, you take an oath to defend that
15 Constitution and that hasn't been done.

16 Now, all I know that I don't have time. I'm
17 going to write up everything I want to say and I'm
18 going to publish it and I'm going to send it to you
19 guys, so you'll know the full story and the context
20 of what I'm talking about.

21 CHAIRPERSON BREWER: Thank you very much. I
22 appreciate it. Next.

23 DONNA GINELL-ROMO: Hi my name is Donna.

24 CHAIRPERSON BREWER: Push the button.
25

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1 DONNA GINELL-ROMO: Hi, my name is Donna and I
2 am in agreement that I am not happy as far as the
3 fact that what is being done already as far as these
4 laws or policies and the fact that people aren't
5 here. I would like to present something that
6 furthers the negative impact of the air quality
7 pollution and those effected, those with asthma.
8 Those with problems with their respiratory as well as
9 tinnitus and everything like that, and that is
10 wireless devices, antenna networks and data centers
11 are consuming an ever-increasing portion are the
12 global energy supply based largely on coal. Our
13 energy calculation, this is why reinventing the
14 wires. Now, here we have something from the Center
15 for Energy efficient telecommunications, wireless
16 access networks are clearly the biggest and most
17 inefficient consumer of energy in the cloud
18 environment. 5G is considered an energy hog and you
19 guys are talking about wanting to get to zero point
20 and yet you have this kind of industrial pollution
21 that only impacts and furthers the negative impact of
22 everything that's already going on.
23

24 You have already, you have an increased by 2015,
25 this owner, wireless cloud will consume up to 43 TWH

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1 compared to only 9.2 TWH in 2012, an increase of 460
2 percent, hello? This is an increase in carbon
3 footprint and this goes for 30 megatons of Co2 in
4 2015. The equivalent of adding 5.9 million cars to
5 the roads. And we're trying to keep out the cars,
6 right? And everything that's going on now, are we
7 trying to get more towards that 15-minute city, as
8 they call it? So, this has been just totally
9 ignored. I, as a therapist, I know personally of
10 people who have to live in their bathroom because
11 it's shielded, sleep in a parked car in a garage
12 because there's a shielding and also, you may know
13 Maria, who is from New York City who committed
14 suicide because of the suffering and isolation, which
15 has been completely ignored by any of the
16 organizations here in New York City as far as how
17 much they suffer.

18
19 So, I am bringing that to as far as nothing is
20 being done and we are just, there is always solutions
21 for fast, safe and secure internet connections. So,
22 that is what I am bringing to all of this as far as
23 air quality, as far as what seniors, people with
24 asthma, tinnitus, tinnitus if you want to call it and
25 all sorts of other things. Thank you.

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1
2 CHAIRPERSON BREWER: Thank you very much. Next.

3 ERIC RASSI: Hello, I'm Eric Rassi, from East
4 10th street in Lower Manhattan. Now, when the
5 Commissioner was speaking, as he said, this is
6 absolutely an unprecedented event occurring at the
7 beginning of June. With that gigantic cloud of
8 smoke, which we've never seen before in New York City
9 and how did that happen? How could such a massive
10 cloud emerge out of Canada? That's never come
11 before. It's never happened before as you said, so
12 there's only one way that can happen. 14 separate
13 fires all erupting simultaneously. All erupting
14 simultaneously at Southern Quebec, hundreds of miles
15 apart. If one fire erupts and three hours later
16 another fire erupts 100 miles away or four hours
17 later, another the wind change will take the smoke in
18 various directions. In order to produce a gigantic
19 cloud of smoke like that, you have to have all fires
20 occurring at the same time. So, that the smoke cloud
21 concentrates and develops and carries forth in the
22 same direction, the same concentration.

23 That's what actually occurred at 9:30 a.m. on
24 the morning of June 2nd. Now how do we know that?
25 There's a college in Illinois called the College of

1 DuPage, which monitors and aggregates information
2 from the weather satellites that are above the
3 economy of the United States. Now that college put
4 out a video of the monitoring of what was occurring
5 at Southern Quebec at that time and 14 separate
6 fires, all erupted simultaneously and there are many
7 miles apart.
8

9 It's not like one fire led to another. It all
10 happened at once. Now, there are some arson
11 investigations going on in Canada over various fires
12 but as far as I know, nothing is happening with that
13 investigation. You're the committee that can do
14 something about that. This was an attack on this
15 city. That massive cloud of smoke didn't happen in a
16 natural way. So, I'm urging this Committee to look
17 at the information that we'll provide to the
18 Department of Emergency Management and also to
19 yourselves. To take a look at how these fires could
20 possibly erupt simultaneously.

21 CHAIRPERSON BREWER: Thank you very much.
22 That's very helpful. Thank you. Next.

23 MILES AIKEN: Thank you, let me make sure, can
24 you hear me? Yeah, I can hear myself so I'm assuming
25 you can hear me. My name is Miles M-i-l-e-s Aiken A-

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1 i-k-e-n and I'm from Harlem, and I'm from the Number
2 One sports youth saving program in the world, which
3 is call the Rucker Park. That's not because I call
4 with that, that's because it's recognized as such.

5 The first thing I want to say -

6 CHAIRPERSON BREWER: That's Bob's Park, right?

7 That's Bob's.

8 MILES AIKEN: I'm sorry, did someone say
9 something?
10

11 CHAIRPERSON BREWER: I did. It's Gale Brewer.

12 That's Bob's Park. We call it Bob's Park. Go ahead,
13 never mind sir, go ahead.

14 UNIDENTIFIED: Bob's Park. Bob's Park.

15 MILES AIKEN: Oh, Bob's Park. That's Bob
16 McCulla who we call the - he calls himself the
17 Commissioner.

18 CHAIRPERSON BREWER: Go ahead sir, sorry.

19 MILES AIKEN: But anyway, the first thing I want
20 to express because I know you've been here awhile and
21 we just here is I want to thank Congresswoman Brewer
22 for - she's well documented and I know personally
23 that she's one of the most significant, open, caring
24 politicians of this city. And through that, we have
25 the chance to hear all of the contributions and I'm

1 not a paid political activist, okay. So, I want to
2 make sure that I'm clear for me as a representative
3 of Harlem at a low-income community that is
4 documented now globally, low-income communities
5 suffering in these types of disasters, okay.
6

7 The second thing I've asked to come and testify
8 is because on my cell phone, I have documented that I
9 spotted the initial ignition of the fires in Alberta
10 Canada. Alberta Canada is the seat of the Canadian
11 fossil fuel industries, which is still like the
12 fossil fuel industries across the globe, refusing to
13 close down because you, these wonderful people and
14 your people there refuse to leave your houses and
15 live in nature and give up your ten pairs of sneakers
16 per person. And that is what is causing - that's one
17 of the main causes of the well-documented now
18 acknowledgement across the globe that human kind is
19 in a climate crisis, okay. Now, in due respect to
20 the gentleman that just left here, 14 fires is
21 without a doubt excluded because I've spotted and I
22 have it on my cell phone having text to my colleague
23 because his family lives in California. I texted him
24 and said, a fire just broke out in Alberta and I'm
25

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1 concerned that these smokes are going to come down on
2 the West Side of the United States.

4 Now, we also have to -

5 CHAIRPERSON BREWER: Sir, you need to wrap up if
6 you can.

7 MILES AIKEN: I need to wrap up?

8 CHAIRPERSON BREWER: Yes.

9 MILES AIKEN: Okay, I will wrap up. Uhm, the
10 fact that this hearing is taking place, possibly on
11 the shoulders of Mayor Adams is erroneously placed.
12 I understand it's timely. The politicians before him
13 have made similar errors and in actual fact, the
14 Governor should have been included in this reputation
15 because the fire smoke came from the North and it
16 came from the second group of fires.

17 CHAIRPERSON BREWER: Sir, you need to wrap up.

18 MILES AIKEN: Which is Nova Scotia and I will
19 end with, there are now 550 individual fires in
20 California. The Fire Fighters that came in from New
21 York, the French, said exactly this to New York City.
22 "You're concerned about a little bit of smoke; these
23 fires are unstoppable."

24 CHAIRPERSON BREWER: Okay, sir, you need to wrap
25 up if you don't mind.

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1 MILES AIKEN: Okay, that is the wrap up.

3 CHAIRPERSON BREWER: Okay.

4 MILES AIKEN: You have 500 fires, 250 being
5 treated. The rest being allowed to burn and we think
6 that they may go out this fall because fall is
7 supposed to go cool and we're now heading into the
8 hottest summer, into the hottest summer ever recorded
9 on the planet earth.

10 CHAIRPERSON BREWER: Thank you very much sir.
11 Thank you so much. Next.

12 SHANAE: Hello, hi, I'm Shanae formerly known as
13 Jane Doe to the court system. This is my first time
14 speaking as a living woman under God, so I will ask
15 that my words to not be misconstrued. I am a 33-
16 year-old mother, two-time brain surgery recipient,
17 and I don't want any pity but I do want to
18 acknowledge that as I'm sitting here today with my
19 son and my daughter and trying to keep my emotions
20 under control. I do want to reiterate that you have
21 on the top of your place, we the people, the
22 government of the people, by the people for the
23 people. I do not see any representatives for the
24 public or we the people and again, just to reiterate
25 what your laws are, there can be no limitation on the

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power of the people of the United States of America.

By their authority, the State Constitutions were made

and by the authority to the Constitution of the

United States of America was established as

[03:01:14].

The United States Supreme Court declares that

the serenity remains with the people and resides with

the people. That's [03:01:22]. No action can be

taken against [03:01:25] in the non-constitutional

courts of either the United States or the State

Courts and any such action is considered the crime of

barratry. Barratry is an offense at common law, so

I'm not sure what we're under. It sounds like we're

on a deprivation of rights under law. I don't see

any action of ecclesiastics law. I'm not sure if we

are noticing that we are under God at the end of the

day with the air. You cannot control what happens

when God does anything to the air or if you guys

continue with your agenda for the air, for the people

but I do request that you hear the people, report to

us in a fashionably manner that we are being heard

and not just ignored. Because no one is here to

really see or hear anything that we're saying. I'll

set for you all. I heard someone ask if there was a

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1 representative. There is no one here for the
2 people, so if you guys are for – I mean if you all
3 are for the people and you are working for us or
4 employees, where are the actions. You want to know
5 our thoughts. When we say our thoughts it never gets
6 heard.
7

8 And I just, I don't want to have a pity party, I
9 just want you to realize that it affects us, my
10 generation. I am a project of the system. Your
11 court system, your child support, single family home.
12 Now, I'm a single parent raising two children. So,
13 it effects my children to be coerced by this city or
14 any officials stating that we have to inject anything
15 or take anything in our bodies that don't belong and
16 I have disability issues and now my children have
17 asthma due to the fact that we've been programmed to
18 take these vaccines and been charged under authority.
19 Like this is not how God's laws work if you
20 understand the ecclesiastics law.

21 So, that's my time.

22 CHAIRPERSON BREWER: Thank you very much and
23 thank you to the entire panel. The next panel is a
24 Zoom panel. Thank you very much.
25

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1
2 DONNA GINELL-ROMO: And I may mention that Maria
3 committed suicide because of the pain that she was
4 experiencing.

5 COMMITTEE COUNSEL: Thank you for your
6 testimony. We will now turn to Zoom panelists. For
7 virtual panelists, once your name is called, a member
8 of our staff will unmute you and the Sergeant at Arms
9 will set the timer and give you the go ahead to
10 begin.

11 Please wait for the Sergeant to announce that
12 you may begin before delivering your testimony. We
13 will first hear from Dr. Lucky Tran followed by Myra
14 Batchelder followed by Maranda Stinson.

15 SERGEANT AT ARMS: You may begin.

16 DR. LUCKY TRAN: Hi everyone. Thank you for
17 organizing this really important hearing. My name is
18 Dr. Lucky Tran and I am a Scientist and Public Health
19 Communicator who works at Columbia, a member of the
20 COVID Advocacy Initiative and I'm a Climate Justice
21 Organizer who has attended several climate meetings.

22 It's really important that we're absolutely
23 clear here. We are in a climate emergency. We're
24 experiencing the hottest days on record, one in
25 thousand-year floods and levels of air pollution.

1 This isn't a one solve. The science tells us that
2 things will continue to get worse. The wildfire
3 smoke we've been experiencing is harmful and let's
4 get this right, it's not just the vulnerable at risk,
5 we are all at risk. The small particles found in
6 polluted air can cause serious acute and long term,
7 yes, long term health issues like heart damage, lung
8 damage, and possibly even cancer. The government
9 needs to provide resources to protect people from the
10 dangers of smoke and one of the most effective tools
11 we have are N95 masks.

12
13 The city should be providing N95 masks for free
14 because not everyone can afford high quality masks
15 and many essential workers, they can't be inside,
16 they need to be outside for their jobs. They should
17 be provided free masks so that they can do their work
18 safely. Climate change has unequal impacts.
19 Providing free masks is one thing the city can do to
20 address this inequity.

21 It was fantastic that the city and the state
22 provided free N95 and KN95 masks at MTA stations at
23 other locations during the smokiest days but
24 honestly, it's not enough to do this just for a
25 couple of days a year and is done far too late.

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1 Behavioral change takes time and you can't get an
2 effective public health message across only at the
3 last minute. To effectively protect themselves,
4 people need to access masks in advance and they need
5 to know where to get them all year round. And you
6 know what else masks help with? Airborne viruses
7 like COVID and the flu. In fact, many New Yorkers
8 and the advocacy groups have been calling for free
9 masks for these very reasons for the last couple
10 years. Why are these calls being ignored? Why don't
11 we have an easily accessible permanent free mask
12 program in place by now? COVID's still around at
13 high levels and harming many.
14

15 I urge the city to make it a priority to put in
16 place a permanent free N95 mask program so that
17 people can access free masks in reliable locations at
18 any time of year. In addition to free masks, the
19 city needs to get its act together about warning
20 people in advance about the health threats like bad
21 air quality and high levels of COVID.

22 Earlier warnings, more alerts, regular
23 announcements on the news. More public signage, more
24 coordination with trusted messengers is essential, as
25 is investing in infrastructure to clean the air

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1 indoors. Places like Korea, Taiwan, Belgium, Spain

2 are doing this. New York should be a leader too.

3 Climate change is one of the biggest public health

4 threats of our time. It would be absolutely reckless

5 to ignore this and think that we don't need to make

6 any big changes. We can't afford to go through more

7 cycles of panic, neglect, panic, neglect. We need a

8 long term and consistent game plan for climate. We

9 need our public health policies to reflect that we

10 are living in a climate emergency. Thank you.

11
12 COMMITTEE COUNSEL: Thank you for your

13 testimony. We'll now hear from Myra Batchelder

14 followed by Miranda Stinson followed by Leslie

15 Vasquez.

16 MYRA BATCHELDER: Hi, thank you for holding this

17 hearing. My name is Myra Batchelder and I lead COVID

18 Advocacy Initiative. I want to thank the city for

19 providing free N95 and KN95 masks during the wildfire

20 smoke last month and to urge the city to put in place

21 an ongoing free N95 and KN95 mask distribution

22 program for the public moving forward.

23 Everyone has a right to protect themselves from

24 unhealthy air quality as well as COVID, which is

25 still a serious health concern. Protecting yourself

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1 should not depend on financial ability to purchase
2 masks but unfortunately it does. The federal
3 government ended their free N95 mask distribution
4 program in pharmacies around a year ago. New York
5 City provided free masks directly to some businesses
6 and organizations, however, there has been no public
7 list available of where the general public could
8 access free masks before.
9

10 Our organization and others have advocated for
11 this months for the city to provide free N95 and KN95
12 masks to the public. We sent a letter signed by 18
13 organizations in December urging the city to improve
14 and expand free N95 mask distribution and we met with
15 some city officials. We urged free N95 and KN95
16 masks to be given out at multiple community locations
17 that provide free rapid tests at other locations and
18 urge the city to advertise where the public can
19 access free N95 and K95 masks. We have had many
20 community members reach out asking how to get free
21 masks. Previously, 311 directed people to the
22 federal program. However, after program ended, when
23 I personally called 311, I was told they were telling
24 people just to go to dollar stores to get cheap
25 surgical masks. Our organization and many community

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1 groups have been providing free masks for the public
2 but we need an expanded ongoing program lead by city
3 where the general public knows where to access free
4 N95 and K95 masks.
5

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

12 We also urge people handing out free masks to
13 the public to wear masks to help protect people from
14 COVID as well. It was striking to see all the photos
15 of people that were handing out massive vibes but we
16 know that COVID is still a risk and they were largely
17 handing them out while unmasked themselves.

18 It was striking also when news reports in
19 February showed New York City had excess N95 and KN95
20 masks, however the city sold them off for pennies on
21 the dollar instead of providing them to the public.
22 New York City air quality has been at unsafe levels
23 and is expected to continue. New York City waste
24 water is still showing high levels of COVID. COVID
25 and long COVID are still a risk. We need to help

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1
2 people protect themselves and their families. New
3 York City needs to provide free N95 and KN95 masks to
4 everyone who needs them and make them accessible to
5 the public in known locations and we need this to be
6 an ongoing program. In addition, New York City needs
7 to invest in clean air infrastructure, including air
8 purification. And the city also needs to improve
9 alerts and public education for the public. Thank
10 you for the time today.

11 COMMITTEE COUNSEL: Thank you for your
12 testimony. We'll next hear from Miranda Stinson
13 followed by Leslie Vasquez followed by Cynthia
14 Norris.

15 SERGEANT AT ARMS: Time starts now.

16 MIRANDA STINSON: Hi, good afternoon. My name
17 is Miranda Stinson, I live in Queens, New York, and
18 I'm here today to talk about grassroots community
19 responses to the recent air quality emergency, and to
20 compare those grassroots responses with the response
21 from city officials, and I do want to apologize if
22 there are any sound issues. Like many New Yorkers I
23 have substandard air conditioning, so I've got kind
24 of a loud fan going beside me but I hope that you can
25 hear me okay.

1 So, I'm speaking to you today as a founding
2 member of a grassroots public health collective
3 called COVID Solidarity NYC. We were formed in
4 response to the ongoing COVID pandemic and the
5 erasure of disabled and medically vulnerable people
6 from society, from health care institutions etc.
7 However, we've also been active in the emergency
8 response to the wildfire smoke, and that's because we
9 were prepared to and in many ways, better prepared to
10 than the actual city officials were.
11

12 In the month of June, working with our partner
13 organization, The People's PPE, which is a student
14 led group based both in New York and in Connecticut,
15 we distributed more than 8,000 masks. That was just
16 in the month of June and in specifically in the week
17 of the air quality emergencies, we were able to get
18 masks out to organizations and individuals doing pop
19 up emergency community distributions in Brooklyn,
20 Queens, Manhattan, and the Bronx, so all boroughs
21 except for Staten Island. Many of these were
22 organized at extremely short notice, via text
23 messages and social media, but we were able to pull
24 it off. And I want to mention that because sorry - I
25 lost track of my thought a little bit but we were

1 able to pull it off at short notice, I guess is the
2 important thing to mention.
3

4 And a lot of that involved us also just like you
5 know dropping off donations of masks to people, which
6 meant our membership who are largely disabled and
7 medically vulnerable, being out in this unsafe air,
8 even though we really shouldn't have been.

9 So, personally, I can attest the systems that I
10 had were migraines, to the extent that they effected
11 my mobility. Burning throat, burning eyes, and chest
12 pain. You know I would somebody who should not be
13 outside in the smoke but I needed to be to be able to
14 get these masks out to people.

15 So, to contrast that, what we were able to do
16 with the government's response? There was as many,
17 many people have mentioned today, there was little to
18 no communication until the emergency was in full
19 swing. And just as an example of that, I work at a
20 school public health, I was in the office on
21 Wednesday the 7th. I would not have come into the
22 office if I had realized how bad it was going to be.
23 There were many, many people in the office, none of
24 whom had any idea and this is highly educated people
25 who work in public health, there was no

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1 communication. And then you know, as some people
2 have mentioned, very few locations to pick up masks.
3 I hear the things that were said earlier about the
4 distributions that were supposedly done but I
5 certainly didn't see them. The only place that I was
6 able to access masks being handed out from the city
7 was at Grand Central Subway Station.
8

9 SERGEANT AT ARMS: Time ran out.

10 MIRANDA STINSON: And the masks themselves were
11 inadequate and not being handled in a manner that you
12 know was compliant with any kind of safety
13 regulations. So, these are the masks that I was
14 given at Grand Central. As you can see, they were
15 not individually packaged.

16 CHAIRPERSON BREWER: Thank you very much. You
17 need to wrap up, thank you.

18 MIRANDA STINSON: Okay, right, well okay, I do
19 want to emphasize, these are not appropriate masks to
20 be given out. I was going to show examples of the
21 masks that are more appropriate. These are the types
22 that we give, it's the 3M which is the top of the
23 line that health care workers use. This is also
24 manufactured 3M and Deflex N95. These are both
25 appropriate.

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1
2 CHAIRPERSON BREWER: Thank you.

3 MIRANDA STINSON: These are the masks that are
4 used by construction users, not appropriate.

5 CHAIRPERSON BREWER: Thank you very much.

6 MIRANDA STINSON: Also, I would like to just say
7 that our organizations supports the demands of the
8 COVID Advocacy Initiative for a city funded mask
9 distribution program and ideally one that mails masks
10 to people so that they don't have to go into subway
11 stations and police precincts to access safety
12 materials because that's not safe for them to do.
13 Thank you.

14 CHAIRPERSON BREWER: Thank you very much.

15 COMMITTEE COUNSEL: Thank you very much for your
16 testimony. We'll next hear from Leslie Vasquez
17 followed by Cynthia Norris followed by Mbacke Thiam.

18 SERGEANT AT ARMS: You may begin.

19 LESLIE VASQUEZ: My name is Leslie Vasquez and I
20 am a Bronx resident and the Clean Air Program
21 Organizer at South Bronx Unite. I am here today to
22 express my deep concerns regarding the lack of
23 response from New York City government to the recent
24 air quality emergency caused by the devastating
25 wildfires in Canada. It is evident that the city's

1 response was inadequate, especially considering the
2 vulnerability of communities such as Mott Haven and
3 Port Morris in the South Bronx, which are already
4 grappling with numerous challenges. Mott Haven and
5 Port Morris have been overburdened by an alarmingly
6 high concentration of polluting facilities and
7 infrastructure for decades. Our community is ground
8 zero for power plants, waste transfer stations, and
9 other industrial facilities that result in severe air
10 pollution, toxic emissions and overall environmental
11 degradation. The impact of poor air quality on
12 public health can not be overstated. Our residents
13 are among the most vulnerable in our city facing a
14 myriad of socio-economic disparities and health and
15 equities.
16

17 The worsening air quality resulted from Canada
18 air wildfires exacerbating these existing challenges
19 and disproportionately affected the health of the
20 residents in our neighborhood. We already face
21 higher rates of asthma, cancer and other respiratory
22 illnesses compared to other parts of the city.

23 Despite the known vulnerability of our communities,
24 New York City government failed to provide the
25 necessary resources from the outset. It is deeply

1 disheartening that an emergency response plan
2 tailored to address the unique needs of these
3 neighborhoods was not in place.
4

5 The residents of Mott Haven and Port Morris
6 deserved immediate access to health care services,
7 including respiratory support and information on how
8 to protect themselves from hazardous air conditions.
9 Our city should have had a robust system of health
10 resources readily available to respond to
11 emergencies. Ensuring that individuals in vulnerable
12 communities have access to the care they desperately
13 need. Increased rates of respiratory illnesses,
14 exacerbation of pre-existing conditions and
15 diminished quality of life, a just a few examples of
16 the dire consequences resulting from a lack of a
17 timely response.

18 It is imperative that we hold our city's
19 leadership accountable for their negligence and
20 demand immediate action to rectify the situation.
21 New York City government must prioritize the health
22 and wellbeing of its residents, particularly those in
23 marginalized communities who continue to suffer from
24 decades of discriminatory public policies and poor
25 planning decisions.

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1
2 New York City government must implement robust
3 policies, robust emergency response plans, ensuring
4 adequate health care resources and proactively
5 addressing environments concerns. And beyond this
6 emergency response, it is well past time that the
7 Mayor and policy makers direct adequate resources to
8 ensure that South Bronx residents can simply breath
9 clean air. Thank you for your attention and
10 consideration.

11 COMMITTEE COUNSEL: Thank you very much for your
12 testimony. We'll next hear from Cynthia Norris
13 followed by Mbacke Thiam followed by Hayden Brackett.

14 SERGEANT AT ARMS: You may begin.

15 CYNTHIA NORRIS: Hey guys sorry, I just have
16 trouble unmuting. Hey, my name is Cynthia Norris and
17 I'm a mother of two and a resident of Brownsville,
18 Brooklyn.

19 Last month, even before the skies turned orange,
20 I had to take my asthma treatment. The prednisone
21 pill I take, it makes my body shake and it prevents
22 me from being able to breastfeed my newborn. On the
23 morning when the city air quality was worse in the
24 world, I had to choose between pumping breast milk
25 for my child or taking another pill for my asthma.

1
2 When you're breastfeeding, you can't be stressed or
3 worried. Like, you know because then the milk won't
4 come out because even if you're worried, right?

5 As I walked downstairs, I started to feel my
6 chest get tighter, even before I even went outside.
7 I'm glad I wasn't rushed to the emergency room, but
8 what I was worried that I may have to go to the
9 emergency room. Like many other New Yorkers with
10 asthma, I would never want anybody to go through
11 this, right? But I fear that I have to right even if
12 this was to have occur again.

13 In 2019, the New York City Council passed a
14 landmark climate law, Local Law 97. With 70 percent
15 of our city's climate-heating pollutions coming from
16 energy use in the building, this law will cut
17 pollution from the buildings and it will help me
18 breathe easily and save money for me and my family by
19 lowering the utility bills and create tens of
20 thousands of jobs across the city. Four years later,
21 we will still be waiting for the final rule to be
22 released by the Eric Adams Administration and that
23 Mayor Adams will amend the city - sorry, sorry,
24 sorry, stop, stop, stop. City Council amendment by
25 weakening the law, delaying it even longer.

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1
2 Meanwhile, we have worsening air quality and
3 flooding and it's hurting our health even worse,
4 right? The New York City Council must ensure that
5 Mayor Adams does not gut the important climate law
6 and cave into the real estate and weaken it by
7 delaying the Local Law 97. Thank you for having me
8 and thank you for having us, thank you.

9 COMMITTEE COUNSEL: Thank you very much for your
10 testimony. We'll next hear from Mbacke Thiam
11 followed by Hayden Brackett.

12 SERGEANT AT ARMS: You may begin.

13 MBACKE THIAM: Hello everyone, my name is Mbacke
14 Thiam. Hello, can you hear me?

15 COMMITTEE COUNSEL: Yes, we can hear you.

16 MBACKE THIAM: Yes, thank you. My name Mbacke
17 Thiam, I am the Housing and House Community Organizer
18 at Center for Independence of the Disabled, CIDNY.
19 CIDNY is the voice of the people with disability in
20 New York City. We are a nonprofit organization
21 founded in 1978. We are proud of the imminent living
22 center movement. A national network of grassroots
23 and community-based organizations that enhance
24 opportunities for all people with disabilities to
25 [03:21:23] their own lives.

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1 I'm here to testify about the danger of real-
2 life smoke and the air quality emergencies. Many of
3 the particles in the wildfire smoke have a
4 detrimental impact on our health system. These
5 particles are so small that they enter and lodge deep
6 in the lungs. The particles trigger asthma attacks
7 and heart attacks and strokes. That means that they
8 can kill someone with a lingering illness. So,
9 people who are people who may not have health care
10 coverage but also people with disabilities and people
11 who are middle class or may not have the abilities to
12 get themselves healed.

14 So, I'm here to say that we are expecting from
15 the Mayor and all elected officials, including
16 Council Members and the Governors to find drastic
17 measures in helping our community, in helping New
18 Yorkers, and we also want to find ways that will be
19 safe for children with developmental disabilities.
20 Thank you so much. I'll leave you better [03:22:51]
21 in my testimony. Thank you.

22 COMMITTEE COUNSEL: Thank you very much for your
23 testimony. We'll next hear from Hayden Brackett.

24 SERGEANT AT ARMS: You may begin.
25

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1
2 HAYDEN BRACKETT: Thank you. You able to hear
3 me?

4 COMMITTEE COUNSEL: We can hear you.

5 HAYDEN BRACKETT: Wonderful. My name is Hayden
6 Brackett and I'm testifying today because about air
7 quality because last months air quality emergency
8 shows us how important it is to protect our lungs
9 every day. I'm grateful to Chairwoman Brewer,
10 Chairwoman Schulman and Chairman Gennaro and all the
11 members for today's hearing, and I want to speak
12 directly to you about legislation. I know a piece of
13 - a question about legislation came up earlier and
14 I'm asking that Chairman Gennaro schedule a vote
15 immediately on Introduction 684, just presently
16 pending before the Committee on Environmental
17 Protection. I'm asking Chairwoman Brewer and
18 Schulman who already support this legislation to urge
19 that a vote in fact happened. There's already been a
20 hearing, there's a few technical fixes that are
21 already in the works and we just need to vote because
22 this important common-sense bill will improve New
23 York's air quality overnight.

24 My son's and I live on the Upper West Side of
25 Manhattan and we're just next door to Chairwoman

1 Brewer's district. We're exposed like all New
2 Yorkers, every day to far too much air pollution.
3 And pollution from idling cars, trucks and buses is
4 especially troubling because it serves no purpose at
5 all.
6

7 And so, while we cannot solve Canadian wildfires
8 here in New York, we can control the baseline air
9 pollution in New York City. We have in New York the
10 most successful citizen environmental program in the
11 world, which lets ordinary New Yorkers work with the
12 Department of Environmental Protection to enforce air
13 quality laws that have already been on the books for
14 50 years. And I was glad to hear today that Ms.
15 Falco from the DEP mentioned in her testimony the
16 importance of cutting the pollution that we emit here
17 in New York. I agree completely. And that is why I
18 am urging Chairman Gennaro to schedule a vote on
19 Intro. 684 immediately.

20 It already has a majority support on the Council
21 and it's a simple common sense bill that will
22 increase the fines on motor vehicles that illegally
23 and wastefully idle their engines in our city. The
24 current fines are unfortunately too little. They're
25 just the cost of doing business for big companies

1 like Amazon and Con Ed and Verizon. They let their
2 trucks idle and they pay the existing fines because
3 that's just the cost of doing business because even
4 the maximum penalties are too low to have an impact
5 and that needs to change.

6
7 Intro. 684 will make idling penalties have a
8 meaningful effect and Intro. 684 will very likely
9 cause companies to stop idling overnight. That will
10 ensure that when the next time, smoke from California
11 or Canada wash over our city, our air here will
12 already be cleaner and when we improve that baseline,
13 we will then be better adapted to climate emergencies
14 in the future. And I'm hopeful that Chairman Gennaro
15 will schedule a vote on Intro. 684 immediately and
16 that Chairwomen Brewer and Schulman will also support
17 that as well. And I really appreciate today's
18 hearing and thank you so much and please, please,
19 bring Intro. 684 up for a vote. Thank you.

20 CHAIRPERSON GENNARO: I'll take this opportunity
21 to speak on 684 briefly. This is a top priority for
22 the Committee and for the Council. The bill is
23 currently being negotiated and other than saying it's
24 a top priority for the Council and for the sponsor
25 and for me. I'll just leave it at that. So, this

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1 bill is in its final stages of negotiation, so thank
2 you for your interest in Intro. 684.

3
4 HAYDEN BRACKETT: Thank you. I'm grateful
5 Chairman, we're looking for a clean, single vote on
6 that. Thank you.

7 CHAIRPERSON GENNARO: You bet.

8 COMMITTEE COUNSEL: Thank you Chair Gennaro and
9 thank you very much for your testimony. We have now
10 heard from everyone who is signed up to testify. If
11 we inadvertently missed anyone who would like to
12 testify in person, please visit the Sergeants table
13 and complete a witness slip now.

14 If we inadvertently missed anyone who would like
15 to testify virtually, please use the raise hand
16 function in Zoom and I will call on you in the order
17 of hands raised. Seeing no one else, I would like to
18 note that written testimony, which will be reviewed
19 in full by Committee Staff maybe submitted to the
20 record up to 72 hours after the close of this hearing
21 by emailing it to testimony@council.nyc.gov. And I
22 would like to now turn it back over to Chair Brewer.

23 CHAIRPERSON SCHULMAN: Hi, before Chair Brewer
24 speaks, I just want to thank everyone for
25 participating today. This was a very robust hearing

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1 and we look forward to follow up with the
2 Administration and with advocates. Thank you very
3 much.
4

5 CHAIRPERSON BREWER: Thank you very much. I
6 want to echo those words and state that we will take
7 every testimony seriously. We will follow up with
8 the Administration in writing but more importantly,
9 we want to say to the public, we hope that this is a
10 process that improves in the future despite whatever
11 took place in the past. The whole purpose is to keep
12 people healthy now and in the future. Thank you very
13 much. This hearing concludes and thank you to the
14 staff. [GAVEL]

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C E R T I F I C A T E

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



Date June 23, 2023