

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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December 1, 2021
Start: 11:14 a. m.
Recess: 1:31 p. m.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Hon. James F. Gennaro, Chair

COUNCIL MEMBERS:

Darma V. Diaz
Stephen T. Levin
Carlos Menchaca
Eric A. Ulrich

Other Council Members Attending:
Helen Rosenthal

COMMITTEE ON ENVIRONMENTAL PROTECTION

A P P E A R A N C E S

Director Mark McIntyre,
Director and General Counsel, Mayor's Office of
Environmental Remediation

Catherine Skopic
Chair, Sierra Club New York City Group;
Delegate to the Atlantic Chapter Sierra Club

Kaitlyn Parkins,
Scientist, Associate Director of Conservation and
Science at New York City Audubon, member of Lights
out Coalition

Ryan Monell
Vice President of City Legislative Affairs
Real Estate Board of New York

Dr. Christine Sheppard,
Director of American Bird
Conservancy's Glass Collisions Program

Dr. Lisa Kole,
Member of the Board, and Board Secretary, of Wild
Bird Fund, Inc.

Kathy Nizzari,
Co-chair of the Village Independent
Democrats' {VID} Animal Welfare Committee and lead
organizer of the Lights Out Coalition

Sherry Reisch,
Wildlife Policy Director
League of Humane Voters

Edita Birnkrant, Executive Director
NYCLASS

Steve Gruber, Director of Communications for The
Mayor's Alliance for NYC's Animals

COMMITTEE ON ENVIRONMENTAL PROTECTION

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

Lawrence Schnapf,
Environmental Lawyer, Adjunct Professor at New York
Law School, Emeritus Board Member of The Brownfield
Partnership of New York; The Brownfield Coalition of
the Northeast.

Margaret Lee,
Advocate,
Neighborhood Bird Caregiver from Lower Manhattan
District One

Rachel Kimpton,
Feminist Bird Club

Andrew Farnsworth, Ph.D.
Senior Research Associate, Center for Avian
Population Studies
Cornell Lab of Ornithology, Cornell University

Susan Harder,
New York Representative of The International Dark Sky
Association

Rita McMahon,
Co-founder and Director of the Wild Bird Fund

Laura Leopardo,
Voters for Animal Rights

1 COMMITTEE ON ENVIRONMENTAL PROTECTION

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2 SERGEANT LUGO: Cloud is good.

3 SERGEANT KOTOWSKI: Sergeant Hope?

4 SERGEANT PEREZ: Back up is rolling!

5 SERGEANT KOTOWSKI: Sergeant, please start our
6 recordings.

7 SERGEANT HOPE: Yes, good morning, and welcome to
8 today's New York City Council Remote Hearing on the
9 Committee on Environmental Protection.

10 At this time, would all panelist please turn on
11 your videos? Thank you.

12 To minimize disruptions, please place you're your
13 electronics to vibrate or silent mode. Thank you.

14 If you wish to submit testimony, you may do so at
15 testimony@council.nyc.gov , I repeat,
16 testimony@council.nyc.gov.

17 Chair, we are ready to begin.

18 CHAIRPERSON GENNARO: Uh, thank you all very much.

19 **(GAVEL)** this hearing is now... It is now commenced.

20 Uhm, good morning, I am Jim Gennaro, Chair of the
21 Committee on Environmental Protection.

22 I'm coming through okay, Sergeant?

23 SERGEANT AT ARMS: Yes, sir...

24 CHAIRPERSON GENNARO: Coming through okay? Okay,
25 great.

2 Uhm, and today we'll be hearing six bills that
3 aim to reduce unnecessary building illumination, uh,
4 speak to noise inspections, and, uh, increase
5 Brownfields Program enforcement.

6 The lighting bills, uh, being proposed will not
7 only help the city reduce its energy usage and
8 emissions, it will also make the urban environment
9 significantly safer for migratory birds that transit
10 through New York every year.

11 I know I have people that are going to be coming
12 and, you know, testifying about that. I appreciate
13 that.

14 Uhm, according to the Audubon Society, New York
15 City's located at point of concentration on the
16 Atlantic Flyway Bird Migration Route, which stretches
17 from the Canadian Arctic to the southern tip of South
18 America.

19 Twice a year, migratory birds fly along this path
20 northward from wintering grounds to breeding grounds
21 in spring, and south when warmer climates fall.

22 Nearly 400 distinct species are known to traverse
23 the Atlantic Flyway during their seasonal migrations,
24 including 11 species listed as critically endangered

2 or just endangered or vulnerable by the International
3 Union for the Conversation of Nature.

4 The city's more than 500 miles of coastline and
5 wide variety of habitat do attract many migratory
6 species to the area for resting and nourishment along
7 their journeys leading to Jamaican Bay, which is
8 designated as a high priority global important bird
9 area by Bird Life International and by the Audubon
10 Society.

11 All of the illumination bills were introduced at
12 the request of the Queens Borough President, back
13 when he was a council member, now he's Borough
14 President, but this is where the bills, uhm, had
15 their genesis. They're being, you know, carried by
16 other members, and we certainly do appreciate that.

17 We also, uhm, we'll also hear... We'll also hear
18 legislation intended to enforce the city Brownfield
19 Cleanup Program, which was launched in 2010 under the
20 jurisdiction of The Mayor's Office of Environmental
21 Remediation or OER, but, uh, lacked enforcement
22 provisions being proposed today.

23 It was I who created the first initial
24 Brownfields Program in the country in partnership
25 with OER, and the program has been a great success.

2 I was happy to introduce this bill to give OER the
3 needed enforcement tools to make our Brownfields, uh,
4 even more successful. Just by way of background,
5 uhm, when I was chair last time, uh, I looked into
6 Brownfields issue, uhm, you know, most of the
7 Brownfield sites in New York City did not qualify for
8 the, uh, for the state Brownfields program, and so it
9 was necessary for the city to create its own
10 municipal-based Brownfields program. It's very
11 difficult to do, because the city does not, you know,
12 possess the, you know, requisite authority to give,
13 you know, developers of, uhm, contaminated properties
14 the appropriate liability release. We don't have
15 that power. Uhm, but we passed this bill. We worked
16 with the state to have them cede us that power, uh,
17 and they're deeply engaged with us. And, it's been a
18 great success. Uhm, you know, over 700 sites since
19 2010 when the program started, uhm, are completely
20 done. There are 350 in the pipeline now. We have a
21 100 new sites entering the program. A new 100 sites
22 being finished every year. This has been a, you
23 know, terrific success. And, we're gonna make it
24 better, uhm, with this bill that will give OER the
25 needed enforcement tools to make sure that ,you know,

2 people follow the, uh, the... the... the program to
3 the letter. This is what we will... And, we will
4 hear, uhm, you know, more about that. And, you know,
5 I'm very attached to that. And, anything we... And,
6 you know, to this day, we are still the only
7 municipal Brownfields Program in the country. The
8 city should rightly be proud of that.

9 Let me just walk through the, uh, bills a little
10 bit.

11 Uhm, Intro 265 would prohibit the nighttime
12 illumination of the exterior or interior of certain
13 classes of buildings, exempting building owners that
14 demonstrated a need where night security lighting in
15 buildings are occupied by individuals and when
16 nighttime illumination is required by law, rule or
17 zoning resolution. The bill would permit landmark
18 buildings to apply to the Landmarks Preservation
19 Committee for relief from its requirements if such a
20 building is a significant part of the city's skyline.
21 The local law would also prohibit the illumination of
22 seasonal lighting and lighting storefront displays
23 after midnight. We have to put Santa Claus to bed at
24 midnight. Can't be... have his lights on after
25 midnight.

2 Uhm, that was a little levity, Santa Claus, you
3 know, something? Nothing? Okay. Alright. Okay.
4 It's the holiday season. I see Andrew Farnsworth
5 smiling. I appreciate that, Andrew, thank you.

6 Uhm, where are we? Uh, this local law would take
7 effect 120 days after enactment, except at the
8 relevant agencies shall undertake the promulgation of
9 rules prior to such date.

10 Uhm, Intro 271 would reduce unnecessary
11 illumination in city-owned and city-controlled spaces
12 by creating a phased timeline stipulating that 50% of
13 city-owned and city-controlled buildings comply with
14 occupancy sensor installation requirements by 2020,
15 80% by 2025, and 100% by 2030. The legislation would
16 also require the Department of Citywide
17 Administrative Services to submit an annual report to
18 the Mayor and the Speaker of the City Council
19 outlining changes in the number of covered buildings,
20 percentage of compliant buildings, and the number of
21 buildings that became compliant in the previous
22 calendar year. This local law would take effect
23 immediately.

24 My own anecdotal comment on this is, like, why
25 the city needs a phase in when they have total

2 control over all of these buildings, are beyond me,
3 but I'm just a chair, what do I know?

4 Uhm, Intro 274 would mandate that city owned
5 buildings turn off non-essential outdoor lighting
6 between the hours of 11:00 p. m. and 6:00 a. m.
7 during peak avian migration periods, from April 15 to
8 May 31, and from August 15 through November 15 of
9 each year. This local law would take effect
10 immediately.

11 That means the city gets no phase in. Good, they
12 shouldn't be phasing. It's the damn city for crying
13 out loud. They should be able to turn their lights
14 on and off without a phase in. (INAUDIBLE 08:20) I
15 repeat that.

16 Uhm, Intro 2180 in relation to the results of
17 noise inspections, would mandate that DEP publish the
18 results of their noise inspections online within 24
19 hours after they have been completed.

20 This is something that DEP already does, but
21 we're just kind of moving up the timeline on that.

22 Uhm, Intro 2190 in relation to providing noise
23 inspection reports, would require DEP and the NYPD to
24 give a copy of the noise inspection report created
25 after a 3-1-1 noise complaint to anyone who requests

2 the report and provides the 3-1-1 tracking number.
3 The person requesting the noise inspection report
4 would not have to submit a Freedom of Information Law
5 request to receive the report.

6 Uh, Intro 2460, which I talked about earlier,
7 would grant the New York City Mayor's Office of
8 Environmental Remediation the authority to issue
9 civil penalties against any persons or entities that
10 violate the provisions of the site management plan
11 for a local brownfield site or the rules of the
12 Office of Environmental Remediation. That's the
13 office of course that runs the brownfields programs.
14 This legislation would also grant the director of the
15 Office of Environmental Remediation the power to
16 designate other city agencies to issue administrative
17 summonses and notices of violation, and authorize,
18 uh, designees of the office to enter private property
19 and conduct inspections.

20 We really need people to comply with the
21 Brownfields Program, and, you know, OER, uh, you
22 know, to the greatest degree possible, and that's
23 what this bill is about.

24 I'd like to thank the really terrific, uh, staff
25 of the committee who have done such great work over

2 the years. Uhm, the counsel to the committee, Samara
3 Swanson, Policy Analyst Nadia Johnson, Ricky
4 Chawla, and Financial Analyst, uh, Jonathan Seltzer,
5 and finally, least by not last , my really terrific
6 Legislative Director and Counsel, Nabjot Kaur, for
7 all of their hard work.

8 And, it is... Now is the time for me to go to my
9 little, uh, text message about, uhm, council members
10 who are here. Uh, I'm told by this message that,
11 uhm, Council Member Darma Diaz, uhm, a member of the
12 committee, Council Member Menchaca, also a member,
13 uhm, of the committee, uhm, are with us, and uh,
14 Council Member Rosenthal, who is one of the sponsors
15 of one of the bills here today, uhm, I am making
16 acknowledgement of, uhm, Council Member Rosenthal.

17 And, if there are any council members in
18 attendance, uh, Nadia, if you could just send me a
19 text, that would be great.

20 Uhm, now the... The moderator the council... of
21 the hearing is here and we certainly what to
22 recognize, uhm, you know, Helen for her statement. I
23 see that she has her hands up to... her hand up.
24 She wants to talk about her bill. Uhm, who is
25 moderating the hearing today?

2 COMMITTEE COUNSEL: That would be me, Council
3 Member, uhm, if you'd like, Chair Gennaro, I believe,
4 uh, Council Member Rosenthal can then proceed with
5 her statement after yours, and then we can move on to
6 swearing in intersection... (Cross-Talk)

7 CHAIRPERSON GENNARO: Sure, sure.

8 Uh, thank you, and, uh, thank you, Mr. Moderator,
9 uh, it is with great pleasure that I recognize
10 Council Member Rosenthal for her statement on her
11 good bill. Thank you for being here.

12 COUNCIL MEMBER ROSENTHAL: Thank you so much,
13 Chair Gennaro. Really appreciate that, and
14 appreciate your enthusiasm about all things, uh,
15 environmental.

16 So, good morning, I'm Council Member Helen
17 Rosenthal, my pronouns are she and her.

18 I want to begin by thanking Chair Gennaro for
19 holding this hearing and including my bill, Intro
20 274, which will require all city-owned buildings to
21 turn off their outdoor lights, nonessential outdoor
22 lights, from 11:00 p. m. to 6:00 a. m. during peak
23 avian migratory periods.

24 Every year as birds migrate over large cities,
25 they become disoriented by bright, artificial lights,

2 and often collide with buildings and windows
3 resulting in injury and death. In September of this
4 year, we saw hundreds of beautiful yellow songbirds
5 crash in to New York City skyscrapers and fall dead
6 or injured on the sidewalks.

7 According to the New York City Audubon Society,
8 between 90,000 and 230,000 migrating birds died from
9 collisions with glass in New York City each year.

10 Indeed, just next door to my office, my district
11 office here in the upper west side, the Wild Bird
12 Fund nurses hundreds of injured migratory birds who
13 are brought in by concerned New Yorkers. They often
14 knock on my door with a very worried look and a box,
15 and I know to send them right next door.

16 The volume of birds traveling across North
17 America is truly extraordinary. We can help support
18 the incredible ecological diversity found in our
19 skies. I'm proud that through my bill, the city of
20 New York will take the first step and be required to
21 turn off outdoor lights in its thousands of
22 properties from 11:00 p. m. to 6:00 a. m. during peak
23 migration periods.

24 My legislation compliments Council Member
25 Brannan's bill, which would prohibit nighttime

2 illumination of the exterior or interior of certain
3 types of commercial buildings. I support his bill,
4 and strongly encourage the private sector to follow
5 suit.

6 We should also consider other simple, yet
7 invaluable, interventions. These include special
8 tints for building windows so they're more visible to
9 birds, and also helping to prevent deadly collisions.

10 I welcome your feedback on this short, but
11 important bill. We encourage everyone to submit
12 their testimony, including those who testify today,
13 or those who are unable to join us today.

14 Please send your written testimony to
15 testimony@council.nyc.gov and to my office.

16 Thank you again. And, I'll pass it back to Chair
17 Gennaro.

18 CHAIRPERSON GENNARO: Thank you very much, Council
19 Member Rosenthal. This is a, you know, a wonderful
20 suite of bills, and I certainly thank you for your
21 strong advocacy on behalf of not only, uh, you know,
22 bird wildlife, but all wildlife and all things
23 environmental. Uhm, and, uh, you know, the next
24 council is certainly going to deeply miss your
25 leadership, and it's... (Cross-Talk)

1 COMMITTEE ON ENVIRONMENTAL PROTECTION 16

2 COUNCIL MEMBER ROSENTHAL: Awww...

3 CHAIRPERSON GENNARO: (INAUDIBLE 15:35) and, uh...

4 (Cross-Talk)

5 COUNCIL MEMBER ROSENTHAL: Thank you, and
6 actually, I'm sorry, I forgot to mention, uhm,
7 gratitude to Speaker Johnson, who I know is an
8 amazing advocate for birds and Wild Bird Fund. Uhm,
9 his leadership here has been extraordinary. And, we
10 need to acknowledge that. Sorry about that
11 interruption, Chair Gennaro. But, thank you...

12 (Cross-Talk)

13 CHAIRPERSON GENNARO: No, I... I... I... I know
14 that was a, uhm, you know, we would be remiss if we
15 didn't say that. And, thank you for saying it. I
16 might have forgotten to say that. Shame on me. But,
17 I wish to be associated with your remarks (INAUDIBLE
18 16:17) Speaker Johnson. And, just for... And,
19 you... You mentioned, uhm, you know, the other bills
20 that are.... Are being, uhm, the prime sponsors,
21 uhm, being Council Member Brannan, and that will be,
22 just for the sake of the record, uhm, Council Member
23 Brannan is the prime sponsor of Intro 265 and 271.
24 You of course, uh, Helen are the prime sponsors of
25 274 and the, uh, noise bills, uh, 280 is, uh, Keith

2 Powers, as is 2190 and 2460, the Brownfields bill
3 that would be, uh, you'd know that'd be me. So, I
4 think that kind... That, you know, rounds out the
5 record.

6 Uh, with that, and having not received another
7 text saying that there's any other, uh, council
8 members to recognize, uh, Mr. Moderator, I think
9 we're ,you know, ready for the first, uh, witness
10 from the administration.

11 COMMITTEE COUNSEL: Okay, thank you, Chair. Thank
12 you for joining for joining our virtual hearing. I'm
13 Counsel Kris Sartori, and I'll be moderating today's
14 hearing.

15 Before we begin, I'd like to remind everyone that
16 you'll be on mute until you are called on to testify,
17 at which point, you will be unmuted by the host.

18 I will be calling on panelist to testify, so
19 please listen for your names, as I will be calling on
20 folks periodically to speak after the current people.

21 Please be aware that there could be delay in
22 muting and unmuting, so please be patient. And,
23 again, please listen for your name to be called.

24

25

2 We will begin with testimony from the
3 administration, which will be followed by testimony
4 from members of the public.

5 During the hearing if council members would like
6 to ask a question, please use the Zoom Raise Hand
7 Function, and I'll call on you in order. We'll be
8 limiting council member questions to five minutes
9 including responses.

10 At this point, I will now deliver the oath of
11 affirmation to the administration representatives.
12 And, I will call on each of you individually to
13 record your answers to be followed by your testimony.

14 So, at this point, please raise your right hands.

15 Do you affirm to tell the truth, the whole truth,
16 and nothing by the truth, before this committee, and
17 to respond honestly to council member questions?

18 Uh, Director McIntyre?

19 DIRECTOR MCINTYRE: I do.

20 COMMITTEE COUNSEL: Thank you, and at this point,
21 I will invite Mark McIntyre, Director and General
22 Counsel of The Mayor's Office of Environmental
23 Remediation to begin his, uh, statement.

24

25

2 DIRECTOR MCINTYRE: Thank you. Uhm, Good morning,
3 Chairman Gennaro, members of the committee, and, uh,
4 Council Member Rosenthal.

5 Uh, my name is Mark McIntyre, and I'm the
6 Director and General Counsel of the Mayor's Office of
7 Environmental Remediation.

8 OER was established in 2009, its statutory
9 authority is set forth in City Charter it's § 15(e)
10 and § 57-1404, as well as Chapter 9 of Title 24 of
11 the Administrative Code. We operate the city's land
12 cleanup program that promotes cleanup and
13 redevelopment of vacant and contaminated land in New
14 York City.

15 Parenthetically, I'd like to note that Chairman
16 Gennaro was instrumental in shepherding the bill that
17 created this office and the City of Land Cleanup
18 program through the council in 2009.

19 Under OER oversight, landowners and developers
20 implement remedial actions that clean up land prior
21 to the construction of new buildings. Our land
22 cleanup program generally works very well and over
23 the past decade has been responsible for overseeing
24 the cleanup of more than 400 acres of New York City
25 property.

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In operating our program; however, we have identified two areas where owners and developers sometimes violate program requirements. This bill would address both of them by establishing clear enforcement mechanisms that we can pursue.

First is with respect to the OER "Site Management Plan". This is the document that sets forth a property owner's obligation to maintain physical and legal controls that limit exposure to residual contamination at a remediated site. Enforcement action is needed where owners violate a Site Management Plan by failing to submit reports certifying that long-term site controls continue to function as intended.

Approximately 200 sites that have completed our program, are required to inspect the long-term physical controls at their sites every year and certify their performance to OER. Owners of some of these sites fail to do so, and thus OER has no assurance that these site controls -- ones that protect building occupants from residual contamination -- are functioning as intended. Failure to comply with a Site Management Plan could undermine a remedy and present a risk to public health and the

2 environment. Thus we need the remedy of bringing an
3 enforcement action to bring these buildings into
4 compliance.

5 Second, enforcement is needed where developers--
6 participating in the city's land cleanup program --
7 ignore requirements and remediate sites without any
8 OER oversight. Excluding OER from overseeing a site
9 cleanup casts doubt on the completeness of the remedy
10 and violates the central premise of a government land
11 cleanup program.

12 The proposed amendments would authorize OER to
13 issue civil penalties against parties that violate
14 Site Management Plans or other OER program
15 requirements to bring these properties into
16 compliance and would ensure continued protection of
17 public health and the environment.

18 I'm happy to take questions from the council
19 members who are here.

20 CHAIRPERSON GENNARO: Uh, thank you, Director
21 McIntyre, uhm, I well remember the, uhm, you know,
22 the days in 2009 where we worked together to, uh, get
23 this going along with Dan Walsh, uhm, you're good
24 folks, and, uh, folks at Plan YC, and, uhm, you know,
25 you've, uhm, ,you know, seen it through, uhm, to the

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point where we have now, as I said in my opening,
uhm, we have many hundreds of sites that have gone
through the program -- almost 700 sites, 350 in the
pipeline. And, so, uhm, this has gotten, I think
maybe bigger than anyone thought it was going to, and
that's really great. And, I thank you for your
service, and from the beginning until now. And, uhm,
quickly just for the, I mean, of course, I know this
pretty well, but, uh, for the sake of others who are
watching in, I'd like to... The first remedy in this
bill about the site controls, uhm , you know, people
should understand that ,you know, once the site is
fully remediated, there sometimes has to be a ,you
know, technological device within the building that
would continue to operate to perhaps ,you know,
(INAUDIBLE 24:06) gas and vent some ,you know,
residual vapors, uh, that were ,you know, in the
ground. We don't want a situation where they, you
know, seep in to the building and create a hazard.
This is a very, very, you know, this is very
commonplace technology. I got a school that was
built in my district recently, uh, ,you know, over a
brownfield site, and it has ,you know, apparatus to
make sure that any gasses that may be below the

2 building that may ,you know, as we say ,you know,
3 volatilize and then come up after the, uhm, ,you
4 know, have to be vented from the building. And, so,
5 uhm, you know, we apply this to schools, we apply
6 this to all buildings. And, you know, to the extent
7 that people ,you know, do not, uh, ,you know,
8 maintain this devices, do not report on their, uh,
9 you know, uhm, operational status, uh, leads ,you
10 know, OER to question whether or not they are indeed,
11 uhm, being, uh, maintained and are working
12 efficiently. That's really the thrust of the first
13 action item in this bill, is it not?

14 DIRECTOR MCINTYRE: Yes, yes, uh, yes.

15 CHAIRPERSON GENNARO: And, with regard to the
16 other, uh, you know, part of the bill, uh, people,
17 you know, come to OER, they want to be a participant
18 in the program. And, of course, everybody wants the,
19 you know, liability release. Uhm, and, then they get
20 that, but what some, you know, applicants don't want
21 to do, is, you know, stay with the program. And,
22 then, they'll come to you, you know, after the fact,
23 and say, 'We're all done. Uhm, we did a great job.
24 Take our word for it," and, then, uhm, that is a
25 problem, because we have to, you know, almost do some

2 kind of forensic analysis of whether or not, uhm, all
3 of the guidelines of the program are met, whether
4 they cleaned up to proper specifications, uhm, and
5 how do we, you know, after the fact, like, once the
6 building has been built, uh,, you know, endeavor to
7 do that. It's much better if they stay with the
8 program, uhm, and, you know, work hand and glove
9 with, you know, OER throughout the entire process.
10 Uhm, and this is really what they second action item
11 bill seeks to, uhm, you know, seeks to enforce.

12 That'd be a fair assessment of what we're talking
13 about here?

14 DIRECTOR MCINTYRE: Yes, Chair Gennaro, that's...
15 That is... That would be.

16 CHAIRPERSON GENNARO: Okay. Yeah, I just wanted
17 to ,you know, put this all, uhm ,you know, on the
18 record so that anyone who's watching will get more of
19 a full understanding of, uh, ,you know, the remedies
20 that we're putting forward with this bill. Uhm, they
21 are, you know, they are reasonable. They are
22 necessary. Uhm, our, you know, local brownfields
23 program, our local municipal brownfields program, the
24 only one of its kind, and the country, as I said
25 earlier, doing ,you know, more business than anyone

2 thought it would. And, uhm, and it's fair to say
3 that many of the brownfields projects that are going
4 through ,you know, OER are in the most, uhm, ,you
5 know, or at least a healthy percentage of them, are
6 in the most ,you know, economically ,you know,
7 distressed areas of the city where the remedialization
8 brought on by the program is ,you know, doing the
9 most good. I mean, I had a vision when I, you know,
10 came to the council of, you know, all of these
11 contaminated sites, and figuring out a way to, uhm,
12 you know, to remove the contamination, revitalize
13 these sites, make them... You know, make these sites
14 part of the community once again, where they can
15 serve as businesses, as residences, as schools, as,
16 you know, make them a vibrant part of the community
17 once again. And, that has happened, but ,you know,
18 we can't allow, uh, people who won't, uhm, inspect
19 their equipment or won't follow the program, as they
20 do in the remediation, to, uhm, to tie up and, uh,
21 ,you know, and burden OEM. It's best everyone just
22 complies. And, this is what we are affecting by
23 this, uh, by this law.

24 That's a fair statement, you think?

25 DIRECTOR MCINTYRE: Yes, mm-hmm.

2 CHAIRPERSON GENNARO: Okay. Uhm, with that said,
3 uhm, I will ask the moderator if anyone else has
4 questions for Director McIntyre. Mr. Moderator?

5 COMMITTEE COUNSEL: Thank you, Chair, uh, at this
6 point, I'd ask any council members to please use the
7 Zoom Raise Hand Function to ask any questions of the
8 panelists.

9 And, at this point, we have Council Member
10 Rosenthal. And, you may begin once the sergeant
11 gives you the cue, thank you.

12 CHAIRPERSON GENNARO: I see Council Member
13 Rosenthal, I'm more than happy to recognize her, and
14 thank you for being, uhm, engaged in this Council
15 Member.

16 COUNCIL MEMBER ROSENTHAL: Of course, uhm...
17 (Cross-Talk)

18 SERGEANT AT ARMS: Starting time.

19 COUNCIL MEMBER ROSENTHAL: I just want to state
20 for the record, I understand the administration was
21 not able to testify today about the, uhm, the
22 nighttime illumination, uhm, bills. And, I totally
23 understand that. For the record I just want to...
24 I'll be asking them to, uhm, provide a little more
25 information about how many buildings they'll be able

2 to remove, you know, stop illumination for. How many
3 are, uhm, not essential, uh, how many are essential,
4 uhm, nighttime illuminations. Also, I'll be asking
5 them if they would be able to remove, uhm, or
6 shutdown illumination both indoors and outdoors.
7 Uhm, my bill predominantly, uh, seems to very clearly
8 talk about outdoor, but I'm... It also sort of
9 alludes to indoor as well. And, I will be asking
10 them to, uh, include indoor, uhm, illumination as
11 well.

12 I also want the public to know that I'll be
13 listening to your testimony and reading your
14 testimony once you submit it. And, if there are
15 tweaks that I need to put in to my bill, uhm, 274,
16 I'm open to that and look forward to your feedback.

17 Thank you very much, Chair.

18 CHAIRPERSON GENNARO: Thank you Council Member,
19 for your great advocacy and any support I can lend,
20 you know, to you in your endeavor to get more
21 information from the administration, I'm happy to do
22 that. As I've already mentioned, I ,you know, it
23 always kind of gets to me a little bit, uhm , when,
24 uhm, when the administration, regarding its own
25 property, as its own buildings, its own facilities

2 ,you know, requires some kind of ,like, phase in. It
3 seems like they should be able to do without a phase
4 in, but you're the expert on this, and I trust your
5 impeccable judgment on what is fair in terms of them
6 complying. So, uhm, yeah, uh, in the absence of the
7 administration to testify on the bill I... You know,
8 you laid out a paradigm I think that, you know, works
9 well. And, I thank you for following up with them to
10 make these bills the best they can possibly be.

11 So, thank you Council Member, I appreciate that.

12 Alright, amen.

13 And, uhm, Mr. Moderator, are there any other,
14 uhm, members that wish to be heard with regard to,
15 uhm, information from Director McIntyre?

16 COMMITTEE COUNSEL: There are none at this point,
17 Chair.

18 CHAIRPERSON GENNARO: Okay, uhm, with that, I will
19 thank Director McIntyre, uhm, for his... for his
20 good testimony and his good, uh, work in ,you know,
21 making sure that... (Cross-Talk)

22 COMMITTEE COUNSEL: Pardon me, Chair Council
23 Member Ulrich had just raised his hand.

24

25

2 CHAIRPERSON GENNARO: Oh! Okay, uh, sure, uh, it
3 is... it is my privilege to recognize Council Member
4 Ulrich. And, I would love to... (Cross-Talk)

5 SERGEANT AT ARMS: Starting time.

6 CHAIRPERSON GENNARO: To recognize him, and
7 also... recognize him being here, and also
8 recognize him for questions.

9 SERGEANT AT ARMS: Starting time.

10 COUNCIL MEMBER ULRICH: Uh, thank you, Mr. Chair.
11 Uhm, I do want to apologize for joining the call, uh,
12 late. And, my visual's not, uh, working. I'm having
13 some technical difficulties.

14 But, I did want to, uh, jump on and see what the
15 administration's position on Intro 26... 265, uhm,
16 and, also, uh, 274 in particular. Uh, did the
17 administration take a position on those bills 265 and
18 274?

19 I do apologize for being late.

20 CHAIRPERSON GENNARO: Sure, and... And, that is
21 something that, I mean, the only thing that I can,
22 you know, speak to with regard to that, uh, that is
23 not something that, uhm, Director McIntyre from OER
24 is prepared to address. I don't think he's still
25

2 even, uhm, on the... He has left the hearing. I
3 mean... Oh, uh, no, he's here... (Cross-Talk)

4 DIRECTOR MCINTYRE: No, I'm... I'm still here...
5 (Cross-Talk)

6 CHAIRPERSON GENNARO: He's here... He's here...
7 He's here... He's here... (Cross-Talk)

8 CHAIRPERSON GENNARO: Uhm, but, I was informed by
9 the council leadership that there would be no
10 testimony by the administration on any bill other
11 than 2460. And, so, uhm, Council Member Rosenthal
12 is, uhm, endeavoring to follow up with the
13 administration regarding, uh, you know, the bill that
14 she is, uhm, sponsoring. And, uhm, and, you're
15 talking about 265, right? Which would be a... Which
16 would be a Brannan bill. But, uhm, I don't know what
17 the position of the administration is on those bills.
18 I was just informed as chair that they were not going
19 to be providing testimony on those bills. And, so,
20 it's always better if we, you know, do this through
21 the hearing process and not through, uhm, a process
22 that's open to the public. But, uhm, that's what we
23 have, Council Member.

24 Uhm, uh, Council, yes, okay, you're back on.

25 COUNCIL MEMBER ULRICH: Sorry, yeah, I apologize.

2 No, I do appreciate that. Again, I do apologize
3 for being late. And, I was just curious if the
4 administration had taken a position on those bills.

5 But, I thank you, uh, for clarifying.

6 Thank you, Mr. Chair.

7 CHAIRPERSON GENNARO: You bet. You bet. Uh,
8 thank you, Council Member.

9 Uhm, and, uhm, Mr. Moderator, uhm, with no one
10 else wishing to be... Is there anyone else that, uh,
11 any other council members that have any questions
12 for, uh, Director McIntyre on 2460? You know, you
13 said no once already, but let me just... This is the
14 final (INAUDIBLE 00:36:04) you know?

15 COMMITTEE COUNSEL: At this point... At this
16 time, no, there are no other members.

17 CHAIRPERSON GENNARO: Okay, uhm, I thank you, Mr.
18 Moderator.

19 Uh, I will, uhm, I will thank, uhm, Director
20 McIntyre for his service to the hearing today, and
21 unless you... I mean, you're more than welcome to
22 stay for to listen in on the hearing. But, uhm, as
23 far as, you know, your role in terms of answering
24 questions, you won't be called upon to, uhm, to do
25 that. So, uhm, up to you as to whether you want to

2 log off or, uh, stay on and hear, uhm... Although,
3 uhm, we may have members of the public who will
4 testify on 2460. So, that actually would be good for
5 you to hear if anyone does have that. So, uhm, it
6 was... It was my understanding that the witnesses
7 were basically going to be, uh, the witnesses from
8 the public and from, uhm, environmental organizations
9 are going to be testifying on The Illumination Bills,
10 but in case somebody wants to speak out on 2460,
11 probably a good idea for you to be around to hear
12 that. So, let me amend that. So, I... I would urge
13 you to stay in case someone from the public has
14 something to add on 2460.

15 And, uh, Mr. Moderator, I've been a bad boy.
16 I've misplaced my, uh, witness list. I printed it
17 out. I don't have it in front of me now. I don't
18 want to take time to go look for it. So, I'm gonna
19 depend upon you, uh, to be, uhm, announcing the
20 witnesses.

21 Is that okay, Mr. Moderator?

22 COMMITTEE COUNSEL: Yep, that's perfectly fine,
23 Chair, and I'll just quickly go over a procedural
24 item on public panelists.

2 At this point we'll be turning to public
3 testimony. And, I'd like to remind everyone that
4 we'll be calling on individuals one by one to
5 testify. Each panelist will be given three minutes
6 to speak, so once your name called, a member of our
7 staff will unmute you, and the Sergeant At Arms will
8 give you the go ahead to begin upon setting the
9 timer. So, please, again, what for the sergeant to
10 announce that you may begin before delivering your
11 testimony.

12 Council Members who have a question for a
13 particular panelists should use the Zoom Raise Hand
14 Function, and I'll call on you after the panelists
15 has completed their testimony.

16 At this point, we'll first be hearing from
17 Catherine Skopic of The Sierra Club, followed by
18 Kaitlyn Parkins.

19 CATHERINE SKOPIC: Thank you, Chair of the
20 Committee... (Cross-Talk)

21 SERGEANT AT ARMS: Starting time.

22 COMMITTEE COUNSEL: Please begin.

23 CATHERINE SKOPIC: Thank you, Chair of the
24 Environmental Protection Committee, uh, James Gennaro
25 and New York City council members, for this

2 opportunity to address the issues of safety for peak
3 avian migration periods of local Laws Intro, 265,
4 271, 274 all of 2018.

5 And, I also want to say that we do support the
6 other three bills as well. And, Mr. McIntyre, I
7 would be interested to know, as we do have within our
8 group an Urban Sustainability Committee, and if
9 there's any way that we can assist you in the OER
10 with a remediation process -- I would be interested
11 to know if there's any way we can be of support to
12 you in that.

13 And, we support the sound bills as well -- the
14 noise bills as well.

15 Uhm, my name is Catherine Skopic, I am Chair of
16 Sierra Club New York City Group, as the counsel said.
17 And, I'm also, uhm, delegate to the Atlantic Chapter,
18 that's the state level of Sierra Club.

19 The National Audubon Society and International
20 Dark Sky Association have teamed up in preparing
21 report in 2020, "What You Should Know About Bird
22 Migration and Light Pollution", and I quote, "By
23 turning off excess lighting, we can help to provide
24 migrating birds safe passage between their nesting
25 and wintering grounds. Seventy percent of

2 terrestrial birds in North America are migratory, and
3 80% of those birds migrate at night. Artificial
4 light at night can disorient birds from their routes
5 and cause collisions with buildings," -- as Helen
6 Rosenthal, Council Member has stated, and thank you,
7 Council Member Rosenthal, for this wonderful bill.

8 Uhm, Back in 2015 when Council Member Donovan
9 Richards was Chair of the Committee on Environmental
10 Protection, he held a hearing on night lighting. I
11 even made buttons for it, uh, "Conserve Nighttime
12 Lighting" I don't know if you can see that. And, I
13 also presented testimony on Limiting Nighttime
14 Lighting, and was quoted in the New York Times,
15 Thursday, April 30, 2015, referring to the visual
16 impact of New York City's nighttime skyline, I said,
17 "Many of us have felt a sense of pride in its beauty;
18 however, now that we are in this climate crisis, we
19 see these lights as something else. We see them as
20 wasteful of energy."

21 Today, I testify that these lights from city-
22 owned and city-controlled spaces, during peak avian
23 migration periods, are #1, endangering one of our
24 most delicate, sensitive, threatened, treasured
25 species that know no boundaries or borders - that

2 belong to all citizens, all countries and cities of
3 the world - migratory birds, and #2 that in this time
4 of accelerated climate crisis...

5 SERGEANT AT ARMS: Time Expired.

6 CHAIRPERSON GENNARO: Uhm, please conclude your
7 train of thought, Catherine.

8 CATHERINE SKOPIC: Oh, okay. Uhm, and that,
9 because of the climate crisis, we do not need
10 unnecessary nighttime lighting.

11 So, these two issues are related. Audubon
12 studies show that two-thirds of North America's birds
13 are at risk of extinction due to climate change.

14 Dim the lights, we save the birds. Dim the
15 lights, we save the planet.

16 Thank you.

17 CHAIRPERSON GENNARO: Thank you very much,
18 Catherine, for your good testimony and your great
19 advocacy on behalf of the Sierra Club, both on a
20 local level and on the state level. We're really
21 privileged that you're able to join us today.

22 And, before we ask if Council Member Rosenthal or
23 anyone has any questions for you, uh, I just want to
24 make a note to, uh, to my Legislative Director, uh,
25 Nabjot Kaur, to reach out to the council staff to

2 find out Catherine's contact information, so we can
3 relay that to Mark McIntyre, from OER, as Catherine
4 indicated a desire to play a supportive role -- her
5 and her, uhm, organization with good work of, uhm,
6 Director McIntyre and OER. So, Nabjot, if you can
7 figure out how to get them connected, that would be
8 great. And, that, uh, you know, concludes what I
9 have. And, if, uhm, I don't... I don't see any
10 questions for Catherine. So, thank you very much...

11 CATHERINE SKOPIC: Thank you...

12 CHAIRPERSON GENNARO: For your dedicated work
13 throughout the years on this issue. Uhm, we're
14 finally gonna get this done. Uhm, and we thank you
15 for that.

16 Uhm, Mr. Moderator, let's call the next witness.

17 COMMITTEE COUNSEL: Our next witness is Kaitlyn
18 Parkins, who will be followed by Ryan Monell.

19 SERGEANT AT ARMS: Starting time.

20 KAITLYN PARKINS: Thank you, my name is Kaitlyn
21 Parkins, I'm a scientist at New York City Audubon, a
22 bird conservation nonprofit, and a member of the
23 Lights Out Coalition.

24 The two deadliest obstacles birds face in New
25 York City are glass and light. And, in 2019, this

2 city council passed Local Law 15 addressing glass,
3 and establishing the city as a leader in bird
4 conservation.

5 Now, we must take the second step -- reducing
6 nighttime light pollution.

7 As we just heard, 70% of North American bird
8 species are migratory, and of this, 80% migrate at
9 night. Millions of birds, we have radar data from
10 the Cornell Lab of Ornithology, showing millions of
11 birds fly over New York City every year.

12 Artificial light at night attracts and disorients
13 this nocturnal migrants. The bright lights of the
14 city draw them off of their routes from up to three
15 miles away. Then, unable to continue passage, they
16 land in unsafe places, vulnerable on our sidewalks to
17 predators and foot traffic and with a maze of built
18 infrastructure to navigate. But many don't even make
19 it that far, instead crashing into lit windows, their
20 thousand-mile journeys ending abruptly in deadly
21 collisions with glass.

22 This issue captured the attention of media
23 outlets and people across the country this fall, when
24 one of our volunteers collected 200 dead songbirds in
25 a single morning. The compounded death toll is

2 enormous -- 230,000 birds die here ever year due to
3 window collisions.

4 Turning off lights saves birds in two ways.
5 First, it stops nocturnal collisions with lit
6 windows, and second it reduces the number of birds
7 attracted to areas where they are at risk of
8 collision the following day.

9 Research also shows that the collective light
10 pollution of many buildings, the urban glow, attracts
11 birds at a broad scale, so if an individual building
12 reduces its lighting, birds may just collide with the
13 adjacent one.

14 So, while we applaud individual buildings taking
15 voluntary action, in New York City we have over a
16 million buildings. Legislative action requiring a
17 reduction in light pollution is imperative to have a
18 meaningful impact.

19 Reducing light pollution will allow our migratory
20 birds to safely pass the city or land in our green
21 spaces out of harm's way.

22 Local Law 15 is leading to a safer city for
23 birds in the future, and we urge the passing of
24 Intros 265, 271, and 274 to reduce bird deaths now.

25 Thank you.

2 CHAIRPERSON GENNARO: Uh, thank you very much,
3 Kaitlyn, for your good testimony.

4 Just one second, I've just been, uh, texted that,
5 uh, Council Member Steve Levin, (INAUDIBLE 00:46:18)
6 member of the committee, uh, has joined us. I want
7 to acknowledge him.

8 And, uh, Kaitlyn, I want to thank you and
9 Audubon, and ,you know, Lights Out Coalition, and
10 bringing to everyone's, uhm, attention to very, uh,
11 you know, startling statistic of 230,000 bird kills
12 per year in New York City, I guess that we know of,
13 or that we can assess. Hmmm?

14 And, so, uhm, Is there a chance that that number
15 is even higher? I mean, how would we assess that?

16 KAITLYN PARKINS: It is. It's difficult to come
17 up with that number. So, that number was estimated
18 via a study done over a decade ago now. Uhm,
19 basically looking at collisions, using our data from
20 volunteer collision monitoring, patrols, and
21 extrapolating to the rest of the city based on the
22 data that we have. Uhm, we also did a carcass study
23 where we found that volunteers who are actually
24 looking at birds, or looking for birds, only find
25 about 20% of the birds that are actually on the

2 ground. And, so, we're able to use that number to
3 sort of realize that our volunteers are actually
4 finding far fewer birds than, uh, than actually are
5 hitting windows. So, that's how we came up with that
6 estimate.

7 In the last decade, there's been more lights and
8 more glass added to the city's skylines. So, I do
9 expect that that number is actually higher, uhm, now.

10 CHAIRPERSON GENNARO: Yeah, that does... That's
11 kind of what I thought and what I, you know, try to
12 elicit in my question. And, thank you for... for
13 doing that.

14 Uhm, I hope I'm not, uhm, usurping the role of
15 the moderator, but I do see that Council Member
16 Rosenthal has her hand up, and I recognize Council
17 Member Rosenthal for questions.

18 SERGEANT AT ARMS: Starting time.

19 COUNCIL MEMBER ROSENTHAL: Thank you so much.

20 Uhm, Miss Parkins, thank you so much for
21 testifying and for your, uhm, scientific information
22 I really appreciate that.

23 Uhm, I have a technical question actually about
24 my own bill. Uhm, in reading it, there's not clarity
25 about whether or not it applies to indoor lighting

2 for city-owned buildings. It explicitly speaks to,
3 uhm, nonessential outdoor illumination. Would you
4 recommend that we be more specific in the language of
5 the bill to explicitly refer to indoor lighting as
6 well?

7 KAITLYN PARKINS: Uhm, I do think that exterior,
8 uhm, artificial lighting is the most important issue
9 to address. However, individual lit windows, uhm,
10 birds to collide more with individual lit windows,
11 uh, than unlit windows, so that is also important. I
12 think the most important thing is to take a step
13 forward in reducing artificial lighting in a way
14 that, uh, is agreeable to folks. Uhm, and, so, I
15 think addressing both would be great. But, exterior
16 illumination I believe, in my scientific opinion, is
17 the most important.

18 COUNCIL MEMBER ROSENTHAL: Right, so there's...
19 We could prioritize one over the other, but if
20 there's an opportunity to eliminate the indoor
21 lighting as well, because it, yes, it's usually
22 individual rooms, and to Miss Skopic's point, it's
23 also important for the environment as well. And,
24 apologizes if I mispronounced your name, Skopic.

2 Uhm, but, okay, got it. Thank you very much for
3 that guidance.

4 Thank you, Chair.

5 CHAIRPERSON GENNARO: Thank you Council Member
6 Rosenthal.

7 Are there any other questions for this, uh,
8 witness, uhm, Mr. Moderator?

9 COMMITTEE COUNSEL: No, chair.

10 CHAIRPERSON GENNARO: Okay, uh, with that, I'd
11 like to, uhm, thank you once again, Kaitlyn, for your
12 very compelling testimony, and your, uh, pertinent
13 data that, uh, is quite alarming. Uh, thank you,
14 again.

15 KAITLYN PARKINS: Thanks for having me.

16 COMMITTEE COUNSEL: Thank you.

17 Our next speaker is Ryan Monell, who will be
18 followed by Christine Sheppard.

19 SERGEANT AT ARMS: Starting time.

20 RYAN MONELL: Well, thank you, and thanks, Chair
21 Gennaro. I'm Ryan Monell with the Real Estate Board
22 of New York. I appreciate the time and the
23 opportunity to testify today.

24 First off, I'd like to say that REBNY supports
25 reasonable efforts to protect the city's avian

2 population, and is proud to partner with the Audubon
3 Society on the Lights Out initiative.

4 Uhm, each year, REBNY encourages its members to
5 participate in this initiative to turn out lights in
6 their buildings during migration season from midnight
7 to dawn. Promotion of this initiative continues on
8 an annual basis for us, and we welcome the Council
9 and the City's collaboration in this matter.

10 Uh, with that said, we do have some concerns with
11 a few bills that are being heard today, uh, partially
12 Intro 265, which would actually prohibit nighttime
13 illumination of the exterior or the interior of any
14 building who's main or dominate occupancy is
15 classified in group B or M pursuant to the New York
16 City building code.

17 REBNY and its members share the goals of reducing
18 our carbon footprint, which is also, we believe, uh,
19 one of the intent of this bill in terms of
20 illuminating emissions. However, for several
21 operational reasons, Intro 265 is unlikely to reduce
22 carbon emissions and instead poses substantial
23 problems for the city that never sleeps. Indeed,
24 realizing the goals of this law would dramatically

1 disrupt the operations of commercial buildings where
2 significant activity occurs at night.

3 Further, commercial buildings, by code, are
4 required to have a certain amount of threshold
5 lighting on at all times. This includes all
6 stairwells, in elevators and elevator lobbies, major
7 paths of egress, and common areas to aid in safe
8 circulation through building spaces.

9 Additionally, the bill is silent to newer
10 structures with marquee exterior lighting such as the
11 World Trade Center and One Vanderbilt -- both of
12 which were subject to significant design review --
13 and how they would be treated under the statute is
14 very unclear.

15 Finally, lighting at night also plays an
16 important role in increasing public safety by
17 increasing visibility on streets that can help deter
18 crime.

19 Uh, as a result, we are opposed to Intro 265
20 absent significant modifications to address the many
21 operational concerns raised by this bill.

22 Uh, going to the Brownfield legislation, Intro
23 2460, uh, The New York Brownfield Cleanup Program is
24 targeted towards remediating and repurposing
25

2 contaminated and blighted areas known as brownfield
3 sites. However, a robust enforcement mechanism is
4 vital to maintaining the integrity of the program.
5 The bill language that is proposed today in 2460,
6 appears overly broad and could ultimately
7 unintentionally penalize well-intentioned actors or
8 entities. The bill is inconsistent with existing OER
9 programs and should be refined to target the problem
10 of a select subset of second party non-compliance.
11 This should include any such person, its transferee,
12 successors, or assigns rather than referring to an
13 entity.

14 Uh, there also is a lack of a recourse mechanism
15 to ensure participants have due process. And, as a
16 result, we would be happy to work with the Council
17 and the City to craft legislation that meets the
18 goals, uh, by revising these concerns.

19 Uh, as always, we appreciate your consideration
20 of these points.

21 Thank you.

22 CHAIRPERSON GENNARO: Uh, thank you, Ryan. I
23 am... I didn't see that comment on the, uh, on...
24 on 2460, and, uhm, so we have to, uhm, take a look at
25 that pretty quickly. If you could, uhm, you know,

2 set something up with, uh, Nabjot, you know, how to
3 get her. And, uhm, let's get this, uhm, you know,
4 let's get this discussed. Uhm, you know, that way...
5 So, we would want to move quickly on that.

6 Uhm, with regard to, uhm, 265, Council Member
7 Rosenthal, uhm, has... She is number two on 265. I
8 am going to, uhm, either defer to her to pose
9 questions to you on your, uhm, opposition to certain,
10 uh, aspects of 265. So, uhm, I recognize Council
11 Member Rosenthal to engage with you in, uhm,
12 colloquy. And, uh, if need be, because she is a
13 member, I am willing to, uh, suspend the five minute
14 rule. We'll see how that goes. Okay? Because, this
15 is important stuff, and we got to get this worked
16 out. Okay, uh, I recognize Council Member Rosenthal.

17 COUNCIL MEMBER ROSENTHAL: Great, thank you...

18 (Cross-Talk)

19 SERGEANT AT ARMS: Starting time.

20 COUNCIL MEMBER ROSENTHAL: so much. I
21 appreciate... I appreciate that, Chair Gennaro,
22 thank you, Sergeant, and, thank you Committee Counsel
23 for unmuting me.

24 Ryan, uh, really appreciate your feedback, and of
25 course, I'm not the lead sponsor of the bill. Uhm,

2 but, I would just want to... or urge the sponsor to
3 look through, uhm, your testimony sort of point by
4 point. In... From what I heard you say, uhm, I
5 don't think the bill, uhm, requires... I don't
6 think... I think your concerns are ones that are
7 not... don't arise with the bill. Uhm, in other
8 words, you know, I don't think the bill is talking
9 about elevator lighting or stairwell lighting, or
10 lobby floor lighting -- all of those things, which
11 are critical for security. So, I would ask you to
12 think about that in terms of your testimony. Uhm,
13 similarly, you know, the bill has a waiver built in
14 to it that people can reach out and similarly, uhm...
15 I mean, I just similarly... I mean, I just... I
16 don't... When I read the bill, I don't read it the
17 way you're testimony seems to be opposed to it. Uhm,
18 so I would hope that you could have thoughtful
19 conversation with the bill drafter.

20 Maybe you could tell me something compelling. I
21 welcome... (Cross-Talk)

22 RYAN MONELL: okay, I... I... (Cross-Talk)

23 COUNCIL MEMBER ROSENTHAL: You know, working with
24 you, uhm, I just didn't see it in your... I didn't
25 understand why... (Cross-Talk)

2 RYAN MONELL: Understood... (Cross-Talk)

3 COUNCIL MEMBER ROSENTHAL: your testimony resulted
4 in a, "No".

5 RYAN MONELL: I appreciate it. And, just to be
6 clear, I mean, we... we do, number one, as I
7 mentioned, ,you know, we very much appreciate the
8 opportunity to work with The Audubon Society on the
9 Lights Out Initiative. It's been a really, uhm,
10 important initiative for a long time, and many of our
11 members take it very seriously.

12 COUNCIL MEMBER ROSENTHAL: Yeah

13 RYAN MONELL: Uhm, and, so, any opportunity to
14 continue that effort through legislation is really
15 important to us. Uhm, look, I think that we just
16 have great concern as pertains to, uhm, the operation
17 and management of buildings, uh, practically as it
18 pertains to indoor illumination, uhm, and how that
19 really interacts with this legislation from a
20 practical perspective. We do understand... (Cross-
21 Talk)

22 COUNCIL MEMBER ROSENTHAL: Yeah.

23 RYAN MONELL: there are exemptions that are
24 outlined in the bill. With that said, uhm, and also
25 rules promulgation that would have to happen with The

2 Department of Buildings in particular. Uhm, but with
3 that said, uhm, we do see unforeseen consequences
4 that could lead to issues as it pertains to safety,
5 uhm, and building operations.

6 We also... We're looking at 260, uhm... (Cross-
7 Talk)

8 COUNCIL MEMBER ROSENTHAL: Another bill...
9 (Cross-Talk)

10 RYAN MONELL: 265 through the lens of
11 sustainability as well, which we know is incredibly
12 important not only to the council, but to also many
13 of our members, uh, who are looking to lower their
14 building's carbon footprints through... (Cross-Talk)

15 COUNCIL MEMBER ROSENTHAL: Yeah... (Cross-Talk)

16 RYAN MONELL: Local law 97... (Cross-Talk)

17 COUNCIL MEMBER ROSENTHAL: Yeah... (Cross-Talk)

18 RYAN MONELL: and other issues. Uhm, and...
19 (Cross-Talk)

20 COUNCIL MEMBER ROSENTHAL: I would just, uhm...
21 (Cross-Talk)

22 RYAN MONELL: (INAUDIBLE 00:58:23) see how this
23 really adds to that, uhm, in a practical way. So,
24 like, I think we're... (Cross-Talk)

25 COUNCIL MEMBER ROSENTHAL: (INAUDIBLE 00:58:29)

2 RYAN MONELL: we're intent on working with the
3 council to find opportunities to come to a good
4 solution, but as it pertains.... (Cross-Talk)

5 COUNCIL MEMBER ROSENTHAL: Yeah... (Cross-Talk)

6 RYAN MONELL: to 265, uh, we see, uh, some issues
7 as it's currently written.

8 COUNCIL MEMBER ROSENTHAL: Yeah, I mean, again,
9 with all due respect, I'm... I'm just not reading
10 the legislation the way you are. And, you know, I...
11 I just wanted to that to be on the record, uhm,
12 again, because, I will have no role in negotiating
13 this bill. So, uhm, but, I just wanted the record to
14 reflect that, I'm not seeing what you're raising.
15 And, I, you know, appreciate the, uhm, the group of
16 buildings you represent a 100%. Uhm, I just think
17 that in order to have a good... My recommendation to
18 you would be, sort of off the record, uhm, on the
19 record, is to, uh, present concerns that are real
20 concerns. And, you'll have a higher likelihood of
21 trying to figure something out. But, by including
22 things that I think are extraneous to what the bill
23 is getting toward, uhm, it doesn't... I don't think
24 it helps the argument. But, again, I say that with

2 all due respect and understanding that you represent
3 a wide group.

4 The only other... Uhm, of buildings. The only
5 other point I wanted to raise, is that in my bill,
6 The Lights Out starts at 11:00. And, I heard in your
7 testimony that you urge your buildings, uh, lights
8 out starting at midnight.

9 RYAN MONELL: Mm-hmm

10 COUNCIL MEMBER ROSENTHAL: And, so, you might want
11 to have a discussion with The Audubon Society about
12 following best practices there, and maybe it would be
13 easy enough as you, uhm, work with your buildings and
14 encourage them to sort of do things -- that they
15 start lights out at midnight... I mean, at 11:00
16 instead of... (Cross-Talk)

17 RYAN MONELL: Well, we're certainly happy to do
18 so, Councilwoman. And, even though you're not the
19 lead sponsor of this piece of legislation, 265, uhm,
20 we would appreciate any opportunity to work with you
21 and your office, uh, as we work with the main sponsor
22 and Chair Gennaro on this legislation.

23 COUNCIL MEMBER ROSENTHAL: Yeah, I appreciate
24 that. I think my guidance would be -- focus on the
25 points that are real, so that everyone can really

2 know what we're trying to negotiate around.
3 Otherwise, it's sort of noise and it makes it harder.

4 RYAN MONELL: Understood... (Cross-Talk)

5 COUNCIL MEMBER ROSENTHAL: Anyway, but I am...
6 I... I agree with you also on unintended
7 consequences and wanting to make sure that doesn't
8 happen. And, I think everyone can be on the same
9 page with this bill, uhm, and achieve our goals of
10 lights off, uh, indoors and outside illumination,
11 uhm, in nighttime.

12 Okay... (Cross-Talk)

13 RYAN MONELL: Okay...

14 COUNCIL MEMBER ROSENTHAL: Thanks so much. Thank
15 you, Chair... (Cross-Talk)

16 RYAN MONELL: Thank you.

17 COUNCIL MEMBER ROSENTHAL: And, I yield.

18 CHAIRPERSON GENNARO: Uh, thank you Council Member
19 Rosenthal, and, uhm, Ryan, once again, I'll make a
20 note to my, uhm, Legislative Director that, uhm, that
21 you should get the full text of your testimony. We
22 no longer have Mark McIntyre on the hearing that I
23 can see. So, uhm, Nabjot --I'm talking to her now,
24 we have a little bit of scrambling to do, uhm, to
25 make sure that we get, uh... Because, any... Any

2 time I hear that, you know, that red flag of, uhm,
3 you know, in potential danger to people who work in
4 buildings, and, uhm, and balancing, ,you know, the
5 reality that street illumination is a crime
6 deterrent, we have to have to take a very close look
7 at that. And, so, uhm, if you can get your full
8 testimony, which you probably already submitted, but
9 just to make sure that, uhm, my Legislative Director
10 Nabjot, has that (INAUDIBLE 01:02:27) right now, and,
11 then, uhm, you know, Nabjot and I can, uhm, you know,
12 interact with central staff, the council, and the
13 administration to find out, you know, where they are
14 kind of on these issues. And, I see that
15 Counselor... (Cross-Talk)

16 UNKNOWN: (Background Noise) (INAUDIBLE 01:02:44)

17 CHAIRPERSON GENNARO: Sure, yeah, and, uh, you bet
18 and, uhm, I see that Council Member Rosenthal, uhm...

19 COUNCIL MEMBER ROSENTHAL: Mm-hmm

20 CHAIRPERSON GENNARO: Wants the final word on
21 this.... (Cross-Talk)

22 COUNCIL MEMBER ROSENTHAL: I'm back at it...
23 (Cross-Talk)

24 CHAIRPERSON GENNARO: And, I'm happy to recognize
25 her... I'm happy to recognize her again.

2 COUNCIL MEMBER ROSENTHAL: Not final word, sir,
3 absolutely, Chair, always defer to you.

4 Uhm, but, I think what I'm trying to say is that
5 we are all focused on making sure our streets are
6 safe. And, illumination from lobbies and from
7 external, you know, lighting at lobbies, I think is
8 incredibly important. Uhm, I think if we were to
9 bring Miss Parkins back from Audubon, she would say
10 that that lighting, having to do with safety, is very
11 different than what The Audubon Society knows for a
12 fact is a problem with lighting on buildings above
13 the first and second floor. So, again, I would urge
14 you to re-write your testimony to focus on things
15 that are actually problematic. Right? No one... I
16 would agree a 100% with Chair Gennaro, and you, that
17 we certainly don't want to do anything that would
18 cause, uhm, our streets to be dark and therefore not
19 have safety.

20 But, the assertion that this bill, uh, Council
21 Member Bannan's bill, results in less safety on the
22 street, I think is erroneous... (Cross-Talk)

23 RYAN MONELL: Well, I mean, we... (Cross-Talk)...

24 COUNCIL MEMBER ROSENTHAL: I mean, we...
25

2 RYAN MONELL: Again, Councilwoman, with all due
3 respect, and we're not trying to make broad
4 accusations or work in bad faith. You know, we want
5 to find opportunities to find consensus and work with
6 all, uh... (Cross-Talk)

7 COUNCIL MEMBER ROSENTHAL: Right.

8 RYAN MONELL: Interested parties and make
9 something work... (Cross-Talk)

10 COUNCIL MEMBER ROSENTHAL: Right... (Cross-Talk)

11 RYAN MONELL: That's good for everybody. So, I
12 appreciate... (Cross-Talk)

13 COUNCIL MEMBER ROSENTHAL: Yeah, no, I agree.
14 It's just easier to, uhm, address issues when we're
15 focused on the ones that are problematic. Like...
16 (Cross-Talk)

17 RYAN MONELL: Yeah.

18 COUNCIL MEMBER ROSENTHAL: I would argue probably
19 that what REBNY in representing its buildings would
20 be most concerned about, is those buildings that
21 don't pay attention and have ,you know, rooms in
22 commercial buildings lit at night, because people
23 were too lazy to turn the off switch... (Cross-Talk)

24 RYAN MONELL: Yes.... (Cross-Talk)

2 COUNCIL MEMBER ROSENTHAL: Right? That...
3 That's, I think your real argument. At which point,
4 gosh, let's have a discussion about that. Is it
5 possible for those buildings to use technology that
6 when, you know, after 11:00 at night, you know, the
7 lights only go on if someone's there. Right?

8 (Cross-Talk)

9 RYAN MONELL: Right... (Cross-Talk)

10 COUNCIL MEMBER ROSENTHAL: Or someone turns on the
11 switch, and otherwise the lights automatically turn
12 off. Right? Again, wanting to be very sure that
13 we're not causing a safety problem for, say, the
14 cleaning people who are there at night doing their
15 job, and we wouldn't want to put them in unsafe,
16 dark, situations, right? (Cross-Talk)

17 RYAN MONELL: Mm-hmm

18 COUNCIL MEMBER ROSENTHAL: For sure. For sure.
19 Can't emphasize that enough. Uhm, so, if you... I
20 just think that when you negotiate this bill with
21 everyone in the council, whoever the proper people
22 are, focusing on those issues, which are real
23 issues... (Cross-Talk)

24 RYAN MONELL: Yes... (Cross-Talk)

2 COUNCIL MEMBER ROSENTHAL: could help guide the
3 conversation as opposed to street safety and needing
4 lighting on the streets. I'm pretty confident...

5 (Cross-Talk)

6 RYAN MONELL: I... I understand. And, I can
7 assure you that our members are focused on any
8 efforts to create greater sustainability for their
9 infrastructure, uh, as well as safety. Uhm, and,
10 certainly, uhm, the efforts to these pieces of
11 legislation today, uh, we're more than happy to talk
12 in great specificity in regards to what can be done
13 to make things work. Thank you so much... (Cross-
14 Talk)

15 COUNCIL MEMBER ROSENTHAL: Thank you (INAUDIBLE
16 01:07:27)

17 UNKNOWN: (INAUDIBLE 01:07:27)

18 COUNCIL MEMBER ROSENTHAL: for that clarity.

19 CHAIRPERSON GENNARO: Sure, uh... Uh, thank you
20 Council Member Rosenthal. And, uh, you know thank
21 you, Ryan. Please, uh, please, you know, send that
22 stuff over to Nabjot, and we'll, uh, on vote 2460 and
23 265, whatever you have on your mind, because we want
24 to, uhm, you know, come to... You know come to
25 closure on this. So, thank you very much. I

2 appreciate that. Always good to speak with you, and,
3 uhm, with that, I'll ask, uh, Moderator, call the
4 next witness.

5 COMMITTEE COUNSEL: Thank you. Our next witness
6 is Christine Sheppard, who will be followed by Lisa
7 Kole.

8 SERGEANT AT ARMS: Starting time.

9 DOCTOR SHEPPARD: Thank you, council members, for
10 listening to my testimony. I am Dr. Christine
11 Sheppard, Director of American Bird Conservancy's
12 Glass Collisions Program. I've been working on
13 problems caused by excess artificial lighting at
14 night and its negative impacts on both birds and on
15 people, for about 20 years now.

16 One important thing I've learned is that this is
17 a complex problem that we can't fix one building at a
18 time. It is not just lights from tall buildings that
19 attract birds and impact people -- even ground level
20 lighting of streets and parking lots can actually
21 have an effect.

22 In addition to luring birds into danger, and
23 causing depression and other effects on people,
24 unnecessary night lighting wastes money, wastes

2 energy, creates greenhouse gasses, and makes it
3 impossible for us to see the stars.

4 New York City has recognized the importance of
5 birds to sustainability with Local Law 15 of 2020.
6 The approach with this legislation is an excellent
7 one that can make a huge difference, both locally and
8 by inspiring other jurisdictions to follow suit.
9 American Bird Conservancy strongly supports this
10 legislation restricting lighting at night in New York
11 City.

12 Thank you for allowing me to speak.

13 CHAIRPERSON GENNARO: Uh, thank you Dr. Sheppard,
14 definitely appreciate the benefit of your views.

15 And, so I would take it, uhm that you, uhm,
16 indicated that you're in favor of the bills that
17 would restrict illumination. So, we're gonna put you
18 on the record as supporting 265 and 271, and 274,
19 right? Is that... Is that...

20 DOCTOR SHEPPARD: That's correct. Thank you...

21 (Cross-Talk)

22 CHAIRPERSON GENNARO: Okay, I mean, I just want to
23 make sure that I... That I got that straight. So,
24 you're... So, you're, uh, you know, you are in favor
25 of that, uhm, suite of bills? We...

2 DOCTOR SHEPPARD: Absolutely.

3 CHAIRPERSON GENNARO: We should... And, if I
4 might ask, uh, what species of bird is behind you in
5 your graphic?

6 DOCTOR SHEPPARD: That's a Marvellous Spatuletail
7 Hummingbird.

8 CHAIRPERSON GENNARO: Wow! Okay, yeah, I've never
9 seen anything like that. So, uhm, yeah, thank you
10 for bringing that to, uhm, our attention. Make sure,
11 uh, that you, uh, submit your good testimony in
12 writing to our staff so we have that, uhm, you know,
13 the benefit of the full scope of your statement.

14 DOCTOR SHEPPARD: Thank you again.

15 CHAIRPERSON GENNARO: Okay, uh, thank you.

16 Uhm, Mr. Moderator, if there are no questions
17 for, uh, Dr. Sheppard, we can proceed to the next
18 witness.

19 COMMITTEE COUNSEL: Okay, our next speaker Lisa
20 Kole, who will be followed by Kathy Nizzari.

21 SERGEANT AT ARMS: Starting time.

22 DOCTOR KOLE: Thank you very much. Thank you
23 Council Member Rosenthal for her bill and for
24 recognizing The Wild Bird Fund.

2 Avian migration is a massive nocturnal event; 12
3 million birds were detected flying over Cape Cod on a
4 single autumn night. We don't know much about how
5 they navigate, but scientists tell us they are drawn
6 to light.

7 I am Lisa Kole from the Wild Bird Fund, New York
8 City's only wildlife rehabilitation hospital. Thank
9 you for hearing our testimony today supporting the
10 proposals to reduce light pollution and help birds --
11 specifically bills 265, 271, and 274.

12 During migration seasons, we admit hundreds of
13 birds injured by collisions with buildings. It isn't
14 a steady flow. Some days, just a few birds are
15 brought in, but sometimes, by 10:00 a. m., dozens of
16 new collision patients wait for care. A recent study
17 from Cornell by Van Doren and colleagues -- including
18 Dr. Farnsworth, who testifies today -- may tell us
19 why this happens.

20 The scientists studied 20 years of bird collision
21 data from Chicago's McCormick Place, a conference
22 center on the shores of Lake Michigan notorious for
23 bird strikes. They found collision risk linked to
24 three factors -- number of birds migrating, wind, and
25 light. Exterior lighting was important -- since

2 Chicago began its Lights Out policy, collisions at
3 McCormick decreased by 80%. But interior lighting was
4 very important too: decreasing the area of lit
5 windows by half reduced collisions 6 or 11-fold.

6 Wild Bird Fund experience is consistent with
7 their results. Days of largest patient intakes often
8 follow nights of heavy migration when weather is
9 poor, and disproportionately more patients come from
10 the commercial, brighter lit areas of town.

11 Imagine being on a plane landing in New York on a
12 stormy night -- that moment when the aircraft breaks
13 through the clouds and you see the bright lights of
14 the city -- the towers of Wall Street, the blaze of
15 Times Square. That's what birds see, too -- except to
16 get through the storm, there's no plane to guide
17 them, and their innate navigation system is confused
18 by light. They arrive to find an obstacle course of
19 tall buildings, and, the next day, a maze of mirrors.

20 Please help these wild visitors avoid getting
21 waylaid -- or worse -- in our city by passing the
22 legislation before you.

23 Thank you very much.

24 CHAIRPERSON GENNARO: And, thank you, Lisa very
25 much for not only being here to testify and giving us

2 the benefit of your views, but also your great
3 advocacy in terms of ,you know, tending to ,you know,
4 medically, those birds that have been hurt by this
5 phenomenon of light in New York City. We certainly
6 do appreciate that. Uhm, and... (Cross-Talk)

7 DR. KOLE: Thank you, Chair Gennaro.

8 CHAIRPERSON GENNARO: We... Sure, and we... We
9 would urge you to submit to council staff the, uh,
10 full text of your remarks, so we can get the benefit
11 of your views. And, the sooner the better on that,
12 because we're coming to closure on the session, and
13 we want to get everyone's good view... (Cross-Talk)

14 DR. KOLE: Yes, thank you, We... (Cross-Talk)

15 CHAIRPERSON GENNARO: (INAUDIBLE 01:14:24)

16 DR. KOLE: We shall. Yes, and our Director,
17 Rita McMahon is also testifying today.

18 CHAIRPERSON GENNARO: Oh, great, great. Uhm, we
19 look forward to her testimony. Uhm...

20 DR. KOLE. Thank you.

21 CHAIRPERSON GENNARO: And, if... And, if there
22 are no questions for, uhm, Lisa, Mr. Moderator, we'll
23 move to the next witness.

24 COMMITTEE COUNSEL: Okay, our next speaker is
25 Kathy Nizzari, who will be followed by Sherry Reisch.

2 SERGEANT AT ARMS: Staring time.

3 KATHY NIZZARI: Good afternoon, Chairman Gennaro
4 and members of the Environmental Protection
5 Committee.

6 Thank you for giving me the opportunity to speak
7 about an issue that impacts the lives of millions of
8 migratory birds each year and also impacts everyday
9 New Yorkers and our sidewalks.

10 My name is Kathy Nizzari and I am the co-chair of
11 the Village Independent Democrats' [VID] Animal
12 Welfare Committee and lead organizer of the Lights
13 Out Coalition.

14 As we now turn the corner on fall, we also
15 complete a violent cycle of unnecessary and
16 completely preventable deaths of migratory birds who
17 fly by New York City along the "Atlantic Flyway" on
18 their way south.

19 Each spring and fall, millions make this journey
20 and over 200,000 of those birds die in our City from
21 colliding with glass windows and disorienting
22 artificial nighttime lights.

23 That's only in New York. Up to a *billion* birds
24 die from colliding with tall glass buildings across
25 the country annually.

2 Intros 265, 271, and 274, collectively the
3 "Lights Out Bills," are designed to limit light
4 pollution in New York City. These bills not only
5 reduce the death toll of migratory birds, but they
6 also help conserve electricity and tackle light
7 pollution. Intros 271 and 274 are focused on city-
8 owned properties that are unlikely to be occupied at
9 night. They create reasonable time limits on
10 lighting, only apply during the migratory period, and
11 also give the city the tools it needs to comply with
12 the limits by installing building occupancy sensors
13 on city property.

14 Intro 265 extends nighttime lighting restrictions
15 to businesses, but only when it is safe to do so and
16 exempts small businesses.

17 VID is part of one of the largest coalitions of
18 animal protection organizations in New York that have
19 joined together in support of the Lights Out Bills.
20 You will hear from... or you've already heard from,
21 several of our, uhm, coalition members today, and you
22 will also hear from others via email.

23 In addition, over 27,000 people from across the
24 city have signed a petition in support of these
25 bills. Supporters range from advocates, ordinary New

2 Yorkers, to real estate developers and owners of some
3 of the tallest skyscrapers in the City.

4 We are all standing together to speak up, because
5 the hundreds of thousands of migratory birds who die
6 unnecessarily each year do not have a voice.

7 Dozens of cities across the country have enacted
8 Lights Out and Suffolk County is enacting a "light
9 pollution" amendment to their county code to reduce
10 skyglow.

11 New York City must get on board. Therefore, we
12 thank Helen Rosenthal and Justin Brannan for
13 sponsoring these bills and urge you all to pass
14 Intros 265, 271, and 274 to dramatically reduce the
15 senseless death and injury to birds.

16 Thank you for your time.

17 CHAIRPERSON GENNARO: Uh, uhm, thank you, Kathy
18 for your very, uh, you know, compelling testimony and
19 for your great advocacy on behalf of the, uhm...
20 Now, with the Lights Out Coalition, you're the chair
21 of the Lights out Coalition, is that right?

22 KATHY NIZZARI: Uhm, I wouldn't say it's that
23 formal, but, I... I was the person who put the
24 coalition together.

2 CHAIRPERSON GENNARO: Yeah, okay, uhm, by the
3 power invested in me, I declare you the Chair, okay?
4 And... And, so, uhm, and I was ,you know, not aware
5 of what they were doing in ,you know, Suffolk County,
6 but now we do know. And, uh, I would urge you to,
7 uhm, you know, transmit your testimony, if you've not
8 already done so to council staff, so we can give it
9 the, uh, you know, the due consideration that it does
10 deserve. And, we really appreciate you being, you
11 know, with us here today. We look forward to other
12 members, uhm, of the coalition who will be speaking
13 out in terms of this suite of bills. And, uh, so,
14 thank you again.

15 And, uhm, Mr. Moderator, if there are no
16 questions for Kathy, we can move to the next witness.

17 COMMITTEE COUNSEL: Very well, our next speaker is
18 Sherry Reisch, who will be followed by Edita
19 Birnkrant.

20 SERGEANT AT ARMS: Starting time.

21 SHERRY REISCH: Hello Chair Gennaro, and New York
22 City Council Committee Members on Environmental
23 Protection.

24

25

2 My name is Sherri Reisch, with League of Humane
3 Voters, and we are part of the Lights Out New York
4 City Coalition.

5 I can remember in my childhood days walking
6 outside in the spring and summer and hearing the
7 chirping and songs of birds. If I was quick enough I
8 would see a fleeting image of them as they bounced
9 from tree to tree. Honestly, the sounds today are not
10 the same. There are far fewer birds that I now hear.
11 Sadly, more than 22 species were listed as extinct
12 this year, several of them being birds. Birds who fly
13 in New York are more likely to have collisions with
14 buildings due to the lighting and the light pollution
15 they create.

16 We must protect the biodiversity of our world.
17 What would our world sound like without the beautiful
18 songs of birds or walking in Central Park and finding
19 no birds to view through our binoculars?

20 We are lucky enough to live on the eastern
21 corridor, one of the biggest migration paths of
22 birds. It is a joy to see all the different species
23 of birds and if only for a moment view them with awe
24 and wonderment.

2 It is incumbent on us to ensure they have safe
3 travels. City lights confuse birds during their
4 migration, and in general. They are often paralyzed,
5 flying in circles, having lost their way. The light
6 pollution is such a threat to birds, as it causes the
7 birds to collide into buildings. These collisions
8 cause injuries and sometimes death. The lucky ones
9 are rescued and rehabilitated and released. But not
10 every bird is lucky. And, those that do help these
11 injured birds do so out of their own pockets, since
12 New York City does not aid wildlife rehabilitators.

13 We must take action before it is too late, and
14 save the birds who either migrate through New York
15 City or who make New York City their home.

16 Please co-sponsor and pass the three bills to
17 limit light pollution in New York City; Intros 274,
18 265, and 271.

19 I want to personally thank Council Member
20 Rosenthal for her important bill, as I am her
21 constituent. I also recognize the miraculous work of
22 The Wild Bird Fund.

23 Thank you.

24 CHAIRPERSON GENNARO: Uh, thank you, Sherry, for
25 your very, you know, compelling and moving testimony.

2 It is great to receive, you know, testimony that not
3 only comes from an illumined mind, but an open heart.
4 That's what I think we have in your testimony. And,
5 uhm, yes, we all be crying when, uhm, when Helen
6 leaves the council that is for sure. And, so I
7 appreciate your service on behalf of the League of
8 Humane Voters, and, uhm, you know all of your good,
9 uhm, and advocacy on this suite of bills. I would not
10 bet against the passage of these bills. And, so,
11 uhm, thank you for, uh, you know, joining the chorus
12 of people who want us to make this a safer city for
13 birds. I really appreciate you being with us today.
14 And, uhm, I'll m going to cry when Helen leaves, too,
15 trust me.

16 Uhm, and with no questions for Sherry, Mr.
17 Moderator, uhm, we can call the next witness --
18 although, recognize that Sherry is a very hard to act
19 to follow.

20 COMMITTEE COUNSEL: Very well agreed. Our next
21 speaker is Edita Birnkrant, who will be followed by
22 Steve Gruber.

23 SERGEANT AT ARMS: Starting time.

24 EDITA BIRNKRANT: Thank you, Committee. My name
25 is Edita Birnkrant, I'm the Executive Director of

2 NYCLASS, and we're an animal protection and
3 environmental advocacy organization based in New
4 York. We have hundreds of thousands of members
5 across New York, and we really are strongly in
6 support of the three bills: Intros 265, 271, and 274.
7 Uhm, I just sort of see these as a win-win. This has
8 been a long problem for such a long time. You've
9 heard all the amazing testimony from others. And, I
10 don't need to repeat that, but I will say that, you
11 know, I'm personally a huge bird lover. I've spent a
12 lot of time at Jamaica Bay Wildlife Refuge and just
13 love observing wildlife. And, so do so many other
14 New Yorkers. And, I've gotten so many frantic calls
15 and emails from people devastated, horrified, at
16 finding all these beautiful dead birds at, you know,
17 the foot of so many buildings -- and, as we heard
18 before, hundreds of birds, often during peak
19 migratory times, and this just doesn't have to
20 happen. And, it shouldn't be happening anymore, and
21 I see this as a win-win, you know, cutting down light
22 pollution that affects quality of life for people.
23 And, if we can save hundreds of thousands of these
24 amazing, beautiful birds that so many people
25 appreciate, uhm, it's a win-win.

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And, uhm, I personally have been involved with rescuing injured birds and The Wild Bird Fund is so overwhelmed, there's only so many rescues they can do, and so many don't make it to their doorstep. And, passing, uh, these bills, would really set a tone and make New York a leader in this way.

And, I just also want to say it was disappointing to hear the real estate board, uhm, testifying against this kind of based on things that the bill already addresses. And, uhm, perhaps if they had all these dead birds dumped at their doorsteps, they would feel differently and understand why people feel so strongly about this. Coming... You know, I can't tell you how many times we've frantically been contacted by people who are so upset at seeing this, and knowing that there's a solution here, uhm, that would really be a win-win.

So, I just want to stress that, again, that we strongly support this. We've been getting so much positive feedback across the city from our supporters who really want to see this passed -- who many couldn't be here to testify in person, but will be sending in testimony.

2 So, I want to thank Helen Rosenthal and Justin
3 Brannan for these bills. And, I think they're long
4 overdue. And, I want to thank the committee, and I
5 really hope that we can pass these bills out of the
6 committee and get this passed, so we go in to 2022
7 with a lot less dead birds.

8 Thank you.

9 CHAIRPERSON GENNARO: Thank you very much, Edita.
10 Uhm, I see that you have a cat in the background who
11 I'm... (Cross-Talk)

12 EDITA BIRNKRANT: Yeah... (Cross-Talk)

13 CHAIRPERSON GENNARO: I'm sure is a lover of birds
14 in his or her own way. You know what I mean?

15 EDITA BIRNKRANT: (INAUDIBLE 01:25:48)

16 CHAIRPERSON GENNARO: Definitely got to watch out
17 for that. Uhm, my... My wife and I rescued five
18 cats, and only found homes for two, and so we have
19 three. And, so we have, uhm, yeah, plenty of bird
20 lovers in our house as well, except, uhm, you know,
21 my cats tend to look at birds in a different way than
22 I look at them. You know?

23 Uhm, and, uh, certainly appreciate all the work
24 that you and ,you know, and NYCLASS do on so many
25 issues, and, uh, we very much appreciate your good

2 testimony, and, uh, appreciate you being here today -
3 - and others that you'll reach out to on behalf of
4 these bills. Uh, we do... (Cross-Talk)

5 EDITA BIRNKRANT: Thank you so much.

6 CHAIRPERSON GENNARO: We do thank you for that.

7 And, uhm, and with, uhm, if there are no questions,
8 uh, for this witness, we'll, uh, Mr. Moderator, we'll
9 go on to the next witness.

10 COMMITTEE COUNSEL: Next up is Steve Gruber, who
11 will be followed by Lawrence Schnapf.

12 SERGEANT AT ARMS: Starting time.

13 STEVE GRUBER: Hi good afternoon, uhm, I actually
14 have three cats here who are listening intently to
15 have me talking about birds, so, uh, thank you for
16 that, uh, Chair Gennaro.

17 Uhm, My name is Steve Gruber and I am Director of
18 Communications for the Mayor's Alliance for NYC's
19 Animals. I'd like to thank Chair Gennaro and the
20 members of the Committee on Environmental Protection
21 for the opportunity to speak today on Intros numbers
22 265, 271 and 274 - three bills that are designed to
23 limit light pollution in New York City.

24 Since our inception in 2003, The Mayor's Alliance
25 has worked toward improving the lives of animals in

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New York City. Our primary mission has been, uh, centered on improving the welfare of owned and homeless pets, but our concerns have always extended to the welfare of all animals, including wildlife, with which we share our community.

As a member of the Lights Out Coalition, the Mayor's Alliance joins our colleagues in support of these three important bills. While we understand that light pollution creates a wide range of negative consequences, our focus is on its effect on wildlife, particularly migratory birds. We know that they are drawn to light. We know that on evenings during migration season, birds will alter their paths to approach areas with increased light pollution. We know that this will cause them to lose their way, and lure them toward tall, glass buildings. And we know, unfortunately, the devastating results for our winged friends whose lifeless bodies litter our streets after colliding with buildings.

Our friends at the Wild Bird Fund do a heroic job working to save and rehabilitate the birds that survive. But, thousands of these precious birds don't survive. And that's a tragedy we can prevent.

2 Intros 274, 265, and 271 can reduce light
3 pollution in New York City without disrupting our
4 quality of life. By implementing these new measures,
5 we can actually improve the quality of life for New
6 Yorkers by ensuring that nonessential lighting does
7 not disrupt their sleep schedules. And by doing so,
8 we can save the lives of countless birds, save the
9 city money, and reduce our carbon footprint. So,
10 these proposals are a win-win for everyone, human and
11 non-human alike.

12 New York City has acted before to reduce harm to
13 our winged friends who pass through our city. We
14 turned off the twin beams of light in tribute to 9/11
15 victims during peak migratory times. And, in 2019,
16 the New York City Council passed legislation that
17 requires bird-safe glass in new construction. But,
18 unfortunately, that bill does not impose requirements
19 on existing buildings.

20 We need to do more if we are to further reduce
21 injury and death to the migratory...

22 SERGEANT AT ARMS: Time expired.

23 STEVE GRUBER: birds...

24 CHAIRPERSON GENNARO: Please finish your thoughts.

2 STEVE GRUBER: Okay, uh, we... Well, we need to
3 do more to further reduce injury and death to the
4 migratory birds who travel New York City's airways.
5 And, we therefore, support the passage of these bills
6 to make New York City a safer, gentler pass-through
7 for our migratory bird visitors.

8 Thank you.

9 CHAIRPERSON GENNARO: Yeah, uh, thank you, Steve.
10 And, uhm, you know, thank you for providing a great
11 home to, uh, three cats, uhm, as I do, and... And,
12 then, we have one that we brought in for, you know,
13 like, three months, and she was the mother of the
14 litter, and she just didn't want to hear about
15 domestication. So, it's like, she just wasn't having
16 it. And, uhm, so now she lives in our backyard in
17 like a heated kitty condo. You know, with like three
18 squares a day and she does just fine. We wish she'd
19 come indoors, but she didn't want to know about it.
20 And, uhm, anyway, so, now that's on the city council
21 record -- my, you know, uhm, yeah, so, uhm, it's
22 funny what I put the record.

23 But, now, that that is on the record, uhm, and,
24 uh, I see that Council Member Rosenthal has some

2 questions for you, so I recognize Council Member
3 Rosenthal for questions.

4 COUNCIL MEMBER ROSENTHAL: Great, thank you so
5 much for that, Chair.

6 Steve, uhm, can I ask you, uh, are you... I
7 couldn't quite understand, uh, your title or the
8 organization that... (Cross-Talk)

9 CHAIRPERSON GENNARO: If I could just jump in for
10 a second with a note to the sergeants to, uh, I think
11 we have to have the five minute clock for council
12 member questioning at this point through the hearing.

13 COUNCIL MEMBER ROSENTHAL: Thank you...

14 CHAIRPERSON GENNARO: So, I'll just put that on.

15 COUNCIL MEMBER ROSENTHAL: Thank you.

16 Steve, are you, uhm, speaking on behalf of The
17 Mayor's Office?

18 STEVE GRUBER: Well, The Mayor's Alliance for New
19 York City's Animals.

20 COUNCIL MEMBER ROSENTHAL: What is that
21 organization?

22 STEVE GRUBER: We are, uh, The Mayor's Alliance,
23 uh, we're a nonprofit organization that was founded
24 in 2003, uh, to basically transform New York City in
25 to a no-kill city by reducing euthanasia at the city

2 shelters. So, we work both, through the years, with
3 over 150 rescue groups and shelters, uhm, and animal
4 care centers with New York City to reduce the
5 euthanasia at the shelters... (Cross-Talk)

6 COUNCIL MEMBER ROSENTHAL: Sure, sure.

7 STEVE GRUBER: And, uhm, okay...

8 COUNCIL MEMBER ROSENTHAL: Yeah. I'm focused on
9 the birds, uh, today, uh, but got ya, thank you.

10 And, so, would your, uh, organization...
11 Nonprofit organization, are you submitting for the
12 record support of these three bills?

13 STEVE GRUBER: Yes, ma'am, we are. We have...
14 (Cross-Talk)

15 COUNCIL MEMBER ROSENTHAL: Okay, and, so you've
16 submitted that testimony?

17 STEVE GRUBER: Right, when we registered
18 (INAUDIBLE 1:33:16) ... (Cross-Talk)

19 COUNCIL MEMBER ROSENTHAL: Okay, that's really
20 helpful.

21 And, then, I wanted to ask what you thought about
22 in terms of making, uhm, two tweaks to my bill. One,
23 that for the city-owned buildings, that it include,
24 uhm, the indoor illumination, as well as to the
25 exterior of the building.

2 STEVE GRUBER: (INAUDIBLE 01:33:46)... (Cross-
3 Talk)

4 COUNCIL MEMBER ROSENTHAL: For the record, do you
5 support that?

6 STEVE GRUBER: I will... I think I would... we
7 would support that. I mean, it's not something that
8 I'm an expert on, you know, exterior versus interior
9 lighting.... (Cross-Talk)

10 COUNCIL MEMBER ROSENTHAL: (INAUDIBLE 01:33:56)

11 STEVE GRUBER: But, it... It seems to me that
12 either, uhm, both actually... (Cross-Talk)

13 COUNCIL MEMBER ROSENTHAL: Yeah...

14 STEVE GRUBER: (INAUDIBLE 01:34:02)... (Cross-
15 Talk)

16 COUNCIL MEMBER ROSENTHAL: I mean if we have an
17 opportunity to do both, why not? Right?

18 STEVE GRUBER: Right, exactly... (Cross-Talk)

19 COUNCIL MEMBER ROSENTHAL: Okay, great.

20 STEVE GRUBER: Right, exactly... (Cross-Talk)

21 COUNCIL MEMBER ROSENTHAL: Okay, great.

22 And, then, my second question, this is harder,
23 uh, and don't feel pressured to go on the record, uh,
24 on this one, but what do you think about extending
25 these requirements to city-leased buildings? So, in

2 other words, my office is at 250 Broadway, uhm, City
3 Council, uh, leases, I don't know how many floors --
4 four - five? -- New York State leases a bunch of
5 floors as well for their elected, what do you think
6 about including a clause about this in the city-
7 leased buildings in our contracts -- in the city's
8 contracts?

9 STEVE GRUBER: It seems to me it would be a good
10 idea, again, because it would... It focuses on
11 reducing... (Cross-Talk)

12 COUNCIL MEMBER ROSENTHAL: Yeah.

13 STEVE GRUBER: light pollution. So... (Cross-
14 Talk)

15 COUNCIL MEMBER ROSENTHAL: Okay. Great.

16 STEVE GRUBER: without sacrificing anything.

17 COUNCIL MEMBER ROSENTHAL: Yep, yep, same, same, I
18 agree. Alright, thank you so much, Mr. Gruber, I
19 appreciate your participation in your nonprofit, and
20 taking the time to testify today. I appreciate that.
21 Thank you, Chair.

22 STEVE GRUBER: Thank you.

23 CHAIRPERSON GENNARO: Uh, thank you, Steve, we
24 really appreciate you being here today, and we thank
25 you for, uh, having submitted your testimony in

2 writing, so we could the full benefit of your
3 statement. Thank you again.

4 STEVE GRUBER: Thank you.

5 CHAIRPERSON GENNARO: Mr., uh, Mr. Moderator,
6 we're ready for the next witness.

7 COMMITTEE COUNSEL: The next witness is Lawrence
8 Schnapf, who will be followed by Margaret Lee.

9 SERGEANT AT ARMS: Starting time.

10 LAWRENCE SCHNAPF: Hi, this is Larry Schnapf, I'm
11 an Environmental... long time Environmental Lawyer.
12 I am also an adjunct professor at New York Law
13 School. I'm an emeritus board member Brownfield
14 Partnership of New York and the Brownfield Coalition
15 of the Northeast.

16 I'm going to be testifying about 2460, I have a
17 couple of short comments.

18 Uhm, before I start, I just want to let people
19 know that I am a bird lover, too, and I had a series
20 of talking parakeets, and the last one said, "I love
21 New Yorker, and How am I doing?"

22 But, uhm, going to 2460, I support the effort to
23 enhance the enforcement authority of OER. I think
24 the legislation's a little bit broad, uh, because it

25

2 could bring in, uh, parties that may not have actual
3 ability to implement these SMPs.

4 So, I was just going to suggest that OER's
5 regulations, 43-1408 and 43-1407, referring to
6 Transferred Notice of Completion documents and all
7 Institutional controls, they refer to transferees and
8 assigns. And, so I think that they we, instead of
9 saying, "any" or "all entities or other persons," I
10 think if we limit the... borrow from the OER
11 regulations, for the parties that are responsible for
12 enforcing these controls and site management plants,
13 if we use the language from the regulation -- little
14 quick, little tweak -- I think it would work.

15 So, uhm, that's just my short comment. And, I'm
16 glad to see The Chair in his, uh, position of where
17 he should be, uhm, as the head of The Environmental
18 Committee as a fellow geology major, uhm, glad to see
19 you back in that... in charge.

20 CHAIRPERSON GENNARO: Uh, Larry, my... I don't
21 know about being in charge; although, I do have this
22 gavel, which is nice. And, uhm, if you could,
23 please... And, first of all, it's good to see you.
24 It's been a long time. I was, you know, uhm, in D.
25 C. for a number of years, being a Deputy

2 Commissioner over there, and now I'm back doing this.
3 And, you know, and I'm happy to be back and happy to
4 see you.

5 But, certainly, uh, you know, uhm, very glad that
6 you came here to give us the benefit of your views of
7 on, uh, you know, 2460. And, uhm, if you can make
8 sure that that gets to, you know, council staff, so
9 that we can give it its proper consideration. And,
10 uh, Nabjot, this is, uh, I'm talking to my
11 Legislative Director now, uhm, I want to make sure
12 you are able to get a copy of Larry's testimony so
13 that we can, uhm, get right to work on it. And, I
14 appreciate that.

15 Uhm, also, uhm, you know, appreciate your love of
16 baseball. You got the Norman Rockwell painting, and
17 I don't know what the, uhm... (Cross-Talk)

18 LAWRENCE SCHNAPF: (INAUDIBLE 01:38:59) autograph
19 back here. You can't see it because of the...
20 the... (Cross-Talk)

21 CHAIRPERSON GENNARO: Right, wow... (Cross-Talk)

22 LAWRENCE SCHNAPF: Yeah, the (INAUDIBLE 01:39:05)
23 the signing of his 500th home run picture back
24 (Background Noise) (INAUDIBLE 01:39:10) back at The
25 Daily News.

2 CHAIRPERSON GENNARO: Uhm, yeah, and, uhm, and
3 baseball trivia will put out to all of the, you know,
4 witnesses that if they can answer who Vic Wertz is,
5 they'll get extra credit. Okay? And, that'll be a
6 little, you know, inside, uhm, inside baseball
7 between you and me, Larry.

8 LAWRENCE SCHNAPF: Okay... (Cross-Talk)

9 CHAIRPERSON GENNARO: You know, we well know who
10 Vic Wertz is. But, uhm, like, not that many people
11 may. And, everyone should look that person up on
12 Google so that you'll be counted in with us.

13 And, so, uh, without any, uh, if there are no,
14 uh, questions for Larry, we'll go on to the next
15 witness. And, Larry, thank you very much for
16 continuing to be part of the solution. We really
17 appreciate your, uh, presence here today.

18 LAWRENCE SCHNAPF: Thank you very much.

19 CHAIRPERSON GENNARO: I know I do.

20 COMMITTEE COUNSEL: Thank you, our next witness is
21 Margaret Lee who will be followed by Rachel Kimpton.

22 SERGEANT AT ARMS: Starting time.

23 MARGARET LEE: Thank you so much for this
24 opportunity to testify on behalf of birds.

2 My name is Margaret Lee. As a bird-lover from
3 lower Manhattan, District 1, I'm acutely aware of the
4 many challenges and levels of suffering of New York
5 City birds -- those who live here as permanent
6 residents -- and the thousands of migratory ones
7 passing through to their seasonal destinations.

8 I'm grateful to the council -- especially Council
9 Members Helen Rosenthal and Justin Brannan -- for
10 this act of compassion toward migratory birds in
11 proposing Lights Out NYC to reduce or prevent their
12 needless and horrific deaths from nighttime
13 illuminated windows.

14 Please pass Intros 265, 271, and 274.

15 And, after doing so, please continue to put your
16 thoughts into other ways New York City can be a more
17 compassionate city to all our wildlife inhabitants
18 and seasonal visitors, perhaps inspiring other cities
19 to follow our lead.

20 Such future bills would include, but not be
21 limited to:

22 Education to encourage compassion for non-human
23 animals; provision of fresh water in garden settings;
24 fountains with running water; regular supply of seed,
25 cracked corn; removal and banning of bird-deterrent

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spikes; specially planned bird-inspired areas that would be conducive to rest and nourishment, and that would also inspire human appreciation of our wildlife for our feathered neighbors and visitors; banning of detergents so often used as sidewalk cleansers that so horribly poison the birds.

The ultimate goal would be a wildlife-friendly New York City, a cruelty free New York City to inspire the entire world.

Thank you so much.

CHAIRPERSON GENNARO: Thank you very much, uh, Margaret, you know, all of your advocacy for the bills that are on the table today and for your, you know, good ideas going forward. Please submit your testimony in writing, so that my, uhm, Legislative Director and myself can take of what you said and see if we can ,you know, reduce that legislation. So, we appreciate you bringing forward, you know, other good ideas in addition to your support of the bills being heard today. But, you know, appreciate that very much, and if there are no more... no one wishing to, uh, ask questions of Margaret, we can move to the next witness, Mr. Moderator. But, you know, thank

2 you again Margaret for being here. We appreciate your
3 terrific advocacy.

4 COMMITTEE COUNSEL: Our next speaker is Rachel
5 Kimpton, who will followed by Andrew Farnsworth.

6 SERGEANT AT ARMS: Starting time.

7 RACHEL KIMPTON: Good morning, All, and thank you
8 for the opportunity to testify this morning.

9 My name is Rachel Kimpton and I am representing
10 the Feminist Bird Club. We enthusiastically support
11 passing Introductions 265, 271, and 274 in order to
12 limit nocturnal lighting in New York City. We believe
13 that these laws will help provide a more just and
14 healthy city for humans and wildlife.

15 The Feminist Bird Club is an international
16 nonprofit with a goal to promote inclusivity in
17 birding and conservation while fundraising for and
18 engaging in social justice issues.

19 We have over a dozen chapters of compassionate
20 birders throughout the United States, Canada and
21 Europe, with affiliated groups in Central and South
22 America, but we started our original chapter here in
23 New York City.

24

25

2 I am grateful for all the wonderful and moving
3 testimony regarding migratory birds shared by others
4 this morning, which I will not repeat.

5 Since nocturnal lighting is a known hazard to
6 both human health and migratory bird species, we are
7 especially passionate about promoting a solution to
8 this deadly issue.

9 Nearly every New Yorker has experienced the
10 negative effects of light pollution in the city, but
11 often these impacts disproportionately affect
12 disadvantaged communities. According to a study on
13 light pollution by (INAUDIBLE 01:44:41) published in
14 2020, looking at this issue through an environmental
15 justice lens, they found that Black Americans, people
16 of color and people with low-income are two times
17 more likely to be exposed to excessive ambient light.
18 These populations are already often forced to live in
19 areas with high air pollution and within close
20 proximity to toxic waste, compounding devastating
21 health risks. Extended exposure to nocturnal light
22 can cause sleep disorders directly linked to an
23 increased chance of developing anxiety, depression,
24 diabetes, gastro-intestinal disorders, cardiac
25 arrest, and different types of cancers.

2 Low-income and minority neighborhoods have also
3 been hit harder by COVID-19, leaving families
4 devastated by death and others disabled by long-COVID
5 and thus unable to work. Passing these Introductions
6 and shutting off the lights would bring immediate
7 relief to those who need it the most. It is an added
8 bonus that our avian friends will benefit as well.

9 Thank you.

10 CHAIRPERSON GENNARO: Wow, thank you very much,
11 Rachel, uh, for your compelling testimony, and, uhm,
12 all of your work with the, uhm, organization. It's
13 called the, uh, Feminist Bird Club? Did I get that
14 right?

15 RACHEL KIMPTON: Yes, that's correct.

16 CHAIRPERSON GENNARO: And, uh, and it's reaching
17 now, like, all over the world practically, right?

18 RACHEL KIMPTON: Yes, excited to share that, yes.

19 CHAIRPERSON GENNARO: Wow that is a nice thing to
20 share. And, uhm, if, uhm, someone wanted to become
21 associated and work with The Feminist Bird Club, uhm,
22 how would they do that? I'll give you a little plug
23 here.

24 RACHEL KIMPTON: Thank you, uhm, they can look up
25 our website, and they can reach out to chapters that

2 already exist. And, if they don't have a chapter
3 started where they're located, we welcome you to
4 start your own. We'd want more people to be involved
5 in birding, especially folks who are younger and are
6 able to get involved sooner.

7 CHAIRPERSON GENNARO: Oh, great, great, I was,
8 uhm, I'm certainly happy to give that plug, and, uh,
9 you know, uhm, may your organization grow and
10 flourish and continue to do all good works. And,
11 thank you very much for being here today. And,
12 please send us the full text of your statement. You,
13 ,you know, you cut it back a little, because people
14 had said a lot of that, but we want it in full, so we
15 can properly digest it. Thank you very much for
16 being here. Most appreciated.

17 RACHEL KIMPTON: Thank you. Thank you so much.

18 CHAIRPERSON GENNARO: Sure.

19 And, uhm, the next witness, Mr. Moderator?

20 COMMITTEE COUNSEL: Next witness is Andrew
21 Farnsworth, followed by Susan Harder.

22 SERGEANT AT ARMS: Starting time.

23 DR. FARNSWORTH: Hello, uh, Chair Gennaro, Council
24 Member Rosenthal and, uh, members of the committee,

25

2 and all on the call. Thank you for giving me a
3 little bit of a platform to speak.

4 My name is Dr. Andrew Farnsworth. I'm a Senior
5 Research Associate at the Cornell Lab of Ornithology.
6 Uh, I am first foremost a birder, uh, second a New
7 Yorker, and probably, finally, a scientist.

8 I study bird migration and I have for the last 30
9 years. And, what I'll be talking to you about today,
10 uh, is really the scientific perspective on this
11 Lights Out issue.

12 As you've heard from many of my colleagues and
13 collaborators at New York City Audubon, Wild Bird
14 Fund, and American Bird Conservancy, light attracts
15 and disorients birds at night. Just to frame that a
16 little bit, uhm, on a good peak migration night
17 across the United States, we're talking about 850
18 million birds aloft over the contiguous United
19 States. Over New York City itself, we're talking on
20 a good night, a peak night in May or October, of
21 three to 6 million birds.

22 So, we're talking about large numbers of birds
23 and the potential for trouble with those birds, as
24 the function of light is enormous.

2 So, we know from our work, uh, some of which has
3 been talked about previously, that The Tribute in
4 Light in Manhattan that we can see these effects of
5 light, uh, dramatically. When the lights are on, for
6 example, at The Tribute in Light, birds are attracted
7 in large numbers up to a hundred times greater than
8 background level of migration. They circle, uh, they
9 call a lot, because they're disoriented. When the
10 lights go off, we see the behaviors respond
11 immediately, and birds return to normal migratory
12 behaviors.

13 We also have studied individual buildings.
14 There's been some discussion of that interior light
15 today. Uhm, we know from our work Chicago that even
16 having the amount of light from particular bay of
17 windows of McCormick Place, could reduce casualties
18 of bird collisions by an enormous amount. Talking
19 about 60% reduction.

20 So, interior and exterior light are important.

21 Uhm, we also know from a very broad perspective,
22 that New York isn't the only city involved, but New
23 York is among the top ten, uh, in terms of exposure
24 risk when it comes to exposing birds to light
25 pollution at night when they're migrating.

2 So, we have an opportunity to lead. There are
3 lots of birds. There's an enormous amount of
4 illumination, and we can absolutely do the right
5 thing.

6 So, what I'd like to advocate is that,
7 absolutely, uhm, Intros 265, 271, uh, 274, we fully
8 support those. I'm throwing behind them the weight
9 of the Cornell Lab of Ornithology and my own work.

10 I'm happy to act as a resource, uh, for the
11 science behind our decision making and what we can
12 provide. Happy to act as a sounding board as well.

13 Uhm, and I appreciate the opportunity to testify
14 in support of these.

15 Thank you.

16 CHAIRPERSON GENNARO: Uh, and thank you very much
17 Dr. Farnsworth, for the, uhm, for the scientific heft
18 and background that you, you know, give to these
19 proceedings. We certainly appreciate your offer to
20 be a sounding board.

21 Uh, if you do have your statement, uhm, reduced
22 to writing, we certainly would welcome -- looked like
23 you were,, you know, just kind of winging it there,
24 pardon the pun, but we would like the benefit of
25 your, uhm, full statement, you know, particularly

2 based on your, you know, long history of, uhm,
3 scientific endeavor in this... in this field in
4 which we recognize and thank you for.

5 And, uhm, with that said, uhm, I recognize
6 Council Member Rosenthal for questions for you.

7 Uh, Council Member Rosenthal?

8 SERGEANT AT ARMS: Starting time.

9 COUNCIL MEMBER ROSENTHAL: Thank you so much.

10 Uhm, is it Dr. Farnsworth?

11 Okay, so, Dr. Farnsworth, uhm, I don't know if
12 you've already submitted your testimony, but I'd
13 be... I'm wondering if you'd be willing to add to
14 your testimony, uhm, agreement that we should tweak,
15 uhm, the bill -- my bill, uh, 274, so that it
16 includes, uhm, the interior lighting of city-owned
17 buildings.

18 And, so, I'll ask that first, if you support
19 that, uhm, addition to my bill?

20 DR. FARNSWORTH: Mm-hmm, I do support that. I
21 don't want that to be at the cost, as we've all
22 talked about, uhm, you know, failing to control the
23 exterior lighting. But, I definitely... (Cross-
24 Talk)

25 COUNCIL MEMBER ROSENTHAL: Of course...

2 DR. FARNSWORTH: I definitely believe that
3 including the interior... (Cross-Talk)

4 COUNCIL MEMBER ROSENTHAL: Good!

5 DR. FARNSWORTH: Is definitely (INAUDIBLE
6 01:52:06)... (Cross-Talk)

7 COUNCIL MEMBER ROSENTHAL: Yeah, uh, I think if
8 you... If you look at the language closely, it
9 alludes to the inside of the building. It's explicit
10 about the exterior. And, what I'm wanting to know,
11 if you'd be going on the record to say, yes, we would
12 make the interior of the building explicit as well?

13 DR. FARNSWORTH: Yeah... (Cross-Talk)

14 COUNCIL MEMBER ROSENTHAL: Yeah.

15 DR. FARNSWORTH: Yes.

16 COUNCIL MEMBER ROSENTHAL: Okay.

17 And, then, secondly, whether or not you would
18 support our adding to the bill language that refers
19 to city-leased buildings that we, uh, have the city
20 add to their contract with city-leased building...
21 buildings, requiring the same thing?

22 DR. FARNSWORTH: Mm-hmm, I would support that
23 absolutely, yes. Uh, I think it's, uhm, it's key,
24 because, again, the more light -- especially the more
25 nonessential light, that we can reduce, the better.

2 COUNCIL MEMBER ROSENTHAL: Great.

3 So, could I ask you to, when you submit your
4 testimony, to include those two aspects as well?

5 And, uhm, you know, I'm seeing that Miss Parkins
6 is still on, you know, for your, for others who agree
7 with that idea for edits to my bill, if you could
8 please include that in your testimony. You can
9 resubmit your... Or, if you've already submitted,
10 you can submit an update to your testimony that
11 clarifies those two, uhm, additions -- requesting
12 those two additions.

13 Thank you. Thank you so much.

14 DR. FARNSWORTH: Thank you... (Cross-Talk)

15 COUNCIL MEMBER ROSENTHAL: Appreciate your work.

16 CHAIRPERSON GENNARO: Uh, and, thank you Council
17 Member Rosenthal. And, this is what hearings are all
18 about. We get good people coming forward and give us
19 things that we didn't think of, or they have, ,you
20 know, the upper expertise that can help, uh, shape
21 your, ,you know, already good bill. And, I you know,
22 thank you Dr. Farnsworth for ,you know, being here
23 today and for giving us the benefit of all your
24 decades of, uhm, expertise on this very important
25 topic. And, also for laughing at my Santa joke

2 earlier, you know what I mean? And, you know you
3 could go for the trifecta and tell who Vic Wertz is,
4 if you know who that is. Uh... (Cross-Talk)

5 DR. FARNSWORTH: I do know who that is. I'm a
6 baseball fan. He caught the (INAUDIBLE 01:54:41)...
7 (Cross-Talk)

8 CHAIRPERSON GENNARO: Okay, go ahead, tell us!

9 DR. FARNSWORTH: So, he caught Willie... (Cross-
10 Talk)

11 CHAIRPERSON GENNARO: So, (Background Noise)
12 (INAUDIBLE 01:54:42)

13 DR. FARNSWORTH: He caught Willie Mays' fly ball,
14 right? This is the... (Cross-Talk)

15 CHAIRPERSON GENNARO: (Background Noise)
16 (LAUGHING) Uh, actually... (Cross-Talk)

17 DR. FARNSWORTH: Willie Mays caught his fly ball,
18 sorry.

19 CHAIRPERSON GENNARO: Correct! And, that was the
20 famous back to the plate action... (Cross-Talk)

21 DR. FARNSWORTH: Yes... (Cross-Talk)

22 CHAIRPERSON GENNARO: In what year? In what year?

23 DR. FARNSWORTH: 54 maybe? I... (Cross-Talk)

24 CHAIRPERSON GENNARO: 51! But, close enough! We
25 have a winner here today. And, so, uhm, uh, yeah,

2 so, uh, thank you for engaging us not only in your
3 scientific expertise, but in some baseball and
4 holiday fun. So, we appreciate that.

5 Uhm, uh, please come again. Please come again.
6 And, so, uh, thank you again, Dr. Farnsworth.

7 And, uh, with that, uh, Mr. Moderator, now that
8 we've got the whole Vic Wertz thing squared away, and
9 Santa Claus and all this good... We'll... We'll...
10 We'll call the next witness. Thank you.

11 COMMITTEE COUNSEL: Okay, our next witness is
12 Susan Harder, followed by Rita McMahon.

13 SERGEANT AT ARMS: Starting time.

14 SUSAN HARDER: To the Members of the Committee,
15 and hello to my environmental colleagues today,
16 regarding Night Lighting 265, 271, 274.

17 As the New York representative of the
18 International Dark Sky Association, I am here in
19 support of the measures to enact the sensible
20 legislation to limit excessive and unnecessary night
21 lighting and to protect the birds.

22 Our organization helps educate municipal
23 officials and the public on the ways and means to
24 reduce the impacts of light pollution, namely glare,
25

2 unshielded, excessive, and unnecessary night
3 lighting.

4 We, along with our partners with the Illuminating
5 Engineering Society, produced a set of 5 Principles
6 for responsible Outdoor lighting, which could be a
7 guide to continuing your legislative efforts to
8 protect our nighttime environment for all creatures,
9 great and small.

10 These 5 Principles are based in common sense and
11 professional guidelines:

12 1. All light should have a clear purpose: Before
13 installing or replacing a fixture, determine if the
14 light is needed for safety. Consider how the use of
15 the light will impact the area, including wildlife
16 and the environment.

17 2. Light should be directed only to where needed.
18 Use shielding and careful aiming to target the
19 direction of the light beam so that it points
20 downward and does not spill beyond where it is
21 needed.

22 3. Light should be no brighter than necessary.
23 Use the lowest light level required per professional
24 standards.

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4. Light should be used only when it is useful.

Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.

5. Use warmer color lights. Limit the amount of shorter wave-length (blue-violet) light to the least amount, for example, use sources rated at 2200 Kelvin, which are better for night vision.

(Background Noise) Blue light waves are problematic for many reasons.

1. Night vision is impaired: the pupil contracts more in the presence of blue light. And, this is all creatures.

2. Blue light contributes to macular degeneration.

3. Circadian rhythms are disrupted, disturbing sleep and lowering melatonin production, a tumor suppressant.

4. With less blue, the light is warmer and more pleasant with less glare.

5. And since blue light waves scatter more in the atmosphere, there is greater skyglow, obscuring the stars in the night sky.

2 The International Dark Sky Association supports
3 the measures under consideration today.

4 And, I will add that my partner and I, own over a
5 100 residential and commercial buildings, and we are
6 entirely in favor of the current measures, so, thank
7 you.

8 CHAIRPERSON GENNARO: Uh, thank you very much, uh,
9 Susan for your very compelling testimony that you
10 brought out things that people had not yet brought
11 out, and we certainly do appreciate that. And, we
12 thank you for working with the, uhm, International,
13 uh, Dark Sky Association, uh, and, uhm, for your
14 position that as a builder owner yourself, you're
15 very much in favor of all of the measures in the,
16 uhm, of the three bills that, you know, deal with,
17 uhm, that deal with lighting. So, we thank you very
18 much for being here. And, uhm, and also for the, uh,
19 for the painting of Starry Night behind you. That
20 gives us additional inspiration for what a dark sky
21 could really (Background Noise) (INAUDIBLE 01:59:29)
22 for us, so thank you for that as well.

23 And, uhm, so, uhm, Mr. Moderator, before we...
24 This is, uh, just to have a little fun with, uh, Dr.
25 Farnsworth, I did receive a text message from someone

2 who, uhm, heard me site the year 1951, Dr. Farnsworth
3 is right, it is 1954 that was the catch. So,
4 somebody hearing... Or somebody in the hearing sent
5 me that. Uhm, and, so, uh, I do stand corrected.
6 You are the, you know, undisputed champion of that
7 issue. Uhm, and with that... With that record
8 correction of, uh, of when the catch happened, and,
9 you know, heard that good testimony of Susan Harder,
10 we are ready to proceed to the next witness.

11 COMMITTEE COUNSEL: Okay, next up is Rita McMahon,
12 who will be followed by Laura Leopardo, who is our
13 last registered speaker.

14 SERGEANT AT ARMS: Starting time.

15 RITA MCMAHON: I want to... I am very thrilled to
16 be with all of you people. This is a great
17 gathering. And, it's, uh, hard to follow you all.

18 But, I am Rita McMahon, testifying today as Co-
19 founder and Director of the Wild Bird Fund, New York
20 City's only wildlife rehabilitation center.

21 Every spring and fall, compassionate New Yorkers
22 bring us migrating birds that have collided with a
23 building or window. These birds suffer from double
24 concussions. First they strike the building, then
25 they fall to the pavement below.

2 This spring we admitted 232 window-strike
3 patients, and so far this fall, 900 - more than 1,000
4 patients.

5 Our thousand-plus birds are only a tiny fraction
6 of the actual number of window-strike casualties in
7 New York City each year. And our patients are the
8 lucky ones who did not die immediately upon impact,
9 but many of them are gravely injured and only about
10 half will be released so they can continue their
11 journeys.

12 Most birds migrate at night -- we have that
13 established. Millions of birds pass through the
14 skies above us each spring and autumn. Three to six
15 million over New York City in one night, and they are
16 drawn into the canyons of New York City at night by
17 its bright lights.

18 They come here to rest and feed. Some bird strike
19 buildings on the way in, some on the way out.

20 We keep records of where each of our patients is
21 found. I would like to share some of our preliminary
22 findings with the Council.

23 For all of New York City, three-quarters of the
24 bird strikes occur in Manhattan, the most brightly
25 lit borough. About twice as many of our Manhattan

2 patients this year were found in downtown and
3 midtown, the parts of town more brightly lit at
4 night, as compared to above 57th street.

5 Finally, a disproportionate number of our
6 collision patients are juvenile birds. These are
7 first-time migrators who need to look for cues --
8 like light -- to guide them on their way.

9 Birds have migrated down the Eastern seaboard for
10 centuries -- today's collision victims are the
11 consequence of the city we humans have built. We
12 should do what we can to reduce their danger.

13 Wild Bird Fund urges the City Council to approve
14 Introduced Bills 265, 271, 274, and 2460 because, by
15 decreasing nighttime illumination, these bills should
16 reduce the number of migratory bird casualties.

17 We would be very happy to have few patients.

18 Thank you very much.

19 CHAIRPERSON GENNARO: And, thank you, Rita. I
20 certainly appreciate your very compelling testimony,
21 where you break it down part of Manhattan, outside
22 Manhattan, and, you know, like the juvenile bird,
23 uhm, element, and I am going to recognize Council
24 Member Rosenthal for questions. But, before I do, we
25 have very sympathetic audience with regard with what

2 you do, uh, in The Wild Bird Fund. And, if there are
3 people who are, you know, on this Zoom, or a
4 watching, you know, over the telecast, uh, who want
5 to be of assistance, or find out more about The Wild
6 Bird Fund, uhm, how would they best do that?

7 RITA MCMAHON: Probably going to our website. So,
8 and that's Wildbirdfund.org. And, there's lots of
9 information. We do our best to educate as well
10 repair the birds.

11 CHAIRPERSON GENNARO: Well, uh, you know, thank
12 you very much for that. And, I'm more than happy to
13 try to do what I can to, you know, get you, you know,
14 more support for what you do. And, so, uh, you know,
15 thank you very much for that. I'll be looking in to
16 that website myself. So, uh, thank you for that.
17 And, with that, I recognize Council Member Rosenthal
18 for her questions.

19 SERGEANT AT ARMS: Starting time... (Cross-Talk)

20 COUNCIL MEMBER ROSENTHAL: Thank you so much,
21 Chair Gennaro. Uhm, heads up, uhm, Rita McMahon,
22 will hold your feet to the fire for your offer just
23 now to help The Wild Bird Fund. Uhm, the city
24 council has been incredibly generous to The Wild Bird
25 Fund both in expensing capital funding, and it's...

2 the taxpayer money has been put to very good use.

3 Uhm, so she will take you up on that offer. I can
4 tell you that from personal experience.

5 Uhm, and, then, uh, Rita, thank you so much for
6 testifying. And, ,you know, thank you so much for
7 the work that you do, the passion you bring to The
8 Wild Bird Fund. It, uhm, all of this is happening,
9 because of, uh, yes, everyone's advocacy here today.
10 But, you do this work day in, day out. Uhm, when I'm
11 leaving the office at eight or nine o'clock, you're
12 still there. When, uh, you know, I stop on the
13 weekends, you're still there. Uhm, you are tireless
14 in your mission to, uhm, to the survival of birds.
15 So, you know, thank you so much for that. And, it's
16 been an honor having my office next to yours. Uhm, I
17 love coming in early and hearing the roosters, uh,
18 crow. Uhm, and, uhm, love being able to stop by and
19 see the Snowy Owls that you are rescuing, uhm, and
20 the every day birds. What you and your staff are
21 able to do is extraordinary, uhm, and I've had the
22 honor and privilege to watch that over the past eight
23 years. Uhm, and, I hope we can continue working
24 together after the end of my term. But, you know, I
25 feel like this is the last thing... uhm, these three

2 bills are your lasting legacy that, uh, Speaker
3 Johnson has supporting, and Council Members Bannan
4 and I are lucky to be the proud sponsors of it. So,
5 thank you for that.

6 RITA MCMAHON: Really I have to thank you, and
7 Justin Brannan, and Corey Johnson. It's been very
8 nice to have your support through this time.

9 And, it's also thanking all of the New Yorkers
10 who bring us the injured birds. There are thousands
11 every year. We have 9,000 birds this year. But,
12 that means 8,000 individuals brought in those
13 animals.

14 COUNCIL MEMBER ROSENTHAL: Yeah, yeah.

15 RITA MCMAHON: New Yorkers care.

16 COUNCIL MEMBER ROSENTHAL: Yes.

17 RITA MCMAHON: They care a great deal.

18 COUNCIL MEMBER ROSENTHAL: Rita, could I just ask,
19 uhm, you as I've asked some of the other people whose
20 test... who have testified this morning, if you
21 are... And, I just want to keep it short -- if
22 you're in support of clarifying my bill so that it
23 also includes, uh, illuminating, uh, indoor lighting
24 in city-owned buildings, and also, uh, to address the
25 same issue in the contracts that the city has on

2 city-leased buildings. If you're in support of those
3 two things, could you please add that to your
4 testimony and submit it, uhm, for the record?
5 Because your... your advocacy here is incredibly
6 important.

7 RITA MCMAHON: It's already noted, and, uh, it
8 will be done.

9 COUNCIL MEMBER ROSENTHAL: Thank you. Thank you,
10 Chair.

11 CHAIRPERSON GENNARO: Uh, thank you Council Member
12 Rosenthal. And, uhm, and thank you, Rita. It's not
13 every day that I get to talk to a legend. But, uhm,
14 I have that privilege today. And, uh, please hold my
15 feet to the fire. Uhm, my, uh, my, you know, Chief
16 of Staff and Budget Director is Henry Yam, Y A M,
17 he's not a hard guy to find, nor am I. And, uh, you
18 know, we look forward to your, uhm, request of
19 funding in the next, uhm, in the next council budget
20 cycle. And, so, uhm...

21 RITA MCMAHON: Thank you.

22 CHAIRPERSON GENNARO: Uh, you bet, Rita. Thank
23 you very much.

24 And, oh, I... I see a thumbs up from, uh, I see
25 a thumbs up from... from Helen.

2 And, so, uhm, Mr. Moderator, do we... We have
3 more witnesses, right?

4 COMMITTEE COUNSEL: Yes, we have one last, uh,
5 speaker registered for this hearing, uh, Laura
6 Leopardo.

7 SERGEANT AT ARMS: Starting time.

8 LAURA LEOPARDO: Hi, my name is Laura Leopardo,
9 and I am testifying on behalf of Voters for Animal
10 Rights. Thank you so much, Chairman Gennaro, for
11 holding this important hearing. I'm asking that you
12 pass Intros 274, 265, and 271- the Light Pollution
13 bills.

14 One of the unfortunate things about going last,
15 is a lot of the things that, uhm, I have to testify
16 have already been stated. However, I actually am
17 going to reiterate them, because I'm going to read
18 what I've prepared, but also I think it's important,
19 because some of the numbers that I'm stating and have
20 been stated previously, are quite astronomical.

21 So, given that, I'd like to start out by sharing
22 how birds are important members of our ecosystem.
23 They play a vital role in controlling insects and
24 rodents, act as pollinators and provide seed
25 dispersal, all which are tangible benefits to us.

2 However, a recent study published by the journal
3 titled, "Science," found that since the 1970's there
4 has been a 29% loss in the total number of birds, so
5 that's about three billion in North America alone.

6 Uh, with this great emptying of the skies, there
7 are now three billion fewer beaks to snap up insects,
8 three billion fewer pairs of wings for moving
9 nutrients, pollen and seeds through the world.

10 In addition, according to The Audubon Society,
11 two-thirds of our existing birds in North America are
12 at risk of extinction due to climate change. That all
13 spells a lot of trouble for our important bird
14 friends.

15 Now, let's add the additional facts of light
16 pollution to the above equation. As it has been said
17 -- The New York City Audubon Society has stated that
18 there's about 230,000 birds that die each year in New
19 York City alone after colliding with glass buildings,
20 and with light pollution being a very significant
21 factor in these collisions.

22 Birds migrate at night, which has been stated,
23 and are attracted to the artificial lights. The
24 lights on tall buildings disorient them and confuse
25 the navigation systems of the unlucky ones that have

2 these buildings in their flight path. They circle the
3 buildings repeatedly, frequently and painstakingly
4 strike transparent or reflective windows or die of
5 exhaustion.

6 According to the U.S. Department of Agriculture,
7 this phenomenon has led to the death of an estimated
8 500 million to a billion birds annually just in the
9 United States alone.

10 In addition to saving the lives of countless
11 birds, these bills would, in turn, reduce energy
12 consumption, and thus be a logical part of our city's
13 sustainability strategy by reducing our carbon
14 footprint.

15 I do thank the council for recently passing Intro
16 1482 in 2019, which requires bird-safe glass in new
17 construction. This was an important step towards
18 improving our... (Cross-Talk)

19 SERGEANT AT ARMS: Time expired.

20 CHAIRPERSON GENNARO: Uh, please continue, uhm,
21 please continue. Uh, you waited until the last...
22 you have the floor.

23 LAURA LEOPARDO: Thank you, just another minute.

24 This was an important step towards improving our
25 relationship to our environment, but these light

2 protection bills will address the additional factor
3 of lights -- and on all buildings -- not newly built
4 ones -- and, thereby add an important and much needed
5 safety measure to the vulnerable birds.

6 We are the guardians of the earth, and it is our
7 job to make sure our birds remain a significant and
8 important element of our ecosystem.

9 Thank you again to the committee, to uhm, Council
10 Members Rosenthal and Gennaro.

11 Thank you very much.

12 CHAIRPERSON GENNARO: Uh, thank you, Laura very
13 much. And, I think your testimony was like the
14 perfect capstone to the hearing. There were certain
15 things that I think, uhm, certainly bear being, you
16 know, repeated, and, uh, and of course we want the
17 full text of your statement, so that we can, uh, ,you
18 know, give it its proper due. And, so, I really do
19 appreciate that.

20 Uhm, Mr. Moderator, uhm, at the risk of, uhm, you
21 know, violating protocol, I did see that, uhm,
22 somebody asked to recognized. I think it was... I
23 think it was Catherine Skopic. We don't ordinarily
24 do this, but, uhm, if Catherine has something, uh, to
25

2 add, I'll give her a little latitude. And, I will,
3 uh, recall her if she wishes to be recalled.

4 CATHERINE SKOPIC: Thank you, Chair Gennaro, I
5 appreciate that.

6 Uh, just very briefly, uh, just to kind of add
7 something for (INAUDIBLE 02:14:38) said taking care
8 of our animals in the wintertime, you probably all
9 know this, being birders, but when it's below
10 freezing, put fresh water out for the birds.

11 But, the thing I wanted to add is just as we have
12 1482 about the glass, that any laws that we have
13 about the Lights Out, should be enforced. Uhm, as
14 Council Member Helen Rosenthal was working to get
15 interior light reduced as well, possibly, uh, we do
16 have that... those, uh, rules that when you have the
17 lighting systems, so that a person walks in to the
18 room, the light goes out when they leave... it goes
19 on, and then when they leave it goes out. And,
20 anecdotally, I've heard that a lot of our buildings,
21 and someone else has mentioned this, that our lights
22 are on, that our vacant rooms, uh, they don't even
23 need to be there.

24

25

2 So, I believe there is some form of a rule that
3 this kind of lighting system should be installed in
4 all present and new buildings.

5 And, the last thing I would like to say, is that
6 our sister city, Paris, France, if you go back to
7 2015, Daphne, I forget her last name, was the elected
8 official in Paris who got The City of Lights to
9 reduce their lights. So, we might also want to take
10 a look at what Paris has done.

11 Thank you.

12 CHAIRPERSON GENNARO: Uh, uh, thank you,
13 Catherine. I appreciate that. I don't ordinarily do
14 that, but, uhm, I chose to recall you. But, that's
15 gonna be it. I'm going to... I'm not going to
16 recall anybody else.

17 And, just some notes for staff, I, uhm, yeah,
18 uhm, remember we want to get, uhm, we... We, uhm,
19 uh, Nabjot, we want to get the full text of the, uhm,
20 remedy, uh, testimony. We want to get the, uh,
21 details from, uh, you know, uh, of Larry Schnapf
22 about, uhm, about... about, uh, 2460. And, uhm,
23 whatever else, like, whatever other, uh, notes I may
24 made to staff during the hearing, let's... Let's
25 start working on that, you know, today. We don't

2 have a lot of time to, uhm, you know, get this all
3 done. And, we want to... We want to get this, uhm,
4 you know, we want to get these bills passed. And, we
5 want to get them passed now. And, so, uhm, let's,
6 uh, ,you know, clean up all the loose ends, have a
7 look at whatever needs to be looked at, and, uh, and
8 move forward.

9 Uh, with that said, I'd like to, uh, you know,
10 thank the moderator, uh, thank the, uh, the staff of
11 the committee, uh, my Legislative Director, Nabjot
12 Kaur, and, uh, most important... And... And, the
13 sergeants for running the hearing, making sure
14 everything works, uhm, they do a great job doing
15 that.

16 Uhm, and, last, but certainly not least, all of
17 the people who, you know, gave of their, uh, time to
18 be with us today. They give us the benefit of, uhm,
19 of their views and make these bills even better than
20 they are. We certainly do, you know, we certainly do
21 appreciate that and recognize that -- and recognize
22 all of the work that you do on behalf of whether it,
23 you know, be birds or brownfield, or anything that
24 this, you know, subject touched. Everyone works very
25 hard. And, in the vineyard when they're not here,

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uh, testifying, we want to recognize all of your good work in all of your, uhm, respective fields.

And, with that said, uh, this hearing is adjourned. Thank you all very much for participating. **(GAVEL)**

C E R T I F I C A T E

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



Date December 23, 2021