

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

Jointly with

COMMITTEE ON RESILIENCY AND
WATERFRONTS

And

COMMITTEE ON ENVIRONMENTAL
PROTECTION

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August 16, 2022
Start: 10:19 a.m.
Recess: 1:43 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Selvena N. Brooks-Powers
Chairperson

Ari Kagan
Chairperson

James F. Gennaro
Chairperson

COUNCIL MEMBERS: Joann Ariola
David M. Carr
Amanda Farías

Ari Kagan
Linda Lee
Farah N. Louis
Mercedes Narcisse
Lincoln Restler
Carlina Rivera
Althea V. Stevens
Nantasha M. Williams
Julie Won
Kalman Yeger
Jennifer Gutiérrez
Kamillah Hanks
Robert F. Holden
Julie Menin
Francisco P. Moya
Sandy Nurse
Christopher Marte
Vickie Paladino

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

Rohit Aggarwala
Commissioner and Chief Climate Officer at
Department of Environmental Protection

Vincent Sapienza
Department of Environmental Protection Chief
Operating Officer

Erika Jozwiak
Senior Program Manager for Infrastructure from
Mayor's Office of Climate and Environmental
Justice

Vincent Maniscalco
Assistant Commissioner for Highway Inspection
and Quality Assurance at DOT

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

Leslie Wolf

DOT Executive Director of Capital Program
Planning

Mario Bruno

Department of Environmental Protection

Lonnie J. Portis

WE ACT for Environmental Justice

Cortney Worrall

President and CEO of Waterfront Alliance

Jackson Chabot

Director of Public Space Advocacy at Open Plans

Rose Uscianowski

Transportation Alternatives

John Plenge

Klejda Bega

Linda Cohen

Allie Ryan

Sonal Jessel

Director of Policy at WE ACT for Environmental
Justice

Carol Johnson

Community Organizations Active in Disasters

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

Simran Rekhi Aggarwal

Anil Aggarwal

Paul Trust
Queens Link

Manny Caughman

Annie Carforo
WE ACT for Environmental Justice

Caleb Smith
WE ACT for Environmental Justice

Jennifer Hadlock [sp?]
WE ACT for Environmental Justice

2 SERGEANT AT ARMS: Good morning and
3 welcome to today's New York Council meeting on
4 Transportation and Infrastructure jointly with
5 Resiliency and Waterfronts and Environmental
6 Protections. At this time, please silence all
7 electronic devices, and thank you for your
8 cooperation. Chairs, we are ready to begin.

9 CHAIRPERSON BROOKS-POWERS: Good morning
10 and thank you for joining today's joint hearing of
11 the Committees on Transportation and Infrastructure,
12 Resiliency and Waterfronts, and Environmental
13 Protection on the topic of sink holes, flooding, and
14 heat waves, infrastructure challenges in the face of
15 extreme weather. Today's hearing is about working
16 towards a more safe, equitable, and resilient city.
17 And along with my fellow committee Chairs, I look
18 forward to hearing from the City agencies that are in
19 attendance today on the status of their efforts on
20 this issue. The City has a long history of
21 responding to the threat of extreme weather events,
22 but looming climate change means that this challenge
23 will only grow larger by the year. It is critical
24 that we act now to ensure that proper measures are
25 taken to build, protect, and repair the critical

2 infrastructure that allows our city to function.

3 Heat waves, flooding, and sink holes are among the

4 most significant tests we face in maintaining our

5 physical infrastructure. Last month, in Council

6 Member Velázquez's district, we saw firsthand what

7 can happen when our roads, sewers and water lines are

8 not well-maintained as a large sinkhole swallowed a

9 van on a segment of street in Morris Park. This came

10 on the heels of multiple high-profile sinkhole

11 incidents in Manhattan last year. While sinkholes

12 are just one manifestation of the danger we face with

13 aging infrastructure, these recent events are a

14 powerful reminder that we must take a proactive

15 approach to maintaining our physical environment.

16 It's important that we utilize every resource

17 available to us in shoring up our city for the future

18 ahead. As this committee has examined before, the

19 City has a unique opportunity to assess unprecedented

20 federal funding dedicated to infrastructure. We

21 can't let this chance go to waste. I hope today to

22 learn more from our city agencies about the status of

23 their efforts to access funds from the Infrastructure

24 Investment and Jobs Act and how they plan to pursue

25 any new funds that may be available through the

2 recently enacted Inflation Reduction Act. We must
3 also keep front of mind the reality that climate
4 change, like many other issues our city faces, will
5 not impact all New Yorkers equally. When flooding
6 driven by extreme storms took lives across the City
7 last year, many of the victims were low-income
8 immigrant New Yorkers trapped in dangerous, illegal
9 basement apartments and outer borough communities.
10 As Chair of the Committee, I will continue to push
11 our city's agencies to prioritize investment in our
12 infrastructure as we endure climate change. I look
13 forward to hearing from the Administration about what
14 they're doing onto address these challenges and I
15 look forward to working with them in any way that I
16 can. We will next hear from my co-chairs that are
17 here today, and alter form advocates and members of
18 the public that have joined us. We don't have time
19 to waste in fortifying our infrastructure for the
20 future, and we welcome all ideas for ways the City
21 can improve in efforts to make New York a more
22 resilient place. Now, I will turn it over to my
23 fellow co-chairs for their opening statements.
24 First, Chair Kagan.

2 CHAIRPERSON KAGAN: Thank you. Good
3 morning. My name is Ari Kagan, and I have the
4 privilege and honor of chairing the Committee on
5 Resiliency and Waterfronts. I want to thank my co-
6 chairs, Majority Leader Brooks-Powers, and Council
7 Member Gennaro for holding this hearing. Coastal
8 flooding and severe storms are become more intense
9 and more severe. We are entering the peak months of
10 Atlantic hurricane season. [inaudible] National
11 Oceanic and Atmospheric Administration is still
12 predicting a very active season. The City's
13 infrastructure, including the more than 100 years'
14 old sewer system is unable to handle the impacts of
15 climate change, both what we are facing today and
16 what we will see in the future. We must take a hard
17 look at what we are doing to incorporate, prioritize
18 and incentivize various green [sic] and multi-benefit
19 infrastructure techniques, including cloud-based
20 [sic] technology, rain proofing for property owners,
21 and restoring and creating wetlands. Last month, the
22 Administration announced that [inaudible] over
23 inflatable dumps and sand bags to individual property
24 owners as a tool for stopping flood waters from
25 invading their homes at the cost of about 2.5 million

2 dollars to the City of New York. New Yorkers need to
3 be prepared, but is this really the right method
4 considering that even DEP Commissioner and Chief
5 Climate Officer [inaudible] stated that the City
6 could not guarantee it would be able to help elderly
7 residents or those with mobility problems inflate and
8 assemble these dumps. Super Storm Sandy hit the New
9 York City in 2012, 10 years ago. Tropical Storm
10 Isaias in 2020, and Tropical Storms Elsa, Henry, and
11 Ida in 2021. We have had 10 years to think about
12 extreme weather events that we know will continue to
13 worsen. Why are we still concentrating on stop-gap
14 measures like inflatable dams and sand bags? We can
15 and must do better for our city. I look forward to
16 this hearing from the Department of Environmental
17 Protection, the Mayor's Office of Climate and
18 Environmental Justice, the Department of
19 Transportation on steps the City is taking to be
20 better prepared for the next climate disaster.
21 Before we begin, I would like to thank my committee
22 staff: Senior Committee Counsel Jessica Steinberg
23 [sp?] Alden [sp?], Senior Policy Analyst Patrick
24 Mulvahill [sp?], my Legislative Director Aji
25 [inaudible], as well as the staff of the

2 Transportation and Infrastructure Committee and
3 Environmental Protection Committee for all their hard
4 work put in to prepare this hearing together. Now I
5 would like to turn it back to my great Co-chair
6 Majority Whip Brooks-Powers.

7 CHAIRPERSON BROOKS-POWERS: Thank you,
8 Chair Kagan. Next we'll hear from Chair Gennaro.

9 CHAIRPERSON GENNARO: Thank you, Madam
10 Chair. It's a privilege to be chairing a committee
11 with-- chairing a hearing with you and with my good
12 colleague Council Member Kagan. I have a wonderful
13 opening statement which is kind of a reiteration of
14 the two wonderful opening statements we've heard thus
15 far. So I'm going to not do my opening statement,
16 but take care of some important housekeeping by
17 recognizing the good members that joined us today.
18 we're joined by Council Member Nurse, member of the
19 Environmental Protection Committee, Council Member
20 Ariola, Velázquez, Carr, Marte, Hanks, also a member
21 of the Committee on Environmental Protection,
22 Narcisse, Council Member Holden, also a member of the
23 Committee on Environmental Protection, and Council
24 Members Louis, Farías, Paladino on Zoom, and Council
25 Member Restler, also a member of the Committee on

2 Environmental Protection. I'd like to thank my good
3 staff sitting right next to me, Counsel of the
4 Committee Samara Swanston [sp?], Policy Analyst Ricky
5 Chala [sp?], and my Legislative Director Navi Carr
6 [sp?] for all of their hard work. And with that, I'd
7 like to turn it back over to the lead Chair to call
8 the first witness. I look forward to hearing from
9 the DEP [sic] Commissioner and Chief Operating
10 Officer with whom I've long worked, and I look
11 forward to hearing the testimony of DOT as well. And
12 with that, I turn it back to Majority Whip and Chair
13 Selvena Brooks-Powers.

14 CHAIRPERSON BROOKS-POWERS: Thank you,
15 Chair Gennaro. Next, we will hear from Council
16 Member Velázquez.

17 COUNCIL MEMBER VELÁZQUEZ: Good morning
18 and thank you Chairs Brooks-Powers, Gennaro and Kagan
19 for holding this very important joint hearing. A few
20 weeks ago, an enormous sinkhole opened in my
21 district, swallowing a passenger van [sic] and
22 causing unthinkable damage to dozens of homes and
23 businesses in the Morris Park Community. It should
24 come as no surprise to anyone that this occurred when
25 extreme weather and dilapidated infrastructure have

2 become far too common, not just in my district but
3 across the City. After talking with affected
4 residents in Morris Park, alongside OEM Commissioner
5 Iscol, representatives from DEP, DOT, and the Red
6 Cross and others, we found that homeowners have been
7 experiencing consistent sewerage and water back-up in
8 their homes since last fall. When Hurricane Ida
9 wreaked havoc on our city, literally around the
10 corner from the sinkhole on Radcliff Avenue, a small
11 crater has already begun to form where another cave-
12 in could possibly open due to severe weather
13 conditions and inadequate and aging infrastructure.
14 From meeting with the DEP Commissioner I've learned
15 that many of the pipes that line the Morris Park
16 community were installed in 1916, and when I see
17 homeowners standing in several inches of water or
18 more, it's clear that pipes have been barely touched
19 since 1916 and can't handle the needs of a community
20 in 2022. As our communities have grown, so should
21 have our infrastructure, and as climate change has
22 intensified flooding, we should have made
23 improvements, and as leaders, we owe it to our
24 communities to not waste any more time. As the City
25 grows, our infrastructure also needs to keep pace and

2 be made more resilient. Location where the sinkhole
3 opened will soon be home to a highly-anticipated and
4 much-needed metro north expansion. This expansion
5 will allow new stations and regular routes increasing
6 traffic and enhancing our resident's access to
7 transportation. These new stations will be a great a
8 way to enhance transportation accessibility in my
9 community, which has long been a transit desert. I'm
10 excited about the opportunity this provides for the
11 people and businesses of my district, but we must
12 address the crumbling and overwhelmed infrastructure.
13 Increasing the neighborhood's population without
14 appropriately addressing the infrastructure is doing
15 a disservice to our lifelong residents and those who
16 have made the City their home. I'm passionate about
17 these issues, because the 13th district is also home
18 to City Island, Edgewater Park, Silver Beach and
19 other coastal and low-lying areas that are in need of
20 significant resiliency projects to protect us from
21 climate change. It's expected that by 2030, flooding
22 of 7.5 feet will continue-- will occur roughly every
23 five years. Without proper action this will
24 devastate my community. I'm encouraged that our
25 federal partners have passed a trillion dollar

2 infrastructure plan and I'm hopeful that the City can
3 work in productive ways to utilize this historic
4 funding to make our communities more resilient. This
5 is not a partisan issue. Everyone understands that
6 our needs-- our city needs and infusion of funding
7 and immediate action to fix and to protect our city's
8 future. It's past time we ensure this happens,
9 invest in significant infrastructure projects, and
10 improve the state of our city. Now we must work with
11 our city, state, and federal partners to transform
12 and revitalize our vibrant city. I will turn it now
13 back to Chair Brooks-Powers.

14 CHAIRPERSON BROOKS-POWERS: Thank you,
15 Council Member. Next I will pass it to the Counsel
16 for the Committee on Transportation and
17 Infrastructure, Elliot Linn [sp?].

18 COMMITTEE COUNSEL: Thank you. I'm
19 Elliot Linn, Counsel to the Transportation and
20 Infrastructure Committee of the New York City
21 Council. Our first witnesses will be from the
22 Administration, Chief Climate Officer and
23 Commissioner at the Department of Environmental
24 Protection, Rohit Aggarwala, Department of
25 Environmental Protection Chief Operating Officer

2 Vincent Sapienza, Senior Program Manager for
3 Infrastructure from the Mayor's Office of Climate and
4 Environmental Justice, Erika Jozwiak, and from the
5 Department of Transportation Assistant Commissioner
6 for Highway Inspection and Quality Assurance Vincent
7 Maniscalco, and Executive Director of Capital Program
8 Planning Leslie Wolf. I will now administer the
9 Oath. Please raise your right hands. Do you affirm
10 to tell the truth, the whole truth, and nothing but
11 the truth in your testimony before these committees
12 and respond honestly to Council Member questions?
13 Thank you. You may begin when ready.

14 COMMISSIONER AGGARWALA: Thank you and
15 good morning Chairs Brooks-Powers, Chairman Gennaro,
16 Chairman Kagan, and all the members of the three
17 committees assembled here. My name is Rohit
18 Aggarwala. I am the Commissioner of the Department
19 of Environmental Protection and the City's Chief
20 Climate Officer in which capacity I oversee the
21 Mayor's Office of Climate and Environmental Justice.
22 Thank you for the opportunity to speak today about
23 the challenges the city's infrastructure faces from
24 extreme weather events. I'd like to start with a
25 story. The main contours of it you know, but I think

2 the specifics are instructive, so I'll ask you to
3 bear with me. Hurricane Henri arrived in New York on
4 August 21st, 2021. Henri set a record for the most
5 intense rain event in the City's history, at 1.94
6 inches of rain between 11pm and 12:00 p.m.

7 Previously, the most intense rainstorm had been 1.76
8 inches per hour, in 2004. Prior to that, the record
9 had been 1.58 inches per hour, in 1967. The records
10 for hourly rainfall go back to 1943. Of course, as
11 with all storms but particularly the most violent,
12 intense ones, rainfall was not uniform across the
13 City. New York's sewers are not designed to handle
14 1.94 inches of rain in one hour. It had never been
15 necessary. Prior to the 1970s, in fact, sewer
16 standards were set by each Borough President, which
17 is one reason that unfortunately some parts of the
18 City, especially Queens, have many sewers that are
19 designed for only 1.5 inches of rain. Today, our
20 standard is 1.75 inches per hour, which we are, as
21 you might imagine, re-evaluating. When that amount
22 of rain occurs, more water is attempting to enter the
23 sewer than can fit inside of it. This increases the
24 pressure on the sewer walls. A rain event like Henri
25 is, quite literally, a pressure-test of the system.

2 And what a pressure test does is find weaknesses, and
3 turn them into leaks. Underneath Radcliffe Avenue,
4 the pressure test of Henri was likely having its
5 first impact. Back in 1916, the Bronx Borough
6 President had embraced a new technology for sewer
7 construction, called Interlocking Vitrified Block.
8 The sewer under Radcliffe Avenue was constructed of
9 this material. The sewer had done its job well for
10 more than a hundred years. But in retrospect, it
11 seems likely that this particular design begins to
12 get weakened when it is pressurized and when water
13 reaches the top of the sewer, which as you might
14 imagine, it almost never does. As we all know, only
15 a few days later, Hurricane Ida shattered Henri's
16 record, with 3.15 inches of rain falling in Central
17 Park between 9:00 and 10:00 p.m., and its most
18 intense, up to 3.75 inches per hour, in several parts
19 of the city least able to handle it, especially the
20 Bronx and Queens. Of course, the greatest impact of
21 Ida was that 13 New Yorkers lost their lives. But,
22 for our sewer infrastructure, it was yet another
23 pressure test, with even greater levels of pressure
24 than Henri had used. During and the morning after
25 Ida, of course, we saw the visible impacts of climate

2 change on our infrastructure. Roads flooded, subways
3 flooded, equipment and possessions destroyed. In our
4 sewers, we began to see the impact of those two
5 pressure tests. DEP reports sinkholes in the Mayor's
6 Management Report. From Fiscal Year 2018 to 21, the
7 number of sinkholes, which by the way, includes
8 everything from a mild depression in the roadway to
9 what we saw on Radcliffe Avenue, had been declining,
10 from 3,769 in 18 to 2,839 in 21. In Fiscal Year 22,
11 the number shot up to 3,920. One of those was on
12 Radcliffe Avenue. Weakened by the pressure tests of
13 the two storms, the roof of the sewer had failed, and
14 soil from above was seeping in and being washed away.
15 Over time, the failure expanded to the point that a
16 large amount of soil from above was falling in. The
17 pressure of that failing soil, of course, widened the
18 hole in the roof of the sewer. DEP received a call
19 that there was a street cave-in at 1640 Radcliff
20 Avenue. DEP responded quickly, alongside other city
21 agencies, and happily, no one was injured. DEP's
22 response was appropriate. The collapsed length of
23 sewer was repaired with 152-linear feet of reinforced
24 concrete pipe. On either side of the pipe, the sewer
25 was inspected. There was no visible weakening to the

2 sewer on either side. This summer, of course, the
3 rains came again. Providing another pair of pressure
4 tests to this sewer in the Bronx. On July 16th,
5 2022, Morris Park experienced a storm which had a
6 maximum rate of 1.88 inches per hour in one hour.
7 Then on morning of July 18th, another storm that had
8 a maximum of 1.64 inches. This July 18 storm
9 highlights just how widely rainfall can vary across
10 the city. Central Park received only a total of 1.01
11 inches of rain, but the Fordham weather station in
12 the Bronx recorded a total of 3.35 inches across the
13 night. These two pressure tests found and expanded,
14 another weakness in the interlocking vitrified block
15 sewer just down the street. DEP received notice from
16 the Fire Department about a street collapse at about
17 4:00 p.m. that day at 1613 Radcliffe Avenue. It
18 seems that someone had called it into 911, rather
19 than 311, in which case it would have gone first to
20 the Department of Transportation. A DEP crew was
21 onsite in less than an hour, and was quickly
22 accompanied by Con Edison, DOT, NYCEM, FDNY, and
23 NYPD. The reality is that once a cave-in is
24 underway, there is little that can be done to stop it
25 except shut off the flow of water and wait. DEP

2 engineers had sent a television scope down through a
3 nearby manhole to see what was going on, and realized
4 that the sinkhole was going to get bigger before it
5 stopped. While DEP cleared and secured the area,
6 NYPD tow trucks moved cars away from the site,
7 except, of course, one unfortunate white van that was
8 too close to the edge to reach safely. Ultimately,
9 the sinkhole grew to 15 feet wide, by 58 feet long by
10 20 feet deep. The void also undermined a water main,
11 and so water service to nearby homes was off for
12 several hours until a repair was made. As we do
13 whenever there is a major water break, DEP
14 established two water on-the-go stations to provide
15 water to local residents while their water was out.
16 Water was restored within a few hours. All of the
17 volume of soil from the sinkhole entered into the
18 broken sewer, thereby blocking much of the normal
19 wastewater flow. To avoid a major backup of sewage
20 into homes, DEP staff quickly deployed large pumps to
21 convey sewage around the broken pipe. Over the
22 course of the next five days, DEP staff and its
23 contractors began removing soil from the sewer, which
24 had been carried more than 200 feet downstream by the
25 flow of sewage. Crews worked around the clock.

2 Unfortunately, while that work was ongoing, a
3 cloudburst on July 21st, with a maximum intensity of
4 1.6 inches per hour, generated runoff that exceeded
5 the combined capacity of the partially-blocked sewer
6 and the pumps that DEP had installed. Several homes
7 on the block got water in their basements. DEP staff
8 handed out claim forms to homeowners so that they can
9 apply for compensation for damages. We prioritized
10 getting our engineering report to the Comptroller's
11 office, which has now been delivered, so that the
12 Comptroller should now be able to process those
13 claims. DEP ultimately replaced another 157 feet of
14 sewer that was impacted by the break and the
15 cleanout. The story of the Radcliff Avenue sinkhole
16 demonstrates a number of key points about the
17 intersection of climate change and infrastructure.
18 The first is that the impacts we are dealing with are
19 exactly what has long been predicted. In 2000, the
20 first report by NASA's Goddard Center described the
21 likely effects of climate change on New York City.
22 These were repeated, I can assure you, in Mayor
23 Bloomberg's PlaNYC in 2006. We knew then what was
24 coming: more intense storms like Ida, more hurricanes
25 like Sandy, more heatwaves like the ones we have

2 experienced all summer and elsewhere. Drought, like
3 the 100-year drought Europe is enduring and the
4 1,000-year drought that the drying up the Colorado
5 River. Thankfully,-- oh, I'm sorry. Recently, New
6 York State declared a drought watch for all of New
7 York State outside of New York City and Westchester
8 County. Thankfully, our massive reservoir system
9 provides us greater ability to withstand dry periods
10 like this summer, which, despite some violent short
11 storms, is well below average rainfall. But it is
12 entirely likely that at some point in the coming
13 years and decades that New York City will face a
14 serious drought, and that such likelihood is, of
15 course, much greater as a result of climate change.
16 All of this we knew was coming. Of course, when
17 you're in a hole, the first thing to do is stop
18 digging, which is why it is so important that we
19 reduce our greenhouse gas emissions. As you know,
20 that is a priority of the Adams' Administration. We
21 are working hard to implement Local Law 97 and
22 congestion pricing; expand electric vehicles;
23 undertake new projects such as NYCHA's recently-
24 announced heat pump initiative, the Department of
25 Sanitation's recent announcement about universal

3 organics collection in Queens, and the Department of
4 City Planning's Zero Carbon Zoning initiative. And
5 we are working hard to adapt to climate change, using
6 a multi-layered approach. This means we are focused
7 on establishing multiple layers of resiliency at
8 different scales across the city to respond to the
9 multiple hazards. As we have seen, all these layers
10 of support, such as green infrastructure, grid
11 redundancy, coastal protection projects, emergency
12 communication, Building Code and Zoning Resolution
13 Amendments, and flood insurance are critical
14 components of this system, and our work to develop
15 and strengthen our infrastructure in response to
16 climate change must move forward with urgency,
17 funding, and partnership with government and
18 individuals. We will do all this with a fierce
19 commitment to environmental justice, and prioritizing
20 the most vulnerable communities. I'll highlight two
21 programs at my agencies. At DEP we have invested
22 dramatically in green infrastructure to help keep
23 rainwater out of our sewers, with 11,000 rain gardens
24 around the city, a network of ponds that capture
25 storm water called blue belts, and a new regulation
that requires private developers to design their

2 property to retain more storm water onsite through
3 porous pavement, green or blue roofs, or other
4 approaches. With MOCEJ in the lead, the City has
5 also issued Climate Resiliency Design Guidelines,
6 updated this past May, to ensure that new public
7 infrastructure can withstand the more extreme
8 flooding and other weather events that we expect in
9 the future. Anytime the city builds a library,
10 school, pump station, bridge, and more, it should be
11 designed with changing future conditions in mind.
12 I'll move on by reiterating that extreme heat, not
13 water, is the deadliest climate hazard in New York
14 City as well as in the United States. Each summer an
15 estimated 370 New Yorkers die prematurely because of
16 heat exposure. The lack of access to affordable home
17 air conditioning is a significant risk factor. The
18 impacts of extreme heat are not felt equally. Black,
19 low-income New Yorkers face the greatest risk to
20 extreme heat because of social and economic
21 disparities. Since 2017, the City has invested over
22 \$100 million dollars towards Cool Neighborhoods,
23 resulting in over 11,700 trees being planted in the
24 most heat-vulnerable neighborhoods, more than 11
25 million square feet of cool rooftops being installed,

3 and the launch of two programs aimed at strengthening
4 community resilience through partnerships with
5 community-based organizations and health workers.

6 The second thing Radcliffe Avenue demonstrates is

7 that there are still going to be climate change

8 impacts that take us by surprise. The sinkhole on

9 Radcliffe Avenue would not have been easy to predict

10 given what we know and the tools we currently have.

11 That sewer's particular combination of materials and

12 design was not appropriate to a world in which the

13 sewer would be full and pressurized on a regular

14 basis, which is what the last 12 month's many extreme

15 storms have done. As a result, DEP now is planning

16 to rebuild that entire stretch of sewer, 3,300 feet

17 of it, by lining it with a new cured-in-place

18 materials. That essentially means we'll be putting a

19 new liner inside the existing sewer to make it

20 stronger. Work will begin in a few months on the new

21 line. We are also going to be looking through our

22 records, thousands of as-built drawings, to identify

23 where there are other locations where the same design

24 was used, and which can reasonably be expected to be

25 weakened at will. At the moment, happily, we don't

think this design was used very long, and we haven't

2 found another location that has it. We have
3 certainly been thinking about how we might have
4 predicted that this particular sewer design would
5 fail. Generally speaking, sinkholes, like water main
6 breaks, occur fairly randomly, so they are in fact
7 hard to predict. Only when we can start to see a
8 pattern can we make predictions. Now we know that we
9 have one type of sewer that was weak, and we may be
10 able to consider what indicators might tell us in
11 advance that we have further risk. It's also
12 important to note that the sewer did not fail because
13 it is old. We rely on lots of old infrastructure,
14 the Brooklyn Bridge is nearly 140 years old, and we
15 don't think that we need to replace it. Sewers,
16 particularly, are very long-lived assets. The city of
17 Rome still has a few in service that are more than
18 2,000 years old. There are lots of other sewers--
19 lots of other sewers, many much older than Radcliffe
20 Avenue's, that we expect are going to have no
21 structural issues whatsoever under our new normal
22 conditions. Age is not a good indicator of risk.
23 Finding the weak spots, identifying where climate
24 change causes the most acute risks to our
25 infrastructure, will require learning, and only some

2 of it can be predicted well in advance. We saw this
3 also during Hurricane Sandy. While the flooding was
4 predicted, the regional impacts on gasoline supplies
5 was not. No one had noticed that refineries are all
6 coastal, so that when a coastal storm happens, all of
7 the refineries are out of service at once. 2020
8 hindsight says it's obvious. It was obvious to no
9 one before Hurricane Sandy. And of course since
10 Sandy, we've now done a lot more planning around
11 climate change and supply chains. But it was a
12 surprise lesson, just as Radcliffe Avenue was. The
13 third thing Radcliffe Avenue reminds us is that we
14 will not be able to change our infrastructure as fast
15 as the climate is changing. Adjusting to our new
16 climate will take time, lots of money, difficult
17 tradeoffs and potential controversy. We are going to
18 have to give up things we like. We will have to put
19 up with inconvenience. While it won't be easy, these
20 projects are necessary to ensure that our children
21 and grandchildren can enjoy the gifts of living in
22 New York City. Making these investments is a
23 delicate process that will require all hands on deck
24 and a shared understanding of the challenges we face.
25 We are working hard to speed up the City's ability to

2 change our infrastructure. First Deputy Mayor
3 Lorraine Grillo has, as you know, an interagency
4 project underway to streamline projects delivery. At
5 DEP I have initiated an internal effort to identify
6 and correct what slows our contracting and
7 procurement processes. But the reality is that heavy
8 construction takes time, and public engagement takes
9 time, and sound planning takes time. So even if we
10 operated under pandemic-like emergency procedures, it
11 would still take a long time to change our
12 infrastructure. And it will cost money.
13 Infrastructure is expensive. We look forward to
14 partnering with the City Council to ensure New York
15 City receives its fair share of funds from the
16 federal government and from the state. However, we
17 should remember that New York City pays for the vast
18 majority of its own infrastructure investments. For
19 water and sewer infrastructure, that is the water
20 rate. Whatever level of protection we want, we must
21 be willing to pay for it. Finally, the failures on
22 Radcliffe Avenue are a reminder that our new climate
23 will require that New Yorkers play a role
24 individually. For centuries, New York City has
25 enjoyed a very mild climate. Aside from a few

2 hurricanes and some blizzards, New York does not have
3 a history of earthquakes and wildfires like the west
4 coast, tornados like the Midwest, or the mudslides
5 and hurricanes that effect of the southeast and the
6 Caribbean. New Yorkers generally assume that our
7 infrastructure will work, regardless of the weather.
8 Our new climate is not so generous. Extreme storms
9 like Ida gained intensity quickly. We often can't
10 predict a cloudburst even an hour in advance. And
11 because we cannot change our infrastructure as
12 quickly as the climate is changing, New Yorkers
13 cannot be as confident as before that our
14 infrastructure will function as reliably as we expect
15 in extreme conditions. We need New Yorkers to take
16 steps to protect themselves. Pay attention to
17 weather reports. Plan to protect your property.
18 Don't take risks, like going out in a violent storm.
19 Don't put others in danger; if you don't think it's
20 safe to be outside, don't decide that it is safe for
21 a deliverista [sic] to be outside. Don't keep
22 valuables in your basement. Get flood insurance.
23 Since Ida, the City has taken a number of steps to
24 help New Yorkers protect themselves in these new
25 conditions. Our colleagues at NYCEM have enhanced

2 our Notify NYC system, to let people know when
3 cloudbursts are coming. Notifications are available
4 in 14 languages, and messaging has been updated since
5 Ida to focus on those living in basement apartments
6 to alert them to move to higher ground when flash
7 flooding is likely. More than a million New Yorkers
8 are signed up, but we know we are not thoroughly
9 reaching all communities in the City, especially
10 those least connected to the government. We are
11 working with organizations that are trusted by those
12 communities to see how they can relay messages of
13 warning. Similarly, we recently launched Rainfall
14 Ready, an effort that is very much short-term. I
15 have described it as a Band-Aid. But it is designed
16 to help New Yorkers prevent death and reduce
17 destruction from flooding. DEP issued a new map,
18 available online, that identifies those properties
19 around the City that we believe to be most
20 susceptible to flooding. For the absolutely most
21 susceptible properties, DEP has been offering
22 inflatable water barriers to protect their
23 properties. This is not a long-term solution. This
24 requires the homeowner to fill them up and install
25 them, take them down, and store them after a rain

2 event. But it's the kind of thing that both raises
3 awareness and could reduce damage. We started our
4 giveaway program just this past weekend. I'll close
5 here. There is so much that I could discuss: DEP's
6 new data-driven approach to scheduled catch basin
7 cleaning; the FloodNet sensor program; the potential
8 for funding from the Bipartisan Infrastructure Law,
9 and the potential New York State Environmental Bond
10 Act. DEP is beginning to model how climate change
11 will impact our water supply. The US Army Corps of
12 Engineers just released their preferred option for
13 how to protect all of New York harbor from coastal
14 inundation. Every week I convene the climate leads
15 from more than 15 agencies to update each other on
16 progress and provide assistance. There is a lot we
17 are doing. I want to thank the Council again for the
18 opportunity to speak today and for your attention to
19 this critical issue. The challenges that climate
20 change is bringing cannot be avoided, but I am
21 confident that we can get through them if we work
22 together, and do so wisely, and thoughtfully, but
23 with the urgency that this climate emergency
24 requires. That is where I am particularly hopeful
25 with this Council. We will be looking to you to

2 advocate for this work in your communities, using
3 your influence to lead your communities when we must
4 accept change, sacrifices, and inconvenience
5 necessary to protect ourselves and our children. I
6 appreciate the Council's ongoing partnership in all
7 that we do, and I look forward to continuing to work
8 with you on this critical issue. My colleagues and I
9 are happy to answer any questions that you have, and
10 I now turn it over to my colleague at DOT, who will
11 read his testimony.

12 ASSISTANT COMMISSIONER MANISCALCO: Good
13 morning Chairs and members of the Committee on
14 Transportation and Infrastructure, Resiliency and
15 Waterfronts, and Environmental Protection. I am
16 Vincent Maniscalco, Assistant Commissioner for
17 Highway Inspection and Quality Assurance at the New
18 York City DOT. I am joined today by Leslie Wolf,
19 Executive Director for Capital Program Planning.
20 We're happy to join our colleagues on behalf of
21 Commissioner Rodriguez to discuss the topics of
22 sinkholes as well as the infrastructure challenges
23 posed by extreme weather. First, starting with
24 sinkholes: Since 2009, all 311 sinkhole complaints
25 are initially routed to DOT and the DOT staff have

2 provided training to 311 operators and tell them the
3 differences between a cave-in, pothole, street
4 excavation, depression, or other street defect. A
5 DOT inspector makes the initial inspection to assess
6 the complaint is truly a cave-in or a sinkhole, in
7 which case we refer to DEP, or utility, or another
8 responsible party to further investigate and correct
9 the issue that is causing the cave-in while making
10 the site safe for the public in the meantime. Cave-
11 ins are caused when a void develops under the
12 pavement, almost always caused by water leaks
13 somewhere underground. Identifying and addressing
14 the cause of cave-ins is crucial. While we
15 understand this delay can be frustrating, repairs
16 that do not address the root cause will quickly
17 deteriorate and may even make the situation worse by
18 adding more weight to the road. Let me be clear, DOT
19 is the owner of our streets. We maintain and repair
20 the pavement, and we have the responsibility which we
21 take very seriously for ensuring that everyone who
22 has a facility under the road, from pipes to sewers,
23 to conduits to vaults and to building connection is
24 taking care of it appropriately. Our 170 inspectors
25 are hard at work around the clock performing

2 inspections, issuing corrective action requests and
3 enforcing the requirements of our permits, including
4 the requirement to fully restore the roadway whenever
5 an excavation has been performed. Starting in 2014,
6 after the tragic Park Avenue gas explosion in Harlem,
7 we worked with DEP, Con Edison and National Grid to
8 establish a working group that meets monthly to
9 review priority cave-in locations that may pose a
10 risk to a gas line. As one part of this group's
11 work, DEP and DOT takes turns in repairing any defect
12 for which a clear, responsible party could not be
13 identified to make sure that the needed repairs are
14 done as quickly as possible. When it comes to
15 resiliency and preparing our infrastructure for the
16 future of more extreme weather in the face of climate
17 change, our agency testified in detail back in April
18 on our ongoing efforts, and that information is
19 included again in my written testimony. Our streets
20 and bridges are crucial to the economic vitality and
21 mobility and the quality of life for city residents
22 and the DOT is committed to doing our part to prepare
23 them for the future for more extreme weather,
24 particularly for our underserved communities. Thank
25 you for the opportunity to testify, and we will now

2 be happy to answer any questions along with our DEP
3 colleagues.

4 CHAIRPERSON BROOKS-POWERS: Thank you for
5 the testimony from both of the agencies. I do ask
6 that in the future that we receive the testimony with
7 a bit more lead time so that the members on the
8 committees are able to really read and digest the
9 information that's being shared with us. So let's
10 get into it. Can you explain to us the difference
11 between a pothole, a street cave-in, and a sinkhole?

12 ASSISTANT COMMISSIONER MANISCALCO: Cave-
13 ins and sinkholes are one in the same. It's when
14 there's a break in the street, and you will see a
15 hole, and you could actually-- it's very deep and you
16 can't see the bottom. Unlike a pothole with jagged
17 edges, you can see the form, it actually has a
18 bottom. We also have depressions, and depressions
19 are when you see a dip in the road where there's no
20 break in the road yet. That's usually a beginning
21 stage of what will turn into a cave-in, if it
22 continues to sink. And then, of course, we have the
23 street excavations, and those are the street cuts you
24 see usually done by Con Edison and plumbers. Those
25 have a shape. They're either square or rectangular,

2 and those also sometimes are defective where our
3 inspectors will notify the responsible party.

4 CHAIRPERSON BROOKS-POWERS: Thank you.

5 And it is our understanding that the potholes fall
6 under the jurisdiction of DOT, but the street cave-
7 ins and sinkholes fall under the jurisdiction of DEP.
8 Are the roles that the two agencies have in
9 investigating and making repairs to either a pothole
10 or a street cave-in established pursuant to law,
11 rule, or internal policy?

12 ASSISTANT COMMISSIONER MANISCALCO: So,
13 for the first part, potholes, yes, that is the
14 jurisdiction of DOT and we do repair potholes
15 aggressively all year long. Cave-ins do go to DEP,
16 but in 2009 because of the response time, it was
17 decided that DOT would triage cave-ins in order to
18 clearly identify if it's truly a cave-in. A lot of
19 times, the citizens will call up and say, "It's a
20 cave-in," but it turned out to be a pothole, or it's
21 a cave-in and it turned out to be a street cut.
22 These complaints were going to DEP first, and that
23 was time consuming for their crews to go to these
24 locations only to find that it's someone else's
25 responsibility. So, in 2009, DOT, my inspection crew

2 was called in to get these complaints first, and to
3 go out and identify if it's a true cave-in, a
4 pothole, or a street cut. If it's a cave-in, then we
5 issue what's called a Corrective Action Request, and
6 we send it to DEP whereby they will now send a crew
7 to do the test and to see what's the underlining
8 condition.

9 CHAIRPERSON BROOKS-POWERS: So, it sounds
10 like it's policy.

11 ASSISTANT COMMISSIONER MANISCALCO: Yes.

12 CHAIRPERSON BROOKS-POWERS: Complaints
13 about street cave-ins have increased this year, even
14 though DEP hasn't-- has increased its response times.
15 Do you believe the increase in complaints is
16 attributable to the number of roads exceeding their
17 useful life time?

18 ASSISTANT COMMISSIONER MANISCALCO: We
19 started to see the increase after the pandemic. The
20 number of complaints, 311 complaints, were pretty
21 steady since we started in 2009, 7-9,000. It didn't
22 really-- it dropped when the pandemic-- less people
23 in the street. Less people complaining, but then
24 once people started walking around looking-- and
25 that's when we started to see the increase. And

2 right now it's around little less than 8,000 311
3 complaints that come from cave-in conditions.

4 CHAIRPERSON BROOKS-POWERS: Okay. The
5 city's underground infrastructure such as the water
6 and sewer mains are old and fragile, with reports
7 indicting that the average of the City's water main
8 is 66 years old. And I do understand and want to
9 acknowledge that it has stated that old does not
10 necessarily mean bad, but we do know the absence of
11 maintenance could attribute to that. But I'd like to
12 understand, are the needed repairs to these types of
13 underground infrastructure eligible for funding
14 through the Federal Government's IIJA, and if so, has
15 the City applied for any of these funds, and how much
16 was the ask for?

17 COMMISSIONER AGGARWALA: So, I'll start,
18 and Vinny if you have anything to add. So, first of
19 all I'll say the Administration is very focused on
20 ensuring that we get our fair share of funding from
21 the IIJA and from all of the other sources of money
22 at the state and federal level, and in fact, Deputy
23 Mayor of Operations Mira Joshi [sp?], convenes a
24 weekly meeting with members of-- with seniors members
25 of several city agencies that are relevant. Every

2 opportunity is identified. There's a lot of work
3 that goes into that. We believe that there is money
4 for water infrastructure specified. It will be going
5 through EPA, and eventually we believe it will go
6 through the State. However, EPA has not yet written
7 a guidance to the states for that money, and
8 therefore, frankly we don't yet quite know how much
9 to expect or what we think will qualify for it, But
10 we are keeping a close eye on that. The first
11 tranche of money that will go through the EPA from
12 IIJA is the led service line funding. The state did
13 receive the guidance on that earlier this year. The
14 state has started a preliminary request for
15 applications, and DEP is certainly going to be
16 applying by the deadline of August 31st. However, we
17 have informed that it's probably not until the spring
18 that final decisions are made at the state level and
19 money is dispersed.

20 DEPUTY CHIEF SAPIENZA: I just want to
21 add that what we're hearing at the federal level is
22 that some of the dispersements are going to be needs-
23 based, and one of the issues that we run into is when
24 we say in New York City we only have six water main
25 breaks per hundred miles of mains per year, and

2 nationally it's 25, we often lose out in that
3 prioritization.

4 CHAIRPERSON BROOKS-POWERS: Thank you.
5 That's good to have, to take account for. Do you
6 have an inventory of the City's underground
7 infrastructure, and do you know the current state of
8 repair for all underground infrastructure throughout
9 the City?

10 DEPUTY CHIEF SAPIENZA: Madam Chair, DEP
11 has an inventory of its water and sewer
12 infrastructure where valves are, where manholes are,
13 catch basins, regulators. We don't have an inventory
14 of other utility assets.

15 CHAIRPERSON BROOKS-POWERS: I'm sorry,
16 you said you do not.

17 DEPUTY CHIEF SAPIENZA: We do not for
18 other utilities.

19 CHAIRPERSON BROOKS-POWERS: Okay, and the
20 assets that you do have inventory for, can this be
21 made available, this information?

22 DEPUTY CHIEF SAPIENZA: We can certainly
23 look to see, you know, how we could make that
24 available.

2 COMMISSIONER AGGARWALA: But I will just
3 hasten to point out, Council Member, that as you
4 would imagine, some of that information is very
5 closely held because there are security concerns with
6 letting the general public know exactly where all of
7 our water infrastructure is. So we cautiously guard
8 it, but if there are specific questions that would
9 help you evaluate the way we are maintaining it, of
10 course, we'd be very happy to do what we can to share
11 any information.

12 CHAIRPERSON BROOKS-POWERS: And just to
13 clarify, it was less about the location, more about
14 the conditions that we're looking to get information
15 on.

16 DEPUTY CHIEF SAPIENZA: And I think oen
17 good indication, Madam Chair, is to look at our 10-
18 year Capital Plan where we have, you know, literally
19 hundreds of projects for water mains and sewers.
20 Those are basically the locations that we've
21 identified as needing replacement. So I think that's
22 a good place to start.

23 CHAIRPERSON BROOKS-POWERS: Are there any
24 funding streams available in the recently enacted
25

2 Inflation Reduction Act that can be accessed to pay
3 for infrastructure improvements as well?

4 COMMISSIONER AGGARWALA: From what I
5 know, the bulk of the funding in the Inflation
6 Reduction Act is actually more on the climate
7 mitigation side, but of course, we will pay close
8 attention to that as it gets closer. As I suggested,
9 these funding streams take a while, so frankly, we're
10 very much focused right now on our lead service line
11 application and getting the money that's near term.
12 As well by the way, I didn't mention the CDBG money,
13 that there was a significant portion of IIJA money
14 that is allocated to communities by formula, and that
15 is something that the City is aggressively doing, and
16 there will be-- I don't know if there's going to be
17 sewer money, but there's certainly green
18 infrastructure resilience money that we will be
19 getting as a result of that.

20 CHAIRPERSON BROOKS-POWERS: What's that
21 formula and who establishes it?

22 COMMISSIONER AGGARWALA: I would probably
23 need to call on a colleague from HPD, since the
24 Community Development Block Grant program is an old
25 program. It's decades old at the Federal Government.

2 It establishes a formula. I fear I do not know the
3 details on the formula, but it is a direct
4 municipality funding stream.

5 CHAIRPERSON BROOKS-POWERS: Thank you.
6 What percentage of street cave-ins are caused by
7 water main breaks, and what percentage of street
8 cave-ins are caused by changes to natural water
9 drainage patterns?

10 ASSISTANT COMMISSIONER MANISCALCO: So,
11 you know, as our colleague testified, most of the
12 time when there's a street cave-in or a sinkhole it's
13 water-related. So it could be a water main or a
14 sewer, as happened on Radcliff Avenue. And I should
15 mention its DEP infrastructure, water and sewer or
16 private water and sewer infrastructure. There are
17 more than a million connections from homes to the
18 water mains and another million connections from
19 homes to the sewer system, and either of those can
20 cause cave-ins. Forty-five percent of cave-ins are
21 caused by New York City DEP infrastructure, either
22 water mains or sewers. Again, there's another
23 tranche that are from private services or backfills
24 from plumbers after they make a repair. And 23
25 percent we call "undetermined" which generally can be

2 result of a natural water drainage that undermines
3 soil.

4 CHAIRPERSON BROOKS-POWERS: Thank you.

5 In Fiscal Year 21, more than 26 percent of the City's
6 roadways were in poor or fair condition. What is the
7 plan to address these roads, and how is DOT ensuring
8 that these roadways are being repaired and improved
9 upon in order to lower this number? What underground
10 structure also impacts these roadway conditions?

11 ASSISTANT COMMISSIONER MANISCALCO: DOT's
12 responsible for the resurfacing, and we have
13 increased our lane mileage for the number of lane
14 miles we're resurfacing. I believe it's between 12
15 to 1,500 lane miles which will improve the conditions
16 of the road. As far as underground facilities,
17 that's mostly the DEP, but whenever a contractor
18 does-- a private contractor does dig up a street, our
19 inspectors will go out to ensure that the restoration
20 is done according to our specification so to prolong
21 the life of the street.

22 CHAIRPERSON BROOKS-POWERS: And I'd like
23 to at some point get a report out in terms of the
24 locations where we're seeing this also, because for
25 example-- in terms of resurfacing, rather, and how

2 it's being prioritized, because I will say even in
3 Rockaway, we continue to reach out to DOT for
4 resurfacing in certain areas, and it's continued to
5 be prolonged. A couple of years ago we even had like
6 a water main break that a lot of my neighbors,
7 including my husband lost our car, as a result, and
8 unfortunately there is such a cumbersome process to
9 make residents go in circles until their time has run
10 out, and they never get compensated from it. Even my
11 husband talks about it to this day, never got
12 compensated, and lost a brand new car as a result of
13 a water main break in the street. That was the
14 City's responsibility, and you know, when you have
15 residents reaching out about re-paving the surface,
16 that continues to prolonged. So I'm interested in
17 terms of how these type of requests are handled and
18 broken down by district and communities to see and
19 what looks like.

20 ASSISTANT COMMISSIONER MANISCALCO: We
21 could provide-- we don't have it here, but I could
22 get you the information as far as our resurfacing
23 schedule. Now, on the other part as far as water
24 main breaks-- my colleagues can correct me if I'm
25 wrong. If a water main break does occur, DEP had an

2 emergency contractor, whether its water or sewer, and
3 they will be responsible not only to repair the pipe,
4 but also to restore the street back to its original
5 condition.

6 CHAIRPERSON BROOKS-POWERS: Thank you.

7 And then in terms of the sinkholes, how many-- just
8 staying in line with that. How many occur in New
9 York City per year?

10 ASSISTANT COMMISSIONER MANISCALCO: We--
11 well, based on 311 we get like seven-- like I said,
12 7-8,000 cave-in complaints, of which 80 percent are
13 confirmed to be cave-in. Actually 90 percent. The
14 other 10 percent belong to other entities. Now,
15 cave-ins-- it's not the exact number. The reason is,
16 these are the number of complaints and we do have
17 duplicates. You know, a cave-in could be called in
18 by multiple citizens, so the number is a little
19 skewed as far as how many are actually out there. We
20 do issue six to seven corrective action requests--
21 these are notices that our inspectors issue after
22 confirming that it's a cave-in-- to DEP to go out and
23 to do their investigation.

24 CHAIRPERSON BROOKS-POWERS: And do you
25 guys reconcile that number to have a solid

2 understanding of how many are actually truly
3 sinkholes?

4 ASSISTANT COMMISSIONER MANISCALCO: We
5 try. Like I said, a lot of these are duplicates, and
6 in order to determine, you know, how many are
7 actually out there, we would have to do joint
8 inspections and see if this is the same cave-in that
9 was called in by the citizen and if the inspector
10 picked up the-- you know, was picked up more than
11 once.

12 CHAIRPERSON BROOKS-POWERS: And are there
13 any streets in the City that are more vulnerable to
14 sinkhole than others, or where there are-- where
15 there are reoccurring problems? And if so, what are
16 those areas?

17 ASSISTANT COMMISSIONER MANISCALCO: I
18 believe my colleague said it's-- the cave-ins are
19 random. They could happen anywhere at any time. We
20 just can't pinpoint that this location is more
21 vulnerable to a cave-in than another location. We've
22 seen brand new streets develop cave-ins, and we've
23 seen older streets that have no cave-ins at all. It
24 all depends on what's happening underneath.

2 CHAIRPERSON BROOKS-POWERS: Do the
3 agencies feel they have sufficient capital funding in
4 order to address these cave-ins and sinkholes and
5 manholes-- sinkholes and cave-ins?

6 COMMISSIONER AGGARWALA: I'll take that.
7 Council Member, I think-- you know, first of all, DEP
8 has a significant capital budget, right? We have a
9 roughly 25 billion dollar 10-year capital plan. It's
10 a lot of money. It does come out of the pockets of
11 New York City's water rate fares [sic], so we pay for
12 it. We have some support from the federal and state,
13 but it's very, very small in comparison to the
14 investment that our rate fares make. I don't-- right
15 now, I would say when it comes to sewer maintenance--
16 and Vinny, maybe you could look up. I don't have the
17 exact number in my head, but we have a pretty
18 aggressive program. And as I said in my testimony, I
19 think the issue right now is we don't know exactly
20 what we-- what we would do with more money that would
21 systematically reduce the likelihood of sinkholes,
22 right? And I think this is point that-- if something
23 is random, you could fix whatever you want and it may
24 not have any impact on the number that you are
25 looking to effect.

2 CHAIRPERSON BROOKS-POWERS: But you also
3 mentioned that, in your testimony, that when you see
4 an indentation in a road that sometimes that's a sign
5 of what's to come. And so when we see those signs,
6 like how will we-- you know, addressing it and being
7 proactive instead of reactionary.

8 COMMISSIONER AGGARWALA: Well, Council
9 Member, I think that's a -- that's a good question,
10 and you know, we have seen the DEP's response time
11 for these events. On average-- I think we performed
12 very well at Radcliff Avenue. But on average we
13 have-- in Fiscal Year 22 our response time has gone
14 down, which I think is fairly predictable in response
15 to the fact that the total numbers have gone up, and
16 frankly our averages are significantly affected by
17 our performance back in September and October when,
18 as you might imagine, DEP's crews were scrambling to
19 deal with post-Ida damage. I think one of the things
20 we will be looking at particularly with the
21 experience of Radcliff Avenue-- I'd say it's two
22 things. One is we will take another look at the data
23 to see whether there are underlying patterns that
24 would lead us to see non-random things that could
25 lead to a fix, and we'll also make sure that we are

2 as aggressive as we can be in spotting problems as my
3 colleague from DOT points out, where-- and as you
4 suggest, Council Member-- that a depression is an
5 early warning sign so that we are not waiting until
6 there is an actual cave-in. Oh, yeah, and my
7 colleague points out that we have 2.3 billion dollars
8 over the next four years slated in the budget for
9 sewer infrastructure. So it is a sizable number.

10 CHAIRPERSON BROOKS-POWERS: Thank you.
11 Sorry. Are options like water absorbent asphalt
12 something that's being considered, and have we
13 entertained using this as an option?

14 COMMISSIONER AGGARWALA: Yes.

15 ASSISTANT COMMISSIONER MANISCALCO:
16 Council-- I will-- Leslie Wolf from DOT will be glad
17 to answer that question on some of the other
18 products.

19 EXECUTIVE DIRECTOR WOLF: Thank you for
20 your question. DOT, in consultation with our
21 partners at DEP, are actively installing and studying
22 permeable pavement. Currently at DOT we have a
23 permeable pavement pilot program in which we are
24 testing out different materials, different porous
25 materials, and evaluating their impacts and how they

2 could possibly be used moving forward to deal with
3 storm water management. We're also working very
4 actively with DEP in putting in pre-cast porous
5 pavers throughout the City, and that is something
6 that has been-- that's in compliance with the uniform
7 storm water rule in which we have to look at reducing
8 impervious pavement in order to deal with storm water
9 management. So we're doing that throughout the
10 street reconstruction program, like I said, working
11 with our partners at DEP on siting, and putting those
12 things into our capital work.

13 CHAIRPERSON BROOKS-POWERS: Thank you.
14 In New York City, the building owner builds the sewer
15 connection line and water connection to their
16 building or home. These lines are part of their
17 property, and thus the owners are responsible for the
18 maintenance and repair, as are the owners to which
19 their building or home is sold. What type of
20 outreach is being done to ensure that building owners
21 understand their responsibilities in terms of the
22 sewer connection line and water connection line?

23 DEPUTY CHIEF SAPIENZA: So, each of those
24 property owners will receive a water bill, and we
25 almost in every quarterly bill that gets sent will

2 have some kind of informational mailer in there, and
3 we have, you know, certainly notified homeowners that
4 it's their responsibility for their private
5 connections. There is-- and this is another thing
6 that, again, in our informational mailers we suggest
7 that property owner's look at insurance. There are
8 companies out there that will ensure their water and
9 sewer service lines, generally for 15-20 dollars a
10 month. We know that more than 200,000 property
11 owners have signed up for some sort of insurance. So
12 that's a recommendation.

13 CHAIRPERSON BROOKS-POWERS: I will say
14 that both in my district and Council Member Williams'
15 district, we've been having some issues around that
16 lately. So I definitely look to the agency to be
17 able to be a bit more aggressive with the education
18 of homeowners on that piece as well. In line with
19 the same questioning, what resources are currently
20 available in New York City and New York State to aid
21 owners who may not have the necessary funding or
22 resources to maintain and/or repair sewer and water
23 systems?

24 DEPUTY CHIEF SAPIENZA: Do you want to
25 take that? My colleague Mario [sic]

2 CHAIRPERSON BROOKS-POWERS: Yeah, this is
3 an important one. I literally just had a constituent
4 case that we're dealing with on that right now.

5 MARIO: HPD and the nonprofit NHS both
6 have low-cost loan programs, and we work closely with
7 those two groups. We do housing fares with both of
8 them, and we always refer people who need help with
9 the funding to them.

10 CHAIRPERSON BROOKS-POWERS: Could you
11 describe the process of applying and receiving an HPD
12 home repair and preservation financing loan and the
13 NHS homeowner loan?

14 COMMISSIONER AGGARWALA: Council Member,
15 I apologize, we don't have HPD here at this hearing
16 today. I'm sure we'd be very happy to connect.

17 CHAIRPERSON BROOKS-POWERS: Is there any
18 coordination, though, with the agency around this?

19 COMMISSIONER AGGARWALA: There's some,
20 but the reality is when it comes to HPD-administered
21 loans, that is really about the homeowner and the
22 property, and that is something we defer to our
23 colleagues at HPD about.

24 CHAIRPERSON BROOKS-POWERS: I would think
25 that there should be not really a silo in that space,

2 because considering it's impacting the infrastructure
3 that could impact an entire block of community.

4 There should be more coordination around that. So I
5 would imagine you don't know how much money is
6 available each year for homeowners through these
7 programs either?

8 COMMISSIONER AGGARWALA: I do not know.

9 CHAIRPERSON BROOKS-POWERS: Okay. So
10 we'll follow up with HPD on that. Okay, I'm going to
11 have to skip the next few questions, because you guys
12 don't know about this program, but again, I think
13 that that's a significant gap right there in
14 communication between the agencies. How has your
15 agency been strategizing about which neighborhoods to
16 invest in and when, and is AdaptNYC going to do that?

17 COMMISSIONER AGGARWALA: I can see if my
18 colleague from MOCEJ would like to speak about
19 AdaptNYC, but I'll start from the DEP perspective. We
20 prioritize areas where we have known issues with the
21 sewers. As you know, there are a number of
22 neighborhoods around the City that actually have no
23 storm sewers at all, and then there are areas where
24 we know of recurring problems over the years, and so
25 that is how we really prioritize. Our crews know the

2 City very well. They know where the problems are.

3 We rely in-part on 311 data and the source of
4 complaints, and that is how we fashion our capital
5 investment plans. One thing I will point out is
6 particularly in the aftermath of Ida, our Bureau of
7 Water and Sewer Operations has undertaken a
8 significant effort to do drainage plans for a number
9 of neighborhoods around the City that were
10 particularly hard-hit. That work is ongoing. It has
11 led to a number of commitments around sewer
12 investment, some of which were reflected in the New
13 Normal report that was released last November, some
14 of which are going to be reflected in our capital
15 plan come this year. And Erika, would you like to
16 respond on AdaptNY?

17 ERIKA JOZWIAK: Sure. Thank you so much
18 for the question. As you may be familiar, we have a
19 20 billion dollar resiliency portfolio that we take a
20 multi-hazard approach looking across all areas of the
21 City and across all different climate hazards. We
22 will take back your question and can follow up on
23 more specifics on the next couple of steps for
24 AdaptNYC.

2 CHAIRPERSON BROOKS-POWERS: Thank you. I
3 look forward to getting that information. Just wanted
4 to stay in line with the question about the
5 coordination. What does collaboration look like
6 between your agency and other agencies working on
7 citywide infrastructure challenges?

8 COMMISSIONER AGGARWALA: I'll turn it
9 over to Vinny in a moment, but you know, inevitably,
10 much of DEP's infrastructure in the City is in the
11 shared right-of-way, and anything therefore related
12 to our water distribution or our sewer system must be
13 done in close collaboration with the Department of
14 Transportation and the Department of Design and
15 Construction.

16 DEPUTY CHIEF SAPIENZA: And I'll just
17 add, as the Commissioner mentioned, the Department of
18 Design and Construction was formed in the mid-90s to
19 help with collaboration between the various agencies,
20 many of which have infrastructure either under the
21 street or on the streets and sidewalks, and so DDC
22 does a lot of the coordination.

23 CHAIRPERSON BROOKS-POWERS: Okay. What
24 pilot programs aim to mitigate the impact of these
25 extreme weather events, and is your agency

2 responsible for? What neighborhood are they
3 targeting, and how will your agency ensure that this
4 funding is going to environmental justice
5 communities?

6 COMMISSIONER AGGARWALA: Council Member,
7 I'll highlight a couple of things that we are doing,
8 and again, Vinny you can add more. You know, one is
9 as I described, is Rainfall Ready which we just
10 started a couple of months ago. As I characterized,
11 that is a Band-Aid solution. That is about helping
12 homeowners protect their property and we hope
13 preventing deaths due to extreme weather, and it
14 includes information alerts, public education, and
15 the giveaway of some of these devices. Then I'll
16 point out the Cloudburst Neighborhood Program that
17 was started under the previous Administration, but
18 actually was an expansion of something that DEP has
19 been working on for several years in conjunction with
20 the City of Copenhagen, where we have learned from
21 Copenhagen's approach to cloudburst technology or
22 really cloudburst design more than technology. And
23 what this involves is designing public space as the
24 storm water capture infrastructure of last resort,
25 whether that's in playground or roadways or other

2 areas of public space that when the sewers are full,
3 when the other green infrastructure is full during
4 the most extreme rainfall at an Ida kind of level,
5 you would see-- if these things are well-designed,
6 you would see rainwater being contained in those
7 areas. In the New Normal report and what we are
8 continuing, there's a commitment to do design studies
9 on 10 neighborhoods, and there is funding in the
10 budget to deliver four of those neighborhoods. We
11 will, of course, be pursuing those 10 designs over
12 the next year or so. We hope to be able ultimately
13 to deliver more than four, but that will be something
14 that we explore. There has already been work under--

15 CHAIRPERSON BROOKS-POWERS: [interposing]
16 I'm sorry, which neighborhoods?

17 COMMISSIONER AGGARWALA: The
18 neighborhoods are still being-- are still being
19 selected. We will be looking across the City to the
20 extent that we can, and yes, environmental justice
21 will be a key consideration, but in fact, so will the
22 actual drainage conditions. Some neighborhoods are
23 better-suited for this kind of approach than others,
24 and we are also looking at places where there is
25 already construction work planned, because that will

2 accelerate the delivery. I think it's really
3 important for us to look at the first several
4 projects, not as a project delivery or not as kind of
5 the end-state, but very much as a pilot so that we
6 understand how to design these things. We understand
7 what communities want, and we understand-- and we
8 understand how to build and maintain them.

9 CHAIRPERSON BROOKS-POWERS: When will the
10 communities be decided, and what's the criteria?
11 Well, you just gave some of the criteria, but when
12 will these communities be announced?

13 COMMISSIONER AGGARWALA: It will be over
14 the coming months, Council Member. I don't have a
15 specific date. And actually Vinny points out that of
16 all of our rain gardens-- you know, Council Member
17 Nurse and I took a walk in our neighborhood a couple
18 of months ago to look at some of the green
19 infrastructure in her district. We calculate that 85
20 percent of our rain gardens are in EJ neighborhoods.

21 CHAIRPERSON BROOKS-POWERS: Thank you.
22 I'm going to now pass it to Chair Kagan for
23 questions.

24 CHAIRPERSON KAGAN: Thank you Majority.
25 So I have a few questions regarding the program, new

2 program that you already announced. Recently DEP
3 began distributing inflatable dams to be filled with
4 water to residents whose homes are in areas prone to
5 flooding due to rain storms. Could you elaborate how
6 many of these 25,000 inflatable dams have been
7 distributed so far, and what we're going to do with
8 seniors and people with limited mobility.

9 COMMISSIONER AGGARWALA: So, rainfall
10 ready, again, the first step was identifying for the
11 first time using modeling the locations around the
12 City that are most vulnerable to rainfall flooding.
13 And you know, I didn't point out in the testimony-- I
14 think all of you know, but it's worth pointing out
15 that one of the challenges we face is that for 10
16 years after hurricane sandy, a lot of the City, and
17 in fact, a lot of the federal focus on resilience was
18 placed on coastal inundation, because that was the
19 main damage that Hurricane Sandy caused. Of course,
20 there was rain during Sandy, but the bulk of the
21 damage was the storm surge and coastal inundation.
22 Ida really was-- Henri and Ida really was the wake-up
23 calls that got everybody focused again on the
24 flooding that can come from the sky directly. And so
25 we did this model that complements the existing long-

2 standing coastal flooding model. It integrates it
3 into one, and so now we have this online tool that
4 homeowners can look at to see where they stand in
5 terms of flooding risk. Of course, we know that
6 many-- many New Yorkers, of course, got a real
7 example of it because they got flooded during Ida.
8 They got flooded during Henri. But because the rain
9 wasn't equally intense around the City, of course
10 there are places that are still potentially prone to
11 flooding but actually didn't do badly in the couple
12 of storms we've had. So this was a data-driven
13 approach that allowed us to identify out of the
14 million properties in New York City, roughly 24,000
15 that are at the highest risk. And reached out, DEP,
16 over the course of the summer reached out to all
17 24,000 or so-- well, actually, I'm sorry, about
18 16,000 of the residential properties with an offer of
19 these inflatable dams. We are collecting people's
20 interest. We are now having weekend events where
21 people who sign up are being given the equipment that
22 they signed up for. Right now, I think we have about
23 1,500 people who have signed up to receive it and who
24 will receive it, but the communication is ongoing and
25 we're open to more inbound requests.

2 CHAIRPERSON KAGAN: Maybe it's on the
3 question of communication. I am sure that many
4 people just are not aware of this program, and how is
5 it online to being communicated to all residents?
6 1,500 signed up citywide.

7 COMMISSIONER AGGARWALA: Yeah, it's--
8 actually, I will say, Council Member, for a new
9 program that we start over the summer when people are
10 not necessarily paying attention to every piece of
11 mail they receive, I was actually reasonably pleased
12 with the kind of response we got. And as I said,
13 this is about building awareness, right? We're not
14 kidding ourselves that this solves everybody's
15 problem. I noted your question about senior citizens,
16 right? Because the reality is that these storms
17 come. The best case you know where it's going to
18 happen an hour in advance. Most of the time NYCEM
19 will point out, they can really accurately predict
20 cloudbursts only 15-20 minutes in advance, right?
21 And the idea that we could get crews out to help any
22 New Yorker who needs help to protect their property,
23 frankly, at the moment it's just unrealistic. So, I
24 know it's an insufficient answer. It was our first
25 step. Hopefully it is a step in the right direction.

2 I place it in the "can't hurt/could help" category.

3 And you know, on the one hand it's disappointing that
4 that's what we are reduced to right now, but we are
5 doing what we can. I know I'd be very open to
6 creative ideas that are workable for how we can do
7 more of those kinds of things, because realistically
8 that is what is in our future is a number of Band-
9 Aids to get us through the period of time it'll take
10 to get our infrastructure up to where it needs to be.

11 CHAIRPERSON KAGAN: Thank you. I would
12 like to also recognize Council Member Williams and
13 Council Member Stevens joined us. And if my
14 colleagues wanted to ask questions, just let us know.
15 Talking about communications, it's I would say mostly
16 question for Office of Emergency Management, but
17 still it's all related to our hearing today. What is
18 being done to do outreach to-- how to make-- how to
19 reach communities to make sure that they're prepared
20 before a future storm? Even to know about upcoming
21 storm, because I represent Coney Island and many
22 neighborhoods of South Brooklyn, and I say it over
23 and over again that it look to me in 2012 that before
24 Super Storm Sandy-- during Super Storm Sandy and even
25 after Super Storm Sandy, coordination between

2 agencies and even notification [sic] was almost non-
3 existent. So I hope in 10 years we learn something.
4 So what about communication about storms?

5 COMMISSIONER AGGARWALA: Well, I can say
6 a few things, and then Vinny I'll ask you probably to
7 chime in. First of all, I think our several agencies
8 are now well-coordinated in advance of a major storm.
9 So when we do know a storm is coming, NYCEM activates
10 its storm-- it'll come back to me. But it activates
11 our coordinated storm plan. Several city agencies
12 have a role to play. For example, DEP, when NYCEM
13 notifies us that there's kind of an official
14 dangerous storm coming, we have a heightened
15 inspection of catch basins. We divert crews from
16 their normal day-to-day activities to go focus on
17 cleaning catch basins that we know are due for a
18 cleaning or there's been complaint, so that we can
19 optimize the through-put of the sewer system for that
20 storm. That's one thing we do. We also have crews
21 on standby to respond if we hear of flooding
22 incidents during the storm, and to respond if there
23 are issues after the storm. NYCEM, of course, is
24 responsible for putting out the word through
25 NotifyNC, through its media partners. And then as

2 you say, you know, in terms of reaching these
3 difficult-to-reach groups-- and I mentioned it in my
4 testimony. I think NYCEM has done an incredible job
5 of advertising NotifyNYC. It is available in 14
6 languages. The reality is, it's disproportionately
7 taken up by people who speak English, so we know we
8 have challenges in those other groups. And just as
9 one example, I know I have been personally involved
10 in working with Los Deliveristas [sic] and some of
11 the delivery app companies which have partnered with
12 us round Rainfall Ready because, for example, we know
13 that the deliveristas are very well plugged-in to
14 both the companies that they do work for and their
15 union, where they're [inaudible], I'm sorry, their
16 advocacy group. And they've been a great partner in
17 thinking through a couple of ways that we might work
18 with them to share information that they could put
19 through, and frankly, that we might be able to use
20 them because they are out on the street, they see
21 what's going on, and they may be able to help us.
22 So, that is just one example. I'm sure that NYCEM and
23 Commissioner Iscol would be happy to say more about
24 their other communications efforts.

2 DEPUTY CHIEF SAPIENZA: I just wanted to
3 add, the previous Mayoral Administration tried to
4 develop a database of where all these basement
5 apartments are. That proved to be a big challenge,
6 but the Notify NYC, you can sign up. And there was
7 an event in July-- I forget the date-- where it
8 actually said "Flash flood occurring. If you live in
9 a basement apartment, seek higher ground." So those
10 notices have been going from NYCEM.

11 CHAIRPERSON KAGAN: Okay. I'm still
12 convinced that there should be much better working
13 [inaudible] some communities and also in terms of
14 translation into various languages. I had
15 conversation about it with Office of Emergency
16 Management at the last hearing. So you mentioned in
17 your testimony, I will quote you, "Anytime the City
18 builds a library, school, pumping station, bridge,
19 and more, it should be designed with changing future
20 conditions in mind." I would emphasize, strongly
21 emphasize to also mention every single time and
22 housing-- and housing. Because we continue to build
23 everywhere in New York City. Many times like
24 [inaudible] happened in 2012 or after that. So my
25 next question is, what is the City stance on

2 constructing new homes and businesses in areas that
3 regularly flood?

4 COMMISSIONER AGGARWALA: Well, I will say
5 that-- I will ultimately defer to my colleagues at
6 the Department of City Planning. As you know, DCP
7 has done significant work over the last several
8 years, including a report released plan for the
9 waterfront released in December of last year, that
10 identifies the areas that are most at-risk, and we
11 are actively discouraging development in the most at-
12 risk areas. The reality is, as you also know, the
13 City faces a housing challenge, and some of those
14 locations are places where housing could be built.
15 It is a significant conundrum. It is the kind of
16 thing where we have to balance competing interests,
17 and I would be happy to get back to you with further-
18 - Erika, actually can speak a bit more to this, but I
19 think it's conversation also to involve DCP in.

20 ERIKA JOZWIAK: Just to add, Council
21 Member, that reference on building City
22 infrastructure to new climate standards is referring
23 to the Local Law 41 pilot program which Council
24 passed last year in 2021. We are also working with
25 HPD and NYCHA as a part of that pilot program. So

2 they have several projects within the program. We're
3 looking to make sure that they're prepared for a
4 variety of climate hazards, and then they will be
5 under a full mandate to comply with resiliency
6 standards upon the completion of the program. So we
7 do have those partners within the mix of 23 city
8 agencies that we're working towards with that pilot.

9 CHAIRPERSON KAGAN: Thank you.

10 Resiliency measures should be in every single
11 project, especially when it's close to waterfront
12 area. That should be like a no-brainer must,
13 especially if we learned anything from Super Storm
14 Sandy. It's a must to be done in every project in
15 waterfront areas, and should be a rule, not an
16 exception. But thank you.

17 ERIKA JOZWIAK: Thank you.

18 CHAIRPERSON KAGAN: In July, Department
19 of Environmental Protection and New York City
20 Emergency Management released Rainfall Ready NYC, a
21 plan to prepare the City for future extreme rainfall
22 event. So, what resources have been and will be
23 provided to residents to inform them of their flood
24 risk, and could you elaborate more about this plan,
25 Rainfall Ready NYC?

2 COMMISSIONER AGGARWALA: Council Member,
3 I'm happy to say more about it. So Rainfall Ready,
4 as I said, is intended to fill in the gap, right? It
5 says-- I think it's a Band-Aid. It's intentionally
6 designed to keep things from getting worse, to
7 protect people while we figure out and deliver a
8 long-term solution. Again, it has data. So the
9 first is to know where places are most at risk. That
10 helps us number one, get work out to them. It will
11 also be taken into account as we do our planning, of
12 course. We should be focused on the most flood-prone
13 areas as we think about both green infrastructure and
14 grey infrastructure like sewer investments. It
15 includes engagement. So we did do an initial mailing
16 to all of the most at-risk homes. We've actually been
17 in conversation with NYCEM about broader
18 communications, using the data from that map. And
19 then as I said, probably the most vivid thing we are
20 doing is the delivery of these inflatable dams, but
21 it also goes along with that kind of education that
22 urges people to plan ahead, to keep stuff out of
23 their basement if it's at risk, to get the flood
24 insurance if they're at risk, to pay attention to
25 what's going on so that they don't put themselves or

2 perhaps their tenants at risk when there is flood
3 event, and those are-- that's really what it does.
4 We are not saying that it is actually-- and I would
5 just clarify part of your question. It's not to
6 prepare for them, right? It's to prevent the worst
7 things from happening during the things that we
8 currently are not prepared for. We will certainly
9 have a lot more to say in the coming weeks, months,
10 and years about the work that we are doing and will
11 do more of in terms of actually preparing the City,
12 some of which I've already talked about.

13 CHAIRPERSON KAGAN: Thank you. So we
14 have clearly more work to do.

15 COMMISSIONER AGGARWALA: A lot of work to
16 be done.

17 CHAIRPERSON KAGAN: Yeah. Last question
18 from me is about heat waves and cooling centers.
19 This year and every year we have situations. There's
20 heat waves in every summer. It's like climate is
21 giving-- Mother Nature is unpredictable. So talking
22 about this very popular program about distribution of
23 free air conditioner. This year, I believe, the last
24 date to distribute free air conditioners was July
25 8th. So, and of course, people who learned about it

2 later and couldn't get anything. Can we change it?
3 Can we allocate more money to this program? I don't
4 know if it's question to you or to your colleagues.
5 I'm talking about heat waves that are becoming the
6 norm in New York City.

7 COMMISSIONER AGGARWALA: So, look, let
8 me-- I'll say as Erika will have the specifics on
9 that program. But the-- thinking about cooling in a
10 strategic way was something that got a lot of
11 attention, and I think admirably so during the
12 pandemic. For the first time the City undertook an
13 emergency based program to provide air conditioners,
14 and it redoubled the effort to think about how would
15 you systematically cool neighborhoods through
16 infrastructure investments through reflective roofs,
17 reflective pavement, trees, things like that. It is
18 certainly something that we, as we work towards the
19 next sustainability plan that is due by law, as you
20 well know, next April, it is something that we will
21 have a lot more to say on because I think we are very
22 focused on the risk that heat provides. And as I
23 said during my testimony, it's very easy for all of
24 us to focus on the very vivid things that happened
25 with water, and actually missed the fact that for

2 more New Yorkers and far more Americans die from heat
3 as a result of climate change than die from water as
4 a result of climate change. Erika, maybe you could
5 speak to the specifics of this year's program,
6 please?

7 ERIKA JOZWIAK: Yes, thank you for your
8 question. We know that air conditioning is key to
9 staying safe in extreme heat especially for our most
10 vulnerable New Yorkers, and affording that air
11 conditioning is often a real challenge. So to
12 support New Yorkers who need to stay cool to stay
13 safe, the City is pursuing additional federal home
14 energy assistant program funding to help more New
15 Yorkers afford air conditioning and advocate for the
16 expansion of the program to cover energy costs during
17 the summer months. And to also include more
18 efficient cooling technology such as air source heat
19 pumps which provide both highly efficient electric
20 cooling and heating. We've also been advocating over
21 the last several years to streamline the process for
22 applying for this program, and this summer, the
23 cooling assistance application was also integrated
24 into AccessHRA, which makes it possible for New
25 Yorkers to sign up for the program online. So it's

2 something that have, you know, actively been
3 advocating for over the past several years to better
4 support New Yorkers who need this resource.

5 CHAIRPERSON KAGAN: So you're applying
6 for more federal funding for this program, correct?

7 ERIKA JOZWIAK: Correct.

8 CHAIRPERSON KAGAN: Yeah, because again,
9 program stopped this year on July 8th. My office
10 received calls for residents-- from residents,
11 including from some New York residents and they
12 couldn't apply after July 8th. So I know it's
13 abandoned. You know, everything is like not long-
14 term, but it's a popular program obviously, because
15 air conditioners are very, very expensive. Okay, I
16 would like to-- some of my colleagues if you-- okay.
17 Councilman Gennaro?

18 CHAIRPERSON GENNARO: Thank you.

19 CHAIRPERSON KAGAN: Chair Gennaro. Thank
20 you.

21 CHAIRPERSON GENNARO: Thank you, Mr.
22 Chair. I am going to be relatively brief in my
23 questions. My questions going to focus on DEP. I
24 have the privilege of being able to interact with the
25 Commissioner several times a week, and we have other

2 members of the panel here that want to ask questions,
3 but I did want to put a couple of things on the
4 record. So, let me proceed. I'm just going through
5 your statement, Commissioner. At the bottom of page
6 one, you talk about the standard of 1.75 inches per
7 hour, which is in part of the City, and you did make
8 mention that there are other parts of the City that
9 have 1.5 and even I think as low as 1.0, and of
10 course areas of the City that have no capacity
11 whatsoever. And flipping over to the second page.
12 You made an indication in your statement that that
13 was under some kind of evaluation, I guess the 1.75
14 inch per hour standard, and I would imagine that
15 would be of course looking forward. We're not
16 retrofitting. We're not going-- we're not going
17 backwards. And I guess my question that comes from
18 that is that, you know, you're not being an engineer
19 if you got parts of the system-- and I guess it must
20 happen now. You got parts of the system that are
21 1.75, parts that are 1.5, parts that are 1.0.
22 doesn't that create like bottlenecks as-- because
23 you-- you know, you've got like a four-lane highway
24 going into like three lanes, and it must be very
25 complicated endeavor both to manage what currently

2 exists now where you have, you know, three different
3 capacities at work, unless they're all in sectors
4 that just feed into themselves or whatever, but how
5 does that all work?

6 COMMISSIONER AGGARWALA: Thanks, Mr.
7 Chairman. I'll say a couple of things and then pass
8 it on to Vinny who clearly knows much more about how
9 that all works than I. but the way to think about it
10 is actually the City has a number of drainage
11 districts that all, as you point out, right-- you
12 think about the sewer system as a bit of a tree,
13 right? You have branches on. Your given residential
14 block you might have a sewer that's only collecting
15 water, sewerage or storm water, or both if it's
16 combined, from that block, but those start feeding
17 into others. They feed into the trunk sewers that
18 are the outlet that takes the sewerage to the
19 treatment plants. And so really when we think about
20 the different numbers, the different capacities, it's
21 about a given sewerage district, which is why as I
22 said, part of what we are working on is a number of
23 drainage plans. That's when we look at that whole
24 network as a system. It could encompass one or two
25 neighborhoods, maybe three or four neighborhoods

2 depending on the local geography, and we think about
3 precisely that. One of the worst things you could do
4 in designing or building a sewer system is actually
5 actively to create bottlenecks like that where you
6 have something that's high-capacity flowing into low
7 capacity because what that then does is generate
8 sewer back-ups, right? And so we avoid that, but
9 what it means is that when we design a new system, we
10 do everything we can right now, and this was
11 established several years ago, so it is not something
12 that's been done in the last year, to this 1.75-inch
13 standard, and we will be looking how high we could
14 take that, but I will point out and you know this
15 very well, that there are some natural limits on how
16 much the sewer system can accept. So it would be
17 wrong for anyone to think that the sewer system can
18 or should be designed for a four-inch storm. That
19 would have some catastrophic impacts, including we
20 would need trunk sewers so wide that in many places
21 we'd be tearing down buildings to make the road wide
22 enough to accommodate that level of sewer. Vinny,
23 anything to add there?

24 DEPUTY CHIEF SAPIENZA: No, I think that
25 was explained very well. And you know, as the

2 Commissioner mentioned in his testimony and you
3 mentioned to the Chair, that the sewer system was
4 under the jurisdiction of the Borough Presidents
5 until about the 1970s when we established this new
6 1.75-inch per hour limit, and it is very challenging
7 to manage these different drainage districts. But
8 again, as the Commissioner said, we're looking for
9 opportunities. We're going to use a more layered
10 approach to drainage. So there's a lot of tools that
11 we need to use going forward.

12 CHAIRPERSON GENNARO: Sure, and it seems
13 like even if we were to adopt, you know, greater
14 capacity in number of inches per hour, I mean, by the
15 time that rippled all the way through the-- I mean,
16 we have what, 6,000 miles of sewer mains or whatever?
17 So, certainly the-- over the near and mid-horizon
18 would be talking about with-- regard to the Rainfall
19 Ready and things that come after that, the cloud
20 burst design. Let me just mention to mention-- I
21 think we've discussed this. Going back many years
22 ago we did the Storm Water Management Plan. You
23 know, the comprehensive Storm Water Management Plan,
24 they're kind of-- you know, we worked with the DEP
25 and that's what, you know, led to the rain gardens

2 and all that. It was a law [sic]. It was mostly for
3 CSO mitigation. That was really the vision there,
4 but now we have to think in terms of flooding, and
5 so, you know, we just-- you know, the Council wants
6 to work with DEP, because we have every intention of
7 creating a law on this, and we-- so it'll be like
8 Storm Water Management Plan 2.0, so to speak, and we
9 don't want that to be out of sync with what the
10 Administration's vision is. So I want to make sure
11 that we will synergize that and go forward as we did
12 many years ago. And going through your statement. I
13 made little notes here, did that, did that. In the
14 briefing paper that was done for all the members of
15 the committees that are here today, there is mention
16 of the New York, New Jersey Harbor and tributaries
17 focus area feasibility study know ads the HAT study,
18 and that is according to the briefing document we
19 have, is a "necessary precursor to the beginning of
20 any federally-funded harbor widened resiliency
21 projects.' If you could give us an update on that.
22 Is that proceeding? Federal funding was halted. Now
23 it's been turned on again. Is that going okay?
24 Anything we have to-- anything to see here?

2 COMMISSIONER AGGARWALA: Thanks, Mr.
3 Chairman. Yes, there is. So, yes, what you are
4 describing, the HAT study, is something that New York
5 City is very much involved in. Erika and her
6 colleagues at MOCEJ are in perhaps weekly dialogue
7 with the Army Corps on this. We are kind of a
8 privileged local partner. The official local
9 partners to this project are New York State DEC and
10 New Jersey DEP, and I'm pleased to say that the two
11 Commissioners and I have spoken on a number of
12 occasions over the last several months about this
13 particular study. I believe I'm even meeting with the
14 Army Corps later this week, but we are in close
15 conversation with the Army Corps. The way this
16 works-- and the Army Corps has a very rigorous
17 process. It follows a number of very standardized
18 steps to do one of these studies. They've completed
19 the initial phase of their engineering work. As you
20 point out, last week they made public their preferred
21 alternative, among several alternatives that had been
22 studied and those alternatives were all publicly
23 available. They identified the ones that they are
24 incline to support. Now we begin a public outreach
25 phase where New York State, New York City, and New

2 Jersey will be closely involved in coordinating with
3 them.

4 CHAIRPERSON GENNARO: If I could just
5 stop you there for a second. So, there's a couple
6 things on the table, and they figured out oen which
7 is their preferred. I was looking at this more as a,
8 you know, trigger for the release of federal funds
9 for projects that the other Chair was talking about,
10 things that we might be able to get from the Federal
11 Government to fund these-- I think maybe I'm not
12 looking at this right. So,--

13 COMMISSIONER AGGARWALA: [interposing]
14 Yes. I'll distinguish, and again, Erika, you can
15 correct me if I get this wrong at all. The Army
16 Corps has these evaluation programs that lead to
17 federal funding for Army Corps projects.

18 CHAIRPERSON GENNARO: Oh, okay.

19 COMMISSIONER AGGARWALA: Right. So if
20 you think about what's currently going on on the
21 south shore of Staten Island, that's an Army Corps
22 project. DEP, the State are both closely involved,
23 but it is an Army Corps project funded through the
24 Congressional Appropriation to the Army Corps, and
25 those projects have to go through this rigorous

2 approach where they do a cost benefit analysis. They
3 come up with their preferred alternative. They do
4 public outreach. They will reach a final decision
5 next year. This particular project, the HAT study,
6 has the potential--

7 CHAIRPERSON GENNARO: [interposing] What--
8 which is what? What's the project? What do they
9 want to do?

10 COMMISSIONER AGGARWALA: So, this is
11 asking the question, how would the Army Corps create
12 the physical infrastructure that could protect the
13 entire New York estuary from coastal inundation. If
14 you think about it--

15 CHAIRPERSON GENNARO: [interposing] Oh, so
16 you mean-- is this kind of like a storm surge barrier
17 thing?

18 COMMISSIONER AGGARWALA: Yes, that is one
19 of the things-- that was a storm surge barrier across
20 the narrows and across Sandy Hook--

21 CHAIRPERSON GENNARO: [interposing] Right.

22 COMMISSIONER AGGARWALA: were two
23 alternatives. Those were not in the preferred
24 alternative the Corps recommended or has identified
25 as their preferred, to be precise, but that was among

2 the options. So this is the study that is evaluating
3 the big picture approach to defending the harbor. As
4 far as I know, and Erika, correct me if I'm wrong,
5 this has no connection to IIA-- IIJA or other federal
6 programs that are about us complying--

7 CHAIRPERSON GENNARO: [interposing] Okay.

8 COMMISSIONER AGGARWALA: either to the
9 federal government or more normally to the state for
10 federal funds.

11 CHAIRPERSON GENNARO: Right. And now
12 we're getting like a little far off field because
13 this is about sinkholes and stuff and about rainfall,
14 and this is-- this project seems to be more about,
15 you know, surge and protecting. Okay. So let me
16 move on from that. And-- yeah, that's been covered.
17 We can-- and we have one of the Chairs and members
18 here that represent areas of southeast Queens that
19 have no storm sewer capacity as yet, and it was great
20 to be with the Speaker and the Mayor and southeast
21 Queens and to that-- it's a huge amount of money, and
22 we're all working, you know, towards the ultimate
23 build-out that will build out southeast Queens. And
24 one thing that I would like to see at some point is
25 there some-- you know, when will that be kind of put

2 down on a piece of paper, we'll be able to see like
3 when the final build-out for areas of the City that
4 have no storm, you know, sewer capacity to at least
5 know when we can expect-- to at least see like what
6 the plan is for it?

7 COMMISSIONER AGGARWALA: It--

8 CHAIRPERSON GENNARO: [interposing] I say
9 this a lot. I know you're tired of the question. I
10 get it.

11 COMMISSIONER AGGARWALA: No, it's fine.

12 Thank you. Look, the southeast Queens program is, of
13 course, as you suggested, top priority for this
14 Administration. We have more than two billion
15 dollars in the 10-year Capital Plan to deliver a full
16 sewer system for southeast Queens. I do not at the
17 moment have an end date. It is a massive undertaking,
18 as you can well understand, but it's a legitimate
19 question and we'll look into that.

20 CHAIRPERSON GENNARO: Thank you. I'm
21 going to keep banging that drum, and you know that,
22 but my colleagues are very good at getting out in
23 front of me and putting forward questions that were
24 very good and so no need for me to rehash those. So
25 that will conclude my questioning. And just a bit of

2 housekeeping, Madam Chair, I have a medical
3 appointment and rather than gavel out the EP part of
4 this joint hearing, I'm going to ask my colleague
5 Council Member Kagan as a member of the Chair of the
6 Committee of Environmental Protection, if he could,
7 you know, continue in this hearing in the dual role
8 as Chair of the Committee on Resiliency and Chair of
9 the Committee on Environmental Protection. And with
10 no objection, Madam Lead Chair, that's what I'd like
11 if that's okay.

12 CHAIRPERSON BROOKS-POWERS: Absolutely.
13 Thank you. Hope everything is well.

14 CHAIRPERSON GENNARO: Okay. Thank you
15 very much. Fun to be here. Thanks for having me.

16 CHAIRPERSON BROOKS-POWERS: Next we will
17 pass it to Council Member Velázquez for questioning.

18 COUNCIL MEMBER VELÁZQUEZ: Hi, and once
19 again, I really want to thank you and your whole team
20 for coming out as promptly as you did, addressing
21 mother nature at her worst, right, and taking it out
22 on our community, but you guys were there so I want
23 to give you the proper recognition. And thank you
24 also for having the subsequent calls and being there
25 with us. As we're talking about getting stuff done,

2 it's about also being there with us, so we appreciate
3 that very much. And so as part of today's hearing,
4 and I know we've privately discussed this, so I just
5 want to make sure that we get it on the record for my
6 community to hear it directly from you all, what is
7 the current status of the street in Morris Park that
8 encountered the sinkhole?

9 DEPUTY CHIEF SAPIENZA: Thanks, Council
10 Member, and you know, your presence there was very
11 important to the residents as well, so I want to note
12 that. So, DEP and our contractor has completed
13 cleaning out all the material that fell into the
14 sewers. The Commissioner testified about 250 feet of
15 sewer was impacted. The damaged section of sewer has
16 all been now replaced with reinforced concrete, about
17 157 feet of it. The street is being reconstructed
18 now. One of the things we do want to do, and again,
19 in the Commissioner's testimony he talked about in
20 that small neighborhood there is this vitrified
21 interlocking block sewer that was patented in 1915
22 and tried out by the Bronx Borough President in 1916.
23 It's lasted a long time, but what we want to do is
24 put a liner in it now, a cured-in-place liner, about
25 3,300 feet to line this type of sewer, and that

2 project is going to go on and we'll continue to
3 monitor it during the interim.

4 COUNCIL MEMBER VELÁZQUEZ: And I know we
5 discussed this, but just once again to get it on the
6 record, what was the final decision in terms of the
7 cause for the sinkhole?

8 DEPUTY CHIEF SAPIENZA: We're still
9 collecting that information. We spent almost 400,000
10 dollars was the last number I saw, and I'm sure the
11 bills are going to keep coming in, but that was the
12 last invoice I saw.

13 COUNCIL MEMBER VELÁZQUEZ: And was it
14 related to heavy rainfall that it occurred, or was it
15 structural issues beneath the street and within the
16 sewer system.

17 DEPUTY CHIEF SAPIENZA: I'm sorry,
18 Council Member. I think you said cause, and Vinny may
19 have heard--

20 COUNCIL MEMBER VELÁZQUEZ: [interposing]
21 Cause, sorry, it's the Bronx accent. Sorry.

22 DEPUTY CHIEF SAPIENZA: Or it's just my
23 Queens accent.

24 COMMISSIONER AGGARWALA: As I said in my
25 testimony, Council Member, you know, this ultimately

2 was related to climate change, and it was related to
3 the fact that the surcharging of the sewer, which is
4 when the sewer has more water in it than it can
5 accept, and therefore water is trying to get in
6 through the catch basins and other sources. That
7 increases the pressure on the tubes that is the sewer
8 itself, and in this case, we believe that the design
9 was just not strong enough. It started to weaken
10 when it was subjected to those kinds of pressures.
11 As I've also said, there are a lot of other designs
12 in the service that we're actually pretty confident
13 from what we know now that they won't be weakened by
14 that. So this is not a general fear that all of our
15 sewers are going to do this, but as I also said in my
16 testimony, no doubt there are going to be still some
17 surprises down the way. So we will now have to be
18 much more in-tuned to seeing patterns when these
19 things happen, but that was ultimately-- this cause,
20 we believe, was-- the cause of that particular
21 sinkhole was the impact of the repeated stress of the
22 several significant record-setting heavy rainstorms
23 we've had over the last year.

24 DEPUTY CHIEF SAPIENZA: and I just want
25 to tell you, it was interesting in reading the

2 patents from 1915 as the inventor it was the ease of
3 construction versus traditional type of sewers that
4 come in big sections that weigh several tons. These
5 are just like sort of like O [sic] pieces that went
6 together. Lasted for 100 years, so I guess there was
7 some value to it, but--

8 COUNCIL MEMBER VELÁZQUEZ: [inaudible] it
9 was new idea. Do we know where else in the Bronx
10 this design was placed? Is it throughout my
11 district? Because that certainly feels like it's the
12 case.

13 DEPUTY CHIEF SAPIENZA: So far, that's
14 the only place we found.

15 COUNCIL MEMBER VELÁZQUEZ: Of course,
16 District Lucky 13. So now, as a follow-up, what
17 type of resources does the City offer to help
18 homeowners that have been impacted by the sinkhole
19 and the resulting flooding?

20 COMMISSIONER AGGARWALA: Well, so as you
21 know, Council Member, when damage occurs, if it is
22 the fault of the City, then there is a process by
23 which home owners can seek-- can seek claims from the
24 Comptroller's Office. The process is that they fill
25 out a Comptroller Claim Form soon after the event.

2 The Comptroller asks for a report on what happened
3 from the most relevant agency. In this case, of
4 course, it was DEP. We write a report about that.
5 We submit it to the Comptroller. The Comptroller
6 then makes the determination is the City liable to
7 play the claims, and then the Comptroller decides and
8 notifies them. In this case, you know, there have
9 been other situations where people have been
10 concerned about how long it takes for DEP and other
11 agencies to get their report to the Comptroller done.
12 In this case, knowing the people who were affected,
13 knowing that it was the second impact on this
14 stretch, we actually in a couple of weeks got our
15 report done and transmitted to the Comptroller, so
16 the Comptroller should be able to process claims now.

17 COUNCIL MEMBER VELÁZQUEZ: Perfect. And
18 then I think I have additional questions, if that's
19 okay with you, Chairs? Yeah? Okay. What are the
20 prospects for how the City will fare in terms of
21 getting funds from the bipartisan infrastructure law
22 dedicated to water?

23 COMMISSIONER AGGARWALA: Well, as I said
24 earlier, getting our fair share of this money is a
25 top priority for the Adams' Administration. It's a

2 top priority for Deputy Mayor Joshi. It's a top
3 priority for me and everybody else at DEP. And so a
4 couple of things that we are doing. We are, as I
5 said, participating. Our CFO Joe Murin participates
6 in a weekly meeting led by the Deputy Mayor and the
7 Office of Management and Budget where we look over
8 every piece of new news, every notice of a new
9 funding opportunity. We figure out across city
10 agencies what the most eligible programs are so that
11 we have the strongest application, and we put those
12 forward as a joint effort. I think this is actually
13 a great example of getting stuff done. It's a great
14 example of interagency coordination. And I think one
15 of the things that OMB and the Deputy Mayor have
16 ensured is that agencies are not, you know,
17 struggling or fighting for their own, even if it
18 weakens the case. We're putting forward the City's
19 best, most likely to succeed case, and so I think
20 that is a wonderful thing. I think one of the
21 questions that we are looking towards is how money
22 that flows through the state awarded. We are very
23 lucky to have right now a state government that is a
24 really good partner to the City. I have a very good
25 working relationship with the DEC Commissioner,

2 particularly. We have a good relationship with the
3 New York State Department of Health which is where
4 some of this money flows through. As recently as
5 last Friday we had a senior leadership meeting on
6 both sides involving the CEO of the New York State
7 Environmental Facilities Corporation, which is
8 actually the distribution arm for many of these
9 federal funds. And in fact, perhaps for the first
10 time in anybody's memory, we actually have state
11 agencies that are working with us to give us advice
12 on how New York City can best apply. Now,
13 traditionally, there have been some challenges and I
14 think in recent years New York City has been less-
15 aggressive than it could be at applying for state
16 money. There hasn't been that much money available
17 in many cases, and what that has meant is that, you
18 know, DEP has, as I said, roughly two billion dollar
19 a year capital budget, 1.5 billion roughly operating
20 budget. If there's a million dollar grant
21 opportunity, it may not be worth it. With the monies
22 coming through with IIJA, the potential for a 4.2
23 billion dollar Environmental Bond Act that the voters
24 of New York State are going to decide on this fall,
25 there is really money at the table and that has

2 hastened this. I think we have seen a number of
3 things that we are trying to work through with our
4 state partners, traditional things that for example
5 place limits on how much money any particular
6 municipality can get out of a given program. New
7 York City is 50 percent of the State. If a program
8 that has rules that says that any municipality can
9 get no more than 10 percent of the money, there's
10 kind of a structural issue that we face there. And
11 again, I'll hasten to add, I think we've had great
12 partners who are looking at some of these traditional
13 constraints and helping us think about are there
14 creative ways that we can maximize those monies, but
15 that is going to take a lot of creativity on both our
16 part and the State's part.

17 COUNCIL MEMBER VELÁZQUEZ: Can I ask you
18 to explain a little bit more about the Environmental
19 Bond Act that is going to be on the ballot this fall,
20 and what kind of awareness have you launched within
21 your agency?

22 COMMISSIONER AGGARWALA: Well, I will say
23 since that is something up to the voters, that is not
24 something that DEP has played a role in advocating
25 for it. It is a state effort, and you know, of

2 course, an appointed official, it would be
3 inappropriate to au pine on whether it's a good idea
4 or not. So we have not done any direct outreach on
5 that.

6 COUNCIL MEMBER VELÁZQUEZ: Okay. It'll
7 be on us. It's fine. And then I think I'm good.
8 Thank you so much.

9 COMMISSIONER AGGARWALA: Thank you.

10 CHAIRPERSON BROOKS-POWERS: Next we will
11 hear from Council Member Williams followed by Council
12 Member Holden?

13 COUNCIL MEMBER WILLIAMS: Hello. I
14 actually wanted to follow-up on Chair Gennaro's
15 question. I know he asked if there was an end date,
16 but do you have a status for the two billion dollar
17 project in southeast Queens?

18 COMMISSIONER AGGARWALA: Yes. Well, I'll
19 just start off by saying, you know, again, southeast
20 Queens project, as I said, is a top priority for us.
21 we work very closely with the Department of Design
22 and Construction which leads most of the work because
23 it is almost entirely work that's done in the public
24 right of way, and therefore involves coordination
25 with a number of other city agencies, including DOT.

2 I think one of the things that has been really great,
3 and I hope your perspective and what you hear from
4 your constituents would agree that we've incorporated
5 a lot of highly effective neighborhood outreach to
6 that so that the local residents know when stuff is
7 happening. They know when their street is going to
8 be disrupted, and in part, that has actually helped
9 us to complete a number of these projects for our
10 colleagues at DDC to complete a number of these
11 projects in fact ahead of schedule and in some cases
12 below budget. So I think it's quite a success [sic].

13 COUNCIL MEMBER WILLIAMS: Do you have
14 like a status of completion?

15 COMMISSIONER AGGARWALA: Yes.

16 DEPUTY CHIEF SAPIENZA: So, just briefly,
17 to-date either completed or actively in construction
18 now is 620 million dollars in projects, and that the
19 10-year Capital Plan has an average of about 200
20 million dollars per year through the rest of the
21 decade. And as the Commissioner said, you know, we
22 can certainly get you a list of all the active
23 projects and then share a map as well.

24 COUNCIL MEMBER WILLIAMS: Okay. And is
25 there any way to expedite the process? Because it

2 has taken some time because, you know, even when you
3 think before de Blasio actually put in the two
4 billion dollars, it was already slated that this was
5 something that was a priority for previous
6 Administrations, but the money was stalled. So this
7 is something for decades that the community has
8 fought for. So, is there any possible way to
9 expedite? Do you have any explanation as to why it's
10 taking so long?

11 COMMISSIONER AGGARWALA: Look, I'd say,
12 the main reason it's taking so long is because it's
13 such a big project. It is a massive thing to invest
14 more than two billion dollars in public streets that
15 have to stay in-service largely during construction.
16 So that is one of the challenges, of course. We are-
17 - prioritize those projects. They kind of receive a
18 privileged level of attention. Are there ways to
19 accelerate it? You could imagine a significant
20 expansion of the staff and you could imagine many
21 more concurrent construction projects, but I would
22 certainly defer to my colleagues at DDC about what it
23 would actually take to do it more aggressively.

24 COUNCIL MEMBER WILLIAMS: Okay, I know
25 there was a conversation around a separate issue in

2 your report to the Comptroller's Office, but I know
3 that you recently submitted the report to the
4 Comptroller's Office for the Hurricane Ida claim.
5 So, one, I wanted to know why it took so long,
6 because it was like almost a year. And two, I can't
7 speak for everybody that filed a Hurricane Ida claim,
8 but I know the people in my district cited tremendous
9 complaints because DEP, actually by way of DDC,
10 dugged up their ground twice to do the same type of
11 work, and a lot of the people on the block cited
12 structural damage to their homes and said that they
13 never received that much water into their basements
14 prior to DDC, by way of DEP, digging up their street
15 again. And so, I don't know if that considered in
16 your report, but I guess a question that I have,
17 because I don't feel like I asked a question, is that
18 report-- can it be made public, your report that you
19 actually sent to the Comptroller's Office?

20 DEPUTY CHIEF SAPIENZA: Yeah, and I'll
21 address what's in the report, and we can see how we
22 can make it available from them. As you heard in the
23 Commissioner's testimony, the rainfall rates during
24 Ida were unprecedented, were more than the capacity
25 of the sewer system, even our largest sewers at 1.75

2 inches per hour were exceeded, and so it-- the
3 flooding that occurred wasn't for a failure of the
4 sewer system. It was just because the sewers were
5 full and there was overland run-off. That was the--

6 COUNCIL MEMBER WILLIAMS: [interposing]

7 DEP historically has been on record stating that the
8 sewerage systems in southeast Queens are inadequate.
9 As you mention, we don't have storm sewers. And also
10 as I mention that there's work that was being done,
11 and I know there's some discrepancies. Community
12 members feel like there was an error and then you all
13 had to come down and dig up the ground again because
14 the wrong piping was laid. So I mean, I get what
15 you're saying. It's Mother Nature. We can't be held
16 liable for Mother Nature, but we can be held liable
17 for maintaining our infrastructure and inadequacy of
18 maintaining our infrastructure, and be held liable
19 for that.

20 DEPUTY CHIEF SAPIENZA: Is this 183rd--

21 COUNCIL MEMBER WILLIAMS: [interposing]

22 Yes.

23 DEPUTY CHIEF SAPIENZA: and 91st, yeah.

24 So we've certainly been working with the Department
25 of Design and Construction. That's where some of the

2 new storm sewer infrastructure was going in. We know
3 that DDC went back to improve it even more. We'll
4 get you further reports on that.

5 COUNCIL MEMBER WILLIAMS: Okay. So, can
6 persistent flooding issues in the region be
7 attributed to the area's high water table? So,
8 specifically in southeast Queens.

9 DEPUTY CHIEF SAPIENZA: There are some
10 locations where the ground water is an issue. I think
11 it is important to distinguish between the rain
12 that's called-- or the flooding that's caused from
13 above and the flooding that's cause from below.

14 COUNCIL MEMBER WILLIAMS: Okay, and if
15 so, does that mean that pumping ground water more
16 consistently has a potential to reduce the area's
17 flood vulnerability.

18 DEPUTY CHIEF SAPIENZA: so, the issue of
19 how we-- of what might happen if we can reduce the
20 ground water is of course complex, as you well know.
21 There are some challenges with some of the most
22 obvious answers, leaving aside whether they would
23 actually have the desired effect because of the
24 connection with Nassau County's water supply which
25 draws from the same underground wells that are

2 contributing to the high water table in that part of
3 the City. Is it possible that pumping could help?

4 It is possible. It is something that we are actively
5 looking into. We have just begun a project with the
6 US Geological Survey to really get a full map of the
7 underwater, or underground hydrology of that area.

8 And we have a couple of pilots going on that I think
9 we described to you and your staff. For new kinds of
10 infrastructure that might actually alleviate the
11 problem. If they work, then they will be considered
12 for a bigger roll-out.

13 COUNCIL MEMBER WILLIAMS: so, are you
14 collecting any data around the number of homes
15 required to use electricity and pumps to pump out
16 ground water. So there are a lot of community
17 members that have had to install their own pumps in
18 their basements to pump out the eater. Have you
19 collected any data that?

20 DEPUTY CHIEF SAPIENZA: I don't know of
21 any data yeah.

22 COUNCIL MEMBER WILLIAMS: Okay. Are you-
23 - in addition to the current studies I know you
24 mentioned-- are you performing any monitoring of
25 ground water levs in the southeast Queens community?

2 DEPUTY CHIEF SAPIENZA: Yeah, well that
3 is-- Council Member, what I mentioned is we are
4 engaged in a project with the US Geological Survey to
5 do a full map of where the ground water is. In fact,
6 around the City, although of course southeast Queens
7 is the area that is most important to focus on. So
8 the answer is yes, we are looking at it. Right now
9 we do not have a full monitoring system installed in
10 any place [sic].

11 COUNCIL MEMBER WILLIAMS: And would you
12 be able to provide updates on that to elected
13 officials so the data-- because I know in preliminary
14 conversation that we had, you-- it was anecdotal
15 about, sort of, what you plan to do, but it didn't
16 seem concrete in terms of the timeline and actually
17 what the implementation of the study will be. So do
18 you now have more clarity, timeline, any sort of
19 dates where you can actually provide updates on
20 status?

21 COMMISSIONER AGGARWALA: We can
22 certainly-- I can certainly get you more information
23 on what's happened since we last discussed this. I--
24 you know, I think it's important to be clear. It
25 will take some time for us to develop a full action

2 plan and a strategy for how to address this issue and
3 what is feasible. What we would be able to update
4 you on is what the status of the project with the
5 geological survey is and the status of the couple of
6 infrastructure innovations that was described to your
7 office. We can certainly give you a status update on
8 those.

9 COUNCIL MEMBER WILLIAMS: Okay, I'll just
10 ask one more question and come back if there's a
11 second round--

12 CHAIRPERSON BROOKS-POWERS: [interposing]
13 Sorry, if we could come back and--

14 COUNCIL MEMBER WILLIAMS: [interposing]
15 For a second round? Okay, I'll ask more questions in
16 second round.

17 COUNCIL MEMBER HOLDEN: Thank you,
18 Chairs, and thank you all for your testimony. I have
19 some questions on the technology that's applied when
20 you have a depression or a sinkhole or-- how do you
21 assess, you know, how bad it is? It is sound waves,
22 or what technology do you use?

23 DEPUTY CHIEF SAPIENZA: So, when we first
24 get there, Council Members, we'll look for any leaks,
25 any surface conditions where there may be water,

2 that's one. Second is we'll poke down man holes with
3 a camera to just take a look. How's the sewer
4 looking? Is there any, you know, structural issues
5 there? But that's what we'll do. We'll then open up
6 the street and working with DOT to just take a look
7 at, you know, what does it look like beneath that
8 roadway depression? Is there soil washed away?

9 COUNCIL MEMBER HOLDEN: Do you contract
10 that out, or do you do it in-house?

11 DEPUTY CHIEF SAPIENZA: Both.

12 COUNCIL MEMBER HOLDEN: Both. Because
13 you know, when we had the sewer projects in Masbeth,
14 we've had a number of sink holes, and I think the
15 contractor was using sound waves. Are there-- you
16 know, I think we spoke earlier, I think the last
17 Council, the geographic information systems, or
18 geospatial. Is that used on-site?

19 DEPUTY CHIEF SAPIENZA: Yeah, we'll use
20 sound waves. We have stethoscopes. We listen for
21 any, you know, water running beneath the street.
22 There's a number of tools. But sometimes you mention
23 when there is work that was done either by a city-
24 hired contractor or a private plumber, sometimes
25 backfills aren't done appropriately, and that creates

2 depressions and sinkholes. There's a bunch of
3 reasons, but you know, we use different technology to
4 look for those.

5 COUNCIL MEMBER HOLDEN: Alright. Just in
6 echoing Council Member Williams' remarks about when
7 we have seer projects in the area, generally every
8 home owner gets denied if let's say their stoop
9 cracks or the sidewalk, or you know, their front
10 yard. So I think they're-- nine out of 10 get denied
11 from the Comptroller's, if not even-- if not more.

12 So it seems to be like a lose/lose for the
13 homeowners. They got to up with a sewer project that
14 sometimes lasts years and then don't get rewarded at
15 least for returning their property, and there's
16 always a problem with the contractor and insurance
17 and everything else. So if we can look at that, you
18 know, in the future, and we could document these
19 properties and do proper care for the homeowners.
20 Just one other thing. I know we talked about rain
21 gardens before, and we have several in my district
22 that are sitting there now six months after they've
23 been installed and never completed. That means
24 there's no plantings. The contractor sign is still
25 there. It's a mess. It's a dumping ground and

2 nobody's cleaning it. How-- after the contractor
3 leaves, when can we expect these rain gardens to be
4 finished? I mean, is there a time limit or it just
5 keeps going on for years, because that's what we're
6 facing, I think.

7 DEPUTY CHIEF SAPIENZA: We'll take a
8 look. If you can send me those locations. The
9 contractor, you know, should be completing them.
10 They're under the contractors care for a period of
11 time up to a year at which DEP takes over. We have
12 had some challenges this past year in hiring staff to
13 maintain them. So we know that's been issue, but if
14 you could tell me the loc--

15 COUNCIL MEMBER HOLDEN: [interposing] No,
16 but I'm saying after the contractor does his work, it
17 just doesn't get finished. You know, he's-- he
18 leaves. The contractor leaves. Whose responsibility
19 is it to finish the final one percent to just fill it
20 in, put plants in? Is that DEP or is that--

21 COMMISSIONER AGGARWALA: [interposing] I
22 believe that should be done by our contractor. So,
23 what you're describing.

2 COUNCIL MEMBER HOLDEN: [interposing] The
3 contractor walked away from all the ones in my
4 district.

5 COMMISSIONER AGGARWALA: Well, then we'll
6 take a closer look.

7 COUNCIL MEMBER HOLDEN: Okay, because I
8 got a bunch of them.

9 COMMISSIONER AGGARWALA: That is contrary
10 to what should be happening. We will-- we will
11 follow up.

12 COUNCIL MEMBER HOLDEN: Okay, thank you.

13 COMMISSIONER AGGARWALA: [inaudible]

14 COUNCIL MEMBER HOLDEN: Thank you so
15 much. Thank you.

16 CHAIRPERSON BROOKS-POWERS: Thank you,
17 Council Member Holden. Next we'll hear from Council
18 Member Nurse followed by Council Member Narcisse.

19 COUNCIL MEMBER NURSE: Thank you, Chair.
20 Thank you, Commissioners. Really enjoyed your
21 testimony. I just have three questions. One was based
22 on your testimony around the 500 flood net sensors
23 that you're planning to install in the next five
24 years. I just had-- I didn't-- I-- this is not
25 something I knew about. So I was just curious if

2 installation had started, and if there's a priority
3 plan, how many will be installed per year?

4 COMMISSIONER AGGARWALA: I know off the
5 top of my head the commitment is 500 over five years.
6 So we're aiming at about 100 a year. I don't--
7 Erika, you know off the top of your head, sure.

8 ERIKA JOZWIAK: Yeah, so we've installed
9 36 thus far, and we're aiming for 50 by the end of
10 this year, and then the roll out will expand to 500
11 over the course of five years. The locations of
12 which our-- have a multitude of sources. Looking at
13 areas of historic flooding, different community
14 complaints. We'd certainly be happy to speak further
15 with you, I think, if there's of interest that we can
16 also add a sensor somewhere that you'd be interested
17 to see. So we can follow up.

18 COUNCIL MEMBER NURSE: Yeah, that would
19 be great. I'd be curious for some in Bushwick and
20 certain parts of my district that had a lot of flash
21 flooding during Ida. Then I'm just going to shift to
22 heat waves. Chair Selvena Brooks-Powers and I
23 introduced a bill, actually recently, about requiring
24 DOT to pilot the use of cool pavement on city streets
25 to bring down the temperature and the urban heat

2 island effect. So, I was just curious if you all had
3 any initial thoughts on this method and this approach
4 or I guess treatment of the street, and if you had
5 any plans in the past or upcoming around piloting
6 this.

7 ASSISTANT COMMISSIONER MANISCALCO:

8 Leslie will speak on that right now.

9 EXECUTIVE DIRECTOR WOLF: Thank you for
10 your question. DOT currently has a permeable
11 pavement pilot underway at three sidewalk locations,
12 with construction completing at two of the three
13 locations, and right now these-- these are located in
14 Brooklyn. We have one near the Chester playground on
15 Bristol Street, Remsen playground, and also near the
16 Howard Pool on East New York Avenue. So, at these
17 locations we are now in two of the three of them. We
18 are in a monitoring period in which we're going to
19 see- be taking measurements and evaluating the
20 effectiveness of these permeable pavements.

21 COUNCIL MEMBER NURSE: Oh, I'm sorry. Is
22 that-- I was talking about cool pavement.

23 EXECUTIVE DIRECTOR WOLF: Oh, cool
24 pavement.

2 COUNCIL MEMBER NURSE: Sorry if that was
3 miss-said.

4 EXECUTIVE DIRECTOR WOLF: Okay. So,
5 recently DOT was awarded a FEMA grant called the Cool
6 Corridor Study. It's not a capital project itself,
7 but it is intended to improve DOT's ability to
8 incorporate heat mitigation into future design and
9 construction projects to assist in seeking grant
10 funds for capital projects. So, as part of this
11 study, which is going to be starting later this year,
12 we're going to be developing a toolkit interventions
13 and best practices to mitigate heat effects in
14 neighborhoods. And just to-- we have actually
15 determined those neighborhoods in which we're going
16 to be doing this study, different typologies. We're
17 looking at a high-density mixed-use corridor in East
18 Harlem, a low-density residential corridor in East
19 Flatbush. We're also going to be looking at under
20 the elevated structure corridor both on Jerome Avenue
21 and in Hunts Point, and also taking a look at a
22 transit hub corridor in the Far Rockaways. So as
23 part of this study, we will be analyzing and creating
24 metrics to see how these interventions will actually
25 lower heat in these areas. And like I said, this

2 will be a good launching point for us to leverage
3 this study and apply for further federal funding for
4 capital projects.

5 COUNCIL MEMBER NURSE: Great. That's
6 exciting. And then my last question I think is on
7 topic. I guess I would be just a little bit remiss if
8 I didn't bring up the hole, the community in East New
9 York that is essentially living in a swamp. I mean,
10 you all have all been do it, so I won't go into the
11 details. Just while you're here, do you have any
12 updates on the City's plan to address the conditions
13 that this community is living in?

14 COMMISSIONER AGGARWALA: I'll start, and
15 Vinny has been very deeply engaged in attending the
16 regular neighborhood meetings. So, you know, the
17 Jewel Streets area is, of course, an example. It's
18 far from the only place around the City where what we
19 are dealing with is the legacy of substandard
20 construction that dates back to a period of, you
21 know, frankly lax oversight of how people build
22 houses, and prior to the creation of DEP and the more
23 rigorous roles that we now enforce for how drainage
24 is done and sewer connection and other things related
25 to the infrastructure. So, what we are currently

2 looking at within DEP and with our colleagues at DOT
3 and DDC is a variety of solutions for that
4 neighborhood. The traditional solution would involve
5 raising the street grade, which we think has some
6 very negative impacts for many of the existing homes,
7 and so we are looking at this as an opportunity to
8 think creatively, to explore whether green
9 infrastructure could be as good or better in terms of
10 addressing that neighborhood's problem, but there's a
11 lot of attention on it. I don't have the full set of
12 solutions yet because those are being developed, but
13 we are working on those. We have shared some initial
14 ideas in some of the neighborhood meetings, and we
15 will be sharing some work going forward.

16 COUNCIL MEMBER NURSE: Thank you. Thank
17 you, Chairs.

18 COUNCIL MEMBER NARCISSE: Thank you,
19 Chair. When you make the comparison, like in the
20 paragraph where you're talking about the bridge and
21 Rome, let me tell you something. I'm scared, because
22 we know the history of Rome, right? There's a whole
23 city underneath a city, right? So, I hope that we're
24 responsible enough, all the smart people sitting
25 here, that our city is not going to be under after a

2 few generation because we have to be responsible. We
3 have to be-- we cannot be pennywise [sic] dollar
4 [sic] foolish. We have to make sure whatever the
5 contract that we do for the City, that we do it in a
6 mind that we have to keep our city going for a
7 generation, generation to come. We have some big
8 problem. Climate change is real. We know that for a
9 fact, and we all have to be responsible to address
10 the City needs, right? We have big problems. We have
11 little problems. For me, coming from the 46th
12 District, which I represent Canarsie, and this is my
13 home base. This is where I live. During Sandy I
14 have seen my house flood more than four feet, water
15 to almost to my neck because since I'm short, and my
16 car floated away, and so many cars, right? But
17 there's announcement that New York City announced
18 that the completion of 148 million dollars for three-
19 phase program to reduce street flooding, ensure that
20 reliability of the drinking water, right? Delivery
21 system-- improve the health of fresh creek, Jamaica
22 Bay. As someone who's home, right, flooded like I
23 said, and being under so much, even a regular rain we
24 have to run for cover, right? I'm sincerely thankful
25 for the work that we've been doing, even following

2 this multi-million dollars project. Homes in
3 Canarsie and parts of my district continue to flood
4 during storms that impale in comparison to Sandy.
5 What else can be done in this high-risk area to
6 mitigate the flooding in the streets, home, parks,
7 everywhere?

8 COMMISSIONER AGGARWALA: Well, Council
9 Member, first of all, I appreciate your point that
10 climate change is real. As you may know, I've been
11 saying that for most of my career, and as part of New
12 York City's first effort to actually put climate
13 change on the map. So I could not agree with you
14 more. I'd say in reference to your comment about the
15 most recent project, the reality is that the projects
16 that we do individually, they're only a small
17 component of what has to happen. We know that. We
18 have to make a multi-level approach to addressing, as
19 I also pointed out, the two water-related problems of
20 coastal inundation, which is what Sandy was, and
21 rainfall generated storm water flooding, which is
22 what Ida was. They're different. They have in many
23 cases different solutions, different approaches you
24 need to take to protect yourself from them. And we
25 have a number of areas, including yours, around the

2 City that are highly vulnerable to both. The first
3 step is understanding where the risks are, in part
4 because of Sandy, in part because of the greater
5 history of hurricanes. New York City has a much
6 greater tradition of understanding the coastal
7 flooding risk, and that was of course the priority,
8 not the exclusive focus, but the priority of most of
9 the work done over the last decade in response to
10 Sandy. The reality is that Ida was a wake-up call,
11 and although extreme rainfall had been predicted, it
12 had not been focused on in previous years as a top
13 priority for resilience planning, and so that is now
14 something that we are 100 percent focused on, and we
15 will have more to say on this as we go forward, but
16 as I've said, the solution is to make sure that our
17 sewers work, but not to rely on them only and to
18 complement them with the green infrastructure that
19 will do much for us and actually be much more cost-
20 effective and beneficial to the environment.

21 COUNCIL MEMBER NARCISSE: Thank you.

22 DEPUTY CHIEF SAPIENZA: Yeah, I just
23 wanted to add, Council Member, you know, the streets
24 have flatlands in their names for a reason. It's,
25 you know, very low-lying area. It's tough to drain,

2 and as the Commissioner said, we're going to have to
3 look at a layered approach, including the tide gates
4 that were recently installed.

5 COUNCIL MEMBER NARCISSE: I thank you on
6 that one. Since I was talking about little problems,
7 like catch basins being a problem for us. I want to
8 know how often they're supposed to be cleaned.

9 COMMISSIONER AGGARWALA: Well, certainly.
10 In fact,-- can you get that chart? We have-- just
11 this Fiscal Year, we've implemented a new approach to
12 when we clean catch basins. Previously, it had been
13 done in a bit of a responsive way, but what we--
14 thank you. But what we now have implemented is a
15 data-driven schedule for how we identify catch basins
16 based on a number of factors, the surrounding area,
17 the land use around there. What we know about what
18 contributes to the clogging of catch basins. Some of
19 our catch basins, roughly-- so we have 150,000 around
20 the City. We have-- sorry, roughly-- yeah, 15,000
21 that are slated now to be cleaned every six months.
22 Basically, if you look around the City, on most
23 commercial strips, those catch basins are now
24 scheduled to be cleaned every six months. Then
25 there's a sliding scale. Others are one year.

2 Others are every two years. Others are every three
3 years. There are a number of factors that go into
4 that schedule. This is something that we will be
5 refining as we identify places that we get to when
6 they are clogged, or we get 311 calls, and we find
7 out that places are-- catch basins are being clogged
8 more frequently, we will put them on the more
9 frequent schedule, but this was a way to make sure
10 that we didn't have crews going out and investing the
11 time cleaning a catch basin that's actually on a
12 fourth full, right, which is a waste of time and
13 effort, and really prioritizing those. We've also,
14 for example, worked with the MTA to identify catch
15 basins that are near subway stations that experience
16 flooding, and we've put some of those on our most
17 frequently cleaned list.

18 COUNCIL MEMBER NARCISSE: I'd like to
19 keep things, you know,-- I like to be truthful in
20 things. But in the Caribbean [sic] area, we know
21 that greases [sic] can be a problem, right? Because
22 the way we cook and not I'm saying like it's okay,
23 but I'm saying knowing that, shouldn't we do more
24 education around that to make sure that our catch
25 basin, whatever can clog our catch basin is being

2 done because that's one of the contributing factor
3 from my understanding that can cause, you know, the
4 water not going in.

5 COMMISSIONER AGGARWALA: Well, we should
6 be clear. There's two things here. Yes, grease is
7 one of our biggest problems. It's actually grease in
8 the sewers that causes the majority of sewer back-ups
9 around the City. It is not rain water. Generally
10 speaking, and Vinny, correct me if I'm wrong on this,
11 but generally speaking, that is not about the catch
12 basins, right? That is about grease that individuals
13 or restaurants are pouring down the drain. It's
14 illegal if a restaurant does it. It's frowned upon
15 and highly discouraged if a resident does it. Catch
16 basins, if grease is clogging a catch basin, that
17 means somebody is doing something really bad and
18 illegally dumping grease down the drain.

19 COUNCIL MEMBER NARCISSE: Oh, okay.

20 COMMISSIONER AGGARWALA: Like, under
21 cover of night. I don't think that's a problem that
22 we see all that--

23 DEPUTY CHIEF SAPIENZA: [interposing]
24 Minimal, yeah.
25

2 COMMISSIONER AGGARWALA: but that is--
3 that's a separate issue.

4 COUNCIL MEMBER NARCISSE: Alright.

5 COMMISSIONER AGGARWALA: Catch basins,
6 when they fill up, it's usually debris from the
7 street.

8 COUNCIL MEMBER NARCISSE: Okay.

9 COMMISSIONER AGGARWALA: It's sand. It's
10 silt. It's, you know, bags from potato chips or
11 things like that that rush down and fill up over time
12 into that catch basin.

13 COUNCIL MEMBER NARCISSE: So, I don't
14 want to keep you all day, but another thing that I
15 have in NYCHA houses for cooling facilities, why
16 there's all the NYCHA houses doesn't have a cooling
17 system in there? Because we know what's going on
18 with NYCHA houses. Most of the folks don't have ACs
19 and they looking for a place, and sometimes our park
20 is not even, you know, welcoming, or big enough, or
21 not enough parks in the area. So, do we have a
22 cooling-- can we have cooling system in all NYCHA
23 houses if possible?

24 COMMISSIONER AGGARWALA: I would--
25

2 COUNCIL MEMBER NARCISSE: [interposing]
3 That's something I throw out there, because we need
4 that.

5 COMMISSIONER AGGARWALA: It's something I
6 will take back to NYCHA and NYCEM, which manages--

7 COUNCIL MEMBER NARCISSE: [interposing]
8 The cooling system I'm talking about, because since
9 we're talking about climate change. I expect all my
10 organization, all the folks that work together, DEP
11 and Transportation work together, because there is a
12 lot of issues around things. Like, I'm going to give
13 you an example, and I'm going to leave it alone. I
14 call for a sinking hole on the street. I saw that. I
15 put a coin [sic] in there, and then I find out that
16 DEP went in there, clogged their part, and there's
17 about probably more than I would say-- in all
18 fairness, it was still deep, and then I called back,
19 and they told me no, DEP did they part. So I did my
20 part. Now, you have call DOT. So, I find that it
21 should be like DEP finish and call DOT. So, the
22 people don't have to call back and forth if you all
23 collaborating not working in silo [sic]. That's all.
24 I'm going to leave that. Thank you. Thank you for
25 the time.

2 CHAIRPERSON BROOKS-POWERS: Okay, next
3 we'll have a statement by Council Member Ariola,
4 followed by Council Member Williams.

5 COUNCIL MEMBER ARIOLA: Thank you, Chair.
6 How's everybody? Okay? Good. So I just wanted to
7 touch on what my esteemed colleague, Council Member
8 Nurse, brought up which is the Jewel [sp?] Street
9 project. And I just want to make mention that this
10 is an ongoing monthly meeting organized by the
11 Community Land Trust, Council Member Charles Barron's
12 office and myself, and we're all part of a multi-
13 agency taskforce. But I want to commend you because
14 each month you come with a comprehensive report
15 because it is not a one-size-fits-all solution to
16 that particular area, but each month you show up. You
17 show up with different solutions for different
18 portions of the area. You not only work with the
19 Community Land Trust and the elected officials, but
20 you work with the community both in a group and
21 individually. So, I commend you for that. I
22 represent the 32nd Council District. It experiences
23 both Coastal and pluvial flooding. We are all about
24 resiliency in the district. We had, you know,
25 Hurricane Sandy devastated our community and

2 hurricane-- and Hurricane Ida, Superstorm Ida, took
3 lives from people in our community. We've
4 experienced, and I want to talk about the positives.
5 We've experienced what the flood net sensors can do
6 in low-lying areas such as Hamilton Beach in my
7 district, and it really gave a great barometer as to
8 when flooding was coming, was it coastal flooding,
9 was it from the tide, and so that is-- that's
10 wonderful. We also work well with your outreach
11 division. We've distributed rain barrels. We have
12 one coming up, a distribution, and the inflatable
13 dams are really a wonderful addition to that measure
14 for protection. We have our fair share of water main
15 breaks and water main leaks. One most recently on
16 91st and 157 Avenue. 311 was called. Our office was
17 called. Your team was out there. It was major.
18 They had to rip up the street. Wasn't just that.
19 Hallen [sp?] was doing project. DOT was doing a
20 project, but thank you, because the residents were
21 not negatively impacted for a very long period of
22 time, and you had a lot of people knocking on doors
23 talking to them about when their water would be
24 turned back on. So, thank you for mitigating any
25 type of complaints from the neighbors that are on

2 that block. We also have bio swells [sic] and rain
3 gardens. I do agree with the Council Member--
4 Council Member Holden in that it often times becomes
5 a responsibility of maybe the local civic association
6 to clean out the debris that's in there, but if you
7 say that DEP is responsible, then you know, when we
8 don't have the option of a civic association that is
9 as engaged, then certainly we'll be reaching out.
10 Porous pavement, we're all in. There's a contract on
11 the Rockaway peninsula right now that's using that,
12 and we're looking forward for that as well. You made
13 mention of NotifyNYC. When you talk about cloud
14 bursts and storms that cannot be predicted except for
15 maybe 20 minutes ahead, NotifyNYC is how you learn
16 very quickly that a cloud burst is coming. NotifyNYC
17 is available in 14 languages, and I would remiss if I
18 didn't mention since I'm the Chair of Fire and
19 Emergency Management. But that's where, you know, we
20 work together as a team, both government and
21 community partnerships. So, thank you for that
22 partnership that we have, you with our office, you
23 with our district, and you with the City of New York.
24 I appreciate that.

2 COUNCIL MEMBER WILLIAMS: Okay, I'm back.

3 At what point will the Department determine that
4 pumping out ground water is required to help address
5 the flooding risk in southeast Queens? I think you
6 somewhat answered that in terms of you currently
7 doing your studies to ascertain whether or not
8 pumping out the water would improve flooding. I just
9 wanted to underscore, I know we all inherited this.
10 I know some folks are new, but not new to the issue.
11 I'm a new Council Member, but I hope you understand
12 the frustration decades and decades of inaction
13 despite DEP on record actually joked and laughed
14 because it was a hearing that Jim Gennaro had when he
15 was first in office where it shows that DEP and the
16 City on record said that they were responsible but
17 nothing has taken place. And so I do hope that you
18 continue to prioritize it. Another issue that I had
19 mentioned to you in reference to the same issue, York
20 College is approximately pumping out like 5,000
21 gallons of water per day. So has there been any
22 conversations around alleviating the fact that they
23 have to pay the City to pump out ground water that
24 the City has not assisted in addressing? It's really
25 an oxymoron, if you ask me.

2 DEPUTY CHIEF SAPIENZA: So, this is a
3 long-standing issue as well. And again, the issue is
4 ground water that infiltrates into basements. To
5 keep those basements dry, many people pump out. York
6 College is probably the largest facility that has to
7 pump ground water into the sewer system, but because
8 there is a discharge into the system that makes it
9 way to a treatment plant that has to be treated,
10 there is a sewer charge for York College.

11 COUNCIL MEMBER WILLIAMS: And so is that-
12 - that's DEP, right? But is there any way to provide
13 some form of relief?

14 COMMISSIONER AGGARWALA: I'll say
15 something like that would have to go to the Water
16 Board, because that would be an adjustment in the
17 rate. That is something that we can take back as an
18 idea and discuss.

19 COUNCIL MEMBER WILLIAMS: Okay. Local
20 Law 178 of 2018 in relation to developing a pilot
21 program in Southeast Queens to use the watering
22 discharge as a means of heating and cooling of
23 buildings was intended to permit homes that were
24 inundated with ground water to be able to use the
25

2 ground water for heating and cooling. What have we
3 done to advance the implementation of this Local Law?

4 COMMISSIONER AGGARWALA: Council Member,
5 I will have to get back to you on that. I'm not
6 personally up to date on where we are with that one.

7 COUNCIL MEMBER WILLIAMS: Okay. What
8 wells, if any, are we considering pumping to lower
9 the underground water table in southeast Queens?
10 Have you identified wells, or is that pursuant to the
11 current pilot?

12 COMMISSIONER AGGARWALA: Council Member,
13 look, I think the-- as I said a little while ago, and
14 I think you-- and I appreciate you alluding to the
15 fact that we all inherited this problem. The ground
16 water issue in that part of Queens is something we
17 are taking seriously. It is something we're looking
18 at. It is something we will figure out the
19 appropriate course of action on, and we will-- we
20 will involve you and others in that. As you well
21 know, the Borough President had a meeting on this
22 that I think you were involved in. There are a
23 number of people who are focused on this. We hear
24 loud and clear. This is something we have to have a
25 good answer on.

2 COUNCIL MEMBER WILLIAMS: Okay. I hope
3 that in subsequent meetings with DEP we have some
4 more concrete responses. I know it's a waiting game,
5 but again, it's very frustrating for people who have
6 been waiting for a very long time, and the response
7 is always, "Oh, we need to do another study. Oh, we
8 need to do another study." It's like, how many
9 studies do we need to do to really make a
10 determination on a solution to solve the ground water
11 issue that we know is a problem from 30 years ago.

12 DEPUTY CHIEF SAPIENZA: And if I could
13 just add. So the Commissioner mentioned, these are
14 shared aquifers with Nassau County and Suffolk County
15 that are in a drought watch now. So it makes it
16 difficult on the state level to get--

17 COUNCIL MEMBER WILLIAMS: [interposing] I
18 know. I understand the state politics, and trust me,
19 I intend to also hold the state accountable for
20 figuring out a solution, which is why we had the call
21 including state actors so no one can point fingers
22 because everyone's at the table, but as a city we
23 also have an obligation to the residents of southeast
24 Queens. So I just want to make sure that we truly are
25 doing everything in our power to find a solution,

2 hopefully before I get out of office, because like I
3 said, it's-- I don't know, it might have started
4 during the Archie Spigner days. Like, it's very
5 long-standing issue that we have, and we know that is
6 an issue. We know that it's an issue. So to
7 continue to talk about more pilots and more studies,
8 it's frustrating. So, thank you.

9 COMMISSIONER AGGARWALA: Understood.

10 CHAIRPERSON BROOKS-POWERS: Thank you,
11 Council Member Williams. And I just have two
12 questions, and then we're going to open it up to the
13 public. How does the City propose to address
14 inequities in the access to cooling centers, and is
15 transportation provided to and from cooling centers?

16 COMMISSIONER AGGARWALA: I will have to
17 get back to you on whether transportation is provided
18 to cooling centers, and I-- my understanding is that
19 the provision of cooling centers, their
20 identification certainly takes socioeconomic factors
21 into account. You know, recently the Comptroller
22 released a report identifying some of the
23 shortcomings, which of course, we are taking very
24 seriously, and we'll be looking to expand them.
25 Erika, anything to add?

2 ERIKA JOZWIAK: Just to add that we work
3 really closely with NYCEM who is a main coordinator
4 of the cooling centers to make sure that they are
5 equitably distributed and located in high heat
6 vulnerable neighborhoods, but we can follow up with
7 more info.

8 CHAIRPERSON BROOKS-POWERS: Think you
9 guys have a lot of follow-up to do. Can we get an
10 idea as to when we can expect to hear back all of the
11 outstanding responses?

12 COMMISSIONER AGGARWALA: Council Member,
13 or Madam Chair, I won't make a promise, because as
14 you point out it's a long list. Obviously, we have
15 our colleagues who are taking notes--

16 CHAIRPERSON BROOKS-POWERS: [interposing]
17 Like two weeks? One month? I just want to have an
18 idea?

19 COMMISSIONER AGGARWALA: I would imagine
20 within a month, certainly.

21 CHAIRPERSON BROOKS-POWERS: Thank you.
22 We'll now-- I'll now kick it to our Counsel, Elliot
23 Lynn [sp?].

24 COMMITTEE COUNSEL: Thank you. We'll now
25 turn to public testimony. Each panelist will be

2 given two minutes to speak. Please begin once the
3 Sergeant has started the timer. For panelists
4 testifying in-person, please come to the dais as your
5 name is called and wait for your turn to speak. For
6 panelists who are testifying remotely, once your name
7 is called, a member of our staff will unmute you, and
8 the Sergeant at Arms will give you the go ahead to
9 begin upon setting the timer. Please wait for the
10 Sergeant to announce that you may begin before
11 delivering your testimony. Our first panelist will
12 be Lonnie Portis, Cortney Worrall, and Jackson
13 Chabot. You may begin.

14 LONNIE PORTIS: Alright. Good afternoon
15 Committee Chair Brooks-Powers, and Committees on
16 Transportation and Infrastructure, Environmental
17 Protection and Resiliency and Waterfronts. Thank you
18 for the opportunity to testify on the deadly
19 disproportionate impact on heat waves in New York
20 City. I'm Lonnie J. Portis, I'm the Environmental
21 Policy and Advocacy Coordinator at WE ACT for
22 Environmental Justice. WE ACT has been the leading
23 voice in extreme heat mitigation efforts for years.
24 Because of climate change, New York City summers are
25 getting hotter and the heat is lasting longer. We

2 also know that these hotter summers have resulted in
3 environmental injustice, because 50 percent of heat-
4 related deaths in New York City are black or African-
5 American people, even though they make up on 25
6 percent of the City's population. At the beginning of
7 a summer, WE ACT released a 2022 Extreme Heat Policy
8 Agenda which includes policy and strategy
9 recommendations to proactively prepare New Yorkers
10 for rising temperatures and mitigate corresponding
11 health risks. I will not go through all the policy
12 recommendations here, but I will include a summary of
13 them in our written testimony. Our recommendations
14 are focused on three major areas of action:
15 enhancing communication, awareness, and preparedness.
16 Two, promoting and strengthening affordable cooling
17 options, the City must promote and enroll as many New
18 Yorkers in New York State's low income Home Energy
19 Assistance Program, also known as LIHEAP's Cooling
20 Benefit Program, and encourage the use and improve
21 the amenities offered by New York City's Cooling
22 Centers Program which would include outdoor cooling
23 space. Three, increasing green space and green
24 infrastructure. The City must prioritize installing
25 green infrastructure in heat-vulnerable

2 neighborhoods. Greenspace helps cool a neighborhood.
3 Less greenspace in a neighborhood is associated with
4 greater risk of death during heat waves. For
5 example, of the 700+ green roofs in New York City,
6 over 300 lie in Midtown and Downtown Manhattan while
7 the rest are spread throughout the City, all
8 throughout all boroughs. Again, I'll provide more
9 detail in my written testimony. I want to thank the
10 Committee Chairs for having an oversight hearing on
11 such an important topic, and I'm looking forward to
12 working with the City Council and these city agencies
13 on implementing WE ACT's Extreme Heat Policy Agenda.

14 CHAIRPERSON BROOKS-POWERS: Thank you.

15 CORTNEY WORRALL: Hi, thank you. I'm
16 Cortney Worrall. I'm the President and CEO of the
17 Waterfront Alliance, and alliance of more than 1,100
18 organizations, businesses and individuals. Thank you
19 so much for allowing this testimony today. Our full
20 testimony has been submitted and for the purposes of
21 today's hearing, I'll just read a few
22 recommendations. There are several reports, plans
23 and projects that are slated to come out in the next
24 few months which address city infrastructure,
25 preparedness for climate change and other issues. We

2 recommend that the City conduct a transparent
3 overview of these planning efforts and reports and
4 coordinate all of these among agencies. We know that
5 these reports are causing great burden on some of the
6 agencies, and we are ready to support and push for
7 legislation that can streamline and consolidate
8 reporting requirements. In addition to citywide
9 comprehensive planning, we must not forget that the
10 immense challenge of building resilience into
11 systemic infrastructure of the City is a critical
12 priority. For these projects it is important that the
13 City develop a strategic plan across agencies to
14 leverage the historic federal/state infrastructure
15 funding opportunities that many of which have been
16 mentioned today. But we do believe that there is a
17 need for the City to strategically plan for this in
18 addition to all of the coordination between agencies
19 that is occurring right now. The perception is that
20 recent challenges the City has faced with flooding
21 can be attributed to aging and poorly constructed
22 projects. Streamlining DEP's administrative process
23 that lead to efficient project delivery must be
24 prioritized as an internal climate resilience
25 priority within agencies. I'm sorry, I did not mean

2 to say poorly constructed projects, but instead,
3 construction-delayed projects. Waterfront Alliance
4 and our many partners are ready to stand with the
5 City behind any impetus on green infrastructure.
6 It's critical for this city to also develop
7 maintenance plans for green infrastructure. Thank
8 you for today.

9 CHAIRPERSON BROOKS-POWERS: Thank you.

10 JACKSON CHABOT: Good afternoon. My
11 name is Jackson Chabot. I'm the Director of Public
12 Space Advocacy at Open Plans, a nonprofit dedicated
13 to safe and livable street. As our climate changes,
14 the safety and livability of our streets will
15 increasingly depend on resilience against severe
16 weather events. Recent heat waves underscore the
17 escalating needs and adaptation of our public spaces
18 will be vital. Statistics show the danger, according
19 to the environmental justice leader WE ACT, an
20 average of 130 New Yorkers die yearly from heat-
21 related causes. Additionally, there were
22 approximately 644 hospitalizations or ER visits due
23 to extreme heat exposure in 2021. The fact that our
24 extreme weather is deadly, especially for the most
25 vulnerable New Yorkers. Also, according to WE ACT,

2 in part due to historical and current patterns of
3 racial discrimination and segregation, concentrated
4 poverty and public and private disinvestment,
5 populations in New York City that are already
6 vulnerable to poor health outcomes are also
7 overburdened with higher death and illness rates from
8 extreme heat. Due to the same disinvestments, these
9 communities are also some of the most car-dependent
10 in the five boroughs. As a result, driving
11 exacerbates the global climate crisis while also
12 leading to local environmental suffering, including
13 poor air quality and hotter streets. It's a vicious
14 cycle. We recommend three immediate actions that you
15 can read further about in my full testimony. First,
16 we encourage the City to use sanitation reform to
17 combat the effects of severe weather. During flash
18 flooding, loose trash can clog storm drains and
19 quickly flood neighborhoods. Second we must reform
20 the curb and reallocate street space for people-
21 centered purposes. Asphalt attracts and traps heat.
22 We know that blocks with trees and abundant
23 greenspace are several degrees cooler than their
24 sparse counterparts. Thank you.

2 CHAIRPERSON BROOKS-POWERS: Jackson, you
3 have more, you can finish.

4 JACKSON CHABOT: I can finish?

5 CHAIRPERSON BROOKS-POWERS: Yeah.

6 JACKSON CHABOT: Okay, thank you. Okay.

7 And finally, and most consequentially, we know that
8 vehicles and driving make our world warmer. In the
9 United States, approximately one-third of our carbon
10 emissions come from transportation. As a city, we
11 must act now by providing incentives for people to
12 choose other modes of transportation such as free
13 Omni cards for government workers, improving bus
14 service and subway transit deserts, while also
15 implementing congestion pricing as soon as possible,
16 and significantly reducing the number of parking
17 placards in circulation. We need action now. We
18 cannot wait for the next storm to exacerbate our
19 infrastructure challenges and leave our neighbors
20 vulnerable to extreme heat, flooding, cold, and so
21 much more. We have the tools to adapt New York City
22 and keep all of us safe. Thank you.

23 CHAIRPERSON BROOKS-POWERS: thank you.

24 COMMITTEE COUNSEL: Next we will hear
25 from-- and I apologize about pronunciations-- Rose

2 Uscianowski, and Rose will be followed by Eric
3 McClure [sp?], and John Plenge.

4 ROSE USCIANOWSKI: Good afternoon. I'm
5 Rose Uscianowski, the Staten Island and south
6 Brooklyn organizer for Transportation Alternatives.
7 For nearly 50 years, TA has led the movement for
8 safe, equitable, and healthy street in New York City.
9 We are advancing New York City 25 by 25. Our vision
10 to reclaim 25 percent of street space from cars and
11 give it back to people by the year 2025. To reach
12 this vision, we must put the City's 6,300 miles of
13 roads to better use than the movement and storage of
14 private vehicles. Our largest public space is our
15 streets, and cars control 75 percent of it. This has
16 deadly consequences, soaring traffic violence,
17 debilitating rates of childhood asthma and rising
18 temperatures that are burning our city and planet.
19 Buildings and on-road transportation account for 84
20 percent of emissions in New York City. Yet, while
21 New York City has made recent gains in reducing
22 building emissions, on-road transportation emissions
23 have actually increased in the four years leading up
24 to the pandemic. Not only do cars exacerbate the
25 climate crisis, but their effects on extreme weather

2 make the consequences worse. Seventy-two percent of
3 New York City's land area is impervious, making
4 extreme flash flooding more dangerous. As the
5 remnants of Hurricane Ida swept through the City last
6 fall, apartments flooded, subway service shutdown,
7 and streets turn into rivers. May I continue?

8 CHAIRPERSON BROOKS-POWERS: You have a
9 little bit left? Okay.

10 ROSE USCIANOWSKI: Okay. Thank you.
11 Because there was no place for the water to go. We
12 cannot combat extreme weather without combatting our
13 extreme addiction to cars on the streets. For
14 starts, on extreme heat days, the City and street
15 need to advise New Yorkers not to drive and offer
16 free subway and bus trips to incentivize mass
17 transit, but this needs to be incentivized every day.
18 That's why we have long fought for the New York City
19 Streets Plan. With real reliable alternatives, New
20 Yorkers can shift away from cars and towards more
21 sustainable solutions. Streets should also be used
22 to make our communities greener. Trees are nature's
23 air conditioning. Increasing our city's tree cover
24 by just 10 percent would lead to 3,800 fewer related
25 deaths. Using street space to plant more trees is

2 popular. A 2020 poll of New York City voters found
3 that 83 percent wanted more trees and greenery, even
4 if it meant less space for cars. When storms such as
5 Hurricane Ida dumped inches of rain on asphalt,
6 there's nowhere for the water to be absorbed. But
7 when rain has greenspaces, the water can be managed
8 without catastrophic flooding. Our subways don't have
9 to turn into waterfalls with every storm, and our
10 buses don't have to get stuck in flash floods unable
11 to move. Our streets do not have to trap the most
12 vulnerable communities in urban heat islands. We
13 have the tools to address extreme weather right now,
14 and it starts with prioritizing people over cars on
15 our streets. Thank you.

16 COMMITTEE COUNSEL: Thank you so much for
17 your testimony. Next, we'll hear from Eric McClure.
18 Eric will be followed by John Plenge and Klejda Bega.

19 SERGEANT AT ARMS: Time has begun.

20 COMMITTEE COUNSEL: Eric McClure? Okay,
21 we'll move on to John Plenge.

22 SERGEANT AT ARMS: Time has begun.

23 JOHN PLENGE: Yes, hello. Sorry. I've
24 been tuning in. I'm now on the street. I'm running
25 errands today. My name is John Plenge. I have no

2 fancy titles. I apologize because I didn't catch all
3 the names of all the presenters, but I appreciate you
4 addressing the things that I am very concerned about.
5 I am a 34-year resident of the Lower Eastside in
6 Manhattan, and I -- wasn't mention today, but Esker
7 [sp?] and the proposed Wagner [sp?] Park projects for
8 coastal resiliency. Listening to the head of the DEP
9 talk about the rising deaths in extreme heat. The
10 main problem of water from above as opposed to
11 flooding and hurricane surge, and the need for green
12 infrastructure could not be more embarrassingly going
13 in the opposite direction with Esker and the proposed
14 project for Wagner Park. Those things were written,
15 those projects were written with very outdated data.
16 Before we had all the data on heat index and water
17 from above. They are yes, to protect from a super
18 storm. I won't get into the details of how this--
19 these projects aren't really adequately addressing
20 that either. Basically, they're taking away acres of
21 greenspace, green infrastructure, and bio swells the
22 rest of the world is going to sponge cities along the
23 cost, and New York City is embarrassingly, thanks to
24 de Blasio and Council Member Rivera, going in the
25 opposite direction creating hardscaping, small tree

2 saplings that does not take into effect-- account the
3 six major issues with climate change, the upper
4 respiratory disease problems in an investigation
5 injustice neighborhood, the rising heat index, the
6 loss of tree canopy, the loss of access to open green
7 spaces--

8 SERGEANT AT ARMS: [interposing] Time is
9 up.

10 JOHN PLENGE: this open green space along
11 the East River Park, you need to please take a look
12 at that in an independent environmental oversight,
13 because there's an injustice happening on the lower
14 eastside in Manhattan under the guise of coastal
15 resiliency. I'm sorry. Thank you for your time.

16 COMMITTEE COUNSEL: Thank you for your
17 testimony. Next we'll hear from Klejda Bega who will
18 be followed by Linda Cohen.

19 KLEJDA BEGA: Hello. MY name is Doctor
20 Klejda Bega. I'm a longtime resident of Battery Park
21 City and a science lecturer at Columbia University.
22 I'm speaking here today because as a resident and a
23 scientist, I'm very concerned that in the midst of
24 such a need to help communities truly at risk for
25 flooding, coastal or from rainfall. We have so-

2 called resiliency projects that are not based on
3 science and are just brainwashing. I fully support
4 creating a resilient New York, and I share the same
5 urgency as the previous speakers, but I'm for smart
6 resiliency, not for these boondoggles in the name of
7 resiliency that are unscientific, as I will explain,
8 wasteful, spending funds where they are not needed,
9 and inequitable, not helping communities most at risk
10 for flooding, as we also heard today. In particular,
11 I want to talk about the South Battery Park
12 Resiliency Project which is slated to start right
13 after Labor Day. Know that Battery Park City was
14 built to withstand a 100-year storm, and in fact,
15 there was very minor damage that occurred there
16 during Sandy. Ignoring all that, this project will
17 destroy Wagner [sic] Park, an award-winning park,
18 reduce active greenspace by 50 percent, and cut 112
19 mature trees. The real aim is maximize profit and
20 increase commercial space. All this will be done
21 amid strong community opposition to the planning and
22 the design process. Let me talk a bit about the
23 science. This project is based on numbers that are
24 outdated, exaggerated, and incorrect. For example, to
25 justify destroying and raising the current park by 10

2 feet, this project using 213 FEMA flood maps.

3 However, in 2016, the City of New York itself
4 appealed and won the appeal against FEMA because as
5 the city analysis showed, FEMA used scientifically
6 and technically incorrect methodology which
7 exaggerated the height of the storm surge of the 100-
8 year storm by at least two feet. These findings were
9 further corroborated by 2016 scientific paper which
10 found that Sandy was not the 100-year storm, but in
11 fact, it was the once in 260 years--

12 SERGEANT AT ARMS: [interposing] Time has
13 expired.

14 KLEJDA BEGA: Thank you.

15 COMMITTEE COUNSEL: Okay, thank you for
16 your testimony. Next we will hear from Linda Cohen
17 who will be followed by Allie Ryan [sp?]. Linda?

18 SERGEANT AT ARMS: Time has begun.

19 LINDA COHEN: Hi, am I on? Can you hear
20 me?

21 COMMITTEE COUNSEL: Yes.

22 LINDA COHEN: To combat climate change
23 flooding we need all government agencies on board
24 working tether to save and increase permeable areas,
25 as most of these-- of the testimony lately has been

2 speaking about. I think that the most sensible way to
3 save the permeable areas that we already have that is
4 to say that forested areas, our wetlands, both tidal
5 and fresh water, and all of our wetland adjacent
6 areas. In many cases, the adjacent area is a 100-foot
7 buffer zone. Unfortunately, permits are currently
8 often given to destroy these areas and build on them.
9 Often times there are promises of mitigation that
10 don't pan out. Likewise, older trees of a certain
11 size absorb significant amounts of flood waters, and
12 they should be saved. There was legislation number
13 1749 proposed in City Council in 2019 to protect
14 trees with a circumference greater than 50 inches.
15 It did not pass, but I believe it should be revisited
16 by City Council. In the meantime, mature trees
17 continue to be cut down. I have read doing so
18 actually contributes to the problem of sinkholes. On
19 Staten Island where most of the New York State deaths
20 from Super Storm Sandy occurred, they occurred on the
21 east and south shore areas where wetlands and forests
22 were previously destroyed. During Hurricane Ida,
23 residents of Graniteville [sic] and in EJ area on the
24 northwest post suffered hundreds of thousands of
25 dollars in flood damage for the first time ever.

2 This was in an area where 18 acres of forested
3 wetlands had recently been destroyed. Why not create
4 a blue belt here to prevent future flooding? We need
5 to save what nature has provided us already to
6 prevent flooding, especially our coastal wetlands as
7 Councilman Kagan mentioned today. Our previous
8 Comptroller Stringer wrote extensively about the
9 financial sense of saving--

10 SERGEANT AT ARMS: [interposing] Time has
11 expired.

12 LINDA COHEN: [inaudible] Can I just
13 finish one sentence?

14 CHAIRPERSON BROOKS-POWERS: Yes.

15 LINDA COHEN: I hope that all agencies
16 involved in the review and approval of building
17 applications including region two of the DEC, DOT,
18 DCP, and DEP will work together to stop the
19 destruction of our valuable natural resources. Thank
20 you very much.

21 CHAIRPERSON BROOKS-POWERS: Thank you.

22 COMMITTEE COUNSEL: Thank you for your
23 testimony. Next we will hear from Allie Ryan. Allie
24 will be followed by Sonal Jessel.

25 SERGEANT AT ARMS: Time starts.

2 ALLIE RYAN: Hello. My name's Allie Ryan.
3 I want to thank you for holding an oversight hearing
4 about flooding, heatwave, and potholes, and extreme
5 weather affecting our city's infrastructure. Almost
6 700 mature trees were chopped down in East River Park
7 since December 2021. Earlier this month, several of
8 my neighbors measured temperatures around the area of
9 East River Park. The few spots of grassy [sic] shade
10 were cooler. There were severe public health
11 consequences in making our neighborhoods hotter and
12 drier, which is what has happened now that we've lost
13 almost 700 trees. For example, on August 9th, at the
14 track and field at Sixth Street, temperatures ranged
15 from 80 degrees in the tall thick grass and partial
16 shade to 157 degrees at the artificial turf field at
17 the running track in full sun. Under the grove of
18 mature trees in the park, it was still hot, 90-95
19 degrees, but it was cooler, because that week it was
20 97 degrees according to the air temperature in the
21 City. So what can be done now? The City needs to
22 follow through and plant and nurture trees in
23 presently empty tree pits, as well as in our parks,
24 specifically Thompkins [sp?] Square Park, where at
25 least six mature trees over a couple of hundred years

2 old have naturally fallen down in the past couple
3 years. The City promised to plant trees in this tree
4 pit-- in this tree pit, in part to make up for the
5 inability to use East River Park. Secondly, stop
6 chopping down trees in East River Park. In 2019, City
7 Council negotiated to keep 42 percent of the park
8 open while--

9 SERGEANT AT ARMS: [interposing] Time
10 expired.

11 ALLIE RYAN: 58 percent is under
12 construction. I'd like to finish. I just have one
13 more sentence. Right now, at the most, 30 percent of
14 East River Park is open to the public. Why? Please
15 ask. My current City Council Member is campaigning
16 for a new job. So I'm asking you to hold the DDC and
17 Parks Department accountable to hold, to honor the
18 2019 City Council negotiated 42 percent of East River
19 Park open. Thank you.

20 CHAIRPERSON BROOKS-POWERS: Thank you.

21 COMMITTEE COUNSEL: Okay. Next we'll
22 hear from Sonal Jessel, who will be followed by Carol
23 Johnson.

24 SERGEANT AT ARMS: Time starts.
25

2 SONAL JESSEL : Thank you. Good afternoon
3 chair brooks-Powers, Chair Kagan, Chair Gennaro and
4 other Council Members. Thanks for the opportunity to
5 testify. My name is Sonal Jessel. I'm the Director
6 of Policy at WE ACT for Environmental Justice, and
7 I'm a member of the New York State Climate Justice
8 Working Group. Over the past 34 years, WE ACT has
9 been combatting environmental racism. I myself have
10 my Masters in Public Health with a focus on climate
11 change and health. WE ACT has been leading advocacy,
12 community organizing research on extreme heat for
13 many years. For example, we helped lead the famous
14 Harlem Heat Study which found that people's
15 apartments and homes stay hot even when external
16 temperature drops at night. Most Americans die from
17 extreme heat every year than any other extreme
18 weather event. The burden of extreme heat harms
19 communities of color the most, and this inequity
20 comes from decades of environmentally racist policies
21 and programs such as red-lining. WE ACT has a heat
22 health and equity initiative to address this problem
23 through policy. Notably, we're working on energy
24 security for vulnerable populations, both at home and
25 around the City, because access to cooling is the

2 number preventer of heat illness and death. However,
3 low-income households are less likely to use their AC
4 due to high electricity bills, maintenance defects,
5 and difficulty navigating a bureaucracy of utility
6 companies and other programs, assistance programs.
7 The Department of Health found that 100 percent of
8 home-related heat deaths in 2018 happened to people
9 who didn't have an AC or an AC was not turned on.
10 Chair Kagan mentioned the New York State Low-Income
11 Home Energy Assistance Program, LIHEAP. It's a vital
12 policy or ensuring low-income residents have access
13 to home cooling, and our organization has been
14 working hard to improve the program. The program
15 ended over one month early this year, as the Chair
16 pointed out, because funding ran out. We were cut
17 one month short in getting our community members
18 signed up for this life-saving program, and we
19 believe the State must increase funding next year in
20 response. Right now, we have over 400,000 customers
21 in New York City that are experiencing crippling
22 utility debt. Summer electricity bills spiked 20-30
23 percent because of the use of ACs, mostly, and
24 extensive research has found that utility debt leaves
25 people to forgo healthy food, medication, and even

2 more seriously, families can be barred from moving or
3 unjustly even lose their children to social services
4 if they have--

5 SERGEANT AT ARMS: [interposing] Time
6 expired.

7 SONAL JESSEL: an arrearage of massive
8 utility debt. As I mentioned before, LIHEAP is a
9 federally funded program, and is allocated at the
10 state level. There's over 340 million dollars per
11 year for New York State, but the cooling portion only
12 gets four percent of that allocation. I will jump
13 ahead. What we are really asking for is Council
14 Members need to advocate to Governor Hochul, to the
15 Office of Temporary Disability Assistance, and also
16 to our federal representatives to put more money in
17 the cooling assistance pot for this program, because
18 currently it does not pay for utility bills to be
19 subsidized in the summer months. It just pays for
20 one AC every five years up to 800-dollar value, and
21 that's as we all know is woefully insufficient for
22 protecting people against heat. So I'm asking our
23 Council Members to go to Governor Hochul and advocate
24 for LIHEAP program to be expanded and to start
25

2 funding utility bills for the summer months. Thank
3 you.

4 CHAIRPERSON BROOKS-POWERS: Thank you.

5 COMMITTEE COUNSEL: Next we will hear
6 form Carol Johnson. Carol will be followed by Simran
7 Rekhi Aggarwal.

8 SERGEANT AT ARMS: Time starts.

9 CAROL JOHNSON: Good morning. Thank you
10 for this opportunity. My name is Carol Johnson and
11 I'm representing the East Harlem COAD, Community
12 Organizations Active in Disasters. We know that East
13 Harlem has a major problem with flooding, and we
14 notice too that on the east-- on our eastern seaboard
15 there's a large accumulation of high-rises,
16 particularly NYCHA housing. These people who live in
17 these places, and we keep hearing about people
18 getting off flood insurance, these are people that
19 pre-pandemic had to make decisions between paying
20 their rent and feeding their families. They cannot
21 afford flood insurance, and we've been hearing for
22 decades and decades and decades about the work that
23 needs to be done, restraining walls that need to be
24 put up on the East River corridor, and we're still
25 talking about that. We know when there's consistent

2 flooding that's going to lead to-- it's going to lead
3 to vermin. It's going to lead to mold and that's
4 going to lead to more and more respiratory problems.
5 We are a low-lying, overlooked, underserved
6 community. We've remained as such. People keep
7 talking about us, but the help never comes. We're
8 asking that our governor and our government officials
9 release funds that can help in our areas, usually the
10 black and brown communities, the East Harlem
11 community. COAD is a group that is dedicated to
12 emergency preparedness, resiliency, and coordinated
13 response to all the emergencies that take place in
14 East Harlem. The infrastructure is a horror. To
15 watch seniors falling and tripping over broken,
16 missing asphalt, potholes at the corners-- so many
17 blocks in East Harlem have-- potholes are filled with
18 water. I don't even remember last time it rained but
19 the potholes are consistently filled with water,
20 which is a danger to people who are using mobility
21 chairs. If your chair goes down in that hole, that
22 is a possibility of a thousand dollars' worth of
23 damage when it cracks your cable, and to have to go
24 blocks and blocks and blocks to find an area that
25 does not have water, standing water for months, it's

2 an atrocity. Watch seniors tripping on walkers
3 because of the broken and decimated asphalt. We're
4 asking--

5 SERGEANT AT ARMS: [interposing] Time has
6 expired.

7 CAROL JOHNSON: that you release-- let me
8 just finish this sentence.

9 CHAIRPERSON BROOKS-POWERS: You can-- no,
10 you can absolutely finish.

11 CAROL JOHNSON: funds so that areas like
12 ours that this city already knows are going to be at
13 greater impacted by emergencies that funds are
14 available so that the people on the bottom are helped
15 first, as opposed to the money going to people on the
16 top. Thank you very much for this time.

17 CHAIRPERSON BROOKS-POWERS: Thank you.

18 COMMITTEE COUNSEL: Okay, next we'll
19 hear from Simran Rekhi Aggarwal, who will be followed
20 by Paul Trust [sp?].

21 SERGEANT AT ARMS: Time starts.

22 SIMRAN REKHI AGGARWAL: Hi, instead of
23 me, can you please unmute Anil Aggarwal, my husband?
24 He'll be speaking on behalf of us.

25

2 CHAIRPERSON BROOKS-POWERS: Okay, thank
3 you. Noted.

4 ANIL AGGARWAL: Hi, this is Anil
5 Aggarwal. My wife and I wanted to bring to the
6 Committee's attention our experience in a major road
7 defect that's ongoing, that needs to be resolved and
8 has remained unresolved for the past year. We
9 purchased a building on Ninth Street between First
10 and Second Avenue approximately a year ago, and what
11 we noticed was that the entire building shakes and
12 vibrates, and it's not only our building but it's our
13 neighbor's building, buildings across the street, and
14 those vibrations are causing very significant,
15 serious damage to these buildings. We've had
16 everything from roof leaks to misalignment of doors,
17 etcetera. We're not the only ones. Our neighbors
18 have the same issue. We've reported this to DEP,
19 DOT. Ultimately, we contacted Carlina Rivera's
20 Office. They invited us to join this committee
21 hearing today, and it is to make you aware of, you
22 know, the fact that this is, you know, a known
23 defect. We believe it is a cave-in. It's serious
24 enough that we think it might resulting in a
25 sinkhole. This is the site of a previous sinkhole.

2 And our experience in working with the City, which
3 has included sharing videos and photos and doing
4 really everything we can as, you know, good citizens,
5 to be helpful and cooperative, has really resulted in
6 no resolution. The other thing, we live on Ninth
7 Street between First and Second Avenue, is that is a
8 major bus route, across town bus route. It is also a
9 street used by a lot of trucks. What's causing the
10 vibration is that when these vehicles travel on the
11 road, they do so at very high speed, and they
12 literally bounce up and down, and that bouncing up
13 and down with these very heavy vehicles all day long-
14 -

15 SERGEANT AT ARMS: [interposing] Time has
16 expired.

17 ANIL AGGARWAL: is what is creating the
18 vibrations and the damage. So we want to just make
19 the committee aware, not only of this particular
20 defect, but also frankly the challenges we've had in
21 getting it resolved.

22 CHAIRPERSON BROOKS-POWERS: Thank you,
23 sir. And we will have someone follow-up with you
24 after about this matter.

25 ANIL AGGARWAL: Thank you so much.

2 CHAIRPERSON BROOKS-POWERS: Thank you.

3 And last we will hear from Paul Trust with Queens
4 Link.

5 SERGEANT AT ARMS: Time starts.

6 PAUL TRUST: Hello, my name is Paul Trust
7 and I am Advocacy Liaison for Queens Link, the
8 proposal to reactivate the Rockaway at the M Train
9 Subway extension running from Regal Park down to the
10 Rockaways. South Queens is a transit desert with
11 some of the longest commutes in the country. This
12 however does not need to be the case. There's 3.2
13 mile pre-existing right-of-way owned by the City that
14 through subway reactivation will not only make South
15 and Central Queens more resilient to the effects of
16 climate change, but introduce a faster alternative
17 for people to get to and from jobs, schools, visit
18 family, and allow tourists to enjoy some of the
19 City's best destination in a way that does not
20 involve cars. Queens Link believes subway
21 reactivation is the best use for this valuable city-
22 owned transit asset, one with the greatest potential
23 ridership. The MTA's own sketch assessments released
24 in 2019 proved that subway reactivation is possible.
25 The study also mentioned that where the right-of-way

2 is wide enough, both park and trains can co-exist.
3 Knowing this, the Queens Link proposal incorporates
4 both rails plus trailers. it is our believe that if
5 the right-of-way was exclusively as a linear park, as
6 some are advocating for, this would eliminate any
7 possibility for future reactivation and would
8 undermine our city's attempt to meet its current and
9 future transit and climate needs. Earlier this
10 month, Queens Link sent a letter signed by 15 law
11 makers, including Council Members Ariola, Brooks-
12 Powers and Holden currently in attendance to the
13 Mayor and Governor's desk requesting that an EIS be
14 conducted on the line. The EIS will answer many
15 questions touched up on the MTA's sketch assessments,
16 including addressing concerns expressed by those who
17 live along the right-of-way. As Rockaway
18 reactivation was included in one of the proposals
19 under consideration in the MTA's currently released--
20 recently released 20-year Needs Assessment, we feel
21 the time is now to conduct the EIS. It is our strong
22 belief that if 1.2 billion can be set aside for a
23 bandwidth expansion that will arguably do little to
24 improve traffic flow, or help New York State meet its
25 2030 climate goals, then setting aside 1-2 million

2 dollars to conduct an EIS is a worthwhile investment.

3 In conclusion, although it's been 60 years of talk
4 and little action, the time is now to make history.

5 The desire is there. Our climate challenges are

6 real, and our population growth demands real

7 investment and better mass transit, not just stop-gap

8 measures. We hope you will join us in our cause for

9 advocating to the Mayor and Governor for the MTA to

10 conduct an EIS in the Rockaway Beach [inaudible].

11 Thank you for your time.

12 CHAIRPERSON BROOKS-POWERS: Thanks so
13 much, Paul. Next we will hear from Manny Caughman,
14 coming out of Southeast Queens.

15 SERGEANT AT ARMS: Time starts.

16 MANNY CAUGHMAN: Good afternoon. My name
17 is Manny Caughman. I've been working on environmental
18 issues in Southeast Queens for over 20 years. I
19 worked on such projects as the West Side Corporation
20 Super [sic] Fun [sic] site, Brooklyn/Queens
21 feasibility study, and also appointed by Mayor
22 Bloomberg to the Jamaica Bay Taskforce. The rising
23 water table is the issue that seriously need to be
24 addressed. Climate change and increased storms such
25 as Hurricanes Sandy/Ida has compounded the situation

2 tremendously. As a matter of fact, the US Geological
3 Survey predicts that water table will rise in
4 Southeast Queens between three to six feet in five
5 years. I'll give you a little brief history of how
6 we got to this point. For 100 years, Jamaica water
7 supply from 1896 to 1996 has supplied drinking water
8 to Southeast Queens. We had 69 groundwater wells
9 pumping apartment 60 million gallons of water per
10 day. In early 2000s, wells were shut down because of
11 salt water intrusion and chemical contaminations.
12 Since that shutdown, the water table has continued to
13 rise. As a matter of fact, former Commissioner from
14 DEP, Emily Lloyd, testified in front of City Council
15 in 2007 that the water table had risen approximately
16 30 feet since the shutdown of the well in Southeast
17 Queens. As a result, we've had tremendous flooding
18 in our area, [inaudible] and subway, York College,
19 which is pumping approximately 70,000 gallons of
20 water per day, Allan [sic] Senior Homes, Carter
21 Senior Homes, Intermediate School Eight, and many
22 homes in our area [inaudible] pumps and the utility,
23 pay-- increased utility bills to keep the groundwater
24 out of their basements. DEP has been working with us
25 trying to address these problems. As a matter of

2 fact, one of the projects they had with Station Six,
3 which would have pumped approximately 8-12 million
4 gallons per day, and pumping this particular water
5 form that station, it would lower the water table at
6 York College, Allen [sic] Senior Home, the Carter
7 Houses, and to me, this would be a great solution to
8 the problem. DEP currently--

9 SERGEANT AT ARMS: [interposing] Time has
10 expired.

11 MANNY CAUGHMAN: Oh, I will submit my--

12 CHAIRPERSON BROOKS-POWERS: [interposing]
13 You can con-- you can continue.

14 MANNY CAUGHMAN: statement. I will mail
15 my statement into the City Council.

16 CHAIRPERSON BROOKS-POWERS: Mr. Caughman,
17 you can continue.

18 MANNY CAUGHMAN: Oh, okay, thank you.

19 DEP is currently contracted-- working with US
20 Geological Survey to measure the groundwater
21 throughout the City, and we thank them for that. DEP
22 is also looking to daylight several ponds in
23 Southeast Queens, Twin Ponds, Beaver Creek, and
24 Baisley Pond. That would also help lower the water
25 table. I'll just make the summarize by saying that

2 global warming, rising sea levels to climate change,
3 it's something that we must seriously think about in
4 protecting our infrastructure. The rising water
5 table and salt water intrusion could play havoc on
6 our community. If you remember, 150th Street, we had
7 a sewer collapse over there, and we know what salt
8 water does to concrete. As a matter of fact, in
9 Florida, there was a condominium that collapsed.
10 It's not proven, but theory is that salt water was a
11 contributing factor, where many people lost their
12 lives because of salt water damaging their
13 foundation. I would ask the City Council and this
14 committee that they would seriously look at helping
15 Southeast Queens address this problem, which is
16 overdue. We've been dealing with this for many
17 years. Many homes, they can't use their basements--
18 mold infestation. So, I just thank you for giving me
19 this time to address this point. Thank you.

20 CHAIRPERSON BROOKS-POWERS: Thank you.

21 COMMITTEE COUNSEL: Okay, next we'll hear
22 from Annie Carforo, and Annie will be followed by
23 Caleb Smith.

24 SERGEANT AT ARMS: Time starts.

25

2 ANNIE CARFORO: Hello, good afternoon
3 everybody. Thank you Committee Chairs for letting me
4 testify today. My name is Annie Carforo, and I'm the
5 Climate Justice Campaign Coordinator at WE ACT for
6 Environmental Justice. We have a number of team
7 members here today talking about different issues,
8 and I want to touch briefly on flooding. Hurricane
9 Sandy was supposed to be wake-up call for New York
10 City, but since 2012 it's been repeated many times in
11 this hearing. There's been plenty of talk, but
12 little action. And we know that we need to be
13 proactive when it comes to climate change, but it's
14 abundantly clear we are not ready for what is to
15 come. Over the past few years we have seen New York
16 City invest ample time and resources into
17 understanding and planning for flood risk, storm
18 water management plan, the storm water resiliency
19 plan, New York City's comprehensive waterfront plan,
20 the New Normal Report, Cloud Burst Resiliency
21 Planning, climate resiliency design guidelines,
22 countless pilot programs, the list goes on. This
23 research, reporting, and planning is important, as
24 it's giving us an accurate and specific understanding
25 of street level flood risk across the five boroughs,

2 but as Council Member Williams said in her
3 questioning, how many studies and pilots do we need
4 to spend money on to look at problems we know exist
5 before we implement solutions? Actions speak louder
6 than words. We have enough information we need to
7 start investing in green and resilient infrastructure
8 to help mitigate flood impact in the most vulnerable
9 neighborhoods, and I want to emphasize most
10 vulnerable, because New York City-- if New York City
11 is serious about environmental justice, we cannot
12 repeat the same inequities when it comes to
13 investments for climate adaptations. Lower Manhattan
14 is receiving its first flood gate, while East Harlem
15 still does not have a completed waterfront. We heard
16 on this call communities in East New York and
17 southeast Queens have been dealing with flooding for
18 decades, and still little progress has been made.
19 The lack of urgency to prioritize under-invested
20 communities, first, to improve their resiliency to
21 extreme weather events is not only-- is going to
22 worsen-- that is only going to get worse is deepening
23 climate injustice in New York City. My last point I
24 want to make, is that when we think about
25 infrastructure in the face of extreme weather, we

2 almost always think about physical infrastructure,
3 but we also need to think about social
4 infrastructure, housing security, food security,
5 health, safety, and community. Over the past year,
6 WE ACT has been working--

7 SERGEANT AT ARMS: [interposing] Time has
8 expired.

9 ANNIE CARFORO: closely with community
10 members-- almost done-- with community members and
11 local emergency preparedness organizations in
12 northern Manhattan on a community-led planning
13 process to help residents prepare for extreme weather
14 events, mainly extreme heat, pluvial, and coast
15 flooding. What is abundantly clear from this process
16 is that investments in communities that have faced
17 decades of disinvestment must not displace long-term
18 tenants. Investments in social infrastructure is
19 equally important, and City Council can champion
20 equitable resiliency measures. Thank you so much--

21 CHAIRPERSON BROOKS-POWERS: [interposing]
22 Thank you. And for the last final few testimonies,
23 we ask that you please adhere to the two-minute rule.
24 So next we will hear from Caleb Smith, followed by
25 Jennifer Hadlock [sp?]. Thank you.

2 SERGEANT AT ARMS: Time starts.

3 CALEB SMITH: Hello, my name is Caleb
4 Smith. I'm a Cecil Corbin-Mark Fellow at WE ACT for
5 Environmental Justice. Thank you for offering me a
6 chance to speak today, and for your reference, my
7 written testimony will go into more detail about the
8 points in my comments. Now, while all of New York
9 City experiences the urban heat island effect,
10 neighborhoods like East Harlem are subject to hyper-
11 local urban heat island effects, exposing these
12 residents to temperatures as much as 10 degrees
13 hotter than the city average. This is just one of
14 the ways communities of color tangibly feel the
15 legacy of racist policies like redlining. Fortifying
16 vulnerable communities against extreme heat requires
17 that the appropriate resources are poured into street
18 trees, permeable or reflective services, as well as
19 solar, cool, and green roof installations. An
20 equitable, fiscally responsible and resilient New
21 York cannot exist without ensuring front line
22 communities receive these long overdue investments.
23 We cannot afford to overlook the public health,
24 energy efficiency, quality of life, and resilience
25 improvements that come with green infrastructure.

2 WE ACT supports current bills like Introduction 495,
3 574, and 420 that continue the momentum toward the
4 uptake in these technologies. Directing
5 infrastructure projects that make the use of these
6 technologies to low-income neighborhoods first and
7 foremost is not only the most equitable option, but
8 also the most cost-effective. Research conducted by
9 the Smart Services Coalition demonstrated the cost to
10 benefit ratio for implementing these technologies in
11 low-income neighborhoods was consistently favorable
12 across five cities, accounting for energy, financial
13 incentives, storm water, health, climate resilience,
14 and employment benefits. Please take every
15 opportunity to uproot our inf-- upgrade our
16 infrastructure to prepare our communities for the
17 increasingly deadly extreme heat to come. Thank you.

18 CHAIRPERSON BROOKS-POWERS: Thank you.

19 And last we will hear from Jennifer Hadlock [sp?]

20 SERGEANT AT ARMS: Time start.

21 JENNIFER HADLOCK: Hi, good afternoon.

22 My name is Jennifer Hadlock. I'm a resident of El
23 Barrio in East Harlem on [inaudible] Avenue for over
24 12 years. I would like to support everything that Ms.
25 Carol Johnson said earlier. I'm a member of WE ACT.

2 I love the neighborhood, and I worry about who will
3 be displaced as so-called improvements happen. I
4 have fought for better tenant protections and hope
5 that the Council on the Environment and all those who
6 are here today recognize the connections and need for
7 coordination in order that the greener economy does
8 not hurt those already most harmed, mostly poor and
9 low-income people of color. However, I have observed
10 the flooding in the streets here in East Harlem.
11 When it rains, the puddles sometimes stay for days,
12 weeks. This then creates challenges for many older
13 and disabled neighbors. Plus, in the winter time it
14 freezes, it unfreezes, it re-freezes, and we
15 basically live with that for the entire season. I
16 walk by the river almost every day, and I would love
17 for the walkway to not have sinkholes and danger
18 zones, blocked off areas, and places that are falling
19 off into the river, but I worry when it get fixed
20 will the neighborhood change? When the Second Avenue
21 Subway comes, I am sure myself and many neighbors
22 will use it, but at what cost to the neighborhood
23 will it be? It seems the removal of the Pathmark
24 Grocery Store on 125th Street was the beginning.
25 When even the McDonalds now has left 125th Street,

2 and now there's a shiny new luxury condo building
3 thee. What is coming? We need street trees, rain
4 gardens, bio swells [sic], green roofs, but centering
5 always, not displacing the current residents. When I
6 moved to the City, I purposely tried to find a place
7 that I as a white woman wouldn't add to the
8 gentrification and displacement. I chose Italian
9 Pleasant [sic] Avenue. The mall opened the month I
10 moved in. People feared that it would completely
11 transform things. Not all change has to mean
12 displacement, but please be thinking about that as
13 any of this moves forward. Thank you.

14 SERGEANT AT ARMS: Time has expired.

15 CHAIRPERSON BROOKS-POWERS: Thank you.

16 And now we will conclude today's hearing. We thank
17 everyone who has taken--

18 COMMITTEE COUNSEL: [interposing] If you
19 have written testimony, please submit at
20 testimony@council.nyc.gov. Thank you.

21 CHAIRPERSON BROOKS-POWERS: Again, thank
22 everyone who took part in today's hearing on this
23 very important issue, and we will now conclude this
24 hearing.

25 [gavel]

1 COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE WITH COMMITTEE ON RESILIENCY &
WATERFRONTS, AND COMMITTEE ON ENVIRONMENTAL PROTECTION 168

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1 COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE WITH COMMITTEE ON RESILIENCY &
WATERFRONTS, AND COMMITTEE ON ENVIRONMENTAL PROTECTION 169

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C E R T I F I C A T E

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



Date August 30, 2022