

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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August 21, 2012
Start: 1:18 p.m.
Recess: 1:25 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES F. GENNARO
Chairperson

COUNCIL MEMBERS:
Elizabeth S. Crowley
G. Oliver Koppell
Peter F. Vallone, Jr.
Brad S. Lander
Stephen T. Levin

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

Rick Bell
Executive Director
American Institute of Architects - New York

CHAIRPERSON GENNARO: Thank you and good afternoon. My name is Jim Gennaro, chairman of the Committee on Environmental Protection, and today the Committee will vote and hear one witness' testimony on Intro 834-A, a local law to amend the New York City Charter in relation to the New York City Panel on Climate Change and the New York City Climate Change Adaptation Task Force. For more than ten years, the Committee on Environmental Protection, this Committee, has examined climate change impacts and demonstrated leadership in initiatives to reduce greenhouse gas emissions locally. I was the sponsor of Local Law 22 of 2008, the New York City Climate Protection, mandating that the city government reduce its greenhouse gas emissions by 30% from the 2006 baseline level by 2017 and directing that city wide greenhouse gas emissions be reduce 30% from 2005 baseline by 2030. On December 16th, 2011, the Committee also held an oversight hearing on climate change impacts and mitigation measures. That December hearing demonstrated that more can and needs to be done to address climate change impacts and adaptation measures in New York City.

1 The vast majority who have signed this, agree that
2 the impacts of climate change include damage to
3 ecosystems such as coasts and coastlines and to
4 buildings and property from severe weather and sea
5 level rise and adverse human health impacts.

6 PlaNYC's [phonetic] most recent climate change
7 update notes the potential human health impacts,
8 but does not propose specific mitigation measures;

9 however, I just will give a nod to the Bloomberg
10 Administration. They have been wonderful on all
11 of their actions regarding greenhouse gas
12 reduction and we don't wish in any way to slight
13 them here. They have been terrific. As a matter
14 of fact, the climate change bill, that law, which
15 I just talked about, which mandates a 30%
16 reduction, when that bill was originally proposed,
17 it was a 20% reduction. I thought that was very
18 achievable, but the Bloomberg Administration, we
19 worked with them and we got it up to 30%. It was
20 a wonderful collaboration. The proposed
21 legislation institutionalizes the mayor's Panel on
22 Climate Change and the mayor's Climate Change
23 Adaption Task Force. The Climate Change Panel
24 will meet twice a year and examine the scientific
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1 evidence on climate change its potential impacts
2 on the city's communities, vulnerable populations,
3 public health, natural systems, critical
4 infrastructure, buildings, and the economy under
5 plausible future climate scenarios. The panel
6 will also make recommendations at least once every
7 three years to enable stakeholders to incorporate
8 projections into their planning processes. The
9 Climate Change Adaptation Task Force will also
10 meet at least twice a year and review climate
11 change projections of the New York City Panel on
12 Climate Change, evaluate the potential impacts to
13 public health and to the city's natural systems,
14 critical infrastructure and buildings to examine
15 how services provided by such systems, including
16 the delivery of public health services, may be
17 affected by climate change. The Adaptation Task
18 Force will also identify the rules, policies and
19 regulations governing public health, natural
20 systems, critical infrastructure, buildings and
21 the economy that may be affected by climate change
22 and update or formulate coordinated strategies to
23 address the potential impact of climate change on
24 the city's communities, vulnerable populations,
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1 public health, natural systems, critical
2 infrastructure, buildings and economy. Man, that
3 was one long sentence. What do you think? Huh?
4 That was a big one. Yeah. Finally, the proposed
5 law would mandate creation of a community based or
6 borough level communications strategy intended to
7 ensure that the public is informed about climate
8 change projections of the panel and adaptation
9 strategies of the task by means of report for
10 dissemination to city residents. Recent data from
11 a variety of governmental sources supports the
12 need for institutionalizing the New York City
13 Panel on Climate Change and Climate Change
14 Adaptation Taskforce and not leaving the work of
15 these important panels to chance in the future.
16 Let me just kind of summarize for a moment—we talk
17 about these panels being institutionalize the
18 panel and the taskforce, these are pre-existing
19 [phonetic]—the taskforce and the panel did exist,
20 and we here at the Council thought that they
21 played a worthwhile role in trying to force some
22 of the administrations and the councils' thinking
23 on what kind of greenhouse gas reduction bill we
24 could conceivably do and what kind of climate
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1 change impacts we ought to be thinking about - -
2 this bill we think that both the panel that deals
3 with scientific matter at a very high level and
4 the taskforce, which takes that information and
5 tries to make good policies from it are really
6 needed with regard to climate change adaptation,
7 and this really is kind of like the second pillar
8 I think of the city's greenhouse gas reduction
9 plan. In that I think it's important for every
10 city, for every state, for every country to do
11 what it can to reduce the greenhouse gases that it
12 puts into the atmosphere, and I think that is an
13 obligation that every locality and every state and
14 every country bears, but it's also important while
15 we're being good stewards of the planet and
16 reducing our greenhouse gas emissions to think
17 reasonably about what we can do to protect against
18 the impacts from climate change, which are
19 certainly coming, so that's really what all
20 jurisdictions should be doing. I think we are
21 fortunate here in New York City to be somewhat
22 ahead of the game and we should be because we are
23 a coastal city and I'm proud that I've been told
24 this is the first legislative initiative of its
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2 kind of any locality or any state in the country
3 where something like this was legislated. I think
4 there are some that have been put forward by an
5 executive, but this is the first legislative
6 effort of its type and the first one to focus on
7 vulnerable communities. So I think it's kind of
8 historic and very important that we do this. I
9 want to give a special nod to Council Member
10 Koppell, who made a very good case during the
11 hearing that we had on this topic 'cause we were
12 thinking about just institutionalizing kind of
13 like a high level panel and Council Member Koppell
14 was sort of focused on giving more work to the
15 actual taskforce that would put forward the
16 policies and we took his recommendations and put
17 those in the bill and a better bill happened as a
18 result of that, so thank you, Council Member
19 Koppell.

20 COUNCIL MEMBER KOPPELL: Thank you,
21 Mr. Chairman for that recognition.

22 CHAIRPERSON GENNARO: Sure, and you
23 were sitting in the same seat, I think. So that's
24 like the special climate change force in that seat
25 I think. We're joined by Council Member Vallone

1 and Steve Levin was just here. With that said,
2 let me—Steve Levin has returned—I'm just giving a
3 shout out. Now we just got another one. We have
4 one witness that wishes to present testimony at
5 this hearing, and without further ado, let me call
6 the witness. Rick Bell [phonetic], who just
7 testified at this Committee recently with regard
8 to geothermal energy, is back here to talk about
9 climate change. Mr. Bell is representing the AIA
10 New York, and everyone the AIA. AIA represents
11 architects and we're pleased to have Mr. Bell with
12 us. We're not going to swear in the witnesses
13 here. So, this is kind of informal, but look
14 forward to hearing your testimony, Mr. Bell. I
15 think I have a copy of it here, if someone can
16 just give that to me, and if you could just state
17 your name for the record and proceed with your
18 good testimony. I'd just like to indicate to the
19 Council Members here that after we hear the
20 testimony from Mr. Bell, we will be proceeding
21 with a vote on Intro 834-A. You just got to turn
22 that mic on.

24 RICK BELL: I though the red light
25 was on. Thank you. My name is Rick Bell. I'm

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2 the executive director of the American Institute
3 of Architects, New York Chapter. We're housed at
4 536 LaGuardia Place in Greenwich Village where—
5 speaking of geothermal, we have two geothermal
6 wells and not only talk about the impact of
7 climate change and energy conservation, but try to
8 act on it as well. So I'm here on behalf of our
9 board leadership and also our 4500 architect and
10 affiliate members and first of all, I'm here to
11 commend the efforts and initiatives of this
12 Committee in regard to climate change adaptation.
13 As just outlined, I think it is a good legacy and
14 lead in to the things that need to be done to make
15 the city inhabitable in the long run and better
16 now. The specific testimony that I'll read and
17 augment as you wish, starts with the obvious
18 desire to express our strong support for Intro
19 834-A. We agree with the Committee's statement
20 that in order to prepare for and mitigate the
21 expected impact of climate change in New York
22 City's communities, vulnerable populations, public
23 health, natural systems, critical infrastructure,
24 buildings and the economy as well as to fulfill
25 the goals of PlaNYC, we think it is important to

1 institutionalize and augment the New York City
2 Panel on Climate Change and the New York City
3 Climate Change Adaptation taskforce. AIA New York
4 is proud to be of assistance in these efforts and
5 related endeavors and most recently, we sat with
6 colleagues at the Department of City Planning on
7 August 2nd for the initiation of what they're
8 calling the Climate Resilience Study Advisory
9 Group, which I think is very consistent with the
10 goals of the taskforce envisioned. We also not
11 too long ago hosted with City Planning a workshop,
12 a charette [phonetic], called Freeboard [phonetic]
13 with about 60 planners, urban designers,
14 architects, landscape architects and public
15 officials that tried to talk about from a case
16 study methodology how particular types of
17 buildings particularly housing and particularly in
18 flood plain areas would be impacted by rising sea
19 level and certainly by storm surge. This charette
20 brought together all sorts of design professionals
21 to start to address what are the changes in
22 building design that might be necessitated and
23 that are increasingly prevalent not only in lower
24 neighborhoods in Brooklyn and Queens, but really
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1 throughout New York City and the Eastern seaboard.
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3 In addition, we have created in the last few
4 years, a committee of knowledgeable experts called
5 risk and reconstruction that is starting to work
6 also with OEM [phonetic] on addressing methods of
7 anticipating and responding to extreme conditions
8 in New York City and apart from OEM, there are
9 other city agencies represented and
10 representatives of architecture free charette.
11 Understanding where and how our buildings and
12 neighborhoods are vulnerable and identifying
13 specific adaptive strategies are important tasks
14 that cannot wait for the next hurricane or extreme
15 weather condition for action. Similarly, a
16 discussion of types of surge barriers, both
17 constructed and reinserted wetlands and other
18 devices can start to address the city wide problem
19 that is rather difficult to analyze on a buildings
20 by building basis. That was the prevalent
21 sentiment at the freeboard - - , where we were
22 looking at building typologies, but devolving back
23 to say that we have to look at the systemically
24 throughout the city. So therefore the taskforce
25 proposed by this Intro and as you have described

1 chaired by the Mayor's Office of Long Term
2 Planning and Sustainability involving
3 representatives of various municipal agencies and
4 authorities having jurisdiction over one or
5 another of the aspects of the waterfront and
6 neighborhoods at risk is necessary. The city
7 departments concern is listed in the Intro. I
8 don't think I need to enumerate here--they're
9 clear--but start where I used to work at Department
10 of Design and Construction and certainly include
11 the Department of Buildings, City Planning,
12 Environmental Protection and others. We note most
13 particularly that in addition to the municipal
14 agency representatives it's possible to have
15 appointees from various organizations including
16 explicitly mentioned in the Intro--healthcare and
17 communications along with energy and
18 transportation, which all makes perfect sense. I
19 think our only ask coming out of the testimony is
20 that we broaden the possibility of those
21 specifically enumerated to include those design
22 professionals, architects and planners, civil
23 engineers, who might bring knowledge of not just
24 building technology but hydrology and urban
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2 systems to augment the skills that are clearly
3 necessary and would be enabled by the legislation
4 as its currently composed. So in conclusion,
5 again, we commend the Committee and the City
6 Council as a whole and of course the Mayor's
7 Office of Long Term Planning and Sustainability on
8 the intent to create a mechanism to focus timely
9 attention on the risks to people and property
10 caused by the impact of climate change, which as
11 we've just heard from the Chair, is certainly
12 coming [phonetic].

13 CHAIRPERSON GENNARO: Thank you
14 very much, Mr. Bell, for your testimony, for your
15 support and I quite agree that representatives of
16 the architectural and civil engineering
17 professions can play a constructive role and just
18 as one strategy to make this happen, perhaps, it
19 would be good if you were to come to the bill
20 signing actually, which is a public hearing and
21 you will have the opportunity to directly address
22 the mayor before he signs the bill, and were you
23 to say something like this in his presence, he
24 would look at someone, nod and say, "I like that
25 idea," and then that would be that.

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2 RICK BELL: I would be happy to do
3 so.

4 CHAIRPERSON GENNARO: Sure, and so
5 that would be wonderful and I think would be
6 helpful. As is my practice every time there is a
7 word uttered in this Committee that has never been
8 uttered before on the record, we are adding to our
9 list and staff will keep track of this, the word
10 "charette" has never been uttered before in this
11 Committee and now we have charette on the record
12 now. I don't think other Committees have that, so
13 making us feel—and obviously, it's some kind of
14 meeting.

15 RICK BELL: Architects are often
16 accused of speaking in jargon, and I didn't mean
17 to do that at all. It's a word that literally
18 means cart [phonetic], but it comes from the old
19 days of the School of Architecture in Paris, which
20 predates schools of architecture in the states by
21 a couple of centuries, where the students would
22 work up until the last minute, and I think the
23 burning of the midnight oil metaphor may be more
24 common, but they would continue to work on the
25 drawings going from the workshops to where the

1 presentation was made, and the school—and they'd
2 be doing that in the cart. If you were like
3 finishing a speech in a cab, you might not call it
4 a cab, but the idea would be the same. It has
5 taken on the current meaning of workshop though,
6 particularly with community participation.
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8 CHAIRPERSON GENNARO: I come to
9 work to work, but to learn, and today I learned
10 and thank you for this wonderful recommendation
11 and I would like to see that happen, and I would
12 be happy if you could present this idea at the
13 bill signing. I would be happy to support the
14 mayor and the administration in them when they put
15 together that taskforce to be mindful of your good
16 suggestion.

17 RICK BELL: And also if there is
18 any way we could help with the taskforce—not
19 volunteering to serve on it, but we do have
20 experts in the field who I think would be possible
21 for - - if asked.

22 CHAIRPERSON GENNARO: Once you
23 stand up there and say that, there is an old adage
24 that be careful what you ask for, you know, but I
25 think that would be helpful to the mission of the

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taskforce and thank you and the AIA by extension for stepping up and trying to provide this good service to the city and this critical initiative. It almost sounds like a speech. How do you like that? And let me just take a moment and make sure we have our quorum here. Okay. I wonder if anyone has any questions for the witness. Thank you very much. Mr. Bell and see you at the bill signing. And without further ado, I'd like to call upon the clerk to call the roll on Intro 834-A. The Chair recommends a yes vote and Mr. Clerk, please call the roll.

COMMITTEE CLERK: William Martin, committee clerk. Roll call vote Committee on Environmental Protection. Council Member Gennaro?

CHAIRPERSON GENNARO: Yes.

COMMITTEE CLERK: Koppell?

COUNCIL MEMBER KOPPELL: Yes.

COMMITTEE CLERK: Vallone?

COUNCIL MEMBER VALLONE: Yes.

COMMITTEE CLERK: Levin?

COUNCIL MEMBER LEVIN: Yes.

COMMITTEE CLERK: By a vote of four in the affirmative, zero in the negative and no

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2 abstentions, item is adopted. Members, please
3 sign the Committee Report.

4 CHAIRPERSON GENNARO: Thank you.
5 Thank you, Mr. Clerk. I would just ask that the
6 record be held open for the maximum allowable time
7 to allow other members of the Committee who are
8 traveling here to put their votes on the record.
9 With that said, I will not adjourn the hearing
10 because the record is going to be left over, but I
11 thank the Council Members for their participation,
12 for helping us with this bill, for their presence
13 here today, and I thank you, Mr. Clerk, for record
14 the roll, and I thank the staff that played such a
15 vital role in getting us to passing this good bill
16 today.

17 [long pause]

18 COMMITTEE CLERK: Council Member
19 Crowley?

20 COUNCIL MEMBER CROWLEY: I vote
21 aye.

22 COMMITTEE CLERK: Final vote in the
23 Committee on Environmental Protection now stands
24 at five in the affirmative, zero in the negative
25 and no abstentions.

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CHAIRPERSON GENNARO: This hearing

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is now adjourned.

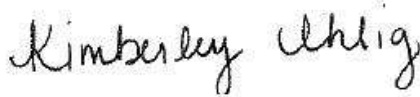
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[gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date 8//12