CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION
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December 4, 2014
Start: 11:20 a.m.
Recess: 3:00 p.m.

HELD AT: 250 Broadway - Committee Room
16th Floor

B E F O R E: DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS:
Stephen T. Levin
Costa G. Constantinides
Rory I. Lancman
Eric A. Ulrich

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

William Scarborough
Member of the New York State Assembly
29th District in Queens, New York

James Roberts, Deputy Commissioner
Bureau of Water and Sewer Operations
NYC Department of Environmental Protection

Eric Landau, Associate Commissioner
Public Affairs
NYC Department of Environmental Protection

Archie Spigner
Dean of Southeast Queens

Adrian Adams, Chairperson
Community Board 12

Yvonne Reddick, District Manager
Community Board 12

Andrea Scarborough, President
Addisleigh Park Civic Organization
Chairperson of Southern Queens Resident
Environmental Council

Steven Terracciano
United States Geological Survey

Calvin Hewitt
Community Board 12

Ann Valdez from
South Coney Island
Community Voices Heard

Joel Kupferman
New York Environmental Law Justice Project

CHAIRPERSON RICHARDS: [gavel] All right, this hearing is now beginning. Good morning. I am Donovan Richards, Chair of the Environmental Protection Committee, and today the Environmental Protection Committee will hold an oversight hearing on citywide localized flooding and Intro No. 240, a Local Law to amend the Administrative Code of the City of New York in relation to filing semi-annual reports on catch basin cleanup and maintenance. New York City from four different types of flood-- Oh, sorry, I don't know what I read here. New York City suffers from four different types of flooding, coastal, river rain, tidal, and inland. New York City also experiences significant inadequate drainage as a result of inland flooding. However, a review of the evidence shows that flooding impacts communities throughout the city differently. For most New Yorkers it seems that rain is just an annoyance, but for a number of people including in Southeast Queens, a gray sky means that their basements may well be flooded by the time they reach home.

Until 1997, residents of Southeast Queens received their water from Jamaica Water Supply wells, but partly because of groundwater pollution, the

wells were put out of use. The lack of pumping in the areas has caused the groundwater table to rise significantly, and as a result, flooding has increased in severity over the past decade. More than 900 homes have reported flooding as a result of rising groundwater tables and inadequate drainage. Stormwater is a major cause of flooding. Stormwater is generated by rain or snow. Just one inch of rain citywide generates 5.26 billion gallons of stormwater enough water to fill the Empire State Building 19 times. As stormwater flows across the land's surface, it is either absorbed into the through a previous media such as soil or continues to flow, collect and accumulate along the land surface. Eventually draining through the city's sewer system. In a city that is developed as New York is, there are limited previous surfaces through which stormwater can naturally be absorbed into the ground. Weather events that inundate the city's sewer system with a high volume of stormwater can contribute to flooding in a variety of ways. Sewers can become overtaxed by stormwater and wastewater during periods of intense rainfall filling them to capacity, and causing excess

stormwater to remain above ground flooding streets, sidewalks surfaces and even homes.

Another common cause of flooding is the blocking of catch basin grates in streets. A catch basin is a type of storm drain that is normally located adjacent to a curb where it collects rainwater from the streets and deposits it into the sewer. Catch basins are usually covered by a metal grate, and in addition to transporting from impermeable surfaces into the sewer system, they serve to prevent large objects and floatables from entering the sewer.

According to the Mayor's Management Report, of the 148,000 catch basins citywide, the City received 53,350 catch basin complaints from fiscal year 2010 through fiscal year 2014. DEP's own reports indicate that their responses to catch basin complaints are slower in Queens and Manhattan than they are in other boroughs. In addition, damages from flooding result in significant payments by the city to homeowners as a result of sewer backups and overflows. According to Comptroller Scott Stringer, between 2012 and 13 more than 1,000 complaints for damage due to sewer overflow were filed against DEP

with an average payout of $4,000. An analysis of data released by Comptroller Scott Stringer for fiscal years 2012 and '13 on claims that were filed against the city for damages caused by sewer overflows showed that of the total claims filed, 42.2% were in Staten Island; 41.9% were in Brooklyn; 15.1% were in Queens; and 0.6% were in the Bronx; and less than 1% were in Manhattan.

Intro No. 240 would amend the Administrative Code by requiring the Commissioner of the Department of Environmental Protection to submit a semi-annual report of citywide catch basin inspections, cleanup, maintenance, repairs, and desegregated by Community Board to the Mayor and the City Council. This Local Law specifically requires this report to include the number of catch basins inspected; the number of clogged catch basins identified; the number of catch basins unclogged or repaired; whether inspection was responsive to any complaints and the community board; and the response of time for the resolution of any complaints.

Finally, perhaps most noteworthy, this Local Law would require the Commissioner to ensure that catch basins are inspected at a minimum of once

every year, and are repaired or unclogged at least three days after receipt of a complaint about a clogged or malfunctioning catch basin.

Now, we will hear from my colleague, Council Member Williams, who is the sponsor, the lead sponsor of this particular bill. Then we will hear from the Dean of Southeast Queens, Mr. Archie Spigner, who is in the house. He has to be somewhere else so we're going to let him go.

WILLIAM SCARBOROUGH: No, William Scarborough.

CHAIRPERSON RICHARDS: I'm sorry. William Scarborough first. Okay, and then we will hear from the Administration. So with that being said, Council Member Williams.

COUNCIL MEMBER WILLIAMS: Thank you, Mr. Chair. To be honest, I'd be remiss if I didn't say that everything I want to talk about and think about now is a blurb [sic] that came out yesterday. And I wish I were out in the streets expressing my anger. But since my district hired me to deal with a multitude of issues, my plan is to try to do my job here today. So I want to thank you for having the hearing on the bill, Intro 240. And the bill would

require the Commissioner of the Department of Environmental Protection to submit a semi-annual report of citywide catch basin inspections, cleanup, maintenance, and repairs. This aggregated by the community boards to the Mayor and the City Council, much of which you further. It will further require this report to include the number of catch basins inspected, the number of clogged catch basins identified; the number of catch basins unclogged or repaired. Whether the inspection is responsive to any complaints. The community board and the response time, and the resolution of any complaint.

But most noteworthy, Intro 240 will require the Commissioner to ensure that catch basins are inspected a minimum of once a year like you mentioned, and are repaired or unclogged at least three days of the receipt of complaint about a clogged or malfunctioning catch basin. For background, a catch basin is a type of storm drain that is normally located adjacent to a curb, which collects rainwater from the street, and directs it into the sewer. With roughly 148,000 catch basins in the city, some of them inevitably become clogged with debris. In order to maintain the city's catch basin,

the Department of Environmental Protection sends field crews to inspect catch basins at least once every three years.

It's important to note that the US EPA recommends a catch basin be inspected at least annually to determine whether they need cleaning. In recent years, flooding has occurred with increased frequency, more widely in the past. According to DEP, some of the biggest causes of localized flooding includes extreme weather events, urban development, and the capacity of the city's aging sewer infrastructure. DEP also deploys crews to inspect catch basins in the flood plain areas in response to 311 system complaints of clogged basins. From this system, the 311 operator enters the complaint call into DEP's Computerized Maintenance Management System. Then assigns an individual order to the DEP personal station at the field locations.

Once a DEP field crew inspects or cleans a catch basin, they determine whether it requires further structural repairs. And if so, a computerize maintenance management system prioritizes work. Raw data on the number of 311 complaints regarding catch basin clogged flooding that have been filed is

available to the public on the New York City Open Data Portal. And data regarding the number of catch basins complaints received and addressed is summarized in the Mayor's Management Report, and DEP District Resource Statement. The Department of Environmental Protection District Report provides data that is useful.

In the Bronx - Community Boards 1 to 12: 852 catch basin complaints were filed. Over 4,000 were cleaned, 972 in response to complaints, and over 3,000 were scheduled work. The average time it took to clean a catch basin after it had been complained of was 3.3 days-- 3.39 days.

In Brooklyn - Community Boards 1 to 18: 1,986 catch basin complaints were filed. Over 5,000 catch basins were cleaned, 2,000 responses to complaints, and over 3,000 were scheduled work. The average time there was 3.46 days.

In Manhattan - Community Boards 1 to 12: 862 catch basin complaints were filed and 3,600 catch basins were cleaned. 625 were in response to complaints, and just under 3,000 were scheduled work. The average time there was 7.62 days.

In Queens - Community Board 1 to 14: Almost 3,500 were filled and over 12,000 catch basins were cleaned. Just over 4,000 response to complaints and about 8,500 were scheduled work. Average time there was 4.18 days.

And last but not least in Staten Island - Community Boards 1 to 3: About 1,400 catch basin complaints. 3,400 catch basins were cleaned. 600 in response to complaints. 2,800 were scheduled work.

And I thank you for having the hearing again. We all know how important it is particularly with extreme weather cases like Sandy. But just in many areas like mine, and I'm sure like yours, Mr. Chair, and many of ours, a heavy rain provides a lot of distress for many of the homeowners in our districts. And I think it's up to us to try to make sure that they know we are hearing their complaints, and dealing with them. So I want to thank the Administration and the Chair again, and all who have come to testify on this legislation.

CHAIRPERSON RICHARDS: Thank you, sir. All right, I just want to acknowledge my other colleagues who have joined us, Council Member Daneek Miller, and also Council Member Rory Lancman, and I'm

sure we'll see others come in. There's a lot going on today. All right, we'll hear from Assemblyman Scarborough first.

[Pause]

CHAIRPERSON RICHARDS: And you can just give-- Anybody who has testimony, you'll just give it to the Sergeant-At-Arms and she will distribute it.

ASSEMBLYMAN SCARBOROUGH: Should I put it over here?

CHAIRPERSON RICHARDS: Yes, sir. All right. Samara will swear you in, and then we'll start.

SAMARA SWANSTON: Would you please raise your right hand. Do swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

WILLIAM SCARBOROUGH: I do. Good morning Chairman Richards, Council Members, ladies and gentleman. My name is William Scarborough, Member of the New York State Assembly for the 29th District in Queens, New York. I am pleased to have the opportunity to speak to you today about the topic of localized flooding in and Intro 240 relating to catch

basin cleanup and maintenance. As the Chairman and Council Members from Southeast Queens are well aware, flooding is a huge problem in our community. We have had countless incidents of residents, businesses, and institutions having their basements, low-level offices or living spaces damaged or ruined by flooding. Often, our residents and businesses are forced to purchase electric pumps and run them 24 hours a day, seven days a week because of constant water in their homes or business. We have seen a worsening problem for over 20 years, and for the last four or five years, elected officials and residents have engaged in a sustained effort to find relief from this continuing problem.

In my opinion, there are three major components to the flooding in Southeast Queens:

1. One is a lack of a fully built-out sewer infrastructure in certain areas causing some areas to rely on outdated seepage basin systems or combined storm and sanitary sewers.

2. Is a high and rising water table where the standing water level is higher than many basement or lower level offices. And water seeps into these on occasions even when there is no rain.

This problem has grown constantly worse since New York City took over the Jamaica Water Supply Company in 1996, and stopped pumping water from their ground wells, which was serving to keep the groundwater table at a manageable level, and

3. An inadequate or inconsistent cleaning and maintenance of the existing catch basin, seepage basin infrastructure system.

I would like to commend Chairman Richards and the Council Members from Southeast Queens, and indeed the whole Council for very positive action on the issue of the sewer infrastructure. Through your efforts and those of DEP, we have seen a robust sewer construction allocation for Southeast Queens in the current budget cycle and in coming cycles. This is necessary and welcomed.

The hearing today deals with the third issue that I spoke of. We do not have, in my opinion, a sewer maintenance schedule that allows for optimum function of the system that is already in place. We get numerous complaints about clogged or malfunctioning basements, which in turn are not able to take the stormwater runoff because they are blocked. This causes water to back up on our

streets. This in turn is exacerbated by the other issue I mentioned, which is the high water table. Because the standing water level is so close to the surface the ground cannot absorb any water. This leads to worse flooding and damage to homes and property. Therefore, I would urge the Council to enact Intro 240, which would benefit our community and New York City as a whole.

I would also urge the Council to redouble efforts to deal with the ground water crisis in Southeast Queens. Even with the full infrastructure build-out, we will still have serious problems without a resolution to this issue. The Reverse Seepage Basin Project-- (Coughs) Excuse me-- initiated by DEP seems to be a positive piece to a resolution that should be expanded and completed as quickly as possible. Other possible solutions have been put forward that are similar to the daylighting projects now being undertaken by DEP. I urge your support for these efforts, and for the legislation before you today. Thank you very much.

CHAIRPERSON RICHARDS: Thank you, sir, and we appreciate all the work you've done around this particular issue, and you've certainly paved the

way for us here today. So thank you so much for all you work.

WILLIAM SCARBOROUGH: Thank you.

CHAIRPERSON RICHARDS: We will now hear from the Administration.

[Pause]

CHAIRPERSON RICHARDS: Oh, you have to leave? Okay. Thank you. Let them go, and then we'll have you come up. Okay, go ahead. You have to leave?

ARCHIE SPIGNER: I said I was going to.

CHAIRPERSON RICHARDS: Somebody had to go so that's why I was asking.

SAMARA JOHNSON: He was the one who had to go.

CHAIRPERSON RICHARDS: He had to go so you've got to hang around a little bit longer. We like you in this building, you know.

ARCHIE SPIGNER: I know, yeah.

CHAIRPERSON RICHARDS: All right. We'll hear from the Administration now.

ARCHIE SPIGNER: I was brought here. [sic]

CHAIRPERSON RICHARDS: I want to spend more time with you.

ARCHIE SPIGNER: Thank you.

[Pause]

SAMARA SWANSTON: Please raise your right hand. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

PANEL MEMBERS: Yes.

CHAIRPERSON RICHARDS: Now, we're expecting you to tell the truth.

JAMES ROBERTS: Never anything but. So good morning, Chairman Richards and members of the committee, and thank you for having us here. And giving us the opportunity to speak to you with regard to this bill. I am James Roberts. I'm the Deputy Commissioner of the Bureau of Water and Sewer Operations at New York City's Department of Environmental Protection. I'm joined today by Associate Commissioner Eric Landau of the Bureau of Public Affairs and members of our staff. As well as members of the Department of Sanitation. As you know, DEP has an overall responsibility

As you know, DEP has an overall responsibility for New York City's water supply and

sewer systems, which we operate and manage in accordance with a specific set of agreed upon regulatory metrics. Our work includes hydrant maintenance and repair, and water and sewer repair work that includes leaks and blockages. And all the critical things that are the life of the city. In this context, we prioritize our activities in an effort to maintain acceptable levels of service while remaining ever conscious of the water rate paying consumer. Redirecting resources necessarily shifts our priorities. We are regrettably concerned that the legislation in its current form will have a negative impact. And further, in so doing, we do not believe that it will have a tangible benefit on what we believe is the real goal mainly reducing flooding.

But before I address the specifics of the legislation, I believe it would be helpful to briefly describe our sewer system and how it functions, and draw distinctions between events commonly and universally denoted as flooding. And describe how DEP maintains its system in order to ensure it functions as well as possible. So DEP provides more than one billion gallons of drinking water each day to more than nine million residents of the state

including eight million in New York City. The water id delivered from watersheds that extend more than 125 miles from the city comprising 19 reservoirs and three controlled lakes. Approximately 6,800 miles of water mains, tunnels, and aqueducts bring water to homes and businesses throughout the five boroughs.

And roughly, 7,500 miles of sewer lines, 96 pump stations and 14 wastewater treatment plants process approximately 1.2 billion gallons of wastewater a day. Largely through our efforts, New York City's water bodies are the cleanest in nearly a hundreds of our monitoring. DEP has nearly 6,000 employees including almost a thousand in the Upstate watershed. In addition, DEP has a robust capital program with a planned $13 billion in investments over the next ten years that will create approximately 3,000 construction related jobs per year. This capital program is responsible for critical projects such as sewer construction and reconstruction, City Water Tunnel No. 3.

And Staten Island Bluebelt Program, which is an ecologically sound and cost-effective stormwater management system that employ in various places in the city, primarily in Staten Island. The

city's Watershed Protection Program, which protects sensitive lands upstate near the city's reservoirs, and a program for insulation of 820,000 automated meter reading devices. Which allow customers to track their daily water usage; more easily manage their account, and be alerted to potential leaks on their properties.

The complex sewer collection system of which catch basins are a part employs primarily three types of infrastructure to manage stormwater: Combined sewers, sanitary sewers, and separate storm sewers. Most recently green infrastructure has been introduced as another approach to address stormwater control in certain areas of the city. Approximately 60% of the city's land area is served by a sewer system that is combined. Meaning that it handles both sanitary waste from the homes and businesses, as well as stormwater from the streets and rooftops in a single pipe. This system includes more than 3,300 miles of sewer throughout the five boroughs. It's important to note that the combined sewer design accounts for approximately 92% storm flow, and typically 7% to 8% sanitary flow.

The other 40% of the city is served by separate sewers or direct drainage. In these areas, sanitary sewers designed for exclusively for sanitary flow as a function of their zoning. They carry wastewater straight to the treatment plant while storm sewers designed exclusively for stormwater runoff based on property uses and how much water is generated by the acreage associated with the property. Carry that runoff in separate pipes directly to local waterways. The separate sewer system in New York City includes roughly 2,220 miles of sanitary sewers and 1,820 miles of storm sewers.

In addition, the city also has 138 miles of large deep interceptor sewers, which are essentially sewer highways, which carry both storm and sanitary flow to our 14 wastewater treatment plants. These plants handle approximately double the average dry weather flow on a typical wet weather day. And this amount could be as much as 27.5 billion gallons of flow that are captured and treated before being returned safety to the waterways.

Sewers are designed to handle most of the storms that pass through New York City. Much of the sewer system was designed to handle up to an inch and

a half of rain per hour. In the 1960s, DEP increased its design standard to the current standard of 1.75 inches per hour, which is the standard we use when developing revised drainage plants today. We have recently reviewed these current standards in the context of our understanding of climate impacts, and have concluded that the design criteria do not warrant adjustments at this time. However, we are alert to these issues. We continue to monitor them, and we will make necessary to our thinking as warranted.

Green infrastructure about which I will go into further detail in a moment is a prime example of how we are rethinking our approach to making our system more resilient, adaptive and sustainable. Catch basins are part of the city's vast stormwater collection system. Catch basins are part of the storm drain system. They are typically a large concrete chamber covered by a heavy metal grate to prevent debris and floatables from falling in. And Chairman, I would draw your attention to this because we thought it would be useful to illustrate for the Council what we can't see below the ground. And so, what you're looking at obviously at the top is the

street grating, which allows the water from the streets to run into the basin.

The basins are designed to have a sump area. So the bottom of the basin is designed to allow debris over time to accumulate up to a certain level. And you can see that the hood that we put on the basin is designed to keep floatables from making their way into the system, and ultimately either to the plants or to the waterways. The point of emphasis here is really that the debris that gets accumulated is really the cycle that generates what's appropriate for cleaning. And in the absence of debris on top of the basin, that is keeping the water from getting in, that basin as it's illustrated will function exactly as it's designed. The water will pass through the system. And we can come back and talk about that in detail if you have questions later on.

DEP works diligently to ensure that all catch basins owned by DEP are performing properly, especially during storm events. Please note that other city and state agencies and authorities are responsible for some basins and drainage structures that are part of their infrastructure. Of the

148,000 catch basins that DEP is responsible for, our crews inspect each on a recurring three-year rotation and clean them as needed. In addition, DEP responds to all three 311 complaints regarding a clog or a broken catch basin regardless of whether it is in the inspection cycle. Broken catch basins typically involved issues with gratings or associated brickwork, and rarely impact the operation of the basin the context of its ability to manage water is the ad.

So some parts of the city still do not have fully built-out sewer systems with catch basins. Addressing this, as you know, is a major part of our capital construction program. Generally, these neighborhoods were developed before the storm sewer system could be extended to reach them. Large areas of the city such as Southeast Queens and the Southern Shore of Staten Island lack a fully built-out storm system. In the areas where storm systems were unavailable, seepage basins have at times been used to facilitate stormwater infiltration into the ground. Seepage basins are essentially large dry wells installed underground in the city right-of-way that have perforated-- They're a large perforated

concrete box that's partially filled with stone and gravel and covered with filter clog.

Their effectiveness is greatly dependent on the soil conditions in the immediate adjacent-- The immediate area adjacent to the basin, and the rate of seepage can vary significantly from hours to, in some instances, a day or more. Some areas such as Hillside Avenue, seepage basins continue to function as designed so that the water percolates from the basins into the ground effectively. In other areas, they drain more slowly or poorly, and as a result are not effective at reducing or quickly reducing ponding conditions on streets. In any case, these basins do not act as catch basins, and they do not take water immediately off the roadway as their physical appearance being so similar to catch basins may lead the public to believe.

There is often little that can be done to service a seepage basin once installation-- once installed, and experience has taught us that their life cycle is typically less than five years of effectiveness. As such, their implementation is one of last resort and utilized on a very selective basis, if at all.

A relatively new approach to the management of stormwater is the green infrastructure program. DEP and its agency partners design, construct, and maintain a variety of methods and technologies that collect and manage stormwater runoff on streets, sidewalks, parking lots, and rooftops. And direct it to engineered systems that typically use soils, stones, and vegetation to detain, retain, and use water rather than convey it to the harbor. Green infrastructure includes permeable paving, and laying gardens at city schools, parks, and public housing. And most notably, bioswales and stormwater green streets within the city streets and sidewalks.

Bioswales look like enlarged tree pits, but are designed with a specific plant species known to soak up a significant amount of water, and are engineered below grade. Bioswales intercept stormwater coming down the street, preventing it going into the sewer system. In addition, they provide other usually important environmental benefits including improved air quality, and greening of the streets. DEP is installing 2,000 bioswales this year, and a total of 6,000 over the next several

years. Over the last ten years, DEP has also built Bluebelts for approximately one-third of Staten Island's land area. In the South Richmond and Mid-Island areas the city has jurisdiction over approximately 400 acres of wetland properties for Bluebelts that provide drainage for 19 watersheds covering about 14,000 acres.

The Bluebelts also provide an important open space and serve as a habitat for diverse wildlife. This past April, DEP announced the $40 million project in the Wood Hill area that will add catch basins and storm sewers to reduce street flooding, build new wetlands, and allow nearly 600 homes to connect the city sewer system. As you know, DEP has over the past several years started to implement forms of the Bluebelt strategy in other areas of the city including Springfield Lake and Queens.

So, now, if we look at flooding and why it occurs. Flooding is a broad term and many use it to describe events ranging from water pooling or ponding on streets to complete inundation resulting from severe events like Hurricane Irene or Super Storm Sandy. Flooding can be caused by simple events

or in some instances by a complex interplay of many events that vary by event type, geography and local topography. Generally, flooding falls into at least two large categories: Tidal flooding where coastal waters surge onto land, extreme high tide events, et cetera is one major type. It is important to note that tidal flooding does not typically involve DEP or its infrastructure. Although in instances elements of our infrastructure that do not perform as designed can abet this type of flooding by allowing storm surge to back up through storm outfalls into the storm system and potentially onto streets.

The second type of flooding occurs when the level of rain intensity exceeds the design capacity of the sewers to take the generated stormwater runoff from the street readily. In these instances, when the system is surcharged, as we call it, above its capacity flooding of roadways and in some cases basements could occur. In almost all instances, these events are typically short-lived for the operation of the system, although particularly with regard to water that overflows into driveways or basements, those impacts can be severe. Some communities throughout the city have been

historically prone to flooding. For example, areas of Southeast Queens and that southeast shores of Staten Island lack a fully built-out storm system. Geography including the city's 520 miles of coastline, large very flat expanses of land, and local topography would localize low-lying areas being hardest hit. Dense urban development patterns, the older design capacity of our sewer system, and increasingly extreme weather are some of the major causes.

In addition to the large intense storms, we've witnessed some unique types of storms such as microburst during which intense rain falls over small areas resulting in overtaxing the system and, consequently, flooding very locally. New York City like many municipalities is working to confront the challenge of more frequent extreme weather events and flooding. Average annual rainfall in the city at Central Park has increased almost 20% in the last century with a high concentration of heavy rainfall events in the last 30 years. Furthermore, climate projections indicate the potential for even more rainfall particularly in the form of increasingly frequent intense storms. Advancing the build-out of

our storm sewer systems supported by the other efforts is the best overall solution to cope with these environmental changes.

As the Chair is aware, Mayor de Blasio has charged us with addressing flooding in Southeast Queens and we are very focused on identifying and executing both long and short-term solutions. A very common cause of flooding is catch basin grates that becomes matted over when rainwater, especially during these very intense storms, scour the street and sidewalks pushing debris like leaves, gum wrappers, and restaurant menus onto catch basins. Such debris can block the grate so completely that water cannot enter into the storm sewers much like hail and the rain in the shower can clog it at home. And, instead, the water will pool around the base and cause flooding even before the sewer is full. Catch basins can also be a source of flooding if the base and storage area gets full almost to the top or to the point where the connection is blocked.

In those cases, DEP must clean out the base and storage area, and make sure that it's not impacting the connection. It's important to note that level of debris on streets in a given area may

not be readily apparent until it is carried to the catch basin grate by runoff. We believe improved attention to the rule that property owners are responsible for sweeping the sidewalk and the street 18 inches from the curb may help in preventing the matting on basins. As I stated earlier, we inspect all 148,000 catch basins on a three-year rotation. Approximately, 49,000 per year and clean as needed, which is the first step in ensuring the proper functionality of the basins. The result of negotiations between DEP and our state and federal regulators both DEC and EPA, the rotation has been in place since 2002, and represents a responsible approach to both our operational and financial responsibilities.

In fiscal 2014, less than half of those catch basins inspected required cleaning. And I would just clarify that to say that that's the programmatic work that we're talking about. So as a part of that rotation, we also inspect the hoods in the catch basins, which cover the entry into the sewer. These hoods are designed to minimize trash and litter entry into the sewers and waterways, and we replace defective or missing hood within 90 days.

As you know, the Office of Emergency Management coordinates a storm preparedness program known as the Flash Flood Emergency Action Plan, which targets area shat are prone to flooding, and which involves the Department of Sanitation and Transportation, the New York City Police Department, and DEP. OEM activates this plan in advance of a forecasted rain event when the intensity of rainfall is equal to or exceeds one inch for at least an hour. DEP, Sanitation, and DOT pre-inspect historically problematic areas for these conditions in advance of major predicted rain events. The areas selected are a collaborative view of areas known to be potentially problematic through 311, and institutional knowledge. Based on that knowledge, we provide a list of just under 100 catch basins in problem areas to DSNY, whose field supervisors inspect the grading areas within the 24 to 48-hour periods before the onset of the rainfall anticipated to reach the threshold intensity. If the debris is observed on top of the catch basin grate, Sanitation or other responsible agencies will remove the debris. If the debris is observed as being potentially problematic to the function of the basic, Sanitation

notifies us, and our crews are dispatched and evaluate and clean the basin as appropriate.

A partnership with Sanitation is a necessary piece to ensuring the catch basins are functioning as designed. In addition to the flash flood action plan, Sanitation is responsible for clearing litter and debris from the accessible curbside and parking lanes of streets during inside parking restrictions under its cleaning program. While the mechanical broom is in operation, the operators will sweep over the tops of the catch basins and pull the debris that collects and accumulates. We ask that all New Yorkers help prevent localized flooding by not littering, as well as by sweeping debris adjacent to the properties including leaves and trash, and placing them into their refuse receptacles.

Understandably, street conditions also have an important impact on stormwater flow and drainage. When constructed to legal grades and properly sloped, street channel stormwater from the crown or center of the roadway to the curb line. From there, it can flow into catch basins in our storm sewers. Similarly, homes built to legal grades

are far less likely to be impacted by street flooding. In the areas where street conditions result in compromised grading, or there is a missing or low curb reveal, stormwater can collect in low spots causing localized ponding conditions. If these lows spots are close to low-lying properties with unprotected basements, driveways, or other spaces that are below street level, there is an added risk for stormwater to enter homes. These property configurations can more easily direct stormwater flows into them and thereby increase the risk of flooding.

As I stated earlier, DEP responds to all 311 complaints of street flooding or clogged or broken catch basins. The crew responds to investigate in order to ascertain whether the condition has been caused by a problem with the stormwater infrastructures or some other issue that does not allow the runoff to reach the basin at the corner by gravity. When the source of the flooding is the catch basin or the sewers, DEP will resolve that condition either by cleaning the basin, its connection to the sewer or the sewer itself. In stances where the street topography is the main

driver of the flooding or ponding observed, DEP and DOT will visit the site together to assess possible remedies to the ponding.

Sewer backups, which can cause flooded basements result from a blockage in the sewer. Most commonly coming from improper disposal of cooking grease. In fiscal 2014, fat oils and grease buildups caused approximately 72% of the confirmed sewer backups in New York City. To reduce the effects of fats, oils, and grease, we call that FOG, DEP has launched a number of operational and outreach initiatives. Over the past year, DEP has improved coordination among units that handle grease, public outreach, grease trap inspections, and sewer maintenance. Because grease enters into the sewers and prevents-- Because grease entry into the sewers is preventable and relies on choices by individuals, we have focused on public education as a way to reduce it.

We have targeted public education programs in schools and at professional organizations. We have also given out educational materials on a door-to-door basis in neighborhoods we know have prevalent grease problems. Where field

crews observe persistent or systematic grease buildup in a commercial area, especially where restaurants are concentrated, they refer the location to DEP's Enforcement Unit for targeted grease interceptor inspections. In addition, our Economic Development Unit holds workshops to help restaurants and businesses comply with grease interceptor regulations. Also, inspectors from the Department of Health and Mental Hygiene check for proper grease trap sizing during regular restaurant inspections.

Further, DEP began a yearlong collaboration in 2013 with New York City's Housing Authority at the Baruch in Lower Manhattan, for example. The program piloting intensive educational outreach about proper disposal of used cooking oil, and the impact of grease on city sewers residents of on e building in the complex act as a control group, and DEP-- And received DEP's standard education materials. While residents of another building will participate in additional meetings, workshops, and events focused on grease. The sewer lines from both buildings were inspected and cleaned prior to the programs. And crews will re-inspect the lines as the

pilot conclusion to measure the relative improvement as a result of the intensive curriculum.

Our operational programs for grease are also robust. DEP has implemented a very proactive data driven maintenance program to remove the grease buildup in the sewer from areas with persistent issues. As part of this program, DEP analyzes complaint data in combination with the results in field inspects to identify strategic locations to be degreased on a scheduled cycle. We inspect these locations on a monthly, quarterly, or annual basis depending on the severity of the grease issue identified, and degrease the sewers and chemical degrease around this cycle once depositions reform.

Finally, sanitary and baby wipes also present a significant problem for our sewers and a potential for flooding. Flush wipes not only damage wastewater treatment plants, and put homes and business at risk for sewer backups, they cost a significant amount of money. More than $3-1/2 per year in removing them from the system. We are currently working with our partners in government to develop a plan to educate and inform the public about the significant cost and dangers that wipes present.

Realizing that flooding is something that can be both very frustrating and hard to understand, DEP issued the Homeowner's Guide to Flood Preparedness in 2013, and Chairman we do have some copies for the members if they want them at the end. This educational brochure offers a range of precautions homeowners can take to protect their homes against rain events. In addition to providing information about how one's property configuration can put a home at risk for flooding and sewer backups from heavy rain, we off the following about catch basins specifically: When debris covers and match the street level grading, stormwater cannot enter into the catch basin and can pool around the area causing street flooding even before the sewer is full. You and your neighbors can help reduce this type of flooding by disposing of litter properly, and by carefully removing leaves or trash from catch basins before or during a rain event. As stated, I've brought copies and you can hand them out.

Chairman, I would just like to-- On that point, I would just like to add that the issue of the debris on the streets is not meant to be indicative of necessarily the cleanliness of any individual

neighborhood here or there. And we're very sensitive to that. What our experience is, is that the intense rainfall and the scouring brings what would otherwise be unobservable types of debris to a mass that collects in one spot. So we don't want that to be misconstrued as an indictment on that.

As you know, all of this does not cover the breadth and scope of all that DEP does to maintain the infrastructure we have in the city. We maintain the 68,000 miles of water mains, the 7,500 miles of sewers, the 110,000 fire hydrants and many more assets that I have listed for your reference in the appendix attached to this testimony. We ensure adequate water pressure for water distribution and fire fighting, and we respond to leaks and emergencies such as water main breaks and/or sewer collapses. Day to day we balance the challenge of water supply in the sewer system, and use our professional judgment analytical programs to best target our resources where they are most needed. Over the last many years by focusing on our role as stewards in the system, we have made huge improvements in the way the system performs. This is

demonstrated by the sustained improvement of almost all of our operational metrics across the board.

The Fiscal 15 through 18 Capital Plans project $1.7 billion of spending on sewers including $425 million for replacement of sewers, both storm, sanitary, and/or combined. $885 million for new sewers of all types, of which storm sewers either new or reconstructed account for $658 million of projected spending of which $164 million is for high level storm sewers including 3rd Avenue in Brooklyn. $278 million of the total is for both the conventional sewers and lands necessary to created Bluebelt systems, which continue to extend beyond Staten Island to multiple locations in Queens including again Springfield Lake and to Van Cortlandt Park in Bronx.

With regard to Introduction 240, if we look at the specifics of the legislation, it requires semi-annual reporting on various catch basin indices. DEP currently reports on catch basins semi-annually in the Mayor's Management Reports specifically. And the MMRs put forth many of the metrics discussed today with more detail such as the number of complaints received, response time, and resolution

time. We also report annually to the New York State Department of Environmental Conservation on our catch basin programmatic cycle. This report includes the schedule for the cycle as well as the number of basins inspected, cleaned, and hoods repaired.

We do not disaggregate the data by community board, except for the schedule of our programmatic cycle included in our annual report to the Department of Conservation, as it would be required in the legislation. Community Boards vary greatly in size and the number of catch basins making it difficult to compare them with detailed metrics within them on a one-to-one basis. Intro 240 also requires that all 148,000 catch basins be inspected annually, and any catch basin requiring repair in response to a complaint be completed in three days.

In Fiscal 2014, we received 8,576 clogged catch basin complaints and street flooding, clogged catch basin street flood complaints. The average time it took to resolve these complaints was 3.9 days, which is well under the target completion date set in the MMR of nine days. During this period, DEP surveyed 31% of the catch basins citywide of which less than half required cleaning. A total of 21,405,

which represents 14% of the total system. During Fiscal 14, and additional 8,325 basins representing less than 6% of the system were cleaned in response to the 311 complaints. Cleaned as opposed to responded to. We respond to all of them we clean, all the require the cleaning. In addition, in the past five years we have seen catch basin complaints decline 24% from the levels in 2010 compared to those in 2014. Our catch basin repair backlog has also declined significantly during that time specifically down 45% from 2010. Over the last six years, total sewer backup complaints have decreased almost 17,000 in Fiscal 09 to approximately 15,000 in Fiscal 2014, a decrease of 31%. Confirmed sewer backups decreased from nearly 6,831 in Fiscal 09 to 4,200 in 2014, a decrease of 53%. Over the last six years, the number of street segments with recurring backups decreased 54%. The number of street segments with recurring dry weather backups also decreased 57% from Fiscal Year 2009.

In FY 2014, 380 street segments had recurring backups in dry weather conditions just .4% of approximately 157,700 citywide segments. As mentioned earlier, 72% of the confirmed citywide

sewer backups in 2014 were caused by commercial and residential grease buildup in the sewer. The remaining 28% were caused by other conditions mostly debris and other blockages within the sewer. But also due to situations where they were temporarily overtaxed due to rain, a pipe, which was broken or other causes. And the reason that's significant is because it speaks to the utilization of our resources, and our ability to inform those metrics has been by our ability to focus the resources where we think they're appropriate.

We firmly believe our three-year inspection cycle is effective, appropriate, and responsible. Most importantly, as written we do not believe that Intro 240 will have any tangible effect on reducing flooding, which we believe is the major issue of concern in this context. If Intro 240 were enacted, DEP would need to significantly increase our resource allocation to this specific operation. One option would be to reallocate resources from other areas of operation such as hydrant repairs, leaks, water main breaks, responses to sewer collapse or other repairs. Thereby, increasing the time it takes to respond and to resolve those issues. Of course,

other alternatives could be to increase the agency's overall funding. As you well know, all DEP's water activities are entirely funded by the water and sewer rates paid by New York City home and business owners. This significant change in our operations would require a significant increase on the water and sewer rate, which we do not believe is necessary, appropriate, or responsible.

DEP has had considerable success implementing new and innovative programs to runoff sewer better and more effectively than ever. We recognize that there is improvement needed, and we constantly strive for it. We have and are implementing additional measures such as accelerating storm sewer installations and locations like 119th Avenue in Queens, extending storm sewers to areas like Springfield Gardens in Queens; building out Bluebelt projects in both Staten Island and other areas of the city. And using green infrastructure in areas where it can help manage stormwater. These and other measures have been successful, and are real answers to the concern at hand. Maintaining our operational flexibility is paramount, especially when we're juggling the myriad of issues including

operational maintenance and emergencies all while balancing those needs with a fair and reasonable water and sewer rate charge.

We will also continue to work with our partners in government, and other utilities across the country to ensure that regulatory decisions are made that help us run our system more efficiently. Finally, we would be glad to work with this committee to craft legislation that would provide the Council with meaningful transparency and reporting on our operations and expenditures. Again, I thank you for the opportunity to testify today, and I would be happy to address any of your questions.

CHAIRPERSON RICHARDS: All right. Thank you. A lot of testimony there. I just want to acknowledge some other colleagues who have joined us, Council Member Eric Ulrich, Council Member Ruben Wills, and our Co-Council Member Steve Levin. I'll begin, sir, and first I want to commend DEP first off on ensuring that Southeast Queens in particular our cries were heard at least in this first budget cycle where we'll see close to half a billion dollars being spent on infrastructure. So I want to commend you there, and certainly thank the Mayor and the

Commission for, of course, certainly keeping their word in our first step, of course, in moving forward. I have a few questions and then we will certainly hear from some of my colleagues.

Now, first I want to say that we obviously would not be here, obviously with this piece of legislation if things were going according to the way you're saying they're going. So I want to start there. And I do want to add that we have 35 co-sponsors on this bill. A veto-proof majority of the Council supports it. So, obviously, it speaks to the testament of-- It speaks to the testament of how important this issue is for all council members from all across New York City. So you mentioned it would be difficult to enact this legislation, and I just want you to go into a little bit more of that because you spoke of the lack of resources. I know that the Mayor is in the process of now amending and creating obviously a ten-year capital plan. And I wanted to know what is your solution to this then. If you're saying that this is not feasible, then what is-- what should we do to ensure that people don't have to live in these conditions of flooding?

JAMES ROBERTS: So Chairman, I'll try and answer that question this way. First, I think our statement is not necessarily that we don't have the resources per se. I think our statement is more about the allocation and the direction of those resources. And specifically, and as you are well aware and I think many of the members that are on the committee are aware. We're aware of the flooding problems, and we certainly take them seriously, and we are working on it from every angle that we can. What I am clear about is that the initiative to increase the cycle of inspection on the catch basins will not have a tangible result relative to the issue of flooding. And in the context, and as it is in the testimony, when we look at less that 50% of the basins that we inspect on a three-year cycle require cleaning. If you move that to a one-year cycle, that percentage is going to drop precipitously. And in so doing that, we wind up taking those resources away from our efforts to, for example, address degreasing sewers or some other aspect of what we do.

So it's not necessarily that we don't have the resources to do what we're charged with. We're just trying to convey that we think we manage

it in the most responsible way utilizing those resources. And on the capital said, again, there's always the balance between the amount of money we can spend, and water rates. And certainly we're doing what we can to inject as much capital improvement into these areas as possible.

CHAIRPERSON RICHARDS: So you're saying you do have the resources. You just have to redirect them from somewhere else?

JAMES ROBERTS: Absolutely.

CHAIRPERSON RICHARDS: And what areas? And you said degreasing. So one of the things that you did mention in your testimony is obviously we're leaving it up to the homeowner to degrease?

JAMES ROBERTS: No, no, we--

CHAIRPERSON RICHARDS: [interposing] So, are you guys-- How much degreasing are you doing on averaging if degreasing is the biggest issue when it comes to catch basins?

JAMES ROBERTS: So, we're-- it's the most difficult part of the issue with grease, and our transparency into the issue of grease really came about in the last four or five years. So as we started to develop and track very detailed metrics on

not only the fact that you had a problem, but hey what was the problem? The most difficult part of that problem is private homes. Policing what you do in your kitchen after Thanksgiving dinner is a really difficult thing directly. Public education, making people aware of the adverse impact is really the best that we see that we can do with regard to that. So we're not asking necessarily private property owners to do anything about grease other than don't put it in the system. On the question of how much? All of our sewer maintenance programs now attack the areas where we have specific data that points us to problems-- Thank you very much. Problems with grease that are impacting the functionality of the system. And the metrics that we can provide--and part of them are in the testimony--indicate that. The number of street segments that are impacted is a miniscule percentage of the entire system. Albeit, if you live in that area, that's a big issue to you and we recognize that. For us to take the resources, that we are directing very focused on that point. And just spread them out around the city for the sake of inspecting basins that may not need them, we don't think is the most effective utilization of resources.

ERIC LANDAU: And Mr. Chairman, if I can add to that also?

CHAIRPERSON RICHARDS: Well, first, please identify yourself for the record.

JAMES ROBERTS: Oh, sure. I'm sorry. My name is Eric Landau. I'm Associate Commissioner of Public Affairs for the Department of Environmental Protection. Just adding to that, what I believe we're saying is that the operations are either to reallocate the resources that we have for everything we do as an agency whether it's related to flooding, or sewer backups, responding to emergencies like water main breaks or collapsed sewers. To everything else that we do in terms of providing drinking water and managing wastewater. The option is to either re-direct those founds to this or it would be to increase the agency's funding. And by doing so, that would require an increase to the sewer and water rate charges.

CHAIRPERSON RICHARDS: Ta-da, that's what we should do then.

ERIC LANDAU: You want us to increase the water rates?

CHAIRPERSON RICHARDS: No. I'm saying you have money, and I'm sure, you know, DEP has one of the biggest budgets in the city. It being probably the second largest budget. I find it hard to believe that you don't have the resources to direct money to sewer maintenance. I find it very hard, and it's going to be a big push in particular in this upcoming fiscal year. This is going to be a sticking point for this committee, and I want to be very clear on it. You do have the resources to do it. So I want to be clear that you may not be spreading the resources there. They may be in other places right now, but this is an area that is important. So why aren't you looking at-- So, are there technologies out there-- If you're saying grease is the biggest problem for particular areas, what technologies that you guys exploring? I know this cannot be the only place in the world where grease is an issue. If grease is the issue, first off. But if grease is the issue, the what technologies is DEP looking at to fund that would help degrease our sewer system?

JAMES ROBERTS: So a couple of things Chairman. First, on the issue of the resources and

that, I don't necessarily think that a long discussion on that point here is productive. But I think it's clear that anything that we do is paid for no matter who it is or what they're doing--

CHAIRPERSON RICHARDS: [interposing] That's right. I agree with you.

JAMES ROBERTS: --is paid for by the water rates. To the more general issue, our operations citywide are broken down geographically. Okay. Queens in particular has significantly-- a significantly greater percentage of resources in terms of personnel and equipment than, for example, Manhattan. And why is that? Because Queens has a larger geography, and significantly greater-- If you look at the index of assets, the number of miles or sewers of water mains. You know, count the apples. It has the greater population. Queens and Brooklyn are the two places that have proportionately more of our resources. And we think that's appropriate, and we target, and if we think we need more in some area, we'll take them from this pot, and we'll move them. We did that a number of years ago, and we think we've seen significant improvement as a function of that. So in the context of resources, what we're really

trying to say we think the resources we have are responsive to what we need the system to do. If we need to change the way we're doing what we're doing, it means reallocating those resources and/or increasing the water rate in order to augment them. But that's just the basic position because you can't have both of them. It's either reallocate from what you have or--

On the second question, which is the technology piece, there is very little that's glitzy about degreasing per se. We have chemical degreasing agents that are frankly expensive, but we utilize them liberally in order to make sure that whatever areas we're working on is functioning. The schedule on which we attend to a specific area. So if we know that an area has a recurring problem with grease, we will start off with a monthly cycle. And they'll go out there and they'll say okay, we're out here the last three months and it really doesn't need to be degreased. And then they'll lengthen that to three months, and if they can--

CHAIRPERSON RICHARDS: [interposing] Where are they doing this.

JAMES ROBERTS: We have locations all over the city.

CHAIRPERSON RICHARDS: Can you name those locations?

JAMES ROBERTS: I can give you a list, but I can't name them all off the top of my head.

CHAIRPERSON RICHARDS: All right, you can get that to the committee.

JAMES ROBERTS: Yeah, absolutely, absolutely. And so that cycle would be adjusted, make it shorter or longer depending on what's appropriate. The technology that we have employed, and we've tested one technology--we're looking at some others--is a device we install the sewer that gives us a little bit of a warning, or an early warning that there is something going on. That the flow in the sewer is rising beyond what we expected. If the flow in the sewer is rising because it's pouring rain out, we kind of expect that. If it's rising on an average Tuesday afternoon, it's a signal to us, and we have implemented some of that technology specifically in Queens, but in other--

CHAIRPERSON RICHARDS: [interposing] Where in Queens?

JAMES ROBERTS: Or in Southeast Queens because I mean I think we've also used them in for example Flushing where we've got some areas where, you know, there are grease locations associated with commercial restaurants and so on and so forth. We're in the process of looking for different technology all the time. We did pilot that, and use it. Outside of that, we haven't found the magic bullet, and I meet twice a year with my counterparts nationally. And frankly, I think we're sort of ahead of the curve in terms of being aggressive towards-- trying to attend to it.

CHAIRPERSON RICHARDS: You said there was a 31% decrease and I'm going to-- I'll come back in the second round because I know my colleagues have questions. You said there was a 31% decrease in catch basin complaints. My question is would you attribute that to 311 call for these? [sic]

JAMES ROBERTS: So we can only-- We can only work with the data we have. What we believe is that we're doing a better job at being proactive, and that was something I charged my staff with several years ago. We're changing the perspective on being reactive. We don't wait until there's a problem to

try and get ahead of the problem before it occurs. So from my chair I would like to associate that with the fact that we've really worked hard at being more proactive about what we do. There's always room for improvement, and we recognize that the areas that are experiencing some of these problems, we don't take it light. We take it very seriously. I think you're aware of that, but we look at those measurements as being something that's tangible.

CHAIRPERSON RICHARDS: Now, you said you were placing-- In your testimony, you replaced the fact that the missing hoods on catch basins within 90 days. Why are we waiting 90 days if we know that these areas have issues to replace?

JAMES ROBERTS: So the purpose-- Again, that becomes and it's really--

CHAIRPERSON RICHARDS: [interposing] And is that a resource issue, is my question.

JAMES ROBERTS: Everything is a resource issue, right. I mean there's no getting around that. Why do we wait 90 days? We typically do that in order to be able to assemble enough work for the specific crew to sort of tackle that task effectively, right. So, if you were to go out and

replace one hood every day, it's a different type of task. You know, you're wasting a lot of resources. The biggest cost in any of our work is usually getting the personnel in the trucks, out to the site, and sort of working. So if we can collect the common things that need to be done in a certain geography and do them more effectively, that's what we'll do. It's essential that you know that the hood while it will help keep floatables out of the sewer, and odors frankly. It's a bigger issue with odors is not going to change the functionality of the catch basins. So if the hood isn't there, the basins work in the sewers/

CHAIRPERSON RICHARDS: [interposing] But if the hood is off, then we're allowing for 90 days for that replacement. We're allowing those floatables to end up in the system--

JAMES ROBERTS: [interposing] It varies.

CHAIRPERSON RICHARDS: --in the catch basin, as you say--

JAMES ROBERTS: [interposing] Yes.

CHAIRPERSON RICHARDS: --which is causing a bigger issue. So why are we waiting for 90 days to replace a hood if we're trying to keep floatables.

And then, you know, if Sanitation, and I've never seen Sanitation personally go out and catch, check catch basin in my particular district. You know to sweep them off before every particular rainstorm. And quite frankly, to be honest, they have a hard time keeping the boulevards clean. So I have no faith that, and not being against Sanitation, but I have not faith that they're going to really go out and sweep every catch basin when we can't even get the basic service. Perhaps because of a shortage of resources on their end. But they don't have-- You don't have that issue of a shortage like they do.

And I find that hard to believe based on water rates increasing every year. And I think that it is a real question of priorities, and I don't think this has been a high priority. So I'm not being sold on why we should not technically pass this bill through this particular committee right now. I do want to know why are we only flushing it, or going out to do maintenance on the catch basins every three years. What is magic about three years. In particular in areas where you know there's an issue, why are we waiting every three years, when we should be checking them quarterly or monthly? And I refuse

to believe that happens because my office gets the calls. Yes, I get every email on my phone.

So I know exactly what's coming into my office and my staff yells at me for that reasons. But I know what's coming into our office. I know that it's not taken 3.9 days, 3.9 or whatever days to clean a catch basin out unless my office calls for the average constituent. So can you speak to why is it that you believe that every three years is sufficient enough to clean out, and to go out and maintain catch basins. And just this Monday, Daneek and I were out in Saint Albans and the area in his district, which is flooded every time it rains. And the homeowners, maybe twenty of them came out, and it was a rainy day, a rainy night. And they're not going to come out for no apparent reason. So that's my question there.

And then my last question before I go to my colleagues is what coordination, what real coordination are you guys doing with the Department of Transportation? Because in particular in the area we saw it and we find this a lot in our particular districts, which are Environmental Justice communities from Staten Island to Southeast Queens

and parts of Brooklyn that it seems to be that we're getting the short stick on proper grading of our streets. And it is causing a problem because as long as there are no sidewalks in these areas how does the water reach the catch basin. So what coordination--? You said you were working with DOT. We've been dealing with this issue before I was born. So what are we doing differently with DOT this year, and with this new administration?

JAMES ROBERTS: So Chairman, you gave me a lot to chew on there, but I'm going to see if I can--

CHAIRPERSON RICHARDS: [interposing] DOT because I said a lot.

JAMES ROBERTS: DOT.

CHAIRPERSON RICHARDS: And also why three years?

JAMES ROBERTS: Right. Let me start with the easier of the two, which is the three years, right. So the schedule on which we inspect the basins was one of a significant amount of debate and discussion with our regulators, right. So with the State Department of Environmental Conversation and with EPA under whose jurisdiction we work. So there

are oversight with regard to that. I think we have demonstrated by experience in coming up with those numbers that those numbers were effective. If it were--

CHAIRPERSON RICHARDS: [interposing] Is that your opinion or is that DEC's opinion?

JAMES ROBERTS: I think it's clearly all of our opinions because--

CHAIRPERSON RICHARDS: [interposing] All of who?

JAMES ROBERTS: DEP.

CHAIRPERSON RICHARDS: DEP.

JAMES ROBERTS: DEC and NEPA because we review it every-- We issue a report to them every year.

CHAIRPERSON RICHARDS: Do you have that in writing that this is what they say, three years, every three years is sufficient?

JAMES ROBERTS: I have it... Well, I have it in writing by virtue of the fact that's the agreement that we work under with them, and they have not demonstrated any objections to it.

CHAIRPERSON RICHARDS: [interposing] So they're going glean then on that-- on that particular magic number of three years?

JAMES ROBERTS: In that particular--

CHAIRPERSON RICHARDS: [interposing] Or have they just not been against you reporting it every three years?

JAMES ROBERTS: No, it's in our permit. It's our SPDES Permit, and it was a derivative of a consensus.

CHAIRPERSON RICHARDS: All right, is it regulation that DEC has enacted, or I'm not saying what the permit-- Because anybody could fill out a permit and put five or three years. So is this a DEC law? Is this a regulation?

JAMES ROBERTS: The things we do are in relationship to the permit. So in order for them to issue the permit--

CHAIRPERSON RICHARDS: [interposing] All right, let's do this yes or no.

JAMES ROBERTS: Yes.

CHAIRPERSON RICHARDS: So is this a DEC requirement that you catch-- that you flush catch basins every three years?

JAMES ROBERTS: That we inspect and clean them every three years, yes.

CHAIRPERSON RICHARDS: Not based on your permit. So this is in writing in DEC's Regulations that New York City has to clean catch basins every three years?

JAMES ROBERTS: I can't answer that yes or no.

CHAIRPERSON RICHARDS: [interposing] Okay.

JAMES ROBERTS: So, it is--

CHAIRPERSON RICHARDS: [interposing] That's more clear.

JAMES ROBERTS: It is a requirement.

CHAIRPERSON RICHARDS: [interposing] So you're going to get us-- get that back to us?

JAMES ROBERTS: Absolutely.

CHAIRPERSON RICHARDS: Okay.

JAMES ROBERTS: It is a requirement that we have a permit--

CHAIRPERSON RICHARDS: [interposing] Uh-huh.

JAMES ROBERTS: --and in order for them to issue us a permit, those are the conditions under which we have to perform.

CHAIRPERSON RICHARDS: Okay. All right, I'm going to, and I'll come back for a second round. I'm going to go to--

JAMES ROBERTS: [interposing] You want me to talk to the DOT question?

CHAIRPERSON RICHARDS: Oh, yes, and if you can talk to the DOT.

JAMES ROBERTS: So there are a number of things that come with DOT and streets. I'm not going to sit here and speak for my colleagues in government. What we do regularly, is we coordinate with them on their Capital Street Program with DDC. One of the reasons that DDC was instituted was to be able to coordinate our construction efforts with their construction efforts. Where there are operational or maintenance issues, which are more of the day-to-day things, if our people respond to it-- And we are typically the first responders on any sort of flooding related thing. And we find out that it's something that is say a bi-product of a depression a roadway, a dip in the roadway, we'll refer it back to

DOT as a bi-product of closing that request out, that CSR out. And we'll meet with the on site, and we'll advise them. And we'll meet with them on site, and we'll agree. Sometimes the answer is a simple one when it's brought to their attention. Sometimes it's not, and they have to do something with their Capital Program.

CHAIRPERSON RICHARDS: All right. I will come back. Council Member Lancman first, and then we'll go to Council Member Williams--

COUNCIL MEMBER WILLS: [interposing] And then Wills.

CHAIRPERSON RICHARDS: --and then Wills.

COUNCIL MEMBER LANCMAN: Thank you. Good afternoon. I just want to check. Yes, good afternoon. Well, it's good to see so many folks from Southeast Queens here, and Southeast Queens getting as much attention as it is because it has been an issue that's existed for as long as I've been involved in community service and politics and it's good to see the Mayor making some steps towards improving the situation in that community. My district extends a bit into Community Board 12, and we see Community Board 12 well represented here.

I want to focus on a particular problem in the district that I represent. A little to the north the flooding on Utopia Parkway, and one of the complaints that we've gotten, and I live in that Hillcrest community. I'm not affected by that particular flooding, but I live in that Hillcrest community. Over the years it has been the lack of maintenance of the catch basins. If you look at the map that you provided--I guess it was you who provided it in your testimony--you see quite a bit of 311 calls regarding maintenance of catch basins in that community. If you're saying that in the normal three-year cycle, approximately half, or maybe slightly less than half of the catch basins need cleaning. Doesn't that indicate that you should have more regular cleaning? Perhaps annual cleaning so you don't get to the point where at three years almost half the catch basins need servicing?

JAMES ROBERTS: So, my short answer to that is no. I don't agree with that. This is a matter of statistical. In addition to the programmatic work, which is the less than 50% that you're talking about, all of the complaints-- All of the complaints, the 311 complaints that are

investigated if there is a basin. So if you're looking at a density on a map, and I'm not certain that we provided that map. It might have been from another source coming out of 311--

COUNCIL MEMBER LANCMAN: It's our briefing paper.

JAMES ROBERTS: Then that's fine.

COUNCIL MEMBER LANCMAN: But it's a caller [sic] so it's got to be true.

JAMES ROBERTS: I like it. If there is data there and any of those 311 complaints we respond to them, and we will address them at that point. And I think the major point is that combination of the programmatic and the complaint work it has to be viewed in its totality. And many times-- Again, any times when we go out there, the issue with a basin not taking water is a function of the water not being able to get into the basin, i.e., debris on the basin. Not the functionality of the basin or the sewer. And that's a distinction that it's difficult. I talk about it often, and Council Member you know that we've spoken. I think we're scheduled to speak with you again shortly. It's something we talk about frequently. It's sometimes hard to communicate. We

were hoping that by showing the visual. So long as water is getting into that basin, the basin and the sewer is not clogged, the basin they'll function. If the water can't get into the basin from the start, you have a problem. You know, that's just the reality of it.

COUNCIL MEMBER LANCMAN: And who is going to clean the debris from the top of the basin to make sure that the water can get into the basin? Isn't that something that DEP does also?

JAMES ROBERTS: If we're out there-- If we're out there and our people observe it, they will clearly do it. As a matter of sort of governmental responsibility, street sweeping doesn't fall under our purview. I do know that again our experience is that sort of the day-to-day visual optics of walking down a block, you may not recognize that there's-- You know, whether it's paper or whatever happens, the leaves. Certainly in the fall, you know, the problems tend to be a bit--

COUNCIL MEMBER LANCMAN: [interposing] Yeah, but if the street sweeper--

JAMES ROBERTS: [interposing] Yep.

COUNCIL MEMBER LANCMAN: If it is even a street that is getting swept, pushes debris into the grate or the opening, and it's lodged in their, and it's blocking the water. That's something that DEP is going to come and clear out, isn't it?

JAMES ROBERTS: No. So, two things. One--

COUNCIL MEMBER LANCMAN: [interposing] The problem may have been caused by DOT and their street sweepers, but it becomes your problem once it gets clogged in there.

JAMES ROBERTS: If the-- So two things, one, and I won't speak for Sanitation certainly. They're capable of--

COUNCIL MEMBER LANCMAN: Right, I'm sorry.

JAMES ROBERTS: That's okay, but I believe their mechanical sweepers take the debris off the street. They don't just necessarily push it along. If the debris gets into, physically into the basin, it's not going to affect the performance until such time as the debris rises above the level of the out. And again, our experience in terms of our programmatic inspections is that doing it on a three-

year cycle, you're only-- It means that 50% need them and 50% don't. So you could infer from that that you're wasting 50% of your effort.

COUNCIL MEMBER LANCMAN: Well, to turn a phrase the catch basin is either half empty or half full. So it's half full, and 50% of the catch basins are in operative and in need of service, that is an extraordinary high number of catch basins that are out of service and off the system.

JAMES ROBERTS: Council Member, I'm really happy you asked the question that way because it provides me the opportunity to make one other clarification that I apparently haven't made yet. The fact that the basins needs to be cleaned does not mean that it has reached critical mass. It doesn't mean that the debris has gotten to the street level. Our crews will clean that basin once the level of debris gets to within 18 inches of the bottom of the outlet. So the basin is still functioning at the time they get it. It doesn't mean that there aren't basins that have gone beyond the level. But the overarching number of those that are even clean have not reached the outlet to where they're blocking the

outlet. And so , in that regard, we're really ahead of that as well.

COUNCIL MEMBER LANCMAN: One last question.

JAMES ROBERTS: Sure.

COUNCIL MEMBER LANCMAN: And this comes form something that you did hand out, and it's in color, and very good 3D. Very nicely done.

JAMES ROBERTS: Thank you.

COUNCIL MEMBER LANCMAN: It has to do with you recommending that homeowners install a check valve, which is something that's very important in my neighborhood. Because of the flooding we had sewage backup to a number of homes, including my own. I went out and purchased a check value and had it installed at significant expense. Is there any consideration to DEP offering some kind of incentive for homeowners to install check valves, either some kind of rebate or credit on their water bill. Or supporting the concept with the city giving some kind of rebate or credit on people's property tax bill. Installing a check valve is very expensive, and truth be told, for people who do it they are aiding the

city's overall sewage system. Is that something that DEP would consider?

JAMES ROBERTS: Well, so the answer in the short term is, as you are aware, the service line to the property is private. And so, the installation is borne by the property owner if it's main. Again, typically-- I understand.

COUNCIL MEMBER LANCMAN: [interposing] But the problem come from--

JAMES ROBERTS: [interposing] I understand.

COUNCIL MEMBER LANCMAN: --from lack of capacity in the city's own part of the system.

JAMES ROBERTS: Well, again, that can be the subject of some back and forth, but I think the issue that the check valve solves is really more one of a low lying sort of exposure. And again, without taking the conversation very far afield, we all recognize to some extent or another that the nature of the utilization of basements and so on and so forth have changed from when perhaps the homes were originally built. And so, when you put toilets and sinks and showers and stuff-- Anything that is going to allow the system to-- When you lower your

exposure, you create that. So, that's a topic for another day. But to your original point, I'm certain that when we meet next week I don't think the agency has really sort of accepted the fact that we would do it, or clearly you wouldn't have asked the question. I think it's worth discussing. I'm not certain that it's something that we can do, but I think it's worth discussing.

COUNCIL MEMBER LANCMAN: All right. Well, I look forward to our conversation I guess in the next couple of weeks with the Commissioner, and thanks for your testimony.

JAMES ROBERTS: Thank you.

CHAIRPERSON RICHARDS: Council Member Williams.

COUNCIL MEMBER WILLIAMS: [off mic]

CHAIRPERSON RICHARDS: All right. So Council Member Wills we're hear.

COUNCIL MEMBER WILLS: Thank you, Mr. Chair and thank you Council Member Williams for letting me take your spot and time. I only have a few question, and my questions are maybe residual questions. I think the Chair and others have gone

into the actual infrastructure issues. The Insurance Program for Pipe Repairs--

JAMES ROBERTS: [interposing] Uh-huh.

COUNCIL MEMBER WILLS: --how is that going, and how are you getting feedback with that?

JAMES ROBERTS: So we think it's going-- We think it's going well. We would like frankly for it to be going better in the context of we wish that more folks would avail themselves of the opportunity. We think it's a good program. You know, the proverbial win-win, if you will. I'm going to give you a rough number, but I think the number of accounts of people is somewhere on the order of 100,00 plus or minus that are on board. Some are out thrown out [sic] and some add on every month.

COUNCIL MEMBER WILLS: How much does it cost the insurance?

JAMES ROBERTS: I believe with both, if you had water and sewer it's roughly $12.50. It's on that order. You know, it's a reasonably affordable insurance for something that you don't want to-- I don't want to wake up in the morning and have $5,000 bill to fix my water service. So we think it's a good program. We think it's helped us. Again, to

the Chair, in terms of trying to maximize the utilization of our resources, that was one of the drivers for implementing the program frankly. Because our people, our folks would be tasked with constantly going back and chasing after the poor person that's struggling to find that several thousand dollars to fix their water. We would have to keep going out. We've seen an improvement because we don't have to go back out there. Now, if they have the insurance, they're able to get it addressed expeditiously, and it means that our recurring visits aren't necessary. So we get value out of it. We think the property owners and the customers get value out of it. So we would appreciate your support.

COUNCIL MEMBER WILLS: Okay. The next thing is a two-part question. The Parks Department has a program that council members can opt into. Actually, Council Member Ulrich was the one that introduced me to it a few years ago. Where we can put capital in. And the trees, the tress that the city trees planted the roots come up, and we can fix the curbs free with no cost to the homeowner. I've mentioned this in several hearings. I'm wondering where you guys are at with implementing or accepting

a policy such as that where we can provide capital so that the tree roots that go and disturb or obstruct the pipes going in-- As you just said a lot of homeowners can't afford that. So that money would-- You can put a program into place with that money to fix those.

JAMES ROBERTS: Just so I'm clear, Council Member, to fix the--

COUNCIL MEMBER WILLS: [interposing] The pipes, when the tree roots go through the pipes.

JAMES ROBERTS: So the Council has the ability to--

COUNCIL MEMBER WILLS: We can allocate capital, but it would have to be a program that you actually put into place. And Parks has a trees and sidewalks program. So we allocate the capital to Parks. And when they do a measuring of the trees on the sidewalks that are coming up, if it is true that the roots have uprooted the sidewalk. Then Parks goes out and fixes it with the capital money. They have contractors that do it. I'm wondering why can't we do the same thing with that type of application.

JAMES ROBERTS: So Council Member, specifically in regard to that program, I'm not

familiar with it. So I'm glad you brought it to my attention, and I would-- I think the Commissioner and certainly Eric can chime in. We would love to discuss and explore any options that would be available that we could work collaboratively to help individual property owners. We're open to those discussions for sure, and we would like to do that.

ERIC LANDAU: Yeah, we look forward to sitting down with you on it.

COUNCIL MEMBER WILLS: I just didn't understand it because when you took over Jamaica Water, we knew that the pipe shelf life was low, and we knew that the wall depth or thickness was thin. So that would be something that we could help because a lot of-- And I'm sure the members here in CB-12 here and people who will testify, and a lot of our seniors have that problem. The next thing the Chairman brought up was the coordination from DEP and DOT. And that goes into it, and I don't want that to get lost. The street name that the Chairman brought up is very important areas in my district like Alta [sic] are without curbs. And we did a major tour with that two years ago, and because DOT and DEP can't get it together, there are no curbs. We have

areas on 111st [sic] and 133rd where there is a church building that gets flooded every single time it rains because the grading is wrong. But DOT will come out and blame it on you, and you'll come out and blame it on DOT. So it's similar to what we just had with the U Pre-K programs where there a central liaison that worked with DOB, FDNY, and all the other organizations to get these Universal Pre-K programs up and running in the buildings. Do we have something that can facilitate something between DOT and DEP that can make this happen without us having to keep going back and forth across agencies?

JAMES ROBERTS: And I think that's a great question. And so, I can tell you what-- I can tell you the way we manage it, and I can tell you that when I started in 2006, one of the first things that frankly I said has got to stop is the fact that I would get letters from a Council Member like yourself that said it was a problem. And, you know, we'd get redirected please contact so and so from DOT. And then two weeks later I get a letter that said that DOT had referred it back to us. And the ping pong game I thought was both bureaucratic and

ineffective. That does not happen in my shop any more, and it does not happen in the DOT shop.

The way it's structured right now is depending on what the condition is. If it's a street condition, DOT is there first. If it's comes in as a flooding or a ponding complaint, if it's water they're going to call us first. Our field level staff, I mean the guys with boots on the ground understand the difference. They know if it's something that's part of our system or DOT's. The first referral is automatic. If there's a disagreement among field level staff, we have our borough managers match up with the DOT borough commissioners, and they resolve that issue one way or the other. Somebody takes ownership of it, and that will go right up to either my desk or my counterpart at DOT.

Again, I never sit here, I've been around a little bit too long to tell you that it's perfect, but it's significantly better. If there are specific instances or issues, we would be more than happy. I think that's been working more effectively. There are challenges. If there is a street grading issue that's causing a problem, and DEP, I can't-- So if

there is a lack of curbs for example, I can't fix that problem. We can address it, and I'll leave it to, you know, to DOT to speak to their Street Maintenance Program, and Capital Improvement Program. We do everything we can to address as much of that stuff as we can on the spot, and to get it down. You know, there is always room for improvement, but I can feel very confident personally that I think it's improved. Although it's never good for the person who is on the street. I get that.

COUNCIL MEMBER WILLS: My last question is resurfacing. A lot of times we have the DOT contractors they come in for emergency contracts.

JAMES ROBERTS: [interposing] Yep.

COUNCIL MEMBER WILLS: And we have areas in Southeast Queens where the streets are left hollow. And we complain. We have 110th Avenue outside of Calvary. We have Flushing Boulevard, and we have made multiple complaints in Council Member Miller's district. And the contractors come, and they do this, and patch that-- I don't know if they're using sub-grade material. I don't know what they're doing, but evidently it's legal whatever they're doing. I don't know if we need to raise the

standard or you need to push more for your contractors to replace-- You can't repair it to perfect side-to-sidewalk, right, curb-to-curb grade. But I think that something needs to be done more aggressively to make sure that these contractors give our streets their proper condition before they got into them.

JAMES ROBERTS: So a couple of things. One, as it relates to the contractors that are working for the agency directly, the work that we do in terms of the restoration is-- I'm going to use the expression it's standard materials. The asphalt is standard across the board. As it relates to roadway restoration, the really is more in DOT's purview. And it would probably be more appropriate to speak any issues of quality. But you do stir one other point on the coordination plain that I think is useful to bring up here. Again, another thing that we've found and Chairperson to your point about inspections and trying-- We found that being more attentive or making the-- Whoever the contractor is working for that's doing roadwork making them more attentive to the fact that they can't sweep their debris into the basins while they're doing the work.

So, you know, how do we recognize that? We go out on the problem with the basin and there is asphalt in it. It doesn't belong here. We have long ago been coordinating with our borough managers are apprised of any sort of resurfacing that's going on in advance of them going out there. So our people if we know that you're coming in next week to do ten blocks of restoration, we'll go out. We'll inspect those basins ahead of time before you get there. And then, when you're done, we'll go back out and re-inspect them after they're done. And if there are any problems, we make them clean them. And DOT has very willingly cooperated on that. We brought something to their attention. You know, they just didn't see it, but we've improved that somewhat again. Not perfect, but we've improved that.

COUNCIL MEMBER WILLS: I know that the Chair wanted to do a tour with DEP and DOT throughout all the community boards--

JAMES ROBERTS: [interposing] I think that's a good idea.

COUNCIL MEMBER WILLS: --to go over specific issues in the communities. I know it will be a two-part tour. One, where we do the complaint,

and two for follow up. Would you be willing to participate in that?

JAMES ROBERTS: More than willing to do that. Happy to do it.

COUNCIL MEMBER WILLS: Thank you Council Member Williams. Thank you Mr. Chair.

COUNCIL MEMBER WILLIAMS: Thank you, Council Member.

CHAIRPERSON RICHARDS: Council Member Williams.

COUNCIL MEMBER WILLIAMS: Thank you Mr. Chair and thank you Deputy Commissioner and Associate Commissioner. Just one thing I wanted to piggyback on the insurance. Do you have data on how many claims have been filed, as opposed to how many have been paid out?

JAMES ROBERTS: And so, I apologize, Council Member that I don't have that data. I wasn't anticipating that specifically--

COUNCIL MEMBER WILLIAMS: [interposing] Sure.

JAMES ROBERTS: --but we can get you that number. We have a pretty transparent number into it,

and I think it's a good-- It's a good metric. It's a good program. We will gladly get you that.

ERIC LANDAU: We'll follow up.

COUNCIL MEMBER WILLIAMS: Thank you, and I'm sorry because I know I missed some of the questions. So I apologize if any of my questions were answered, please let me know and I'll get that information from the committee. Except for this one. I know it was asked, but I didn't want to ask it again. But I wasn't clear. You do it once a year. I know the recommendation is three years. Do you--

JAMES ROBERTS: [interposing] Yeah, I'm sorry, we do it every three years.

COUNCIL MEMBER WILLIAMS: The recommendation is one year. So you just, you just-- The recommendation is for too much. They're asking for too much?

JAMES ROBERTS: The proposed legislation. Yeah, we think that doing it on an annual cycle would be-- We would be using resources that are better served somewhere else.

COUNCIL MEMBER WILLIAMS: So EPA recommends annually. And so, you believe?

JAMES ROBERTS: And I did hear that in the opening statement, and I'm unfamiliar with that recommendation generally, but I can tell you that the permit that we work under is stated that we do it on a three-year basis. And, you know, that's something that we have to get their concurrence with. We were under a consent order when we originally-- when we originally went that way. [sic]

COUNCIL MEMBER WILLIAMS: But if it is accurate that the EPA recommends at least annually, are you saying that they're over-prescribing?

JAMES ROBERTS: Well, here's what I would say. The federal EPA covers the entire country. And, you know, there are a lot of things that generically are applicable in different areas. I think the conversation we have with them off and on matters is not one thing fits all systems and so on and so forth. So I can't really speak directly to it. I can answer the question this way I think. Based on the way we do it now, where we're inspecting it every three years-- And Council Member Lancman, I'm glad that he asked that question because it does provide clarity that perhaps I hadn't provided up

until that point. Fifty percent of the basins we're not cleaning. So that means that we've gone there.

We've spent the time and the energy and the people are resourced out there, and they basically haven't cleaned the basin. The other 50% that we clean, aren't filled. We're getting them before they're filled. There's probably some percentage that really are above the level. But I think the overarching number is somewhere before they become critical, and that's really-- That was the driver. So to simplify it, there are crews that go out there. It's not rocket science. They'll go out there, and they will physically measure with a stick the height of the debris. And if the height of the debris is more than 18-- If it's closer than 18 inches between the height of the debris and that outlet, they'll say they'll clean it. If it's 16 inches, the basin is still operating, and so on and so forth. So I hope that answers you.

COUNCIL MEMBER WILLIAMS: But it sounds like you're saying if we are accurate and the EPA recommends at least annually, that they have over-prescribed for our particular system?

JAMES ROBERTS: Again, I thin that would be a fair characterization. I can give you one other analogy. So there are views that are held, and the EPA has guidance that is out there that says for example you should clean your entire sewer system every, you know, 10%, 15%, some percentage per year. And we've had long discussions with them about we can do that, right. We can spend the money to do all that, but you're not going to clean something that doesn't need to be cleaned just for the sake of saying that you did it. And that's really what we're trying to avoid. We're trying to use the resources appropriately.

COUNCIL MEMBER WILLIAMS: So that I can understand logically, because 50% aren't cleaned and don't need cleaning, and the other 50% you get to before it's critical are you, therefore, saying that most of the flooding is not happening because of clogged catch basins?

JAMES ROBERTS: I think that most of the flooding is not occurring-- The overarching number, and I want to be clear and fair and not-- I don't want to be taken as misrepresenting. I don't know what the percentage is. I don't know if we have that

number. There is some population of the 50% that we do clean that really needed to be cleaned, and they may not have been operating effectively. But on the aggregate, the big picture I think that your statement is true. I think that the bigger issue is the water not getting into the system.

COUNCIL MEMBER WILLIAMS: So you believe those catch basins were cleaned more frequently, it would not help with the flooding issue?

JAMES ROBERTS: No. I agree with what you just said. We don't believe that at all.

COUNCIL MEMBER WILLIAMS: So it's strange to me because I've seen catch basins full that are not allowing water to go down. So it's hard just from empirically, and I'm not question you--

JAMES ROBERTS: [interposing] I understand.

COUNCIL MEMBER WILLIAMS: --but empirically looking and seeing something filled up that if it wasn't for that, I assume the water would go down quicker.

JAMES ROBERTS: I'm glad I just clarified myself because I can't argue with that. I mean we see them, too. I think, you know, again you have to

take scale into account. We have almost 150,000 basins, right, and so they are by design there are going to be some that are out there. So I wouldn't argue with your observation. I would like you to tell us, and we'll get to that one or two or three basins that are out there.

COUNCIL MEMBER WILLIAMS: But if we pass this bill, wouldn't that make you get to those?

JAMES ROBERTS: No, no, it-- No, no, Council Member, to be clear, absolutely, it will. And if you pass this bill, and we're told to do it, we'll clearly do it. What we're trying to highlight is if we do it, we don't think that it's going to solve the problem we think you are intending to solve, number one. And number two, we think it is going to adversely impact some of the other important work that we have made great strides on in improvements.

COUNCIL MEMBER WILLIAMS: So help me to understand what resources they would take away, and where would they take them from?

JAMES ROBERTS: So the way that we're structured, we have a population of construction laborers that are dispersed. We have 17 or 19 yards?

Seventeen yards citywide. Queens and Brooklyn happen to have proportionally more. So the difference in Queens and Brooklyn there are two maintenance yards that one in the north and one in the south typically. In all the rest of the boroughs there is typically one. All of those resources do all of the things that we do. They clean catch basins. They clean sewers. They fix water mains. They fix hydrants. They put caps back on hydrants. They replace missing castings from things that get bounced around. They respond to water main breaks. It's a population that we've broken up to do all of the work. So in order to accomplish this, we would have to refocus those resources. We would have to put more energy and effort directly into this, which means we're taking energy and effort away from something else.

COUNCIL MEMBER WILLIAMS: Help me with that chart. What does an inspection mean?

JAMES ROBERTS: So what they'll do, and so in this case they'll come out, our staff. They'll take a stick-- I mean, the first thing if they walk out and it's the basin that you've just described where the debris is up to the top of the casting, it's a no-brainer, right? That one is on the list

and it's going to be cleaned. Otherwise, they're going to take a stick and they're going to measure the height of the debris--

COUNCIL MEMBER WILLIAMS: From the beginning, right?

JAMES ROBERTS: So this would represent the debris.

COUNCIL MEMBER WILLIAMS: [interposing] The stick goes into the basin?

JAMES ROBERTS: They would put a stick down, and they would measure the distance between where the debris is noticed and this outlet here. And if that distance is less than 18 inches, a foot and a half, then they'll put it in and they'll have it cleaned.

COUNCIL MEMBER WILLIAMS: How long does that take?

JAMES ROBERTS: How long does it take to get it cleaned from that point?

COUNCIL MEMBER WILLIAMS: No, to inspect it?

JAMES ROBERTS: That particular thing probably five or ten minutes at each location. I think the resource allocation is really getting the

personnel into the trucks, and they'll go around. How many they do in a specific day, or son on and so forth, is a-- You know, it's a finite number, right. But whatever it is, if they're doing that, they're not doing something else.

COUNCIL MEMBER WILLIAMS: Well, I assume they wouldn't be doing something else for five minutes.

JAMES ROBERTS: It's a whole day.

[laughter]

COUNCIL MEMBER WILLIAMS: So it seems to me, and I understand that. I understand that. I understand that something has to change, but to be honest, from what you described and when I asked about what resources would be taken away, it wasn't really clear. It would seem that there is a metric of work that needs to be done, and there is formula of how you get it down with the resources that you have. So everything I've heard, it seems to me that are probably start-up changes that need to happen in resources. But once that metric is put into play, and this become routine, it wouldn't change much at all actually.

JAMES ROBERTS: And again, I respectfully, restate that if we are doing this, no matter what. And it's five minutes times 148,000.

COUNCIL MEMBER WILLIAMS: Except if it's during the course of something else that you're doing, and you have to step outside for ten minutes to do a stick.

JAMES ROBERTS: Yeah and so that's a fair statement, too. And what I will tell you is that while our people are out doing all the other things that they do, if they observe an issue, they're going to capture it at that point in time. But if this is their primary-- If they're driving around just focusing on this, then they're not working on cleaning sewers or so on and so forth.

COUNCIL MEMBER WILLIAMS: And I appreciate that, and I definitely, I really do, and that's why I asked you what it takes and how you would do it. It's just the explanation didn't really I think back up what you're trying to convey. So I hope you can realize why I wouldn't-- That doesn't sound like something that would change much once put into effect.

JAMES ROBERTS: And again, all I can do is be as honest--

COUNCIL MEMBER WILLIAMS: [interposing] Sure.

JAMES ROBERTS: --and as straightforward as I can. I can tell you that if those crews are focused on specifically that issue, they're not--

COUNCIL MEMBER WILLIAMS: [interposing] I got it. I just when you say focus, I don't know-- The question is how much focus would actually come off of what they're doing. I think that's what the critical question is. Can you tell me about the seepage basins? How can you tell the difference between a seepage basin and a regular catch basin?

JAMES ROBERTS: So, I can tell the difference--

COUNCIL MEMBER WILLIAMS: [interposing] Yeah, sure.

JAMES ROBERTS: --because I know where they are. As a general matter, you may not be able to tell the difference. I think they look very similar. The difference in very simple terms a seepage basin is not connected to a sewer, right. And, you know, the catch basins are connected to the

sewer so we know where the seepage basins are located frankly when we do-- You know, part of what we've been trying to push along when we do work in areas like Southeast Queens where they've been implemented before. And Donovan, you were certainly out at Springfield Boulevard. You know, we find seepage basins to connect. We want to connect them to real hard infrastructure if we have them. But the difference is I don't think it's transparent to the average person walking on the street.

COUNCIL MEMBER WILLIAMS: But they do provide I guess some relief from flooding?

JAMES ROBERTS: In areas where the soil is good, and when I say that, I mean, you know, mostly sandy soil areas, they will allow the water to get into the ground over time. Sometimes more effectively than others. The problem with them is they become, and I don't want to use a bad analogy, but on a microscopic level the sediment that's in the water coming off the street, will get caught in the pores that allows the water to get into the ground. And they'll get backed up on the lint on your dryer. And once that happens, there is really no way to clean it. You can't take it out and clean it, you

know, because it's a structure. You would have to re-excavate it and reinstall it.

COUNCIL MEMBER WILLIAMS: So once it's bad, that's it?

JAMES ROBERTS: Pretty much, yeah. And their life cycle--

COUNCIL MEMBER WILLIAMS: [interposing] Is five years.

JAMES ROBERTS: On average it's about five years. It's not a very good--

COUNCIL MEMBER WILLIAMS: [interposing] Can you replace them after, or you just let it--?

JAMES ROBERTS: We would rather get the storm sewers built out.

COUNCIL MEMBER WILLIAMS: All right, one more. Can you explain the difference in the time it takes you to respond to catch basin from borough to borough?

JAMES ROBERTS: So again, there are some obvious-- There are some obvious issues. And again, in the Chair's statement, I think he reference Manhattan and Queens. Two things. One, Manhattan. Just getting around Manhattan as a general matter is more difficult. More parked cars, cars on basins.

One of the reasons-- And this is something we get asked frequently, and I'll take the opportunity to sort of highlight why it becomes a concern for us. We avoid almost at all cost putting basins in the middle of the street, in the middle of a block as opposed to an intersection. Because we want to avoid having a car block it. So, Queens, for example, or Brooklyn you have a couple of things working against you. You have a much larger geography, a higher number of assets, and typically in many places you don't have open on the side park street, open on the side of the street people. Or people that have to try and coordinate with the person who has got the car that's in the way or something like that. There are a couple of things. And I don't think that disparity is, you know, enormous between the two, if there is a measurable disparity.

COUNCIL MEMBER WILLIAMS: And my last kind of two questions, but similar. Does the Department have enough resources to address the complaints that are given? And none of my Staten Island colleagues is here, so I want to make sure this is asked. In Staten Island borough they complain about a lack of sufficient catch basins.

And so, I also wanted to know what the plan is just for building out a little bit.

JAMES ROBERTS: So two things. Let me answer the first question. We believe that the resources we have are appropriate, and again we view all of our duties holistically, right. So if you look at all of the metrics that we're responsible for across the whole range of things that we own, we think those metrics and the improvements are evidence that we both have the resources, and that we're using them effectively. And that we're managing to them more effectively. So the short answer to that is I think we're resourced well. As it relates to Staten Island, Staten Island has as Queens, Southeast Queens has some unique challenges. Some of the areas in Brooklyn along the shore Canarsie and Garritan Beach and so on. They have some unique problems.

Staten Island has its own unique issues that are in some cases a bi-product of very low-lying areas. In some cases, frankly, the system hasn't been built out so there would be nothing to connect the catch basins to. They unlike Southeast Queens where even where we've installed seepage basins in Southeast Queens they did work for a period of time.

We frankly have a series of basins on Hillside Avenue that were put in I'm going to guess on the order of 20 years ago that still function fairly well. And I think that's just a function of the soil type. Staten Island you run into a lot of areas that have clay layers. And so, the underground, the soil formations in places are different. And many of the elected officials your counterparts have, you know, really pressed us to now allow anybody to put seepage basins or dry wells in. So it's a challenge.

COUNCIL MEMBER WILLIAMS: All right. I'm sorry, and I have just one more question.

CHAIRPERSON RICHARDS: [off mic] You've said that twice, you know. [sic]

COUNCIL MEMBER WILLIAMS: No, I've said that once. [laughter] I said it once. Thank you. But I know we focused a lot of time on the annual report. Were there other parts of the bill that you had issues with?

JAMES ROBERTS: I think the report-- I think we can certainly find a way of reporting what we do, and how we do it, and we're happy to do that, right. We have no issue with transparency as to how we're operating, and, you know, we're more than happy

to do that. I think our primary concern here is the annual-- We really think that it does two things. One, it takes away-- It shifts resources from where we think they're better utilized. And two, we don't think it's going to accomplish anything. And so. when you couple those two things, you know, it's a-- And on the community board part of it, I don't think all the community boards, it's not apples to apples. And I think attempting to make those comparisons would frankly create more problems for everybody in this room if you tried to do it. Because we would all be trying to answer questions that are hard to answer. The information gets broken out in a bunch of different ways. I just don't see the correlated benefit to trying to drill down to that level of detail.

ERIC LANDAU: But we would be happy to work with the committee to find a way to do reporting that was not only transparent address what needs to be addressed.

COUNCIL MEMBER WILLIAMS: Thank you, Commissioner for your testimony.

JAMES ROBERTS: Thank you.

COUNCIL MEMBER WILLIAMS: And thank you, Mr. Chair, for the latitude.

CHAIRPERSON RICHARDS: All right. No problem thank you, Council Member Williams. I'm going to go to Daneek, but I do want to say that you keep saying that you have adequate resources. But what it sounds like to me is that you have one person doing the job of five people all around the board. So if a person-- Why isn't there a-- Just a particular amount of people or a department perhaps that just deals with this issue? Why are we-- why do we have to take away--

JAMES ROBERTS: We--

CHAIRPERSON RICHARDS: [interposing] Hold on. Why do we have to take away from water maintenance? Why do we have to take away from paper pushing? Why do we have to take away from those particular things? There should be-- If this is an issue, if you're getting nearly 20,000 complaints a year on this particular issue, why aren't there a set of people who just in particular deal with this issue? Then, too, there are seven days in a week, and I'm not sure how many days, you know, in particular these individuals are working. But why

aren't they told to be out in the field, if you know in particular there are areas where every time it rains there's an issue? I applaud administration because every time it rains, we get a text from them. Where are the areas we need to go to? We don't necessarily that from DEP. We get it-- But you are the administration, but I'm saying intergovernmental of the Mayor's Office, we get a text every time it rains. We don't necessarily get that from you guys. But why aren't there set days, or maybe you're making them to it. I don't know. But why aren't there a set of days in particular that are carved out, if this is the case, where this is all people are doing? Has that been a thought?

[Pause]

CHAIRPERSON RICHARDS: Because if you're saying every day seven days a week we're going to take away from the water maintenance guy, we're going to take away from, you know, the hydrant guy then why aren't there just-- Why aren't there set hours and days where we know Joe is going out--

JAMES ROBERTS: [interposing] Yep.

CHAIRPERSON RICHARDS: --to do this?

JAMES ROBERTS: All right, so let me take a crack at that. On the notification piece. Any of the that notification is being pushed out through us, through OEM. You know, it's certainly coming from the folks that--

CHAIRPERSON RICHARDS: Why do we have to tell you. You already know all the areas that are flooded?

JAMES ROBERTS: I thought the question was why aren't we the ones who were telling you where the problematic areas are.

CHAIRPERSON RICHARDS: No, I'm saying every time it rains--

JAMES ROBERTS: [interposing] Right.

CHAIRPERSON RICHARDS: --we get a text from particular individuals in the administration and we thank them for that.

JAMES ROBERTS: Right.

ERIC LANDAU: We also every time there is a significant heavy rain storm, the Bureau of Public Affairs for DEP sends out email notifications to every council member, every city assembly, state assembly member.

CHAIRPERSON RICHARDS: [interposing] Okay, I won't argue with you on that because we definitely get the emails, but why do we have to keep sending the same locations every time it rains. I mean it doesn't change?

JAMES ROBERTS: Well, so to--

CHAIRPERSON RICHARDS: [interposing] But this-- Forge that point.

JAMES ROBERTS: [interposing] Okay.

CHAIRPERSON RICHARDS: The main point I'm making is why aren't there people who are dedicated just for this particular issue?

JAMES ROBERTS: Okay, in essence they are. There is and they are. The way that we are-- The way we're broken down is by functions. So we have yards that are primarily, and I use the word "primarily" intentionally. Primarily responsible for water maintenance, okay. We have crews in yards that are primarily responsible for sewer maintenance. And as I stated earlier, you'll have-- In Brooklyn and Queens you've got two sewer maintenance yards. Those--

CHAIRPERSON RICHARDS: [interposing] Where are they located?

JAMES ROBERTS: One is located down in Southeast Queens, and the other one is located in Flushing.

CHAIRPERSON RICHARDS: Where in Southeast Queens?

JAMES ROBERTS: The old Station 24, 180th Street and-- So, they are, and then we have a repair yard. So we've got maintenance yards and repair yards Sewer Maintenance functions the things that they investigate and the things that they do tend to be more labor intensive in terms of time usage, right. So the answer to your question is we do have the resources allocated by function. Okay, if we to change the way we're currently doing things, we would then have to do one of two things. We would have to take people from the water maintenance function or the repair function and shift them to the sewer maintenance function. Or, we'd have to increase the water rate to support additional personnel. Those are the only two ways that happens. As it relates to the question of our operations in terms of when we work, we're 24/7 365 days a year. And all of those resources are out there, and we've got crews that attend to everything. We're certainly not scaled at

the level of say the Fire Department or the Police Department. But we have personnel that are on-- that appropriately manage whatever is happening to them.

CHAIRPERSON RICHARDS: How much more money would you need to-- Since you're saying that you would have to increase the water rates, which we do it seems like every year anyway. How much more would you have to increase it to make sure that we had sufficient coverage? Or how much more personnel would you need to make sure that the system is being run correctly?

JAMES ROBERTS: So I would have to-- I would have to take that back.

CHAIRPERSON RICHARDS: I didn't say that we have to increase the water rate until we know definitely how much--

JAMES ROBERTS: [interposing] Oh, no, no, I know definitely that if I add-- If I add personnel it adds costs, and you're asking me a different question. You're asking me to quantify it, and I'm happy to do that. We'll take it back, and we'll work on getting you a response to that. I just don't have that at my fingertips.

CHAIRPERSON RICHARDS: All right. I'm going to go to Council Member Miller, but we want to see the breakdown of if you hired 100 more people how much would that cost?

JAMES ROBERTS: Sure.

COUNCIL MEMBER MILLER: Thank you, Chair Richards, and I want to thank the folks that have taken their time to come out from Southeast Queens and throughout the city to take part in this very, very important issue that has been impacting the lives of so many for so long. I would also like to thank for the work that they have done that has really gotten us here today. And this plethora of information that we have here before us because of these great advocates here. Community board persons and civics and community leaders. I thank you again for your time. And particularly, I want everyone to know the great job that my colleague, Council Member Richards, had done around this issue here, and we're looking forward to doing that. And we have done some really productive things in a very short period of time. And I would like to thank the administration and DEP for that.

With that being said, now that we're on human capital and allocation of human capital, we should delve into that a little further. Because I don't believe that we can do more with less. I think that the resources that's necessary for this very, very important issue of not just convenience but health and safety protecting properties should be adequately funded. And so, I would suggest if you don't know what numbers are required that we really review the operational costs of that And so while we're on that, the outside contractors, what kind of work do they perform for DEP?

JAMES ROBERTS: Okay, so two things. First, Council Member, thank you for the recognition, and we appreciate the support that you've given us in working on some of the things that we have been working on. And I want to acknowledge that. As it relates to the human capital question, we'll answer the Chair's question about what would it cost to put 100 additional people on or whatever that number is. Without belaboring it because I think it's probably one of those areas that will warrant more discussion, and we will agree to disagree at this point. But without belaboring it, I think the more significant

part of that is what you're buying. And so, if we spend 100 people times $100,000 a year, I honestly feel-- And again, I think that several members of the committee have dealt with me enough to know that I'm a pretty straight talker when it comes to that. I honestly feel that that money would accomplish little--

COUNCIL MEMBER MILLER: [interposing] I'm sorry--

JAMES ROBERTS: Yep.

COUNCIL MEMBER MILLER: --James. I asked you about your private contractors. What kind of duties do they perform?

JAMES ROBERTS: Okay, so we're off the human capital piece. So we have contracted--

COUNCIL MEMBER MILLER: [off mic] [interposing] It's not human capital, but it kind of is. [sic]

JAMES ROBERTS: Okay, so we have-- we have private contractors that do construction for us, sewer, water, construction at various levels. We have private contractors that do sewer cleaning that have specialized equipment that clean sewers. We have private contractors that in some cases collect

our debris. That's the bulk of the work. It's repair and--

COUNCIL MEMBER MILLER: [interposing] And that's a lot of your maintenance division, right? What percentage would you say the maintenance and daily operation is or the maintenance portion of your daily operation is done by outside contracts?

JAMES ROBERTS: On the maintenance side of our operation, I would say that the percentage of what they're doing is only in the sewer cleaning, and that's where they are specialized. And I think it's a very small percentage overall of all our maintenance activities. I can't quantify it for you, but we can attempt to.

COUNCIL MEMBER MILLER: And I'm certain that you didn't bring the numbers that you're spending because I would dare to say that DEP has one of the highest outside contract consultant budgets of any agency in the city. And I would like to see that-- I would like to ensure on behalf of this committee and more important in the community and the city, the residents of the city that those monies that we're getting a good return for our dollar. And that it's meeting the standards of the charter. That

says that we prove that it's being done more effectively, efficiently, and cost-effectively than would be done in house.

And I think what I'm getting to is that if we had as Chairman Richards said an adequate workforce, homegrown workforce. That not only that I would be remiss as Chair of Civil Service and Labor, and I didn't talk those and those potential jobs that should be in house. We want to make sure that those folks can do the job, and that it is cost-effective for them to do the job. I think that the notion that we have to do more with less around such an important issue-- And I'm going to digress for a moment because we had the opportunity a month ago to tour Pena Canal in Puerto Rico with the Mayor and the Speaker.

And this was an area that was devastated. It had become a health epidemic because of the lack of infrastructure, and sewage there. And I would submit to you had it rained as much as it does in Puerto Rico, Southeast Queens would have the same problem. So this is not a problem to be taken lightly. So we should invest. It should have the investment that it deserves. With that being said,

we should strategically look and make sure that our dollars are being spent properly before we move any further, So I would really like to know that we're getting what we paid for, and that our public employees could not do it as effective and as efficient as the charter mandates. So I'm sure that's probably your question.

JAMES ROBERTS: Yeah, I can respond to a good part of it, and so as a general matter, my preference is, and always has been, and I grew up in this agency. I started in 1986 to have the work done, and the in-house expertise to do those things in-house. That's our preferences. There are places, and the vast of the monies that we spend, I mean the percentages are like 80, 20, 90, 10 on that order. When you're talking about our contract stuff or for construction related type things that you could not do in house as effectively and cost-effectively and particularly. On the maintenance side of the shop, our people, our resources, our in-house do many of the same tasks that we do with contract resources.

Sometimes they have equipment that's more specialized that is not cost-effective for us to have. And so we're able to bring them in to solve a

problem. It's not a lot. So, for example, vactor trucks. We have vactor trucks and use vactor trucks on a regular basis. Vactor trucks are capitally intensive in terms of purchase, and they are very labor intensive in terms of keeping them on the road. So their repair rate and their effectiveness, the private side does better with that metric in terms of keeping the equipment on the road. And so--

COUNCIL MEMBER MILLER: [interposing] James, I'm so sorry--

JAMES ROBERTS: [interposing] Yep.

COUNCIL MEMBER MILLER: --because I have a number of questions, but I would like to talk to those maintaining the equipment, and let them hear-- Them tell me that-- I'm sure they would be up to the challenge of maintaining the equipment as well as, or better when they're on the private side. But let me say this and being that you mentioned those particular trucks, I have never, ever seen one operating in New York City that was not from outside of New York State. Right. And so those contracts are going to Jersey, Connecticut, and even out further. And I find that to be problematic. Again, I don't want to belabor that. That's something that

I mentioned I would hope that you would bring back to the committee about the most efficient use of our tax dollars.

JAMES ROBERTS: Sure.

COUNCIL MEMBER MILLER: So in the areas that have not been built out or have antiquated basins such as Queens Village, and we just have a-- What are the plans?

JAMES ROBERTS: So Queens Village and I'm not being glib--

COUNCIL MEMBER MILLER: [interposing] I'm just saying in general those that don't have infrastructure.

JAMES ROBERTS: Right. So the current plan is to continue to invest in the capital program to build that infrastructure out. What has changed as bi-product of certainly the Mayor's directive to us, and Commissioner Lloyd's challenging us in the way we think about the construction is how fast we can accelerate it over time. And we are. We're working on a plan to-- So for example, 119th Avenue was a modality we would not have-- Fifteen years ago they would not have constructed it that way. So we're trying to be adaptive in terms of both short-

term. I'm going to use the expression "quick fixes" where you're spending, you know, maybe a half a million to a million dollars to resolve a problem. And sort of scale up all the way to the projects that $40 million and four or five years long.

COUNCIL MEMBER MILLER: So where exactly do we-- Do we have anything? Right now, we're looking at the short term if we are able to identify the catch basins and being able to connect them somewhere such as what we were able to do on 119th.

JAMES ROBERTS: Right.

COUNCIL MEMBER MILLER: But are there any specific plans there because those basins have gone in probably 25, 30 years ago.

JAMES ROBERTS: So we have-- We have a couple additional locations on that. I'm going to say that quick fix list that we're working on, and we'll be glad to share them with you. I don't have them location by location. We're happy to give you that. As we're teeing those up, we've done actually two things. One, we continue-- DEP by ourselves, we continue to look for those opportunities. We've also worked with the Department of Design and Construction to explicitly carve out a series of contracts that

are directly focused on those types of activities. So we have them sort of changing the way they look at design and construction on some of these things in order to accelerate it as well. I think that answers. I'm not sure.

COUNCIL MEMBER MILLER: Yes, and I'm going to close with this. So, we have so many issues, and it will be testified later on some complaints and some-- I want to talk about one or two of the many tours that have been taken recently, but many I'm sure that have been taken in Southeast Queens, and talked specifically about many of the big ticket items, and our priorities. And some of our larger and more active institutions such as York College, such as our senior centers, and a few of our churches. The last tour I think that it was a few of us in the room here that-- Is there any activity based on the information that you guys obtained or that specifically, or any of those six or seven locations that we identified. Is there anything in progress or any plans in the very near future or the near future to address those persistent problems.

JAMES ROBERTS: So Council Member, you're referring more towards groundwater conditions that

you are to stormwater. And as we discussed, on a number of different occasion, the agency's purview is twofold. One is stormwater and wastewater management and potable water delivery. What we have done-- Well, two things. One, as most in the room that are affected by the issue are aware we are working. We have capital plans in place to rehabilitate a number of our drinking water, well stations for the purpose of implementing those in the future to support some construction activity that we're doing.. We would expect that there is a corollary benefit to the issue of the groundwater table at the point in time.

As it relates specifically to places like York College or the like, what we have been doing is we've been talking to our state partners out of the Mayor's Office. And also with the Mayor's Office. I said the Mayor's Office. I meant the Governor's Office, but also with the Mayor's Office of Resiliency to look for opportunities where the right governmental agency might be able to help address those specific concerns. But outside of that, there is nothing directly that the agency is prepared to do on that day.

COUNCIL MEMBER MILLER: [off mic] So the resources don't exist or the human capital does not exist? Which one is it?

JAMES ROBERTS: The responsibility doesn't exit. It's not in our charter to manage that groundwater issue.

COUNCIL MEMBER MILLER: Okay. That's it for me. Thank you for your time. Thank you, Mr. Chairman.

CHAIRPERSON RICHARDS: We're going to come back to that. We're going to go to Chaim Deutsch. Council Member Deutsch.

COUNCIL MEMBER DEUTSCH: Thank you. People call me Chaim. People call me worst things. They call me Councilman. Just don't call me a politician. [laughter] Thank you, Deputy Commissioner. Good afternoon. I represent areas in Flood Zone 8 areas like the beach. Manhattan Beach, parts of Coney Island and that area. So the question is first of all, do you know how old the infrastructure, the sewer pipes, the sewer mains are in these areas?

JAMES ROBERTS: Specifically, I would have to-- At least in general I can tell you that

they are probably from-- Range in time from the early 1920s through the '40s and '50s. It varies depending. Look, even within a geography as you described it varies. Depending on when the housing stock was built essentially with the exception of places where we're reconstructing things. So, for example, right now Coney Island it's part of some of the housing initiatives that the Mayor is looking to move forward. You know, we'll be rebuilding a big swath of water and sewer down there. In specific areas, it does vary. But the general rule of thumb is it goes, you know, sort of along the line of the housing stock. So if the houses were put in, in the '40s, the sewers were probably put in the '40s to support them.

COUNCIL MEMBER DEUTSCH: So how do you figure out when you do infrastructure work based on the areas?

JAMES ROBERTS: So there are two answers to that. One, if we're building-- A lot of our focus, our primary focus with regard to capital construction now is for the areas where the infrastructure has not been built out at all, right. So we're still-- There are large areas in Southeast

Queens and Staten Island where we have not had any storm facilities built out yet. But the housing boom in post-World War II and Korea that generated a lot of the population in Southeast Queens for example. The storm sewers never caught up. And we've been building that program.

We've spent, you know, half a billion dollars in a decade plus or minus, you know, on that order. So outside of that, if there is a-- If there is something that's changing, if there's a rezoning, and we have to-- we have to go in and rebuild or upsize the size of the sanitary infrastructure, we'll do that. Or, if there is an issue with repair, we'll do something more locally. But on the big picture, the macro picture, our primary focus with regard to sewer reconstruction is to attend to the areas that have yet to get service in that context.

COUNCIL MEMBER DEUTSCH: So I have in like Brighton Beach area, Sheepshead Bay I have large developments that are upcoming. So how do you-- What's your role when a developer puts in plans with the department with DOB?

JAMES ROBERTS: That's a good question. So in order for that developer to get a permit to

connect-- In order for DOB to give them a permit, they need to get our approval to connect to the system. And that evaluation is generally done as a matter of the zoning that exists in the area. The overarching number of cases is that what's being built there is consistent with the zoning that has been there. The rezoning has kind of changed that paradigm a little bit.

COUNCIL MEMBER DEUTSCH: There are two specific projects--

JAMES ROBERTS: [interposing] Yep.

COUNCIL MEMBER DEUTSCH: --which I'm told now is as-of-rights.

JAMES ROBERTS: Yeah.

COUNCIL MEMBER DEUTSCH: So it's not going to go to any zoning--

JAMES ROBERTS: Right, right. So if they're as-of-right, that means that the sewers that are in that barrier were designed with the expectation of supporting that development. And to clarify that so when we build a sanitary sewer out in a given area, it's built to the standard and capacity as if every parcel that exists is fully occupied. Fully developed, fully occupied whether, in fact, it

is or isn't. And so, if you will, you know if 10% of the blocks and lots are not occupied, you know, you've got 10% in addition to the fact of safety that they're built with, you've 10% of the system that's not being utilized. So when they have an as-of-right to connect to it, that's sort of factored into the sewer construction to being with. Having said that, our staff reviews all of those permit applications and all of those submissions to double check the adequacy of the-- What they are connecting to and what they're doing. And if there is an issue with that then we'll work with a developer how they're going to address that before we'll give them the approval.

COUNCIL MEMBER DEUTSCH: So how do you do that when you know the infrastructure is let's 100 years old? So how do you know that although the area is as-of-right, so how do you know since the infrastructure is 100 years old that the area will support? The sewer systems will support a 40-story building or multiple 20 or 30-story buildings?

JAMES ROBERTS: So every sewer that exists is designed on basically hydraulic capacity. How much flow it can transport is a function of how

much flow we expect it to be able to see. And so if it's as-of-right, the expectation-- That sewer was built with the expectation that that flow is in there already even if the building isn't there. Having said that, we will still assess what's being proposed to make sure that there isn't something that is above what we would allow. And if that's the case we won't allow it, then we won't be able to go forward with it until they have addressed the concern that there is a capacity issue. And there might be one off situation, but as a general matter that's how it works.

COUNCIL MEMBER DEUTSCH: Okay. So I hope if I could ask you if we have one of the developers when we start building if you come down to the forum just to explain to the people--

JAMES ROBERTS: [interposing] More than happy to.

COUNCIL MEMBER DEUTSCH: --about the infrastructure that would be great. Thank you. Also, regarding-- We spoke before about private homes that have flooding. So there is certain equipment you could put inside the backflow preventers. So I have a lot of issues in my district

that people-- Every time it rains heavy, it comes right up from the sewer system.

JAMES ROBERTS: The check valves.

COUNCIL MEMBER DEUTSCH: The check valves, uh-huh. Yeah. So maybe we could do it at the same time to let people know because it's been ongoing, and this is a major problem for the district.

ERIC LANDAU: Councilman, if I could just respond very quickly to that point.

JAMES ROBERTS: Yes.

ERIC LANDAU: And we've done this with other members, and we're happy to do it with you and your district and local community board. We can actually come and do a specific presentation on the Homeowners Guide to Flood Prevention that we've put out. And actually walk people through the various steps that we've put in here, and explain to them how it works and what the options are.

COUNCIL MEMBER DEUTSCH I would appreciate. Yes, thank you very much. I have the pamphlet. I think it's very helpful. Also, on another note, during the last few snow storms, afterwards I think there was like almost a foot of

snow. And when the snow stops melting all the corner catch basins are covered. And there was a lot of flooding throughout the neighborhood. So I sent out a public memo to my district that people should shovel like at least a couple of inches from the curb. And also if you can to clean out the corner catch basin because there was major flooding. So what type of education do you do? I know Sanitation did come out, and they started clearing out the corner catch basins, but that was pretty late in the game. So what is DEP? What kind of prevention are you doing or education are you doing to help people out. [sic]

JAMES ROBERTS: First Council Member, we appreciate the fact that you sent out that notification as well. As you point out, that street cleaning, snow cleaning is typically a Sanitation responsibility. Again, I won't pretend to speak for our sister agency, but I do know that they allocate resources in a couple of storms last winter that were pretty sizable and sudden. You know, generally, they'll go to the point where they bring in day labor to augment their capacity and get out those things. But, they are far more suited to speak to how they--

That doesn't-- Again, that doesn't within what we focus our resources on. Not to say if our people go out there, if we're there, you know, our guys want to-- they want to fix problems. They're not looking to avoid it. So if they're out there, they'll clean it while they're there, but it's not what we want them to focus on. That is suited to Sanitation as well.

COUNCIL MEMBER DEUTSCH: All right. Also, in addition, I have a specific park that has dry wells throughout the park. I put in over a million dollars into that park, and then I had a town hall meeting to see what the needs were, and what people want to be upgraded in these parks. So one of the issues that came up is that there was a lot of ponding throughout this specific park, and that's Asser Levy Park. So before I made my decision, I went out and there and I did an inspection with the Brooklyn Parks Commissioner, and we found that all the dry wells were stuffed with leaves. So at that point, we had to contact DEP, and I believe that was done. They were cleaned out. So we are waiting for the next heavy rain.

But how often do you clean out these dry wells especially in parks where there are children playing and West Nile and during the summer mosquitoes, and there is a tremendous amount of ponding. And this is also right near the waterfront so you can't-- I was told that you can't even connect that to the regular sewer system because of the way of the pitch of the streets towards the water, towards the ocean. So how often do you clean that. Because I think that this specific park it wasn't cleaned out since I think the 1920s.

JAMES ROBERTS: So two things. First, if you read my testimony, there's a reference to the fact that there are basins and infrastructure that exist that we don't own. This would be a population of that infrastructure. The Parks Department is responsible for that infrastructure, and if you're telling me that my staff assisted that sister agency?

COUNCIL MEMBER DEUTSCH: [interposing] Yes, the Parks Commissioner called up I think DEP.

JAMES ROBERTS: Yeah, but we'll talk to them about that, but the Parks Department has, and we do from time to time help, you know, all of our sister agencies with various problems. But that's a

Parks Department responsibility. They have equipment that is the same as ours. They have vactor trucks, for example, and so on and so forth. So we don't have a schedule for those dry wells or that maintenance because they're not ours to maintain.

COUNCIL MEMBER DEUTSCH: Really? Okay, good to know. Finally, I have one more question. I have a constituent that was told by DEP that he has a sewer main leak. Actually, it's a water main leak.

JAMES ROBERTS: Okay.

COUNCIL MEMBER DEUTSCH: And so he called a contractor. He got a three-day notice. He called a contractor. The contractor came down I think it was just a few weeks ago, and they dug up the streets. He paid them. He gave them the down payment. I think the price was about $5,000. He gave them half, and after they dug up the street, they said, I'm sorry it's not your problem. And then DEP came down, and they inspected. They said the contractor is right, that's it's not this homeowner's problem. Now, I'm dealing with the homeowner to try to get a reimbursement from the Controller's Office.

In the interim, the contractor refuses to give a bill because he still wants to get back. He

did spend some time out there. So he refused to give a bill. So that's why I contacted Consumer Affairs to try to get a receipt. So why should someone have to go through so much trouble when DEP comes down and tells them they have a main, a water main leak, and it's not their problem. And now he's stuck. He's down $2,000 and he's trying to get back their money. You know, why should a person have to go through all that hassle?

JAMES ROBERTS: And the answer is they shouldn't, and if while we work, you know, very hard to not make mistakes, I will tell you that there a small percentage of times when what you described happens. That does not happen very frequently, and I would apologize to the homeowner that it happened to begin with. It certainly wasn't our intent. As it relates to-- Having said that, once the mistake is made, if you will, the agency doesn't have any mechanism for us to resolve the claim part of it. Outside of, and I'm glad that you told me that it's already been sort of registered. It's on the Comptroller's list.

COUNCIL MEMBER DEUTSCH: It's not registered yet because the Controller's Office needs a bill.

JAMES ROBERTS: Right.

COUNCIL MEMBER DEUTSCH: So now we're trying to get a bill from the contractor that he actually paid the $2,000 because he never got the receipt.

JAMES ROBERTS: Yeah, well, I mean the only thing that I can sort of tell you that we would be supportive of accepting everything that you've said on face value. If our information bore out the situation, we would certainly make that clear to the Comptroller's Office. And we have certainly done that in the past. And say, listen, you know, it was our mistake. Because the Comptroller needs that from us in order to do it. And that's just the process at that point.

COUNCIL MEMBER DEUTSCH: So, first of all, he put the $2,000 I believe on his credit card. If that apology comes with a check, I would give you his number right now.

JAMES ROBERTS: Yeah, because it could--

COUNCIL MEMBER DEUTSCH: [interposing] But I think that although you don't have the resources, and we'll human. We make mistakes, but maybe DEP should contact the homeowner and work with the Comptroller's Office and ensure that he's going to get the check back. So, you know, you're putting the person through a lot of aggravation. You know, people are trying to make ends meet, and to be down $2,000 especially if you have American Express, and you've got to pay them at the end of the month, you know, you have to come up with the money. So DEP should be responsible to be in contact with that homeowner, and whether he has a receipt or not, maybe he should get the credit card bill and work it out that he should get the reimbursement right away without any hassle.

ERIC LANDAU: Councilman, we're certainly happy if you want to give us the gentleman's contact information. We'll be happy to reach out, and get their information. We can work with the Controller's Office. Maybe they can get an advanced statement of their credit card that the Controller may or may not accept. But we're certainly happy to reach out to

the Controller and help in any way that we can under the current processes.

COUNCIL MEMBER DEUTSCH: Thank you very much. Can I get your cell number.

ERIC LANDAU: My cell number? Absolutely, Council Member, as soon as we're done.

COUNCIL MEMBER DEUTSCH: Okay, I will get your number. Thank you, Commissioner and thank you, Commissioner. Thank you very much.

ERIC LANDAU: Thank you very much.

CHAIRPERSON RICHARDS: Okay, I want to thank the administration for coming to testify. This is the beginning of many other hearings we will hold, and I look forward to obviously holding another hearing on groundwater where DEC will come, and we will have fun on that issue. I will now call the first panel up, and I would suggest you guys, if I can, request you to stay to at least hear the first panel. Since they've been patient, it's the least you can do.

JAMES ROBERTS: I can't stay. Mr. Chairman, we will go back definitely having staff that are staying. Yes.

CHAIRPERSON RICHARDS: Okay, I got you. I mean I wanted you to stay, but that's okay. I'll figure you.

JAMES ROBERTS: I've got another meeting that I have to run to. I hope you forgive me, but William Brenner [sic], our Assistant Commissioner is staying.

CHAIRPERSON RICHARDS: Okay, Mr. Brenner. All right, we will hear from the first panel now. The Dean of Southeast Queens Mr. Archie Spigner; Community Board 12, District Manager Yvonne Reddick, Addisleigh Park Civic Organization, and Southern Queens Resident Environmental Council, Ms. Andrea Scarborough. You're going to, you're testifying? And miss-- Yeah, I didn't see-- Did you fill out a slip? Maybe it's in there. And my good friend Ms. Adrian Adams. Yeah, she's separated and look at her, the Chairperson of Community Board 12, and who has done a lot of work around this issue. You are called to come up front. There are going to be several panels. So the people I called should come up first. So Ms. Adrian Adams, Ms. Andrea Scarborough, Ms. Yvonne Reddick, and Archie Spigner.

[background discussion]

[Pause]

CHAIRPERSON RICHARDS: And we'll also hear from the Steven Terracciano. Terracciano. I hope I said it right. From the U.S. Geological Survey.

[Pause]

CHAIRPERSON RICHARDS: All right. So now we'll swear you in, and then we will begin. We will let you begin.

[Pause]

SAMARA SWANSTON: Please raise your right hands. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

PANEL MEMBER: I do.

[Pause]

ARCHIE SPIGNER: Samara, okay. Chairman Donovan and my own Councilman Daneek, thank you all for convening this very important hearing. It has given me an opportunity to hear everything I needed to know and wanted to know about catch basins, sewers, and city basins. I think we should all get a certificate or something [laughter] at least.

COUNCIL MEMBER MILLER: [laughs] I do it everyday.

ARCHIE SPIGNER: [laughs] All right. I was happy to hear you announce that you're going to have a hearing on groundwater because that's a lot of where our problems lie. Sewers are important, catch basins are important. I think DEP has been responding, but groundwater is a great challenging. I moved-- I'm going to be brief. I moved to Queens in the mid-50s, and I learned about something called Jamaica water. Until I moved to Queens, I thought water was water, you know, and that wasn't so. And soon I learned that every time I went to see me a community hearing, there was something with stained clothing or a gallon or something shored up to something. It was always Jamaica water. So when I was elected in 1974, one of my major concerns was, guess what? Jamaica water.

And then, when we were able to have a lot of hearings and struggle, and wars and demonstrations, one day the City said we're going to discontinue Jamaica water, and incorporate Southeast Queens into the municipal system. That must have been 1996. I think '96. There was a big oops, though, you know. What were they going to do with 50 million gallons of water that was extracted on a

daily basis from the aquifer? It's my contention that the City of New York should have know that when stop extracting that water, there was going to be a problem. There was going to be a problem. And so, my first suggestion is after watching the terrible suffering by some of our neighbors and friends in Southeast Queens, the short answer is we will have to relieve the problem for Mrs. Jordan and others who live to our acrimony of buying their property. And saying that for the foreseeable future we don't have any solution.

Their presence has been established. Sandy property has been bought. The DEP does buy property Upstate where there has been problems. So that is a solution that I would suggest. And then the quality of the water that we are getting as a result of that buyout or that switch over to the city system is great. We enjoy it, but still there are those other concerns, the buyout, the level of the groundwater, and flooding problems that exist. I support your Intro 240 or whatever measures you introduced to generate these conversations. And I thank all of my community boards and civic leaders

for all their involvement, and what you've done to keep the pressure on. Thank you so much.

ADRIAN ADAMS: Good afternoon, Chairman Richards and committee. Thank you so much for having this very important hearing today. My name is Adrian Adams, and I am the Chairperson of Community Board 12 Queens. I apologize for not having the testimony written. I didn't realize that I was going to testify today, but it's a pleasure to be before you today.

CHAIRPERSON RICHARDS: [off mic] Thank you for coming today. [sic]

ADRIAN ADAMS: Thank you so much. We have been sitting here this morning and hearing a lot of information regarding the tug of war I guess it's now become between stormwater and groundwater. And for those of you who are familiar with the Southeast Queens issue, which I hope a lot of you are, our battle for the most part is with the groundwater issue. It has been for a very long time. So if you will bear with me, for those that may not know, I would like to give a little bit of history as the Dean alluded to a while ago. A little bit of the history that Southeast Queens has had with a

persistent groundwater issue. We have been dealing with uprising groundwater seepage flowing into residential areas and homes across the area for far too long.

Now, the purchase of the Jamaica Water Supply Company by the City of New York, New York City Department of Environmental Protection or DEP, the members that were sitting here at this table before us awhile ago, in 1996 resulted in worsening flooding conditions and health hazards due to the cessation of necessary pumping and the capping of 69 wells. These actions have caused groundwater table levels to consistently rise at a dangerous pace. Prior to the cessation, the Jamaica Water Supply Company pumped 60 million gallons of water per day out of the ground for distribution throughout Southeast Queens. And this kept the groundwater level low, and also supplied drinking water to our community.

In 2007, the DEP acknowledged the fact that the water had indeed risen 35 feet since the wells had been capped, and they also admitted that flooding would be a major problem in our area. Some relief was gained in August of 2012 when pumping at Station 24 in Jamaica began, and many affected

residents felt relief from the growth of mold and water damage to their property. Once the DEP got the old Jamaica water supply well up and running, the organization turned the daily operations over to the State Department of Environmental Conservation or the DEC. In a bizarre twist, with no explanation or warning, in December of 2012, the DEC pulled the plug on pumping at the water station or in the Water Station 24.

This, an explicable move, sent residents into now a backward spiral of once again drying out their homes and businesses at much expense and dismay. The results of excessive flooding to homeowners, businesses, and institutions of learning within the boundaries of Community Board 12 have been detrimental at worst and catastrophic. Due to the wanton disregard of the citizenry by New York City's governing bodies with respect to this issue, even the most insignificant rainfall can cause immense damage to basements, living rooms, offices, and various other spaces within an edifice. In spite of that, the DEC and DEP seem content to allow residents to continue to suffer the repercussions of their collective negligence until the Year 2020 now. It

was 2018. Now it's 2020, and if we listened to the Commissioner a little while ago, there was no regard for that. It's off the table at this point.

We are outraged. It is imperative that the DEC use their oversight authority to ensure that pumping or a comparable mechanism resolve the problem of groundwater flooding completely in Southeast Queens. That said, whatever bill, agreement, solution, or recommendation made by our City Council should be made with zero cost in mind to the residents of Southeast Queens. The maintenance and clean up of catch basins within Community Board 12 is indeed essential for the health and wellbeing of our precious infrastructure, homes, institutions of higher learning, churches, and businesses. We thank the Chairman so much. Thank you, Chairman Richards, and we fully support Bill 240. We thank Council Member Williams for his forethought. We thank your entire committee and colleagues, and we support the passage of Bill No. 240. Thank you for the opportunity.

CHAIRPERSON RICHARDS: Thank you so much. And I just want to add even though Jim Roberts testified today that there are discussions with the

Commissioner on pumping ongoing, and he is not the final say in this conversation.

ANDREA ADAMS: Thank you so much.

CHAIRPERSON RICHARDS: All right, Yvonne Reddick.

YVONNE REDDICK: Thank you and good afternoon Chairman Richards, Councilman Daneek, and to the community. I'm Yvonne Reddick, District Manager for Community Board 12, and I'm not going to repeat what my chairperson just testified. But there is one thing that I would like to say to Commissioner, to the Deputy Commissioner who is no longer here. Flooding is a major issue in Community Board 12, and the groundwater, but I would also like to say that in the district, our infrastructure, the flooding conditions have been neglected for many, many years. There are projects that have been on the books that have been on hold for many, many years. The flooding instead of getting better it continues to get worse.

On August 12th, we went on a tour of a number of locations. But one that really struck me the most, and even though we have homeowners with pumps in their basement, to know that your college

pumping not six but 60,000 gallons of water per day. That is unbelievable, and to know that homeowner's basements have been destroyed because of the flooding. And as far as I know, none of them have been reimbursed for the damage of their homes. And I know the Commissioner who was here before, not at this location, but during the press release. We heard her conversation and she said, Well, they're just not going to write checks. Because I was talking about the homeowners, their basements being flooded out, and their basement, the construction, the foundation of their homes are being destroyed.

But they're not getting reimbursed, and that's because of the flooding. The groundwater in Community Board 12 they proposed to do Station 6, and I understand millions of dollars were poured into that. Station 6 was deleted. We were never told and we asked what happened to the money. We would like to know why can't Station 6 be put back into the budget because that is to alleviate some of the groundwater. There was a pilot program in the beginning, and that's why we knew, we found out that with Station 6 it would help to alleviate the groundwater. And the Deputy Commissioner was talking

about the catch basins, and as a District Manager I certainly support Intro 24, 2-4-0.

The basins are not cleaned on a regular basis. Not two years. Some of them not even three years. The basins are not being cleaned. He talked about grease. That's an insult. You're going to tell me that all of the homeowners and tenants in Southeast Queens are pouring the grease down their sink? They also have a degreasing program, and that was done with one of the past deputy commissioners. I know that as a District Manager they came in and they did ten blocks of degreasing in Community Board 12, and that must have been ten years or more on Gabriel [sic] Boulevard. And there has been no degreasing in the district since then, and that was helpful.

We do not have that many restaurants in Southeast Queens. They have been to the Community Board. They have given out pamphlets, and talked about grease, but they have not done a degreasing job. And I know at the Borough President's Office, and I'm not sure you were there, Councilman, at that meeting when he was talking about the flooding conditions. And I asked him if the flooding

conditions in Community Board 12 was caused because of grease. He said yes. (coughs) Excuse me. And frankly speaking, I take that as an insult. But hopefully the projects that are scheduled in Community Board 12 will move forward, and thank you for listening.

CHAIRPERSON RICHARDS: Thank you. All right, we'll go to Ms. Scarborough because you have a presentation I see. We'll go to Ms. Scarborough first and then we'll let you go last. No, you can-- You guys can stay there until we're-- Until yeah.

ADRIAN ADAMS: Yeah, let's switch.

ARCHIE SPIGNER: Should I switch?

CHAIRPERSON RICHARDS: Oh, yeah, you can switch.

[Pause]

ANDREA SCARBOROUGH: Thank you. My testimony reads good morning, but it's afternoon. [laughter]

CHAIRPERSON RICHARDS: I know. It seems to be all of my hearings go like five hours. So I'm used to it. I'm so used to it now--

ANDREA SCARBOROUGH: [interposing] It's okay, it's okay.

CHAIRPERSON RICHARDS: But it's for the cause. So we don't mind.

ANDREA SCARBOROUGH: Yes, it is. Yes, it is. Good afternoon, Chairman Richards, my Concilman Daneek Miller, Council, Committee Council and the committee members. I am Andrea Scarborough, President of Addisleigh Park Civic Organization, and Chairperson of Southern Queens Residential Environmental Justice Council, also known as SQREJC. SQREJC is a community based monitoring and compliance organization whose focus is to ensure that the environmental rights of its residents are fully protected and enforced. Our organization consists of a coalition of civic associations as well as community leaders, civil rights leaders, and clergy. Thank you for giving me the opportunity to testify on citywide localized flooding. My testimony is limited to the Southeast Queens areas where I reside. I support the New York City Council's legislation Intro No. 240 to amend the Administrative Code of the City of New York as it relates to catch basin cleanup and maintenance.

Enforcing a timely reporting of the number of catch basins inspected, the number of

catch basins unclogged or repaired, as well as documenting the response time to resolution of complaints certainly brings a level of transparency to the process. And can lead to improved maintenance and reduced surface flooding. In Southeast Queens a need for additional sewers and a high water table is the core reason for localized flooding. Therefore, inadequate maintenance of catch basins only serve to exacerbate the issue of groundwater and surface water flooding in my community. Clogged catch basins can lead to chronic flooding of basements and streets as well as mold infestation and respiratory conditions. Clogged catch basins can also contribute to a rising water table as the water has no place to go, and seeps into the ground.

In conclusion, while I applaud the City Council for taking this step, I believe what is ultimately needed and called for in the Southeast Queens are is a comprehensive proposal to address not only surface water flooding, but more importantly groundwater flooding. Without addressing groundwater flooding, our community will never have a high functioning sewer system and will remain a risk of a chronic flooding condition. Commissioner Emily Lloyd

in her testimony hearing before the City Council in 2007 stated in quotes, "As the groundwater table rises, it infiltrates our sewers reducing capacity and flooding some basements of buildings in the area."

Council Member I urge you as a committee to continue forward beyond this legislation that is being discussed here today. Take the necessary steps to reduce and diminish localized flooding in the Southeast Queens area. And as a Council, call for a comprehensive plan with proposed solutions to reduce the high water table in Southeast Queens. I will also say Deputy Commissioner Roberts stated that it's not part of their purview. It's not part of their responsibility groundwater flooding. But I will go back to that 2007 testimony where she said, "Completing the drainage infrastructure in Southeastern Queens is an important part of solving the problem of sewer backups and surface flooding. Drawing down the water table is also part of the solution.

So I would say to DEP when did that mandate change? When did it change from groundwater being part of the solution to groundwater no longer

being their responsibly. I leave that in you guys' capable hands. Thank you once again for allowing me to testify.

CHAIRPERSON RICHARDS: [off mic] Thank you for your hard work.

ANDREA SCARBOROUGH: Okay.

CHAIRPERSON RICHARDS: [off mic] And to have an EJ group in Southern Queens. There are not many.

ARCHIE SPIGNER: [off mic] You're right. We've got it. We've got it all.

CHAIRPERSON RICHARDS: You know, it was good to have that. And we're going to hear-- I don't know if you guys are leaving, but he has an excellent presentation on groundwater. So, if you can stay, that would be good. This is all part of-- Yeah, you're going to go next, but he's up now. And I just want to add, although you guys have left, that in no way have we-- is this conversation over. And we are really working quite closely with the Commissioner to ensure that groundwater is a part of the conversation. And we're not going to, as you know, fall. And I do want to commend DEP because they have given us a first-- A substantial amount of

mean, I mean this year. So credit to them on that. But another angle I think we will explore in particular in my role here is there is PlaNYC.

And groundwater is raising everywhere. I mean the water table is rising very rapidly all over the world in one sense. But one, global warming it's a reality. You know, there are entities who don't believe in it. But one other angle I'm looking at exploring in particular is certainly looking at working with the Mayor's Office of Resiliency-- Resiliency and Sustainability to ensure that this part of the conversation. And, you know, we have done some tours in particular in Rosedale and the Rockaways. But I think now honestly sitting here and listening, this is a resiliency and sustainable, it is an issue. And we need to make sure that this is part-- That this area even though it was not hit by Hurricane Sandy certainly looked at and grouped into that conversation. So I just want to give you heads up that that's an angle that I think we have to pursue next to get them out there to look at what measures--

ANDREA SCARBOROUGH: [off mic] Chairman Richards, and we going to hear him? [sic]

CHAIRPERSON RICHARDS: Sure. You can. Yeah, we're going to do that. I will allow you to go sir. Thank you for being here. Thank you for your hard work.

STEVEN TERRACCIANO: Thank you Councilman Richards and I appreciate the opportunity--

SAMARA SWANSTON: [interposing] Could you please raise your right hand and state your name? Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

STEVEN TERRACCIANO: Absolutely.

SAMARA SWANSTON: Okay, and your name is?

STEVEN TERRACCIANO: Steven Terracciano.

SAMARA SWANSTON: And you're from?

STEVEN TERRACCIANO: The United States Geological Survey.

SAMARA SWANSTON: Okay, thank you.

CHAIRPERSON RICHARDS: We'll make copies of the report right now as well so everybody has one. All right.

STEVEN TERRACCIANO: Thank you for having me here today. Over the years I have met with Archie and with Assemblyman Scarborough, and with representatives from Mr. Meek's office, and with

Councilman Miller. We have historically provided the science that is used by the local regulatory and municipal agencies to understand water resources. This is not only done here in New York but across the nation. I'm not Ron Buscialano. I'm Steven, as I mentioned. Ron unfortunately couldn't be here so I'm filling his shoes. I'm charge of the office on Long Island that is responsible for collecting water resource information in New York City and across the island. So let's dive into this.

[Pause]

STEVEN TERRACCIANO: So the presentation that was prepared is going to talk about three things: What's groundwater flooding, and areas of historic groundwater flooding and pumping. And perhaps we'll have some time for questions. As we have been discussing all day, and as many of the people are aware, excessive surface water, rapid rainfall, rapid snow melt and storm surge are all causes of flooding on the surface. Compounded by decreased infiltration capacity, which is generated by impervious surfaces, frozen ground, solid pavement, et cetera. Also, over saturate soil. So if there is a lot of-- If the soil is loaded with

water, obviously water can't infiltrate quickly. The nature of the composition of the soil has something to do with its capacity to infiltrate water, and transport water away from the affected area. In general, groundwater moves very slowly.

So, I think today our focus is going to be on groundwater flooding, which is really groundwater discharge from my perspective. We've been talking today a lot about design and maintenance of stormwater systems that can vary surface water and groundwater away from the flooded area. And, you know, the questions that we're asked many times across the island and throughout the country is are we planning for a full range of climatic conditions. And have we planned for both manmade and natural water table rises? I'm certain that as Mr. Roberts has testified that the city is-- Plan New York City is in place. The city is well aware, and trying very hard to plan for those anticipated events. I keep hitting the wrong button.

So, let's start off simplistically speaking. Basically, I wanted to point out a few things. I use this mouse instead of turning around. Here's a channel with water flowing in it. Maybe

Fresh Creek or Spring Creek or Flushing Creek or Flushing River, anything like that. Then you have the land surface here, and then you have this unsaturated zone here. Then you have the water table. That's point at which underground-- The water table exists where the ground beneath it is completely saturated. I lost my mouse. There it is. Okay, so in this diagram, you'll see that infiltrations are occurring.

That means that the water in the surface water body is higher than the level of the water table. So groundwater is flowing into the ground. When the water table is higher, groundwater is discharging or flooding. The water table here is higher than the level of the surface water, the channel flow. And so water now instead of flowing into the ground is flowing out of the ground into the surface. What you have and what I want to point out is that historically through time we've monitored this water table elevation, the depth to water here. So basically, we do that by putting pipes vertically into the group that are open at the bottom. Water enters those pipes, and it tells us what the water

level in the ground is through time if we continue to measure it.

[Pause]

STEVEN TERRACCIANO: Before and after as the water table rises, everybody recognizes that subterranean structures such as basements, subway tunnels, transit tunnels, underground infrastructure become inundated as the water tries to find the easiest path to leave the system. It's a lot easier to flow into a basement if there are cracks in the foundation than it is to make its way through all of the fine grain materials that comprise the aquifer. The water table is going to fluctuate with varying amounts of natural and manmade conditions. So monitoring the water table and understanding what its responding to is important to planning and development presently and to come.

So cause of water table rise include increased amounts of precipitation and storm severity. Storms coming repeatedly one after another tends to fill the unsaturated zone and the water table will rise. The sea level when that rises along the coast, that has a corresponding effect. It also raises the groundwater levels. As we increase

groundwater recharge during urbanization, you might imagine that trees and agriculture is a consumptive use of groundwater. The plants take up the water and it doesn't infiltrate the ground. So when we pave it over, many times we see decreases in the water table as a result of urbanization.

Across the island, they have addressed some of that with recharged basins to channel water that was formerly entering the system or through-- They channeled it into recharged basins. In the city we have plants for some of these I guess the seepage basins and our green infrastructure. So there are lots of manmade things that we do on the surface that can affect those, that water table relation. Additionally, we've seen historically as the residents well know in the city and elsewhere on the island that water levels in Brooklyn and Queens are very sensitive to pumpers. The aquifer here in Brooklyn and Queens is thinner than it is to the east. It tends to thicken as you move eastward and southward. The public supply pumpage has decreased water levels, and the cessation of pumpage we've seen increases in water levels, and those have been documented.

There are dewatering projects. MTA routinely is pumping I believe still water to remove groundwater from the system to keep the tunnels dry. Drought has another effect on the water table as you might imagine. The decreasing amount of precipitation and recharged consequently then lowers the water table. There are lots of things that can affect the water table, and where the depressions in the water table surface occur varies with time and development.

In 2010, we put together a map. In fact, we annually collect water levels across the island through those wells that I was talking about. These are observation wells, and those are indicated by the black dots. So the wells are all sloped and very close to the water table, and consequently they monitor what the-- Yeah, they monitor what the water table elevation is, and the red areas are the shallowest depth to water. Those are the areas where it's 11 feet or less. We work cooperatively with agencies cross the island and throughout the state and the country really to make water level elevations and monitor the resource.

Areas in which the water table is shallow is less then 11 feet below the surface. They are shown in red, as I mentioned. And these are where we've seen everywhere on the island, whether is Ronkonkoma or the Nassau County Medical Center or it's out in Riverhead or it's in Southold on the Fork or it's in Long Beach. These places are the most susceptible to groundwater flooding, and the problems associated with all the things we do on the surface to try and manage water and avoid flooding. And supply water for the population. Out east, as everyone knows, the eastern half of the island is supplied by public island.

And I would be remiss in saying that if I didn't tell you that they are concerned about-- The folks that are out here are concerned about the pumpage that is going on or planned or might occur or has occurred in the city. Pumpage can induce saltwater intrusion that affects the quality of water. Pumpage obviously affects the direction of water flow, and for these and many other reasons, you are going to have stakeholders across the island are all interested in what happens in the city as we move forward. But they are faced with some of these

climatic challenges, and the problems associated with the severity of the storms. The increased intensity of the storms that have been predicted by all of the climate science that the city has really been in the forefront of collecting.

It's estimated that over 500,000 or half a million dwellings are located with these-- within the red areas, and many of them have septic systems. And so that's a large problem. In fact, it's public enemy number one out in Suffolk County. For the County Executive he's concerned about home septic systems failing, rising water tables, and eutrophication or degrading the quality of their coastal water bodies.

Let's focus a little bit where everybody's attention is today in Southeastern Queens and Southwestern Nassau Counties. And as you can see, I'm looking at this area here. Here is kind of the airport, here is Bergen Basin, and there's a large amount of red here. Red meaning less than 11 feet of water. You will also notice what we call a dendritic pattern, the way these linear feet just kind of like work their way up into the northern areas of the counties. And those actually correspond

to drainage historic-- I should say paleo-drainage channels. Drainage channels are created by glaciers tens of thousands of years ago. So these depressions in the land surface and with all of the construction that's occurred in these areas lend themselves to why some people see some groundwater flooding and others don't. The USGS has been around for a long time. In Southeast Queens we were monitoring water levels through one of these observation wells, or many of the wells.

In this one in particular the well number is Q1249. It began recording water table elevations in 1940. This blue line is a trace of the water table elevation through time from 1940 to about 2012 or 2013 when we stopped measuring it. The bar chart that you see here. The water level is on the left side. This is the elevation of the water above sea level in the ground is what this is talking about in feet. Over here the right side is talking about what the bar graph is mentioning. The bar graph is describing precipitation at the Battery Park since 1940. And so we need this kind of long-term data collection to kind of just figure out what the system

is sensitive to, and what the water level is responding to, to better guide resources.

The average precipitation over this period has been about 46 inches a year. That's this green line, but the bar charts are the total precipitation annually. And so you can see back here in the '40s and '50s precipitation was more or less constant, and below the average. The water table back then or the water level in the ground was about 30 something feet about sea level. And then when we go into the '60s, drought occurred. Less precipitation occurred, and the onset of pumpage also began in Brooklyn and Queens. And the water level has come down. We also saw a drought in the '60s, and there was in '65 we had the lowest recorded precipitation for that year that we've measured on record in the city. And we saw the water levels continue to decline as pumpage continued through the ages.

And '85 was the maximum withdrawals that were recorded at Jamaica Water Supply. And so, overall we saw a decline of about 35 feet, and despite, as you might see here, the larger amounts of precipitation that occurred in these years in the

late '70s and even in '84 we had quite a lot of precipitation. Then as they began to decrease pumpage, we see that water levels began to rise. And right here in this area here we have the longest period of above normal precipitation that we've measured on record since-- I believe the Battery record goes back to 1900. So we have the largest amount above normal precipitation. We can see how the precipitation here is a lot more variable than it was here in the past. Okay, so what we've seen in Southeastern Queens up until the point when we were measuring it was that the water level has risen above historic elevations when we first began.

[Pause]

STEVEN TERRACCIANO: So if I don't follow these notes, Ron will be mad, and I haven't been. So I need to make sure that I haven't missed any important points. Oh, yes, one of the issues at hand, and this, as I said really is evident in Southeastern Queens and also out in Easter Ronkonkoma in particular, that many of our homes and businesses were built in this period here when the water levels were depressed. I guess they didn't think they were going to come back up, or they didn't think they were

going to stop pumping. I'm not sure. I wasn't around then. I only entered the world back here in late 1950, but there are reports. We do have maps of that the water table looked like in 1900, 1940, and 1963. And so, if we continue this groundwater discussion, I would be happy to provide you with more information.

So therein lies the problem. A lot of development occurred, and now we have-- When water levels were depressed, and now we have even higher water levels than we had historically. The forecast for changes in precipitation need to be evaluated. And so, as I mentioned to Samara, we do-- We are submitting a proposal to try and evaluate what future water levels are going to look like. And I will be happy to elaborate more on that after. We continue with this presentation--

CHAIRPERSON RICHARDS: [interposing] I just ask you to start-- If you can speed it up a little bit.

STEVEN TERRACCIANO: Yeah, absolutely. I'm at my summary.

CHAIRPERSON RICHARDS: All right, good. [laughs]

STEVEN TERRACCIANO: Perfect. Yes.

CHAIRPERSON RICHARDS: A very good presentation. A very, very good presentation.

STEVEN TERRACCIANO: Thank you. So groundwater flooding is a hidden hazard not frequently discussed or studied. Long periods of above normal precipitation can have large affects on the water table elevation causing a groundwater flooding problem especially in the shallow depth to water areas. In western areas of Long Island, precipitation is not the overriding factor in determining groundwater level fluctuations that we've seen historically. We know that the aquifer is thin, and that we've seen a very large affect on water levels caused by sewering and pumping. And so, managing some of those things can have a large affect on the water table elevation.

Lastly, building and permitting practices have not taken into account historical water levels. Sea level rise and climate change will increase flooding, and greater health and safety risks all occurring simultaneously. Many of those have been spoken to by previous speakers. Long-term data are essential to understanding the effects of past and

planned water resource management decisions to evaluate what's planned and what is in place, and how to best spend our money. Thank you very much.

CHAIRPERSON RICHARDS: Thank you. I would just ask one question. So would you say pumping would help resolve a lot of this issue?

STEVEN TERRACCIANO: So one of the things we're not allowed to do is make recommendations.

CHAIRPERSON RICHARDS: Okay, thank you.

STEVEN TERRACCIANO: As we're unbiased--

CHAIRPERSON RICHARDS: You can speak to me on the low then. [sic]

STEVEN TERRACCIANO: [laughs] Okay. As an unbiased agent of the federal government, we have to work to provide information needed to make those decisions. We have seen that pumping can affect the water levels greatly.

CHAIRPERSON RICHARDS: Thank you.

STEVEN TERRACCIANO: Thank you very much.

CHAIRPERSON RICHARDS: You gave me all I needed to know. All right. Well, I want to thank you for this well thought out presentation, and I look forward to obviously having more conversation with you. And I like your point on building and

permitting practices that have not historically obviously taken into account of sea level rise, and obviously groundwater. And I think even as we move forward with the Mayor and his vision of doing Downtown Jamaica, I think this has to be a part of the conversation. Any supposed bill should obviously include a conversation of pumping. And, you know, obviously, we don't want to start a panic.

As the Dean said, it's not my district. So I won't necessarily weigh in even though it is important, but I think that these are conversations that obviously we need to ensure that we have as we speak of moving forward in Queens and Downtown Jamaica and other places. So thank you for your presentation. We now will call the last panel, and then we are-- We will be finished. All right, I'm going to call Joel Kupferman from the New York Environmental Law Justice Project. Good to see you. Brian White, Mr. Brian White. Ann Valdez from the South Coney Island and I believe Community Voices Heard. All right. Yes, I've seen you before. Loretta Humphrey from UNVCR.

CALVIN HEWETT: She left.

CHAIRPERSON RICHARDS: She left. Okay, and Calvin Hewitt.

CALVIN HEWITT: Here.

CHAIRPERSON RICHARDS: Hewitt.

SAMARA SWANSTON: Would somebody--

[background discussion]

[Pause]

CHAIRPERSON RICHARDS: Thank you for coming always good to see the Dean of Southeast Queens in the house. Thank you again.

SAMARA SWANSTON: Would you please raise your right hands. You all--

[Pause]

SAMARA SWANSTON: Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

PANEL MEMBER: Yes.

CHAIRPERSON RICHARDS: Thank you and you may begin.

[background discussion]

CHAIRPERSON RICHARDS: We'll start with you.

CALVIN HEWITT: Okay, my name is Calvin Hewitt. I'm a member of Planning Board 12, and I would certainly like to piggyback on what--

CHAIRPERSON RICHARDS: [off mic] Is your mic on? You can just hit the--

CALVIN HEWITT: Excuse me. I would like to piggyback on what Adrian Adams said to congratulate you on the efforts that you're doing, and we certainly appreciate it. I just want to-- My issue is groundwater flooding, and the impact, the adverse impact it's had on homeowners specifically. Not just the library and the IS8. But the point is this, the sale of Jamaica Water was an administrative sale. Therefore, it precluded the City Environmental Quality Review, which put a bridge. Which left the homeowners with no protection, and one of the protections of the Quality Environmental Review that if it's a negative-- If it's a positive report, then you know that it's going to have an environmental impact.

It is incumbent upon the person who is going to do whatever they're going to do to say here's the solution, and we can move forward. That was done-- That whole process was avoided by doing

an administrative sale. Because that was done, I think I certainly agree with Mr. Spigner that purchasing the property of the homeowners is an effective to address it. I think overall from my research groundwater flooding if you don't address it is a ton of money. It's a ton. But also, and notwithstanding that pumping is effective, then I read in Arizona that they have gone away from wells because wells eventually run dry, and they went to the aquifers. So notwithstanding that we have a possible solution to pumping. It's not open-ended. So my concern is that whatever is done it should be at no cost to the homeowner period. Because the process precluded having protection. That's it.

CHAIRPERSON RICHARDS: Well said.

ANN VALDEZ: Good afternoon. Good afternoon, Councilman Richards and everyone who is attending, and I do also appreciate the other City Council that was present. Okay, my name is Ann Valdez. I am a resident of Glazen [sp?] in Coney Island, a leader of Community Voices, a leader at the Surfside Multicultural Community Garden as well as-- Which is also in Coney Island, as well as a member of the New York Safe Energy Coalition and many other

grassroots organizations. I am here today to speak on the many environmental hazards in Coney Island and our city in general. We were hit by Hurricane Sandy and our streets, gardens, and homes were heavily polluted not just from the ocean and the bay waters but the contaminated water that carry diseases such as E. coli like the outbreak in Africa.

This toxic filth that came from the backup sewers as well as the water system all though Coney Island. These sewers or catch basins were not cleaned or maintained for years. This brings an enormous area with standing water, which brings many mosquitoes, which also brings the West Nile Virus, which is another thing we need to watch out for. This is horrible considering we have a large amusement area visited by millions every year. This is an even worse problem for our community gardens, which feed many families. They were never tested for the toxicity before, during, or after the storm. But were allowed by the city and Green Thumb to continue planting food even after we asked many times for this to be done.

The testing prior to the opening season. Which also brings another issue. Our Boardwalk

Garden, Boardwalk Community Garden was possibly the oldest and largest garden in Coney Island feeding families, and that was destroyed by the City Administration, Asta Development Corporation, which is very large. These gardens not only fed, but also helped clean the soil for vegetation and life. Last year, our community was told of an amphitheater costing over $50 million would be built. The environmental study done was faulty, and knowing this, it was still being pushed for development. If we can't handle the sewer now, then how can we consider building? If we cannot handle the sewer safely now, then how can we consider building more buildings of recreation that will need safer sewer refuge without first completing a system that can mage the sewage we already have to deal with. I am sorry that I'm going back and forth, and I have some other things that prove that this was not-- the study was not done correctly. But, of course, Joe can back me up on that. As I was saying-- I lost my place. I'm sorry.

[Pause]

ANN VALDEZ: I ask that you deal with the environmental issues in our gardens, help bring back

the Boardwalk garden, and test all New York City community gardens before this becomes a health crisis that can and will take years to remedy. Please remember to put people first before profits always. This is our home. Thank you.

CHAIRPERSON RICHARDS: Thank you so much, and we certainly will be looking in particular into the community gardens. Yes, sir. Always good to see you.

JOEL KUPFERMAN: Same here. Joel Kupferman, New York Environmental Law and Justice--

CHAIRPERSON RICHARDS: [interposing] Get your mic-- There you go.

JOEL KUPFERMAN: Joel Kupferman, New York Environmental Law and Justice Project, and for the record, I have to say that I am the attorney representing the garden. And why that case is really important I think the Council is that case was approved by City Council, the location. And in the back and forth, we basically challenged the Environmental Impact Statement on the grounds that there is an improper surge there. Not only that, the garden was acting as a sponge for the water that came over the Boardwalk several times. Now, the city is

replacing it with a $50 million amphitheater, and it's concrete. And there is definitely not enough sewage, but also the storage tanks that the city said is okay, is definitely not enough to contain that water.

So we're concerned that just going forward that with all this talk about stopping development on the waterfront and stopping or whatever that the loopholes and the waves are too big. So in some ways we urge that City Council revisit their approval of any projects that are there. And really do a full environmental impact statement on their own especially when it comes to flooding and other issues. So it's bad enough that they're allowing this to go through, but also it's city money that's being spent. And in the city's response to our papers, they gave two lines to Hurricane Sandy saying that this was basically a minor occurrence, and didn't demand a full study of that.

The second thing that was brought up today I think is very important is that there's a threat of raising the sewage and water fees. I think that's a good or bad threat. But the trouble is that

the people paying now are unfairly paying because in 2014 the Independent Budget Office stated that there is over 530,000 ECB violations that were issued. Not all water or sewage related, but the city is owed $1.5 billion. What really irks a lot of people is that the people that are paying these fees are paying knowing full well that there are people who owe the city money and are not paying. And I think it's really timely to say that people-- The city will spend money and will send police or whatever to go after people that aren't paying their back revenues or whatever. So I think the city might want to direct some of those resources to going after individuals, to going after some of those people that city is still doing business with that are in $1.5 billion arrears.

The third thing also is that we talked about flooding not having a long-term impact especially that the water comes and goes. We object strenuously to that claim. After Hurricane Sandy and during Hurricane Sandy over half the sewage plants were not working. We know that that was a half a billion gallons of sewage that only came onto land, that remained in the elevator shafts in hospitals, of

NYCHA buildings and everywhere else. And yet the City and the Health Department and DEP did not issue any warnings that people should really be aware of this that the health flags didn't go up. I personally take umbrage at this because I'm one of the attorneys representing people in Haiti suing the United Nations for the Cholera outbreak.

That outbreak came from 12 Nepalese soldiers stationed in Haiti, and it was just their sewage alone that caused over 8,000 people to die. So you have to ask how could that happen in Haiti, and yet all that raw sewage came, you know, came here? So I think it's important to look not just at DEP, but work with the Department of Health and really start doing more health studies of where the sewage is. Also, cleaning up the basins that are there. The city still spends millions of dollars fighting the West Nile Virus. We've hunt forced the city to do water sighting on those basins because that's standing water alone. So when the city starts doing a cross benefit analysis of cleaning up those sewage drains, they should look at the effects of the mosquito gathering and also searching for federal and State funds to use that to clean up the basins.

CHAIRPERSON RICHARDS: Great suggestion. I want to thank all of you for coming out today. This is not the end of this conversation, but I think it's historic in one sense that we are even having this conversation, right, on this particular issue. You can be assured that we are going to be fighting steadfastly to ensure that New York City, we are surrounded by water, that that, you know. But the city should be doing more in particular around this area.

There is more than can be done, and we refuse to believe that more can't be done. And we are not going to allow anyone to say that we're just going to allow people to suffer in this city because there is no solution. That's not the right answer. I don't think that's why we were put here to be in government. You know, we're being kind today, but we're going to really pick it up over the next few months, and especially in terms of water rates, which is another, a whole other conversation. But we're going to fight any increase to our water rate especially this year if we can't get guarantees that we're going to start dealing with the issues that many of these taxpayers have to pay in the first

place every year. So with that being said, we're going to finish this hearing and conclude it. But I want to thank our Counsel Samara Swanston for this historic moment for helping get us here, and also Mr. Bill Murray our Policy Analyst for a great job in putting together everything today. And we look forward to continuing the fight on this particular issue. Thank you all for coming out. This hearing is over. [gavel]

C E R T I F I C A T E

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

Date December 7, 2014