

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS  
JOINTLY WITH THE COMMITTEE ON  
RESILIENCY AND WATERFRONTS

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February 8, 2021  
Start: 10:04 a.m.  
Recess: 11:37 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Robert Cornegy Jr.  
CHAIRPERSON

Justin Brannan  
CHAIRPERSON

COUNCIL MEMBERS:  
Fernando Cabrera  
Margaret Chin  
Mark Gjonaj  
Barry Grodenchik  
Farah Louis  
Bill Perkins  
Carlina Rivera  
Helen Rosenthal  
Costa Constantinides  
R. Diaz, Sr.  
Debbie Rose  
Eric Ulrich

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

Jainey Bavishi, Director  
Mayo's Office of Resiliency

Joseph Aykroyd, Assistant Commissioner  
for Technical Affairs and Codevelopment  
Department of Buildings

Mikal Adgate, Senior Advisor for Public  
Affairs and Communication  
New York City Department of Environmental  
Protection

Laura Rothrock  
New York Coalition of Code Consultants



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2 COMMITTEE ON RESILIENCY AND WATERFRONTS

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3 SERGEANT-AT-ARMS: Computer recording is  
up.

4 SERGEANT-AT-ARMS: Cloud is going.

5 SERGEANT-AT-ARMS: Backup is rolling.

6 SERGEANT-AT-ARMS: Good morning and welcome  
7 to today's remote New York City Council hearing of  
8 the Committee on Housing and Buildings joint with the  
9 Committee on Resiliency and Waterfronts. At this  
10 time, would all panelists please turn on their video?  
11 To minimize disruption, please silent zero electronic  
12 devices and if you wish to submit testimony, you may  
13 do so at the following email address:

14 [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). Once again, that  
15 addresses [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for  
16 your cooperation. We are ready to begin.

17 CHAIRPERSON CORNEGY: Good morning. I am  
18 Council member Robert Cornegy, Chair of the Committee  
19 on Housing and Buildings. Thank you all for joining  
20 this joint with the Committee on Resiliency and  
21 Waterfronts titled Oversight Neighborhood Resiliency.  
22 The risks posed by climate change are clear. The  
23 failure to significantly mitigate carbon emissions  
24 will lead to increasing sea level rise, increased  
25 frequency of extreme weather events, and rising

3 temperatures. Unless coastal cities can adapt, these  
4 changes will cause ongoing damage to critical  
5 infrastructure, property, and economic productivity.

6 According to a report by the National Oceanic and

7 Atmospheric Administration, by 2100, high tide

8 flooding will occur every other day within the

9 Northeast and Southeast Atlantic. At this very

10 moment, medium sea level rise along the US coastline

11 has increased by an average of nine inches since the

12 early 20th century. New York City is especially

13 susceptible to the risks posed by climate change.

14 The city is surrounded by 520 miles of waterfront and

15 has more residents living in high risk flood zones

16 than any other city in the United States. As

17 demonstrated by Super storm Sandy, extreme weather

18 events can cause catastrophic damage. That storm

19 alone cost an estimated 19 billion in losses and

20 multiple New Yorkers lost their lives. Extreme

21 weather events, urban flooding impact all of our city

22 residents , however, those with low income are

23 particularly vulnerable. Those struggling to make

24 ends meet have fewer resources to respond to the

25 major disruptions caused by natural disasters. To

make matters even worse, the cost of flood insurance

3 is rising, making it less accessible for many at risk  
4 city residents. Today, the committees will be  
5 hearing to bills designated to make the city more  
6 resilient to the threats posed by climate change.  
7 First we will be hearing intro number 586 sponsored  
8 by Council member Mark Treyger. This bill would  
9 require the creation of a flood insurance relief  
10 program. At minimum, the program would provide free  
11 elevation certificates to the low and moderate income  
12 households which will help them purchase flood  
13 insurance. Second we will be hearing proposed intro  
14 number 962A sponsored by Council member  
15 Constantinides this bill would amend the building  
16 code to limit the allowed amount of an impermeable  
17 area at zoning lots. I would like to thank my  
18 colleagues from the Committees on Housing Buildings  
19 and resiliency and waterfronts that are present  
20 today. Committee counsel, if you could just call off  
21 the role of those present.

22 COMMITTEE COUNSEL: Yes, Chair. The  
23 following Council members are present. In addition  
24 to Chair Cornegy and Chair Brannan, Council members  
25 rose, Council member Perkins, Council member Diaz  
Senior, Council member Gjonaj, Council member Chin,

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2 Council member Louis, Council member Cabrera, and  
3 Council member Treyger.

4 CHAIRPERSON CORNEGY: Thank you. We are  
5 ready to hear testimony, I believe, from the  
6 administration. If you would administer the oath,  
7 please, committee counsel?

8 COMMITTEE COUNSEL: Chair Cornegy,  
9 first we will hear Chair Brannan's opening--

10 CHAIRPERSON CORNEGY: Oh. Sorry.

11 COMMITTEE COUNSEL: and then the  
12 sponsors of the bill would like to give a brief  
13 opening, as well, if that is okay.

14 CHAIRPERSON CORNEGY: Yes. Absolutely.  
15 Sorry, Justin.

16 CHAIRPERSON BRANNAN: All good. Thank  
17 you so much, Chair Cornegy. Good morning. My name  
18 is Justin Brannan. I have the privilege of chairing  
19 the Committee on Resiliency and Waterfronts and I  
20 join Chair Cornegy and welcoming you to today's joint  
21 hearing on the Committee on Housing and Buildings on  
22 neighborhood resiliency. I would like to extend my  
23 thanks to my cochair for holding this important and  
24 timely hearing today. As I've said before many  
25 times, New York City faces significant threats from

3 extreme weather events and high tides. With 520  
4 miles of coastline, the city is particularly  
5 vulnerable to the impacts of sea level rise, storm  
6 surge, and high tide or what they call sunny day  
7 flooding. We will continue to experience greater and  
8 more frequent damage because of climate related  
9 weather events and sea level rise. The 2020 Atlantic  
10 hurricane season, one of the most active hurricane  
11 seasons ever recorded, proved just that. With 30  
12 named storms and the Greek alphabet being used for  
13 the second time in history a two name the storms, we  
14 can see that the 2020 Atlantic hurricane season is  
15 just the start of many to come that will be record-  
16 breaking. Since 2005, the federal government has  
17 spent half \$1 trillion in response to severe weather  
18 disasters. Instead of being proactive, we are just  
19 playing catch up and reacting to storms instead of  
20 ensuring our neighborhoods are resilient. The  
21 Federal Emergency Management Agency or FEMA recently  
22 released a new online data portal called the national  
23 Risk Index. This index highlights communities across  
24 the country that are most at risk from 18 natural  
25 hazards, including coastal flooding, drought, heat  
waves, and hurricanes. Three of the city's five



3 counties are listed in the second, third, and fourth  
4 places. The Bronx, Manhattan, and the borough of  
5 Brooklyn. These three boroughs are listed as the  
6 communities most at risk in the nation for these  
7 national hazards. The city's floodplain covers 48  
8 square miles and this area is expected to grow to  
9 nearly 72 square miles by 2050. New York State ranks  
10 third in the nation for most homes at risk of coastal  
11 inundation by the end of the century. More than  
12 70,000 structures are located within the cities  
13 floodplain and are already at risk of being destroyed  
14 by severe weather. In fact, a recent study found  
15 that, by 2050, the two percent of the city's  
16 affordable housing units that are in coastal  
17 communities will be lost because of frequent flooding  
18 events. That is almost 5000 affordable housing units  
19 lost because of climate change by the end of the  
20 century. The city has more residents living in high  
21 risk flood zones than any other city in the country.  
22 The most vulnerable residents, those who live in  
23 flood prone areas with little green space to absorb  
24 floodwaters are often low income communities of  
25 color. Communities of color and low income  
individuals are also more likely to live in an area

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3 is at high risk of flooding from natural disasters.

4 Add to that, the cost of flood insurance is set to  
5 increase an average of 9.9 percent in October of this  
6 year, 2021. These rate increases will have  
7 significant negative impacts on low income  
8 individuals who already struggle to before I had  
9 flood insurance even before this pandemic.

10 Policymakers are beginning to consider whether  
11 communities repeatedly damaged after severe weather  
12 and flooding events should be rebuilt over and over  
13 again while expecting the same results. In the 2018  
14 for national climate assessment, 13 federal science  
15 agencies stated that the need for retreat or  
16 relocation from parts of the coast will be an  
17 unavoidable in all but the very lowest sea level rise  
18 projections. Today, we will hear Intro 566 by  
19 Council member Treyger. This bill would require the  
20 city to create flood insurance relief program that  
21 would provide free elevation certificates to help low  
22 and moderate income households purchase flood  
23 insurance. We look forward to hearing from and  
24 working with the administration on this bill. We  
25 will also here proposed intro 962 A by Council member  
Constantinides. This bill would limit how much

3 impermeable area is allowed on zoning lots. Such  
4 surfaces like vegetation and permeable pavement help  
5 absorb and filter stormwater, as well as help prevent  
6 or significantly limit flooding events caused by  
7 storms. With the number of severe rainstorms  
8 projected to increase, whether a neighborhood has  
9 lots of impermeable spaces or is primarily concrete  
10 in hard services will end up determining whether and  
11 how much that neighborhood floods after the basic  
12 Reno event. I look forward to hearing from the  
13 Mayor's Office of Resiliency, Department of  
14 Buildings, the DEP during today's hearing. Before we  
15 begin, I want to thank my committee staff. Committee  
16 counsel, Jessica Steinberg Albin, senior policy  
17 analyst Patrick Mulvihill, senior finance analyst  
18 Jonathan Seltzer, my Chief of Staff Chris McCreight,  
19 my deputy chief Kayla Cantu Suoso, as well as the  
20 staff of the Housing and Buildings committee for all  
21 their hard work in putting this important hearing  
22 together. I will now turn it back over to Chair  
23 Cornegy. Thank you.

24 CHAIRPERSON CORNEGY: Thank you so much,  
25 Chair Brannan. Your testimony-- Or your opening  
actually underscores the fact that we all are a

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2 maritime city and while we are beginning to actualize  
3 us of being a maritime city and attempting to  
4 activate our waterways for both transportation and  
5 for the ability to create jobs, we do have to look at  
6 the long-term impact that affects. So, I think  
7 today's hearing does little bit of that. So, thank  
8 you, Chair Brannan, for always bringing to the  
9 Council in this committee's attention the need to  
10 activate our waterways, but to make sure that they  
11 are safe for the long term and our long-term use.  
12 Thank you, again.

13 COMMITTEE COUNSEL: We have been joined  
14 by Council member Barron and if Council member  
15 Treyger would like to give a brief opening?

16 COUNCIL MEMBER TREYGER: Thank you very  
17 much and thank you to both Chairs Brennan and Cornegy  
18 for allowing my bill to be heard today. This is very  
19 time sensitive legislation related to our city's  
20 climate protection and resiliency efforts. After  
21 super storm Sandy, my district in southern Brooklyn,  
22 as in many parts of the city, were very hard hit by  
23 the storm and are still in recovery mode. Super  
24 storm Sandy, as many of you know, caused over \$19  
25 billion in property damage to New York City and yet

3 our communities are still lacking a regional  
4 protection plan and proper funding to prepare for  
5 another natural disaster. Southern Brooklyn, which  
6 includes the Coney Island Peninsula, is home to some  
7 of the most vulnerable both economic and also  
8 physical infrastructure vulnerable coastal  
9 neighborhoods, including many NYCHA housing stock  
10 that are still rebuilding years later. There is an  
11 issue of equity when it comes to resiliency efforts  
12 in the city. The Regional Plan Association issued a  
13 report in 2016 stating that Coney Island is facing as  
14 much as six feet of sea level rise in the next  
15 century. The RPA concluded that resiliency planning  
16 efforts should prioritize a large number of low and  
17 moderate income renters and homeowners in New York  
18 City coastal communities. The city funding allocated  
19 for resiliency projects highlights major geographic  
20 disparities. Parts of Manhattan have received over  
21 \$1 billion in city capital. By contrast, southern  
22 Brooklyn has received only \$32 million to elevate a  
23 few blocks of shoreline along the Coney Island  
24 Peninsula. If we are going to prepare for the  
25 impacts of climate change, the future of natural  
disasters, sea level rise, storm flooding, it is

3 critical that the city administration provide  
4 equitable funding and comprehensive resiliency plans  
5 for all communities in New York City. One simple and  
6 helpful resource for many in my district-- and  
7 really and other parts of the outer boroughs would be  
8 to have a free elevation certificate program to help  
9 struggling homeowners who live in vulnerable coastal  
10 communities and flood zones. Intro 566 would create  
11 a free elevation certificate program for low to  
12 moderate income homeowners and building owners who  
13 live in a flood zone hazard. It is reported that  
14 close to 80 percent of those folks paying flood  
15 insurance now are overpaying and if you were to  
16 request a flood elevation certificate on your own,  
17 you could pay upwards of 700 dollars to 1000 dollars  
18 for this document. Helping establish this program  
19 more would actually help offset some major costs for  
20 really struggling folks, homeowners, and New York  
21 City. So, I really think both the Chairs for their  
22 time today, for their leadership, and really, I  
23 think, driving home the conversation about equity and  
24 fairness in this conversation because I think it is  
25 sometimes gets lost in the bigger conversation around  
climate change because there are folks with the means

2 to move, but there are many folks with about the  
3 means. And I worry that not just a hurricane, that a  
4 financial storm that will lead to massive  
5 displacement of working families in our neighborhoods  
6 which we must fight against, as well. And, again, I  
7 think the Chairs for their time today. Thank you.

8 CHAIRPERSON CORNEGY: Thank you, Chair  
9 Treyger.

10 COMMITTEE COUNSEL: I would also like  
11 to recognize Council members Rivera and Rosenthal.  
12 And Council member Constantinides who just joined us  
13 and if he would like to give a brief opening, as  
14 well.

15 COUNCIL MEMBER CONSTANTINIDES: All  
16 right. Good morning. Should I start or does Council  
17 member Brannan need to recognize me? I'm sorry.

18 CHAIRPERSON CORNEGY: We recognize you,  
19 Chair Constantinides.

20 CHAIRPERSON BRANNAN: You're always  
21 recognized.

22 COSTA CONSTANTINIDES: I want to make sure  
23 I'm not breaking protocol. But thank you, Chair  
24 Brannan, for allowing me to speak this morning. As  
25 everyone knows, our sewer system, our wastewater

2 system is designed as a combined system which means  
3 that, when it rains, the way our system deals with  
4 overflow is spewing it into our water bodies and that  
5 sewage, that raw sewage ends up in our communities  
6 and our water bodies around the city. Intro 962  
7 attempts to help deal with that issue around--  
8 making sure that we put a cap on impermeable surface  
9 on particular sites you know, have permeable surface  
10 allows for water Sure on site and preventing water  
11 from ending up in our sewer system and ending up in  
12 our water bodies and dealing with issues around  
13 CSO's. So, you know, this bill will help go a small  
14 way in helping us deal with the larger issues of raw  
15 sewage being dumped into our water bodies year-round  
16 when it rains. So, again, I want to thank Chair  
17 Brannan. I want to thank all the members of the  
18 committee. My own counsel, Nicholas Wazowski, and I  
19 will pass it back to Chair Brannan to continue.  
20 Thank you for allowing me to statement.

21 CHAIRPERSON BRANNAN: Thank you.  
22 Counsel, do you want to take it?

23 COMMITTEE COUNSEL: Thank you, Chair.  
24 Thank you, Chairs Cornegy and Chair Brannan. I am  
25 Jessica Steinberg Albin, counsel to the Resiliency



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2 and Waterfronts committee-- excuse me-- of the New  
3 York city Council. Before we begin, I would like to  
4 remind everyone that you will be on mute until you  
5 are called on to testify at which point you will be  
6 on muted by the host. Please be aware that there  
7 could be a delay in muting and unmuting, so please be  
8 patient. I will be calling on panelists to testify.  
9 Please listen for your name to be called as I  
10 announce the panelists. I will be periodically  
11 announcing who the next panelist will be. During the  
12 hearing, if Council members would like to ask a  
13 question, please use the zoom raise hand function and  
14 I will call on you in order. We will be limiting  
15 Council member questions to three minutes, including  
16 responses. The first panelists to give testimony  
17 will be Jainey Bavishi, director of the Mayor's  
18 Office of Resiliency, followed by Joseph Aykroyd,  
19 Department of Buildings assistant commissioner of  
20 technical affairs and code development. Mikal  
21 Adgate, New York City Department of Environmental  
22 Protection Senior advisor for public affairs and  
23 communication will be available for the question and  
24 answer period. We will now administer the oath. I  
25 will call on each of you individually for a response.

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2 Director Bavishi, Assistant Commissioner Aykroyd,  
3 Senior Advisor Adgate, please raise your right hands.  
4 Do you affirm to tell the truth, the whole truth, and  
5 nothing but the truth before these committees and to  
6 respond honestly to Council member questions?

7 Director Bavishi?

8 DIRECTOR BAVISHI: Yes.

9 COMMITTEE COUNSEL: Assistant  
10 Commissioner Aykroyd?

11 ASSISTANT COMMISSIONER AYKROYD: Yes.

12 COMMITTEE COUNSEL: Senior Advisor  
13 Adgate?

14 SENIOR ADVISOR ADGATE: Yes.

15 COMMITTEE COUNSEL: Thank you.

16 Director Bavishi, you may begin when ready. Good  
17 morning. I am Jainey Bavishi, director of the  
18 Mayor's Office of Resiliency. I would like to thank  
19 Chairs Brannan and Cornegy for the opportunity to  
20 testify today. I would also like to acknowledge my  
21 colleague, Joe Aykroyd, Assistant Commissioner for  
22 technical affairs and codevelopment at the Department  
23 of Buildings who will be providing testimony and  
24 joining both me Mikal Adgate, Senior advisor for  
25 strategic planning at the Department of Environmental

3 Protection in answering your questions today. As you  
4 know, the Mayor's Office of Resiliency is responsible  
5 for ensuring that New York City is prepared to  
6 withstand and emerge stronger from the impacts of  
7 climate change. With 520 miles of shoreline,  
8 adapting to more frequent and severe coastal storms  
9 is a critical part of our work. However, we are also  
10 preparing for a variety of other threats including  
11 chronic title flooding caused by sea level rise,  
12 precipitation based flooding which can have severe  
13 impacts on inland neighborhoods, and extreme heat,  
14 which is the deadliest form of extreme weather in New  
15 York City. We call this a multi-hazard approach  
16 since it addresses all the climate threats that  
17 impact our city. We are also taking a multilayered  
18 approach. This means that we are focused on  
19 establishing multiple lines of defense at different  
20 scales all across the city. Some of our efforts  
21 occur at the neighborhood scale. These include an  
22 enormous infrastructure projects like the Rockaway  
23 Atlantic shorefront or the east side coastal  
24 resiliency project. These efforts are  
25 extraordinarily complex, extremely costly, difficult  
to cite, and require careful design and robust

3 community input over the course of the design  
4 planning and implementation phases. However, they  
5 also bring about significant and wide-ranging  
6 benefits for thousands of New Yorkers. Another  
7 example of a neighborhood scale effort is the  
8 Department of City Planning special coastal risk  
9 districts which were created with the extensive  
10 community input and developed to limit density in our  
11 lowest lying waterfront area. These zoning rules  
12 apply to entire neighborhoods and place restrictions  
13 on what property owners can build there. We are also  
14 establishing protections at the building level. The  
15 Build it Back program, which elevated hundreds of  
16 sandy impacted homes, is an excellent example of a  
17 building level strategy. The NYC Cool Roofs program  
18 is another example. By painting individual rooftops  
19 with a white reflective coating, we can help reduce  
20 temperatures inside a given building. This also has  
21 the benefit of reducing energy costs for residents.  
22 Yet another example is appendix G of the building  
23 code which sets stringent standards for construction  
24 of all new structures in the floodplain. A third  
25 important pillar of our work centers around critical  
infrastructure. We have partnered extensively with

3 local utilities to harden the electrical grid. Con  
4 Edison has invested more than \$1 billion in climate  
5 adaptation and, just last month, released a new  
6 report detailing how it will incorporate climate  
7 change into its planning design operations and  
8 emergency response. The city has also developed to  
9 the Climate Resiliency Design Guidelines which  
10 provide guidance on how to incorporate forward-  
11 looking climate change data in the design and  
12 construction of city capital projects. First issued  
13 in 2017, the guidelines were developed through a  
14 collaborative and authorities. The guidelines are  
15 already being used by some city agencies today. For  
16 example, DEP incorporates the guidance related to the  
17 sea level rise into their standard operating  
18 procedures across all capital projects. As we  
19 discussed at the Council hearing on January 25, the  
20 city is now prepared to pilot the guidelines more  
21 broadly across the city's capital portfolio. The  
22 fourth and final pillar of our multilayered approach  
23 consists of supporting communities and residents.  
24 Examples of this work include the Department of Small  
25 Business Services business prep program which  
provided grants and technical assistance to sandy

3 impacted small businesses to not only recover from,  
4 but also prepare for the next disaster. Another  
5 example is our flood insurance outreach and coastal  
6 communities through Flood Health NY, which is  
7 designed to help families understand the financial  
8 benefits to maintaining flood insurance policies for  
9 their homes. Yet another example is the Department  
10 of Health and Mental Hygiene's Be a Buddy program  
11 which promotes social cohesion by creating networks  
12 of volunteers to check in on vulnerable residents  
13 during heat waves. To reiterate, our multilayered  
14 approach includes developing neighborhood coastal  
15 resiliency strategies, building and asked that level  
16 of protection, infrastructure planning and hardening,  
17 and direct engagement with communities, businesses,  
18 and residents. All of this work is grounded in the  
19 best available science, guided in large part by the  
20 New York City panel on climate change. Together,  
21 this represents the core of MOR's approach to climate  
22 adaptation. Our office had the opportunity to share  
23 our progress in several recent testimonies offered to  
24 Council over the past few months and we would be  
25 happy to provide more information about any specific  
initiatives upon your request. There is no doubt

3 that much more work remains to be done to adapt New  
4 York City to a hotter and wetter future. The lack of  
5 funding for new projects and programs is the biggest  
6 barrier we face. Even with more funding,  
7 implementing new complex solutions won't be easy and  
8 well require incredible thoughtfulness and  
9 participation of many communities and stakeholders  
10 over the coming years and decades. Despite the  
11 significant scope of the work ahead, the I remain  
12 optimistic about our ability to meet these  
13 challenges. In conclusion, I would like to thank the  
14 Committee on Resiliency and the Committee on Housing  
15 and Buildings for allowing me to testify here today.  
16 I will now yield to my colleague, Joe Aykroyd, and I  
17 look forward to answering your questions after my  
18 colleague's testimony.

18 ASSISTANT COMMISSIONER AYKROYD: Good  
19 morning, Chair Cornegy, Chair Brannan, and the  
20 members of the Committees on Housing and Buildings  
21 and Resiliency and Waterfronts. I am Joseph Aykroyd,  
22 assistant commissioner for technical affairs and  
23 codevelopment at the New York City Department of  
24 Buildings. I am pleased to be here to discuss how  
25 the New York City construction codes addressed

3 building resiliency and the legislation before the  
4 committees. The construction codes, including the  
5 New York City building code, are revised periodically  
6 to keep them up-to-date with the latest versions of  
7 the international codes and to ensure they reflect  
8 innovation in the construction industry and the  
9 latest safety standards. Since the early 1980s, when  
10 the Federal Emergency Management Agency first  
11 released its flood insurance rate maps for New York  
12 City, the building code has been periodically updated  
13 to ensure that building construction in high-risk  
14 flat areas complies with and exceeds the minimum  
15 standards of the national flood insurance program  
16 administered by FEMA. This process has improved the  
17 resiliency of building construction in high-risk flat  
18 areas over time and is a process the department is  
19 committed to continuing. For example, the building  
20 code requires buildings constructed in high-risk flat  
21 areas to be elevated to a higher standard than that  
22 required under the NFIP to ensure buildings are  
23 further protected from flood impacts. The building  
24 code also requires buildings to be flood proofed and  
25 limits use of space below the flood elevation to  
ensure the safety of occupants which must be



3 documented on a buildings certificate of occupancy or  
4 through a restrictive declaration. Regulations in  
5 the building code also worked to protect building  
6 systems by requiring certain components to be located  
7 above the flood elevation where the NFIP would  
8 otherwise allow such components to be located below  
9 the flood elevation. The department is in the  
10 process of revising the construction code and expects  
11 to discuss additional amendments to the flood  
12 resilient construction requirement in the building  
13 code with the city Council. Turning now to the  
14 legislation before the committees, Intro 566 would  
15 create an elevation certificate program for low to  
16 moderate income owners of buildings located in high-  
17 risk flat areas. Elevation certificates include  
18 important information about a building and its  
19 characteristics, including its elevation and are an  
20 important tool for assessing a buildings flood risk.  
21 The Department requires that elevation certificates  
22 be submitted in connection with new building  
23 construction in high-risk flat areas and recognizes  
24 the value that they could have in determining flood  
25 insurance premiums for a building. It is important  
that building owners understand how to use elevation

3 certificates which makes coupling them with financial  
4 counseling critical. Services provided to the  
5 building owners through Flood Help NY, which is  
6 managed by the Center for New York City Neighborhoods  
7 and supported by the Mayor's Office of Resiliency,  
8 offers up a useful example of how this could work.  
9 Though it is important to note that the programs  
10 funding is set to expire in late 2022. Flood Help NY  
11 offers free services for low and moderate income New  
12 Yorkers living in high-risk flat areas. These  
13 services include a home resiliency audit which  
14 includes a free elevation certificate, back water  
15 valve installation, and a follow-up financial  
16 counseling service related to flood insurance.  
17 Financial counseling helps building owners understand  
18 how the elevation certificate will impact their flood  
19 insurance premiums and what to do if there is an  
20 issue that arises with their insurance. The  
21 Department shares the city Council's goal of helping  
22 owners understand their building and flood risk and  
23 looks forward to discussing this proposal further  
24 with the city Council to determine how to best  
25 accomplish this goal in light of the current fiscal  
climate. Intro 962 would require that impervious

3 surfaces be limited during new construction and  
4 search and alteration projects. Effectively managing  
5 stormwater helps prevent adverse impacts and includes  
6 overwhelming the sewer system and flooding. There  
7 are existing regulations in place to address this  
8 issue. Through the Department's enforcement of the  
9 construction code, the department ensures that  
10 stormwater management regulation is promulgated by  
11 the Department of Environmental Protection are  
12 complied with where a new building is being  
13 constructed, the building is being horizontally  
14 enlarged, or an alteration is increasing impervious  
15 surface areas. The department looks forward to  
16 discussing this legislation further with the  
17 committees and our partner agencies to better  
18 understand how this proposal interacts with existing  
19 regulations intended to address stormwater  
20 management, including upcoming updates to such  
21 regulations. Thank you for the opportunity to  
22 testify before you today. We welcome any questions  
23 you may have.

23 COMMITTEE COUNSEL: Thank you very much  
24 for your testimony. I will now turn it over to  
25 questions from Chair Cornegy and Chair Brannan. As a

3 reminder, if Council members other than Chair Cornegy  
4 and Chair Brannan would like to ask a question of the  
5 administration, please use the zoom raise hand  
6 function and I will call on you in order. We will be  
7 limiting Council member questions to three minutes  
8 which includes the time it takes to answer your  
9 question. Thank you. Chair Cornegy, please begin.

10 CHAIRPERSON CORNEGY: Thank you so much.  
11 I just have a few questions because I know that my  
12 colleagues have prepared some very intriguing  
13 questions. So, mine would just start with general  
14 questions. What has the city done to strengthen  
15 neighborhood resiliency? Anyone can answer that,  
16 please.

17 DIRECTOR BAVISHI: Chair Cornegy, thank you  
18 for the question. I'm happy to take that. You know,  
19 as I explained in my testimony, we have been  
20 implementing a multilayered strategy to address the  
21 multiple impacts of climate change that we face here  
22 in the city. So, that includes intense coastal  
23 storms and more frequent coastal storms, sunny day  
24 flooding or title flooding due to sea level rise,  
25 extreme heat and intense precipitation. And, you  
know, we are implementing in over \$20 billion

3 portfolio across the city that addresses all of these  
4 impacts. So, I'm not going to be able to go into  
5 every part of it in detail with you here, but at a  
6 very high level, we are implementing neighborhood  
7 resiliency strategies, neighborhood wide resiliency  
8 strategies that include coastal protections, as well  
9 as land-use approaches to making sure our  
10 neighborhoods are resilient and prepared for the  
11 impacts of sea level rise and coastal storms. We are  
12 taking building level approaches to make sure that we  
13 are both retrofitting our buildings, but also  
14 ensuring that the consideration of future climate  
15 risk is a component of any new construction or a  
16 substantial rehab. We are also hardening our  
17 infrastructure working with our utility providers, as  
18 well as a range of other partners to ensure that we  
19 are accounting for the impacts of climate change and  
20 ensuring that we will experience either no disruption  
21 or minimal disruptions during extreme events to  
22 critical services. And then, finally, we are taking  
23 a neighborhood-- or, sorry. A resident and small  
24 business focused approach so that we are, you know,  
25 reaching out to residents and equipping them with the  
information and the capacity they need to make

2 informed decisions in the face of climate change.

3 So, it is really this multilayered strategy that--

4 and I've only been able to, in the time that I have

5 had in my testimony and in this response, been able

6 to highlight some of the examples of the kinds of

7 initiatives that we are implementing under each of

8 these layers. But it is really a suite of efforts

9 that we are-- our projects, programs, initiatives,

10 policies that we are implementing across all of these

11 different components of our multilayered strategy.

12 And it is an effort that requires almost every city

13 agency in the city government because it really-- we

14 really need to establish a culture of resiliency in

15 order to ensure our neighborhoods are prepared for

16 the impacts of climate change.

17 CHAIRPERSON CORNEGY: So, thank you for

18 that. I know that my colleagues in South Brooklyn

19 have worked diligently in particular-- you know,

20 Mark Treyger with the waterfronts there is probably

21 going to have a lot more in-depth questions about it,

22 but my question is-- my second question is, you

23 know, we are in a terrible economic downturn and

24 there is a lot of talk about recovery and resilience.

25 Is the recovery and resiliency around the pandemic

2 and around getting out of this economic downturn we  
3 are in-- and usually that is centered around--  
4 economically, it's usually centered around the  
5 building of infrastructure. Are you working in  
6 conjunction with the recovery and resiliency plan  
7 that is put in place economically or are there two  
8 different resiliency plans that are in place?

9 DIRECTOR BAVISHI: We are absolutely  
10 working with our colleagues in city government to  
11 ensure that we are accounting for future climate  
12 impacts in our recovery investments and recovery  
13 planning. You know, and I think we are also hoping  
14 in advocating for any future federal stimulus bills  
15 to also account for the future impacts of climate  
16 change. I firmly believe that any investment that we  
17 make in recovery or in stimulus-- or recovery from  
18 that pandemic or an economic stimulus must also  
19 account for future crises that we face. And so we  
20 are certainly doing that advocacy and, you know,  
21 certainly welcome you to join us in that advocacy at  
22 the federal level.

23 CHAIRPERSON CORNEGY: Yep. So, that is  
24 usually the part where I say anything my office in  
25 this committee can do to make sure that the two are

2 running concurrently, am willing to step in and do.

3 And I will leave my questions there and come back on

4 the second round and allow my South Brooklyn

5 colleagues who I know have been at this for quite

6 some time. Since I can remember, I've watched them

7 work incredibly hard on our waterfronts, especially

8 in South Brooklyn and downtown Brooklyn, to ensure

9 that there is a resiliency plan in place and I

10 definitely want to hear from them. So, thank you.

11 CHAIRPERSON BRANNAN: Thank you, Chair

12 Cornegy. I just want to ask one sort of general

13 question and then I want to turn it over to

14 Councilman Treyger. We all know that people living

15 in-- we all know that low income, primarily

16 communities of color who line communities across the

17 520 miles of shoreline are at higher risk of flooding

18 from natural disasters and, overall, broadly, I guess

19 what does the city plan to do to address this

20 disparity that is hidden in plain sight?

21 DIRECTOR BAVISHI: Thanks for the question,

22 Chair Brannan. We are absolutely prioritizing equity

23 in our work. The Mayor's Office of Resiliency has a

24 strong commitment to equity and we see that play out

25 in several ways. One is that, you know, we are



3 really relying on data and tools and creating more  
4 data and tools to help us make decisions that account  
5 for both physical indicators of risk, as well as the  
6 social indicators of risk. These are the kinds of  
7 tools that will help us to prioritize investment so  
8 that those communities that are most vulnerable, not  
9 just from the physical impacts of climate change, but  
10 also from the socioeconomic vulnerabilities they face  
11 will receive the investments of our adaptation and  
12 resiliency work. And so, you know, a good example of  
13 a tool like this is actually our heat vulnerability  
14 index that takes both the physical and social  
15 indicators of heat into account and we are trying to  
16 develop similar tools right now for coastal  
17 vulnerability. It is challenging for a lot of  
18 different reasons, but it is something that we are  
19 working on and we are hoping that we really create  
20 some tools that are pioneering in this space. We  
21 also, you know, talked about the Flood Help NY  
22 program in my testimony and I'm sure we are going to  
23 talk about it more, but it is another good example of  
24 how we are going beyond infrastructure solutions to  
25 make sure that we are a quick being and building  
capacity in communities to make more informed

3 decisions in the face of climate change. So Flood

4 Help NY is the program that provides a suite of  
5 services to help residents and, in particular, low  
6 income residents, intake and make more informed  
7 decisions and navigate the flood insurance program.

8 We also provide services like home resiliency audits,  
9 backwater valves, and elevation certificates through  
10 the program. Free elevation certificates through the  
11 program. This is the kind of program that I think is

12 really important for low income communities in  
13 particular that are really dealing with the uncertain  
14 futures that climate change presents and it is a

15 program at least now that is funded by Sandy grant  
16 dollars only available in certain communities that

17 were really heavily impacted by Sandy. But we would  
18 love to see it expand and see more permanent funding

19 for it. So, I will stop there. Those are just a  
20 couple of examples, but, you know, I just want to

21 reiterate that we are absolutely committed to taking  
22 an equitable approach to how we are adapting the city  
23 to climate change and already have embedded that

24 lends into our work and will continue to find new  
25 ways to do that even better.

3 CHAIRPERSON CORNEGY: I just want to add  
4 that, you know, if I could piggyback, Chair Brannan,  
5 the devil is generally in the details and for  
6 communities of color, the outreach hasn't been there  
7 and then the money goes somewhere else, right? So,  
8 [inaudible 00:40:16] and sure that my office to the  
9 degree that it can be and other offices like mine  
10 would certainly love to be responsible-- not totally  
11 responsible, but would like to share some of the  
12 burden of getting this information into the hands of  
13 the people that need it most because I found that the  
14 city does have great programs in some instances, but  
15 then it is the administration of those programs and  
16 it is the outreach were sometimes we fall short. So,  
17 pinching programs that are targeted, like Justin  
18 asked, to those communities that are the most  
19 negatively impacted, what is your plan for getting  
20 that information into the hands-- what is your plan  
21 for outreach in those same communities?

22 DIRECTOR BAVISHI: So, different programs  
23 have different outreach strategies. I am happy to  
24 talk to you about any programs you are concerned  
25 about and follow up with your office. You know, we  
are working to get information out in various ways.

3 For particular projects, we hold specific community  
4 meetings and get information out in that way. On  
5 flood insurance, you know, we hold annual-- and  
6 sometimes even more frequent-- elected official  
7 calls on flood insurance outreach so that we can  
8 engage your office and other offices in that outreach  
9 work. So, again, if you are concerned about a  
10 particular program, happy to follow up with you, but  
11 we absolutely will come your help in getting the word  
12 out.

13 CHAIRPERSON CORNEGY: Yes. Certainly, my  
14 office [inaudible 00:41:53] the committee as well as  
15 some of the most active community members in any  
16 committee in the Council. So, to the degree that we  
17 can be helpful in the dissemination of that  
18 information and the outrage, I would love to be able  
19 to do that. Thank you.

20 CHAIRPERSON BRANNAN: Yeah. I would just  
21 follow up and then I want to turn it over to the bill  
22 sponsors to dig in on their bills, but it bears  
23 repeating and I say it every time. Certainly  
24 understand the importance of South Street Seaport and  
25 those areas, but it's not the only waterfront in the  
city. I do hope that, at some point, City Hall will

3 truly come to terms with that fact because we are on  
4 borrowed time and our approach really needs to be not  
5 only urgent and communities centered, but it needs to  
6 be holistic and I think, you know, we all understand  
7 that we face multiple challenges here as a city due  
8 to climate change that are aggravated by a other  
9 challenges faced by low income communities and  
10 communities of color, affordable housing, sea level  
11 rise, urban heat, none of this stuff happens in a  
12 silo. So, we not only have to be talking about this  
13 holistically, we have to be acting on this stuff  
14 holistically. So, I want to turn--

15 DIRECTOR BAVISHI: I just want to emphasize  
16 that we have a master planning process underway in  
17 the South Street Seaport [inaudible 00:43:15] area,  
18 but the project there is not funded. In the  
19 meantime, we have broken ground on Rockaways Atlantic  
20 Shorefront, we have broken ground on Eastside Coastal  
21 Resiliency. We are making good progress and will see  
22 more groundbreaking in Staten Island on the Raised  
23 Shoreline Projects that are all over the city,  
24 including in Staten Island, Queens, and Brooklyn.  
25 So, anyway, I just want to underscore that there is  
work happening all across the city and actually the

3 work in FiDi Seaport still has a long way to go  
4 before we can get to a place of implementation.

5 CHAIRPERSON BRANNAN: Committee Counsel,  
6 unless Chair Cornegy has other questions, I want to  
7 turn it into the bill sponsors.

8 CHAIRPERSON CORNEGY: I don't have any  
9 more questions. I just have one statement. I just  
10 want to make sure that I can change the narrative  
11 that communities of color are not interested in being  
12 environmentally responsible. That is a total  
13 fallacy. The communities that I represent here in  
14 central Brooklyn and along the shoreline, those  
15 communities of color want to be responsible. They  
16 want to be environmentally responsible. They seek  
17 environmental Justice, so their voices should not be  
18 left out in any way. Thank you.

19 COMMITTEE COUNSEL: Thank you. I just  
20 want to recognize Council member Grodenchik who has  
21 joined this hearing. I will now call on Council  
22 members, including bill sponsors, to ask questions in  
23 the order they have used the zoom raise hand  
24 function. Council members-- Sorry. A sergeant-at-  
25 arms will keep a timer. First I would like to call  
on Council member Constantinides will be followed by

2 Council member Gjonaj, and then Council member Rose.  
3 Council member Constantinides?

4 COUNCIL MEMBER CONSTANTINIDES: Thank  
5 you, committee counsel Jessica. Thank you. So,  
6 really quickly. I have to run through these  
7 questions fast. But what benefits would be provided  
8 by minimizing the area of impermeable surface and a  
9 zoning lot? What currently is the city is doing that  
10 Intro 962 covers and, if we were to pass Intro 962,  
11 how many zoning lots would be impacted? What would  
12 be the additional benefit that the city would reap by  
13 limiting impermeable surface? You know, is this  
14 going to have additional costs and do you actually  
15 support 962? So, those are the questions I have and  
16 then, you know, we talked a lot about money today, so  
17 I want to kind of read-- go back to what we talked  
18 about at the last hearing. We know it is not really  
19 relevant to this hearing, but it is very relevant to  
20 the city, but Director Bavishi, when does MOR funding  
21 rent out? How you funded-- Can we guarantee that  
22 there will be an MOR past 2022 if we don't take  
23 action as a city and ensure that your division, which  
24 is critical to all the things that you talk about,  
25 will continue into the future? Because we cannot

2 afford to not have an MOR in the city of New York.

3 So, I think a shot out enough questions that I think  
4 that three minutes will be covered, but they will be  
5 answered. Thank you.

6 DIRECTOR BAVISHI: Thank you, Council  
7 member Constantinides. I would take your last  
8 questions first and then I'll pass it off to my  
9 colleagues to talk about your questions on the  
10 legislation. On funding for MOR, as I mentioned at  
11 our last hearing, MOR is funded with community  
12 development block [inaudible 00:47:01] dollars. That  
13 grant is set to expire in September of 2022, although  
14 I believe that our funding will be exhausted a few  
15 months sooner than that. There is still a decision  
16 that needs to be made about the continuity of MOR  
17 beyond the federal funding. And it is a decision  
18 that is still pending with OMB. I will pass it off  
19 to my colleague, Assistant Commissioner Aykroyd, to  
20 talk about the legislation.

21 COUNCIL MEMBER CONSTANTINIDES: And I'll  
22 just say how deeply concerned I am. I think we need  
23 to make a commitment. This is part of the problem  
24 that I have with your office being a Mayoralty and  
25 not being a full department. I think we need a



3 Department of Sustainability and Resiliency that we  
4 can actually-- you know, if we were not asking these  
5 questions, we would not know because we're not  
6 allowed to have budget hearings on MOR or MOS. So,  
7 we need full transparency. We need to make sure we  
8 have you. We need to make sure there isn't a brain  
9 drain from your offices. We need to keep and retain  
10 good staff that are doing the good work that you're  
11 doing and I appreciate the work that you are doing,  
12 so we need to keep you and ensure that this division  
13 is there in the long term and expanded. In a moment  
14 when we are trying to fight our cities resiliency  
15 battle, we can't not have an MOR. So we need to keep  
16 you and ensure that this division is there in the  
17 long term and expanded at a moment when we are trying  
18 to fight our cities resiliency, you know, battle. We  
19 can't not have an MOR. So, I mean, I'm just going to  
20 put that again on the record. Thank you.

21 ASSISTANT COMMISSIONER AYKROYD: Thank  
22 you, Councilman. Just quickly I tried to jot down  
23 the questions that you had as quickly as I could.  
24 I'll try to get as many as I can and then I will pass  
25 it off to my colleague at New York City Department of  
Environmental Protection. So, with regard to your

3 question about how many lots the actual legislation  
4 will encompass, I don't have that information handy.  
5 We will have to mind that information and get it to  
6 you. With regard to the benefits of the legislation,  
7 the limiting impermeable surfaces would essentially  
8 decrease runoff and also help to lower surface  
9 temperatures. So I think that those are two of the  
10 benefits that I am aware of that would be the results  
11 of limiting impervious surfaces. With regard to the  
12 current regulations that may be on the books that  
13 kind of our similar to what this intro seeks to  
14 accomplish, the construction codes require that  
15 stormwater management regulations promulgated by the  
16 Department of Environmental Protection be complied  
17 with when the new building is constructed, when a  
18 building is being horizontally enlarged, or an  
19 alteration that increases impervious surfaces is  
20 proposed. And so I think it might be a good time for  
21 me to hand the baton over to Mikal who advocates with  
22 New York City Department of Environmental Protection  
23 just to discuss the DEP regulations related to  
24 stormwater management.

25 MIKAL ADGATE: Thank you. And thank  
you, Council member, for these questions. You know,

3 at the outset, I want to say that the agency  
4 certainly supports the Council's goal to continue to  
5 reduce impervious area. As you know, we have a very  
6 large, over \$1 billion, green [inaudible 00:50:31]  
7 structure program to continue to, you know, soften  
8 existing hard surfaces in order to better manage  
9 stormwater, to increase capacity in the sewer system,  
10 and to reduce combined sewer overflow, as you  
11 mentioned in your opening. In terms of new  
12 development, obviously, we work very closely with you  
13 and your team last year to pass Intro 1851 which  
14 greatly expanded our rulemaking authority when it  
15 comes to stormwater management on new construction  
16 and [inaudible 00:51:07]. Stormwater controls both  
17 during the construction phase, but also post  
18 construction controls like green roofs, impervious  
19 pavers, and other green stormwater management  
20 techniques. And so, you know, with the passage of  
21 1851, we are still in the process of drafting that  
22 unified stormwater role which will impact all new  
23 construction in both the combined sewer areas of the  
24 city and thus separately Seward areas of the city.  
25 And so, we look forward to working with you to ensure  
that, you know, the 962-- you know, to figure out

3 how it interacts with both the existing stormwater  
4 regulations, but also the forthcoming regulations as  
5 we finalize the drafting of the role as we release  
6 our stormwater design guidelines to ensure that there  
7 is no conflict and to ensure that, you know, new  
8 construction that is coming to us, for site  
9 connection permits for stormwater management permits,  
10 that they know at the outset what the regulations and  
11 the requirements are. In terms of your question  
12 about cost or compliance with stormwater rules, we  
13 would be happy to share some of the analysis that we  
14 have done in terms of potential costs for new  
15 construction as it relates to compliance. We did  
16 that at length in the lead up to 1851 being passed,  
17 so we are happy to share that with your team.

18 COUNCIL MEMBER CONSTANTINIDES:

19 Wonderful. No. I mean, look. At the end of the  
20 day, I think we all share the same goal of keeping as  
21 much water out of our sewer system as possible,  
22 right? So, I think that 962 seeks to continue that  
23 work, so I look forward to having those conversations  
24 and I think both Chair Cornegy and Brannan for  
25 allowing me to ask these questions this morning.

2 COMMITTEE COUNSEL: Thank you, Council  
3 member Constantinides. We will now turn to Council  
4 member Gjonaj followed by Council member Rose.  
5 Council member Gjonaj?

6 COUNCIL MEMBER GJONAJ: Thank you so much.  
7 I want to thank the Chairs for this very important  
8 hearing on the future of all of our waterfront  
9 communities. Director Bavishi, you mentioned all of  
10 the boroughs with the exception of the borough of the  
11 Bronx. I heard you talk about Staten Island,  
12 Brooklyn, Queens and Manhattan and there was not even  
13 in utter of the borough of the Bronx and we have a  
14 tremendous waterfront community ranging from city  
15 Island to [inaudible 00:53:58] Edgewater Park, Silver  
16 Beach, Locus Point, Country Club. A slew of marinas  
17 and beach clubs. How can I assure my constituents  
18 that we will have a fairness of equity on the \$20  
19 billion that you stated we have funding and, in  
20 addition, please elaborate more about the 20 billion.  
21 Where is that money coming from? Has it been  
22 earmarked? What insurance can we have that all  
23 communities, all brothers will be receiving fair,  
24 equitable distribution of these limited funds?

3 DIRECTOR BAVISHI: Thank you, Council  
4 member, for the question. I'm so glad you raised  
5 this issue. So, 15 billion-- over 15 billion,  
6 actually, of the \$20 billion that I referenced  
7 earlier, are actually post Sandy federal recovery  
8 dollars and, you know, this really underscores the  
9 challenge that we have with resiliency funding in  
10 general. Most of the dollars from the federal  
11 government for resiliency and adaptation flow after a  
12 disaster and we really need to be able to take  
13 proactive action in order to get ahead of these  
14 challenges. So, this is just-- you want to  
15 highlight this because this is something that we  
16 could really use the Council's help on is continued  
17 federal advocacy for access to more proactive funding  
18 for climate adaptation and resilience. But, given  
19 that, you know, Sandy was a storm that happened to  
20 impact some of our other boroughs in the city more  
21 than it did the Bronx and another coastal storm, of  
22 course, could go in a different direction or could,  
23 at a different time and the impacts would be  
24 different. So, again, you know, because we are using  
25 post Sandy federal recovery dollars in order to  
advance so many of our resiliency projects, the

3 dollars have been invested in areas that were the  
4 most impacted by Sandy. Now, with that said, I want  
5 to highlight that we are going to be-- we are making  
6 good progress on the Hunts Pointe energy resiliency  
7 project and that will continue to move forward. We  
8 also, you know, mentioned the vulnerability index  
9 before. We recognize that the South Bronx is one of  
10 our most heat vulnerable communities in the city and  
11 so, we have prioritized to the South Bronx as a  
12 neighborhood that is receiving investments where we  
13 are piloting many of our heat resiliency efforts,  
14 including Be a Buddy where we are targeting NYC Cool  
15 Roofs roof coatings, and where we are targeting  
16 Street plannings to really make those neighborhoods  
17 cooler. So, we are certainly working with our  
18 partners in the Bronx to advance very important  
19 resiliency efforts there, but we do need access to  
20 proactive federal dollars to be able to continue the  
21 work in the Bronx of the same scale that is happening  
22 in other parts of the city.

22 COUNCIL MEMBER GJONAJ: Thank you,  
23 director. You highlighted something that was-- the  
24 city, to a large degree, a good portion of the  
25 country relies on the food distribution from Hunts

3 Pointe. You mentioned being proactive, that you  
4 understand the exposure that we have as we face  
5 climate changes and [inaudible 00:57:15] in the  
6 future. You mentioned being proactive and the \$15  
7 billion that was allocated, yet, and my own district,  
8 Edgewater Park, still has a fire house. A volunteer  
9 fire house and a community center that has not been  
10 rebuilt after hurricane Sandy. There are a slew of  
11 sea walls that protect communities and streets that  
12 have not been rebuilt after hurricane Sandy. We know  
13 that the money was not fairly distributed throughout  
14 the city and I keep [inaudible 00:57:50] the borough  
15 of the Bronx and I really need to know when will this  
16 district, this borough, receive its fair share? The  
17 damage was done. It still hasn't been addressed and,  
18 from what I am understanding, there is no plan that  
19 is going to protect the borough of the Bronx and its  
20 residents. Can you help me fight for Edgewater Park  
21 and other coastal communities that have still not  
22 been rebuilt after hurricane Sandy, as you talk about  
23 resiliency to protect future flooding and damage.  
24 What commitment can I get from MOR?

25 DIRECTOR BAVISHI: Thank you, Council  
member, for raising the issue. My office will follow



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2 COMMITTEE ON RESILIENCY AND WATERFRONTS

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3 up with your office to look into the particular  
4 issues you are raising. We are happy to have a  
5 follow-up conversation with you and understand what  
6 is going on there.

7 COUNCIL MEMBER GJONAJ: What about  
8 assurances for the fair distribution based on equity  
9 by borough?

10 DIRECTOR BAVISHI: So, absolutely for the  
11 resources that the city controls, we are absolutely  
12 committed to ensuring an equitable approach to  
13 distributing the money. What I will say about the  
14 federal resources is that those resources went to the  
15 communities that were most devastated and this says,  
16 like I said, the problem here is that we need to be  
17 able to do more proactive planning and access the  
18 resources for more proactive planning. What happened  
19 here is that we have our investing resources that  
20 came after Sandy to building more resilient city.  
21 You know, it's important that we do this, but it is  
22 still quite reactive because of the way federal  
23 resources flow. We really need to be able to access  
24 resources in a proactive way so we can get ahead of  
25 these challenges and not rely on which community was

3 devastated to determine which community gets  
4 investments. And so--

5 COUNCIL MEMBER GJONAJ: But, director,  
6 sorry to interrupt. The borough of the Bronx was  
7 affected by hurricane Sandy and it did not receive  
8 its fair share to deal with the damages. You're not  
9 answering my question. This community was impacted  
10 by hurricane Sandy. Yet it did not receive its fair  
11 share. It still has not been rebuilt. The federal  
12 funding was allocated to the city. The city made the  
13 decision on where that money was going to go, not the  
14 federal government. They allocated it for building  
15 it back.

16 DIRECTOR BAVISHI: So, just to be clear,  
17 there were different kinds of federal funding that  
18 were allocated to the city. In some cases, it was  
19 the federal government that allocated the dollars to  
20 particular projects and particular communities and,  
21 in some cases, the city made those decisions. But,  
22 like I said, Council member, I am happy to follow up  
23 with you and understand the issues of it better.

24 COUNCIL MEMBER GJONAJ: Thank you. Then my  
25 only-- the last question I have, Chair, and thank  
you for the courtesy, is DOB properly staffed to help

3 with neighborhood resiliency efforts on education and  
4 outreach?

5 ASSISTANT COMMISSIONER AYKROYD: Thank you  
6 for the question, Councilman. I believe that the  
7 department working in conjunction with the Mayor's  
8 Office of Resiliency is adequately staffed to handle  
9 the outreach. I think, you know, that we are good at  
10 getting the word out, but I think it is a multi-  
11 agency effort and, as Ms. Bavishi previously talked  
12 about the various means that are used to get the word  
13 out on a lot of the legislation, this is something  
14 that the Mayor's Office of Resiliency usually  
15 spearheads when it comes to these types of efforts,  
16 but, you know, as it pertains to the Department of  
17 Buildings, I think that we have the resources. But  
18 we will certainly reach out, if that is not the case.

19 COUNCIL MEMBER GJONAJ: Thank you for that  
20 answer, but do you know what the staffing level is?  
21 Can you tell me how many people are working full time  
22 on the resiliency effort of educating and getting the  
23 word out?

24 ASSISTANT COMMISSIONER AYKROYD: I don't  
25 have that information for you currently. I  
apologize.

3 COUNCIL MEMBER GJONAJ: Chairs, can I ask  
4 that you follow up to get that answer? I think that  
5 would be extremely important as we talk about  
6 educating and bringing awareness and helping fair,  
7 equitable distribution. If we don't even know the  
8 staffing levels of this tremendous undertaking, how  
9 are we going to determine that we are up to being  
10 proactive, let alone reactive on something so  
11 complicated? Thank you.

12 COMMITTEE COUNSEL: Thank you, Council  
13 member. I would just like to recognize the Council  
14 member are all rich has joined this hearing. And,  
15 now we will turn to Council member Rose for her  
16 questions.

17 COUNCIL MEMBER ROSE: Thank you. I just  
18 really would like to echo Council member Gjonaj's  
19 frustration in terms of equity. In terms of  
20 communities that receive the support, it seems to  
21 be-- it definitely wasn't equitable. And so, my  
22 question was sort of on the same line as Council  
23 member Gjonaj's. when you referenced One NYC and the  
24 raised shoreline projects. You referenced, you know,  
25 several projects. There's the Eastside Coastal,  
Brooklyn Bridge, Battery Park, and there is even the

3 South Shore of Staten Island Coastal Risk Management  
4 Project. Could you tell me all of, you know, the  
5 area that that particular project covers on Staten  
6 Island? The South Shore Coastal Risk Management  
7 Project?

8 DIRECTOR BAVISHI: Sure, Council member.  
9 The South Shore Staten Island Coast Risk Management  
10 project is a mouthful. It's a partnership between  
11 the city, state, and the Army Corps of Engineers and  
12 it actually is a bit of a misnomer because it does  
13 protect the east shore of Staten Island. It's about  
14 five and a half mile long project along the east  
15 shore of Staten Island.

16 COUNCIL MEMBER ROSE: Does that extend  
17 all the way to Saint George? Is that inclusive of  
18 Saint George?

19 DIRECTOR BAVISHI: No. It does not.

20 COUNCIL MEMBER ROSE: No. And the north  
21 shore. The north shore is totally not a part of that  
22 project, is it not?

23 DIRECTOR BAVISHI: It does not cover the  
24 north shore of Staten Island. No.

25 COUNCIL MEMBER ROSE: Okay. And so, my  
point goes back to Council member Gjonaj's point.

3 The north shore sustained an equal-- you know, a  
4 substantial amount of damage. One of my businesses  
5 on my north shore sustained over \$1 million dollars'  
6 worth of damage and it was really hard for them to  
7 even collect and any sort of aid or help was almost  
8 was very minimal or definitely we didn't receive the  
9 type of attention that the south shore received. So,  
10 I'd like to know what are the metrics that's used to  
11 determine the aid, the level of aid, that the eat--  
12 all of these are coastal, you know, communities.  
13 What's the metrics that's used to determine, you  
14 know, the amount of aid that they are getting, the  
15 attention, even the flood insurance rates. Really  
16 been equitable? So, could you tell me? What metrics  
17 do you use since we've seen that it hasn't really  
18 been equitable? So, could you tell me what metrics  
19 you used? I'm sorry. I will mute myself.

20 DIRECTOR BAVISHI: In terms of flood  
21 insurance rates, Council member, the city does not  
22 actually set flood insurance rates. I want to be  
23 very, very clear that FEMA at the federal level, set  
24 flood insurance rates. And in terms of other  
25 metrics, I want to just take a step back and first  
explain, as I say very often, resiliency is a

3 process. It is not an outcome. So, when I mentioned  
4 that, you know, over \$20 billion that we are  
5 investing in resiliency now, I just want to be very  
6 clear that we are not going to be done with the work  
7 of building a more resilient city as we spend these  
8 \$20 billion. We will need access to more resources.  
9 And I said in my testimony funding and financing is  
10 one of the challenges that we continually face and I  
11 would say the biggest challenge that we face because  
12 so often in these much needed federal dollars flow  
13 after a disaster. And so, we really need to think  
14 creatively about how we access funding and financing  
15 to do this work as we sort of move into the next  
16 phase of resiliency planning and implementation for  
17 the city. So, just want to be very clear about that  
18 because I don't want anyone to think that we are  
19 finished with the work of resiliency with the current  
20 set of projects that the city is advancing right now.

21 COUNCIL MEMBER ROSE: You know, thank you  
22 for your response and I know it is a process. But  
23 how do you get-- you know, you determine that there  
24 are communities that are, like Council member Gjonaj  
25 side, are so far out of the Q. When will we begin to  
see the resiliency effort start to, you know, take

3 shape? I understand it is a process, understanding  
4 that there is funding that, you know, has to be, you  
5 know, accumulated, but, really, how does one, you  
6 know, get in the queue and begin to be a part of the  
7 process? Hurricane Sandy has been, you know, over  
8 five years ago now.

9 DIRECTOR BAVISHI: So, you know, what I  
10 would say is that we are concerned about all of our  
11 coastal communities. What we are, you know, working  
12 to actually develop a transparent way to communicate  
13 how we are assessing risk and how we are planning for  
14 coastal resiliency. And I will also just say that,  
15 you know, not every coastal community will have the  
16 same kind of coastal protections. These projects are  
17 very, very tailored to the particular site  
18 conditions, to the particular waterfront uses, so the  
19 way that our waterfront is engaged within used. And  
20 so, we really have to-- you know, the implements  
21 ability of these projects looks really, really  
22 different in different parts of our coastline. It is  
23 incredibly complex and, you know, we are working to  
24 engage in that planning. But, then also very, very  
25 importantly, working to advocate for the resources to  
actually move plans into implementation.



3 COUNCIL MEMBER ROSE: Will we know, you  
4 know when you are talking about even beginning to  
5 have the conversations about implementing these other  
6 strategies for those districts that are not currently  
7 included in some of the shoreline projects?

8 DIRECTOR BAVISHI: So, again, I just want  
9 to refer back to my testimony that we are taking a  
10 multilayered approach to resiliency, so we are-- you  
11 know, we are engaging residents and businesses. We  
12 are working on building retrofits and working to  
13 strengthen our building code. We are working to  
14 harden infrastructure. So, I just want to be clear  
15 that shoreline protections are not the only aspect of  
16 our resiliency approach and so, you know, just  
17 because you don't see a shoreline protection project  
18 going up is not mean that your community is not  
19 receiving any investments or any benefits from the  
20 resiliency program that we are implementing now.  
21 But, with all that said, you know, Council member  
22 Rose, I welcome your partnership and I would be happy  
23 to follow up with your office to talk more about  
24 this.

25 COMMITTEE COUNSEL: Council member Rose,  
did you have any more questions?

3 COUNCIL MEMBER ROSE: I want to say thank  
4 you and I do understand that there is different  
5 resiliency, you know, efforts that are taking place.  
6 It's just the education, the access to transparency  
7 is what I'm looking for. I want to know when these--  
8 when you are reaching out to the businesses, to the  
9 residence, and what measures you are taking other  
10 than-- I know that there is a lot more than just  
11 shoreline projects going on. I want there to be open  
12 communication so that I can talk to my constituents  
13 and let them know what's available also that they can  
14 avail themselves of it so that, you know, we can  
15 start to see some of the inequities being addressed.  
16 Or know that they are being addressed. You know,  
17 right now it is not transparent enough that we even  
18 know that, you know, some of those inequities are  
19 actually being addressed. At least in my district.  
20 The South Shore is a very clear. There is a plan.  
21 There is a process and everybody is aware of it. I  
22 don't know-- I don't see anything happening on the  
23 North Shore of my district and the East all the way  
24 down to St. George. So, I am really happy to hear  
25 that. We will be in touch. We will continue this  
conversation. Thank you.

3 DIRECTOR BAVISHI: Thank you, Council  
4 member Rose. And one other opportunity I will flag  
5 for you is that, you know, we have also been  
6 advocating for the start of-- the restart of the New  
7 York and New Jersey harbor and tributaries study  
8 which the core was advancing until it was abruptly  
9 stopped early last year. And so, you know, we would  
10 also welcome your advocacy and your partnership to  
11 get that study restarted. That is, of course, a  
12 decision that the federal government has to make and  
13 we are hopeful that with the incoming Biden the  
14 administration we will be able to get that study  
15 restarted and it is going to be a really important  
16 study to really uncover new coastal strategies and  
17 solutions for many areas of the city.

18 COMMITTEE COUNSEL: Thank you, Council  
19 member Rose. We will now turn to Council member  
20 Barron for questions.

21 COUNCIL MEMBER BARRON: Thank you. I want  
22 to thank the Chairs Cornegy and Brannan for holding  
23 this hearing and, just to infuse a little bit of  
24 black history and to support the comet that I heard  
25 from Chair Cornegy, certainly black people are very  
much interested in the environment. It is historic.

3 We have had a well-known Blacks during the civil and  
4 revolutionary wars who were engaged and using their  
5 skills. We know about the extensive black community  
6 that existed successfully in Sag Harbor, as well as  
7 other parts of Long Island. We know about the black  
8 communities that lived in Nova Scotia. So, we don't  
9 want to discount the interest that the black  
10 community has in the environment. So, just want to  
11 share that with you. I have heard some your  
12 testimony. I didn't hear all of it, so if I am  
13 repeating things, please indulge me in my questions.  
14 How can we, as my colleagues before me have indicated  
15 in terms of understanding transparency and equity,  
16 how can we know, how can we be assured that our  
17 communities, particularly those that have a  
18 shoreline, are getting their fair share? There was  
19 an environmental Justice Bill that was passed. I  
20 think it was in 2018 and I was proud to be able to be  
21 able to sponsor it along with colleague  
22 Constantinides which talks about black communities  
23 having been unduly burdened in the past with those  
24 negative environmental factors and that the city has  
25 an obligation now to talk about both sharing the  
benefits, as well as the burdens. So, what is the

2 formula-- and I think one of my colleagues addressed  
3 this issue earlier. What is the formula that you are  
4 using to make sure that the 500 and some odd miles of  
5 shoreline is getting some type of equity in the  
6 distribution of how these funds are being allocated,  
7 how they are being planned, how they are being  
8 adjusted for that part of the shoreline that is  
9 commercial as opposed to that part of the shoreline  
10 that is the residential? In there is a particular  
11 question that I have following that one. Oh. And  
12 also I wanted to include parts of Staten Island for  
13 my colleague Debbie Rose, that were populating and  
14 driving by the black community that was there. Thank  
15 you.

16 DIRECTOR BAVISHI: Thank you, Council  
17 member, for your questions. So, one of the things  
18 that I noted earlier in, I think, one of my other  
19 responses was that the city has developed a  
20 pioneering heat vulnerability index and I will  
21 explain why this connects back to your question in  
22 just a second. So, this heat vulnerability index  
23 takes physical indicators of heat risk into account  
24 like lack of vegetation and density. And it also  
25 takes social indicators of heat risk into account

2 like race and poverty. And we overlay those and it  
3 helps us to determine which areas of the city are  
4 both more socially and physically at risk for the  
5 impacts of extreme heat and then we invest our heat  
6 resiliency dollars and programs into those areas of  
7 the city. Similarly, we are really working to model  
8 a new tool that will show coastal vulnerability in  
9 the same way. This is something that really hasn't  
10 been done before for the city as complex as New York  
11 City, so it will be new, but it is something that we  
12 are so that we can have a better indication of both  
13 physical and social vulnerability to coastal risk.  
14 It is something that I am happy to talk to your  
15 office about as a follow-up to this hearing.

16 COUNCIL MEMBER BARRON: And so, how does--  
17 Your planning, then, to use that same technique and  
18 model to identify the coastlines.

19 DIRECTOR BAVISHI: Coastal vulnerability.

20 COUNCIL MEMBER BARRON: Coastal  
21 vulnerability. Okay. So, as we are looking to put  
22 plans in place to protect, particularly, the  
23 coastline, part of my community is the Jamaica Bay  
24 coastline and it includes what is now Shirley  
25 Chisholm Park in which we have to make sure that we

3 acknowledge that it was the city that over the years  
4 this administration and previous administrations had  
5 invested, I think, \$100 million to make sure that we  
6 cap to that area, and adjoining the Shirley Chisholm  
7 state Park is the spring Creek preserve. I am not  
8 sure if it [inaudible 01:18:52] it's one of the bays  
9 off of that and the residents there are concerned  
10 that there is coastal erosion going on. We did have  
11 a meeting last week. My Chief of Staff had a meeting  
12 with representatives of your office, as well as other  
13 departments and agencies and they are going to  
14 comment to a site visit to determine what might be  
15 the causes and they say it may be the rise in sea  
16 level and other factors and not necessarily erosion,  
17 but to that point, my colleagues are introducing  
18 legislation talking about provisions that the city  
19 needs to take. Provisions that need to assist  
20 persons who, in fact, maybe subjected to this erosion  
21 so that they don't lose their homes and lose their  
22 property and we would be proactive in that regard.  
23 So, what are the plans in that regard for privately  
24 owned coastlines? This part of the coastline is the  
25 condominium that was developed there. There were I  
don't know how many homes. Not a lot, but they are

3 condominiums. And what might be the programs that we  
4 can address to assist them moving forward?

5 DIRECTOR BAVISHI: I'm sorry, Council  
6 member. I'm going to have to follow up with you and  
7 your office. I don't think it was--

8 COUNCIL MEMBER BARRON: Okay.

9 DIRECTOR BAVISHI: [inaudible 01:20:08]  
10 with your staff last week, so let me--

11 COUNCIL MEMBER BARRON: No. It wasn't you.  
12 You're with someone else. Yes.

13 DIRECTOR BAVISHI: yeah. Let me better  
14 understand the details and then I am happy to have a  
15 conversation with you about it.

16 COUNCIL MEMBER BARRON: And where can we  
17 see a comprehensive listing of all of the projects  
18 and programs and money and ideas and initiatives and  
19 support that is available?

20 DIRECTOR BAVISHI: Yeah. The Sandy funding  
21 tracker which is a tracker that ON the hosts and it  
22 was created in partnership with counsel, does list  
23 all of the Sandy funded projects. And so, you can  
24 find that online and, you know, it is all the Sandy  
25 funded-- sorry. The federally funded post Sandy  
projects. So, that is a really good resource and, of



2 course, we are happy to talk with you if you have  
3 feedback on how we can better communicate our work.  
4 The challenge with communicating resiliency efforts  
5 is that it is in all of city endeavor. Every city  
6 agency is involved in resiliency and one way or  
7 another. The, and is certainly challenging to  
8 communicate that Brett and the depth of what we are  
9 doing, but we certainly appreciate your feedback on  
10 that.

11 COUNCIL MEMBER BARRON: Well, I think the--

12 DIRECTOR BAVISHI: we are always looking to  
13 improve how we do that.

14 COUNCIL MEMBER BARRON: Thank you. I think  
15 that is something very important, as my colleagues  
16 have talked about in terms of transparency. We need  
17 to know what it is that is there and how you are  
18 projecting the uses. But I want to thank both Chairs  
19 for indulging me and thank the administration for  
20 coming and presenting. Thank you.

21 COMMITTEE COUNSEL: Thank you, Council  
22 member. I will now turn it back to Chair Brannan for  
23 additional questions.

24 CHAIRPERSON BRANNAN: Thank you, counsel.  
25 I just wanted to ask one last question and just to

3 really drill down on because I don't want to be  
4 surprised by this. I don't think any of us to.  
5 Obviously, there have been significant funding cuts  
6 at both the federal and state level and the city  
7 level because of the economic crisis we are  
8 experiencing because of Covid. Will we have an  
9 answer in a real way that we can prepare for as far  
10 as if these funding cuts are going to affect to any  
11 of our capital projects that are in the pipeline and,  
12 if they are, how we are going to prioritize which  
13 ones get funded going forward?

14 DIRECTOR BAVISHI: No resiliency projects  
15 are currently affected by [inaudible 01:22:52]  
16 funding cuts or by positives.

17 CHAIRPERSON BRANNAN: So none of the  
18 current resiliency capital projects are in jeopardy?

19 DIRECTOR BAVISHI: That's right. No  
20 resiliency capital projects are currently affected by  
21 funding cuts or pauses.

22 CHAIRPERSON BRANNAN: And how do we know  
23 it is going to stay that way?

24 DIRECTOR BAVISHI: You know, I don't know  
25 how to answer that question. I think that is a  
question for OMB.

3 CHAIRPERSON BRANNAN: Okay. But,  
4 basically what you are saying is that, as of now,  
5 February 8, 2021, none of these projects are in  
6 jeopardy, but I am assuming they are going to be on  
7 the chopping block like everything else that might  
8 get cut.

9 DIRECTOR BAVISHI: Like I said, Chair  
10 Brannan, you know, the I can report out on what I  
11 know now, that I think in terms of budget process,  
12 those are questions that are better suited for OMB.

13 CHAIRPERSON BRANNAN: But there is no--  
14 I guess, further, the there is no way that these  
15 projects are going to be sheltered in some way your  
16 protected or immune to cuts, right? Have you been  
17 given any indication from OMB that resiliency capital  
18 projects will be immune to budget negotiations and  
19 cuts?

20 DIRECTOR BAVISHI: I know that resiliency  
21 is a top priority of the Mayor and the administration  
22 and OMB is certainly treating it in that way. As  
23 far as whether or not the projects are immune, I  
24 don't know that anything is immune right now because  
25 this is really such an incredibly tough budget  
environment.

3 CHAIRPERSON BRANNAN: Okay, counsel. I  
4 am good.

5 COMMITTEE COUNSEL: Thank you, Chair.  
6 We will now turn to testimony from members of the  
7 public. I would like to remind everyone that, unlike  
8 our in-person Council hearings, we will be calling  
9 individuals one by one to testify. Once your name is  
10 called, a member of our staff will unmute you and the  
11 sergeant-at-arms will set the timer and announced  
12 that you may begin. Your testimony will be limited  
13 to two minutes. I would now like to welcome Laura  
14 Rothrock from the New York Coalition of Code  
15 Consultants followed by lyric Thompson to testify.  
16 Laura Rothrock, you may begin when the sergeant calls  
17 time.

18 SERGEANT-AT-ARMS: Starting time.

19 LAURA ROTHROCK: Good morning, Chairs  
20 Cornegy, Brannan, and members of the New York City  
21 Council. My name is Laura Rothrock and I am  
22 providing testimony on behalf of the New York  
23 Coalition of Code Consultants also known as NYCCC.  
24 Organization whose members specialize in securing  
25 construction and development approvals from municipal  
agencies, as well as building code and zoning

3 consulting. I am testifying today in opposition to  
4 Intro 962 A which would limit the amount of allowed  
5 impermeable area of zoning lots. As currently  
6 drafted, the proposal-- the proposed law would limit  
7 development of lots to 50 percent of the total area  
8 which is contrary to the zoning law which stipulates  
9 lot coverage and, in many cases, allows development  
10 to be greater than 50 percent, up to 100 percent for  
11 some sites. While we understand the importance of  
12 permeable surfaces and their positive environmental  
13 impacts, this proposed legislation is extreme. New  
14 York City may be a concrete jungle, but residents  
15 also live sustainably through dense housing and take  
16 advantage of walk ability, proliferating by bike  
17 lanes, and public transportation. There are ways to  
18 encourage more sustainable development without  
19 completely stifling new construction opportunities.  
20 Should the law be accepted as drafted, it would do  
21 irreparable harm to the future development in the  
22 city, including housing and affordable housing. Our  
23 city is in a crisis and we will need to encourage new  
24 development, and not completely restrain and as part  
25 of our economic recovery. We thank you for your  
consideration.

2 COMMITTEE COUNSEL: Thank you. We  
3 would now like to welcome Lyric Thompson to testify.  
4 Lyric Thompson, you may begin when the sergeant calls  
5 time.

6 SERGEANT-AT-ARMS: Starting time.

7 COMMITTEE COUNSEL: It appears that  
8 lyric Thompson is no longer available. This  
9 concludes the public testimony. If we have  
10 inadvertently missed anyone that has registered to  
11 testify today and has yet to have been called, please  
12 use the zoom raise hand function and you will be  
13 called in the order that your hand has been raised.  
14 Seeing nine, I will now turn it over to Chair Cornegy  
15 and Chair Brannan for closing remarks. Chair  
16 Cornegy? Chair Cornegy, you seem to be muted.  
17 Please stick with us--

18 CHAIRPERSON CORNEGY: I'm here. I'm  
19 here. So, I want to thank my colleagues for  
20 participating in this hearing. There is no better  
21 time to have a conversation about resiliency on our  
22 waterfront then during a. When we are pivoting and  
23 shifting to really shape the city of New York. This  
24 conversation is timely. The needs of our communities  
25 along the waterfront's are timely. I want to thank

2 the participation of the administration year. We  
3 will be following up as a committee. And also I  
4 asked my office to do a couple of things. What is  
5 used to disseminate the information to those at risk  
6 communities that are along the shore France. Also to  
7 work diligently to make sure that the programs  
8 actually match the needs and are not so lofty that  
9 the people on the ground are not getting the  
10 resources necessary to recover. In this process, we  
11 know that there-- is the city to visits and shifts  
12 characteristically, there has figuratively and  
13 literally been a washout of very vulnerable people  
14 and we want to ensure that that figuratively and  
15 literally washout along our waterfront's doesn't  
16 happen to communities that have resided there and  
17 that need to benefit from the program being  
18 introduced here today. I want to thank my colleague  
19 and cochair, Justin Brannan, for helping me  
20 facilitate this hearing. I want to thank the  
21 advocacy of both Mark Treyger and Costa  
22 Constantinides, not leaving out, of course, Debbie  
23 Rose in Staten Island. So, I want to thank those who  
24 represent our waterfront's, Steve Levin and Laurie  
25 Cumbo. So many of us are representatives of the

3 waterfront and are responsible for being good  
4 stewards of not only their care today, but for their  
5 future resiliency. So, thank you for that.

6 COMMITTEE COUNSEL: Chair Brannan, your  
7 closing?

8 CHAIRPERSON BRANNAN: Thank you, counsel.  
9 Look. We said it a million times. New York City has  
10 520 miles of shore lined primarily by low income  
11 communities of color in the so-called outer boroughs.  
12 These are working families, children, seniors, all on  
13 the front lines of extreme weather, whether they like  
14 it or not. And that is why racial justice is climate  
15 justice and that is why this is so damn important.  
16 Extreme weather is both a race and a class issue, as  
17 well. New York City is facing converging crises now  
18 due to climate change, aggravated by other challenges  
19 faced by low income communities and communities of  
20 color. Affordable housing, urban heat, sea level  
21 rise, just to name a few. We cannot just talk  
22 holistically. We have to act holistically. It has  
23 been almost-- this year is nine years since  
24 hurricane Sandy. I think City Hall Bristol a bit  
25 Manhattan, but there is truth there because residents



3 living on the rest of the New York City shoreline  
4 aren't feeling it. Not seeing it. My colleague,  
5 Councilwoman Debbie Rose on the other side of the  
6 Verrazano Bridge, asked about Staten Island's North  
7 Shore. She is, basically, being told, well,  
8 resiliency measures are happening there, you just  
9 can't see it. Which is crazy. It's insane. There  
10 is a reason and that there is the stereotype that  
11 City Hall only cares about certain areas. It's  
12 because areas in the Bronx and Staten Island and  
13 southern Brooklyn are not getting attention. And  
14 there have been significant cuts at both the federal  
15 and state level. How do we know that these cuts are  
16 going to be protected? How do we know that the  
17 resiliency capital projects or the resiliency--  
18 Mayor's Office of Resiliency itself is not going to  
19 be cut? It is crazy that we even have to worry about  
20 this right now, but here we are worrying about it and  
21 we need to be proactive. So, I thank everyone for  
22 their testimony today. Thank the cosponsors and  
23 sponsors of this important legislation and, of  
24 course, to my cochair, Robert Cornegy, for this  
25 important hearing and we will be following up on all  
these issues. Thank you.

3 COMMITTEE COUNSEL: Thank you, Chair  
4 Brannan. I will now turn it over to Chair Cornegy to  
5 close the hearing. Chair Cornegy.

6 CHAIRPERSON CORNEGY: Thank you,  
7 everybody for your participation. This hearing has  
8 commenced.

9 [gavel]

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C E R T I F I C A T E

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



Date February 15, 2020