

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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SEPTEMBER 27, 2021
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HELD AT: REMOTE HEARING - VIRTUAL ROOM 2

B E F O R E: CHAIR PETER KOO

COUNCIL MEMBERS: PETER KOO
JOSEPH BORELLI
MARK GJONAJ
FRANCISCO MOYA
DANIEL DROMM
KEVIN RILEY
JAMES GENNARO
SELVENA BROOKS-POWERS
ROBERT HOLDEN
FERNANDO CABRERA
CAROLINA RIVERA
MARK LEVINE
JUSTIN BRANNAN
JAMES VAN BRAMER
DARMA DIAZ

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

(ADMINISTRATION)

DEPUTY COMMISSIONER LIAM KAVANAGH

ASSISTANT COMMISSIONER JENNIFER GREENFELD

DIRECTOR MATT DRURY

(PUBLIC)

EMILY MAXWELL

TARA DAS

CARLOS CROKE

ROXANNE DELGADO

SKY PAPE

LEN MANIACE

MICHAEL MARINO

JESSICA BURKE

NATASIA SIDARTE

ROWAN BLAIK

SHARRISE PALOMINO

1 COMMITTEE ON PARKS AND RECREATION

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3 SGT. KOTOWSKI: Beginning live stream.

4 SGT. MARTINEZ: PC recording under way.

5 SGT. PEREZ: Backup is rolling.

6 SGT. POLITE: Recording to the cloud all
7 set.

8 SGT. LUGO: Thank you. Good everyone.

9 Welcome to today's remote New York City Council
10 hearing of the Committee on Parks and Recreation. At
11 this time, would all panelists please turn on your
12 videos. To minimize disruption, please place
13 electric devices to vibrate or silence. If you wish
14 to submit testimony, you may do so at
15 testimony@council.nyc.gov, again, that's
16 testimony@council.nyc.gov. Thank you for your
17 cooperation. Chair Koo, we are ready to begin.

18 CHAIR PETER KOO: ... join in our virtual
19 hearing today before the council's Committee on Parks
20 and Recreation. I would like to acknowledge my
21 fellow council members who are present. Council
22 Member Borelli, Gjonaj, Moya, Council Member Dromm,
23 Council Member Riley, Gennaro, Brooks-Powers, Council
24 Member Holden, and Council Member Cabrera. Good
25 morning. I'm Peter Koo, Chair of the Committee on

COMMITTEE ON PARKS AND RECREATION

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2 Parks and Recreation. I would like to welcome my
3 fellow council members, members of the
4 administration, and the public who have come to
5 participate in today's hearing. Today, we will be
6 examining the work of the Park's Department as it
7 relates to maintaining (inaudible) element of our
8 environment trees. The benefits of well-maintained
9 trees are obvious. They improve water quality by
10 filtrating and diverting stone water runoff,
11 increased property values, (inaudible), provide
12 habitats for wildlife, mitigate the heat island
13 effect, and provide better air quality by reducing
14 the presence of many air pollutions. It has been
15 estimated that the city trees reduce annual
16 residential energy causes by \$17 million dollars per
17 year and reduced one by \$69 million (inaudible) per
18 year. These benefits are estimated to have a total
19 value of about \$100 million dollars each year. The
20 process involved has many facets which the department
21 will speak about in more detail when it presents each
22 testimony. Briefly, the process includes a block-by-
23 block zoning schedule, engaging non-profits to help
24 plan to share and protect trees, and in a special
25 process, through the Parks inspection program, or

COMMITTEE ON PARKS AND RECREATION

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2 PIP, in which inspections are carried out annually in
3 parks and (inaudible). Over the recent years, the
4 department's budget for maintaining has suffered ups
5 and downs as the pollen cycle had to be increased
6 from one every seven years to once every 15 years,
7 and back, once again, to seven years, but with recent
8 budgets, some of those funds have been restored, but
9 issues still persist. For example, the top
10 categories of parks-related 3-1-1 calls involve
11 complaints about trees. Some of these complaints
12 include concerns over the mature depts to new trees,
13 tree limits, and sidewalk damage resulting from
14 growing tree roots. Additionally, fallen tree
15 branches, many from trees that have been ridden due
16 to severe weather, have raised severe service
17 concerns, and there have been numerous incidents over
18 the years where severe injury, and even death to
19 innocent bystanders resulting from being struck.
20 This will be a major problem and needs to be
21 addressed as climate change is going to leave the
22 city more vulnerable to more severe weather and
23 storms, and city trees and benefits will derive from
24 them will increase the need, be at risk if we don't
25 maintain them in a smart way. My office continuously

COMMITTEE ON PARKS AND RECREATION

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2 receives numerous complaints from owners and
3 residents about tree complaints. They submitted to
4 the city, only for nothing to be done. So, no one is
5 surprised when a tree goes down a couple years later.
6 Many council members echo these same complaints
7 during our Hurricane Isiah here and last year. So, I
8 hope we can, at least, make the process for
9 addressing complaints more efficient. This also
10 highlights how critical how tree maintaining is to
11 the quality of life and to the safety of our who live
12 and visit this city. The committee today will also
13 consider seven pieces of legislation sponsored by my
14 colleagues and myself. Proposed Intro 98A sponsored
15 myself aims to remove the hazards from sidewalks and
16 improve the status of city laborers by requiring the
17 Commissioner of DPR to replace trees and vegetation
18 in empty tree pits. Related to this Bill, I'm happy
19 to be partnering with NYC Parks now to do a pilot
20 program of installing permeable pavement and tree
21 pits. This is in response to tree pits being
22 compacted due to level sidewalks which turns it into
23 tripping hazards, and also results in being unhealthy
24 for trees. Our pilot will help to keep our
25 pedestrians and sidewalks safe, keep our trees to

COMMITTEE ON PARKS AND RECREATION

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safe with room to grow, and to help to better catch storm water. We will hear Intro 199, sponsored by Council Member Matteo, a Local Law to amend the administrative code in relation to the undertaking of surveys before planting trees. Intro 467, sponsored by Council Member Dromm, a Local Law to amend the administrative code in relation to requests for trees. Intro 552, sponsored by Council Member Levine, a Local Law to amend the administrative code in relation to posting of the information online regarding trees down removal. Intro 957, sponsored by Council Member Borelli, a Local Law to amend the administrative code in relation to replacement of city-owned trees that have been lawfully removed, and sponsored by myself, Intro 2365, a Local Law to amend the administrative code in relation to creation of a down tree taskforce to coordinate the removal of fallen trees due to a severe weather event, and finally, Intro 2366, a Local Law to amend the administrative code in relation to requiring tree health assessments and inspections. I would like to thank all of my colleagues for sponsoring these Bills. It's my hope that this hearing will set the stage for this council and the administration to work

COMMITTEE ON PARKS AND RECREATION

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2 together to better recognize the need to fully
3 allocate all necessary resources for the care of city
4 trees. Finally, I would like to note that this past
5 Friday, Mayor Di Blasio appointed Gabrielle Fialoff
6 as the new Commissioner of the Parks Department. I
7 would like to congratulate her on the appointment,
8 and I look forward to meeting with her very soon and
9 working with her through the rest of the year. Thank
10 you again, and welcome. I would like ask Council
11 Member Dromm to make a statement for his Bill.

12 COUNCIL MEMBER DANIEL DROMM: Thank you
13 very much, Chair Koo, and I really appreciate you
14 holding this hearing on trees today. Trees are
15 certainly beautiful, but they also have a myriad of
16 benefits to the health of our city and its
17 inhabitants. Unfortunately, our urban street canopy
18 is under attack, and I don't just mean by the latest
19 invasive insect species. Trees must contend with a
20 host of challenges, not only over development and
21 vandals, but also poor planning and a lack of vision
22 at the highest levels. It seems our urban foresters,
23 human stewards, have utterly failed it. The title of
24 this hearing draws attention to the sad reality that
25 New York lags far behind other cities. While we are

COMMITTEE ON PARKS AND RECREATION

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2 concerned about maintaining the tree stock, others
3 have prioritized increasing the overall number of
4 trees as part of their green infrastructure plans.
5 Washington D.C.'s canopy has grown tremendously in
6 recent years, and at 38 percent is well on its way to
7 reaching its 40 percent goal by 2032. New York
8 stands at an appalling 22 percent. Reaching 30
9 percent by 2035 is an attainable goal, but it
10 requires a shift and a mentality from defense to
11 offense. A broad coalition of stakeholder agrees,
12 and even before its release, I've been working to
13 advance the goals of the ambitious New York City
14 urban forest agenda. Intro 1749, the New York City
15 Tree Canopy Protection Act and several other Bills
16 that tackle the issue from a systemic perspective are
17 not being heard today. Unfortunately, as an interim
18 measure, Intro 467 which is being heard today, aims
19 to address the lack of transparency as the Department
20 of Parks and Recreation around the quest for planning
21 of street trees. It is commendable that so many New
22 Yorkers request the planting and replanting of street
23 trees. However, at least in the environmental
24 justice community, I represent a small fraction of
25 these trees are actually planted. The absurd

COMMITTEE ON PARKS AND RECREATION

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2 response that I have most often heard is that utility
3 lines run under the empty tree pits. These pits,
4 once hosted trees so that it is hard to imagine that
5 nothing could be planted there, and I wonder if we're
6 taking (inaudible) over trees or what the story is
7 with that. The impact of this bureaucratic
8 intransience is row after stock row of empty tree
9 pits where tree-lined blocks once existed. I know
10 that my district is not the only one undergoing this
11 horrifying deforestation. I am fortunate enough to
12 have some fierce tree advocates in my district, some
13 of whom are here today, people like Len Maniace from
14 Jackson Heights Unification Group and the Friends of
15 Travis Park, and I thank them for tireless efforts on
16 behalf of one of our city's more value natural
17 resources. Thank you for being here, and thank you,
18 Chair Koo for holding this important hearing.

19 CHAIR PETER KOO: Thank you, Council
20 Member Dromm. I would like to acknowledge Council
21 Member Rivera also joined this hearing. I would like
22 to turn it over to our moderator, Committee Counsel,
23 Kris Sartori to go over some procedural items.

24 COMMITTEE COUNSEL KRIS SARTORI: Thank
25 you, Chair Koo. I'm Kris Sartori, Senior Counsel to

COMMITTEE ON PARKS AND RECREATION

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1 the Committee on Parks and Recreation, and I'll be
2 moderating this hearing. Before we begin, I'd like
3 to remind everyone that you will be on mute until you
4 are called on to testify; at which point, you will be
5 unmuted by the host. During the hearing, I will be
6 calling on panelist to testify, so please listen for
7 your name to be called, as I will periodically be
8 announcing who the next panelist will be. We'll
9 first be hearing testimony from the administration,
10 followed by testimony from members of the public who
11 have registered to testify. During the hearing, if
12 council members would like to ask a question of the
13 administration or of a specific panelist, please use
14 the Zoom raise hand function, and I will call on you
15 in order. We will be limiting council member
16 questions to five minutes, including the time it
17 takes to answer such questions. For members of the
18 public, we'll be limiting speaking time to three
19 minutes in order to accommodate all who have come
20 here to testify. Once you are called on to speak,
21 please begin by stating your name and the
22 organization you represent, if any. We will now call
23 on representatives of the Parks Department to
24 testify. Appearing today for the Department of Parks
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COMMITTEE ON PARKS AND RECREATION

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2 and Recreation will be First Deputy Commissioner Liam
3 Kavanagh, Assistant Commissioner for Forestry,
4 Horticulture and Natural Resources Jennifer
5 Greenfeld, and Director of Government Relations Matt
6 Drury. At this time, I will administer the
7 affirmation to each representative of the
8 administration. I will call on each of individually
9 for a response. So, at this time, please raise your
10 right hand. Do you affirm to tell the truth, the
11 whole truth, and nothing but the truth before this
12 committee and to respond honestly to council member
13 questions? First, Deputy Commissioner Kavanagh.

14 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes.

15 COMMITTEE COUNSEL KRIS SARTORI: Thank
16 you. Assistant Commissioner Greenfeld.

17 ASSISTANT COMMISSIONER JENNIFER

18 GREENFELD: Yes, I do.

19 COMMITTEE COUNSEL KRIS SARTORI: And
20 Director Drury.

21 DIRECTOR MATT DRURY: I do.

22 COMMITTEE COUNSEL KRIS SARTORI: Thank
23 you. At this time, I will invite First Deputy
24 Commissioner Kavanagh to present his testimony.

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COMMITTEE ON PARKS AND RECREATION

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DEPUTY COMMISSIONER LIAM KAVANAGH:

Thank you. Good morning, Chair Koo, member of the Parks Committee, and other members of the city council. I am Liam Kavanagh, First Deputy Commission for New York City Parks. I'm pleased to be joined today by Jennifer Greenfeld, Assistant Commissioner for Forestry, Horticulture, and Natural Resources, as well as our Director of Governmental Relations, Matt Drury. I want to start by noting our appreciation for the council's continued advocacy for our city parks, and especially for the resources and support it has provided to our forestry efforts. New York City's tree canopy is an incredible natural resource that delivers environmental and economic benefits to New Yorkers. Nearly \$260 million dollars' worth of combined annual and accumulated value which has become all the more important in the face of global climate change. Our agency manages over 50 percent of the city's tree canopy which represents the best possible opportunity to maximize the benefits of this vital resiliency infrastructure in hopes of staving off the worst impacts of climate change. Our city trees capture storm water, help mitigate carbon emissions and pollution, increase property values,

COMMITTEE ON PARKS AND RECREATION

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2 and provide invaluable shade to keep our
3 neighborhoods cooler. We have invested significantly
4 in planting for new trees along city streets as well
5 as throughout our parks and forests. Through the
6 Cool Neighborhoods initiative, we're focused on parts
7 of the city that have been traditionally underserved
8 and overlooked to ensure that trees are being planted
9 in the neighborhoods that are most vulnerable to heat
10 impacts. In addition to planting new trees,
11 protecting and caring for existing trees is critical
12 to maintaining and expanding our urban tree canopy.
13 This administration has provided high levels of
14 funding for routine street tree pruning and
15 maintenance and has significantly convinced the level
16 of annual funding provided for block pruning in
17 comparison to previous administrations. Our highly
18 trained and dedicated forestry staff work closely
19 with our contractors and other service providers to
20 address the tree concerns as quickly as possible,
21 utilizing a risk manage approach that prioritizes the
22 conditions that present the most risk to the safety
23 of New Yorkers. Over time, our standards of protocol
24 towards preplanting and tree care have evolved and
25 formed by closely tracking research and best

COMMITTEE ON PARKS AND RECREATION

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2 practices implemented by urban foresters around the
3 world. I'd like to take a moment and acknowledge the
4 excellent work done by our forestry staff. If you've
5 enjoyed a picnic under a park tree, taken a moment to
6 enjoy the cool air along a tree-lined block, or taken
7 a peaceful walk in the woods, you have them to thank.
8 The trees along our streets, throughout our park
9 landscapes, and clustered in our natural forest are
10 living network of vital New York City infrastructure
11 that helps keep our city healthy, safe, and vibrant.
12 Just like the city's network of street lamps or
13 watermains, our urban tree canopy is a vital asset
14 that needs to be maintained, protected, and
15 preserved. As we all have come to recognize that
16 global climate change emergency is all too real, and
17 our city's tree canopy is the first line of defense.
18 To that end, we take our responsibility to very
19 seriously to prevent tree impacts from nearby
20 construction or other work, and we do everything in
21 our power to ensure that the removal of a healthy
22 tree is to be avoided if at all possible. The seven
23 separate pieces of legislation being heard today
24 touch upon a very wide range of forestry-related
25 topic. Intro 98 relates to unplantable street tree

COMMITTEE ON PARKS AND RECREATION

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2 beds. Intro 199 regards the undertaking of surveys
3 for planting street trees. Intro 467 would compel
4 increased reporting related to public requests for
5 tree plantings. Intro 552 relates to the posting of
6 information online requesting tree stump removal.
7 Intro 957 would impact the replacement of city-owned
8 trees after their lawful removal. Intro 2365 relates
9 to the city's down tree taskforce, and Intro 22366
10 regards tree health assessments and inspection in
11 advance of pruning maintenance. Regarding the
12 legislation being heard today, we appreciate the
13 intent of these Bills and are happy to work closely
14 with the council to discuss paths forward to
15 addressing any existing concerns regarding our city's
16 tree canopy. Given the expansive breath of these
17 issues and our limited time today won't allow for us
18 to provide a comprehensive overview of all of our
19 agency's forestry management efforts, but we are
20 always available to provide further information about
21 our tree-related programs and practices in hope of
22 helping you and your constituents better understand
23 our forestry work. Thank you for the opportunity to
24 testify today, and for the change to listen to
25 testimony from the public on this topic through the

COMMITTEE ON PARKS AND RECREATION

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council's hearing livestream. We are now happy to answer any questions that you might have.

COMMITTEE COUNSEL KRIS SARTORI: Thank you, and I will now turn it back to Chair Koo for questions.

CHAIR PETER KOO: (Inaudible).

COMMITTEE COUNSEL KRIS SARTORI: Go ahead, Chair Koo.

CHAIR PETER KOO: Okay, again, yeah.

Okay, so we are also joined by Council Member Levine and Brannan. Commissioner, thank you for coming to testify. My first question is I want to hear about the overall tree inspection process. Trees in parks routinely inspected as part of the Park's inspection program, PIP.

DEPUTY COMMISSIONER LIAM KAVANAGH: Yes, Council Member Koo, trees are one of the elements that are assessed by the inspectors during the Park Inspection Program semi-annual (inaudible). In addition to that, our park supervisors who conduct monthly written evaluations of all of the parks that we're responsible for, look at the trees as well as part of that process. They refer any conditions that are a concern to them, to the borough forestry office

COMMITTEE ON PARKS AND RECREATION

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2 for additional inspection as is the case with the
3 Park Inspection Program inspections. So, we do have
4 a system for assessing trees. These are not
5 inspections conducted by trained arborist. I just
6 want to be clear about that, but they are evaluations
7 of trees that do inform our decisions about tree
8 maintenance within parks.

9 CHAIR PETER KOO: Thank you. So, how are
10 3-1-1 complaints regarding trees treated? If a tree
11 was just pruned two years ago, does the complaint
12 have to wait until the next pruning cycle to be
13 addressed?

14 DEPUTY COMMISSIONER LIAM KAVANAGH: In
15 some cases, yes, council member. We prune
16 approximately 70,000 street trees or more a year, and
17 it is sort of the basis of our maintenance approach
18 to the urban forest. Trees, according to industry
19 standards should be pruned on a five-to-seven-year
20 cycle, and thankfully, because of the funding that we
21 received during this administration, we've been able
22 to attain that level of care with the exception of
23 FY21 when the pandemic eliminated much of our funding
24 for maintenance and other activities that we
25 typically perform. We will, if a tree poses a

COMMITTEE ON PARKS AND RECREATION

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2 problem, or if there is something potentially
3 hazardous with the tree, of course, we'll inspect it,
4 but if there is a request for routine pruning,
5 subsequent to the most recent pruning, we will wait
6 until the next pruning cycle in order to address the
7 tree.

8 CHAIR PETER KOO: So, you see currently,
9 a backlog of tree complaints that need to be
10 addressed, and how are tree issues weighed in terms
11 of what gets prioritized?

12 DEPUTY COMMISSIONER LIAM KAVANAGH: We
13 received many service requests as I referred to from
14 the public every year concerning tree conditions. In
15 a typical year, it's between 70,000 and 80,000, and
16 in any year in which we have a large number of
17 storms, it can easily exceed 100,000, and then reach
18 over 120,000 service requests. Normal service
19 requests, they come to us through several means
20 primarily through 3-1-1, calling directly to 3-1-1,
21 3-1-1 online, Parks website, and the New York City
22 Tree Map. All of those methods allow the public to
23 create a service request asking anything about a
24 tree. They all feed directly into our forestry
25 management system, and they all create an individual

COMMITTEE ON PARKS AND RECREATION

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2 record for every service request that we receive. We
3 prioritize the service requests inspection based on
4 the condition that is described to us by the public.
5 So, any condition that appears as if it may indicate
6 a tree in poor condition or a tree that presents a
7 potential hazard, we prioritize inspecting those
8 service requests, of course, and we apply a tree risk
9 management approach to evaluating the conditions that
10 are brought to our attention. Our inspectors are
11 certified arborists. We have about 80 throughout the
12 entire system who are certified arborists, and about
13 50 of those arborists are further certified as tree
14 risk assessment qualified inspectors. It is a
15 special credential development by the International
16 Society of Horticulture that trains them to identify
17 risks in trees based on the condition of the tree and
18 the location of the tree. They apply that training
19 and knowledge to those inspections. They assign,
20 what we call a risk rating to that inspection or to
21 that tree, and our responses are based on the results
22 of those risk inspections. The highest rated risks,
23 obviously, is the work that we do first and do as
24 quickly as possible, and we work down the scale, you
25 know, from the highest to lower risk categories, and

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2 that's really the basis of what our approach to
3 managing the forest when it comes to public service
4 requests. Of course, we do have an extensive block
5 pruning program that is sort of the cornerstone of
6 our maintenance approach to the urban forest, but I
7 hope that answers the question that you had, council
8 member.

9 CHAIR PETER KOO: Okay. So, how often is
10 tree maintenance worked in-house versus by
11 contractors?

12 DEPUTY COMMISSIONER LIAM KAVANAGH: The
13 vast majority of the tree work that's done on annual
14 basis is done by contracts primarily through block
15 pruning programs and for our stump removals
16 contracts. Between them, they probably address
17 between 70,000 and 85,000 either tree pruned, stumps
18 removed in the course of a year, and the Park's staff
19 which focuses primarily on high-risk situations that
20 are outside of the block pruning program, we remove
21 anywhere between 8,000 and 12,000 trees in course of
22 a typical fiscal year. We address 10,000 emergency
23 situations in the course of a typical year. They
24 also prune trees that need to be addressed outside of
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1 COMMITTEE ON PARKS AND RECREATION

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3 the block pruning program, and that varies from year
4 to year depending on a number of factors.

5 CHAIR PETER KOO: How many of those
6 70,000 to 80,000 complaints are addressed each year?
7 Are there ever any complaints taken over to the next
8 year?

9 DEPUTY COMMISSIONER LIAM KAVANAGH: I'm
10 sorry, councilman, it is not. The block pruning
11 program does not directly address 70,000 service
12 requests that we receive in a year. The block
13 pruning program are geographically grouped trees to
14 maximize both productivity and to minimize cost, and
15 to establish a pattern of maintenance across the city
16 that's reliable that allows us to know that we have
17 treated different, you know, areas in a systematic
18 fashion, but it is not directly address the service
19 requests we receive. Some of them, yes, but it is
20 not a one-for-one sort of correlation between service
21 requests and trees pruned under the block pruning
22 program.

23 ASSISTANT COMMISSIONER JENNIFER

24 GREENFELD: Council member, if I could just add a
25 couple of notes. Thank you for your questions. This
is Commissioner Greenfeld here. I do want to give

COMMITTEE ON PARKS AND RECREATION

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2 you a little bit of a sense of the scale of
3 inspections that we do, these very highly trained
4 professionals in FY20 which is our last sort of
5 benchmark of a typical year, inspected 130,000 of our
6 trees. That's, you know, nearly 20 percent of our
7 population. It's a significant number, and that's
8 both proactive inspections. So, we're ahead of the
9 game, and inspections in response to this service
10 request that we received, and we can get you that
11 answer later about what we receive, rates to what,
12 you know, relates to what we inspect each year.
13 Thank you.

14 CHAIR PETER KOO: Okay, so, so what
15 exactly happens when pruning cycles are extended
16 beyond the recommended seven years. How does Parks
17 catch up?

18 ASSISTANT COMMISSIONER JENNIFER
19 GREENFELD: Well, it's only happened once in the last
20 15 years, and that was last year during COVID. So,
21 we've been really fortunate, particular in this
22 administration to have maintained our very, you know,
23 industry standards seven year pruning cycle, so what
24 we did was we essentially, last year, with a small
25 number, we were able to finish off what we couldn't

COMMITTEE ON PARKS AND RECREATION

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2 finish in FY20, and then we're just starting with the
3 next round of communities that are ready to get their
4 block pruning this fiscal year. So, it's a seven
5 cycle. We track. Each community board gets a
6 portion of their trees pruned every year, and we just
7 went right back on track in FY22.

8 CHAIR PETER KOO: How much pruning is
9 done in-house versus contractors?

10 DEPUTY COMMISSIONER LIAM KAVANAGH:
11 Council member, it varies from year to year, but we
12 have two approaches to pruning in-house. Our
13 horticulture staff prunes approximately 10,000 young,
14 sturdy trees every year. We think this is an
15 important foundational maintenance tactic that helps
16 the tree get established properly, and we think we'll
17 avoid problems in the future when they grow and our
18 climbers and pruners, these are our tree workers.
19 Again, it varies from year to year, but they can
20 prune anywhere from 4,000 to 6,000 trees in the
21 course of a year.

22 CHAIR PETER KOO: I want to go back to
23 the last question I asked you, Commissioner Kavanagh.
24 What requirements and qualifications are applied to
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COMMITTEE ON PARKS AND RECREATION

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2 tree maintenance contractors? For example, are they
3 required to be certified arborists?

4 DEPUTY COMMISSIONER LIAM KAVANAGH: They
5 are required to have certified arborist supervising
6 their work. That is one of the requirements, and
7 they are required to adhere to national standards
8 when it comes to tree pruning using standards
9 established throughout the industry.

10 CHAIR PETER KOO: And about how many
11 contractors does DPR work of the tree maintenance
12 work?

13 DEPUTY COMMISSIONER LIAM KAVANAGH:
14 Commissioner Greenfeld, do you happen to know how
15 many contractors we have working for us right now?

16 CHAIR PETER KOO: For the tree
17 maintenance.

18 ASSISTANT COMMISSIONER JENNIFER
19 GREENFELD: Right, tree maintenance. Not off hand, I
20 would imagine it's about five to ten different ones,
21 but we have about a dozen total.

22 CHAIR PETER KOO: Okay. Thank you. So,
23 I also want to say that we are also joined by Council
24 Member Van Bramer and Council Member Diaz. So,
25 Commissioners, my last question is, has your

COMMITTEE ON PARKS AND RECREATION

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2 department looked into planting of salt water
3 resistant trees that would survive flooding from a
4 hurricane or other severe weather events?

5 ASSISTANT COMMISSIONER JENNIFER

6 GREENFELD: I can take that. Yes. Indeed. In fact,
7 we had a one forester very much do research on the
8 vast sort of climate adapted costal species. We have
9 a new flood map that all of our surveyors use when
10 they go out, so they know even if there isn't
11 flooding at the time, they know the vulnerability of
12 that area, and then select the species appropriately.

13 CHAIR PETER KOO: Well, are there

14 sustainable practices that the administrator supports
15 to pay to repair the trees, to better protect the
16 city tree stock as more severe storms are likely in
17 the future due to climate change?

18 ASSISTANT COMMISSIONER JENNIFER

19 GREENFELD: I would suggest two things. I'm sure the
20 Commissioner might have another one, first of all, we
21 want to give our newest trees the best possible
22 chance of survival, so we make large tree beds, we
23 select a species that's very well adapted to that
24 site and anticipating as we said, future climate
25 change. The other hallmark of any resilient program,

COMMITTEE ON PARKS AND RECREATION

27

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2 anywhere, rather or not is diversity, and we really
3 pride ourselves on diversifying the species of the
4 urban forest. We have full control over the trees
5 that we buy for our tree planting contracts with
6 long-term contracts with nurseries who grow the trees
7 that are best for us, and really help provide a
8 diversity of species you won't find in most other
9 urban forests. In addition to our new planting, it's
10 also our maintenance. Our proactive maintenance is a
11 major factor is improving and continuing the
12 resiliency of our urban forest.

13 CHAIR PETER KOO: Thank you. How does
14 Parks manage trees within parks and natural airways?
15 Many of these parks have historic structures inside
16 them. Are those taken into considerations?

17 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes.
18 We manage trees on street and in parks as individual
19 trees, individual assets, and as I said earlier, they
20 are an element that is assessed in the Park
21 Inspection Program and in the monthly inspections
22 conducted by park supervisors. Our foresters apply
23 the same tree risk management approach to park trees,
24 trees in landscape parks, as we tend to call them, as
25 they do to the streets. So, if there is a hazardous

1 COMMITTEE ON PARKS AND RECREATION

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2 condition that requires, you know, more immediate
3 attention, rather its in a park or on the street, it
4 will be treated the same way. Forests, however, are
5 different. We don't manage forests as individual
6 tree specimens. They are managed as a resource and
7 there is sort of a different maintenance and
8 management regime applied to forests as opposed to
9 trees in parks and playgrounds, or landscape parks as
10 we refer to them or trees on streets.

11 ASSISTANT COMMISSIONER JENNIFER

12 GREENFELD: But we're really fortunate to have worked
13 with our non-profit partner. The natural areas
14 concerned seem to develop a management framework for
15 this seven plus thousand acres of forested land in
16 our parks. In a huge, huge important resource for
17 us, and the council has extended funding over the
18 last two years through the Play Fair campaign to help
19 fund the implementation of this forest manage
20 framework, and so we do have a really well informed
21 and qualified staff of people studying and managing
22 the forested areas.

23 CHAIR PETER KOO: Okay, thanks, yeah, so,
24 often times, after storms, we receive fallen large
25 ground trees (inaudible). Does NYC Parks drive

COMMITTEE ON PARKS AND RECREATION

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2 around after the storm to see if there is damage left
3 over trees that need to be taken away?

4 DEPUTY COMMISSIONER LIAM KAVANAGH: We
5 do, when necessary, council member. We rely
6 primarily on the service requests of the public
7 telling us where the problems occurred, and that
8 primarily drives our response, both in terms of
9 inspection and actual tree work, cutting up a tree,
10 removing it from the street. We do, you know,
11 survey, blocks and neighborhoods at the end of the
12 storms to make sure we haven't missed anything, but
13 the primary driver, of course, is those service
14 requests. It's really essential that the public lets
15 us know where the problems occur, and thankfully,
16 they do, for the most part. In a big storm, you can
17 always find something that was not reported, but we
18 will come across it either while we are out doing our
19 inspections or our work, or in our subsequent reviews
20 of these neighborhoods that have been severely
21 damaged at the conclusion of a storm.

22 CHAIR PETER KOO: So, does sanitation
23 notify you of some trees, branches on the sidewalks
24 or they ask you for your assistance to remove them?

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COMMITTEE ON PARKS AND RECREATION

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2 DEPUTY COMMISSIONER LIAM KAVANAGH: Well,
3 it's sort of the opposite. Yes, if there is a tree
4 that has a tree emergency that has not been
5 addressed, that has not been cut up by the Parks
6 department or other members of the Down Tree
7 Taskforce, including sanitation, they can refer it to
8 us so that it is cut up, but sanitation does a great
9 job in helping us remove tree debris from the streets
10 during major storms. They are a member of the Down
11 Tree Taskforce. They mobilize their staff and
12 equipment to help us remove debris from the streets
13 as quickly as possible.

14 CHAIR PETER KOO: Thank you. What is the
15 process for addressing an empty tree pit? If a tree
16 pit is deemed to no longer suitable for a tree, does
17 Park allow other items to be planted there?

18 DEPUTY COMMISSIONER LIAM KAVANAGH: We
19 encourage, you know, people to do creative things
20 with their tree beds that keep them attractive,
21 discourage people from misusing them, and add to the
22 color and like of the neighborhood. So, yes, we do
23 encourage people to do that. Ideally, we would like
24 to replant any empty tree beds, but you know, that
25 always becomes a question of a funding to address,

COMMITTEE ON PARKS AND RECREATION

31

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2 you know, the variety of goals that we've established
3 for replanting throughout the city.

4 CHAIR PETER KOO: Okay. How long does
5 the public have to wait before they can plant
6 something on their own?

7 ASSISTANT COMMISSIONER JENNIFER

8 GREENFELD: We don't restrict planting in empty tree
9 beds or regulate that. The only thing we regulate,
10 and permit is our tree planting, or the planting of
11 trees.

12 CHAIR PETER KOO: Okay, so thank you,
13 yeah, aside from those lanternflies, are there other
14 invasive species affecting the New York City trees
15 that we need to be aware of?

16 ASSISTANT COMMISSIONER JENNIFER

17 GREENFELD: I think our most significant concern at
18 this point is the emerald ash borer, but however, the
19 New York City Council has funded a really robust
20 program to manage for the emerald ash borer. It only
21 is affecting ash trees which are a very small
22 percentage of our street and park population, and we
23 have a robust program to inspect them, remove them
24 when they are declining, but also trees to those that
25 are savable because we still want to have ash in our

COMMITTEE ON PARKS AND RECREATION

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2 population even though it's a small amount, we still
3 want to keep them. So, we have a treatment program
4 and a removal and replacement program for ashes that
5 are impacted by the EAB, the emerald ash borer.

6 CHAIR PETER KOO: So, there's no other
7 species. So, what is DPR doing to combat this
8 invasive species and tree damage?

9 ASSISTANT COMMISSIONER JENNIFER

10 GREENFELD: For EAB or, I'm sorry, could you repeat
11 that, Chair Koo?

12 CHAIR PETER KOO: Yeah, for like a
13 revision here. I read in the news that lantern fly,
14 right, affecting our trees.

15 ASSISTANT COMMISSIONER JENNIFER

16 GREENFELD: Sure.

17 CHAIR PETER KOO: So, are you guys doing
18 anything to combat them?

19 ASSISTANT COMMISSIONER JENNIFER

20 GREENFELD: Well, just to clarify this. The spotted
21 lantern fly really happens to be a great nuance, but
22 it's not a threat to our trees, to the urban forest
23 in New York City. It requires the ailanthus tree to
24 live, and that's not a tree that we plant or sort of
25 encourage. It's really a threat to agricultural

COMMITTEE ON PARKS AND RECREATION

33

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2 products, so its certainly something the New York
3 state is concerned about and looking at how to
4 manage, so it doesn't impact the state economically,
5 but from a tree health or hazard or public safety
6 perspective, it's not a major concern. So, we aren't
7 embarking on any particular control approach. There
8 aren't really proven affordable treatments. It's not
9 targeting a specific species like the ash. It
10 shouldn't cause any, again, like tree failures or
11 public safety issues. So, that's been our approach.
12 Our work is guided by public safety and urban forest
13 health.

14 CHAIR PETER KOO: Okay, thanks. Can you
15 say a little bit more about the legislation being
16 heard today? We haven't heard too much about it.

17 DEPUTY COMMISSIONER LIAM KAVANAGH: The
18 legislation in general, or a particular piece of
19 legislation, council member?

20 CHAIR PETER KOO: Yeah, in general, and
21 in particular, which one you oppose, which one are
22 you supporting?

23 DEPUTY COMMISSIONER LIAM KAVANAGH: Well,
24 there are things that I think that are valuable in
25 almost all of the legislation, and it's something

COMMITTEE ON PARKS AND RECREATION

34

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2 that we would like to work with the council to sort
3 of try to come up with a comprehensive approach that
4 addresses the concern that the legislative, you know,
5 obviously was brought forward from, but in a way, you
6 know, sort of, helps us communicate more effectively
7 with the public about the work we do, and how it
8 impacts their lives and to sort of think about, you
9 know the future and how we are managing this
10 resource, specially in the face of a continuing
11 climate change and the impacts that it's likely to
12 have on the city. So, yes, there are some things
13 that we clearly see are beneficial in the
14 legislation, and we'd like to work with the council
15 to shape it into a final product that, you know,
16 serves all of our needs.

17 CHAIR PETER KOO: Okay, I want to ask
18 more question, and then I will turn it over to other
19 members to ask questions. So, if a member of the
20 general public wants to call in for a damaged tree,
21 how does he/she identify the tree? Are there any
22 stickers on the tree that they can identify instead
23 of turning; if they are walking in the park, right,
24 there's a tree that needs to be accessed or the limbs
25 are going to fall down, they want to call 3-1-1. So,

COMMITTEE ON PARKS AND RECREATION

35

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2 is there any I.D. on the tree that the public can use
3 to call in for information?

4 DEPUTY COMMISSIONER LIAM KAVANAGH: Well,
5 most people, when they call about a street tree, they
6 use the nearest street address which works very well,
7 but we do have something online called the New York
8 City Tree Map which allows a member of the public to
9 identify the specific tree, it's geo located on our
10 map, the specific tree that they are concerned about,
11 and bring that directly to our attention. We have
12 also geo located all of the trees in our parks,
13 again, the landscape parks, not the forests, which we
14 will be adding to the tree map so that someone could
15 again, on their smart phone, go to the tree map,
16 identify the specific tree that they're concerned
17 about, and let us know, almost instantly, which tree
18 it is that they want us to inspect. Right now, you
19 know, since the park trees are not available on the
20 tree map, you know, you can describe its location as
21 best as possible, we'll find it. We do, we're used
22 to that, but again, on the streets, the address, all
23 the tree maps, the street tree maps will get us to
24 the right place.

25 CHAIR PETER KOO: So ... (crosstalk).

COMMITTEE ON PARKS AND RECREATION

36

DEPUTY COMMISSIONER LIAM KAVANAGH:

(Crosstalk).

CHAIR PETER KOO: So, there is no I.D. on these trees?

DEPUTY COMMISSIONER LIAM KAVANAGH: No, there isn't a barcode or something like that.

CHAIR PETER KOO: Okay, right now, I'm going to turn it over to other council members to ask questions. Moderator, Kris, do we have any other members who want to ask questions?

COMMITTEE COUNSEL KRIS SARTORI: Yes. Thank you, Chair Koo. As Chair stated, I will now call on other members to ask question in the order that they have used the Zoom raise hand function. Council members, if you'd like to ask a question, and you have not yet used the Zoom raise hand function, please raise it now, and also please keep your questions to five minutes. The Sergeant at Arms will keep a timer, and we'll let you know when your time is up. You should begin once I've called on you, and the Sergeant has announced that you may begin before proceeding with your questions. We will first hear from questions from Council Member Levine, followed by Council Members Holden, Rivera, and Dromm.

COMMITTEE ON PARKS AND RECREATION

37

SGT. POLITE: Time starts now.

COUNCIL MEMBER MARK LEVINE: Thank you, Kris. Thank you, Chair Koo for holding this hearing on what is just an incredibly timely topic. I think we've all seen, in spectacular and painful fashion, just how urgent it is that we use our urban canopy to advance protections against climate change, and to pursue many other benefits. As Council Member Dromm so eloquently expressed in his opening statements, and as I think Liam, you and your colleagues have also acknowledged as well. I will say I was surprised to hear very little comment on the Bills so far from you all, including my own, which adds to the data available to the public, in this case, related to tree stump removal. So, I just want to give you a chance to say again, Liam, do you have specific objections to any of the Bills that are currently being considered today?

DEPUTY COMMISSIONER LIAM KAVANAGH: We have concerns about some elements of some of the Bills, but you know, for example, the proposal about additional data on stump removal. We think, you know, having access to information is important, it's important at all levels. Thanks to the council's

COMMITTEE ON PARKS AND RECREATION

38

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2 leadership, we did create the Tree Work Hub which
3 lets the public see when we are planning to do either
4 contact work or work that we're scheduled to do, and
5 I think that that was a real advance forward. This
6 particular addition, while no objection to it, per
7 se, it is sort of an example of where, you know,
8 perhaps if we work together, we might be able to come
9 up with a more comprehensive approach to keeping the
10 public aware of the work that we're doing, the work
11 that we planned to do, how we're doing it, and why
12 we're doing it. So, I see it as an opportunity as
13 much as, you know, beyond just the language in the
14 legislation as presented to have a more, sort of,
15 rich conversation with both the elected officials and
16 the public in general about the work we do to
17 maintain the urban forest.

18 COUNCIL MEMBER MARK LEVINE: But we have
19 a really good package of Bills today. I'm excited
20 about all of them. I'm particularly interested in
21 Council Member Dromm's Bill. I know he's going to ask
22 question. I'll let him follow up, but we want to
23 make these happen. On the tree stumps, how big is
24 the backlog now?

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COMMITTEE ON PARKS AND RECREATION

39

DEPUTY COMMISSIONER LIAM KAVANAGH: Well, it's substantial. It's probably in the neighborhood of 17,000 stumps. We have removed over 48,000 stumps since our last street census in 2016, but we remove between 8,000 and 12,000 trees on an annual basis. So, it's a difficult problem to get ahead of it, let me put it that way. The other problem, that's not necessarily a problem, is that it's a good thing that stumps have a way of disappearing at times, and you know, we don't ask questions in those situations, but we do have a backlog of about, between 17,000 and 18,000, I would say, right now. We plan, over the course of the winter when time allows, is to do a more in-depth review of our backlog to make sure that it's as accurate as possible, but that seems to be a pretty solid number based on the work we've done over the years and the stumps that we've generated over the years.

COUNCIL MEMBER MARK LEVINE: Right, and I want to remind folks that tree stump removal, first off, it's an aesthetic issue, it can be a safety issue, but from my perspective, it's most important because I want an actual living tree in that tree pit, and you got to get the stump out before you can

COMMITTEE ON PARKS AND RECREATION

40

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2 plant a tree. So, there's a lot of reasons why it
3 has to be done. So, if I were to call in a tree
4 stump today, what could I expect to be the wait time
5 for it to be removed?

6 DEPUTY COMMISSIONER LIAM KAVANAGH: Well,
7 if it came in today, chance are, we've already been
8 working on our contracts for this year, and it
9 probably would not make it in because we're not going
10 to be able to remove all of the 17,000 stumps that
11 are in our backlog right now, so chances are, you
12 might wait two years, at least, maybe even a little
13 bit more.

14 COUNCIL MEMBER MARK LEVINE: Right, and
15 that's obviously an unacceptably long wait. Is this
16 a resource question?

17 ASSISTANT COMMISSIONER JENNIFER
18 GREENFELD: Can I just add one thing to clarify that
19 a stump will never keep us from planting a tree.
20 It's not a barrier. When we're ready to plant a
21 tree, it doesn't matter rather there's a stump there
22 or not, we take care of the stump.

23 COUNCIL MEMBER MARK LEVINE: Well, don't
24 you have to remove the stump to plant the tree?

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COMMITTEE ON PARKS AND RECREATION

41

ASSISTANT COMMISSIONER JENNIFER

GREENFELD: Yeah. Yes.

COUNCIL MEMBER MARK LEVINE: Right.

ASSISTANT COMMISSIONER JENNIFER

GREENFELD: But a stump sitting there doesn't mean we won't plant the tree. It's all part of the tree planting process. We'll always remove a stump when we plant a tree. It doesn't keep us from planting a tree.

COUNCIL MEMBER MARK LEVINE: So, can I short circuit it. I can just request a new tree and you'll take the stump right now?

ASSISTANT COMMISSIONER JENNIFER

GREENFELD: Oh yeah, request a new tree.

COUNCIL MEMBER MARK LEVINE: So, then I can beat the two year wait time?

DEPUTY COMMISSIONER LIAM KAVANAGH: No, you will not beat, you will not beat the two year wait time unfortunately.

COUNCIL MEMBER MARK LEVINE: Okay ...
(crosstalk).

DEPUTY COMMISSIONER LIAM KAVANAGH:

Council member, we would like nothing more to replace every tree that is removed where it's feasible, not

COMMITTEE ON PARKS AND RECREATION

42

1 every spot is feasible for a new tree, unfortunately.
2 We would like that very much, but it's a question of
3 scale. We removed between 8,000 and 12,000 trees on
4 an annual basis, even at the lower end. If it was
5 8,000 trees that we could replace on an annual basis
6 at current cost, that's in the neighborhood of \$30
7 million dollars a year in planting cost, which would
8 also remove the stump because we can remove stumps
9 through the tree planting process, we do it all the
10 time, but the stump removal contracts that are usually
11 the focus of our discussion, they are expense
12 contracts that are targeted solely to remove stumps,
13 to eliminate the trip hazard and the unsightly
14 conditions that they create on streets and sidewalks.

16 COUNCIL MEMBER MARK LEVINE: Well look, a
17 stump is doing nothing to clean the air, to provide
18 shade, to cool the urban heat island, to absorb
19 greenhouse gases. So, I see this as part of the
20 broader imperative of expanding our urban forest, and
21 as I said earlier, I believe this cause is more
22 urgent than ever after what we experienced over the
23 summer, and I know my time is up. So, did you say
24 that the resources needed to catch up on the backlog

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1 COMMITTEE ON PARKS AND RECREATION

43

2 and to remove stumps in a timely manner is about \$30
3 million dollar a year?

4 ASSISTANT COMMISSIONER JENNIFER

5 GREENFELD: That's for tree planting, not stump
6 removal, so a stump is much less expensive than a
7 tree, but if you want the tree planted, we'll request
8 the tree, and that's the funding that the
9 Commissioner was referencing.

10 COUNCIL MEMBER MARK LEVINE: To the

11 extent this is resource question, how much do you
12 need to fix this?

13 DEPUTY COMMISSIONER LIAM KAVANAGH:

14 Council member, I wouldn't want to throw out a number
15 during a conversation like that. I'd be happy to go
16 into it in more detail and to really look at all of
17 the elements that would go into a comprehensive
18 approach to answer your question.

19 COUNCIL MEMBER MARK LEVINE: Okay. I'm

20 going to pause there. Thank you both. I want to
21 hear from my colleagues. Thank you so much, Chair
22 Koo, back to you.

23 CHAIR PETER KOO: Thank you. Kris, I

24 want to ask a question before the other members. So,
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COMMITTEE ON PARKS AND RECREATION

44

Commissioners, is it common to do and remove 8,000 to 12,000 trees every year?

DEPUTY COMMISSIONER LIAM KAVANAGH: Yes, that is our experience.

CHAIR PETER KOO: Yeah?

DEPUTY COMMISSIONER LIAM KAVANAGH: Yes.

CHAIR PETER KOO: Every year, you remove 8,000 to 12,000 trees?

DEPUTY COMMISSIONER LIAM KAVANAGH: Yes.

CHAIR PETER KOO: Okay, thank you. So, next council member, please, yes.

COMMITTEE COUNSEL KRIS SARTORI: Thank you, Chair Koo, and our next council member with questions is Council Member Holden who is followed by Council Members Rivera, Dromm, and Brooks-Powers.

SGT. POLITE: Time starts now.

COUNCIL MEMBER ROBERT HOLDEN: Thank you, Chair. This is a very, very important hearing on trees. As someone who has been involved in requesting tress for my district as a civic leader, as a community board member for well over 30 years, I've never seen it this bad in the city of New York as far as any, Commissioner, any tree service that we do from Parks, but let me go over the list. I can't

COMMITTEE ON PARKS AND RECREATION

45

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2 get new trees in my district even though I fund them.
3 I can't get many pruned. Forget about stump removal,
4 I'm waiting 3 years for my little; I have a very
5 small stump in front of my house, and I can't get
6 that removed, and I brought this to your attention
7 three years ago. I can't get a tree planted. I
8 can't get any service. I can't get sidewalks fixed
9 after storms. For you to say two years to get a
10 stump removed, I'll take it. I'll take that
11 tomorrow. We've had people waiting for larger stumps
12 a decade, and I can show you. I'll take you around
13 and show you. So, the stuff I'm hearing today is
14 either this not from my district or there's a bunch
15 of lies going around here. I can't get, I've been at
16 a high school, and it's not even in my district,
17 McCarthy High School. I think, Danny, you know, Danny
18 Dromm knows where that is; we can't get, there's
19 still street trees along there that are hanging over
20 the running track. That means the trees hang where
21 the kids are running into the trees. Now, during the
22 summer, this was June and July, we notified parks
23 cause the President is a constituent, the President
24 of the school is in my district. I can't get
25 answers. I just had tried to get answers from Queens

COMMITTEE ON PARKS AND RECREATION

46

Parks today. Nothing is getting done. Tree plantings are at an all-time high. Commissioner, just give me an update on the costs of one single tree planting in the city of New York.

DEPUTY COMMISSIONER LIAM KAVANAGH: The average contract cost to plant a tree in the city of New York is \$3400.00.

COUNCIL MEMBER ROBERT HOLDEN: And that needs to be investigated because let me just go over a couple of things, and I'd like your input Commissioner because you are here in Parks when this was happening. We used to break over, in fact, it was in front of my house, the reason why the tree died, a beautiful tree, is because Parks put down, sort of like cobble stones, and break the hall where very little water can get through it, and these were from experts planting trees, and for \$3400, I know that you've changed it a bit, but how many thousands of trees were compromised in their health because Parks did not do their homework and put bricks all around where there should have been dirt or chips or something that could have absorb water, and that's throughout the city of New York. We still have them. So, there's so much catch up to do here, because

COMMITTEE ON PARKS AND RECREATION

47

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2 Parks, for decades, have planted trees the wrong way,
3 and you could see them, they're not growing, their
4 not flourishing, they look like; I mean, some of them
5 look like, I mean it's a stick sticking up, and there
6 are really very few leaves that are in horrible,
7 horrible condition, and I got it throughout my
8 district. In fact, I'm going to have my staff
9 document this, because this is an absolute joke.
10 What I'm hearing today is an absolutely joke on how
11 we're taking care of street trees in the city of New
12 York. You can go through my district, and you can
13 see them. They are unsightly, they are unhealthy,
14 and Parks, to say that Parks is pruning on a regular
15 basis, to me, I'd like; prove the numbers in my
16 district, because I can look at other districts, but
17 I'm not getting trees planted. I'm not getting
18 stumps removed. So, we need a comprehensive
19 accounting as to where this money; and for \$3400, are
20 we getting the bang for our buck? I know we're
21 making the tree beds larger, and it took us decades
22 to figure that one out, but Commissioner Kavanagh,
23 you were here when we were doing this. You were here
24 when we were planting and breaking it in. Whose
25 bright idea was that? I mean, I'm not an arborist,

COMMITTEE ON PARKS AND RECREATION

48

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2 but I can figure out that if you don't allow a lot of
3 water for that tree, the tree roots are going to
4 travel where the water is, so if your watering your
5 garden 15 feet away, and you're not watering the
6 tree, the tree roots are going to go under your
7 sidewalk, pick up your sidewalk and go towards your
8 door.

9 SGT. POLITE: Time expired.

10 COUNCIL MEMBER ROBERT HOLDEN: What we
11 need is a real, not just talk, we need bang for the
12 buck. If you need additional money, budget time, let
13 us know. You know, I put in for stump removal, I put
14 in for tree plantings, I put in for pruning, and I'm
15 not seeing it. Nothing.

16 DEPUTY COMMISSIONER LIAM KAVANAGH:

17 Council member, you raised a lot of important issues,
18 and I know I won't be able to answer all of them in
19 this forum; however, I am more than willing to come
20 out and meet with you and your staff; have you show
21 me the conditions that are causing, you know, your
22 concerns and frustration, and give us an opportunity
23 to perhaps explain a little bit more about what we do
24 and how we approach it. The problem you cite, the
25 blocks and tree beds, that was a standard that the

COMMITTEE ON PARKS AND RECREATION

49

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2 Parks Department used for decades. It was changed
3 over 10 years ago to eliminate that as we redid our
4 tree planting specifications. We don't do that
5 anymore. As you've noted, we do enlarge the tree
6 beds substantially to get the trees a better chance
7 of surviving which is in a difficult environment. I
8 do think that our program is sound, and it does
9 deliver, but clearly, you're not seeing it, and I
10 would relish the opportunity to explain it to you ...
11 (crosstalk).

12 COUNCIL ROBERT HOLDEN: But ...
13 (crosstalk).

14 DEPUTY COMMISSIONER LIAM KAVANAGH:
15 Specifically, as it applies to your district.

16 COUNCIL ROBERT HOLDEN: All right, we can
17 do this offline, but Assistant Commissioner
18 Greenfeld, what you mentioned to Chair Koo's question
19 about the property in front of your house, the
20 homeowner's house, they could plant any tree they
21 want? Did you say that?

22 ASSISTANT COMMISSIONER JENNIFER

23 GREENFELD: I said they can plant any vegetation. We
24 don't restrict our permit that people planting things

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1 COMMITTEE ON PARKS AND RECREATION

2 50

3 in tree beds, just the tree. Sorry if that was
4 confusing.

5 COUNCIL MEMBER ROBERT HOLDEN: Yeah,
6 that's why I was concerned because now, I'm telling
7 people they can't plant the trees.

8 ASSISTANT COMMISSIONER JENNIFER
9 GREENFELD: You are correct.

10 COUNCIL MEMBER ROBERT HOLDEN: Okay, I
11 just wanted ... (crosstalk).

12 ASSISTANT COMMISSIONER JENNIFER
13 GREENFELD: You need a permit.

14 COUNCIL MEMBER ROBERT HOLDEN: You can
15 plant flowers, you can plant a bush or whatever, but
16 you can't plant a tree in front of your house.
17 That's not your land.

18 ASSISTANT COMMISSIONER JENNIFER
19 GREENFELD: Well, you can get a permit to plant a
20 tree, and our permits are free.

21 COUNCIL MEMBER ROBERT HOLDEN: You can
22 get a permit, but you just can't put anything, any
23 tree you want there. What you said originally, it
24 looked like that, and that was concerning.

25 ASSISTANT COMMISSIONER JENNIFER
GREENFELD: Apologies, sorry ... (crosstalk).

COMMITTEE ON PARKS AND RECREATION

51

COUNCIL MEMBER ROBERT HOLDEN: I was telling people the opposite, you know, you can't plant a tree, you know, yourself, unless you do get a permit because there's gas lines, water lines, everything else underneath there, and that would be very, very dangerous. Okay, thank you. Thank you, Chair.

CHAIR PETER KOO: Thank you council member. Next up is Council Member Rivera, followed by Council Member Dromm, and followed by Council Member Brooks-Powers.

SGT. POLITE: Time starts now.

COUNCIL MEMBER CAROLINA RIVERA: Good morning, everyone. Thank you for being here. I really appreciate your time. I know addressed some of what I'm going to ask you, but if you don't mind just going over a little bit of two things related to the Bills that are being heard today. One for Council Member Koo's Bill, Intro 2365. In recent storms this year, particularly Hurricane Ida, how did city agencies collaborate to address the down trees, and I guess what I'm really asking is can you speak to the greatest challenges in terms of interagency coordination, and what lessons were learned that

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2 would be implemented in the down tree taskforce that
3 this Bill proposes?

4 DEPUTY COMMISSIONER LIAM KAVANAGH:

5 Hurricane Ida, the devastation that it brought to the
6 city was significant. Fortunately, it was not a
7 major tree incident. We did have tree damage. The
8 down tree taskforce was activated, but fortunately,
9 we did not have to deploy it to its full extent to
10 address the damage that occurred as a result of
11 tropical storm or Hurricane Ida, but in general, what
12 we've learned from recent deployments of the down
13 tree taskforce is that one of the most important
14 improvements that we can make is to integrate all of
15 the agency data systems in a way that allows them to
16 function as one unified system. Unfortunately, many
17 agencies, they have developed their own internal
18 programs and systems to manage information. They
19 don't align easily, and they do create some barriers
20 to productivity, I would say, during major storm
21 events. Fortunately, after tropical storm Isaias,
22 the city did make a commitment to developing what we
23 refer to as the down tree taskforce portal that would
24 integrate the information processes of multiple
25 agency into one, what we hope will be a seamless

COMMITTEE ON PARKS AND RECREATION

53

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2 system that allows us to communicate, respond, and
3 report in a uniform way, all of the work that goes
4 into responding to a major tree incident.

5 COUNCIL MEMBER CAROLINA RIVERA: Okay,
6 well thank you for that. You know, as my council
7 members mentioned, we really do just want to be
8 helpful. I guess my last question while I have some
9 time; speaking of unification, Council Member Dromm,
10 he has a great Bill that would require the Parks
11 Department to issue a report with recommendation
12 regarding increasing the number of the trees planted
13 in response to request for street trees, and I would
14 like to know how would this report consider equity in
15 distribution of park's resources across the five
16 boroughs, and thank you so much for your time and
17 answering my questions.

18 ASSISTANT COMMISSIONER JENNIFER

19 GREENFELD: It's a great question, council member,
20 and the ironic thing is that based on the history of
21 requests, if we only planted based on requests, we
22 are at risk at perpetuating the current unevenness of
23 the tree canopy across the city. So, in fact, we do
24 identify areas where trees are needed regardless of
25 rather requests come in or not, and plant those also

COMMITTEE ON PARKS AND RECREATION

54

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2 while we're responding to requests. So, we want to
3 plant where people want trees. We know they want
4 them, they take care of them, but we also know not
5 everybody things about requesting a tree. It's not
6 their number one concern in their daily lives, and we
7 are looking at the entire city. So, Mayor Di Blasio
8 allocated funding for the Cool Neighborhood's program
9 which specifically looks at areas with very high heat
10 vulnerability, and we plant based on those
11 priorities, not just on requests; although we
12 recognize requests are also important. So, we do
13 both at the same time.

14 COUNCIL MEMBER CAROLINA RIVERA: Thank
15 you so much. I know my colleagues have questions
16 about their Bills, so thank you for your time and
17 answering my questions, and for my colleagues for
18 introducing this great set of Bills.

19 CHAIR PETER KOO: Thank you.

20 COMMITTEE COUNSEL KRIS SARTORI: Thank
21 you. Next is Council Member Dromm followed by
22 Council Member Brooks-Powers.

23 SGT. POLITE: Time starts now.

24 COUNCIL MEMBER DANIEL DROMM: Thank you
25 very much, Chair. Let me just start off by saying

COMMITTEE ON PARKS AND RECREATION

55

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2 I'm not sure really why you came to the hearing today
3 if you're not willing to discuss the legislation that
4 we're hearing. It's almost insulting that you made
5 order to presenting statement in your testimony that
6 you know, you can't talk about the legislation
7 because there's too much of it, and you'll talk about
8 it offline. Well, that's not what hearings are for.
9 So, you know, I think that probably what we'll just
10 do is just pass it. If that's the way you feel, you
11 don't want to talk about it, you don't want to
12 discuss it, we'll just pass it, and it's unfortunate
13 that this is the type of attitude that Parks has
14 given us on a number of occasions. Let me give you
15 an example of what it is that I mean. Deputy
16 Commissioner Kavanagh, as you know, I have for years,
17 since I began the city council, talked to Parks about
18 the deforestation of Jackson Heights specifically,
19 and in regard to allowing Con Edison to determine
20 tree policy in the city of New York, and nothing has
21 ever been done on it. There has been no plan, nobody
22 has ever followed up with me on it. Only one time
23 did I have meeting in my office with forestry, almost
24 got into a fist of cuffs with Con Ed, and I would
25 really like to know, you know, why are you allowing

1 COMMITTEE ON PARKS AND RECREATION

2 56

3 Con Edison to determine tree policy in the city of
4 New York?

5 DEPUTY COMMISSIONER LIAM KAVANAGH:

6 Council member, thank you for the question, and I
7 apologize if we gave the impression that we did not
8 want to discuss the legislation. We just thought
9 that with so many pieces of legislation, that the
10 discussion would occur during the Q and A between the
11 sponsor and us. If we were wrong about that, I
12 apologize. I do want to say again, that we think
13 there's value in almost every piece of legislation
14 that we're considering today. Again, we'd like to
15 try address it in a comprehensive way that meets,
16 sort of the driving forces behind the intent of the
17 legislation and does it in a way that allows us to be
18 as effective as possible. But with regard to Con Ed,
19 Con Ed does not determine tree policy in the city of
20 New York. They operate on streets under permission
21 from the city of New York and the Parks Department,
22 and they do not determine policy for trees or tree
23 branches.

24 COUNCIL MEMBER DANIEL DROMM: But they
25 determine where you place trees or replace trees.

COMMITTEE ON PARKS AND RECREATION

57

DEPUTY COMMISSIONER LIAM KAVANAGH:

Council member, no. They don't have no role in determine where to plant trees or ... (crosstalk).

COUNCIL MEMBER DANIEL DROMM: Will you take the recommendation from Con Edison, and you use that as the reason not to replant trees?

DEPUTY COMMISSIONER LIAM KAVANAGH:

Council member ... (crosstalk).

COUNCIL MEMBER DANIEL DROMM: I heard all this, of trees in my district, that we have sent you that we have requested to have replaced, and picked in Jackson Heights, and the respond has been that because Con Edison or electric line underneath it will not support it, that you cannot replant trees. I've even asked for just a bush, can I get a bush.

ASSISTANT COMMISSIONER JENNIFER

GREENFELD: Thank you for the question. The conditions in that neighborhood, Jackson Heights, really does trouble me, so I apologize if we really haven't been talking to you about it. I really don't want those conditions to stand where you have beautifully lined streets of trees that grew on top of very shallow electric utility lines. It's an extremely unusual situation, and I know it's

COMMITTEE ON PARKS AND RECREATION

58

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2 frustrating to have to wait so long. We're, in fact,
3 working now to have our grower grow a new kind of
4 tree in a bag instead of in a bigger pocket just so
5 we could sort of trial them in that neighborhood. We
6 can plant smaller trees a little bit higher. It's
7 very slow, I understand, but it is something that we
8 are not going let go of, and we'll meet with you
9 again to look at it and see what we can do. It is a
10 troubling situation, but it is extremely unusual in
11 terms of what it represents, what we see across the
12 rest of the city.

13 COUNCIL MEMBER DANIEL DROMM: Well, I
14 have spoken to other council members who have had the
15 same issue. I don't know how widespread, but other
16 council members have said that they have the same
17 issue. I want to go on to other questions though,
18 but that is very troubling to me. Let me give you
19 another example of an issue. Len Maniace, who is on
20 this call here. You probably know who he is. He's
21 been a great advocate for trees. He asked for but
22 was turned down to get trees on 34th Avenue in the
23 median because the median wasn't high enough, and
24 they couldn't support it, although there were trees
25 there before. We were asking for replacement trees.

COMMITTEE ON PARKS AND RECREATION

59

SGT. POLITE: Time has expired.

COUNCIL MEMBER DANIEL DROMM: That's another example. Chair, may I have a couple more minutes to go over ... (crosstalk).

CHAIR PETER KOO: Yeah, sure, please go head, yeah.

COUNCIL MEMBER DANIEL DROMM: Thank you, Chair.

CHAIR PETER KOO: Please continue, yeah.

COUNCIL MEMBER DANIEL DROMM: Thank you, and that's another, and I think we've settled that because we're supposedly going to get 66 trees there, but the pushback on that was tremendous, so I just want to mention that. I want to say also that Council Member Gennaro, who I spoke with, says that he offered Parks money this year in the budget to get trees placed in his district, but was told by Parks that they didn't want the money. How do you respond to that?

DEPUTY COMMISSIONER LIAM KAVANAGH:

Council member, I don't know who would turn down funding for planting trees. I wouldn't, ever, and if Council Member Gennaro is willing to fund planting in

COMMITTEE ON PARKS AND RECREATION

60

his district, we'll be happy to take it, and I also want to say ... (crosstalk).

COUNCIL MEMBER DANIEL DROMM:

(Inaudible)? We can use council?

DEPUTY COMMISSIONER LIAM KAVANAGH: Yes, tree planting is a capitally eligible activity, and I just also want to acknowledge Glenn Maniacs (SP?), we work closely with him, and if we made a mistake on 34th street medians, then we're happy to correct it.

COUNCIL MEMBER DANIEL DROMM: Okay, thank you, thank you for admitting that. That really is very, very helpful because we cannot turn away our most important advocates for tree canopies in our different communities. I'm sure there's probably other stories. Let me just go to my legislation first Deputy Commissioner Kavanagh as well. Is there anything in there that you would object to? It's basically a reporting Bill. Now, I did hear Assistant Commissioner Greenfeld say that you don't always want to just plant trees in neighborhoods where the reports are coming in, and I agree with that. I do agree with that, but knowing where the trees are needed, providing that report to the public and particularly to the city council is very

COMMITTEE ON PARKS AND RECREATION

61

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2 important to us, and also determining the reasons why
3 trees cannot be planted in certain locations, getting
4 a real reason is important to the council also so
5 that we can determine moving forward what type of a
6 budget you would need to replace these trees or to
7 come up with an overall plan. So, can you address my
8 legislation specifically, and just tell me what type
9 of an objection would you have to this reporting
10 legislation?

11 DEPUTY COMMISSIONER LIAM KAVANAGH: I
12 don't have an objection per se to the reporting
13 mechanism. I think, as I said earlier, I think more
14 information is always better, and it's important to
15 inform both the elected officials and the public
16 about what we're doing, and why we're doing it, and
17 why we can't do something. There are cases where we
18 can't plant a tree, it will not survive, and I think
19 having that information available is important.
20 Again, I think when looking at the entire package of
21 legislation, there are elements of both information
22 and communication that I think we could accomplish
23 more effectively, not by eliminating the legislation.
24 I'm not suggesting that, but by treating it in a
25 broader fashion, and having more tools available to

COMMITTEE ON PARKS AND RECREATION

62

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2 provide the information, and we really have an
3 opportunity to discuss that. This is not, you know,
4 a form in which we can have that kind of a detailed
5 conversation, but we would really relish the
6 opportunity to speak with you and your colleagues
7 about it, and how we can, you know, explain better
8 what we're doing, and address the concerns that both
9 you and your constituents raise as well as plan for
10 the future of the urban forest, which is essential to
11 a healthy New York.

12 COUNCIL MEMBER DANIEL DROMM: Okay, thank
13 you, thank you Commissioner, and I did hear Council
14 Member Rivera raise a concern which I think is
15 legitimate about, you know, communities not always
16 calling in the needs in certain communities, and the
17 need to address the; I think as the Assistant
18 Commissioner said, the hot zones or the heat zones
19 that may need it as well, and that could be put, you
20 know, into the Bill, but finally, let me just ask a
21 little bit about the urban forest agenda. Is that
22 something that you support, are you aware of it, and
23 are you moving in that direction? I think that
24 you're on the coalition of the taskforce that worked

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COMMITTEE ON PARKS AND RECREATION

63

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2 on that, but how active have you been, and how in
3 line with that agenda are our priorities in the city?

4 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes,
5 we are aware, we were actively involved in the urban
6 forest agenda. We think it's a really important step
7 forward for the city of New York. It holds the
8 promise of moving us, the entire city to a more
9 sustainable and resilient future that addresses
10 issues of environmental justice as well removing
11 threats of climate change, and it's important that
12 it's driven by both the non-profit sector and
13 individuals. It's not just, you know government that
14 is behind this, and that is impotence for what we
15 think is a really important initiative.

16 COUNCIL MEMBER DANIEL DROMM:

17 Commissioner Kavanagh, I think part of that is the
18 idea that in the legislation laws that I'm
19 introducing to the council which is regulation
20 regarding the cutting down of trees on private
21 property. Is that something that the Department of
22 Parks has looked at well? Regulating the cutting
23 down of trees on private property?

24 DEPUTY COMMISSIONER LIAM KAVANAGH:

25 Council member, to my knowledge, there are very

COMMITTEE ON PARKS AND RECREATION

64

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2 limited circumstances. There are special zoning
3 districts where the city has any jurisdiction over
4 trees on private property. It is something that
5 should be discussed, I believe, but it's a charge
6 subject in my many ways, but when you look at canopy
7 cover, you're looking at the entire city, not just
8 the trees that the Parks Department is responsible
9 for or other public agencies, it's all trees, rather
10 their on private property or public property.

11 COUNCIL MEMBER DANIEL DROMM: Well, many
12 thanks, Commissioner Kavanagh, and I don't know that
13 I'll be office long enough for that discussion to
14 happen, but certainly I think it's one that we should
15 have and one that I support which is the regulation
16 of cutting down trees on private property. Thank you
17 very much, and I thank the Chair again for allowing
18 me to go over time.

19 CHAIR PETER KOO: Thank you.

20 COMMITTEE COUNSEL KRIS SARTORI: Thank
21 you. Next is Council Member Brooks-Powers.

22 SGT POLITE: Time starts now.

23 COUNCIL MEMBER SELVENA BROOKS-POWERS: Hi
24 and good morning, everyone. I will be less than five
25 minutes because I am now running over for an event.

COMMITTEE ON PARKS AND RECREATION

65

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2 I have a couple of questions, Commissioner, that I
3 will just run through real quick and hope that you'll
4 be able to answer before I have to jump off of this
5 call. So, I'm interested in knowing how the city
6 plans long term to protect the trees and support
7 their resiliency from the threat of trauma of future
8 storms as we see with the climate change and how it's
9 impacting the communities across the city. I'm
10 especially interested in that, also what is the
11 average response time for the city address tree
12 damage or other issues, and what is being done to
13 make the responses more efficient? And I'll just
14 add to that. I've had a couple of constituents
15 impacted by Isaias, and the trees have been uprooted
16 on the sidewalk, and what we've seen is a breakdown
17 in communication between the Parks Department and
18 others since the agencies are address issues that
19 come as a result of these trees being uprooted, and
20 so I'm interested in understanding how we can better
21 streamline, and then just going back, I know a lot of
22 questions have been asked about the maintenance of
23 the trees. I'm especially interested when we talk
24 about (inaudible) because unlike Manhattan, our wires
25 are, you know, our cable wires and what have you, are

COMMITTEE ON PARKS AND RECREATION

66

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2 above ground, and when the trees grow out of control,
3 they grow into those wires creating safety issues,
4 and then when a storm happens, we have a lot of
5 outages as a result. So, I wanted to know how we can
6 better address that as well. So, thank you so much.

7 DEPUTY COMMISSIONER LIAM KAVANAGH: Thank
8 you for your questions, council member. To start
9 this, in the beginning, if I remember correctly,
10 resiliency of the urban forest, particularly your
11 community, there are two major things that we focus
12 on and that is creating a more diverse urban forest
13 which allows it to be healthier, better response to
14 storms. That's something we've been developing over
15 the last 20 plus years, and we've seen some really
16 significant improvements in the composition of the
17 urban forest, but the real cornerstone, as I said
18 earlier, is our block pruning program. We prune
19 between 70,000 and 80,000 a year on a systematic
20 basis, a percentage in each community board every
21 single year, it provides maintenance, it removes, you
22 know, dead wood and other problematic conditions in
23 those trees. It helps us to identify trees that need
24 other work besides pruning as well. It's really
25 important, and you know, we had a study that was done

COMMITTEE ON PARKS AND RECREATION

67

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2 by students at Columbia University who looked at our
3 block pruning program and looked at the effect it has
4 in subsequent years, and they found a noticeable
5 reduction in emergencies in areas that were block
6 pruned. So, that was a grateful sort of validation
7 of the importance of this program. Continuing that
8 is really critical to the long-term health of the
9 urban forest, and thankfully under this
10 administration, we have maintained funding for block
11 pruning at a very high level. To the other question
12 that you asked and having to do primarily with Con
13 Edison. Con Edison utility service lines are
14 essential. It provides electrical service to homes
15 and businesses and huge installations and facilities
16 across the city. It is delivered above ground. We
17 do work with Con Edison on their maintenance of the
18 trees. They have a program in place to do what they
19 call line clearance. That is, they clear branches
20 from the vicinity of the lines. I think it's a
21 three-year cycle, but please don't quote me on that,
22 I haven't been directly involved in it lately, on a
23 three-year cycle. We work with them on that. They
24 also work with us to remove trees that need to be
25 removed that are growing through wires. Our staff is

COMMITTEE ON PARKS AND RECREATION

68

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2 not certified to work around electrical hazards which
3 as you can image, does propose a real significant
4 risk to people working in their vicinity. So, we do
5 work closely with Con Ed around those issues
6 throughout the year, and we do collaborate with Con
7 Ed during major storms like Isaias to address both
8 the tree damage and to restore electrical services as
9 quickly as possible. I do want to apologize to
10 people who have been waiting for the sidewalks to be
11 repaired.

12 SGT. POLITE: Time expired.

13 COMMITTEE COUNSEL KRIS SARTORI: It was
14 not so much a question of coordination with other
15 agencies. My sense is that as a result as of the
16 pandemic and the significant delays that it posed to
17 the city's contracting processes, it took longer to
18 get contracts in place to do those repairs. They are
19 now in place. They are out there working. It's my
20 understanding and we hope to see those sidewalks all
21 repaired in the next few months.

22 COMMITTEE COUNSEL KRIS SARTORI: Okay,
23 thank you. Thank you, council member. At this time,
24 there are no other members with questions. If you

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COMMITTEE ON PARKS AND RECREATION

69

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2 have questions, please use the Zoom raise hand
3 function. I will now turn it back to Chair Koo.

4 CHAIR PETER KOO: Thank you, Kris, yeah.
5 So, Commissioners, I have a couple more questions.
6 My first question is, what is your position on my
7 Bills, and what do you find to be problematic with
8 the Bills?

9 DEPUTY COMMISSIONER LIAM KAVANAGH:
10 Council member, you're referring Intro 98?

11 CHAIR PETER KOO: 98-A and 2365 and 2366.

12 DEPUTY COMMISSIONER LIAM KAVANAGH: Okay,
13 with the tree beds, we agree that tree beds should
14 either be filled with a tree, ideally, or if they are
15 no longer suitable for planting for whatever reason,
16 they should be restored as elements of the sidewalk.
17 We agree with that. The concern is, of course, the
18 cost of doing so. As I said earlier, you know, we
19 removed between 8,000 and 12,000 trees a year,
20 replacing those trees, you know, if we replaced all
21 of them, it would require a capital budget allocation
22 of about \$30 million dollars just to do that on an
23 annual basis which, you know, we don't have in our
24 budget right now. So, while we completely understand
25 the intent, and we agree with the premise of

COMMITTEE ON PARKS AND RECREATION

70

replacing trees as quickly as possible, it does become a budget issue.

CHAIR PETER KOO: Okay, can you also like tell us about your position on Council Member Borelli's Bill, 957 and how you estimate the cost of the (inaudible) lawfully removed tree?

DEPUTY COMMISSIONER LIAM KAVANAGH: Thank you for the question, council member. We follow a process that was developed in ... (crosstalk).

CHAIR PETER KOO: Intro 957.

DEPUTY COMMISSIONER LIAM KAVANAGH: I'm sorry, that was developed and codified as a result of legislation introduced by the council in 2010. We follow the principles laid out by the International Society of Horticulture, and the council of tree plant appraisal guide to evaluate every tree that considered for removal based on the size, the species, the condition, and the location of the tree. Each of those elements are evaluated, a value is assigned, and we come up with what we determine to be the appropriate number of replacement trees for any tree that is proposed for removal. We think it's a fair and valid assessment approach, and while there have been some objections raised to it because of the

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2 high values that are placed on especially large and
3 healthy trees, we think it does represent the value
4 that trees provide to the community and the city as a
5 whole, and you know, we are always willing to discuss
6 ways to protect trees and prevent them from being
7 removed which is our goal in all cases, and to work
8 with either individual homeowners or developers to
9 find ways to, of course, to preserve the tree or you
10 know, to replace it in a way that is as cost
11 efficient as possible. However, it seems problematic
12 to me to adjust a city-wide law to a specific class
13 of zoning types. I understand the reasoning behind
14 it. I just don't know if that's a, from a policy
15 perspective, if that's the right approach to take.

16 CHAIR PETER KOO: Commissioner Kavanagh,
17 you haven't said anything about my Bills 2365 and
18 2366 about the down tree taskforce.

19 DEPUTY COMMISSIONER LIAM KAVANAGH: Well,
20 council member, as you know, the down tree taskforce
21 exists. It has been in place for many years since
22 Hurricane Sandy, at least, and it does, you know,
23 embody, I think, many of the things that you
24 anticipate in the legislation, and in fact, there was
25 an earlier version of the legislation that we work

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2 with the council and have adopted within the down
3 tree taskforce. So, we think the down tree taskforce
4 is a really important tool. We want the public to
5 understand how it functions more; however, the Parks
6 Department is not the only member of the down tree
7 taskforce, and other agencies, I think had some
8 concerns about some of the elements in the
9 legislation. I don't want to speak to them right
10 now, because I don't want to another agency's
11 concerns, but we think the taskforce, as it exists,
12 embodies again what you envisioned in the
13 legislation, and it's another example where we think
14 that if we are able to sit down and talk about it in
15 more detail and involved the other members of the
16 down tree taskforce in those discussions, we can come
17 up a law or however, we want to treat it, that
18 addresses all of our concerns.

19 CHAIR PETER KOO: Okay. What about 2366?
20 About tree health assessments and inspections?

21 DEPUTY COMMISSIONER LIAM KAVANAGH:
22 Again, council member, we used trained, certified
23 arborists to conduct our tree health inspections and
24 we have even elevated our standards for risk
25 inspections. It's a very sort of detailed and

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2 scientific process that we go through it. It's a
3 little hard to discuss it in detail in a forum like
4 that, but we absolutely think that it's a very
5 important subject. We'd like the public to
6 understand more about what we do and how we do it,
7 and I just think it's another example of a good
8 initiative that the council has identified that we
9 can address in a more comprehensive way by having an
10 in-depth discussion about this and other legislation
11 and addressing it more as a package than individual
12 pieces of legislation.

13 CHAIR PETER KOO: Thank you, yeah. So,
14 can you speak to how central borough forestry works
15 with borough forestry teams? What is the breakdown
16 of the responsibilities between the central forestry
17 and the local borough forestry teams?

18 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes,
19 thank you for the question, Council Member Koo. The
20 borough forestry offices are responsible for
21 delivering all of the day-to-day tree maintenance
22 that occurs within the borough. That includes tree
23 removal, tree pruning, stump removal, and emergency
24 response as well as conducting inspections for
25 service requests for street and park trees within

COMMITTEE ON PARKS AND RECREATION

74

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2 that borough. They oversee the maintenance contracts,
3 rather it is stump removal contracts, or the block
4 pruning contracts, and again, they deliver the day-to-
5 day services that Parks Department is responsible for
6 when it comes to maintaining the urban forest.

7 Central forestry, on the other hand, that forms a
8 number of functions that fall outside of the
9 borough's responsibilities. They manage all of our
10 tree planting contracts in a centralized way, both
11 street tree and park tree planting. It's a
12 specialized part of the business, and it really
13 requires, you know, intense focus in order to do it
14 effectively, and at the scale that we operate. They
15 also run several other important programs including
16 permit and plan review, that is we review plans for
17 any work on the streets that can impact street trees.

18 Again, it's a situation where it's a specialized
19 function where we decided that we needed expertise
20 that focused solely on that aspect of maintaining
21 trees, and they handled the entire process, working
22 closely with the Buildings Department, other agencies
23 around issues that arise from the development that
24 impacts street trees. Central forestry also
25 coordinates the procurement around all of our

COMMITTEE ON PARKS AND RECREATION

75

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2 contacting, so they help organize the block pruning
3 contracts, the stump removal contacts, the emergency
4 contracts that we use during large scare storm events
5 that are essential to responding to wide-spread
6 emergencies during those events, but they have staff
7 that are familiar with those processes, and work to
8 have those contacts in place for the boroughs to sort
9 of use in delivering direct services. They also are
10 our research and development arm of the agency. They
11 are involved in direct research products that we
12 conduct, but they also are part of a network of
13 professionals across the country, starting with the
14 forest service that do an enormous amount of research
15 into urban forestry as well as proposed advances in
16 both the way that we do our business and in our
17 management of trees. So, there are very distinctive
18 difference between the two programs, but they work
19 together to help us maintain the urban forest, and I
20 would just ask Commissioner Greenfeld if she has
21 anything she wanted to add to that.

22 ASSISTANT COMMISSIONER JENNIFER

23 GREENFELD: Yes, the Central forestry office also
24 managed our sidewalk repair, Trees and Sidewalks
25 program, that, you know, repairs sidewalks for

COMMITTEE ON PARKS AND RECREATION

76

1 residential one, two, and three family homes that
2 have been damaged by city trees. That's also a very
3 specialized contracting program. I think that's all.
4 The Central forestry office is also responsible for
5 data management and the data management systems along
6 with our own ITT department.

8 CHAIR PETER KOO: Thank you. So,
9 Commissioner, does each borough have a certified
10 arborist on forestry staff? What about Central
11 forestry?

12 DEPUTY COMMISSIONER LIAM KAVANAGH:
13 Council member, yes. Each borough has multiple
14 certified arborists on staff.

15 CHAIR PETER KOO: But the arborists only
16 do supervising, right? They don't actually do
17 inspections?

18 DEPUTY COMMISSIONER LIAM KAVANAGH: No,
19 the certified arborists do inspections.

20 CHAIR PETER KOO: They do inspections
21 themselves?

22 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes.

23 ASSISTANT COMMISSIONER JENNIFER

24 GREENFELD: We have 80 certified arborists on our
25 staff city-wide across the agency. We might have the

COMMITTEE ON PARKS AND RECREATION

77

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2 most of any city that I know of to have certified
3 professionals in that way.

4 DEPUTY COMMISSIONER LIAM KAVANAGH: And
5 not all of them do tree inspections on a regular part
6 of their work. They can all do tree inspections,
7 certainly during emergencies and you know, at other
8 times, but I would say that we have probably between
9 35 and 40 people who are certified arborists whose
10 fulltime work is inspecting trees.

11 CHAIR PETER KOO: Thank you. We are also
12 joined by Council Member Ulrich and Dinowitz, and
13 Council Member Dinowitz has a question.

14 SGT. POLITE: Time starts now.

15 COUNCIL MEMBER ERIC DINOWITZ: Thank you,
16 good morning. It's a pleasure to see you here Deputy
17 Commission and all the other guests. I will be
18 quick. You spoke about some work being distributed
19 by borough, these folks, about some work being
20 distributed city-wide. I'm interested in trees. You
21 know, besides trees being pretty and improving our
22 quality of life; here in the Bronx, I represent the
23 northwest corner of the Bronx District 11, but we
24 know in the Bronx, there's serious air quality
25 problems. We know trees help absorb rain water. I

COMMITTEE ON PARKS AND RECREATION

78

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2 don't know if you saw the pictures recently of the
3 major Deegan where cars were up to the roofs of the
4 car. There were other issues regarding that, but we
5 know that trees can at least help in rain storms and
6 absorb some of that storm water, rather it's holding
7 in the tree canopy or absorbing it through the roots.
8 You know, as an example, on Bailey Avenue in my
9 district, it's right next to the major Deegan, next
10 to a playground, across the street from NYCHA
11 developments, a bunch of tree stumps along the street
12 where trees could be there. Right, we're talking
13 about kids playing next to a highway without those
14 trees to improve the air quality. We're talking
15 about that highway being a major Deegan without those
16 trees to help absorb that rain water, that storm
17 water, and we'll talking about across the street from
18 a NYCHA development. I interested to know how that
19 work is distributed, how the resources are
20 distributed so areas like the Bronx don't continue to
21 suffer from or our children don't continue to suffer
22 from asthma, poor air quality and we don't continue
23 to see the types of environmental injustice that we
24 see throughout the Bronx compared to many other areas
25 of the city. So, if you (inaudible) work and how

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2 those resources are distributed considering the high
3 needs in my district in the Bronx?

4 DEPUTY COMMISSIONER LIAM KAVANAGH: I
5 thank you for the question, council member, and yes,
6 trees play an important role in managing storm water.
7 Our street trees alone absorb almost a billion
8 gallons of rain water on an annual basis. It's a
9 really important contribution to the overall health of
10 our waterways, and to prevent localized flooding.
11 Just on the side, the flooding in the Deegan, while
12 it was very severe, trees will not solve that problem
13 unfortunately; however, there is a separate project
14 that we think will help mitigate conditions like that
15 in the long term ... (crosstalk).

16 COUNCIL MEMBER ERIC DINOWITZ: I need to
17 talk to about that project too which I'm very excited
18 about another time.

19 DEPUTY COMMISSIONER LIAM KAVANAGH: Yes,
20 I will, but yes, you know, your question about how do
21 we allocate resources is a very good one, and
22 Commissioner Greenfeld, a little bit to this earlier,
23 you know, you have requests which are substantial.
24 We receive 70,000 to 80,000 service requests in a
25 normal year, represents a lot of interest in the

COMMITTEE ON PARKS AND RECREATION

80

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2 public and their trees. On the other hand, you have
3 this enormous resource, the tree population that
4 needs care on a regular basis to the extent that we
5 possibly can. We try to balance as well as possible,
6 and that does come into play in our tree planting.
7 You know, we do want to fulfill requests, that's
8 important. People want trees, we want them to have
9 trees, we know that they'll take care of trees, but
10 that system alone led to a lot of imbalances across
11 the city, something that we in the Park Department
12 recognized years ago, in fact, that those imbalances
13 existed, and I'm really pleased at the work that we
14 did in the Bronx when we did our first street tree
15 census in 1995, 1996, there were about 48,000 street
16 trees in the Bronx, way low. The last census, we
17 were over 84,000 in the Bronx, and they went into
18 neighborhoods that had some really low populations of
19 street trees and it's, you know, it's a story that we
20 think is important and we responded to what we were
21 hearing from community advocates who were extremely
22 concerned about the environmental justice, and it's
23 something that, you know, we want to continue to
24 address while we balance both the requests that we

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COMMITTEE ON PARKS AND RECREATION

81

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2 receive and the real needs that the communities have
3 that have not been met over many years.

4 COUNCIL MEMBER ERIC DINOWITZ: Thank you,
5 and I do appreciate and value the increase in the
6 number of street trees and trying to provide that
7 balance. Can you talk a little more about how you
8 balance the requests? Cause what I'm thinking in my
9 mind is a very affluent neighborhood with, you know,
10 people who are engaged or involved or may have more
11 free time, are able to submit those requests, are
12 able to stay on the Park Department ... (crosstalk).

13 SGT. POLITE: Time expired.

14 COUNCIL MEMBER ERIC DINOWITZ: Whereas,
15 Chair, may I please have an extra, extend my time?

16 CHAIR PETER KOO: Yeah, please, finish
17 up, yeah.

18 COUNCIL MEMBER ERIC DINOWITZ: Thank you
19 very much, Chair. You how you are balancing the
20 reality that people's requests need to be address,
21 but that a lot of those requests, I imagine are
22 coming from, again, affluent neighborhoods compared
23 to, like I said, my neighborhood, this particular
24 street as an example. It's just a lot of kids and
25 teenagers are playing there, may not reach out to the

1 COMMITTEE ON PARKS AND RECREATION

82

2 Parks or 3-1-1 with tree requests. You know, I get a
3 neighborhood that needs a lot more, may not be
4 reaching out to Parks, may not be calling 3-1-1 or
5 may not be calling their local council member to do
6 that outreach. So, how is that balance is occurring?

7 ASSISTANT COMMISSIONER JENNIFER

8 GREENFELD: We try to address both at the same time.
9 They're both very important as the Commissioner said,
10 we want to respond to where people are interested in
11 trees, but simultaneously, we are monitoring where
12 our trees are, both our canopy and our street and
13 park tree population, and we know that there are
14 deficits in certain neighborhoods, so, you know,
15 we've had several different programs over the years.
16 Our current program is based upon heat and where
17 neighborhoods are most vulnerable to the impacts of
18 high heat, and those are the communities that were
19 prioritizing at the same time we fulfilled service
20 requests, and that is broken down as small as a
21 community board, perhaps the smallest neighborhood,
22 and we can, you know, look at it and serve any
23 geographical area, but we are, in fact, need to
24 identify some criteria, so we equitably distribute
25 the resource that we do have.

COMMITTEE ON PARKS AND RECREATION

83

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2 COUNCIL MEMBER ERIC DINOWITZ: Is the
3 heat index the average temperature, is that
4 information publicly available?

5 ASSISTANT COMMISSIONER JENNIFER
6 GREENFELD: Yes, yes. It's called the heat
7 vulnerability index. It's actually developed by our
8 Department of Health and Mental Hygiene. It's not a
9 Parks Department index, and it takes into
10 consideration not just the temperature, but I believe
11 the, sort of, demographics of a neighborhood as well
12 as their access to air conditioning. So, it's a
13 multifactor index that they most recently updated in
14 2018.

15 COUNCIL MEMBER ERIC DINOWITZ: Okay, so,
16 this is my last part. So, my assumption that in
17 neighborhood with that higher heat index, that is
18 available on the DOHMH website, kind of has a little
19 more preference to, is it new trees or is it tree
20 maintenance? (Crosstalk).

21 ASSISTANT COMMISSIONER JENNIFER
22 GREENFELD: Right now, we only use it to guide our
23 tree planting, not all of it, of course. There's
24 also requests and other reasons we plant.

25

COMMITTEE ON PARKS AND RECREATION

84

COUNCIL MEMBER ERIC DINOWITZ: Right,
right.

ASSISTANT COMMISSIONER JENNIFER
GREENFELD: If a council member gives us an
allocation, it goes directly into their neighborhood,
etc., but the HBI is just used to guide our Cool
Neighborhood's program which is funded by Mayor Di
Blasio. We don't use HBI to guide our tree
management, our pruning, or response to conditions
that we hear. That is based on risks alone which is
about safety and not a question of deficit of tree
canopy.

COUNCIL MEMBER ERIC DINOWITZ: Okay,
thank you Assistant Commissioner. Thank you, Deputy
Commissioner. Thank you, Chair Koo.

CHAIR PETER KOO: Thank you. Assistant
and Deputy Commissioner, thank you for your
testimony. We have more questions, but we will send
it to you by email. So, now we want to do public
hearings. Kris, can you go on to do public hearings?

COMMITTEE COUNSEL KRIS SARTORI: Yes,
Chair. Thank you. As the Chair said, we will now
turn to public testimony. I'd like to remind
everyone that unlike our typical in-person council

COMMITTEE ON PARKS AND RECREATION

85

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2 hearings, we will be calling on individuals one-by-
3 one to testify. As I stated earlier, each panelist
4 will give three minutes to speak, so please begin
5 once the Sergeant has started a timer and given you
6 the cue to begin. Council members who have questions
7 for a specific panelist should use the raise hand
8 function in Zoom, and I will call on you in order
9 after the panelist has completed their testimony.
10 For panelists, again, once your name is called, a
11 member of our staff will unmute you, and a Sergeant
12 at Arms will give you the go ahead to begin upon
13 setting the timer, so please wait for the sergeant to
14 announce that you may begin before beginning your
15 testimony. At this time, I would like to ask Emily
16 Maxwell of the Nature Conservancy to present her
17 testimony. Will be followed by Tara Das of the New
18 York Restoration Project.

19 SGT. POLITE: Time starts now.

20 EMILY MAXWELL: Hi everybody. I'm Emily
21 Maxwell from the Nature Conservancy, also a member of
22 the Forest for All NYC Coalition, and I really want
23 to say that what's amazing about today's hearing is
24 that everybody whose speaking is in favor of trees,
25 and so that's a commonality that we all share, and I

COMMITTEE ON PARKS AND RECREATION

86

1 think that it's incredible to see the love and
2 passion that all of your bringing. Thank you so much
3 to Chair Koo and the whole committee for hosting this
4 hearing. Briefly, the Nature Conservancy has about
5 35,000 members in New York City and the Forest for
6 All NYC Coalition has 40 and counting organizations.
7 We are composed of non-profits, businesses,
8 academics, and government partners working together
9 to protect, maintain, and grow the urban forest in
10 New York City. I'll speak a bit quickly and I won't
11 read my whole testimony, but I do want to say Forest
12 for All NYC focuses on the whole of the urban forest
13 and that is the more than 7 million trees that span
14 both public and private property across the city, and
15 the physical and social infrastructure that support
16 them. We see these trees, this urban forest as an
17 essential system that provides enormous benefits and
18 services to New Yorkers, and because so many people
19 have gone on record with those benefits, I will leave
20 you to say we have been watching those and more, but
21 also that in the face of COVID-19 and the growing
22 impacts of climate change, including extreme heat and
23 flooding, the benefits of the urban forest, including
24 its mental health benefits are even more important
25

COMMITTEE ON PARKS AND RECREATION

87

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2 than ever, but unfortunately, the urban forest is
3 vulnerable. It faces insufficient funding for long
4 term care, lacks a coordinated management plan that
5 cuts across that entirety of the system, and is
6 largely unprotected from removal on public and
7 private lands. It also faces equity issues across
8 the city which can have impacts on New Yorkers of
9 color and low-income New Yorkers who don't typically
10 don't enjoy as much tree canopy and its benefits, and
11 I'll say that while, of course, the Parks Department
12 is such an important steward, they own just over half
13 or they manage just over half of the urban forest
14 canopy and actually nearly 35 percent of the canopy
15 is on private property and more than 11 percent is
16 actually managed by other agencies, and so when we
17 think about the forest, we really need to think about
18 it across these systems. So, funding for our trees
19 is critical. We recently launched the New York City
20 Urban Forest agenda as some of you have spoken about,
21 which we greatly appreciate and we want to see the
22 city establish a goal of 30 percent canopy cover by
23 2035 that will require master planning, it will
24 require community level planning, it will require
25 more funding, better regulation and incentive

COMMITTEE ON PARKS AND RECREATION

88

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2 programs, and so, you know, we are also into part of
3 a more comprehensive package, and while I'm very
4 pleased ... (crosstalk).

5 SGT. POLITE: Time expired.

6 EMILY MAXWELL: Thank you. I'll just say
7 thank you so much and we'll submit more in writing.

8 COMMITTEE COUNSEL KRIS SARTORI: If you
9 hadn't finished, please go wrap up. Feel free to go
10 ahead, thank you.

11 EMILY MAXWELL: Thank you. I'll just say
12 briefly, we are unable to support legislation that
13 would weaken standards for the urban forest. There
14 are a few pieces of legislation that do so. That
15 will be in my written testimony, and we're really
16 looking forward to working with council to improve
17 this legislation so that it aligns to the goals of
18 our urban forest agenda, is ecologically and
19 operationally sound, improves public information,
20 advances equity and justice and supports climate
21 resilience. So, thank you so much.

22 COMMITTEE COUNSEL KRIS SARTORI: Thank
23 you very much. Our next speaker is Tara Das who will
24 followed by Carlos Croke.

25 SGT. POLITE: Time starts now.

COMMITTEE ON PARKS AND RECREATION

89

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2 TARA DAS: Good morning, everyone and
3 thank you to the members of the council for convening
4 this hearing, and to the Parks Committee Chair, Chair
5 Koo for your leadership and support. My name is Tara
6 Das, and I'm a Government Affairs Manager of New York
7 Restoration Project. For over 25 years, I planted
8 trees, renovated gardens, restored parks, and
9 transformed green spaces for underserved communities
10 throughout New York City. In 2015, NYP made history
11 by making New York City the first major city to
12 successfully plant over 1 million trees. As one of
13 the city's leading supporters for urban forest and
14 access to nature, we believe it is a fundamental
15 right to have access to critical green space,
16 including urban forests, and especially as we
17 continue to navigate the worsening effects of climate
18 change. We know that trees provide a paramount line
19 of defense to the risk of increased flooding, heat
20 waves, and environmentally induced illnesses. I'd
21 also like to stress that with black and Latin X
22 communities facing a higher likelihood of dying of
23 five days of extreme heat, as well as exposure to
24 areas of polluted air environmental risks. Trees
25 play a key role in the fighting systemic injustice.

COMMITTEE ON PARKS AND RECREATION

90

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2 Unfortunately, the U.S. is currently losing trees
3 faster than they are replacing them. Across the
4 county, about 4 million urban trees are lost each
5 year. This is coupled with the Parks Department
6 being dramatically underfunded and community
7 organizations, such as ourselves, facing great
8 administrative and financial barriers to growing and
9 maintaining the city's trees. Beyond tree planting,
10 effective tree stewardship is needed to ensure true
11 (inaudible) maturity and effectively mitigate the
12 concerns our communities face. A random sampling of
13 New York City street trees planted between 1999 and
14 2003 finds that less than 75 percent were still alive
15 at the time of the survey four years later. So, we
16 are traverse abreast our community space. We need to
17 be able to plant and grow efficiently and we need the
18 city's support to maintain the tree's full strength
19 and full growth. That is why we stand with Forest
20 for All New York City and supporting legislation that
21 will further prioritize the urban forest as well as
22 support the community-based organizations leaving the
23 city's preservation and expansion of trees. We
24 demand the support of community scale urban forest
25 plans and goals increasing and equitably distributing

COMMITTEE ON PARKS AND RECREATION

91

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2 funding for planting and maintenance and
3 strengthening regulations and incentive programs that
4 promote tree planting throughout the city on all
5 types of properties. Thank you for having me today
6 and thank you for viewing options to support the
7 city's tree canopy. We look forward to working with
8 you to advance effective and efficient policy that
9 supports New York City's urban trees.

10
11 COMMITTEE COUNSEL KRIS SARTORI: Thank
12 you very much. I believe Council Member Dromm has a
13 question.

14 SGT. POLITE: Time starts now.

15
16 COUNCIL MEMBER DANIEL DROMM: I also know
17 people who have been victims of false allegations and
18 it concerns ...

19
20 COMMITTEE COUNSEL KRIS SARTORI: Council
21 member, I believe, council member, can you hold for a
22 second? I believe we lost you for a second.

23
24 COUNCIL MEMBER DANIEL DROMM:
25 (Crosstalk).

1 COMMITTEE ON PARKS AND RECREATION

92

2 COMMITTEE COUNSEL KRIS SARTORI: We can
3 hear you now. If you could restart, please. We've
4 lost a good chunk of what you were saying.

5 COUNCIL MEMBER DANIEL DROMM:

6 (Inaudible). You know, and I just don't think it's
7 right, you know ...

8
9 COMMITTEE COUNSEL KRIS SARTORI: Okay, I
10 think we had some technical issues with Council
11 Member Dromm. I think we'll move on to the next
12 panelist until we get that sorted. So, our next
13 panelist will be Carlos Croke.

14 SGT. POLITE: Time starts now.

15
16 CARLOS CROKE: Good afternoon. My name
17 is Carlos Castell Croke, and I'm the Associate for
18 New York City Programs at the New York League of
19 Conservation Voters. NYLCV represents over 30,000
20 members in New York City and we committing to
21 advancing a sustainability agenda that will make our
22 people, our neighborhoods, and our economy healthier
23 and more resilient. I'd like to thank Chair Koo and
24 all the council members on the committee for the
25 opportunity to testify today. The trees that make up
our urban forest are one of the city's most valuable

COMMITTEE ON PARKS AND RECREATION

93

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2 environmental access, mitigating climate change,
3 providing clean air and habitats for native wildlife
4 and contributing to the well being of our residents
5 and economy, protecting and expanding this resource
6 is a top priority for NYLCV. We are proud to be here
7 with our partners from the Play Fair Park Campaign
8 and the Forest for All NYC Coalition to support
9 trees, the parks they live in and our urban forests.
10 They are co-founders along with New York for Parks
11 and DC37, the Play Fair Campaign which fights every
12 year for parks funding in the New York City budget.
13 We are adamant that New York City parks needs at
14 least one percent of the total city budget baseline
15 yearly in order to fund the vital forestry contracts
16 for tree pruning, stump removal, sidewalk repair and
17 invasive species control. Additionally, the Forest
18 for All NYC Coalition, we hope to work with the
19 council to expand our urban forest by establishing a
20 goal of 30 percent canopy cover by 2035 and
21 resourcing a master plan to manage expanding forests.
22 These investments will be critical to improving the
23 environmental benefits of our parks and urban
24 forests. Currently 2.6 million street and park trees
25 that the Parks Department are responsible for, remove

COMMITTEE ON PARKS AND RECREATION

94

1,300 tons of pollutants from the atmosphere and store one million tons of carbon each year. Trees are vital for mitigating the urban heat island effect and can lower temperature by up to 9 degrees, cut air conditioning use by 30 percent, and reduce heating energies by a further 20 to 50 percent. New York City's parks also contribute to our resiliency by capturing almost 3 billion gallons of storm water runoff. Because of these numerous benefits, we must see massive investments in our parks and urban forests, help us protect New Yorkers and fight climate change now. Cause of that, NYLCV also opposes Intro 957 and Intro 199 as these Bills seek to lower standards and protections for New York City's urban forest, when we need to be moving in the opposite direction. I'd like to thank Chair Koo for his partnership and the Committee on Parks and Recreation for their attention to the importance of trees and our urban forest. I look forward to working with you all closely to ensure that New York City has healthy and thriving green spaces for generations to come. Thank you.

COMMITTEE COUNSEL KRIS SARTORI: Thank

you.

COMMITTEE ON PARKS AND RECREATION

95

CHAIR PETER KOO: Thank you.

COMMITTEE COUNSEL KRIS SARTORI: Thank you very much. Our next speaker will be Roxanne Delgado followed by Sky Pape.

SGT. POLITE: Time starts now.

ROXANNE DELGADO: Are you able to hear me? I'm sorry.

COMMITTEE COUNSEL KRIS SARTORI: Yes, we can hear you, please.

ROXANNE DELGADO: Okay, I'm sorry. Okay, I'd like to discuss about the trees damaged by commercial lawn mowers by Parks on June 6th of last year. Over a dozen of trees were damaged by NYC Parks lawn mower. It looks like crime scene with trees mutilated and their shredded barks spread on the grounds. I notified the NYC Park manager; there was no response, no action taken, and Parks continued to damage our trees the following month on August 4th of last year, and then this year, on April 24, and April 30th, more trees were damaged. So, I contacted News 12 about the incident, yet the trees and shrubs killed by NYC Parks still are not in place. So, I

COMMITTEE ON PARKS AND RECREATION

96

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2 really find it very concerning that our own agency,
3 instead of protecting our trees, are actually behind
4 harming the trees. Rather it was intentional or now,
5 the trees, the results still remain the same, the
6 trees were mutilated, and some killed as a result of
7 the mowing the lawn. Trees damaged and killed by
8 bar-b-cueing. We've been asking for no bar-b-cueing
9 signs from the Parks manager for the last three
10 years, and finally we're given two signs right before
11 July 4th, but the signs were installed improperly, so
12 they fell off, and anyhow, Parks, of course, cannot
13 enforce the no bar-b-cue rules because there's no
14 administration or park manager that is supportive
15 enough to do so. It looks like they encourage bar-b-
16 cueing despite the fact that it harms our trees. We
17 have tree barks that are burned by the flames. We
18 also have coals that kill the trees, and are dumped
19 right on the tree pits, and I submitted pictures of
20 these coals on the trees and all the tree damage by
21 the lawn mower. So, I would really, really want this
22 to be addressed because what's the use of planting
23 trees if we don't protect the trees. I mean, it
24 makes no purpose when trees are being killed by the
25 Parks lawn mower or they're being damaged illegal

COMMITTEE ON PARKS AND RECREATION

97

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2 bar-b-cueing because there's no signage and there's
3 no enforcement. It's just, you know, appearance's
4 sake, but there's no enforcement of the rule, which
5 is really behind the park manager. Unless the park
6 manager gives the park enforcement the support to
7 enforce the rules, they won't do so, and lastly, this
8 is the most important thing that effects parks,
9 environmental injustice. We lost of 75 trees due to
10 the reconstruction project too, and as a result of
11 these trees, were removed based on size and some were
12 based on condition, but what's sad is the Park's
13 removal of over 18 Oak Trees within a five block
14 radius on (inaudible) and these old trees should have
15 been left alone to die a natural death because they
16 had full leaf canopies and they had no dead wood. I
17 mean, when I saw the stumps, they were clean and
18 solid, but yet Parks removed them and in fact,
19 instead of replacing these oak trees, they put non-
20 native trees, and they replanted the oak trees on the
21 side of the homeowners, so where I live, is where
22 NYCHA and low income immigrants live, but on the side
23 of where the homeowners are, a different zip code,
24 they planted Oak trees, but they gave us Japanese
25 sequoias; not that I have anything against Japanese

COMMITTEE ON PARKS AND RECREATION

98

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2 sequoias, but the fact that they removed 18 oak trees
3 from our side and then planted zero oak trees, and
4 Parks refused to provide us with ... (crosstalk).

5
6 SGT. POLITE: Time expired.

7
8 ROXANNE DELGADO: Let me just, before the
9 contact planted the trees, they refused to answer our
10 questions, they kept us in the dark. CBS came to us,
11 and we even cried on TV because we thought that it
12 was injustice that this effects the future of our
13 residents, future of our nature. Parks have deprived
14 us of our nature, they've deprived us of our trees.
15 This is a pure definition of environmental injustice
16 and Parks, unfortunately instead of working with the
17 community, they have retaliated against us,
18 blacklisted us because they just don't want to
19 address the fact that they deprived this community of
20 nature, they removed our trees that were in good
21 condition. They needed to let the oak trees die a
22 natural death. They removed 18 oak trees. We have
23 no trees in our section of (inaudible). We have no
24 clean air, we have no shade, no nature because Parks
25 basically decimated that section of the parkway and
instead of making us whole again, they gave us
Japanese sequoias. I really would like this to be

COMMITTEE ON PARKS AND RECREATION

99

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2 some sore of oversight that Parks has done. It's
3 just this section of the parkway where it's just
4 mostly low income, NYCHA resident, black and brown
5 people, and instead they planted our oak trees, our
6 oak trees, they planted where the homeowners are.
7 There were no oak trees removed from there, but they
8 planted oak trees there, and I really would like
9 Parks and mayor, whoever is involved with this to be
10 fair and have some justice for (inaudible) Parkway
11 north residents of low-income, NYCHA, low, poor
12 income, and we volunteered for five years to caring
13 for the parks, and Parks has basically turned their
14 backs on us. Thank you for your time and have a good
15 day. Thank you again.

16 CHAIR PETER KOO: Thank you.

17
18 COMMITTEE COUNSEL KRIS SARTORI: Thank
19 you. Our next speaker is Sky Pape followed by Len
20 Meniace.

21 SGT. POLITE: Time starts now.

22
23 SKY PAPE: Thank you, Chair Koo, city
24 council members and all involved in today's hearing.
25 My name is Sky Pape. I'm representing myself, but
I'm connected with several local organizations

COMMITTEE ON PARKS AND RECREATION

100

1 involving our parks and natural areas, including New
2 York Restoration Project, Nature Conservancy, and
3 others. Complicated issues of climate change and
4 environmental justice require more than just lip
5 service. They require the focus and reliable
6 allotment of money and resources. I want to speak in
7 general in support of the legislation put forth
8 today, especially Intro 2366 and for allocating city
9 funding and resources that we require to be dedicated
10 to New York City Parks Department for operations and
11 maintenance. It seems preposterous that we need to
12 advocate together. Up to nearly one percent of the
13 total city budget for this, a goal, which even if met
14 is still woefully and terrifyingly inadequate to meet
15 the needs at hand. Not all parks have well-endowed
16 conservancies to do what the city does not. I'm
17 Inwood, in upper Manhattan where we have the island's
18 only natural old growth forest as well as a
19 significant number of street trees, and you're
20 located in an environmental justice zone in this time
21 of urgency. That kind of conservancy just doesn't
22 exist. The maintenance of our parks and street trees
23 is not a cosmetic issue. If the city does not
24 provide adequate reliable funding for parks,
25

COMMITTEE ON PARKS AND RECREATION

101

2 Manhattan's last natural forest will go away. To
3 mitigate the impacts of climate change, dedicated
4 funding of foresters and staff capable to evaluating
5 and preserving the forest including tree maintenance
6 and management of invasives must be provided. One-
7 third of Inwood is considered to be in the flood
8 plain, and maintenance of the parks and street trees
9 is crucial for the management of storm runoff,
10 particularly with increasingly frequent and severe
11 storms. The city relies overly on the work done by
12 partner organizations like Natural Areas Conservancy
13 (inaudible) New York Restoration Project and legends
14 of public volunteers creating an unsustainable burden
15 on them, and inadequate park protect for the parks
16 and trees. We need funding for permanent park staff
17 to take on this work, and with this, I would include
18 increasing the number of forestry staff and trained
19 arborist as well as urban park rangers. Finally, now
20 only is more money needed for the city for parks
21 operations and maintenance, but if such funds go
22 through the council for distribution within each
23 district, it is imperative that these funds are
24 directly truly towards environmental concerns in a

25

COMMITTEE ON PARKS AND RECREATION

102

proportion that reflect the urgency rather than having parks budgets swallowed ... (crosstalk).

SGT. POLITE: Time expired.

SKY PAPE: Thank you.

COMMITTEE COUNSEL KRIS SARTORI: Thank you very much. Our next speaker is Len Maniace followed by Michael Marino.

SGT. POLITE: Time starts now.

LEN MANIACE: Thank you. I want to echo Emily Maxwell, my colleague in the Forest for All Coalition, and say it's wonderful to hear so many people speak of the importance of our city's trees. My name is Len Maniace. I'm the Director of the Jackson Heights Beautification Group, a civic environmental and arts groups which operates one of the leading volunteer tree care programs in our city. I'll also be submitting written testimony. We thank the city council for devoting this time to our city's trees. This summer has made clear that climate change is not off in the distance future, it's now, and New York City is getting hotter. Our city needs more trees. Studies have shown that neighborhoods

COMMITTEE ON PARKS AND RECREATION

103

2 with many mature trees are cooler than those lacking
3 them. Briefly put, trees are mother nature's air
4 conditioners. We support Bill number 467. It will
5 help New Yorkers understand how well the city's
6 Department of Parks and Recreation is carrying out
7 its mission to plant trees. However, we believe
8 three of the Bills under review today will actually
9 lead to a decrease in street trees. We believe
10 passage of number 98 would mean the paving over of
11 many empty tree beds that otherwise could be planted
12 with trees. Number 199 would introduce a stricter
13 standard for street tree planting on top of the many
14 rules parks already has. Number 957 would allow a
15 few trees to be planted as replacements when a mature
16 is legally removed such as for development. Other
17 than number 467, we believe the city council should
18 table new tree legislation until completion of a new
19 study of our city's urban forest. That study, the
20 NYC urban forest agenda, is already under way. This
21 project aims to make our city more environmentally
22 resilient by increasing our cooling tree canopy from
23 the current 22 percent to 30 percent. Importantly,
24 the NYC urban forest agenda emphasizes our greening
25 our communities of color and poverty which are areas

COMMITTEE ON PARKS AND RECREATION

104

1 frequently neglected, a matter Deputy Kavanagh
2 already noted. He hopes the city council will
3 support the NYC urban forest agenda and work towards
4 its implementation, and I just want to say, I'm glad
5 to see so many officials in the Parks Department that
6 I know here, and I am big fan of New York City parks.
7 Some of the problems that we've heard could probably
8 be addressed and alleviated with more funding for
9 them, but I think with the issues ... (crosstalk).
10

11 SGT. POLITE: Time expired.

12
13 LEN MENIACE: Just one second, please.

14 The issues the city is now facing with global
15 warming, it's really important for parks to take the
16 next step up. Thank you very much.

17 COMMITTEE COUNSEL KRIS SARTORI: Thank
18 you very much. Our next speaker is Michael Marino
19 followed by Jessica Burke.
20

21 SGT. POLITE: Time starts now.

22 MICHAEL MARINO: Thank you very much.

23 Michael Marino here representing Friends of Corlears
24 Hook Park from Manhattan's lower east side. I really
25 wish that the Deputy Commissioner and the Assistant

COMMITTEE ON PARKS AND RECREATION

105

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2 Commissioner had stayed on to listen to the public's
3 testimony, but I understand they're not required to,
4 but thank you for allowing me to speak today. I
5 wanted to just bring up three issues that Friends of
6 Corlears Hook Park has dealt with before. Tree
7 maintenance and the confusion of reporting issues
8 with tree, first is, probably everybody already
9 knows, part of the mitigation for the loss of the
10 trees related to the eastside coastal resiliency plan
11 includes planting of 1000 new street trees throughout
12 community boroughs three and six. Corlears Hook Park
13 received eight of these trees. In fact, there was
14 great fanfare over the summer that the 500th tree was
15 planted in our park. Unfortunately, the contractors
16 paid to plant these trees never returned to water
17 them, and at least half of the eight trees planted in
18 Corlears Hook Park are now dead or on their way to
19 die. The ones that have survived are the ones that
20 my organization had long enough hoses to reach to
21 water ourselves. This is the second time Corlears
22 Hook Park has received plantings from New York City
23 Parks that have died due to the lack of maintenance
24 and water plan. So, my questions to Parks, is what
25 are the ramifications to the contractors that do not

COMMITTEE ON PARKS AND RECREATION

1

106

2 live up to the expectations of their contract in
3 caring for these trees that they're planting through
4 the city? Another issue, this past summer, we
5 reported to New York City Parks a mature Linden tree
6 that was sinking into the ground due to a rat burrow
7 underneath its tree pit. While the forestry division
8 responded rather quickly to cut the tree down to the
9 stump, the stump and the sinking sidewalk remain.
10 After reaching out to forestry division again, we
11 were punted to the trees and sidewalk division. That
12 division punted us back to the forestry division
13 stating, and I quote, "Trees and sidewalks program
14 only attends to sidewalk concrete damage caused by
15 city owned trees, and adjacent to one, two, or three
16 family homes, not used for commercial purposes, and
17 occupied by the owner only". Okay, so then who deals
18 with issues related to city owned trees or that are
19 bordering a park or are in a park? So, we've been
20 punted back and forth between the forestry division
21 and the trees and sidewalks division, and the issue
22 is still not fixed. The tree pit and the sidewalk
23 continue to sink into the ground, causing a major
24 trip hazard for anybody trying to use that sidewalk
25 to enter the park. So, I would advocate for the

COMMITTEE ON PARKS AND RECREATION

107

1
2 process for reporting tree issues to be easier, and
3 for organizations and even individuals not to be
4 punted back and forth between the different divisions
5 within the Parks Department. Lastly, and I know I'm
6 running out of time, so hopefully, I get to this. We
7 have rather limb split off another mature tree that
8 overhangs our city bike rack. The limb has so large
9 that it actually touched the sidewalk, and you can
10 reach out ... (crosstalk).

11
12 SGT. POLITE: Time expired.

13 MICHAEL MARINO: And it took about a week
14 before the Parks Department came out to address that
15 limb after we reported it. The area was never roped
16 off. It was huge public hazard to anybody going to
17 the city bike rack to get a bike, that that limb
18 could have fallen on them at any moment, and I just
19 think that responses to hazards like that should be
20 clear. So, those are the three things I wanted to
21 bring up, and like Len said, we are, you know, I
22 think a lot of these issues are related to the lack
23 of funding for the Parks Department in general, and
24 you know, outside of these three issues, we have a
25 wonderful and great relationship with Parks and with
our partners. Thank you.

1 COMMITTEE ON PARKS AND RECREATION

108

2 COMMITTEE COUNSEL KRIS SARTORI: Thank
3 you very much. Our next speaker is Jessica Burke
4 followed by Natasia Sidarta.

5 SGT. POLITE: Time starts now.

6
7 JESSICA BURKE: Thank you, Chair Koo and
8 council members for your time. My name is Jessica
9 Burke. I am the founder of the program Friends of
10 Crocheron and John Golden Park in Bayside Queens.
11 Our park is the 12th largest park in Queens and the
12 45th largest park in the city. We have monthly
13 volunteer events for yoga, tours of the park. We
14 also work with NYC park rangers, and most
15 impressively, we have raised over \$2000.00 for a
16 replanting project and education interpretative board
17 for the park. I am here to speak about my experience
18 growing this program since August 2020. I would like
19 to call attention to the equity issues that are
20 caused my increase in New York City parks reliance on
21 public/private partnerships. At the moment, New York
22 City parks engages in a number of public/private
23 partnerships. I have found that these partnerships
24 tend to prioritize relationship with one another
25 instead of working with smaller parks and smaller
groups. As you know, city parks foundation is one of

COMMITTEE ON PARKS AND RECREATION

109

2 the largest public/private partnerships that NYC
3 parks works with. The most recent IRS filing shows
4 that they have received over \$1,700,000.00 from New
5 York City parks to work in city parks. A small
6 amount of this is through discretionary funding that
7 must go through the city park foundation acting as a
8 fiscal sponsor for all city park groups that are not
9 all 501C3s. That means that groups like mine that
10 have a different fiscal sponsor because city parks
11 foundation has ended their fiscal sponsorship
12 relationship for the foreseeable future are not able
13 to obtain funding through the city council
14 discretionary funding. Other organizations like the
15 Natural Areas Conservancy have a year revenue of over
16 4 million dollars. This organization does not
17 provide services to all areas across NYC. Trials are
18 an important part of enjoying trees in our park.
19 Natural Areas Conservancy is refusing to come to
20 Crocheron Park to help us with our small trial. Even
21 though New Yorkers for Parks has shown that we have
22 the second highest out of all 59 community boards for
23 tree canopy cover, and myself and other volunteers of
24 Crocheron and John Golden Park maintain trails and
25 are trail maintainer with Natural Areas Conservancy.

COMMITTEE ON PARKS AND RECREATION

110

2 This leads to our part being further more vulnerable
3 than other parks. The Natural Areas Conservancy does
4 not provide access to their programing, and they
5 prioritize relationships with larger organizations
6 instead, like (inaudible) and Riverside Park
7 Conservancy that have nearly one million and 4
8 million in revenue respectfully. These
9 public/private partnerships are not the answer to the
10 needs of our parks. We are facing a crisis of stumps
11 that are an eye sore, but also vines that are choking
12 out and killing trees. For aesthetics and for
13 increased mental health, in our park, we cannot see
14 the bay. Instead, the overlook is now filled with
15 invasive ... (crosstalk).

16 SGT. POLITE: Time expired.

17
18 JESSICA BURKE: And if I can just say one
19 other thing on a positive, I would really appreciate
20 if we could get some signs for dead trees to explain
21 to the public that this is a tree that is not going
22 to necessarily fall on you, that it is part of a
23 heathy ecosystem that supports bugs and woodpeckers.
24 We found that this is the way to help the public
25 respect and love greenspace more and hopefully, we

COMMITTEE ON PARKS AND RECREATION

111

2 can get more funding for parks. Thank you very much
3 for your time.

4 COMMITTEE COUNSEL KRIS SARTORI: Thank
5 you very much. Our next speaker is Natasia Sidarta
6 followed Rowan Blaik.

7
8 SGT. POLITE: Time starts now.

9 NATASIA SIDARTA: Hi everyone. Good
10 afternoon. My name is Natasia Sidarte. I'm the
11 Community Stewardship and Operations Director at
12 Gowanus Canal Conservancy, or GCC. I oversee
13 community stewardship and volunteer programs and we
14 empower local stakeholders and stewardship of local
15 greenspaces including street trees. I do want to
16 mention that we are a proud member of the Forest for
17 All NYC Coalition in which many of the members are
18 here today, and we do aim to work with city council
19 and the Parks committee to advance a long-term
20 direction for the whole urban forest. Many people
21 have mentioned this already. Of the seven million
22 trees in the city, they enhance the quality of life
23 and improve health and well-being for people. They
24 help tackle the cause and effects of the climate
25 crisis, and most relevant in Gowanus, they absorb

COMMITTEE ON PARKS AND RECREATION

112

2 storm water before it pollutes our waterways. In
3 Gowanus, we received 363 million gallons of combined
4 sewer overflow per year, and many of those trees
5 absorb that storm water before it enters the canal.
6 Just in the past decade, 670 young trees were
7 installed, and this has filled a neighborhood wide
8 gap in the urban canopy. They depend on adequate
9 maintenance and reduction however, and our urban
10 forest and the Parks Department, as many have
11 mentioned already, who care for over half of it are
12 chronically underfunded. We need to have consistent
13 and sufficient funding to ensure that these trees are
14 able to provide many of the critical services that
15 we've all acknowledged. In Gowanus itself, we
16 empower a network of volunteer tree stewards. They
17 water, they weed, prune, remove litter and debris,
18 and these activities also provide social
19 infrastructure, so they offer opportunities for
20 neighbors to organize together, and we had many
21 successes in maintaining many of these young trees
22 with these volunteers. We've also ran into barrier
23 over the past decade. We've lost numerous trees in
24 the name of new great infrastructure including new
25 utility lines on 7th street, high level storm sewers

COMMITTEE ON PARKS AND RECREATION

113

2 on Carol Street, and in the neighborhoods severely
3 lacking urban canopy, the loss of these trees can be
4 devastating. Public and private entities need to be
5 held responsible for replanting and also the
6 protection and care for these replacement trees. We
7 encourage city council to review the NYC urban forest
8 agenda if you haven't done so already which present
9 an array of opportunities to make meaningful,
10 positive difference in our urban forest and New
11 Yorkers. Thank you to Chairman Koo, committee
12 members and city council for reviewing these options
13 to support the urban forest, thank you.

14 COMMITTEE COUNSEL KRIS SARTORI: Thank
15 you. Next up is Rowan Blaik followed our last
16 registered speaker, Sherrise Palomino

18 SGT. POLITE: Time starts now.

19 ROWAN BLAIK: Good morning and thank you
20 for the; or good afternoon rather. Thank you for the
21 opportunity to testify before you today. My name is
22 Rowan Blaik, and I'm the Vice President of
23 Horticulture in the Brooklyn Botanic Garden. I'm
24 here today on behalf of BBG to voice our strong
25 support for increase investing in the planting,

COMMITTEE ON PARKS AND RECREATION

114

2 management, maintenance, diversity, and health of our
3 city's urban forest. Under the education training
4 and development of skills for New York's (inaudible).
5 So, as our tree collection, BBG educates visitors and
6 school children in the diversity and benefits of
7 trees, works with local communities including those
8 designated as potential environment justice areas to
9 help maintain their own trees and tree beds, and to
10 enter their (inaudible) in Brooklyn program. BBG
11 also trains the next generation of professionals
12 working in greenspaces across the city to undergo an
13 apprentice and horticulture intensive programs and
14 trains Parks Department trainee gardeners. Earlier
15 this year, BBG worked with NYC Parks and Recreation
16 to plant 28 new street trees outside of (inaudible).
17 A well maintained and managed healthy trees are vital
18 for the city and its numerous greenspaces, keeping
19 our opened forest healthy and free of invasive
20 species, pests and diseases is more important now
21 than ever. Managing our own trees, BBG follows the
22 best practice standards and certifications of the
23 International Society of Horticulture and liaises
24 with the Parks management (inaudible) and other local
25 greenspaces on issues affecting local tree health.

COMMITTEE ON PARKS AND RECREATION

115

2 The benefits from open trees is incredibly well
3 evidenced as stated by many of the speakers this
4 morning. Any negative impacts with the pests and
5 disease, underplanting, single generation over the
6 age plantings, anything in the management and the
7 long-term resilience left unaddressed could be
8 devastating to our open forest, and the future well-
9 being, and resilience of this city depends upon
10 improvements and to the prioritization of the forest.
11 The open forest has a critical role to play in
12 creating, as I said, a resilient New York City and
13 one more prepared to meet the challenges of climate
14 change, investment in prioritization of the open
15 forest will pay dividends for years to come. Thank
16 you for the opportunity to be here today. Thank you.

17 COMMITTEE COUNSEL KRIS SARTORI: Thank
18 you. Our next speaker is Sherrise Palomino, who will
19 be followed Jessica Capland.

20
21 SGT. POLITE: Time starts now.

22 SHERRISE PALOMINO: Good afternoon. My
23 name is Sherrise Palomino, and I am the Director of
24 Advocacy and Program at New Yorkers for Parks. We
25 are the founding member of the Play Fair Coalition

COMMITTEE ON PARKS AND RECREATION

116

2 which includes over 300 organizations from across the
3 five boroughs; some of whom have already testified
4 here today. We would like to thank the city council
5 Committee on Parks and Recreations for inviting us to
6 speak about our city's trees and their maintenance.

7 I also want to thank Chair Koo for his leadership and
8 partnership in the Play Fair Coalition and for

9 raising these important issues. The Parks Department
10 is responsible for maintaining more than 2.6 million

11 trees on our streets and in our parks. These trees
12 and urban forest are critical resources to the city's

13 climate change resilience. They mitigate urban heat
14 and island effects, lower temperatures by up to 9

15 percent, cut air conditioning use by 30 percent, and
16 reduce heating energy use further by 20 to 30

17 percent. Trees in our parks capture almost 2 billion
18 gallons of storm water runoff every year. A

19 statistic may even be more poignant after the impact
20 of recent tropical storms. Our trees are essential

21 to our public health as well as providing shade and
22 cleaner air. Impacts that should resonate with our

23 city's leaders as well as continue to make our way
24 through this pandemic. In short, trees are an

25 essential part of New York City's green

COMMITTEE ON PARKS AND RECREATION

117

1 infrastructure. The Parks Department does a valiant
2 job in maintaining this critical resource but needs
3 more funding to do. This is one of the many reasons
4 why New Yorkers for Parks and our Play Fair Coalition
5 are calling for an increase in the Park's budget to
6 one percent of the city budget. A call, a majority
7 of the city council can support along with the
8 leading candidate for mayor. Thank you.

10 COMMITTEE COUNSEL KRIS SARTORI: Thank
11 you very much. Our next, and last registered speaker
12 is Jessica Capland.

14 SGT. POLITE: Time starts now.

15 COMMITTEE COUNSEL KRIS SARTORI: Is Ms.
16 Capland on? She was on a moment ago. If not, we'll
17 just move on. At this point, there are no other
18 registered panelists. So, I would just ask that if
19 we inadvertently missed anyone who was registered to
20 testify today and has not yet been called, please use
21 the Zoom raise hand function and you'll be called on
22 to give your statement. Okay, seeing none, I will
23 now turn it back to Chair Person Koo to offer some
24 closing remarks and close out the hearing.

25

COMMITTEE ON PARKS AND RECREATION

118

2 CHAIR PETER KOO: Thank you. Thank you,
3 Kris. Thank you to everyone for their testimony
4 today. Our urban canopy impacts all aspects of our
5 lives, and we must do all we can do to ensure that
6 our city's trees are healthy and protected. It's
7 clear that we need to continue the conversation on
8 the health and maintenance of our city's trees, and I
9 hope the NYC parks will continue this dialog with
10 myself and my colleagues as they are still many
11 outstanding questions and concerns. Thank you again
12 to NYC parks and all who testified today and thank
13 you to my committee staff for their work on preparing
14 for today's hearing, and everyone behind the scenes.
15 So, this public hearing is being adjourned.

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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 _____ <INSERT TRANSCRIPTION DATE>