



Legislation Details (With Text)

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**Title:** A Local Law to amend the New York city charter and the administrative code, in relation to creation of a department of sustainability and climate change and repealing section 20 of chapter 1 of the New York city charter.

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**Indexes:**

**Attachments:** 1. Summary of Int. No. 1399, 2. Int. No. 1399, 3. February 13, 2019 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 2-13-19, 5. Minutes of the Stated Meeting - February 13, 2019, 6. Committee Report 6/12/19, 7. Hearing Testimony 6/12/19, 8. Hearing Transcript 6/12/19

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2/13/2019	*	City Council	Referred to Comm by Council	
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Int. No. 1399

By Council Members Rosenthal, Levine, Chin, Kallos, Ayala, Rodriguez, Adams, Brannan, Cornegy, Louis, Grodenchik, Levin and Ampry-Samuel

A Local Law to amend the New York city charter and the administrative code, in relation to creation of a department of sustainability and climate change and repealing section 20 of chapter 1 of the New York city charter.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter section 20 is hereby REPEALED and a new chapter 76 to read as follows:

Chapter 76

DEPARTMENT OF SUSTAINABILITY AND CLIMATE CHANGE

§ 3150. Department; commissioner.

§ 3151. Definitions.

§ 3152. Powers and duties.

§ 3153. Sustainability advisory board.

§ 3150. Department; commissioner. There shall be a department of sustainability and climate change the head of which shall be the commissioner of sustainability and climate change. The commissioner may appoint deputies, including a deputy commissioner of external affairs within available appropriations.

§ 3151. Powers and duties. a. The commissioner shall be responsible for matters relating to resiliency of critical infrastructure, the built environment, coastal protection and coastal communities and climate change. The commissioner shall also be responsible for all matters pertaining to recovery and resiliency and sustainability.

b. The commissioner shall also have the power to:

1. Develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment, climate change and overall sustainability citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy; resiliency of critical infrastructure, the built environment, coastal protection and coastal communities; and regarding city agencies, businesses, institutions and the public;

2. Develop measurable sustainability indicators, reviewed annually, which shall be used to assess the city's progress in achieving sustainability and improving resiliency citywide; and

3. Take actions to increase public awareness and education regarding sustainability and climate change.

§ 3152. Sustainability Advisory Board. There shall be a sustainability advisory board. The sustainability advisory board members shall include, at a minimum, representatives from environmental,

environmental justice, planning, architecture, engineering, oceanography, coastal protection, construction, critical infrastructure, labor, business and academic sectors which shall be appointed by the mayor. The advisory board shall also include the speaker of the city council or their designee and the chairperson of the council's committee on environmental protection or their designee.

§2. The administrative code of the city of New York is amended by adding a new title 33 to read as follows:

TITLE 33

DEPARTMENT OF SUSTAINABILITY AND CLIMATE CHANGE

§ 33-101 Definitions.

§ 33-102 Sustainability indicators.

§ 33-103 Population projections.

§ 33-104 Long term sustainability plan.

§ 33-105 Sustainability advisory board.

§ 33-106 Interagency green team.

§ 33-101 Definitions. As used in this chapter, the following terms have the following meaning:

Commissioner. The term "commissioner" means the commissioner of sustainability and climate change.

Department. The term "department" means the department of sustainability and climate change.

§ 33-102 Sustainability indicators. No later than December 31, 2019 and biannually thereafter, the commissioner shall identify a set of indicators to assess and track the overall sustainability and resiliency of the city with respect to the categories established pursuant to section 3151 of the New York city charter. Such sustainability indicators shall include, but not be limited to, progress in reducing all greenhouse gases as measured by the greenhouse gas inventory, progress in the implementation of resiliency measures to address

sea level rise, steps to protect disadvantaged and vulnerable populations from extreme hot or cold days, progress in reducing greenhouse gas emissions resulting from buildings, progress in reducing greenhouse gas emissions generated by city operations, prevention of biodiversity loss, increasing the number and quality of trees in the city urban forest, waste diverted from landfills, increases in renewable energy generation, air quality improvements and such other indicators as the commissioner shall identify. The commissioner shall prepare and make public a biannual report on the city's performance with respect to tracking such sustainability indicators, which report may be prepared and presented in conjunction with the mayor's management report.

a. The report shall include but not be limited to: 1. The city's progress in achieving sustainability citywide, which shall be based in part on the sustainability indicators developed pursuant to this chapter and in part on the city response to the most recent report of the New York city panel on climate change; and

2. Any new or revised indicators that the commissioner has identified or used to assess the city's progress in achieving sustainability citywide, including when an indicator has been or will be revised or deleted, the reason for such revision or deletion.

§ 33-103 Population projections. No later than April 22, 2020, and every 2 years thereafter, the department of city planning shall release or approve and make public a population projection for the city that covers a period of at least 20 years, with intermediate projections at no less than 10 year intervals. Such projections shall include geographic and demographic indicators.

§ 33-104 Long term sustainability plan. a. The commissioner shall develop and coordinate the implementation of a comprehensive, long-term sustainability plan for the city. The long-term sustainability plan shall include incorporation of the projections of the New York city panel on climate change for a period of at least 30 years. Such plan shall include and not be limited to an analysis of long-term planning and sustainability indicators identified in section 33-102 and shall set interim goals associated with each indicator established and may include any additional categories established by the commissioner. The city will seek to implement or undertake to achieve each interim goal by no later than April 22, 2030 and long-term goals that

the city will seek to implement or undertake to achieve each goal by no later than April 22, 2050.

b. No later than April 15, 2020, and no later than every 4 years thereafter, the commissioner shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals achieved associated with each category established pursuant to this chapter and goals achieved pursuant to any additional categories established by the commissioner.

c. Such updated plan shall take into account most recent reports of the New York city panel on climate change and the population projections, including geographic and demographic indicators required pursuant to section 33-104 of this section. An updated plan shall include implementation milestones for each policy, program and action contained in such plan.

d. An updated plan shall report on the status of the milestones contained in the immediately preceding updated plan. Where any categories, goals, policies, programs or actions have been revised, added or deleted from an updated plan, or where any milestone has been revised or deleted from an updated plan, the plan shall include the reason for such addition, revision or deletion. The commissioner shall seek public input regarding any updated plan before finalizing and submitting such plan pursuant to subdivision b of this section.

e. Review and reporting. No later than April 22, 2020, and no later than every April 22 thereafter, the commissioner shall prepare and submit to the mayor and the speaker of the council a report on the city's performance with respect to the identified sustainability indicators and long-term planning and sustainability efforts. The report shall include, at a minimum:

1. The city's progress made to implement or undertake policies, programs and actions included in the sustainability plan or updated sustainability plan required by subdivision e of this section, since the submission of the most recent plan or updated plan or report required by this paragraph; and

2. Any revisions to policies, programs or actions in the previous long-term sustainability plan, including the reason for such revision.

§ 33-106 Sustainability Advisory Board. The advisory board shall meet, at a minimum, twice per year

and shall provide advice and recommendations to the commissioner regarding the provisions of this chapter.

§ 33-107 Interagency Green team. There is hereby established within the department an interagency green team to facilitate the use of innovative technologies, design and construction techniques, materials or products that may have significant environmental and sustainability benefits and to assist innovative projects in addressing local regulatory requirements. The interagency green team shall encourage pilots of innovative technologies on city buildings and in other locations in the city.

§ 2. This local law takes effect 120 days after it becomes law.

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