



PUBLIC TESTIMONY OF WATERFRONT ALLIANCE

August 16, 2022

New York City Council Committee on Resiliency and Waterfronts, Committee on Environmental Protection, and Committee on Transportation and Infrastructure Oversight Hearing RE: Sinkholes, Flooding and Heatwaves: Infrastructure Challenges in the Face of Extreme Weather

Submitted by Cortney Koenig Worrall, President and CEO, Waterfront Alliance

Thank you, Chairs Kagan, Gennaro, and Brooks-Powers and Council Members, for hosting this oversight hearing today. I am Cortney Koenig Worrall, President and CEO of the Waterfront Alliance, an alliance of more than 1,100 organizations, businesses, and individuals. Waterfront Alliance is the leader in waterfront revitalization, climate resilience, and advocacy for the New York-New Jersey Harbor region.

We are committed to sustainability and to mitigating the effects of climate change across the region's hundreds of miles of waterfront. We spearhead the Rise to Resilience coalition of 100+ groups advocating for making climate resilience an urgent policy priority and we run the Waterfront Edge Design Guidelines (WEDG) program for promoting innovation in climate design.

Thank you for the opportunity to testify at today. New York City, as one of the oldest cities in the country, must grapple with the challenge of maintaining and upgrading its aging infrastructure to serve a rapidly changing climate.

Climate change poses unprecedented risks to much of our outdated infrastructure, some of which has already been displayed by major flood events like Hurricanes Sandy, Henri, Ida, as well as from unnamed storms such as those this June that delayed public transit on major train lines for hours. In addition, nuisance (or "every day") flooding is reaching some parts of the city every month at high tide. For today's testimony, I would like to focus on three categories of adaptation approaches: (1) citywide and neighborhoods scale, (2) critical infrastructure scale, and (3) individual building scale.

- There are several reports, plans, and projects that are slated to come out in the next few months, many of which are legislatively mandated. We encourage city agencies to push for options for these plans and reports to communicate with each other and intersect where it makes sense, rather than be siloed and independent. We recommend the city conduct a transparent overview of the series of planning efforts and reports coming out over the next few months and years and coordinate this effort among agencies, elected officials, and funding opportunities to ensure there is a



comprehensive and coordinated planning process across the five boroughs. We are ready to support and push for legislation that streamlines and consolidates reporting requirements.

- It is imperative that the city develop a strategic plan across agencies to leverage the historic federal and state infrastructure funding opportunities for climate resilience, such as the Infrastructure Investment and Jobs Act (IIJA), the New York – New Jersey Watershed Protection Act, the recently passed Inflation Reduction Act, and hopefully the New York State Bond Act if it passes. This is a pivotal moment presenting more funding opportunities than ever before.
- Waterfront Alliance and many of our partners, including the Rise to Resilience Coalition, call for the prioritization of green infrastructure as a climate solution wherever it is possible. All green infrastructure requires a long-term and ongoing maintenance commitment for it to function as designed. DEP and other agencies must develop full life cycle analyses and strategies for all infrastructure and coordinate maintenance plans for city climate infrastructure emphasizing the unique needs of green infrastructure.
- Given the current extreme drought we are facing, DEP and other agencies must also include tree maintenance, including the maintaining and watering of existing trees in parks, medians, and other non-forested parts of the built environment, as part of green infrastructure maintenance.
- In the same way that building-by-building investments are used to promote increased energy efficient and reduced carbon emissions (i.e., rooftop solar, white roofs, phasing out gas in new buildings, etc.), we must incentivize and fund individual building retrofits to make sure individual buildings are resilient to heat, water, and intense storms.
- The Waterfront Alliance strongly supports Intro 0076, which would require DEP to establish a program to provide financial assistance for the purchase and installation of backwater valves.
- Waterfront Alliance encourages the City Council to consider expanding resilience retrofits through programs like New York City Housing Preservation and Development's (NYCHPD) HomeFix program. HomeFix provides access to affordable low- or no-interest and potentially forgivable loans for home repairs related to heating, plumbing, sidewalks/paving, accessibility measures to help seniors, energy efficiency upgrades, and more.

Finally, we have heard today about the challenges for our infrastructure in the face of more extreme weather events - sinkholes, flooding, heatwaves, and more. All of these challenges and Waterfront Alliance's calls to action have one thing in common. They require robust and nimble capacity and administrative capacity within each city agency that is grounded in the best technical and administrative expertise among agency and department staff. The time for administrative excellence in the face of great challenge is now. Scrutinizing systems, policies, and internal bureaucracies within city government for project delivery must be the top priority of the city and must be improved in the coming year. The



ability of the city to get done what it needs to get done and leverage, right now, the state and federal dollars we are unlikely to see again for a decade or more, is the key to New York City's future.

Full Detailed Testimony

Citywide and Neighborhood Scale Infrastructure

Waterfront Alliance has proudly been at the forefront of advocacy for comprehensive planning. In order to build and improve infrastructure to face climate threats, the city needs to know where it is most needed. It is therefore crucial that New York City understands where vulnerabilities exist at the hyper-local, community-level through data collection, analysis, and neighborhood planning and engagement. This process has taken place in some neighborhoods already (i.e., Resilient Edgemere, East Side Coastal Resilience, Financial District and Seaport Climate Resilience Master Plan), but a coordinated, fully funded plan for citywide adaptation and resilience that can be completed within a reasonable timeframe does not exist.

There are several reports, plans, and projects that are slated to come out in the next few months, many of which are legislatively mandated. We encourage city agencies to push for options for these plans and reports to communicate with each other and intersect where it makes sense, rather than be siloed and independent. Waterfront Alliance is ready to support such efforts and spearhead any efforts that would legislatively consolidate analyses and reporting requirements.

As a first step, we recommend that the Mayor's Office of Climate and Environmental Justice (MOCEJ) develop a transparent overview of the series of planning efforts and reports coming out over the next few months and years. This effort should aim to inform the public about the City's vision for climate impacts and environmental justice by pulling together pieces from major plans like PlaNYC, AdaptNYC, Environmental Justice for All Report, and the Comprehensive Waterfront Plan. We encourage the city to coordinate this effort among agencies, elected officials, and funding opportunities to ensure there is a comprehensive and coordinated planning process across the five boroughs.

There has been great progress by various city agencies to understand climate vulnerabilities at the citywide and neighborhood level with initiatives like New York City Department of Health's Heat Vulnerability Index (HVI), New York City Department of Planning's Flood Hazard Mapper, and New York City Department of Environmental Protection's Cloudburst Management Plan. Waterfront Alliance calls for the city to coordinate these plans, reports, and project together in one effort to bring tangible, shovel-ready projects to fruition - especially in the highest risk neighborhoods.

Just last week, the United States Army Corps of Engineers (USACE) announced their tentatively selected plan (TSP) for the New York-New Jersey Harbor and Tributaries Study (NYNJHATS). Their selection of Alternative 3B would bring several shoreline-based measures and sea gates along the waterfronts of



several neighborhoods, including Coney Island, the North Shore of Staten Island, East Harlem, Gowanus, Flushing, and Far Rockaway. Waterfront Alliance is pleased to see USACE move away from a storm surge barrier to shoreline-based projects that include natural and nature-based features across several neighborhoods. It is important to understand that the various shoreline-based projects will require extensive coordination with existing plans, projects, and developments at the local, state, and federal level.

For example, the TSP proposes a Gowanus Canal sea gate. How would this gate affect the existing rezoning and developments in Gowanus? How will it affect Gowanus' combined sewer overflow (CSO) retention tank project that involves the New York City Department of Environmental Protection (NYCDEP), the New York State Department of Environmental Conservation (NYSDEC), and the United States Environmental Protection Agency (US EPA) now that USACE is coming in? Such alignment is necessary in East Harlem which is home to the \$227 million Harlem River Greenway project; the western tip of Manhattan with the \$221 million South Battery Park City Resiliency Project; and other places where USACE and local projects might intersect.

Systemic Infrastructure

In addition to citywide comprehensive planning, we must not forget the immense challenge of building resilience into the systemic infrastructure of the city that keep the city moving and functioning. This includes MTA infrastructure; roads and bridges; Con Edison power plants; broadband connection; and maritime industry infrastructure that keeps the supply chain intact. This infrastructure must be resilient to the impacts of sea level rise, storm surge, precipitation, and extreme heat.

This massive investment to bring systems up to the most climate resilient standards, is a financial challenge. It is imperative that the city develop a strategic plan across agencies to leverage the historic federal and state infrastructure funding opportunities, such as the Infrastructure Investment and Jobs Act (IIJA), the New York - New Jersey Watershed Protection Act, the recently passed Inflation Reduction Act, and hopefully the New York State Bond Act if it passes. Waterfront Alliance has been working with partners across New York to advance the Watershed Protection Act, which would authorize \$50 million a year in federal funds to support flood management, community access to waterfronts, environmental education, and more.

This is a pivotal moment presenting more funding opportunities than ever before.

Department of Environmental Protection

The Department of Environmental Protection (DEP) is a key agency in the city's ability to deliver projects, bringing climate resilience to neighborhoods and the city overall. At a basic level, DEP must fund and get infrastructure into the ground. At its heart DEP is a capital construction agency, and any delays in DEP ability to fund and construct infrastructure will delay the city's response to climate change.



Streamlining DEP's administrative processes that lead to project delivery must be prioritized as an internal climate resilience priority within the agency. We believe all processes that ultimately lead to construction must be fully analyzed and then streamlined within the coming year. Administrative process analysis and streamlining is consistent with an administration commitment to "getting things done."

Waterfront Alliance and many of our partners, including the Rise to Resilience Coalition, call for the prioritization of green infrastructure as a climate solution wherever it is possible. All green infrastructure requires a long-term and ongoing maintenance commitment for it to function as designed. DEP and other agencies must develop full life cycle analyses and strategies for all infrastructure and coordinate maintenance plans for all city climate infrastructure while emphasizing the unique needs of green infrastructure. Given the current extreme drought we are facing, DEP and other agencies must also include tree maintenance, including the maintaining and watering of existing trees in parks, medians, and other parts of the built environment, as part of green infrastructure maintenance.

Climate projections tell us that cities face threats from more heat and more water in the near future. Sea level rise, hurricanes, precipitation, and extreme heat events will become more frequent and intense over the next several decades. Extreme weather events in the past couple of years alone have demonstrated vulnerabilities in our critical infrastructure systems.

Building-Scale and Residential Retrofits

Individual building level investments are also a critical part of the city's infrastructure strategy. In the same way that building-by-building investments are used to promote increased energy efficient and reduced carbon emissions (i.e., rooftop solar, white roofs, phasing out gas in new buildings, etc.), we must incentivize and fund individual building retrofits to make sure individual buildings are resilient to heat, water, and intense storms.

Last year, the City's own Extreme Weather Task Force released a report outlining a series of policies and protocols to adapt and combat New York City's growing flood risks. *The New Normal: Combatting Storm Related Extreme Weather in New York City* report identifies two priority enhancements to household infrastructure. One of these efforts is to offer sandbags to residents well before a storm, which is a process that NYCDEP started in early July. The next priority is to immediately commence a study to examine the expansion of household backwater valve installations and to expand backwater valve installations to the city's most vulnerable residential topologies to prevent sewer backups into private properties.

At a previous City Council oversight hearing in April, Waterfront Alliance testified in support of Intro 0076, which would require DEP to establish a program to provide financial assistance for the purchase and installation of backwater valves. The Waterfront Alliance strongly supports this bill. Backwater valves have the potential to save property owners thousands of dollars in damage and clean-up after a flood by preventing sewer backflow. Storm recovery can easily send homeowners into financial distress. A



program dedicated to financial assistance for backwater valve installations can provide much needed relief to residents across New York City who are already contending with constant and more intense flooding.

Waterfront Alliance recommends that Intro 0076 prioritize installations based on the history of backflow incidents collected by DEP to determine which properties and neighborhoods would benefit from valve installation. Looking at historical sewer backflow incidents can inform the City's priority installation process. Moreover, we recommend that this program avoid income gaps where possible. Requiring detailed income documents from homeowners and tenants adds an additional burden of proof that many residents are unable to provide in a timely manner. Replacing income documentation with a more appropriate AMI cap of 160% is likely to capture the spectrum of homeowners in need of support. We also recommend that DEP partner directly with plumbers to ensure their participation in program development and to ensure any construction program has a flexible emergency change policy. Thank you to those of you who are already sponsors of the bill. For those who are not, we encourage you to meet with Council Member Brannon's office to discuss the effort and sign in support.

Backwater valves are just one example of building level, homeowner retrofits we should be exploring. Waterfront Alliance encourages the City Council to consider expanding resilience retrofits through programs like New York City Housing Preservation and Development's (NYCHPD) HomeFix program. HomeFix provides access to affordable low- or no-interest and potentially forgivable loans for home repairs related to heating, plumbing, sidewalks/paving, accessibility measures to help seniors, energy efficiency upgrades, and more. Since launching in November 2019, the HomeFix program has received an overwhelming amount of interest. The program is currently not accepting new applications because of the high demand, which highlights to necessity and demand for building-level upgrades. Any homeowner retrofit program must be tied to an incentive program that not only promotes widespread adoption, but also equity. We recommend the city analyze opportunities for funding and expanding this program through the many federal and state funding opportunities that exist.

Conclusion

We have heard today about the challenges for our infrastructure in the face of more extreme weather events - sinkholes, flooding, heatwaves, and more. All of these challenges and Waterfront Alliance's calls to action have one thing in common. They require robust and nimble administrative capacity within each city agency that is grounded in the best technical and administrative expertise among agency and department staff. The time for administrative excellence in the face of great challenge is now. Scrutinizing for improvement the systems, policies, and internal bureaucracies within city government must be the top priority of the city and must be improved in the coming year. The ability of the city to get done what it needs to get done and leverage, right now, the state and federal dollars we are unlikely to see again for a decade or more, is the key to New York City's future.



Climate resilience requires holistic solutions - what we invest in now will save the city millions or possibly billions in the future. Without action, we will continue to see lives lost, infrastructure degrade, and natural ecosystems lost forever.

Waterfront Alliance stands ready to partner with you to meet these challenges head on. I appreciate the opportunity to testify before you all today, and I would encourage you to read our full testimony after today's hearing.