

**CJWG Meeting**  
**WebEx- 01/27/2021**

**At a Glance:**

- Waste Advisory Panel Summary and Q&A
- Illume Presentation reviewing Evaluation Rubric Application
- Information regarding meetings and materials can be found on [www.climate.ny.gov](http://www.climate.ny.gov)

**Participants:**

**CJWG Members-**

- Elizabeth Yeampierre, Executive Director, UPROSE
- Abigail McHugh-Grifa, Executive Director, Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- Sonal Jessel, Policy and Advocacy Coordinator, WEACT for Environmental Justice
- Eddie Bautista, Executive Director, NYC Environmental Justice Alliance
- Rahwa Ghirmatzion, Executive Director, PUSH Buffalo
- Jerrod Bley, Clean Energy Program Director, Adirondack North Country Association
- Dr. Donathan Brown, CEO & Co-Founder, Adirondack Diversity Solutions
- Amy Klein, Executive Director, Capital Roots
- Rosa Mendez, Director, Office of Environmental Justice, DEC
- Chris Coll, Director of Energy Affordability and Equity Program, NYSERDA
- Neil Muscatiello, Director of the Bureau of Environmental and Occupational Epidemiology, Center for Environmental Health, DOH
- Joseph McNearney, Director of Stakeholder Engagement, DOL

**Presenters -**

- Amanda Dwelley, Illume Advising
- Alex Dunn, Illume Advising

**Waste Advisory Panel Members -**

- Martin Brand, Deputy Commissioner, New York State Department of Environmental Conservation
- Michael Cahill, Partner, Germano & Cahill, P.C.
- Steve Changaris, Vice President, Northeast Region, National Waste and Recycling Association

- Resa Dimino, Senior Consultant, Resource Recycling Systems
- Paul Gilman, Senior Vice President and Chief Sustainability Officer, Covanta
- Dereth Glance, Executive Director, Onondaga County Resource Recovery Agency
- Eric Goldstein, Sr. Attorney and New York City Environment Director, Natural Resources Defense Council
- Lauren Toretta, President, CH4 Biogas
- Jane Atkinson Gajwani, Director, Energy and Resource Recovery Programs, NYC Department of Environmental Protection

### **Meeting Start: 1:05PM**

Welcome & Roll Call

Business Items:

Working group members received a draft of the meeting minutes. Discussion on draft.

Eddie: How would the Disadvantaged Communities definition affect OEJs EJ area framework?

- Rosa: Still discussing internally, we'll have a better grasp on how it affects EJ area framework once the CJWG has a final list of indicators.

Abby: CJWG minutes capture groups questions well but needs to be more detailed in recorded responses to the questions

Vote to approve minutes as final: Passed (1:15PM)

Discussion on Work Plan:

Rosa: Review of timeline included with tasks and steps. The goal for February is to finalize draft criteria and get consensus around a set of preliminary indicators.

Eddie: Data sources lack of manufacturing zoned land data set – are we looking at that? Also brownfield sites should be part of manufacturing could look there. This will be critical for discussing disadvantaged communities, what is the status on compiling this data?

- Rosa: DEC is engaging other agencies on the matter
- Elizabeth – what's timeline? Also are you talking to communities.
- Chris: There is still more work to do with other agencies because every county is different. On priority list, through biweekly meetings with other agencies. Once they look at gaps they need to fill they will think about who to bring in for additional input.

### **Waste Advisory Panel Engagement**

- Martin: set up two months later than other panels. Four meetings to date. Created subpanel groups to focus on strategies and dive into details. Cross

panel engagement with some other panels on cross cutting issues. Public meeting next month.

- Big buckets: landfills and solid waste management facilities and diversion ideas to reduce waste and landfills; local scale waste management: community based models (NYC model and other grassroots level), green jobs and local community engagement); equity considerations: using lens of justice for the strategies and will devote upcoming meetings to equity; waste reduction strategies: extended producer responsibilities and product stewardship i.e. take back programs. Keeps material out of landfills and shifts costs from localities, enhanced recycling programs, organic waste biggest bucket for methane – food scrap recycling and other food waste diversion, fugitive emissions and other technology/regulatory strategies to capture those emissions, anaerobic digestion including cogeneration and local use; deep dive into waste water treatment to resource recovery and potential products for beneficial use;

Eddie: Solid waste major export of NY, millions of tons we send out is the carbon footprint of that attributed to NY or to receiving state GHG inventory?

- Martin: we do have to account for what goes out of our state for our “accounting”. Take that into account as move forward including how we affect where waste goes.

Eddie: Clarity on whether waste to energy (plasma arc) has come up as technologies for consideration? They can only be sited in manufacturing zones. Concern for disadvantaged communities who are most impacted by manufacturing zones. Consider it a form of incineration. CLCPA as part of offsets down the line, incineration is not allowed. How is panel considering (we think of anaerobic digestion as incineration)?

- Martin: Waste to energy is part of considerations going forward for functioning solid waste management program but the group has not dived into it as a recommendation. Don't have any proposals for additional waste to energy at this point. Siting issue is reason we set up the small scale panel to look at opportunities to handle waste at local scale to divert away from the large scale or regional facilities. Taking a hard look at siting issues.
- Steve Changaris: As the group creates new zoning considerations it will be important to consider local impacts. Developers need to know if they're affecting overly impacted areas. Looking to have those discussions and hammering the issues out. Fertile area for panel collaboration.
- Lauren Touretta: co-lead on organics subgroup. Spoke about it with subgroup including use best in class technology to address waste needs. Also speaking about hauling issues. Technology to address odor and other local community impacts. Compost as an example.
- Eddie: gasification etc. all touted as new technology but need to be careful about untested tech siting or piloting in disadvantaged communities generally shoulder the testing phase. Pont on Europe, they have different experience because recycling rate is much higher than US. Waste stream is much cleaner.

Abigail: Appreciate intention to take responsibility for impact on other states but make sure its broadly defined even if not out of state. How does work integrate with other things happening in state like plastic bag ban. Where does regulation come in? Other opportunities the group is thinking of for waste reduction?

- Martin: still refining what we are going into. Strategies they are looking at compliment and enhance current state programming. But can make more comprehensive. There is room for regulation. No source separation rule currently as an example. Trying to reflect the solid waste hierarchy in NY – not create waste in first place then move to less desirable. Looking at other opportunities.
- Abigail: With the food scraps program, how do you ensure it's equitable and what will the education component of the program look like?
  - Martin: subpanel is considering those programs and some models that are in place at the local level like in NYC. Accessibility and convenience leads to good performance. Have funded education in many communities over the years but there are opportunities to enhance.
  - Resa: On EPR for packaging bill it also includes equitable access to recycling for packing and printed paper with costs borne by producers. Trying to take a broad view of recommendations for regulatory and policy and program recommendations.

Lauren: NYT article with Kaminsky and Englebright EPR legislation to shift further upstream. Putting more responsibility on producers.

Eddie: Qs to bring to back to panel

How can you measure methane coming from landfills?

Has the group considered banning organics from landfills or incinerators?

NYC SWMP – match capital funds for transfer station. State revisit this commitment Gansvoort.

Rahwa: what are workforce opportunities in waste management?

Jared: Invites some working group members to come to Transportation panel meeting (portion of meeting to identify priorities and any ideas for strategies and how to structure the strategies). Upcoming meetings on 2/10 3p to 5 and 2/18 11 to 1pm. Rosa will follow up and send dates to WG.

- Eddie: public session on transportation seemed like there was pushback on seminal study that we are relying on for policy, disproportionate impact on communities of color from cap and trade. Deconstruct competing studies – Manual Pastor didn't have enough time to address. Appeared to be trying to debunk Pastor's work. How much will panel be swayed by those competing studies? Disparities need to be addressed. Other commentators were hedge fund representatives who also pushed back on Pastor.

Economy wide polluter penalty fees. Jared: that is one idea. But panels are not looking at economy wide programs.

Jared: Roundtable on market based policies was that session. I am meeting with the subgroup and will bring it up. Thought Pastor did a good job defending his position. CARB had a different perspective. Financing strategies to get private capital engaged in transformation. If do TCI the proceeds will be public money. Raised from regulated entities. Focusing on strategies other than TCI such as electrification. How get those benefits in DACs?

### **Discussion: Application of Evaluation Rubric**

Showed Task List – asked for validity on scenarios Alex is putting forward. Help to verify our approach.

Abby: What is the darker red color?

- Alex: it's a critical path that needs to get done before we can move down road. For example, getting consensus is critical before we analyze data.

Abby: Timing? Only one date is in due date column.

- Alex: Work in progress and still filling out most dates are flexible.

Rosa: This is a work in progress to help organize our support to the working group.

Chris: potential for one off topic focused meetings or webinars. Thinking of how to accelerate some of the conversations but keeping in mind the time and effort of the working group members. Be vocal about what is realistic.

Jerrod: A lot going on in this document. How do we reconcile that its kind of stagnant? How to make sure its up to date and version control issues?

- Rosa: This will be a living document and open to changes from WG members

Eddie: this is a beast. Would really love to see real world practical sense of application of rubric. Need to hear from CA on how its worked. What's worked. What's not worked. The lessons learned will make it easier.

- Rosa: organizing a session with CA for February.

Alex: want to avoid scenario of coming up with a definition but then finding they needed another overlay.

Alex: Goal is to lean into the "mess" and used rubric to get list down by half or near half.

Abby: Is there a final tally row?

- Alex: its not tallied in example but it is tallied up in sheet for each indicator. Some are 1s and 0s but most are 1 to 3. Added everything to an "overall score". Green is where the indicator is above average.

Gap Analysis to show what indicators were above average and which ones ended up being below. 77 were above average. Then looked to see from Pillar perspective if any pillars are missing indicators. For example, historical discrimination. Next question is can we address it analytically using other data such as race or income?

Neil: Even taking only the above average indicators there are 77. 77 is a lot indicators and can lead to interpretation issues. Other ways or approaches to interpretation?

- Alex: Will have to discuss interpretation and reduce them further. Want to avoid limiting to one method. For example, looking at data at a geographic level more of the indicators fall off. Want to see how data work together and interact.

Alex Q to Working Group: how do we fill gaps?

Jerrod: How do we get feedback from our organizations incorporated into the rubric?

- Alex: no cutoff as we go through creating indicator list.

Eddie: A series of prompt questions from Illume for one on one interviews would be helpful.

Alex: We can come up with a few. We've been letting the convo be guided by those we interviewed and each meeting has gone in a different direction. Answered any questions that came up through the conversations.

Sonal: proxy data? Should we think that through now? For example, medical device dependency can be a proxy.

- Alex: it is helpful. Looking at factor analysis. Looking at where we can get available data. Following up on list manageability. Looking at gaps helps organize.

Abigail: One on one's are very helpful. To the extent indicators can identify presence of risk but also ability to respond to risk factor would be great. Not sure how we can capture this.

- Amanda: Risk/threats/vulnerabilities, California recognized that we need to address these differently. Higher scores if the threat exists AND there's a vulnerability to that threat

Alex: can draw in several people to think through. How can communities address the things we are talking about?

Abigail: example of algal blooms. Yes its an environmental issue. But algal blooms occur in very high income areas that are not disadvantaged communities. Presence of risk factor is one thing but really the community ability to respond is more indicative of DAC.

Rahwa: NYS is not monolithic. Our work overtime is to do best that we can with info available now but then vetting in real time through regions to see if intentions being met and working in communities. And then evolve our approach.

- Alex: want to try that out with indicators we have. Want to also try a weighted approach. Can test out different approaches using validity check with each of you. What is most applicable for the most people?
- Amy: sounds similar to SWAT analysis. Aligns with Rahwa's point on difference between communities. Not sure how to capture.

Alex: SWAT is a good idea to test model. What models are not monolithic?

Sonal: housing quality as an area that needs to be filled in. energy use intensity as well: proxy for energy waste and inefficient housing. Not sure how available data is. Dr. someone from Michigan.

Alex: or high energy burden. What can we do to transform data that is not granular but still use it?

Chris Coll to all panelists:

Unfortunately EUI data isn't consistently available across state, though agree would be important consideration

Alex: want to look at climate change pillar. Is it enough to get going? What else can we pull in? Health related? Exacerbated health risk and housing quality question?

Also want to invite comment and thought after review.

Eddie: economic risk there are a number of studies that talk about economic risk in terms of properly accounting for sea level rise. Economic risk of climate change studies.

Neil: Vulnerability to outages could look at health effects during power outages. NYPA might have data on power outages and there might be a way to summarize into "where power outages might be more common". Could be PSC.

Abby: to what extent is data available at household level for energy burden? EUI to what extent does the utility have this data?

Alex: would have low income rate by household. Need energy costs to income to get burden info. "O" power does comparison to neighbors and they use tax assessor data to get size of home. Wouldn't get it timely.

from Jerrod Bley to all panelists: 3:27 PM

The EE & Housing Advisory Panel would be a great body to tap into for the housing quality and high energy burden indicators

from Chris Coll to all panelists: 3:29 PM

Similar to EUI, we don't have energy burden data at a granular level. Perhaps county

from Chris Coll to all panelists: 3:31 PM

We don't have a good source for either EUI or energy burden, but I can discuss further another time

Alex: similar to high energy burden for housing quality.

Abby: what can utility provide broadly speaking? Is the energy burden indicator at the block level or the household level?

- Alex: speaking not from state perspective. Don't have tract data. Having worked in other states trying to aggregate statewide, challenging to get good consistent data to aggregate across state. Other things we may get from the utility is average bill, kwh used, gas used, bill pay rate that people are on.
- Amanda: Hard to calculate energy use on a household level but we should figure out if there's a useful way to calculate an aggregate rate at the census tract level

Abby: PSC closely regulates. Is there a way to streamline?

- Alex: in experience is very hard to get that data.

Amanda: intent of pillar is to capture vulnerability to climate change. What risks are we capturing? Temperature, extreme weather, sea level rise. Does that capture the main risks?

Eddie: also air quality

Sonal: maybe infectious disease rise? What data from COVID shows vulnerability to new infectious diseases?

Alex: good one to look into.

Amanda: is there an open data set for COVID? Might not be ready immediately.

Neil: that sounds right. Vector borne disease is something we think about for climate change. Usually getting info based on place of residence which isn't always where exposed.

from Sonal Jessel to all panelists: 3:40 PM

could be helpful in ground-truthing?

Neil: makes sense for future direction.

Alex: create for each pillar what indicator was above average and what was not for working group to evaluate. Do these capture pillar X? What's missing and how can we find them?

Are we far enough to be downloading data for analysis?

Jerrod: methodology behind filtering about when multiple indicators per pillar?

Abby: visuals helpful. Urban vs rural? Upstate vs downstate?



Alex: we'll look to working group and data to see which best capture pillar. Will begin downloading data for the indicators.

## **Conclusion**