Environmental Justice and Public Health Roundtable

Transportation Advisory Panel – April 6, 2021, 11:00AM to 12:30 PM

Roundtable Participants

- Ana Baptista, Assistant Professor of Professional Practice, New School University, member of NJEJA
- Hana Creger, Senior Program Manager of Climate Equity at the Greenlining Institute
- Jalisa Gilmore, Research Analyst at the NYC Environmental Justice Alliance (NYC-EJA)
- Martha Dina Arguello, Executive Director of Physicians for Social Responsibility – Los Angeles
- Will Barrett, Director of Advocacy for Clean Air, American Lung Association

Panel Members In Attendance

- Albert Gore, III, Policy and Business Development, Tesla
- Bob Zerrillo, Policy Director, New York Public Transit Association
- Elgie Holstein, Senior Director for Strategic Planning, Environmental Defense Fund
- Jared Snyder, Deputy Commissioner, New York State Department of Environmental Conservation
- Julie Tighe, President, New York League of Conservation Voters
- Kendra Hems, President, Trucking Association of New York
- Paul Allen, Senior Vice President, M. J. Bradley & Associates
- Renae Reynolds, Transportation Planner, New York City Environmental Justice Alliance

Panel Members Not In Attendance

- **Chair,** Marie Therese Dominguez, Commissioner, New York State Department of Transportation
- Craig Turner, Executive Director, Buffalo Niagara International Trade Gateway Organization
- Dimitris Assanis, Assistant Professor, Stony Brook University
- John Samuelson, International President, Transport Workers Union
- Kerene Tayloe, Director of Federal Legislative Affairs, WE ACT for Environmental Justice
- Nancy Young, Vice President, Environmental Affairs, Airlines for America
- Porie Saikia-Eapen, Director, Environmental Sustainability and Compliance, Metropolitan Transportation Authority
- Steve Finch, Senior Vice President, Automotive Services, AAA Western & Central New York

Others In Attendance

- **Roundtable Moderator**, Toby Berkman, Consensus Building Institute

Meeting Notes

Introduction

- Jared Snyder welcomed everyone and provided an overview of the roundtable, including some quick background on the Climate Leadership and Community Protection Act (CLCPA) and the Transportation Advisory Panel's place in the process.
    - He highlighted both the GHG reduction targets and the equity components of the CLCPA.

- He discussed the importance of decarbonizing the transportation sector, but also ensuring that benefits accrue to disadvantaged communities (DACs).
- Some of the ideas they're considering are targeting incentives to benefit DACs and towards low-income residents.
- The other method is to support modes beyond single occupancy vehicle (SOV) trips, such as public transit and active transportation.

Roundtable Discussion

- Jared introduced Toby Berkman, who is an expert in negotiation, moderation, and facilitation.
- Toby: We're excited for this discussion on how to ensure that environmental justice is included as a key component of decarbonization policies within the transportation sector. I will start off by asking an opening question for each panelist based on their background and expertise. Then we'll dive into a broader discussion and allow the Transportation Advisory Panel (TAP) panelists to ask questions.
- Toby introduced each of the panelists:
  - Jalisa Gilmore is a Research Analyst at the NYC Environmental Justice Alliance (NYC-EJA). At NYC-EJA, her work includes research and advocacy to support NYC-EJA's different environmental health initiatives to promote equitable, resilient, and healthy communities. Her work primarily focuses on climate change induced extreme weather, pollution prevention, air quality monitoring, and promoting green infrastructure in environmental justice communities.
  - Ana Isabel Baptista is an Assistant Professor of Professional Practice and also serves as the Associate Director of the *Tishman Environment and Design Center* at The New School university. Ana's research is focused on advancing environmental justice through collaborative work with communities on a variety of issues including, climate justice, air pollution and zero waste. She is also a trustee and active member of the NJ Environmental Justice Alliance, the Ironbound Community Corp and the Global Alliance for Incinerator Alternatives (GAIA).
  - Will Barrett leads the American Lung Association's work on clean air and climate change policy in California, focusing on vehicle emission standards, smart growth and clean energy and fuels policies. Since joining the American Lung Association team in 2009, Will has represented the American Lung Association before state legislatures and federal, state, regional and local agencies engaged in clean air and climate policy. In this role, Will also supports the American Lung Association's clean air and climate policy efforts across the country.
  - Martha Dina Arguello is Executive Director of Physicians for Social Responsibility – Los Angeles. For the past 32 years, Martha has served in the non-profit sector as an advocate, community organizer, and coalition builder. She joined PSR-LA in 1998 to launch the environmental health programs and became Executive Director in November 2007. She is committed to making the credible voice of physicians a powerful instrument for transforming California and our planet into a healthier and more peaceful place.
  - Hana Creger is a Senior Program Manager of Climate Equity at the Greenlining Institute. She works on the development and implementation of policies and programs leading to clean transportation and mobility investments that will benefit low-income communities of color. She serves on a number of advisory committees for cities, agencies,

universities, and nonprofits for projects relating to shared mobility, public transit, electric mobility and autonomous vehicles.

- Toby: Jalisa, in your role at NYC-EJA, you were heavily involved in a recent Community Air Mapping Project for Environmental Justice, or CAMP-EJ. Can you tell us about the key findings and recommendations of the study?
- Jalisa: Yes, the effort was led by a number of organizations. We wanted to measure and map exposure to particulate matter ($PM_{2.5}$). We measured hyper-local air quality. The goal of this project is to raise awareness of these pollutants and the inequitable distribution of health impacts. The study found that pollution hotspots exist in neighborhoods because of facilities and transportation hubs. There were hotspots in the South Bronx, including Hunts Point and the toxic triangle. There was also a hotspot next to a Metropolitan Transportation Authority (MTA) depot. Traffic congestion in general was also a contributing factor in these areas, with higher pollution tied to commuting time. Another key finding was that $PM_{2.5}$ concentrations varied significantly from block to block. There was a lot of variability within these neighborhoods. We need targeted intervention for hotspots in environmental justice (EJ) communities. We need to focus on transportation because the sector is such a contributor. We also highlighted the importance of hyper-local data. We need to support community groups to do more of this type of work.
- Toby: Ana, you were involved in developing a community-based participatory research analysis on the Community Impacts of Mobile Source Emissions in Newark. Can you tell us about this research and your main findings?
- Ana: The study focused on the Port of Elizabeth. The purpose of the study was to analyze and reduce the use of diesel in port operations. We are frustrated by the weak voluntary efforts to reduce emissions from drayage applications. We're also frustrated by the efforts of the Transportation and Climate Initiative (TCI) and other highly recognized efforts, which focus on GHG emissions in the light duty sector. We need more focus on diesel. There is a lot of regional travel that happens through Newark, including ports, airports, and major highways. A large portion of households in Newark rely on public transit. For the study we partnered with M.J. Bradley, and it was funded through the National Resources Defense Council (NRDC). As part of the study we modeled emissions exposure and found that location is extremely important. Households in close proximity to transportation hubs are heavily impacted by emissions and consequently suffer from the health impacts. We also found that a majority of co-pollutant emissions from $PM_{2.5}$, black carbon, and nitrogen oxides (NOx) primarily came from medium and heavy-duty vehicles, not from light-duty vehicles. There is a call for a very focused regulatory mandate to reduce emissions from the diesel sector, which will reduce emissions in EJ communities. Instead of TCI, we are proposing adoption of many of the CA-related rules. There are a number of them, and they focus on reducing emissions from diesel vehicles.
- Toby: Will, in your role at the American Lung Association, you help educate policymakers about the public health impacts of transportation fuels. What can you share with us about the public health implications of these research findings we just heard about from Jalisa and Ana?
- Will: Transportation pollution is the largest contributor to poor air quality in DACs, particularly around diesel hubs. These lead to negative health outcomes, including heart attacks and asthma. There are also developmental harms to lungs for children. We also know that transportation pollution can lead to cancer and premature death. New York City is the 12^{th} most impacted city from Ozone in the country, which leads to asthma and other health effects. We

know that the harms are concentrated in DACs. 74% of Black and Latino residents in New York state reside in areas where air quality is lower than the state average. The suite of policies discussed at the outset (transportation electrification and alternative transportation modes) are good and the focus on regulation is really important, including the CA low NOx standard and Advanced Clean Trucks. We also need to make sure the benefits of these programs are targeted where they are needed most. The American Lung Association put out a report, The Road to Clean Air, which showed that annual health benefits could be worth $5.3 billion just in the New York City area alone.

- Toby: Martha, you've been on the California Air Resources Board's Global Warming Environmental Justice Advisory Committee for well over a decade at this point. What broad lessons can you share with us from California's experience? What has California done right to address impacts on disadvantaged communities from transportation pollution and what has it done wrong?
- Martha: One of the things they haven't done right is that they haven't included the EJ community in decision-making. My advice is to listen to the EJ communities. Don't just focus on carbon, focus on pollution more broadly. This is about air pollution first because that's how communities face climate change locally. We don't want to build infrastructure that places the burden on low-income communities while the benefits go to other communities. The way to do this is to engage EJ communities in the co-design and monitoring of these communities. We also found there was a lot of variation in air pollution within our communities. The community has been asking for direct emission reductions. They want to the state to regulate, rather than administer programs. Whatever you come up with, listen to the EJ community. Move away from the decide, announce, and defend model of administration. Smart growth and public transit policies had a lot of unintended consequences, including gentrification and displacement. Policies should be designed as "do no harm". You absolutely cannot increase costs to low-income households. If you center on justice and the most impacted, and include them at the table, good things can happen. Also, I don't think that cap-and-trade is the only solution. We need to really understand the lifecycle of fuels.
- Toby: Hana, you were involved with the Greenlining Institute's recently released Clean Mobility Equity Playbook, which evaluates California's investments in mobility equity and details a series of best practices to make equity "real" in clean mobility programs. Can you share some of the findings of this Playbook with us, in particular those you think would be most helpful for New York to consider to address transportation equity?
- Hana: We've seen a ballooning of clean mobility programs in disadvantaged communities within CA in both urban and rural areas. Examples include financial incentives for electric vehicle purchases, diesel school bus replacements, electric vehicle car sharing, and community driven clean mobility pilots. We've been advocating that these really put equity front and center. They should not only fight climate change and clean the air but also reduce car dependency, increase mobility, address the racial wealth gap, and create job opportunities. The playbook outlines a structure for equitable clean mobility programs. It covers 12 clean mobility programs that target DACs and notes successes, pitfalls, areas of improvement, and other policy considerations. It outlines discrete equity considerations that should be emphasized in every clean mobility strategy. They go beyond traditional transportation thinking and really focus on intersectionality. They found in the past that equity was often the goal of programs, but there

was very little follow-through. The report was released recently and has a lot of great information.

- Toby: I would like to ask a little about this idea of cars versus trucks, light duty (LDV) versus medium and heavy-duty (MHDV). A lot of the research that's been shared rightly highlights the role of trucks (as well as peaking power plants) in driving air quality issues. We also know that cars are the largest source of GHG emissions, and New York needs to reduce car emissions if it's going to achieve the targets in the CLCPA. What are your recommendations for how the state should balance these goals of both reducing GHG emissions and improving public health?
- Ana: When you look at the study we conducted in Newark, the reality is that while LDVs have a higher portion of contribution to total CO_2, the MHDV sector is also a significant contributor to CO_2. Starting with MHDVs is good from a climate perspective and has greater public health impacts. It's also fairer. If you electrify the LDV sector, it is regressive. The benefits accrue to higher-income communities first. The beneficiaries are not EJ communities, from a health or economic standpoint. Start with MHDVs, which have greater equity and public health benefits, then go to LDVs.
- Jalisa: I agree with Ana about focusing on the dirtiest sector first. As it relates to New York City, we need to provide incentives in the MHDV sector to transition to electric, including with transit buses. We also need to think about infrastructure. Thinking about other mobility options, such as cycling, is important. Top-down approaches don't work for EJ communities. We also need hyper local solutions, as our CAMP-EJ study showed. What works in one community might not work in another.
- Hana: Our team works on electrification for both LDV and MHDVs. We need to do both, but I agree with our other panelists. I want to speak to electric vehicle (EV) incentives. Those incentives should be targeted for those most in need. This was not done in CA, where the incentive is available for everyone. That has disproportionately benefited higher-income people. The incentives should be targeted towards EJ communities and households. The grants should be applied to used EVs. They should also build in affordable financing. This is equitable because it lowers barriers to entry.
- Will: As far as looking at LDV vs MHDV, we need all approaches firing on all cylinders. We're not making these transitions or these equity investments quickly enough. Looking at where we can go with our existing technology, the CA Low NOx is feasible, and it is key to achieving air quality health standards. This program looked at achieving real-world outcomes, not just looking at emissions in the lab. It ensures that the combustion trucks that are operating are doing so as clean as possible in real-world driving conditions. It's important for other state to adopt this standard as well.
- Toby: I want to hear questions from others. Jared, go ahead chime in and then we can open it to TAP members more broadly.
- Jared: Thank you to all of the panelists. We need to address both LDVs and MHDVs and clean them both up as quickly as we can. Addressing LDVs has an advantage on cost. There's less intervention needed there than in the MHDV sector. We're looking at the Advanced Clean Trucks rule (ACT) as a major option in that sector. By 2030-2035 about 30% of the sector will be electrified, but that means that 70% would not be. So, the question is, how do you ensure that those that are clean benefit the right communities? What are the strategies to get them

deployed where we need them? Funding is one way, but I'm also thinking about green zone strategies. Are there strategies like that that have been deployed in California or elsewhere?

- Martha: Again, I want to reiterate the importance of making sure there is community knowledge on the subject and that EJ communities are at the table. This will help deploy clean trucks in the appropriate places. We have tried to do some green zone policies in CA. However, we've had a lack of enforcement. All of those strategies are good, but it's really important to have communities leading those efforts because they will know what works best. Figuring out ways that you're subsidizing those businesses is important.
- Ana: We worked in the port areas in NY/NJ. We've struggled with this issue for over a decade, in terms of trying to target the drayage and port sectors. The issue always comes back to funding. The first thing the port authority says is "make us do it and then we'll find the funding". If they're not required to do it, they'll do it very slowly. We need strong regulatory mandates to drive changes in those sectors. The kinds of investments we need won't come from marginal carveouts from funding sources like TCI. We're looking for significant sources of funding, such as utility filings and port tariffs. The industries who rely on these ports need to pay for these changes (e.g. shipping companies).
- Will: Within CA's Advanced Clean Fleets rule, they are requiring a complete decarbonization of the drayage sector by 2035. One of the important things in that rule is that drayage trucks that aren't zero emission wouldn't be able to register in the system after 2027. The other requirement is that older, dirtier trucks wouldn't be allowed to operate.
- Hana: Cap-and-trade is a flawed funding mechanism. Scaling up programs that work will require more funding. The gas tax is also flawed. It is regressive and not sustainable. Part two of the Clean Mobility Equity Playbook (which will be released in a week) provides an equity assessment of funding mechanisms. The ones that rose to the top are road pricing, congestion pricing, green zones, and taxing ride hailing.
- Renee: I have a question to pose to Will. You mentioned the Road to Clean Air report. How does it account for the transference of emissions from transportation to electricity generation?
- Will: Within our report, we accounted for an increasing amount of renewable electricity. It's a really important point and our report did account for that. The benefits would be even greater if renewables were integrated at an even faster rate.
- Julie: I want to circle back on what we're doing while we are transitioning to cleaner fuels, particularly in the MHDV sector. How do we get pollution reduction within EJ communities? What should we be doing while we work on the transition?
- Jalisa: Air quality monitoring will be required under the CLCPA. It's really important to listen to the community on the ground. Include the communities in air quality monitoring. Communities need to be involved in every step of the process.
- Ana: This question of low carbon fuels, this is been roundly rejected by EJ communities. We don't want to get involved in false solutions. What we look at is retrofitting existing diesel engines while we wait for zero emission vehicles.
- Martha: We need to figure out solutions from local polluters, such as auto body shops, metal shops, and dry cleaners.
- Toby: Sadly, our time has come to a close. Thank you to all of our panelists. A couple of the themes that I've heard through the day:
    - Involve communities in the design of policies and programs.

    - How do we sequence the benefits for these communities?
    - The importance of regulation and enforcement.
    - The value of on-the-ground monitoring.
- Jared thanked the panelists and closed the meeting.