

CJWG Meeting

WebEx- 05/12/2021

At a Glance:

- Discussion on Investments/Benefits
- Discussion on CAC Engagement Process
- Updates on Data Analysis
- Information regarding meetings and materials can be found on www.climate.ny.gov

Participants:

CJWG Members -

- Elizabeth Yeampierre, Executive Director, UPROSE
- 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
- Mary Beth McEwen, Executive Director, Cornell Cooperative Extension Oneida County
- Abigail McHugh-Grifa, Executive Director, Climat Solutions Accelerator
- Rosa Méndez, 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 –

- Sameer Ranade, Climate Justice Advisor
- Amanda Dwelley, Illume Advising
- Alex Dunn, Illume Advising

Business Items

- Reflections on 4/21/2021 meeting.
- 4/21/2021 meeting minutes approved.
- Jared Snyder will discuss community air monitoring at next meeting

Investments and Benefits

- Chris: Want some initial reaction today and will continue conversation. Looking to better contextualize how the various components of our workstream come together (the criteria for disadvantaged communities and how investments will flow to those communities)
- These are parallel streams of work.
- Start with a refresh on the investments requirements of the CLCPA.
- "State agencies, authorities and entities, in consultation with the environmental justice working group and the climate action council, shall, to the extent practicable, invest or direct available and relevant programmatic resources in a manner designed to achieve a goal for disadvantaged communities to receive forty percent of overall benefits of spending on clean energy and energy efficiency programs, projects or investments in the areas of housing, workforce development, pollution reduction, low income energy assistance, energy, transportation and economic development, provided however, that disadvantaged communities shall receive no less than thirty-five percent of the overall benefits of spending on clean energy and energy efficiency programs, projects or investments and provided further that this section shall not alter funds already contracted or committed as of the effective date of this section."
- There are a number of state portfolios that focus on these investment areas. Looking at how we can direct those portfolios at a minimum of 35% with a goal of at least 40% accruing in the disadvantaged communities.
- How do we think about tangible benefits to communities and what those that mean when we are thinking about a number of program areas? How can we have consistent benefits?
- Several workstreams associated with this effort that are underway.
 - o Investments and Benefits Framework
 - o Assessing energy focused portfolios
 - o Engagement with state agencies
 - o Benefit metrics that can be tracked and assessed
 - o Assessing approach for reporting and tracking: public facing dashboard?
- Eddie: curious about wording of investments and benefits. Part of what wondering is the language appears assigns 35% beyond energy and energy efficiency – captures a broader set of investment commitments than purely energy. How processing?

- Chris: initial screen of is it energy and energy efficiency. Then look at other portfolios of housing, transportation etc. Inventory started with a dozen agencies. Idea is to branch out and address all the other focus areas.
- Eddie: could be read as overall and broader than just energy.
- Elizabeth: thinking about just transition, just recovery, food sovereignty, etc. as part of climate justice. Thinking about addressing these issues needs to also look at internal inconsistencies of agencies. Rules and permitting. Use these investments to take us to where we are all trying to get to. And clarity on differences on investments and benefits.
- Chris: points taken and need to have these discussions.
- Rahwa: as agencies have these conversations, how are you thinking about communicating with frontline or disadvantaged communities? How are communities deciding for themselves around what they need from investments? And how will you track?
- Elizabeth: also concerned about not profits and how we level playing field. Prioritize communities and support organizations that do the climate justice work.
- Chris: monumental shift from business as usual. Initial set of work is understanding where we are and how to get to where we all want to go. Engaging communities and tracking and advancing opportunity has to be part of this and will go over engagement, capacity building, and other supports. Acknowledge that we need to put this on a path to get to outcomes.
- Rahwa: also how do we ensure that we are moving at the pace of capacity that communities can handle at the speed of trust. But that does not mean they lose out on investments...
- Chris: distinguish between investments to localities, projects and those made to infrastructure or systems wide benefits or outcomes (transmission/distribution or large scale renewables). Initial thinking is count the projects and localities and then identify meaningful outcomes and benefits to report out on in parallel to the 40% accounting.
- Eddie: Also important to be mindful of intersectional investment opportunities, such as affordable housing near employment opportunities with mass transit options, which can drive down VMT's, which yield clean transportation/pollution reduction
- Chris: needs additional conversation but what do we think about benefits to individual households vs. communities? Priority populations for workforce or low income households? CA adds a layer for priority populations/individuals.
- Eddie: system wide not serving as backhanded way of getting to 40% goal.
- Chris: as we work with agencies on understanding inventory, also flagging how to shift current practices. That might require incorporating explicit requirements. Also a need to improve engagement at local level and better target outreach and remove barriers to participating in programs. And new initiatives to meet the community needs. Some are already making this shift example of DPS.
- Eddie: flagged the need to make sure REDCs are accounted for in this process.

- Elizabeth: want to raise what Eddie said. Same issue exists at federal level. Communities should be represented on any body that advises the state.
- Abigail: representation huge step forward on those councils. On your assessment with agencies, do you have a sense of what current percentage of investment is going to potential EJ areas or working definition of disadvantaged communities.
- Chris: bit of a challenge we are facing in terms of different levels of data granularity. Will be sharing NYSERDAs. But also building that into other portfolios.
- Amy: seems like a lot of decisions are made before it gets to councils. What kind of thought has been put in to the agency guidelines that go out with the RFPs?
- Chris: will report back on that.
- Chris: initial thoughts on key considerations for benefits.
 - o Benefits that are tangible or meaningful to communities need to be incorporated
 - o Need to balance complexity and cost of measurement, tracking, and reporting with desire to account for and to localize benefits
 - o Benefits metrics should be able to be used to manage to the benefits requirement, allowing for calibration of investment strategies
 - o Approach to benefits accounting must consider that investments and resulting benefits, as well as capacity for tracking and reporting benefits will vary by agency
- Eddie: Agency variance in tracking/reporting can become a problem - NYS should strive to find more uniform templates for such reporting. Maybe consult with Comptroller's office?
- Chris: also have thoughts on how to start and a phased approach. Starting with benefit metrics that are currently tracked or can be in near term. Address inconsistencies in how agencies track and report. Think about how to add additional outcomes and benefits that are not accounted for in a supplemental report.
- Chris: potential benefits metrics mix. Including spending, jobs and training, participant bill savings, energy savings, air quality, and health.
- Abigail: the 35 to 40%, is the success analyzed on an annual basis or timeline for saying goal is achieved or not? What happens if it falls short?
- Chris: expectation is annual basis. Will have to look at where falling short and how to amend.
- Sonal: overall utility debt reduction? Important to track. Things like job training and health – be intentional about tracking those by demographic breakdown.
- Chris: thinking about how to do something like that. This is not only time for reaction. Can circle back.

- Amy: no connection to health with food access. Something that ties into the food lens.
- Rahwa: If the "benefits" language remains without clear \$\$\$, how do you quantify 40% for compliance purposes? To do that you have to have a metric of "overall benefits" but what does that mean? What is the quantity that the 40% is measured against?
- Chris: how to operationalize – Phase 1 through 2021 and Phase 2 2022 and beyond. Includes public facing dashboard. Solidify engagement process. Look to incorporating agency procurements requirements. Develop way to aggregate.
- Eddie: budgeting overall. What role does Division of Budget play with this? How do they process this transition?
- Chris: its been made clear to agencies that this is the law and need to meet it. Need to have some follow ups on what this means to the state budget. Starting with agencies to see what are starting point actually is.
- Rahwa: To expand on Eddie's point, how will they change their process to accommodate the 40% and timeline for them to incorporate?
- Chris: look to include additional agencies and incremental process to review and calibrate. Need to develop feedback loop and engagement with communities.
- Abigail: focus on transparency is appreciated.
- Sonal: EJAG and how incorporated in this process?
- Chris: know that they haven't formally been stood up but there is progress made on that and will work with them.
- Eddie: some language to provide clarity on how the two groups would interact. EJAG would be given opportunity to comment on product of CJWG. Have some clarity on this engagement for next call?
- Chris: will add to agenda for next meeting.
- Rahwa: how about DACs submit formal budget recs and these need to be reconciled in a budget process specifically focused on 40%?
- Abigail: can the EJAG group be compensated for their time.
- Chris: NYSEDA example using Clean Energy Fund. Breakdown by sector within portfolio. Strategy shifts such as new initiatives in capacity building.
- Abigail: numbers reflect just geographic location of investment not assessment as to who benefitted from it?
- Chris: yes. This analysis is where the money is going. Industrial/commercial go to reducing localized pollution but funding goes to the project not individuals. LMI line item go to households that are income eligible. Only generalization we can make at this point.
- Rahwa Ghirmatzion to everyone: 1:40 PM did I miss you talk about community investments?

Break 1:40PM to 1:45PM

CAC Advisory Panel Recommendations Process

- Sameer: approach to sharing your feedback with the Climate Action Council (CAC). Available to help. The recommendations are lengthy. Have a summary and tips for anyone with limited time including a lens.
- Sameer: role for consultation and input on recommendations with the CAC. Received four sets of recommendations.
- Rosa: Four more sets of recommendations will be uploaded today.
- Sameer: quality of outcomes also includes community air monitoring, priority investments, and ongoing public oversight.
- Sameer: all the panels were directed to include climate justice as part of their recommendations.
- Joe: Can you elaborate on the "implement labor standards where possible" component for the Just Transition Panel? Does that mean create new standards?
- Sameer: full sentence included evaluating labor standards and implement where possible. Might be legal hurdles to implementing standards. Will follow up with you on that.
- Eddie: how are we arriving at emission reduction percentages? For Transportation, estimate of 77% but lead is TCI which EJ groups in NY have been critical because cannot predict how investments will be committed to transportation projects. Does that 77% rely on TCI?
- Eddie: reports that recommendations don't reflect subgroup work or EJ advocate panel members. Still see green hydrogen as a fuel source. Combustion of green hydrogen increases NOX. Assembly is having a hearing on CLCPA.
- Sameer: will dig into and report back. There may be limited applications of hydrogen but don't know off hand how extensive that was in there. Lots of unknowns on the funding mechanism question. There could be complementary actions.
- Jared: this is mainly a summary. One of the representatives preferred CCIA over TCI and that is noted in the full recommendations. Also a number of other market based strategies identified such as registration fees and congestion pricing. On the 77%, that is really driven by zero emission standards. Some portion associated with lower carbon fuels.
- Eddie: cap and trade as market based mechanism does not lead to reductions in emissions in EJ areas. Also skepticism on market based as a general emissions reduction strategy.
- Jared: some portion may be attributable to the cap. But not for sure. All of this will be calculated during the integration analysis going on over the next few months. With variations on the policy.
- Eddie: would like to see the assumptions of the modeling.
- Sameer: available to further discuss.
- Sameer: options for how CJWG can present their feedback. Want to hear from everyone.

- Each CJWG member presents before the CAC, with the time for each divided in equal proportion by the number who wish to speak
 - CJWG collaborates on one letter and submits to CAC, and presents before the CAC, with the format and number of speakers collectively determined
 - CJWG members present before the CAC in self-selected groups, with the amount of time for each divided in equal proportion by the number who wish to speak
 - CJWG members are divided into groups of three such that each includes representation of urban, suburban, and rural areas. Different panel topics could be assigned to each group
- In all cases, CJWG may also submit written comments, as one collective, in self-selected subgroups, and/or as individuals. These comments will be collated and submitted to the CAC as one document. Can also make use of a poll.
 - Amy: timeline? Between now and June 8th we digest the information and coalesce around the areas for joint thoughts?
 - Sameer: meeting is on June 8th.
 - Jerrod: Thanks Sameer, was going to suggest a poll as well.
 - Sameer: acknowledge is a lot of material to go through.
 - Abigail: dividing into groups speaks to me. Mainly because there are so many recommendations.
 - Abigail: in terms of the perspectives in the panel, can we schedule opportunities to talk to other panel members?
 - Rosa: will report back on that.

Update on DAC Scenarios

- Alex: bit of an update on mapping. Update on where we are at and what information we should be providing for your assessment.
- Alex: still getting some GIS transformations but have pretty good proxies.
- Eddie: table percentage of DACs, does that mean entire population of state?
- Alex: yes.
- Eddie: is it undercounting?
- Alex: not evenly distributed across census tracts in state. All of pieces of information including race and ethnicity are captured and can look at breakdown within each census tract and those designated as a disadvantaged community.
- Eddie: for climate burden seems higher in non DACS than in DACs. What goes into that?
- Alex: this is unweighted. Don't have all the climate indicators in yet.
- "Diagnostic tool" - Numbers will change as we toggle or change things.
- Amy: if you hover over and don't see anything what does that mean?
- Alex: in the new map it will show you stuff unless data is missing.

- Alex: what else do you want to know as you look through this information? In hover tool or diagnostic? Questions to consider as you work through map.
- Sonal: value difference between a weight of 1 or 2?
- Alex: if weigh a 2 it counts as 2 of that score. Takes up more space within the score.
- Jerrod: this is really helpful and so fascinating to see the culmination of so much hared work even if not the final version - great to see this process visually come to life.
- Eddie: how keep from being arbitrary? How factor in gentrification?
- Alex: part of why need to be transparent. In this case, want to be theoretically grounded and we know what matters from studies and on the ground experience.

Next Steps

- Follow up on CAC engagement
- Follow up on investments and benefits
- May 24th Meeting
- DAC Next Steps
 - o One-on-ones
 - o or small group review
 - o Release DRAFT tableau for WGs to explore