CJWG Voting Meeting Minutes
WebEx - 12.13.21

Meeting Commence 1:00pm
Disclaimer: This is a summary, not a word for word translation

Agenda:

1. Review of CLCPA Legislation
2. Voting rules & process
3. Proposed draft DAC criteria summary
4. Discuss each element of draft DAC criteria
5. (If needed) Outline any limitations or alternatives
6. Vote for overall draft DAC criteria
7. Next steps to prepare for public input

Introductions:

- Alanah Keddell-Tuckey, EJ Director, DEC, Office of Environmental Justice
- Jill Henck, Clean Energy Program Director, (ANCA) Adirondack North Country Association
- Sonal Jessel, Policy and Advocacy Coordinator, WEACT for Environmental Justice
- Eddie Bautista, Executive Director, NYC Environmental Justice Alliance
- Elizabeth Yeampierre, Executive Director, UPROSE
- Rahwa Ghirmatzion, Executive Director, PUSH Buffalo
- Lisa Covert, DEC, General Counsel
- Jonathan Binder, Chief Bureau of Energy and Climate Change, DEC, General Counsel
- Elizabeth Cooper, Executive Director of (ANCA) Adirondack North Country Association
- 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
- Joe McNearney, Director of Stakeholder Engagement, DOL
- Alex Dunn – Illume Advising, Consultant
- Amanda Dwelley – Illume Advising, Consultant
- Abigail McHugh-Grifa, Executive Director for Climate Solutions Accelerator
- Sameer Ranade, NYSERDA Climate Justice Advisor with Climate Action Council
- Donathan Brown, Assistant Provost and AVP for Faculty Diversity and Recruitment at the Rochester Institute of Technology
- Amy Klein, Chief Executive Officer, Capital Roots
- Jared Snyder, Deputy Commissioner of Climate, Air and Energy, DEC
- Mary Beth McEwen, Executive Director, Cornell Cooperative Extension, Oneida County
- David Witt, Indian Nations Affairs Coordinator, DEC, Office of Environmental Justice

Discussion of article 75 of Environmental Conservation law. (Part of CLCPA)

Eddie: In addition to tracking direct investments the state is going to try to capture the co-benefits. He applauds NYSERDA and DEC.

Chris: We want to have a broader conversation with the full CJWG on 'What does the benefits framework look like from an operational perspective?'

Rahwa: Wants to applaud NYSERDA and DEC addressing this issue. What we've decided on seems very clear.

Elizabeth: This is rock star stuff. Thank you Chris.

- ❖ DAC Description overview -Alanah
  - Want virtual and in person meetings if allowed
  - Public comment period will be 120 days and begin sometime after today's vote

Rahwa: These 6 regional meetings are just for CJWG? -Yes (Alanah) Would be great to get a list of those 3 communities upstate and 3 downstate.

Alanah: We will be meeting with our Communications team and we will meet again with CJWG on what things look like.

Abigail: Has a concern about the maps.

Chris: There is a distinction between the investments that we can track.

- ❖ Breaking down criteria into separate elements -Illume

Voting Rules: -Alanah

- Need quorum to be present and to vote yes (7 of 13 CJWG members)
- All members (including agency) have equal vote
- Roll call vote starting with CJWG members

- ❖ Breaking down criteria into separate elements -Illume

Overview of proposed DAC draft criteria summary-Illume

1. Indicator
2. Scoring (going over maps)
3. Once you have a score which census tract should be included
4. Yes or no decision to include low-income households
5. Is there agreement in including households and how will we define them?
6. Review and affirm the annual evaluation process mentioned in the statue

Discussion on the above sections 1-6

Abigail: When I looked at draft maps a couple of census tracts jumped out at me. I'm wondering how we missed them. Maybe environmental burdens and climate risks are overly weighted relative to population characteristics and health vulnerabilities. Surely there will be public pushback on some of this. Does it make sense to address this proactively?

Amanda: Lets look at those communities and try to understand why they were excluded. There is actually equal weight. You could be high on population and low on health risks.

Abigail: Sorry but she is concerned.

- ❖ Illume going over maps with working group.

Eddie: What is it about these areas that should have been captured by ground truthing? This is intended to get at the environmental and climate vulnerabilities. What is it environmentally speaking that should have been characterized as DACS or not?

Alex: They are low income and high bipoc.

- ❖ Slide presentation and Discussion:
  - Overview of Indicator list
  - Environmental burdens and climate change risks
  - Population characteristics and health vulnerabilities

Elizabeth: Amanda I am surprised not to see diabetes in there.

Amanda: DOH said it's hard to capture diabetes. Clinic and pharmacy data might better capture diabetes. But DOH does not have that. The limitation is what you can actually reflect from hospitalization.

Amy: That does not make sense to me. You could make that correlation with asthma and COPD. I am shocked DOH can say they cannot access diabetes data. Diabetes is directly related to lack of quality food in disadvantaged communities. This just doesn't make sense to me.

Neil: We think there's more bias in terms of the completeness of the data we are getting. ie) hospitalization data

Amy: I still don't understand that Neil. Diabetes should be included.

Neil: Its not a data availability, it's more a case of people having their diabetes managed in a primary care setting. We think there's more of an undercut with diabetes in hospitalization data. We'll keep it on the radar for consideration.

Amy: We know more vulnerable populations use EDs (emergency room data) to treat things like diabetes more readily than their primary care doctors. I am baffled.
Alex: It's a good point. We need to make note of it. Race and ethnicity and language buckets hold a lot more sway within this larger groups of indicators. Again, it is not perfect. Let's get this data in and use it in a better way in the future.

Rahwa: Diabetes in communities of color is linked to slavery and inequality. The number of people who have died from it is severe.

Elizabeth: I don't think diabetes is different from asthma. It is part of systemic racism. I thought it was a mistake diabetes is not included. Department of health is lacking in their collection of data. Since they are lacking it feels like this process is harmed.

Rahwa: Problem is the data inefficiency. I'm arguing to keep diabetes in so agencies are forced to do better data capturing.

Alex: Let's make a note so it is in the public record that we are thinking about these. Let's continue.

- ❖ Slides continued…
  - Temperature check #1
  - Scoring approach overview
  - Scoring approach multi-step process

Alex: Perfectly imperfect is a reality here. Yes, we are missing some critical indictors. We've discussed meeting down the road to assess these manually and make sure everything is aligning.

- ❖ Slides continued…
  - Scoring Approach: combining data
  - Temperature check #2
  - Designation: Detailed approach

Eddie: How are Indigenous communities going to be captured here? We've been told that will be a separate process. I have not heard anymore about that. The current state of things does not capture a serious intention.

Alex: Does DEC want to answer this.

Alanah: We have reached out to the Nations but not heard back from them. If they decide to become involved, we can absolutely allow for that. We've included their lands. They make their involvement determination.

Rahwa: Heard the Haudenosaunee Climate Task Force wants to directly communicate with the CJWG.

Alanah: We can only speak to what we've been told at DEC.

David: Confirms what Alanah said. We did reach out to the Nations and asked for consultation. We have not heard back. If HETF wants to discuss that with us we would be happy to work with them. FYI, HETF is a body that's been developed by the Haudenosaunee leaders and Grand Council to work on behalf of the Haudenosaunee Nations on environmental issues. They are welcome to reach out to us. If the CJWG wants to meet with HETF that is ok with me. We can set that up.

Alex: Let a note be made: This is important. We want continuous engagement.

Eddie: Let a note be made: For the majority of 2021 the CJWG has been asking about how this applies to Indigenous communities. We've been told that the state will engage directly with the Nations. We eagerly await the outcome of that engagement. The citizen members of this working group have been pressing for this for many months now. If we can say this publicly where its clearly visible to folks, I think that would take care of it for now.

- ❖ Slide Presentation and Discussion

The Vote:

Commence: 1:49pm
Voting on: (abbreviated below):
(Taken from 'Updated Language for Draft DAC Criteria' slide)

1. Include 45 indicators…
2. Score Census tracts on relative basis…
3. Include 35% of NY state census tracts as geographic DACs…
4. Include low-income households…
5. Defining low-income households…

CJWG Members Involved in the Vote:
Sonal, Rahwa, Abigail, Amy, Donathan, Eddie, Elizabeth, Jill, MaryBeth
State Representatives: Chris, Joe, Neil, Alanah

Decision:
Vote passes unanimously with a Yes.

Alanah: CJWG members understand this is a draft. We will revisit this annually to ensure it is where it needs to be.

Rahwa: Should we include something in #3 above for this Indigenous/Tribal leadership conversation?

Alanah: Absolutely we can. We can continue to reach out to tribal leadership.

Alex: Thank you all for pushing us to make this as perfectly imperfect as it is.

Alanah: Regarding #6 which we are not actually voting on, let's think about meeting quarterly for the first year or so. Let's revisit around June 2022. Also, in 2022 we are looking to re-engage with the CAC. I will be sending around some polling to see members availability.

Chris: Did we talk about having a regroup to see what the public comment period process will look like?

Alanah: Sure, lets regroup in the new year to see what extent everyone wants to be involved in the public comment process.

Eddie: Would we be comfortable crafting something that outlines what the CJWG covered today? It can be in an abbreviated form.

Alanah: Absolutely. We have a memo that basically explains the entire process from start to finish. It will be available on our website. I need to connect with our Communications team first. Our goal is to start the process in February 2022. The minutes from all meetings must be approved first.

Elizabeth: It's really important the concerns we raised not get lost in the complexity of all of this.

Eddie: Can we get a paragraph together with a link possibly by end of this week or before Christmas?

Alanah: I think we can take the documentation we have and boil it down into a paragraph along with getting the presentation and the minutes to go up hopefully by weeks end.

Abigail: Asked about minutes from June15,2021 and June 23,202, Aug12,2021 and Sept 20,2021 she did not see in SharePoint.

Alanah: We can regroup in January to give everyone time to review all the minutes. Today is the final CJWG for 2021. Thank you to everyone for their amazing work. Extra thanks to Illume for a phenomenal job. Thank you to the attendees for sticking with us through this entire process. We have been paying attention and listening to your questions. Thank you to Rosa Mendez who did an amazing job. Have a nice holiday everyone. Congratulations you've done an amazing job.