

CJWG Meeting Notes

Webex – 12.12.2025

Meeting Commence 2:03pm

*Disclaimer: *Please note this is not a word for word translation.*

Agenda: update

1. Opening remarks
2. Roll call
3. DAC Presentation
4. Discussion
5. Next Steps

CJWG Members & Panelists:

- Alanah Keddell-Tuckey, Chair, Director of the Office of Environmental Justice, DEC
- Oliver Riley, Climate Policy Analyst 2, Climate Policy and Facilitation Section Lead for the Office of Environmental Justice, DEC
- Neil Muscatiello, Director, Bureau of Environmental and Occupational Epidemiology, Center for Environmental Health, DOH
- Michael DiRamio, Associate Director, Energy and Climate Equity, NYSERDA
- Sonal Jessel, EJ Advocate
- Elizabeth Furth, Project Coordinator, DOL
- Eric Walker, WEACTION/Western NY EJ Advocate: Upstate Urban
- Amber Johnson, Organizing and Training Director, New York Energy Democracy Alliance
- Amy Klein, Executive Director, Capitol Roots
- Julie Suarez, Associate Dean for Land Grant Affairs and Director of Translational Research Programs, Cornell University
- Abigail (Aby) McHugh-Grifa, Executive Director, Climate Solutions Accelerator of the Genesee-Finger Lakes Region, Region Buffalo
- Jill Henck, Clean Energy Program Director, Adirondak North Country Association
- Arif Ullah, Anthropocene Alliance/NYC EJ Advocate

DAC Presentation and Overview- Oliver

DACs (disadvantaged communities): areas of NYS based on census tracts that have been identified by 45 indicators as experiencing relatively high levels of pollution burden, climate change risk, socioeconomic vulnerability, and negative health outcome.

Indicators are organized into factors which are further organized into two components which are 1) environmental burdens and 2) climate change risks. These component scores are then combined and ranked. The 35 highest scoring census tracts are identified as DACs.

The EJSL (Environmental Justice Siting Law) directs lead agencies under SEQR (State Environmental Quality Review Act) to consider whether an action may cause or increase a proportionate pollution burden on a DAC as part of the SEQR process. The EJSL also requires DEC to consider if issuing certain permits may cause or increase disproportionate pollution burden on a DAC.

The 2022 Bond Act uses the same 35-40% model as the CLCPA (Climate Leadership and Community Protection Act) except it applies to the allocation of Bond Act funds directing funding to DACs at high risk of pollution and climate change.

Current state of DAC Review Process -Alanah:

We know there is a range of state programs that are utilizing the criteria. We want to provide guidance to support these programs. We've taken on a robust process to ensure implanting the first ever DAC update is well structured with guidance for integrating the new framework. Please keep an eye out for investments and benefits guidance.

DAC Discussion on criteria, Oliver:

Question 1) Are the indicators and their current methodological application adequately capturing for the conditions of disadvantage in New York?

Arif: I have a comment on a specific situation that may be relevant elsewhere. Southeast Queens was given zero percentile for inland flooding. I know that area well. I feel this is not indicative of the experience there. Flooding there is mainly due to their high water table. I wanted to bring that up. Let's go back to state agencies implementing and using DAC criteria for their decisions. I wanted to ask if and how money going out is being tracked.

Alanah: In regard to money investments and benefits we plan to share a report on how agencies are using and adhering to the CLCPA requirements for investments. As for how other agencies are using the DACs criteria that is a little more difficult to track. We are recommending that folks come to us about how they are using it. We are trying to develop methods on how we discuss this with other agencies.

Oliver: Arif if you have a data source of interest please share it with me. I am happy to do a deep dive.

Arif: Ok I thank both of you. We are contending with culture. I think the CJWG should be part of the conversation.

Eric: I echo the concern about decision making. Question to DEC, is there any impact from federal actions that we need to be thinking about as we are updating and reviewing this criteria?

Oliver: That is something we are paying close attention to. Many DAC indicators are based on federal sources. Your question Eric is certainly something that I can say warrants discussion. Alanah do you have a response?

Alanah: Let me address the first part of your comment. Are you saying you would like to see something more formal perhaps an executive order?

Eric: Yes. An executive order would be great along with the naming of an official who would be charged with bottom lining accountability to the standard.

Alanah: Alright, we will take that note.

Arif: Is there an indicator about proximity to airports? As someone who lives next to LaGuardia airport I think it is worth considering the emissions from airplanes and the cargo vehicles used in airports as one of our indicators.

Alanah: There is not.

Oliver: We have explored this robustly in the past and can again further in the future. Previously the CJWG voted not to include proximity to airports. I can get in direct contact with you and share the CJWG's previous discussions on this.

Arif: I would appreciate that Oliver.

Eric: I guess I have a step back question. Have we previously done any reporting on the changes of those indicators in terms of the raw data that makes up the overall DAC criteria?

Oliver: We refreshed the data for the upcoming update to the DAC criteria that included a refresh of all indicators to the most recent data available. We are not able to update every year due to the data not updating that quickly. We are paying close attention to how federal data is being managed currently.

Alanah: Is that helpful Eric?

Eric: Yes, in a way. Concerning the refreshed data have you noticed any trends? Are there any indicators trending up or down that would be useful for us to understand as we progress?

Oliver: That is certainly an analysis we can discuss and present to the working group.

Question 2) Does the CJWG feel the current criteria adequately identifies DACs statewide in a way that is effective in supporting efforts to mitigate the impacts of climate change and pollution.

Jill: I am having a hard time thinking about the criteria in a silo from implementation. I think it is adequate in supporting the efforts to mitigate impacts. I also think it is dependent on the guardrails put in place by all these programs. This is a hard question for me to answer.

Alanah: Can you expand more on what you mean by guardrails Jill?

Jill: I am just stating it is different based on how it is applied. I cannot think of any example off the top of my head where its inadequate. I do not have enough context to answer this.

Neil: So what I am hearing is, it is hard to answer this until you actually see what is happening. That makes sense.

Eric: There may be room for refinement based on conversations I've had with rural groups in Niagara county. I would have to circle back with folks to recall what they felt was inadequate about how DACs are categorized. I'd like to point out that I realize there is no perfect model.

Alanah: That's a good point. I will point out we did a public input period. Do you think it would be served better with something more akin to a survey?

Eric: What comes to my mind is how do you capture public sentiment? For example the impact on utility bills. Items like peoples outrage about the rate increases. How do we meet people where they are?

Alanah: Thank you Eric.

Jill: I was wondering how we could implement a survey that would give us reliable data. I thought about all the public hearings from this past summer. Was there a question that could be asked at these meetings and then we could capture it that way?

Oliver: This is great, thank you.

Question 3) Is the data we are using of acceptable quality? Are there opportunities for improvement either in indicator selection or methodological organization?

Jill: I have been concerned about the energy burden indicator. Thinking on Eric's comment, I want to make sure we are capturing rising utility bills. I am curious if that's been captured in the updated data.

Arif: I am curious about how updated and recent this data is. What is our policy about using past data? I have a comment to Eric's point about using disappearing data. We are using federal data which is under assault. Is there alternative data we can pre-identify in case data disappears?

Alanah: Yes, several of our data sources are at risk. How do we anticipate that? Do we want to consider sources that will be consistent and reliable? What will that mean for DACs and this process? ie) Do we have to start all over again?

Oliver: We have several repositories at DEC to save and store such data in case it disappears. Be aware that does not mean we will have an updated version of that stored data. I have been looking into alternatives. We cannot replace the U.S. census without a huge lift. There are other things we can do in the event this data disappears.

Jill: Has anyone looked into what's already been scrubbed?

Oliver: I would like to do some research before I can answer that.

Alanah: Does anyone have any reflection on what we've discussed?

Jill: We cannot start from scratch. The team at Illume did so much of the heavy lifting.

Alanah: We have no intention of doing this without a contractor. We cannot overstate Illume's impact. Their contribution was immense. Just putting that out there.

Amber: Were the Illume folks the ones going over the DAC tracts?

Alanah: Yes.

Oliver: I recall something Alex pointed out. Adding new indicators diminishes the impact of the indicators already in place. It is important to consider how indicators overlap. The more we have the less impactful each indicator is.

Alanah: If we look at this as a data availability concept how is everyone feeling?

Eric: We would need to see what we are looking at right; without this disappearing action.

Michael: Eric, I just want to clarify. You said broadening the number of DACs. I think the methodology is to keep consistent the percentage of census tracts in New York state that are DACs. It is really just which census tracts are designated as DACs or not. Just wanted to make sure that was clear.

Michael: What I am hearing is which of these data sets might be at risk. Which ones are going away.

Liz: At Department of Labor we have similar concerns about disappearing data. Our approach is to prioritize what could go missing. What areas are missing from what is fairly reliable. Forty five is a lot of indicators.

Arif: I am fairly new to this group. I would like to know how our indicators were selected. I am fine with catching up by watching whatever video is available or reviewing data.

Oliver: I believe the DAC technical documentation covers all 170 indicators considered along with their rationale. That's a good place to start. If you want further discussions one on one we can do that.

Alanah: This happened over the course of three years. It is so much and we are not going to make you go through it all. We at the Office of Environmental Justice will find those memos on SharePoint and walk you through them.

Arif: I appreciate that. And thank you also Oliver.

Eric: Can you re-link or share the link to SharePoint?

Oliver: This has been a great discussion. Thank you. You've all given me a bunch of tasks we will get working on.

Jill: Does anyone know when can we expect new maps to be published? Is there a ballpark time on the investments report maybe?

Alanah: We hope to release those maps soon. It does take a lot of coordination as many state agencies are using these maps.

Neil: In the meantime Jill and everyone, the department of public service requires our investments to be recorded on an annual basis. There already is reporting for the past I believe two years. This represents the vast majority of state clean energy investments.

Jill: I would be interested and welcome help finding information on DPS's website.

Eric: I caution us not to overinvest in that idea. Representation of money is problematic to me.

Alanah: That is an excellent point Eric.

Next Steps:

We will reach out about scheduling meetings in 2026.

Closing remarks for 2025, Alanah:

Thank you all for being willing to travel to all these meetings. Please send along blackout out dates for when we schedule future meetings. Questions and or concerns between now and our next meeting please reach out to climatejusticeWG@dec.ny.gov or to me about anything you wish to discuss offline.

❖ Adjourned 3:10pm