

CJWG Meeting Notes

WebEx - 10.19.21

Meeting Commence 12:00pm

Disclaimer: This is a summary, not a word for word translation

Agenda:

1. Updates and announcements
2. Review DAC Scenario
3. Developing rules for DAC Definition
 - o Individual criteria?
 - o Designated threshold (% of state)
4. Summarizing next steps
5. What would you like to see/review before voting?
6. Schedule

Introductions:

- Alanah Keddell-Tuckey, EJ Director & Public Outreach Specialist , DEC, Office of Environmental Justice
- 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
- Jerrod Bley, Clean Energy Program Director, 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
- Joseph McNearney, Director of Stakeholder Engagement, DOL
- Alex Dunn – Illume Advising, Consultant
- Amanda Dwelley – Illume Advising, Consultant
- Jared Snyder, Deputy Commissioner of Climate, Air and Energy, DEC
- Abigail McHugh-Grifa, Executive Director for Climate Solutions Accelerator
- Sameer Ranade, Climate Justice Advisor with Climate Action Council
- Donathan Brown, Assistant Provost and AVP for Faculty Diversity and Recruitment at the Rochester Institute of Technology
- Tyler Picard, NYSERDA
- Mary Beth McEwan, Executive Director, Cornell University

Updates and Announcements

- Minutes from previous meetings are available in SharePoint folder for working group members to approve. Members, please review them so we can approve them during our next public meeting.
- Update: Minutes will be emailed to all members instead.
- Jerrod Bley announced he is stepping away from the CJWG. Today is his last meeting.

Review DAC Scenario

- Discussion of indicators
- Population characteristics and vulnerabilities

Elizabeth: Were Indigenous included?

Amanda: There is a separate indicator beyond this criteria for land that is Indigenous land. This includes tribally owned census tracts.

Elizabeth: Not all Indigenous people live on that land.

Amanda: Yes, we can revisit.

Alex: We want to include Indigenous. So many tracts don't have any native population, but some do. Now we figured out a way to do it.

Amanda: We have figured out a trick to calculate percentiles from the data. We switched to the approach that CalEnviro screen version 4.0 has used. It relieves a lot of the issues we are seeing with environmental indicators.

Developing rules for DAC definition

- ❖ Slide presentation continued...
- ❖ Geographic and Individual Definitions

Eddie: I would feel better if we had a breakdown of the kind of clean energy funding programs that lend themselves to individual households vs more community. I would feel better about some of the tough choices ahead. I just don't know if that analysis is available.

Chris: I think we can pull a view together of initiatives or programs showing direct impact at the household level or community level. NYSERDA can commit to pulling something together about impacts. We can see what can be pulled together for other parts of the state portfolio.

Jerrod: Echos what Eddie said about impacts. A presentation would be helpful.

Donathan: I also agree with Eddie and Jerrod. The disaggregate breakdown would be beneficial to our understanding. Chris, thank you very much for volunteering to jump in there.

Abby: It looked to me that a 1/3 of low income NY'ers would be left out of the DAC definition. That strikes me as a lot. Hypothetically how would it work to have this individual definition in addition to the geographically based one?

❖ Move to slide 19 with snapshot of what California did.

Chris: We don't have to necessarily conflate eligibility criteria with the benefits mandate. So the geographic parameters we identify ultimately would provide the framework for accounting in DACs. It doesn't necessarily set eligibility for programs, but it could.

Eddie: Thanks Chris. There's 60% left which does not reach programs that have that kind of eligibility written into them that we are trying to replicate. Kinda wonder what a DAC definition would do to an already eligible population. Aren't we already hitting all these households?

Alex: Last week data showed they'd get 28% now. Interim definition said 25% of census tracts designated. Should the status quo of the agencies change or not? This is worthy of debate in the sense of what do you all want it to be doing?

Eddie: Amanda is there anything about this slide you'd like to deconstruct for us? (Referencing Individual criteria slide)

Amanda: Sure, California's kind of both and approach. They are counting climate investments that go to either DACs or LMI communities or households. An investment to any of those 3 groups will count towards their goal.

Eddie: Is there any analysis that estimates what DAC population may be missing? What percentage of California's DAC population may be missing?

Amanda: I have not seen California's analysis, but we do have analysis for NY. It may be helpful to go back through some of the analysis we skipped over.

❖ Review of findings

Amanda: We are currently not capturing all LMI communities. We are trying to have all the indicators and to meet the legislation.

Stats from slides:

- Our geographic definition includes 40 plus indicators
- 13% of lower income communities are left out because they don't have high climate or environmental burdens

- There are 24 health and population indicators
- We are capturing 87% of lowest income tracts
- 38% of households in poverty are not in a DAC
- *Conclusion:* No geographic solution can reach everyone

Jerrold: There are more folks in rural areas that are not being captured in the current framework. They fall outside of the DACs currently. Correct?

Alex: Almost, there are more high poverty households not being captured.

Sonal: Amanda do you have the total number of households that were part of this specific calculation?

Amanda: We don't have those here, but I may have another way to look at this.

Eddie: Chris, what is the practical application of this analysis? Am I correct that it depends on the program?

Chris: It will depend on the program and how they establish eligibility.

Abigail: My concern is that there is no legal mechanism to ensure that money continues to go to those individual households who fall outside DACs. Is that correct?

Chris: Depending on the program there are mandates.

Amanda: The impact of excluding individual criteria is that it's felt more heavily in rural communities.

Eddie: Illume, what's your best guess as to why this dynamic is? What is your socio-political analysis?

Alex: Rural areas have fewer environmental indicators. There are also more health impacts in urban areas. To make sure we capture both rural and urban areas we use multiple models. ie) a model for NY city and another for the rest of the state.

Abigail: What are our framing principles?

Alex: Feels like there is a push pull for what this legislation is trying to do. What does the working group feel is the guiding principle? Coming to consensus on that will help in making decisions on these two points. One being what proportion of census tracts do we want to make a DAC? The other being do we want an individual criteria?

Framing Principles discussed:

- No DAC left behind
- Direct funding to groups who are most vulnerable
- Income is a very important indicator of ability to respond or adapt

- Who is least able to participate in transition to clean energy and clean energy economy?
 - Want agencies to geographically focus on community scale investment and outreach
 - Be aware, do not create unintended DACs
- ❖ Discussion of principles highlights
- Working group members like the slogan no DAC left behind, but does it really work ?
 - In previous meetings a tiered approach was discussed

Abigail: Where do we want to show investment in the next 5 years? Maybe starting with a smaller pool of DACs could accomplish this.

Eddie: Concerned with the impact of those approaches diluting resources that could go to black and brown communities.

Jerrod: If it is tiered will there be roadblocks and challenges in the future. Should we try to incorporate those benefits and investments quickly while the opportunity is possible? How does everyone feel about that?

Eddie: Is there a way to figure out what percentage of total funding we need to reach all the DACs?

Alex: Unfortunately, we do not have the data to do that. We do need to change the status quo.

- ❖ Finding a balance slide: Feedback from working group
- CJWG leaning toward number/option 2 entailing restricting DACs to communities most in need while possibly missing some that are vulnerable.
 - To clarify the CJWG wants to see how state agencies...
 - ie) DEC would deal with mitigating the individual issue.
 - ie) How would DEC reach households left out of the DAC definition?

Alanah: Someone from our counsel's office is looking into exactly what we are allowed to do. Our office EJ, is limited on how we are allowed to distribute our funding. We are looking into how DEC can manage that individual definition. Potentially how can we create something to allow for an individualized distribution. No promises, let me see what our Counsel comes up with and get back to everyone.

Amanda: A good way to look at it is what programs are the furthest away from the 40% geographically? Let's look at which programs are furthest from that goal then we can investigate how to shift things.

❖ Slide What might option 2 look like?

- Illume: What additional layers would the working group like?
- Should additional communities be added?
- If these other layers become part of the definition considering option 2 then what percentage of the state should be DACs in this restricted scenario?

❖ Discussion

Illume: Setting a minimum or maximum of funding for individual communities or households much like California's model could be done. This way it's not taking over all the funding and the credit, just some.

What CJWG would like to see before voting?

❖ Thoughts from working group

- Working group is feeling pretty good about 35% as the magic number for being designated a DAC.

Chris: We still need to monitor and review progress along the way. Just to better understand how close are we to our goals? Don't forget about the variables that will impact the overall result that we as a working group want.

Abigail: Will these maps be part of what the public is able to look at for the public hearings?

Illume: Yes, we will have to include some kind of map for the public to look at. What information does the CJWG need to make those final decisions so they can get to the impending/upcoming vote?

Eddie: Would be great to get some practical applications from DEC and/or from NYSERDA.

Illume: Eddie sounds like you are looking for examples of how things could be spent. (Eddie confirmed, yes.)

Abby: Has someone calculated what it looks like per household to transition to clean energy? Is this calculation out there? What does that mean in terms of overall investment. If that number existed that would be a great resource.

Eddie: There are some calculations the Climate Action Council just put out for all of NY state. What Abby is flagging is how much would it take to truly leave no DAC behind. (Abby confirmed) Even if there was one it would not capture all of it just give us an idea.

❖ Illume will tinker with maps to make a version that can be shared with the public.

Abby: What will it mean to operationalize these different definitions? If it is a geographic only definition, how can we ensure no household is left behind?

What's Next? / Schedule

- Decisions for remaining Meetings for 2021:
 - should the 17th be an additional meeting?
 - should we add a meeting date after Thanksgiving ?
 - should we add a meeting date after Hanukkah to vote?
 - do we push back the vote for Nov.17th?
- CAC is holding off on interacting with CJWG until after Nov.17's vote.
- next engagement with CAC will be in 2022.
- next CJWG public meeting Nov.11,2021

End: 3:00pm