

1 Public Comment Hearing - 6-23-2022

2 STATE OF NEW YORK

3 DEPARTMENT OF ENVIRONMENTAL CONSERVATION

4 Notice of public hearing to accept comments on the  
5 Draft Disadvantaged Communities Criteria

6 PUBLIC COMMENT HEARING

7 DATE: June 23, 2022 at 6:05 p.m.

8 LOCATION: PUSH BUFFALO SCHOOL 77  
9 429 Plymouth Avenue, Suite 1  
10 Buffalo, New York

11 BEFORE: A.L.J. RICHARD SHERMAN

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Reported by Annette Lainson

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2 APPEARANCES:

3 ADRIANNA ESPINOZA, D.E.C. Representative

4 SPEAKERS:

5 SHIRLEY HAMILTON  
ANTHONY ROGERS-WRIGHT

6 SARAH FRASIER  
LUCY VELEZ

7 CLARKE GOCKER

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2 (The hearing commenced at 6:05 p.m.)

3 COURT REPORTER: We're on the record.

4 A.L.J. SHERMAN: It's starting to get  
5 a little warm. Good evening, everyone. My name is  
6 Rich Sherman, I'm the administrative law judge with  
7 the Office of Hearings and -- and Mediation Services  
8 for the New York State Department of Environmental  
9 Conservation. I'll be presiding tonight over this  
10 public comment hearing on the draft Disadvantage to  
11 Communities Criteria.

12 Assisting me with the hearing today  
13 are members of D.E.C.'s Office of Communication and  
14 Services and I want to thank them for all their help  
15 tonight. On behalf of D.E.C. and NYSERDA, I'd like  
16 to thank you for joining us and participating in this  
17 very important process. D.E.C., in partnership with  
18 NYSERDA, has been holding public hearings across the  
19 state, eleven in total. There are two more  
20 remaining, those are both virtual and the purpose is  
21 to receive comments on the draft criteria and help  
22 guide the implementation of the state's Climate  
23 Leadership and Community Protection Act.

24 Notice of today's hearing was  
25 published in the Environmental Notice Bulletin on

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2 March 4th, 2022 and New York's Climate Justice  
3 Working Group, which includes representatives from  
4 environmental justice groups from across the state as  
5 well as representatives from involved state agencies  
6 voted late last year to release the criteria for  
7 public review.

8 The public comment period commenced in  
9 March and will end on July 7th, 2022. The draft  
10 criteria themselves are based on geographic, public  
11 health, environmental hazard and socioeconomic  
12 factors and may be found at climate dot N.Y. dot gov.  
13 Again, that's climate dot N.Y. dot gov.

14 To give us some more detail on the  
15 project, I'd like to introduce Adrianna Espinoza.  
16 She is D.E.C.'s Deputy Commissioner for Equity and  
17 Justice and she'll give us a brief overview of the  
18 criteria and the work to date.

19 MS. ESPINOZA: Thank you, Judge. Not  
20 quite ready for a short girl up here. I think I'm  
21 good.

22 A.L.J. SHERMAN: We have a roadie.

23 MS. ESPINOZA: Great. Got to add  
24 shame into it before I start speaking, great. Good  
25 evening, everyone. I'm Adrianna Espinoza, Deputy

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2                   Commissioner for Equity and Justice at the Department  
3                   of Environmental Conservation.  I am joined by my  
4                   other D.E.C. staff from Region Nine, from the Office  
5                   of Communication Services, from the hearings and my  
6                   own staff in the Office of Environmental Justice, Dr.  
7                   David Witt, our -- our Indian Nation Affairs  
8                   Coordinator, who is not hear for his shout-out.

9                   Thank you for -- for joining us for  
10                  this public hearing on the draft Disadvantage  
11                  Communities Criteria.  I'm going to try to stick to  
12                  my script because this can get a little technical and  
13                  I don't want to, you know, give you all any incorrect  
14                  information, so.

15                  The Climate Act is the nation's most  
16                  ambitious climate change-related legislation.  It's  
17                  goal is to reduce New York State's greenhouse gas  
18                  emissions from all human activities one hundred  
19                  percent over nineteen ninety levels by 2050 with an  
20                  incremental target of at least a forty percent  
21                  reduction in greenhouse gasses by the year 2030.  And  
22                  at least eighty-five percent of those reductions by  
23                  2050 must come from preventing the release of  
24                  greenhouse gases.

25                  Implementing the Climate Act will

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2                   create opportunities to build a better future. To  
3                   ensure that work also advances climate justice, the  
4                   Climate Act mandates that at least thirty-five to  
5                   forty percent of the benefits of New York State's  
6                   spending on clean energy accrue in what's termed  
7                   disadvantaged communities.

8                   State agencies are also required to  
9                   prioritize greenhouse gas emissions and co-pollutant  
10                  reductions in disadvantaged communities, including  
11                  D.E.C. in drafting regulations to meet greenhouse gas  
12                  emission limits required by the Climate Act.

13                  Identification and prioritization of  
14                  disadvantaged communities and accounting for the  
15                  benefits of cutting pollution and improving  
16                  resilience is what makes our Climate Act a  
17                  transformative law.

18                  To identify disadvantaged communities  
19                  in New York, the climate justice working group was  
20                  guided by the language of the Climate Act in  
21                  identifying disproportionately burdened communities.  
22                  They voted to include forty-five indicators using  
23                  data on environmental hazards, climate change risk,  
24                  public health issues, geography and socioeconomic  
25                  factors like race, income, education levels,

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2 unemployment rates and housing conditions.

3 Additionally, the draft Disadvantaged  
4 Communities Designation are reflective of the working  
5 group themselves. Their lived experience and the  
6 lived experiences of residents in these historically  
7 overburdened and underfunded communities.

8 Each census tract is scored based on a  
9 relative burden, risk, vulnerability and sensitivity.  
10 Specifically, the percentile rates of these forty-  
11 five indicators for each census tract are combined to  
12 produce a value that measures the census tract's  
13 relative level of environmental benefits and climate  
14 change risks as well as population characteristics  
15 and health vulnerabilities relative to other census  
16 tracts. The census tracts with higher scores  
17 relative to other tracts in the state or in their  
18 region, were identified as disadvantaged communities.

19 The working group also voted to  
20 include low income households with incomes at sixty  
21 percent of the state medium income as disadvantaged  
22 communities for the purposes of directing benefits  
23 and investments. These criteria -- based on these  
24 criteria, forty-four percent of the households in  
25 Western, New York fall into the Disadvantaged

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2 Communities Criteria under the draft criteria with  
3 twenty-five percent of the households at -- they are  
4 based as geographic disadvantaged communities.

5 Again, thank you all for being here  
6 this evening. Really -- this is a really important  
7 hearing and I'm -- I'm happy that we're able to -- to  
8 have it here and thank you to PUSH Buffalo for -- for  
9 working with us to -- to host both an education  
10 session earlier this week and the hearing here today  
11 and, you know, for -- for being an -- an -- an  
12 amazing climate justice working group member as well,  
13 so thank you all.

14 (6:42.0 - unknown speaker): Thank  
15 you.

16 A.L.J. SHERMAN: Thank you, Deputy  
17 Commissioner. As you can see, a lot of effort has  
18 gone into these criteria and we really need your  
19 input to hone them even -- even better.

20 The purpose of our public comment  
21 hearing tonight is to allow members of the public to  
22 comment on the draft Disadvantage Communities  
23 Criteria. Tonight is not a question and answer  
24 session, rather we're here to gather your comments  
25 and your thoughts on -- on the criteria themselves.



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2 In addition to tonight, there are two  
3 remaining public comment hearings, both of which will  
4 be virtual, I'll mention those dates shortly. We  
5 also do encourage written comments, they are given  
6 the same weight as oral comments and if you have  
7 lengthy comments with details on various provisions  
8 of the criteria, written comments would be an  
9 excellent way to go.

10 Comments submitted by email must be  
11 received by five p.m. on July 7th, 2022 and comments  
12 submitted by mail must be postmarked by July 7th,  
13 2022. The email address -- and I have this  
14 information if you can't get it down during my little  
15 spiel here, but the email address for written  
16 comments is daccomments, all one word, D-A-C-C-O-M-M-  
17 E-N-T-S at D.E.C. dot N.Y. dot gov. And the mailing  
18 address is Draft DAC Comments, New York State D.E.C.,  
19 Attention Office of Environmental Justice, 625  
20 Broadway, 14th Floor, Albany, New York 12233.

21 As indicated in the notice for this  
22 hearing, we're going to limit each speaker to two  
23 minutes as we have done throughout this process in  
24 all eleven hearings. Please be respectful of that  
25 time. If you have not completed your remarks at the

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2                   end of two minutes or shortly thereafter, I will ask  
3                   you to conclude your remarks.

4                   We will call your name when it is your  
5                   turn to speak, please come up to the microphone.  You  
6                   may have noticed, we have a microphone cover on it  
7                   for your own protection and those will be switched  
8                   between speakers.  If you're speaking on behalf of a  
9                   group or another person, please state who that person  
10                  is and, of course, state your full name and address  
11                  at the outset of your comments.  I will note that we  
12                  have Spanish interpretate -- interpreters available  
13                  by phone and if anyone had asked for that  
14                  accommodation, we are -- we are prepared to -- to  
15                  assist them.

16                  When you make your statement, please  
17                  speak loudly, slowly and clearly.  All comments this  
18                  evening are being recorded by our court stenographer  
19                  and if you don't speak loudly and clearly, we might  
20                  not properly record all of your comments.

21                  With that, we will begin the public  
22                  comment period.  Again, when I call your name, please  
23                  come forward to the microphone.  And our first  
24                  speaker is Shirley Hamilton.

25                  MS. HAMILTON:  Thank you.  My name is

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2           Shirley Hamilton, I reside at 1155 Ontario Avenue in  
3           Niagara Falls, New York.  Niagara Falls is one of the  
4           most economically depressed areas in New York State  
5           and is overburdened by pollution and poverty.  We are  
6           the home of Love Canal.  I would like to see  
7           assurances that environmental justice and  
8           disadvantaged communities do not continue to be left  
9           out of the process and the benefits, especially when  
10          it comes to employment opportunities and reliable  
11          transportation.

12                       Niagara County Transit is run by the  
13          N.F.T.A.  Currently the N.F.T.A. has cut our routes  
14          and we can't even get a direct bus from Niagara Falls  
15          to our county seat in Lockport.  This document fails  
16          to show how this entity, that had continually denied  
17          our area adequate transportation, is going to assure  
18          Niagara County has reliable transportation in the  
19          future.  Your document notes that African Americans  
20          are the most negatively impacted economically and  
21          with health.  This document gives emphasis on green  
22          jobs creation, training and opportunities for  
23          employment in disadvantaged communities.

24                       I am a forty-three year employee of a  
25          current energy facility, the New York Power

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2           Authority, Niagara Project.  NYPA has, across the  
3           state -- facilities across the state and employs over  
4           two thousand employees, of those, only approximately  
5           eighty are African American.  African Americans have  
6           been denied equal opportunities for employment,  
7           promotions, those who speak up against NYPA's  
8           discriminatory practices are retaliated against.

9                   So I must ask, if a current clean  
10           energy New York State employer does not practice  
11           equal opportunity diversity and inclusion at its  
12           electronic producing facilities, especially to a  
13           community located less than two miles from NYPA's  
14           Niagara Generating Project and has a four-year  
15           apprenticeship program where most craft positions  
16           require a high school diploma and employees are  
17           trained on the job, how is New York State going to  
18           require private companies to do this under the plan?

19                   I am requesting that strategies and  
20           protections be put in place to ensure that African  
21           American communities be protected against private  
22           companies, against con -- contractors and especially  
23           New York State Authority and agencies that have  
24           historically denied employment, promotions and  
25           provide reliable transportation, assuring that

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2 emerging green jobs be awarded to the most negatively  
3 impacted communities across the state. Thank you.

4 A.L.J. SHERMAN: Thank you, Ms.  
5 Hamilton. Our next speaker is Vince DeJoy. Vince  
6 DeJoy? All right, we'll move on to Jalonda Hill.  
7 Jalonda Hill? All right. Lea Hone? Ms. Hone?  
8 Eunice Ko? Last name K-O, Eunice Ko? These are  
9 folks who preregistered, we have additional speaker  
10 cards here I'll get to in a moment. Anthony Rogers-  
11 Wright? Mr. Rogers-Wright?

12 MR. ROGERS-WRIGHT: Thank you, Judge,  
13 thank you, D.E.C. My name is Anthony Karefa Rogers-  
14 Wright, I'm the director of Environmental Justice  
15 with the New York Lawyers for the Public Interests,  
16 we're located at 151 30th Street in Manhattan in New  
17 York City. I'm very pleased to have made the schlep  
18 up to West New York, my first time in Buffalo and --  
19 and -- and just blown away by our host, PUSH Buffalo,  
20 I really want to make sure that we -- we -- we  
21 recognize them for the great work that they continue  
22 to do.

23 We've done an amazing thing here in  
24 New York State, that -- that can't be denied. The  
25 Climate Law has been heralded as the most aggressive

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2           piece of climate policy, as the Deputy Commissioner  
3           indicated, not just in the United States, but some  
4           say in the world. But for those of us who are policy  
5           experts and policy practitioners, we know that  
6           there's a vast of different between passing the  
7           policy and actually implementing it and that's where  
8           we find ourselves today.

9                   And there's some credible, ... of data  
10          that you all have surmounted, now has to be subjected  
11          to a process of transitioning from data's and numbers  
12          to everyday conditions of everyday lives. How can we  
13          get more granular to account for unique conditions of  
14          a given census tract? In New York City, for  
15          instance, a census tract can contain an area that  
16          enjoys absolute opulence and one suffering from  
17          abject squalor contemporanea -- contemporaneously and  
18          this presents challenges when we get to the phase of  
19          distributing funds.

20                   I would like to say that it's very,  
21          very good that we have gone beyond the federal  
22          agencies who excluded the use of race as a metric. I  
23          would also push D.E.C. to really consider the weight  
24          that we're giving to redlining because redlining, in  
25          fact, is the progenitor of the situation that we find

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2                   ourselves in. The decisions of yesterday have  
3                   brought us to the sense of urgency we find ourselves  
4                   in today, decisions that we make today will determine  
5                   what tomorrow looks like. I will try to close up  
6                   here because I just have some bulleted points.

7                   We have to figure out how we can use  
8                   these maps as actual organizing tools that effect and  
9                   inform policy and efficacious distribution of funds.  
10                  As you may know, the by parts and info structure  
11                  framework which was signed into law by President  
12                  Biden, those funds have already started going out the  
13                  door. We must ensure that once these funds get to  
14                  New York, that they are subjected to the forty  
15                  percent distribution mandates of the Climate Law.  
16                  And what that means is that we are definitely going  
17                  to have to dig deeper and figure out how we're going  
18                  to get organizations like PUSH Buffalo involved in  
19                  the process immediately so that when those funds go  
20                  out the door, no one's -- it's not in an  
21                  extemporaneous fashion and we make sure that funds  
22                  are getting to the right people who are going to do  
23                  the rights things and those organizations that are  
24                  actually accountable to the communities that they  
25                  claim to represent. This tool has to account for

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2 that.

3 I will just close in saying that as  
4 we've seen with the redlining right here in Buffalo,  
5 where the ink is literally still dripping in red,  
6 there has never, ever been, in the history of the  
7 United States of America, a race-neutral policy that  
8 has benefit non-white people. We have a case to use  
9 this data, to flip the script and show the world what  
10 an efficacious and effective climate policy looks  
11 like and that means taking this data and also making  
12 it a bit more accessible. I love the Deputy  
13 Commissioner's breakdown of it, it's just a little  
14 bit byzantine and a little bit too technical for the  
15 lay organizer and good policy has to be married to  
16 good organizing or it's not going to be effective.  
17 So thank you so much, I really appreciate the time  
18 and let's get the Climate Law working.

19 A.L.J. SHERMAN: Thank you, Mr.  
20 Rogers-Wright. And again, I do encourage longer  
21 statements to be submitted in writing, we love  
22 getting more detail from you all, so.

23 MR. ROGERS-WRIGHT: We -- we've got  
24 one ready for you, we -- yes, we ... make a promise.

25 A.L.J. SHERMAN: I'm not surprised.



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2           Thank you again.  Our next speaker is Michelle  
3           Squires.  Michelle Squires?  Okay.  With that we are  
4           going to move to the cards, I suspect all those who  
5           filled out cards tonight are actually here to give us  
6           their comments.  And our first speaker on the  
7           registration cards is Sarah Frasier.  Sarah?  Oh.  
8           Watch those wires.

9                   COURT REPORTER:  Could you please  
10           state and spell your name for the record when you  
11           start?

12                   MS. FRASIER:  Yup.

13                   COURT REPORTER:  Thank you.

14                   A.L.J. SHERMAN:  We actually have the  
15           spelling on these registration cards, so.

16                   COURT REPORTER:  Okay.

17                   MS. FRASIER:  Hello.  My name is Sarah  
18           Frasier and I reside at 564 Dodge Street in Buffalo,  
19           New York, I am with PUSH Buffalo.  So as the Deputy  
20           stated -- and her plan was very laid out and very  
21           technical and I can appreciate, as stated previously,  
22           the fact that the law was passed.  Yay, we have the  
23           victory.

24                   So now at this point, the big thing  
25           that we are working towards is, as we've seen in the

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2 past, we get the funds and everything is all laid out  
3 and it's a wonderful plan, but then the people that  
4 it's most likely to help or that it's most needed to  
5 help, never truly get the help. It seems to be a  
6 blanket that we receive a piece of it and there's  
7 like a big umbrella of woo-hoo, you received this and  
8 we're just going to pick off a piece of the pie and  
9 maybe sprinkle a little bit of solar panels over here  
10 on a couple of your buildings, here you are, but  
11 we're going to allocate the rest of this huge fund  
12 towards the same stadiums, the same info structures,  
13 the same areas that these funds go to. Time and time  
14 again we see this in the City of Buffalo.

15 One of the comments that was made is  
16 that sixty percent of the state medium is where these  
17 funds -- it -- it shows that that's where that's  
18 going to be taken and that was the -- one of the --  
19 the criteria that was used. But that information is  
20 sixty percent of the state medium of these households  
21 based off of the gross income of these households.  
22 These households don't see that -- that income,  
23 that's the gross, we see the net.

24 So these numbers are not correct  
25 numbers. The census numbers may not be correct

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2                   census numbers.  A lot of these numbers -- people  
3                   have passed from COVID, there's so many different  
4                   things that have happened within this timeframe that  
5                   even though this information may be as accurate as  
6                   you have possibly been able to make it -- and we  
7                   realize that you can't just go down to the letter to  
8                   the T, but sometimes you have to just really get your  
9                   hands dirty and consider the people that you are  
10                  trying to help.  Go to the people, go in those  
11                  communities, actually consider those races, actually  
12                  consider those people and stand within those  
13                  communities and allocate where the need is for those  
14                  who have asthma, those who are working through some  
15                  things and you can't just go with this -- these  
16                  numbers and -- and what's on a page.  You have to  
17                  actually talk to the people, because those are the  
18                  ones that are going to tell you what they need.  We  
19                  know what we need, the numbers are not going to tell  
20                  you what we need.  Thank you.

21                                   A.L.J. SHERMAN:  Thank you, Ms.  
22                                   Frasier.  And our next speaker is -- it looks like  
23                                   Luz, L-U-Z.

24                                   MS. VELEZ:  Yes, or Lucy.

25                                   A.L.J. SHERMAN:  Oh, or Lucy?

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2 MS. VELEZ: Uh-huh.

3 A.L.J. SHERMAN: Velez.

4 MS. VELEZ: Thank you for having us  
5 and being here with us. I'm representing the Latino  
6 Elders and the Indigenous ... Community and we're  
7 seeking to monitor the delivery of goods and services  
8 within this plan.

9 I often look at the solutions and the  
10 problems of climate. I was one of those people who  
11 laid down myself in front of the -- the Governor's  
12 office to protest and to get this legislation passed.  
13 And one of the biggest things is -- that I often look  
14 at is transparency and accountability. It is very  
15 important, as Sarah was saying, that we look at who  
16 we are and the agencies that service us. It's not  
17 the same to look at census tracts coming from the  
18 city and the county, whether they were done ten years  
19 ago or longer than that.

20 I happen to be in a census tract where  
21 I'm one block off of where the delivery of services  
22 would be. Now that one block does not determine  
23 whether their quality of air is systematically better  
24 than mine. I know that I have been personally  
25 affected by environmental racism and looking at that,

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2                   we have to look at the accountability and look at the  
3                   support and the criteria that happened when we look  
4                   at the burden and the burden being unfair.  It's  
5                   never been even, not ever, even for us.

6                   So some of us, we feel it, we had  
7                   considered and looked at being labeled and we look at  
8                   the work that's been done by all the people who had  
9                   been on these committees and we commend them because  
10                  they've worked long and they've worked hard.  And  
11                  most of them had looked at all the criteria's that  
12                  need to be looked at, but when we look at arbitrarily  
13                  trying to balance finances, looking at how much  
14                  somebody's income may differ from a few dollars to a  
15                  few hundred dollars and say this person does not  
16                  qualify for these types of rebates or services, we  
17                  need to look at how that really effects the level of  
18                  this investment in our state, in our community and  
19                  our county.

20                  So as a person and of a community of  
21                  color, we feel harmed at what's happened, from the  
22                  redlining to the gentrifications ... or the  
23                  gentrification of our communities and we say that we  
24                  have to look at all the damage that's been done and  
25                  infected in our communities and look at the health

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2                   and equities that are still effecting us. We want to  
3                   make sure that all our children are taken care of,  
4                   black, white, indigenous, BIPOC communities. Ninety-  
5                   five of us are still vulnerable in a lot of the  
6                   areas, we need to look at the census tract and say  
7                   not everything is arbitrary, not everything falls  
8                   into a neat, little package.

9                   So despite the fact that I look at all  
10                  these things, I look at the census, I say there's a  
11                  lot of burden that still needs to be looked at, that  
12                  we need to take care of and look at the vulnerability  
13                  and look at when these monies come down from the city  
14                  state, that we make sure that the city, the county,  
15                  is making sure that our piece of the pie really goes  
16                  towards us and not the bureaucracy that has kept us  
17                  from advancing. Thank you.

18                  A.L.J. SHERMAN: Thank you, Ms. Velez.  
19                  And our next speaker is Clarke Gacker.

20                  MR. GACKER: Thank you. Yeah, my  
21                  name's Clarke Gacker, I reside at 190 Richmond Avenue  
22                  in Buffalo. The disadvantaged communities'  
23                  designation must be made meaningful for communities  
24                  that have suffered generational trauma as a result of  
25                  racial segregation, redlining and disinvestment,

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2           toxic exposures, over policing and mass  
3           incarceration, food apartheid and gentrification and  
4           displacement. The climate crisis will only  
5           exacerbate these conditions in frontline communities.

6                   To be meaningful, investments need to  
7           create real and lasting material benefits and social  
8           goods, cooperative ownership of distributed energy  
9           resources like community micro grids powered by solar  
10          plus battery storage, zero emission, permanently  
11          affordable healthy housing, public renewables,  
12          regional food and transportation systems and family-  
13          sustaining jobs.

14                   To be meaningful, investments must do  
15          no harm. They should displace polluters not people  
16          and in the process, transform fence line communities  
17          in the shadow of freeways, waste incinerators and  
18          fossil fuel power plants from sacrifice zones into  
19          thriving and self-determined green development zones  
20          built on just transition principles like energy  
21          democracy and community control.

22                   To be meaningful, rigorous standards  
23          need to be developed in consultation with members of  
24          disadvantaged communities for publically recording,  
25          monitoring, accounting for and ground truthing the

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2           benefits and unintended consequences of DAC  
3           Investments, in particular, for BIPOC and frontline  
4           communities.

5                   The state needs to anticipate and take  
6           early action to mitigate a potential free rider  
7           problem associated with more affluent individuals and  
8           households located in DACS, reaping a  
9           disproportionate share of investments and benefits.  
10          And the state needs to scrutinize development  
11          patterns to defend against encroaching gentrification  
12          pressures that may ultimately be revealed through  
13          adoption of additional indicators and more intensive  
14          and iterative forms of ground truthing and resident  
15          stakeholder engagement at the sub-census tract level.

16                   Lastly, to be meaningful, direct  
17          investments in DACS need to begin now and must  
18          accelerate in scale rapidly. The state should  
19          consult with the climate justice working group in  
20          numbers of DACS in developing annual investment plans  
21          that include strategies and goals for equitably  
22          distributing climate and clean energy resources.

23                   As part of this, the state should  
24          support ongoing capacity building in DACS to create  
25          and/or maintain new or existing networks of



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2 environmental justice organizations, N.W.B.E.  
3 contractors, community lead developers, non-  
4 extractive financial intermediaries and local  
5 governments. Working together, these groups will be  
6 best positioned to achieve a just transition for  
7 their communities.

8 Existing institutions like the  
9 Regional Economic Development Counsels should be  
10 aligned with the C.L.C.P.A. equitable investment  
11 goals and integrated with investment plans at the  
12 community level only insofar as R.E.D.C. leadership  
13 becomes representative -- representative of and  
14 accountable to DACS and environmental justice  
15 communities and their respective regions.

16 A.L.J. SHERMAN: Thank you, Mr.  
17 Gacker. That was the end of the speakers who had  
18 filled out cards. There were several pre-registered  
19 speakers whose names I called earlier, I wasn't  
20 always able to keep an eye on the door. I don't  
21 believe anyone came in from pre-registered, is there  
22 anyone who pre-registered who came in late?

23 MS. ESPINOZA: Can you read the names  
24 again just to make sure?

25 A.L.J. SHERMAN: Certainly. That

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2                   would be Vince DeJoy, Jalonda Hill, Lea Hone, Eunice  
3                   Ko and Michelle Squires. All right. With that, I'd  
4                   like to open up to anyone else who's present who  
5                   didn't pre-register and have not had an opportunity  
6                   to fill out a card. If there's anyone else here who  
7                   would like to step to the mike and make a comment,  
8                   we'd be welcomed to hear you at this time.

9                   All right. With that, I'm going to  
10                  call a brief recess. Before I do, I'll just mention  
11                  again, we do have two more public comment hearings,  
12                  they're both virtual, they'll be done via WebEx. You  
13                  can look up this -- that -- the information on how to  
14                  join those virtual, public comment hearings on  
15                  climate dot N.Y. dot gov. One is scheduled for June  
16                  29th at noon and the other is on June 30th, also at  
17                  noon. And again, you can use climate dot N.Y. dot  
18                  gov to find out more information and register if  
19                  you'd like to speak at that time and as I said  
20                  before, we really do encourage any lengthy comments  
21                  or comments you weren't able to get in tonight to be  
22                  submitted in writing.

23                  With that, I'm going to take a ten  
24                  minute recess, we'll reconvene and if there's anyone  
25                  else who has either come in late or had a change of

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2 heart and wanted to make a comment, we'll -- we'll  
3 open up the mike to them at that time. Thank you.

4 (Off the record)

5 A.L.J. SHERMAN: All right. We are  
6 back on the record, it is now six fifty-one. As I  
7 said at the close, I open up the floor to anyone who  
8 hasn't spoken already who would like to make a  
9 comment tonight. Any takers? Okay. I feel like I'm  
10 at an auction where I'm waiting. Okay, folks. Well  
11 thank you very much for your comments, it's been very  
12 insightful and that we are adjourned. Thank you.

13 (The hearing concluded at 6:51 p.m.)

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2 STATE OF NEW YORK

3 I, ANNETTE LAINSON, do hereby certify that the foregoing  
4 was reported by me, in the cause, at the time and place,  
5 as stated in the caption hereto, at Page 1 hereof; that  
6 the foregoing typewritten transcription consisting of  
7 pages 1 through 27, is a true record of all proceedings  
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto  
10 subscribed my name, this the 29th day of June, 2022.

11

12 ANNETTE LAINSON, Reporter

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