

1.24.2023 CJWG Meeting Notes

Meeting Commence:

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

Agenda:

- Vote on meeting minutes from December 14th meeting
- Recap of “where we have been”
- Discuss methodological considerations from the public comments o this meting
- Timeline Review
- Items of Interest
- Next Steps

Panelists/CJWG Members:

- Alanah Keddell-Tuckey, EJ Director, Office of Environmental Justice, (DEC) Department of Environmental Conservation
- Adriana Espinoza, Deputy Commissioner for Equity and Justice, (DEC) Department of Environmental Conservation
- Chris Coll, Director of Energy Affordability and Equity Program, (NYSERDA) New York State Energy Research & Development Authority
- Neil Muscatiello, Director of the Bureau of Environmental and Occupational Epidemiology, Center for Environmental Health, (DOH) Department of Health
- Eddie Bautista, Executive Director, NYC Environmental Justice Alliance
- Sonal Jessel, Policy and Advocacy Coordinator, WEACTION for Environmental Justice
- Elizabeth Yeampierre, Executive Director, UPROSE
- Abigail McHugh-Grifa, Executive Director, Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- Elizabeth Furth, Fellow, Department of Labor
- Jill Henck, Clean Energy Program Director, (ANCA) Adirondack North Country Association
- Lisa Covert, General Counsel, (DEC) Department of Environmental Conservation
- Tyler Hepner, General Counsel, (DEC) Department of Environmental Conservation
- Alex Dunn, Director, Illume Advising
- Shannon Kahl, Senior Consultant, Illume Advising
- Emily Morris, Consultant, Illume Advising
- Andrea Linton, Public Participation Specialist, Office of Communication Services, (DEC) Department of Environmental Conservation
- Emma Antolos, Public Participation Specialist, Office of Communication Services, (DEC) Department of Environmental Conservation
- Haley Viccaro, Strategic Communications Director for Climate, (DEC) Department of Environmental Conservation
- Sameer Ranade, Climate Justice Advisor with (CAC) Climate Action Council
- Saran Bernard, Administrative Assistant, Office of Environmental Justice, (DEC) Department of Environmental Conservation

Attendees Board Rooms:

Albany, NYC, Avon, Raybrook

Quorum reached - approval of last meeting's minutes

Process we used to develop draft criteria - Alex

1. Identify what indicators should be in criteria (170 potential indicators)
2. Gather indicator data (100 indicators)
3. Test indicator viability and cross-indicator correlations (resulting in 45 indicators)
4. Combine indicators into factors
5. Combine factors into component scores
6. Multiply component scores to get final score
7. Take top 35% of highest scores
8. Include individual criteria

Sonal: Remind us why we took the top 35%.

Alex: The amount of funding is at least 35% with the maximum being 40% and the group didn't want to designate too many more DACs to avoid losing funding, it would be less than the representation of that proportion.

Steps taken after comment period - Alex

1. Reviewed comments (3,124 comments)
2. Categorized comments
3. Summarized recommended indicators for inclusion (66 indicators)
4. Summarized recommended methodological changes
5. Reviewed with the WG and prioritized indicators to review (15 indicators)
6. Worked to identify data sources to assess based on comments

Elizabeth: How were recommendations assessed?

Alex: Difficult to assess as not all comments included information so we looked for biases. With incomplete data, went by merit of recommendation and be guided by EJ principles.

Eddie: Were there certain indicators that people thought should be deleted?

Alex: A lot of comments about not using race or to use race, or comments about a calculation used.

Prioritized indicators update - excel sheet - Alex

Eddie: The state does collect/have data available for industrially zoned land but not for other zoning classifications?

Alex: We do have industrial land use but we don't have other zoning data. Also, each municipality zoning is different, so the variability is worrying.

Sonal: Remind me if we have lead in paint as an indicator included? We usually don't have great data statewide.

Alex: We did discuss this, we ended up including housing vintage (houses that are 1960s or earlier) because this is the best proxy for lead in paint. This also gives more data since older homes need a lot more work which combined with income can exacerbate a lot of issues with health and safety and comfort.

Sonal: Does this include houses that may or may not have had extensive renovations since?

Alex: Unfortunately, not. This is why we're including 45 indicators to cover things to get a holistic picture without having perfect data.

Neil: Wanted to add that we will continue to look at childhood lead data that we do have and if we could get census tract level indicator in the future we would.

Alex: We want to get a process in place now, to think critically about the data indicators that we currently have. Is there a better measure in the future to add/include?

Elizabeth: [Gentrification in terms of relationship to climate] It's important to include some analysis of what happens when social cohesion is disrupted to vulnerable frontline communities. There's a relationship with displacement and people being more vulnerable and more likely to die from extreme weather events.

Methodology - Alex

Methods and approach comments

- We found 52 substantive methodological recommendations in comments
- In prior WG meeting, we reviewed the list and discussed the recommendations
- Some summary statements were unclear. We reviewed comments to clarify

Excel worksheet - Comments

Elizabeth: Need some clarification; from my perspective the most vulnerabilities also have a disparate share of burdens, but burdens don't affect everyone the same way because of the legacy of toxic and historical harm so I wouldn't want to weight in favor at the expense of people who have had to endure that for generations.

Alex: When you multiply, the result is the concept that vulnerable people with a low burden will not score as high as when they would have a high burden. So maybe we should add instead; so they can weight vulnerabilities more so that even with a low burden score communities could score higher and be considered a DAC.

Abby: What is the correlation between what we're seeing in the burdens and vulnerabilities? Should we think of burdens as more historical and vulnerabilities as more future focused?

Alex: Vulnerabilities are very locked in the present time. Burdens have both a historical aspect and future aspect.

Excel worksheet - Factor score correlations

Abby: So to summarize, the factors are capturing different things so there's no overlap and we shouldn't dismiss one over the other. Is the lack of overlap due to, for example people on Long Island, super rich people but living right next to the coast?

Alex: When we last looked at the maps, that's exactly what it was but there are also other things to think about.

Elizabeth: This is not the climate working group; it is a climate JUSTICE working group. The burden without the vulnerability does not speak to justice. My concern is to make sure that we figure out how to ensure that that is captured.

Alex: With multiplying, you get the interaction, the exacerbation of living in a region that's burdened and they're vulnerable then they are super disadvantaged. But with adding, you lose some of that interplay. With adding you can show that vulnerabilities can have a lot more of an impact so if you add burdens that can be affected but if you're vulnerable then those burdens will count a lot.

Sonal: We're missing the resiliency component to how climate environmental change affects people. It's about who is more resilient to climate/environmental impacts. What indicators do we have that accurately calculates for resiliency? Right now, I can only pick out income and race.

Alex: Covid data can actually help pinpoint some of these resiliency factors so it's something we can look into but it probably won't be ready any time soon. Can tinker with indicators to see if there are other factors there.

Sonal: Do we need to explore weighting other factors?

Alex: Yes but weighting within the same factors is a very small change. However, it is something to look at because some of these indicators weigh more than others.

Abby: Is it methodologically feasible to have a threshold in the vulnerabilities?

Alex: We discussed this, almost like a reverse individual criteria but we dismissed it due to implementation complications.

Eddie: Some of this sounds counter intuitive. I thought that when talking about burdens and vulnerabilities, that the more you emphasize vulnerabilities the less people of color are actually captured. What would we need to do with this criteria in order to capture more, specifically black community DAC populations, that we may be missing?

Alex: This is something to always talk about. What we did is a big departure because there were comments saying not to separate out different races and not weighting black and Latino areas over others in the criteria. We did that to get over the historical discrimination for these two groups.

Adriana: To answer Eddie's question, we have discussed comments on prioritization suggestions from residents of those communities but another thing we could do is what Alex is prompting us through right now which is what are the methodological considerations that we should consider here? How do those different scenarios play out on the map? A next step could be to look at those scenarios.

Methods contd - comments excel worksheet- Alex

Eddie: Why did we decide to double the weight and would tripling the weight get us closer to where we want to be?

Alex: What we might want to do is instead of tripling within that factor but weighting that factor more itself. We specifically separated groups instead of using people of color so that each can be weighted but can also look at what looking at people of color would do to the scenario.

Elizabeth: People of color is such a broad term. We need to look at historically marginalized communities and communities that are vulnerable. We need to be careful with language because it's really packed and it's not the same.

Sonal: Seems like there's a lot to discuss, so I would like to have a discussion. NYC has done a lot to document vulnerability statistics based on racism so there might be some good examples out there of how that's been better delineated.

Abby: What would adding population density do for us?

Eddie: Did the comment from that village say the population density should or should not be?

Alex: I don't think it would do much but there was a comment about how high population density should be counted more but I'm trying to figure out how to do that.

Sonal: To add to future discussion, NYC does have a higher proportion of populations covered as compared to the 35% minimum number so we should revisit in terms of power weighting population.

Next Steps - priorities - Alex

1. Proportion of DACs (15%) review
2. Multiply vs. add component scores
3. Weighting vulnerability factors or indicators for resiliency + representation of black and Latino groups
4. Let's check to ensure we're not including rich communities

Ongoing Assessment of DAC Definition - Shannon

- Monitoring developments in other regions
- Updating existing indicators
- Identifying potential new indicators, including the prioritized indicators from public comments
- Tracking DAC criteria with an eye to identifying unintended consequences
- Anything else?

Eddie: Has there been any progress in terms of figuring out how to use the DAC definition and how it will interplay with justice 40 complications?

Chris: As federal agencies are starting to program those dollars the first thing they're doing is putting out RFIS (request for information) to basically help inform what the funding opportunity announcements will look like. We need to ensure that there's alignment and where possible, deference to state frameworks. Once federal agencies start putting out their funding opportunity notices, they'll be talking about the rules and how they expect to apply justice 40.

Eddie: Maybe for the next meeting, you guys could come in and talk about how, from an advocate's perspective, we're supposed to monitor they state's decisions to ensure that we're making the 35-40% commitment real.

Chris: Yes, we can do that as we get more insight.

Abby: Would like to see how the benefits and investments framework is playing out and how it's working. [added to the list of ongoing assessment]

Elizabeth F: Is there a specific timeline for meeting to review the criteria?

Shannon and Alanah: That's something we'll be figuring out with the group as we develop the plan. This is something that we would discuss and informally vote on to discuss on what and how many meetings and what that looks like moving forward. There will be meetings after the vote to go over future plans.

Sonal(?): It might be good to discuss how we're getting the word out around the map being done. I've got a lot of comments about the need for better awareness work around the DAC map, advertise when it's out to communities.

Alanah: There is a plan, at least for DEC, to have a sort of road show on the DAC criteria.

Workplan and Timeline - Alanah

Thoughts on how everyone feels on the tentative voting date on February 23rd.

Items of Interest - Alanah

Community Air Monitoring

- CJWG members are eligible for an Aclima Pro license to access preliminary data. Need emails for the onboarding process; send to Alanah or Margaret on the Air Resources team. Will send an email with a training schedule.
- Four CAM meetings have been held to provide an update on the progress of data collection and share examples of how emission sources can be detected with this technology, as well as explain how DEC will analyze the data for each pollutant.
- The 6 other communities will have meeting over the next few weeks.
- We have been working to create community advisory committees in each area to facilitate ongoing engagement throughout the study period.

Next Steps - Alanah

Next 3 meetings will be in February - 9th, 16th, and 23rd all from 12pm-2pm.

Questions?

Meeting adjourned: