

NEW YORK STATE
ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA)
ENVIRONMENTAL JUSTICE INTERAGENCY TASKFORCE
ACTION AGENDA AND WORKING GROUP RESPONSES

I. General Recommendations and Agency Actions

In order to increase overall awareness of environmental justice issues and facilitate the incorporation of initiatives that address environmental justice concerns, NYSERDA is exploring options for one or more staff to serve as NYSERDA's environmental justice coordinator(s). Although environmental justice is currently an important part of the framework of our program offerings, we believe staff dedicated specifically to environmental justice issues will strengthen and increase the efficiency of our efforts.

Recommendation 1: Provide for Increased Community Representation and Access to Decision Making Processes

Action Agenda

- Each year, NYSERDA supports hundreds of community-based outreach events to educate consumers about energy savings opportunities and to market our programs. Typically, events include a staffed booth with materials and are coordinated with presentations, advertisements and information about the events and our programs in local newspapers, local cable television spots, links to our website on internet sites, etc. NYSERDA reaches many low-income communities through free community newspapers, has outreach materials printed in Spanish, and has placed advertisements on popular Spanish websites. We also have a Spanish speaking events coordinator that works and attends events.
- NYSERDA has targeted low-income consumers and communities of color through a grassroots community outreach effort to promote our programs through our Energy Smart Communities (E\$C) Program. The E\$C Coordinators for NYC are both located in low-income communities in the South Bronx and Brooklyn and have worked with local colleges (Hostos College and Bronx Community College) to sponsor environmental and energy fairs.
- NYSERDA's K-12 energy education program, Energy Smart Students, is benefiting students with improved energy education in a large number of lower-income communities across the state. 65% of the teachers attending workshops teach in schools where at least 30% of the students participate in the National School Lunch Program and receive free or reduced price lunches.

Recommendation 2: Continue Collaboration with the Environmental Justice Community

Action Agenda

- NYSERDA recognizes the importance of input from external stakeholders, including stakeholders from the Environmental Justice community. As written in the mission

statement, NYSERDA places a premium on collaboration and reaches out to solicit multiple perspectives in the development of our programs and procedures. NYSERDA solicits stakeholder input to design programs and select individual projects; many of our programs and projects have dedicated Advisory Committees. NYSERDA will continue to seek ways to better include the Environmental Justice community in our processes.

- Additionally, NYSERDA has held, and will continue to hold, annual “Partnership for Environmental Improvement” meetings to obtain input on NYSERDA’s programs and procedures. The next meeting is scheduled for November 10, 2008 at NYSERDA’s Albany office (17 Columbia Circle, Albany, NY, 12203).

Recommendation 5: Develop Environmental Justice and Sustainability Provisions in Permitting

Action Agenda

- NYSERDA is not a permitting agency, but has supported, and will continue to support, assessments of environmental impacts associated with energy systems to better inform the permitting process.

Recommendation 6: Give Priority to Environmental Justice Communities in Relevant RFP requirements, Scoring Systems for Funding, Assistance and Training Programs

Action Agenda

- NYSERDA will explore programs where the RFP process and associated scoring system can be restructured to grant priority to Environmental Justice communities. Also, see “Diversify and Green the Workforce” section below.

Recommendation 7: Prioritize Enforcement Actions and Pollution Reduction Programs and Resources in Environmental Justice Communities

Action Agenda

- NYSERDA is not involved with enforcement actions, but has supported, and will continue to support, pollution reduction programs and resources in Environmental Justice communities. Examples of our programs follow:
 - Clean Diesel and Environmental Monitoring, Evaluation, and Protection (EMEP) Programs - Certain communities in New York State are disproportionately impacted by air pollution and toxic air contaminants. These communities are often located near roadways and heavy industry, tend to be low-income with large numbers of people of color, and suffer from higher rates of asthma and other respiratory illnesses. Diesel and motor vehicle emissions have increasingly been recognized not only as a component of regional particulate matter but a “near source” issue for PM, its precursors, and other gases such as NO₂ with known health effects. The Clean Diesel and EMEP programs support projects related to diesel emission characterization, emissions reductions, contribution to air quality, and health effects

due to exposure. The following research projects are addressing air quality and health issues with Environmental justice concerns:

- A Study of Ambient Air Contaminants and Asthma in New York City;
 - Assessment of Carbonaceous PM_{2.5} for New York and the Region;
 - Impacts of Clean Diesel Strategies/Technologies on Air Quality and Exposure in New York;
 - Ultrafine Particles and Cardiac Responses: Evaluation in a Cardiac Rehabilitation Center; and
 - Research Measurements of Chemical Constituents and Related Processes Affecting NYS's Regional and Urban Ozone and Fine Particle Air Quality.
- Outdoor Wood Boilers/Commercial Wood Boiler Studies - These wood combustion appliances are very high emitters of particulate matter and present a near-source issue for rural and suburban populations. It is often the economically depressed rural areas that are using wood as the economical fuel, yet these communities often lack the resources to address the associated environmental consequences.
- Central Brooklyn Project Green - NYSERDA sponsored this project with the Bedford-Stuyvesant's Magnolia Tree Earth Center. Project Green joined the efforts of environmental activists from neighborhood backyard gardeners to advocates promoting green-collar jobs in order to inform the community about current and looming environmental challenges and sustainable solutions; this event was the first in a series of events that will highlight environmental issues (and solutions) facing communities of color.
- Greening of the Bronx - NYSERDA, in coordination with the NYS Department of Environmental Conservation and the New York City Department of Parks and Recreation, is conducting a major urban reforestation effort in the Bronx. The purpose of this \$10 million program is to help reduce or contain summertime temperature increases and reduce building cooling loads, thereby providing energy savings. In addition to targeting areas anticipated to have high electricity load pockets and areas suitable for tree planting, efforts were made to include low-income and minority neighborhoods in order to address environmental equity concerns.

Recommendation 8: Diversify and Green the Workforce

Action Agenda

- New York State has heavily invested in energy efficiency, building science, and renewable energy technologies, practices, workers, and businesses through NYSERDA. For the past 10 years, NYSERDA has helped develop many initiatives to help train workers for jobs in the renewable energy and energy efficiency sectors. Efforts have also included providing training subsidies to help offset training costs. NYSERDA is now working with the Governor's Renewable Energy Task Force and other state agencies to evaluate the way training costs are reimbursed to the economically disadvantaged, and to help deliver these training programs to: inner

cities, economically disadvantaged residents, displaced workers, women, minorities, veterans, Native Americans, and others. Examples of our training initiatives follow:

- Energy Efficiency and Building Science Training - NYSERDA has provided over \$2 million to Hudson Valley Community College (HVCC) to develop 10 energy efficiency and building science training institutions across the state. To date, partners such as HVCC, Bronx Community College (BCC), OCM BOCES, Erie Community College, and the Association for Energy Affordability have trained thousands of builders and contractors. HVCC and BCC are also two of seven photovoltaic training centers supported by a \$1 million NYSERDA program. These initiatives are linked to NYSERDA's support of accreditation and certification programs such as that of the Building Performance Institute (BPI), the North American Board of Certified Energy Practitioners, and the Institute for Sustainable Power.
- Technical and Professional Development Programs - For the past 10 years, NYSERDA has provided approximately \$2 million annually for a number of technical and professional development programs to train the existing workforce on energy efficiency technologies, practices, and building systems for the commercial/industrial (C/I) sector, and to encourage new job opportunities in the field. Offerings are organized into four categories: 1) Labor Unions/Trade Training, 2) Professional Certification Training, 3) Accredited College/University Curriculum and Continuing Education, and 4) Career Development and Professional Training. Programs range from career development to certificate and degree programs. Certifications include BPI, Northwest Energy Efficiency Council, North American Technician Excellence, and LEED.
- Clean Energy Training Initiatives - Additionally, NYSERDA issued a new Program Opportunity Notice earlier this summer (proposals due June 24, 2008) to provide an additional \$4 million for clean energy training initiatives with components that target the economically disadvantaged.

II. Draft Specific Recommendations and Agency Actions

Food Working Group

Stakeholder Recommendation

- Encourage (or fund) wide-scale efforts to sustainable agriculture practices.

Action Agenda

- NYSERDA has committed to developing a roadmap to illustrate the goals, challenges and priority actions related to the growth of the Controlled Environment Agriculture (CEA) industry in New York State. New York State's production of fresh vegetables and fruits in CEA facilities is likely to grow explosively over the next decade and should provide a major economic boost to the State's agricultural sector. There are additional likely outcomes from a strong CEA industry that could significantly benefit the environmental

justice Community, including the creation of a stable, community-based agricultural workforce that is well-integrated into the local community.

For a detailed description of NYSERDA's vision for the future of the CEA industry, please click on the following:

http://www.nysERDA.org/Programs/IABR/IndustryRD/NYSERDA_Vision.asp.

- In addition to developing the roadmap, NYSERDA's Research and Development (R&D) Program has a focused research effort in developing energy efficient CEA technologies (so as to mitigate the industry's impacts on the electric utility grid). NYSERDA will consider reaching out to the environmental justice communities to solicit topics of concern relevant to the CEA industry, and subsequently developing research efforts focusing on those topics.

Stakeholder Recommendation

- Help supermarkets shrink their carbon footprint, save on their electric bills, and reduce their burden on the electricity grid through grant programs that help grocers pay for cost-effective investments in energy-efficient technology.

Action Agenda

- NYSERDA's Energy Efficiency Services (EES) Program offers a suite of services that focus on the commercial/industrial sector, which includes supermarkets. These programs provide energy efficiency evaluations and implementation incentives targeted at increasing productivity and economic competitiveness. For a detailed description of these programs, please click on the following:
http://www.nysERDA.org/programs/Commercial_Industrial/default.asp
- NYSERDA will do targeted outreach of its relevant programs to urban supermarkets that serve the environmental justice Community.

Stakeholder Recommendation

- Concerning NYSERDA's Environmental Monitoring, Evaluation, and Protection (EMEP) Program, a question was raised by the food working group as to whether the program could benefit the environmental justice food mission.

Action Agenda

- NYSERDA's Environmental Monitoring, Evaluation, and Protection Program supports policy-relevant research that focuses on the energy-environmental nexus, in particular on the environmental impacts of energy production. As part of this Action Agenda, the EMEP Program addresses recommendations made by both the Water and Air Quality Working Groups (see below).

Water Working Group

Stakeholder Recommendation

- NYS should take a progressive approach to all new development and require that projects include climate change mitigation and adaptation strategies. It is paramount that issues of energy efficiency, storm surge impacts and sea level rise (particularly in NYC) have significant influence on the siting and design of large scale developments.

Action Agenda

- NYSERDA is initiating research (through its Environmental Monitoring, Evaluation, and Protection (EMEP) Program) that will identify the anticipated impacts of a changing climate on New York's infrastructure, resources and citizens. We are exploring opportunities to include an environmental justice component in the assessment, such as identifying populations that are particularly susceptible and adaptation strategies/resources specifically tailored for those populations.

Stakeholder Recommendation

- Require CAFOs to do methane recapture.

Action Agenda

- NYSERDA offers incentives through the New York State Renewable Portfolio Standard for electricity generated from anaerobic digester technologies at farms, food manufacturing facilities, and wastewater treatment facilities. The availability of these incentives decreases the economic burden of installing methane recaptures systems at farms (both CAFOs and non-CAFOs). For a detailed description of the program, please click on the following link:
<http://www.nyserdera.org/funding/1146pon.asp>
- NYSERDA will consider targeted outreach of the program to farms and facilities in the State that are capable of emitting methane and located in close proximity to environmental justice Communities.

Air Quality Working Group

Stakeholder Recommendation

- Environmental impact assessments of new energy facilities should also include an environmental assessment of providing the same amount of energy from other generation sources.

Action Agenda

- Although NYSERDA does not directly conduct environmental impact statements for generation facilities, NYSERDA's EMEP Program has supported, and will continue to support, comparative environmental impact assessments of new and emerging energy technologies. Information on the program can be found through the following link:
<http://www.nyserdera.org/programs/Environment/EMEP/>

Stakeholder Recommendation

- The state should look at the effects of criteria pollutants (i.e., carbon dioxides, nitrogen oxides, sulfur oxides, and particulate matter) aggregately, as opposed to individually.

Action Agenda

- NYSERDA (through its EMEP Program) has supported, and will continue to support, assessments that use a multi-pollutant approach to characterizing the effects of environmental pollutants on human health and ecosystems. An example of a relevant NYSERDA research project is described below:

A Study of Ambient Air Contaminants and Asthma in New York City - This study, completed in 2007, investigated air pollution-related hospital visits in two communities in NYC, Manhattan and the Bronx. The health analysis results suggested that the criteria pollutants PM_{2.5}, SO₂, O₃, and NO₂ have a statistically detectable impact on acute asthma, as measured by emergency room visits in a community with a relatively high baseline rate of acute asthma exacerbations.

http://www.nysерda.org/programs/Environment/EMEP/project/6484/6484_pwp.asp

Stakeholder Recommendation

- Reduce current levels of air pollution in environmental justice communities and ensure that these communities not be overburdened by siting of new facilities or by increased releases from existing sources (e.g., increase mobile sources); conduct air quality monitoring, with monitors placed at breathing height, around facilities that are problem polluters.

Action Agenda

- NYSERDA (through its EMEP Program) has supported, and will continue to support, assessments of air pollution/quality associated with energy and transportation systems.
- Examples of relevant NYSERDA research projects are described below:
 - Assessment of Carbonaceous PM_{2.5} for New York and the Region - This study, completed in 2008, investigated the various sources of carbonaceous PM in NYS. As part of the study, a screening-level exposure of residential population proximity to, and traffic volume on, major roads in selected NYS counties was conducted. The analysis demonstrated that large numbers of residents in rural, suburban, and urban counties live within a distance of 150 and 300 meters of highly traveled major roads, demonstrating that elevated exposure to mobile sources may occur in any size community.
http://www.nysерda.org/programs/Environment/EMEP/project/8641/8641_pwp.asp
 - Impacts of Clean Diesel Strategies/Technologies on Air Quality and Exposure in New York - This project will perform air quality modeling to assess the impact of diesel emissions technologies/ strategies in the New York Metropolitan Area.
http://www.nysерda.org/programs/Environment/EMEP/project/8650/8650_pwp.asp
 - Research Measurements of Chemical Constituents and Related Processes Affecting NYS's Regional and Urban Ozone and Fine Particle Air Quality.
http://www.nysерda.org/programs/Environment/EMEP/project/4918/4918_pwp.asp

- Outdoor Wood Boilers/Commercial Wood Boilers–It is often the economically depressed rural areas that are using wood as the economical fuel, yet these areas lack the resources to address the associated environmental consequences.
<http://www.oag.state.ny.us/bureaus/environmental/pdfs/Smoke%20Gets%20in%20Your%20Lungs%20Revised%20March%202008.pdf>

Stakeholder Recommendation

- Research new technologies that result in low pollutant emissions from the use of energy sources; provide funds earmarked for retrofitting vehicles with emission control devices (*also recommended by the Land Working Group*).

Action Agenda

- NYSERDA's R&D Program has current efforts focusing on expanding the level of renewable, clean energy, and energy efficient product manufacturing in New York State as well as supporting the growth and development of clean energy companies in the State. NYSERDA also supports research that focuses on developing innovative products and systems that improve the environmental performance of energy and transportation systems. NYSERDA will explore where in its programs the RFP process and associated scoring system can be restructured to grant priority to the environmental justice Community.
- NYSERDA's EES Program is currently offering grants for a School Bus Idling Reduction Demonstration Program for school bus fleet in Westchester, Putnam, and Dutchess counties. Additionally, NYSERDA, in cooperation with the New York Planning Federation and the U.S. Environmental Protection Agency, produced "A Municipal Official's Guide to Diesel Idling Reduction in New York State." This guidebook presents basic information and practical solutions for consideration, and can assist state and local officials in understanding the issues, alternative technologies and approaches, and making sound land use decisions that can reduce the impacts of engine idling. The guide is available in print or online at:
<http://www.nysERDA.org/publications/09-06GuidetoDieselIdlingReduction.pdf>

Stakeholder Recommendation

- Funds collected from the Regional Greenhouse Gas Initiative should be used to conduct air monitoring in environmental justice communities as well as additional compliance activities in environmental justice communities, and to mitigate high energy costs for the poor.

Action Agenda

- Funding criteria developed for selecting and designing programs for the RGGI operating plan include seeking opportunities to reduce the disproportionate cost burden and environmental impacts on low-income families and environmental justice communities. As a result, the draft operating plan has numerous initiatives that target environmental justice communities. NYSERDA is committed to involving the environmental justice community in the development and management of the RGGI proceeds.

Stakeholder Recommendation

- Modernize the energy infrastructure to allow transmission of renewable source energy (e.g., energy derived from wind farms) from rural locations to urban areas.

Action Agenda

- NYSERDA recently established a Power Transmission and Distribution (T&D) Research Program aimed at supporting T&D research that will have broad statewide benefits. The program will focus on supporting projects that address issues related to improving power reliability, quality and security, and reducing the cost of energy and energy delivery statewide.

Stakeholder Recommendation

- Create incentives to site clean energy in the New York metropolitan area. Develop programs that promote creation of energy by small businesses and that would allow them to be small generators to a limited extent, in particular during peak electrical demand periods.

Action Agenda

- NYSERDA offers several programs that support on-site electricity production for buildings (commercial, institutional and multifamily residential) and industrial processes. Information on the Combined Heat and Power (CHP) program can be found through the following link:
<http://www.nyserda.org/chpnys/funding&support.asp>
- Information on cash incentives for the installation of new Solar Electric or Photovoltaic (PV) systems can be found through the following link:
<http://www.powernaturally.org/Programs/Solar/incentives.asp>
- In many of these cases, incentives must be cost-shared and are available on a first-come, first-served basis. NYSERDA will consider reducing the percent cost-share required by applicants in environmental justice communities and/or setting aside a portion of the funds to support installations of small energy production systems in environmental justice Communities.

Land Working Group

Stakeholder Recommendation

- Green Jobs and Green Infrastructure - The NYS Energy Research and Development Authority (NYSERDA) should work with energy professionals in developing requirements for energy efficiency in buildings.

Action Agenda

- Although the NYS Department of State is responsible for the State Energy Conservation Construction Code, NYSERDA staff work with a multitude of state and federal agencies and associations to develop, demonstrate and support energy efficiency measures in all sectors, including buildings, and to expand the potential for energy efficiency in these sectors. Once developed, NYSERDA strives to transfer the information to communities throughout the State.

- NYSERDA targets low-income consumers and communities of color through a grassroots community outreach effort referred to as the Energy Smart Communities Program. This program is coordinated at the local level by E\$C Coordinators. Currently, four E\$C Coordinators are located in the New York City area (Manhattan, Brooklyn (2), and Yorktown/Bronx). More information on the program can be found through the following link:

<http://www.getenergysmart.org/CommunityOutreach/EnergySmartCommunities.aspx>.

- NYSERDA also targets energy efficiency associated with buildings in low-income communities through New York Energy \$mart low-income energy efficiency programs. The programs include Assisted Home Performance with ENERGY STAR, the Multifamily Performance Program and EmPower New York. To date these programs have delivered energy efficiency services to over 80,000 households, resulting in average annual cost savings of \$200 per household in the Multifamily Performance Program, \$245 in EmPower and \$990 in Assisted Home Performance. EmPower New York has delivered a total of 1,401 energy and financial management workshops attended by over 17,500 individuals.

<http://www.getenergysmart.org/LowIncome/HomeOwners.aspx>.

Stakeholder Recommendation

- Agencies should coordinate work with the Department of Labor’s Green Jobs Initiative.

Action Agenda

- NYSERDA has helped develop many initiatives to help train workers for jobs in the renewable energy and energy efficiency sectors, including the provision of subsidies to help offset training costs. NYSERDA will evaluate and continue to improve upon the way training costs are reimbursed to the economically disadvantaged, and will help deliver training programs to: inner cities, economically disadvantaged residents, displaced workers, women, minorities, veterans, Native Americans, and others. Note: NYSERDA issued a new Program Opportunity Notice in summer 2008 to provide funding for clean energy training initiatives with components that specifically targeted the economically disadvantaged.
- These initiatives will also be expanded through use of RGGI funds with a focus on heating efficiency, solar thermal systems, and carbon benchmarking and tracking. Efforts will target the emerging workforce, people who are transitioning to new careers in the green economy, underserved and unemployed workers, as well as workers currently involved with building trades who require new skills. The proposed workforce development strategy is aligned with Governor Paterson’s “pathway out of poverty” priority under his Renewable Energy Task Force and his Environmental Justice Interagency Task Force. The strategy will partner/leverage workforce development activities of State Agencies (NYS DPS and NYSDOL) and community based organizations to strengthen the State’s ability to draw upon its labor supply in economically and environmentally disadvantaged communities. <http://www.getenergysmart.org/Training.aspx>.

Stakeholder Recommendation

- The State should require retrofit of all diesel trucks to reduce emissions.

Action Agenda

- See number 9, above.

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