



## **New York City Environmental Justice Alliance testimony to the New York State Senate on implementation of the finalized Scoping Plan in support of the Climate Leadership and Community Protection Act (S.6599)**

January 11th, 2023

Good afternoon members of the Senate Finance, Environmental Conservation and Energy and Telecommunications Committees. My name is Celeste Perez and I'm the Policy Organizer at the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a nonprofit citywide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. Through our efforts, member organizations organize and advocate around issues that threaten the ability of low-income communities of color to thrive, and coordinate campaigns designed to restructure City and State policies and move us toward a just future. Our alliance is a key advocate of strong and equitable renewable energy and just transition goals because many of the communities we represent are overburdened by the clustering and siting of power plants and other polluting infrastructure in their neighborhoods. Thank you for the opportunity to speak here with you today.

NYC-EJA is a founding member of the New York Renews coalition (NYR). Together, we fought hard to pass the Climate Leadership and Community Protection Act (CLCPA) - otherwise called "the Climate Act" - to put New York on the path to being a national climate leader and doer. It was passed thanks to the leadership of many sitting here today. While I am here to testify on behalf of NYC-EJA and NYR, I am also here as someone who was raised in the Bronx, a place with legacy pollution, and I share the perspectives of the many victims of environmental racism suffering from asthma.

I am here to emphasize the need for a drastic, large-scale, and just shift in how we plan for, fund, and operate on climate action. Globally and locally, we continue to experience record-breaking years in terms of extreme heat. However, in NYC, it's our Black and brown communities who disproportionately die and are at risk from extreme heat. People living in neighborhoods like Mott Haven, East New York, and Hunts Point are most at risk to extreme heat due to less green space and tree canopy, more pavement and cars, and people who can't afford to run ACs. Community-led air monitoring efforts demonstrate the continued bad air quality and pollution burdens faced by our communities.

We continue to see the devastation of floods, blizzards, and hurricanes in New York today. Schools and bus routes are getting flooded, our energy systems are strained in winter and summer months, and immigrants are dying trapped in flooded basements. Communities already made vulnerable will be made more vulnerable in the face of climate change because of existing poverty, racism, and classism. As time passes and the threats of climate change loom larger, the need for rapid, just, and holistic approaches to climate and environmental policy becomes increasingly essential.

We commend the State on passing the nation's leading CLCPA (**S.6599**), but a lot more still needs to be done and we need dedicated funding to achieve these mandates. I am here to talk about how the NYR's Climate, Jobs, and Justice Package (CJJP) can support implementing and funding the CLCPA. This package will help the State actualize the CAC's final scoping plan and the many climate and environmental benefits and investments our EJ communities deserve.

First, New York State should adopt dedicated funding mechanisms—such as the Climate and Community Protection Fund (CCPF) in the CJJP—to reduce both greenhouse gasses and co-pollutant emissions and to begin the state's large-scale transition to a regenerative, renewable energy economy. In addition, the CJJP makes polluters and the ultra-rich pay for what they owe and ensures CLCPA enactment is equitable and transparent. Separately from the CJJP, NYR is demanding \$10 billion in the 2023/2024 executive budget to kickstart Climate Act implementation now.

Second, funding should be prioritized for the most environmentally burdened communities with a transparent process. In the Bronx alone, children under the age of 18 are at double the risk citywide to have an asthma related emergency department visit. Within the five boroughs, the MTA operates 28 bus depots of which nearly three quarters are sited in communities of color. The Climate Act mandates that 40% of climate funds go to disadvantaged communities (DAC), as defined by the Climate Justice Working Group, because of the historic, disproportionate harm and burden experienced by these communities. If adopted, the CJJP will ensure those funds get directed to those communities. Community directed grants, a component of the CCPF, will be available for community organizations for grassroots-led energy planning, local emissions reductions, and more. The CJJP package also strives to address environmental hardships by reducing energy cost burdens for low- and moderate-income families while reducing emissions and meeting the mandates of the CLCPA.

The final scoping plan by the Climate Action Council proposes a Cap and Invest model, which is a cause for concern. Environmental Justice advocates from coast to coast harbor deep skepticism around market-based solutions like cap-and-trade since these programs tend to only further entrench historic inequities and unjust systems. It is imperative for a successful cap-and-invest program to not have programmatic and spending plans that deepen pollution hotspots and exacerbate environmental injustice in marginalized communities. NYC-EJA, alongside NYR, welcomes a partnership with the Governor and state legislators to design and implement a Cap and Invest program that repairs injustice, not furthers it.

We've seen the devastation that the climate crisis has brought to the state, and here in New York City – and we cannot afford to wait any longer to fund the Just Transition. The scoping plan has provided the directive to the authorities to pass effective regulation before Dec 31, 2023 and to meet both the climate and equity mandates in the Climate Act. We need to put the health of our communities – and our State – ahead of polluters' profits and our outdated and dangerous dependency on fossil fuels.