

A Green New Deal for New York City & District 22

Tiffany Cabán

ABSTRACT / SUMMARY	3
BACKGROUND	5
Reparations	5
Jobs and Pandemic Recovery	6
ACTION PLANS	8
Process: City and District Green New Deal Issues Meetings	8
Possible Green New Deal Projects	8
(a) Green New Deal Projects for the 22nd District:	9
Power Generation:	9
Shade Trees and Environmentally Safe Fans & Air Conditioning:	10
Composting & Recycling:	11
Flood-Proofing:	12
Permanent Open Streets and Green Spaces	13
Transit & Biking	14
(b) Green New Deal Projects for the Full City:	15
Citywide Counterparts to D22 Projects:	15
Climate & Sustainability In Our Schools:	18
CONCLUSION	22

ABSTRACT / SUMMARY

The Green New Deal,¹ and ‘Build Back Better,’² will utilize a system of cooperation and coordination among levels of government in which each level does what it does best.³ The federal government is best at (1) financing – thanks to the vast lending, borrowing, and spending power of the U.S. Fed and Treasury – and (2) harmonizing efforts among multiple states and localities to ensure they cohere rather than undercutting each other. States and localities are best at determining local needs and imperatives that are not understood in Washington.

The Green New Deal will be largely funded and nationally coordinated in Washington, even while funding and nationally harmonizing projects *determined* by and large *locally*. New York, including New York City and District 22, will have both opportunities and responsibilities.

The opportunity that the Green New Deal will present the City and the District is that of substantial federal funding for ambitious Green New Deal projects in NYC generally and D22 particularly. The corresponding responsibility this will place on NYC and D22 is to conceive and prioritize projects. We as a community must determine what we most need to do to make our city and community healthy, just, and sustainable in the way that the Green New Deal as a whole is meant to make our country itself healthy, just, and sustainable.

This process must be participatory. It must center the voices of impacted communities. It must recognize environmental harms perpetuated in systemically racist ways, and it must address those harms through reparative and restorative approaches, as well as through forward-facing equity-focused solutions. In pursuing these solutions,

¹ Robert C. Hockett and Rhiana Gunn-Wright, *The Green New Deal: Mobilizing for a Just, Prosperous, and Sustainable Economy*, Cornell Legal Studies Research Paper No. 19-09 (2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3342494.

² See, e.g., Joe Biden, *Build Back Better*, Biden for President (2020), available at <https://joebiden.com/build-back-better/>.

³ See, e.g., Robert C. Hockett, “Who Will Make The Green New Deal? Literally All Of Us,” *Forbes* (Feb. 12, 2019), available at <https://www.forbes.com/sites/rhockett/2019/02/12/who-will-make-the-green-new-deal-literally-all-of-us/?sh=1da4e0c149af>

we can create at least 100,000 green jobs, prioritize training in impacted communities for those jobs, and deliver a new care-based economy that is rooted in sustainability and the kind of infrastructural investments that will enable our city to be carbon-neutral by 2030.

Our district, and districts across the city must meet together in multiple town hall meetings over the next several months to decide upon our most urgent Green New Deal needs. Only a holistic, roundtable approach that starts from a place of community-led decision-making can lead us to a green New York City.

BACKGROUND

The text of the Green New Deal Resolution introduced in 2019 by Congress Member Alexandria Ocasio-Cortez and Senator Edward Markey is a framework and a call to action. It calls on us to not only decarbonize each sector of our economy, but to also achieve environmental justice and a maximum amount of jobs for communities that have been ravaged thanks to the fossil fuel industry. The Cabán for Council Green New Deal is centered around reparations, jobs and pandemic recovery.

Reparations

Most discussion of climate reparations has taken place on an international scale, with advocates calling for wealthier nations that have profited most from fossil fuel consumption to pay for climate change mitigation and adaptation in poorer countries now bearing the brunt of the climate crisis. As this idea gains momentum, experts and activists have advocated a similar framework of justice on a local scale.

In New York and elsewhere, state and local governments have sued oil companies for their contributions to climate change.⁴ While these lawsuits are justified, they are insufficient; for example, Mayor de Blasio's federal lawsuit against the five biggest publicly traded oil companies was thrown out.⁵

More effective climate reparations involve direct public investments in communities affected by environmental injustice. This approach recognizes "historical environmental racism and intersectional drivers of precarious lives, social trauma, and displacement beyond those narrowly associated with 'climate.'" It embeds climate debt in longer historical time frames of infrastructural reparations.⁶ Climate reparations must include investments in economic opportunity and infrastructure in historically

⁴ Dino Grandoni, "States and cities scramble to sue oil companies over climate change," *The Washington Post* (Sept. 14, 2020), available at <https://www.washingtonpost.com/climate-environment/2020/09/14/states-cities-scramble-sue-oil-companies-over-climate-change/>

⁵ John Schwartz, "Judge Throws Out New York Climate Lawsuit," *N.Y. Times* (July 19, 2018), available at <https://www.nytimes.com/2018/07/19/climate/climate-lawsuit-new-york.html>

⁶ Mimi Sheller, "The Case for Climate Reparations," *Mother Jones* (Nov. 28, 2020), available at <https://www.motherjones.com/environment/2020/11/the-case-for-climate-reparations/>

marginalized communities, as well as initiatives to eliminate pollution, create green spaces and improve public health in those same communities.⁷

Such projects can take many forms in D22. For example, instead of giving vacant lots to real estate developers, such land should be used to build affordable housing units or communal parks. Meanwhile, Council must work with Albany to pass higher taxes on real estate developers and the wealthiest New Yorkers to help finance green projects, on top of federal funding. Climate reparations means holding energy companies accountable for abuses and using revenues from fines to compensate overcharged tenants.

Climate reparations includes recognizing historical environmental injustices and centering communities in redressing them.⁸ The New York City government should acknowledge environmental harms through public education and public apology, which will in turn raise awareness and support for climate reparations. Ultimately, community members' climate reparation priorities should shape funding priorities.⁹

Jobs and Pandemic Recovery

The Covid pandemic has ravaged New York's small businesses, and the federal stimulus package in addition to future legislation could provide relief.¹⁰ This money should be spent to bring more resilient small businesses, responsive to their local communities, back to New York. Our city should foster the creation and spreading of employee-owned firms, and other firms whose owners reside where their places of business are located, in both the City generally and D22 particularly.

⁷ Yvette Cabrera, "Here are the environmental justice stories to watch in 2020," *Grist* (Jan. 14, 2020), available at <https://grist.org/justice/six-environmental-justice-developments-to-watch-in-2020/>

⁸ Catherine Millas Kaiman, "Environmental Justice and Community-Based Reparations," 39 *Seattle University Law Review* 1327, 1368-71 (2016), available at <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=2351&context=sulr> at 1368-71.

⁹ *Id.*

¹⁰ Robert Hockett, "What to Make of Community QE - Look Now to New York," *Forbes* (May 24, 2020), available at <https://www.forbes.com/sites/rhockett/2020/05/24/what-now-to-make-of-community-qelook-to-new-york/?sh=47a7a7cee466>

Labor sourcing can also be addressed through Council legislation. An equitable recovery would include training programs for a new green construction force with good-paying union jobs, which will be essential in the coming years through NYC. Union protections, good wages, and safe conditions should be fundamental to these projects. Therefore, the Council should tie city funding to project-labor agreement (PLA) usage. PLAs ensure union coverage on jobsites, increasing safety and ensuring communities benefit through job creation. As the city will be providing loans to many building owners to fund work in order to meet compliance, these loans can be tied to PLA usage. An act from the Council requiring this would bring a boom to the union construction industry while benefiting all workers on these job sites. An alternative plan might scale up project bundling (i.e. bring three nearby apartments looking for green loans into the same project) and mandate PLAs among those nearby job sites, while establishing mechanisms to maintain local control over project implementation. Low interest rates from the city could incentivize this and provide further reasons to conduct this work.

The City Council should also facilitate youth hiring through expansion of the Summer Youth Employment Program (SYEP) to offer more local environmental jobs, especially in environmental justice communities such as D22.

Finally, the programs, door-to-door sustainability services, and infrastructural overhauls called for in this paper can be done in partnership with a New York City Conservation Corps, fully staffed to identify and address city environmental needs.

ACTION PLANS

Process: City and District Green New Deal Issues Meetings

Our office will work with neighborhood, school, faith, and other civic leaders throughout D22 to set up town halls that establish sustainability needs to be addressed neighborhood by neighborhood.

The issues constituents raise at each meeting will be compiled into a comprehensive and coherent D22 Green New Deal issues list. The office will regularly and transparently provide status updates on every item and the remaining steps necessary to secure funding. A youth climate council reflecting the diversity of D22 will advise the office on climate policy.

The Green New Deal will never be a ‘done deal.’¹¹ It is a process of continual local renewal that is guided by ongoing democratic dialogue. Local issues meetings will be ongoing, to meet the evolving needs and wishes of the City’s and District’s own residents.

Possible Green New Deal Projects

(a) Green New Deal Projects for the 22nd District:

Power Generation:

Background:

Fossil-fuel plants, and peaker plants in particular, release air pollutants that affect the health of all residents of D22. NYC neighborhood health profiles report increased rates of asthma and higher levels of fine particulate matter in our District

¹¹ Robert Hockett, “The Green New Deal: What’s Green? What’s New? What’s the Deal?” *Law and Political Economy Project* (Feb. 22, 2019), available at <https://lpeproject.org/blog/the-green-new-deal-whats-green-whats-new-whats-the-deal/>

compared to the NYC average.¹² That is the source of the nickname ‘Asthma Alley’ for Astoria.¹³

The Renewable Rikers Act was signed into law on Feb. 25, 2021. It is a package of legislation that transfers a portion of Rikers Island from the Department of Corrections (DOC) to the Department of Citywide Administrative Services (DCAS) and initiates a study of renewable energy generation and storage there.

Solutions:

The Renewable Rikers conversion must be a top priority. It is urgent and critical that we replace ‘peaker plants’ with renewable sources of power generation, including Renewable Rikers, as quickly as possible. For example, we can develop an electricity storage system on Rikers Island that integrates renewable generation and helps meet continually varying electricity demand across New York City.

The transition to a Renewable Rikers can also provide reparations to marginalized communities by prioritizing jobs for past victims of our criminal legal system and by providing clean, cheap power to communities like those in D22 that have had historically high rates of air pollution. Funds to transition D22 away from fossil fuel peaker plants should also be used to build free public health clinics in D22, where victims of particulate matter in Astoria’s “Asthma Alley” deserve reparations for the health consequences they have suffered due to oil-burning peaker plants.

Shade Trees and Environmentally Safe Fans & Air Conditioning:

Background:

Our District contains many heat islands – areas that are typically 2-3°F warmer than the average temperature in NYC – in multiple locations. Resident’s of the D22 are

¹² “Environment & Health Data Portal,” *The City of New York* (accessed March 17, 2021), available at <http://a816-dohbsp.nyc.gov/IndicatorPublic/QuickView.aspx>

¹³ David Cruz, “Proposal to Upgrade Peaker Plant in Astoria’s ‘Asthma Alley’ More of a ‘Half Measure,’ Says State Senator,” *Gothamist* (Aug. 23, 2020), available at <https://gothamist.com/news/proposal-upgrade-peaker-plant-astorias-asthma-alley-more-half-measure-says-state-senator>

accordingly more vulnerable to heat-related deaths and health complications than is the typical New Yorker.¹⁴ Making the problem worse is the fact that 6-7% of homes in the D22 do not have air conditioners.¹⁵ The existence of heat islands has also been linked to previously redlined districts, meaning that this priority has reparations significance in addition to general quality of life significance.¹⁶

Solutions:

Our city should engage in comprehensive effort to plant shade trees in every neighborhood, and provide state-of-the-art, environmentally sustainable fans or air conditioners in all of D22's 'heat islands.' We could increase funds to NYC Parks in order to expand NYC Street Tree Planting program.¹⁷ The city should expand the Home Energy Assistance Program (HEAP) Cooling Assistance Component benefit, which currently offers a limited number of free air conditioners for people with medical conditions.¹⁸ It should also expand the NYC Cooling Assistance benefit that helps eligible households buy and install an air conditioner or fan up to a cost of \$800, prioritizing vulnerable communities like nursing homes to meet the target community needs above.¹⁹

These programs should coordinate with NYCHA to expand and improve upon their *Smart Window Air Conditioners* and *Air Source Heat Pumps* pilot programs in order to bring energy efficient cooling systems to every NYCHA resident.²⁰

¹⁴ "Heat and Cooling Equity," *New York City Council* (accessed March 17, 2021), available at <https://council.nyc.gov/data/heat/>

¹⁵ "Environment & Health Data Portal - Households Reporting Air Conditioning," *The City of New York* (accessed March 17, 2021), available at

<http://a816-dohbsep.nyc.gov/IndicatorPublic/VisualizationData.aspx?id=2185.719b87.36.Summarize>

¹⁶ Meg Anderson, "Racist Housing Practices From the 1930s Linked to Hotter Neighborhoods Today," *NPR* (Jan. 14, 2020), available at

<https://www.npr.org/2020/01/14/795961381/racist-housing-practices-from-the-1930s-linked-to-hotter-neighborhoods-today>

¹⁷ "Street Tree Planting," *NYC Department of Parks & Recreation* (accessed March 17, 2021), available at <https://www.nycgovparks.org/trees/street-tree-planting>

¹⁸ "Air Conditions for People with Medical Conditions," *The City of New York* (accessed March 27, 2021), available at <https://portal.311.nyc.gov/article/?kanumber=KA-02552>

¹⁹ "Cool Assistance Benefit," *Access New York* (accessed March 27, 2021), available at <https://access.nyc.gov/programs/cooling-assistance-benefit/>

²⁰ "NYCHA Launches Pilot Program to Protect Seniors From Extreme Heat," *NYCHA* (June 17, 2019), available at <https://www1.nyc.gov/site/nycha/about/press/pr-2019/pr-20190617.page>

Composting & Recycling:

Background:

D22 and Black and brown communities across NYC have endured a history of garbage waste sites in our backyard and its negative impact on respiratory health, among other public health concerns. It is important to support composting and recycling because they reduce greenhouse gas emissions and create job opportunities. Despite this, as of September 3, 2020, only a few NYC food scraps drop-off sites had reopened after closing for the COVID-19 pandemic.²¹ Curbside composting pickup, meanwhile, continues to be suspended. Prior to COVID-19, there were a number of drop-off sites in NYC's D22 or nearby.²² The time has come to resume full-bore composting and recycling in D22.

Solutions:

It is past time that we reopen, expand and create new food scrap and recycling drop-off sites throughout the District and provide home composting containers and recycling bins to D22 residents who wish to use them. Every building should have access to a composting and recycling site, and every neighborhood should have access to large-scale sites that can handle the Mayor's goal to get to zero waste by 2030. We should simultaneously engage in targeted expansion of food scrap and recycling drop-off sites in order to reduce the amount of walk time and increase widespread education, support, and adoption.

For example, the DOE Office of Sustainability also runs a Zero Waste Pledge Schools Program. In FY20, 46 educators reached 23 schools to build recycling and waste reduction efforts, leaving over a thousand schools without the same guidance. City Council should provide funding to expand the Zero Waste Program, especially to D22 schools in typically low-income communities historically underserved by the city's waste

²¹ "NYC Sanitation Announces the Reopening of Community Compost Sites and Food Scrap Drop-Off Sites," *NYC Department of Sanitation* (Sept. 3, 2020), available at <https://www1.nyc.gov/assets/dsny/site/resources/press-releases/nyc-sanitation-announces-the-reopening-of-community-compost-sites-and-food-scrap-drop-off-sites>

²² Claire Leaden, "Getting Dirty: How to Compost in Astoria," *We Heart Astoria* (June 4, 2019), available at <https://weheartastoria.com/2019/06/getting-dirty-compost-astoria/>

services. Establishing a culture of responsibility on both the sides of students and their city government now will help ensure sustainable and proper waste management later.

Flood-Proofing:

Background:

Our District is vulnerable to hurricane flooding. Resilient Neighborhoods – a place-based planning initiative to identify neighborhood-specific strategies, including zoning and land use changes, to support the vitality and resiliency of communities in the floodplain and prepare them for future storms – does not currently plan any projects for our District.²³ We can and must act both to change that and to develop measures of our own within D22.

Solutions:

We must convene roundtables of experts, communities, and advocates to develop flood-mitigation plans and facilities across the city including for D22, including floodwalls, better drainage, and flood-proofing building technology.

We should also accelerate production of a resiliency plan for D22 that considers land use and zoning. These plans should provide a holistic vision for flood protection, for example, reversing the trend of waterfront overdevelopment by preserving waterfront property for flood-diverting structures like water-absorbent parks and living shorelines.²⁴

Sewage Projects:

Background:

²³ “Resilient Neighborhoods,” *The City of New York* (accessed March 18, 2021), available at <https://www1.nyc.gov/site/planning/plans/resilient-neighborhoods.page>

²⁴ Stefanos Chen, “New Buildings Rise in Flood Zones,” *NY Times* (July 6, 2018), available at <https://www.nytimes.com/2018/07/06/realestate/luxury/new-buildings-rise-in-flood-zones.html>

There are currently no sewage projects listed in the City’s capital budget that fall solely within D22.²⁵ There are millions authorized to borough-wide projects,²⁶ but whether this will be adequate for D22 cannot be known until we assess our own needs.

Solutions:

D22 should proactively assess our current and likely future sewage needs and determine whether current capacity is sufficient. This includes the construction upgrades of sanitary and storm sewers, water mains and appurtenances, the emergency reconstruction of sewers damaged by Sandy and other severe weather events, and improving storm drainage systems to improve sanitation and sustainability.

Permanent Open Streets and Green Spaces

Background:

We deserve to have safe, open and clean public space. D22 streets have flourished since the city closed them off to most car traffic. Open Street policies allow local areas to become a safe space to exercise and make local parks a more relaxing environment. Open Street policies allow pedestrians, children, our neighbors with mobility assistive devices, cyclists, and families to enjoy a public space without excessive cars, noise, pollution, or danger. Since NYC’s open streets initiative began at the height of the first wave of the pandemic, a lack of funding and volunteers has resulted in the closure of one-fourth of open street miles.²⁷

Solutions:

²⁵ “Capital Projects Dashboard,” *The City of New York* (accessed March 18, 2021), available at <https://www1.nyc.gov/site/capitalprojects/dashboard/category.page?category=Sewers>

²⁶ Borough-wide projects including D22 include budget line SE 200Q – FY 2020 Authorized Commitment Plan (DEP) \$19,105,000 & (DDC) \$275,080,000, and SE 2Q, with \$1,530,024,302 in appropriations to date. See “Geographic Report for the Capital Budget: Departmental Estimates, Fiscal Year 2021,” *The City of New York* (2020), available at <http://www.cb11m.org/wp-content/uploads/2020/01/Geo.-Capital-Line-item-Report.pdf>

²⁷ Danielle Muoio, “Open Streets closed: Cars are reclaiming city blocks set aside for recreation,” *Politico* (March 21, 2021), available at <https://www.politico.com/states/new-york/albany/story/2021/03/21/open-streets-closed-cars-are-reclaiming-city-blocks-set-aside-for-recreation-1369177>

We must create and expand permanent open streets and green space for arts and cultural venues, restaurant seating, street vendors, retail, and other uses to bolster economic recovery. The city needs to expand safe open streets for pedestrians, so that our streets can be used for walking, for children to play and for outdoor dining, cultural events and retail. In particular, we must expand open streets in historically marginalized communities to ensure a more equitable distribution of public space.²⁸

We will work with community stakeholders and government officials to make New York’s successful experiment in open streets permanent and larger. The city should create 1,000 lane miles of permanent Open Streets, a dramatic increase from Mayor de Blasio’s pledge of 100 miles. This Open Streets plan should include large pedestrian-only zones on major thoroughfares and in central business districts, including in D22.²⁹ In the interim, we must provide financial and material resources for the continued maintenance and logistics of the volunteer-led open streets program that has been so successful to date.

Community participation in Open Streets enables neighborhoods and community groups to define their own needs for the open space.³⁰ For example, community-led groups like the 31st Avenue Open Streets Coalition provide not only space, but wide-ranging programming to suit community needs, including voter education, mutual aid and health and fitness programming.³¹ With continued funding, open streets like these become safe, fresh-air community centers run by and for residents.

Transit & Biking

Background:

We can improve living conditions for D22 residents by improving air quality, reducing noise pollution, encouraging social and physical activity, and increasing

²⁸ “Biking in NYC,” *Transportation Alternatives* (accessed Jan. 11 2021), available at <https://www.transalt.org/biking-in-nyc>; “Open Streets Progress Report,” *Transportation Alternatives* (accessed Jan. 11, 2021), available at <https://www.transalt.org/open-streets-progress-report>.

²⁹ “NYC 25x25,” *Transportation Alternatives* (2021), pp. 10-11, available at <https://static1.squarespace.com/static/5cab9d9b65a707a9b36f4b6c/t/604943c930774078b5ceab66/1615414229606/NYC+25x25.pdf>

³⁰ “Biking in NYC,” *Transportation Alternatives*.

³¹ “What’s Going On?” *31st Ave. Open Street* (accessed March 21, 2021), available at <https://www.31staveopenstreet.org/>

accessibility through transit and biking upgrades. In order to advance these priorities and meet our climate goals, we must reduce car and truck transportation, which are the city's second-largest source of greenhouse gas emissions.

Solutions:

As a start, we could convert 25 percent of the space currently devoted for cars into space for people. This means creating 500 lane miles of bus-only lanes and 500 lane miles of protected bike paths. Creating 500 additional miles of bus and bike lanes would ensure every New Yorker lives within a quarter mile of a bus and bike lane connected to a citywide arterial network.³² Experience has shown that where we convert just one lane of car traffic into a car-free busway, we can quickly increase bus ridership by 17% or more and make commutes significantly faster.³³ Reliable, accessible and safe transportation alternatives will ensure we do our part to meet NYC's climate goals.

In order to encourage wider use of public transportation, we must also fund capital projects to repair and improve tunnels, bridges, trains and buses, to ensure faster, more reliable commutes. New York City must use relief funds from the federal government to fully fund its capital infrastructure program, which will cost at least \$12 billion. Capital projects should include investments in renewable energy, for example, to ensure that in D22 and beyond every bus shelter is powered by solar power and every subway station has regenerative elevators. In addition the MTA must accelerate its commitment to switch to an all-electric bus fleet by 2040.³⁴

(b) Green New Deal Projects for the Full City:

Citywide Counterparts to D22 Projects:

To begin with, many of the City's other Districts will need projects like those she has suggested above for D22. The Mayor, the Comptroller, and the Council should facilitate counterpart projects throughout the City. Every District in the City must be

³² "NYC 25x25," *Transportation Alternatives*, pp. 10-11; see also "An Equitable Recovery for NYC," *Climate Works For All* (October 2021), p. 5, available at <https://alignny.org/wp-content/uploads/2020/10/CW4A-Equitable-Recovery-Report-Visuals-v4.pdf>

³³ "NYC 25x25," *Transportation Alternatives*, pp. 23-25.

³⁴ "An Equitable Recovery for NYC," *Climate Works For All*.

individually addressed and included, in ways demanded by residents, in the City's Green New Deal. City-wide building retrofitting is critical given existing legislation largely avoids touching, affordable housing, and the improvements to NYC department of education to ensure a sustainable future for all children of New York City.³⁵

Retrofitting Buildings:

Background:

In 2019, the New York City Council passed Local Law 97 (LL97), an act that would cut large building emissions by 40% of 2005 levels, leading up to a 2030 deadline.³⁶ While LL97 is a revolutionary act, there are still some blind spots to address, such as LL97 compliance requirements for buildings; the decarbonization of public and affordable housing; and the allocation of jobs and workforce development funds.

Effective building compliance requirements are at risk with LL97. The Office of Building Energy and Emissions Performance (OBEEP) has been established to oversee standards and conduct rulemaking.³⁷ Within the next year, OBEEP will issue recommendations on alternate compliance applications, such as whether or not energy credits will count towards compliance with building emissions limits.³⁸ These alternatives would water down standards and give building owners new ways to skirt regulations, while hurting underserved communities by shifting the cost from carbon emitters in those communities.

Council funding for NYCHA retrofits is essential. NYCHA buildings consume 40%-50% more energy per square foot than the typical NYC multi-family building, while providing unhealthy home environments that lack comfort and safety. NYCHA residents face greater asthma rates, worse health conditions, and more dangerous settings than

³⁵ Local Law No. 97 (2019), *New York City Council*, available at https://www1.nyc.gov/assets/buildings/local_laws/ll97of2019.pdf

³⁶ *Id.*

³⁷ *Id.*

³⁸ "Review alternative compliance applications," *Sabin Center for Climate Change Law* (accessed March 17, 2021), available at <https://climate.law.columbia.edu/content/review-alternative-compliance-applications>

more efficient neighborhoods, and the Council must step in to end this. Alongside public housing, affordable housing has been mostly cut out from LL97 requirements. Specifically, building owners of buildings with more than 35% “affordable” units will not have to improve energy efficiency and air quality standards anytime soon. If not addressed, this will further exacerbate inequitable environmental harms for people living in affordable housing.

Federal Building Back Better funding will help retrofit these buildings, which will require jobs. If we invest \$7 billion over three years into energy efficiency infrastructure projects in New York City, it could create 42,210 direct and indirect jobs.³⁹ This will require much labor and hence offer many new job opportunities to those in the D22 who are un- or under-employed. New York City’s building emissions crisis can only be resolved through bottom-up economic movement.

Solutions:

The Council needs to codify LL97 mechanisms and applications, stating that the only way to be in compliance is to invest in NYC’s housing stock. This will ensure building owners live up to the spirit of LL97 and perform actual and meaningful improvements to the building’s carbon emissions output. However, to properly meet these goals, OBEEP needs to ensure that it has the capacity to work with building owners and check their records. For LL97 to meet its policy goals, the agency enforcing it must have the proper inspectors and workforce to keep building owners on target. There is a significant risk of buildings failing compliance tests in the first years of implementation – OBEEP needs the funds necessary to counter this.

Climate reparations must include retrofits of energy inefficient buildings – starting with long neglected public housing units in D22. The Climate Works for All plan provides mechanisms to access city, state, federal, and FEMA funds, and lays out a roadmap for creating 100,000 green jobs.⁴⁰ The Council should implement retrofit

³⁹ Robert Polin, “Job Creation Estimates Through Proposed Economic Stimulus Measures,” *PERI* (Sept. 9, 2020), available at

https://www.peri.umass.edu/images/Pollin--Sierra_Club_Job_Creation----9-9-20--FINAL.pdf

⁴⁰ “An Equitable Recovery for NYC,” *Climate Works For All*.

ideas, such as funding for small, rent-regulated houses and NYCHA developments. Likewise, the Green New Deal for NYCHA (GND for NYCHA) presents great opportunities to reduce emissions among these buildings while maximizing and centering opportunities for jobs, contracting, and decision-making in public housing residents.⁴¹ For example, the report estimates that as a result of the Green New Deal’s ambitious reform of HUD hiring requirements, GND for NYCHA will create 11,000 good-paying, union-rate jobs, with as many as 4,342 jobs going to public housing residents.⁴²

Moreover, massive capital investment will pay for itself in energy savings and climate harm reduction. The report estimates that retrofits will decrease NYCHA’s utility costs by between 200 and 398 million dollars a year.⁴³

The New York City government should flex its purchasing power and inspire growth in local renewable energy production. This will provide building owners with much needed relief by expanding their choices in building electricity providers. Additionally, the City and state should increase funds to small businesses to install clean energy systems in buildings with more than 35% affordable housing units.

It is critical that these projects employ local residents, particularly from historically marginalized communities, to retrofit buildings in their neighborhood – starting with public housing units – to include state-of-the-art windows, solar panels, batteries or other energy-saving mechanisms, and more. As we prepare for federal investments to retrofit buildings, we can be proactive and prepare New Yorkers for these opportunities. We should invest in the future of New York City by funding apprenticeship training and labor-management training programs across all sectors, and we should also coordinate with NYCHA to improve and upgrade their Jobs-Plus and REES programs for residents.⁴⁴

⁴¹ “A Green New Deal for New York City Housing Authority (NYCHA) Communities,” *Data For Progress* (2019), available at <http://filesforprogress.org/reports/green-new-deal-public-housing-nycha.pdf>

⁴² *Id.* at 5.

⁴³ *Id.*

⁴⁴ See “Opportunity NYCHA: Jobs-Plus” NYCHA (accessed March 17, 2021), available at <http://opportunitynycha.org/workforce-development/jobs-plus/>; “Opportunity NYCHA: What is REES?” NYCHA (accessed March 17, 2021), available at <http://opportunitynycha.org/what-is-rees/>

Climate & Sustainability In Our Schools:

Background:

Climate education cannot be implemented in a vacuum. To address climate racism institutionally, we must desegregate our public schools and allocate resources more equitably.⁴⁵ Overhaul of the system that upholds educational inequity is the only method of truly empowering Black, Brown, low-income and disabled students, and their empowerment is central to our reasoning for implementing climate education. They are the leaders whom we will need to innovate and execute just solutions to this problem, which they know from personal experience. A Green New Deal for Schools would retrofit school buildings and push for the City to develop and enhance its own curriculum and programs on sustainability education in-school.

Solutions:

A guiding light should be the newly unveiled national plan, “A Green Stimulus For K-12 Schools,” authored by the Climate + Community Project in partnership with Congressman Jamaal Bowman.⁴⁶ The proposal calls for a \$1.16 trillion investment to fund climate-friendly retrofits at every K-12 public school nationwide, to hire and train more teachers, and to increase funding for low-income and disability-focused programs. If enacted, this plan would decrease carbon emissions, reduce class sizes, create more than 3 million jobs – from construction to teaching jobs – and support climate justice school curriculums.⁴⁷ School retrofits would include installations of solar panels and batteries, repairs and upgrades to plumbing, lighting and other infrastructure, and renovations to improve student health by remediating lead, asbestos, mold and other harms.⁴⁸ Such national legislation could work in concert with state and local legislation advancing sustainability and climate resilience efforts. For example, the Office of Building Energy and Emissions Performance established by LL97 could work with the

⁴⁵ The Cabán for Queens campaign will release a comprehensive evaluation of New York City’s education system and goals in a forthcoming paper.

⁴⁶ “A Green Stimulus for K-12 Schools,” *Climate + Community Project* (March 13, 2021), available at https://553afd09-ad42-4334-81ee-18cfd417cff7.filesusr.com/ugd/d6378b_od4ba0928df64e00be1b85a23df1273e.pdf

⁴⁷ *Id.*

⁴⁸ *Id.* at 6-7.

DOE office of Sustainability to determine essential retrofits, energy use policies for schools and ensure compliance.

It is in the interest of the City and all of our residents to teach children both the why's and the how's of sustainability and environmental justice. In April 2016, the New York City Council adopted Res. 0375, which calls on the New York State Department of Education to develop lessons on climate change for K-12 public schools' curricula.⁴⁹ However, as of the 2020-21 school year, no such lessons have been standardized or required across the public school system. Too often, the onus to offer climate education falls solely on a given school's Sustainability Coordinator – i.e., a teacher who serves as the designated school liaison to the New York City Department of Education Office of Sustainability – when it should be integrated into the regular school curriculum.⁵⁰

The City Council must renew its pressure on the State to pass and implement climate education in New York public schools. Currently, three New York State Senate bills on climate education lie in committee. First, S6837 would establish a grant program to fund climate education or professional development training.⁵¹ Second, S7341 would mandate that the commissioner of education create a model K-12 environmental curriculum, with topics including climate change, environmental justice, and public health, to be taught in science, history, social studies, and health classes.⁵² Third, S596 would require the commissioner of education to make recommendations to the Board of Regents to adopt instruction of climate science in public high schools.⁵³ S596 has garnered significant momentum through the organizing work of the Climate and Resilience Education Task Force (CRETf), a National Wildlife Federation initiative. S596 is also the only bill that seeks to ensure students understand climate change before

⁴⁹ *Resolution No. 0375-2014*, New York City Council, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1890953&GUID=A7AE4C36-D944-4BC4-AB A6-3EFE563F646A&Options=ID%7cText%7c&Search=climate+change>

⁵⁰ “DOE Office of Sustainability Annual Report,” *NYC Department of Education Office of Sustainability* (2020), available at https://www.opt-osfns.org/nycdsf/referencedoc/news/DOE_2020AnnualReport_122220%20FINAL.pdf

⁵¹ Senate Bill 6837, *New York State Senate* (Nov. 8, 2019), available at <https://legislation.nysenate.gov/pdf/bills/2019/S6837>

⁵² Senate Bill 7341, *New York State Senate* (Jan. 21, 2020), available at <https://legislation.nysenate.gov/pdf/bills/2019/S7341>

⁵³ Senate Bill 596, *New York State Senate* (Jan. 6, 2021), available at <https://legislation.nysenate.gov/pdf/bills/2021/S596>

graduating from the public school system. Local organizations including TREEage, Sunrise and Our Climate are working alongside CRETF to modify and improve the language of S596 to mandate that more climate topics are taught.

Beyond providing for climate instruction, the City Council must authorize increased funding for the DOE Office of Sustainability to support hands-on environmental learning through grants and initiatives. The Office's sustainability programming has expanded significantly in the last fiscal year. For example, it now oversees a Youth Leadership Council of high school students and also includes a Living Lab series, in which select schools teach sustainability using the school facility as an example (e.g. studying the school facility's energy efficiency). The reach of these programs must increase dramatically to educate the majority of students who have yet to meaningfully engage in Office of Sustainability programming, especially students from environmentally impacted communities such as D22.

To this end, the City Council should increase funding for the Office's Sustainability Project Grant program, which awarded only \$385K to 98 schools in 2020 for projects in environmental education, energy conservation and gardening, among other things. The Office relies on funds from the Demand Response Program, through which City agencies earn revenue by reducing their energy usage during peak hours.⁵⁴ This year, additional funds came from the Mayor's Office of Sustainability and the Department of Citywide Administrative Services-Division of Energy Management's ExCEL Program. To support school-directed environmental education programming in the coming years, the City Council must provide substantial additional funding for the Office of Sustainability's grant program.

⁵⁴ "Demand Response Program," *NYC Department of Citywide Administrative Services* (accessed March 13, 2021), available at <https://www1.nyc.gov/site/dcas/agencies/demand-response.page>

CONCLUSION

The Green New Deal is in some ways a daunting proposition, requiring as it does much urgent action in many domains. That will be as true of our City's and District's renditions of the Green New Deal as it is of the national Green New Deal. Mitigating the challenges, however, will be both the massive federal funding for our efforts and the significance of what we will have achieved within months and even weeks of commencing.

With more federal funding than has been forthcoming in many generations, residents of New York City's 22nd District and of the City at large will now render each other's lives far more sustainable – and far more worth sustaining – according to our own determinations than ever before.

Acknowledgements.

The Cabán for Queens Campaign is grateful to all those already doing the work of environmental justice, including: Sunrise Movement, Climate Works 4 All, Movement School, NY Renews, Sci4NY, TREEage, Astoria Pug, DSA-Ecosocialists, Open Streets, and more.