26 May 2022

Governor Kathy Hochul
Executive Chambers
State Capitol, Albany, NY 12224

CC: Senate Majority Leader Andrea Stewart-Cousins
Legislative Office Building, Room 907
Albany, NY 12247

Dear Governor Hochul,

Earlier this month, both chambers of the State Legislature passed the “Cumulative Impacts” environmental justice legislation (S.8830/A.2103D). Passage of this legislation is a historic and salient step forward for environmental justice in New York by increasing protection for our state’s disadvantaged communities (DACs). It is also an important step for reaching the Climate Leadership and Community Protection Act’s mandate in Section 7(3) to reduce disproportionate burden in disadvantaged communities.

Our coalition, consisting of WE ACT for Environmental Justice, South Bronx Unite, the JustGreen Partnership, New York Lawyers for the Public Interest, Natural Resources Defense Council, Earthjustice, New York League of Conservation Voters, Clean and Healthy New York, Riverkeeper, Sierra Club Atlantic Chapter, 350Brooklyn, Moms for a Nontoxic New York, Environmental Advocates NY, Our Climate, Bronx Climate Justice North & North Bronx Racial Justice, New York City Environmental Justice Alliance and the undersigned supporting organizations, urge you to sign S.8330/A.2103D into law before the conclusion of the legislative session. This is a moment to show your support for Black and Brown communities across New York State.

The U.S. Environmental Protection Agency (EPA) issued a groundbreaking study in 2021 finding that, across the whole nation, Black/African American people are exposed to significantly higher toxic air pollution than any other race of people, and it is due to legacy pollution in communities.1 And, according to a recent Harvard University study, Black, Latin(o/a), Asian, and low-income people are exposed to higher emissions of fine particulate

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matter (PM2.5) than other racial and ethnic groups.\(^2\) In New York State, neighborhoods in New York City, Albany, Buffalo, and other areas with a high proportion of people of color have the greatest exposures to PM2.5, traffic, or hazardous waste facilities\(^3\). S.8830/A.2013D will assist in ameliorating these and other instances of legacy environmental racism by preventing the approval and re-issuing of permits for actions that would increase disproportionate and/or inequitable pollution burdens on a DAC.

As Governor, you are well aware of the iniquitous distribution of pollution-generating facilities such as factories, power plants, bus depots, sewage treatment plants, garbage dumps, transfer stations, and more that plagues our state. The exposure to these environmental hazards leads to significant adverse health impacts including, but not limited to, respiratory illnesses and heart disease. Current laws and regulations do not take the cumulative impacts of pollution into account when approving such facilities, instead treating them as a sole source of pollution that residents will have to endure. Hence, ratification of the Cumulative Impacts legislation will be a key asset in addressing the systemic environmental racism that has plagued the health and well-being of these communities for generations.

This legislation can put New York in a position to increase environmental justice for millions of residents while also acting as a implementation pathway for the state’s nation leading climate law, the Climate Leadership and Community Protection Act (CLCPA), which requires all state agencies to prioritize the reduction of disproportionate environmental burden in DACs.

Signing the Cumulative Impacts bill would also put New York in a position to join our neighbors in New Jersey who passed and ratified a similar bill just two years ago. While signing that bill into law, Governor Murphy declared, “Today we are sending a clear message that we will no longer allow Black and Brown communities in our state to be dumping grounds, where access to clean air and clean water are overlooked.” You now have the opportunity to join Governor Murphy as a nationally recognized environmental justice leader while contributing to the establishment of a regional environmental justice hub in the Northeast.

The people have organized, mobilized, and advocated for increased climate and environmental justice in the state. Subsequently, the people’s representatives voted to advance this bill with the intent of sending it to you for your consideration. While we were pleased to see numerous references to prioritizing DACs and advancing environmental justice during your first State of the State address, we call on you to act on those proclamations by signing this critical piece of


\(^3\) https://ejscreen.epa.gov/mapper/
legislation into law with dedicated haste and without delay. Ratification of this bill will both save lives and improve the quality of life for residents of DACs and millions of New Yorkers.

Sincerely,

Sonal Jessel  
Director of Policy  
WE ACT for Environmental Justice, &  
JustGreen Partnership Co-Chair

Paul Webster  
Director of Programs  
Clean and Healthy New York, & JustGreen Partnership Co-Chair

A. Mychal Johnson  
Co-founder  
South Bronx Unite

Roger Downs  
Conservation Director  
Sierra Club Atlantic Chapter

Anthony Karefa Rogers-Wright  
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Jeremy Cherson  
Senior Manager of Government Affairs  
Riverkeeper

Raul Garcia  
Legislative Director  
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Sara Gronim and Mimi Bluestone  
Co-leaders  
350 Brooklyn

Danielle Fossett  
New York Field Organizer  
Our Climate

Co-Signatories:

Nancy E Anderson, Founder, Nancy E Anderson Associates  
Kelly Andreuzzi, President, Environmental Action Coalition
Abena Asare, Member, Brookhaven Landfill Action & Remediation Group

Veekas Ashoka, Activist, Sunrise Movement NYC

Jessica Azulay, Executive Director, Alliance for a Green Economy

Alycia Bacon, NY Organizer, Mothers Out Front

Mary Barber, Director, State Affairs, Environmental Defense Fund

Peter Bardaglio, Coordinator, Tompkins County Climate Protection Initiative

Claire Barnett, Executive Director, Healthy Schools Network

Alex Beauchamp, Northeast Region Director, Food & Water Watch

Andy Bicking, Director of Government Relations and Public Policy, Scenic Hudson

Betta Broad, Campaign Director, New Yorkers for Clean Power

Dale Bryk, Senior Fellow for Energy & Environment, Regional Plan Association

Irene Burga, Climate Justice and Clean Air Program Director, GreenLatinos

Katie Chao, Co-Lead Organizer, Progressive Schenectady

Jessica Clemente, Chief Executive Officer, We Stay/Nos Quedamos, Inc

Bob Cohen, Policy and Research Director, Citizen Action of New York

Rebecca Dengrove, Climate Crisis Policy, NY-12 District Lead

Jeff Deyette, Acting Deputy Director, Climate & Energy, Union of Concerned Scientists

Mark Dunlea, Chair, Green Education and Legal Fund

Stephan Edel, Coalition Coordinator, NY Renews

Aaron Eisenberg, Organizing Committee Member, NYC-DSA Ecosocialists

Miriam Eligberg, Co-Director of Government Affairs, New York Youth Climate Leaders

Judith Enck, President, Beyond Plastics

Tom Esposito, President, VRF Solutions LLC

Nan Faessler, Steering Committee Member, Indivisible Harlem

Oceanna Fair, Southside Branch Leader, Families for Lead Freedom Now!

Monique Fitzgerald, Climate Justice Organizer, Long Island Progressive Coalition

Mary Finneran, Co-founder, FrackBustersNY

Adam Flint, Director of Clean Energy Programs, Network for a Sustainable Tomorrow

Ruth Foster, Director, NY Climate Advocacy Project

Tracy Frisch, Founder and Lead Organizer, Clean Air Action Network of Glens Falls

Audette Fulbright Fulson, The Rev. Dr., All Souls Peace & Justice Team

Cari Gardner, Director, NYPAN Greene

Jennifer Geiger, Steering Committee Member, Indivisible Mohawk Valley
Rahwa Ghirmatzion, Executive Director, PUSH Buffalo
Marta Gomez, Secretary, Bethlehem Morning Voice Huddle
Jack Gorman, Steering Committee, Bronx Jews for Climate Action
Robert Grace, Former Community Services Program Analyst, Retired from NYS Department. of State
Manna Jo Greene, Environmental Director, Hudson River Sloop Clearwater, Inc.
Barbara Heinzen, Member, Steering Group, Clean Air Coalition of Greater Ravena Coeymans
David Hepinstall, Executive Director, Association for Energy Affordability
Susan Hughes-Smith, Partner, Roctricity
Liz Keefe, Political Director, Hells Kitchen Democrats
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Elizabeth Koltun, Member, Jewish Climate Action Network-NYC
Ellen Kozak, President, Ellen Kozak Studio
Mark Laster, Co-Chair, Forest Hills Green Team
Chris Leide, Owner, ChrisLeideMusic LLC
Aaron Mair, "Forever Adirondacks" Director, Adirondack Council
Jeremy Markman, Director of Strategic Campaigns and Special Projects, New York State Nurses Association
Lisa Marshall, State Leadership Team, Mothers Out Front NY
Jamie Mcconnell, Deputy Director, Women's Voices for the Earth
Elizabeth McDade, Program Manager, Coalition to Prevent Lead Poisoning
Jasmine McDonald, Assistant Professor, Columbia University
Jay Mehta, Northeast Director, Jobs to Move America
Caleb Merendino, Co-Executive Director, Waterway Advocates
Jess Mullen, Executive Director, Communities for Local Power
Chris Murawski, Executive Director, Clean Air Coalition of WNY
Anthony Ng, Steering Committee Member, Queens Climate Project
Janet Nudelman, Sr. Director of Program and Policy, Breast Cancer Prevention Partners
Jessica Ottney Mahar, New York Policy and Strategy Director, The Nature Conservancy
Franchelle C.H. Parker, Executive Director, Open Buffalo
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Danny Pearlstein, Policy & Communications Director, Riders Alliance
Margaret Perkins, Steering Committee Member, 350NYC.org
Adrienne Perovich, Managing Director, Tishman Environment and Design Center
Diane Picard, Executive Director, Massachusetts Avenue Project
Anne Rabe, Environmental Policy Director, NYPIRG
Brahvan Ranga, Political, Director For the Many
Michael Richardson, Core Planner & Organizer, Rivers & Mountains GreenFaith Circle, and Co-founder, Buddhist Action Coalition - Upper Hudson & Berkshires
Jerry Rivers, Environmental Scientist, North American Climate, Conservation and Environment (NACCE)
Dahlia Rockowitz, Washington Director, Dayenu: A Jewish Call to Climate Action
Robert Rossi, Executive Director, New York Sustainable Business Council
Stephan Roundtree, Senior Regional Director, Northeast/Mid-Atlantic Vote Solar
Daphany Rose Sanchez, Executive Director, Kinetic Communities Consulting
Starr Ross, Treasurer, Historic Coeymans Landing Neighborhood Association
Sahaara Saleem, Club Member, NY2CL
Lucia Santacruz, Climate and Resiliency Project Associate, Urban Homesteading Assistance Board
Lynn Saxton, Chapter Co-Chair, The Climate Reality Project, Western New York Chapter
Perry Sheffield, Associate Professor, Mount Sinai
Martha Sickles, Principal, Urbecon LLC & Manager Heat/CoolSmart Brooklyn

Merton Simpson, Co-Chair, Sheridan Hollow Alliance for Renewable Energy
Lorraine Thibodeau MD, Director of UME in Emergency Medicine, Albany Medical Center
Dr. Michael B. Tucker, Member/Contribuer/Volunteer, New Baltimore Conservancy
Laurel Tumarkin, Organizer, Peoples Climate Movement - NY, and Co-lead Organizer, 350Brooklyn Families
Arif Ullah, Co-founder/Member, Bangladeshi Americans for Political Progress
Elie Ward, Director of Policy & Advocacy, NYS American Academy of Pediatrics, Chapters 1, 2, & 3
Steven Weinberg, Director, Community Action Services
Elaine Weir, Mother, Individual NYS Voter
Monique Weston, Member, Adirondack Mothers Out Front
Cesar Yoc, Founder and Executive Director, Bronx Institute for Urban Systems
Ami Zota, ScD, MS, Incoming Associate Professor, Columbia University Mailman School of Public Health