

Comments on the Draft Memorandum of Understanding for the Transportation and Climate Initiative

Submitted by the Ironbound Community Corporation and New Jersey Environmental Justice Alliance

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Introduction

The New Jersey Environmental Justice Alliance (NJEJA)¹ and Ironbound Community Corporation (ICC)² would like to submit the following comments on the draft memorandum of understanding (MOU) for the Transportation and Climate Initiative (TCI). The comments present a number of significant concerns that ICC and NJEJA have with the Initiative when it is examined from an environmental justice (EJ) perspective.

EJ Concerns With TCI

In an open letter on TCI³ in 2019, and during participation in several TCI sponsored meetings, ICC, NJEJA and others expressed considerable concern with the use of carbon-trading as an operational framework for TCI. There is evidence that New Jersey EJ communities, i.e. communities Of Color and low-income communities, face a disproportionate pollution burden.⁴ The New Jersey EJ community believes that policies must be developed and implemented to reduce this disproportionate amount of pollution and that climate change mitigation policy

¹ The NJEJA mission statement reads as follows: “The New Jersey Environmental Justice Alliance is an alliance of New Jersey-based organizations and individuals working together to identify, prevent, and reduce and/or eliminate environmental injustices that exist in communities of color and low-income communities. NJEJA will support community efforts to remediate and rebuild impacted neighborhoods, using the community’s vision of improvement, through education, advocacy, the review and promulgation of public policies, training, and through organizing and technical assistance.”

² Ironbound Community Corporation’s mission is to engage and empower individuals, families, and groups in realizing their aspirations and, together, work to create a just, vibrant and sustainable community.

³ Available from the author of these comments.

⁴ Two figures in a report and power point about a nascent cumulative impacts screening tool developed by the New Jersey Department of Environmental Protection in 2009 provide evidence that as the number of people Of Color or low-income residents in a neighborhood increases, the level of cumulative impacts also increases. In this context, cumulative impacts can informally be thought of as a very rough estimate of the total amount of pollution in a neighborhood. A more formal definition of cumulative impacts that NJEJA often uses is the risks and impacts caused by multiple pollutants, which are usually emitted by multiple sources of pollution in a neighborhood, and their interaction with each other and any social vulnerabilities that exist in the neighborhood. See *Cumulative Impacts: Building a Scientific Foundation*, CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY, at 3 (2010); *Ensuring Risk Reduction In Communities With Multiple Stressors: Environmental Justice and Cumulative Risks/Impacts*, NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL, at 5 (2004). The report and power point that contain the two figures are entitled “A Preliminary Screening Method to Estimate Cumulative Environmental Impacts”, and can be accessed at http://www.state.nj.us/dep/ej/docs/ejc_screeningmethods20091222.pdf and http://www.state.nj.us/dep/ej/docs/ejc_screeningmethods_pp20091222.pdf, respectively. The figures appear on page five of the report and slide 19 of the power point.

should play an important role in these efforts. However, a carbon-trading framework does not guarantee that TCI will deliver much needed significant emissions reductions in EJ communities, consistently, over a defined time period. NJEJA, ICC and other EJ organizations have urged TCI to re-consider the use of carbon-trading as its framework but these requests have not yielded results. ICC and NJEJA once again urge TCI to re-consider the use of carbon-trading as an operational framework and to work with EJ organizations and other stakeholders to develop a framework that will incorporate EJ and equity immediately.

NJEJA and ICC understand TCI has stated that funds generated by the carbon-trading framework can be invested in EJ communities to address emissions reductions and other equity and justice concerns. But these suggestions come with little substantive detail, no timeline and are unenforceable. They also essentially amount to devoting a large amount of time, thought and effort to reducing climate change causing air pollution emissions and to raising revenues while only promising to address EJ and equity at a later unspecified date. To the EJ community in New Jersey, moving forward in this fashion is problematic.

ICC and NJEJA are also concerned that the proposed cap and trade system will raise gas prices and for all intents and purposes act as a regressive tax.

Conclusion

The issues discussed above combine to raise a significant concern about TCI from an EJ perspective.

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