

EJ COMMITTEE NEWSLETTER

NEW YORK STATE BAR ASSOCIATION
June 2023

EVENTS & MEETINGS

- **June 21, 2023 | 11:00 AM EST** – Webinar Place-Based Energy Transition Research Institute for Policy Integrity at NYU [Register here](#)
- **June 26, 2023 | 6:00 PM EST** – Virtual Environmental Bond Act Educational Listening Tour – New York State [Register here](#)
- **June 29, 2023 | 12:30 PM EST** NYSBA - EJ Committee Meeting – Virtual [Link to follow](#)

LITIGATION & LEGISLATION

- The New York Heat Bill ([S2016A](#)) has passed the Senate and is currently in Assembly committee (A4592). This bill would save low- and middle-income families up to \$75/month on energy bills.
- The May 25, 2023 SCOTUS decision in [Sackett v. EPA](#) has in effect limited the regulatory reach of the US EPA by devising a strict new test for the declaration of wetlands protected under the Clean Water Act (CWA).
- [Glen Oaks v. City of NY](#) (New York County Index No. 154327/22) challenges NYC's Local Law 97 - carbon emission caps on buildings. The allegations include that LL97 is unconstitutional, that it is preempted by NYS' CLCPA, and that its "excessive penalties" violate due process. The City's motion to dismiss remains undecided.

**"Climate change is more than statistics, it's more than data points. It's more than net-zero targets... It's about the people who are being impacted right now."
- Vanessa Nakate.**



New York Botanical Garden, Bronx County – New York

DID YOU KNOW?

- A City-County-State partnership is underway to address a long-standing environmental justice crisis in Mount Vernon. Construction has begun on the [Third Street Sewer Project](#), which will fix the failing sewer infrastructure and improve Mount Vernon residents' quality of life by providing reliable wastewater services to more than 4,000 of the city's hardest-hit residents.
- The NYC's Mayor's Office of Climate and Environmental Justice (MOCEJ) is proposing citywide zoning amendments to implement changes and expand opportunities for decarbonization within all 59 of the City's Community Districts. The proposal, known as "[City of Yes for Carbon Neutrality \(CoYCN\)](#)", includes zoning amendments for green retrofits, heat pumps on roofs and yards, elevated solar trellises, and decarbonizing waste streams.
- The Justice40ward initiative by WE ACT for Environmental Justice in collaboration with South Bronx Unite, has identified 17 areas of concern in the South Bronx and Northern Manhattan in their recent [Toxic Tour](#). These locations, where inadequate urban planning and poor decision-making by city officials negatively impact health and environmental outcomes, contribute to the perpetuation of environmental injustice. The goal of these toxic tours is to raise public awareness about these sites to motivate local, state, and federal officials to take action in shutting them down or take steps toward remediation.
- The article co-authored by Jose A. Almanzar and Ivonne C. Norman, "[Extreme Heat Meets Environmental Injustice: Policy Solutions to Help Disadvantaged Communities Battle the Urban Heat Island Effect](#)," was featured in the latest issue of NYSBA's The New York Environmental Lawyer. This forward-looking article provides an analysis of federal and local policies and initiatives that may help mitigate the devastating effects of extreme heat.