



**Community Leadership, Jobs, and Engagement:
Community Lawyering for Equitable Solar Access**

WHO WE ARE

Since 1988, we have worked to build healthy communities by ensuring that people of color and/or low income participate meaningfully in the creation of sound and fair environmental health and protection policies and practices.



**NORTHERN
MANHATTAN
BASED**

**MOBILIZE
PEOPLE OF
COLOR
AND/OR
LOW INCOME**

**ENVIRONMENTAL
AND
CLIMATE
JUSTICE**

**COMMUNITY
-BASED
PARTICIPATORY
RESEARCH**

**PLANNING
AND
PRACTICES**

**FEDERAL,
STATE, AND
LOCAL
POLICY**

FOCUS AREAS



**CLEAN
AIR**



**CLIMATE
JUSTICE**



**HEALTHY
HOMES**



**SUSTAINABLE
& EQUITABLE LAND
USE**



**GOOD
JOBS**

Conditions in Northern Manhattan

- Over 600k residents, predominantly low to moderate income people of color
- Aging, multifamily tenement buildings, often with deferred maintenance
- Residents live primarily in rentals, public housing, or cooperatively owned buildings

Conditions in Northern Manhattan

- Housing/energy affordability crisis
- Unjust burden of climate impacts on people of color/ low-moderate income residents
- Superstorm Sandy- a major inflection point for conversation on climate resilience

Superstorm Sandy and climate chaos



- Knocked out power and destroyed homes all over New York City, parts of the city are still a mess (e.g. Rockaways and the subway)
- Climate-related extreme heat events increasing and expected to increase dramatically

WE ACT Community Response

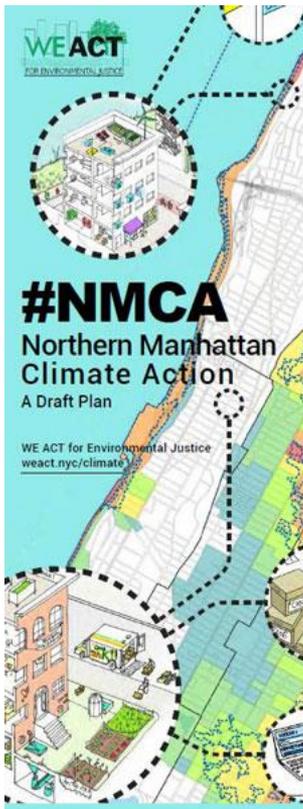
- Community not satisfied with climate solutions proposed by authorities; concern about gentrification and loss of affordable housing
- Desire to prepare Northern Manhattan working class Black and Latinx residents for the next Sandy-type event or other climate-related stress or shock by improving energy security

Northern Manhattan Climate Action (NMCA)

- WE ACT organized a series of workshops with NM residents over six months, including community visioning and “serious games” in which residents responded to simulated climate disasters in real time.



Climate Action Plan



Protection

as, particularly floodplain shown are in need of green infrastructure that provides and flood protections. Currently implementing a protection project worth and has released its comprehensive coastal plan. A Stronger, More New York. The plan seeks public participation in restoration and by expanding the

Waterfront Management Advisory Board and includes pledges to undertake feasibility studies for construction and restoration of flood-prone areas. DEP has also spent over \$40 million to-date on wetlands restoration and other coastal protections. What remains to be seen is the extent to which developments will encompass community-based plans or be leveraged to gentrify waterfront areas.

technology controls energy usage in response to environmental conditions.

Community Land Trusts (CLT)

property ownership through a way to preserve affordable housing by removing properties from the speculative market. CLTs also allow residents to collectively use space for agriculture, energy production, and even social services such as a library. Such shared governance can help rebuild the commons in an area where we use space/resources.

NYC community land trust initiative
Cooper Square Committee



implementation of DG in the form of microgrids that are deployed in vulnerable areas and/or are managed by local stakeholders. The City is currently undertaking a microgrid feasibility study and removing policy roadblocks to microgrid construction by working with ConEd and the Public

in energy costs, more control for residents over their own energy consumption, and employment opportunities.



The Riverside Church



Operationalizing Community Priorities

Energy Democracy- i.e security and control over energy resources emerged as a main theme of the recommendations gathered from the community visioning.

WE ACT and community volunteers formed an Energy Democracy Working Group (EDWG) to work to advance the goals of NMCA- the group targeted Housing Development Fund Corporation (HDFC) low income co-op buildings to maximize overall climate resilience and affordable housing preservation benefits

Solarize Launch Party (Oct 2017)



Organizing via Solarize Model

Solarize model: organizing eligible solar buyers into a portfolio to create better bargaining power and competition for benefits:

- Low pricing
- Transparency and responsiveness
- Hiring of WE ACT solar trainees

EDWG and partners worked in parallel to aggregate buildings into a portfolio while securing installer services

Has never been undertaken in a dense urban core setting before

Community Lawyering Model

Advocates contribute legal knowledge and skill to initiative that community has identified and elevated:

- Working from behind, not in front
- Generative, not remedial outcomes

Community Leadership

The EDWG and WE ACT collaborated with Sustainable CUNY, Urban Homesteaders Assistance Board (UHAB), Solar One, and New York Lawyers for the Public Interest to assist with outreach, technical, and legal assistance.

Community Leadership

The EDWG volunteers drove the process from the project's inception:

- Conduct outreach to eligible buildings, planned events and presentations
- Worked together to develop a set of values and priorities for choosing an installer via RFP
- Vetted applications and interviewed installers based on their proposals

Focus on Local Green Jobs

The EDWG prioritized the installers ability to provide jobs to WE ACT's solar workforce trainees. Ability and willingness to employ WE ACT trainees was weighted heavily in the RFP.

Our winning installer agreed to hire two trainees per installation team, and were open to continuing to hire WE ACT trainees as their operation expanded in Manhattan

Engineering, Procurement, and Construction

Buildings and installer entered into standard engineering, procurement, and construction (EPC) contracts

- Between installer and individual HDFC
- WE ACT w/ NYLPI and Loeb & Loeb worked to negotiate stronger terms - i.e. relaxed payment schedules, acknowledgement of roof inspection and electrical study; fixed price within scope
- Issues with solar/aluminum tariffs vs need for fixed pricing

“Global” Project Development Agreement

WE ACT, with help from NYLPI and Loeb & Loeb LLP, crafted a separate agreement with our chosen installer in order to:

- Set parameters for work updates and external comms
- Extend portfolio pricing for a firm period
- Require WE ACT to continue outreach and referrals to installer contingent with installer meeting milestones
- Require interviewing and hiring of WE ACT trainees
- Hold WE ACT harmless for worker-related liability

Barriers and Hiccups

We engaged, sparred with, and broke up with our initial installer.

Unable to come to terms on price, terms and conditions of EPC

- Uncertainty around solar PV and aluminum taxes upset installer's desire to commit to fixed pricing
- Inflated pricing beyond PPA feasibility, limiting our portfolio to buildings with cash reserves to pair with existing state and federal incentives
- Unsettled portfolio, and range of profitability between individual projects also deterred installer

Barriers and Hiccups

WE ACT and Solar One were forced to reissue RFP

- After several months, portfolio was more mature and enticing to installer, and may have led to more competitive bids
- Able to secure far better price per watt and stronger commitment to hire workers
- Favorable EPC template, which saved time and grief
- New installer elected level pricing across portfolio

Solar Uptown Now (S.U.N.) by the Numbers



S.U.N.

Buildings

9

Affordable Housing

7

Other

2

Progress

kW

408

%

272

kW Goal

150

Progress

Total Savings

\$54,000

Average kW

32.9

Jobs Created

5

Electricity Use For 1 year

kW-Hours	Equivalent to	Equivalent To
<p data-bbox="220 568 498 667">3500</p> <p data-bbox="220 760 498 858">Mwh</p>	<p data-bbox="736 574 1180 749">570 Cars Off the road</p>	<p data-bbox="1373 541 1731 825">un-burning 2.8 M lbs. of coal</p>

Benefits

Households	Residents	WE ACT Members
385	960	3

Examples of rooftop solar profiles



Key Takeaways:

Action and iteration can drive success

- Team moved forward without all the answers
- Negotiated conflicting and suboptimal timelines, adversity with building stakeholders, installers, and federal tariff disruptions to get 9 projects in off the ground in 18 months

Democracy is hard (but worth it)

- Community-led process was tricky but led to greater empowerment of community members
- NMCA priorities as a living document

WE ACT's Regulatory and Legislative Advocacy

WE ACT, as part of the New York Energy Democracy Alliance, has prioritized community solar access and equitable energy efficiency implementation

- New Efficiency, New York policy rollout engagement
- NYSERDA intervention participation (REVitalize, Solar Facilitation on NYCHA and HDFC, Solar For All program)
- aligned party re: VDER working group
- VDER legislation, public relations and activism