

Memorandum



CITY OF DALLAS

DATE December 4, 2023

TO Honorable Chair Stewart and Members of the Parks, Trails, & the Environment Committee

SUBJECT **2025 State and Federal Legislative Priorities: Office of Environmental Quality & Sustainability and the Environmental Commission**

Introduction

The 89th Session of the Texas Legislature will convene in 2025 and many issues affecting local governments will be considered. This memorandum includes: recommendations from the Office of Environmental Quality and Sustainability (OEQS) to the Office of Government Affairs (OGA) for possible inclusion in the City of Dallas Legislative Program; and recommendations from certain Environmental Commissioners, which have not been approved by the entire Environmental Commission. Council will adopt priorities in the City's State and Federal Legislative Programs for consideration by the United States Congress and Texas Legislature, respectively.

Office of Environmental Quality & Sustainability

Comprehensive Environmental & Climate Action Plan (CECAP)

In May 2020, the City Council adopted the CECAP that established a comprehensive roadmap to reduce greenhouse gas emissions, prepare for the impacts of climate change, improve environmental quality, advance environmental justice, and create a healthier and more prosperous community. The following recommended environmental legislative priorities support the goals of the City's CECAP:

1. Support legislation to update substandard home stock (e.g., weatherization, energy efficiency, health and safety upgrades) (Goal 1).
2. Support legislation that supports green job creation and training (e.g., solar, electric vehicles, weatherization, green infrastructure), particularly in communities with environmental justice concerns (Goals 1 and 2).
3. Support legislation that reduces harmful greenhouse gases and makes our cities more resilient to climate change (Goal 2).
4. Support legislation that advances or incentivizes grid improvements and distributed energy resources (e.g., battery, solar, wind) (Goal 2).
5. Support legislation that advances or incentivizes the use of electric vehicles and EV infrastructure (Goal 3).

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6. Support legislation that encourages the use of alternative modes of transportation (Goal 3).
7. Support legislation that expands producer responsibility (Goal 4).
8. Support legislation that bans the disposal into landfills of certain recyclable and organic materials (Goal 4).
9. Support legislation that requires and incentivizes the recycling of certain construction, remodeling, and demolition debris (Goal 4).
10. Support legislation that requires the incorporation of reusable and recyclable materials into municipal road construction and maintenance projects (Goal 4).
11. Support legislation that allows per ton surcharges on materials disposed in landfills to fund a variety of waste reduction and diversion activities (Goal 4).
12. Support legislation that incentivizes companies to make products out of recycled materials (Goal 4).
13. Prevent the narrowing of the definition of State waters (Goal 5).
14. Support legislation that incentivizes green infrastructure, particularly in communities with environmental justice concerns (Goal 6).
15. Support legislation that provides incentives to cities to advance litter and homeless abatement (Goal 6).
16. Support legislation that encourages the donation of pre-consumer edible food from food service vendors directly to those in need (Goal 7).
17. Support legislation that incentivizes the pickup and delivery of food and organic waste from food service vendors for composting and food donation (Goal 7).
18. Support legislation related to batch plant permits that require, for example: air dispersion modeling; appropriate buffers (e.g., at least 1,650 feet) between the plant and subdivisions, residential properties, public or private schools, places of worship, public parks, outdoor sports or recreational fields, and other sensitive locations; cumulative impact assessments; detailed plot plans; enhanced housekeeping requirements (e.g., use a vacuum truck (or equivalent) to clean the plant road entrances and use a tire-wash system to remove sediment from the wheels and undercarriage of trucks); fence line air monitoring; proper lighting during nighttime operations; and bi-annual inspections and inspections upon request of local community members (Goal 8).

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19. Support legislation that ensures that TCEQ, when issuing permits: improves coordination with local governments; and increases engagement with residents (Goals 5 and 8).
20. Establish and fund an Office of Environmental Justice in TCEQ's Office of the Public Interest Counsel (Goal 5 and 8).
21. Support legislation to expedite consequences for industries that fail to meet air quality standards (Goal 8).
22. Support legislation that encourages transformational funding for building and transforming underutilized or abandoned property into sustainable and productive spaces (AQ4).

City of Dallas Environmental Commission

OEQS presented the above-mentioned legislative priorities to the Environmental Commission (EVC) on November 8, 2023. Following this briefing, members of the EVC had the opportunity to submit their own recommendations, which are included below. The EVC did not vote to approve the following, but these comments were submitted by members individually. Certain EVC members support the OEQS recommendations but have added supplemental language for specific recommendations, identified using *italics* below. Entirely new recommendations are identified using **bold subheadings**.

- **Priority 10:** Support legislation that requires the incorporation of reusable, recyclable, *and lower embodied carbon* materials into municipal road construction and maintenance projects (Goal 4).
- **Priority 12:** Support legislation that incentivizes companies to make products out of recycled *materials and lower their embodied carbon footprint* (Goal 4).
- **Priority 14:** Support legislation that incentivizes green infrastructure *and smart surfaces*, particularly in communities with environmental justice concerns (Goal 6).
- Support legislation that engages the business community in making an impact to support the CECAP.
- Strong support for items 1-6, 8-12, 14, 16-18, 20-21
- **Support for Green Job Creation and Training:** To make this priority more effective in addressing environmental justice, recommend establishing partnerships with local community colleges or vocational schools to ensure that residents in underserved areas have access to relevant training programs. Specific examples of green jobs could include:
 - Solar panel installation and maintenance.

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- Weatherization and energy efficiency retrofitting.
 - Green construction and sustainable building practices.
 - Urban forestry and tree planting initiatives in low-income neighborhoods.
- **Support for Air Quality Standards:** Given the pressing importance of air quality, propose that consequences for industries failing to meet air quality standards include not only fines but also mandatory investments in pollution control technologies. This approach would directly benefit affected communities by reducing harmful emissions.
- **Support for Recycling and Waste Reduction:** To address environmental justice, we should emphasize the need for comprehensive recycling education programs in underserved communities. Examples of initiatives could include:
 - Community-based recycling workshops and training.
 - Supporting community recycling centers that provide jobs and services in disadvantaged areas.
 - Promoting the use of recycled materials in local construction projects.
- **Support for Electric Vehicles (EVs) and EV Infrastructure:** In addition to supporting EV infrastructure, suggest advocating for incentives that encourage the adoption of EVs in low-income communities, such as subsidies for EV purchases or expanding electric vehicle charging networks in areas with environmental justice concerns.
- **Support for Green Infrastructure:** To ensure that green infrastructure benefits underserved communities, we should recommend targeted investment in areas with historically neglected environmental improvements. This could include setting aside funding specifically for projects in these areas and involving local community groups in the decision-making process.
- **Establishment of an Office of Environmental Justice in TCEQ's Office of the Public Interest Counsel:** To enhance the effectiveness of this priority, the Office of Environmental Justice should actively engage with affected communities by:
 - Conducting regular community meetings and consultations.
 - Developing environmental impact assessments specifically focused on vulnerable populations.
 - Collaborating with community-based organizations to address environmental disparities.
 - Recommending policies and initiatives that prioritize environmental justice, such as stricter regulations in areas disproportionately affected by pollution.

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Next Steps

OGA is currently reviewing recommendations from all City departments. An update on the City of Dallas's Federal and State Legislative Programs will be presented to the Ad Hoc Committee on Legislative Affairs. The final programs will be presented to the full Council. If you have questions or need additional information, please contact Carlos Evans, Director of OEQS, at 214-670-1642 or carlos.evans@dallas.gov.



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