

New York State Climate Action Council

June 28, 2021
Meeting 12



**Climate Action
Council**

Meeting Procedures

Before beginning, a few reminders to ensure a smooth discussion:

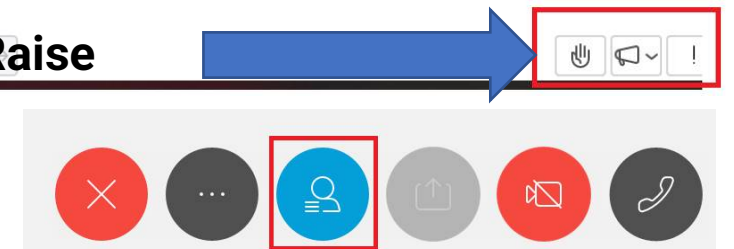
- > CAC Members should be on mute if not speaking.
 - > If using phone for audio, please tap the phone mute button.
 - > If using computer for audio, please click the mute button on the computer screen (1st visual).
- > Video is encouraged for CAC members, in particular when speaking.
- > In the event of a question or comment, please use the hand raise function (2nd visual). You can find the hand raise button by clicking the participant panel button (3rd visual). The co-chairs will call on members individually, at which time please unmute.
- > If technical problems arise, please contact NYS.CAC@cadmusgroup.com.



You'll see  when your microphone is muted



Hand Raise



Agenda

- > Welcome
- > Consideration of June 8, 2021 Minutes
- > Presentation and Discussion: Climate Justice Working Group
 - Climate Justice Framework
 - Advisory Panel Recommendations Feedback - Transportation and Energy Efficiency and Housing
 - Update on Disadvantaged Communities Criteria
- > Next Steps

Consideration of June 8, 2021 Minutes

Climate Justice Working Group

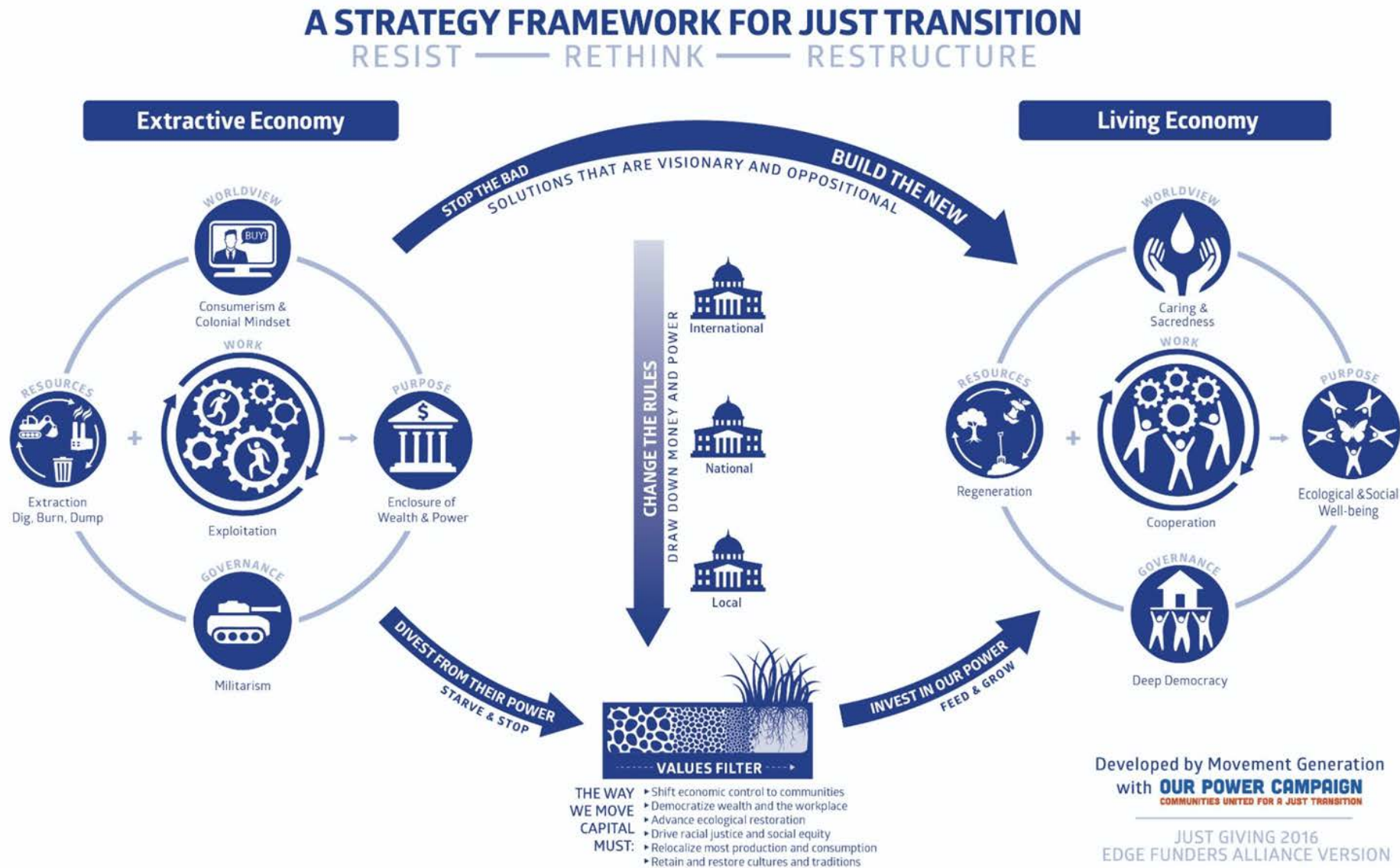
Recommendations to the NYS Climate Action Council for Consideration in the Scoping Plan

June 28, 2021



**Climate Action
Council**

Our Justice Lens and the Principles We Stand By



Observations and General Impressions - Mainly on Transportation Advisory Panel Recs

- **Recognize that goals/benchmarks/accountability is essential**

- The recommendations need clear guidance on how benefits/investments will be defined, measured, tracked, and shared over the long term
- Scoping plan must ensure data is available to accurately measure the success of implementing the CLCPA

- **Better scrutinize every action for justice**

- Some of the recommendations presented false market based solutions

- **Provide greater clarity, reasoning, and purpose**

- Some goals such as the doubling of muni-sponsored public transportation appear arbitrary without an analysis on the basis of the target
- Policies with significant implications like a feebate deserve more than a 'handwave'. ***It sounds like 'free money'. How does it actually work in practice?***
- Provide explanation of how the social cost of carbon was incorporated
- Edit jargon to plain speak, and remove vague, squishy language and strive to provide key details

- **Increase ambition**



- Fill in the gap of connectivity between regions of the state that rely on public transportation by prioritizing high speed rail and long range bus service
- Refine TOD Strategy to elevate its estimated GHG reduction impact by 2050 from medium to high by placing the most emphasis on VMT reduction
- Deemphasize vehicle electrification as the topmost solution as it fails to address SOV associated issues. This hinders our ability to address the root cause of runaway transportation emissions, and its related link to systemic issues such as racism and poverty



Dangers of a market based approach to climate justice

Transportation Climate Initiative (TCI) Flaws

- Best available evidence shows cap and trade systems do not eliminate air pollution hotspots, and often exacerbate them
- Like RGGI, funds generated by TCI are vulnerable to budgetary raids by the Executive and Legislature
- Reforms to cap and trade are unlikely to remedy pollution disparities given the program's inability to surgically reduce mobile source emissions which are more complex to regulate than stationary sources
- The inherent design flaws of cap and trade result in environmental racism
- The inadequate involvement of EJ groups in the policy process reflects a profound failure of democracy, and bolsters the case for abandoning sector specific carbon pricing policies for a comprehensive carbon fee like that in the CCIA



PHOTO BY TIM PIERCE

Denial of Home Occupant Justice

- Protect LMI renters by amending the provision on new market rate housing within TODs that is currently limited to home ownership to include renting and rent to own options



Clean Fuels Standard Concerns

- Allowing high carbon fuel producers to meet their credit obligations by paying clean producers for their energy is a weak way to enforce the standard - as it lets them offset instead of eliminate their emissions - which by itself won't guarantee that emission reductions and investments in overburdened communities occur at the necessary speed and scale required by the CLCPA
- Clean air necessitates an 'electrify everything' approach.
 - Allowing vehicles to combust lower carbon liquid fuels that still emit criteria pollutants won't eliminate air pollution hotspots

Recommended Additional Actions

Electrify Everything that Moves

- Adopt ZEV for medium and heavy duty vehicles and carve out explicit targets for trucks and bus conversion that prioritize diesel emission reduction in air pollution overburdened communities
- Mandate rapid phase in of the conversion of the state's fleet to ZEVs

Rapidly expand policies to encourage uptake of EVs – like incentives and enhancement/expansion of charging infrastructure



Hone in on Equitable VMT Reduction

- Establish a New York State-supported Equitable (Fair & Affordable) Transit-Oriented Development (E-TOD) effort via the Regional Economic Development Councils or through a New York Statewide E-TOD Program.
- Include at least 20% affordable housing minimum for all new TOD
- Amend Municipal Home Rule Law to explicitly allow fees on new development to offset public transportation service costs
- Require at least 50% of transportation sector climate monies to be spent on non-car programs

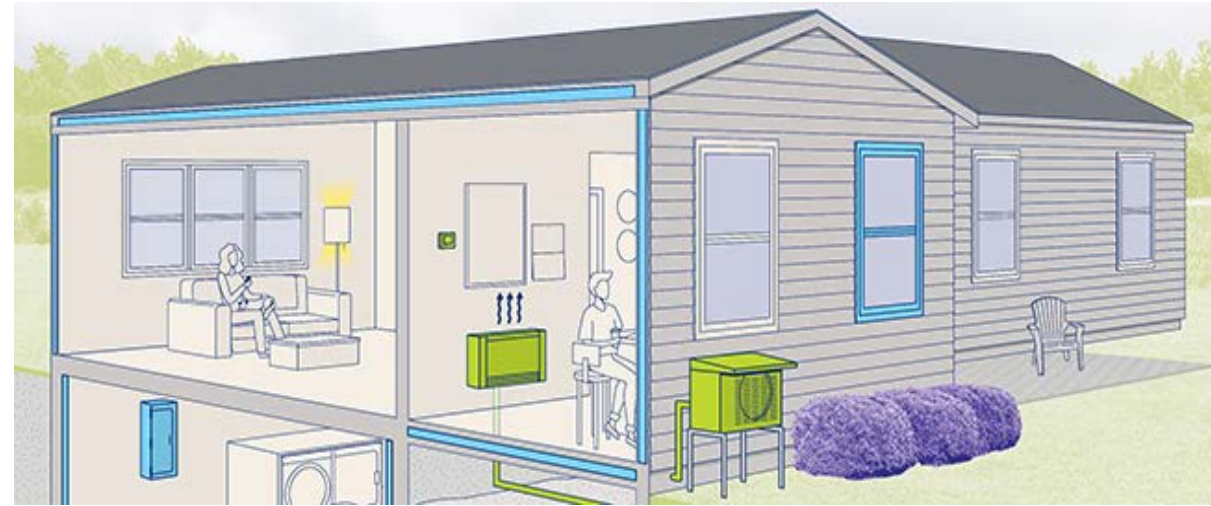
Extra Support 4 Communities Facing Barriers

- *Within the Consolidated Funding Application (CFA) of the Regional Economic Development Councils*, mandate prospective developers and employers to identify how their prospective projects (and related NYS funding requests) consider public transportation options for low-income workers.
- Incentivize hiring of disadvantaged workers in transit manufacturing by enabling companies to get a credit for setting aside a certain proportion of their workforce for hiring them

EE & Housing Advisory Panel

Concerns & Suggestions

- Recognize that when DACs benefit, we all benefit and advance justice
 - We should be aggressively pursuing established State goals
 - However, New York State's own energy affordability goal of 6% or less of household income was not even acknowledged
- Emphasize Just Transition to a greater effect
 - Regulatory action and investments in efficient appliances and clean heating/cooling/cooking must be front loaded in DACs or poor and working class households will be left behind
 - Sunset dates for combustion appliances and systems are inadequate without added goals to benefit DAC, such as:
 - Investments from proposed electrification and retrofit readiness fund
 - Mandate utility planning for fossil fuel divestments and just transition investments
 - Target workforce training and job creation
 - Reduce cost burdens with adequate rate design in LMI households and historically redlined areas
 - Prioritize consumer financing options made available by CDFIs and credit unions as part of the Community Reinvestment Act regulatory compact



- Consumer protection needs are generally inadequate, therefore update the recommendations to include:
 - Utility customer bill of rights
 - Including a safety net style guarantee of renewable energy to every household
 - Public education measures to counter power of IOUs and alleviate the opaqueness of the energy system
 - Clawback provisions to defend against rate increases, gentrification, and displacement are needed as part of public subsidies to private landlords
 - Energy benchmarking/disclosure requirements that protect and empower tenants with information about the energy use intensity and affordability of their housing stock

Energy Efficiency & Housing Advisory Panel

Undertake the following additional actions

- Create standards for upgrading existing buildings
 - Include proper cost projection and place based strategies for buildings in need of substantial repair or remediation
- Bolster local supply chains and create jobs
 - Outline plan for preservation, diversification, and growth of local supply chains and material and appliance distributors serving DACs
- Heed the special needs of and jurisdictional issues of the State's public housing stock in particular NYCHA and housing in NYC
- Tweak PSC policies to encourage EE and additional funding as part of the rate base for EE
- Calculate costs and benefits holistically
 - Consider the health impacts associated with poor indoor air quality and insufficient thermal comfort
 - Incorporate the cumulative cost burden related to housing, energy, transportation, and healthcare



Disadvantaged Communities Criteria

Development of Disadvantaged Communities Criteria and Other Key Milestones

Review available models of disadvantaged communities, develop “universe” of criteria including indicators, develop and apply evaluation rubric

Work to date

Development of draft criteria, including indicators, methodology, and documentation of data sets

Where we are now

Public comment process on disadvantaged communities criteria (3 months)

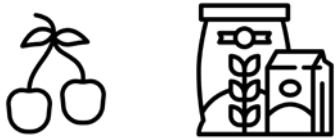
August 2021- November 2021

Finalize disadvantaged communities criteria

November 2021

Mix of CJWG and Technical Input

Indicator Selection

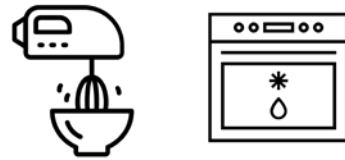


What indicators capture the legislation + stakeholder interest? What data is available? How good is it?



Working Group Input
Technical Expert Input (DEC, DOH, NYSERDA, DOS)
Data Considerations

Scoring Approach

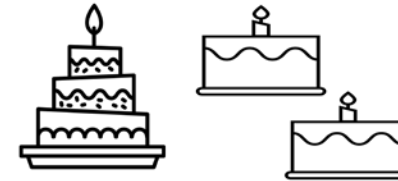


How do we normalize data, group and combine data, and rank/score communities?



Technical Analysis
Adapt/Test California's Approach

Designation



Should we score communities statewide or regionally? What percentage of communities should be DACs?



Technical Analysis
(Options)
Working Group Input

Groundtruthing

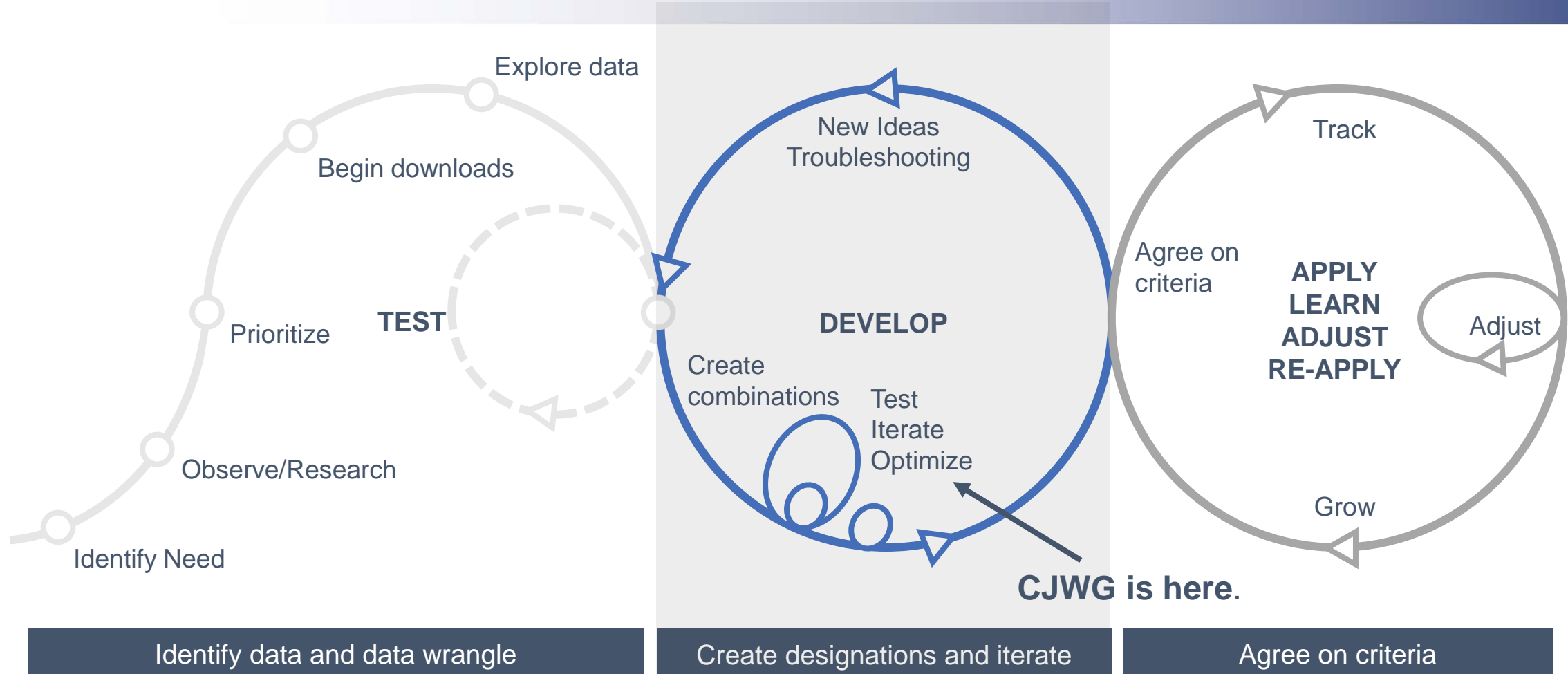


How well do draft DACs reflect stakeholders' experience on the ground? Can we modify scoring approach?



Working Group Review of Maps
Iterate Scoring

Iterative Process to Scoring & Groundtruthing



Next Steps

- CJWG review/groundtruthing of draft scenarios (iterative)
- Prepare & incorporate remaining state data (from DEC, DOH, and climate analysis)
- Iterate & reach consensus on indicators & scoring
- Documentation
- Plan for public meetings/engagement

Next Steps

Discussion

References

Links to Studies Mentioned in Discussion

- > Carbon trading, co-pollutants, and environmental equity: Evidence from California's cap-and-trade program (2011–2015)
 - <https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002604>
- > California Greenhouse Gas Emissions for 2000 to 2017
 - https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2016/ghg_inventory_trends_00-16.pdf