



February 14, 2023

Joint Legislative Public Hearing  
2023-24 Executive Budget Proposal  
Environmental Conservation  
Legislative Office Building  
181 State Street, Albany, NY 12247

Dear Honorable Senators and Assembly Members,

Thank you for your consideration of the Sierra Club Atlantic Chapter's budget testimony. We are a volunteer-led environmental organization of 43,000 members statewide, dedicated to protecting New York's air, water and remaining wild places.

We first wish to congratulate the new chairs of the Environmental Conservation Committees, Assemblymember Glick and Senator Harckham and the new chair of the Energy Committee, Assemblymember Barrett who all join Chairman Parker in the important challenge of shepherding the legislature through some of the most critical legislative actions to turn the tide against a rapidly destabilizing climate. The Sierra Club looks forward to working with you in finding solutions.

The SFY 2023-24 budget negotiations are happening concurrently with New York State's finalization of regulations that will implement the Climate Leadership and Community Protection Act (CLCPA) that are due in 2024. As you know, this landmark legislation that the Senate and Assembly passed in 2019 commits the state to a zero emissions grid by 2040 and near carbon neutrality by 2050. In December 2022, the Climate Action Council released a final scoping document with a number of recommendations for areas where implementation of the CLCPA requires further legislative action in order for the new law to be timely or effective.

With an intensifying climate crisis permeating almost every aspect of our lives, there is a tension between waiting for the final rules and regulations to be implemented in 2024 and knowing that there are actions the legislature and governor must take immediately if we are to avoid the worst aspects of this catastrophe. This budget season must not be viewed independently of the CLCPA process, but as an integral part of its implementation, both financially and legislatively.

The executive budget proposal contains legislation, that tracks at times with recommendations from the Climate Action Council, to electrify our building sector, reduce waste through circular economies, decarbonize the transportation sector, generate

revenue while reducing carbon pollution and remove barriers to renewable energy development. But there are also deviations in the executive budget from the final scoping document that include exemptions and carve outs for certain industrial polluters, prolonged compliance timelines and weakened zero emissions standards that could diminish the effectiveness of the plan. The Sierra Club urges the legislature to judiciously act upon the true recommendations of the CAC and to deviate only if it strengthens—not weakens—the carefully crafted recommendations in the final Scoping Plan. Doing so will make sure that before the final CLCPA regulations are in place there are no statutory or financial hurdles to facilitating the biggest societal transition since the industrial revolution to solve the climate crisis.

The Sierra Club finds a lot to be optimistic about in the 2023-24 Executive Budget and has great confidence that the Senate and Assembly can build upon the responsibilities of COVID recovery with commitments to methodically reduce greenhouse gas emissions, build equity and resiliency into our communities, and clean up our environment. Here are some ways the legislature can support New York’s environment through the 2022-23 state budget process:

### **Adequately fund and staff the Department of Environmental Conservation (DEC)**

Almost nothing is more central to the successful implementation of our climate goals than the dedicated staff within our environmental agencies charged with the crafting of regulation, monitoring of our natural resources and the enforcement of rules. And with converging global crises, our state environmental agencies have been asked to do more with less in this time of pandemic response and climate emergency. In the past three years alone the Department of Environmental Conservation (DEC) has been tasked by the legislature to take on many new responsibilities: administering the Climate Leadership and Community Protection Act, establishing the Office of Renewable Energy Siting, administering the new plastic bag ban, the polystyrene ban, the glyphosate ban on state lands, the trichloroethylene ban, the mandate to recycle food waste and organics, new drilling waste regulations, the phase out of PFAS, 1,4 dioxane, coal tar, neonicotinoids and chlorpyrifos, clean vehicle standards, paint stewardship laws, expanded wetlands protections, new Environmental Justice standards in SEQRA- all on top of our baseline programs to protect air and water. It’s clear that the DEC requires more staffing and funding.

New York has lost nearly a quarter of the DEC’s workforce since the 1990s, which has meant fewer enforcement actions against polluters, increased spread of invasive species and less review of impending threats to our environment. There is little left to cut from this bare-bones agency that is battling attrition even as it adds more staff.

Last year, Governor Kathy Hochul removed a decades-long agency hiring freeze, and the 2022-23 State Budget authorized the hiring of 94 new DEC staff in this past fiscal year, which is an excellent start to rebuilding the agency. But the legislature should do more to ensure the agency is adequately staffed, which should include consideration of incentive

programs in our colleges and universities so that we can scale up the workforce for the next wave of climate professionals.

The current FY 2024 Budget proposal seeks to create an additional 231 FTE staff positions at DEC and at least 50 new positions at NYS Office of Parks, Recreation and Historic Preservation. This is welcome, but the majority of funding for these new staff positions will come from the \$4.2 billion Bond act passed by voters this past fall. While there is an urgency to ensure there are enough additional scientists, analysts, inspectors, environmental conservation officers and policy makers to oversee the implementation of the climate law it would be best for the bond act to pay for much needed environmental programs rather than offloading staffing costs that should be paid for from a more permanent funding source for long term stability.

Beyond direct climate considerations, DEC desperately needs more staff to protect New York from the increasing threat of toxic chemicals. The Pollution Prevention Unit within the DEC, at its height, had 35 staff, but is currently staffed with just 7 FTEs. This Unit is tasked with implementing the many laws passed over the last few years, including the Toxic Chemicals in Children's Products law, 1,4-dioxane ban, flame retardant ban, PFAS in food packaging ban, PFAS in apparel ban, addressing mercury in cosmetics, and much more. The Sierra Club urges the legislature to replenish the Pollution Prevention Unit with additional staff to make sure this critical work continues.

### **Growing the Environmental Protection Fund to \$500 Million a year**

Last year, the Environmental Protection Fund (EPF) grew to \$400 million (from an historic \$300m) and we are encouraged that the fund will reach the \$400 million mark this year as well. The EPF is NY's primary funding source for critical programs like open space acquisition, farmland and habitat protection, drinking water infrastructure and waste reduction. The projects supported by the EPF are proven economic generators and job creators, with every \$1 invested in land and water conservation generating \$7 for the state in terms of ecological services, agricultural products and recreation related revenue. Increased funding to the EPF at a time of budget deficit can help revitalize tourism and make entire regions more attractive to businesses, secure clean water resources for wineries and breweries, and ensure that farmland is preserved and is affordable to new generations of farmers.

The Sierra Club is concerned however that there is language attached to the EPF in this year's budget that would allow unlimited offloads of DEC staffing costs from the EPF, when typically these are general fund expenses. This language essentially negates the promise of a fully funded EPF and previous indications that the fund will gradually grow to the \$500 million mark in future budget cycles to meet the growing demand of environmental programs. We urge the legislature to protect the EPF from any future offloads or sweeps and ask that you work with the governor to find ways to grow the fund.

### **Continue Funding New York’s Water Infrastructure Improvement Act**

The Sierra Club continues to appreciate the proceeds of New York State’s Water Infrastructure Improvement Act (WIIA) which since 2017, has contributed over \$3 billion to much needed public water systems and programs. The 2024 Executive Budget proposes another annual installment of \$500 million this year. But in consideration of two converging emergencies - the desperate need to “fix our pipes” and combat the wide spread PFAS contamination crisis - NY really requires twice the funding to fight this battle on multiple fronts. The Sierra Club joins a broad coalition of advocates asking for \$1 billion to fund the WIIA in 2024. This essential program repairs failing sewage and drinking water infrastructure, upgrades and replaces septic systems, funds source water protection through land acquisition projects, remediates and replaces contaminated drinking water, confronts harmful algal blooms in our waterways, addresses water pollution caused by agricultural run-off, replaces lead drinking water service lines, upgrades mapping technologies for water systems, and more.

Communities across NY will be able to continue to fix their most pressing water infrastructure needs and protect the quality of their drinking water. This significant investment will serve as a down-payment toward our state’s massive wastewater and drinking water infrastructure needs, which are estimated at approximately \$80 billion over the next twenty years. New York State will need to identify additional resources to increase funding to meet these vast water infrastructure needs in the years to come. The Sierra Club looks forward to working with the governor and the legislature to meet those goals.

### **Support for the Waste Reduction and Recycling Infrastructure Act (Part PP of the TED)**

As Americans we are drowning in our own packaging waste. Of the quarter of a billion tons of municipal solid waste generated every year in this country, nearly a third of it is just packaging and paper products. Only about 35% of this waste is recycled, leaving the rest to go to incinerators, landfills and uncaptured litter. Currently, manufacturers are not responsible for recovering or recycling their products and have little incentive to reduce the packaging of those products. Instead, municipalities bear the brunt of handling the collection, transportation, sorting, and processing of waste — materials which they had no control or influence over in the first place. Many municipalities struggle with the burden of recycling, and will continue to struggle following China’s recent and significant restrictions on the recyclables it will accept. As a result of increased recycling costs, municipalities are faced with the decision to either increase taxes or significantly limit what materials they can accept. Meanwhile, manufacturers continue to exacerbate the global waste crisis because there is no mandate to reduce the amount of packaging they use nor is there any incentive to transition to materials that are easier to recycle.

To prevent more paper waste from ending up in landfills, the recycling market must shift the “end-of-life” responsibility of materials from municipalities to the producers of that waste, by creating a producer responsibility program for paper products and packaging materials. Under this type of program, producers will finance the recycling of their

products, be rewarded for creating easily recyclable products, and use higher percentages of post-consumer recycled material.

The Sierra Club Atlantic Chapter is encouraged to see the inclusion of the Waste Reduction and Recycling Infrastructure Act in the Executive budget (Part PP of the TED) and encourages the Assembly and Senate to include their versions of a program in their own budget bills. While we are encouraged by Part PP, there are several areas we urge the Assembly and Senate to be sure to include in their proposals. As found in S.4246 (Harckham) the Legislature should:

- **Address the issue of toxic chemicals in packaging materials.** Part PP does not include legal provisions that mandate the elimination of toxic chemicals from the materials used for packaging. Governor Hochul included such language in last year's budget proposal but dropped the requirement this year. The Sierra Club strongly urges the Legislature to include this important piece in their one house budget proposals. To create a truly circular economy, with a sustainable life cycle of products, we have to ensure that the materials we are putting back into the reusable/recyclable stream do not contain toxic chemicals. By eliminating chemicals that are carcinogens, mutagens, reproductive toxicants, immunotoxins, neurotoxicants, or endocrine disruptors from the wastestream, we will be ensuring the reuse and recycling of materials will be much more sustainable.
- **Include the creation of the Office of Inspector General.** An important piece to the success of a strong waste reduction policy includes increased accountability and transparency of the Producer Responsibility Organization (PRO). Part PP does include the creation of an Advisory Board and the Sierra Club is supportive of this, however, we urge the Legislature to include the creation of the Office of Inspector General (IG) within the DEC, in addition to an Advisory Board. This office would assist with oversight and enforcement and would be funded through PRO registration fees.

As stated earlier, we believe Part PP is a good start, but we look to the Assembly and Senate to ensure New York has the most comprehensive program possible. The most successful program will:

- Fix and expand statewide recycling by holding producers responsible and ensuring that our municipal recycling centers have financing mechanisms in place to build self-sustaining programs (including appropriately set fees and eco-modulation of waste products, i.e. penalizing the use of materials that are toxic or difficult to recycle, and rewarding the use of those which are better for the environment.
- Implement strong waste and plastic reduction requirements that support eliminating packaging and promote reuse/refill options.
- Set clear targets, goals, and standards for recyclability, post-consumer content, reuse/refill in the legislation. This should not be left to be determined through regulation or left up to the Producer Responsibility Organization (PRO).

- Clearly define what constitutes recycling, so that the program doesn't include incineration, chemical recycling or other false solutions, and does not interfere with current beverage container laws.
- Increase accountability and transparency for the PRO, such as an Inspector General to assist with oversight and enforcement funded through PRO registration fees, in addition to an advisory board.
- Elimination of toxic chemicals in packaging.
- Commercial packaging should not be part of the PRO financing structure, but commercial entities should be responsible for meeting packaging standards and post-consumer content goals.

Waste Reduction and Recycling programs for paper and packaging are common throughout the world, and have shown great success in Canada and Europe. In Europe, where these types of programs have been established for decades, some countries have reached packaging and paper products recycling rates as high as 80%, compared to a maximum of 50% in parts of the United States. The programs have increased recycling rates and reduced methane emissions by limiting the waste that goes into landfills. Through the creation of such a program in the budget, New York can reduce some of the worst environmental contaminants from our landfills without an additional burden on taxpayers, and continue to lead the nation in plastic and waste pollution reduction.

### **Clean up of Forever Chemicals (Part QQ of the TED)**

Sierra Club supports Part QQ, and the \$60 million proposed to help communities identify and clean up water supplies or soil contaminated with toxic PFAS chemicals. We urge the Legislature to include Part QQ in their one house budget proposals, and ask that the Senate and Assembly include even more funding for clean ups of 'forever chemicals', recognizing that tests are extremely expensive and remediation even more so. While cleaning up contaminated communities is essential, it still is a losing effort if the state of New York does not place greater focus on "turning off the tap" by banning the use, production and application of these forever chemicals. Emerging studies are finding PFAS in increasingly high concentrations in food, cosmetics, and cleaning products, which in turn find their way into the human bloodstream and can cause a range of ailments, from cancers to neuropathies. The legislature has already taken steps to ban PFAS from fire fighting foam, food packaging and clothing. Cutting these chemicals off entirely at the source would save the state from considerable future fiscal hardship and misery, avoiding compounding clean-up costs and contamination-related fatalities due to continued exposures.

### **Pesticide Registration Fee (Part SS if the TED)**

Overuse and misapplication of pesticides have left an indelible scar on New York's ecosystems and public health and the public has relied on pesticide registration fees to fund conservation programs that in part serve to reverse some of the damage these chemicals have inflicted upon non-target wildlife and pollinators. The current registration

fees of \$600 and \$620 for certain pesticide registrations is set to sunset on July 1, 2023. If the policy is not updated, the fees will revert back to the \$50 fee set when the fee was originally created. The funds raised from these registration fees are essential to the conservation work of the state and the Sierra Club urges the Legislature to include Part SS in their one house budget proposals.

### **Making NY Buildings More Sustainable (Part WW of the TED)**

Total household electrification is our future, not only to meet our greenhouse gas emissions reduction goals, but to achieve a standard of living that is healthier, more cost effective and efficient. Consistent with the final Scoping Plan, renewable energy-powered technology will soon heat and cool all our homes, dry our clothes, cook our food, charge our vehicles and power our lives. Commercial buildings and industries will also transition away from fossil fuel powered machines and processes as we look to lead the nation in climate solutions through this transformative innovation. But while our climate laws are binding, our building codes and appliance efficiency standards still have to be modernized if we are to keep pace with our goals.

To this end, the Sierra Club is grateful that there are proposals before the legislature and within the Governor's 2024 budget proposal that will prohibit the installation of fossil fuel equipment and building systems in the construction of new one-family and multi-family residential buildings no more than three stories in height beginning December 31, 2025. The same prohibition would apply to new multi-family residential buildings more than three stories in height and new commercial buildings starting on December 31, 2028.

The Sierra Club is concerned that these mandates are nearly two years later than what the Governor proposed in last year's executive budget and that they contain exemptions that were not endorsed by the final Scoping Plan. New York City has already implemented their all electric provisions for new construction. It is our understanding that this delay in the Executive Budget Proposal is tied to the 3 year cycle of building code revisions and failure to find agreement last year caused the state to miss a window of opportunity to amend the codes in a timely manner. We call upon the legislature to find a way in the interim to establish this prohibition of fossil fuel heated homes before we create more stranded assets for home owners stuck with expensive, polluting boilers and appliances, and to limit exemptions consistent with the recommendations of the Climate Action Council.

One way for the State of New York to jump start earlier mandates for mass building decarbonization in new construction is to require all electric, zero emissions technologies in each of the 800,000 new affordable homes the Governor proposes to build over the next decade to meet the current and historic housing crisis. If the FY 2024 NYS Budget included an extra \$2 Billion for a Green Affordable Pre-Electrification (GAP) fund, thousands of more low-to-moderate (LMI) households could weatherize and/or electrify their homes which would only improve the available affordable housing stock.

The GAP Fund would also provide funds for property improvements to address deferred

maintenance, mitigate environmental health hazards, upgrade unsafe electrical and mechanical systems, and reduce fossil fuel use and energy bills. This Gap Fund would also link LMI homeowners with other benefits and programs for home weatherization and electrification, leveraging state investments to get even more federal dollars. In addition, the legislature should highlight the need for a \$900 million investment through NYSEDA's Green Jobs, Green New York program to establish 0% interest loans to finance the up-front costs weatherization and electrification for LMI households. Amendments to the law are also needed to expand the scope of what the program finances so it includes all the project types listed in the GAP fund above, such as deferred maintenance. This is a golden opportunity, buttressed by the legal requirements of the CLCPA, for the state to act upon its values and provide healthier, safer and more affordable homes to the New Yorkers who need them most.

In addition, the Assembly and the Senate can expand upon this ideal to include in their one house budget bills a mandate to create a long term program to fully decarbonize and achieve zero onsite emissions for New York State-owned campuses and facilities by 2040 and a specific requirement that 15 of the highest-emitting campuses and facilities in the state portfolio begin the work necessary to ensure shovel ready projects by 2025.

We urge specific shovel-ready project investments of \$115 million in the 2023-24 budget including:

- \$75 million, which includes \$5 million each for 15 campuses and facilities to choose the best option for decarbonization that is most technically appropriate for the site and to begin detailed engineering designs to get to shovel ready
- \$9.5 million funding to prepare for electrification, including weatherization.
- \$30 million to fund work on decarbonization projects in State-owned campuses and facilities that are already shovel ready, such as chillers for zero-emission air conditioning.
- Funding for pre-apprenticeship programs, which includes \$500,000 to the Workforce Development Institute's Statewide Pre-Apprenticeship Program. These programs can support residents of disadvantaged communities who want to join the union workforce.

But beyond these commitments and sunset dates for new fossil fuel construction, decarbonization of New York's building sector requires **synchronization of the Public Service Law with the CLCPA and removal of incentives and entitlements for natural gas and home heating oil**. If there are truly obstacles to New York State meeting mandates for all-electric buildings, the greatest potential shortfalls are rooted in an entanglement of existing laws and regulations that continue to prop up the use of fossil fuels at the expense of alternatives. While our climate laws are binding, our public service laws have lagged behind, in many cases subsidizing and prioritizing the continued use of the same fossil fuels we must eventually ban. Currently, gas companies are spending billions of dollars to build out gas infrastructure in New York and utilities are working to get



more new homes hooked up to fossil fuels before the anticipated climate regulations in 2024 mandate all-electric heat pumps and appliances. The Public Service Commission does not have the legal authority to fully stop this surge and utilities still maintain a legal “obligation to serve” any customer demanding gas service. The Sierra Club urges the legislature to pass the :

- **‘NY HEAT Act,’ S.2016 (Krueger)/A.xx (Fahy) (2023)**, a bill that will authorize the Public Service Commission to align a planned phaseout of gas and oil home heating with anticipated new codes and regulations to facilitate an equitable and affordable transition to all-electric, renewable energy powered buildings.
- **Energy Efficiency Equity and Jobs Act: S.2469(Parker)/A.2655 (Hunter)**: a bill that Establishes energy efficiency measures by the Public Service Commission and the New York State Energy Research and Development Authority including requiring utilities to hire and train employees who are from priority populations or living in areas designated as environmental justice communities.
- **All-Electric Buildings Act S.562 (Kavanagh)/ A.920-A (Gallagher)** a bill that ends the use of fossil fuels in new construction starting in 2024.

This package of legislation to decarbonize New York’s building sector will fill in the gaps not covered by the CLCPA and was identified by the Climate Action Council as crucial bills needed to meet our climate goals. Residential and commercial buildings account for approximately 60% of total energy use and greenhouse gas emissions in New York State. Phasing out fossil fuels in favor of geothermal and air source heat pumps and induction stoves is a cost-effective tool in reducing greenhouse gas emissions. Electrification is a critically important step in attacking the climate crisis head on. In order to meet New York’s legally mandated greenhouse gas emissions targets, 2 million homes need to transition to heat pumps in the next 10 years, and the legislature must put a stop to new, in-home, fossil fuel infrastructure that hampers that goal. The Sierra Club urges the Senate and Assembly to pass these important building initiatives in the most aggressive timeframes possible.

### **Advancing a Cap-and-Invest Program for NY (Part AAA of the TED)**

One of the biggest Challenges of the Climate Leadership and Community Protection Act is finding a way to pay for the transition from fossil fuels to an emissions-free, renewable energy economy. The Final Scoping Plan also recommended that a carefully constructed Cap-and-Invest Program would be the most feasible and affordable method to raise revenue for the transition from fossil fuels to zero emissions technologies and phase out the most potent emitters of greenhouse gasses. The Governor’s executive budget proposes article VII language that authorizes the Department of Environmental Conservation and New York State Energy Research and Development Authority to establish a “cap-and-invest” program to set limits on statewide greenhouse gas emissions. The program would require the state’s biggest polluters to pay, through a credit system, a fee for their share of greenhouse gasses and every year the overall cap on emissions ratchets down until the limits meet our zero emissions goal. The proceeds of the program are invested in clean energy projects, green transit, building decarbonization and rebates

to support low to moderate income households through the transition. In general, the Sierra Club supports this plan that should have robust public involvement in the creation of the cap-and-invest program, while the legislature formalizes in law the rebates and other tax related authorizations. But we would like to see more specific details to the plan to ensure what is being authorized will be effective and equitable.

For one, there are concerns that the proposed cap-and-invest program will exclude the electric sector and allow the Regional Greenhouse Gas Initiative (RGGI), which has been in effect since 2009, to alone dictate emissions reductions from NY's remaining fossil fueled power plants.

While RGGI has provided considerable benefits to New York, its ambition is constrained by the diversity of the 11 other participating states, few of which have electric sector or climate commitments consistent with New York's 2040 zero emissions mandate. Consequently, it is crucial for New York to continue to drive emissions down in the power sector beyond what will be achieved by the regional RGGI cap, and this can effectively be accomplished by a New York-only electric sector cap-and-invest program. Notably, Massachusetts for years has operated a state-specific cap system on its power generation resources with tradable permits (310 Code of Mass. Regs. 7.74) that functions in parallel to RGGI.

It is understandable that New York would want other states to eventually join our sector wide cap-and-invest program as some of the costs of the cap will initially put us at a competitive disadvantage with states not acting to control their emissions or tax polluters. But in that outreach for collaboration, New York must not compromise its current climate accounting principles by linking its cap-and-invest program with other states that fail to use 20-year global warming potential (GWP). New York appropriately recognized the exigency of the climate crisis when it enacted the CLCPA and incorporated a 20-year GWP because it better factors in the near-term impacts of pollutants like methane, which cause most of their climate damage in the early years after release. Reliance on a 100-year GWP, as many states have adopted, obscures the massive near-term climate harm caused by methane, which in turn does not factor into effective climate reduction policies. In conversations with other states about potential linkages between their C&I programs, New York should demand that other states update their accounting to reflect the 20-year GWP that New York already uses.

In addition, New York's cap-and-invest program must include features to ensure it does not cause disproportionate environmental or economic burdens on residents and communities. We support the provisions of Part AAA that take a portion of the revenue for rebates to lower-income residents to mitigate the economic impacts of the program. We also support development of program design features that help ensure the geographical distribution of emissions impacts does not cause disproportionate burdens on any one community.

The Sierra Club is excited about the prospects of the state developing an equity focused

pollution reduction program as a revenue generator, but will reserve all judgment until there is more detailed language from DEC and NYSERDA. We strongly encourage the legislature to work with the governor through the budget process so that DEC and NYSERDA have the fiscal tools they need to run an efficient program. We also encourage the Legislature to create and fund a Climate and Community Protection Fund that can interface with a cap-and-invest Program and help distribute funds where they are most needed.

### **Support for a Climate and Community Protection Fund**

As the State contemplates revenue generating mechanisms to curb climate emissions and fund the transition to clean energy technologies, the Sierra Club urges the legislature to consider a centralized fund to help manage the distribution of money to the communities and opportunities that need it most. We support the Climate and Community Protection Fund as advanced by the New York Renewables Coalition as part of their Climate Jobs and Justice Package, which conceives of a fund comprised of four accounts that tackle key areas of the transition:

- **Climate Jobs and Infrastructure** - Funding for increasing building efficiency, clean energy hubs, storage and transmission infrastructure, expanding public transit and charging stations, innovating industrial and agricultural practices and creating circular economies for what once was considered waste.
- **Community Directed Climate Solutions Account** - Assisting low and moderate-income families, reducing energy costs while reducing emissions (as in the rebate contemplated in Part AAA of the TED).
- **Community & Worker Transition Assistance Account** - Providing direct support and job training to impacted workers, funds to replace lost tax revenue for municipalities and school districts, expanding economic development programs, and more.
- **Energy Affordability Account** - Directing grants to community organizations for grassroots-led energy planning, advocacy and education. The effectiveness of NY's climate program will hinge on the ability for the public to learn about their role in the transition, the programs they are eligible for, and the direct and indirect benefits of the state's policies. This outreach and the subsequent transformation of public opinion and engagement isn't possible without the help of community organizers.

The Climate Action Council anticipates that the State of New York will have to spend at least \$10 billion annually to finance the transition to an equitable clean energy economy. Early estimates from NYSERDA indicate that a Cap and Invest program will generate at least a billion dollars while driving down emissions. Having an organized centralized fund will not only help protect this essential capital from sweeps or misappropriation, but it will also facilitate money getting to where it's needed most on a more timely schedule.

Many of the budget issues cited in our testimony have a direct connection to the implementation of the Climate Leadership and Community Protection Act and should be carefully considered in tandem with the advice of the Climate Action Council and the emerging rulemaking process. The Sierra Club encourages the legislature to engage in these recommended legislative actions to ensure that New York's transition to a zero emissions society is at full speed when the final regulations are adopted in 2024. We commend Governor Hochul and the legislature for their leadership and commitment to combating the climate crisis through the budget process. We know there will be greater challenges on the horizon but we remain resolutely committed to working together to rebuild New York's environmental agencies, make our state more resilient to climate change and strengthen our long-term environmental legacy.

Thank you for your consideration of these comments,,

A handwritten signature in black ink that reads "Roger Downs". The signature is written in a cursive, flowing style.

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