



**Written Testimony Submitted to the New York State Legislature Joint Budget Hearing on the  
2023-24 Executive Budget Proposal on Environmental Conservation**

February 14, 2023

The Tompkins County Climate Protection Initiative is a coalition of community leaders and activists committed to the reduction of greenhouse gas emissions and the development of a clean energy economy in our region and state. Our flagship program, the Ithaca 2030 District, seeks to enhance the energy and water performance of commercial buildings in downtown Ithaca and reduce their carbon footprint. We welcome this opportunity to express our whole-hearted support for the Climate, Jobs, and Justice Package and the Renewable Heat Now Package. We also strongly support the Renewable Capitol Act. We think these legislative proposals are crucial to the implementation of the Climate Leadership and Community Protection Act (CLCPA) and the Climate Action Council Final Scoping Plan.

**I. Climate, Jobs, and Justice Package**

The Climate, Jobs, and Justice Package, if approved by the State Legislature, will rapidly decarbonize New York, make the state healthier and more equitable, ensure a just transition for workers, and help create an accessible green economy for all. Overall, the bills individually and collectively advance the goals of the CLCPA. The Climate, Jobs, and Justice Package has three main components: 1) fully fund the CLCPA so that it can achieve its objectives; 2) build renewable energy for all and create green union jobs; and 3) hold polluters accountable and ensure everyone pays their fair share in taxes.

*1. Fully fund and implement New York's Climate Act*

- The Climate and Community Protection Fund (CCPF) would create a pool of money to ensure sufficient investment to fund the CLCPA, allocating \$10 billion as well as any potential future revenue from cap-and-invest so that New York can start justly and equitably directing money to communities, workers, and small businesses. The fund would build out resiliency and jobs programs, provide direct support and job training to impacted workers, codify labor standards, direct grants to community organizations for grassroots-led energy planning, increase building efficiency, and help lower energy bills for low and moderate-income families.

*2. Build renewable energy for all and create good, green union jobs*

- Build Public Renewables Act (A279/S4134) will enable the New York Power Authority (NYPA) to own and build new renewable generation, storage, and transmission, require NYPA to provide renewable energy to all State-owned and municipal properties by 2025, ban for-profit Energy Service Companies (ESCOs), and lay the groundwork for a 100% renewable, democratically controlled, publicly owned energy system. It will allow NYPA to build affordable renewable energy to meet our climate targets and to retrofit public buildings with weatherization measures, electric heat pumps, and toxic remediation by 2030, and it will create between 28,000 and 51,000 jobs, with NYPA requiring prevailing wages on all projects.

- Climate Accountability Act provides state agencies with the authority and guidance required to implement the Climate Act and ensure that our energy system is accountable and transparent to the public while paving the way for full decarbonization.
- NY HEAT (Home Energy Affordable Transition) Act (S2016), previously the Gas Transition and Affordable Energy Act, will give the Public Service Commission the power and direction to align gas utilities with the CLCPA's emission reduction and climate justice mandates (more details below).
- Fossil Fuel Facilities Replacement and Redevelopment Blueprint Act (S2935) provides a replacement and redevelopment blueprint for New York state's fossil fuel facilities and sites. It mandates that the Public Service Commission, Department of Environmental Conservation, and Long Island Power Authority establish proceedings, after a mandated state study, to phase out, replace, and redevelop the state's oldest and most polluting fossil fuel facilities by 2030

### *3. Make polluters and the wealthiest New Yorkers pay what they owe*

- The Climate Change Superfund Act (A3351 | S2129) makes the state's worst polluters, major oil companies, pay for the harm they've caused. It establishes the climate change adaptation cost recovery program, which would require companies that have contributed significantly to the buildup of greenhouse gases, the primary cause of climate change, to bear a share of the costs of infrastructure investments required to adapt to the impacts of climate change in New York State. These costs would be assessed against those companies responsible for the emission of greenhouse gases that exceed one billion tons during the covered period, December 1, 2000 through December 31, 2018. The program established in this legislation would assess the major fossil fuel emitters \$3 billion annually over the span of 25 years to offset the climate damages incurred by the state. Furthermore, the bill requires that an independent evaluation be conducted of the program.
- The Stop Climate Polluter Handouts Act (S3389), formerly the Fossil Fuel Subsidy Elimination Act, will end the most egregious state subsidies of over \$330 million each year to the fossil fuel industry, a major contributor to the climate crisis. It pinpoints and eliminates the worst handouts to polluters: incentives that support research and development within the fossil fuel industry, the use of highly polluting airline fuel and commercial shipping "bunker" fuel, and the operation of fracked gas infrastructure, among many others. The bill preserves tax exemptions that help low- to moderate-income households, including a home-heating credit and an agricultural exemption for small- to mid-sized farmers.
- Invest in Our New York's Plan to Fund Our Future is a revenue and spending package developed by the Invest in Our New York (IONY) coalition that will ensure the state eliminates wasteful handouts to businesses and the wealthiest New Yorkers pay their fair share to fund our climate law.

## **II. Renewable Heat Now Package**

- The All-Electric Building Act (A920 | S562) requires all new buildings to be constructed without fossil fuel combustion systems or appliances, starting in 2024 for those under seven stories and by 2027 for larger buildings. It proposes a faster timeline than what Governor Hochul has included in her budget. This bill was strongly recommended in the Climate Action Council's Final Scoping Plan to implement the Climate Act. In 2021, approximately 50,000 buildings were newly

constructed in the state, most of them with fossil fuels. Without a mandate for fossil-fuel-free new construction, New York is undoing the progress made toward its climate goals. Washington State, New York City, Los Angeles, and many other U.S. cities, as well as Germany, have passed similar codes.

- NY HEAT (Home Energy Affordable Transition) Act (S2016), previously the Gas Transition and Affordable Energy Act, requires the Public Service Commission (PSC), together with NYSERDA, to initiate proceedings to develop a statewide plan to better align the PSC's regulation of utility services with the climate justice and GHG emission targets of the CLCPA. It eliminates subsidies for new gas hookups (the "100-foot rule"), enables neighborhood scale building decarbonization by eliminating the "obligation to serve" gas, and addresses operating costs by ensuring no household pays more than 6% of their income for energy. The plan will set biennial gas sales reduction targets for each gas company, and, with the possibility of exemptions, prohibit the construction of any new gas plant that would result in gas becoming available in new geographic areas after September 30, 2023.
- The Energy Efficiency, Equity, and Jobs Act (A2655|S2469) will ensure that New York's transition from gas to electric heating will be equitable, without leaving low-income communities of color behind. It will 1) set equitable energy efficiency targets for utilities operating in New York State; 2) ensure that the resources utilities allocate to reach those standards are defined and distributed in a just and equitable manner that addresses the needs of low-income New Yorkers and New Yorkers of color; 3) require utilities to use some of those resources for equitable job training programs in these communities, so that the people doing the energy efficiency improvements in low-income communities and communities of color are residents of those communities; and 4) require NYSERDA to track the distribution of these resources, including the investments that indirectly improve energy efficiency in these communities, so that the energy efficiency targets and resource allocations can be measured, monitored, and adjusted accordingly.

### **III. Renewable Capitol Act**

The Renewable Capitol Act (S2689) mandates that several state facilities in downtown Albany, including the Empire State Plaza and the State Capitol building, receive their electric power, and heating and cooling from 100% renewable energy within three years, after a planning process with local community input. This bill follows a successful campaign by the Sheridan Hollow Alliance for Renewable Energy (SHARE) that stopped the state from building two gas fired turbines to meet state energy needs in Sheridan Hollow, an environmental justice neighborhood near the State Capitol. This bill will compel the state to finish the job of protecting local residents from threats to their health due to fossil fuel combustion on the site, while addressing climate change.

The legislature should include a \$1.5 million dollar appropriation in the budget this year to develop a plan on how to transition the New York State Capitol and Empire State Plaza to renewables. Let's make our Capitol a symbol of New York's rapid and just transition to a renewable energy future.

The TCCPI coalition views the above measures as critical pieces in the effort to implement the CLCPA and Final Scoping Plan and urges the State Legislature to adopt them. Together they place equity and justice

at the center of the effort to rapidly reduce greenhouse gas emissions and meet the climate targets stipulated in the CLCPA. Thank you.

Submitted by: Peter Bardaglio, Coordinator