

February 2, 2024

Subject: Environmental Conservation Budget Hearings

Dear Senator Krueger, Assembly Member Weinstein, and members of the New York State Legislature:

I write today to ask you all to ensure that there is substantive funding, specifically a minimum of \$1B, for climate action in the FY2025 budget. I also ask that you include the revenue-raising Climate Superfund Act (S 2129A/ A 3351S) in the budget, as well as the NY HEAT Act (S201B/A4592B) in its entirety so that its provisions affecting affordability are included.

I am a citizen of New York State who is strongly concerned about the accelerating climate crisis and believes that the state government needs to move more quickly and decisively to protect us from extreme weather events and to move us off fossil fuels and onto renewable energy sources. I am also the co-leader of 350Brooklyn, a grassroots group with 4,000 members dedicated to local actions that contribute to creating an equitable, sustainable future for us all. We are members of the NY Renews Coalition. And we are all firm supporters of the three actions I mentioned.

As you know, Governor Hochul included very little money for climate action in her recent budget proposal. Consequently, it is up to the NYS Senate and Assembly to protect the people of New York and invest in concrete projects that will build resilience and mitigate sources of the climate crisis. The Scoping Plan issued by the Climate Action Council on December 31, 2022 urged the state to spend money now to avoid even higher costs in the future, stating that the cost of inaction would exceed the cost of action by more than \$115 billion. And costs are not the only consequence of inaction; extreme weather events increasingly cost lives, ruin property, impair health, and disrupt ecosystems. With each passing year, the situation worsens. Please do not let 2025 be yet another year of missed opportunities.

Do note that some of the revenue streams that potentially can contribute to solutions will provide only modest funding or no funding at all in FY'25. The Environmental Bond Act, admirable as it is, will provide funds slowly over decades, perhaps yielding something in the neighborhood of \$400m in any given year. The Cap and Invest system, now under development, will not be up and running by 2025. And even when Cap and Invest is in place, it is unlikely to provide nearly the \$10-15B that the Climate Action Council's Scoping Plan says we will need year after year for some time to come.

Appropriating \$1B for concrete climate projects (less than 1% of the state's budget) could ensure that the state makes significant headway in furthering clean energy and workforce development in every corner of the state. The money could help cities and towns convert to electric school buses, transform Empire State Plaza into a renewable energy model, build a workforce training facility in Buffalo, and protect miles of vulnerable shoreline in New York City and on Long Island. A \$1B investment would be an engine of economic growth, generating green jobs with prevailing wages. It would be visible evidence of the seriousness with which the Legislature takes the well-being of its citizens. It should go without saying that this money should be deposited in the Climate Action Fund, created by you last year, so that the spending will be transparent and equitable.

Beyond the tax money that would fund this \$1B, the Legislature should embrace other sources of revenue like the Climate Superfund Act. The Climate Superfund Act would raise \$3B/year in each of 25 years to repair damage already caused by the climate crisis. This is money that is now being spent by taxpayers when roads and bridges are washed out, subways halted by flooding, and drainage and sewer systems are overwhelmed. Just like the Federal Superfund, the NYS Climate Superfund Act would bill the biggest emitters of greenhouse gasses for the damage they have caused. For 43 years, the Federal Superfund program has collected payments from manufacturers who create hazardous waste to fund the cleanup of thousands of toxic waste dumps. The Climate Superfund Act works in exactly the same way: those who created the problem must contribute to cleaning it up, the “polluter pays” legal principle. And it would follow NYS ethics as embodied in the Climate Leadership and Community Protection Act of 2019 in that a minimum of 35% of the revenue must be spent in disadvantaged communities. The Legislature should ensure that the Climate Superfund Act is in the F’25 budget, as it is a crucial source of revenue for climate resilience and would give taxpayers some relief.

Lastly, Governor Hochul included key parts of the NY HEAT Act in her budget, namely the portions devoted to planning the transition off gas state-wide and to alleviating the burden on customers when gas utilities expand their infrastructure. However, she omitted a key component, namely the provisions that will ensure that no New York household will pay more than 6% of household income on their energy utilities. Currently about 17% of households, overwhelmingly low-income households, pay more than that, many paying far more. New Yorkers should not have to choose between paying their heating bill or paying for food or medicine. The NY HEAT Act is designed to allow the Public Service Commission flexibility in how it ensures that utilities in the state achieve that goal. It is up to the Legislature to intervene to protect low-income New Yorkers and ensure that energy is affordable for all through including the full NY HEAT Act in the budget.

In sum, I urge the Legislature to include \$1B for climate resilience and mitigation projects around the state, the Climate Superfund Act, and the NY HEAT Act in its entirety in the FY’25 budget.

Thank you.

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