



New York State Council Of Churches

Date: February 7, 2024

Subject: Environmental Conservation Budget Hearings

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

The New York State Council of Churches is comprised of over 7,500 congregations in nine Protestant denominations across the state. The members of those congregations, as well as people of many other faith traditions, share the conviction that we are called to love God and to love our neighbors as ourselves. That means taking concrete, practical steps to care for God's creation and to work for the well-being of our neighbors, especially those who are poor and most vulnerable. The climate crisis therefore is not only an environmental and economic issue; it is also a profoundly moral issue. It is an issue of economic, racial and generational justice. The poor, the marginalized, communities of color, and coming generations will suffer the gravest effects of climate chaos. As Pope Francis wrote in *Laudato Si'*, "We are faced not with two separate crises, one environmental and other the social, but rather with one complex crisis which is both social and environmental." (LS, 139) The cry of the earth is intimately linked with the cry of the poor. The groaning of creation resonates in the cries of the most vulnerable in our midst.

The fossil fuel industry knows this as well. In fact, they've known it for a long time. Exxon was aware as early as 1977 that its fossil fuel products could lead to global warming with "dramatic environmental effects before the year 2050," but then engaged in a lengthy disinformation campaign to downplay or discredit what its own scientists had confirmed.

A 1987 internal Shell publication titled "[Air Pollution: an Oil Industry Perspective](#)" noted that "further rise in carbon dioxide levels in the atmosphere could lead to a higher average surface temperature on Earth, which could have far-reaching environmental, social and economic consequences." Just two years after that report, Shell executive Ged Davis [wrote](#) that "Global warming could challenge the very fabric of the world's ecological and economic systems."

The oil companies are well aware that the crisis is both social and environmental and that the cry of the earth is intimately linked with the cry of the poor. But rather than heed those cries, they chose to ignore them, placing profits over people and caring more about their corporate coffers than the well-being of creation. Now we are dealing with the damage and with the need to prepare for greater challenges to come—the increased frequency and severity of storms, flooding and extreme heat. Efforts to repair the damage and to prepare for the future must especially take into account the poor and disadvantaged communities who are least responsible for the crisis, and least able to defend themselves against the coming climate chaos.

Therefore:

- We urge the Assembly and Senate to include the Climate Change Superfund Act (S.2129A/A.3351A) in their one-house budget. This bill sets up a fair and just source of revenue

to address the climate crisis. It is based on the “polluter pays” legal principle. This revenue-positive bill is based on fiscal fairness and environmental justice, and will raise \$3 billion a year from major oil companies for climate-related repair, resilience and community protection projects. Without such a revenue source, the cost of these projects will have to be borne by New York taxpayers. Last year the costs of such projects amounted to over \$2.1 billion. Major oil companies have earned \$750 billion in profits since 2021. Thirty to forty of the largest multinational oil, gas, and coal companies would be required to together pay \$75 billion total over 25 years to New York State for damages arising from greenhouse gas emissions cause by the burning of fossil fuels. It is fair and just that those who have made such enormous profits from products which are causing the climate crisis should be made to shoulder the costs of repairing the damage.

- We are pleased that Governor Hochul has included key provisions of the Home Energy Affordable Transition Act (A4592 / S2016) in her proposed budget, such as ending some of the major subsidies provided to fossil fuel companies (the 100-foot rule for free gas line hookups). Unfortunately, provisions included in the Governor’s budget do not address the issue of affordability. We urge members of the Assembly and the Senate to include the entire Heat Act in the budget, including capping utility bills at 6% of income for low- and moderate-income households.
- The Just Energy Transition Act (S2935c /A04866) requires a study of competitive options to facilitate the phase-out, replacement and redevelopment of New York State's oldest and most polluting fossil fueled generation facilities and their sites by the year 2030. These older and higher polluting plants are often near communities of color and are supposed to be used only when demand is high. Phasing them out would not only reduce fossil fuel emissions but also lead to healthier and cleaner air in those communities.
- We urge the legislature to include the Stop Climate Polluter Handouts Act (A7949/S3389) in the budget. New York exempts the fossil fuel industry from \$1.6 billion of Sales & Use Tax and Petroleum Business Tax every year. Repealing some of these fossil fuel industry tax subsidies will help ease pressure on the budget and send a clear signal that the state will no longer subsidize industries and practices that are continuing to cause harm by contributing to the climate crisis. The Stop Climate Polluter Handouts Act amends the tax code to remove over \$330 million in tax handouts to the fossil fuel industry, and focuses on highest polluting fuels like high-emission commercial airline fuel and low-grade shipping "bunker" fuel. The Act preserves tax breaks that benefit the public, so the average lower and middle income New Yorker will not be significantly impacted, and job losses are not expected. In order to reduce greenhouse gas emissions, we must stop relying on fossil fuels; a key step is to stop subsidizing them.
- The Renewable Capitol Act (A5633 / S2689) requires the office of general services, in consultation with the power authority of the State of New York, to ensure that within three years all operations that power, heat or cool the Empire State Plaza complex shall entirely use renewable energy systems. Converting the state Capitol to 100% clean renewable energy is a critical environmental and racial justice issue. The communities of Sheridan Hollow and Arbor Hill have suffered for decades as a result of pollution caused by burning fuels (at various times coal, oil, gas, and garbage) used to power the Capitol Complex. State health data shows a significant cancer cluster near the plant on Sheridan Avenue. The proposal advanced by the OGS

Commissioner in her budget testimony, that they hope to reduce emissions from the plaza by only 50% in the next decade, is inadequate. We urge the legislature to include the Renewable Capitol Act in the budget and to adhere to the three-year timeline for converting the Empire State Plaza complex to renewable energy systems.

- The Energy Efficiency Equity and Jobs Act (A2655 / S2469) establishes energy efficiency measures by the Public Service Commission and NYSEERDA including requiring utilities to hire and train employees who are from priority populations or living in areas designated as environmental justice communities. The proposed legislation would help provide equity and jobs by prioritizing communities most likely to be affected by the State's increased climate-related initiatives. The provisions in this bill will help New York take important steps toward addressing decades of environmental racism. We urge the legislature to include it in their one-house budget.
- We urge inclusion of the NY Teachers Fossil Fuel Divestment Act (A1101/S899) in the budget. The Teachers' Fossil Fuel Divestment Act requires the New York State Teachers Retirement System (NYSTRS), after due consideration of fiduciary responsibility and the prudent investor standard to divest from its holdings in major coal, oil and gas producers. The New York State Teachers Retirement System maintains an estimated \$4.5 billion in investments in the fossil fuel industry at a time when it has become abundantly clear that this industry is causing climate change and has known for decades that its activities were warming our planet. The effects of climate change will fall disproportionately on the poor and the most vulnerable among us. Continued investment in the fossil fuel industry furthers this injustice.

The World Council of Churches has spoken of “the urgent concerns of churches around the world in relation to climate change and its adverse effects on the whole of creation, especially on vulnerable poor and indigenous communities, the irreversible ecological degradation and loss of biodiversity, the increased risk of social and political tensions, conflict and displacement in a climate-constrained world, and the moral imperative of fossil fuel divestment and of investing in a low-carbon path to realizing economic, social and ecological wellbeing and sustainability of the whole creation.” (The World Council of Churches executive committee, meeting in Nanjing, China, in November 2016.) Over 1300 institutions across the globe, many of them churches or faith-based organizations representing more than \$14 trillion in assets, have committed to divest.

Divesting from the fossil fuel industry is also an act of leadership. It will raise public consciousness about the severity of climate change, and it will encourage others to take action. A National Academy of Sciences study, [“Social Tipping Dynamics for Stabilizing Earth’s Climate by 2050.”](#) identified divestment as a critical ‘social tipping intervention’ that has the potential “to spark rapid yet constructive societal changes towards climate stabilization and overall sustainability.”

- The New York Tropical Deforestation Free Procurement Act was vetoed by the Governor last year. We urge the members of the Assembly and the Senate and the Governor to work together to enact the provisions of this important bill in this legislative session.

Deforestation is a major source of greenhouse gas emissions and industrial agriculture is the most significant driver of deforestation. Moreover, much of industrial agriculture is rife with human rights abuses and environmental degradation, including forced and child labor, contamination of communities' water sources, and dangerous air pollution as well as workers' and communities' exposure to toxic pesticides, and forced displacement of rural communities as their lands are converted to plantations and pastures.

This bill furthers the goals of the Climate Leadership and Community Protection Act (CLCPA) by establishing a procurement standard that prohibits the sale of goods to the state of New York that contribute to the tropical primary forest degradation or tropical deforestation. The bill would also require state contractors to ensure that these agricultural commodities are not related to violations of workers' rights, land tenure rights, and indigenous peoples' right to free, prior, and informed consent.

In his book, *Cry of the Earth, Cry of the Poor* (Orbis Books, 2002) Latin American theologian, Leonard Boff, writes about the threatened Amazon region of his native Brazil and argues that the fate of the rain forests and the fate of the indigenous people and the poor of the land are bound together. He further states: "Liberation theology and ecological discourse have something in common: they start from two bleeding wounds. The wound of poverty breaks the social fabric of millions and millions of poor people around the world. The other wound, systematic assault on the Earth, breaks down the balance of the planet, which is under threat from the plundering of development as practiced by contemporary global societies. Both lines of reflection and practice have as their starting point a cry: the cry of the poor for life, freedom, and beauty ... and the cry of the Earth groaning under oppression." Care for the earth and care for our neighbors, especially those who are more and most vulnerable, go hand in hand.

As a leader in the fight against climate change, it is incumbent upon New York to minimize state resources expended on activities that directly contribute to climate change and biodiversity loss, and that exacerbate the suffering of poor and vulnerable people. This bill will make a crucial contribution to that effort and further demonstrate New York's leadership globally.

Sincerely,

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