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[February 17, 2021](#)

[December/January Updates from Climate Action Council and Advisory Panels](#)

By Jeff Jones and Anastasia Gordon

Land Use and Local Government – Thursday, December 17, 2020

This Land Use and Local Government (LULGAP) meeting featured a report from convener Sarah Crowell on her Dec. 3rd report to the [Climate Justice Working Group](#) (CJWG), a report from the Dec. 3rd roundtable with local government officials and a presentation by Pace University graduate student Connor Hilbie on [California's Sustainable Communities Act](#) (SB375).

1. Summarizing issues discussed with the CJWG, Crowell reported on LULGAP recommendations that the panel consider the role that community-focused programs like local waterfront revitalization and brownfield opportunity areas may play in CLCPA implementation to ensure that benefits accrue to environmental justice (EJ) communities and that the communities have a voice in their own futures. In three additional points, she urged that the transition to a green economy include the redevelopment of industrial areas, understanding community priorities for areas impacted by closed fossil fuel-based industries and inventories of industrial areas that could be helpful to EJ communities for planning purposes.
2. Local Government Roundtable: Coming from all regions of the state outside New York City, 21 local officials participated in the discussion. This panel was the subject of previous report. The three main topics covered were local models and opportunities for accelerating the development of renewable energy; reducing the carbon footprint of local government operations and facilities; and promoting smart growth and reducing vehicle miles traveled (VMTs). At this time, a second roundtable is not scheduled. But all participants indicated a desire to remain involved. Crowell suggested that they be invited to participate in some of the smaller group discussions scheduled by the LULGAP in the coming weeks.

Reporting on staff work following up the local government panel, Department of State Director of Smart Growth Paul Beyer discussed several proposed goals including doubling upstate public transit service by 2035 and developing new financing mechanisms for the state's Complete Streets program. Beyer also discussed identifying priority growth areas and the need to enhance public transportation in EJ communities.

3. The goal of the California Sustainable Communities Act is to cut greenhouse gas emissions through use of federally mandated Regional Transportation Planning agencies. Hilbie noted that certain regions in California have developed planning blueprints that prepare land use allocations at a higher level than typical local municipalities. SB375 was passed to build on this process. It requires Municipal Planning Organizations (MPOs) to incorporate specific components focused on regional transportation plans. For implementation, California has relied on incentives, but the Act lacks mechanisms for enforcement.

Panel member Juan Camilo Osorio asked about unintended consequences, including gentrification. He discussed the need to create metrics that can be used to show actual success.

Crowell noted that the panel will focus on mitigation strategies to guide development when the group reconvenes in January.

Climate Justice Working Group – Wednesday, December 16, 2020

By Jeff Jones

This meeting of the Climate Justice Working Group (CJWG) featured a discussion of potential metrics for identifying the impacted/frontline communities entitled to focused aid to address the climate crisis under NY's climate law, the Climate Action and Community Protection Act (CLCPA). The working group heard a report from NYS DERDA-retained consultant ILLUME. Speakers presented a list of some 120 potential data points to illustrate the task ahead for the group, which is to identify working environmental justice criteria for the Climate Action Council in the new year.

The second part of the meeting featured the ongoing process of having reports from different CAC's Advisory Panels focused on how issues related to identifying impacted communities are emerging in their respective deliberations.

Reporting from the Just Transition Advisory Panel, Lara Skinner identified the goal as an "equitable clean energy economy" with a worker focus. Specific ideas included free college tuition during retraining and health care support during a period of unemployment.

CJWG member Elizabeth Yeampierre raised environmental justice concerns about the disconnect between workers and their communities. It's not just the individuals, she explained, but their families and the impact on where they live.

Sadie McKeown reporting from the [Energy Efficiency and Housing Advisory Panel](#) focused on the high costs associated with decarbonization and electrification, raising concerns about impacts to affordable housing.

For the [Agriculture and Forestry Advisory Panel](#), Julie Suarez focused on methane and nitrous oxide reduction from the sector. In answer to a question from CJWG member Eddie Bautista, she explained carbon sequestration in the ag and forest sectors from the point of view of retaining working lands and advanced farming techniques and soil health. Issues discussed by the panel included: Difficulties in reducing the use of fossil fuels overall due to some of the large machines that are used; ways emissions on pastureland can be impacted by what is fed to cows in the state's dairy industry; and the impacts of deer overpopulation on the reduction of carbon sequestering trees and plants. She concluded by emphasizing the need for bio-based products as a substitute for those that are fossil-fuel based.

Reporting for the [Power Generation Advisory Panel](#), Rory Christian spoke of long-range technical solutions, including long-duration technologies. Some may ultimately be recommended by the panel, he said. The PGAP has developed four subgroups that will be discussing equitable distribution of clean energy.

Climate Action Council – Tuesday, December 15, 2020

The Climate Action Council (CAC) reconvened for the sixth time on December 15. Previously, the CAC slated this meeting to discuss bioenergy. Co-chair Doreen Harris (NYSERDA) informed the Council that it will wait for recommendations from Advisory Panels to discuss and examine the role of biofuels in meeting the emissions reduction goals of NY's climate law, the Climate Action and Community Protection Act (CLCPA). Another update was the formation of a utility consultation group. The group, which will be managed by Council memberS Gavin Donohue (Independent Power Producers of New York) and Donna DeCarolis (National Fuel Gas Distribution Corporation) will serve as a technical resource for the CAC and Advisory Panels especially with respect to cross-sectoral issues.

Environmental Advocates NY's Peter Iwanowicz expressed concerns regarding this approach, particularly directing Panels to look at biofuels as prescribed in [E3's decarbonization pathways](#) analysis. He noted that if Panels consider biofuels, they should be given guidance to take into account lifecycle emissions and co-pollutants. Additionally, Mr. Iwanowicz recommended that a local government group that includes black, indigenous and people of color be formed, similar to the utilities group.

Doreen Harris and co-chair Basil Seggos (NYSDEC) also updated the CAC on recent state developments. These included [NYS Pension Fund divesting from fossil fuels](#), NYSEDA's [Just Transition Technical Assistance request for proposals](#), NYSEDA and DEC's joint initiative to locate orphaned oil and gas wells using [drones](#), new Regional

Greenhouse Gas Initiative [regulations](#) to cap emissions by 30%, and the approval of [NYPA's VISION2030](#) strategic plan to provide a clean energy roadmap for the next decade.

The latter half of the meeting was dedicated to report outs from various panels. Deputy Commissioner Martin Brand (DEC) and chair of the Waste Panel presented the work plan to the Council. The goals of the Panel centered around waste avoidance, materials recovery and product stewardship, reducing methane emissions, expanding incentives for energy recovery from waste, and ensuring waste infrastructure serves the needs of communities. The Panel will be collecting ongoing input from the public and industry via [email](#) and expects to hold a public forum on January 2021. In addition, the CAC approved the addition of labor and wastewater representatives to the Panel, Bernadette Kelly (Teamsters Local 210) and George Bevington (Barton and Loguidice), respectively.

Progress reports were also given by the Transportation, Power Generation, Energy-Intense and Trade-Exposed Industries (EITE) Panels as well as the Just Transition Working Group. Panel members offered suggestions including to consider carbon pricing, community scale generation, address permitting issues for clean energy siting as well as simplify the interconnection process at the ISO. With reference to the Power Generation Panel, Council member Anne Reynolds (Alliance for Clean Energy New York) noted addressing solutions for a net zero future would be facilitated by defining what 'emissions-free' and 'technologies for the future' means while Raya Salter (NY Renews) reiterated there could be a role for regulations codes in the mitigation strategies of the EITE Panel as well as in work of the Just Transition Working Group. CAC members also asked about the status of NY signing unto the TCI program for which Commissioner Basil Seggos indicated no decision has been made.

Lastly, Commissioner Basil Seggos also updated the Council about the progress of the Climate Justice Working Group. Early engagement has begun with Transportation and Land Use and Local Government Panels and the group has begun developing an evaluation rubric to narrow down criteria for defining disadvantaged communities, as required by the CLCPA. With reference to questions asked by members, the CAC was reminded that they are on track with respect to their work plan. E3 will be undertaking an integration analysis of the recommendations from all the Advisory Panels by the end of March/early April 2021. Supported by state staff, the Council will deliberate over these recommendations with the aim to develop a draft scoping plan to implement the CLCPA by the end of 2021. Rose Harvey (Regional Plan Association) also recommended that an economic analysis of costs be undertaken moving forward. The next CAC meeting will take place on January 19, 2021. Presentations and notes from this meeting can be found [here](#).

Transportation Advisory Panel – Thursday, December 10, 2020

On December 10, the Transportation Panel held two expert roundtables, one on public transportation and smart growth and the other on electrification and fuels. Both began with opening remarks from chair Commissioner Marie Therese Dominguez (NYSDOT) followed by a brief overview of NY's climate law goals and the role of the Panel in developing mitigation strategies for the sector.

Public Transportation and Smart Growth

This roundtable was moderated by Panel member Nick Sifuentes of Tri-State Transportation Campaign. It consisted of 11 technical experts in the sector with expertise in passenger and shared mobility, public transportation and intercity rail, economic development and planning, rider advocacy, capacity building, and community engagement. Regarding mechanisms to support transit-oriented development (TOD) and connectivity, the panel offered several solutions. These included micro-transit and micro-mobility such as e-bikes, car sharing, developing biking and walking infrastructure, real time trip planning and fare payment integration, designing for persons with disabilities, travel training for customers to use transit systems, and utilizing zoning and tax incentives. The Panel also identified congestion pricing and the need for federal assistance to address funding for transit especially in light of the financial crisis caused by COVID-19.

They also identified several challenges. Justin Booth (GObike Buffalo) raised the issue of maintenance noting that there needs to be statewide resources dedicated to upkeep of sidewalks, shelters and crosswalks to make last mile connectivity doable. University of Buffalo's Robert Shibley reiterated that addressing last mile connectivity requires the development of regional planning support structures with the relevant metrics in place. Several panel members also indicated that sometimes only small tweaks are required to make first and last mile connectivity work such as raised pavements and concrete barriers or simply asking the neighborhood what they need. Additionally, Scott Bogren of Community Transportation Association of America suggested that an element of teaching urban dwellers to move between modes of transportation is another "basic piece to the puzzle."

To the question on what local municipalities can do to make transit accessible, consultant Sam Schwartz suggested engaging real-estate and the private sector to help develop solutions and expand transit networks. Justin Booth noted that urban sprawl and poor land use should be addressed while Jennifer Dotson (Center for Community Transportation) called for tackling negative incentives for green field development. American Public Transportation Association's Art Guzzetti emphasized that transit network systems including shelters and sidewalks need to be reimaged to make sure accessibility is prioritized. Jaqi Cohen (Straphangers Campaign) also reiterated that "this is a time where we should be reimagining how we distribute service." Kate Fillin-Yeh (National Association of City Transportation Officials) noted that particular focus should be placed on fixing issues of unreliability, inconvenience, and slowness of transit using solutions like lanes for buses and high occupancy vehicles.

One of the major considerations that the panel confronted was equity. In particular, Dotson emphasized specific attention needs to be placed on access and safety. Furthermore, Fillin-Yeh suggested creating a metric on equity which incorporates access and safety so that investments are directed to projects that help low and medium income and disadvantaged communities. Several panelists also proposed smart growth and TOD, offering micro-transit, micro-mobility and car-sharing options, and addressing reliability, lack of infrastructure, affordability of transit and discriminatory policies of the past as essential for advancing equity.

Electrification and Fuels

Fellow Panel member Julie Tighe (NYLCV) moderated the roundtable on electrification and fuels. Roundtable participants consisted of experts from think tanks, academia, clean energy non-profits, state and trade organizations, and utilities. Among the top actions and policies needed to support emission reductions from the sector, panelists suggested a number of solutions. These included setting targets for electric vehicles (EV) and charging infrastructure as well as sunsetting internal combustion vehicle sales, statewide EV ready building codes, and reforming rates structures for fast charging especially for heavy duty trucks. The Low Carbon Fuel Standard (LCFS) and the Transportation and Climate Initiative (TCI) were also put forward as financing options to ensure the economics work for zero-emissions vehicles (ZEVs).

There was an acknowledgement that clean fuels were useful particularly in aviation and medium-and heavy-duty vehicles which are harder to electrify. Floyd Vergara (National Biodiesel Board) emphasized that alternative fuels are effective in reducing emissions in the near term and the LCFS gives the right market signal to incentivize the diversification of the fuel pool. Matt Tomich of Energy Vision further noted that “such a policy wouldn’t rely on strapped government budgets.” Ryan Wheeler (National Grid) also reiterated with both the LCFS and TCI cap and invest program, revenues can be used to deploy alternative fuels as well as promote the deployment of ZEVs. However, Basav Sen of the Institute for Policy Studies expressed concern over biofuels asking the question “are we investing capital in what is effectively a stranded asset.” He also called for looking at the lifecycle emissions and land use impacts of biofuels. Vergara agreed that all fuels must be subjected to a full lifecycle analysis and that land use change scoring is necessary part of the LCFS.

US DOT Volpe Center’s Mike Scarpino offered utilizing renewable natural gas and hydrogen as another opportunity to gain significant reduction in emissions reductions as well as co-pollutants. Katherine Garcia (Sierra Club) emphasized that bridge fuels can especially reduce these emissions around ports and disadvantaged communities. Moreover, several panelists saw electrification as a viable possibility for some medium-and heavy-duty vehicles especially transit buses and trucks (e.g., for low mileage routes). For trucks and freight which are harder to electrify, Scott Wigger (Railroads of New York) recommended getting them off the road and utilizing rail. He noted that

zoning and land use considerations are necessary to encourage freight rail access to intermodal logistics sites.

Other strategies that can be deployed to reduce pollution in disadvantaged communities, ports and transport depots included zero-emissions zones, drayage trucks, reducing queuing as well as targeting affordability through EV rebates and subsidies for the used market, scrappage and trade-in schemes, and establishing electrification programs for people that need it the most. In addition, Britta Gross (Rocky Mountain Institute) suggested using state and federal funding for local projects that provide greater access to transport, sidewalks and other solutions prescribed by communities. She also noted that the industry for battery refurbishment should be encouraged as it has the potential to invite job opportunities. Katherine Garcia and CALSTART's Benjamin Mandel also proposed programs/models from other jurisdictions including Los Angeles' [BlueLA](#) EV sharing subscription service and California's [clean mobility voucher grants program](#).

The feedback from these expert roundtables will inform the emissions reductions recommendations the Transportation Advisory advances to the Climate Action Council. Presentations and notes from previous Panel meetings can be found [here](#).

Energy Efficiency and Housing Advisory Panel – Wednesday, December 9, 2020

At the sixth meeting of the Energy Efficiency and Housing Panel, consultants presented preliminary results from a stakeholder survey. The survey was a tool to elicit input from the public and other stakeholders on potential policies and actions the Panel can consider as they develop recommendations to reduce emissions from the housing sector. It was open from October 30 to December 2 and solicited responses from 65 unique respondents from all across New York State.

Some of the major regulations proposed by stakeholders included phasing out fossil fuels in buildings and fossil fuel appliances, stricter building codes, greenhouse gas emission targets, and special rates for all-electric buildings. They also recommended passing a statewide building decarbonization law to support local government action, establishing a "building decarbonization authority" as well as creating a carbon tax and trading system for buildings. There was also a strong focus on low- to medium income (LMI) and disadvantage communities with suggestions that included equitable rate design, equity audits, providing funding for remediation and maintenance, addressing indoor environmental quality for LMI residents in rental housing, and providing job training in communities with a high percentage of LMI and people of color, among others.

Missing among the recurring themes of the survey was resilience and adaptation. It was suggested that it may not be an immediate concern in relation to the ones indicated. Nevertheless, members reiterated that resiliency and equity should be incorporated into

the policies the Panel proposes. A summary memo on the survey findings will be sent to the Panel members in the next 2-3 weeks. Panel member Clarke Gocker (PUSH Buffalo) noted that there should be another “bite at public engagement” utilizing differing techniques to get feedback from “everyday New Yorkers who will be affected by these policies.”

The latter half of the meeting was dedicated to presentations on resilience and climate adaptation strategies for buildings. DEC’s Mark Lowery presented on flood risk in NY and the [Community Risk and Resiliency Act \(CRRRA\)](#). While the state has no jurisdiction on flood plain management, he noted that there are model laws for local adoption of the CRRRA’s State Flood Risk Management guidelines. Barbara Kendell from the NY Department of State then went into using these [model local laws to increase resilience](#).

Finally, NYSERDA’s Amanda Stevens highlighted [strategies](#) to adapt buildings for a changing climate in NYS. These strategies include green roofs, solar and storage, and other measures which ensure passive survivability when power goes out in an energy efficient building like passive ventilation, vegetative shading, daylighting, and highly insulated envelopes. She also reiterated that building adaptation measures should account for the lifespan of building systems such as the orientation and envelope which have an expected life of 50+ years.

Subgroups will continue to meet throughout the first 2 weeks of December to clean up policy options, perform a gap analysis, and continue the discussion on how feedback from the survey and past roundtables can inform the work of the Panel. The Panel will reconvene on January 13th to begin the process of assessing and prioritizing policy options. It will also hold a public forum in February 2021. Presentations and notes from past meetings can be found [here](#).

Agriculture and Forestry Advisory Panel – Wednesday, December 9, 2020

The Agriculture and Forestry Panel met for the sixth time on December 9. Panel members heard report outs from subgroups as well as presentations on carbon storage in harvest wood products (HWPs) and developing a wood-based bioeconomy. The latter half of the meeting was dedicated to a discussion on climate adaptation and resiliency in the agriculture and forestry sector.

Panel member Peter Innis of DEC kicked off the meeting reporting out on forestry and forest management recommendations from the subpanel. These included policies to increase forest carbon sequestration like income tax credits and forest markets to incentivize holding on to and managing forestland. Other considerations include afforestation/reforestation programs, reforming the [New York Forest Tax Law 480a](#), reviewing building codes and supporting research, encouraging wood-based products, and developing an urban forestry strategy, among others.

Another Panel member, Robert Malmshiemer (SUNY ESF) gave a presentation on a study undertaken by the Department of Sustainable Resources management and SUNY ESF. It outlined estimates of carbon storage in NY HWPs during the period 1990-2018. He also presented on the approach for developing a wood-based roadmap for NYS's bioeconomy. The roadmap would involve analyzing bioeconomy strategies, assessing existing wood-based feedstocks (like forest residues, mill residuals) and uses (e.g., biochar, biochemicals, nanocellulose), and developing a plan for coordinating research and development of technologies and companies to spur the growth of the wood-based bioeconomy.

Next the Panel heard from DEC's Maureen Leddy who reported out on key issues the bioeconomy subgroup has been discussing. The subgroup defines "climate-focused bioeconomy" as the portion of an economy that produces sustainable bio-based feedstocks to produce products that achieve the climate and social justice goals of the Climate Action and Community Protection Act," NY's climate law. To date the subgroup's discussion has been centered on the substitution of bio-based products for fossil based including in buildings and plastics. However, upcoming discussions in December and January/February will focus on bioenergy and biorefining.

Mark Lowdry (DEC) went through the impacts of climate change on the agriculture and forestry such as reduced crop yields, forest changes, and heat stress sector along with potential mitigation and adaptation measures to be considered. He also let the Panel know that DEC will soon be updating its multi-sector climate risk assessment. Panel member Peter Lehner (EarthJustice) noted that there are opportunities where mitigation also provides adaption measures (e.g. silvopasture – providing shade, reducing heat stress and provides carbon storage). He called for the need to map out those synergies while Brian Steinmuller emphasized using metrics to identify and prioritize synergies. Suzanne Hunt (Hunt Country Vineyards) also encouraged that the Panel to use the filter of resilience in developing recommendations.

The chair closed the meeting with updates of upcoming meetings. The Panel's next meeting will take place on either January 14 or 22, 2020. He also encouraged subgroups to share the times and schedules of their meetings to encourage broad participation. Presentations and meeting notes for this and past meetings of the Panel can be found [here](#).

Deep Decarbonization Workshop – Tuesday, December 8, 2020

On December 8, NYSERDA and NYSDEC held a "Deep Decarbonization Workshop" on innovative decarbonization technologies that can help achieve the goals of NY's climate law. Featured were technical experts from around the nation who covered opportunities and challenges surrounding long duration storage, green hydrogen, carbon capture, utilization and storage and hydrofluorocarbon refrigerant alternatives. The workshop

also included a roundtable with prominent environmental advocates who discussed these decarbonization technologies in the context of environmental justice priorities.

Jesse Jenkins, Assistant Professor in Princeton University and moderator, opened by welcoming over 300 public participants to the workshop and gave an overview of the agenda. This was followed by remarks from NYSERDA's Acting President and CEO Doreen Harris and NYSDEC Commissioner, Basil Seggos. The first presentation of the workshop was given by keynote speaker, Saul Griffith, Founder and Chief Scientist at Otherlab and Rewiring America.

Framing the urgency of the climate crisis, Saul Griffith emphasized that fast adoption of electrification can substantially limit greenhouse gas emissions. He highlighted rooftop solar, electric vehicles and charging, heat pump space and water heating, induction cook tops, home batteries and smart load centers as essential twenty-first century infrastructure to drive reductions. Moreover, Saul noted that low-cost finance, favorable regulation, and workforce certification and training is necessary to scale adoption these technologies.

Next were a series of presentations of promising decarbonization technologies. Dr. Scott Litzelman of Advanced Research Projects Agency - Energy spoke about the role long duration energy storage (LDES), which include lithium-ion and chemical-based storage. He noted that LDES is becoming increasingly important with regards to decarbonization. With costs coming down, it is even displacing physical assets like peaker plants. LDES pathways to market include self-consumption maximization for behind-the-meter generation, clean backup power for critical loads, transmission and distribution, congestion relief for load pockets, and interconnection maximization for developers. Dr. Litzelman stressed the need for policies to monetize these value streams.

US DOE's Sunita Satyapal discussed the prospects of green hydrogen. Hydrogen and fuel cell technology is steadily increasing worldwide especially for applications across sectors that are harder to decarbonize. In the US, 10 million metric tons are produced annually and are utilized in polymer electrolyte membrane electrolyzers, backup power, forklifts, retail stations, and fuel cell buses and cars. Sunita identified strategies to scale hydrogen in key sectors such as research and development, harmonization of codes and standards, workforce development to reduce costs, and improving performance and reliability. The Northeast Electrochemical Energy Storage Cluster has prepared a [development plan](#) development which identifies near term market potential and benefits hydrogen and fuel cell for the New York.

Another technology highlighted was Carbon Capture, Utilization and Storage (CCUS). Dr. Julio Friedman of Columbia reiterated that to get to net zero by 2050, CO2 removal is needed. Noting that CCUS is the "swiss army knife" deep decarbonization, it has application in multiple sectors such as power generation, industry, zero-carbon

hydrogen and direct air capture bioenergy. There are several operating CCUS plants worldwide including in the US estimated to store 10-20 trillion tons of CO₂. Dr. Friedman did note that for New York there is limited rock storage options. Nevertheless, he emphasized CCUS creates many high-value jobs, improves air quality, and can be utilized in carbon-to-value products and exports like plastics, concrete, e-fuels, and composites.

Lastly, Institute for Governance and Sustainable Development's Kristen Taddonio gave a presentation on climate-friendly alternatives for high global warming potential (GWP) for hydrofluorocarbons (HFCs). HFCs have short atmospheric lifetimes (decades) and large climate impacts with the biggest sources from the refrigeration, air-condition and heat pump sector. Combined with energy efficiency, HFC alternatives can avoid up to 1 degree Celsius of warming and are available for many applications such as refrigerators and freezers. US states have implemented bans or restrictions on high-GWP HFCs and there are [online resources](#) available to find out more about alternatives.

The workshop also featured a roundtable of environmental justice leaders discuss decarbonization technologies and the priorities of their communities. From the rich discussion, there was clear reservation for CCUS over its potential cost to rate payers, embedded carbon of carbon-value products, and suitability for New York. Panelists also wondered about green hydrogen which could generate co-pollutants and continue reliance on fossil fuel infrastructure such as peaker plants. Panelist Sonal Jessel of WE ACT questioned the how realistic and actionable these technologies were while Gopaul Dayaneni (Movement Generation) spoke to the need for "fundamental changes" over "techno-fixes."

Moreover, the environmental justice advocates reiterated that their communities would be better served by decentralized, distributed energy generation. Annel Hernandez (NYC Environmental Justice Alliance) noted that there is so much more to be done with respect to electrification and large-scale renewables with battery storage. Rahwa Ghirmatzion and Clarke Gocker of PUSH Buffalo also emphasized the need for inclusion of communities in developing decarbonization solutions and to make investments to ensure a just transition including establishing localized clean energy employment pipelines and workforce training.

The insights from the Deep Decarbonization Workshop will prove useful in guiding the work of the Advisory Panels and the Climate Action Council as they move full speed ahead in developing recommendations and a scoping plan to implement the NY's ambitious climate agenda codified in the Climate Leadership and Community Protection Act. Presentations from the workshop can be found [here](#).

Waste Emissions Advisory Panel – Friday, December 4, 2020

The inaugural meeting of the Waste Emission Advisory Panel occurred on December 4. Like other Advisory Panels, the Waste Panel will provide sector-based recommendations of emissions reductions to advance to the Climate Action Council (CAC). This meeting was dedicated to orienting the Panel members with each other and with requirements of the Panel under NY's climate law, the Climate Leadership and Community Protection Act (CLCPA).

Martin Brand, Deputy Commissioner of DEC and chair of the Waste Panel, opened the meeting giving a synopsis of the CLCPA. He explained the role of and the timeline in which the CAC must deliver the scoping plan to implement the law as well as key considerations for the Panel. The Waste Panel's scope of work will involve identifying a range of sector-based emission reduction policies, programs or actions for the consideration by the CAC which may be informed by research, cost analyses, quantitative/qualitative assessments, public engagement and cross-Panel collaboration on overlapping issues.

DEC staff then went over the economy wide emission reduction goals of the CLCPA and presented statistics on the sector and its emissions. Under a 20-year GWP, as required by the CLCPA, waste contributed to almost 50 million metric tons of carbon dioxide equivalent greenhouse gas emissions (mainly methane) in 2018. Moreover, the largest end use of municipal state waste in NYS and contributor to these emissions is landfill. In addition, staff gave an overview of potential emission reduction actions to reduce emissions. These included limiting fossil fuel usage and miles driven for transportation and reducing/eliminating methane leaks from landfills and anaerobic digestors through monitoring and remediation, extended producer responsibility (EPR), reduction, reuse, and recycling, expanding organic markets, increasing combustion, and upgrading digestors. They also proposed EPR legislation and increased monitoring and enforcement as a means to control leaks from refrigerants. The staff also offered methodologies such as the WARM model and end-of-life leakage for landfill and refrigerant leakage, respectively that will be used to quantify emissions from the waste sector.

From feedback, it was clear that the Panel will contend with issues around biogas and funding needed to implement policies/initiatives to limit waste emissions. Members also raised questions on how to treat with exported waste. Panel members like Paul Gilman (Covanta) expressed concern over the use of the WARM model and recommended that staff consider more advanced tools for monitoring emissions. Resa Dimino (Resource Recycling Association) also emphasized the need to take into account and advantage of recycling and the manufacture of recycled materials while Allen Hershkowitz (Green Sports Alliance) reiterated to the staff how essential it is to work start on the quantification of emissions from the sector. The chair wrapped up this part of the meeting indicating that the next steps for Panel are to refine of goals and actions, quantify emissions (task for the DEC), coordinate with other Panels concerning cross-cutting issues, and develop recommendations for CAC.

Next, the Panel members, which comprise of environmental justice leaders, other environmental groups, local government waste management officials, labor representatives, waste experts and industry leaders, gave short introductions. They also made suggestions that the Panel should prioritize in their recommendations. These included EPR and materials management which includes recycling especially of plastics and textiles, composting and other circular economy initiatives, diverting food waste, transportation electrification (eg. E-bikes and micro-haulers), anaerobic digestion, expanding commercial waste zoning, and looking at proposed strategies through a lens of public health and alleviating the burden on environmental justice communities.

Other priorities Panel members recommended included managing exported waste, increasing tipping fees and other revenues for waste management, waste-to-energy, boosting prices of renewable natural gas sold to power companies, leveraging the private and public sector, directing only bio-inactive materials to landfill, and being mindful to avoid unintended consequences, among others. In particular, Paul Gillman advised that staff reference emissions reduction policies for the waste sector in other jurisdictions, specifically Europe, Oregon and California. Additionally, Dereth Glance of Onodaga Co. Resource Recovery Agency noted that the Panel should consider contingency solid waste management for natural disasters.

The Cadmus group and a staff working group comprised of state agencies including DEC, EFC, DOT, NYSERDA and the Department of Agriculture and Markets will be supporting the work of the Panel as they develop emissions reduction recommendations for the sector. In closing, the chair invited members to participate in a discussion on adaptation and resilience on December 8 as well as an engagement on equity with the Climate Justice Working Group at their December 16 meeting. He also asked Panel members to send ideas for subgroup topics. The Panel will be developing a work plan at its next meeting on December 11. Presentations and notes from past Advisory Panel and Working Group meetings can be found [here](#).

Just Transition Working Group – Thursday, December 3, 2020

On December 3, the Just Transition Working Group (JTWG), charged with helping to ensure an equitable transition for New York's workforce to a clean energy economy, held its fifth meeting. It mainly covered state agency efforts, updates from the Power Plant subgroup, and a preview of draft just transition principles.

Co-chair, Doreen Harris announced last week that NYSERDA released a request for proposals ([RFP](#)) 4563 on "just transition technical assistance and planning services." This solicitation calls on qualifying contractors/consultants to provide technical assistance to municipalities in formulating community specific site reuse plans as they navigate fossil fuel site retirement, workforce disruptions, and site reuse opportunities. In addition, a single contractor to develop a statewide site reuse toolkit. The deadline for responses is on January 13, 2021.

The working group also heard from NYSDOL staff regarding [rapid response services](#). Citing recent examples of Somerset Operating Company and Indian Point, they explained the role of rapid response teams who work businesses and workers affected by cutbacks and plant closures by providing services such as resume and interview preparation, career counseling, job search assistance, skills upgrading/re-skilling and job training. Steve Ryan (NYSDOL) noted that this program, which is funded by the U.S. DOL, is available for any business affected by closures. While rapid response services work with career development staff to help employees that want to start their own businesses, Working Group member, Omar Freilla (Green Worker Cooperatives) suggested providing assistance for establish worker cooperatives.

Joining the meeting were representatives of the Power Generation Panel, who along with JTWG members, make up the Power Plant subgroup. The subgroup also shared plans to undertake a power plant jobs assessment. An external consultant would be hired to conduct an inventory of skills/occupations and identify re-training/re-skilling pathways for the existing power plant workforce to be matched to clean energy jobs. This assessment could complement or be integrated within the JTWG's jobs study, NYSERDA's Future Clean Energy Industry Reports, and NYSDOL's jobs, occupational databases and business survey data.

Power Generation Panel member Lisa Dix (Sierra Club) suggested that that fossil plant owners should start a social security system to support transitioning workers and reiterated that retraining programs should meet the skills needs of the clean energy industry and have linkage to existing unions. Other Panel members like Darren Suarez (Boralex Inc.) noted that in-state relocation should be part of the evaluation while Emilie Nelson (NYISO) pointed out that the subgroup needs to think of additional support structure jobs along the value chain as the clean energy industry generally requires less workforce. JTWG members Maritza Silva-Farrell (ALIGN) recommended that the subgroup consider community just transition funds and ensuring similar benefits are in place in clean energy jobs while Omar Friella emphasized the need for reasonable timeframe (at least 2 years) for workforce retraining and transitioning.

The subgroup will be also be conducting a power plant inventory and identifying issues and opportunities presented by reuse of these sites. John Rhodes (NYSDPS and Power Generation chair) gave an over of NYS generation fleet. He noted that of all installed summer capacity in 2020 (38,497 MW), 53% of generation units and 84% of transmission facilities are older than 1980. Aging plants plus regulations such as NY's climate law, NYSDEC's [CO2 performance standards](#) and [peaker rule](#), RGGI's [30% reduction cap](#), are driving plant retirement. Such metrics/data will be used in the development of the inventory and help identify issues and opportunities.

NYSERDA'S Jamie Dickerson gave illustrative examples for the power plant inventory as well as case studies and a preliminary list of issues and opportunities presented by power plant reuse. Some issues included displaced workforce, local economic effects, reduced property tax, site ownership, local planning resources, remediation issues,

reliability, and stranded assets. Opportunities identified were repurposing with onsite clean energy resources, interconnection points for offsite renewables, commercial redevelopment, data centers, green space, among others. Lisa Dix proposed that an equity screen of communities most impacted by power plant pollution sources be included as a data category in the inventory while Lara Skinner (Cornell University) advised the subgroup to consider tax credits to spur clean energy development. She also that the subgroup get an understanding of the quality of jobs that exist in retiring plants to ensure similar quality jobs are available in the transition.

The latter half of the JTWG meeting was dedicated to a discussion on Just Transition Principles. Based on feedback from the group, support staff drafted proposed language on the principles for the review. The principles organized into categories included: 1. stakeholder-engaged transition planning, 2. collaborative planning for measured transition toward LT goals, 3. preservation of culture and tradition, 4. realize vibrant, healthy communities through repair of structural inequalities, 5. equitable access to high quality, family sustaining jobs, 6. redevelopment of industrial communities, 7. development of robust in state low carbon energy and manufacturing supply chain, 8. climate adaptation planning and investment for resilient future, 9. protection and restoration of natural systems and resources, and 10. mutually affirming targets for state industrialization and decarbonization.

Specific feedback comprised of the explicitly mentioning the importance of maintaining public funding to help in the transition and including principles of labor sensitivity (i.e., principles and values that protect workers). There were also varying views over the use of “sustainable economic development and growth” in principle #10. Omar Freilla noted that ‘sustainable development’ and ‘growth’ does not always go together while Randy Wolken (Manufacturers Association of Central New York and Manufacturers Alliance) pointed out that that ‘growth’ with respect to economic justice and employment is important to include. Lara Skinner emphasized that the group needed to take a comprehensive approach to dealing the transition to a zero-carbon economy. She also supported the notion of setting up just transition funds and mapping out where clean energy transitions are needed as well as recommended they look into Senator Tammy Duckworth’s [just transition legislation](#). Maritza Silva-Farrell also reiterated the importance of racial justice in the new clean energy workforce. Members were asked to review and provide feedback on the draft language via [email](#) by next Thursday.

The JTWG also quickly previewed the slides on its progress that will be presented at the CAC’s next meeting on December 15. They also heard updates other workstreams including the jobs study, a key deliverable of the JTWG. An external consultant has been selected to conduct the jobs study on the future clean energy workforce and will be under contract by the second week of December. The jobs study approach and methodology will be presented at the next meeting of the JTWG on January 6, 2021. Presentations and notes from past Advisory Panel and Working Group meetings can be found [here](#).

Land Use and Local Government Advisory Panel – Thursday, December 3, 2020

(Summary by Jeff Jones, Communications Consultant)

As part of its mandate to develop recommendations for policies that can support greenhouse gas emissions reductions by local governments, the Land Use and Local Government Panel meeting featured a roundtable of local elected leaders and program officials from across the state.

Citing successful existing state programs that already address some of the NY's climate law (Climate Leadership and Community Protection Act (CLCPA)) goals like [Climate Smart Communities](#), safer streets and other incentivized smart growth programs, panelists agreed that navigating state programs can be very difficult, especially for smaller communities with few, if any, planning staff. Describing models of existing programs that are working, speakers pointed to the importance of state incentives such as tax breaks, incentives and matching funds. If there was an emerging consensus it was on the importance of financial support and clearer rules for existing and new climate smart programs.

Drawing on a multitude of local experiences, speakers highlighted both existing program models and visions and structures for future programs that would be consistent with CLCPA goals. These included: Financial help with grid interconnection charges for local communities that incentive renewable energy projects, including on brownfields; additional incentives for solar development on agricultural lands; financial support for local governments to hire part- and full-time sustainability coordinators and recycling coordinators (expand existing DEC program); resources to help local governments determine their carbon footprint to create baseline data going forward; and support for addressing stormwater needs.

For the future, several speakers called for more state guidance in developing local smart growth initiatives and policies, including those intended to reduce vehicle miles traveled. "Every decision is a 50-year decision," noted Tompkins County Legislator Martha Robertson. This led to discussion of points such as: the conflict between densification and gentrification; access to health care and child care centers in poorer communities to promote walkability; improving links between SUNY campuses and surrounding areas; more support for community colleges, especially as centers of [green] workforce training; and a call for local, regional, and state Department of Transportation engineers to refocus away from traffic flows to a stronger focus on climate goals, including bike lanes and walkable communities.

The Panel's chair Sarah Crowell (DOS) wrapped up the meeting thanking the roundtable panelists noting that their feedback will be incorporated into draft strategies. She also encouraged them and other stakeholders to submit input via the Panel's dedicated [email](#) and to keep informed of the CLCPA progress from the climate law's

[website](#). The Land Use and Local Government Panel will reconvene on December 17. Presentations and notes from past Advisory Panel meetings can be found [here](#).

Climate Justice Working Group (CJWG) – Wednesday, December 2, 2020

The fourth meeting of the Climate Justice Working Group (CJWG), held on December 8, was dedicated to engagement with Advisory Panels as well as having a discussion on a draft rubric for selecting indicators for inclusion in a definition for disadvantaged communities.

Representatives of both the Transportation and Land Use and Local Government Panels gave a brief synopsis of preliminary mitigation strategies before delving into discussion on equity considerations for their sectors. To the Transportation Panel, the Working Group raised questions regarding TCI, biofuels (with respect to co-pollutants and continued dependence on fossil fuel infrastructure), grid capacity for transportation electrification, the negative environmental impacts of battery disposal, and the conflict between goals to double mass transit and increase investment in personal electric vehicles.

Brownfield and waterfront revitalization, investments and support for community planning, mapping industrialized zones, and addressing local government processes that slow down or undermine initiatives that benefit environmental justice communities (e.g., zoning for green space and affordable housing), were issues of concern the Working Group broached with the Land Use and Local Government Panel. CJWG members also recommended that the Panels prioritize public transportation, utilize community revitalization models such as the planning proposal for [Sunset Park](#), consider the needs of persons with disabilities, and engage with the CJWG and other environmental justice leaders in the development of their strategies.

The latter half of the meeting was focused on discussing and crafting a shared definition of ‘disadvantaged communities.’ NY’s climate law, the Climate Leadership and Community Protection Act (CLCPA) states that “disadvantaged communities shall be identified based on geographic, public health, environmental hazard, and socioeconomic criteria, which shall include but not limited to areas: (1) burdened by cumulative environmental pollution and other hazards that can lead to negative public health effects, (2) with concentrations of people that are of low income, high unemployment, high rent burden, low levels of home ownership and educational attainment or members of groups that have historically experienced discrimination on the basis of race or ethnicity, (3) vulnerable to climate change impacts such as flooding, storm surges, and urban heat island effect.”

Working Group member, Eddie Bautista (NYC Environmental Justice Alliance) reiterated that these criteria should be the basis of an overarching definition noting that it is “what we fought for to include in the law.” Jarrod Bley of the Adirondack North Country

Association offered spatial distribution (distance from amenities) while UPROSE's Elizabeth Yeampierre emphasized the importance of including black, indigenous and people of color who have borne the impacts of legacy environmental racism and toxic exposure and are most susceptible to extreme weather events. Other CJWG members recommended additional definers such as geography (specifically at a household level), differing needs and exposures to threats based on region (e.g., rural vs waterfront communities), and communities exposed to disinvestment or non-investment over time due to systemic racism. These elements were collated and will be used to develop a definition for the CJWG to further discuss and vote on.

The group also previewed rubric considerations for selecting indicators for defining disadvantaged communities (DAC), one of the main tasks of the CJWG. ILLUME staff, a consulting firm supporting the work of the CJWG, gave an overview of these considerations. Among them included applicability to NY's climate law language, data sufficiency and quality, ability of the indicator to contribute to the scoring approach and to be actionable and addressable by the CLCPA investments. A rubric can be used by the CJWG, NYSDEC staff and consultants to screen DAC data and identify high-priority indicators for inclusion in the DAC definition.

In closing, chair Rosa Mendez (DEC) indicated that the Working Group will further discuss the rubric considerations and work through an example at its next meeting on December 15. Additionally, the CJWG will continue engagement with remaining Advisory Panels. Presentations and notes from Advisory Panels and Working Groups meetings can be found [here](#).

Climate Action Council – Tuesday, November 24, 2020

The Climate Action Council (CAC), tasked with developing a Scoping Plan to implement the NY climate law, held its fifth meeting on November 24. The main purpose of the meeting was to hear progress reports from several Advisory Panels as well as have key discussions on the Waste Panel and bioenergy.

After brief co-chair remarks and state updates, the Land Use and Local Government, Energy Efficiency and Housing, and Agriculture and Forestry Advisory Panels reported out on their progress and preliminary strategies for sector emissions reductions. Feedback from CAC members centered around school districts and communities hosting clean energy projects, promoting holistic strategies through cross-Panel collaboration, considering the conflicts and feasibility of potential policy recommendations, looking into perverse tax incentives, and concerns about the role of and lifecycle emissions of renewable natural gas (RNG), among others. Environmental advocates on the Council raised questions regarding equity considerations for each sector such as the diversity of external stakeholders being engaged, benefit investments, and communities setting their own priorities.

Deputy Commissioner Martin Brand (DEC) and chair of the newest Advisory Panel also updated the Council on the Waste Panel's progress to date. The Waste Panel, which is tasked to provide recommendations to reduce greenhouse gas emissions from the sector including landfills, has begun level setting, data collection, and quantifying emissions from waste in NYS. The Council voted to establish the Advisory Panel's membership which comprise of environmental justice leaders, other environmental groups, local government waste management officials and industry leaders. All positions have been filled with the exception of a wastewater expert and labor representative. The CAC also voted to approve the addition of a labor representative on the Power Generation Panel, James (Jim) Shillitto of the Utilities Workers United of America Local 1-2.

DEC staff then gave an overview of its Draft [Value of Carbon Guidance](#) and on bioenergy provisions in NY's climate law. According to the Department's interpretation, the law allows the utilization of RNG based on how emissions are accounted for. NYSERDA's Chris Coll also notified the CAC of the interim criteria for [disadvantaged communities](#) which will guide the work of the Panels and state agencies until the Climate Justice Working Group has finalized the definition and criteria for disadvantaged communities in summer 2021. Co-chair Basil Seggos (DEC) assured the CAC that they will discuss and delve deeper into equity requirements under NY's climate law on a regular basis.

In closing, co-chair Doreen Harris (NYSERDA) notified the CAC of an upcoming Deep Decarbonization workshop which will be held on December 8 at 2 p.m. It will cover topics on carbon capture and sequestration, green hydrogen, refrigerants, and long-duration storage. At the next meeting on December 15, the CAC will hear from the remaining Panels and Working Groups as well as review the workplan of the Waste Panel. The CAC will also receive presentations including from the Agriculture and Forestry Panel's bioeconomy subgroup and have further discussions on bioenergy. Recordings, presentations and meeting minutes of CAC meetings can be found [here](#).