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[Updates of the Climate Action Council and Advisory Panels and Working Group Meetings for March, 2021](#)

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Transportation Advisory Panel – Thursday, March 18, 2021

On March 18, the Transportation Panel received a presentation from The Cadmus Group on hydrogen and biofuels. The Panel then reviewed draft recommendations on financing and market – based measures as well as received an overview of NYS electric vehicle (EV) programs. Throughout April, the Panel will continue engagement and work towards refining and finalizing its mitigation strategies, which it will present to the Climate Action Council (CAC) in May.

In his presentation, the Cadmus Group’s Dr. Geoff Morrison outlined the current state of hydrogen and biofuels. He noted a significant barrier to hydrogen was the lack of fueling stations in NYS while the availability of feedstocks is a critical barrier to biofuel adoption. Nevertheless, Morrison noted that these alternative fuels can have a role to play for hard-to- electrify sub-sectors that have fewer replacement cycles such as long-haul medium-heavy duty vehicles (MHDVs), freight, marine transport and aviation. He also highlighted high priority policies (though at varying levels of suitability) that would facilitate hydrogen fuel cells EVs and biofuel adoption including incentives for distribution and fueling infrastructure, and California’s [Low Carbon Fuel Standard](#), [Advanced Clean Cars II](#) and [Advance Clean Trucks](#) rules.

During feedback, Panel member Renae Reynolds (NYC EJA) flagged that NY Renews “[False Solutions](#)” Report laid out concerns environmental justice advocates regarding biofuels, particularly their net contribution to atmospheric emissions and the decades it takes for these emissions to be sequestered. Dr. Morrison who highlighted in his presentation that the science on tailpipe emissions from biofuels were mixed and inconclusive, noted that this timing issue is complicated. In response to conflicting views emerging from further discussion, the chair, Commissioner Maire Therese Dominguez advised The Cadmus Group to look into the NY Renews Report.

Agency staff then gave an overview of draft recommendations for financing and market – based policies. These include adopting a clean fuel standard (CFS) and participating in the [Transportation and Climate Initiative cap-and-invest program](#) (TCI-P) or a multi-

sector economy wide carbon pricing approach. Other recommendations comprise of private and public investments for electrification financing such as MDHV purchase incentive programs as well as other various financing policies like congestion pricing, vehicle registration and mileage-based user fees.

Paul Allen (M. J. Bradley & Associates) advised the staff to think about how these recommendations interrelate noting that there is a time frame that needs to be considered in order meet NY's ambitious climate goals. Julie Tighe added that CFS and TCI are examples of complementary programs and that congestion pricing will move people away from cars and into transit and micro-mobility. In addition, Porie Saikia-Eapen (MTA) highlighted that smart growth and land use policies should be in every Panel strategy as we look towards meeting the climate law's long-term goals.

Before wrapping up the meeting, state staff also outlined state EV programs. These include the [NY Truck Voucher Incentive Program](#), [Drive Clean Rebate](#), [Make-Ready](#), [Charge Ready](#), [EVolveNY](#), and the [PSC's Per Plug](#) and [NYSERDA's DC fast charging \(DCFC\)](#) incentive programs. Calling out the slow progress to meet the 1000 charging station goal of the DCFC program, Tesla's Albert Gore called the Panel and the CAC to support rate design for EV charging.

The Panel will continue make refinements to the recommendations based on Panel and public input as well as engage with external experts. In April, the Panel intends to hold a roundtable on equity and freight. For more information on this and prior meetings of the Transportation Panel, visit [here](#).

Energy Efficiency and Housing Panel – Tuesday, March 16, 2021

The purpose of the ninth meeting of the Energy Efficiency and Housing Panel was to review input from the Climate Action Council (CAC) at its February meeting as well as emerging themes from comments they have received from the public and expert engagement. The Panel also looked over and discussed recommendations under development specifically, workforce and consumer education, innovation, and building energy use benchmarking and disclosure.

At the last CAC meeting, members offered input on the Panels building electrification strategies. Comments included incentivizing distribution system upgrades while also keeping equity at the center of these upgrades and being mindful of the cost premiums for customers. They also recommended that the Panel consider carbon pricing and policies to incentivize ground source heat pumps and that make codes less restrictive to energy storage. ACE NY's Anne Reynolds proposed that the Panel should evaluate when NYS will reach parity and determine how many buildings need to be electrified to meet the goal. Lastly, environmental justice (EJ) advocates on the Council suggested providing support for minority and women-owned enterprises (MWBE) and also

expressed concern over the impacts of potential co-pollutants on EJ communities from alternative fuels.

The Panel also recapped the emerging input from pas expert roundtables, its stakeholder survey, and public engagement session held in February. Most active engagement came from environmental/EJ and energy efficiency/heat pump groups. There is significant support for state codes and equipment standards to phase out fossil fuel appliances with clear dates, building electrification and energy efficiency, workforce development, public and consumer education, funding/incentives to offset costs for low-income and disadvantaged communities, and statewide requirements for building usage benchmarking and disclosure, among others. Agency staff also gave an overview of the emerging themes and comments from specific stakeholders including the clean energy and real estate industries, utilities, and NYC.

This was followed by a discussion of the Panel's recommendations under development, specifically workforce development, consumer education, innovation, and benchmarking and disclosure. Panel members raised several considerations like marketing to counteract fossil fuel oppositional messaging and demystifying low carbon technologies for consumers. Janet Joseph (NYSERDA) proposed leveraging federal funding to support innovation in NYS while Sadie Mckeown (The Community Preservation Corporation) suggested having a requirement for MWBE joint venture partnerships to directly address EJ. Panel members also expressed the concern over potential penalties from underperformance as a consequence of energy usage disclosure.

Agency staff noted that they will be building out recommendations on embodied carbon and HCFC refrigerants. Additional listening sessions for real estate actors are also being planned. The Panel aims to finalize its recommendations in April and will present its final mitigation strategies to the CAC on May 10. For meeting notes and presentations from the Energy Efficiency and Housing Panel, visit [here](#).

Agriculture and Forestry Advisory Panel – Tuesday, March 16, 2021

By Jeff Jones

Meeting on March 16th, the Agriculture and Forestry Advisory Panel discussed ongoing work to refine its recommendations to the Climate Action Council. The meeting featured staff reports on three main categories: developing the bio-based economy; agriculture and forest conservation strategies to maintain and expand carbon sequestration; and forest and land management.

Maureen Leddy, Director of the Department of Environmental Conservation's Office of Climate Change presented subcommittee results on a wide agenda of bio-remediation strategies. These include expanding the market for sustainably harvested long-lived wood products and a sustainable biomass feedstock action plan targeted to 2050 for

hard-to-decarbonize products. Developing strategies for increasing market access for low-carbon products will be the focus of an Empire State Development economic analysis research team that has begun tracking and reporting on related emerging trends. A goal of this work is to spur innovative use of low carbon procurement requirements for state government projects. This will include identifying high-value products from bio-based processing of New York grown feedstocks. Strategic use of incentives to scale-up high demand products where low carbon alternatives are not yet cost effective will also be part of the panel's recommendations.

Other recommendations will focus on promoting carbon sequestering products such as hemp that are substitutes for fossil fuel-based materials will also be addressed. In conclusion, Leddy said, planners need to be thinking about where the state want to be in 2050. How can New York grow the bio-based product sector to drive their establishment as an economic alternative? As other panels are recommending, a dashboard needs to be developed to help buyers find and understand low-carbon products.

Reporting on an overview of forest conservation, Jeff Mapes, DEC land conservation specialist, noted the importance of developing strategies to maintain and enhance the state's carbon sequestration potential through avoided forest conversion. Given the strength of New York's conservation community, especially land trusts, Mapes noted that the land conservation infrastructure is in place. What is missing are sufficient tax incentives, and staffing levels needed to implement land conservation goals, audits and regulatory changes. State reimbursement of municipalities must be sufficient to deal with shifting revenue that may result from enhanced forest conservation goals and policies.

Mapes noted there are nearly 700,000 individual forest owners in New York. Many of these owners face hard choices about the future of their properties. Like agricultural lands that are developed for housing and commerce, forest lands will be lost without more financial support for conservation. The subcommittee report will address the need to reinvigorate the state's open space planning process with emphasis on conservation as a climate strategy, while state policies and incentives are needed to reduce sprawl while spurring climate smart investments in community development. Working in partnership with the Land Use and Local Government Advisory Panel, the Agriculture and Forestry Panel will be recommending the use and expansion of existing state smart growth-oriented programs. With help from the state, these should also be reinforced in county and regional planning.

Additional reporting by the DEC's Peter Innes on climate smart forest management practices is available on the NYSERDA Climate Action Council [website](#).

Climate Justice Working Group – Friday, March 12, 2021

By Jeff Jones

The main work of the March 12th meeting of the Climate Justice Working Group (CJWG) was to hear a presentation by California environmental justice leaders on the efforts in that state to develop a working definition of disadvantaged and climate impacted frontline communities. To fulfill its mandated task to achieve a working definition to guide mandated resources under the Climate Leadership and Community Protection Act (CLCPA), the working group has focused on a similar definition and process in California to create the [Cal Enviro Screen](#). Three speakers from California representing different climate and environmental justice (EJ) organizations discussed and evaluated the strengths and weaknesses of that state's process to address historically disadvantaged communities.

The three speakers were:

Yana Garcia, Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations at the California Environmental Protection Agency (CalEPA):

Martha Dina Arguello, Executive Director, Physicians for Social Responsibility Los Angeles;

Diane Takvorian, Executive Director, Environmental Health Coalition.

Two questions from NY working group member Eddie Bautista kicked off the discussion.

1. How did the government regulators and community members work together to arrive at the California enviro screen? What lessons were learned?
2. How did California deal with inclusion of indigenous communities? Bautista pointed out that there has been no indigenous involvement in the CLCPA process in New York.

Takvorian - Describing the California process, she noted that in the late 1990's, California adopted the equivalent federal definition. The committee met for several years during which opposition to the definition from EJ communities began to be identified. Issues concerning toxics, pollution, and land use, among others, emerged. That process led to the creation, ultimately in 2011, of a cumulative impact screen. Over 100 different criteria have been identified and some are still being debated today. Race is not one of the factors. While there still isn't complete satisfaction as to how communities are represented in the screen, areas with the worst pollution have been identified and combined with other social determinants of health. A green zone map has been developed to identify where investments should be made. That, at least, has set a framework for the conditions that need to be evaluated. These include housing, lead poisoning in homes, and pollution impacts on the California /Mexico border.

Arguello – Need to understand the “lived experience” in impacted communities. Public health is critical and must be brought into data and decision-making. The cap-and-trade approach was not supported by EJ community leaders because it did not solve the immediate health problems. Now the Cal Enviro Screen has also been used to map and verify COVID realities. The same burdened communities are being decimated by COVID.

Garcia - Federal and non-federal tribes are not recognized in the Cal Enviro Screen. There is a lack of consistency in tribal sources of data. Looking for set-aside pots of money for tribes to use, but that doesn't address the lack of data. Set-asides for impacted tribes are developed issue by issue, state agency by agency. The California Air Resources Board (CARB) is still developing their set-asides. Loan opportunities for tribes are also under discussion.

Other issues discussed by the panel included:

- Regarding tribes, no systematic way to capture data on members of out-of-state tribes who have moved to California.
- Trying to avoid green gentrification.
- Working to address large-truck pollution.
- A staff of 200 people are now working to track how investments in frontline communities are invested.
- Serious problem from community point of view: Large corporations like FedEx and Coca Cola are receiving cap-and-trade investment funds in the push for transportation electrification, while community involvement in decision-making is inadequate.
- Even after all the investments, California air emissions are not going down.

Garcia – Money should stop going to projects that harm our communities. More democracy is always better. Communities want things that are transformative. As a result of an initiative by former Governor Jerry Brown, cap-and-trade funds were supposed to be administered by [air pollution districts](#). But these are not trusted in the community. Air districts are dominating decision-making. Communities are not having the say that they need. The emission reductions have to be real, and they have to be measurable.

The Working Group session ended with an update from Illume Advisory, the consultancy assisting the CJWG, on their progress to date. As part of their ground truthing exercise,

Illume staff asked the working group to identify areas they consider to be disadvantaged communities versus those which are not with the help of a NYS map Illume created using the data visualization software, Tableau.

Power Generation Advisory Panel – Wednesday, March 10, 2021

At its ninth meeting, the Power Generation Panel continued the review of its draft recommendations. The recommendations covered included reliability for the future grid, distributed generation, methane leakage, and reaching zero-emissions by 2040. This was followed by a public engagement session to garner input on the Panel's recommendations, which are due to the Climate Action Council in May.

Review of Panel Recommendations

After opening remarks from Chair Sarah Osgood – designee from the PSC (taking over from John Rhodes who retired last month), The Panel dived straight into the review and discussion of its draft recommendations. There was strong support for strategies to ensure reliability of the grid. Kit Kennedy (NRDC) reiterated that renewable energy and distributed energy resources (DER) can help mitigate the impacts of climate change on the grid while New Yorkers for Clean Power's Betta Broad emphasized that utilities should plan and communicate with local communities about what should be done when power outages occur. William Acker (New York Battery and Energy Storage Consortium) suggested that risk profiles that include high renewable energy resources should be incorporated when evaluating grid reliability.

Regarding DER strategies, Shyam Mehta (NYSEIA) made several suggestions including having regionally convened forums to facilitate dialogue on solar development in light of community opposition to renewable energy as well as addressing misinformation and engaging solar stakeholders. In addition, Lisa Dix (Sierra Club) recommended looking at creative possibilities of collaborating with utilities (e.g., through Request for Proposals).

Betta Broad proposed further exploring co-location opportunities (e.g., solar with agriculture or with heat pumps), utilizing brownfield sites, and placing rooftop systems on Big Box stores. She also called for the need to identify potential geothermal locations downstate and prioritize integrating DER with affordable housing. Moreover, Vote Solar's Stephan Roundtree reiterated that efforts should be stepped up to connect high barrier communities with DER and energy efficiency to meet the social equity aspects of NY's climate law.

With respect to methane leakage, Betta Broad enquired about whether an analysis has been done on job creation opportunities in detecting/repairing such leaks. Staff indicated that this was something NYSERDA is looking into it. She also noted the requirement for greater coordination regionally and federally and highlighted the role of

local municipalities in addressing methane leaks. Lisa Dix added that banning all new gas power plants and fracked gas pipelines is an important stop gap to reducing emissions. Furthermore, she emphasized that data centers should be powered by renewable energy citing the repurposing of Greenidge Gas Power Plant into a [data center](#). Another key consideration, to which NYC EJA's Annel Hernandez pointed out, is the vulnerability of natural gas storage to storm surges and flooding.

Lastly, the discussion around [reaching zero-emissions by 2040](#), which is required by NY's climate law, revealed conflicting approaches. John Reese stressed the need aggressively pursue zero carbon technologies such as storage, green hydrogen, and nuclear now to meet the 15-25 MW of generation or supply needed in 2040. Rather, several environmental advocates on the Panel called for overbuilding renewable energy resources, local transmissions upgrades, redesigning the grid upstate, DER, energy efficiency, demand response, and having a storage docket at the PSC to set up what NYS needs to reach this goal. Kit Kennedy further added that "We need an iterative process where we are not taking zero-emissions solutions off the table but not deciding on them too early."

Another controversial topic was regarding green hydrogen. William Acker clarified that combusted in peaker plants is concerning but it is clean and effective for storage and transportation fuels. However, Lisa Dix expressed her concern that there are safety issues and costs that are still unknown and that the promise of utilizing both green hydrogen and renewable natural gas gives the industry license to continue using natural gas. She recommended that DPS, PSC, and DEC initiate a rule making process to define 'emissions free.' Both Betta Broad and Darren Suarez (Boralex Inc.) also raised the issue that zero-emission credits for nuclear are making renewable energy projects more expensive. Additionally, an analysis is necessary to assess how billion-dollar subsidies for nuclear can be spent to scale up renewable energy and DER.

Public Engagement Session

The meeting then transitioned to the public input session. Common themes in the feedback were the calls for no new fossil fuel infrastructure and greater investment in renewable energy and energy storage especially long duration. Others echoed Panel concerns over hydrogen but also Canadian hydro and nuclear (though there were also supporters of nuclear). Commenters also urged the Panel to give utilities strong guidance to make investments in local distribution and transmission upgrades to support hosting capacity and DER. Another stakeholder advised the Panel to be mindful of fossil fuel companies charging ratepayers for lost gas and to look at the impacts of [methane leakage](#) from oil and gas pipelines and compressors. There was also a big emphasis on retraining and providing retirement packages for fossil fuel workers to ensure that there is a just, equitable transition to clean energy.

There will be another opportunity for public input at the next Panel meeting on March 24. Ongoing comments also are invited via [email](#). Notes and presentations from every Panel meeting can be found [here](#).

Energy-Intensive and Trade-Exposed Industries Panel - Wednesday, March 10, 2021

On March 10, the eighth meeting of the Energy-Intensive and Trade-Exposed Industries (EITE) Panel involved a recap of its progress to date. In addition, the Panel reviewed and discussed changes that were made to its [final mitigation strategies](#) regarding research, development and demonstration as well as greenhouse gas reporting. The EITE will present all its final recommendations to the Climate Action Council in April. Panel members and the public can continue to submit comments on these recommendations via [email](#). Presentations and notes from this and past EITE meetings can be found [here](#).

Transportation Advisory Panel – Tuesday, March 9, 2021

The eleventh meeting of the Transportation Panel on March 9 featured a presentation from Dr. Abby Morgan of Kittleson and Associates on opportunities the Panel can consider in order to manage vehicle miles traveled (VMT). The Panel also reviewed mitigation strategies coming out of the smart growth and public transportation subgroups. Recommendations will be presented to the Climate Action Council in May.

In her presentation, Dr. Morgan explained that the most effective vehicle miles travelled (VMT) management strategies address mode choice, trip length, and the number of trips taken. Among these VMT management policies she presented for the consideration of the Panel include smart growth, complete streets, and price strategies (e.g., congestion pricing and VMT fees). Dr. Morgan also offered teleworking and other travel demand management programs as a system efficiency policy that provides additional opportunities to reduce commuting VMT.

Lastly, she advised the Panel to consider technology neutral strategies which will enable strategies to be relevant even as technology evolves, in addition to empowering agency staff to adapt to quickly respond to policy impacts. Moreover, she emphasized that the Panel should generate positive as well as mitigate negative impacts from VMT policies to ensure social equity and public health.

After the presentation, Panel chair, Commissioner Marie Therese Dominguez (NYS DOT) enquired about examples of other states considering VMT management policies. Dr. Morgan noted that Oregon has the most aggressive example in the US while California has a pilot and is looking at different road charge programs with specific pricing considerations for various vehicle types including electric vehicles. Kentucky and New Mexico also have truck VMT taxes similar to NY's but utilize different pricing levels.

Ron Epstein (NYS DOT) clarified that [NYS VMT tax](#) is based on vehicle weight over miles travelled where the funds generated go towards the renewal of damaged roads.

The meeting then transitioned to a review of the Panel's recommendations for public transportation and smart growth. Strategies under enhanced public mobility/transportation incorporated doubling service availability, reliability, accessibility of state transit systems, transport-oriented development, fleet modernization, micro-mobility, and other initiatives to enhance first/last mile connectivity. Smart growth strategies included aligning policies and funding around public transportation-oriented development, expanding partnerships to increase smart growth and transit use as well as low carbon transportation modes.

In closing, the chair noted that the Panel will continue to refine its recommendations based on public input and cross-Panel/expert engagement. Engagement with freight experts and the Land Use and Local Government Panel on adaptation and resilience strategies is planned for April. The Panel reconvenes on March 18 to review its remaining recommendations. Notes and presentations from past Transportation Panel meetings can be found [here](#).

Land Use and Local Government Panel – Monday, March 8, 2021

By Jeff Jones

The Land Use & Local Governments Panel met on March 8th to continue preparation of recommendations to be forwarded to the Climate Action Council in May. Staff presented draft recommendations from four subgroups: Clean Energy Strategy, Land Use, Carbon Sequestration and Adaptation Resilience. These presentations were followed by public comments. Copies of the recommendations are available for download at www.climate.ny.gov.

Brad Tito of NYSERDA presenting for the Clean Energy Strategy subcommittee highlighted

6 strategic concepts that focused on improving state level guidance for local governments to meet CLCPA goals. Creation of comprehensive and clear dashboards to serve as up-to-date information sources. These included:

- Compilation of examples of successful voluntary initiatives that local governments and regional planning boards can undertake;
- Promotion of statewide consistency among local governments, including energy benchmarks and clean energy standards;

- Tools for local governments to help constituents connect with clean energy products and services;
- Ways local governments can improve their own clean energy practices, e.g., municipal building efficiencies, and improving existing fleets.

Reporting for the Land Use subcommittee, Paul Beyer of the Department of State focused on smart growth outcomes. Beyer highlighted programs to build on and improve programs that currently exist such as the [Smart Growth Infrastructure Act](#) and [Brownfield Opportunity Areas](#) (BOA). He emphasized the importance of county- and region-wide planning as a way to identify areas for priority development and conservation.

Reporting for the Carbon Sequestration subcommittee, Laura Heady focused on the role

of nature in sequestering and storing carbon, describing areas of focus on land use and planning that overlap with the Agriculture and Forestry Advisory Panel. A preliminary focus of the subcommittee has been on the carbon sequestration potential of inland freshwater and tidal wetlands. The subcommittee will be recommending updated mapping of conservation areas and programs such as the [Community Preservation Act](#) that can quantify preservation opportunities.

Mark Lowry of NYSERDA reported on the Adaptation and Resilience Group (ARG). Noting that the CLCPA is primarily focused on mitigation of climate threats, there is room under the law to address recommendations for adaptation to the effects of climate change in the Climate Action Council's eventual scoping plan. The ARG, on its own initiative, and working with other advisory panels, is scoping A&R as it relates to each of their strategies. This will be a major topic of the public session scheduled for April 8th.

Initiatives discussed so far include:

1. Enhancing the state's response to climate change by developing a comprehensive A&R plan.
2. Mainstreaming adaption into all state government decisions.
3. Amending the State Environmental Quality Review Act as necessary.
4. Near term actions to address immediate hazards, longer-range hazards, reducing risk re: coastal and inland flooding, thermal extremes (esp. heat), and threats to biodiversity.

Speakers –

During the public comment period, speakers addressed several issues including:

- Stronger emphasis on trees and forests as tools for carbon sequestration. This should include monetizing trees when assessing the cost of carbon.
- Strengthen existing state programs that are consistent with CLCPA goals, including programs like Brownfield Opportunity Areas that already recognize environmental justice principals and create pathways for community participation in decision-making.
- Concern about overriding local government decision-making in new siting rules and industrialization of rural landscape.
- Agricultural concerns about nutrient flow from farms impacting water. Also concerns about contamination in solar panel production. Urge use of already compromised lands, like brownfields and parking lots for solar siting.
- Address the cost of interconnecting renewable energy projects to the grid. Distance from the grid distorts the cost for developers. Amortizing the cost should be borne by the public at large. Everyone has an interest in getting these projects sited and built.

An additional public comment opportunity is scheduled for April 8th. Comments to the panel can also be posted by email at: LULG@dos.ny.gov.

Waste Advisory Panel – Wednesday, March 3, 2021

The **Waste Panel**, which is charged with developing emissions reductions strategies from the sector, heard updates from subgroups at its eighth meeting on March 3. These [mitigation strategies](#) will be advanced to the Climate Action Council in April.

Panel members Lauren Toretta (CH4 Biogas) and Dereth Glance (Onondaga County Resource Recovery Agency) reported out on draft strategies under consideration by the landfills and waste infrastructure subgroup. Ensuing discussion revealed conflicting views with respect to new waste disposal facilities. Specifically, Resa Dimino (Resource Recycling Systems) reiterated that the Panel should not incentivize new waste-to-energy facilities. She reiterated that focus should be on making existing facilities more efficient and incentivizing anaerobic digestors (AD). Dereth Glance cautioned that the unintended consequence of this is the distance from the source of waste generation, which will increase emissions. She also noted that new facilities are needed in places where existing infrastructure are aging like in Long Island.

Tok Oyewole (NYC EJA) and Brigette Vicenty (Inner City Green Team) then outlined the strategies to promote local scale recycling and climate justice. Deputy Commissioner Martin Brand (NYS DEC) enquired about the practicality and obstacles for siting new composting facilities. Tok noted that only 5% of NYC land is needed for mid-scale composters and it can be reduced using de-volumizers and generating less waste. However, factors such as insurance and land use regulations present barriers to their siting.

There was also a discussion about efficient waste routing and establishing zones for residential waste transport much like the [NYC commercial waste zones](#). One contentious issue was renewable natural gas (RNG). Jane Gajwani (NYC DEP) questioned the subgroup's strategy to divert 90% organic waste to composting which Tok Oyewole explained was to discourage biogas generation. Gajwani reiterated that according to science, RNG is renewable and its production from AD and wastewater-to-energy can be complementary especially for organic materials that are not easily compositable.

The water resource recovery facilities and materials management subgroup also gave a quick update of their progress to refine their mitigation strategies. One recommendation that has changed for the water resource recovery facilities subgroup is converting septic to sewer systems, which will be capital intensive. The subgroup now recommends routine pump outs to reduce emissions. Chair Brand highlighted NYC has a model program for septic upgrades to protect waterways in Catskills.

Moreover, the materials management subgroup received questions regarding stabilizing the commodities market and the displacement of workers due to the use of technology at recycling facilities. Resa Domino reiterated that the subgroup's strategies included extended producer responsibility (EPR) policy, which will place the volatility of recycling markets on the manufacturer and noted that automation allows for human staff to have higher quality jobs at recycling facilities.

The Panel plans to have cross-panel engagement in the upcoming weeks on cross-cutting issues including RNG with an aim to harmonize and finalize its recommendations by March 19. Notes and the presentations from this and previous Waste Panel meetings can be found [here](#).

Just Transition Working Group – Wednesday, March 3, 2021

By Jeff Jones

The Just Transition Working Group continues to focus its work on identifying key elements and sectors that will be evolving with the transition to the clean energy economy mandated by the CLCPA. Changing workforce needs and community impacts highlighted the group's discussion.

Two subgroups, one working on the power plant industry inventory, another identifying energy intensive industries, offered reports. For workers in the fossil fuel industry, developing transferrable skills and complementary training, along with direct support for those who may be displaced is the priority. Communities that will be impacted by worker displacement, as well as training for those new to the energy field are another priority. To assess how broad the changes will be, an inventory of public and private utilities is being developed. Metrics including local tax assessments, employment needs and public health impacts of current facilities, especially peaker plants primarily located in disadvantaged communities, are being developed.

The need to balance both workforce and community priorities has been highlighted both by working group members, and in public comments. Good wages, in-state training opportunities such as apprenticeship, mentoring models and K-12 STEM education have been noted. In addition, models for repurposing current power plants are being developed.

Public comments can be submitted at: jtwg@nyserda.ny.gov

Agriculture and Forestry Advisory Panel – Tuesday, March 2, 2021

On March 2, the **Agriculture and Forestry Panel** held a lengthy meeting going over preliminary mitigation strategies. The strategies covered included alternative manure and precision feed and forage management, soil health and nutrient management, and agroforestry. The Panel will present its final strategies to the Climate Action Council in April.

Regarding alternative manure management strategy, Panel members questioned the applicability of manure storage for small – medium farms. Department of Agriculture and Markets' Brian Steinmuller noted that proper siting of community storage could assist these farms manage methane effectively. Suzanne Hunt (Hunt Country Vineyards) suggested that payment for ecosystem services (PES) can be used to incentive waste generated energy from anaerobic digestors and should count towards meeting NY's climate law's goals. Peter Lehner (EarthJustice) also recommended instituting regulations to manage methane emissions from livestock farming over incentive structures. Furthermore, Tom Gerow (Wagner Lumber Co.) called for more specific recommendations on opportunities for and data on farms run in disadvantaged communities or by people of color.

For precision feed and forage management, Panel members remarked about enhancing funding for [conservation districts](#). Tom Gerow suggested being explicit on how feed management can help minority communities while Rafael Aponte (Rocky Acres Community Farm) reiterated that black, indigenous and people of color (BIPOC) should be rewarded for practicing these techniques in a potential PES program. He also

proposed targeted outreach to increase awareness or uptake of state programs by BIPOC farmers.

With respect to soil health/regenerative agricultural practices, members of the Panel suggested considering soil carbon storage in addition to sequestration and preparing farmers to participate in private carbon markets that offer offsets within state. Peter Lehner advised that offsets should be a part of a voluntary market or government program as opposed to compliance. Once again, PES was identified as strategy to encourage adoption of soil health management practices. However, Samantha Levy (American Farmland Trust) noted this mechanism would benefit landowners, and engagement/outreach/training is needed for farmers on rented land to enhance long-term adoption of regenerative practices.

The Panel also discussed its nutrient management strategies to reduce nitrogen oxide emissions. There were questions regarding whether these strategies are aligned or misaligned with private industries (e.g., fertilizers) as well as setting up a session to talk about financing mechanisms. Greg Albrecht (Department of Agriculture and Markets) noted that industry has been moving to nutrient stewardship on their own while Commissioner Brand tabled the discussion on funding noting that federal funding is anticipated. With respect to agroforestry, Panel members agreed that strategies to increase sequestration from forests was the most cost-effective but also a crucial and long-term natural climate solution.

Agency staff also went through enabling strategies. These included agricultural environmental management planning for climate mitigation/adaptation, benchmarking and monitoring of greenhouse gases, and adaptation and resilience. They also quickly recapped the progress to date with respect to the bioeconomy, forest management, and avoiding land conversions subgroups. The Panel, which reconvenes March 16, invite ongoing public input on its recommendations via [email](#). The presentation and full meeting notes for this meeting can be found [here](#).

Land Use and Local Government Local Government - Tuesday, March 2, 2021

The Land Use and Local Government Panel (LULG) convened its second roundtable for local officials on March 2. The purpose of the roundtable was to garner input from local officials across the state on the Panel's draft emission reductions recommendations, which will be presented to the Climate Action Council in May 2021. Specifically, the roundtable reviewed draft strategies around accelerating development of clean energy sources, promoting land use/smart growth, maximizing carbon sequestration potential from developed and undeveloped lands, and promoting adaptation and resilience.

Local officials proposed several considerations with regard to clean energy strategies. Among them included providing technical support and developing a standardized

template or simplified tools for greenhouse gas inventories/benchmarking for local governments. Others highlighted that interconnection and transmission are barriers to clean energy development and the lack of well-paying jobs in renewable energy despite there being good state training programs.

Utilities were identified as key stakeholder to engage with respect to clean energy siting as well as restructuring rate structures (especially demand charges) so that clean technologies are not cost prohibitive allowing local governments to clean their own operations. Susanne DesRoches (NYC Mayor's Office of Resiliency and Office of Sustainability) pointed out components missing from the Panel's strategies such as resiliency and storage, and suggested coupling permitting and siting to make these strategies more successful. There was also strong consensus for the need to streamline state programs and grants like the NYS [Consolidated Funding Application](#).

For land use, panelists advised the Panel to target Regional Economic Development Councils (REDCs) to integrate NY's climate law goals into regional sustainability plans. One local official noted that REDCs need more funding to devote greater attention to planning. William Roehr (Montgomery County) emphasized the necessity of compressing comprehensive planning cycles while Eric Wilson (NYC Mayor's Office of Resiliency) called for state level technical assistance for local municipalities to incorporate climate risks into land use plans. Martha Robertson (Thompson County Legislator) expressed concern over the issue of gentrification noting the need for infill development to increase density and revitalize communities.

Comments regarding the carbon sequestration comprised of suggestions to include natural areas such as upland meadows and smaller wetlands and capacity building strategies to sequester carbon statewide. Local officials also advised the Panel to think about research and investment to support building materials that can sequester carbon and to consider strategies that would allow small forest landowners to participate in carbon markets. Whereas, in response to adaptation and resilience strategies, officials raised a potential issue of climate migrants from other states as well as offered a few additional proposals including engaging with the insurance sector, moving towards heat pumps, promoting innovative community land management practices like land trusts, and conducting a statewide resiliency plan to guide municipalities.

The Panel plans to hold a public engagement meeting to gain further input on these adaptation and resilience strategies on April 8. It will also convene a public engagement session on March 8. Stakeholders are also encouraged to provide comments on the Panel's recommendations via [email](#). Presentations and notes from all Land Use and Local Government Panel meetings can be found [here](#).