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July 1, 2022

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Draft Scoping Plan Comments
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Dear NYSERDA/Climate Action Council:

The Coalition to Save Hempstead Harbor (CSHH) appreciates the opportunity to submit comments to the Climate Action Council regarding the Draft Scoping Plan to guide concrete details of implementing the Climate Leadership and Community Protection Plan.

CSHH is a local environmental organization that motivates citizens to take action to prevent and/or address environmental threats to the Hempstead Harbor and greater Long Island region. CSHH members who reviewed the Draft Scoping Plan found it to be quite comprehensive and well thought out, but a formidable challenge remains to meet NYS's carbon-reduction goals. We offer the following comments.

PUBLIC ENGAGEMENT

At the heart of such a paradigm shift across all economic sectors, the climate effort will require engaging the public and promoting a dramatic shift in social behavior. CSHH has practical concerns about how to get communities and local residents to think long-term, not short-term, and how to get ordinary citizens to care enough about the climate crisis to take personal action and responsibility. After years of NIMBY, how do suburban communities accept siting of clean energy infrastructure? If NYS cannot get adequate funding from "polluters pay" types of legislation or court decisions, how will New Yorkers be persuaded to approve a massive budget to pay for such an ambitious climate program? Saying that the cost of inaction exceeds the cost of action by \$90B may convince some people, but will be a hard sell to many other taxpayers.

We don't have the answers to these big questions about potential public resistance to change, but we do strongly support several references to developing a robust public education campaign, as noted for instance in Chapter 13, Electricity, E4— Support Clean Energy Siting and Community Acceptance. The purpose would be to "inform New Yorkers about the climate crisis and the benefits of shifting to a clean energy

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economy.” If consumers are provided with the information they need to make clean energy decisions, greater reductions in energy demand could be achieved without infrastructure changes. The following are some suggestions for strengthening the public education campaign:

- NYS should invest significant time and funds to develop an outreach plan that is coordinated with programs run by counties and other local municipalities, regional planning associations, Climate Smart Communities, environmental groups, academic institutions, business groups, churches, arts organizations, etc., to alert the public about the urgency of necessary actions to avert the worst impacts of climate change. Such a plan should demonstrate not only how renewable energy systems can be brought to scale, but also how they will affect communities and individuals.
- It is essential that the messaging clearly delineate the pros and cons of various clean energy options. Fossil fuels are not an option, but renewable energy alternatives have impacts that should be fully disclosed and communicated to the public. New Yorkers need to be informed accurately in order to participate, either personally or through elected officials, in energy decisions and carbon-reduction strategies that are appropriate for their communities.
- As noted in the E4 section of Chapter 13, Electricity, NYS should allocate funds to support NGOs for participating in this educational component. We suggest that funding be also available to municipalities to facilitate public forums regarding renewable energy options.

REGIONAL VARIATIONS IN HOME HEATING ALTERNATIVES

Not all heating alternatives are applicable statewide. For example, according to a report by the Long Island Commission for Aquifer Protection, “geothermal heat pumps pose a potential risk to groundwater from widespread and unregulated use of geothermal systems, including thermal, hydrogeologic, and chemical effects.” Major concerns are the “gaps in regulatory and inspection responsibility for certain aspects and types of systems” as well as “potential impacts on other groundwater users” (http://liaquifercommission.com/images/Geothermal_Heating_and_Cooling_Report.pdf).

SECTORS

Chapter 11. Transportation

- Climate Smart Communities and Clean Energy Communities could promote the “complete streets concept” to create safe bike lanes, bike routes to school, and pedestrian walkways that encourage individuals to reduce local car trips.
- Attention must be paid to disadvantaged communities that are more affected by the lack of zero-emission vehicle usage and transportation alternatives. Subsidies for electric buses should be a priority in those communities.

Chapter 13. Electricity

- Reliability of the electric grid is critical to making the clean energy shift, but the oil and gas industry must not be allowed to intimidate the public with threats of service disruptions.

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- The Climate Justice Working Group recommends that a “moratorium be placed on new fossil fuel plants until the final scoping plan is in place or until there is a demonstrated system reliability need that can only be addressed with fossil fuel generation.” The language in this last phrase leaves a very large loophole for fossil fuel companies to exploit and prevents a definitive end to building new fossil fuel power plants. In addition, this recommendation should be extended to no new buildout of fossil fuel infrastructure such as pipelines and LNG export facilities, and eventually to consumer products that use gas, such as stoves, dryers, and lawn and landscape equipment.
- The Plan states "NYSERDA's procurement programs and improved permitting processes are critical to deployment of new renewable facilities...." "Improved permitting processes" should not be a means to cutting short the SEQRA review or the public's opportunity to comment.
- Expansion of public education, marketing plan, county participation, easy enrollment, and cost incentives in Community Choice Aggregation programs are critical to making the clean energy shift.
- Nuclear power is not clean energy. Besides the local environmental and health and safety risks, there is no current waste disposal site for spent nuclear fuel. During the clean energy transition, it may be necessary to keep some nuclear plants operating, but no new nuclear facilities should be permitted. As safer clean energy options are brought to scale, subsidies for nuclear power should be phased out as soon as possible, given the disastrous consequences of a malfunction, cyber attack, and security breach.
- Lifecycle greenhouse gas and health analyses are critical to avoid replacing an old polluting system with a new one. Burning biomass is not carbon-neutral, nor is it a renewable resource. Waste-to-energy plants are an environmental and health burden to host communities and produce toxic ash that needs to be, but often isn't, properly disposed.

Chapter 15. Agriculture and Forestry

- More needs to be done to incorporate regenerative agriculture into the climate plan. There is a robust movement and growing support for research and technical help in NYS to convert big agricultural practices (mono-cropping, pesticides, nitrogen fertilizers) to regenerative agricultural practices. Direct financial help in the form of grants and loans to farmers, information and training perhaps provided by Cornell Cooperative Extension, and development of regional groups to share best practices and common obstacles are some of the ways NYS could help advance regenerative agriculture. NYS's Healthy Soil and Climate Resiliency Act is a good start to support a range of programs designed to expand healthy soils and conservation. NYS should also pay attention to the federal Farm Bill to oppose subsidies for agricultural practices of the past that have depleted farm resources.
- Financial resources should not be wasted promoting biomass energy as a substitute for fossil fuels. As noted in the Plan, there is a great potential for emitting co-pollutants as well as greenhouse gases when biomass is burned. Expanding forests as permanent carbon sinks is a better use of land than a bioenergy tree farm with the purpose of clear-cutting trees for fuel.

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- Areas of high development should be encouraged to convert a percentage of conventional landscaping to that of native flora.

Chapter 16. Waste

- More detail is needed on how the state will adequately fund the reduction of waste by recycling and reuse and what entity will enforce, measure outcomes, and track methane emissions. The greatest emphasis should be on how industry, government, and residents can avoid waste in the first place and the potential introduction of tax credits and other remunerations for businesses that incorporate waste-reduction practices. Extended Producer Responsibility must be a part of the solution for product packaging.
- Real solutions to the waste problem must be developed. Expanding the Food Donation Recycling Law could reduce waste, feed the hungry, and create jobs as well. NYS should look into how some cities around the country are already requiring reusable or compostable containers and eating utensils in the take-out food sector. There is no need to reinvent the wheel.
- In order to regain the trust of the public to participate in recycling programs, false solutions by the petrochemical industry must be debunked and real solutions implemented.
- “Waste-to-energy” incinerators are not the answer.
- The abundance of landfills and wastewater facilities in disadvantaged communities must be addressed.

STATEWIDE AND CROSS-SECTOR POLICIES

Chapter 17. Economy-Wide Strategies

We appreciate that there are various assets and liabilities within the three emission-reduction strategies presented for discussion: carbon pricing, cap-and-invest, and clean energy supply standards. We believe that the choice is likely sector-specific. It’s our current opinion that since buildings and transportation are responsible for over half of the greenhouse gas emissions, clean energy supply standards that focus on certainty of pollution reduction should be prioritized. Additionally, we would like to see statewide standards upheld for all new construction. We further believe that it should be a priority to build consensus within the tri-state area towards a consortium so that no state is penalized via revenue losses for their environmental protection initiatives.

Chapter 18. Gas System Transition

CSHH supports intense scrutiny of fossil fuel companies that may take advantage of energy reliability claims to justify investment in infrastructure and extend the life of their products at the expense of consumers who may end up paying for stranded assets.

- Incentives may be necessary to spur adoption of clean energy alternatives on the user end.
- The state should enact legislation to amend the Public Service Law and the Transportation Corporations Law to end incentives and rebates for gas equipment offered by utilities or NYSERDA, particularly for sectors and building typologies in which electrification is a near-

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term solution. As developers race to get large residential and commercial projects approved for gas hookups, it is crucial that this legislation be promulgated as soon as possible to prevent locking in fossil fuel energy systems.

- Revising local building codes to limit or ban gas hookups in new construction is one of the most direct ways and a critical tool for preventing new sources of greenhouse gases.

Chapter 19. Land Use

- Urban sprawl and open space loss continues even in areas already highly developed such as Long Island. Where development has been approved by local municipalities, there should be strict guidelines to include and maintain trees in the landscaping as carbon sinks.
- Regional planning is needed to prevent irreparable damage to Long Island's sole source aquifer by excessive withdrawal of groundwater. The effects have already caused salt water intrusion in North Shore and South Shore wells and is exacerbated by poor land-use planning and climate change.
- An increase of state and locally funded land acquisition programs should have high priority to preserve open spaces. The NYS Parks Department and the U.S. Fish and Wildlife Service have done a good job helping to preserve open space and wildlife habitat on Long Island. More needs to be done.
- Biophilic construction and landscape design should be incorporated in building projects especially in urban areas to support a human connection to nature and the environment. Besides increasing the well-being of residents and creating new environmental advocates, there are financial benefits to the community such as the High Line Park on the lower west side of Manhattan.

Chapter 20, Local Government

As a local nonprofit organization, we know firsthand the power of grassroots efforts. Local governments can play a big role in reducing greenhouse gas emissions. The chapter outlines many programs and strategies that are increasingly successful in engaging local governments and codifying action items that can be taken to reduce pollution. It has been our observation that citizens elected to office in local governments may be newly exposed to environmental issues; these topics are among many others for them to learn about during their terms of varying length. They are often assisted by committees of local volunteers. We suggest the creation of easy-to-understand educational tools that will help orient members of local municipalities to NYS's greenhouse gas reduction goals and strategies. We believe helping local public officials navigate this area will encourage participation.

Chapter 21, Adaptation and Resilience

This chapter states that indicators, metrics, and monitoring programs "should be developed during work planning for each recommended action." Resilience Metrics is mentioned as one of numerous resources available regarding selection of indicators and metrics. Local and regional resources and programs are also available that may be appropriate to incorporate into the work of planning for recommended actions. For example, the Long Island Sound Study's Climate Change

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and Sentinel Monitoring Program is a “multidisciplinary scientific approach to provide early warning of climate change impacts to Long Island Sound ecosystems, species and processes to facilitate appropriate and timely management decisions and adaptation responses.”

MEASURING SUCCESS

Chapter 22, Essential Elements

In describing “Federal Action,” the Climate Action Council applauds the Biden Administration’s efforts to reduce greenhouse gas emissions. However, the Administration’s target to reduce greenhouse gas emissions by 50% of 2005 levels by 2030 may be an unreachable goal given the Supreme Court’s recent decision to limit EPA’s authority in reducing emissions from power plants. It is imperative that NYS find ways to avoid federal preemption as it moves toward implementation of the Climate Leadership and Community Protection Plan. Increased efforts will be needed to address the gaps left by the federal government.

Respectfully submitted,



Kay Bromberg, Vice President
Coalition to Save Hempstead Harbor

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