

# Transportation Advisory Panel Meeting

## December 18, 2020 | 2:00-4:00PM ET

### Attendees

- **Chair**, Marie Therese Dominguez, Commissioner, New York State Department of Transportation
- Jared Snyder, Deputy Commissioner, New York State Department of Environmental Conservation
- Albert Gore, Policy and Business Development, Tesla
- Bob Zerrillo, Policy Director, New York Public Transit Association
- Craig Turner, Executive Director, Buffalo Niagara International Trade Gateway Organization
- Dimitris Assanis, Assistant Professor, Stony Brook University
- Elgie Holstein, Senior Director for Strategic Planning, Environmental Defense Fund
- Julie Tighe, President, New York League of Conservation Voters
- Kendra Hems, President, Trucking Association of New York
- Kerene Tayloe, Director of Federal Legislative Affairs, WE ACT for Environmental Justice
- Nancy Young, Vice President, Environmental Affairs, Airlines for America
- Nick Sifuentes, Executive Director, Tri-State Transportation Campaign
- Renae Reynolds, Transportation Planner, New York City Environmental Justice Alliance
- Steve Finch, Senior Vice President, Automotive Services, AAA Western & Central New York
- Paul Allen, Senior Vice President, M. J. Bradley & Associates
- Porie Saikia-Eapen, Director, Environmental Sustainability and Compliance, Metropolitan Transportation Authority

### Not in Attendance

- John Samuelson, International President, Transport Workers Union

### Meeting Notes

#### Introduction

- Commissioner Dominguez welcomed everyone and introduced the agenda.
  - Also went over meeting procedures and roll call

#### Report out on CAC Meeting – Commissioner Dominguez and Deputy Commissioner Snyder

- Commissioner Dominguez gave a high-level overview of what was covered in the recent Climate Action Council (CAC) meeting.
- See slides for details on the transportation mitigation strategies covered in the meeting.
- *Discussion*
  - Jared – Feedback from CAC members were related to biofuels and the Transportation and Climate Initiative (TCI). Biofuels – there was an emphasis on calculating lifecycle emissions and co-pollutants. There was also concern about green hydrogen. TCI – there were questions on an update because other states are nearing a decision on the MOU. DEC said it is yet to be determined. On market based and financing – for each subgroup, these elements will be included since it is cross-cutting.

- Renae – Beyond the TCI question and flagging biofuels, were there any recommendations that came from the CAC?
  - Jared – I don't think they've given any real feedback on their preferences or priorities on this, or any of the other AP presentations.
  - Commissioner Dominguez – I took it more as a question: what is the process moving forward?
  - Julie – Isn't the Transportation Advisory Panel (TAP) supposed to be making recommendations to the CAC?
  - Jared – We're an advisory panel and our role is to make recommendations. They can give us direction if they want on what policies/programs they want us to focus on, but that hasn't been forthcoming yet. Our goal is to put these together by the end of March. We will discuss this further at end of the meeting.
- Nancy – I would think the CAC would be interested in having an understanding of how the state can leverage federal programs where there might be overlap so as we talk about finance and scope we think about the state's role relative to leveraging federal programs as well.
  - Commissioner Dominguez: This is a good point to take into consideration; make sure we deconflict state and federal and consider what structure we need to do that.

#### **Report out on Climate Justice Work Group (Jared, Nick and Renae)**

- Jared presented on some of the ideas the Climate Justice Working Group is looking at, at high-level, and indicated it was a good conversation. Members of the CJWG had some opinions. The following include highlights from Jared's presentation:
  - One member recommended we look at the studies on the effect of CA's climate policies, particularly their cap and invest program on environmental justice (EJ) communities. They mentioned one particular study that documents that although the cap declined, emissions in some EJ communities went up. It is important to evaluate this in considering cap and invest policies.
  - Another question was how do we plan to reach out to EJ communities, including people with disabilities to get recommendations? Something we'll talk about today is the public meeting we'll have to get public input. We should think about how to reach out to EJ communities in advance, so they are aware of the meeting and are able to participate. Open to ideas – we'll discuss at end of this meeting.
  - There was a concern raised by a member about the disposal of batteries used for electric vehicles (EVs) – are we considering the impacts of battery disposal?
  - There was a question asked about why the goal of doubling public transportation outside of NYC by 2035 – where did the numbers come from? The response was this is a goal, but we're still evaluating strategies.
  - The final point is that one member raised a concern that biofuels can be used as a way of maintaining fossil fuel infrastructure, and that's the problem for the fossil fuel companies. Stranded costs are their problem and we shouldn't make it our problem by supporting biofuels. We hadn't considered that as a reason for considering biofuels, but took that point under consideration.
- Renae – The goal of the CJWG is to establish criteria to identify disadvantaged communities. The list of indicators is still being developed. The Land Use & Local Government Advisory Panel was

also in the room, so there is an opportunity to discuss intersections between panels. One of their panelists mentioned coordination of all panels around adaptation and resiliency framing for our recommendations. That is something to consider when we think about – what are the adaptation and resiliency measures to consider in our recommendations?

- Nick – There was some conversation on market-based strategies, such as TCI. Equity needs to be at the forefront of these discussions.
- *Discussion*
  - Nancy – Can we expand on what the point on biofuels was?
    - Jared – It was not my point, but the comment was saying it was a way to maintain the status quo.
    - Nancy – Some sectors will rely on liquid fuels, such as large aircraft, for 30-40 years until we get to electrified aircraft.
    - Jared – The point is that the use of biofuels for aviation is a way of reducing emissions from aviation, not a way to keep using petroleum infrastructure.
    - Nancy – It's not a reason to expand the infrastructure, but using the same infrastructure is a benefit; it doesn't create new infrastructure impact. Displace a product rather than needing to add new infrastructure is a good thing.
    - Kendra – The trucking industry is in a similar situation to aviation, and will rely on fuels for decades. Let's not expand infrastructure, but we'll still need biofuels.
    - Elgie – Don't look too narrowly at biofuels, but rather look at the broader question of what the lifecycle of the biofuel is. I say that because there are, as we know, certain biofuels that require extensive/inefficient ways of gathering, processing, and producing those fuels. I'm not disagreeing with Nancy but rather saying the issues with biofuels are larger and need to look at a broader set of considerations.
    - Nancy – We should give an overview of sustainable aviation fuels. We've addressed these issues regarding agreed-upon lifecycle emissions analysis and evaluating other sustainability criteria.
    - Julie – If we adopt the Advanced Clean Trucks (ACT) rule, then we're still going to have ICE vehicles on the road for 15-20 years. We shouldn't use fossil fuels while waiting for this.

### **Report out on Electrification/Fuels Roundtable (Julie)**

- Julie reported on findings from the Electrification/Fuels Roundtable. The main points are summarized below:
  - Need to set targets on internal combustion engines and consider life of vehicle
  - Look at the scale of the issue, need to act with urgency within 10 years
  - 20% of cars need to be electric by 2030
  - Adopt CA rules on light duty vehicles and ACT
  - Need rapid buildout of direct current fast chargers (DCFC) by 2030 – around 11 thousand ports, per research from the Rocky Mountain Institute (RMI).
  - Need more EV chargers and incentives to build in Environmental Justice communities
  - Need to look at electric vehicle (EV) rebates for used EV market to help low- and moderate-income (LMI) households

- Look at rate design and off-peak charging for fleets
- Need EV-ready building codes, San Francisco is an example to look to
- Need a program that helps address cost, such as a low carbon fuel standard (LCFS) and the Transportation and Climate Initiative (TCI)
- Need life cycle analysis (LCA) for fuels
- There is estimated to be 130 EV models by 2025
- Need more public education for general public, fleet operators, and dealers
- *Discussion*
  - Kendra – Has there been any movement on a decision as to what New York plans to do with TCI?
    - Jared – No decision has been reached yet.
    - Kendra – New York had indicated it would decide in December. If there are plans to delay, I’m curious about timing.
    - Jared – No decision has been made to delay.

**Report out on Public Transportation/Smart Growth Roundtable (Nick)**

- Nick Sifuentes reported on findings from the Public Transportation/Smart Growth Roundtable. Main points are summarized below:
  - Land use policies – the formation of policy is just as important as implementation. CA examples show that we need community-level planning.
  - First and last-mile (FLM) needs and interoperability between systems are both important to consider. Especially for seamless transition between transit systems and micromobility, and how transit hubs play a role. How to make it more accessible for people, such as wayfinding.
  - Affordability – make sure there is equal access for all
  - FLM may be a challenge for rural communities. There may be many miles to reach transit, not just one- or two-miles.
  - Process and community engagement is also important. Particularly, engaging communities early on in design and implementation; need to make it meaningful and impactful.
  - Funding – federal funding is important, but so is dedicated, progressive state- and local-level funding for transit.
- *Discussion*
  - None

**Upstate/Downstate Suburban Public Transportation (Bob)**

- Bob presented a presentation providing an overview of upstate/downstate public transportation. See slides for details.
- *Discussion*
  - Jared – On EV incremental cost – in the long run there is saving on fuel and maintenance. However, that does not affect the upfront cost. Is there an opportunity to think about financial tools to help transit buses bear that cost? Can we use the benefits that will come over time, and cover them upfront?
    - Bob – In New York, even with MTA, we are early with the operation of these vehicles. We are hopeful for those savings. However, we caution that these

savings are in the future. The challenge is, until we see it, there's still a question about how much the savings will be. We may need to look to more secure or better-known sources to apply that. A large expansion certainly will need more resources.

- Julie – Will annual funding help transit with upfront capital costs?
  - Bob – Yes, new revenue streams will help, such as the Volkswagen Settlement funds.
- Paul – Is there a track record of federal programs that could provide additional funding beyond the Coronavirus Air, Relief and Economic Security (CARES) Act?
  - Bob – New York does everything we can to get federal funding, especially with transportation. If the new administration has more resources for greener technology, above and beyond what exists, this would help the transition. NY has a track record of investing.
  - Ron – We need to look at the formulas because they currently penalize NY State. When looking at tracks, utilization, or highway – NY State doesn't get enough credit. They need to re-write those formulas. We want to grow the level of sources and include other non-traditional modes into the definition.

### Next Steps

- Commissioner Dominguez – We need to take time to discuss how we will formulate our policies and recommendations moving forward.
- Jared – We will be circulating a document that provides an outline of what we should consider in developing the various recommendations and strategies. We will focus on this in Q1 2021.
  - Among the aspects/factors that we need to evaluate include: What are the emissions projected for each policy? The cost? How cost-effective are they on a per-ton of CO2 basis? What are the barriers to implement them? How do we address those barriers? What benefits and impacts are there to LMI communities? How do we meet the needs of disadvantaged communities? What are the reductions to other pollutants that will provide public health benefits? How will this impact businesses and their workers? Will it create jobs?
  - Cadmus will assist on GHG emissions and cost of policies. Staff for the various agencies that support this effort can help with the other pieces of the analysis. Our goal for the various policies will be to achieve the level of reduction that the pathways tell us we need to achieve.
- Julie – Getting more information on the GHG reductions and the cost of policies is what is needed. We need to create a framework for evaluating the policies and a schedule for when they need to be implemented.
- Adam Ruder (Assistant Director, Clean Transportation, NYSERDA) – Cadmus can provide some support. By the January Transportation Advisory Panel meeting, Cadmus can share more info on EV policy analyses. For non-EV policies, that will be available around February or March, we can see what is available earlier.
- Jared – Which priority policies should we evaluate? Advanced Clean Trucks rule and low carbon fuel standard, are examples, but we need more.
- Paul – I was glad to hear Julie mention sequencing. As a result of the public health crisis from the pandemic and its interaction with air quality, it's clear we need to act quickly.

- We have been talking a lot about the truck standards. But if you look at the California plan, it projects a major change in 2030. We need to think about what signals we need to send to the market soon to help the stakeholders working here to think ahead for ways to draw down costs and investment on their end.
- With this information we will have a better idea of what to do. There is some logic in how we can think about this, but we should start with prioritization.
- Kendra – Original equipment manufacturers (OEMs) aren't concerned about the 2030 timeframe because they're making strides already. The bigger challenge is the infrastructure buildout and for utilities to provide power. We should bring in folks who can speak to this. For example, utilities need to know where these trucks will be charging. Especially since these trucks may leave our state and go to others who are not using these measures.
  - Jared – We need to set up a meeting with the Power Generation Advisory Panel.
- Jared – We should regroup with staff and think about what a workplan, over the next 12 weeks, will look like to get recommendations done by March.
- Commissioner Dominguez – Schedule and content go a long way. What can Cadmus have by January? Let's work at the staff level to address these issues and develop a plan. We need to provide a detailed framework. Your feedback as panel members is important as well before a January meeting.
  - There will be a market-based and financing roundtable, tentatively scheduled to be on 1/7/2021.
  - We need to connect with other panels, please look for those opportunities.
- Julie – Will we speak with waste and agriculture?
- Jared – a multi-panel discussion on fuels should be happening. This is a good opportunity for the smaller working groups.