

Transportation Advisory Panel Public Engagement Meeting

February 24, 2021 | 2:00pm-4:00pm

Attendees

Members present:

- **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
- 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
- Steve Finch, Senior Vice President, Automotive Services, AAA Western & Central New York
- Paul Allen, Senior Vice President, M. J. Bradley & Associates
- Dimitris Assanis, Assistant Professor, Stony Brook University
- Porie Saikia-Eapen, Director, Environmental Sustainability and Compliance, Metropolitan Transportation Authority

Members not present:

- John Samuelson, International President, Transport Workers Union
- Renae Reynolds, Transportation Planner, New York City Environmental Justice Alliance
- Craig Turner, Executive Director, Buffalo Niagara International Trade Gateway Organization

Key staff present:

- Adam Ruder, New York State Energy Research & Development Authority
- Paul Beyer, Department of State
- Ron Epstein, Department of Transportation

Meeting Notes

Welcome and Introduction

- Commissioner Dominguez welcomed everyone, introduced the agenda, ran through meeting procedures, and did roll call.

Strategies Under Consideration

- Adam Ruder provided an overview of electrification and cleaner fuels strategies (see slide 7)
- Ron Epstein provided an overview of public transportation strategies (see slide 8)
- Jared Snyder provided an overview of financing and market-based programs (see slide 10)
- Paul Beyer provided an overview of Smart Growth strategies (see slide 9)

Public Discussion

- Sam Wade (Coalition for Renewable Natural Gas): Member of a trade association for renewable natural gas (RNG) in US and Canada. We support a clean fuels standard (CFS). Implementation of CFS will help decarbonize the transportation sector. Similar programs have been successful elsewhere (i.e. British Columbia) and other jurisdictions (i.e. the federal government of Canada) are currently considering implementation as well. A CFS would make New York State (NYS) a leader in climate action. RNG is a circular resource. It is a byproduct of other processes, including in waste and forestry. It can be low, zero, or negative carbon. It provides air quality benefits along with greenhouse gas (GHG) emissions reductions. A CFS could help advance these markets and provide benefits, including revenue for municipalities and farmers who produce RNG.
- John Carlson (Ceres): Speaking on behalf of the Ceres BICEP network, a coalition of corporations who are consumers of transportation services. In order to decarbonize, we need a range of policies. We need solutions in public transport, electrification, micro transit, and active transit. We need targeted measures, particularly in communities that are overburdened. We also need broader and more holistic measures. The transportation system is outside of companies' control, so we need policy to make substantial systemic changes. Make those who profit off of the pollution pay; both a low-carbon fuel standard (LCFS) and the Transportation and Climate Initiative (TCI) could provide these incentives and raise revenue for the targeted measure that this panel is considering. Strongly support electric vehicles (EVs), public transit, and zero emission vehicles (ZEVs). LCFS and TCI would complement these actions rather than deter their progress. Communities need a say in how these policies are implemented and how revenue is used. We want a holistic strategy with market-based policies as part of a broader set of solutions.
- Rich Kassel (Capalino; chair, EPA, Mobile Source Technical Review Subcommittee): I want to make three brief points. (1) We all know the next decade is critical. We can't wait for sector-wide electrification or any other sector-wide zero emissions solutions. A CFS falls within this category. Analysis shows that we need to decarbonize transportation fuels that are currently used in the transportation system. Even CA's Advanced Clean Trucks (ACT) rule won't move quickly enough. Diesel will still fuel many trucks in California in 2035 and beyond, so we need to decarbonize those fuels. We know from CA that a CFS cleans fuels in the interim. It also drives the biofuels industry towards lower-carbon feedstocks and processes. (2) Regarding local air pollution, a CFS would lower emissions in disadvantaged communities (DACs) immediately. (3) We need to find ways to create pools of private sector funds to supplement government funding to ensure we can build out the EV infrastructure we need for the future.
- Kathy Harris (NRDC): The transportation sector is broad, so we appreciate how holistically the panel has looked at developing solutions. We support many of the policies promoted by this panel, including electrification and the omnibus rule. However, it is vital that the panel also consider long-term and sustainable funding sources to ensure the goals can be met. A feebate will cover some of the costs, but it won't provide enough funding. TCI can help plug this hole. TCI will raise a significant amount of revenue. It should also be paired with a CFS to ensure equitable emissions reductions. TCI would provide the state with revenue for investment in clean transportation projects. CFS would promote private investment in low-carbon fuels. A CFS would also help achieve the TCI cap. Implementing these programs would also help support

other programs, such as the ACT. I would also request that the Transportation Advisory Panel (TAP) post slides immediately to provide ample time for the public to comment.

- Kevin Miller (ChargePoint): ChargePoint is a leading provider of electric vehicle chargers. We do not own and operate the chargers; they are owned by businesses. We support two proposed actions: electricity rate modification and a CFS. On electricity rates, demand charges account for about 90% of the operating costs of running the infrastructure and charging medium and heavy-duty vehicles (MHDVs). We appreciate the consideration of helping ease this burden. CFS is a critical tool to decarbonize the sector. It is technology neutral, generates revenue, and EVs will benefit increasingly as electricity generation decarbonizes. It has been a critical piece in CA's efforts.
- Carine Dumit (EVGo) was not present.
- Ibrahim Abdul-Martin (Healthy Air Alliance): I want to echo the comments from Rich Kassel. I would encourage the panel to consider PM2.5 in deliberations for consideration of health impacts in DACs.
- Kevin Grant (Sprague Operating Resources): Not present.
- Sherrie Merrow (NGVAmerica): Representing a national trade organization for natural gas. I would encourage the use of all fuels. Transportation accounts for 36% of GHG emissions and is one of the only sectors that have increased pollution recently. Decarbonizing the sector is key. Action is needed now to address today's emissions problems. A CFS is crucial to this effort. Data from CA shows that RNG is one of the lowest carbon-intensity fuels on the road today. It is even lower than EVs using solar energy. In fact, vehicles that use RNG are carbon negative. We need to use the fuels we have today, which are available to take us to a zero emissions future.
- Eric Cerretani (Disney): I calculate emissions for Disney. Diesel is the largest emissions source in most cases. Renewable diesel has made significant GHG emission reductions for us. The switch was easier in California due to the LCFS. We want to see a LCFS in New York, so we can take advantage of that here as well. This is a priority for the industry as a whole. We want to switch to EVs eventually, but renewable diesel is more feasible in the near-term as a bridge solution.
- Alok Disa (Earthjustice): Decarbonizing the economy by 2050 will require a phase out of internal combustion engines (ICEs). This is from a recent Academy of Sciences paper. To get us part of the way there, we can adopt CA's emissions standards and mandates. However, CA's sales mandates will not keep us on track to hit the target. We need to do more over the next decade to make sure we're on track. We also need to ensure that we're targeting programs in environmental justice (EJ) communities. We support green zones and prioritizing truck electrification in places like the Port of Albany and Hunts Point. We also urge the panel to recognize the limitations of market-based policies. Incremental policies are not as good as mandates, they will not get us to where we need to go and could exacerbate problems in specific communities. We need to invest in infrastructure and EV incentives.
- Douglas Funke (Citizens for Regional Transit): We need to do a better job of getting people out of cars and into public transit if we want to achieve our goals. Moving towards EVs isn't enough and will continue to have problems with congestion and infrastructure. Reducing the number of cars on the road by improving public transit is the solution. What we have to do is provide more investment for public transportation. It is not currently competitive with driving. We need to improve infrastructure and operations. We support the TCI as one way of putting a cost on carbon and then reinvesting it into public transit.

- Tiffany Ganthier (Van Ness Feldman): I am speaking on behalf of Poet LLC. Although targets have been set in the future, there are things NY can do now. E15 is an important part of the future because it is immediately available and is cleaner than petroleum. Most cars can also use E15 without any problems. Poet is the world's largest biofuel producer. Giving New Yorkers access to renewable fuels will have an immediate impact. Biofuels are also making impacts in other states, such as California. We also support a well-structured CFS. We also encourage joining TCI. Recent studies have shown that GHG emissions from ethanol are 45% less than petroleum, and they also reduce local air pollution. Biofuels can complement the states longer-term target to adopt EVs. Biofuels have important health benefits for EJ communities and cost-effectiveness. Increasing access to E15 at existing pumps does not require any additional infrastructure or vehicles and it's cheaper than gasoline.
- Hanna Walier (Citizens Campaign for the Environment): TCI can help achieve emission reduction goals. It seeks to reduce emissions, create jobs, and improve health in DACs. Joining TCI would generate \$414 million in revenue and make NY a climate leader. NY's outdated travel networks are plagued by problems decades in the making. TCI can advance investment in a clean transportation system and help NY achieve its targets.
- Jessica Enzmann (Sierra Club): We have submitted comprehensive comments, I'm just going to highlight a few specific recommendations. We recommend that the committee set interim EV targets to ensure we are on track to meet our long-term goals. We also encourage that the state lead by example and electrify the state fleet. We recommend an update to building codes to incorporate EV-readiness. It is critical that decarbonization happen in an equitable manner. We should provide incentives and financial assistance for low-income residents to purchase or lease EVs. Lastly, support EV buses.
- Jen Robertson (City of New York): These comments are supplemental to the comments provided to the panel earlier. The City of New York wants to be considered a key stakeholder in the process. We encourage prioritizing small fleet operators. Look at high-mileage trips. We also want consideration for truck refrigeration units. We support a state fleet ZEV mandate and an updated rate design. EVs are a new electricity load that will behave differently than stationary load. We also support point-of-sale rebates and 2- and 3-wheel EVs (e-bikes and scooters). We want to right-size vehicles. We support CFS. We support statewide requirement for charging infrastructure in parking facilities. Workforce development is also important. We need to train young and new mechanics on EVs. NYC provides EVs to local high-schools and would welcome further collaboration.
- Ya Ting Liu (Via): I am representing a NYC-founded transit tech company. Our main recommendation is to encourage you to think about ways to encourage and incentivize transit agencies to pilot on-demand technology to expand the reach of public transit. It is important to expand access, especially in communities where it is difficult to live without a personal car. We need to reduce the number of single occupancy vehicles (SOVs) on the road and the vehicle miles traveled (VMT). A number of places are using a combination of federal CARES funding and state funding to pilot programs that seek to achieve this. The programs have looked at ways to improve first- and last-mile on-demand transit services. This is something that can be adopted now.
- Suzanne Hunt (Ag & F AP + Generate Capital): Kevin miller raised many points that I would like to second. With the Generate Capital hat on, the problem is scaling technologies up, rather than the availability of technology. Huge long-term investments are not going to be equally

distributed across the US. They will go to states with favorable environments. Please consider how you can make sure that the state is open for business. The investor perspective is very important, and investors need certainty and supportive policy.

- Gwendolyn Fleming: Not present.
- Phil Vos (Energy Vision): I am representing an NY-based non-profit focused on clean energy. We support an LCFS to help New York achieve its very ambitious goals. LCFS is technology neutral and will help reduce emissions quickly. It is a proven model that has multiple benefits. It incentivizes lower-carbon fuels by tying credit generation to carbon-content. Low carbon fuels can be generated in state, providing economic benefit through in-state jobs and business opportunities. Captured methane can also be used as fuel, which has significant climate benefits. NY adopting an LCFS would also provide a signal to other states in the northeast and likely spur regional adoption.
- Tara Vamos (NY ReNews): I will echo what Douglas Funke said in his statements. We also need to create safe corridors for bicycles and pedestrians. Public transportation frequency is key to improving the experience for riders. There should also be more connection of outer areas without needing to go into the middle of a city. I have an EV in the suburbs. It is terrible that EV charging stations frequently do not take a credit card easily. You shouldn't need membership in a club or have an app on your phone to access the charger. Rapid chargers are also broken like 40% of the time, which is frustrating. It would also help if charging manufacturers disclose how long it takes to add 50 or 100 miles of range to a vehicle, rather than charging a specific amount of electricity. You are doing such excellent work; the recommendations are great. One other thing, it is abysmal that you cannot take an electric wheelchair on all of the trains in New York.
- Pete Sikora (NY Communities for Change): The state has set goals in the past on climate, which it has subsequently missed. Public transportation needs significantly more funding. EV adoption is way behind where it needs to be (60k out of 10 million). The goal of 850k by 2025 is going to be missed. There is a massive need here for new funding. We recommend taxing the rich (\$5 billion per year), banning the sale of ICE vehicles by 2025, and using the tax revenue to pay the difference for low- and middle-income consumers. Also, taxing the rich would provide money for public transit. TCI should also be implemented, which would raise about \$1 billion a year, which should be spent on mass transit.
- Miles McManus (individual): I'm concerned that the Climate Leadership and Community Protection Act (CLCPA) timeline and target is not aggressive enough to avoid catastrophic climate impacts. We should be thinking about net zero by 2040 or 2030. This is based on latest science. We need to move faster. We need to spend less time talking about false, or bridge, solutions (such as blended and biofuels). If it is going to be burned, don't use it. We need to focus on zero emissions. We need tougher targets especially for trucking and aviation.
- Abdul-Rahman Morgan (EV Owner and Advocate): I encourage everyone to test-drive an EV. I find that there is sometimes a disconnect between policy and implementation. You should experience it yourself before you develop policy. I will be providing an opportunity for panel members to borrow the EV to drive around the state so you can see what some of the current issues are, like charging stations not being plowed out. I will post a Google doc for anyone so they can know what EV groups exist throughout the state and I ask the members of the panel to join these groups to see the discussions that are happening in these communities. That way you can see what these folks are talking about and what their experience driving an EV in the state has been like.

- Anastasia Gordon (Alliance for Clean Energy New York): We support the panel's focus on regulatory policies that promote EVs and EV charging infrastructure. We also support a CFS, adopting CA's standards, an EV tax exemption, EV incentives, EV buses, and EV infrastructure incentives for fleets. These will make EVs more accessible for NY residents. There should also be an education program to ensure people are aware of these programs. We also support TCI, which will reduce emissions and provide revenue for investment in biking and pedestrian infrastructure. Revenue should also be used to benefit DACs, as required by the CLCPA. TAP should also work with other panels to ensure the proper siting of renewable energy.
- Scott Hedderich (Renewable Energy): I am speaking on behalf of a biodiesel producer. Mass transit is not great currently and EVs are expensive. There needs to be an ability for the public at large to have access to affordable EVs. A zero emissions environment is the right goal to be aimed for, but in the meantime, we need cleaner fuels as the transition occurs. We need to keep the door open to these options. Getting to a 100% electrified transportation sector is going to take time. Biofuels offer an opportunity for benefits during the transition.
- Shelby Neal (Darling Ingredients): We are a used cooking oil collector. The oil we collect gets recycled into renewable diesel. It is a direct replacement in current diesel engines and is an 80% reduction in GHG emission from regular diesel (according to the California Air Resources Board - CARB). It also causes a 50-80% reduction in other pollutants. We are supportive of all approaches that have been recommended, but particularly an LCFS. This has been really successful elsewhere. It helps the private sector to have certainty and improve access to capital. We are also examining carbon capture, which would get our fuel to a 94% reduction in carbon intensity. We are also looking at automating pickup routes and improving collection technology. An LCFS allows for these types of innovation to be profitable.

Next Steps/Open Discussion

- Commissioner Dominguez discussed next steps (see slide 14) and closed the meeting.