

MINUTES OF THE CLIMATE ACTION COUNCIL MEETING
HELD ON MARCH 3, 2022

Pursuant to Notice and Agenda, a copy of which is annexed hereto, a meeting of the Climate Action Council (“Council”) was convened at 2:00 p.m. on Thursday, March 3, 2022. The following Members attended, and a quorum was present throughout the meeting:

Council Co-Chairs

- Doreen Harris, President and CEO, New York State Energy Research and Development Authority
- Basil Seggos, Commissioner, New York State Department of Environmental Conservation

Council Members

- Richard Ball, Commissioner, New York State Department of Agriculture and Markets
- Mary T. Bassett, Commissioner, New York State Department of Health (Gary Ginsburg, Designee)
- Rory Christian, Chair and CEO, New York State Public Service Commission
- Donna L. DeCarolis, President, National Fuel Gas Distribution Corporation
- Marie Therese Dominguez, Commissioner, New York State Department of Transportation (Carolyn Ryan, Designees)
- Gavin Donohue, President and CEO, Independent Power Producers of New York
- Justin Driscoll, Interim President and Chief Executive Officer, New York Power Authority
- Dennis Elsenbeck, President, Viridi Parente, Inc.
- Thomas Falcone, CEO, Long Island Power Authority
- Rose Harvey, Senior Fellow for Parks and Open Space, Regional Plan Association
- Dr. Bob Howarth, Professor, Ecology and Environmental Biology at Cornell University
- Peter Iwanowicz, Executive Director, Environmental Advocates of NY
- Hope Knight, President and CEO-designate and Acting Commissioner, Empire State Development
- Roberta Reardon, Commissioner, New York State Department of Labor
- Anne Reynolds, Executive Director, Alliance for Clean Energy New York
- Robert Rodriguez, Acting Secretary of State, New York State Department of State (Kisha Santiago-Martinez, Designee)
- Raya Salter
- Dr. Paul Shepson, Dean, School of Marine and Atmospheric Sciences at Stony Brook University
- RuthAnne Visnauskas, Commissioner and CEO, New York State Homes and Community Renewal

Also present were Climate Action Council Executive Director Sarah Osgood, various State agency staff and members of the public. Mr. Seggos and Ms. Harris, Co-Chairs of the Council, welcomed all in attendance.

Consideration of December 20, 2021 Meeting Minutes

This Agenda item was to advance the minutes from the December 20, 2021 meeting. In reflecting on the December 20, 2021 meeting, Donna DeCarolis recalled a discussion at the meeting regarding the use of the term “fossil gas” rather than “natural gas”, particularly in Chapter 18 of the Draft Scoping Plan. She believes that the term “fossil gas” is not generally used in speaking with the public, or elsewhere, in relevant laws or commodity procurement contracts. Further, she noted that the terms “fossil gas” and “fossil infrastructure” are not defined in the Draft Scoping Plan which could lead to confusion. Gavin Donohue agreed with the concerns raised.

Gavin Donohue requested that the December 20, 2021 minutes, and future meeting minutes identify the votes of the individual Members, specifically referencing the “nay” votes of himself, Ms. DeCarolis, and Dennis Elsenbeck to the changes to Chapter 18 of the Draft Scoping Plan proposed by Dr. Bob Howarth at that meeting. Dr. Howarth noted the changes proposed and adopted in Chapter 18 aligned with Advisory Panel recommendations, specifically the Housing and Energy Efficiency Advisory Panel and were applied throughout the Draft Scoping Plan. Dennis Elsenbeck suggested that using the term “natural gas” would increase public understanding and reduce confusion. Co-Chair Harris thanked the Members for their collective input, stating it provides a good segue into the discussions planned for this meeting.

With the amendment suggested by Mr. Donohue, and upon a motion duly made and seconded, the minutes were adopted.

Co-Chair Remarks

Co-Chair Seggos made special note of the war in Ukraine, the associated humanitarian crisis, and the impact it may have on the Members and their future work. He also noted the grim climate change forecast in the recently released Intergovernmental Panel on Climate Change (IPCC) Report. Co-Chair Seggos also recognized the Climate Justice Working Group and its work regarding disadvantaged communities.

Co-Chair Seggos introduced Adriana Espinoza, Deputy Commissioner for Equity and Justice, NYS Department of Environmental Conservation. Ms. Espinoza will oversee the Office of Environmental Justice, lead efforts to advance diversity, equity, and inclusion, and enhance outreach to disadvantaged communities across the State.

In addition to noting the forthcoming release of the disadvantaged criteria and maps, Co-Chair Seggos highlighted the following 2021 Climate Act Milestones in New York State:

- the unanimous approval of the Draft Scoping Plan by the Council for issuance and public comment;
- the issuance of the Disadvantaged Communities Barriers Report;
- the publication of the Jobs Study, by the Just Transition Working Group;
- the new Statewide Greenhouse Gas Emissions Report, published by NYS Department of Environmental Conservation; and

- final regulations promulgated by NYS Department of Environmental Conservation for medium and heavy-duty zero-emission vehicle (ZEV) sales requirements (“Advanced Clean Trucks”); and reduced methane and volatile organic compound (VOC) emissions from the oil and gas sectors.

Co-Chair Harris referenced the IPCC Sixth Assessment Report, which focuses on impacts, adaptation, and vulnerability. The Assessment Report states that climate change risks are greater than previously thought, and “any further delay in a concerted global action will miss a brief and rapidly closing window to secure a livable future.” Co-Chair Harris highlighted the climate and energy ambition set forth in Governor Hochul’s State of the State address and Executive Budget proposals, which represent a very strong slate of actions that are in alignment with the Draft Scoping Plan which she believes are impactful, no-regrets, and urgently needed recommendations.

Co-Chair Harris addressed the issue of rising fuel costs and commended Rory Christian, Chair, NYS Public Service Commission for the hard work to reduce energy prices by working with the State’s utilities. She also acknowledged recent offshore wind achievements, including the groundbreaking of the South Fork Wind Farm and the lease auction in the New York Bight.

2022 Planning – Presentation and Discussion

Sarah Osgood outlined the overall goals and objectives for the meeting at hand, but also in the broader context of establishing a work plan for the Council for the remainder of 2022. She also formally introduced Farah Anderson, Senior Associate in the Sustainability and Energy Group, Cadmus, and Catherine Morris, Senior Mediator, Consensus Building Institute, who will provide additional assistance with planned activities for the Council during 2022. The primary topic areas included a discussion of the proposed activities and schedule; alignment on outstanding topics and the process for supporting deliberations; and public engagement through hearings and comment intake on the Draft Scoping Plan. Ms. Osgood described the January through April 2022 timeframe as one to focus on information gathering and launching communications and educational materials; the May through August timeframe as earmarked for discussion and deliberation; and the September through December timeframe earmarked for drafting and Scoping Plan finalization.

Supporting activities include regular Council meetings (monthly, if feasible); expert topical input at the request of the Council to provide input and feedback on topics of interest; and stakeholder input which could include targeted feedback from key sector representatives and industries, or from a subset of Council Members designated to gather information on specific topics of interest; and additional Climate Justice Working Group feedback by identifying areas for further discussion and consultation.

Co-Chair Seggos underscored the importance of continued reciprocal counsel from the Climate Justice Working Group and others to ensure that the Scoping Plan and its recommendations are as comprehensive as possible.

Ms. Osgood described the details of planning for the required public hearings, including that nine, three-hour public hearings (seven in-person and two virtual) have been scheduled, taking geographic location, population density, access to public transit, and diverse representation into account. Public input sessions will solicit feedback from the public on the Draft Scoping Plan. Feedback may include identifying areas where additional clarity is needed, as well as additional needs and priorities of the public. Written feedback will also be accepted throughout the public

comment period. The Council will need to consider the full set of public comments after the comment period closes and discussions of the received public input will be had at future Council meetings. Ms. Osgood described the alternate plans should they be required by COVID-19 pandemic protocols. She stated that it is desired that at least four Council Members attend each in-person hearing. Educational summary slides to help distill the Draft Scoping Plan are under development.

Given that the public comment period is currently set to close at the end of April, despite that the current public hearing schedule extends through mid-May, Co-Chairs Harris and Seggos proposed extending the public comment period to conclude at the end of May to allow the public comment period to coincide with the public hearing schedule. Co-Chair Harris also suggested that should any rescheduling of hearings be necessary the emphasis be on rescheduling a scheduled virtual hearing. She also requested that should any Council Member believe that any geographic area of the State was overlooked in developing the hearing schedule, it should be raised.

Dr. Bob Howarth agreed with the locations of the meetings and supports extending the public comment period. In response to his inquiry as to whether Council meetings will continue to be virtual, Ms. Osgood anticipates that at some time during 2022 the Council will likely return to in-person meetings. For now, the State emergency declaration Executive Order allowing virtual meetings is extended through mid-March and would need to be further extended to maintain virtual meetings.

Donna DeCarolis inquired as to: (1) the possibility of extending the public comment period until the end of June 2022; (2) how the Council will receive and organize the comments submitted during the public comment period, and (3) how the public hearings will be conducted. Ms. Osgood responded that extending the comment timeframe may not provide sufficient time for the Council to review and distill the public comments and meet the end of year deadline for releasing the final Scoping Plan. Co-Chair Seggos agreed that feedback from and reaching all New Yorkers is very important and a Herculean effort and he welcomes suggestions on how to reach the public more effectively. Co-Chair Harris suggested assessing progress in May, with the potential to revisit the issue by the Council at that time. As to the question regarding the receipt and organization of received comments, Ms. Osgood stated the intention to post the public comments as completely as possible to the Climate Action Council website after the close of the public comment period. Noting the desire of Council Members to access the comments in more real-time proximity, Ms. Osgood stated that options are being explored. Public hearings are expected to be scheduled for approximately three hours, beginning with a brief overview of the Draft Scoping Plan, followed by a first-come, first-served receipt of public comments, with Council Members in attendance interacting only for purposes of responding to ask clarifying questions.

Peter Iwanowicz agreed with extending the comment period beyond May 2022 and suggested 30 days beyond the final public hearing. He also suggested moving one of the virtual hearings to a weekend date, as well as an additional in-person hearing in either Queens or Nassau County, noting that population density may warrant an additional meeting in this area. Regarding his inquiries regarding the logistical particulars of the virtual hearings, Ms. Osgood deferred the questions of comment period extension and an additional meeting to the Co-Chairs but stated that the format of the virtual hearings is expected to be similar to the in-person. Farrah Andersen stated that pre-registration allows commenters to have an idea of when and for how long they may speak and that the type of meeting planned allows for a live translation for listening and viewing subtitles in a variety of languages. Ms. Andersen also noted that outreach will include posting of notices in multiple geographic areas in different languages to reach a wider range of individuals and

communities. Mr. Iwanowicz further suggested that time limits for each speaker be clearly articulated, that participants be permitted to register up until a day in advance, and that the New York standard of ten translated languages be used for subtitles in the virtual hearings. Ms. Osgood responded that the selected virtual platform is able to accommodate at least ten languages and that translation services may be selected by participants for the in-person hearings.

Co-Chair Harris stated that scheduling the meetings from 4 p.m. until 7 p.m. is an effort to include those who cannot attend during standard working hours and moving a hearing to a weekend may be affected by budgetary and timing constraints. Co-Chair Seggos expressed concerns about the ability to host hearings on weekend days, given the tremendous amount of effort that staff have put forth into Council activities, particularly at the end of 2021.

Raya Salter supports extending the public comment period as far out as is practicable and that the Mid- and Central-Hudson Regions may have been overlooked for an in-person hearing, particularly southern Westchester County, which has a high percentage of disadvantaged communities outside of New York City.

Ron Epstein agreed with the suggestion that a hearing location be added for the mid-Hudson and Southern Tier areas, citing highway corridors as a good locational barometer. He also suggested the addition of one virtual meeting to be held in the morning to ensure individuals who work overnight hours will have an opportunity to attend. Donna DeCarolis agreed with the suggestion for adding an in-person meeting in the Southern Tier.

Dennis Elsenbeck stated that he does not see the State's new solar goal prominently listed on the Climate Act website and suggested that it should be added.

Chair Christian agreed that adding meetings in the Mid-Hudson and Southern Tier would be helpful, while recognizing the limitations of personnel and budget. In response to his inquiry as to whether hosting hybrid in-person meetings was considered to allow individuals to watch the in-person meetings if they cannot physically attend, Ms. Osgood clarified that the intention is to broadcast the in-person meetings online, however virtual attendees will not be permitted to comment as the technical issues make it impractical.

Upon receipt of a summary by Ms. Osgood of the collective input provided during the discussion, Co-Chair Harris stated the intent to notice the public hearings within the next two weeks, and the requests of the Members will be considered for potential accommodation.

In response to an inquiry by Rose Harvey as to preferences for Council Member attendance as in-person or virtual, Ms. Osgood responded that the hope is to have at least some members join in person for each hearing as their schedules can accommodate. Co-Chair Harris committed to announcing the names of the Council Members in attendance at each meeting, while acknowledging that other members would be attending virtually.

Integration Analysis

Ms. Osgood outlined the process for modifying the Integration Analysis scenarios that have been incorporated into the Draft Scoping Plan, noting the short window that will exist between the end of the public comment period and the deadline for completing the Final Scoping Plan where the integration analysis could be built upon to address feedback received. She provided a list of the potential sensitivities for which additional analysis, if the Council desires, would need to be finalized

within the second quarter of 2022 to be available for consideration in the final Scoping Plan, which include the:

- continued assessment of impacts of electrification, heating system configuration, and magnitude of building shell efficiency investment on key output metrics;
- impacts of expanded uncertainty range of electrical distribution system cost; and
- further alignment of the benefit/cost framework with net greenhouse gas emissions accounting in the Statewide Greenhouse Gas Emissions Report

Final Scoping Plan

Ms. Osgood described how the previously discussed items will inform the final Scoping Plan and, ideally, will be incorporated in the October or November 2022 timeframe and stated that Staff is working to implement a more orderly method by which revisions are communicated to Council Members now that a full Draft Scoping Plan document has been completed.

In response to an inquiry by Dr. Howarth as to whether cost impacts beyond an economic analysis would be included in the discussions for the final Scoping Plan, Ms. Osgood stated that they will be part of the discussion.

In response to an inquiry from Carolyn Ryan, Special Assistant to the Commissioner and Chief of Staff, NYS Department of Transportation, as to whether three meetings will be sufficient time for the Council to discuss, digest, and incorporate public comments into the final Scoping Plan, Ms. Osgood suggested that the Council may need to schedule additional meetings, as necessary, to address the entirety of the submissions. She noted that, thus far, approximately 1,200 public comments have been submitted and recognized that, typically, most comments are received toward the end of a public comment period.

Gavin Donohue expressed his belief that reliability is the primary issue that the Council should be focused on and that the State cannot meet its climate goals without addressing it and issues related to it. He hopes that the discussion on reliability issues will be had through the expert engagement step, as suggested earlier in the meeting.

Dennis Elsenbeck stated that distribution and related issues, such as infrastructure, are broader than simply decarbonization and is likely be a most challenging element in achieving demand side climate goals.

Topics and Process for Supporting Deliberation

Adriana Espinoza, Deputy Commissioner for Equity and Justice, NYS Department of Environmental Conservation, who spoke of the importance of climate justice and equity in the Scoping Plan, emphasizing that it is a lens through which all topics should be seen. Ms. Espinoza suggested that, as the Council continues to refine the Scoping Plan, further discussions with the Climate Justice Working Group continue to ensure that issues and concerns of those they represent are appropriately addressed in the final Scoping Plan. After presenting the importance of specific equity and justice considerations, she noted that the Disadvantaged Community Criteria will illustrate that low-income, Indigenous Nations, and communities of color are shouldering a

disproportionate burden of environmental pollution and associated health impacts and vulnerability to the impacts of climate change and the work of the Council should reflect an understanding of that reality and be designed to address it.

Sarah Osgood presented topics that may require additional deliberation by the Council based on previous discussions:

- Approaches to Gas System Transition: the approach to decarbonize fossil gas infrastructure;
- Potential Applications of Advanced fuels: potential regulatory mechanisms, limits, or conditions for use, and the role of R&D in this area; and
- Economy-wide Approach: potential regulatory mechanisms, role of public funds and private financing, and how to align markets to facilitate needed resources.

Process for Supporting Council Decision-Making

Catherine Morris presented several methods for supporting Council deliberations and decision-making, including additional input from experts, stakeholders, or the Climate Justice Working Group; additional support from staff, including discrete and targeted research; additional time for discussion at Council meetings; and the potential creation of Council subgroups charged with developing recommendations on certain topics for full Council deliberation.

If used, subgroups are envisioned to meet between full Council meetings to discuss specific issue areas or questions more fully; bring recommendations back to the full Council; and to be strictly advisory. Ms. Morris stated subgroups may substantively assist the Council with particularly challenging issues and would be assigned a specific issue. Subgroups could be selected through volunteerism, nominations, or by Co-Chair or subcommittee appointments. Ms. Morris emphasized the importance that the groups are right-sized and balanced.

Rose Harvey supported the creation of balanced subgroups, as the Council does not have sufficient time to fully deliberate during its scheduled monthly meetings.

Anne Reynolds agreed with a simultaneous subgroup approach given the small list of “thorny” topics and suggested volunteers for the formation of the subgroups, right sizing if the resultant groups end up unbalanced or too large.

Donna DeCarolis agreed that subgroups, particularly if used as they were earlier in the Council process and based upon volunteers, are very helpful. In response to her inquiry as to how input from experts could be garnered, Ms. Morris offered that there are some experts available as contractors, agency Staff members, and organizations represented on the Council. She stressed the importance of unanimous agreement on the use of certain experts to ensure no member feels the expert brings bias to the conversation.

Raya Salter believes subgroups are an interesting idea and would like to ensure that, in addition to this additional deliberation, appropriate time for iteration of the drafted language would be planned. Ms. Morris stated, and Sarah Osgood confirmed, that regardless of whether subgroups are formed, adequate time has been allotted for drafting of the final Scoping Plan.

Commissioner Ball stated the subgroup process could greatly support the work of the Council, particularly the ability to bring in experts from other states and agreed on the formation by self-selection and then right sizing, if necessary.

Peter Iwanowicz supported the formation of subgroups through self-selection and stated his preference for fully transparent subgroup meetings, particularly to enhance public awareness of the experts whose opinions may be included in the final Scoping Plan. Sarah Osgood agreed that transparency is important and should be balanced with effectiveness, stating that experts should expect to address the full Council, as well as the subgroups. She envisions subgroup meetings as a space for individual Council members to speak freely and ask questions that may be uncomfortable to ask in a more public-facing forum. Minutes or summaries of the subgroup meetings could be posted on the Climate Act website. Rose Harvey agreed with this suggested approach.

Dennis Elsenbeck stated that a subject matter expert is inherently biased, and the way to counter-balance bias is with an unbiased facilitator who is of equal technical qualifications. Rather than dismiss the idea of subgroups owing to the possibility of bias, he prefers to accept it as inherent to the process and appropriately compensate for it.

Kisha Santiago-Martinez agreed with the suggestion to have the experts present to both the subgroup as well as the full Council.

Catherine Morris requested that Council Members voice which questions they believe need to be answered within each of the three topics presented earlier (gas transition, advanced fuels, and economy-wide approach) and to name which support methodology or additional information might be needed to best address the question.

Gas Transition

In response to a request by Gavin Donohue that the NYS Public Service Commission undertake a thorough review of the Gas Transitions Chapter to ensure accurate use of the definitions “fossil gas” and “natural gas”, Chair Christian responded that the review is underway, and feedback is forthcoming.

Raya Salter suggested that the Council revisit the framing of the topic, to ensure that the IPCC-identified action window of ten years does not pass without sufficient action, identifying the substantial amount of discussion had surrounding the Council recommendation to “downsize” the gas system. She believes further consideration is needed as the action window is closing.

Donna DeCarolis would like to know about any potential best practices from other states and countries regarding decarbonization and reducing emissions as it relates to the role the gas system plays and requested an expert to be brought on for this topic. In response to an inquiry by Ms. Morris if, given the complexity, this topic should begin in a subgroup, Ms. DeCarolis agreed given her belief that she does not believe consensus was reached and more expert input is necessary to go into further depth on this issue.

Dr. Shepson posed the query as to whether there is a matching financial plan that matches the Climate Act goals of greenhouse gas emissions reductions and the management of energy. For him, this issue represents the biggest hurdle.

Dr. Howarth inquired as to how to maintain a safe and reliable heating infrastructure system as home heating is decarbonized, and if the plan would allow individuals to decide on their own timetable as to when to transition. He also inquired as to whether there are other purposes for the existing natural gas pipeline system once it is no longer used for its current purpose of supplying natural gas.

Anne Reynolds inquired as to the role of State government (and the timing) in downsizing or decommissioning the natural gas system, or if its role in building renewable generation and increasing electrification will first negate its existence before turning to issues of decommissioning.

Dennis Elsenbeck inquired as to the corresponding impact on electrical distribution system capacity and reliability as the gas system is decarbonized, and to ascertain the current state of the electrical distribution system, particularly in the inner cities.

Donna DeCarolis inquired as to how the gas system transition is connected to the electric distribution system readiness on a granular (neighborhood) level.

In response to an inquiry by Catherine Morris as to whether this series of inquiries could begin in a subgroup, Ms. Salter stated the conversations on these topics should conform to the language and mandate in the Draft Scoping Plan. Not receiving any negative input, Ms. Morris offered to bring back a proposal of how a subgroup could be used and the timing of it.

Advanced Fuels

In suggesting additional inquiries regarding the topic of advanced fuels, Gavin Donohue suggested delving into the State decision-making process to determine which fuels qualify as “advanced fuels” or “zero-emissions fuels”, given that zero emission fuels are what is required under the statute.

Anne Reynolds suggested defining use cases for advanced fuels and developing a hierarchy of the range of use cases to help identify acceptable applications for advanced fuels and that either a subgroup or full Council discussion would likely be successful.

CEO Falcone inquired as to whether the existing natural gas infrastructure could be used for advanced fuels such as hydrogen, and whether the Council has sufficient time to come to final decisions on issues such as this before the release of the Final Scoping Plan, given that so many options are still being explored and data is still being collected. He particularly noted the constant state of the development of new technologies, citing the rapid development of offshore wind resources. Predicting technology curves twenty years into the future is not knowable as some future technologies may not be predictable at this time, while the stride of nascent technologies may increase at a rate that is also not accurately predictable. This necessitates directionally consistent and directionally correct assumptions.

Peter Iwanowicz noted inconsistencies in the Draft Scoping Plan between sections, particularly regarding renewable natural gas, and agrees with Anne Reynolds that establishing a hierarchy could help eliminate some of the inconsistencies.

Sarah Osgood noted that a discussion on natural gas would be broad enough to also include liquid transportation fuels, in addition to green hydrogen and renewable natural gas.

Dr. Howarth agreed with the previous sentiments and suggested that the Council provide some guidelines for the future of advanced fuels to take into consideration the rapidly changing technology.

Raya Salter agreed with the idea of establishing guidelines and disagreed with the idea of use cases if it leads to the expansion of the use of these fuels beyond the limited usage outlined in the Draft Scoping Plan. She does not believe exploring additional uses will be beneficial and supported the idea of addressing inconsistencies. She also believes that the Council needs additional consultation with the Climate Justice Working Group.

Donna DeCarolis stated her suggestions are aligned with those of CEO Falcone in asking for additional research and information on how to assess the best practices for the use of certain fuels such as renewable natural gas or green hydrogen for greenhouse gas reduction.

In response to an inquiry by Catherine Morris as to whether the Members believed this set of issues should be addressed in a subgroup, CEO Falcone suggested the use of a subgroup as an initial measure. Donna DeCarolis agreed, suggesting additional expertise be secured for these issues. Dennis Elsenbeck suggested the Council avail itself of private company expertise from hydrogen and renewable fuel companies.

Economy-Wide Approach

In suggesting additional inquiries regarding the topic of economy-wide approaches, Raya Salter stated her desire for an update from the consulting groups, additional consultation with the Climate Justice Working Group, and inquired as to how the accounting of funds designated for the programs suggested in the Scoping Plan would be allocated to disadvantaged communities.

Gavin Donohue inquired as to the types of affordability measures that will be available for consumers to reduce upfront costs to comply with the Climate Act, and secondly, what additional is needed to move forward with carbon pricing.

Chair Christian stated that the current language in NYS Public Service Law still heavily favors the provision and installation of natural gas service to customers and it is important to remain cognizant of this when discussing the directions that the Council could take in discussing the requirements of the Climate Act and the type of financing and resources used to move forward. He further believes that a legal review will be necessary to achieve the effects desired, which could include cap and trade or a carbon tax.

Anne Reynolds highlighted that the Economy-Wide Chapter of the Scoping Plan identifies criteria to be applied to the three scenarios outlined by the Integration Analysis and applying those criteria to the scenarios should be the next step. In inquiring as to whether a quantitative analysis of the three scenarios would be done, her recollection is that Carl Mas, Director, Energy and Environmental Analysis, NYSERDA, explained that a quantitative analysis of the carbon pricing measures could not be done under current conditions, but that the team would investigate as to whether there are existing models that could be used to undertake such an analysis, necessitating closure on this modeling issue.

Donna DeCarolis inquired as to what impact the economy-wide measures would have on consumer energy affordability among the different consumer sectors.

Dr. Shepson inquired as to the expected role of State government and the private sector in developing the financial models and financing for achieving the goals and whether public/private partnerships need to be developed.

CEO Falcone addressed the issue of carbon pricing, stating the New York Independent System Operator has been discussing the practicalities of implementation for the past five years and, despite the plausibility of the idea, the implementation has proven very difficult owing to the complexity of the issue. Rose Harvey suggested this as one area where subject matter experts will be required by the Council to move forward.

Dennis Elsenbeck inquired as to other regulatory or business models that could be explored to advance opportunities, and what different ownership models exist and suggested exploring models such as virtual power plants, micro-grids, and other non-wire alternatives while also considering ownership models for these alternatives.

Anne Reynolds suggested it might be helpful to create a matrix of the options and the criteria and then any quantitative analysis, which would be helpful for a comparison of similarities and differences, citing the challenge in performing a quantitative analysis of where the price of carbon is set. She does not believe it appropriate for a subgroup to be responsible for making that assumption and would prefer that State groups provide that information to the Council.

Raya Salter agreed that understanding the legal and policy changes that would be required to further the recommendations is needed.

Peter Iwanowicz believes a threshold question for either a subgroup or the Council could consider whether the Council views on economy-wide strategies should be in lieu of, or in concert with, sector-by-sector regulations that State agencies should adopt to control greenhouse gas emissions. In response, Chair Christian stated that many public policy signals are backed by a law or support from the Legislature, and that drives progress and innovation toward particular outcomes. He also emphasized the importance of synergy between entity actions and the desired economy-wide outcome.

Catherine Morris invited all members who may have more to contribute to this line of inquiry to forward their input to Sarah Osgood.

Decision Making Process

Catherine Morris stated the preference for consensus, through facilitated deliberation, by the Council on the overall plan as whole and that consensus be reached in a good faith effort to meet the most important interests of each Council Member. Characteristics of consensus decision-making include establishing ground rules, embracing differences, building trust, and collaborating on solutions. Ms. Morris suggested that the Council draft and agree on the ground rules, be committed to them, while building solutions together through give and take rather through compromise.

Gavin Donohue stated that the sequencing of and timing of priorities and recommendations should be part of the planning and decision-making process so that entities, ratepayers, and consumers not overwhelmed.

Next Steps

Sarah Osgood recapped that additional in-person or virtual hearings and the timing of those meetings and extending the public comment period will be explored. She will also circulate a sign-up sheet for the public hearings to gauge anticipated Member presence at each hearing. The questions, ideas, and suggestions made on the key topics will be reflected upon and developed into a work plan, as well as analyzing which lines of inquiry raised at this meeting can appropriately be addressed by the formation of subgroups.

In response to an inquiry by Peter Iwanowicz as to how the feedback received from the Climate Justice Working Group will be incorporated into the final Scoping Plan, Ms. Osgood responded that staff are working on a document that shows where the Climate Justice Working Group feedback was incorporated into the Draft Scoping Plan and the follow-up to that step would be for the Council and the Climate Justice Working Group to determine how they prefer to engage with each other.

In response to an inquiry by Donna DeCarolis regarding the date of the next Council meeting, Ms. Osgood responded that a poll would be forthcoming soon to determine available dates.

With that, the meeting was adjourned.



Climate Action Council

KATHY HOCHUL
GOVERNOR

DOREEN HARRIS
CO-CHAIR

BASIL SEGGOS
CO-CHAIR

Meeting Agenda

March 3, 2022

- Welcome
- Consideration of December 20, 2021 Minutes
- 2022 Planning – Presentation and Discussion
- Next Steps