

New York State Climate Action Council

September 13, 2022
Meeting 24



**Climate Action
Council**

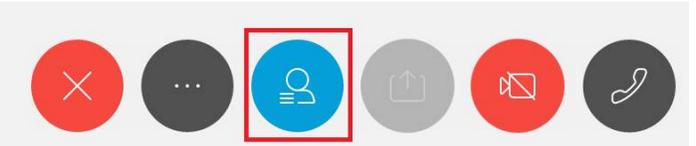
Meeting Procedures

Before beginning, a few reminders to ensure a smooth discussion:

- > CAC Members should be on mute if not speaking.
 - > If using phone for audio, please tap the phone mute button.
 - > If using computer for audio, please click the mute button on the computer screen (1st visual).
- > Video is encouraged for CAC members, in particular when speaking.
- > In the event of a question or comment, please use the hand raise function (2nd visual). You can find the hand raise button by clicking the participant panel button (3rd visual). The co-chairs will call on members individually, at which time please unmute.
- > If technical problems arise, please contact NYS.CAC@cadmusgroup.com.



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Agenda

- > Welcome and Roll Call
- > Co-Chair Remarks and Reflections
- > Subgroup Progress Reports
- > Discussion of Feedback by Topic:
 - Transportation
 - Agriculture and Forestry
 - Land Use
 - Local Government
 - Waste
- > Next Steps

Co-Chair Remarks and Reflections

Recent Announcements

Snapshots of recent activity from New York State

- **09/08/2022** [Governor Hochul Announces \\$16.6 Million in Awards for Five Long Duration Energy Storage Projects](#) Projects To Help Harness Renewable Energy and Provide Stored Energy to New York's Electric Grid
- **09/01/2022** [Governor Hochul Announces \\$6.5 Million to Support Insurance Innovation for Climate-Technology Solutions](#) New Program To Focus on Delivering Grants To Manage the Financial Risk Associated with Climate Change
- > **8/31/2022:** [Food Donation and Food Scraps Recycling Law](#) DEC and Feeding New York announce the milestone of one million pounds of food donated to hungry New Yorkers. \$1 Million awarded to Center for EcoTechnology (CET) to provide additional technical assistance to businesses interested in sustainably managing excess food and food scraps to further reduce the amount of wasted food
- > **8/29/2022** [Governor Hochul Announces \\$25 Million Awarded to New York State Under Bipartisan Infrastructure Law to Plug Orphan Oil and Gas Wells](#) Expanding our progress in plugging orphaned oil and gas wells to reduce methane emissions, protect the environment and public safety
- > **08/25/2022** [Governor Hochul Announces Maine and Rhode Island Join Multi-State Agreement to Propose a Regional Clean Hydrogen Hub](#) New York-Led Multi-Agency Consortium Now Includes Six States and More Than 60 Hydrogen Ecosystem Partners

Subgroup Progress Reports

Gas System Transition

| Meeting Dates | Tentative Agenda | Status |
|------------------------|--|--------|
| Meeting 1 – June 2 | <ul style="list-style-type: none"> • Workplan development • NYS gas system, end uses, regulatory framework, current gas transition efforts | ✓ |
| Meeting 2 – June 23 | <ul style="list-style-type: none"> • Development of matrix of key considerations for framework | ✓ |
| Meeting 3 – July 6 | <ul style="list-style-type: none"> • Affordability, safety, reliability, & just transition considerations • Presentation from Utility Consultation Group | ✓ |
| CAC Meeting – July 11 | <ul style="list-style-type: none"> • <i>Provide progress report and seek feedback</i> | ✓ |
| Meeting 4 – August 3 | <ul style="list-style-type: none"> • Electric system expansion, alignment with gas system transition | ✓ |
| CAC Meeting – August | <ul style="list-style-type: none"> • <i>Provide progress report and seek feedback</i> | ✓ |
| Meeting 5 – August 17 | <ul style="list-style-type: none"> • Equity and affordability criteria and continue discussions on framework | ✓ |
| Meeting 6 – August 31 | <ul style="list-style-type: none"> • Policy and program barriers for implementation • Role of alternative fuels in gas system planning | ✓ |
| Meeting 7 – Sept. 12 | <ul style="list-style-type: none"> • Review public comments and CJWG feedback and consider revisions to framework and Gas System Transition chapter of draft Scoping Plan | ✓ |
| CAC Meeting – Sept. 13 | <ul style="list-style-type: none"> • <i>Provide progress report and seek feedback</i> | ✓ |
| Meeting 8 – Sept. 16 | <ul style="list-style-type: none"> • Review and finalize recommended framework for Council consideration | |
| Meeting 9 – Sept. TBD | <ul style="list-style-type: none"> • Review alternative fuel considerations in frameworks and finalize considerations to guide proposed revisions for Council consideration | |

Progress

- > Reviewed the subgroup charge/scope and workplan
- > Developed matrix of key considerations for framework
- > Created an inventory of resources on what other states and jurisdictions are doing on gas transition
- > Discussions on the framework's key considerations including safety, reliability, affordability, equity and just transition
- > Reviewed public comments and CJWG feedback and revised framework, as well as suggested revisions to Gas System Transition Chapter of Scoping Plan to align the two
- > Final two meetings will be focused on finalizing the framework and key considerations

Economywide Policies

Workplan

| Meeting Date | Agenda |
|--------------------------|---|
| Meeting 1 – June 27 | Setting the Table for the Work Ahead/Refining and Prioritizing Criteria |
| Meeting 2 – June 29 | RFF Presentation/Identifying Further Clarity Needed |
| Meeting 3 – July 20 | Rationale Discussion/Finalizing & Applying Criteria |
| Meeting 4 – July 25 | Applying Criteria |
| Meeting 5 – August 8 | Applying Criteria |
| Meeting 6 – August 22 | Setting priorities for Economywide Policy/Summarize Public Comment |
| Meeting 7 – August 29 | Considering Public Comment/Comparing and Contrasting Potential Approaches |
| Meeting 8 – September 12 | Finalizing Recommendations |

Progress

- ✓ > Reviewed the subgroup charge/scope and workplan.
- ✓ > Reviewed the three economywide policies in the draft Scoping Plan.
- ✓ > Reviewed and revised the criteria.
- ✓ > Resources for the Future (RFF) covered lessons learned on carbon pricing from literature review and policy design experience.
- ✓ > Identified priorities for an economywide policy
- ✓ > Upcoming meetings will be focused on developing one or more approaches that reflect those priorities.

Alternative Fuels Subgroup – Workplan

| Meeting Date | Agenda |
|-----------------------------------|---|
| Meeting 1 – June 1 | Workplan development, Summary presentation on alternative fuels in the Draft Scoping Plan |
| Meeting 2 – June 17 | Develop definitions of alternative fuels |
| Meeting 3 – June 29 | Health, co-pollutant, and equity considerations, Develop assessment criteria |
| <i>CAC Meeting – July 11</i> | <i>Provide progress report and seek feedback</i> |
| Meeting 4 – July 13 | Discussion on GHG emissions reductions and accounting |
| Meeting 5 – July 27 | Discussion on policy consideration to address potential GHG emissions sources, Finalize assessment criteria |
| Meeting 6 – August 10 | Review alternative fuels strategies in the draft scoping plan using assessment criteria. |
| <i>CAC Meeting – August 23</i> | <i>Provide progress report and seek feedback</i> |
| Meeting 7 – August 24 | Review alternative fuels strategies in the draft scoping plan using assessment criteria. |
| Meeting 8 – September 7 | Review alternative fuels strategies in the draft scoping plan using assessment criteria. |
| Meeting 9 – September 9 | Finalize considerations to guide proposed revisions for Council consideration |
| <i>CAC Meeting – September 13</i> | <i>Present guidance for alternative fuels in scoping plan for Council consideration</i> |

Subgroup Membership

Gas System Transition

- Doreen Harris
- Roberta Reardon
- Mario Cilento
- Rory Christian
- Donna DeCarolis
- Gavin Donohue
- Dennis Elsenbeck
- Bob Howarth
- Raya Salter
- Paul Shepson

Alternative Fuels

- Doreen Harris
- Mary Bassett
- Richard Ball
- Rory Christian
- Donna DeCarolis
- Dennis Elsenbeck
- Bob Howarth
- Peter Iwanowicz
- Anne Reynolds

Economywide Policies

- Basil Seggos
- MarieTherese Dominguez
- Justin Driscoll
- Gavin Donohue
- Peter Iwanowicz
- Hope Knight
- Anne Reynolds

Alternative Fuels Subgroup - Purpose

> **Develop an assessment criteria to provide guidance and consideration to the use of alternative fuels in reaching our decarbonization goals.**

- *Alternative fuels are compared to fossil fuels and not electrification as their use in the draft plan is not as a substitute for electrification but for challenging to electrify or for strategic uses*

> **Evaluate strategies against the assessment criteria for the following sectors:**

- Transportation
- Buildings
- Electricity
- Industry
- Agriculture and Forestry
- Waste
- Local Government

**Review of alternative fuels in the gas distribution system against the assessment criteria will be conducted at a joint meeting of the Alternative Fuels and Gas Transition subgroups*

> **Review of the strategies provides guidance to staff for:**

- *Evaluating public comment related to alternative fuels*
- *Proposing revisions to draft plan chapters to ensure strategies align with the assessment criteria and are responsive to CJWG feedback*

Alternative Fuels – Overview of Assessment Criteria

- Improve alternative fuel strategies to ensure highest potential for reductions of emissions of GHG and co-pollutants, prioritizing emissions reductions in DACs
- Use of alternative fuels is best when it:
 - Provides grid benefits and/or
 - Reduces/avoids costly electric distribution system upgrades and/or
 - Mitigates peak load and/or
 - Reduces cost to achieve emissions reductions and/or
 - Reduces cost of retrofits and/or
 - Adds to the safety, reliability, resilience, and affordability of the energy system
- Focus on challenging-to-electrify and strategic uses that maximizes the use of our zero-emission electricity
- Strategies should reduce GHG emissions/fossil fuel use while technology advancement and cost declines bring more emerging technologies to commercialization
- Strategies should benefit in-state economic development including building markets in the Agriculture and Forestry sectors that support emission reduction by increasing carbon sequestration in New York's land and forests

Alternative Fuels – Methane Capture and Biogas Use

Agriculture

- > ***AF9. Advance Alternative Manure Management***

Local Government

- > ***LG5. State Support and Guidance***

Waste

- > ***W4. Water Resource Recovery Facility Conversion***
- > ***W7. Reduce Fugitive Emissions from Water Resource Recovery Facilities***
- > ***W9. Biogas Use***

Subgroup guidance:

- > Make clear in the scoping plan the difference between biogas and RNG
- > Strategies should clearly articulate the need to demonstrate air quality, health and GHG benefits before implementation, including requirements to avoid localized pollution in Disadvantaged Communities.

Alternative Fuels – Methane Capture and Biogas Use (cont.)

- > **Strategies should prioritize onsite use of biogas, whenever feasible.**
 - Self-supply of energy needs at landfills and WRRFs through biogas capture and use should be incentivized where it can provide electric system capacity for greater levels of buildings and transportation electrification, with particular focus on DACs
 - Excess biogas could be used offsite locally, if there is adequate proximate demand.
 - Should be directed to locations where infrastructure/grid is constrained in order to provide electric system capacity for buildings and transportation electrification
- > **Strategies should include a preference for non-combustion uses:**
 - Biogas use in fuel cells
 - Biogas to make electricity to fuel battery electric farm equipment and garbage trucks, prioritizing trucks the travel routes through DACs
- > **Limited supply of RNG should be targeted to strategic uses or challenging-to-electrify applications. Use in existing fossil fuel infrastructure (or in minimal/minor new infrastructure) when needed for safety, reliability, resilience, or affordability.**

Alternative Fuels – Methane Capture and Biogas Use (cont.)

- > **Improve estimates of methane emissions from anaerobic digestion (AD)**
- > **Strategies should include the need for policy considerations that minimize or eliminate methane emissions, including regulatory measures, from biogas/RNG production**
 - Utilize emissions minimizing technologies and techniques, including trained O&M staff
 - Minimize fossil fuel use in biogas/RNG production
 - Minimize emissions from biosolids/digestate through proper management techniques
 - Prioritize in-state waste-based feedstocks, policy accounting could consider avoided emissions
 - A regulatory framework could be established to ensure best practices.
 - Programs that incentivize AD should require systems be built (or retrofit) for maximum methane mitigation to ensure development of well managed, low emissions biogas/RNG production

Alternative Fuels – Transportation Fuels

Transportation

> **T12. Lower Carbon Renewable Fuels**

Subgroup guidance:

- > The Plan should prioritize electrification in DACs rather than alternative fuel use. Some regions (e.g., rust belt neighborhoods) would need significant infrastructure upgrades for electrification.
 - Hydrogen fuel cell vehicles in some applications, such as long-haul heavy-duty trucking, could help take pressure off the electric grid system, potentially reducing peak load concerns and avoiding costly distribution system upgrades while better securing electric power for beneficial electrification of heating and transportation in cars, buses, and local trucks
- > Fuels should be assessed individually in policy development, demonstrating air quality, health and GHG benefits including requirements to avoid localized pollution in Disadvantaged Communities.
- > Fuels policy should avoid canola, palm, and carinata feedstocks from foreign countries. Corn oil is typically better than soy oil, waste oils should be prioritized. Include emissions controls for wastewater from waste oil separation processes. Policy accounting could consider net emissions or LCA and include co-pollutants
 - Biodiesel and renewable diesel reduce PM; ethanol can increase acetaldehydes
- > Potential beneficial uses include replacement for bunker fuels for ships docked in NY; using biogas in fuel cells and to make electricity to fuel battery electric garbage trucks

Alternative Fuels – Research, Development & Demonstration (RD&D)

Agriculture and Forestry

- > ***AF20. Develop a Sustainable Biomass Feedstock Action Plan and Expand the Use of Bioenergy Products***
- > ***AF21. Increase Market Access for New York Low-Carbon Products***
- > ***AF23. Advance Bio-Based Products Research Development and Demonstration***

Buildings

- > ***B9. Support Innovation***

Electricity

- > ***E10. Explore Technology Solutions***

Industry

- > ***I4. Research, Development, and Demonstration***

Alternative Fuels – Research and Development (cont.)

Subgroup Guidance:

- > **All RD&D strategies should include leveraging federal resources**
- > **All RD&D strategies should include:**
 - Rigorous energy, GHG, and environmental sustainability guidelines and metrics for bioenergy products
 - Analysis of the potential air quality and health impacts of producing and using these fuels and best practices to minimize these impacts. Research into mitigating localized impacts in DACs
 - Lifecycle GHG accounting with priority utilization provided for feedstocks with the lowest GHG emissions, with strong preference given to zero- or negative-emissions sources.
 - The safety of advanced green hydrogen, storage, and pipeline operation
 - Research on emissions controls that reduce/eliminate emissions (e.g., NO_x from Hydrogen combustion)
 - The potential for negative or positive impacts on other economic sectors, such as waste management or agriculture

Discussion of Feedback by Topic

Reminder on Approach to Feedback

> Discussion of Topical Feedback

- Staff summarizing themes and actionable recommendations from the public comments by topical area/chapter
- Council to work through public feedback received by topical area/chapter at Council meetings in September and October
- As public comment feedback is discussed and considered by topical area/chapter, so too will be Climate Justice Working Group feedback

> Topics for today's meeting:

- Transportation
- Agriculture and Forestry
- Land Use
- Local Government
- Waste

Discussion of Feedback: Transportation

Summary Themes

Clean Fuel Standard

- > Many comments received. Several detailed comments supported the development of renewable and/or low-carbon fuels, while many commenters expressed opposition, describing such fuels as a “false solution.”
- > Several commenters expressed support for a CFS as a policy solution, with one oil lobbying group arguing against it. Several commenters wanted to ensure the CFS accounted for lifecycle emissions and that it be applied to sectors like agriculture and aviation.

Invest in Walkability, Public Transportation and Transportation Oriented Development

- > Several commenters emphasized the need to focus more on reducing vehicle miles travelled and that electrification alone will be inadequate. Suggestions include zoning, dense land-use, ride sharing and public transit investments.
- > Several commenters suggested investments in rail infrastructure, to connect cities and move freight

Strategies to Electrify

- > Generally, there was strong support for electrification policies in the draft plan, including targeted investment in DACs. Some more specific comments include:
 - Allowing direct-to-consumer sales, with one commenter expressing opposition. Waive sales taxes for ZEVs.
 - Support EV charging by: streamlining the development/approval process for utilities and municipalities; adopting code revisions to require/enable EV charging and favorable rate structures, including addressing demand charges.
 - Supporting electrification of farm equipment, freight, port equipment, last mile delivery and state fleets
- > Some commenters expressed concern over the costs of electrification, particularly in rural communities and for larger vehicles. Some local governments oppose fees on gas/diesel vehicles.

Consider Workforce Implications

- > Some commenters stressed the need for workforce support for new transportation technologies.

Unresolved CJWG Feedback

| Topic (Location in Draft Scoping Plan) | CJWG input as reflected in the Draft Scoping Plan | Draft Scoping Plan recommendations |
|--|--|---|
| Community-Based Service Enhancements (p. 107) | Provide more detail on what specific public transportation enhancements were proposed and how enhancements would be identified and accomplished. The CJWG emphasized the need to think beyond traditional urban public transit and enhance inter-regional rail transportation. | The Draft Scoping Plan recommends that the State should work with communities and service providers to design strategies that increase utilization of public transportation alternatives. Public Transportation service enhancements are intended to be further informed through community-based discussions. For example, availability/accessibility may refer to an increase of service hours/frequency; an increase in routes; and/or an increase in the number of stops along a route. It is anticipated that a combination of approaches will be required in most communities. |
| Customer Convenience and Service Connectivity (p. 108) | Support increased investments in enhanced public transportation alternatives; doing so creates jobs in local communities offering employment opportunity for disadvantaged workers. Incentivize hiring of disadvantaged workers in transit manufacturing by enabling companies to get a credit for setting aside a certain proportion of their workforce for hiring them. | The Draft Scoping Plan calls for the State to facilitate the development and implementation of strategies for making public transportation easier to use. This includes working with the public and private sector on a simplified and integrated statewide fare media and deploying new phone-based applications technologies that makes public transportation more logical and easier to navigate. The Draft Scoping Plan also calls for increased investment in additional modes of transportation that support access to transit, such as bike-sharing and other first mile/last mile solutions that connect more users to transit. |
| Lower Carbon Renewable Fuels (p. 96, 118) | The CJWG opposed policies supporting renewable fuels on the grounds that they still release harmful air pollutants, particularly in areas overburdened with diesel emissions, and that the State should focus instead on expeditiously electrifying vehicles and the use of hydrogen fuel cells. Development of these policies would need to be mindful of the CJWG’s admonition to avoid fuel policies that extend reliance on fossil fuel infrastructure or allow emissions from fuel combustion to continue to disproportionately impact Disadvantaged Communities. | Two of the three scenarios in the integration analysis of the Draft Scoping Plan rely on increased use of alternative, lower-GHG fuels to reduce emissions as the expedited transition to electrification proceeds. The Draft recommends consideration of a clean fuel standard that would stimulate increased use of fuels with lower GHG and PM emissions than fossil fuels, including electricity. DEC could structure the clean fuel standard to reward public transportation providers statewide for emission reductions from electrified transit, providing them with resources to accelerate zero-emission rollingstock and infrastructure enhancements. |

Staff Recommendations

In general, few changes in response to public comment are needed.

Clean Fuel Standard

- > Defer recommendation to consider report of Alternative Fuels workgroup and input provided by CJWG.**

Electrification

- > Add more detail on adoption of portions of the Clean Fleet Standard, with a focus on reducing emissions in DACs.**
- > Emphasize workforce development opportunities supporting transportation electrification at all levels**

Public transportation

- > Emphasize the strategic pairing of the expansion of transit and other low-carbon modes with supportive land use policies**
- > Emphasize that improving intercity passenger rail service, including High Speed Intercity Passenger Rail transportation, and strengthening the freight rail system is an important component of New York State's economic future and environmental sustainability.**

Discussion of Feedback: Agriculture and Forestry

Summary Themes - Agriculture

Cost to farmers and farming to meet emission reduction targets

- > Several comments received with regards to the loss of farms and farmland with high cost and difficulty of emission reduction as well as electrifying agricultural processing and agricultural equipment

Incentives structures and regulatory strategies

- > Many comments in support of increasing current incentives programs that address climate mitigation, resiliency, and adaptation
- > Support for new and innovative incentives structures (e.g., Payment for Ecosystem Services)
- > Several comments recommending regulations and fees rather than relying on incentive programs and voluntary adoption (consistent with CJWG feedback)

Increased support for underserved communities

- > **Many comments to address access barriers to programs and grant funding and further investments in underserved communities**
- > **Requests to strengthen access to farmland to increase diversity, equity and inclusion for underrepresented and underserved communities**

Greenhouse gas mitigation strategies

- > **Calls for food and agriculture strategies to account for their total climate impact including fossil fuel use in production, processing, and distribution**
- > **Many comments in support of enteric methane emission reduction strategies including the use of cattle feed supplements/additives**
- > **Several comments calling for increased research and development for mitigation strategies as well as efforts to better quantify on-farm greenhouse gas emissions and sequestration capacity with some concern expressed to the release of farm operation data to the public**
- > **Comments both for and against expansion of alternative and low carbon fuels using agricultural biproducts and manure as a feedstock**

Unresolved CJWG Feedback

| Topic (Location in Draft Scoping Plan) | CJWG input as reflected in the Draft Scoping Plan | Draft Scoping Plan recommendations |
|---|--|---|
| Sustainable Forest Management (p. 199) | The CJWG supports the strategies for Sustainable Forest Management, however suggested there is an over-reliance on voluntary incentive-based programs. | The Draft Scoping Plan proposes many strategies to support sustainable forest management (p.198). The recommendations include many that are incentive oriented as well as key legislative provisions needed to protect forest sequestration including a keeping forest as forest law to prevent conversions (p. 277), strengthened invasive species regulations (p. 201), and new tax law programs (p. 204). These are aimed at addressing the largest forest emissions that occur when forests are converted, giving family forest owners tools to manage their properties sustainably, and responding quickly to invasive threats. |
| Advance Alternative Manure Management (p. 210) | The CJWG favor imposing regulations on dairy and other livestock farmers to reduce emissions. The strategies outlined below rely more heavily on long established technical assistance and cost-share programs to achieve methane reductions from manure management. Feedback from the CJWG indicates a preference for manure management strategies upstream of the manure storage or that reduce animal waste generation at its source. | The Draft Scoping Plan proposed an expansion of current successful voluntary, incentive based efforts with a range of proactive outreach, technical and financial support. The strategies rely heavily on farm owner participation in voluntary, incentive-based conservation programs supported by key stakeholders across the state. In addition, the advancement of alternative manure management strategies include upstream strategies to reduce manure methane. Examples of this include, composting, dry manure handling and storage, and potential to advance grazing systems for livestock where the management and land base can support these systems. |
| Advance Agriculture Nutrient Management (p. 215) | CJWG is supportive of efforts to reduce nitrous oxide emissions through more efficient use of nitrogen fertilizers and have suggested consideration of a fee on such fertilizers as a potential mechanism to reduce their use. | The Draft Scoping Plan emphasizes increasing support for planning, technical assistance, and implementation of practices that reduce nitrous oxide emissions through the AEM Framework and associated incentive programs. Further, the strategies emphasize engagement and expansion of programs to historically marginalized producers removing obstacles for participation. Consideration was given to scaling up existing programs and frameworks while seeking and developing innovative approaches to finance adoption. |
| Develop a Sustainable Biomass Feedstock Action Plan and Expand the Use of Bioenergy Products (p. 227) | The CJWG expressed concerns about the combustion of biomass and biofuels due to their release of emissions. | The Draft Scoping Plan only includes strategies related to the use of biomass and biofuels when they provide value by displacing traditional fossil fuels, particularly in hard-to-electrify applications. Biomass and biofuel emission concerns raised by the CJWG are addressed through thoughtful planning, sustainability guidelines and standards. The scoping plan proposes utilization of biofuels and bioenergy for limited and strategic use combined with sustainability guidelines and standards. |

Staff Recommendations - Agriculture

Regulations / CJWG Feedback / Costs to meet emission reduction targets

- > Along with emission reduction targets, emphasize the equally important and continuing state goal to build and enhance the agricultural sector to avoid emission leakage that could occur with additional regulations and fee structures
- > Add more detail on conservation practice systems that reduce "upstream" manure methane emissions
- > Emphasize strengthening technical assistance, current incentive structures, and establishment of new programs and fostering of public/private partnerships to lessen the costs to farmers
- > Emphasize conservation practice systems that accomplish emission reduction/increased sequestration, climate resiliency objectives and the farm's economic bottom line
- > Strengthen the link to industry led initiatives such as the Dairy Net Zero and other climate related goals

Increased support for disadvantaged and underserved communities

- > Add more details around building access to farming and programmatic funding and technical support for underserved communities

Greenhouse gas mitigation strategies

- > Emphasize connection of agriculture to other initiatives within the Scoping Plan (e.g., support for reducing farm equipment emissions)
- > Focus on systems that reduce "agricultural emissions" that also decrease fossil energy use (e.g., Alternative manure management, conservation tillage, nutrient and soil health management)
- > Defer recommendations on the development and use of alternative/low carbon fuels to the CAC's Alternative Fuels Subgroup
- > Strengthen wording reflecting the need for further research to quantify climate and related benefits

Summary Themes - Forestry

Regulatory and incentive strategies

- > Widespread support of the chapter, however more than 1,000 comments to add more regulations rather than relying on incentives
- > Broad support for incentives and regulatory strategies such as Regenerate NY, 480a,b,c forest tax laws, trees for tribes, and inclusion of ecosystem services payment for forests similar to agriculture

Importance of forest carbon storage

- > Wide support for improved forest management and the importance of forest age and structural diversity across the landscape. Specifically, the importance of carbon storage in mature forests was identified as a gap

Invasive species management

- > Support for aggressive control of invasives across the state and increased funding for both combating invasives and restoration of impacted sites
- > Concern over impact of deer on forests, need for more comprehensive deer management strategies

Bioenergy and wood products

- > Some disagreement in the comments on biomass
 - Generally supportive of bioenergy and durable wood products, as well as limited use of residual and low-grade biomass for wood manufacturing industry and firewood to heat upstate homes
 - Stated that use of biomass and biofuels was a "false solution" and went against CJWG recommendations.
- > Comments were unsupportive of cutting forests solely for biomass use or biofuels.

Staff Recommendations – Forestry and Bioeconomy

Importance of forest carbon storage

- > Incorporate the importance of forest age and structural diversity across the landscape, including carbon storage in mature forests.
- > Add recommendation to identify old growth stands and further research on carbon storage in forest soils.

Incentive and regulatory strategies

- > Integrate forest ownership into ecosystem service recommendations
- > Emphasize importance of regulations to protecting forest carbon such as 480a,b,c and Keeping Forests as Forests

Bioenergy and wood products clarification in bioeconomy section

- > Defer recommendations on the development and use of alternative/low carbon fuels to the CAC's Alternative Fuels Subgroup
- > Clarify bioenergy scope (ex: use of agricultural wastes, residual and low-grade biomass, not whole trees)
- > Further refine language that defines bioenergy initiatives to align with other sections of the scoping plan, accounts for full lifecycle analysis and mitigation of co-pollutants

Connect Forestry to Initiatives in Other Sectors

- > Support electrification of forestry equipment in transportation chapter
- > Include mass timber products such as cross laminated timber into the buildings section as a preferred building material
- > Include more strategies in the electricity chapter to incentivize solar siting in developed areas, and directly address carbon emissions for siting electricity generation on currently-forested lands
- > Recognize paper and wood products in the industry chapter

Discussion of Feedback: Land Use and Local Government

Summary Themes

Protection and enhancement of forest lands

- > Broad support for initiatives to prevent forest conversion through regulations, incentives and acquisitions
- > Broad support for afforestation strategies as a way to increase forest area across the state and a need to increase support for incentives to create and maintain plantings

Protection of Agricultural Lands

- > Broad support for initiatives to prevent agricultural conversion through regulations and incentives

Protection of Wetlands

- > Several commenters supported wetland protection and the utilization of natural and nature-based infrastructure solutions

Smart Growth and Transit-Oriented Development (TOD)

- > Commenters emphasized the importance of a contextual approach to smart growth and TOD that acknowledges the differences between rural, suburban and urban areas
- > Several commenters spoke to the needs of disadvantaged and underserved communities and the importance of integrating a just transition in smart growth and TOD land use policies
- > Broad support for smart growth and TOD as a strategy to reduce vehicle-miles traveled (VMT) *see also Transportation chapter*

Summary Themes

State Support for Local Governments

- > Broad support for provision of financial and technical assistance for municipalities, including model zoning and local laws, mapping tools, models/examples of successful projects, and guidance related to funding applications
- > Some commenters advocated for direct financial and technical assistance for CAC, EMCs, and other municipal bodies

Value of Regional Partners

- > Several comments asked for the consideration of NGOs, land trusts, and regional partners as partners in long-term conservation and protection efforts and in land use planning
- > Many comments supported county sponsorship of CCAs

Renewable energy siting

- > Many comments emphasized the need for additional support for local governments to ensure appropriate siting of renewable energy projects
- > Numerous comments opposed the conversion of farm and forest land for renewable energy projects
- > There was support for comprehensive research on the productivity of the integration of agriculture and solar as combined system (agrivoltaics) followed by implementation across the state

Staff Recommendations

Afforestation and Reforestation

- > Revise recommendations to set ambitious, specific goals to define need and guide actions

Smart Growth and TOD

- > More clearly articulate the differing needs of rural, suburban and urban areas with respect to smart growth and TOD
- > Emphasize principles of just transition and the needs of disadvantaged communities in the definitions of priority development and priority conservation areas

Local and Regional Support

- > Place greater emphasis on the role of NGOs, land trusts, and regional partners in conservation and protection efforts
- > Clarify that recommendations related to technical and financial support eligibility include local government municipal bodies, such as CACs and EMCs

Renewable energy siting

- > Emphasize that tools and resources for localities should include resources to minimize the impact on of energy siting on forests and agricultural lands
- > Expand the land use recommendations to include consideration of co-locational opportunities for agriculture and renewable energy generation

Discussion of Feedback: Waste

Summary Themes

Widespread support for waste reduction, reuse, recycling, and extended producer responsibility (EPR)

- > Most comments indicated that actions should go farther and faster.

Widespread support for expanding efforts to divert organics from disposal

- > All relevant comments supported the expansion of the food donation and food scraps law and elimination of 25-mile restriction on location of organics recycling facilities.
- > Support for increased State funding for co-digestion of food waste at WRRFs and other recycling activities.
- > Support for the development of a market study of organics and markets for organic waste products.
- > Support for more emphasis on food donation.

Divergent views on combustion and other thermal treatment processes

- > Support for combustion as a better climate alternative to landfills.
- > Concerns with pollutant and other impacts on disadvantaged communities.

Unresolved CJWG Feedback

| Topic (Location in Draft Scoping Plan) | CJWG input as reflected in the Draft Scoping Plan | Draft Scoping Plan recommendations |
|--|--|--|
| Organic Waste Reduction and Recycling (p. 241) | The CJWG agrees that ending the disposal of food scraps and yard waste at landfills and incinerators is probably the single most important action the State can take to cut emissions from this sector. The CJWG recommends stronger programs to require major food generators, farms, supermarkets, restaurants and institutions like universities, hospitals to all develop sophisticated programs that transfer excess edible foods to local food banks and other programs designed to feed the hungry. | The Draft Scoping Plan calls for the significant reduction in the disposal of organics and the enactment of legislation to amend and expand the existing Food Donation and Food Scraps Recycling Law (2019) to phase in organics source-separation requirements, eventually ban combustion and landfilling of organics. The Food Donation and Food Scraps Recycling Law currently requires the covered entities to donate edible food to the maximum extent practical and expansion of the law to other generators will lead to additional donation. The Draft Scoping Plan also recommends additional funding for emergency food relief organizations and others. A determination of whether large food generators should be required to transfer excess edible food to areas of need remains to be made. |
| Waste Reduction, Reuse, and Recycling (p. 242) | The CJWG supports policies that encourage systems thinking to reduce waste as a priority, while also encouraging greater recycling. CJWG recommends convenient recycling collection programs throughout the State and that these programs receive adequate funding. | The Draft Scoping Plan strongly supports waste reduction and recycling. This includes supporting a fee on every ton of waste disposed to support waste reduction, reuse, and recycling, legislation requiring "By Request Only" policies and reuse options, phase-out of single use packaging, textile recycling program enhancements, etc. A determination of whether convenient recycling programs should be established remains to be made. |
| Water Resource Recovery Facility Conversion (p. 245) | The CJWG favors on-site use of biogas captured from waste management and that no significant new transmission infrastructure should be allowed to support additional biogas. | The Draft Scoping Plan recognizes that the best use for biogas generated from waste is onsite or local uses, and for hard to electrify industries. The Draft recommends that the State support the beneficial use of biosolids and renewable biogas. The potential biogas generation that could be generated from waste is not sufficient to require or justify new transmission infrastructure. |
| Biogas Use (p. 250) | The CJWG expressed that biogas could play a role in environmentally sound waste disposal, but caution should be taken to avoid biogas use intentionally or inadvertently leading to the extended use of fossil fuels. | The Draft Scoping Plan outlines the role that biogas can play in diverting organic waste from landfilling and that landfills will continue to generate biogas for many decades. The Draft Plan also recommends that this biogas use be limited to strategic uses such as on-site needs, local uses, and other uses that would not encourage the extended use of fossil fuels. |

Staff Recommendations

Increased Funding and Legislation for Waste Reduction, Reuse and Recycling

- > Legislation to support waste disposal surcharge to fund waste reduction, reuse, and recycling
- > Support efforts to reduce single use plastics, expand reusable/refillable options

Legislation for comprehensive EPR

- > Support paper and packaging EPR and ultimately a framework for multiple products

Amendment to Food Donation and Food Scraps Recycling Law

- > Amend law to phase in smaller food waste generators, remove exemptions, and eliminate 25-mile requirement for recycler

Regulations to Support Enhanced GHG Leak Monitoring and Reduction at Solid Waste Facilities

- > Comprehensive new regulations to require monitoring for GHG emissions and reduction of leaks

Next Steps

Next Steps

Council Meetings

> Tentative Schedule:

- Thursday, September 29, 1 – 4 pm
 - Thursday, October 13, 2 – 5 pm
 - Tuesday, October 25, 2 – 5 pm
 - Monday, November 7, 2 – 5 pm
 - Monday, November 21, 9 am – noon
 - Monday, December 5, 2 – 5 pm
 - Monday, December 19, 2 – 5 pm
- > Meetings through October will include final subgroup report outs, Integration Analysis updates, and addressing public feedback and CJWG comments
- > November meetings for Council feedback on revised Scoping Plan
- > December meetings for final Scoping Plan review and vote