

Testimony of New York Communities for Change to the Climate Action Council May 3, 2022

My name is Alice Hu. I am a Climate Campaigner for New York Communities for Change.

NYCC organizes in low- and middle-income communities of color in New York City and on Long Island. We work for affordable housing, good jobs, and racial justice. We also work against climate change, which hurts low income and communities of color especially badly.

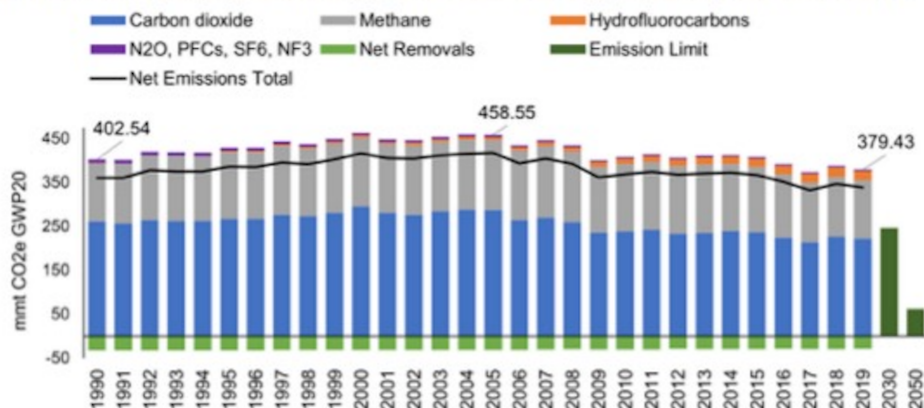
Sandy badly hurt many of our members. The storm was a wake up call internally that our organization needed to get serious about climate action. Now we work very deeply on these issues and are proud of the campaigns and policies we've managed, along with allies, to force the system to undertake, including NYC Local Law 97, city and state level pension fund divestment, a NYC ban on gas in new construction, and stopping proposed fracked gas pipelines and power plants.

However, let's be clear: New York state is woefully behind.

Since 1990, New York's climate-heating pollution, as newly measured by the state, has declined by only 6%. Just six percent from 1990 to 2019!

Here's the chart from the DEC's recent inventory:¹

Figure ES.1: NYS Statewide Greenhouse Gas Emissions by Gas, 1990-2019 (mmt CO₂e GWP20)



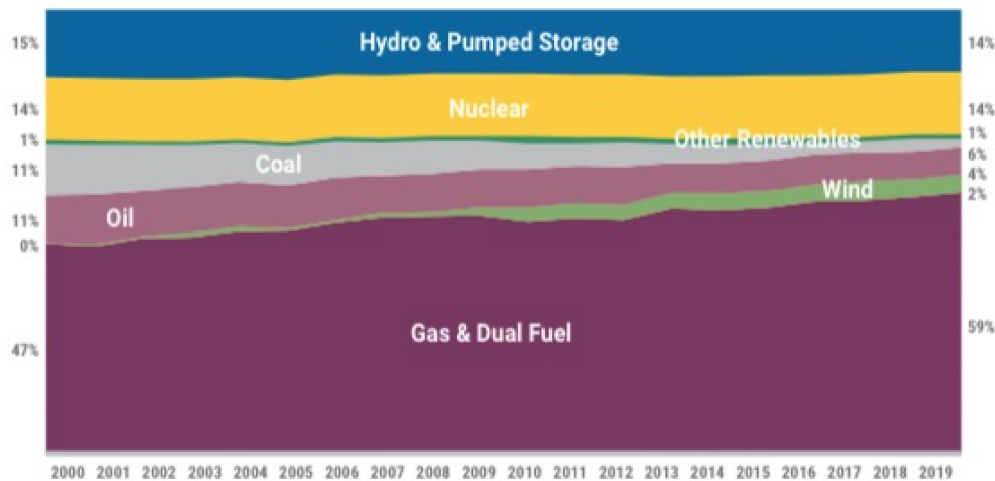
New York State is also at only about five or six percent wind and solar on the electric grid, which is appalling.

Here's the chart from the NYISO 2019 Power Trends report (a chart format they've since dropped maybe because it looks so bad for the state):²

¹ New York State Department of Environmental Conservation, "2021 Statewide GHG Emissions Report," p. 9, https://www.dec.ny.gov/docs/administration_pdf/ghgsumrpt21.pdf

² New York Independent System Operator, "Reliability and a Greener Grid: Power Trends 2019," p. 32, <https://www.nyiso.com/documents/20142/2223020/2019-Power-Trends-Report.pdf>

Figure 20: New York State Fuel Mix Trends: Capacity 2000-2019



Indeed, in recent years, the state's climate pollution may have actually *increased* as Indian Point shut down without new, utility-scale renewables built to replace it and more SUVs rolled onto our roads amidst disinvestment from mass transit. It's a travesty.

As a side note, these basic measures of the state's lack of progress are quite difficult to uncover in the Climate Action Council's materials. It's not exactly up front on the website. We don't think that's a coincidence.

Governor Hochul, like Cuomo and other Governors before her, talks big but does not deliver on climate.

Meanwhile, the state's many and vast inequalities continue to be hammered into place while precious time is lost as pollution isn't reduced at the necessary scale and speed.

Truly: it blows our minds that virtually zero state funding is allocated to programs to stop climate pollution and create jobs. Almost nothing's been allocated! Including in this past budget, where the Governor is touting the bond act, which must be approved by voters and is a non-recurring drop in the bucket compared to the need.

To the extent that multi-year climate/energy funding programs exist, they're almost all funded in a regressive manner through utility bills, not through state funding and certainly not through progressive revenue sources. These NYSERDA programs are far too small to do the job. Massive state funding is needed.

Under Cuomo, over a near decade period, there was virtually no large-scale renewable energy development. It all stalled. Sixteen times as much gas power plant capacity as renewable energy capacity was built from 2011 when he Cuomo office through 2020. Just 224 megawatts

of wind and solar worth of utility-scale projects came online versus 3,645 megawatt of fracked gas power plant capacity in that period.³ It was a stunning failure. Only now are more projects beginning to come through, but we are woefully behind many other states on wind and solar.

Last year, Cuomo even tried to gut Local Law 97, the City's landmark law to slash its top source of pollution. Governor Hochul, then a go-along, get-along Lieutenant Governor, said nothing. She is now continuing to brag about New York's climate policies, which are repeatedly referred to as "nation-leading". But physics doesn't care about New York's Governor's big talk.

The Climate Action Council, composed of Gubernatorial appointees, has proposed a plan consistent with this big rhetoric that lacks follow through and serious action at the scale of the crisis.

Instead of a set of unfunded too-slow and too-tentative suggestions, we call on Governor Hochul to enact and implement a Green New Deal and pay for it by taxing the rich.

A Green New Deal would:

1. Require a rapid transition off fossil fuels and onto 100% renewable energy across the economy,
2. Provide the huge yearly funding needed to make it a fair transition that doesn't raise costs for anyone who can't easily afford it and
3. Generate massive numbers of good, union jobs, wealth and income, especially for low-income communities and communities of color.

In our view, the CLCPA, which has no enforcement provisions, offers no specifics, and is unfunded, has dragged many people and institutions into an interminable process.

The law handed the Governor and Legislature an convenient excuse to defer on obvious action needed. It has allowed a whole lot of virtual signaling without obvious and desperately needed action.

The state could have set up some task force, as it had previously, and announced another set of unenforceable goals instead of passing the CLCPA. But Governor Cuomo wanted headlines and applause - and he got what he wanted!

He's gone from the government, but we're still here. In a public hearing. On a draft plan.

We've effectively lost 3 years since the CLCPA's passage: state funding for climate and jobs programs has not been allocated nor have enforceable, specific requirements to cut pollution been set into place. As a result, pollution hasn't been reduced and jobs haven't been created.

Of course, we don't want to ignore that the state has taken some positive actions, mostly as a result of intense grassroots pressure: the state stopped the proposed Williams NESE and other

³ NYCC tallied the project by project listings for each year in the NYISO Gold Book in those years.

pipelines and stopped the proposed Danskammer, Gowanus and Astoria NRG fracked gas power plants. The peaker plant regulations will be closing some peakers. The state finally pushed through transmission project approval into the downstate grid. After a decade of failure, state renewable siting laws were upgraded.

But overall? Are you kidding us? The world is on fire!

Every day, as more pollution piles into the air, we need progressively more radical change to make up for lost time.

Shame on former Governor Cuomo. Shame on Governor Hochul. Shame on the Legislature that did next to nothing to fix this mess, allocate money or set serious pollution cutting requirements into law.

Shame on the so-called "Climate Action Council," which hasn't even proposed a funding program or advocated for the vast sums needed immediately to make all this real. Shame on the mainstream environmental advocacy organizations that know all this yet keep offering praise for our so-called "climate leaders."

So, we have a few basic recommendations to build a Green New Deal, which is hugely popular with the public:

1. Tax the rich to fund cutting pollution and creating good jobs. Just a 5% tax on marginal income over about \$600,000 per year, which would only cover the top 1%, who are spectacularly wealthy, would raise over \$10 billion per year. It's time to let the carbon tax concepts go. Stop trying to push a boulder up an impossibly tall mountain. Taxing the rich is better substantively for building a more fair economy and has the benefit of being super-popular policy. The state has regularly turned to taxing the rich in a crisis. It's been done before to fund needed programs and it's time to do it again.
2. Use the money from taxing the rich to build a green new deal. That means funding non-polluting and energy-efficient affordable, public and supportive housing. Fix NYCHA and other public housing across the state. Fund mass transit lavishly, statewide. Pay the extra cost of electric cars and other vehicles for people in communities who can't avoid using cars. Fund New York's farmers to be the cutting edge in climate-friendly and regenerative agriculture.
3. Make these funds flow to the benefit of the disadvantaged communities and households being shortchanged by the state and the CAC "plan," which doesn't settle on a source for the massive yearly funding needed. The CAC appears to ignore that 40% of zero money is still ZERO MONEY. How can you call something a serious draft proposal for the state if it doesn't identify how to pay for anything?
4. Tie the money to high-road labor standards that maximize union work and hiring and career track employment from low income and communities of color. A Green New Deal would transform the state and deliver tangible benefits, building a fairer society and political support for climate action. It would be the opposite of eating your peas!

5. Don't make these complicated programs: make it simple, fast and non-bureaucratic. Add money wherever possible to existing, successful programs. Like the New York City subways and buses. More of that and better, please!
6. Set specific and enforceable requirements on buildings, the top source of the state's pollution, to end fossil fuel use. For large buildings, that means laws like New York City's Local Law 97, which is a model worldwide. For small buildings, the state should require conversion to heat pumps and energy efficiency at the obvious intervention points: a boiler or furnace replacement, renovation or sale to a new owner, and by 2035. The state should subsidize all this as described above to make it easily affordable to non-affluent households. It's laughable the extent to which the state trails the city in this policy area.
7. Stop all new fossil fuel infrastructure. Governor Hochul should support the All-Electric Building Act. Prohibit effectively ALL new fossil fuel development at the micro and macro level. From new gas stations to new fossil fuels boilers and new pipelines to new gas storage, no new fossil fuel infrastructure should be allowed.
8. Set a rapid and binding retirement schedule on all fossil fuel infrastructure, in particular power plants. Start with the worst, most unjust polluting facilities, such as Ravenswood. The state could put into place similar regulations as the peaker plant rules to ratchet down pollution limits in a quick step march to 100% renewable energy.
9. Take over the utilities and build public power to lower costs, improve service, reduce discrimination in employment and allow alignment between public needs and organizational mission. Pass the Build Public Renewables Act now.
10. Pay fossil fuel dependent workers and communities whose jobs and incomes need to be restructured or eliminated. Not just training programs. Years of pay, benefits and pension funding. Replacement for any lost tax revenues at the locality level.

This isn't a comprehensive list, but truly it doesn't take a rocket scientist to see that these are immediate needs or obvious policies.

The planet is being torched. Radical action has become the only sane path forward.

But as bleak as our deranged, suicidal system has made the situation, healing our planet is an opportunity to fix long time wrongs. We can have a more fair, just and sustainable society. But people like you have to stop engaging in farce and advocate for the change that's necessary at scale, right now. We need the money raised and allocated and the enforceable requirements set into place, immediately.

It's time for the Governor and Legislature to act in the people's interest, not the status quo that benefits the rich and powerful, virtually all-white elites. There's a month left in the session, followed by the primary. Governor Hochul should stop hiding behind this process and get it done, or get out of the way.