



April 21, 2022

Greene County Legislature's Opposition to the NYS Climate Council's Draft Scoping Plan

The New York State Climate Leadership and Community Protection Act (CLCPA) was signed into law in 2019 as one of the most ambitious climate laws in the world. The law created the NYS Climate Action Council (the Council), which is tasked with developing a Draft Scoping Plan that serves as an initial framework for how the State will reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy usage, and ensure climate justice. On December 20th, the Council voted to release the Draft Scoping Plan for public comment. January 1, 2022, marks the beginning of a comment period to receive feedback from the public as the Council works to develop and release a final scoping plan by the end of 2022.

"The Greene County Legislature supports prudent action on energy efficiency," states Chairman Patrick S. Linger (District 5, New Baltimore). "However, the mandates outlined by the Climate Action Council take us down a narrow, expensive and risky path, centered on limiting homeowner choice, preventing research and innovation and electrifying everything."

- The Greene County Legislature recognizes that in the 2030 and 2050 NYS Mandates, the State Legislature created an energy rationing system that puts all New Yorkers (and their communities) in competition for the affordable energy needed for a sustainable community and/or "healthful environment" (the state cap is 61.47 million metric tons of carbon dioxide equivalent). The State will ration all carbon dioxide producing fuels and deny any uses that will interfere with the attainment of these mandates.
- The Climate Act has granted to each and every state agency veto power over any and all projects requiring a state agency approval or decision and has granted the wealthy aggrieved person (who may be in competition for those carbon emissions) a tool to kill and/or delay a competitive and/or disliked project including even the renewal of an existing permit.
- The rationing of carbon emissions will exacerbate the upstate/downstate divide; the urban versus rural divide; the wealthy versus the working-class divide; the divide between municipal officials struggling to provide critical services and the environmental organizations. New York State Department of Environmental Conservation ("DEC") has recently used Section 7 authority to deny the repowering of two natural gas power plants in Orange County. DEC is under pressure to deny a permit renewal to a crypto currency facility because some feel the fossil fuel energy should not be rationed to that product. DEC is holding up numerous Title V air permits due to its inability to make a consistency determination under Section 7. These realities will most likely result in rolling blackouts during peak usage times.
- The New York Independent System Operator ("NYISO") - which manages New York's energy grid - divides the state into two distinct areas - Upstate Energy and Downstate Energy. The Upstate Energy zones currently use about 1/3 of the total electricity generated each year. According to NYISO 2021 Report of 2020 usage, the upstate sources of electricity are 90% zero carbon emission.

The Greene County Legislature identifies significant prohibitions in the NYS Draft Scoping Plan "mandates over a hundred (if not several hundred) different measures affecting all aspects of our daily lives and community activities."

The following four prohibitions are responsible for the majority of the reductions:

1. Elimination of the use of fossil fuels for land travel
2. Elimination of the use of fossil fuels for all aspects of residential living including heating, cooking, outdoor equipment, hot water, and clothes dryer
3. Conversion of the electric grid to all renewable and zero emission sources.
4. Transformation of the solid waste management system

Additional, wide-ranging, harmful repercussions in New York under the CLCPA include the following:

- Adverse effects on existing cars, trucks, lawn mowers, and chainsaws
- Carbon taxes on gasoline, natural gas, propane gas and heating oil

- Mandated conversion to heat pumps as early as 2030, enforced through surcharges that drive up the cost of regular systems
- Bans on fossil fuel equipment in any new construction within eight years.
- Total prohibition of homes fueled by anything other than electricity within 12 years.
- Possible financial penalties for families who do not convert to electric heat pumps within the mandated timeline (even if your current HVAC system works fine).
- Lower state and local tax revenue as businesses flee our already overtaxed state.
- Setting back vital research into carbon-neutral, renewable fuel sources that could more quickly impact climate change without imposing crippling costs on NY families.

At its regular meeting on Wednesday, April 20th, The Greene County Legislature unanimously adopted Resolution # 130-22 detailing the specific adverse effects on county residents and businesses as dictated by the CLCPA. The board then directed County Planning to submit the comments contain in the resolution, and an accompanying climate report prepared for Greene, Delaware and Schoharie Counties to the NYS Climate Action Council. The Legislature also directed the County Planning, Public Works and Emergency Services departments to further review the Draft Scoping Plan and provide comments as they deem fit.

“We are asking all Greene County residents and Business Owners to contact their NYS Representatives at all levels” says Warren Hart – Deputy County Administrator. “We have set up a special web page containing their eMail addresses and phone numbers. We need these rural issues addressed rigorously in the final scope of the CLCPA, so it does not simply impose mandates without recognizing their impact on our communities.”

County Administrator Shaun Groden stated “Without significant revisions, the implementation of the CLCPA will have deep and expensive impacts on county government operations, emergency services, our county budget and every Greene County Taxpayer. The existing electrical grid is already overloaded and is even more vulnerable to crashing when transitioned to untested, unreliable sources, leading to increased cost and disruptions. It’s ironic that upstate is producing clean energy to meet NYC’s demands, and the CLCPA disproportionately impacts upstate counties.”

The Greene County Legislature does not support (and vigorously objects) to the mandate approach selected by the Climate Council to require all homes to install electric heating regardless of cost and feasibility.

The Greene County Legislature does not support the mandate approach selected by the Climate Council to require all outdoor equipment to be all electric. Homeowners and users should have the choice whether to use gas fueled equipment and/or electric equipment - each has their own benefits and costs. Homeowners in New York State should have the same rights as homeowners in other states. Natural Gas is mobile and is readily available; there is a role for both gas and electric power equipment and the decision should be left to the individual that is using the equipment - not to an elected official’s political objective.

The Greene County Legislature does not support the mandate approach selected by the Climate Council to force the consumer to purchase an electric car. It also does not support imposition of a carbon tax, a mileage surcharge, increased registration fee for gasoline powered cars, or any additional tax on gas, propane, natural gas or home heating oil or a tax on solid waste.

The Greene County Legislature finds that in adopting the Climate Act with its 2030, 2040 and 2050 Mandates, the NYS Legislature made a grave mistake - the NYS Legislature prioritized their goal of being recognized as a world leader in fighting Climate Change over the energy security of the state’s residents.

For a complete email and phone contact list for the Governor, Assembly Speaker, Senate Majority Leader, and relevant NYS Senators & Assemblypersons, go to GreeneGovernment.com/CLCPA.

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