

2022 Joint Legislative Budget Hearing Environmental Conservation

2/1/22

Hon. Steve Englebright, Chair
New York State Assembly
Environmental Conservation Committee
Albany, NY 12248

Hon. Todd Kaminsky, Chair
New York State Senate
Environmental Conservation Committee
Albany, NY 12248

Hon. Michael Cusick, Chair
New York State Assembly
Energy Committee
Albany, NY 12248

Hon. Kevin Parker, Chair
New York State Senate
Energy & Telecommunications Committee
Albany, NY 12248

Hon. Donna Lupardo, Chair
New York State Assembly
Agriculture Committee
Albany, NY 12248

Hon. Michelle Hinchey, Chair
New York State Senate
Agriculture Committee
Albany, NY 12248

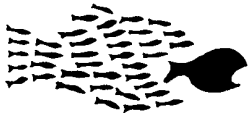
Dear Chairs:

The Long Island Progressive Coalition (LIPC) is a grassroots community-based organization founded in 1979. We fight for structural change at the local, state, and national levels to attain racial justice, build community wealth, and realize a just transition to a 100% renewable energy future. We are also a leading member of NY Renews, the unprecedented statewide coalition responsible for passing New York State's landmark climate bill, the Climate Leadership and Community Protection Act (CLCPA).

Long Island is on the frontline of climate change. Our coastal communities are threatened by sea-level rise causing flooding and home damage; families are still recovering from the devastation of Superstorm Sandy; and our neighborhoods are overburdened with air pollution from fossil fuels, causing cancers and heart disease. We also pay some of the highest electricity rates in the country. It is with the reality of the climate and energy crisis, our history of work in this field, and our ongoing commitment to climate justice and energy democracy that we offer the following for inclusion in the FY 2022/23 New York State budget.

Overall Climate Funding

We join with the hundreds of organizations across New York State in calling for the inclusion of a \$15 billion investment in climate, jobs, and justice in the FY 2022/2023 New York State budget.



In 2019, New York led the nation by passing the Climate Leadership and Community Protection Act (CLCPA). The CLCPA requires that New York State reduce its greenhouse gas emissions by 85%, and be completely carbon-neutral by 2050. Additionally, the law sets the goal that 40% of the benefits of clean energy and energy efficiency funding must go to "disadvantaged" communities: typically low-income communities and communities of color hit first and worst by the climate crisis.

Under the CLCPA, we can realize the potential of a renewable economy: begin to clear the air in communities plagued by pollution, to give communities more control over their energy sources, and to do the real work of reducing our greenhouse gas emissions, addressing the climate crisis, and creating a livable state.

But without money to realize these goals, we risk turning the CLCPA, our powerful climate law, into a paper tiger. By including at least \$15 billion investment in climate, jobs, and justice in the FY 2022/2023 New York State budget, we can make a down payment on the promises of our ambitious climate plan.

The need for climate justice funding is dramatically greater and this need has been demonstrated not just by advocates, but by New York State itself. The Climate Action Council recently adopted NYSERDA's estimate that we need a minimum of \$10 billion annually, with increases every year starting now to maximize the benefits and reduce climate risk.¹ The Governor's budget includes a \$1 billion increase to the Environmental Bond Act. However, this is spent over multiple years and could end up being around 1% of the amount of money that we need to invest every single year.

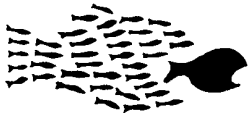
These investments must prioritize our communities, those most impacted by climate change and the current transition, and offering support to those already struggling in the current climate:²

- The Climate Jobs and Infrastructure Funding will invest in solar and offshore wind, as well as updating New York State's energy transmission and grid infrastructure to increase reliability.
- Community Just Transition Grants will target investments to catalyze community led planning and projects to increase efficiency and build out local renewable projects.
- The Worker and Community Assurance Funding will fund programs for fossil fuel industry workers and host communities and replace lost tax revenue through direct grants to local governments.
- The Household Climate Stimulus Funding will invest in efficiency programs for buildings and public transportation. Funds will be specifically directed to low-income communities through the low-income heating assistance program, and through partnerships with public and affordable housing developments.

As required by the CLCPA, 40% of these funds must go to frontline communities most impacted by the climate crisis. From Brentwood to the Bronx to Buffalo, communities of color and low-income

¹ FINAL - NYSERDA One Pager.pdf

² 2022 Budget Demand one pager English PDF



communities suffer disproportionately from pollution and extreme weather caused by climate change. In addressing climate change and fulfilling the goals of New York's climate plan, we must protect and invest in the communities that are most vulnerable.

As we transition to a renewable economy, we must ensure that no workers or communities are left behind. We must fund not just renewable infrastructure, but just transition programs and labor protection for the workers and communities most reliant on the fossil fuel economy.

But this is not just to protect our communities, it will lead to thriving communities across the state creating 150,000 jobs in every part of the state and keeping billions in our state's economy rather than the pockets of fossil fuel companies.

The climate crisis is already here. Across the state, New Yorkers are still recovering from Hurricanes Sandy and Irene, farmers are suffering from changing weather patterns, and families are choosing every day between paying their utility bill and buying groceries.

Fifteen billion dollars is less than seven percent of the budget of New York State, and the cost of climate inaction — in terms of dollars, jobs, and lives — is incalculable. Legislators have a responsibility to protect their constituents. Investing at least \$15 billion in new funding in this year's budget and raising additional funds in years to come, is the least you can do to ensure New York State meets its goals of climate, jobs, and justice.

Long Island Public Power

We must include the Long Island Power Authority Commission Bill (S7576A | A9035) in the FY 2022/2023 budget, along with a sufficient appropriation in order to staff and support it.

The time to reimagine the Long Island Power Authority (LIPA) is long past due. Our utility and the systems of oversight around it have failed Long Island and the Rockaways over and over again. It is time to end decades of failed public-private partnerships that have put profits over people. From Keyspan to National Grid and now PSEG, we know private utilities cannot be counted on to provide reliable electric service.

This was made abundantly clear in the aftermath of Tropical Storm Isaias, which resulted in 645,000 LI residents without power for, on average, more than 2-7 days. Time and time again PSEG has shown it cannot be counted on to provide residents with reliable service. With the constant threat of climate change, and the almost certain eventuality of another superstorm hitting the region, Long Island can no longer afford to do business with a private utility company. It's time to take the common sense approach and fully municipalize LIPA.

We need true public power. Public power is cheaper, better and more efficient, and Long Island is clamoring for it. Our goal is to establish the democratic management of the Long Island Power Authority to ensure that all ratepayers can have a say over their electric grid.



Across the country, publicly owned utilities have proven more affordable and reliable for residential customers. They are more responsive to customer needs, yielding better customer satisfaction. Their shorter outage times safeguard households' food and medicine and improve the productivity of small businesses. And they can ensure that Long Island and the Rockaways help fulfill the legal and moral obligation we have to prevent climate catastrophe by moving off fossil fuels and transitioning to 100% clean, renewable energy.

LIPA can save nearly \$1 billion over the next decade through municipalization. Instead of bonuses to unaccountable management and dividends to distant stockholders, LIPA could lower rates and improve service for customers, invest in resilient infrastructure, and improve its crisis management system.

This Commission process will develop the roadmap for the restructuring of LIPA to reimagine, reinvent, and restructure it so that it is led by those most impacted by decisions concerning our energy system: ratepayers, workers, municipalities, community organizations, low-income households, and environmental justice communities. It will help ensure that those who use, pay for, and work for the system have a say in how it runs. With the end of PSEG's contract in 2025, there is no time to waste.

Statewide Public Power

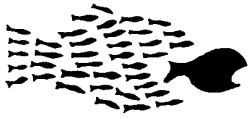
We must include the NY Build Public Renewables Act (AI466a | S6453) in the FY 2022/2023 budget.

The state is not acting boldly enough to meet the goals of the CLCPA nor the impending climate crisis. As the storms earlier this year showed us, transitioning our state to a renewable energy economy is not only mandated by the CLCPA but is a matter of life and death. New York only generates 6% wind and solar energy. In order to meet our 70% by 2030 CLCPA mandate, we must be willing to take bold action. That is why we must include the NY Build Public Renewables Act (BPRA) in the budget.

Currently, the New York Power Authority (NYPA) is legally prohibited from owning more than six utility-scale generation facilities. At a time when we need to scale up as quickly as possible, why would we limit ourselves? The NY Build Public Renewables Act would remove this limitation, allowing NYPA to scale up renewable energy generation faster, cheaper and more efficiently. As the country's largest publicly-owned energy provider, NYPA can take advantage of having some of the highest rated green bonds in the country to make the upfront investments that are necessary to put us on track to meet our renewable mandates. We have to pass BPRA this year — anything less will repeat the failures of past energy policies that have put promises over action and have put New York on a path toward disaster.

The Build Public Renewables Act is revenue neutral. Its funding mechanism uses NYPA's existing nation-leading bond program and financing while creating synergies between our state energy agencies. According to research out of the University of Pennsylvania, the Build Public Renewables Act could add up to \$90 Billion to the State's economy over the next decade and up to 51,000 sustained, union jobs.³

³ <https://www.climateandcommunity.org/a-new-era-of-public-power>



President Franklin Delano Roosevelt created NYPA as Governor of NY, which helped to inspire his New Deal as President. The legislature can actually live up to his legacy by including the Build Public Renewables Act in the budget to fulfill the promise of the CLCPA and cement New York's status as the Green New Deal model for President Biden. We must seize this opportunity before it's too late.

Funding for Indian Nations Liaison at ORES

We must include funding in the FY 2022/2023 budget to ensure the Office of Renewable Energy Siting (ORES) can hire an Indian Nations Liaison.

New York State's nation-leading climate laws require the entire state apparatus to do all it can to drastically reduce greenhouse gas emissions economy-wide, as well as to ensure that New York is producing 100% of its electricity from zero emission sources by 2040.

As the state looks to increase the number of wind turbines, solar panels, battery storage units, and ancillary infrastructure statewide, it must recognize that doing so necessarily means increasing the number of acres of developed land. By permitting development on hitherto undeveloped, or barely developed, land the state will also be permitting land disturbances. And land disturbance, especially in sensitive areas, has the potential to impact or destroy Native Nations' cultural resources including marked and unmarked graves and former village and hunting sites, among others.

Consultation with Native Nations must be clearly and strongly woven throughout regulations so that potential problems can be identified and addressed early in the permitting process. We urge the state to require all the precautions possible to prevent a situation where a developer discovers an impediment to construction only after time, resources, and finances are invested. The best way to do this is to require consultation—with both those Nations still living on their ancestral homelands and with those that have been displaced—early in the pre-application process and throughout permitting.

To help accomplish this, the Office of Renewable Energy Siting should hire an Indian Nations liaison to facilitate consultation, provide a single point of contact for nations, developers, regulators, and others, and help guide conversation or mediate should applications or permitting plans become controversial.

Sincerely,

Ryan Madden
Sustainability Organizer