



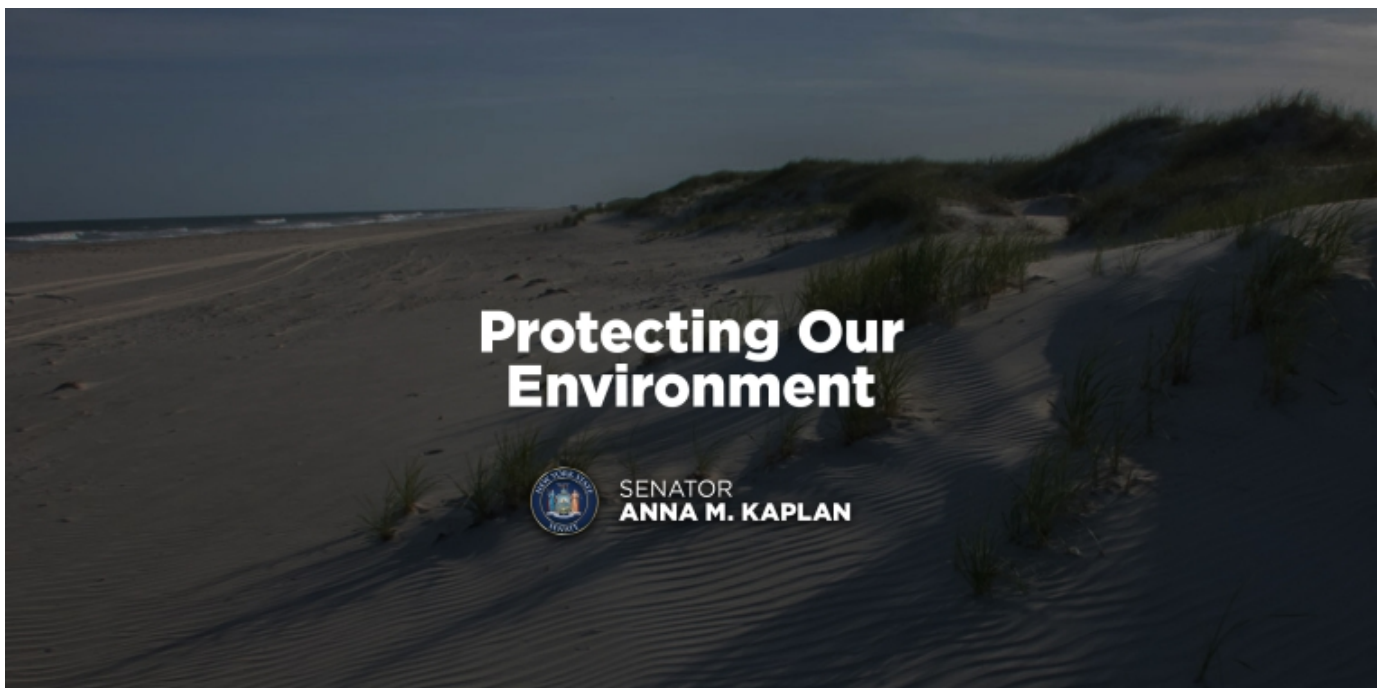
NEW YORK STATE SENATOR

Anna M. Kaplan

Senator Kaplan & Senate Majority Advance Environmental Protection Package in Honor of Earth Day

SENATOR ANNA M. KAPLAN April 25, 2022

| ISSUE: **CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT, EARTH DAY, ENVIRONMENTAL PROTECTION, RENEWABLE ENERGY, SUSTAINABILITY**



(Albany, NY) Senator Anna M. Kaplan (D-North Hills) and the Senate Democratic Majority today advanced legislation to better protect the environment, support renewable energy, and strengthen regulatory standards across New York. The bills include agreements related to renewable energy development rights on reforestation areas, an exemption from requirements for the alienation of parkland for certain renewable energy generating

projects, directives for the state to study and make recommendations on renewable energy resources at decommissioned or dormant electric generating sites.

After successfully fighting for a \$4.2 billion Environmental Bond Act in the State Budget, this legislation demonstrates Senator Kaplan and the Senate Majority's commitment to furthering climate action by reducing emissions and promoting sustainable energy. This legislative package will add provisions regarding the siting of environmental facilities in minority communities, economically distressed areas or disadvantaged communities, establish the Electric Landscaping Equipment Rebate Program, implement new requirements for vehicle recharging stations, promote green buildings and appliances through the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021" and will allow customers to donate solar electricity credit to low-income families.

Bill Sponsor Senator Anna Kaplan said, "Climate change has the power to devastate life on Long Island, and in order to combat it we must take decisive action and make real investments in the green infrastructure, technology, and jobs of the future. Ensuring that new parking structures are pre-wired for electric vehicle charging is a no-brainer, and it's what needs to be done to ensure that our infrastructure will be ready to handle the growing number of EVs on the road today and tomorrow. I'm proud to sponsor legislation to get it done, and I'm proud to support the full package of environmental legislation being passed by the Senate Majority. I'm grateful for the leadership of Majority Leader Andrea Stewart-Cousins in bringing these bills to the floor, and for ensuring we continue to lead the way in combating climate change and supporting environmental conservation."

The legislation passed includes:

- **Cumulative Impacts Bill:** This bill, [S8830](#), sponsored by Majority Leader Andrea Stewart-Cousins, ensures equity of treatment for minority communities, economically distressed

areas, and disadvantaged communities while siting environmental facilities. It requires environmental impact statements to assess whether the siting of a facility will cause or increase a disproportionate burden on the location.

- **Discourages Major Violations of the Environmental Conservation Law:** This bill, [S1237](#), sponsored by Senator Michael Gianaris, provides that in addition to the fines, a person in violation of the Environmental Conservation Law may be enjoined from continuing such violation and any permit or certificate issued may be revoked or suspended, or a pending renewal application may be denied.
- **Electric Landscaping Equipment Rebate Program:** This bill, [S7453A](#), sponsored by Senator Liz Krueger, establishes the electric landscaping equipment rebate program to reduce greenhouse gas emissions, improve air quality, and reduce noise pollution by promoting the adoption of quieter, zero-emission landscaping equipment. It also provides for rebates at the point of sale for applicants purchasing or leasing certain equipment.
- **Bottle Redemption Fraud Task Force:** This bill, [S1103A](#), sponsored by Senator Todd Kaminsky, Establishes the bottle redemption fraud task force to provide the governor and the legislature with information on the fraud, enforcement, and reporting requirements related to the New York state returnable container act.
- **Advanced Building Codes, Appliance and Equipment Efficiency Standards Act:** This bill, [S7176](#), sponsored by Senator Kevin Parker, establishes the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021." It adds the promotion of clean energy and the implementation of the climate agenda set forth in the New York state Climate Leadership and Community Protection Act to the state energy conservation construction code. It also increases the efficiency standards of appliances and equipment by the state energy conservation construction code, while increasing the energy efficiency standards of appliances and equipment.

- **Smart-Share Energy Credit:** This bill, [S6919](#), sponsored by Senator Tim Kennedy, allows certain customer-generators who generate solar electricity to donate credit for such electricity to low-income families. It also requires electric corporations to create a low-income energy assistance pool for the donation of such credits.
- **State Parking Plug-In Requirements:** This bill, [S370A](#), sponsored by Senator Brad Hoylman, requires certain state-owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles.
- **Expanding Vehicle Charging Stations:** This bill, [S23A](#), sponsored by Senator Anna Kaplan, requires the construction of certain parking facilities to be capable of supporting electric vehicle charging stations.
- **Parkland Renewable Energy Projects:** This bill, [S2995](#), sponsored by Senator Pete Harckham, provides an exemption from requirements for the alienation of parkland for renewable energy generating projects with a generating capacity not exceeding two megawatts and which are located above real property currently used for vehicle parking.
- **Carpet Collection Program:** This bill, [S5027B](#), sponsored by Senator Brian Kavanaugh, establishes a carpet collection program and creates a carpet stewardship advisory board.
- **Renewable Energy on Forested Lands:** This bill, [S659](#), sponsored by Senator Rachel May, allows the state to provide leases or easements for siting or connecting renewable energy installations on portions of the state's forested lands.
- **Extending Energy Tax Abatement:** This bill, [S3229A](#), sponsored by Senator Kevin Parker, extends an existing tax abatement for New York City residents who have electric energy storage equipment installed on their homes on or after January 1, 2024 and before January 1, 2026.
- **Zero Emission State Fleet Plan:** This bill, [S2838C](#), sponsored by Senator Kevin Parker, directs the Office of General Services, the Department of Environmental Conservation, and the New York State Energy Research and Development Authority, to prepare a state fleet

procurement plan for the purchase or lease of state agency vehicles. This will help ensure state agency vehicles will be zero emission vehicles over a certain period of time.

- **Land Protection from Gas Production:** This bill, [S1421](#), sponsored by Senator José Serrano, prohibits the lease of state forests, wildlife management areas and unique areas for the purpose of gas production.
- **Second Chance Renewable Energy Sites:** This bill, [S1829A](#), sponsored by Senator James Skoufis, directs the New York State Energy Research and Development Authority to study and make recommendations regarding siting renewable energy resources at decommissioned or dormant electric generating sites.

Kate Kurera, Deputy Director Environmental Advocates NY said, “It wasn’t so long ago that the only thing that made an Earth Day agenda in the New York State Senate was a brief resolution. Today, Majority Leader Stewart-Cousins, Environmental Committee Chair Kaminsky, and their colleagues have advanced a comprehensive package of legislation in honor of Earth Day that will reduce air pollution while improving the lives and communities that are disproportionately impacted. We thank them for their continued focus on the environment and look forward to working to see these bills become law.”

Julie Tighe, President of the New York League of Conservation Voters said, “The New York League of Conservation Voters applauds our leaders in the State Senate for passing a series of bills geared to protect our environment, take nation-leading climate action, support electric vehicle infrastructure, combat the solid waste crisis, and build the green energy economy of the future. To achieve the bold goals of the Climate Leadership and Community Protection Act (CLCPA), we need to target reducing the key emitters of fossil fuels: our buildings, transportation, and our sources of energy. With forward-looking legislation, including those targeted at our building and appliance codes, our New York State Senate is at the forefront of bold action. Thanks to Majority Leader Stewart Cousins and Senators

Kaminsky, Parker, May, Gianaris, Harckham, Serrano, Skoufis, Krueger, Kaplan, Kennedy, Hoylman, and Kavanagh for sponsoring this series of bills.”

Sonal Jessel, MPH, Director of Policy at WE ACT for Environmental Justice said, “We have seen disadvantaged communities across the state suffer higher rates of illness and mortality during the COVID-19 pandemic, with studies linking the higher incidence of chronic diseases to the adverse health impacts of air pollution and other forms of pollution, which studies also link to the cumulative impacts of exposure in these communities. We need to stop treating these communities as dumping grounds for pollution and other hazards, including lead paint in older homes and mercury and other toxic chemicals in personal care products.”

Zack Dufresne, Executive Director, NYSEIA said, “The New York State Senate is living up to Earth Day expectations with their legislative efforts this year. We look forward to continuing our work with the Senate to deliver a cleaner and greener future for New Yorkers each and every year. When the sun shines on solar energy, every day is Earth Day.”

Rich Schrader, New York Policy and Legislative Director for NRDC (Natural Resources Defense Council) said, "Among the many environmental bills on the Senate's docket this Earth Day, S7176 stands out as a way to save consumers' money while creating stronger efficiency standards for everyday electronics. S7176 will also strengthen building codes by directing the state to establish new codes for buildings to be designed in a way to reduce carbon emissions. A stronger building energy code will reduce the environmental impact of buildings – the largest source of greenhouse gas emissions in New York State."

Jessica Azulay, Executive Director of Alliance for a Green Economy said, “We thank Majority Leader Andrea Stewart-Cousins and the New York State Senate for their leadership during this Earth Month by, among other things, passing a foundational bill that will set new standards for buildings and appliances, save New Yorkers money on our energy bills, reduce

air health-damaging pollution, and bring down greenhouse gas emissions. The Advanced Building Codes, Appliance & Equipment Efficiency Standards Act will save New Yorkers \$15 billion by 2035 and will reduce greenhouse gas emissions equivalent to taking 3,700,000 cars off the road for a year. We look forward to seeing this and other laws to reduce fossil fuel use in buildings, identified as necessary for the full implementation of New York's landmark climate law, passed by both houses of the legislature and signed by the Governor this year."

Ned Sullivan, President of Scenic Hudson said, "Now is the time for action to protect our drinking water, clean air, public health and our planet and create jobs. Senator Stewart-Cousins' leadership has been, and will continue to be pivotal for all these critical goals."

Adrienne Esposito, Executive Director at Citizens Campaign for the Environment (CCE) said, "CCE commends the Senate for passing a broad slate of bills that will fight climate change, address our solid waste crisis, and support environmental justice across the state. New York State is continuing to bolster its role as a national leader on environmental protection. We thank Majority Leader Stewart-Cousins, Senator Kaminsky, and other environmental champions in the Senate for their leadership."

Eddie Bautista, Executive Director, NYC Environmental Justice Alliance (NYC-EJA) said, "NYC Environmental Justice Alliance (NYC-EJA) commends Majority Leader Stewart-Cousins and the Senate Majority for passing this strong package of bills that recognizes that the time is now for further climate action. Disadvantaged communities across the state are paying the price of climate change. This package will help move New York forward towards true environmental justice."

Kevin Miller, Senior Director of Public Policy at ChargePoint, the nation's lead EV charging network said, "The Empire State has long been an environmental leader, and with this package of bills, the State Senate is taking New York's commitment to a green future to the

next level. By supporting public fleets as they join the electric mobility revolution and ensuring parking lots and buildings are prepared to meet increased demand for charging, these bills lay critical groundwork for New York to lead the nation's transition to electric vehicles.”

Betta Broad, Campaign Director, New Yorkers for Clean Power said, “We are thrilled that the Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021 will be included in the NYS Senate's Earth Day bill package," said "This legislation will help New York achieve our climate goals in the building sector as well as saving New Yorkers \$15 billion dollars by 2035, at a time when so many people are struggling to afford their utility bills.”

Jessica Ottney Mahar, The Nature Conservancy’s New York Policy and Strategy Director said, “The Nature Conservancy applauds the State Senate for passing legislation to reduce pollution and advance the transition to renewable energy in recognition of Earth Day. Passage of these bills follows historic environmental investments in the state budget, including the \$4.2 billion Clean Water, Clean Air, and Green Jobs Bond Act, a historic \$400 million Environmental Protection Fund, and \$500 million for clean water projects. We commend and thank the New York Senate, Majority Leader Andrea Stewart-Cousins, and Environmental Conservation Committee Chair Todd Kaminsky for their continued environmental leadership.”

RELATED LEGISLATION

2021-S8330

-
- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to display of governor's portraits in the state capitol

February 14, 2022

In Senate Committee [Investigations and Government Operations](#)

Sponsored by [Alexis Weik](#)

Do you support this bill?

2021-S1237

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the general civil penalty of the environmental conservation law

January 08, 2021

In Assembly Committee

Sponsored by **Michael Gianaris**

Do you support this bill?

2021-S7453A

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes the electric landscaping equipment rebate program; provides for the repeal of such provisions upon expiration thereof

October 20, 2021

Passed Assembly

Sponsored by [Liz Krueger](#)

Do you support this bill?

2021-S1103A

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes the bottle redemption fraud task force

January 06, 2021

In Assembly Committee

Sponsored by **Todd Kaminsky**

Do you support this bill?

2021-S7176

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to establishing the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021"

June 04, 2021

In Assembly Committee

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

2021-S6919

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Allows certain customer-generators who generate solar electricity to donate credit for such electricity to low-income families

May 20, 2021

Passed Assembly

Sponsored by [Timothy M. Kennedy](#)

Do you support this bill?

2021-S370A

- Introduced

- ○ In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

-

Requires certain state owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles

December 30, 2020

In Assembly Committee

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

2021-S23A

Clean Vehicles, Electric Vehicle Charging, electric cars, Electric Vehicle

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

-

Requires the construction of certain parking facilities to be capable of supporting electric vehicle charging stations

December 17, 2020

Passed Assembly

Sponsored by [Anna M. Kaplan](#)

Do you support this bill?

2021-S2995

- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
 - Delivered to Governor
 - Signed By Governor
 -

Provides an exemption from requirements for the alienation of parkland for certain renewable energy generating projects

January 26, 2021

In Assembly Committee

Sponsored by **Pete Harckham**

Do you support this bill?

2021-S5027B

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes a carpet collection program

February 22, 2021

Senate Floor Calendar

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

2021-S659

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to agreements related to renewable energy development rights on reforestation areas

January 04, 2021

In Assembly Committee

Sponsored by [Rachel May](#)

Do you support this bill?

2021-S3229A

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Provides for a tax abatement for electric energy storage equipment

January 28, 2021

In Assembly Committee

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

2021-S2838C

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the purchase or lease of zero emission vehicles for state-owned vehicle fleets

January 26, 2021

Passed Assembly

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

2021-S1421

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Prohibits the lease of state forests, wildlife management areas and unique areas for the purpose of gas production

January 12, 2021

In Assembly Committee

Sponsored by **Jose M. Serrano**

Do you support this bill?

2021-S1829A

- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Directs the New York state energy research and development authority to prepare a report regarding the replacement of certain electric generating sites with renewable energy development and energy storage

January 16, 2021

Senate Floor Calendar

Sponsored by [James Skoufis](#)

Do you support this bill?