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RGGI Programs
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Via email: rggiprograms@nyserdera.ny.gov

Dear Sir or Madam:

Thank you for the opportunity to comment on the draft Regional Green House Gas Initiative Operating Plan Amendment for 2015 (Operating Plan). The Nature Conservancy appreciates the New York State Energy Research and Development Authority's (NYSERDA) consideration of stakeholder comments to guide the spending of proceeds from the Regional Greenhouse Gas Initiative (RGGI) for environmental programs.

The Conservancy's lead scientists have identified climate change as the greatest long-term threat to our conservation mission—to protect the lands and waters in which all life depends. Climate change is already affecting our lives and the places we live, and will dramatically impact the lives of future generations. Limiting emissions of greenhouse gases is urgently needed to avoid triggering the most severe impacts of sea-level rise, weather disturbances, and habitat loss, while adapting to a climate-changed world is a near-term imperative.

New York has been a leader in addressing climate change through its participation in RGGI and continued innovation through the Reforming the Energy Vision (REV) proceeding, which provides a tremendous opportunity to invest in clean energy and dramatically reduce greenhouse gas emissions from energy generation. RGGI funds should be deployed in a strategic manner that is aligned with other State energy initiatives. As REV transitions the State into a distributed clean energy future, in line with EPA's proposed GHG emissions reduction targets, the most effective use of RGGI funds could be to support programs that advance these efforts. As NYSERDA considers the Operating Plan for RGGI and the state grapples with tackling climate change, The Nature Conservancy urges a dual approach in which we aggressively reduce greenhouse gas emissions and appropriately invest in the necessary science and tools to adapt to an already changing climate. RGGI proceeds are an appropriate means for the state to more comprehensively invest in the necessary tools for climate adaptation.

Maintain Funding the Climate Research and Analysis Program

As New York grapples with climate change, additional science and research is necessary to help guide appropriate investments and decision making, and to develop a deeper level of understanding of the projected impacts. Particularly in the context of REV, research is needed to better understand how our renewable energy and distributed generation choices will help meet our emission reduction goals. NYSERDA should invest in the necessary modeling to develop this analysis to help guide the investments outlined in the REV proceeding and develop quantifiable emission reductions outcomes.

A key objective of RGGI is to assess and mitigate the environmental impacts associated with energy generation. The Nature Conservancy urges NYSERDA make further investments in climate research to meet that laudable goal. The proposed Operating Plan reflects a reduction in research from previous levels. We strongly encourage NYSERDA to remedy this in the final Operating Plan Amendment.

Additionally, climate research can help communities better adapt to climate change and better protect our valuable natural resources for the future. As an example, through funding from NYSERDA, The Nature Conservancy is working on developing tools that assess future impacts of climate change and provide the necessary information for decision-makers to protect natural and community resources. The Climate Change Adaptation Tool Kit is an example of how innovative use of data and modeling will enable communities and decision makers at all levels to make better informed investment decisions in anticipation of climate change influences.

Proceeds Should Be Used Solely for RGGI Programs

The Fiscal Year 2015-2016 New York State budget swept \$41 million into the general fund from RGGI. The justification for this action was that the funds were being invested in a clean energy tax credit and the Environmental Protection Fund, however there is not a clear correlation or connection in the associated budget language. Particularly as NYSERDA reports a deficit in the Operating Plan, this transfer of funds is not fiscally responsible or representative of the core objectives of RGGI. RGGI funds should be more clearly allocated in a manner consistent with climate mitigation, not brought on budget to address general fund relief or to supplant funding for other environmental programs. Further, any additional proceeds from the auction of allowances during this Operating Plan should first go to addressing the reported deficit.

Consider Additional Stakeholder Engagement Techniques

NYSERDA goes to great lengths to engage stakeholders through meetings, soliciting comments and publishing regular reports on the use of RGGI funds. These steps are already consistent with the State Administrative Procedures Act (SAPA), but do not utilize all of the requirements under law. While RGGI is not subject to SAPA, we ask NYSERDA consider further steps to increase stakeholder participation through the development of a responsiveness summary on the comments received on the Operating Plan. Stakeholders would benefit from understanding the rationale for changes or feedback that was rejected, as well as a formal notice of each annual Amendment in the New York State Register.

Climate Adaptation

Superstorm Sandy, Hurricanes Irene and Lee acutely demonstrated the need for New York to prepare for what Governor Cuomo has referred to as the “new normal” and adapt to a changing climate. New York has positioned itself as a leader on climate adaptation policy with the passage of the Community Risk and Resiliency Act, which requires future impacts such as sea level rise, storm surge and flooding be considered in certain funding and permit decisions. However, in order to reduce risk to our communities from impacts of climate change, further investments in resilience measures that include natural infrastructure are needed. New York’s wetlands, salt marshes and other natural features not only represent important ecological areas, but also act as the first line of defense to our communities during severe weather events. As the Governor’s 2100 Commission highlighted, the utilization of natural systems and ecosystem restoration are an essential part of reducing risk to our communities.

As noted in the operating plan, the Cleaner Greener Communities represents an opportunity to work with municipalities to emphasize the importance of green infrastructure and environmental protection. The Nature Conservancy supports further investments in strategies to fund natural infrastructure projects and climate adaptation throughout the state.

Forest Carbon Sequestration

We are encouraged that RGGI has adopted a Forest Offset Protocol but we are unclear how this has been utilized within New York. The Nature Conservancy, through our Working Woodlands Program, is currently working with large landowners to sell forest carbon offsets through the California Air Resources Board and via voluntary markets using the Verified Carbon Standards. We welcome the opportunity to work with NYSERDA to further capitalize on the forest offset protocols here in New York for the primary purpose of protecting northeastern forest system and enhancing the health of these systems so they may further sequester carbon locally.

Conclusion

The Nature Conservancy applauds NYSERDA for its continued efforts to reduce emissions fueling climate change and urges continued investments in clean energy programs through the RGGI Operating Plan. Further, we encourage additional investments in the necessary science and tools to address the impacts and costs of climate change that communities all across the state are already experiencing.

Sincerely,



Stuart F. Gruskin
Chief Conservation and External Affairs Officer