All Our Energy
PO Box 381 Point Lookout, NY 11569 516-595-WIND
Climate action and environmental protection that uplifts our communities.


***All Our Energy is a Long-Island-based nonprofit environmental protection organization founded in 2014. We fight climate change and its impacts through public engagement on energy, utility, waste, and pollution issues, to build the movement to better our environment and uplift our communities.***

# General comments

As with any New York State legislation, clear enforcement, funding, goals, targets, requirements, benchmarks, metrics, timelines, deadlines, reporting, chain of authority, responsible parties and their expected responsibilities, regulating authorities and their responsibility to that legislation must all be specified in any document, decree, or in any legislated matter relating to codify and implement the recommendations from this advisory committee. Additionally, penalties for failure to comply as well as the state agencies tasked with oversight for each item, and timelines as part of their assignment of these responsibilities, must also be mandated.

All decision making should be based on facts. Lies or statements provably untrue, or proven untrue, and those providing false witness or testimony, or who have proven to have deceived the people of New York State through its regulators, should be reprimanded and corrected on the record. It should not be considered free speech for those being regulated to TESTIFY falsely to the people of New York or anyone representing them, without consequences- both in representation of any business and potentially personally, as well.

False Solutions and public funding of unproven technologies and processes must be banished from discussions and methods as means to reach our climate goals until such a time they are proven at scale and at competitive cost. These include
“Direct Air” or “Carbon Capture”
“Green” Hydrogen
Carbon Offsets or “Net Zero” emissions which allow emissions to continue
“Chemical” or “Advanced” Recycling

All Our Energy supports the CAC’s strategies (5.3) : Energy efficiency measures that achieve the Climate Act energy efficiency goal Transition from fossil gas to electrification in buildings Zero emissions electricity Transportation electrification Enhancement of transit, smart growth, and reduced vehicle miles traveled (VMT) A transition to low-GWP refrigerants and enhanced refrigerant management Maximizing carbon sequestration in New York’s lands and forests Fugitive methane emissions mitigation across the waste, agriculture, and energy sectors A diverse portfolio of solutions in industry, including efficiency, electrification and we do not support carbon capture technologies.

Those pushing these schemes should be willing to risk >their< private equity first to prove scalability and feasibility, not force the residents of New York State to pay to be an experiment. For example, “direct air capture” or “carbon capture” is still unproven and expensive technology even after 40 years of theoretical knowledge. Yet, it is nowhere near ready to be part of this proceeding as a viable method of reducing carbon; but there it is in the scoping documents as if its real, and as if it’s fabulous. It’s neither- it is a false solution that is going nowhere for our climate problems and distracts from what we need to do- REDUCE emissions. With industry and status quo stakeholders insisting it should be counted now towards future GHG reductions- which it has no track record of reducing- and when decades of

theoretical plans have never worked at scale, at cost, or with the expected outcome, is more than proof it DOESN'T WORK. New Yorkers must not be on the hook for all the financial and climate risk and loss of time to move to proven technologies like renewables-wind, solar, geothermal-due to the distraction of industry's undeveloped and unproven plans being given primary consideration; plans which merely are meant to allow their polluting to continue until some future time as the public finally demands these false solutions to deliver the long promised but never delivered real-world results- which could easily be too late or there be too little funds left to meet our goals.

"Green" Hydrogen: False Solution

"Green" hydrogen, generated from renewable energy, may be used under certain circumstances but should not be used as the basic method to fully replace energy generation by fossil fuels. As a pathway to cut greenhouse gas emissions, green hydrogen is expensive, wasteful, polluting and inconvenient. The process of using renewable power to make green hydrogen, which would then be burned to obtain electricity, is incredibly wasteful, needing more than two thirds of the currently available renewable energy to create it. Those resources should be used to build new renewable infrastructure rather than leaving the old facilities in place which would discourage movement towards the future of renewable energy. The creation of green hydrogen leads to the emission of NOx. This pollutant, which causes acid rain and smog, harms our environment and public health, leading to increases in asthma, pulmonary disease, and stroke.

The plan must clearly define the obligation of each agency and others' obligations in regard to CLCPA Sections 7(1), 7(2), and 7(3) in Article 75 of the Environmental Conservation Law to ensure the achievement of the CLCPA investment mandate.

All Our Energy knows: we cannot burn our way out of the climate crisis, as burning and the substances used to burn and the processes used to facilitate that, are the direct heart of that crisis, so our solutions must reflect that acknowledgement: any further moves us in the wrong direction and must be eliminated and avoided in favor of non-burning, non-nuclear, non-food-competitive energy sources.

Additionally, there must be funding for a completely new era of fully robust and proactive NY State Department of Environmental Conservation enforcement and oversight needed throughout most facets of this plan. DEC are currently woefully understaffed, underfunded and too politically aligned with the Governor's office and the Governor's interests and political considerations, instead of the people's, the public interest, and in enforcement of existing law and statutes.

Something this committee must also acknowledge is, who is speaking.
We have terribly underfunded, mainly grassroots justice, environmental and community organizations, and citizens -all with no profit or enrichment motive- who are trying desperately to stop climate change. All sacrifice their own time and energy and any limited funding to make the world a better place. At the same time, their opponents have all the funding, staff, resources, legal teams, and hold much of the power and are being well paid to fight this change. But their causes are not equal. Those with a personal enrichment, profit, or business preservation motive are entitled to use their speech, including the companies, utilities and others whose efforts out in the real world to stop any and all change every day are NOT done in the public interest, and who we are fighting to stop. The testimony and stories of those working in the public interest should be seen as more equitable and valuable.

Here, we address the relevant areas of the scoping plan we have opinions and valid experience and knowledge of.

## Public Health

In New York State, people of color and low- and moderate-income households live closer to fossil fuel plants leading to greater proximity to air pollution emissions. Together with increasing stresses related to climate change, those communities will have greater rates of illness, hospitalization and death, resulting in a public health disparity.

The chapter concedes that a shift towards the use of renewable energy must be pursued to reduce greenhouse gas emissions and air pollutants. However, the scoping plan calls for the use of "green" hydrogen and carbon capture technologies. "Green" hydrogen is inefficient, it generates nitrogen oxides, a pollutant, and it is very expensive and carbon capture is not seen as commercially viable. The use of these "solutions" would not result in the reduction of pollutants and greenhouse gas emissions necessary to improve public health outcomes by reducing illness, hospitalization, and death. They must not be included in the final scoping plan.

Along with energy efficiency and electrification of the building sector, the state should take action to address polluted home environments. Solutions should also include recognizing code violations which could lead to flooding and ensuring sufficient green space in areas which have disadvantaged communities. There should also be a plan for delineating improvements in public health, such as tracking hospitalizations over the next 30 years to determine whether outcomes are improving. The scoping plan must outline detailed public health guidelines to decrease environmental burdens that cause physical ailments such as respiratory illness.

The plan must include new home intervention programs or expand and increase existing ones to improve adoption of energy efficiency upgrades, especially in low and middle income and disadvantaged communities, so no one is left behind in the transition off climate emissions.

New York leads the nation in premature deaths caused by the air pollution from burning fossil fuels in buildings (around 1,000 early deaths/year). Gas stoves can cause and trigger asthma and worsen respiratory illnesses like COVID-19. For example, children living in homes with gas stoves have a 42% higher risk of experiencing asthma symptoms. The Climate Action Council (CAC) estimated that "decarbonizing New York can result in a substantial health benefit from improved air quality, on the order of $50 billion to $120 billion from 2020 through 2050 (based on reduced mortality and other health outcomes), plus $40 billion associated with the health benefits of increased active transportation, and $9 billion in health benefits associated with energy efficiency interventions in LMI homes.

Maximizing Public Health Benefits Requires Minimizing False Solutions

Unfortunately, parts of the DSP oppose to efforts to move away from emitting fuels by supporting false solutions such as the combustion of green hydrogen, waste incineration, and carbon capture technologies (which remain unproven). To truly combat the detrimental health disparities from pollution, the Climate Action Council must take a stronger stance by rejecting these false solutions. The Final Scoping Plan (FSP) should contain detailed public health guidelines to track and measure desired improvements in health. Not only will this show the seriousness with which New York State is acting to protect our residents, but it will also help keep the State accountable to its equity, public health, and climate commitments enshrined in law.

Integrating Public Health into Mitigation Strategies
The most direct health impacts of climate change, like increased heat stress, exacerbation of respiratory conditions, increased risk of food and water borne disease, increased severity and duration of allergy symptoms, and increased risk of injury and death due to extreme precipitation must be addressed. Continued sea level rise and temperature increase will intensify superstorms, which could result in more food and drinking water failures and must be prepared for and mitigated.

Within New York State, race and income have been clearly linked to health disparities related to heart disease, hospitalization rates for asthma, and diabetes. The primary components comprising these risks stem from air pollution: ozone, sulfur dioxide, nitrogen oxides, and particulate matter. Carbon-based fuel combustion also directly emits greenhouse gasses, VOCs, and carbon monoxide, which are also associated with a range of adverse health outcomes. These pollutants can contribute to respiratory effects, morbidity, mortality, cardiovascular effects and cancer and should be addressed and minimized.

## Chapter 6 Climate Justice

Every facet of this plan absolutely must be looked at through a climate justice lens and must acknowledge and uplift communities who have suffered at the hands of climate damage, unequivocally. Whether impacts from super storms, living in the shadow of unscrupulous and/or unaccountable power plants, incinerators, or landfills, these communities are entitled to compensation, representation, and should receive the proper equity to allow them to uplift themselves out of the problems others have saddled them with, as best they see fit and with deference to the solutions and suggestions they promulgate from within their communities on how to best do that, with a readiness to help accommodate their wishes.

Because many Climate Justice issues relate to specific chapters of this scoping plan, we have included those comments in line with the chapters they belong with, as this issue must be part of every plan and every solution.

## Chapter 7. Just Transition

The Scoping Plan fails to adequately address direct support for displaced workers. The CAC should recommend the establishment of a Worker and Community Assurance Fund to provide direct support to fossil fuel-dependent workers across sectors as well as to communities who rely on fossil-fuel-dependent industries. Support should include wage replacement and pension support for displaced workers as well as expanded funding for lost tax base to municipal and county governments as well as school districts.

There is a need for stronger labor standards. Instead of stating that “labor standards should be further evaluated and enhanced,” the Scoping Plan must lay out policies requiring prevailing wage and benefits, project labor agreements, benchmarks for local hire, as well as encourage community benefits agreements on any projects that use State funds or take place on State property.

The Scoping Plan should also advance Buy NY and Best Value Procurement policies, leveraging the State’s purchasing and contracting power to (a) incentivize job creation along the clean energy, clean transportation, and low-carbon supply chains; and (b) prioritize companies and contracts that support

local hire, high-roads jobs, and job access for traditionally excluded populations. The State should also consider additional policies and programs to incentivize companies to bring high-roads green jobs to NY.

The State should provide direct funding for training, workforce development, apprenticeship, and pre-apprenticeship programs across sectors (e.g. training for public transit workers, school bus workers, and waste haulers on electric vehicles; training for buildings workforce on new manufacturing methods and construction approaches to improve building envelopes; and training for fossil fuel industry employees on clean energy technology). This should include funding (wage coverage) to support worker attendance at existing training courses.

Emissions must be reduced in a way that disadvantaged communities are not economically burdened and, in fact, see the historical overburden of pollution and environmental degradation reduced.

## Chapter 11. Transportation

The transportation sector produced 47% of New York State's emissions of CO2 in 2018 and, between 1990 and 2018, the emissions from the transportation sector have increased 31%.[1] (1) Reduction of these emissions is extremely important to both meet our environmental mandates and to protect public health.

As soon as possible, all vehicles, starting with public fleets, should be converted to zero emissions vehicles. There must also be a focus not only on increasing the private purchase of electric vehicles, but there must be a financing mechanism provided which would enable people of lower economic means to acquire new and used electric vehicles. There is also a need for more transparent language concerning policies and incentives which will prompt the public to change their habits and make more sustainable choices.

We must invest in our mass transit to make public transport more sustainable as well as attractive and convenient to the public. Electrification is paramount since toxic emissions from internal combustion engines include particulate matter and NOx, which exacerbate air pollution and climate change and are detrimental to public health, especially that of disadvantaged communities. Improved and electrified city rail transportation will move people in a more sustainable fashion. The creation of high rail transport will connect regions throughout the state with less dependence on fossil fuel driven airplanes as well as being more convenient and less costly. An express bus system can be promoted as a sustainable solution in areas where there is insufficient density to maintain a rail system.

We must also ensure that investment strategies be used to promote sustainability, as we facilitate growth in areas that are appropriate, while also considering that the rate, design, and density of our economic growth must be carefully chosen to most benefit the health of our environment and our communities.

Every new gasoline/diesel powered vehicle sold locks in pollution & emissions for over a decade and is responsible for pollution-related health and environmental justice concerns.
All forms of transportation now burning fossil fuels should convert to zero emissions, especially battery-electric, as fast as feasible, starting with public fleets.

[1] Citizens Budget Commission; 4 Facts About New York's Transportation Emissions: Nov. 11, 2021. https://cbcny.org/research/4-facts-about-new-yorks-transportation-emissions

Expanding, electrifying, and improving public transportation, including an express bus system, must be a top priority to reduce emissions, improve access, especially for disadvantaged communities, and improve public safety. Electric vehicles avoid local toxic emissions such as fine particulates and NOx caused by combustion engines. an express bus system
Loans should be available to cover the full front-end costs of new and secondhand electric cars, especially for working people struggling to make ends meet.

We must begin major investments to electrify, expand, and improve intercity rail transportation of both people and freight to reduce emissions, improve access, and create many good jobs.

## Chapter 12. Buildings

Buildings are New York's largest source of greenhouse gas emissions. These emissions come from burning fossil fuels for heating, hot water, and cooking, as well as the methane leaks along the gas distribution system. "Natural" gas is not a "bridge fuel" because methane is 86x worse for the climate than CO2 over a 20-year period. The Climate Action Council has estimated that we need to install heat pumps in at least 1.5 million buildings by 2030 to meet the State's legally mandated emissions reduction targets. Delay will lead to deaths, human suffering, and staggering costs from flooding, storms and heatwaves. From 2000 to 2021, the State experienced 51 billion-dollar climate disasters. The cost of these disasters is up to $100 billion over the last 21 years, and in 2021 alone, up to $20 billion. Lack of action will cause the health of communities of color and low-income to be hit first and worst by the climate crisis: either by displacement from hurricanes, hospitalizations from heatwaves, or death from chronic air pollution.

Decarbonizing buildings requires that new buildings are built without fossil fuel combustion systems or appliances starting for small buildings in 2024 and large buildings in 2027. This would save an additional 4 million metric tons of CO2 by 2040— the equivalent of keeping 870,000 cars off the road for one year, every year.

New all-electric buildings are often more affordable to build than new fossil-fueled buildings. A new all-electric home is less expensive to build than a mixed-fuel home with gas and air conditioning. The Long Island Power Authority found that a new all-electric home on Long Island costs less than a new home with gas and central air conditioning - even before rebates, for a net savings, plus thereafter of over $700 annually, while eliminating all household gas combustion and its toxic air pollution and climate effects. Researchers at the Harvard T.H. Chan School of Public Health, PSE Healthy Energy, Atmospheric and Environmental Research (AER), Gas Safety Inc., Boston University, and Home Energy Efficiency Team (HEET), released a study that shows that gas stoves pose a serious health risk to people inside their homes. The full chemical makeup of gas in everyday kitchen stoves contains at least 21 toxic air pollutants, including benzene, toluene, ethylbenzene, xylene, and hexane. These pollutants are linked to cancer or other serious health effects. The researchers also found that many gas leaks are virtually undetectable by smell, meaning gas stoves can expose you to toxic pollutants without your awareness. The findings reaffirm what environmental advocates have long said: switching from gas to electric stoves isn't just good for the climate, but essential for public health.

Every new building built with fossil-fuel appliances locks in pollution & emissions for several decades and will require an expensive retrofit to meet emissions reductions. It is unethical to allow any further new fossil fuel buildings that will have brand new, yet obsolete household system that will need to be replaced before their expected lifespan. .

The buildings chapter failed to advance recommendations from the Climate Justice Working Group around consumer and community protections that would guard against energy rate increases, predatory business practices, mistreatment by landlords, and gentrification and neighborhood displacement. The following recommendations should be included in the final scoping plan:

- Utility customer bill of rights
- Safety net guarantee of affordable renewable energy to every household
- Public education to combat the power of the investor-owned utilities and the opaqueness of the energy system
- Funds reclamation provisions for public subsidies to private landlords as an anti-displacement strategy to mitigate rent increases and evictions

## Chapter 13. Electricity

We fully support all efforts to build out expansive large scale renewable energy and transmission projects to make that viable. Offshore Wind is a huge game-changer for our electricity generation system and we remain vigilant to see it built, and see it built correctly for the environment and our communities from the myriad players about to launch this industry.

Decarbonizing buildings, transportation, and some industry depends on #ElectrifyEverything. So we need an efficient and clean grid, to reduce and eventually eliminate emissions from the power gen sector. We must utilize proven renewable energy technologies and expand for renewable generation. We must shut down fossil fuel plants, not allow any new plants or repowering of closed plants, and focus on deploying proven renewable energy technologies and battery storage. We should replace current fossil fuels that exacerbate pollution impacts on communities and fund the transition off of fossil fuels for workers and communities around these plants. We must set year-by-year targets for new wind, solar, and battery storage that champions just job development with permanence and benefits, and we must support green worker-owned cooperatives in partnership with organized labor and frontline communities.

## Chapter 14. Industry

The final scoping plan must clarify that climate and environmental justice is its main objective—not business development.

We need to electrify. Industrial heat must be electrified wherever feasible and reliance on green hydrogen and hydrogen combustion needs to be limited, as it continues to place an overwhelming burden on disadvantaged communities.

We oppose reliance on carbon capture and sequestration, and we're calling for a moratorium on "proof of work" cryptocurrency mining until a full environmental impact statement is completed. Proliferation of fossil-fueled (or Renewable energy draining) Proof of Work crypto mining seriously impedes reducing emissions.

If the state can focus on incentive-based measures catered to energy efficiency, workforce development will thrive, emissions reductions standards will become feasible, and reaching our emission goals by 2050 will be possible.

Demand-side changes must be leveraged, and their adoption must finally be enforced by NYS Department of Public Service, who continue to allow those they regulate to not adopt them, and then say since they didn't adopt them, they aren't working. New York state regulators MUST enforce the intent of the existing tariffs and other regulatory framework to assure demand side is part of all energy transition mitigation.

## Chapter 15. Agriculture and Forestry

New York must incentivize agroecology, agroforestry, and regenerative organic agriculture; preserve forests and farmland, and disincentivize Confined Animal Feeding Operations (CAFOs), biofuels, carbon offsets, and all carbon markets.

- Our state must invest in programs to enable underserved communities, including BIPOC, women, LGBTQIA+, low-income, veteran, and beginning farmers, and undocumented farmworkers employed on farms in NYS, to access land and farming resources.
- We must protect and restore our soil resources—and our rural economies and communities—by providing a base income to land managers who regenerate soil.
- We must create more farms, gardens, forests, urban greenery, and state parks for the good of public health.
- By supporting a greater diversity of farms and farmers, we'll have more carbon in our soil and healthier, fresher food on our tables.

## Chapter 16. Waste

### *Moving New York to Zero waste is climate action.*

Reducing waste sector emissions is critical to achieving CLCPA targets. The issue of waste has become an issue which impacts both climate change and environmental justice. Plastic has become ubiquitous throughout the world. Plastic emits greenhouse gases throughout its life cycle: production, distribution, and disposal. The increase in plastic production has exploded since the 1950s, resulting in plastic debris being discovered from the bowels of the Earth to its highest mountains and even the discovery of microplastics within the bodies of humans and wildlife. Mitigation of this challenge is also vital since, if plastic production was designated as a country, plastics would be the fifth highest emitter of greenhouse gases. In addition, the plan should improve waste management for environmental justice and prioritize zero waste efforts. Better waste management practices play a key role in reducing statewide emissions and assist with meeting emissions reduction mandates of the Climate Leadership and Community Protection Act (CLCPA).

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## *Extended Producer Responsibility*

Assure any and all Extended Producer Responsibility (EPR) policies are adopted as soon as possible, include MANDATED amounts, timelines, penalties, enforcement oversight, and do not allow the regulated industries involved to decide the rules, focus, activities, nor what is covered and what the penalties are. Good plans include waste reduction and post-consumer content. The aim should be that ALL packaging should be recyclable and be recycled or be 100% certified compostable state-wide and be composted to move to a zero-waste statewide culture.

Incentives must focus on reuse, refilling, full recycling and use of recycled content, and waste reduction, with powerful financial disincentives for noncompliance.

Strong definitions of “recycling” should not include incineration, waste to energy, nor alternate landfilling in roads or other structures. Recycling means the product is made into another usable similar product, which itself is also recyclable. Downcycling into a form that cannot be recycled in this way, must not be considered “recycling” either, as the term implies a new future for the material, and should not mean a final material that is no longer part of a circular materials loop.
Recycling should not include any form of combusting waste, including plastics. This means no “advanced recycling,” “chemical recycling,” or pyrolysis. The alternative to burning difficult-to-recycle plastics is to **stop producing plastics that are difficult to recycle and reduce**, and eventually eliminate, the production of these plastics (typically low-value, flexible, resin types 3-7).

Update the most successful EPR in the history of New York- the bottle bill, in accordance with a strong EPR- they are two policies that work best together, in concert, to achieve the best climate and environmental outcome and benefits for our communities.

- Expand the program to include wine, spirits, hard cider, and most non-carbonated beverages.
- Increase the deposit from a nickel to a dime and use revenues to support recycling equity.
- Including a modernized bottle recycling bill ensures that New York will lead the way in reducing waste, litter, and greenhouse gas emissions. Over its 40-year history, the Bottle Bill has proven to be a highly effective program in reducing litter and increasing recycling rates. In 2020, New York’s redemption rate was at 64%. It reduces roadside container litter by 70%, and in 2020, 5.5 billion containers were recycled in the state.
- States with a 10-cent deposit regularly achieve 80%+ recycling rate. New York can take a huge step towards zero waste by strengthening and expanding this successful policy
- A new, expanded Bottle Bill should be enacted. New York’s Bottle Deposit Law, adopted in 1982, has been extremely successful. As recently as 2020, the redemption rate was at 64%. Its expansion, by 1) doubling the deposit, thereby giving a greater incentive to recycle, and by 2) increasing the types of containers recycled to include other plastic containers like sports drinks, coffee and tea beverages, fruit or vegetable juices and liquor and wine bottles, would vastly increase the recycling of containers. Michigan and Oregon have seen over 90% of their containers redeemed with a 10 cent deposit, leading to a reduction in waste and greenhouse gas emissions.
- Increased enforcement of the NYS Bottle Bill and the plastic bag ban by the DEC is also necessary. Even after 40 years, there are stores in NYC that still make it difficult for customers to return empty containers. Moreover, over 100 stores in NYC still give out plastic bags in direct violation of The Bag Waste Reduction Law. To reduce greenhouse gas emissions, which impact on climate change, the DEC needs to step up its enforcement to eliminate these sources.

Strategies to get to zero-waste include the re-use and repair of discarded products, upcycling, recycling, composting (on-site, community, and commercial), and the use of systems which will provide for the reuse and re-fill of plastic containers. The use of single use plastics (utensils, straws, etc.) must be reduced by enacting legislation that would require restaurants and other food purveyors to give those items out “by request only”. All such outlets should be required to provide customers with reusable and refillable options such as reusable utensils, plates, and glasses in place of plastic and paper items. Single use packaged items should be phased out.

Computers and other electronic devices, where unable to reuse or repair, should be disassembled for working parts to be resold or reused prior to being discarded, rather than summarily shredded. Standards must be enacted which provide for greater use of recycled content in plastic packaging. By increasing the value of recycled materials, this would lead to an increased circular plastic economy leading to less incineration and less use of “virgin resin”. Reducing the need to extract natural resources would decrease greenhouse gas emissions. The scoping plan must require that an EPR bill is enacted in which the legislation itself will set specific requirements, including rates and a timetable, for the reduction of packaging and post-consumer recycled content.

NYS must mandate that its procurement services cannot purchase single use disposable items and that all state facilities utilize reuse and refill systems. All state parks and buildings should ban the sales of single use items, including bottled water and should instead make refill stations available to guests to refill their reusable bottle.

The NYS Bag Waste Reduction Law should be expanded to include restaurants and other businesses and plastic produce bags should be banned in supermarkets. Single use paper bags should be provided and the use of reusable bags should be encouraged, rather than the continued use of plastic bags. Toxic chemicals utilized by manufacturers in plastic packaging, including PFAS and phthalates, must be eliminated. Not only are they dangerous to human health when first utilized, but when we reuse and recycle materials, the toxicity will increase and become even more harmful. The elimination of toxic chemicals must be enacted to eliminate this danger to public health.

All single use plastic items, especially utensils, straws, and the like should be banned or at the least be mandated to be given by request only

*Organics and waste reduction*

Include a state-wide strategy for diverting organic waste from landfills and incinerators, including revisions to the Food Donation and Food Scrap Recycling Law, bans on the incineration or disposal of food waste where possible, revisions to the state’s food delivery and food procurement programs to reduce food waste generation, and strategies to increase the number of composting and other organics recycling facilities.

Include policy and strategy recommendations to reduce waste generation, including per ton surcharges on waste generation, policies to incentivize re-use, and policies to mandate retail recycling strategies.

The final scoping plan should explicitly mandate decommissioning NYS incinerators and ending contracts with out-of-state incinerators by 2030, as well as removing subsidies and rejecting permits for any new incinerators, or incineration facilities by any other names.

The final scoping plan should ban organics to landfills and incinerators, with a goal of ending the shipment of all waste to landfills and incinerators by 2050 and converting these facilities to sustainable uses.

As an alternative to landfills and incinerators, the final scoping plan's waste section should expand local-scale composting and recycling in equitably geographically distributed, well-run sites and facilities. This should include the conversion of some local transfer stations into composting, sorting, and processing sites.

The final scoping plan's waste section must include zero waste strategies to address the waste crisis in Disadvantaged Communities (DACs), communities overburdened by waste transfer stations, incinerators, landfills, etc. Zero-waste strategies include re-use, upcycling, recycling, composting (on-site, community, and commercial), and re-fill systems and collection infrastructure, etc.
The final scoping plan must explicitly state that the use of anaerobic digestion includes the pre-condition that, to the greatest degree possible, the energy generated from AD facilities be used on-site (for example, providing power to the wastewater treatment plant that is home to the digester). The use of anaerobic digestion must not lead to the construction of new pipelines that can become part of the fossil fuel distribution infrastructure. They most certainly should not become part of an infrastructure that ratepayers, nor the public, should underwrite, nor subsidize this investment in outdated pipeline infrastructure, which should all be phased out, as every dollar invested further weds us to this obsolete system.

New programs to reduce the waste of edible food scraps should be established. Waste reduction is benefits disadvantaged communities that are disproportionately situated near waste facilities and exposed to emissions associated with waste management and trucks delivering waste materials.

## Chapter 17. Economy-Wide Strategies

Electrifying and weatherizing our buildings will create 140,000-152,000 new well-paying jobs that are impossible to outsource by 2030, and 240,000-243,000 by 2050. Right now, because we are so dependent on fossil fuels, $36 billion of the $61 billion New Yorkers annually pay for energy flows out of state, draining wealth from the state's economy. Heat pump installations will keep more of the dollars we spend on energy in New York

## Chapter 18. Gas System Transition

New York must stop gas infrastructure expansion. Gas (including RNG) is methane, it invariably leaks, and when it does, it is 86 times worse for the climate than carbon dioxide. It pollutes when burned, and alternatives are generally cheaper (both in capital & operating costs).

- Without the proposed amendments to the Public Service Law, it would be nearly impossible to decarbonize NY's building sector, the biggest GHG source in the state.

- New York must pass landmark legislation like the GAS TRANSITION AND AFFORDABLE ENERGY ACT(S8198|A9329). The bill aligns Public Service Law regarding regulation and oversight of gas utilities with the climate justice and emission reduction mandates of the CLCPA to enable the timely and strategic retirement of the gas distribution system in a just and affordable manner. It ends ratepayer-subsidized utility incentives for fossil fuel expansion while ensuring the equitable provision of electric service and efficient heating, cooling, cooking, and hot water services. It requires the Public Service Commission, within one year, to develop a state-wide gas utility services decarbonization plan based on clear bi-annual gas sales reduction targets, robust analysis, and consideration of several electrification pathways. It ensures affordable access to electric heating and cooling services and to protect low-income and moderate-income customers from undue burdens as they electrify their buildings. Necessary to stop gas expansion, achieve the state's climate mandates, and avoid the utility death spiral that will raise gas utility customer costs. Decarbonization of buildings will require changes to the utility gas regulations and gas planning processes to ensure an equitable transition and manage economic risks to gas customers, municipalities, and the utilities as electrification proceeds. This bill provides clarity and direction to the Public Service Commission and to gas utilities that they must plan for and execute a strategic and equitable transition to building electrification. The bill also removed the legal barriers that the Public Service Commission now faces when attempting to implement the CLCPA as it relates to gas utilities. It resolves contradictions between the Public Service Law and the Climate Leadership and Community Protection Act (CLCPA) and eliminates a fossil fuel subsidy that drives gas expansion and increases gas bills. Requires the Public Service Commission (PSC) to develop a statewide gas utility decarbonization plan based on biannual gas sales reduction targets, robust analysis, and consideration of electrification pathways, including transition of gas utilities to geothermal utilities. Directs the PSC to ensure affordable access to electric heating and cooling services and protects low- and moderate-income families from undue cost burdens as they electrify their buildings. All of these are necessary, not just requests, for an equitable transition off of gas. Attempts by the gas industry and gas utilities to thwart this life-saving change should be viewed as thwarting lifesaving. We see it this way-that is exactly what that is.
- Vested interests want to use green hydrogen as a means for keeping our gas system in place and they tout it as a good way to transition. However, green hydrogen has many downsides. Green hydrogen leaks more frequently, is highly flammable, is expected to damage the existing gas pipeline infrastructure and possibly every hoiusehold heating and cooking system, which was not intended to contain it nor use it, and it has a greater risk of explosion. It is four times as expensive as natural gas. This will cause New Yorkers' utility bills to increase greatly. Green hydrogen will also require the replacement of building infrastructure and appliances although, currently, there are no furnaces, boilers and stoves that can use hydrogen as a power source. Utilities will be unable to change over to green hydrogen from natural gas until all homes in an area have upgraded their appliances which will delay reduction of emissions. Moreover, since hydrogen produces less heat than natural gas, the reduction in emissions realized would be less than 20%.
- Heating buildings using renewable energy and heat pumps would be cheaper and more effective. Heating pumps can be replaced one home at a time, there is no danger of explosion, and they are already being widely used- even in places considered a very cold climate.
- To first transition to green hydrogen, which would use renewable energy, is adding an additional, unnecessary layer to our transition to renewable energy and would delay shutting down our gas infrastructure, which must be done in the next three decades. To get to a future with reliable renewable energy, we should reject green hydrogen and we must also unequivocally state there must be no

grey(from mixed gas sources) nor blue hydrogen (from natural gas) whatsoever as they are both dirtier than just burning the gas itself, creating a wasteful intermediary medium for no benefit.

## Chapter 19. Land Use

The scoping plan must recognize and acknowledge the differences in needs between rural, suburban, and urban areas.

The final scoping plan must designate minimum land-use plans to ensure green space in disadvantaged communities most impacted by cardiovascular disease and type 2 diabetes exacerbated by polluted air and lack of green space.

## Chapter 20. Local Government

Ensure that Regional Economic Development Councils (REDCs) are diversified to adequately represent members of Disadvantaged Communities (DACs). Strategies should address environmental justice issues that might not have anything to do with additional growth.

To reduce co-pollutants in DACs, mitigation strategies should equally balance priorities to address the need for pollution prevention, green infrastructure, open spaces, and other environmental improvements.