

Thank you for this opportunity to provide comments on the draft Climate scoping plan. My name is Judith Myerson and I live in Pine Bush, New York, in the town of Mamakating. I am asking that you meet the goals set by the Climate Leadership and Community Protection Act, insure that our state has an effective and realistic plan in place to meet climate goals. By doing so we can serve as a model for other states and the world for a just transition to renewable energy and insure a future for humans and other species on Earth. While I am 72, and will not be here to see the results if we do not quickly shift our path, my grandchildren and their children will reap the consequences of our actions or inactions. We owe it to them to act ethically, morally, and comprehensively now, and do all that is possible to create a livable, sustainable, safe and equitable world for all.

BUILDINGS SECTOR:

Please include the following recommendations in the Buildings Sector of the plan.

This will insure that the outcomes of this plan are driven by both climate and environmental justice, as required by, the Climate Leadership and Community Protection Act (CLCPA)

Eliminating emissions from buildings

New York's 6+ million buildings, from single-family homes to big box stores, account for the largest share of the state's GHG emissions--32%, according to the most recent emissions inventory undertaken by the NYS Department of Environmental Conservation. The state also has among the oldest building stock: About three-quarters of buildings were constructed before there were any energy codes. Weatherization and efficiency improvements not only reduce greenhouse gas emissions but also provide significant savings on utility bills for residents and businesses.

Combustion of fossil fuels in our homes and buildings for heating and hot water is the main source of direct GHG emissions from buildings. The technology exists today to shift to cleaner, more efficient electricity-based solutions (air-source and ground-source heat pumps) and would result in huge additional benefits for public health and safety, largely through improvements to air quality.

To stay on track to meet the emissions targets of the Climate Act, 1-2 million New York homes will need to be electrified by 2030 with heat pumps, according to the analysis informing Scoping Plan recommendations. By 2050, nearly all buildings would rely on efficient electricity-based technologies for heating, cooling, hot water, and appliances like dryers and stoves.

The Buildings chapter calls for the adoption of advanced zero-emissions codes and standards to enhance building performance and phase out fossil fuel combustion appliances and technologies following an accelerated timeline that will require near-term enabling action by NYS legislators. While the chapter acknowledges concerns raised by the Climate Justice Working Group regarding the

need to front-load investments, technical assistance, and other resources in disadvantaged communities (DACs) to ensure those communities are not left stranded in an aging and expensive fossil fuel-based energy system, it fails to align strategies that prioritize investments in DACs with the proposed timelines for the adoption of new codes and standards. These strategies must move in lockstep to create the conditions for a Just Transition.

The chapter calls for the creation of a new Retrofit and Electrification Readiness Fund. This should be created ASAP and capitalized at a minimum of \$1 billion per year. This follows the recommendations of the Energy Efficiency and Housing Advisory Panel. The Fund should provide targeted direct investments to DACs and the affordable housing sector.

Seniors on fixed income and others who do not own their homes in rural areas are at a disadvantage. Currently there are no mechanisms, incentives or funding for rural landlords to increase energy efficiency or convert from oil to renewables in existing rental homes, as it is not their primary property. Nor is there an adequate mechanism or funding source for tenants to do so. The tenants then pay the price, literally, of poor insulation, inadequate windows, current market increases in heating oil, and do not have access to renewables or renewable technologies other than through their electric supplier. Affordable rental housing in rural areas is at a premium and renters have few options. Should their landlord agree to these improvements the cost is passed on to them.

Renters, of existing rental homes, such as myself, should be given the same ability as homeowners to increase their energy efficiency and eliminate emissions through building weatherization and similar improvements and for renewable heating/air cooling and hot water technologies. If legislation is needed for this to occur it should be passed.

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
- Clawback provisions around public subsidies to private landlords as an anti-displacement strategy to mitigate rent increases and evictions

The failure to include these recommendations in the final scoping plan will leave low- to moderate-income households and DACs vulnerable to extractive financial forces and for-profit solution providers.

The scoping plan should specifically also:

1. Ban fossil fuel heating & equipment in new buildings.

Support the Scoping Plan's proposed 2024/2027 timeframe for prohibiting fossil fuels in new building construction. This timeframe should require that:

- By 2024, all-electric energy codes are in place for new residential and mixed-use (residential/commercial) buildings under five stories;
- by 2027, all-electric codes for new construction should be extended to all residential and commercial building types.

The Draft Scoping Plan point out that this recommendation would require legislative action now, in the **2022 legislative session**, to enable regulatory action in time for a 2024 revised energy code.

2. End fossil fuel infrastructure expansion.

I support the Draft Scoping Plan's recommendations to:

- Align state laws governing utility service with the Climate Act, eliminating the requirement of utilities to supply gas service to anyone who requests it and supporting the transition to equitable, energy-efficient electrification.
- Immediately end State and utility marketing of fossil gas, and ramp up marketing and incentives for air-source and ground-source heat pumps.
- Deny new gas infrastructure permits, which would only increase GHG emissions and create more stranded assets. Additionally, urge the Climate Action Council to include language directing utilities to end expansion of the gas distribution system into new geographic areas.

I also support the Scoping Plan's focus on efficient electrification as the appropriate pathway to eliminating emissions from buildings, not false solutions like renewable natural gas (RNG) and hydrogen. RNG contributes to air pollution and cannot be produced in sufficient quantities in New York to replace fossil fuels. The production of hydrogen is polluting, and its distribution would require costly new pipeline infrastructure to deliver to buildings. **Both RNG and hydrogen are being promoted by the fossil fuel industry in an effort to prolong use of fossil fuels and related infrastructure.**

3. Initiate a managed transition from utility gas to clean heating and cooling in existing buildings to be completed by 2050, with an interim target of 2 million decarbonized buildings by 2030.

I support the Draft Scoping Plan's recommendation to:

- Develop a plan for a managed and equitable transition to clean heating and cooling systems that maintains affordable, safe, and reliable utility service and protects low- and moderate-income households from an undue burden in the

transition. Urge the Climate Action Council to include in the Scoping Plan the **Gas Transition and Affordability Act (S.8198)** to begin this process.

- 4. Include target dates for zero-emissions standards when replacing fossil fuel equipment at the end of its useful life, together with a program to affordably weatherize and upgrade buildings. This includes rental properties.**

I support the Scoping Plan's recommendations to:

- By 2030, enact zero-emissions standards for end-of-useful-life replacements of heating and hot water equipment in single-family homes and low-rise residential buildings up to 49 housing units;
- by 2035, extend these zero-emissions standards to large multifamily and commercial buildings, and also include end-of-useful-life replacements for gas appliances (e.g., stoves, dryers) in all buildings.

To support households and businesses in this transition, I urge the Climate Action Council to:

- **As soon as possible, launch a major, sustained statewide public education and information campaign to support climate-friendly choices by consumers for building improvements and equipment.** Most people are unaware of the benefits of these improvements to their homes and buildings.
- Ensure cost parity with fossil systems before 2030 in upfront costs for electrification, with incentives and financing assistance as necessary.
- Immediately ramp up easily-accessible incentive programs to encourage households and residential building owners to weatherize and undertake electrical upgrades in preparation for future electrification.
- Require an energy audit and basic weatherization and electrical service upgrades as a condition of home sales, including home sales for rental purposes.

- 5. Commit at least \$1 billion annually to support energy efficiency and electrification for Disadvantaged Communities and low- and moderate-income households, including those who rent and do not own their own homes.**

- NYSERDA has estimated that \$1 billion annually is the minimum investment required to ensure an equitable and affordable clean energy transition. The \$250 million in current State and utility spending is woefully inadequate to meet the need.
- Create a revolving loan fund for building decarbonization and the reuse of buildings and building materials, modeled on the Clean Water State Revolving Fund.

- 6. Immediately begin to identify workforce development needs and develop a plan to scale up the workforce for building decarbonization.**

The Jobs Study of the Just Transition Working Group estimates that meeting New York's climate goals will create 140,000 jobs related to buildings by 2030. Yet unless New York begins now to develop this workforce, trained workers will not exist to fill these jobs. The Scoping Plan must include a requirement to map out workforce development needs for building efficiency improvements and electrification statewide, and to engage the NYS Education Department, SUNY/CUNY system, community-based organizations, and workforce development, labor and private sector partners to develop and implement a strategy to recruit, train, and skill up the clean energy workforce required to decarbonize the building sector.