In July 2019, New York passed the Climate Leadership and Community Protection Act (CLCPA, also known as the “Climate Act), which still represents the most bold and comprehensive climate and clean energy legislation in the country. The Climate Act represents nation-leading legislation around climate and energy goals and is intended to set the stage for a sweeping set of measures designed to reduce the carbon footprint and improve the resiliency of all the communities across New York. The intent was to provide opportunities for residents and communities alike to partner with businesses, schools, and government to create a green economy and build a more sustainable future.

As the home to North America’s largest green hydrogen manufacturing project, “The Grand Canyon of the East,” several solar energy generation projects (with more in the pipeline), emerging research & development facilities focused on clean energy initiatives, and one of the best wine producing areas in the world, the Genesee/Finger Lakes Region appreciates the intent behind the Climate Act. In addition to providing drinking water to local communities, the Finger Lakes serve as huge drivers for tourism and economic development for local communities. The region also contains dozens of Climate Smart & Clean Energy Communities, which speaks not only to the commitment of municipalities but also their active resident groups who support and expand the work in their respective communities. As such, we are equally invested in the mission to find more sustainable, environmentally responsible ways to provide services, build community resiliency, and protect the natural beauty of our region. Many of the ideas discussed in the Draft Scoping Plan designed to address carbon emissions, air quality, and the quality of life for New Yorkers have merit and would help the State achieve the goals set forth in the Climate Act.

Despite the noble intent of CLCPA, however, the Draft Scoping Plan currently out for Public Comment raises fundamental questions about the logistical viability, practicality, affordability, and the overall cost for municipalities and their residents to implement such ambitious legislation. The following response was prepared by the Genesee/Finger Lakes Regional Planning Council (G/FLRPC) on behalf of our region. While each municipality can respond to the proposed legislation through the current open comments period, a collective, regional response is warranted to fully articulate the concerns of our nine member counties (Genesee, Livingston, Orleans, Wyoming, Monroe, Ontario, Wayne, Seneca, and Yates) and the 188 municipalities within. The feedback, concerns, and suggestions shared in this statement provide insight into a variety of challenges the communities in our region will face should the State continue down the aggressive path set out towards full CLCPA implementation.

**Our Region**

Of our nine member counties, only Monroe County has a traditional urban/suburban dynamic. Located directly in the middle of the Genesee/Finger Lakes Region and anchored by the City of Rochester, Monroe County boasts a population of 743,084. With nearly 62% of the region’s 1,203,660 population, a median household income of $62,087, wealthy suburbs, an active public transportation system and active citizen-led environmental groups, Monroe County has the tax base, resources, and political support to begin implementation of CLCPA mandates. In addition to actively participating in NYSERDA’s Clean Energy Communities Program and the DEC’s Climate Smart Communities programs, they are developing a Climate Action Plan, and plan to utilize it as a guide to help with Climate Act Implementation.

The eight counties that surround Monroe have a combined population of just 460,576 residents and are comprised of rural communities that are more spread out and agrarian in nature. The median household income in the other eight counties ranges from $27,202 (Yates County) to $33,730 (Ontario County), and averages out to $29,702. Many of the municipal offices in these counties run short staffed, some with part time staff members wearing multiple hats, but have the capacity required to provide basic services to residents. They are working hard to meet resident needs but lack the capacity to take on any additional programs or initiatives. The public transportation system that supports Monroe County does not run to the other eight- not only do they lack public transportation, the spread-out nature of the communities within the eight counties makes vehicle ownership a necessity. Unlike Monroe County, these counties have strong skepticism about the transition to clean energy and how it will impact the agricultural industry- the lifeblood in many of these communities.

In many ways, the dynamic that exists between Monroe County & our other member counties reflects the complex relationship between Upstate and Downstate New York. Despite the varied demographics, resources, and political leanings, the concerns voiced by our region were universal.

**Concerns**

The CLCPA mandates that Disadvantaged Communities must receive 35-40% of spending on clean energy and energy efficiency programs, projects, or investments in areas of housing, workforce development, pollution reduction, low-income energy assistance, energy, transportation, and economic development. While it is important to make sure these communities are identified and provided the resources needed to implement CLCPA measures, the lack of clarity around how disadvantaged communities are defined is troubling. According to the Climate Justice Working Group, these communities are identified based on geographic, public health, environmental hazard, and socio-economic criteria “that include, but are not limited to,” areas burdened by environmental pollution and hazards that can lead to negative public health effects, areas with at-risk populations who have traditionally been discriminated against, and areas vulnerable to the impacts of Climate Change. The traditional perception of residents who have been discriminated against, however, revolves around urban settings, race, or religious devotion. As you move out of the City of Rochester to other parts of our region, however, you find that factors included in the proposed definition of Disadvantaged Communities such as poverty, high rent burden, low educational attainment, and high unemployment are color blind, secular, and do not respect municipal boundaries. Based on these extremely broad criteria, and the low median household income in eight of our counties, a compelling argument could be made that almost all the communities in our region would qualify. Because these municipalities are not considered “Disadvantaged Communities” by other State Agencies & Authorities, however, there is genuine concern that struggling rural communities will be overlooked once again. Without a clear definition of “Disadvantaged Community” to help guide implementation, the Climate Act lacks the clarity needed to be impactful.

The Climate Act also puts heavy emphasis on solar generation- a topic that is politically charged and extremely divisive in our region. Most of our counties are heavily agricultural, and as a result do not want to see solar developments being placed on land containing high class soils. Because solar farms prefer the same topography as natural farmland, there is an inherent conflict between our ability to internally meet the state’s short and long-range needs for food and fiber, and the need to generate renewable energy. While the plan proposes an “impact fee” per MW generation capacity on projects to dissuade development of solar farms on prime farm, this will only contribute to the problem. To avoid paying this impact fee, the solar industry has started to move away from leasing property and out right purchasing it instead. Not only is this shift taking prime agricultural land out of production, but it also effectively prices the farming community out of any opportunity to produce by driving up the cost of arable land.

To fulfill the estimated 33,000 MWh of renewable off-site electric power generation needed to meet the Climate Act goals by 2050, the State will need to cover hundreds of acres of land with solar panels. With more open space in Upstate New York, as opposed to Downstate, there are strong concerns that communities Upstate will be disproportionately impacted by the use of land for solar farms. Upstate NY already has hydroelectric facilities and most of the State’s nuclear power plants- when combined with wind and solar, 90% of Upstate’s electric needs are already met by non-fossil fuel sources making the de-carbonization goals for electric generation the state has set extremely attainable. Now, we are being asked to sacrifice more land and the ability to achieve the State’s goals in our own communities to assist downstate in meeting their decarbonization goals without any discussion of how it could impact our region. Alleviating renewable energy projects from environmental review means that crucial factors such as how they affect residents’ quality of life and potential impact on tourism are no longer considered during the approval process for these projects. What will the cost be to our residents, and how will this additional burden impact our region’s ability to meet CLCPA mandates? There is a prevailing feeling that, yet again, our region and all Upstate New York will be adversely impacted to benefit Downstate, making the topic of solar siting more contentious.

There is substantial concern regarding the mandates on full-building electrification. While many of the communities in our region are willing to support the transition, they are fundamentally opposed and object to the mandate approach chosen by the Climate Action Council- all homes are required to install electric heating regardless of the cost of or feasibility of the project. The Draft Scoping Plan clearly states that the capital cost of these mandates is not feasible for most homeowners, and that “for most existing homes and businesses, the upfront costs of building electrification can be significantly higher than costs for replacing fossil fuel equipment.” It strengthens this assertion by comparing the $21,000 cost for an Air Source Heat Pump (ASHP) and $40,000 for a Ground Source Heat Pump (GSHP) to the $10,000 of fossil fuel replacements. The Draft Scoping Plan also acknowledges that, when compared to electric, the low cost of fossil fuels presents a major barrier to building electrification. It further states that, “over time, the cost of operating high efficiency electric heat pumps will need to become more attractive compared to heating with fossil fuels.” How can a law that forces a family to convert to a heating source that might not be feasible, available, or affordable be part of legislation that claims to prioritize low to moderate income residents? Considering that the estimated cost for a GSHP installation is substantial higher than the median household income in eight of our nine member counties, how can this be viewed as equitable? How is forcing additional costs on homeowners who likely cannot afford them considered Social Justice?

The directives behind the land travel transition are also concerning. The Draft Scoping Plan discusses the requirements needed for the electric transportation sector to function, and measures designed to encourage/force drivers to reduce vehicle miles through the use public transportation and EV conversion. According to the Federal Clean Air Act, however, only the Federal Government and the State of California can regulate emissions from cars and trucks. The State could adopt California’s more stringent regulations, allowing them the authority to implement measures to reduce vehicle miles or places taxes or fees on gas powered vehicles making them unaffordable. Without a ready stock of new EVs to purchase, lengthy lead times, and almost no used EVs available, how is this an equitable transition? In most cases, when your vehicle no longer runs, drivers will go purchase a used vehicle within their price range. What will happen when residents in our region, who rely on their vehicles and have no real alternatives, cannot afford to purchase an EV but can no longer afford to operate their gas-powered cars? How will they get to work? How will they get around? Should a supply of EVs suddenly become available, most communities lack the charging infrastructure necessary to support the transition. Will a substantial commitment be made to provide public charging at traditional gas stations, or will this be another “FlexFuel” fad that is not genuinely supported? By making the operation of gas-powered vehicles cost prohibitive, or no longer selling them in New York, the only real impact of this transition is drivers of gasoline powered cars will be forced to purchase EVs sooner than the rest of the country despite not having the infrastructure required.

Keep in mind that we are mandating this transition at the same time we are mandating building electrification- how many homes currently have the power capacity required to operate an electric HVAC system, electric appliances, AND EV charging? Was any consideration given to the cost required for families to upgrade or install new electrical systems in their homes to support these systems? Further, there is already a universal skilled labor shortage across every trade. Who is going to upgrade and/or install all these electrical systems? How are families that may struggle to meet CLCPA requirements expected to afford this, much less the additional infrastructure required to support full electrification in their homes?

In addition to these very real concerns, there are two factors that, if not addressed, make the entire discussion about CLCPA a theoretical exercise. These factors are the supply chain needed to implement the clean energy measures prescribed in CLCPA, and the infrastructure/power grid itself; both of which are already struggling to meet demand. What is even more frustrating for municipalities and consumers alike is that there is absolutely nothing they can do to plan accordingly or address these proactively.

**Supply Chain Issues**

There is no denying that the transition to full electrification will be a costly one for municipalities. In addition to the potential retrofits and building upgrades needed to eliminate the use of fossil fuels, local governments will also need to address their rolling stock across multiple departments. While larger communities may have the tax base and reserves to fund Climate Act mandates, many smaller communities lack the resources and general capacity needed to begin. In addition to the funding needed to cover costs, municipalities will need labor (either in-house or contracted) and materials to successfully implement CLCPA guidelines. Despite being in the initial stages of CLCPA implementation, the current market lacks the materials and skilled labor needed to complete required projects.

The City of Canandaigua, for example, earned $115,000 in incentives through NYSERDA’s Clean Energy Communities (CEC) program. They are using that money to offset the purchase of six Ford F-150 Lightning Pick-Ups to replace their Code Enforcement vehicles and four aging DPW trucks at the end of their useful life. Those vehicles, which were ordered in January, still do not have a concrete date for delivery. The Town of Geneva, who recently attempted to place an order for a F-150 Lighting using their CEC money, was told that Ford is not allowing orders to be placed until at least July 18, 2022, and the delivery date could be sometime in mid to late 2023. If communities looking to purchase electric vehicles proactively are already seeing these lengthy delays in the ordering and delivery process, what happens when the other 186 other municipalities need to make this transition as well? While both examples illustrate how problematic it will be for proactive communities with financial resources to switch out a handful of vehicles for EVs, neither includes any consideration of the heavy-duty trucks that also need to be replaced. If we are already seeing an inability to meet demand, what will the market be like in five to ten years? Will fleet conversion mandates create a bottleneck that impacts the ability or prevents communities from meeting CLCPA requirements? Does the State plan to penalize them, even if they have made every effort to comply but there simply aren’t vehicles to purchase? This EV discussion only considers municipal rolling stock- what about all the consumers who will need to purchase EVs? These types of shortages are not limited to the automotive industry either.

Despite openly acknowledging that the increased costs for equipment and operation present barriers, the CLCPA prioritizes building electrification. With all the Federal Incentives, equipment rebates, and Clean Heating & Cooling/Energy Efficiency programs available to residents across the State, now would be the perfect time for residents to explore home electrification. The NYSERDA CEC Program even created a High Impact Action allowing municipalities to earn points for educating residents on the technology and resources available to residents interested in alternative home heating methods. With all these resources available, however, the shortage of Geothermal, GSHPs, and ASHPs creates another serious barrier to building electrification. In the last year, however, the lead time on these units has ballooned from 2-3 days to 4-6 months. Unfortunately, these increased lead times are not a result of increased demand, but supply chain issues with components needed to build the units. Currently, anyone installing one of these systems is doing it by choice and experiencing substantially delays. What will happen to these lead times when State Energy Code mandates building electrification? How will supply chain issues impact the build times on new homes, especially considering HVAC is one of the first things to be installed? What will happen to a homeowner whose current gas system fails, but because of State mandates, must replace it with a fully electric unit? Will that resident have the option to install an expensive, short-term gas replacement while waiting 6+ months to pay even more for a CLCPA compliant option? Will that resident be forced to own a home without a functioning HVAC system until they can have a project completed?

The same concern can be raised about the transition to all electric household appliances. By 2024, the State Plans to prohibit gas/oil equipment for space conditioning, hot water, cooking and appliances for single family and low-rise residential buildings. By 2027, the same requirement will be placed on commercial buildings, with existing equipment being phased out at actual or accelerated end-of life. Much like EVs, Geothermal, ASHP, and GSHPs, appliances are not readily available- regardless of if they utilize gas or electric. Depending on the appliance, lead times can exceed three months. When gas appliances are no longer an option, how will the State address the shortage? What happens if the homeowner’s gas-powered stove or dryer fails once that mandate is in place, but a replacement isn’t readily available? It is unreasonable to expect anyone to eat out for up to three months because they do not have a stove, or to require them to utilize other means to launder their clothes for that long because they cannot find an electric dryer. Considering the social justice aspects of the Climate Act, this expectation becomes even more unreasonable when considering how these additional expenses would impact the low to moderate income residents CLCPA is supposed to benefit.

**The Grid**

 Perhaps the single largest component needed for CLCPA success is also the largest concern- the existing New York State Power Grid. To harness the benefits of electricity, the amount of power available in the grid must meet the needs of consumption. “Grid Strength” is a commonly used term to describe how the system responds to system changes, such as changes in load, switch out of equipment, and meteorological factors. In a “strong” system, the voltage and frequency are relatively insensitive to changes in current injection from the inverter-based resource. If connected to a “weak” portion of the grid, that current injection is subject to instability, adverse control interactions, and other issues. While the New York Independent Systems Operator (NYISO) Comprehensive Reliability Plan (CRP) for years 2021-2030 states the grid is equipped to meet all applicable reliability standards normal weather conditions through 2030, that only applies with the absence of two mitigating factors- extreme weather, and increased demand. The impact of Climate Change leads to more frequent extreme weather events and higher temperatures that impact the grid’s ability to reliably meet demand. Despite knowing that increased demand will further impact this issue, the CLCPA mandates on building electrification alone present a serious threat to grid reliability. Reliability margins are already thinning, but the State intends to move forward knowing the electric system is not prepared for the significant, rapid changes ahead. Even in a “status quo” situation, the increased demand for electricity, extreme weather, and delays in planned projects exacerbate these concerns and further impacts reliability. Simply put, there are portions of the New York Grid system that, without critical mitigation measures, are likely to experience substantial system performance issues over the next ten years.

 The expansion of renewable energy to the grid poses additional complicating problems. Most renewable generation is intermittent, and intermittent resources are not fully dispatchable due to the variability of their “fuel” source. To maximize efficiencies, the location of turbines is dictated by where the wind is most constant, and solar siting is determined by where there is sufficient land for an array. Solar resources have little to no output during the evening/nighttime hours and reduced output due to cloud cover, while the available output from turbine production plummets during sustained lulls in wind. The variability of output from wind and solar presents a fundamental challenge to reliably meeting electricity demand. Battery Storage could help fill that gap in the short term, but extended periods of use rapidly deplete supply and storage capabilities. As the State moves towards electrification of the economy, the need for sufficient levels of clean energy will increase, requiring significant amounts of long running, dispatchable, emission-free electricity to balance renewable intermittency on the system. To put this into context, a recent study conducted by the New York State Reliability Council suggests a reserve of roughly 50,000 MW will be required to reliably support the grid and meet 2040 CLCPA requirements. Currently, the reserves requirement is roughly 6,600 MW, or just 13% of what is needed for future grid reliability. Although the CRP highlights the means needed to close that gap as critical for grid reliability moving forward, some of these technologies are yet to be developed or do not currently exist for utility scale applications. The State is essentially depending on theoretical technology that does not exist to produce dispatchable, emission-free electricity, and the production required to address the 87% gap far exceeds that of the existing fossil resources being replaced.

 Although we are early in the CLCPA process, municipalities in our region are already feeling grid limitations. The Town of Rush, located in Monroe County, needed to wait almost 7 months to install an EV Charging Station because the transformer they run off could not handle the extra demand. Farmers in Genesee County are unable to install technologies that will reduce their energy consumption and make their farms more efficient because there is no capacity. While it is fantastic to hear the State investing in generation through Solar and Wind projects, the only things more important than the source of electricity is the availability and reliability of delivery. As it stands, the existing grid cannot manage existing demand, much less the increased demand that is coming. The Draft Scoping Plan offers little to no concrete information on how the grid will be modified to address existing limitations and address grid deficiencies. Even worse, the State is relying on yet to be developed technology to address the capacity and transmissions expansions required to manage the increased renewable production outlined in CLCPA.

**The Cost**

Even if the supply chain challenges were addressed and the grid improved, one particularly important question remains- can we afford this? There has been a noted lack of transparency around the costs associated with CLCPA Implementation. To date, the Climate Action Council has refused to clarify the cost break down among utility ratepayers, direct consumer costs, and costs to taxpayers while not clearly outlining where the claimed $260 billion in avoided climate change-induced economic damages are realized. It has also been unable to fully articulate how one state’s singular contribution to reducing atmospheric greenhouse gases can produce those savings. The draft scoping plan already acknowledges that the capital costs of the mandates included in CLCPA might not be feasible for many homeowners, stating the cost to replace a furnace with mandated technology could carry four times the cost. Unless the cost of operating high efficiency electric heat pumps becomes comparable to the cost of heating with fossil fuels, residents may find the operating costs of these mandates unaffordable. By recognizing the potential burden for homeowners but refusing to be transparent about the actual impacts, the State has created another level of suspicion and complexity to an already political charged and divisive topic in our region.

According to James Hanley, a senior analyst at the Empire Center for Public Policy who focuses on energy and environmental policy, the electrification of School Bus Fleets across the State alone will carry a price tag of $15-20 Billion Dollars over the next two decades- more than two to three times the $6-7 Billion Dollars laid out in the current Bond Act. Estimates for full implementation of the CLCPA range anywhere from $280-$340 billion Dollars (and quite likely higher), but the Bond Act currently being discussed covers roughly 2% of the total implementation cost. Where will the rest of that cost come from? If New York is going to follow a legislatively mandated timeline to transition to carbon-free electrical production and a carbon-neutral economy, we have a right to know the true costs and benefits of that transition and how our communities are expected to pay for it.

**Recommendations**

First and foremost, there needs to be a shift in how CLCPA is implemented. New York State is notorious for unfunded mandates, however in this case these mandates could financially cripple both municipalities and their residents alike. Instead of mandating, the State needs to incentivize the transition and create programs geared towards helping smaller and more rural communities implement CLCPA successfully. While programs like NYSERDA’s Clean Energy Communities do offer incentives for smaller communities, a substantial portion of the dollars budgeted for financial incentives are allocated to communities of over 40,000 residents. For example, if a community of less than 40,000 residents enacts New York Stretch Code, they are rewarded with a $5,000 Action Grant through the CEC Program. If a community of more than 40,000 residents implements the same code, they receive a $50,000 Action Grant. While larger communities would reduce more carbon emissions than smaller ones, these communities already have larger tax bases, more staff, more community resources, and in many cases are already doing this work and well on their way to CLCPA compliance. If we do not provide the appropriate programs, incentives, and technical assistance for things like grant writing, grant administration and direct support to smaller, more rural communities, the State will knowingly and willingly allow these communities to get lost in the shuffle.

Second, the State must take the time to do a thorough cost benefit analysis- even if it requires changes or delays in CLCPA implementation. Considering the State’s current Bond Act comes nowhere close to covering the rising estimated costs of executing CLCPA to fidelity, there are several red flags being completely ignored. Whether it is an individual consumer or a municipality, transparency on cost is a key factor when considering a project. Any proposal worth considering includes a break down that explains the cost of permitting, equipment, materials, labor, and contingency. It provides timelines, potential subcontractors involved, and a detailed explanation of how they tend to execute the desired scope of work. Once a decision is made on who to work with, the details of the proposal become the standard the customer holds the vendor to. The Draft Scoping Plan lacks any of this expected information outlining the true costs of implementing these recommendations- until that has been determined, the State has no right to pursue the current aggressive timeline outlined for implementation. The notion that taxpayers and energy customers should be expected to acquiesce and fund what is potentially a $400,000,000,000+ pipe dream without any specific details and no clarity on the total burden or how it is being funded is ill-conceived; not only does the State lack any clear plan towards successful implementation of CLCPA, but it is also asking New Yorkers for a blank check to figure it out.

Part of that detailed explanation and cost benefit analysis of CLCPA implementation should include steps the State will take to ensure utility providers have the support, systems, and infrastructure to ensure successful implementation. The Draft Scoping Plan relies heavily on these utility providers to fulfill the goals of the Climate Act, but they are already struggling with the capacity required to meet the current needs of customers. Further, the transition to renewables has already proved challenging for electric companies in critical areas like billing. Earlier this year, nearly 2,000 RG&E customers in multiple communities experienced yo-yoing bills from community solar projects, only to be hit with bills of over $1,000 later. What is worse, some of the residents impacted never signed up for community solar. Neither the utility or Source Power (the supplier) was willing to be held accountable, and there is an ongoing Public Service Commission investigation to determine what happened. The State needs to work with utilities to make sure they have everything they need for this transition, otherwise CLCPA implementation will be fraught with problems like these further complicating the process for New Yorkers.

Third, the State must adopt legislation to protect rich, arable farmland from Solar Development. While large scale solar development will be critical to reaching the State’s zero-emissions goals, we also need to ensure we do not destroy the agricultural industry so we can continue to feed the population. According to USDA data, the average purchase price for Farmland in New York is about $3,200 an acre. Earlier this year, 120 acres of agricultural land went on the market in the Ontario County Town of Gorham, NY. What ensued was a bidding war that saw that parcel purchased by a solar developer for an unbelievable $2.4 Million Dollars- or the equivalent to $20,000 an acre. Like other places in the State, however, farmers in our region lease land to produce their crops. According to the same USDA dataset, the average rental price for farmland is around $33 an acre- or about .165% of what the landowner in Gorham would have gotten by leasing the same 120-acre plot to farm. If this trend continues, farmers will be priced out of the market for arable land and the agricultural industry in general, and our ability to produce enough food to feed State residents, will be severely impacted. One way to avoid this trend from continuing is to require solar developers to utilize non-arable land for their projects- something that is entirely possible and proven a successful model. In 2017, the City of Canandaigua repurposed their former transfer station site, land which was undevelopable due to its prior use, into 22-acre solar array that now produces 94% of the power required for City Operations. Better yet, the City collaborated with a developer to install the ground mounted panel system and utilized a Power Purchase Agreement to complete the project at no cost to the City or its residents. A recent article in Time Magazine also highlighted the use of former dump and transfer station sites as the “the wave of the future.” Utilizing this approach would not only protect farmland, but also make these projects more cost effective by reducing the cost of land acquisition and development while presenting a strong economic development opportunity for communities and incentivizing the reuse of “dead space.” The legislation should also ensure a balance on where these solar arrays are located- the brunt of the land use and infrastructure needed to meet the decarbonization goals of CLCPA Statewide should not fall on the shoulders of Upstate New Yorkers.

Fourth, the State should “put its money where its mouth is” by investing in ways to address the supply chain issue and bringing the means to meet those needs to New York State. Doing so would further the goals of the Climate Act and make New York more resilient and self-sufficient. We know the lead times on critical components needed to implement CLCPA are increasing every day- what prevents us from manufacturing these items in New York State? If we want to implement nation-leading legislation, why can’t we also take full advantage of the economic development opportunities that legislation creates? One of the most contentious and controversial components of CLCPA is the Just Transition and Site Re-Use plan for decommissioned fossil-fuel plants. The Draft Scoping Plan acknowledges that an estimated 22,000 jobs would be lost by 2030 due to closures in the fossil fuel industry but offers little to no insight or consideration of the impact these closures would have locally. Many of the plants under consideration for closure are in small communities, where the facility drives both employment and the local economy so the idea of decommissioning them creates panic. Instead of appearing to threaten the lifeblood of these communities, the State could re-package Just Transition to provide job training to the workers in those communities and repurpose the decommissioned plants as manufacturing facilities. Not only would this help allay the fears communities have around Just Transition, but it would also set the State up to avoid supply chain issues moving forward. In the short term, we would stabilize the local economy and tax-base by creating jobs in clean energy. As the market demand increases and the need for things like Solar Panels, Electric Vehicles, Charging Stations, and Geothermal/Heat Pumps increases over time, these local companies could maximize the investment made by the State & become industry suppliers.

With the levels of mistrust and skepticism the CLPCA has already created, the State should bring in independent, 3rd Party auditors to monitor and report the progress of implementation. That 3rd Party should be selected through an open and transparent RFP process that includes the input of both resident stakeholders and municipalities from across the State. For many municipalities, the transition to renewable energy and the goals put forth in the Climate Act are intimidating and present a huge operational shift. CLCPA mandates them to make substantial changes to how they operate and provide services- some of which are costly. As a result, the lack of transparency has led to a lack of trust that these changes are for the best. Further, because it is in the State’s best interest to report progress on CLCPA implementation, there is an inherent conflict of interest behind the State reporting on its own progress. Having a neutral party responsible for reporting the progress of CLCPA accurately, who is willing to call out the State, if necessary, could go a long way to providing the peace of mind municipalities and residents are looking for while embracing a new normal. Considering the Draft Scoping Plan already openly questions whether residents can afford this transition, and the lack of transparency we have experienced from the Climate Action Council around the total costs for full, Statewide implementation and how it will impact residents, including a 3rd Party to question and hold the State accountable is a critical component to ensure fidelity.

**Conclusion**

 While this response outlines the most prevalent concerns in the 9-County Genesee/Finger Lakes Region, the feedback provided only begins to scratch the surface of the overall unease felt by communities Statewide. The Draft Scoping Plan mandates over a hundred, if not several hundred, different measures impacting the everyday life of New Yorkers that raise cause for concern, and openly acknowledges the financial burden it may place on homeowners. Our region raises only a few of the fundamental questions being posed by communities Statewide that, three years after enacting the Climate Leadership and Community Protection Act, still have not been resolved. The answers to those questions could have serious ramifications- instead of taking time to find solutions, State lawmakers are choosing to count on technologies that do not exist and may never be developed. Despite being aware of the logistical, practical, and material challenges that will likely impede the implementation process without solutions for how to address them, the State seems poised to move forward as planned while keeping New Yorkers in the dark.

 What we do know is that the Department of State, the Public Service Commission, the Utility providers, and Climate Action Council have chosen not to heed the warnings from the New York Independent Systems Operator (NYISO) Comprehensive Reliability Plan (CRP) for years 2021-2030. The report states that the grid can only manage the demand during that time with the absence of two mitigating factors- inclement weather and increased demand. The impact of Climate Change will lead to more frequent extreme weather events and higher temperatures that impact the grid’s ability to reliably meet demand. By eliminating HVAC systems, appliances, and vehicles reliant on fossil fuels as viable options for New Yorkers, The Climate Act creates the perfect storm for rapidly increasing demand leaving communities more reliant on our struggling grid than ever before. Without critical mitigation measures to address weak spots on the grid, we are certain to experience substantial system performance issues well before 2030.

Regardless of what led the State to believe it could reach the ambitious energy targets put forth in CLCPA by the specified deadlines, those assumptions simply are not realistic. The elected officials, residents and taxpayers of New York are providing you firsthand accounts of their challenges, concerns, and their needs to implement and achieve the goals the State set forth- please listen and act accordingly. This response alone has identified and articulated several real and substantial challenges around the basic coordination of implementing the Climate Act and achieving the State’s energy goals- feedback that will only be replicated, strengthened, and expanded through the Public Comments process. The villages, towns, cities, and counties who have taken the time to provide comment are providing valuable insight and utilizing their input to focus and strengthen the goals of CLCPA will ensure communities have the resources and guidance they need to implement the Climate Act successfully. The State now has the duty and responsibility to utilize the feedback provided throughout the Public Comment Period to fidelity and revisit, revise, and recalibrate the Climate Act to ensure that all municipalities and residents can be successful. Doing so will increase the efficacy of the Climate Act, prevent the State from making expensive mistakes that increase the total cost of implementation, and ensure that the adopted CLCPA legislation sets residents, municipalities, and the entire State of New York up for success.