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MONTICELLO, NY 12701-5192

Draft Scoping Plan Comments
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

RE: DRAFT SCOPING PLAN FOR IMPLEMENTATION OF THE CLIMATE ACT

To all members of the New York State Climate Action Council,

As a Bronze-certified Climate Smart Community and a designated Clean Energy Community, Sullivan County welcomes the release of the draft Scoping Plan for implementation of the Community Leadership and Climate Protection Act (CLCPA). This historic legislation attests to New York State's visionary leadership in addressing climate change, and sets an international example for commitment to responsible climate action. We appreciate the opportunity to comment on the wealth of strategies identified by the Climate Action Working Groups.

At 986 square miles, Sullivan is the most rural, least populated (46 units per square mile) county in the 7-county Mid Hudson Region. Our major economic drivers are health care, tourism and recreation, and agriculture. Historically, the County has lagged behind other Mid-Hudson counties, and the US as a whole, in critical economic metrics including significant unemployment, low per capita and median household income, and high rates of poverty in our most distressed census tracts. The entire county is included in the Sullivan-Wawarsing REAP zone, one of only five such federally-designated areas nationwide. Eight Sullivan County census tracts are identified as disadvantaged on the draft list released by the Climate Justice Working Group in March 2022.

With 507,656 acres of forested land, Sullivan County is one of the most forested counties (78%) in New York State. About 93% of the County's forests are privately owned, with the remaining 7% split between municipally-owned (including the county) and state owned.

Despite economic challenges, the County has achieved Bronze Certification as a Climate Smart Community and is a designated Clean Energy Community. Municipalities within the County have joined CSC and two have achieved Bronze certification. Sullivan County has fostered significant solar development, with 16 Community Distributed Solar projects to date, totaling 40.3MW nameplate capacity

Our comments and suggestions will focus on issues relating to rural communities in general and the particular challenges facing Sullivan County.

Capacity of rural communities: Many key actions outlined in the scoping plan rest with the authority of towns and villages. It is important to remember that for the most part, our town and village officials

are essentially volunteers, and our municipalities lack the resources (tax base, operational budgets, professional staff) to plan and implement the needed actions without significant help from the County and the State. Many actions and initiatives promoted in the scoping plan may require custom-tailoring and intensive educational outreach to meet the needs of rural communities, especially on topics such as implementing appropriate smart growth measures, developing rural public transportation strategies, and engaging disadvantages communities in workforce development and the green economy.

Specific capacity issues include:

- Municipal enforcement of advanced building codes, permitting, understanding of environmental and climate issues as they relate to buildings;
- Benchmarking – especially benchmarking of commercial buildings in the community and collection of accurate data on residential buildings;
- Resiliency planning/climate action planning/comprehensive plans with strong science-based GHG reduction and climate resiliency goals.

Condition of the electrical grid: The electrical grid in Sullivan County is divided among three utilities: NYSEG, Orange & Rockland, and Central Hudson. Historically, the grid has been poorly maintained in a large area of the County. Lack of investment in the grid has slowed community solar development, deployment of EVSE, and other economic development initiatives. Rural areas like Sullivan will need significant remedial repairs, enhanced maintenance and updates to the grid to meet the CLCPA's goals for beneficial electrification. Statements included in Sections E.7. and E.8. of the Scoping Plan touch upon these issues; it is not clear that the remedies discussed in the plan will address the critical needs of disadvantaged and rural communities.

Condition of building stock in rural communities: Sullivan County has a lot of older, substandard housing and commercial building stock that must be made "retrofit-ready" with non-energy structural and systems improvements before beneficial electrification can be fully realized. Historically, this has hampered Sullivan County's progress in accessing NYSERDA programs and incentives for LMI families most in need of retrofits. We have long urged NYSERDA to consider the dire state of housing in disadvantaged communities and the fact that many low-income families cannot benefit from tax incentives. By fostering a deeper consideration of the health impacts of poor quality housing we can reform outmoded notions of return on investment (ROI) based solely on energy cost savings.

For these reasons, Sullivan County applauds the recommendations in Section B.4. to ramp up financial assistance to LMI families, and to recognize the importance of broadband service as well as an essential "non-energy" measures to prepare homes for electrification. Section B.4.recommends covering the costs for LMI households, affordable housing, rent regulated housing, public housing and residential buildings in Disadvantaged Communities to achieve "Retrofit and Electrification Readiness," expanding funding sources, and expanding EmPower and the federally funded Weatherization services to include electrification.

Focus on health: Sullivan County often ranks near the bottom of NYS Counties in health outcomes. We know that a constellation of factors contributes to this condition: poverty/low income, poor access to health care, and lack of access to affordable, high speed broadband service are frequently cited. In addition, we are aware of a growing body of research (including US Department of Energy, NYS

Department of Health, Oak Ridge National Laboratory, Harvard's T. H. Chan School of Public Health, the Green Science Policy Institute, the New School/Parsons School of Design Healthy Materials Lab, the Enterprise Green Community Standards, the Vermont Energy Investment Corporation, the International Living Future Institute, and the Healthy Buildings Network, among others) that supports the conclusion that poor housing stock, inefficient and outdated heating, cooling and cooking systems, and unhealthy building materials are also significant contributor to poor health outcomes. We support the Scoping Plan's focus on health in all decisions, and we welcome a more holistic approach and the inclusion of "Healthy Homes" strategies. But we also know that successful implementation at the community level will require an infusion of investment in our Public Health Department, in workforce development in our communities, and in recruitment and support for local contractors willing to engage in cross-training. Sullivan County will need considerable support from the State in order to enact the recommendation for community-based partnerships to deliver Healthy Homes assessments and energy efficiency improvements as envisioned in the Draft Scoping Plan.

In the context of CLCPA's proposals regarding the collection of energy consumption data by single family, multi-family and commercial buildings, and the development of a building performance standard for all types of buildings, Sullivan County respectfully requests consideration be given to including healthy building materials and mechanical systems as part of the rating criteria.

Water metering and reducing GHG from private septic systems (Section W7): As in many sparsely-populated rural counties, a significant portion of Sullivan County's residential and commercial buildings rely on private wells and septic systems.

The Waste chapter includes a recommendation to "Ensure proper maintenance of septic systems at the municipal level: The State should enact legislation to establish a municipal funding mechanism (paid for by homeowners) to allow contractual services for routine maintenance on septic systems." That, and a general recommendation that areas with sufficient population density be encouraged and subsidized to convert to a municipal sewer/wastewater treatment system, are the only mentions of private septic tanks. Section W7 acknowledges that it is probably not feasible either logistically or economically to expand limited village and hamlet water districts to accommodate rural residents and businesses.

Sullivan County recognizes the value of water metering and reduction of GHG from private septic systems, however challenging it may be. We strongly suspect that private septic systems are a huge and largely un-monitored cumulative source of GHG; however, there is very little infrastructure in place for monitoring and code enforcement, other than at the time of initial construction. In addition, many of Sullivan County's residential and commercial structures were built prior to the adoption of local building codes.

We believe there are additional strategies that should be explored to help rural communities address this problem. In the spirit of measuring so that we can manage, Sullivan County suggests that the State consider the following strategies to accurately measure water use from private wells and reduce GHG from private septic systems:

- Engage in extensive public outreach to help homeowners and business owners understand the value of identifying leaks and problems with private water and septic systems;
- Consider a voluntary program of water metering in rural communities, and provide water metering devices to rural households and commercial building owners who elect to participate, at minimal cost to the property owner;

- Consider requiring individual water metering devices in new construction;
- Develop a program with funding and incentives to help property owners retrofit private septic systems to protect drinking water supplies and reduce GHG emissions. For example, conversions to aerobic systems in locations where they would be feasible and effective.

Reducing embodied carbon in construction (Section B.10): This section states that "New York should establish procurement requirements and design specifications for State-funded projects as well as support education, building reuse, building de-construction and material reuse, RD&D, and in-State manufacturing of alternative products. These efforts also will increase industry attention to carbon-sequestering products, such as sustainable wood products and hempcrete."

Effective education and outreach for both consumers and construction practitioners will be critical to this effort. The Enterprise Green standards, which are already endorsed by NYS for use in Land Bank Projects, offer a comprehensive guidance for healthy and carbon sequestering materials, for all types of residential structures, from single family homes to multifamily buildings and affordable housing communities, and for renovation projects as well as new construction. Because Enterprise stresses affordability, they have researched the issue of additional costs for better materials and systems, which makes it easier to demonstrate that these standards do not add undue expense to projects.

Expand workforce development (Section B-7): There is a shortage of skilled contractors for ASHP installation and other green building technologies and practices, especially in rural areas. Unfortunately, that means apprentices and trainees are likely not getting proper training in this technology, and contractors are not prioritizing best practices. Section B-7 makes excellent recommendations for training at all points in the building process – from code officials and planning boards to designers, contractors and installers. It also proposes a continuing education requirement in building decarbonization for the licensing of architects, engineers, trades, contractors, building operators, and for real estate professionals such as brokers and inspectors. Lastly, it calls for Healthy Homes training, to equip energy auditors and health and social workers who make home visits to identify health and safety issues and contractors to address these issues.

Sullivan County is eager to build a local workforce skilled in green building technologies. The County needs individually-focused outreach by ambassadors who are trusted within our disadvantages communities; vetted trainers who are fully committed to green building principles; community-appropriate training opportunities, on-the-job training, apprenticeships and a community-to-employment pipeline that truly engages local residents and businesses. As we work to build this network, we hope that the State will recognize that "one size fits all" strategies are not likely to be effective.

Sullivan County respectfully requests you consider the following recommendations:

- Make sure building decarbonization education is integrated into curriculum for code enforcement officers.
- We support integration of decarbonization curricula for high school vocational programs, technical schools, apprenticeships, and engineering and architecture programs at university level. In addition to the critical success of workforce development, fostering a general, baseline understanding of healthy, decarbonized materials and building systems and product stewardship will build consumer knowledge and demand for healthy, efficient buildings in all New York

communities. This will support job creation and economic development, and improve the quality and lasting value of building stock.

Thank you for affording the opportunity to comment on the Draft Scoping Plan for Implementation of CLCPA. We recognize the significance of the CLCPA legislation and the changes its successful implementation will bring to all of New York State.

Sincerely,

Heather Brown, Deputy Commissioner
Sullivan County Division of Planning, Community Development & Environmental Management
Sullivan County Office of Sustainable Energy