

Public Comment Guide on New York's Draft Climate Plan: Eliminating Emissions from Buildings

What this guide does

Highlights key points and recommendations to make in public comments on the NYS Climate Action Council's *Draft Scoping Plan* pertaining to **buildings**--the largest source of climate-damaging emissions in the state--and provides information on the public comment process and hearing schedule.

Why the Scoping Plan is so important

We are at a critical moment for climate policy in New York State: The **Draft Scoping Plan** to implement the Climate Leadership and Community Protection Act (Climate Act) is now open for public comment, and your input can help ensure that our state has an effective and realistic plan in place to meet its climate goals. The Scoping Plan was developed by a 22-member Climate Action Council established by the Climate Act, and will shape state laws, regulations, and government-wide decision-making for years to come. The Climate Act commits New York to:

- Reduce GHG emissions by **40%** by **2030** below 1990 levels, and achieve **net-zero** emissions by **2050**.
- Generate **70%** of electricity from renewable resources by **2030**, and achieve a **fossil fuel-free** grid by **2040**.
- Ensure a **just** and **equitable** transition, including dedicating 35% of the benefits of clean energy investments to Disadvantaged Communities, with the goal of **40%**.

We have no time to lose in shifting to a clean energy economy: The most recent assessment of the International Panel on Climate Change finds that climate change is already causing dangerous and widespread disruption in nature and affecting the lives of billions of people around the world. If we do not make steep cuts in greenhouse gas (GHG) emissions in the coming decades, global mean temperatures are predicted to rise to a level that greatly increases the risk of harm to the planet and to us.

On the positive side, meeting New York's climate goals will not only dramatically reduce climate-damaging emissions but will also improve public health, economic opportunities, and quality of life for New Yorkers. Implementing the Climate Act is expected to save between \$50 billion and \$120 billion, alone, in public health costs due to improvements

in local air quality.¹ It is also expected to create nearly 190,000 new jobs across the state by 2030 and close to 270,000 by 2050, with a 10 to 1 ratio of jobs created to jobs displaced.² Currently, well over half of what we spend on energy leaves the state, primarily for fossil fuels. The clean energy transition will help keep energy spending local, in New York and in our communities.

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.³ 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 hotwater 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.

Below are key points and recommendations to make in public comments to support and strengthen the recommendations of the Draft Scoping Plan and meet the emissions and equity goals of the Climate Act.

Key Points to Include in Public Comments

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:

¹ Integration Analysis Technical Summary, Draft Scoping Plan, Appendix G. <https://climate.ny.gov/Climate-Resources>

² Jobs Study, Just Transition Working Group. <https://climate.ny.gov/Climate-Resources>

³ For a summary of emissions by sector, see the Draft Scoping Plan, p. 24.

- 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.

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.

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.

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.

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, 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.

5. Commit at least \$1 billion annually to support energy efficiency and electrification for Disadvantaged Communities and low- and moderate-income households.

- 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.

How you can weigh in

The public comment period opened on January 1, and has been extended through **June 10, 2022**. You can submit written comments through the portal on the Climate Action Council website, <https://nyserda.seamlessdocs.com/f/DraftScopingComments>, or email them to scopingplan@nyserda.ny.gov. Share your comments with your State legislators, as a number of Scoping Plan recommendations will require legislation.

New Yorkers for Clean Power created an online Public Comment Toolkit, where you can find tips, resources, and comment guides:

<https://nyforcleanpower.org/cac-scoping-plan/>

Make your voice heard! The Scoping Plan must be finalized by the Climate Action Council and delivered to the Governor and Legislature by December 31, 2022. Let's make sure this Plan delivers on New York's climate goals.

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