TESTIMONY BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON ENVIRONMENTAL PROTECTION
NEW YORK CITY DEPARTMENT OF BUILDINGS
MELANIE E. LA ROCCA, COMMISSIONER
FEBRUARY 25, 2020

Good morning Chair Constantinides and members of the Committee on Environmental Protection. I am Gina Bocra, Chief Sustainability Officer at the Department of Buildings ("the Department"). Joining me today are Anthony Fiore, Deputy Commissioner and Chief Energy Management Officer for the Department of Citywide Administrative Services ("DCAS") and Lia Cairone, Assistant Deputy Director for Green Buildings and Energy Efficiency at the Mayor's Office of Sustainability ("MOS"). My colleagues and I are pleased to be here today to discuss the City's efforts to meet our carbon reduction commitments. I will offer brief testimony regarding our implementation of the Climate Mobilization Act and the work the Department is doing around sustainability and to address greenhouse gas emissions coming from buildings. Anthony will then offer testimony regarding the two bills being heard today and the establishment of an annual carbon accounting and carbon reduction reporting requirement for agencies.

The Department takes seriously its obligation to address greenhouse gas emissions coming from buildings and is well positioned, with the largest energy team anywhere in the country, to support the City's goal of achieving carbon neutrality. The Department has established an Office of Sustainability, which includes a Sustainability Enforcement Unit and an Energy Code Compliance Unit. Our Office of Sustainability is hard at work enforcing our stringent Energy Conservation Code ("Energy Code") and implementing the Climate Mobilization Act, as well as other sustainability laws, which I will discuss momentarily.

The Climate Mobilization Act includes Local Laws 92 and 94 of 2019, which require all new buildings and existing buildings undergoing certain major roof renovations to install a solar photovoltaic system, a green roof system, or a combination of the two, and Local Law 97 of 2019, which regulates greenhouse gas emissions from buildings exceeding 25,000 gross square feet.

Regarding Local Laws 92 and 94, the Department is focused on educating the industry around the requirements of these laws and has issued a Service Notice and a Buildings Bulletin to provide additional guidance to the industry as they incorporate photovoltaic systems and green roofs into the design of their buildings. The Department also regularly fields questions regarding the requirements of these laws and will soon be releasing additional guidance, which will include a detailed FAQ. To date, these requirements apply to nearly 1,800 buildings.

Regarding Local Law 97, the Department has already taken significant steps to implement this law, which regulates greenhouse gas emissions from certain large buildings beginning in 2024. The Department has established an Office of Building Energy and Emissions Performance, which is tasked with overseeing a program to regulate greenhouse gas emissions from buildings. The Advisory Board created by this law to provide guidance to the Department as it implements Local Law 97 has also been appointed and convened. The Advisory Board includes architects, engineers, property owners, representatives from the business sector and public utilities, environmental justice advocates, and tenant advocates. To date, the Advisory Board has met two times. These meetings will continue regularly as the Advisory Board prepares to submit a report to the Mayor and the City Council in 2023, which will include recommendations for reducing greenhouse gas emissions from buildings. The Department looks forward to updating this Committee as it moves forward in its implementation of this historic law.

In addition to enforcing the Energy Code, enforcing existing laws that require certain buildings to report their energy and water use and to perform retro-commissioning, and implementing the Climate Mobilization Act, the Department:

- submitted revisions to the Energy Code to the City Council late last year, which bring the Energy Code up to date with the 2020 New York State Energy Conservation Construction Code ("the New York State Energy Code"), aligns with the NYStretch Energy Code developed by the New York State Energy Research and Development Authority, which provides additional energy savings over the New York State Energy Code, and which makes additional amendments tailored to the unique needs and characteristics of the City's built environment;
- is establishing an Office of Alternative Energy, which will assist with the review and approval of certain applications submitted to the Department in connection with alternative energy projects; and
- is implementing a law that requires certain buildings to publicly disclose their energy use, which means we will begin seeing energy grades posted on our buildings later this year.

Thank you for the opportunity to testify before you today. I will now turn to Anthony to offer DCAS' perspective on this important topic.

Oversisght Hearing on Addressing Challenges in Meeting our Carbon Commitments
Hearing on Intros 270 and 1720
Committee on Environmental Protection
Testimony by Anthony J. Fiore
Deputy Commissioner, Department of Citywide Administrative Services
February 25th, 2020

In Relation To Carbon Accounting as part of the Preliminary and Executive Budget Accounting Process

and

In Relation To the establishment of Agency-wide Climate Emission Plan.

Good afternoon Chair Constantinides and members of the Committee on Environmental Protection. My name is Anthony Fiore and I am the Deputy Commissioner and Chief Energy Management Officer for the Department of Citywide Administrative Services ("DCAS"). Thank you for the opportunity to testify today regarding the establishment of an annual carbon accounting and carbon reduction reporting requirement for agencies.

Background

Over the last five years, since the city's commitment to reducing 80 percent of its emissions by 2050, New York City has dedicated itself to becoming a national and global leader in climate change mitigation. To serve as a model for and drive change within the private sector towards decarbonization, City government has committed itself to efforts to transform energy management and achieve major emissions reductions across our own portfolio.

In the last two years alone, this Council and this administration have demonstrated their commitment to achieving near-term emissions reductions at scale by championing groundbreaking policy efforts. First, in June 2017, in response to President Trump

withdrawing from the Paris Climate Agreement, Mayor de Blasio issued Executive Order 26 ("EO26"), which committed the City to upholding the principles and objectives of the Paris Climate Agreement, which include achieving economy wide carbon neutrality by 2050, and mandated that agencies *develop their own greenhouse gas reduction plans.* The issuance of E026 led to the formulation of the 1.5ºC Plan and subsequently, OneNYC2050, where the Administration has committed to achieving citywide carbon neutrality by 2050, in alignment with the goals of the Paris Agreement. Last April, Council passed the Climate Mobilization Act ("CMA") that set forth new interim emissions reductions commitments for the city that will ensure that we meet our climate goals. Under the CMA, City government is mandated to achieve a 40 percent reduction in emissions from its operations by 2025 and a 50 percent reduction in emissions by 2030 from a 2006 baseline. These new City emissions reduction targets are more stringent than those set for the private sector, showing the City's commitment to leading the way and going further, faster.

As the hub for energy management across the City, DCAS has worked intensively with our agency partners to build a culture of energy efficiency across the City's buildings and provide agencies with the technical guidance, planning, staffing support, training, and contractual and financial resources necessary to achieve energy and emissions reductions at scale that will help meet our mandated goals and go beyond. DCAS has become agencies' "one-stop shop" for assistance with preparing their facilities for a low-carbon future.

City's continued efforts on Climate Mitigation

On the ground, the City has focused on transforming energy management across our portfolio of more than 4,000 public buildings by centralizing energy management activities within DCAS and undertaking efforts across four interrelated areas. First, we are rigorously analyzinh data to identify opportunities for operational adjustments or projects to improve efficiency ("data analysis"); second, we are performing outreach and training to elicit energy efficiency behavioral change among building users ("behavioral change"); third, we are strengthening operations and maintenance practices ("energy-efficient O&M") to squeeze the most out of existing equipment and ensure we get all the benefits of new equipment; and fourth, we are implementing energy efficiency retrofits and clean energy projects ("energy retrofit projects").

Since 2014, the City has undergone 2,200 energy efficiency retrofit and clean energy projects across nearly 1,500 buildings. These investments have yielded substantial dividends. We have created or retained 3,600 green jobs, upskilled 1700 of City employees and generated expected annual energy cost savings for the City of more than $70 million per year. Overall, emissions from City government operations have fallen almost 30 percent from the baseline, and emissions from City buildings have decreased seven percent more than those from private buildings. Critically, the City has achieved these reductions while providing additional services to more New Yorkers, such as universal prekindergarten, air conditioning in every classroom, enhanced wastewater

treatment driving the cleanest harbor water quality in 100 years, and expanded healthcare services through NYC Health + Hospitals.

On Intro 270 of 2018

This bill requires that agencies, and City government, report out on their net carbon impact generated by each unit of appropriation as part of the preliminary and executive budget review process. The Administration understands the intent behind this bill is to demonstrate transparency in what investments are being made to mitigate climate change. The Administration supports transparency and accountability when it comes to reporting on the meaningful efforts undertaken by the City to combat the effects of climate change. This is especially true when it comes to investments in climate change mitigation initiatives and is why such investments have been centralized under DCAS. As the hub for energy management DCAS has been given a $3B 10-year capital plan solely focused on energy management and climate change mitigation. We believe this meets most if not all of what this bill intends to achieve and are happy to work with the Council to efficiently address any additional information they may be looking for.

On Intro 1720 of 2019

This bill requires that each mayoral agency and affiliated government organization develop an annual climate emission plan projection and report out progress during the fiscal budgeting process.

The City recognizes that in order to achieve the scale of reductions contemplated in LL97 in the time required, as well as carbon neutrality by 2050, it is important that each agency have clear emissions reductions targets. Clear emission expectations will catalyze innovation, allow agencies the flexibility to optimize their own portfolio reductions and provide transparency in how each agency is contributing to the overall portfolio requirements. We believe if crafted carefully, an agency specific carbon budget target will facilitate achievement of these ambitious and necessary emissions reductions. We support a majority of emelents in this bill but want to be able to preserve the flexibility afforded to us under LL97 to manage energy and emissions reductions from government operations as a portfolio and avoid duplication of reporting.

For example, it will be important to keep in mind the diversity of the City's portfolio of buildings in size, age and function. The portfolio includes over 4,000 buildings and facilities covering over 59 unique typologies. These typologies range from courthouses, firehouses, large-scale office buildings, libraries, museums, police precincts, sanitation garages, school buildings, wastewater and water supply treatment plants, and cultural institutions. Nearly three quarters of the building stock is 50 years or older and 40 percent are 80 years or older.

How these buildings are allocated, the progress that has already been made, and the opportunities available for further reductions across agencies are all important factors in determining a methodology of allocating agency-specific emission reduction

requirements. DCAS is finalizing a scope of work to develop an implementation plan that will among other things provide a fair and equitable methodology for assigning agency-specific emission reduction requirements, prioritize investments by intervention type and location considering technical potential, cost effectiveness, scalability and catalytic potential, define resource needs and develop a model to facilitate agency-specific roadmaps.

Closing Remarks/Acknowledgements

In closing, the City supports the spirit of accountability of these bills and will continue in our efforts to ensure transparency in our work and progress. We appreciate this Committee and the Council in general for its leadership and partnership in our shared interest in ensuring that NYC serves as a global leader in confronting the climate crisis. Thank you again for inviting us to testify and we would be happy to answer any questions you may have.

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On the ground - and at the table

New York City Environmental Justice Alliance Testimony Supporting Intro 270 and Intro 1720

February 25, 2020

Founded in 1991, NYC-EJA is a nonprofit citywide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. Our alliance is a key advocate of strong and equitable renewable energy targets as well as emissions reductions efforts because many of the communities we represent are overburdened by the clustering of power plants and other polluting infrastructure in their neighborhoods.

Generally, NYC-EJA is supportive of the intention of both Intro 270 and Intro 1720. Addressing New York City's carbon emissions in an equitable and rapid manner requires long-term plans for city agencies and robust accounting. New York has less than 10 years to limit global warming to 1.5 degrees Celsius, which will require rapid system transitions in energy, urban infrastructure, and industrial systems – and an unwavering commitment from New York City agencies.

Equitable Implementation of Long-term emissions plans

Long-term emissions plans for city agencies must take into account equity and environmental justice. While New York City has made commitments to reduce carbon emissions and increase investments in climate resiliency, progress so far has been slow to reach low-income communities and communities of color. These communities also face many obstacles to participating in the clean energy economy and current programs are ultimately failing at systematically addressing the root causes of energy insecurity and energy poverty.

Concerns about Carbon Neutrality & Offsets

We agree that carbon accounting should be a priority in the annual Executive Budget. However, NYC-EJA has strong concerns about the efficacy and equity of mechanisms that have been proposed to achieve "carbon neutrality", including cap-and-trade, offsets, and other carbon trading mechanisms in both lowering total emissions and protecting environmental justice communities from carrying the burden of fossil fuels. From an environmental and climate justice perspective, carbon neutrality is problematic for several reasons:

- A carbon-neutral economy may create loopholes that set back NYC's efforts to address climate change, including carbon offsets that may not actually result in a net decrease in air pollution. We are already seeing the pitfalls of offsets in California's carbon trading system. A recent study shows that the program leans heavily on carbon offset credits, and as a result, California may have overstated their emissions reductions by 80 million tons of carbon dioxide — a third of the total cuts that the state's cap-and-trade program was expected to achieve in the next decade.

- Relying on carbon offsets to achieve our emissions reductions can perpetuate the disproportionate pollution impacts on communities of color in New York City. A polluter could invest in reforestation hundreds of miles, or even continents away, to "offset" the carbon they release into the atmosphere while doing nothing to alleviate the root cause of asthma attacks, lung disease, and other harms facing New York's environmental justice communities.

- Working toward carbon neutrality rather than 100% emissions reductions could allow New York City to procrastinate on its emissions reductions goals. Carbon offsets could allow polluters to continue consuming fossil fuels at untenable rates while benefiting from loopholes in a carbon offset market that would lead to a net increase in greenhouse gas pollution. Regardless of the number of trees we plant, we cannot continue to burn fossil fuels at our current rate without dire consequences for the planet – and for environmental justice communities at the frontlines of fossil fuel infrastructure.

Concerns Renewable Energy Credits in LL97

Monitoring and enforcing energy efficiency targets should be an essential part of the city's long term emissions planning. NYC-EJA has concerns about potential trading schemes and alternative compliance mechanisms that may inhibit these goals

We are particularly concerned that Local Law 97 of 2019, the energy efficiency mandate for large buildings, allows building owners to use an unlimited number of Renewable Energy Credits (RECs) as a means for compliance, which may allow for continued localized emissions while purchasing in renewable energy that may be sited outside of city limits.

Concerns about Energy Efficiency Trading Scheme in LL97

We are also concerned about the upcoming energy efficiency credit trading study as part of LL97. NYC-EJA and our allies are suspicious of market- and trading-based carbon solutions.

While LL97 highlights the unproven potential for building investments in environmental justice communities, it ignores the potential pitfalls and disproportionate burdens a trading scheme could have on low-income communities and communities of color. We fear that if applied to the energy efficiency goals for NYC, the largest and most polluting building owners will be able to avoid making necessary improvements to their own buildings by making minor investments in rent-regulated and underserved buildings. We need every building to make deep retrofits in order to reach our emission reduction goals.

Developing an efficiency trading scheme will require unnecessary bureaucracy/systems when direct investments on both sides would be a more streamlined way to achieve emission reductions/efficiency.

The Climate Works for All Coalition has developed a proposed $1 billion budget ask that includes support for energy efficiency upgrades for affordable housing and LMI homeowners and tenants. Direct financial support will guarantee that disadvantaged communities actually benefit from energy efficiency investments, whereas a trading scheme is untested and unreliable.

Concerns about Canadian Hydro

Finally, we are concerned that the City's commitment to 100% clean electricity by 2050 relies largely on importing hydropower from Quebec. This requires the construction of a 330-mile-long underground high-voltage transmission cable, called the Champlain-Hudson Power Express (CHPE), to bring power from Canada down to NYC. The nearly $20 billion project would lock NYC into long-term dependence on Canadian hydropower while inhibiting local offshore wind, solar and other renewable industries from developing.

We have concerns about the ecological and social impacts of hydropower, including the potential exposure of Indigenous communities in Canada to poisonous methyl-mercury from dam construction, and the potential exposure to PCBs that may result from constructing the CHPE under the Hudson River, the nation's largest Superfund site. A recent study also shows that the city's sourcing of hydropower may actually increase overall State carbon emissions by drawing hydropower away from other parts of the state that currently source from HydroQuebec, and would consequently have to switch to fossil fuel power.

Thank you for the opportunity to raise these concerns. We encourage the city to develop long-term emissions plans for agencies that meaningfully and equitably drive down greenhouse gas emissions without giving in to false solutions.

City Council Committee on Environmental Protection

Hearing Re: Oversight – Addressing Challenges in Meeting our Carbon Emissions

Int 270 - A Local Law in relation to mandating that preliminary and executive budget accounting include an accounting of carbon emissions, offsets, mitigation, and net carbon impact

Int 1720 - A Local Law requiring the office of long term planning to develop climate emissions plans for city agencies.

February 25th, 2020

Thank you for the opportunity to testify. My name is Phoebe Flaherty, I'm an Organizer at ALIGN: The Alliance for a Greater New York. ALIGN is a community-labor coalition dedicated to creating good jobs, vibrant communities, and an accountable democracy for all New Yorkers. We co-coordinate the Climate Works for All coalition, a coalition of environmental justice groups, labor, and community organizations all working towards reducing emissions to fight climate change through the lens of a just transition.

As many people here today have already noted and will continue to note, we are in the midst of a climate crisis, and we only have a few years left to take aggressive action to slow and try to stop the effects of climate change.

For the past 6 years the Climate Works for All coalition has worked to ensure that The City take action to address our greatest source of emissions- large buildings. We worked with Council Member Costa Constantinides and other members of the City Council to pass Local Law 97, the Dirty Buildings bill, which mandates that most buildings over 25,000 square feet meet emissions reductions goals in different compliance periods leading up to 2050. The City has made a laudable commitment to lower emissions, and with our work to pass Local Law 97 has taken aggressive steps to meet those emissions goals. Thank you to Council Member Constantinides for championing Local Law 97 and moving us closer to our goals.

However, meeting our broader citywide commitments will require continued effort. That is why the Climate Works for All coalition supports Council Member Constantinides' intro 1720 to create a climate emissions plan for all city agencies and we support Council member Richard's intro 270 to ensure carbon emissions are accounted for. The City must account and report on our emissions- this allows us to have insight on which agencies are doing well, where we need to improve, and more concrete information about how we are doing overall as a city with emission levels. And we must require that city agencies make a proactive plan to reduce emissions based on that important data. Thank you for your leadership on these two Introduced Laws, Council Members Constantinides and Richards.

Our goal of aggressively and quickly meeting large emissions reductions goals is why we must also invest in the implementation of Local Law 97 by allocating funding in the City budget for retrofits within New York City's Public Housing. Within Local Law 97 buildings with rent regulated and affordable units were

exempted to protect tenants who would face increased costs from displacement. But it is time for us to additionally invest in those buildings to meet our emissions goals and to do so equitably across New York City. In all, the Climate Works for All coalition is fighting for a budget allocation of 1 billion dollars annually to retrofit affordable and public housing.

Without additional legislation and funding we are in danger of not meeting our emissions reductions goals, and meeting those goals is crucial to the future of our city and our world. According to the IPCC 2018 report, we could arrive at irreversible climate change as soon as 2030. We have no time to waste. We are asking the City Council and the Mayor to support intro 1720 and intro 270 and to also fund retrofits in public and affordable housing in NYC. Fighting climate change must be our top priority now and for the coming years, before it is too late. Thank you.

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Statement of Carlos Castell Croke
New York League of Conservation Voters
City Council Environmental Protection Hearing
February 25th, 2020

Good morning. My name is Carlos Castell Croke, and I am a representative from the New York League of Conservation Voters (NYLCV). NYLCV represents over 30,000 members in New York City and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like to thank Chair Constantinides along with city council members Levin, Menchaca, Ulrich, and Yeger for the opportunity to testify before the Committee on Environmental Protection.

New York City has set forth aggressive and groundbreaking climate goals including an 80% reduction in greenhouse gas emissions by 2050 and zero waste to landfills by 2030. Achieving these goals is essential in order to do our part to combat climate change. The State's recent adoption of the Climate Leadership and Community Protection Act (CLCPA) also requires us to do more and continue our climate leadership, especially at this time when Washington is moving backward. .

To help reach these goals, NYLCV supports Intro 1720, which would require each city agency and affiliated governmental organization to develop a climate emission plan on an annual basis. The goals that we have set for ourselves are monumental, to such an extent that it can be difficult to imagine, let alone execute, each of the thousands of steps we will have to take along the way. In fact, New York City has struggled to make progress, and we are not currently on track to meet most of the climate-related goals that are laid out in statute. Requiring city agencies and affiliated governmental organizations to develop individual climate plans that are in keeping with the City's broader plans should help to get the City back on track by focusing on those small steps that add up to real forward movement. Furthermore, City agencies should be an example for the rest of the city, setting out best practices that can then be adopted by the private sector and other local, state, and federal government entities.

Similarly, Intro 270 seeks to embed the City's climate goals in its budget process by requiring each unit of appropriation in the budget to account for its carbon emissions, offsets, mitigation, and net impact. NYLCV supports the goal of aligning the City's budget with its climate goals and thinking more carefully about the carbon impact of various types of agency spending. However, calculating the carbon impact of each unit of appropriation in the budget would be a herculean task, in all likelihood requiring the addition of many new staff at the Office of Management and Budget who are trained in carbon accounting. The temptation to cut corners in producing this analysis would be very strong, and sloppy carbon accounting is less useful to policymakers and the public than none at all.

Intro 270 would be more likely to be effective if it required carbon accounting at the agency level, with the impact of the entire City budget aggregated from the agency-level emissions, offsets, mitigations, and net impacts.

In order to reach the City's 80x50 and Zero Waste goals, we must have a better understanding of the progress we are making - or not making - so that we can learn from mistakes, replicate best practices, and readjust strategy as we go. Thank you for holding this hearing and taking seriously the details of how New York City achieves its climate goals.

TESTIMONY
of the
NATURAL RESOURCES DEFENSE COUNCIL

before
NEW YORK CITY COUNCIL
COMMITTEE ON ENVIRONMENTAL PROTECTION

REGARDING
INTRO. 270 AND INTRO. 1720
FEBRUARY 25, 2020

Marisa Guerrero
Program Assistant

Good morning Chairman Constantinides and other members of the Committee. My name is Marisa Guerrero and I work at the Natural Resources Defense Council. Thank you for the opportunity to speak here today about important bills that would help New York City better track its greenhouse gas emissions. As you probably know, NRDC is an international, non-profit legal and scientific environmental organization headquartered in New York City. And here in New York, NRDC has worked hard to combat climate change by advocating for renewable energy deployment, increased energy efficiency, and clean transportation. We also fight the fossil fuel industry, the primary driver of climate change: as just one example, we have opposed the Northeast Supply Enhancement fracked gas pipeline and have fought other new fossil fuel infrastructure, as well.

On behalf of NRDC, I thank the City Council for considering Intros. 270 and 1720, which will help to ensure that New York City adheres to the critical climate goal of reaching carbon neutrality by 2050.

Cities occupy only 2 percent of the world's landmass, but account for more than 70 percent of greenhouse gas emissions that cause climate change.[1] Such an enormous contribution to emissions means that cities play a significant role in the fight to reduce our carbon footprint across the globe.

As the most populous city in the nation and the country's media and financial center, New York City is uniquely positioned to build upon its leadership role on climate. Though our per capita emissions are the lowest of any big city in the country and among the lowest in the world, the sheer mass of our emissions is nevertheless staggering. New York City produced 52 million metric tons of carbon dioxide equivalent (MtCO2e) in 2015.[2] While that number has been in decline[3] and New York City has made big strides on fighting climate change, we need to do all we can to make sure the City is on track to meet its 2050 goal.

In large part due to the production and combustion of fossil fuels,[4] New Yorkers are already suffering from the harmful effects of climate change firsthand. Heat waves kill 13 people, and send 400 more to the hospital, per year, almost entirely in environmental justice communities.[5] Rising sea levels are eroding our most cherished beaches like the Rockaways. Flooding and extreme weather events, like Superstorm Sandy, are becoming more likely and more frequent. New York City is particularly vulnerable to climate change impacts because it is situated on one of the world's largest natural harbors[6] and its coastline is extensive.

These climate threats affect all New Yorkers, but disproportionately harm environmental justice

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[1] C40 Cities, Why Cities? https://www.c40.org/why_cities (last visited Feb. 24, 2020).

[2] New York City Mayor's Office of Sustainability, Inventory of New York City Greenhouse Gas Emissions in 2015 13 (2017), available at https://www.dec.ny.gov/docs/administration_pdf/nycghg.pdf.

[3] New York City Mayor's Office of Sustainability, supra, at 13.

[4] U.S. Environmental Protection Agency, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016 ES-8 (2018).

[5] Centers for Disease Control and Prevention, Heat Illness and Deaths—New York City, 2000-2011, 62 Morbidity and Mortality Weekly Report 608 (2013).

[6] Federal Writers' Project, New York Panorama: Essays from the 1930s 326 (2018).

communities. These communities face heightened exposure to environmental hazards and pollution; they are, for example, especially vulnerable to the hotter temperatures caused by the Urban Heat Island effect,[7] which causes higher daytime temperatures and less nighttime cooling.[8] Once exposed, they generally have fewer economic resources to prepare for and recover from climate hazards[9]—in the extreme heat example, low-income residents are less likely to have functioning air conditioners, the absence of which is linked to heat-related deaths.[10] And, they experience cumulative negative health effects when exposed to these harmful environmental, health, and/or economic conditions.[11]

The New York City Council is already a leader in driving ambitious climate action from the adoption of the Greener, Greater Buildings suite of legislation in 2009,[12] to the ambitious and landmark Climate Mobilization Act adopted last year,[13] as well as many other laws that reduce energy consumption and increase the deployment of renewables and clean transportation. But we can, and must, do even more to ensure a livable city for present and future generations.

Intros. 270 and 1720, especially when taken together, mark another important step toward reducing our carbon footprint. If passed, they would help the City understand the climate implications of its proposed budget and better track emissions to curtail them, and would be a tool in line with the goals of the New York City Panel on Climate Change 2019 Report to develop methods to assess climate risk and implement region-wide resilience.[14] We encourage the City to go even further to include 20-year global warming potentials (GWP) for methane and upstream gas leaks, in keeping with state policy under the Climate Leadership and Community Protection Act (CLCPA).

In short, these bills would build upon New York's strong leadership on climate and help the City to better account for and reduce its greenhouse gas emissions, thereby prioritizing justice for New York City residents, especially communities on the frontlines of climate hazards. And they can serve as a model for other cities looking to level-up their climate ambition. For these reasons, NRDC supports the proposed legislation before you today and looks forward to continuing to work with the Council and the Administration in its fight against climate change.

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[7] Bruce C. Mitchell & Jayajit Chakraborty, Landscapes of Thermal Inequity: Disproportionate Exposure to Urban Heat in the Three Largest US Cities, 10 Environ. Res. Lett. 7 (2015).
[8] Zoe Hamstead, How We Can Use Climate Action Planning to Beat the Heat, WeACT for Environmental Justice (last visited Feb. 24, 2020), https://www.weact.org/2016/09/climate-action-beat-heat/.
[9] Cathleen Kelly & Tracey Ross, One Storm Shy of Despair, Center for American Progress (July 17, 2014, 2:30 PM), https://www.americanprogress.org/issues/green/reports/2014/07/17/93981/one-storm-shy-of-despair/.
[10] New York City Department of Health and Mental Hygiene, Extreme Heat and Your Health (last visited Feb. 24, 2020), https://www1.nyc.gov/site/doh/health/emergency-preparedness/emergencies-extreme-weather-heat.page.
[11] Rachel Morello-Frosch, et. al., Understanding the Cumulative Impacts of Inequalities in Environmental Health: Implications for Policy, 30 Health Affairs 879 (2011).
[12] Local Laws No. 84, 85, 87, 88 (2009).
[13] Local Laws No. 92, 94, 95, 96, 97, 98 (2019).
[14] Cynthia Rosenzweig & William Solecki, New York City Panel on Climate Change 2019 Report Chapter 1: Introduction, Ann. N.Y. Acad, Sci., 1439, 22 (2019), available at https://nyaspubs.onlinelibrary.wiley.com/doi/abs/10.1111/nyas.14004.

NEW YORKERS for Affordable Energy

A Reliable Partner for a Clean Energy Future

Testimony on City Council Assessment of Emissions Goals

Michael Lawler, Director of New Yorkers for Affordable Energy:

Good morning and thanks for the opportunity to testify.

My group, New Yorkers for Affordable Energy is dedicated to supporting access to cleaner, reliable, and affordable sources of energy for residential and business consumers. We're a coalition of organized labor, business, and community leaders.

Our key message to you today is that we think the City's goal of reducing emissions represents an extraordinary amount of ambitious thinking about how much renewable energy will really be developed by 2040 — just 19 years from now.

Furthermore, any realistic plan to reduce emissions must include infrastructure for delivering natural gas. A recent study by the Environmental Defense Fund supported the conclusion that there is a natural gas supply problem in New York City and the suburbs. Their "data demonstrates that those supply constraints, and they are pipeline supply constraints, are causing adverse environmental impacts."

It's also clear with the issuance of a recent executive order, the mayor has given zero thought to how much this policy will really cost New Yorkers, or how it could make our housing crisis even worse. In short, for reasons I'll explain more fully in a moment, we think it is

- ✔ bad economic policy,
- ✔ bad housing policy,
- ✔ and an environmental policy that's based on hopes, not reality.

I'd like to make three key points:

1. No one knows how much it will cost to heat buildings with electricity in 2040 or how well that would even work, especially in winter. If you require electric heat that's way more expensive to install and operate than proven natural gas systems, you're going to drive up rents and energy costs. You're going to make our affordable housing crisis even worse in New York.
2. The mayor went ahead and announced an extreme, mandatory policy while three major feasibility studies have yet to be completed for your consideration. One study's about the engineering and fiscal challenges of electrification. Another's about how the electric grid needs to be upgraded. And a third is about our city's needs for new natural gas infrastructure. Racing ahead and jamming through this policy before your studies are even done is classic ready-fire-aim some may even say irresponsible.

3. Finally we would suggest you consider the situation at NYCHA. Over the last decade, the Housing Authority has spent millions to convert old, failing, dirty oil heat systems to clean-burning and much less expensive natural gas. The mayor's executive order may force the authority to delay upgrading these systems which are essential for NYCHA residents.

Now bear in mind, today only 30 percent of New York's electricity comes from renewables. And 25 of that 30 percent comes from hydroelectric dams. Getting from 30 to 100 percent renewable by 2040 just for the energy we consume is a massive undertaking.

The simple fact is that New Yorkers rely on natural gas. Sixty percent of New York households heat with natural gas, and 40 percent of our electricity comes from power plants that run on natural gas, according to the U.S. Energy Information Administration. Whether New Yorkers heat their homes in the winter or power their air conditioners in the summer, natural gas is fueling their everyday lives.

Additionally, according to the Western Energy Alliance, natural gas "is the number one reason the United States has reduced greenhouse gas emissions more than any other country." The shift from dirtier-burning fuels like coal to natural gas has produced 57 percent more carbon-emission reductions than have all the renewable energy sources that have come online since 2005, EIA data show.

Now bear in mind, today only 30 percent of New York's electricity comes from renewables. And 25 of that 30 percent is hydroelectric dams. Getting from 30 to 100 percent renewable by 2040 just for the energy we consume is a massive undertaking.

When the Indian Point nuclear unit shuts down next year, New York will need even more natural gas for power plants to fill the gap. Also, the more New York moves to intermittent renewable energy sources like wind and solar, the more vital it will be to have natural gas power plants online and available to cycle up as quickly as the wind stops blowing or the sun goes behind a cloud.

The truth is, natural gas is the only source of energy that can fully and reliably meet the needs of New Yorkers - and do so without increasing energy costs to homeowners and businesses or increasing the cost of new construction to alleviate New York's affordable housing problem.

The City's goal of converting every gasoline and diesel-powered car and truck in New York to electric and converting every building and home in New York now heated by oil or gas to electricity will require massive investments and years of infrastructure upgrades. Getting enough wind power and solar and other renewables built to cover all of that by 2040 will be incredibly challenging, very likely impossible.

If we could affordably live off nothing but renewable energy in New York in 2040, I think we'd all agree, it would be ideal and a dream to aspire to.

But if you look at where we are now, locking that in as a binding mandate, today is an incredibly dangerous policy. We don't know if we can even do it, we have no idea how much it would cost, we have no idea what that would do to our housing crisis and the cost of construction. We haven't even finished asking and answering those questions.

We are prepared to work with you on developing a clean fuel future across the globe but urge all engaged to be realistic on how this can be best accomplished. I am happy to answer any questions that you have.

Thank you.

sane energy project

Direct testimony Sane Energy Project
Delivered by Lisa Harrison, Core Team Member Sane Energy Project
Contact:
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February 25, 2020

RE: Int. 1720 Sponsor: Constantinides - A Local Law to amend the Administrative Code in relation to the establishment of agency-wide climate emission plan

RE: Int. 270 Sponsor Richards-A Local Law to amend the administrative code of the city of New York, in relation to carbon accounting

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We are so grateful to the leadership of the NY City Council. Thank you for hosting this hearing today, and we thank you for your valiant efforts to address climate change as the crisis that it is in our beloved waterfront city.

Sane Energy Project represents nearly 9,000 New Yorkers working for the past decade toward halting fossil fuels and moving our economy to 100% community owned and led renewables.

We support the intro bills proposed today that will give additional solid infrastructure for a desperately needed clear plan to 100% renewable energy for New York City.

In addition, we have the following recommendations:

Intro 1720 states: *"No later than January 15, 2020, and no later than every January 15 thereafter, the office of long-term planning and sustainability, or such other agency or office as the mayor shall designate, shall develop for each mayoral agency and for each affiliated governmental organization a climate emission plan projection, annually and concurrent with the fiscal budgeting process."*

Intro 270 states: *"The terms "carbon dioxide equivalent" and "CO_2e" mean the quantity of carbon dioxide gas expressed in metric tons that would have the same GWP when measured over a timescale of 100 years as a given quantity of a greenhouse gas. Carbon emissions. The term "carbon emissions" means greenhouse gas emissions from any source, as expressed in CO_2e."*

Since April of 2019, Sane Energy Project has been parties to both utility rate cases that serve New York City: Con Edison and National Grid. Other parties to the rate case include the Office of Recovery and Resilience and Energy Policy Advisors to New York, as well as Couch White, the legal representation of the City of New York.

We recommend you to consider including these offices to work together, and get on the same page, when making climate emission plans.

We recommend you urge the Mayor to tell the City of New York to pull their support for the current National Grid Rate Case.

We recommend you urge all greenhouse gas emissions measurements to include a methane measurement using a 20 year time frame.

Our concerns we would like to air:

Sane Energy Project filed testimony with copies to all parties that include the City of New York, in both rate cases outlining the dangers of methane, the main component of fracked gas that is currently being expanded in all five boroughs using our rate-payer dollars.

Sane Energy Project stated in our testimony to Con Edison on May 24, 2019:

> "The company primarily bases its claims of reducing greenhouse gas emissions on the fact that when burned, gas emits less CO2 than oil, but ignores upstream and downstream methane leakage. In doing so they are presenting an incomplete and misleading representation of greenhouse gas emissions associated with their projects and their environmental impact. Additional when talking about reducing greenhouse gas emissions the Company proposes projects to reduce methane leaks[1] within their system while at the same time expanding gas capacity and dependency through new and enhanced pipelines and investing funds in LNG storage. Expanding gas capacity will lead to more fracking and fracking infrastructure needed to transport the gas, thus increasing overall methane emissions."

We filed similar testimony and supplemental testimony in the National Grid Rate Case since both corporate utilities asked for astronomical rate hikes from New Yorkers to expand fracked gas infrastructure that continues to keep business as usual filling shareholders pockets on New Yorkers' dime while knowingly harming the planet.

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[1] Gas Policy Panel Page 16 lines 13-16

Sane Energy recently confirmed on the record that National Grid is using an outdated 100 year global warming potential of methane measurement plan, when climate science says that methane warms our atmosphere 86+ times faster than carbon dioxide in a 20 year global warming potential of methane measurement plan.

Quotes from transcripts from the February 10, 2020 National Grid Evidentiary Hearing in Albany, New York:

> **National Grid:** "Just to be clear, the reason we are using a 100 year global warming potential is that it is consistent with the EPA. We DO KNOW what the 20 year global warming potential is, but that is not what goes into the reporting."
>
> **Sane Energy:** "So all of your reporting is based on the 100 year time frame, **even though state law requires you to use a 20 year time frame**... I'm asking how you calculate your emissions and how you look at emissions reductions, and if you are matching what the state is requiring. Because there are very different calculations when looking at methane over a 20 year time frame than a 100 year time frame."

On February 13, 2020, Sane Energy Project along with Youth Climate Movement members took these concerns to a meeting with Dan Zarrilli, New York City's Chief Climate Policy Advisor, Mark Chambers, Director of Mayor's Office of Sustainability, and Lincoln Restler, Deputy Chief of Staff to Mayor Bill de Blasio at City Hall to discuss our dismay with the City of New York's stance and behavior in the Con Ed and the National Grid Rate Cases.

We requested that Mayor de Blasio instruct the City of New York -- as parties to the current National Grid rate case -- decline their support of further fracked gas infrastructure projects which includes:

- $185 million for the North Brooklyn "MRI" fracked gas pipeline expansion. National Grid is telling our neighbors they are already approved to finish this pipeline, when that is simply a lie.
- $108.5 million for Liquefied National Gas (LNG) expansion including expanded LNG storage, and two additional LNG vaporizers in the residential neighborhood of Greenpoint Brooklyn.
    - They have also applied to the City of New York for a variance to use LNG "bomb" trucks to take this gas to points in MA and Long Island.[2]

[2] https://a002-ceqraccess.nyc.gov/ceqr/ProjectInformation/ProjectDetail/12601-17FDO002Y#b

- $74 million for additional transmission pipelines in Long Island

We also requested of Mark, Dan, and Lincoln that the City of New York stand up to the constant bullying, lies, and manipulation by National Grid, and publicly denounce the North Brooklyn "MRI" pipeline, and help halt the next phase they are asking money for to complete. **We have followed up twice with them after this meeting, and have heard no response.**

We don't know where to turn now because the City of New York has not fought for the well-being of New Yorkers in both corporate utility rate cases, and we need your help.

We just saw Con Edison achieve a $3 billion rate hike from our wallets for their shareholders to build an astronomical amount of fracked gas infrastructure in Queens, Bronx, and Westchester with possibilities open in Manhattan. The City of New York, as parties to the rate case, did nothing to halt this climate disaster.

National Grid's rate case, not yet decided on is New York City's climate test. We urge you to call upon the Mayor to act NOW on his recently passed climate declaration, and pull NYC support for National Grid's request.

We look forward to continuing working with the NYC Council on helping to develop any plans on halting climate disaster methane, and replacing it with clean heat solutions, available now at NYSERDA if we stick together and get the funding to make renewable heat now happen for every resident of New York City.

Testimony of Catherine McVay Hughes before the
New York City Council Committee on Environmental Protection Committee
Oversight Hearing — Addressing Challenges in Meeting our Carbon Commitments
Wednesday, February 25, 2020 10:30AM— 250 Broadway, Committee Room 16th Floor

Good morning, Chair Constantinides and Council Members Levin, Menchaca, Ulrich and Yeger. Thank you for the opportunity to testify today on Addressing Challenges in Meeting our Carbon Commitments. My name is Catherine McVay Hughes, I served 20 years on Manhattan Community Board One (CB1), half that time as Chair or Vice-Chair. Today I am representing the **Financial District Neighborhood Association** (FDNA). FiDi is home to roughly 60,000 residents and is the fourth largest business district in the country.

In September 2014, New York City committed to reduce greenhouse gas (GHG) emissions by at least 80 percent by 2050 (80 x 50, Local Law 66 of 2014), with an interim target to reduce emissions 40 percent by 2030 (40 x 30). The graph below shows that since 2005, NYC has reduced Citywide Annual Greenhouse Gas Emissions[1] (GHGs) by 17% in 12 years and hovers around 2012 levels. Most of the GHGs may be divided into a third for "Transportation" and two-thirds "Stationary Energy." When will the 2018 Citywide Annual GHG emissions by sector be released? And the 2019 data?

Clearly, there is much more to do to reach the 2030 goal which requires another 23% reduction in this decade. Please act now and pass: Int 0270-2018 (A Local Law to amend the administrative code of the city of New York, in relation to carbon accounting) and Int 1720-2019 (A Local Law to amend the administrative code of the city of New York, in relation to the establishment of agency-wide climate emission plan).

While we try to do our part to reduce greenhouse-gas emissions, we also have to protect our region against climate-change driven storm surges, violent weather and sea level rise.

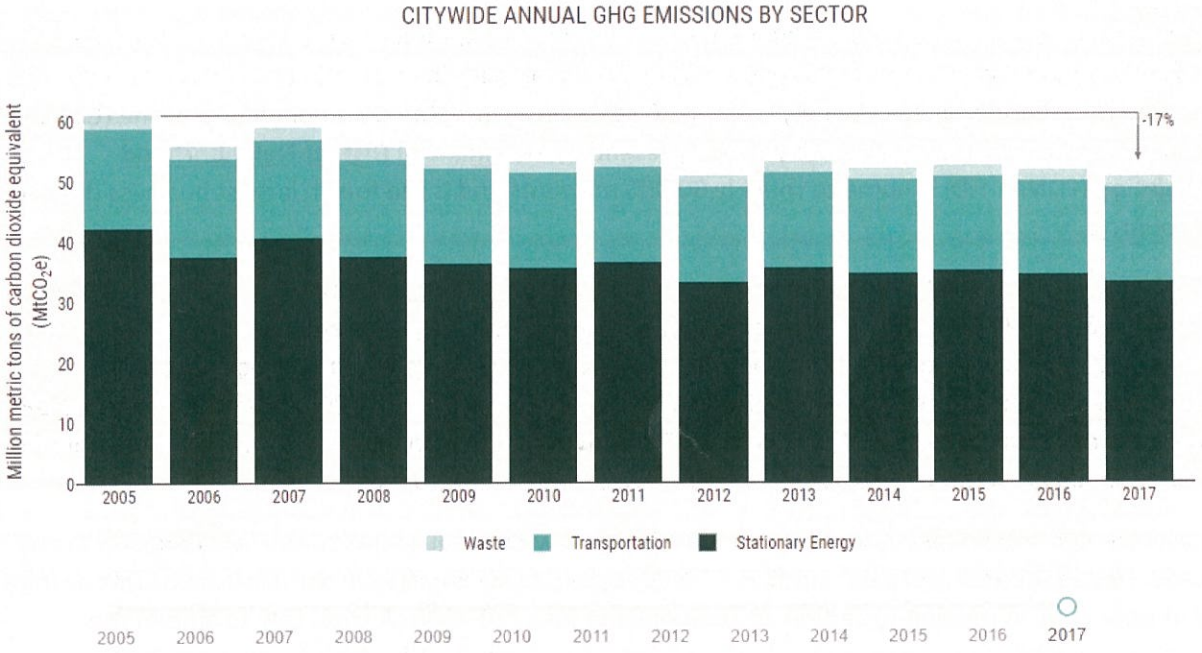
This past Friday the public was notified that the NYNJHAT Study, along with several other nation-wide USACE CSRM feasibility studies, did not receive federal appropriation funding as announced in the USACE Fiscal Year 2020 Work Plan. The Study's Tentatively Selected Plan (TSP) milestone and release of the draft Integrated Feasibility Report and Tier 1 Environmental Impact Statement (EIS), originally scheduled for release in late summer 2020, has also been indefinitely postponed.

Activities related to the NYNJHAT Study are suspended until further notice. What's the alternative? On 01/18/20, President Trump tweeted "that you will just have to get your mops and buckets ready!" I think we all agree that didn't work for Superstorm Sandy, nor will it for the next weather crisis. This study included an area of 2,150+ square miles and 900+ miles of effected shoreline with an effected population of 16 million people in both NY and NJ.

Consequently, there is no comprehensive regional study being planned which would have included NYC's 520 miles of waterfront. And only recently has the Seaport and Financial District resiliency planning process has been restarted and there is no funding for implementation. Thank you for the opportunity to testify today.

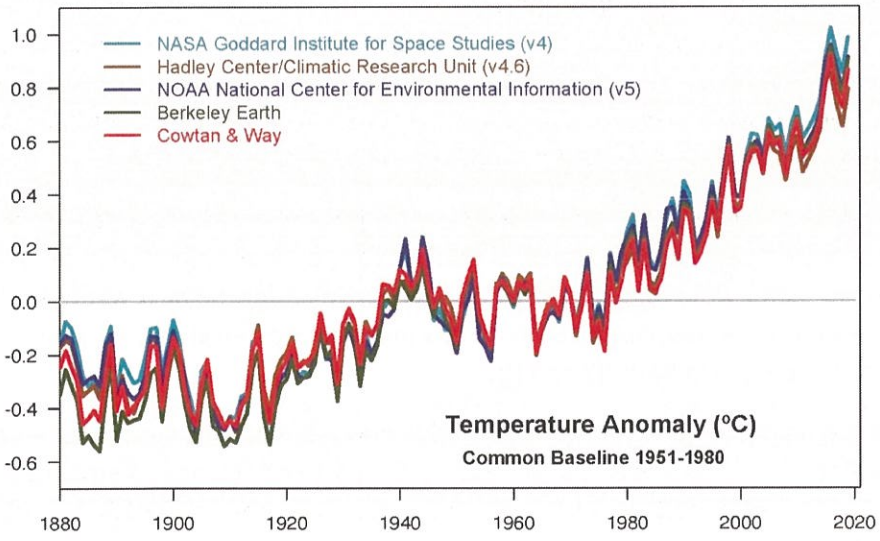
Affiliations (for purposes of disclosure): Catherine McVay Hughes is a member of the Board of the Battery Park City Authority, CERES Presidents Council, Lower Manhattan Development Corporation, The Trust for Governors Island, South Street Seaport Museum, WTC Scientific Technical Advisory Committee, Princeton Climate Analytics Advisory Board, Storm Surge Working Group and Climate Coalition for the Seaport-Financial District. She holds an MBA from the Wharton School of Business and a Bachelor of Science degree in Civil Engineering from Princeton University.

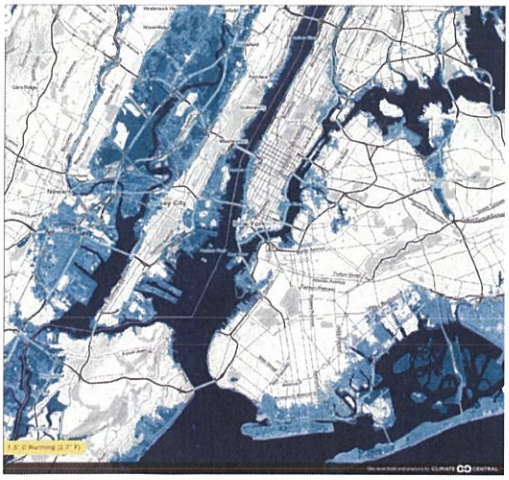
EMISSIONS BY SECTOR EMISSIONS BY SOURCE



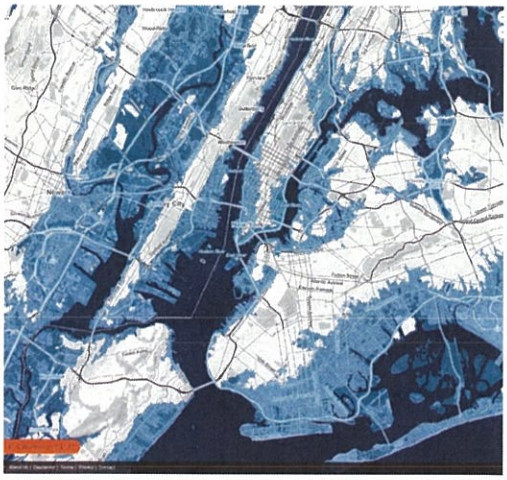
National Aeronautics and Space Administration (NASA), National Oceanic and Atmospheric Administration (NOAA) Analyses Reveal 2019 Second Warmest Year on Record

source: https://www.nasa.gov/press-release/nasa-noaa-analyses-reveal-2019-second-warmest-year-on-record





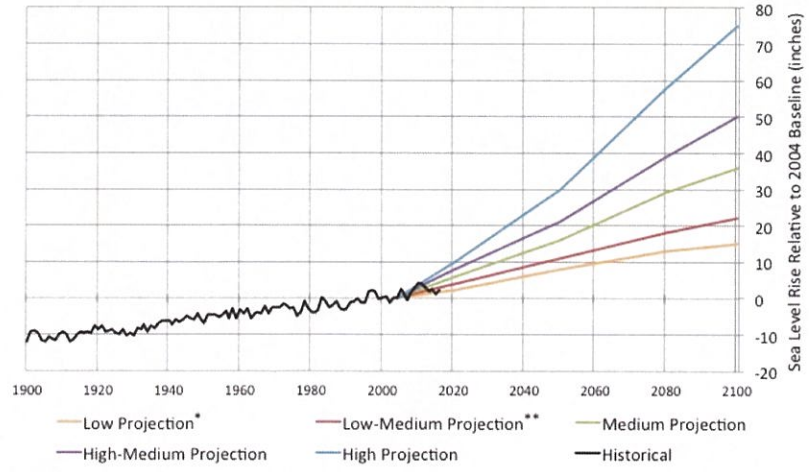
Sea level rise by 2100 assuming **1.5 degrees C Warming (2.7 degrees F)** as estimated by Climate Central, Surging Seas Mapping Choices



Sea level rise by 2100 assuming **4.0 degrees C Warming (7.2 degrees F)** as estimated by Climate Central, Surging Seas Mapping Choices

Sabin Center for Climate Change Law, Columbia Law School

Official Sea Level Rise Projections for New York City



Graphics by Christian Termyn

* Historical sea level rise sourced from Permanent Service for Mean Sea Level data for New York (the Battery), available at: http://www.psmsl.org/data/obtaining/stations/12.php

** NYS Sea Level Rise Projections, 6 NYCRR Part 490. Projections represent inches of rise over baseline level, which is defined as the average level of the surface of marine or tidal water over the years 2000 through 2004.

Table 3.2. New York City sea level rise projections, including the new Antarctic Rapid Ice Melt (ARIM) scenario, relative to 2000–2004 (in feet)

	NPCC2 2015 sea level rise projections[a]			NPCC3 ARIM scenario[b]
	Projections of record for planning			Growing awareness of long-term risk
Baseline (2000–2004) 0"	Low estimate (10th percentile)	Middle range (25–75th percentile)	High estimate (90th percentile)	ARIM scenario[c]
2020s	0.17 ft	0.33–0.67 ft	0.83 ft	-
2050s	0.67 ft	0.92–1.75 ft	2.5 ft	-
2080s	1.08 ft	1.50–3.25 ft	4.83 ft	6.75 ft
2100	1.25 ft	1.83–4.17 ft	6.25 ft	9.5 ft

2019 report from the New York City Panel on Climate Change (NPCC), released March 15, 2019; https://nyaspubs.onlinelibrary.wiley.com/doi/10.1111/nyas.14006

February 25, 2020

Testimony to City Council, Committee on Environmental Protection,
Councilmember Costa Constantinides, and Councilmember Donovan Richards:

My name is Archie Kinnane. I'm 23 years old and I live in Brooklyn. I work with Richard on City Atlas, and I am also involved with Extinction Rebellion NYC, but today, I am here representing myself. First, I want to say that I appreciate everything this committee has done and is doing. The buildings law was fantastic, thank you for getting that through, and the bills today are great as well, and I fully and enthusiastically support them.

I'm here to talk about Citizens' Assemblies. This is a concept that is starting to be adopted all over the world, and I bring it up today because I think it's a powerful idea that might help the city do even more to decarbonize and prepare New Yorkers for the future, and could help New York City become a model for re-engaging people with the democratic process and restoring faith in government.

A Citizens' Assembly is a type of democratic process that brings together people from all walks of life into one room to learn, discuss, and deliberate on a topic, usually during several weekend sessions, and then provide recommendations to their government. I'll briefly describe what's going on in the UK right now to provide a picture for how something like this might work here in New York. Climate Assembly UK was convened by six Parliamentary Committees in June of last year. A group of 110 people was chosen by civic lottery so that they represent the wider population. This group is being brought together for eight sessions across four weekends to learn from a balanced group of experts about climate change and how the UK can address it, take time to discuss this with one another, and then make recommendations about what should happen. These recommendations will be submitted to Parliament to form the basis of how the public wants to address the climate crisis and end emissions. There are also over a dozen municipalities hosting their own local assemblies, and France is having a national Citizens' Assembly on climate as well.

Through the organizations I mentioned, I've gotten to have contact with the people running many of these Citizens' Assemblies and learned a lot about them, and they seem like a really good idea to try. I'll first talk about why I think so, in a practical sense.

First, a Citizens' Assembly lets us know exactly what people want, don't want, and would prefer, without policy makers having to guess for them. Decarbonization is about choices, and about how much we are willing to change, and how quickly. Science tells us we must act fast, and yet, we have little idea what policies might enjoy support from the majority of the population.

Assemblies have revealed a much, much broader appetite for aggressive climate action than usually assumed by conventional political mental models. When you let people sit with this information and ask them what we should do, almost invariably, they want their government to do more. I can pass along the reports, articles, and interviews with participants that show this.

Second, people are more likely to trust a program or process that has been developed with citizen involvement. Citizen participation gives legitimacy to the solutions offered.

Third, in any program that involves large changes to society, as decarbonization must, active public consent is critical. We must act now to embed it into bureaucratic processes. Prioritizing community involvement speeds up the process of implementing environmental policies, from building solar farms and transmission lines, to creating more resilient coastline.

I've said a little bit about how Citizens' Assemblies can be practical tools for effective governance, but I also want to talk about why I consider opening up more citizen involvement to be a moral issue. Just this week, news broke that JP Morgan analysts are warning their clients that there exists the threat of the collapse of civilization and the "end of human life as we know it." And that's just the latest example of what sounds like hyperbole coming from very serious sources. I fear that I'm seeing people I care about be set up for failure because we are pretending that things will fundamentally stay the same when we know that they won't. And I'm fully aware that I am also one of the lucky ones. No matter what, the future is going to be very different, and as our city continues and accelerates the task of mitigating emissions while increasing resiliency, we need to amplify the voices of communities who have borne the brunt of climate impacts and ensure equitable involvement in the political process for all. As impacts worsen, cooperation will not get easier. We need to invest in community involvement now.

I know that several councilmembers have championed Participatory Budgeting, which I think is fantastic—I think that a Citizens' Assembly could be the next step in making a government that works for all. We are in touch with people running these, they want to help us get started, and I'd love to connect you with them if you'd like to explore the idea further.

Thank you very much for your time, and thank you again for all that you do.

Archie Kinnane
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February 25, 2020

Testimony to City Council Committee on Environmental Protection,
Councilmember Costa Constantinides, and Councilmember Donovan Richards

I write in support of Int. 1720, Amendment to Administrative Code for Agency-wide Emissions Plan, and Int. No. 270, Carbon Accounting for the City.

I'm the editor of the project newyork.thecityatlas.org, about the future of New York City; we're based at the Institute for Sustainable Cities at Hunter College, and William Solecki, former co-chair of the City's climate panel, is one of our advisors. Today I speak on my own behalf and do not speak for the Institute or for the City Atlas project.

The local laws proposed would be a valuable step in continuing New York's leadership on climate policy. I testify in enthusiastic support of these steps, and hope the City can go further, faster. As C40 Cities puts it, we have a 2020 deadline to curve emissions down rapidly. NYC is formally committed to the C40 emission pathways, though the city shows no sign of being able to meet them.

Part of the problem is that carbon commitments for a city extend far beyond that of the municipal emissions or city agencies, because up to two thirds of our emissions are lifestyle-based.

Lifestyle emissions are unequal. Wealthy people own larger homes and cars, consume more goods, and travel more. As shown by Oxfam, in the US, the top 10% of emitters average 50 tonnes per person, while the bottom half average below 10 tonnes. If we collect ten New Yorkers, nine will average a little over 10 tonnes each, and one will be at 50 tonnes.

This disparity is why C40 points out that bringing high emitters down towards the average is essential to rapid decarbonization: the wealthy are where the emissions are, so their changes lead to more positive results. (C40 calculates a 35% drop in emissions by bringing the global top 10% down to the EU average. Bringing the top 10% in NYC down to the city's per capita average would likely also be about a 35% cut, bringing us in line with Paris agreement goals.)

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References:

Percent for Climate:
http://newyork.thecityatlas.org/lifestyle/percent-for-climate-2/

UK FIRES/Cambridge University climate plan for the UK:
http://ukfires.org/absolute-zero/

UK House of Lords discussion of Absolute Zero report:
https://hansard.parliament.uk/lords/2020-02-06/debates/22BE288A-6BCF-4D5A-BE0E-F3EFAB702D4A/ClimateChange

Oxfam: Extreme carbon inequality
https://www-cdn.oxfam.org/s3fs-public/file_attachments/mb-extreme-carbon-inequality-021215-en.pdf

C40 Cities with Arup: The future of urban consumption in a 1.5°C world
https://www.arup.com/perspectives/publications/research/section/the-future-of-urban-consumption-in-a-1-5c-world

C40 Cities: Making our collective response to climate change more equitable
https://www.c40.org/blog_posts/making-our-collective-response-to-climate-change-more-equitable

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Testimony of Jenny Veloz
New York Lawyers for the Public Interest
New York City Council Hearing on Emissions Reduction
February 25, 2020

Thank you, members of the Committee on Environmental Protection, for convening this hearing. My name is Jenny Veloz and I am a community organizer in the Environmental Justice program at New York Lawyers for the Public Interest (NYLPI).

New York is often looked upon to lead the way on climate change. Policies and legislation, such as 80x50 and Climate Leadership and Community Protection Act (CLCPA), which set targets for GHG emissions reductions, are the first steps in ensuring that future generations do not continue to bear the burden of the climate crisis. Thank you to this committee for advancing key legislation to advance these goals. Now we need to do more. Now is the time to make those reductions really happen.

We can do this by investing in the necessary resources to end our reliance on fossil fuels, increase equity across all communities (especially environmental justice communities), and create jobs. Three key areas for public investment to drive emissions reductions are buildings, transportation and energy.

Buildings: Local law 97 requires that large buildings over 25,000 square feet reduce GHG emission by 40% by 2030 and by 80% by 2050. However, in order to protect tenants and maintain housing affordability, buildings with rent stabilized units were exempted from the law. We must not disregard the aging housing stock in NYC, especially rent stabilized and NYCHA buildings, that are in dire need of repair and maintenance and will continue to place an energy burden on residents. To reach the 80x50 goal, maintain housing affordability, and create green jobs, the city should put money into a Climate and Community Development Fund to finance energy efficiency upgrades in rent-stabilized buildings. Energy efficiency will lessen energy costs for low income residents, reducing the energy burden they continue to face.

Transportation: While Mayor de Blasio's recent Executive Order mandates the transition of all City vehicles to an all-electric fleet, the order does not mandate transition to all electric of contracted fleets, like school buses. I have testified at previous hearings about the importance of passing Intro 455, which would require transitioning the city's school bus fleet of over 9,000 buses to all electric vehicles. The impact of this bill cannot be understated. Low income communities and communities of color are adversely affected by hundreds of diesel buses driving to and from school in their neighborhoods. Students (especially special education students) continue to breathe harmful toxic fumes from riding for hours on these diesel/gas school buses. Investment in electric school buses must happen if we are serious about reducing emissions for all vehicles.

Energy: Finally, we need to invest in creative ways to support local renewable energy sources. Once such example is the Renewable Rikers Act (Intros 1591, 1592 and 1593), which would transfer ownership of Rikers Island to DEP, explore ways in which the island can be used for solar and energy storage capabilities, and create green infrastructures. Local renewable energy generation at Rikers Island could help close down peaker plants in environmental justice communities, which burn harmful pollutants at the peak of high energy demand, and create more green space for communities. The city has made initial progress in installing some solar and energy storage on schools and public buildings; these efforts and other creative ways of leveraging city resources to support local and community owned energy generation will also help communities by lowering utility bills, introducing new forms of energy decreasing the burden on the electrical grid, and investing in people, by providing training and jobs in a newly created green jobs sector.

We need to stop paying lip service to climate change and start putting in the work to achieve our goals. We need to start investing the money (starting with the Climate and Community Development Fund) to prove our seriousness in fighting climate change. Let's leave future generations a city they can be proud of.

Good morning. My name is Sara Gronim and I am one of over 2700 members of 350Brooklyn, an organization that fights the climate crisis through local action. Last spring, we stood in strong support of this committee and the City Council as you passed a suite of historic legislation to take action in New York City. And we come before you today to convey our strong support for Int. 1720 and 270.

I want to speak today about the particular risks of methane emissions and their impact on New York City's responsibility to mitigate the climate crisis. As the members of this committee well know, so called natural gas—a major source of electricity generation and building heat and hot water in our city—is primarily methane. Gas companies try to claim that their product is better for the climate than is petroleum-based fuel oil because when you burn natural gas you produce less carbon dioxide. Not no carbon dioxide, mind, but simply less. But what's critical about methane is that it is a far more powerful a greenhouse gas in the first 20 years after its release than is carbon monoxide. 86 times more powerful. And methane is released into the atmosphere during fracking, during processing, during its long-distance transportation, it's released from compressor stations en route, and from the distribution lines under our streets.

If we are going to accurately evaluate, then, whether actions we take are actually effective in reducing our carbon footprint, we need to accurately measure the methane that both National Grid and Con Ed are releasing from this leaking system and accurately assess the degree to which any interventions they take work.

I want to draw your attention today to recent testimony from National Grid (which, as you know, holds the monopoly on providing gas to Staten Island, Brooklyn, and parts of Queens, as well as Nassau and Suffolk Counties.) in the rate case that is currently before the Public Service Commission. National Grid is asking for a delivery rate increase of 17.78% for its NYC customers. In the course of its testimony, National Grid is attempting to portray itself as a good citizen doing its part to reduce its greenhouse gas emissions and thus address the climate crisis. National Grid, it says, will reduce its methane emissions from its gas distribution system by 60% compared with 1990 by 2035.

The primary way it is trying to do this is to replace leak-prone pipes in the city. It offers charts that purport to show that it has already decreased its methane emissions by several thousand tons since 2014 and predicts a decrease by several thousand more in the near future.

Except that National Grid apparently measured nothing. Under cross-examination by Sane Energy's indefatigable Lee Ziesche, National Grid doesn't measure its leakage rate anywhere in its system. Instead it takes a formula developed by the EPA that estimates average leakage for each type of pipe, that class of pipe's "emission factor." When it replaces a length of pipe, it then uses this emission factor to make claims about how much methane loss National Grid has now prevented. Nothing about examining the pipe they've removed for leaks or any indication that they measured street-level methane before and after they replaced a given length of pipe.

I want to say that as a former intensive care unit nurse—we never administered a drug to a patient in crisis and then assumed a result based on drug company estimations of average or typical response. We always measured that patient's response. Averages are only rough predictors. You can't know if something made a difference in any particular instance unless you measure it.

I would also add that under cross examination National Grid made it clear that they are only estimating the benefits to reduced methane emissions from replacing pipes. They have an LNG trucking facility in Greenpoint that they are looking to expand and want to put in a CNG filling station on Staten Island—they had no information for Ms. Ziesche on methane emissions here. It's not clear that they intend to measure anything at those facilities.

It's not that National Grid doesn't know how to do this. In 2014 the Environmental Defense Fund teamed up with Google Street. The EDF attached a methane measuring device to the Google car as it went back and forth over streets on Staten Island. The data showed about one leak for every mile driven. And the EDF shared this info and its method with National Grid. So actual measurement can be done and it should be done.

We at 350Brooklyn commend the Committee on Environmental Protection for pursuing this. Our one reservation is about the 100-year specification in 270. Methane is very powerful upon release. Its impact peaks in about 12 years after release. It then dissipates and virtually disappears from the atmosphere after about 20 years. Thus the urgency of controlling it in the near term. Using the 100-year measurement for methane will average out the sharp peak of its effects and underplay its significance.

Despite that reservation we commend the City Council for taking such a strong leadership role in the fight to address the climate crisis.

Sincerely,

Sara S. Gronim

350Brooklyn member

sgronim@erols.com

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 2108/1720 Res. No. _____

☑ in favor ☐ in opposition

Date: 2/25/2020

(PLEASE PRINT)

Name: ANTHONY J FIORE

Address: 17 1/2 CENTRE STREET

I represent: DCAS

Address: 17 1/2 CENTRE STREET

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jenny Veloz

Address: 151 West 30th St., 11th fl

I represent: New Yorkers for the Public Interest

Address: 151 West 30th St., 11th fl

THE COUNCIL
THE CITY OF NEW YORK (18)

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☑ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: Michael Lawler

Address: 90 Pearce Pkwy, Pearl River, NY 10965

I represent: New Yorkers for Affordable Energy

Address: 111 Washington Ave, St 602, Albany NY

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1720/270 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Phoebe Flaherty

Address: _____

I represent: Align

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1720/270 Res. No. _____

☐ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: GINA BOCRA

Address: 280 BROADWAY NY NY

I represent: DEPT OF BUILDINGS

Address: 280 BROADWAY NY NY

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 27/1720 Res. No. _____

☐ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: Carlos Castell Crane

Address: 532 Cal Ave, Brooklyn NY 11215

I represent: NYLCV

Address: 30 Broad St, 35th Fl, NY NY 10004

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 270/1720 Res. No. _____

☒ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: Marisa Guerrero

Address: 435 Metropolitan Ave Brooklyn NY 11211

I represent: Natural Resources Defense Council

Address: c/o W 20th St New York NY 10011

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 270/1720 Res. No. _____

☒ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: RICHARD REISS

Address: 42 W. 56 ST.

I represent: CITY ATLAS

Address: HUNTER COLLEGE

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 270/1720 Res. No. _____

☑ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: Archie Kinnane

Address: 52 Bergen St Brooklyn, NY 11201

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/25

(PLEASE PRINT)

Name: Michael J Howard

Address: 1720 Sargent Av Apt #1F Far Rockaway NY 11691

I represent: Sunrise Mvmt Woodmere

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Rachel Cole

Address: 305 Bergen St. 11217

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JENNSON HENSIAN

Address: 40 FIFTH AVE NY NY

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Barbara Hertel

Address: 212 E. 2nd St

I represent: me

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: RIEANNA MATHURIN

Address: 211 Bergen St 11225

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☑ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: LISA HARRISON

Address: 212 W 105 ST, 10025

I represent: SAVE ENERGY PROJECT

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 02-25-20

(PLEASE PRINT)

Name: Catherine McVay Hughes

Address: _____

I represent: FDNA - Financial District Neighborhood Association

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/25/20

(PLEASE PRINT)

Name: Tok Oyewole

Address: _____

I represent: NYC - Environmental Justice Alliance

Address: _____

Please complete this card and return to the Sergeant-at-Arms