

NEW YORK STATE COUNCIL OF CHURCHES 2022 LEGISLATIVE ASK

ENVIRONMENTAL JUSTICE

The Theological and Anti-Racist Rationale for our Work:

There is an urgent need to address the Climate Crisis. The UN Intergovernmental Panel on Climate Change (IPCC) has determined that we have until 2030 to dramatically change the way we live if we are to avoid a climate catastrophe. To avoid a climate catastrophe, 80% of all known fossil fuels must not be burned. Oil, gas and coal companies already have five times that much in reserve. Hoesung Lee, chair of the U.N. Intergovernmental Panel on Climate Change, said that "time is running out" and that this decade may be the last chance left "to restore the planet." Referring to the IPCC sixth assessment report as "a code red for humanity," the United Nations Secretary General Antonio Guterres said, "This report must sound a death knell for coal and fossil fuels, before they destroy our planet."

NY state legislators must act with boldness, clarity, and transparency in order to address the climate emergency.

The climate crisis is an issue of economic, generational, and racial justice. The poor, people of color, and future generations are those who will suffer the most from climate change. The Biblical command to love our neighbors as ourselves calls us to address the climate crisis and work to mitigate the harm that human-induced climate change will have on future generations, on the poor, and on all of creation.

People of faith understand the threat of global climate change in the context of covenant. God has established a covenant "with every living creature" (Genesis 9:10ff.) and with the earth itself (Genesis 9:13). Humankind has been given a special place in this covenant relation. We are placed in the garden of creation "to till it and to keep it." In the words of Old Testament scholar Walter Brueggemann, "The human person is ordained over the remainder of creation ...for its profit, well-being, and enhancement...to see to it that the creation becomes fully the creation

Summary/Principles

- Addressing the climate crisis is an urgent need; the situation is critical, a 'red alert' for the planet.
- People who are poor, marginalized and people of color will suffer (and already are suffering) the most from the effects of the climate crisis.
- Legislation should help us immediately reduce carbon emissions, move us as quickly as possible away from fossil fuels and toward renewable and sustainable energy systems, and address the needs of those communities who are being most effected by climate change.
- The proposed executive budget makes some 'baby steps' toward addressing the crisis but doesn't come close to meeting the need.

- Several pieces of proposed legislation, especially the CCIA, are ways of addressing the crisis. Last year the Assembly and Senate passed NO significant climate legislation. We need you to act this year with boldness, clarity and transparency in order to address the climate emergency.

State Legislative Requests:

Support the Work of the Climate Action Council (created by the CLCPA), which is tasked with developing a draft scoping plan that serves as an initial framework for how the State will reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy usage, and ensure climate justice.

We support the legislative package of 12 bills advocated by the **Climate Can't Wait Collaborative**. The Climate Can't Wait **Collaborative** is a way for our coalition to bring all the environmental asks before the legislature and ask that they come up with their own mix of legislation to articulate a coherent plan to address the climate crisis in New York State. The 12 bills are as follows:

1. All Electric Building Act requires that municipalities deny permits for residential or commercial buildings applied for after December 31, 2023 that are not for all-electric buildings, unless all-electric is not feasible (S6843, Kavanagh). Contact Jessica Azulay, Renewable Heat Now, jessica@allianceforagreenecconomy.org
2. CLCPA Implementation and Funding requires state agencies to aggressively implement the Climate Leadership and Community Protection Act (CLCPA) and fully fund this transition with \$15 billion in the 2022 budget to jump-start a just transition to a 100% renewable energy economy. This includes enforceable timelines for greenhouse gas reductions, a requirement that 40% of funds be directly invested in disadvantaged communities, ending fossil fuel subsidies and investments in fossil fuel infrastructure, and avoiding false solution like waste-to-energy projects. Contact Stephan Edel, NYRenews, stephan@NYRenews.org
3. Clean Futures Act bans any new major electric generating facility powered by fossil fuels, subject to extremely narrow exceptions (S5939, Ramos; A6761, Mamdani). Contact Laura Shindell, Food and Water Watch, lshindell@fwwatch.org
4. Climate and Community Investment Act creates a new authority funded by a polluter penalty fee paid by corporate polluters to fund:
 - a. Large scale investments like offshore wind, electric buses, and public housing energy upgrades;
 - b. Grants to community organizations to create local climate, adaptation, and resiliency projects, particularly in frontline communities;
 - c. Support for fossil fuel dependent workers and communities;
 - d. Rebates for working New Yorkers and small businesses to defray increased energy costs. (S4264, Parker; A6967, Cahill). Contact Stephan

Edel, NYRenews, stephan@NYRenews.org

5. Cryptocurrency Mining places a three-year moratorium on a type of cryptocurrency mining that uses an exorbitant amount of energy (A7389, Kelles). Contact Elizabeth Moran, Earthjustice, emoran@earthjustice.org
6. Energy Efficiency, Equity and Jobs requires that Public Service Commission programs provide job training funds to priority populations, including low-income individuals and people with disabilities, and sets targets for hiring members of priority populations (S3126, Parker; A3996, Hunter). Contact Sonal Jessel, We ACT, sonal@weact.org
7. Fossil Fuel Subsidy Elimination Act repeals over \$330 million in tax exemptions provided by New York State to the fossil fuel industry. Specifically, the bill would eliminate many exemptions to the Sales and Use Tax and the Petroleum Business Tax and would limit fossil fuel companies' inclusion in several economic development programs. (S7438, Krueger, A8483, Cahill). Contact Marisa Guerrero, NRDC/End Fossil Fuel Subsidies Coalition, mguerrero@nrdc.org
8. Green New Deal Act taxes those with wealth to raise over \$10 billion a year to fund a variety of programs, including energy efficiency, social housing, mass transit, renewable energy, and electric vehicles. These programs would maximize good, union jobs and investments in low-income communities and communities of color. Contact Patrick Houston, NY Communities for Change, phouston@nycommunities.org
9. New York Build Public Renewables Act enables the New York Power Authority (NYPA) to build affordable renewable energy to meet our climate targets and to retrofit public buildings with weatherization measures, electric heat pumps, and toxic remediation by 2030. This will create between 28,000 and 51,000 jobs, with NYPA requiring prevailing wages on all projects. (S6453, Parker; A1466, Carroll). Contact Patrick Robbins, Energy Democracy Alliance, patrickopticon@gmail.com
10. Proposed Actions on EJ Communities Mandates that environmental impact statements may address effects on environmental justice communities, and that environmental impact statements for power plants demonstrate alignment with the CLCPA (S1031, Stewart Cousins; A2103, Pretlow). Contact Sonal Jessel, We ACT, sonal@weact.org
11. Renewable Capitol Act mandates that several state facilities in downtown Albany, including the State Capitol and Empire State Plaza, be powered by renewable energy, addressing state climate goals and pollution in the nearby environmental justice community. Contact Merton Simpson, SHARE, robcor295@cs.com

12. Teachers' Fossil Fuel Divestment Act requires the New York State Teachers' Retirement System to divest from fossil fuel holdings (S4783, Brisport; A6331, Kelles). Contact Ruth Foster, Divest NY, rmfosterny@gmail.com

While we support the entire Climate Can't Wait Platform we particular focus your attention on four of the 12 bills in the Climate Can't Wait platform

#4. Climate and Community Investment Act (CCIA) In 2019, the New York State Legislature passed the Climate Leadership and Community Protection Act, which was the most ambitious climate legislation passed in the country. But the goals of the CLCPA need to be funded. We had high hopes for Governor Hochul's executive budget, and it was an improvement on budgets past. Some of these improvements include wind power, electrification for new construction by 2027, and others.

But the investments outlined in the budget add up to a few billion dollars. We need at least \$15 billion dollars of investment in green energy, jobs, and environmental justice this year in order to meet the goals of the CLCPA. All the improvements in this budget add up to first step, but we need to get a whole lot further down the path.

We support the Climate Can't Wait coalitions slate of bills, but we believe that passing the CCIA is the best path forward to funding the CLCPA. This is *not* a gas tax—the genius of this bill is that it offers rebates to lower income people to offset the cost shifting by polluters.

But the Climate Can't Wait coalition provides several frameworks for the legislature to use to find a way of funding the CLCPA. We need your leadership to keep New York at the forefront of the transition from fossil fuels to clean energy and environmental justice.

We were gratified when New York State passed the Climate Leadership and Community Protection Act (CLCPA) in 2019, committing New York to a fossil fuel free future and to investing in frontline communities most impacted by the climate crisis. But the goals of the CLCPA need to be fully funded. We are grateful that the governor's executive budget includes \$500 million to help develop offshore wind energy and another \$250 million over five years for electrifying homes. But this is not nearly enough to make the goals and mandates of the CLCPA a reality. We need at least \$15 billion dollars of investment in green energy, jobs, and environmental justice this year in order to meet the goals of the CLCPA.

We believe that passing the **Climate and Community Investment Act** (S4264, Parker; A6967, Cahill) is the best path forward to funding the CLCPA. This is not a gas tax—the genius of this bill is that it offers rebates to lower income people to offset the cost shifting by polluters. The CCIA creates a new authority

funded by a polluter penalty fee paid by corporate polluters to fund: large scale investments like offshore wind, electric buses, and public housing energy upgrades; grants to community organizations to create local climate, adaptation, and resiliency projects, particularly in frontline communities; support for fossil fuel dependent workers and communities; and rebates for working New Yorkers and small businesses to defray increased energy costs.

#1. The All Electric Building Act (S6843, Kavanagh; A8431, Gallagher).

Heating buildings is one of the largest sources of greenhouse gas emissions in New York. This bill would require that municipalities deny permits for residential or commercial buildings applied for after December 31, 2023, that are not for all-electric buildings, unless all-electric is not feasible. Banning gas will lower the state's greenhouse gas emissions, as required by state law, and improve indoor air quality. Moving to geothermal and electric heat pumps will have immediate benefits for all New Yorkers now and pay huge dividends in reducing emissions for decades to come.

#7. The Fossil Fuel Subsidy Elimination Act (S7438, Krueger; A8483, Cahill).

This bill would repeal over \$330 million in tax exemptions provided by New York State to the fossil fuel industry. Specifically, the bill would eliminate many exemptions to the Sales and Use Tax and the Petroleum Business Tax and would limit fossil fuel companies' inclusion in several economic development programs. The Fossil Fuel Subsidy Elimination Act aims to: End \$118 million in Sales and Use Tax exemptions for airline fuels; Halt \$89 million in Sales and Use Tax exemptions for fossil fuels used in research and development and production of tangible personal property in the fossil fuel industry; Abolish \$65 million in Petroleum Business Tax exemptions for liquid petroleum gasses such as butane, ethane (used in making plastics), and propane; and Stop \$4 million in Sales and Use Tax exemptions for operating fracked gas infrastructure. In addition, this bill would limit tax subsidies to fossil fuel-related businesses as part of several economic development programs, specifically the Excelsior Jobs Program, START-UP NY, Investment Tax Credit, Brownfield Redevelopment Tax Credit, Rehabilitation of Historic Properties Tax Credit, qualified emerging technology tax credits, and special tax benefits for qualified New York manufacturers.

12. The Teachers' Fossil Fuel Divestment Act (S4783, Brisport; A6331, Kelles).

Requires the New York State Teachers' Retirement System (NYSTRS) to divest from fossil fuel holdings. The proposed legislation lays out a process for NYSTRS to divest from publicly traded stocks of coal companies within one year, publicly traded oil and gas companies within two years, and private equity investments in fossil fuels within 5 years.

In December the New York State Teachers' Retirement System (NYSTRS) announced it plans to make its first fossil fuel divestment. This was an important step forward, but it falls woefully short of being an appropriate response to financial and climate risk. The NYSTRS committed to divestment Wealth Fund, Columbia, Cornell, Syracuse, Stanford, and Yale Universities.