Pragmatic Environmentalist of New York Summary Update November 29 – December 13, 2022

This is the latest summary update of my recent posts at Pragmatic Environmentalist of New York. As always, if you do not want to be on this mailing list then let me know. Previous updates are also available. I have resolved most of my computer hard drive problems and managed to put out more posts than I have been doing the last month. My posts are shown in red with other links in blue.

There are five articles on the Climate Act this week. The Scoping Plan development process is wrapping up and all my fears that the Hochul Administration would ignore critical comments are proving to be true. I describe how the Council failed to provide overall guidance and direction for the regulation promulgation step next year in **Climate Action Council Lost Opportunities**.

The Climate Action Council is making the final touches on the Scoping Plan that outlines a framework to meet the Climate Act's net-zero by 2050 targets. This post documents my disappointment with the public comment process. Admittedly they held more meetings and had a longer comment period, but it was treated as an obligation not as an opportunity to improve, correct, or clarify the Scoping Plan. I have seen absolutely no sign that the Hochul Administration ever had any intention of making changes to the Scoping Plan framework for the future energy system based on comments that ran contrary to their politically driven agenda. There are no indications that any of my comments on the Integration Analysis made it past the agency staff screening step to reach the Climate Action Council membership for consideration.

The Climate Action Council revisions to the Draft Scoping Plan focused on details and ignored overarching issues. If the Council were truly doing its job, they would be working with the New York Independent System Operator and the New York State Reliability Council to determine if the current reliability standards are adequate or must modified for the future electric grid. If the Hochul Administration was truly worried about disadvantaged communities they would have required the Council to recommend an affordability energy metric and would have set up a clear and transparent tracking system for it at the census tract level. If Co-Chair of the Council and DEC Commissioner Basil Seggos took his responsibility for the environment seriously, he would have had a cumulative environmental impact statement completed that addressed the projected Integration Analysis renewable resource development levels and had the Council discuss environmental impact acceptability thresholds. If Co-Chair of the Climate Action Council and President of the New York State Energy Research & Development Authority Doreen Harris wanted her organization to provide objective information and analysis, then the issues I raised relative to the misleading and inaccurate cost benefit analysis would have been addressed by the Council. If Council member and Commissioner of the Department of Ag and Markets Richard Ball truly cared about New York farms he would have demanded a responsible solar siting policy for utility-scale solar development that protects prime farmland.

The Hochul Administration's treatment of the stakeholder comments has been an insult to anyone who took the time to develop comments. This does not portend well for the public consultation process mandated for next year. Unfortunately, the ultimate issue is that if the zero-emissions electric grid plan

is inadequate because the Council ignored critical issues raised by stakeholders, people will freeze to death in the dark.

There is an extraordinary amount of information associated with the implementation process. I finally got a chance to review some of the documentation associated with the Draft Scoping Plan comment "themes" that Agency staff presented to the Council. While there are some responses to the concerns I raised in the first article, there is information to describe the specific issues associated with affordability risks. My post, **Climate Action Council Affordability Lost Opportunity**, illustrates my specific concerns related to affordability.

The Hochul Administration discussion of the public stakeholder comments had four components. The meeting presentations had slides that described the public comment themes. An Agency staff person gave an overview of those slides and then explained the Agency staff recommendations to modify the Scoping Plan draft to address those themes. The final component of this review of public comments was a discussion with the Climate Action Council members. I described how affordability was addressed in those four components.

The draft of the Final Scoping Plan is going to reference energy affordability as maintaining energy affordability to be consistent with the New York State Public Service Commission policy that states that "an energy burden at or below 6% of household income shall be the target level for all 2.3 million low-income households in New York". I don't think that the Council discussed this metric in enough detail to understand exactly what it was intended to do. It is not clear that simply maintaining energy affordability is sufficient when, at the end of 2021, there were 1.267 million utility accounts in arrears totaling $1.7 billion. My bigger issue is now that a metric is established so what? If it turns out that the metric is not being met, is there some action required? I believe the Council should have discussed the overarching question what is an acceptable change to affordability.

A major reason that the Council failed to address overarching issues is that the leadership failed to reign in the ideological biases of individual members of the Council. The most problematic ideology is the demand for zero risk policies. I addressed this in **Climate Leadership and Community Protection Act Zero Risk Motivations** that summarized four posts at the Risk Monger blog by David Zaruk an EU risk and science communications specialist.

Zaruk has argued that the Precautionary Principle, a strategy to cope with possible risks where scientific understanding is incomplete, has led many to rely on the idea that to be safe we have to eliminate all risks as a precaution. Zaruk explains that the problem is that policy-makers and politicians have confused this uncertainty management tool with risk management.

His first article addressed the use of the definitive article references to "The" science, environment, or climate. He points out that" Improperly using 'the' in front of an abstract noun is part of a game to claim authority, isolate dissenters, simplify an issue and close dialogue" and goes to explain how relative to policy issues related to science, environment, and climate. He concludes:

> I suppose what gets to me the most about these manipulative ideologues making claims on behalf of "the" truth (on subject matters which most science-minded people are struggling to

> find pragmatic solutions to complex problems) is their sanctimonious moral elitism. That their righteous condemnations were built on an illegitimate consensus, arbitrary divisions, linguistic deceptions and simplification just adds to their hypocrisy. They are pompous zealots cloaked and choked in their own false piety and any respect or trust they will have manufactured from their manipulative wordplay will be short-lived.

The other three articles described how activists have vilified industry to justify why they don't consider the benefits, risks, and costs of alternatives. The first chapter in the series described strategies used to by anti-industry militants have worked to destroy trust in all industries (excluding them from the policy process and equating the word "industry" with some immoral interpretation of lobbying). The second article showed how the same tactics that worked to demonize the tobacco industry are being used to generate a narrative that the only solution to our problems is to remove industry, their innovations and their technologies. The final article argues that policymakers, catering to the loud voices as representative, have adopted the path of virtue politics rather than Realpolitik (of policy by aspiration and ideology rather than practical solutions relying on the best available evidence).

The last two Climate Act articles discussed implementation aspects.

In my **New York Clean Energy Industry Report** post I addressed the Governor Hochul announcement about a record number of clean energy jobs based on the 2022 New York Clean Energy Industry Report. The sound bite from the announcement is that "more than 165,000 New Yorkers had clean energy jobs at the end of 2021, up from 157,686 in 2020." It did not take long to determine that report is a political document designed to push the narrative that Climate Act implementation will provide many jobs. To wit I emphasized political manipulation in the following claim that there are 165,000 employed in the clean energy sector (Figure 2 from the document page 12): "includes all workers that dedicate **any** amount of their labor hours or work week to clean energy goods and services. As such, an electrician who spends only a quarter of their work week installing or servicing solar panels would be counted as a clean energy worker." The article discussed several other issues and suggested that using full-time equivalents would be a better metric.

The second post, **Champlain Hudson Power Express Construction Begins**, addressed Governor Hochul's announcement that the Champlain Hudson Power Express transmission project has started construction. According to the press release this "accelerates progress to achieve New York's goal of 70 percent of electricity statewide from renewable sources by 2030 on path to a zero-emission grid". However, upon closer examination it also illustrates schedule, costs, and jobs flaws in the implementation process.

The Champlain Hudson Power Express (CHPE) project is a 339-mile underground transmission line capable of bringing 1,250 MW from the Province of Quebec to Astoria Queens in New York City. The New York State Independent System Operator (NYISO) recently released the *2022 Reliability Needs Assessment* (RNA) specifically referenced the CHPE project schedule:

> While transmission security within New York City is maintained through the ten-year period in accordance with current design criteria, the margins are very tight and decrease to

approximately 50 MW by 2025. With the addition of CHPE project in 2026, the margin improves but reduces to near 100 MW by 2032.

The reliability margins within New York City may not be sufficient even for expected weather if the CHPE project experiences a significant delay.

If the project has delays there will be reliability issues. In addition, the history of projected costs is not encouraging. When first proposed in 2011 at a cost of $2 billion ($2.65 billion in 2022 dollars) but the latest cost estimate is $6 billion which is 2.3 times the original cost. The announcement touted that there will be "1,400 family-sustaining union jobs during construction" but the reality is that the number of permanent jobs is miniscule. Furthermore, the project will provide 1,250 MW of power to New York City but this is a fraction of 2,000 MW of power lost due to the shutdown of Indian Point. That shutdown meant the loss of over 1,000 permanent union jobs. While this project may "confront climate change challenges and energy challenges together" it does not replace the loss of Indian Point that was more effective in that regard.

The final article this week addressed the Regional Greenhouse Gas Initiative (RGGI) Investments of Proceeds report from last May. I usually do an update of that report but was so busy looking at the Climate Act that I did not review it then. The **Investment of RGGI Proceeds Report for 2020** article has ramifications for the Climate Act.

RGGI is a cap and invest program that derives revenues from auctions that result "in proceeds for reinvestment in strategic energy and consumer programs. Programs funded with RGGI investments have spanned a wide range of consumers, providing benefits and improvements to private homes, local businesses, multi-family housing, industrial facilities, community buildings, retail customers, and more." It has been touted as a model for an effective emission reduction strategy and source of funding to implement Climate Act objectives.

The 2020 RGGI Investment Proceeds report tries to put a positive spin on the poor performance of RGGI auction proceeds reducing CO2. The alleged purpose of the program is to reduce CO2 from the electric generating sector to alleviate impacts of climate change. Since the beginning of the RGGI program RGGI funded control programs have been responsible for only 5.6% of the observed reductions. Furthermore, when the sum of the RGGI investments is divided by the sum of the annual emission reductions the CO2 emission reduction efficiency is $818 per ton of CO2 reduced. I don't believe is an effective model for the Climate Act but my suspicion is that the Hochul Administration will propose something similar for Climate Act implementation.