

Energy Efficiency and Housing Advisory Panel

October 29, 2020
Meeting 4

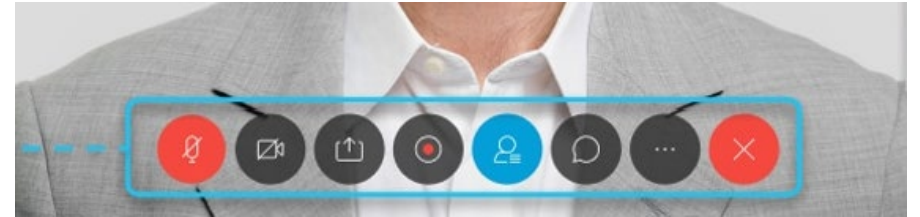


Climate Action
Council

Meeting Procedures

Before beginning, a few reminders to ensure a smooth discussion:

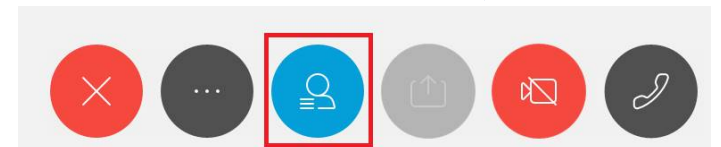
- > Panel members should be on mute if not speaking.
 - > If using phone for audio, please tap the phone mute button.
 - > If using computer for audio, please click the mute button on the computer screen (1st visual).
- > Video is encouraged for Panel members, in particular when speaking.
- > In the event of a question or comment, please use the hand raise function (2nd visual). You can get to the hand raise button by clicking the participant panel button (3rd visual). The chair will call on members individually, at which time please unmute.
- > If technical problems arise, please contact John.Campagna@nyserda.ny.gov



You'll see  when your microphone is muted



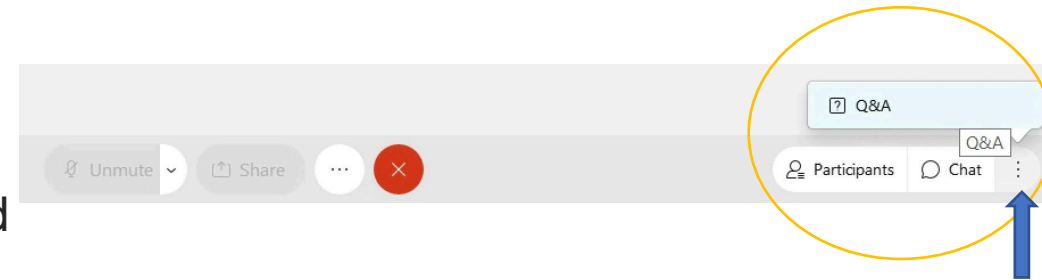
Hand Raise



Procedure for Public Input

The Advisory Panel welcomes public comments and questions both during and in between its meetings

- > To submit feedback to Panel Members and agency staff during the meeting, members of the public can use the WebEx Q&A function located in the right bottom corner.
 - Comments and questions submitted through WebEx will be aggregated and submitted to panel members to be included in deliberations.
- > To submit feedback between Advisory Panel meetings, please email eehpanel@nyserda.ny.gov



Agenda

Objective: Align expectations for developing initial recommendations on policy actions

Agenda:

- > Agenda and objectives (5 minutes)
- > Work Plan check-in: (10 minutes)
 - Rounding out October level-setting
 - November focus topics: expert engagement, developing initial recommendations
 - Revisit recommendations guidance and key terms
- > Brief subgroup report-outs since last Advisory Panel (15 minutes)
 - Report out on proposed expert engagement and working sessions
- > Discussion on equity, disadvantaged communities, and the CLCPA mandate (30 minutes)
 - Joined by Rosa Mendez (DEC), Chair of the Climate Justice Working Group, and Chris Coll (NYSERDA)
- > Revisit cross-cutting work and next steps to advance (45 minutes)
- > Wrap up

Work Plan Check-In

	Oct. 2020	Nov. 2020	Dec. 2020	Jan. 2021	Feb. 2021	Mar. 2021
Milestones	Finalized Work Plan	Develop Recommendations and Policies	Briefing for CAC and CJWG on priority policies/ strategies	Public forum on strategies under consideration	Continue Review of Recommendations	Final Recommendations to CAC
EE&H Panel Outcomes	<ul style="list-style-type: none"> Level set on barriers, challenges Share and digest foundational resources Discuss low-carbon technologies and high-potential mitigation strategies Identify needs for additional analysis, expert consultation, and cross-panel collaboration 	<ul style="list-style-type: none"> Identify priority policy actions Begin evaluation of actions based on assessment criteria 	<ul style="list-style-type: none"> First draft of priority policy actions shared for CAC and CJWG input – may include mitigation strategies, enabling initiatives, and adaptation/ resilience strategies Report out on cross-sector collaboration 	<ul style="list-style-type: none"> Incorporate CAC and public feedback Report out on cross-sector collaboration 	<ul style="list-style-type: none"> Assess and finalize mitigation strategies and detailed actions Describe implementation requirements of actions 	<ul style="list-style-type: none"> Finalize recommendations to advance to CAC Complete recommendations template for each
Cross-panel collaboration	Identify topics for cross-sector collaboration	Seek input on policies/ strategies from CJWG & EJAB. Workshop key topics with Power Gen.		Seek input on priority policies/ strategies under consideration		
Briefings of Council	Present Work Plan; Review and align on criteria	Seek input on high potential policies/strategies and progress towards Recommendations			Seek input from Council on progress	Present Recommendations

Advisory Panel Recommendations Guidance

Key terms review

Scope

Recommendations can be policies, regulations, incentives, new programs, modifications to existing programs, planning or research and development activities

- > **Mitigation strategies: actions that directly reduce emissions and contribute to the achievement of the greenhouse gas emission limits**
- > **Enabling initiatives: actions without direct emissions benefit that enable/magnify the mitigation strategies, enhance climate justice and/or just transition, or that create sequestration or removals needed to achieve net zero**
 - **Examples of such initiatives include outreach, education, and awareness; capacity building; workforce development; and research and development**
- > **Adaptation and resilience strategies: actions to protect communities from the adverse effects of climate change**

Advisory Panel Recommendations Guidance

Parameters

- > **All recommendations must consider measures to reduce emissions of GHGs and other pollutants in disadvantaged communities as well as comply with the CLCPA mandate of no less than 35% overall benefits of clean energy investments to disadvantaged communities**
- > Recommendations may be informed by quantitative analysis or qualitative assessments
 - > *Estimated scale of GHG emissions reductions*
 - > *To the extent feasible, knowable range of policy and resource costs*
 - > *Our Work Plan suggests that other benefits/impacts (e.g., health, comfort/productivity) will be characterized more qualitatively as “high/medium/low” impact*
- > Recommendations will include actionable steps for implementation
- > Cross-sector recommendations will be advanced only after consultation with the appropriate Panels

Discuss
today

Subgroup Report-Outs

Expert Engagement and Working Sessions

Residential Subgroups

Survey

Expert Roundtables:

- **Tuesday November 10th**
 - Builders, Installers and Designers Roundtable – Single Family Housing (SFH): 1:00pm – 2:30pm
 - Builders, Installers and Designers Roundtable – Multifamily Housing (MFH): 3:00pm – 4:30pm
- **Thursday November 12th**
 - Affordable Housing Roundtable – SFH and MFH : 1:00pm – 3:30pm

Survey

- > **Survey questions invite input from experts and representative stakeholders on:**
 - Top policies or actions for the EE&H Advisory Panel to consider for inclusion in its recommendations to Climate Action Council
 - Examples from other jurisdictions and/or analogous experiences
 - Potential unintended consequences to be aware of and aim to mitigate
 - Actions that industry/stakeholder groups are considering to reduce GHG emissions
- > Survey will be emailed to experts and stakeholders who are identified by Panel members
- > To participate, email your interest soon to eehpanel@nyserda.ny.gov

Commercial & Institutional Subgroup

- > **Background materials** reviewed from Carbon Neutral Buildings Roadmap, E3 Pathways, and NYISO
- > **Working group meetings** addressed electrification of heating/hot water and forecasts for the electric grid and renewable fuels supplies
- > **Next working sessions** will address grid interactivity and operations
- > **Survey** to invite input from outside experts

Discussion on Equity, Disadvantaged Communities, and the CLCPA Mandate

Achieving Climate Justice

Council Scoping Plan to prioritize disadvantaged communities

- Identify measures to reduce emissions of co-pollutants.
- Consult with Climate Justice Working Group and Environmental Justice Advisory Group.

DEC rulemakings to implement the Council recommendations

- Ensure no increase in co-pollutant emissions or disproportionate burden on disadvantaged communities.
- Prioritize measures to reduce emissions in disadvantaged communities.

DEC to implement community air monitoring

- In coordination with the Climate Justice Working Group, DEC shall establish a community air monitoring pilot program in at least 4 disadvantaged communities by October 2022.
- By June 2024, DEC shall prepare a strategy to reduce emissions in disadvantaged communities with a disproportionate pollution burden.

Investing in Climate Justice

Invest or direct resources with a goal that disadvantaged communities receive 40% of overall benefits of spending on:

- Clean energy and energy efficiency programs
- Projects or investments in the areas of housing, workforce development, pollution reduction, low-income energy assistance, energy, transportation, and economic development
- *40% goal is not a ceiling*

Prioritizing Climate Justice

The Climate Justice Working Group and Environmental Justice Advisory Group play essential roles in achieving climate justice

Climate Justice Working Group

Scope:

- Develop criteria for and list of disadvantaged communities
- Coordinate with agencies for report on barriers and opportunities for clean energy
- Coordinate with Council and each Advisory Panel

Permanent Environmental Justice Advisory Group

Scope:

- Develop model Environmental Justice policy
- Coordinate with Council and each Advisory Panel

Climate Justice Working Group

Eddie Bautista, NYC Environmental Justice Alliance

Jerrod Bley, Adirondack North Country Association

Dr. Donathan Brown, Adirondack Diversity Solutions

Rahwa Ghirmatzion, PUSH Buffalo

Amy Klein, Capital Roots

Mary Beth McEwen, Cornell Cooperative Extension Of Oneida and Madison Counties

Abigail McHugh-Grifa, Rochester People's Climate Coalition

Elizabeth Yeampierre, UPROSE

Rosa Mendez, DEC

Neil Muscatiello, DOH

Joseph McNearney, DOL

Christopher Coll, NYSERDA

Disadvantaged Communities

“Disadvantaged communities shall be identified based on geographic, public health, environmental hazard, and socioeconomic criteria, which shall include but are not limited to:

- a) Areas burdened by cumulative environmental pollution and other hazards that can lead to negative public health effects.***
- b) Areas with concentrations of people that are of low income, high unemployment, high rent burden, low levels of home ownership, low levels of educational attainment, or members of groups that have historically experienced discrimination on the basis of race or ethnicity.***
- c) Areas vulnerable to the impacts of climate change such as flooding, storm surges, and urban heat island effects.”***

- > Minimum of 35% of benefits of clean energy investments and goal of 40% of benefits of broader set of investments to Disadvantaged Communities (DACs)
- > Criteria developed by CJWG based on input from 6 public statement hearings and published for public comment on DEC website
 - Considerations include available data and methodology for defining and applying Disadvantaged Communities criteria
- > Expect criteria and definition to be established in 12 months – summer 2021 –requires interim approach for near-term to make progress
- > Benefits framework under development through 2020

Interim Approach to Program Investments

- Geo-based eligibility to be utilized for initiatives and programs that are seeking to address the needs of underserved communities
- Create consistency across NYS programming
- Use criteria that fit into categories provided in Climate Leadership and Community Protection Act
- Use criteria that are familiar among agencies, developers, financiers, contractors, and the public
- Traditional LMI programs to maintain individual income-eligibility
- Long term approach to incorporating geo-based eligibility will depend on final definition of a Disadvantaged Community from Climate Justice Working Group

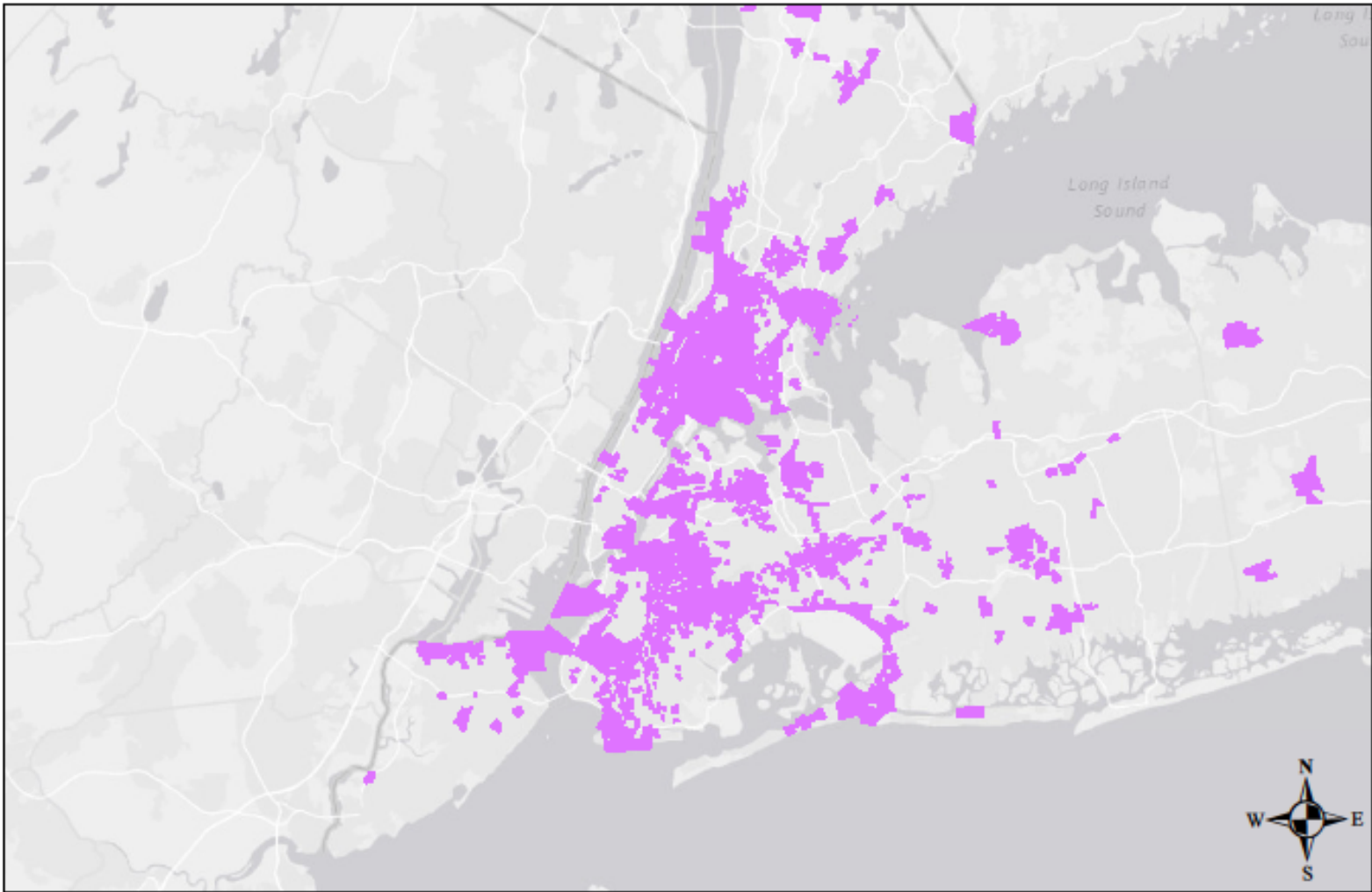
Interim Approach to Defining Disadvantaged Communities


Until a final set of criteria to identify disadvantaged communities is developed by the CJWG, the following criteria will be used to identify disadvantaged communities :

- > Census block groups in the top quartile of the HUD 50% Area Median Income threshold; and are a Potential Environmental Justice Area as determined by the Department of Environmental Conservation.
- > Designated New York State Opportunity Zones

HUD (50% AMI) Census Blocks	NYS Opportunity Zones	Potential Environmental Justice Areas
<ul style="list-style-type: none"> • Top quartile of census blocks where the majority of population has an annual income below 50% of AMI, as defined by HUD. • Top quartile selected to target areas with highest concentrations of poverty. 	<ul style="list-style-type: none"> • Tracts were selected by ESD based on recommendations from the REDCs, local input, prior public investment and the ability to attract private investment <p>Federal program approved low-income census tract (ind. poverty rate of at least 20%, med. family income no greater than 80% area med.)</p> <p>NY has 2000+ low-income census tracts</p> <p>NY was able to designate 25% (514 tracts) of its low-income census tracts as Opportunity Zones</p>	<ul style="list-style-type: none"> • Established by NYS DEC <p>U.S. Census block groups of approximately 250 to 500 households each that, had populations that met or exceeded at least one of the following statistical thresholds:</p> <ul style="list-style-type: none"> At least 52.42% of the population in an urban area are members of minority groups; or At least 26.8% of the population in a rural area are members of minority groups; or At least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level. <ul style="list-style-type: none"> • Include updated income and race/ethnicity metrics

	Interim Approach: HUD 50% AND PEJA Updates (income and minority) thresholds, OR are Opportunity Zones
Population	5,447,090/ 19,618,453 27.8%
Census Block Groups	4,145/ 15,463 26.8%
Geographic Splits (pop/blocks as % of State Population): NYC Downstate (Excluding NYC) Upstate	19.2%/ 17/1% 3.3%/ 2.8% 5.3%/ 6.8%
Geographic Splits (pop/blocks as % of Interim Criteria): NYC Downstate (Excluding NYC) Upstate	69.1%/ 63.9% 11.8%/ 10.6% 19.1%/ 25.5%

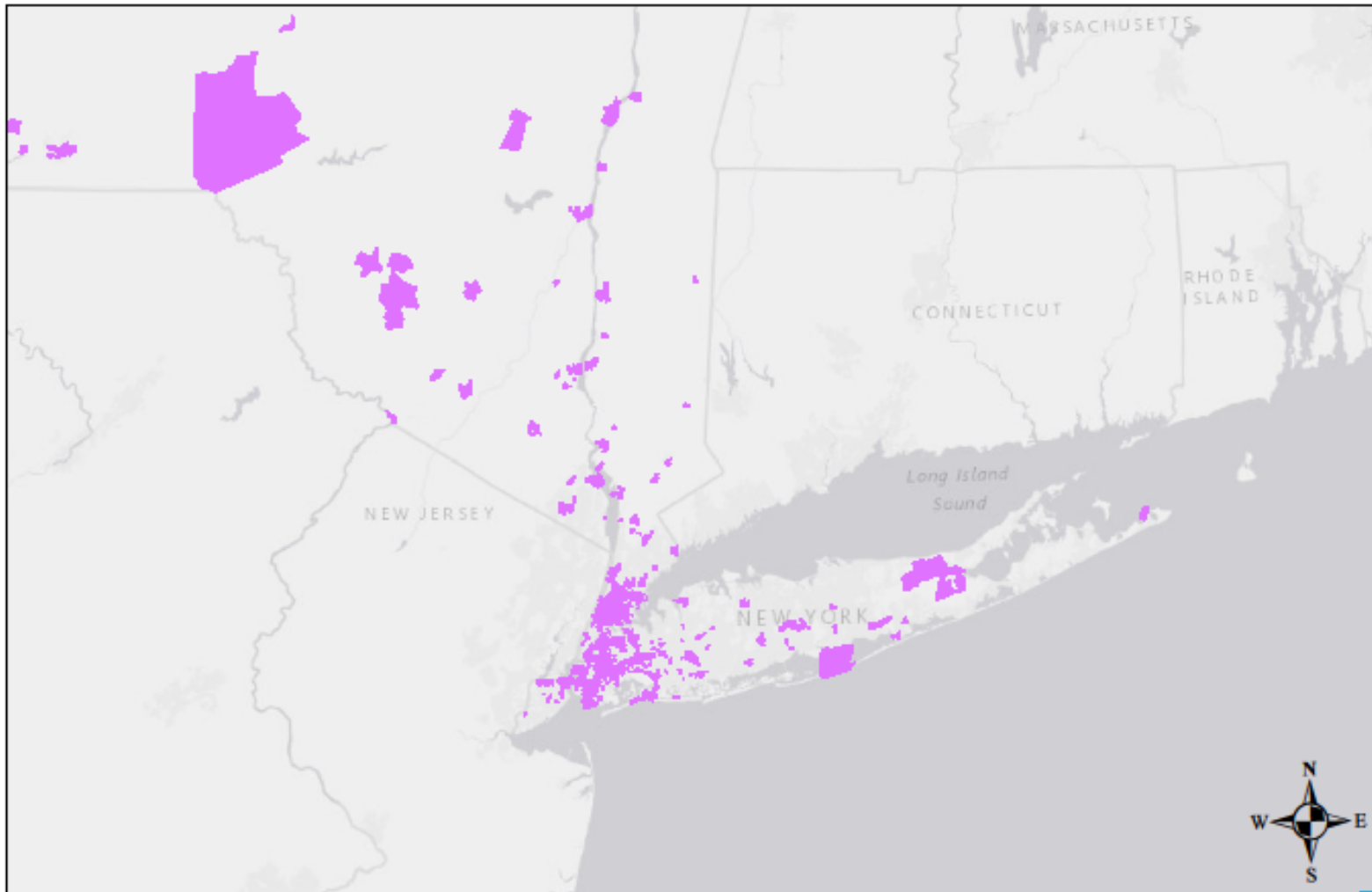



 Census Block Groups that are top quartile of HUD low income, and that also meet PEJA Updates (income and minority) thresholds, OR are Opportunity Zones.

Interim Approach: New York City



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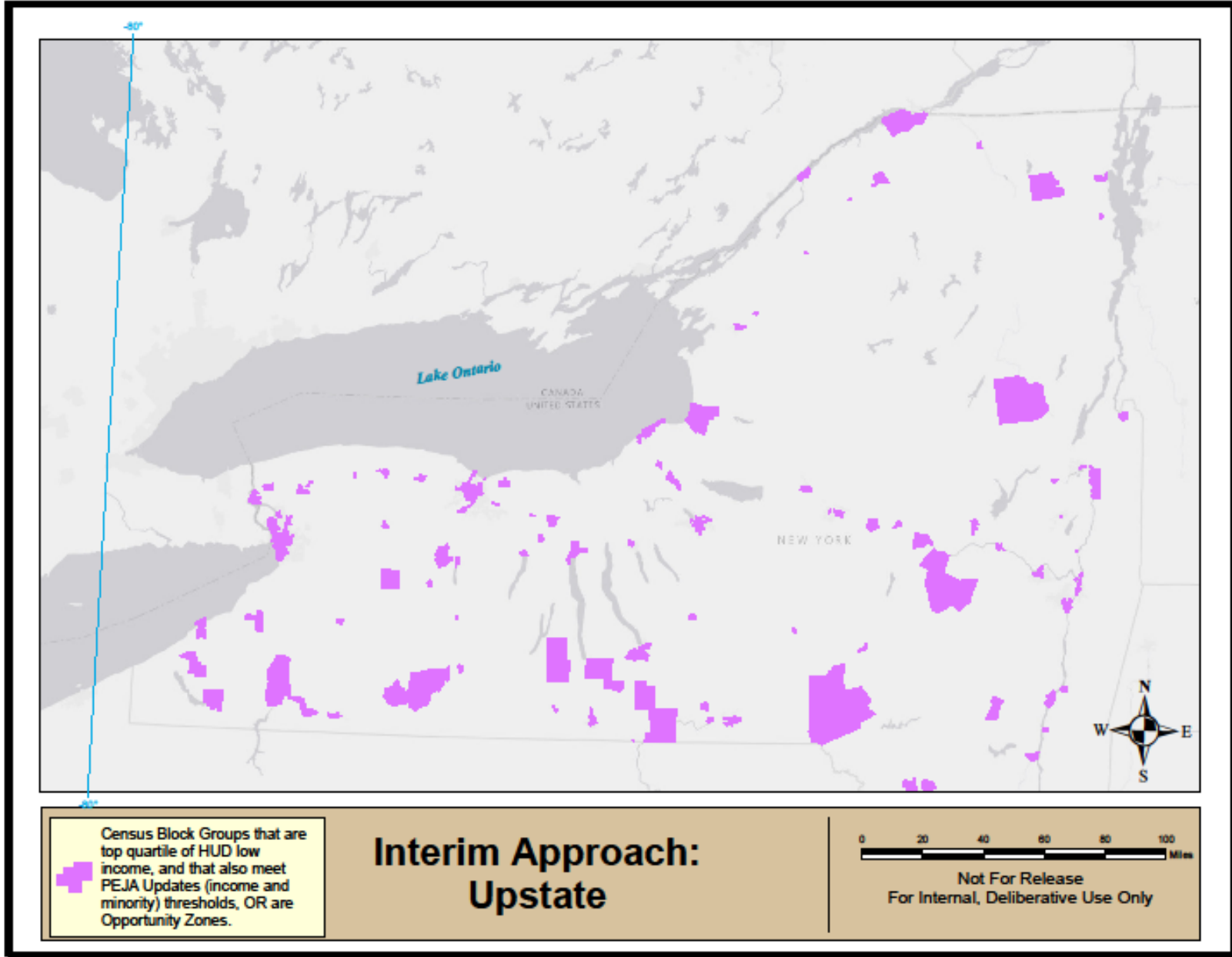


 Census Block Groups that are top quartile of HUD low income, and that also meet PEJA Updates (income and minority) thresholds, OR are Opportunity Zones.

Interim Approach: Downstate



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Discussion

Frameworks for considering equity impacts

Discussion: All Panel recommendations must consider impacts to disadvantaged communities. How can the Panel operationalize this equity lens as we do our work?

Opportunity for discussion, collaboration and white boarding

Next Steps to Advance our Work

Cross-cutting and Cross-Panel Work

Consideration of Impacts to Equity and Disadvantaged Communities

- > Thanks to CJWG members for joining our discussion today

Building Codes and Standards

- > Codes-related policy options are surfacing across subgroups
- > Staff Working Group asked to facilitate a background briefing at the November Panel meeting, addressing NYS building codes, stretch code, enforcement, and considerations for policy options (notably as developed in the subgroups)
- > Reach out to Land Use and Local Government Panel to develop approach to collaboration

Building Electrification and Grid Impacts

- > Staff Working Group asked to reach out to Power Generation Panel on policy priorities/discussions
- > Schedule cross-panel meeting

Next EE&H Panel and CAC Meetings

Prepare for our Next EE&H Panel Meeting (November 18)

- > Subgroups asked to identify ~ 5 issues or policies under discussion for recommendation to the CAC.
 - More information on the CAC report-out will be shared soon as the subgroups advance their work
 - Work with staff working group on impact/implementation/cost; possibility of consultant support

GOAL: At the EE&H Panel Meeting on December 9, align on ~ 5 top-line recommendations from the entire Panel, to report to CAC meeting on December 15

- > Recommendations
 - Broad – can be policies, regulations, incentives, programmatic, planning or R&D activities
 - Include any quantitative or qualitative assessment as available
- > Will encompass SF/MF/C&I Subgroups

Discussion

Getting to the Goal

Discussion: What would help our EE&H Panel work effectively toward the Dec 9 goal?

> *Opportunity for discussion, collaboration and white boarding*

Reminder: Calendar of External Roundtables

> Tuesday November 10th

- Builders, Installers and Designers Roundtable SFH : 1:00pm – 2:30pm (1h30)
- Builders, Installers and Designers Roundtable MFH : 3:00pm – 4:30pm (1h30)

> Thursday November 12th

- Affordable Housing Roundtable SFH and MFH : 1:00pm – 3:30pm (2h30)

Thank You!



Appendix: Energy Efficiency & Housing Advisory Panel Scope

EE&H Advisory Panel Scope

The Panel will focus on inducing the investments in buildings that are needed to help achieve the CLCPA statewide emissions reductions targets, across the below three pillars of deep decarbonization in buildings. The Panel will develop buildings sector-focused recommendations for emission-reducing policies and actions to achieve approximately 31-39%* emission reduction in buildings by 2030 (and 85-93%* emission reduction by 2050), from 2016 levels. (*subject to refinement under new CLCPA accounting framework)

Energy Efficiency and Conservation	+ Building Electrification and Low Carbon Fuels	+ Decarbonizing Electricity Supply
<ul style="list-style-type: none"> • High adoption rates of efficient building shell and weatherization measures • Behavioral conservation, operations and maintenance (O&M), and smart devices 	<ul style="list-style-type: none"> • Electrification of space heating (e.g., cold climate air source heat pumps, ground source heat pumps) • Electrification of domestic hot water • Cross-panel work on Bioenergy 	<ul style="list-style-type: none"> • Flexible building loads improves grid management • Site-based solar PV • Cross-panel work with Power Generation, as zero-emissions electricity reduces indirect emissions of electrified heat and hot water
<ul style="list-style-type: none"> • Codes and standards to reduce GHG emissions • Cross-panel work on codes 		
<p>Cross-cutting consideration of embodied carbon and climate adaptation and resilience</p>		

EE&H Advisory Panel Scope (cont'd)

The Panel will work to define the priority policies to induce investments in building efficiency and electrification at scale and present a list of recommendations for policies, programs, or actions, for consideration by the Climate Action Council for inclusion in the Scoping Plan. Recommendations will:

- Address policies to advance low-carbon new construction and retrofits for single family housing, multifamily housing and commercial and institutional buildings, as well as key enabling policies such as workforce development and affordability
 - Identify & mitigate implementation challenges for owners and building operators, including costs/benefits
 - Identify & mitigate any potential negative impacts on tenants and disadvantaged communities, with attention to affordability
 - Identify both energy and non-energy benefits including health, comfort, and productivity
- Identify measures to make low-carbon projects cheaper and cost competitive
- Quantitatively or qualitatively assess the number of buildings impacted by building type and associated emissions reduction, public health benefits, economic benefits, and known implementation costs
- Describe the implementation strategy, with attention to feasibility, commercial availability, and equity
- Address methods and metrics for evaluating building performance
- Reflect external input as well as collaboration with: Power Generation, Land Use and Local Government, Agriculture/Forestry, Just Transition Working Group, Climate Justice Working Group and EJ Advisory Group