



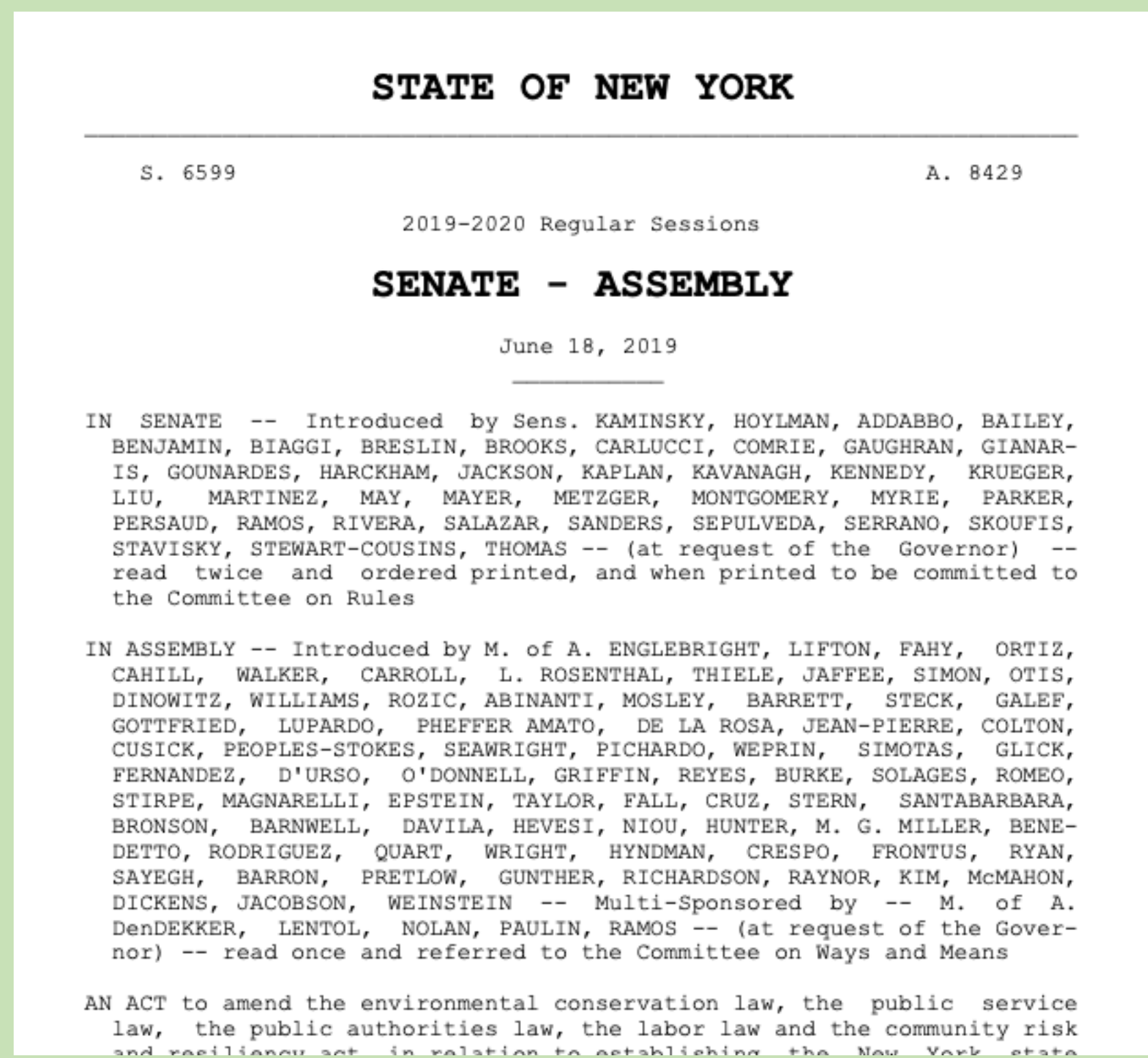
The Implementation of the Climate Leadership and Community Protection Act



With Michael Gerrard, of the Sabin Center for Climate Change Law at Columbia University By Neely McKee



The original text of the CLCPA:



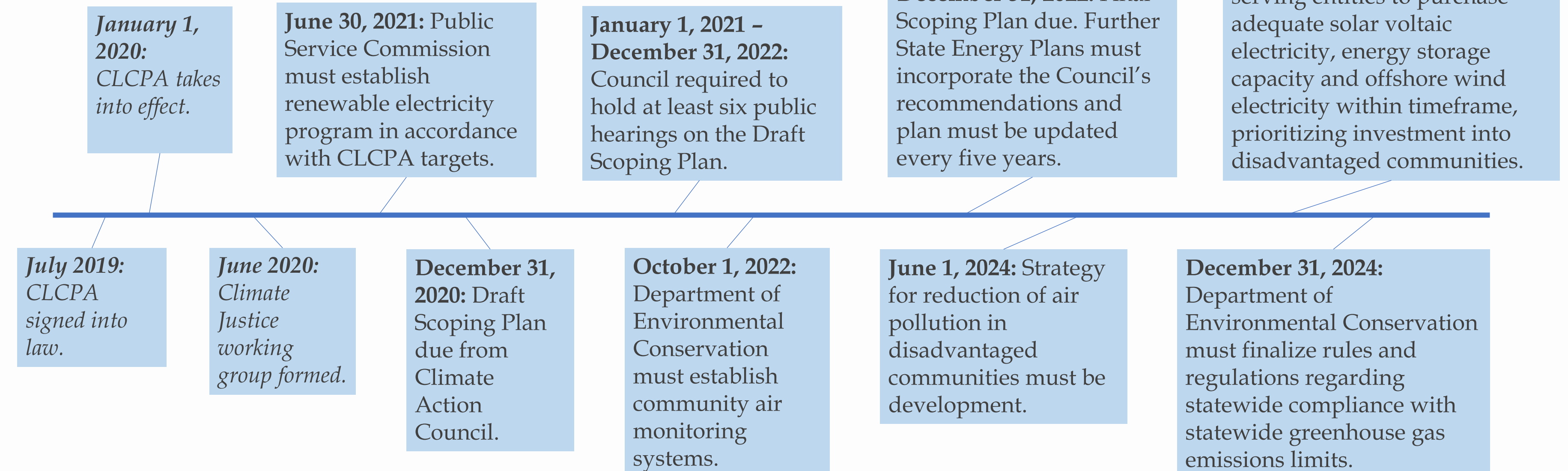
Compilation of Recommendations to Reduce Greenhouse Gas Emissions in New York State

Kate Marsh, Neely McKee and Jordan Gerow

Introduction by Michael B. Gerrard

July 30, 2020

CLCPA Timeline:



Our report:



Environmental protesters in Albany in 2016.

About the CLCPA:

The Climate Leadership and Community Protection Act of New York state is a groundbreaking piece of environmental legislation passed in 2019. The culmination of years of organizing, it mandates 40% emissions reductions at 1990 levels by 2030 and 85% reductions by 2040. It details that 70% of the state's electricity must come from renewable sources by 2030 and 100% by 2040. Most importantly, it has extensive environmental justice provisions; it requires at least 35% of the benefits be directly for disadvantaged communities. However, given the ambitious mandates enacted by the CLCPA, it is crucial the Climate Action Council—created to facilitate the implementation of the CLCPA—properly meet the targets set by the CLCPA in its scoping plan. This is what this report intends to detail.

Introduction:

The New York Climate Leadership and Community Protection Act, referred to as the “CLCPA,” is one of the most ambitious environmental regulations in the world. Our research details specific policy recommendations formatted in a report for CLCPA legislators on behalf of the Sabin Center for Climate Change Law. Organized by section outlined in the CLCPA, the document details a wide array of measures the Climate Action Council—the body set to implement the CLCPA—can use in the process of drafting its scoping plan. This report and the research that went into it highlights the complexities of implementing comprehensive environmental laws like the CLCPA while emphasizing the role of such legislation in our planet's very survival.

Impact:

As this report was sent to policymakers directly involved in the enactment of the CLCPA, its policy recommendations have the potential to have a large impact. Given the importance of such legislation to the future of our world, research like this is incredibly necessary. As the CLCPA sets the tone for aggressive environmental regulations within the US, its proper implementation is crucially important. We are impressed by the reduction targets mandated by the CLCPA and are eager to do all we can to ensure they are properly put in place.

Next Steps:

- 1. Expand the report as the CLCPA's implementation process proceeds into the future.
2. Track other successful environmental legislation or initiatives to be tailored to New York state policy.
3. Communicate and work with the Climate Action Councilmembers in the process of drafting their final scoping plan due December 31st, 2022.
4. Hold the Climate Action Council accountable to the targets outlined in the CLCPA—especially the provisions regarding environmental justice.
5. Research the development of new technologies or strategies involved in the reduction of fossil fuel usage to be used in meeting the CLCPA targets.

Discussion:

- 1. How do states properly implement ambitious environmental legislation like that of the CLCPA? Does the successful enactment of the CLCPA have implications for other wide-scale, comprehensive state policy, environmental or otherwise?
2. How can we use the transition to a green economy for job growth? How can environmental policy ensure it prioritizes the needs of communities set to be most impacted by the climate crisis?
3. To what extent can states like New York legislate their own environmental policy outside of federal action? Further, how much can states compel their own cities or localities to obey statewide environmental regulations?
4. What is the role of prevention or mitigation versus adaptation or resilience in climate policy? How do legislators focus on both ambitious prevention measures and the serious issues that are already happening?
5. How does climate policy look different in cities like New York City versus the rest of the state? How does the relationship between New York City and New York state impact policy creation and implementation?

Methods:

In the creation of this report, a group of interns and I examined a wide range of environmental policy research and model laws from other cities, states and countries. This report was designed to be a resource for policymakers in New York state and was organized based on the many sectors targeted by the CLCPA. We explored numerous policy reports, case studies, future projections and resources compiled by many environmental organizations throughout New York. We also worked with the Model Laws for Deep Decarbonization resource created by the Sabin Center and tailored it to New York state climate law. Our report detailed current climate initiatives already enacted in New York as well as recommendations for specifically implementing the mandates of the CLCPA. We hope this ends up being a useful resource for people involved in the enactment of the CLCPA as well as New York residents intending to learn more about their state's climate programs.



A large group of activists at the Albany statehouse demanding the passage of the CLCPA from June 2019; pictured: Jessica Ramos, NY-13 State Senator.

Works Cited - Content & Images:

Associated Press. "Protests urging the passage of the CCPA three years ago." Huffington Post, 2016. https://www.huffpost.com/entry/new-york-climate-bill_n_5c5853d0e4b00187b55346ae. Accessed 20 September 2020.
"CLCPA Timeline." Catskill Mountainkeeper. https://www.catskillmountainkeeper.org/clcpa_timeline. Accessed 20 September 2020.
Climate Leadership and Community Protection Act, S. 6599, 2019-2020 Regular Sessions (2019). McKinley, Jesse and Plumer, Brad. "New York to Approve One of the World's Most Ambitious Climate Plans." New York Times, https://www.nytimes.com/2019/06/18/nyregion/greenhouse-gases-ny.html. Accessed 20 September 2020.
Salazar, Adrien. "Time is running out to pass New York's Climate and Community Protection Act this session." Grist, June 2019, https://grist.org/article/community-climate-protection-act-new-york-cuomo-protest/. Accessed 20 September 2020.

The New York Times

New York to Approve One of the World's Most Ambitious Climate Plans

The state would pledge to eliminate net greenhouse gas emissions by 2050, with all its electricity coming from carbon-free sources.



Acknowledgements:

I would like to thank the Laidlaw Scholars Program for providing funding for this research. I would like to thank my faculty mentor Michael Gerrard for directing this project as well as everyone at the Sabin Center. I would also like to thank Kate Marsh and Jordan Gerow, the other interns on this project, as well as Estela Diaz, my mentor through the Laidlaw Program. Most importantly, I would like to acknowledge the incredible work of the environmental organizations and activist groups involved in the passage of the CLCPA—everything here would be impossible without your dedication to communities often overlooked by climate policy.