

Environmental

Advocates

NY

October 6, 2025

State Energy Plan Comments
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

RE: Comments on the Draft 2025 State Energy Plan

Environmental Advocates NY (EANY) submits these comments urging New York State to recognize and uphold its commitments to the Climate Leadership and Community Protection Act (CLCPA). EANY fights for policies that will restore and protect New York's environment, support healthy, vibrant communities, and secure benefits and outcomes for all within and beyond the state through education, partnerships and advocacy. While the draft State Energy Plan (SEP) unfortunately falls short of committing to meet the requirements of the CLCPA, the SEP simultaneously shows the substantial affordability and environmental benefits that the State could realize by pursuing policies that would fully implement the CLCPA.

Upholding the CLCPA and the 2022 Scoping Plan

The 2022 Climate Action Council Scoping Plan (Scoping Plan) provided a roadmap for deep decarbonization, emphasizing both sector-specific and economywide strategies. Pursuant to Environmental Conservation Law (ECL) §75-0103(11)¹, the Final SEP must incorporate these recommendations. While the Scoping Plan and SEP may differ in analytical approach, the SEP is legally obligated to carry forward the Scoping Plan's vision and advance economywide decarbonization as mandated in the CLCPA through reliable, renewable, and clean energy sources.

As the Scoping Plan states: "*Climate change is adversely affecting New York's economic well-being, public health, natural resources, and environment. The severity of climate change and the threat of more severe impacts will be determined by the actions undertaken in New York and other jurisdictions to reduce GHG emissions.*"² While EANY acknowledges the unprecedented and unexpected events of the last five years that contribute to "considerable uncertainty in the timeline for progress toward emissions reductions",³ data presented by the

¹ CLCPA § 2; N.Y. ECL § 75-0103(11)

² New York State Climate Action Council. 2022. *New York State Climate Action Council Scoping Plan*, 2. climate.ny.gov/ScopingPlan

³ Draft 2025 State Energy Plan, Summary for Policymakers, p. 29

Your Trusted Ally in Creating a Sustainable New York

Draft SEP makes it clear that delay is untenable and that action now would accrue far greater benefits for New Yorkers. New York has a responsibility to act decisively, regardless of federal and international volatility. If anything, recent federal actions that seek to undermine clean energy progress only further demonstrate the need for the State to follow through on the legal commitments of the CLCPA. On top of the requirements set forth in the law, avoiding 3000 premature deaths⁴, reducing strain on healthcare systems, creating 60,000 new net jobs⁵, and lowering household energy costs⁶ are compelling reasons to reinforce existing commitments and invest further in a net-zero clean energy transition.

Affordability and Delays in Policy Implementation

The Draft SEP correctly recognizes the substantial social and economic benefits of the clean energy transition, and acknowledges that energy costs are not the primary driver of affordability challenges in New York—housing, transportation, food, and healthcare costs far exceed energy expenditures.⁷ It also makes clear that more ambitious policies - those truly aligned with the CLCPA - can be more affordable and more beneficial than the core planning scenario, which reflects a far more tepid policy approach. Yet policies central to emissions reduction and the clean energy transition are being delayed under the guise of affordability concerns. Slowed action on Advanced Clean Trucks, delays in releasing the New York Clean Air Initiative regulations, and weak compliance with Executive Order 22 prolong dependence on fossil fuels. At the same time, proposals for new pipelines and support for energy-intensive industries, such as data centers, undermine climate progress and contradict the State’s stated goals and the legal requirements in the CLCPA. New York is leaving options on the table while indefensibly backtracking on climate goals.

Strengthening Investment and Market Mechanisms

The Draft SEP highlights the success of initiatives like the Regional Greenhouse Gas Initiative (RGGI), the Clean Energy Fund, the Environmental Bond Act, Empower+, and the Sustainable Future Program. These programs have delivered critical progress and have the promise of delivering even more affordability, economic, and environmental benefits with additional investments. The Draft SEP also notes that sustainable financing will require fewer ratepayer-funded programs and greater reliance on market-based policy mechanisms.⁸ Yet rather than committing to these mechanisms, the Draft SEP merely suggests that the State “continue to evaluate” their role—sidestepping a core Scoping Plan recommendation to pursue an economywide cap-and-invest program.

Failure to firmly advance the New York Clean Air Initiative is a glaring omission, particularly if affordability remains a stated priority. The State’s own analysis shows that such a program would deliver billions of dollars annually for much-needed investments, all the more necessary as the federal government continues its attempt to pause or cancel clean energy investments.

⁴ Draft 2025 State Energy Plan, Public Health Impacts Analysis, p. 8

⁵ Draft 2025 State Energy Plan, Economic Impacts: Job Analysis, p. 2

⁶ Draft 2025 State Energy Plan, Energy Affordability Impacts, p. A-2

⁷ Draft 2025 State Energy Plan, Energy Affordability Impacts, p.4

⁸ Draft 2025 State Energy Plan, Summary for Policymakers, p. 36

Critically, the State’s previous analyses show how this program would not create energy affordability concerns for households, and in most cases would result in a household financial benefit.⁹ Yet the Draft SEP barely acknowledges the program, let alone commits to actually implementing it. Once again, the State is not taking meaningful action to ensure the clean energy transition and meet the promise of the CLCPA, even when its own extensive analysis repeatedly shows the affordability and economic benefits of such action.

Recommendations

EANY urges the Final SEP include more actionable recommendations that are aligned with the requirements of the CLCPA and with the analyses included in the Draft SEP. The Draft SEP itself acknowledges that a more ambitious approach would yield greater benefits across multiple metrics—including cost and affordability—yet it centers its planning around weaker, less beneficial scenarios. In the Final SEP, the State should strengthen its commitments by including:

- A timeline for advancement of the New York Clean Air Initiative;
- Ending the outdated 100 foot rule;
- Increased commitments to Empower+;
- Additional funding for the GAP fund to mitigate barriers to clean energy; and
- Recommendations for additional consumer incentives for electrification.

The Draft SEP signals a notable slowdown and pivot away from some of the Scoping Plan’s strongest tools. It reflects real-world challenges—but for Environmental Advocates New York, it introduces unacceptable risks of delay, dilution, and disinvestment, especially for the communities most affected by climate and pollution.

To honor the CLCPA and maintain New York’s role as a national climate leader, the Final State Energy Plan must restore clarity, urgency, and accountability. The promises of the Climate Act demand nothing less.

Sincerely,

Katie McNamara
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Environmental Advocates New York

⁹ New York Clean Air Initiative. January 26 2024. *Preliminary Analysis Overview*, 23. <https://capandinvest.ny.gov/-/media/Project/CapInvest/Files/2024-01-26-NYCI-Preproposal-Analysis-Webinar.pdf>