



Governor Kathy Hochul 2024 Climate Report Card

In May, Kathy Hochul said that: “Climate change is a global crisis that demands a response from all fronts.”¹ This report card evaluates the Governor’s own actions – measured against the requirements of New York’s climate law and proposals by climate groups, experts, and legislators – to address the crisis. The Governor plays a critical role in shaping legislation in New York State. She also supervises most state agencies, and is therefore the primary person responsible for making sure our state meets its climate goals.

The commitments of New York’s landmark 2019 climate law (the Climate Leadership and Community Protection Act, or “CLCPA”) have been obstructed by the Hochul administration. Her state agencies have ignored, and in some cases actively undermined, several critical policies implementing the CLCPA. She has vetoed important climate legislation, and neglected to ensure adequate funding for climate action. In August, Hochul said that the CLCPA mandates should be relaxed and even dialed back.²

At almost every opportunity, the Governor has refused to take action to reduce greenhouse gas (GHG) emissions, transition to new renewable energy projects built by union labor, phase out the use of dangerous fracked gas, and address racial and class inequities.

Governor Hochul’s climate grade for 2024 is a failing D-. As the climate crisis worsens, threatening communities in New York and around the world, we need a climate leader, and four recent reports referenced below have documented that Hochul has failed in this role. Instead, Governor Hochul has ignored the most fundamental needs of New Yorkers and sided with fossil fuel interests and corporate utilities.

Implementation of the New York Climate Law

Greenhouse Gas Emissions Reductions

Grade: D

The CLCPA requires an 85% reduction in climate-destroying greenhouse gas (GHG) emissions in New York below 1990 levels by 2050, with a 40% reduction by 2030. The state’s own most recent emissions report said that, as of 2021, emissions were reduced by only 9%.³ It appears extremely unlikely that the 2030 target will be achieved. Moreover, the primary method that the Governor and her administration have chosen to achieve the GHG mandates – the establishment of a cap-and-invest program – is long delayed, even though the CLCPA required GHG emissions regulations to be in place by January 1, 2024. In addition, the Governor promoted legislation to weaken GHG accounting, which would have allowed increased methane emissions, and is promoting false solutions like Renewable Natural Gas (RNG) that release greenhouse gasses.

Renewable Energy Targets

Grade: C-

The CLCPA mandates that 70% of electricity must come from renewable energy sources by 2030, and 100% must come from zero-emission sources by 2040. However, a June 2024 report by the Department of Public Service (DPS) and the New York State Energy Research and Development Authority (NYSERDA) found that the 70% renewable energy target for electricity will likely not be achieved.⁴ A July audit by the State Comptroller found that the PSC did not adequately plan, monitor, and assess the risks and challenges to meet the CLCPA renewable electricity targets.⁵ The Governor has failed in requiring agencies to aggressively advance solar, wind and other renewable energy sources.

Equity and State Agency Mandates

Grade: D

The investment provision of the CLCPA states that at least 35% (with a goal of 40%) of new energy and related funding must benefit Black and Brown and/or low income communities (called “disadvantaged communities” or “DACs”). The equity screen provision requires agencies to ensure that DACs are not disproportionately burdened by permitting requirements, contracts and grants, and the climate screen provision requires that decisions as to projects, contracts and grants not be inconsistent with the CLCPA’s GHG emissions targets. A recent report found the state’s four top-funded agencies have failed to fully implement these provisions, and it appears other agencies, including the PSC, are also ignoring CLCPA mandates.⁶ The Governor must ensure that state agencies fully implement these critical mandates; examples of mechanisms she can use are budget and agency directives, guidance documents, and executive orders.

Funding the Transition to Renewables

Grade: F

Climate groups, local government officials, and state agencies all agree that the state needs billions of dollars annually to ensure that the CLCPA’s emissions reduction limits are met, to incentivize the transition to renewable energy, and to benefit disadvantaged communities. Existing sources of revenue, like federal funding, the Environmental Bond Act, the Regional Greenhouse Gas Initiative (RGGI), and utility surcharges are either inadequate or not strategically targeted to meet the CLCPA goals. The Governor, who has the primary responsibility for proposing and passing the state’s annual budget, has failed to evaluate how much additional climate-related funding is needed and for what purposes, and she has failed to propose significant new revenue initiatives other than the stalled cap-and-invest program. Moreover, she has failed to advance bills proposed by the Invest in Our New York coalition that would increase state revenues for the state’s most urgent needs, including climate.

Implementing the Scoping Plan

Grade: D

Three years after the CLCPA was passed, the Climate Action Council (CAC), primarily composed of state officials, adopted a Scoping Plan to guide the state’s implementation of the CLCPA. The state is required to include the plan’s recommendations in an update to the New York State Energy Plan. While the Scoping Plan is far from ideal and contains certain provisions that many climate advocates disagree with, it does set forth many recommendations that will contribute to the achievement of the CLCPA mandates. However, tracking by Columbia Law School’s Sabin Center shows that most of the recommendations have yet to be implemented.⁷ It took almost two years after the Scoping Plan was finalized for the Hochul administration to even begin the process of updating the State Energy Plan.

Legislation and Agency Action

NY HEAT Act

Grade: D

The NY Home Energy Affordable Transition Act (NY HEAT Act; A4592B/S2016B) directs the PSC to align gas utility regulation with the CLCPA, enabling an equitable and affordable transition to renewable, gas-free heating, hot water, and cooking. The bill requires decarbonization plans for gas companies, and modifies outdated rules including the 100-foot rule and the obligation of utilities to provide gas hookups to new customers, subsidized by existing ratepayers. It would ensure energy affordability by capping energy bills at 6% of income for eligible households. Governor Hochul incorporated only parts of this bill in her budget proposal, and did not prioritize passing the bill at the end of session.

Climate Change Superfund Act

Grade: D

The Climate Change Superfund Act (A3351B/S2129B) holds big oil and other fossil fuel companies financially responsible for the damages caused by their GHG emissions. It would require such companies to pay \$3 billion a year for 25 years for extreme weather damage repairs, resilience infrastructure upgrades, and programs for flooding, extreme heat and hurricanes. Grounded in fiscal fairness and environmental justice, it requires that 35% of the funds go to disadvantaged communities. New York is facing staggering climate costs and taxpayers are currently burdened by these costs. The Governor refused for two years to include Climate Superfund in the state budget. Now that it has passed the Legislature, it is incumbent on her to sign the bill into law.

Congestion Pricing

Grade: F

Congestion pricing would impose a fee (generally \$15) on vehicles entering Manhattan's central business district. The program, designed to cut down traffic congestion and pollution and strengthen public transit, was passed in the 2019 state budget. Shortly before the program was to start on June 30, 2024, Governor Hochul indefinitely postponed it with no advanced notice. The Metropolitan Transit Authority (MTA) had already spent more than half a billion dollars for implementation and the equipment to run the program. Congestion pricing would have generated \$1 billion annually for the MTA, which planned to use the revenue for \$15 billion in bond financing to pay for critical system upgrades, including subway access for individuals with physical disabilities.

Just Energy Transition Act

Grade: F

The Just Energy Transition Act (JETA; A4866D/S2935D) would phase out at least four gigawatts of capacity of New York's oldest and most polluting fossil fuel-generated power plants by 2030 and replace it with renewable energy generation. Many of these plants are located in, and are polluting, disadvantaged communities. Passing JETA would lead to better health, a stronger economy, and a more reliable grid, paving the way for a just energy future for New York families for decades to come. Governor Hochul has failed to support this bill.

Build Public Renewables Act

Grade: C

The Build Public Renewables Act (BPRA), passed by the Legislature and signed by the Governor in 2023, empowers and directs the New York Power Authority (NYPA) to build and own the wind and solar power needed to reach 100% of the renewable generation mandates of the CLCPA, filling the gap left by the private market. It will create green jobs that pay a prevailing wage and use project labor agreements, help cut energy bills for those who need relief the most, and retire NYPA-owned fossil fuel peaker plants by 2030. Hochul deserves credit for signing the bill, but she has failed to follow through. NYPA's implementation lacks transparency and ambition, it has not acknowledged its responsibility to meet the CLCPA goals, and its required conferral report process was shoddy and defied the requirements of the law.

Building Decarbonization and Thermal Energy Networks

Grade: C-

Buildings are responsible for a third of New York's GHG emissions. Governor Hochul has signed three bills into law to accelerate building decarbonization. First, the Utility Thermal Energy Network and Jobs Act (UTENJA) requires every utility to build at least one thermal energy network in each territory. Thermal energy networks and district geothermal are among the most energy efficient, healthy, and affordable ways to provide heating and cooling and decarbonize buildings. While some UTENJA projects are well designed, many are not, raising questions about PSC oversight. Second, the Decarbonization Action Program in the 2023-24 state budget requires the development of plans to decarbonize the 15 largest GHG-emitting state-owned facilities. However, the statute did not require the plans to be implemented and the law's 17-year timetable undermines efforts to achieve the CLCPA's GHG reduction goals. Third, the Governor's version of the All Electric Buildings Act that became law required new buildings to be all-electric, but extended the timeline and added exclusions and loopholes. Finally, the Governor blocked passage of the Renewable Capitol Act (A5633/S2698), a bill to decarbonize the Empire State Plaza and other state-owned buildings in downtown Albany, which would have reduced emissions and alleviated harms to the surrounding environmental justice community.

Stop Climate Polluters Handouts Act

Grade: F

Currently, New York State provides over \$1.5 billion annually in subsidies to the fossil fuel industry. The Stop Climate Polluters Handouts Act (A7949A/S3389) will repeal the most egregious subsidies, saving the state approximately \$336 million a year. To the detriment of its residents, the state is hypocritically providing funds to the very polluting industrial sector it has declared by law must be phased out. Passing this bill would ensure that state expenditures are aligned with the CLCPA and eliminate wasteful taxpayer subsidies. For two years in a row the Governor has demonstrated her alliance with big oil by refusing to include the bill in the state budget.

TREES Act

Grade: F

The Tropical Rainforest Economic & Environmental Sustainability (TREES) Act (A9711/S8898) passed the Legislature in 2023 and 2024. It would shift government procurement rules in New York State, ensuring that any business providing goods or services to New York does not contribute to tropical deforestation, the source of 15% of all GHG emissions, and to the associated abuses of Indigenous Peoples and local communities in tropical forested regions. Last year, Hochul vetoed the bill and this year, it now sits on her desk, awaiting her signature.

Packaging Reduction and Recycling Act

Grade: D

The Packaging Reduction and Recycling Infrastructure Act (PRRI; A5322D/S4246D) would reduce the generation of petroleum-based plastics and their GHG emissions by requiring the reduction of plastic packaging materials by 30% over twelve years. The bill would result in less plastic waste in landfills and incinerators, where it creates toxic dioxin emissions when burned. The waste sector produces at least 13% of statewide GHG emissions. While the PRRI passed the Senate this session, the Assembly did not act. In previous years, Governor Hochul proposed her own deeply flawed bill that would have allowed the industry to regulate itself.

Recommendations for Governor Hochul

As this report card documents, the Governor has failed to address the growing climate crisis. Dr. Robert Howarth, a world-renowned scientist and CAC member, said “The state simply has not seen adequate political leadership to move ahead with the Climate Act goals and the CAC’s plan.” The state’s recent Climate Impact Assessment provided sobering data on our bleak future and underscored the critical need for action.⁸

Governor Hochul must fully commit and take immediate steps to meet or exceed the CLCPA goals. She must sign the climate bills on her desk, starting with the Climate Change Superfund Act, the TREES Act, the CO2 fracking ban (A8866/S8357), and the utility intervention bill (A8611/S8372). She must put forth a comprehensive package of climate justice proposals for 2025 through her proposed budget, legislation, and regulatory actions, including a collaborative process with the public to assess and develop action plans that ensure the state reaches its 2030 to 2050 goals with renewable energy and other environmentally sound and cost-effective energy sources.

The Governor must develop a budget with billions of dollars in climate funding and multiple sources of income to implement the CLCPA, including the timely creation of a responsible cap-and-invest program that protects environmental justice communities. We must also provide funding for climate damage repairs, resilience and protection programs. Finally, the Governor must ensure her state agencies fully implement the requirements of the law through steps like agency directives and executive orders, with full public participation.

1. <https://www.governor.ny.gov/news/governor-hochul-announces-nearly-300-million-investment-climate-resiliency-during-major>
2. <https://insideclimatenews.org/news/10082024/new-york-gov-kathy-hochul-landmark-climate-law/>
3. <https://dec.ny.gov/environmental-protection/climate-change/greenhouse-gas-emissions-report#>
4. <https://www.news10.com/wp-content/uploads/sites/64/2024/07/NYSERDA-renewables.pdf>
5. <https://www.osc.ny.gov/files/state-agencies/audits/pdf/sga-2024-22s4.pdf>
6. <https://www.nyrenews.org/flouting-the-law>
7. <https://climate.law.columbia.edu/content/new-york-state-climate-law-tracker>
8. <https://nysclimateimpacts.org/>



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