State of New York

AUG 06 2009

Department of State
Secretary of State

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State of New York

Executive Chamber

No. 24

EXECUTIVE ORDER

ESTABLISHING A GOAL TO REDUCE GREENHOUSE GAS EMISSIONS EIGHTY PERCENT BY THE YEAR 2050 AND PREPARING A CLIMATE ACTION PLAN

WHEREAS, an emerging scientific consensus recognizes that the increased concentration of carbon dioxide in the atmosphere, along with other heat-trapping greenhouse gasses, resulting from the combustion of fossil fuels and other human sources, warms the planet and changes its climate; and

WHEREAS, many scientists warn that unmitigated climate change is expected to result in significant adverse impacts to our communities, economy and environment; and

WHEREAS, according to the scientific assessments of the United Nations Intergovernmental Panel on Climate Change, and other work, substantial reductions in greenhouse gas emissions by mid-century have the potential to minimize the most severe climate change impacts currently predicted; and

WHEREAS, the reduction of global warming and limitation of climate change effects requires a collaborative, international effort to reduce the emission of greenhouses gases around the globe; and

WHEREAS, New York and other states should work collaboratively with the federal government to develop and implement plans and policies that will achieve reductions in greenhouse gas emissions in the United States; and

WHEREAS, expanding and advancing energy efficiency and renewable energy projects will reduce greenhouse gas emissions and create new jobs; and

WHEREAS, New York State has demonstrated leadership in this effort by undertaking actions such as:

- Executive Order No. 2 (2008): Establishing a State Energy Planning Board and Authorizing the Creation and Implementation of a State Energy Plan;
- Executive Order No. 4 (2008): Establishing a State Green Procurement and Agency Sustainability Program;
- Creation of the Governor's Smart Growth Cabinet;
- Adoption of goals and practices for energy efficiency and green building technology in State buildings, and for the use of biofuels in State vehicles and buildings;

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- Creation of the New York State Office of Climate Change in the New York State Department of Environmental Conservation;

- Participation in the Regional Greenhouse Gas Initiative, a ten-state cooperative effort to reduce greenhouse gas emissions from electric power plants by means of a cap and trade system;

- Creation of an Energy Efficiency Portfolio Standard, which is intended to reduce the State's electricity consumption by 15 percent below projected levels by 2015, complementing the State's System Benefit Charge and Renewable Portfolio Standard;

- The formation of a Renewable Energy Task Force and a Sea Level Rise Task Force;

- Collaboration with other northeastern and mid-Atlantic states on the development of a regional low carbon fuel standard;

- Establishment of a "45 x 15" Initiative, which set a goal to meet 45% of New York's electricity needs through improved energy efficiency and clean renewable energy by 2015;

- Adoption of regulations establishing greenhouse gas exhaust emission standards for motor vehicles;

- Enactment of legislation requiring new motor vehicles to bear labels disclosing information to consumers about vehicle greenhouse gas emissions;

- Enactment of legislation establishing "green" residential and State building programs;

- Enactment of legislation expanding the State's "net metering" laws, allowing increased development of renewable energy by electricity customers;

- Enactment of Legislation expanding energy efficiency and clean energy initiatives of the New York Power Authority to public entities; and

- Investment of billions of dollars by the New York State Energy Research and Development Authority, the New York Power Authority and the Long Island Power Authority in existing, expanded and new energy efficiency and renewable energy programs; and

WHEREAS, it is appropriate to build upon the important environmental benefits obtained through these actions and to establish a State-wide goal for the reduction of greenhouse gasses, and to develop a plan that enables New York to participate fully in the national and international efforts to combat climate change.

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order as follows:

1. It shall be a goal of the State of New York to reduce current greenhouse gas emissions from all sources within the State eighty percent (80%) below levels emitted in the year nineteen hundred ninety (1990) by the year two-thousand fifty (2050).

2. There is hereby created a Climate Action Council ("Council") consisting of the Commissioners of Agriculture and Markets, Economic Development, Environmental Conservation, Housing and Community Renewal, and Transportation; the Chairs of the Public Service Commission, and Metropolitan Transportation Authority; the Presidents of the New York State Energy Research and Development Authority, Long Island Power Authority, New York Power Authority and Dormitory Authority of the State of New York; the Secretary of State; the Director of the Budget; the Director of State Operations; and the Counsel to the Governor. The Director of State Operations shall serve as the Chair of the Council.

3. The Council shall prepare a draft Climate Action Plan on or before September 30, 2010. The Council shall hold regional public comment hearings on the draft Plan, and shall allow at least 60 days for the submission of public comment. Thereafter, the Council shall prepare a final Climate Action Plan which shall be reviewed and, if warranted, adjusted annually by the Council.

4. In aspiring to meet the greenhouse gas emission reduction goal, the Council, in preparing the Climate Action Plan, shall:

a. inventory greenhouse gas emissions within the State, including the relative contribution of each type of emission source;

b. identify and assess short-term and long-term actions to reduce greenhouse gas emissions and adapt to climate change across all economic sectors, including industry, transportation, agriculture, building construction and energy production;

c. identify and analyze the anticipated reductions, and the economic implications thereof, as a result of each action;

d. identify the anticipated life-cycle implications, consequences, benefits and costs of implementing each action, including implications, consequences, benefits and costs to the State, local governments, business and residents from implementation of each option and action;

e. identify whether such actions support New York's goals for clean energy in the new economy, including specific short-term and long-term economic development opportunities and disadvantages related to greenhouse gas emission reductions and the development and deployment of new and emerging technologies and energy sources;

f. coordinate its activities with the State energy planning process of the State Energy Planning Board;

g. identify existing legal, regulatory and policy constraints to reducing greenhouse gas emissions, assessing the impacts of climate change, and adapting to climate change, and recommend ways to address any such constraints;

h. establish estimated timelines for considering and implementing actions; and

i. undertake such actions, and compile such additional material, as deemed appropriate by the Council in carrying out its responsibilities under this Order.

5. Members of the Council may designate an executive staff member to represent them and participate on the Council on their behalf, subject to the approval of the Chair. A majority of the members of the Council shall constitute a quorum, and all actions and recommendations of the Council shall require approval of a majority of the total members or their representatives.

6. The entities represented on the Council are authorized to provide the primary staff and other resources that are necessary for the Council to comply with this Order. In addition, every other agency, department, office, division and public authority of this State shall cooperate with the Council and furnish such information and assistance as the Council determines is reasonably necessary for it to comply with this Order.

7. The Council may convene advisory panels to assist or advise it in areas requiring special expertise or knowledge.

8. The Climate Action Plan is not intended to be static, but rather a dynamic and continually evolving strategy to assess and achieve the goal of sustained reductions of greenhouse gas emissions.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixth day of August in the year two thousand nine.

David A. Paterson

BY THE GOVERNOR

Lawrence Schwartz
Secretary to the Governor

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