

Memorandum

Date: 7 July 2021

To: Governor Daniel McKee

Cc: Kim Ahern, Chris Abhulime, Joseph Polisena Jr., Victoria Scott, Director Terry Gray, Commissioner Nick Ucci, Liz Stone, Sheila Dormody (Chair, EC4 Advisory Board), Science and Technical Advisory Board

From: Hank Webster (*Acadia Center*), Johnathan Berard (*Clean Water Action*), Justin Boyan (*Climate Action RI*), Kai Salem (*Green Energy Consumers Alliance; Environment Council of Rhode Island*), Ken Payne (*Civic Alliance for a Cooler Rhode Island*), Krystal Noiseux (*Climate Reality Project RI*), Meg Curran (*Conservation Law Foundation*), Meg Kerr (*Audubon Society of RI*), Paul Roselli (*Burrillville Land Trust/CACRI*), Peter Trafton (*Citizens' Climate Lobby*), Priscilla De La Cruz (*Green Energy Consumers Alliance, Environment Council of Rhode Island*), Sue AnderBois (*The Nature Conservancy*), Timmons Roberts (*Climate and Development Lab at Brown University*)

Re: Implementation of the Act On Climate

Thank you for the opportunity to meet with your staff on June 16th. As we discussed, our objective is to help you and your Administration succeed with the implementation of the Act On Climate legislation (Act On Climate). As promised, we are following up with a memo outlining some of the necessary elements for successful implementation. These ask you to include:

- 1) prioritizing justice and equity and a robust stakeholder process;
- 2) providing the necessary State staff resources to enable success;
- 3) establishing a clear timeline to immediately develop the required Strategic Implementation Plan by December 2022, and;
- 4) implementing several critical actions immediately.

Act On Climate sets binding limits on carbon emissions, the most immediate being at least 45% reductions by 2030, and fully net zero by 2050. This scale of rapid decarbonization of our economy will require immediate action to develop a Strategic Implementation Plan through a robust planning process, and then successful follow-through on that plan. The law requires that the Strategic Implementation Plan (SIP) be finalized no later than December 31, 2022. Rhode Island must start now if it is to meet this statutory deadline. Based on our experience in previous planning initiatives, early action will be required to meet the 2030 targets, which is critical in setting the state on a successful path to reaching the 2050 targets.

Further, we believe that a thorough stakeholder process needs to inform the plan and be independent of state government politics. This process needs a Chairperson who is accountable to the stakeholders, not necessarily beholden to any administration. We understand that the plan to implement the Act On Climate will likely be drafted by your leadership team, but it needs to be repeatedly brought to a diverse group of stakeholders for input or involve those stakeholders in the drafting. For a plan that touches on

every element of state government and the economy, it is important that this is a more participatory process than is typically required of state plans.

Included in this letter are two appendices that will support the State's development and implementation of the plan.

- A list of recent statewide and regional studies that can be utilized (and not duplicated)
- An initial list of stakeholder organizations to include – understanding that the list will be larger than those we can identify

Elements Necessary for the Successful Implementation of Act On Climate:

1. Prioritize Justice and Equity and Public Participation

Successful implementation of Act On Climate—including drafting of the Strategic Implementation Plan--will require an inclusive and equitable stakeholder engagement process. Further, Act On Climate requires engagement and prioritization of certain communities, especially frontline communities -- Black, Indigenous, People of Color, communities with high levels of air pollution, and low-income communities. The administration should follow best practices in this area to comply with statute – which could include hiring environmental justice-focused staff or consultants, as well as paying community members for their expertise on issues in their communities.

A great, local example of best practices in stakeholder engagement is the Just Providence Framework used to develop Providence's Climate Justice Plan. We encourage you to meet with the Providence Office of Sustainability Director, Leah Bamberger, to learn more about their approach and process and the racial equity and environmental justice consultants hired to guide the plan's development. Another example is Massachusetts' creation of an Environmental Justice (EJ) Director and office within their Executive Office of Energy and Environmental Affairs. This EJ Director is overseeing the creation of compensated EJ advisory bodies.

Although not an environmental justice process per se, Rhode Island's Coastal Resources Management Council supports comprehensive stakeholder input in their Special Area Management Plan (SAMP) process. Sustained, inclusive, and intentional outreach will be necessary to create a strong plan with buy-in from important stakeholder groups and just as critical to the successful implementation of the Act On Climate — a statewide approach that embeds environmental justice in climate justice.

2. Provide Necessary Staffing

Planning processes in Rhode Island fail when they start late and are insufficiently prioritized and resourced. Crafting and then implementing a successful Strategic Implementation Plan will require dedicated staff with technical expertise, strong knowledge of the state government process, and experience with community engagement. Further, they must be empowered and supported across multiple levels of state government.

We recommend that at least four full-time employees (FTEs) are hired or reassigned to work on Act On Climate implementation. This minimum number is small compared to those assigned in neighboring states to this work. But we understand that Rhode Island's resources are limited. We urge the Administration to ensure that key capabilities are covered among the four FTEs, including: expertise in stakeholder engagement and public input processes; expertise in emissions reductions policy across

all major sectors (transportation, buildings, electricity, and land use); expertise in intergovernmental relations to coordinate departments and legislative activity; and expertise in environmental justice. **To be effective, we believe that this team will need a Director-level position who reports directly to the Governor and his chief of staff**, with additional staff embedded in RIDOT, DEM, OER, RIDOH, and other key agencies. We also urge you to create a full-time position dedicated to environmental justice within each of the key agencies.

In the past, the state has relied on the Executive Climate Change Coordinating Council (EC4) to implement climate initiatives. This has the potential to be a strength for Rhode Island because cross agency collaboration will be central to success. However, because the EC4 is under-staffed and under-resourced, the group has focused mainly on reporting and discussing current state agency initiatives and lacks the capacity for proactive strategy development and implementation. Under Act On Climate, the EC4 is granted the authority to ensure State targets are met. New or reallocated FTEs as described above should provide capacity to the EC4.

We understand that hiring can be difficult and time-consuming. But, as you know, the DOA Director is able to reassign staff to work on special projects without creating new positions, increasing the State budget, or hiring additional staff. In the short-term, we recommend that this tool be used to accelerate the state's climate implementation work.

We strongly recommend State staff over consultants. The State has contracted with consultants for more than 10 studies relevant to this issue in the last 4 years (listed in Appendix 1), which should inform the initial phases of developing the Strategic Implementation Plan. While the studies are examples of good technical work, in commissioning the reports the State relied too much on out-of-state consultants who do not know our context, enrich our local knowledge economy, stay to oversee implementation, or sufficiently draw upon public input. By outsourcing this activity, the State lost the opportunity to build the knowledge-base and expertise within its own personnel to boldly address the climate crisis. As a result, there has not been enough capacity or leadership at the State to implement the recommendations from these studies. The Plan due in December 2022 needs to be immediately actionable: those tasked with developing it need to be part of the implementation and be planning with implementation pathways in mind. This is consistent with other states in our region that have dedicated climate staff implementing similar legislation.

Leverage resources beyond state agency staffing. To expand on limited State capacity, we recommend utilizing the other resources at your disposal. A strong stakeholder engagement process (and creation of additional stakeholder task forces if needed) can support the state's efforts. For example, the State already has the EC4 along with its Advisory Board and the Science and Technical Advisory Board (STAB). Both the Advisory Board and the STAB do not have their full complement of members - and both need to have membership with more diverse representation from across Rhode Island, including labor, frontline communities, business voices, impacted industries (e.g. farming, fishing, manufacturing), among others. These members are appointed by the Administration and the General Assembly. There are also substantial resources, capacity, and expertise to help with the development of the state's climate plan in our higher education institutions, the nonprofit sector, and private industry. A call to action from your Administration would likely be met with an enthusiastic and generous response.

3. Establish a Realistic Timeline for an Inclusive Process

Meeting the timeline set forth in the Act On Climate for a plan due December 2022 with at least 45% reductions by 2030 will require immediate action. Because of the importance of this effort and how many people, communities, and parts of the economy the climate crisis touches, we recommend a more robust stakeholder engagement process than is normally required for state plans. Since the Act On Climate limits present hard deadlines, and community involvement takes time, we need to establish an inclusive process right away, one that has a feasible timeline in keeping with Act On Climate requirements.

There are existing plans and planning processes that can be used as models for the SIP's public engagement process. As mentioned above, a local example is the Providence Climate Justice Plan, which involved extensive stakeholder engagement with frontline communities of color who are disproportionately overburdened by pollution. The Climate Justice Plan, and the Just Providence Framework which guided its process, have become national standards.

We respectfully recommend the following timeline:

Immediate: Appoint a chair of the EC4 STAB (the seat is currently vacant) so the body can reconvene. Request for the EC4 STAB and Advisory Board to work over the summer to provide input on the planning process and necessary stakeholder engagement.

By July 30: A follow-up meeting with the stakeholders included on first call

By September: A kick-off meeting with you and other stakeholders to discuss the process for the Strategic Implementation Plan's development and to set a timeline

By Labor Day: A draft document released (with opportunity for public comment on this document) that outlines:

- Timeline for Strategic Implementation Plan development, as well as the opportunities for public comment
- A plan for stakeholder engagement in the planning process, including a section on engagement of frontline and environmental justice communities
- Assignments of staff to lead the effort
- An overview of where the state does not currently have the capacity to do this work, as well as a commitment and identification of funding opportunities for hiring other staff to fill these capacity needs.

4. Implement Several Critical Actions Immediately

As part of your timeline to implement Act On Climate, we request a commitment to immediate actions that are recommendations across several studies released by the State over the last several years. These actions do not need to wait for the Strategic Implementation Plan to be completed. These include (but are not limited to):

- Support for passage of the 100% Renewable Energy Standard

- Enactment of the Transportation and Climate Initiative
- An RFP released to procure at least 600MW of additional off-shore wind by 2023

Lastly, throughout the planning process, the state must adhere to the Administrative Procedures Act. Given the statutory enforceability of this plan, it should be adopted by the Statewide Planning Council with the final plan processed through the APA and implemented across all state government.

Thank you for considering our recommendations for successfully implementing the Act On Climate:

- 1) prioritizing justice and equity and a robust stakeholder process;
- 2) providing the necessary State staff resources to enable success;
- 3) establishing a clear timeline to immediately develop the required Strategic Implementation Plan by December 2022, and;
- 4) implementing several critical actions immediately.

As we mentioned during our first discussion, we are offering our support and expertise as a resource. We look forward to scheduling a follow-up meeting.

Appendix 1: Relevant Recent State & Regional Reports to Utilize and not Duplicate

A series of studies exist from which valuable input and findings should be taken, but they were conducted under an earlier model of management.

- **Transit Master Plan 2020**
<https://transitforwardri.com/pdf/TFRI%20Recs%20Briefing%20Book-Final%20201230.pdf>
- **Clean Transportation and Mobility Innovation Report**
<http://climatechange.ri.gov/documents/mwg-clean-trans-innovation-report.pdf>
- **Bike/Pedestrian Master Plan** (included in the Long-Range Transportation Plan) 2020
<http://planri.com/pdf/lrtp/RI%20Long%20Range%20Transportation%20Plan%20December%202020.pdf>
<http://planri.com/pdf/bmp/RI%20Bicycle%20Mobility%20Plan%20December%202020.pdf>
- **Road to 100% Renewable Electricity by 2030 in Rhode Island. Brattle Group & OER, Dec 2020**
<http://www.energy.ri.gov/documents/renewable/The%20Road%20to%20100%20Percent%20Renewable%20Electricity%20-%20Brattle%2004Feb2021.pdf>
- **Heating Sector Transformation 2020**
<http://www.energy.ri.gov/documents/HST/RI%20HST%20Final%20Pathways%20Report%205-27-20.pdf>
- **Power Sector Transformation (Grid Mod) 2018**
http://www.ripuc.ri.gov/utilityinfo/electric/PST%20Report_Nov_8.pdf
- **DEM Value of Forests Report 2019**
<http://www.dem.ri.gov/programs/bnatres/forest/pdf/forest-value.pdf>
- **Carbon Pricing Study 2020 - OER, Cadmus, RIDOT**
www.energy.ri.gov/documents/carbonstudy/final-rhode-island-carbon-price-study-report.pdf
- **“Deeper Decarbonization in the Ocean State: The 2019 Rhode Island Greenhouse Gas Reduction Study”** by the Stockholm Environment Institute and Brown University Climate and Development Lab September 2019, plus article in *Energy Research and Social Science* 2020
<https://cdn.sei.org/wp-content/uploads/2019/09/deeper-decarbonization-in-the-ocean-state.pdf>

<https://www.sciencedirect.com/science/article/abs/pii/S2214629620304667>

- **Solar Siting Stakeholder process (2017-2018) + OER Synapse Solar Siting reports 2020**

http://www.energy.ri.gov/documents/renewable/Solar_Siting_Information_Public_PPT_Feb_2019.pdf

www.energy.ri.gov/documents/renewable/Comp_Plan_Solar_Siting_Report_Feb_2019.pdf

<http://www.energy.ri.gov/documents/renewable/Solar%20Siting%20Opportunities%20for%20Rhode%20Island.pdf> (Solar siting opportunities for Rhode Island – Synapse)

- **Providence Climate Justice Plan 2019**

<https://www.providenceri.gov/wp-content/uploads/2019/10/Climate-Justice-Plan-Report-FINAL-English-1.pdf>

Just Providence Framework: <https://www.providenceri.gov/wp-content/uploads/2017/02/Equity-and-Sustainability-SummaryReport-2-20-reduced.pdf>

- **Resilient Rhody 2018**

<http://climatechange.ri.gov/documents/resilientrhody18.pdf>

- **Climate Resilience report for PVD 2021**

http://providenceresilience.org/wp-content/uploads/2021/03/Combined_3_25_final-low-res.pdf

- **Clean Energy Jobs Report 2020 (OER)**

<http://www.energy.ri.gov/cleanjobs/2020/RICEIR%202020%20Report.pdf>

- **RI State Hazard Mitigation Plan (2018)**

http://www.riema.ri.gov/forms-additional-resources/documents/Rhode%20Island%202019%20State%20Hazard%20Mitigation%20Plan-COMBINED_DRAFT.pdf

Appendix 2: Initial list of Key Stakeholders:

As discussed in the text of the memo, robust stakeholder engagement will be essential to the successful development of the implementation plan. We offer the below list as a start to recommended stakeholder engagement. It is by no means meant to be a complete list – but a jumping off point.

- [Climate Jobs RI Coalition](#): Labor Unions, Environmental Organizations, and others
- [Renew Rhode Island](#) Coalition Members
- [Racial and Environmental Justice Committee](#) of Providence
- [Environment Council of Rhode Island](#) (ECRI)
 - [Organizational and Individual Members of ECRI](#)
- Land Trusts, including the [RI Land Trust Council](#)
- Water Suppliers & Wastewater Professionals
- [Civic Alliance for a Cooler Rhode Island](#) (CACRI)
- [Climate Action Rhode Island](#) (CARI)
- RIDOH Health Equity Zones
- Unions
- Affected members of the Business Community (Large + Small)
 - Fishers, Farmers
 - Nursery & green industries
 - Hospitality and tourism
 - Manufacturers
- Utilities: National Grid & PPL, Block Island Power Company, Pascoag Utility District
- Clean Energy Developers/Offshore wind
 - [Northeast Clean Energy Council](#)
- Academic Experts from Brown, University of Rhode Island, and others
- Municipal Leaders
 - Planners; Hazard Mitigation staff
 - The [RI League of Cities and Towns](#)
 - [The American Planning Association RI Chapter](#)