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### Federal

#### **Obama Delivers Second Inaugural Address- Focuses on Climate Change**

President Obama's inauguration speech yesterday was broad, as such addresses tend to be, but he seemed to position climate change as the most prominent policy item for his second term.

The president specifically mentioned the recent wave of severe weather linked by many to global warming.

From his address:

"We will respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations. Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires, and crippling drought, and more powerful storms. The path towards sustainable energy sources will be long and sometimes difficult. But America cannot resist this transition; we must lead it. We cannot cede to other nations the technology that will power new jobs and new industries — we must claim its promise. That is how we will maintain our economic vitality and our national treasure — our forests and waterways; our croplands and snowcapped peaks. That is how we will preserve our planet, commanded to our care by God. That's what will lend meaning to the creed our fathers once declared."

There is some speculation that the President may be planning to pursue his climate change goals through the use of his executive powers in order to sidestep Republican opposition.

Republicans still hold the House majority, and the makeup of the Senate did not change significantly in the recent election, meaning the prospects of energy reform have likely become more difficult since the effort failed in 2009 and 2010 when Democrats controlled both houses.

The centerpiece of the president's approach is said to be action by the Environmental Protection Agency (EPA) to clamp down further on emissions from coal-burning power plants under regulations still being drafted. Additionally, the administration has said it plans to push for new energy efficiency standards for home appliances and buildings.

### **House Energy & Commerce Committee Makes Leadership Recommendations**

Democratic members of the Energy and Commerce Committee outlined recommendations for subcommittee ranking memberships and assignments for the 113<sup>th</sup> Congress. Ranking Members are still subject to approval by the Democratic Steering and Policy Committee and the Democratic Caucus. New York Rep. Paul Tonko (and former New York State Assembly Energy Committee Chairman) has been named as Ranking Member of the Subcommittee on Energy & the Economy. ([press release](#))

### **House Oversight & Government Reform Committee Adds New Energy Subcommittee**

The House Committee on Oversight and Government Reform will add a new energy subcommittee in the 113th Congress. Rep. James Lankford (R-Okla.) will chair the new Energy Policy, Healthcare and Entitlements subcommittee, which will allow Oversight committee members to call for testimony on cross-jurisdictional energy policies. That new subcommittee might also play a role if Congress decides to consider tax-code changes. Among high-profile energy tax provisions that could get a look next Congress are a set of breaks for the oil-and-gas industry, as well as a potential phase-out of the wind industry's production tax credit.

### **EPA Announces New Cleanup Program**

The Environmental Protection Agency (EPA) announced a new voluntary clean air program, 'PM Advance,' to help communities continue to meet soot pollution standards, improve air quality and protect public health. ([press release](#))

### **EPA Releases 2013 Annual Plan**

The Environmental Protection Agency's Office of Inspector General has released its fiscal year 2013 annual plan. Upcoming investigations of interest include flare emissions and control; assessing EPA's efforts to keep pipes from leaking methane emissions; evaluating EPA research on human subjects; human exposure from lead smelters; evaluation of EPA's National Environmental Policy Act reviews; and disaster relief funding, in particular working with the Hurricane Sandy Fraud Taskforce. ([plan](#))

## Energy legislation recently introduced:

- [H.R. 259](#). A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate. .

## State

### Moreland Commission Hearings Continue

The Moreland Commission met in Far Rockaway this week to continue its examination of utilities' response to Hurricane Sandy. The Far Rockaway hearing focused mostly on LIPA's response.

Governor Cuomo established the Moreland Commission following Hurricane Sandy in order to study utilities' responses to recent major weather events, including Hurricanes Sandy and Irene and Tropical Storm Lee. The Commission is also charged with submitting recommendations on how to overhaul the regulatory structure to ensure the system is better able to handle emergencies going forward.

Two more hearing dates are scheduled for January 23<sup>rd</sup> and 24<sup>th</sup> to be held in Staten Island and the Hudson Valley, respectively. The Hudson Valley hearing is intended to focus on Westchester, Rockland, and Putnam Counties.

The Moreland Commission's press release announcing the most recent hearing dates can be found [here](#).

### NYS Assembly Holds Climate Change Hearing

The New York State Assembly Committee on Environmental Conservation held the first of two hearings to examine the rising frequency and environmental impacts of extreme weather events. The hearings are intended to solicit input on how to mitigate the man-made factors that contribute to extreme weather events and reduce the environmental impacts of such events.

The New York City Department of Environmental Conservation testified, as did the New York League of Conservation Voters, the Environmental Advocates of New York, and several climate change experts. There was a consensus that recent extreme weather events such as Hurricanes Sandy and Irene are indicators that climate change is a problem and that actions must be taken to protect the State from future storms. Suggestions included reducing greenhouse gas emissions and protecting natural systems such as wetlands, flood plains, and shore areas.

Assembly Environmental Conservation Chairman Robert Sweeney (D-Suffolk) indicated that legislation is forthcoming that would require consideration of climate change and rising sea levels in instances where state money is being spent on infrastructure.

The second hearing is scheduled for January 30<sup>th</sup> and will be held on Long Island.

### DiNapoli: State's High Debt Limiting Options

Comptroller DiNapoli warned that New York State's heavy debt burden could jeopardize critical infrastructure projects and other capital needs. "New York's past borrowing is limiting our future options," DiNapoli said. "We spend billions each year to repay existing debt, so fewer resources are

available for more pressing needs. This comes at a challenging time when our state needs to rebuild and repair critical infrastructure and has growing capital needs.”

New York State has the second highest level of debt in the country and is approaching its legal borrowing limit. Before Hurricane Sandy, the state was already facing revenue challenges this year. The timing of new construction or maintenance of state highways and bridges, state-funded projects for the Metropolitan Transportation Authority, and capital investments funded by the state’s economic development initiatives could be affected if the state cannot borrow enough money.

The Comptroller’s complete analysis can be found [here](#).

### **NYS Comptroller Approves Tappan Zee Bridge Contract**

State Comptroller Tom DiNapoli announced the approval of a \$3.14 billion contract between the New York State Thruway Authority and Tappan Zee Constructors to design and build the new Tappan Zee Bridge. The new bridge will be transit-ready for bus rapid transit, light rail or commuter rail. The Mass Transit Task Force has been established to identify short, medium and long-term transit solutions for the bridge and the I-287 corridor in Westchester and Rockland Counties.

DiNapoli’s contract approval does not constitute approval of any financial plan, toll increase or debt issuance. According to DiNapoli, “every effort must be taken to minimize costs for this project and protect the long-term fiscal health of the Thruway system.” The state has not yet indicated how the project will be funded but is seeking a federal loan of up to \$2.9 billion loan to help pay for the new bridge.

DiNapoli’s announcement can be found [here](#).

## **City**

### **NYC Council Schedules Several Hearings to Examine City’s Hurricane Sandy’s Performance**

The New York City Council will hold a series of oversight hearings to assess storm planning, management, and recovery efforts related to public safety, transportation, housing, health services and more. “If we are going to be thorough and truly forward-looking, the City’s recovery must include an examination of what did and did not work in the days and hours leading up to Sandy’s landfall, and in its aftermath,” Speaker Christine C. Quinn said. “The more lessons we take away from this storm, the better prepared we will be for the next one.”

The series of hearings will include the following:

January 22<sup>nd</sup>: How Did 911, 311 and Emergency Alerts Perform?

January 24<sup>th</sup>: Emergency Preparedness and Response at the City’s Healthcare Facilities

January 31<sup>st</sup>: MTA’s Response and the Long-term Impact on the City’s Public Transportation System

February 13<sup>th</sup>: Post-Storm Cleanup and the Effects on the City’s Health and Infrastructure (including tree and debris removal)

Date TBD: Rebuilding the City’s Infrastructure

The preliminary hearing schedule can be found [here](#).

### **NYC Council Assesses City's Hurricane Sandy Response**

This week the City Council began a series of hearings to review planning, response and recovery efforts before, during and after Hurricane Sandy. The first hearing examined the City's emergency planning and management during and after Hurricane Sandy. Deputy Mayor Caswell Holloway testified at length on behalf of the City. Emergency responders, weather experts, various advocacy groups, and 911 and 311 system operators also testified.

The City Council focused its attention on the communication and coordination of OEM, city agencies and volunteers. This included a review of the system challenges faced by 311 and 911 whose operators were overwhelmed by high call volume during the storm. In addition, the Council discussed the difficulties faced by vulnerable populations. Several Councilmembers argued that extra efforts are required during an emergency to ensure the needs of senior citizens, the medically frail, mentally disabled and others. Con Edison's vulnerable persons list was referenced and the City was encouraged to coordinate with us on something similar going forward.

The City Council's press release on the hearing can be found [here](#).

### **NYC Council Assesses NYCHA's Emergency Preparedness**

The NYC Council held a hearing this week to examine the New York City Housing Authority's (NYCHA) emergency planning procedures, response and tenant communication efforts before, during and after Hurricane Sandy. The Council was very critical of NYCHA. City Council Speaker Christine Quinn remarked, "The Council is greatly concerned that NYCHA was unable to relay up-to-date information to tenants and adequately identify and communicate issues in specific developments in the days and weeks following the storm." The Council also raised concerns about NYCHA's enforcement of mandatory evacuation zones, delays in restoration to heat and hot water, and a lack of coordination between its staff and volunteers.

The Council's press release on the NYCHA hearing can be found [here](#).