

How #GasFreeNYC Won a Gas Ban in New York City

About 2,000 new buildings per year will be fossil free

It usually takes years to win major policy change, if at all. After all, it takes a lot to overcome powerful corporate opposition and the dead-weight inertia of political institutions. Yet an effective, multiracial campaign under the hashtag banner of #GasFreeNYC took a New York City gas ban from zero to law in a stunning 10 months.

This article will explore how New York Communities for Change (NYCC), NYPIRG, Food & Water Watch and WE ACT for Environmental Justice, plus allies, managed the feat. It is primarily meant for a limited audience: organizations or individuals contemplating a serious effort to pass a local or state level ban on gas in new construction. This article is a history of the #GasFreeNYC campaign. It includes advice for other campaigns. This piece is solely the opinion of its author and New York Communities for Change.

The Washington Post

We won despite the opposition of the real estate and fossil fuel industries and their allies, even overcoming a social media [disinformation campaign](#) run by ExxonMobil. The real estate lobby, in particular, as in most cities, is a political powerhouse in New York. But we beat them. Our main takeaways that explain this movement victory are:

America's biggest city is ditching fossil fuels in new buildings

- The campaign combined activists from communities of color with predominantly white progressive climate activists. In a politically “blue” place, that combination packs a real punch: it’s an electoral coalition that can dominate a Democratic party primary. In blue places, most legislators and mayors are politically vulnerable only in primaries. This approach has power in any city (and they’re all blue!) where a local-level gas ban is not preempted by state law.
- Our groups were unafraid to press specific and powerful elected officials in public. In contrast, too many groups run “low-threat” campaigns that elected officials know they can dismiss at little or no cost because there is no “or else” beyond a press release expressing “disappointment”. In contrast, a mobilized and real grassroots constituency is automatically a threat. And politicians tend to move to neutralize threats to their own interests.
- The four groups at the heart of the campaign all agreed to mobilize their bases for the issue through rallies and protests. This wasn’t going to be just a lobbying effort. We were committed to turning out about 10-15 people each to be the base

turnout for any given activity¹. By prioritizing grassroots pressure, city-wide, we demonstrated a strong (enough) constituency for the issue.

- Housing and justice groups that are grounded in communities of color led the charge, emphasizing jobs and pollution cuts in addition to climate action. We flipped the usual script, where climate action can be perceived as well-intentioned, but also out of touch or even elitist. We made this fight more compelling through a multi-racial, justice-oriented coalition led by groups based in working class Black/Latino communities. We highlighted that a gas ban would create jobs and cut air pollution, especially in low-income communities of color. That made it much harder for our corporate opponents' lobbyists to explicitly or implicitly paint our effort as out of touch.
- In the legislative end game, it was absolutely clear the coalition would have opposed any final loophole-riddled deal. We had bottom lines and we weren't going to be pushed past them just to get a too-weak deal that could be gussied up into a nice press release. In fact, in the intense final hours of negotiations over the bill, we opposed a bad "compromise" that was floated: we credibly threatened to kill the bill in the final hours of negotiations, forcing a better result.
- The coalition was functional and effective, with weekly meetings that made rapid and good decisions. The effort was "can do." We did not second-guess or overthink potential actions or theoretical questions. We didn't bog down.
- We had a clear target and strategy.
- In the mid-summer, when it looked like we wouldn't win in 2021, we didn't concede and punt to 2022 and a new Council. The campaign wasn't intimidated by obstacles. It went over and around them. This effort never said die.

It takes relentless, hard-hitting, focused grassroots power to defeat real corporate power on anything other than modest, incremental reforms. Activists and organizations can control the shape, effectiveness and ferocity of their campaign. In this case, we also benefited from other factors beyond our control, such as Mayor de Blasio's support for a deal to pass a gas ban, which are also described below. The rest of this piece tells the story.

As long as this article is, by necessity it leaves out a lot of detail, including campaign activities, context and many policy considerations.

¹ If 10-15 people doesn't sound like a lot to you, you're right, it's a small number, but in this context it's a lot. In fact, it's extraordinarily hard to get people to show up for rallies and protests. The extremely rare moment where people just show up is just that: very rare. You need pre-existing networks and organizers - whether volunteer or paid - to generate turn outs. Elected officials know how hard this is. They know that any organized protesters are a proxy for wider concern in some part of the voting public. They know that a serious campaign can transform inchoate public concern - which is usually and easily disregarded - into impact on the elected official's jobs. Therefore, while 10-15 people per group for an event is small, it's quite meaningful in this context. That's especially true since the small crowds we'd turn out were racially and socially integrated, so elected officials from across the city could see their constituents represented.

Putting Together the #GasFreeNYC Campaign

New York Communities for Change organizes for economic, racial and climate justice in Black and Latinx communities in New York City and on Long Island. In November and December of 2020, we approached the New York Public Interest Research Group (NYPIRG) and WE ACT for Environmental Justice about working together to pass a gas ban in New York City. In 2019, Berkeley, California had enacted a gas ban. Other West Coast municipalities soon followed, starting a movement towards an obvious and simple policy to end fossil fuel use in buildings, which are a top source of climate-heating pollution from metropolitan areas. We saw a gas ban as the next logical step for New York City.



Our three groups share a base of activists in communities of color, with NYPIRG based at CUNY college campuses and WE ACT in Upper Manhattan and the Bronx. We felt our three groups, combined, could mobilize city-wide at the scale needed; work together effectively; and be accountable to our respective base constituencies. As it became clear that we'd need to add grassroots firepower in order to maximize our chances for a win, we asked Food & Water Watch, which also prioritizes a grassroots base, to join the core of the campaign.

These decisions were carefully thought-through to ensure that the campaign would be accountable to a multiracial base. We wanted a campaign led by functional, effective groups whose strengths complemented one another's. This is not to say that there aren't other great groups in the city (there are!). Nonetheless, we wanted to maintain clear accountability, including to a multi-racial grassroots base. To maximize functionality, you can't get to a size that's unwieldy. Lots of working groups and committees are not typically a sign of a highly-functional effort. Too many cooks in the kitchen just doesn't work.

We were committed to pushing for a gas ban, but also knew we couldn't sustain the effort at the level needed without money. Such is the life of a non-profit. Therefore, at the same time as we started to organize ourselves, we sought to raise money from foundations to cover at least some of the costs of the campaign. Over the course of the year, we raised just over \$200,000. Split four ways, \$50,000 for each group wasn't enough to cover costs, but made it possible for us to run an intense effort. As we started, our groups knew there was a good chance we could raise money to at least defray some of our costs, so it was realistic to get the

campaign rolling. And indeed, two foundations committed enough money (thank you!) that we could go forward with more campaigners and organizers' time devoted to the effort. As a result, we were far more likely to win. At the end of the day, money matters to non-profits. While we were prepared to soldier forth with no funding dedicated to the campaign, these funding commitments made it far easier. There are only so many wildly underfunded efforts a staffed organization can manage using general funds.²

Setting a Strategy: Who to Target

We weren't going to just call on "City Hall" or "The City" or some other impersonal entity to act. Those are weasel words that typically indicate an unwillingness to hold a powerful elected official accountable. If you don't wield a giant checkbook to make huge campaign contributions and/or fund a big electoral intervention down the line, you have to hold a *specific* decision-maker accountable.



Too many advocacy group or activist efforts falter because they won't settle on a specific target (or at least a main target and various secondary targets). You have to name a name. You need to have a target with decision-making power to hold accountable for results. That doesn't mean you don't press other elected officials, of course, but it does mean you have a focused effort that holds someone who can make the policy happen accountable.

As we were considering this campaign, Mayor de Blasio pleasantly surprised us in January by calling for a gas ban for the city in his state of the city address. To his credit, de Blasio got out in front of our nascent coalition, which hadn't yet gelled. He proposed a truly progressive shift for the city.

Yet de Blasio's proposal was vague on the crucial timeline question: he proposed a ban in or by 2030. The media - which deeply hated de Blasio - rolled their eyes. They viewed his call as another grandiose promise from a Mayor they felt was deeply unserious.

² For any funders reading this, as an organization general funding is what best allows this sort of campaign: because we had enough money and a stable organizations, we could start this effort up. If we had much more general funding, we would be far more able to prosecute the campaigns we think are the most effective. But that's not how foundations generally operate: they want specific results. It's always a dream and so vastly useful when a foundation or other funder sees a record of success and simply gives to support the groups' general program, particularly if that funding is a multi-year commitment.

In response to de Blasio's proposal, NYCC was quoted in *Politico* - which ran the only story on the topic of a gas ban in reaction to the Mayor's address - that "It's a very positive development. We want to see a deal between the mayor and the Council as soon as possible to pass this law and for it to go into effect just about immediately. It's a climate emergency and there's no time to waste."

In fact, while we had no way to know it, the Mayor and his people were serious. It wasn't just political big talk. He wanted to get a deal done. Regardless, we kept in contact with the Mayor's staff throughout, mostly just updating them on our progress and asking them over and over again to press the Council's leadership to hold a hearing. I believe they began in earnest to follow through over the summer. I am reasonably certain that the Administration became steadily more engaged in part because we built a serious pressure campaign. They knew that without a real push, it was going to be hard for the Mayor to get the Council to act. As they saw the #GasFreeNYC campaign pressing, they were themselves encouraged to push harder. They understood the politics as well, or better, than we did.

With de Blasio supporting the concept, we could have made him the target and pushed him for a faster ban³. However, legislative power is wielded in the City by the City Council. For various structural and political reasons, the Council is mostly sidelined in City politics. But when it comes to legislation, the Council can drive a bill forward.

The Council is led by its Speaker, elected by the Councilmembers. The Council's Speaker, much like in other legislative bodies, has institutional and agenda-setting power. In the NYC Council, the Speaker - at the time Councilmember Corey Johnson - controls the very introduction and then the flow of bills through the chamber.

A New York City Council Speaker's power includes control of the floor agenda. While there is a formal "discharge" procedure that enough individual Councilmembers can, in theory, use to force a floor vote on a bill, in practice that provision is never invoked. The Speaker effectively controls the process of a bill becoming a law. And once the Speaker puts a bill on the floor, it will invariably pass. Thus, as in many Legislatures, the fight isn't really to win the votes in a floor vote: it's to get a vote, which means getting the Legislature's leadership behind the bill. Once a vote is set in the City Council, it's a given that the bill will pass.

In this case, we took previous successful efforts, including the campaign that won passage of NYC Local Law 97 as a model. Local Law 97, which is probably the world's most important local climate and jobs law, requires large buildings to cut their climate-heating pollution, creating tens of thousands of jobs. It was passed despite the bitter opposition of the city's powerful real estate lobby. In the end, Speaker Johnson supported our stance on that

³ In fact, many advocacy organizations that rely on maintaining access to elected officials and top staff to make their case would have focused on praising de Blasio for merely making the proposal. They would not have "targeted" anyone because they wouldn't want to be frozen out of access. We rely on a different strategy: build and deploy grassroots power that sets politics into motion to effectively force politicians to make the decisions we want.

issue. Once we'd won his support, he directed central staff to get cracking on writing a bill, alongside that law's prime sponsor, Costa Constantinides. Once we had an agreement with Johnson, we won (and in that case, the Mayor had also been conceptually supportive and also pushed).

The gas ban issue is similar to the fight for the bill that became Local Law 97: place anti-pollution requirements on buildings. The opponents were also similar: the real estate lobby and its allies plus the fossil fuel industry.

Moreover, at the time we launched our gas-ban push, Speaker Johnson, who was term-limited, was positioning to run for city-wide office, as Comptroller. He formally announced his campaign launch on March 9th. As a result we knew that in addition to being open to action on the issue area, he'd also have a strong electoral motivation to deliver voter-pleasing accomplishments to win a primary, citywide. That's democracy!

Our campaign decided to focus on Council Speaker Johnson. That was probably the most important decision of the campaign. Rather than just try to convince individual Councilmembers to back a bill - and effectively have no specific target of our campaign - we would focus on getting the Speaker to take action.

We also decided to try and win a commitment to pass the bill on a very short timeline: the City's Democratic primary election was going to be in late June. Johnson was running for NYC Comptroller. We wanted to win, fast, because the leverage of a looming, competitive election wouldn't be there after the Democratic primary given that the winner would automatically cruise to a general election victory.

Training our Base & Launching the Campaign

We put together an educational training for activists on the campaign and the issue in late March. We launched the campaign in early April. The training had almost 100 people in virtual attendance and the campaign kickoff had over 100 people. These events were very successful because they were energetic and exciting, big (enough), and multiracial. Multiple Councilmembers joined us for both events, including the legislation's



champion, who soon became its prime sponsor, Alicka Ampry-Samuel, a central Brooklyn Democrat.

On so many climate-focused campaigns, the events and activities are numerically dominated by white progressive climate activists. That's who shows up if you just put together a climate campaign and invite people digitally. You get a handful - or maybe more - of overwhelmingly nice white people. I'm a nice white person! I like nice white people! But we want to build power for NYCC and its base. Along with our core partners on the effort, it was important that the campaign and events look and feel like New York City, not a narrow slice of the city.

That's not just a stance we take for moral reasons. To be sure, as an organization, we believe that low income communities of color need to win power - and exercise it. That is the core of our organization's objectives. *But multiracial organizing is also a critical pragmatic strategy for climate action. It is not just the right thing to do. It is the smart thing to do.*

It's a subject for a separate analysis, but the record is clear of the limitations of either a lobbying-only strategy or a grassroots climate campaign that generates support in effect only from progressive whites: you can win, but it's much harder. There are also outer limits to what you can achieve. You can advance incremental policy reforms at a state level with just insider lobbying, but these tend to be slight policy changes with very limited effects. If you run a strong grassroots campaign, you can usually stop bad things, such as a proposed pipeline, with just progressive whites as a voting and activist base. It's much easier to stop something than start something. However it is vastly harder to win transformative climate/jobs legislation. It's simply much harder to win something big and new over the opposition of powerful corporate lobbies. You need *both* a strong, effective campaign *and* a multi-racial coalition.

It's too easy for corporate power to stop an effort that doesn't have grassroots support in enough places in the city (or state). They can make it out as an elitist, out-of-touch effort, which reinforces the central (typically false) claim the corporate lobbyists always make, which is that environmental action raises costs and destroys jobs. The politicians, for their part, can immediately tell that your campaign doesn't have real support in much of the city (or state). To win big stuff, you need a politically powerful coalition that can bring pressure throughout enough of the city's diverse communities to win.

From the jump, the #GasFreeNYC campaign wasn't going to be an effort dominated by white-led groups, or for that matter, by groups led by staffers of color, but with no actual grassroots, community base. That's not real accountability. Functionally, it would have likely doomed us to failure. Instead, the training, kickoff and events were truly multiracial. The campaign wasn't just fronted by some carefully selected speakers of color. *It was a crowd and base that was multiracial in its makeup.* This was a real multi-racial coalition campaign that could exercise grassroots influence in a wide variety of neighborhoods and Council districts across the city.

Effective Messaging: #GasFreeNYC v. “Electrification”

I started my paid activist career as an 18 year old who needed a job. Like so many others in the 1990s, I got one fundraising door to door for PIRG. I was taught a simple messaging framework: introduction, problem, solution, urgency and appeal. The core: describe the problem and present the solution. You don't lead with the solution if you want to agitate and motivate people. You lead with the problem. Then you present the solution. Problem/Solution. It was drilled into me.

Yet on this issue area, advocates often shy away from an anti-fossil fuel message as their lead. Instead, they lead with “electrification”. A gas ban is described as a requirement for electrification. The solution (“electrify everything”) precedes the problem (“pollution” or “gas” or “fossil fuels”).

There is some logic to the electrification message: first, it sounds... fine. It's inoffensive. Indeed it sounds sort of techie positive. It probably polls and focus groups better than a gas ban, which sounds vaguely radical. Who objects to “electrification”?

Second, the gas industry has inserted a propaganda message deep into many Americans' minds: gas is clean and good and cooking/home involves gas. How many times have we seen the lighting blue flame in a TV ad? They've even managed to get people to call gas “natural”. It is presented, over and over again, as a positive, associated with hearth and home.

The gas industry spends hundreds of millions of dollars - billions - pushing gas. This PR effort has penetrated so deep that people will say “now we're cooking with gas” without knowing the phrase was an industry advertising slogan. We literally repeat ad copy. (If you haven't read about this stuff, [check out Rebecca Leber's incredible reporting](#) on the industry's propaganda efforts, which today comes complete with moronic social media influencers.)

Moreover, while in parts of the U.S. electric cooktops are the most common type of stove, in NYC, it's gas. While gas itself isn't popular, per se, people like their gas stoves. (They don't know those stoves are poisoning them and their kids.) And fossil fuels have minority support from a segment of Republicans, who have been taught by the oil and gas industry's propaganda campaign that the liberals hate fossil fuels, so therefore they should love fossil fuels. Banning gas therefore can agitate potential opponents where electrification elides the conflict. In other words, there's some logic to smoothing away the radical edge of a “gas ban”.

We didn't go for that logic. We decided to lead with a stopping gas message. Fundamentally, we needed to win a grassroots campaign. That means motivating potential activists. Fighting fossil fuel infrastructure projects like gas pipelines and power plants and banning fracking have been the New York climate movements' biggest grassroots successes.

Fossil fuels - gas - is the problem. We knew we could fire people up to end gas. It's a simple, obvious concept that hits emotionally. There's a "fuck yeah!" feel to it. It pops. #GasFreeNYC also has a sense of justice to it, as it alludes to freeing ourselves from the shackles of fossil fuel. After some discussion, we settled on a campaign hashtag of #GasFreeNYC, dreamed up by WE ACT's Communications Director, Chris Dobens, and suggested at our meeting by Sonal Jessel, WE ACT's Policy Director. As soon as she tossed out "Gas Free NYC," we all felt that was it. It was a wise choice.

Moreover, we knew that the gas and real estate industry, based on their messaging on the West Coast, would call the bill a gas ban. Inevitably it was going to be called a gas ban by our opponents - and almost certainly by the media, too. Indeed, *Politico's* first story on the issue after the Mayor talked about it labeled the bill a "gas ban". We felt even if we wanted to, we wouldn't get away from a gas ban as the description of the bill. Instead of trying to elide that we wanted to ban gas, we leaned into it and flipped the script on our opponents: we pushed for a gas ban, not the more-vague, less-motivating "electrification".

Nationally, the only clear [public polling](#) on the topic that I'm aware of comes from Morning Consult, which tracked a gas ban as popular, especially among Democrats.⁴ Cities in the U.S. are politically blue. In a deep blue place like New York - and really virtually any city - climate action is popular. Almost nobody defends fossil fuels because Republicans are marginalized. Indeed, in the NYC Council only three of fifty-one members were Republican. I could see that an anti-fossil fuel message in a red or purple state might not be as popular. But in New York City where the Democratic primary is the deciding election? We wanted a #GasFreeNYC!

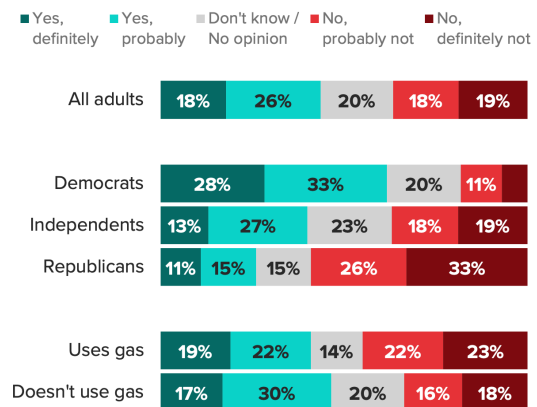
Effective Messaging to Pass a Gas Ban, Part II: Focusing on Gas Boilers, Not Gas Stoves

Gas stoves are a health menace. For example, one study found that kids in homes with gas stoves are [42% more likely](#) to have asthma. The indoor air pollution the stoves generate is

⁴ After we won the city ban and NYS Governor Hochul included a state-level ban in her proposed budget, [Siena polled](#) New Yorkers on the concept - and confirmed Morning Consult's polling (Siena described Hochul's proposal as "Requiring zero on-site greenhouse gas emissions for new building construction no later than 2027," which polled at 62% support, 23% opposition statewide. 77% support and 12% opposition among Democrats only)

Public Slightly More Likely to Back Natural Gas Bans Than Not

Respondents were asked if they would support a ban on natural gas in new construction in their own community:



MORNING CONSULT

Poll conducted Jan. 28-30, 2021, among 2,200 U.S. adults, with a margin of error of +/-2%.

extremely serious. The gas industry has covered up these dangers in a manner similar to the tobacco industry's cover up of the dangers of smoking.

It's compelling, scary stuff... which we decided to avoid as a topic. While we felt that leading with an anti-gas message made sense, we did not want to fight on the industry's chosen ground of gas stoves. Their propaganda machine has built an emotional attachment to gas stoves. Some people have a strong attachment to their gas stoves. It's associated with cooking, food and family. As odd as it is, the industry has successfully made gas use in stoves an intimate part of a lot of New Yorker's lives.

Instead of talking about stoves, we explained the bill by talking about boilers. Nobody has an emotional attachment to their building's boiler or furnace. They don't think about it. They may have a vague sense that it's there, but it's out of sight, out of mind (at least until the boiler or furnace fails). Once the issue is raised, nobody rushes to the defense of powering a boiler with fossil fuels.

Indeed, quickly explaining a heat pump educates people about the solution, which if they are a normal person, and not a knowledgeable activist, industry pro, or building systems techie, they've probably never considered even once in their lives. A combination of heat pumps, which are electric-powered, and energy efficiency can easily replace gas in new buildings, at effectively no extra cost. Once you show someone an image of a heat pump, they realize they're everywhere around them. A light bulb goes off. Moreover, in terms of impact, approximately 95% of the gas used in residential buildings is burned for space heating and cooling, and water heating, not stoves. And commercial and other buildings don't typically install any gas stoves.

Although our organizations are committed to protecting people from the air quality hazards of gas stoves, we avoided talking about gas stoves. We didn't dodge the topic if it was raised, but in this context, we wouldn't be the ones raising it. Instead, we talked about dirty old fossil fuel boilers and gas pipes versus clean, efficient heat pumps. We decided we'd be more likely to win - and therefore protect people moving into new buildings from indoor air pollution from gas stoves - if we talked about gas boilers and furnaces, not stoves.

All of our organizations firmly believe that campaigns should be run to educate the public about the danger of gas stoves and change public policy, but this was not that campaign. Now that we've become experienced in talking about a gas ban, it is clear that it was a wise choice to avoid the unnecessarily distracting and "hot button" issue of gas stoves in this context where our goal was to end all gas use in new construction. Again, to be clear: gas stoves are a menace. Educational and other campaigns are badly needed to end their use, but enacting gas bans, which end gas stoves in addition to gas boilers and furnaces, is an easier political proposition if you don't focus on stoves. That'll stay true as long as the gas industry's propaganda, backed by their huge spending on advertising, rules the day.

First Step: Getting a Bill Introduced

The New York City Council has rules and internal tradition that lead to a bizarre process for a legislature: legislators and advocates often cannot get a bill introduced, which is typically an easy initial step. In the Council, as in any legislatures, members can request bill drafting services from central staff. But in the Council, the central staff are directed to only process one request per issue area - and the tradition is that the first Council member to make the request, which is done in an anonymous process, gets dibs on the issue area.

This creates a common and absurd situation: someone has requested that a bill be introduced on a topic area, but no other Councilmembers know who has requested the bill be introduced, and there's no bill introduced. The Speaker's staff control the drafting and can and do hold that up. This maddening, anonymous limbo can last for months or years, or even indefinitely. The Speaker and her or his staff control this process. They dole out the bill introductions. Thus, getting a major bill introduced can be a big initial hurdle.

This process is ridiculous. It helps insulate the system from accountability because advocates and Councilmembers bounce around trying to figure out who has the anonymous request in, and no bill is introduced. It becomes much harder to hold anyone accountable. Indeed, the run up to passage of Local Law 97 involved about two years of this baloney. Nobody would say who had "the bill". In that case, it took getting Speaker Johnson's commitment on the issue, after a new Council and a new Speaker was elected, to get a bill introduced. Once Johnson supported the goals of that mega-bill, it was introduced, sent to the required public hearing, amended, voted on in committee and enacted.

With a gas ban, we knew multiple Councilmembers had requested to have the bill drafted for them and introduced. We also had a tipster who told us Councilmember Ampry-Samuel had put in the first request for the bill. She did that immediately after Berkeley, California had become the first city to enact a gas ban. That was in 2019. But two years later, early 2021, the bill still hadn't been drafted and introduced, even though other Councilmembers had also put in subsequent requests.

Our coalition therefore set up a meeting with Councilmember Ampry-Samuel, a central Brooklyn Democrat. She was game to fight, which was immensely heartening. We went to the Speaker's staff and asked for the bill to be introduced. With no clear response from the Speaker's office, we started a call-in campaign to his office. We quickly got activists from around the city to pour in over 100 calls to the Speaker's office. The call-in drive yielded immediate results. The Speaker's top staffer called, and after we pointed out that the bill was in legislative limbo and therefore we had no choice but to push, he pledged to get the bill introduced. Soon thereafter, there it was: Intro 2317, a ban on gas in new construction.

This was another point where a less-aggressive effort could have stalled: we could have spent months trying to persuade staffers to get the bill introduced. Instead, we started generating calls into Johnson's office. That seems perfectly logical, but in fact many groups and unions would have avoided even a low-threat push like a call in campaign. While over 100 calls isn't much in a city of almost 9 million, in fact it's a huge number for a legislative issue. It's a rare

day when the Speaker's office takes that many calls. The simple fact that the phone was ringing off the hook got the staff's attention. Moreover, they knew our groups would quickly escalate if the bill wasn't introduced. It would have been politically indefensible to be seen as stifling action in that way, so the bill was introduced in late May. It was to be Intro 2317.

Getting the bill introduced, as we'd told activists in our training was the first step, made the campaign feel real to volunteers. It doesn't seem like much, but if we'd hesitated, we'd have lost months. With the bill introduced, we'd cleared our first legislative hurdle.

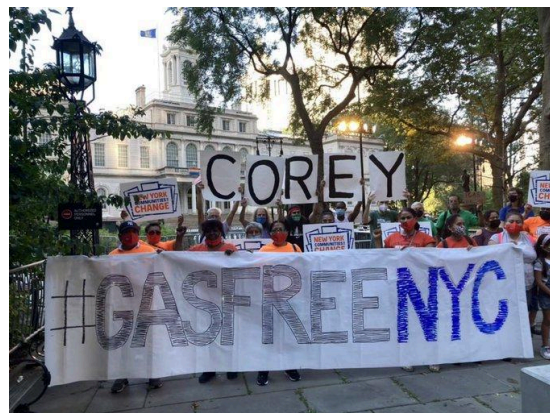
Our Failed Squeeze Play in the Context of the June Primary Election

New York City's Democratic primary was in late June, 2021. Speaker Corey Johnson, the main target of our campaign, was running for Comptroller, a city-wide office. We saw an opportunity to line up his interests to win his campaign with ours to win a gas ban. That's small-d democracy! We decided to signal to Speaker Johnson that there was a public relations opportunity - in effect, he could remind voters why they liked him - if he stood with us to support the bill on the eve of the primary.

We spent weeks trying to get his staff's attention directly and through intermediaries that he trusted (thank you, former Councilmember Steve Levin!). The proposition was simple: if he supported the bill, it would be an opportunity for a round of positive media coverage and praise from our groups.

At this point, I should point out that NYPIRG is strictly non-partisan and does not endorse candidates for elections. NYCC, a 501c(4) organization, does, as does Food & Water Action. WE ACT has also launched a 501c(4) affiliate that engages in electoral work.

NYCC had endorsed Corey Johnson's opponent, Brad Lander, who was also a member of the Council. Nonetheless, we credibly and truthfully maintained that we and other allies on the issue would praise Johnson in public in the run up to the election if he supported the gas ban (even as we worked actively to elect another candidate). That's a no-brainer for us, organizationally, since we want to win our issue campaigns and see electoral politics as a vehicle to help us. We often use elections to win social advances. Indeed, individual elected officials' electoral ambitions are foundationally important to moving them. (You can be sure that it's not the policy brilliance or sound reasoning of any given proposal that wins the day) Again: that's democracy!



But trying to win commitment to passage of a hugely consequential “big” bill in a matter of months after introduction was an extremely aggressive strategy in terms of insider politics, even if the bill itself was relatively uncomplicated. The bill had barely been introduced and it only had 11 co-sponsors at that point (if memory serves). It was a wholly “new” issue in the Council.

Meanwhile, behind the scenes, the industry and its lobbyists were lobbying hard. They had an important ally in the Council, the Environmental Committee’s Chair, Jim Gennaro. The bill was assigned to “his” committee. Gennaro at that time began to refuse to hold a hearing in the committee on the bill. A public hearing, required under Council rules for a bill to pass is the next major hurdle after bill introduction to a bill’s eventual passage.

For whatever set of reasons, Speaker Johnson did not take us up on our suggestions in the 6-8 weeks before the June primary, where we tried to make the case for a deal in an electoral context. Eric Weltman from Food & Water Watch ran into Speaker Johnson campaigning in a Brooklyn park, and asked him about the bill, and Johnson said “we’ll get it done,” but that was a passing encounter with one voter. Nonetheless, it was encouraging.

As part of our attempt to win Johnson’s public commitment to action, we organized a 30-person photo op a month before the primary. After that, we kept trying, including a last ditch attempt a week before the election to get his attention: an almost 100-person rally in front of Rockefeller Center, where the televised debate for the Comptroller’s election was held. We didn’t catch Johnson entering into the building for the debate, but we knew we had his attention, in part because his campaign organized a pro-Johnson rally of 15 of their staffers, interns and some core volunteers outside the venue as an on-the-spot response to our event. All the while, we were calling and texting his aides to present the opportunity.



Yet while we got his attention, the squeeze play failed. Johnson never responded to our overtures. He subsequently lost the election to Lander. His loss wasn’t a result of our work, of course, but I believe that it would have helped his effort if he’d taken up our offer and gotten a burst of positive publicity just before the election.

A Long Hot Summer: Adding Co-Sponsors & Building Support

After our failed squeeze play, we knew we needed to build support in the Council. The shortcut to squeeze out an extremely fast commitment from the Speaker based on the political opportunity of the primary’s timing hadn’t worked. So we bored into mobilizing groups and more constituents to lobby Councilmembers. In all, nine groups worked to add co-sponsors: 350Brooklyn, 350NYC, BlocPower, the American Institute of Architects - NY (AIA-NY), NY GEO,

and our four core organizations. We contacted, re-contacted, re-re-contacted, then contacted target Councilmembers a few more times. (Thank you volunteer NYCC Council lobbyist Tom O’Keefe for making this time-consuming task happen for NYCC!) We hit everyone, except those we knew would surely be opponents.

More crucially: we trained and worked deeply with individual constituents throughout the city to lobby their representatives, including members of our organizations. Activists kept contacting and following up as constituents with their own Councilmembers. The combination of constituents and organizations contacting almost all of the Council started to pay off: we got to over 20 Councilmembers in mid-September despite the real estate and fossil fuel industry’s lobbying. It was a very respectable total of co-sponsors, which showed we had broad support in the institution.

Our lead sponsor, Alicka Ampry-Samuel also kept pressing the Speaker to set a hearing for the bill to pave the way to a final negotiated deal and floor passage. Part of the reason that she kept pressing was that she knew the campaign and the organizations behind it were for real. For example, NYCC has a deep membership base in her district, whose residents are mostly African-American and Caribbean-American. When we’d have events, she’d recognize NYCC activists and constituents at the events, such as NYCC board member Norman Frazier, a long time force in the district. There’s really no substitute for that.

This was not some group of paid staffers making a cogent policy argument, but with no real power. *A multi-racial coalition of groups with a real grassroots base had people power in places where a white-centered campaign would not have.* From a city-wide level, it was also clear that the campaign had reach across neighborhoods and constituencies.

A group with a real base is very different from many advocacy organizations, which may develop or support a policy proposal, but do not have an



identifiable grassroots constituency that shows up. There is a very big difference between a group with actual people power that wields it - like the core groups in this campaign did - and a policy shop that lobbies and does some media work. No matter how sterling the advocacy group's reputation among elites or the media, if it doesn't have a base, it's largely impotent. It can't and won't win anything other than some incremental reforms. Unless it links up with entities that have power - and that means deferring to their agenda - it can't win transformational change

Keeping it Real

In too many cases, advocacy organizations in the environmental space fall madly in love with studies or models of their proposals. They end up almost ignoring the plain world in front of them. Issues get a little abstract and hard to follow, at least if you aren't up on the latest climate/energy policy and technology (and of course virtually no one is). For our part, we never, ever assumed people knew what a "heat pump" was. We did not talk down to people. Crucially, we primarily cited the real world of new buildings being built fossil free throughout



New York City. Instead of answering any questions about affordability by citing some study, we pointed to New York City developers already building fossil free buildings. We made the basic point: fossil free buildings of all types and use are being built throughout New York already. That was far more effective as a "pre-buttal" to concerns over cost and practicality than citing a study.

It took some work, but volunteer researchers dug up 74 examples of buildings of all sizes and uses in the City that were all-electric or "passive house" (a very high building energy efficiency standard). We created a [memo that documented five large building projects](#), including the 44 story 100 Flatbush Avenue project and an 11 story affordable housing project for low-income seniors.

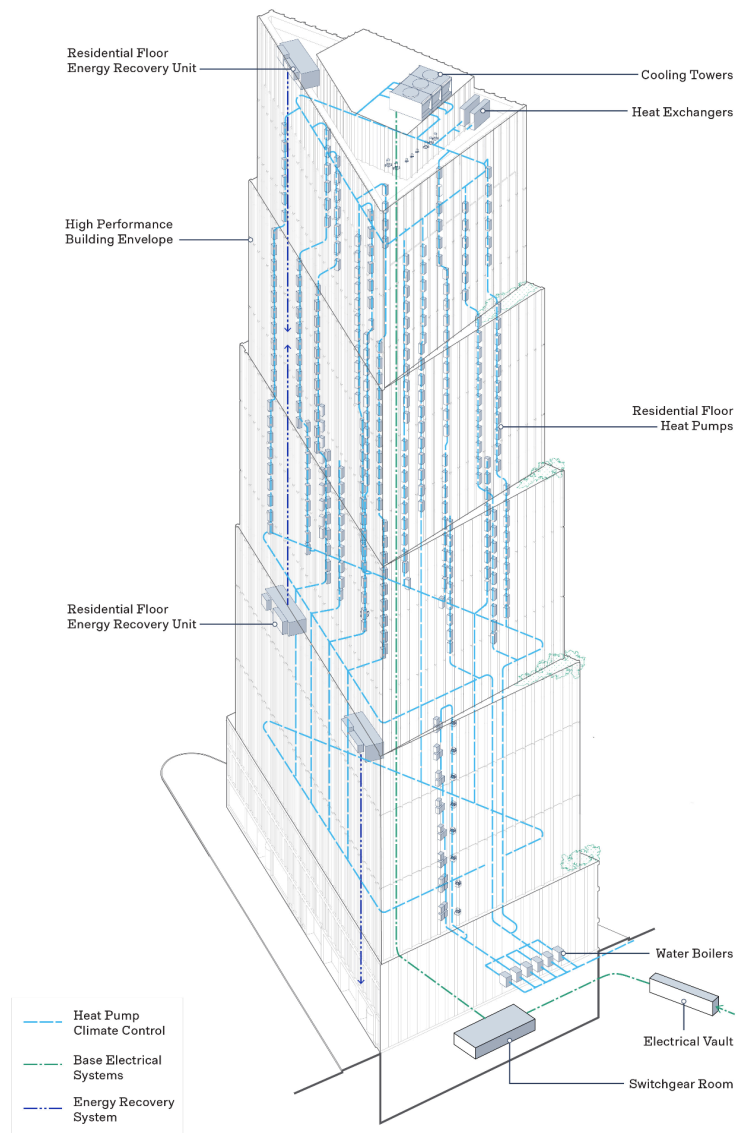
Citing the lower utility bills in a neighbor's new fossil free building was irrefutable: no industry lobbyist could credibly argue that all-electric construction meant higher costs when we documented the real world evidence. We could and did offer to put a politician on the phone with people living in a fossil free building, who could show them their utility bills. No one ever took up the offer, but the point was made. We did not allow the corporate lobbyists to paint us as out of touch with reality.

We also collected a [sign on letter from industry professionals](#) to endorse the bill. We told anyone who wanted to talk to experts and practitioners in detail about practicality and affordability that they could confirm what we told them, that they had lots of options to call, and we could give them lists of practitioners and experts to back us up.

Our main message was always some version of: fight climate change and create good jobs, or cut air pollution and fight climate change tied to a simple hashtag. On Twitter, for example, NYCC would almost always follow our main message with a photo and simple explanation of a heat pump to make it very clear that a gas ban would lead to a better alternative. Our side was never successfully painted by the industry's lobbyists as out of touch with reality. Instead, we painted *them* (accurately) as out of touch with and dismissive of the reality of everyday New Yorker's needs. We pounded away at real estate's big money lobbyists as our enemy, calling the question: would politicians stand with the real estate lobby and the oil and gas corporations or the people?

I want to add a somewhat complex point: the underlying reality of what we were saying wasn't really of interest to 95% of the politicians. They would do whatever the most powerful political forces told them. They're generalists without the time to deeply learn the specifics of issues. Yet as a signifier, it was vital that we could seamlessly and credibly maintain that building fossil free was affordable and practical because, in lobbying-speak, they would feel reassured. Sure, there was also an underlying reality, and yes, we were being honest. We could indeed back up our claims, but politicians did not delve into the details. It was all about power, and also our practical-sounding message helped us appeal to them.

This is a really hard point for many activists, particularly many climate activists with a high level educational and professional background, to understand and truly internalize: being right doesn't particularly matter. It's important to be right for moral reasons and to get good policy. But



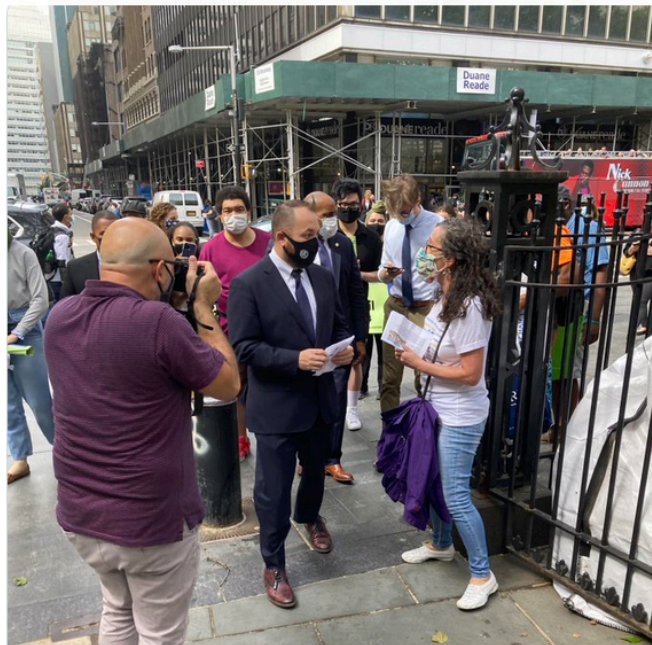
you don't convince politicians by being right. Even really really right. Even if you bombard them with extensive studies and long emails proving your points. To me, providing good information and good arguments is most important as a *signifier* for politicians, who need to act as if they are being swayed by cogent arguments. It helped us that we cited real-world examples because it allayed their mostly unspoken concerns about costs. It gave them confidence that somebody had looked into the issue deeply, so they could fall back on our arguments.

Put another way: we drove up the number of co-sponsors on the bill not because we had good arguments, fact sheets and memos, though we did. We drove up the number of co-sponsors because constituents and nine good organizations kept pressing and calling, over and over again; we held rallies and events; and it was clear we represented a real base of concern. In other words: "keeping it real" was good and useful messaging for lobbying elected officials and their staff, but providing good, clear information only goes so far. In fact, it's power deployed in effective campaigns that is our only realistic path to big wins. Just look at how corporate power dominates politics: they make bad and untrue arguments, yet typically control decision-making. Politicians are perfectly happy to mouth absurd arguments when some set of compelling forces of power push them to do so.

Kicking it Up a Notch in September

By late August it was clear that we needed to light a fire under the Council. We knew good lobbying wasn't going to be enough. Plenty of bills die in the Council even though a majority or even a super majority of Councilmembers are co-sponsors. Therefore, we prepared another series of events and activities to demonstrate multi-racial support, including "street" lobby days where we'd assemble between City Hall and the Councilmembers office building to catch them walking between their office and the Council's chambers on days that the full Council met. These lobby days, where constituents would stop their representatives to talk to them directly, helped us add more co-sponsors.

In early September, we hosted an event with about 50 people outside Alloy Development's 44 story tall fossil-free residential and retail tower, under construction in Downtown Brooklyn. After we'd held a series of protests,



the event was meant to demonstrate the real-world practicality of a gas ban. At the event, our prime sponsor, Alicka Ampry-Samuel, spoke in definitive personal terms about the bill. She also related to us, privately, that she'd talked to the Speaker. She told us that he'd started to make representations to her suggesting that the bill would be moved. That wasn't definitive, but it was highly encouraging. That matched the rumor mill of insiders' chatter, which we're a part of.

When Hurricane Ida struck the City, it killed New Yorkers through flooding, including a toddler, who drowned. The City reeled. The tragedy, in September, renewed calls for action on climate to deal with flooding. Our campaign added in our call to take action to prevent the crisis from worsening, arguing that limiting flooding would be effectively impossible if climate pollution kept spewing forth to heat the globe.

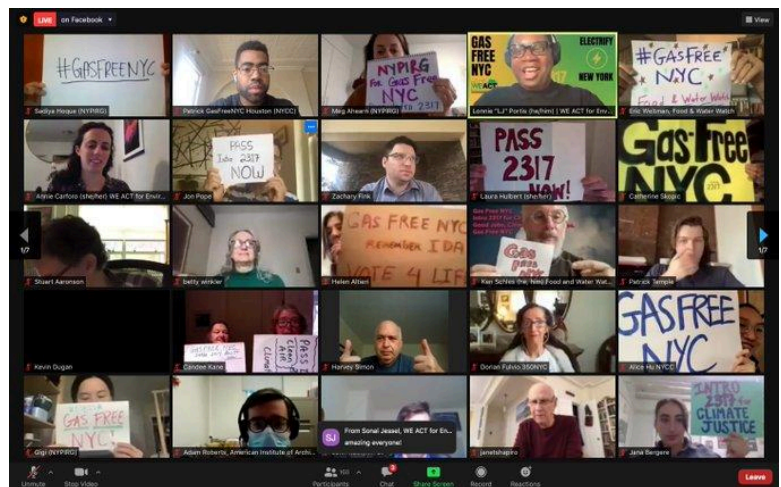
We held a somber but also very energetic commemoration of Ida's victims in front of City Hall. Almost 100 activists attended and NYPIRG's Megan Ahearn emceed the event. Four Councilmembers joined the protest, reinforcing the campaign's growing traction. Ampry-Samuel again spoke passionately. It was clear she was engaged and drawing energy from the campaign - and vice versa.

At the end of the event, after most of us had dispersed, people were milling around. Speaker Johnson himself happened to come out of City Hall to visit a display booth on Broadway. We swarmed him! A crowd of about 20 - pictured above - walked with him as he then returned to City Hall. 350NYC's Dorian Fulvio put it to the Speaker, straight: would he support the bill? Johnson said he would, as we recorded the moment with our phones. We knew he wasn't making an idle statement. While it wasn't a pledge to pass the bill, the fact that he was telling a crowd supporting the bill that he supported it was a big sign. We were building momentum. At the same time, Councilmembers started telling us that they were hearing that the bill was likely to pass. The institutional zeitgeist was shifting in our favor as we nailed events and pushed Councilmembers throughout the five boroughs.

Getting and Winning the Public Hearing

In September, rumors started to ping around the Council that a hearing was imminent. That was our key procedural request: getting a public hearing would put us in position to win a floor vote and bill passage. In the New York City Council, holding a hearing is probably the biggest hurdle to passing a piece of legislation. In order to be enacted into law, the City's Charter requires the Council to hold a public hearing on the legislation. The large majority of bills die because they fail to get a hearing. They wither away.

Conversely, if a bill gets a hearing, it's in a strong position to



pass. A hearing on a major bill is a ton of work for a lot of people. The Administration's top staff is called to testify on the legislation, elected officials and their staffs show up, interest groups prepare their testimonies and positions, and advocacy organizations go into overdrive to demonstrate public support at the hearing by generating turnout and testimonials.

We knew we needed a hearing. And, once we got it, to crush it by demonstrating overwhelming support, which we knew we could do.

The Speaker had assigned the bill to the Environmental Committee, whose Chair, as mentioned above, was Jim Gennaro, a Councilmember from Queens. (Councilmember Gennaro is also now the committee's chairperson in the new Council seated in January, 2022.)

Soon after the bill was introduced in late May, our groups met with Gennaro to ask him to co-sponsor the bill and schedule a hearing in the Environmental committee. (In the Council's practice, the Speaker or Chair of the Committee to which the bill is assigned can schedule a hearing on that bill.) Gennaro expressed openness to the concept of a gas ban, but made no commitments, while expressing a litany of concerns. After that polite but non-committal meeting, we followed up repeatedly. Gennaro wouldn't agree to co-sponsor the bill, or, more importantly, schedule a hearing on the bill. Ampry-Samuel also pressed Gennaro as a colleague. It became clear over the coming months that behind closed doors, Gennaro was an opponent.

The rumor mill in the Council had a take: Gennaro was offended because the bill wasn't "his". That reasoning made no sense because he wasn't in the Council when Ampry-Samuel had been the first Councilmember to request the bill be drafted. Nonetheless, he was apparently quite offended. We were made to understand by intermediaries that he felt that as Committee Chair, he should control the issue. He apparently felt snubbed that the issue wasn't running through him. Gennaro had become Committee Chair after the retirement mid-term by the previous committee Chair, Costa Constantinides (Constantinides, the previous Committee Chair, was one of the Councilmembers, who wanted to enact a gas ban) Ampry-Samuel had put in the internal request to lead on the bill the year before Gennaro had been elected back to the Council.

Gennaro had won his election campaign in a Special Election against a large and divided field with major backing from the real estate industry, including a major "Super PAC" campaign - an independent expenditure - from a developer backing him. Then he handily defeated a single left wing opponent in the June primary, again with the real estate industry's generous financial support. Gennaro also represents a relatively conservative district, in New York City terms. It's a Democratic district, but full of white, more conservative Democratic voters.

In his previous time in the Council - he'd been term limited out but returned over a decade later - Gennaro had also Chaired the Environmental Committee, where he'd prime sponsored various environmental bills. In that period decades ago, he'd also resisted bills the real estate industry opposed, such as the City's landmark Childhood Lead Poisoning Prevention Act, which became Local Law 1 of 2004 (and subsequently saved thousands of kids,

overwhelmingly kids of color from low-income households, from brain damage caused by slumlords).

Nonetheless, despite occasionally opposing environmental legislation like the lead paint bill (at least until the Council's Speaker at that time, Gifford Miller, switched from opposing it to supporting it), Gennaro had developed and passed many important environmental policies in his previous time in the



Council. Yet in this case, Gennaro had been resisting holding a hearing on the bill from shortly after its introduction, when our coalition met with him. The gas ban's prime sponsor, Ampry-Samuel, was increasingly frustrated, because Gennaro refused to make his concerns clear while also refusing to hold the hearing at which public testimony could be developed on the record from experts and organizations.

We really had no way to know what he was thinking for certain. We only knew that we'd asked for a hearing - which Gennaro had the power to call - and that it wasn't happening. He wasn't willing to convey any further information about any specific concerns he might have had. He wouldn't set meetings with allies. His staff would schedule a meeting to talk to a pro-gas ban group or expert, but then the meeting would be canceled.

In late September, as the politics started to shift and rumors swirled that a hearing was in the works, Gennaro himself told Eric Weltman of Food & Water Watch that a hearing would be scheduled. He also told me that there would be action on the bill. But it took another two months for that crucial hearing to be scheduled.

In the end, we have no way of knowing what convinced Gennaro to agree to the hearing. Was it pressure from colleagues and the Speaker's office? Was it that he knew his environmental reputation would be shredded if he blocked the bill? Was he worried that if he blocked the bill from a hearing, the Speaker would simply reassign it to a different committee, and hold the required hearing? Was it that he began to see the light that the bill made sense and had wide support? Was the Mayor and his staff's influence and relationship moving him? Perhaps he'd had some sort of personal crisis that prevented a hearing all summer long and through the early Fall and now was simply able to act?

In the end, Gennaro agreed to hold the hearing, which broke the logjam, especially after we dominated the hearing itself. After many months of activism and lobbying, we had finally broken through: the bill was on the Council's calendar for November 17th. Before the hearing, we rallied over 100 people and elected officials at an online event to get people revved up, show off the bill's wide support, and shape media coverage. Then we annihilated the hearing itself with a huge show of support.

The de Blasio Administration led off with definitive points: they wanted the bill to pass. While they wanted to work on the details, timelines, and specific language, they testified that fossil free construction was currently practical and affordable. Politically, de Blasio signaled full support for a deal, which was consistent with his call for action back in January. We were in touch with the Mayor's office and had lobbied them to take a strong stance, and in the hearing and end game to a deal, he did. (More on that, below.)

Normally, once the Administration testifies at a hearing, experts and members of the public have five minutes each to present their testimony. We organized such a large turnout from across the city of advocacy groups, experts, institutions and ordinary people that at the beginning of the hearing, Gennaro limited verbal testimony to two minutes, instead of the usual five. The hearing, held on November 17th, lasted over five hours anyway.

At the bill's public hearing, the #GasFreeNY core groups and many other respected groups testified on our side, as well as industry professionals and practitioners such as BlocPower and the Architects Association, and even Alloy Development, the real estate developer behind the all-electric 100 Flatbush Avenue skyscraper. Columbia University's Dan Zarrilli, the former top climate staffer for the Mayor, testified for the institution, which had recently instituted a formal policy ending gas in all of its new construction. Columbia is itself one of the largest of the city's owners and operators of real estate, so the University's position wasn't just "academic".

On its side, the Real Estate Board of New York (REBNY) and its allies testified against the bill, using the corporate Orwellian double-speak of "we support the goals of this bill" while opposing the bill itself. As usual, they pretended to support some hypothetical alternative practice to accomplish the "goals," but also as usual, they never quite named what such a hypothetical, equally-effective practice to eliminate pollution



would be. It's deeply misleading. Corporate America paints itself green, but it's dirty with profit-making off fossil fuels.

The fossil fuel industry also ginned up corporate front groups built by shady PR agencies with anodyne-sounding names. So we saw representatives from groups no one had ever heard of with those vaguely civic names, but who testified that they were climate advocates that also supported the "goals," but were opposed to the bill. They made nonsensical arguments that bizarrely mimicked the style of an environmental advocacy organization. Yet between our recognized and credible organizations and the experts and practitioners on our side - and a large turnout of activists and people - it was clear our case was rock solid on the merits.

More importantly, we were demonstrating we had political power. We'd cleared that big hurdle: getting a hearing, which we'd dominated. That put us in position to get a final deal for amendments, followed by floor passage.

Other Reasons We Won, Including that the Corporate World Was Split

Like in other winning campaigns, we were greatly aided by several factors that were out of our control. Without the #GasFreeNYC campaign, the bill would likely not even have been introduced during the Council's session. Nonetheless, the campaign wouldn't have been able to win if some other, outside factors not under our control weren't also favorable.

First and most important, gas ban prime sponsor Alicka Ampry-Samuel was outspoken in support of the bill within the Council. Had Ampry-Samuel not been willing to work with us and instead had just kept her head down, the bill would never have been introduced, let alone enacted. That wouldn't have been the first time a prime sponsor had effectively sunk their own bill with limp support. But that wasn't Ampry-Samuel's posture. Rather, she pushed Speaker Johnson to move the bill. As an outgoing member of the Council, she also took advantage of an internal norm: there is institutional deference and history that at the end of their tenure, departing Councilmembers, particularly those who maintain a good relationship with the Speaker, can ask for a priority of theirs to be enacted.

Ampry-Samuel made the gas ban a priority with Johnson and internally within the Council. Moreover, she repeatedly cited the injustice of unequal air quality and other social and economic conditions between her district and wealthier, majority-white districts. As a Black woman representing a low/low-middle income Brooklyn district, she had greater credibility to make the case for the bill. Like the diverse #GasFreeNYC coalition, she couldn't be easily painted as an out-of-touch elitist.

Corey Johnson, the Council's Speaker, was also a critical factor in this victory. As described above, he was open to action in this area. He'd pushed through the legislation that became Local Law 97, which was the culmination of a multi-year, winning grassroots campaign. Johnson could have stalled the bill. Other Speakers probably would have. He could have acted like we'd behaved unreasonably in trying to squeeze out a fast commitment in the context of the

June primary election. That would have been baloney. Still, many politicians are quick to take offense and some nurse grudges, perceived or real. Johnson wasn't like that in this case: in the end, to his credit, he was once again game to advance this major item.

Mayor de Blasio wanted to enact a gas ban and his staff pressed the Council. We probably would not have won if the Mayor wasn't pushing (and vice versa, the Mayor would not have won if the campaign hadn't pushed, either.)

The utilities were also split: National Grid, which is gas-only, opposed the bill, but ConEd, which delivers both electric and gas service, was tacitly, though not officially, in support. ConEd's stance is similar to the position that PG&E took in Northern California, where gas bans on new construction in over 50 municipalities have been enacted. It's a smart business stance for a utility that delivers both electricity and gas. A gas ban allows a smoother, more predictable transition to electrification that saves the utility from building multi-decade infrastructure that it knows will become stranded assets. They can build their electric delivery business off a gas ban.

ConEd was active in the internal debate over the issue. Our campaign kept in touch and ConEd's staff was explaining to Council and Administration staffers that the grid could handle a gas ban, which rebutted one of the false arguments the real estate lobbyists were making. ConEd argued that a well-executed proposal would make sense. In that way, a major sector was split, with an unusual suspect - a utility that delivers gas - advocating for a deal.

Most importantly, the ground had shifted in the market. In recent years, the cost of new all-electric construction has dropped enough that the primary "this will raise costs" argument that the real estate lobby deployed was and is weak. As documented above, we could point to the real world of fossil free buildings and development happening all over the city. Moreover, other cities, albeit on the West Coast where the climate allows less heating and cooling in buildings, had already enacted a gas ban. Although no city had done so in a cold climate, where gas use is much higher for heating in the winter, it was a real help that other major cities had "taken the plunge" already. Although rank and file members of the Council rarely delved into these cost details, they did matter to the de Blasio Administration and central Council staff working on the issue. The lack of appreciable cost increases removed the main excuse that could have justified inaction.

Breaking Through in the Fall to a Deal

In the NYC Council, bills die if they don't get a hearing. Conversely, they are likely to pass if they do. Once we got a hearing, we were 90% of the way to winning. But what were we in a position to win? Ultimately, we were pushing to get into position to make a deal. Setting our own game plan for a final negotiation wasn't



very complex. We just needed a strong sense of our own bottom lines, and to make sure we'd be willing to hold in place. We also needed to stay solid as a coalition, such that none of the core groups would split off and undermine each other. With these groups, there was no question that wasn't going to happen. (that's another good reason why groups with a grassroots, multi-racial base of involved members and leaders are more effective; we must be true to our constituency and can't just cut bad political deals)

We had some leverage, too, to reject a too-weak deal. For example, we knew the Mayor and the prime sponsor wanted a deal. The fact that a hearing had been held meant that a lot of time and effort on everyone's part would have been wasted if there wasn't an agreement. We knew we were critical to a deal, because if the advocates pushing for the law said some final bill was unacceptable, it almost certainly would die. It wouldn't be politically workable to enact a "gas ban" if the main advocates for the bill would be opposed. The whole fight would then kick to the next Council.

We had won [strong public commitments from incoming Councilmembers](#) both before and after their elections to a gas ban, which would have helped get us started in 2022 if we hadn't succeeded in 2021. Nonetheless, we of course wanted to close a final deal in 2021. We had no desire to start over in the next Council. Yet at the same time, we wanted as strong a final law as we could get, and without any loopholes for any particular special interest that would undermine the bill. We also knew that NYC's law could set a statewide and national pattern, so we were ready to refuse implementation timelines that might be "better than nothing," but that would act as a too-slow example for other localities. We had real bottom lines. We weren't just going to take anything, and we had some leverage to hold in place.

Upon introduction, the bill draft covered all new buildings starting in two years with new permit applicants. But that was just a first, very rough draft written by central staff. Before it became law, we knew it would be substantially rewritten.

The end game was indeed intense. We knew the Council's m.o. would be to set up a tense 1-2 day negotiation over the bill's specifics, just prior to passage. That time crunch is driven by the Council's rules, which require a minimum 8 days "aging" period in which a bill must stay unamended prior to a final floor vote by the full Council. As a result, a



bill's language gets "locked" just prior to that aging period. No amendments are allowed. Thus, a final deal tends to take shape just before that 8-day period begins prior to a scheduled Council meeting.

As a fun side note: the City's Charter requires a literal placement of any bill to be voted on, printed, on Councilmembers' desks. During the pandemic, Council staffers piled printed bills on desks in ever-growing stacks in a ghostly chamber, since the Council's meetings had gone virtual.

If this bill was going to pass, it'd happen the same way the Council always operates on big, important pieces of legislation: an intense multi-sided negotiation during a super-compressed period to set the terms and finalize language, prior to "locking" the bill in preparation for a committee and floor vote eight days later.

The negotiation was led by the Council's central staff on the Speaker's behalf. It effectively boiled down to the Speaker's staff and the weight of the Mayor, other Councilmembers and advocacy groups pushing over Jim Gennaro's continued opposition and insistence on bill-killing loopholes. While we can't say whether he intended to do so, he effectively acted as a proxy for the real estate and fossil fuel industries in that final push.

Again, it's unclear why Gennaro, the Chair of the Council's Environmental Committee, who a layperson would expect to be an advocate for a gas ban, was so resistant. In the end, he demanded loopholes in the law that would have sunk the bill: allowing the use of fuel-mixing to continue fossil fuel use in new buildings. The Speaker wanted Gennaro on board, so it was up to everyone else to convince him.

We did everything we could, including running digital and Queens local newspaper ads targeting him (thanks to a generous foundation who saw a win was in sight and asked how they could help). It must have been clear to Gennaro that if he actually killed the bill, the reputation he'd built up with environmentalists in his previous stint in the Council would be left in tatters.

We made clear to the Speaker and Mayor's staff that if the Council agreed to Gennaro's demands, we would oppose the bill. In that case, the deal would have "blown up": the Council would not have moved forward with a bill that our groups would have opposed. I don't want to be fully specific in terms of who we talked to and when during that period, but in the end Gennaro dropped his insistence on unacceptable loopholes that would have continued fossil fuel use in new buildings



and set a terrible precedent for action by other localities.

Instead, the real estate industry, thanks in large part to Gennaro's resistance, won a longer timeline for larger big buildings: 2027. They pushed us right to our bottom lines - we balked at 2028 for the tallest buildings - but we knew that an NYC gas ban would be an enormous win, even if the timeline for the largest buildings was too slow.

Our threat to tank a too-weak bill was entirely credible. They knew that we were not faking it. This wasn't rhetoric; we were fully prepared to take our case to the next Council and Mayor. We'd built this campaign and we were ready to re-build rather than set a bad precedent that would undermine the law and set a bad example for other localities.

While we wanted a one-year timeline, in the end we got our bottom line: a two-year timeline on small buildings (end of 2023/beginning of 2024), a 2027 timeline on the largest, more-complex buildings to build fossil free, and no loopholes. (Note that this article - at 20+ pages - simplifies the campaign and the various issues. There was more involved than is related here.) The real estate lobby had gotten its pound of flesh: a too-long 2027 timeline for the tallest buildings, but we'd won.

A Major Blow to the Fossil Fuel Industry and a Momentum Shift

There were many opportunities where we could have given up, most obviously after we failed to reach a private guarantee in the context of the citywide primary in June. At that point, we could have effectively thrown in the towel and prepared for a new Council to be seated. In fact, throughout the campaign, some insiders were suggesting we couldn't win this year. Some *Politico* reporters even tweeted that a gas ban was in trouble when Mayoral candidates opposed it at a debate for the June primary. But we knew that a gas ban was a basic, sensible policy and that continuing to push in 2021, even if we didn't win in 2021, would help us win in 2022. We plowed forward, undeterred.

Never say die, as they say, because New York's passage of a gas ban became an international story. The #GasFreeNYC campaign landed what might be the most potent local or state level policy punch to the fossil fuel industry, nationwide, in 2021.

Reportedly about 85% of the gas industry profits from gas use come from residential gas use. Presumably, the companies can get better prices in the residential market than with big, industrial-level operations with much more buying power and market leverage.



And New York City is huge: almost 5% of the gas burned in buildings in the United States is burned in New York City, according to an estimate from RMI. NYC has a colder climate and, at least pre-pandemic, a massive commuting workforce coming into big, polluting, gas-fired office buildings daily, pushing up gas use (and electric heating/cooling and stoves are dominant in the South and Southeast so residential gas use is lower in that region).

Momentum also shifted, big-time, as a result of the city's action. Prior to that, the gas industry had been on a tear through red-states where Republicans control the legislatures, passing at least [21 state-level laws in two years](#) to pre-empt and override the power of localities in those states to enact gas bans. The movement for gas bans wasn't stalled, per se. In fact, several good-sized municipalities, including Eugene, Oregon and Sacramento passed new gas bans in 2021. Nonetheless, the empire was striking back. NYC's action changed the momentum in one fell swoop, immediately shifting the national narrative.

Now, we're in the fight to pass a statewide gas ban in New York. Pardon the pun: other campaigns are also electrified.

Momentum: Taking it to the State and other Localities

Winning #GasFreeNYC generated major headlines. Throughout our campaign, we'd received almost no media coverage. Outside of an occasional item in *Politico*, only a real-estate focused publication called *The Real Deal* and *New York Focus*, *Gotham Gazette* and *The City*, which are policy- and accountability-focused outlets, covered the issue consistently and well. Sadly, these are not (yet) widely-read outlets. Even if you were an extremely well-read New Yorker who kept up with current events through the newspapers and public radio, you'd have had no idea this campaign was happening or that the city was on the verge of this major action. Larger outlets just wouldn't cover the campaign. Then, all of a sudden, blam, massive headlines when the deal was done and the bill passed.

Along with Climate Nexus, a group that helps generate and shape coverage of the climate crisis, our groups did an enormous amount of media pre-pitching to maximize coverage at that moment. Those headlines didn't come from nowhere. Nonetheless, we were all pleasantly surprised it became as large a story as it did. There were at least 40 major media and news wire stories in the U.S. *The New York Times* ran [not one](#), but [two stories](#). We even



Eric Weltman
@EricWeltman

Today @foodandwater and @nychange sent a direct message to @GovKathyHochul, attending her press event in Manhattan where we urged her to take more rapid action to move New York #OffFossils and ban gas in new buildings. #GasFreeNYC

← Tweet



2:55 PM · Jan 6, 2022 · Twitter Web App

8 Retweets 1 Quote Tweet 37 Likes



[made the BBC World Service](#), which has a weekly audience of about 250 million listeners.

For at least a day or two, the gas ban was the talk of the town in New York City. As headlines were popping, I was sitting outside the diner I'm at almost every morning, and I overheard the next table talking about the gas ban. They were impressed! Indeed, it was big news. And it still comes up, unbidden, weeks later: my downstairs neighbor told me a few days ago that their friends brought it up in a conversation without any prompting. This issue and idea has grassroots traction. (It makes one wonder what would happen if the major media regularly reported on activist climate campaigns... What could we accomplish... but I digress.)

Sadly, though, the U.S. federal government appears stalled on climate action. It looks as though states and localities will return to being the primary governmental arena in which to seek advances on climate action, at least in the medium term. In the coming years, enough strong local and state-level campaigns can hopefully stack victories up on one another to add up to a changed federal dynamic. If the ground shifts in the next few years, if the Democrats hold national power (or regain it if they first lose the House and Senate), maybe it'll be possible to win. In that case, it'll take a very strong, multi-racial grassroots national campaign to win the big, lasting change that's so badly needed. I'm hopeful it's possible.

Regardless, #GasFreeNYC has pivoted to the state level. Along with other groups, we've successfully pressed Governor Hochul to include a gas ban in her executive budget proposal. Her proposal is to require all new buildings, with some exceptions, to go fossil free in or by 2027. Much like de Blasio in January, she's made a proposal without a specific timeline, other than an outer, too-long time limit.

State Senator Brian Kavanagh and Assemblymember Emily Gallagher have proposed New York State legislation to end gas in new construction at the end of 2023. The same groups that built the NYC campaign are now pushing at the state level. Our first event was a well-attended online press conference/rally to push the legislation to pass by incorporation into the state budget, which is due April 1st. We're bringing the same heat and grassroots focus via a multi-racial constituency that we generated at the city level to the state fight. Our new hashtag banner for the campaign? You guessed it: #GasFreeNY. Other groups are also active, and pushing.



If New York state ends gas in new construction in the state budget, it'll be the first state to take such action. On top of New York City's action, it'll be another massive jolt of momentum, walling off a big market for new construction from the fossil fuel industry. Now is the time to get involved and help win the change we need. It's my hope that this article, long as it is, offers some useful advice to individuals, organizations and elected officials contemplating a similar effort.

Pete Sikora is the Climate & Inequality Campaigns Director for New York Communities for Change. The views expressed in this account are solely his and NYCC's. To sign up for NYCC's climate-focused email alerts, visit www.nycommunities.org Sikora's cell is 917 [-]x 648 [-]x 7786. His email is pete.sikora@gmail.com. If you or your group is contemplating a campaign for a gas ban, he is eager to help with advice and sample materials!

This piece was posted publicly in January, 2022. The author has subsequently made some minor copy edits to the piece.