

January 31, 2023

S.2935 (Parker)

Title: An act relating to the development of a blueprint to guide the replacement and redevelopment of New York's oldest and most-polluting fossil fuel facilities and their sites by 2030

Statement in support: When the State of New York enacted the Climate Leadership and Community Protection Act (CLCPA), the vision of 70% renewable energy by 2030, an emissions-free grid by 2040 and a carbon neutral society by 2050 did not come with a blueprint of how to rapidly phase out fossil fuel power plants in favor of renewable energy. The final Scoping Plan of the Climate Action Council, released in December 2022, recommends that the state assess the potential for emissions reductions from fossil fuel generation and set interim emissions reduction targets through 2030 and declining to zero by 2040, and promulgate regulations to achieve those emissions reductions, in an iterative process to ensure achievement of these targets. The Final Scoping Plan also notes the state has started to develop a blueprint to guide the retirement and redevelopment of New York City's oldest and most polluting fossil fuel generation facilities by 2030. However, in order to achieve the aggressive emissions reduction targets and complement the iterative regulatory process to ensure emission reductions, this blueprint should direct a study of competitive options to support these aims.

The current state blueprint process falls short of presenting new competitive procurement strategies to facilitate this transition. In this context, the legislature must ensure that NYSERDA, NYSDPS and DEC are directed to build upon the scope of the existing blueprint vision to create a blueprint with new competitive strategies, standards and requirements that will be needed to effectuate the retirement and redevelopment of these sites with CLCPA-compliant uses and community and worker protections.

S.2935 will empower the NYSERDA, NYSDPS, and DEC to enact new competitive strategies to transition away from reliance on fossil fuel power generation to clean energy resources by 2030. The careful plan anticipated by the legislation will chart power plant retirement, transmission upgrades, battery storage, efficiency mandates and renewable energy development in a sequenced approach that ensures a reliable and affordable power sector that adheres to our climate goals.

In April 2022, the PEAK Coalition, an environmental justice-led coalition organizing against polluting peaker plants in NYC, published a study with the New York Power Authority (NYPA) that found it was feasible to transition all NYPA peaker plants to battery storage sites by the year 2030.¹ These and other Downstate fossil fuel facilities in New York City and Long Island are some of the oldest, costliest, and most polluting sources of energy in our state.

¹ <https://www.nypa.gov/-/media/nypa/documents/document-library/NYPA-SCPP-Adaptation-Study.pdf>

But because the state does not have an actionable blueprint for transition, individual plants have been promoting ways they can remain in operation, up until the 2040 sunset date for fossil fuel electrical generation. We will never meet our decarbonization goals if we wait for voluntary closures.

Ensuring a timely phase-out and transition away from polluting gas-fired peaker plants will result in significant public health, climate, and economic benefits in New York, from improved air quality and reduced greenhouse gas emissions to new, family-sustaining jobs in the renewable energy sector. Enabling a transparent, time-bound public process with clear implementation guidelines will ensure we can stay on track with this energy transition while incorporating public engagement and system reliability.

The Sierra Club Atlantic Chapter urges you to support S.2935 to ensure we meet the mandates of the CLCPA.