

**CITIZENS
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FOR THE ENVIRONMENT



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Empowering Communities, Advocating Solutions.

February 7, 2011

Climate Action Plan
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

RE: NYS Climate Action Plan Interim Report

To whom it may concern:

Citizens Campaign for the Environment (CCE) is an 80,000 member, non-profit, non-partisan organization that empowers communities and advocates solutions to protect public health and the natural environment in New York State and Connecticut. CCE appreciates the opportunity to provide comments on the New York State Climate Action Plan (CAP) Interim Report, and for the work of the NYS Climate Action Council in preparing this interim report.

CCE strongly supports the efforts of the state to implement an 80% reduction in greenhouse gas emissions (GHG) (from 1990 levels) by the year 2050 (hereafter “80x50”), as climate scientists have indicated that this reduction is necessary to avoid the worst consequences of global climate change. Climate change is a global problem that will require global and local solutions. It is critical for New York take responsibility to curb our GHG emissions and continue to provide leadership to propel action in our state, as well as regionally, nationally, and internationally.

CCE supports the discussion of the science of climate change in the CAP. The CAP accurately reflects the scientific consensus that climate change is occurring, temperatures are increasing, and that these problems are human induced-- primarily due to reliance on fossil fuels. Recognizing the proper cause is essential to developing an effective strategy to solve the problem.

CCE supports the inclusion of an adaptation plan in the CAP. The International Panel on Climate Change (IPCC) concluded that climate change is already impacting physical and biological systems. New York must have a plan to adapt to the unavoidable impacts of climate change to protect people, habitats, plant and animal species, drinking water, and areas susceptible to flooding.

While the CAP contains a number of positive policy options to increase energy efficiency, promote renewable energy development, and implement smart growth principles in New York State; the plan is fundamentally flawed in its overall approach to reaching the 80x50 goal, and requires significant revision. CCE supports New York State pursuing long term sustainability to achieve the CAP goals. **CCE firmly believes that New York’s climate action plan should not rely upon nuclear power and fossil fuels to achieve carbon reductions.** CCE offers the following specific comments to improve upon the CAP Interim Report.

THE CAP SHOULD NOT PROMOTE DIRTY, DANGEROUS, AND UNSUSTAINABLE ENERGY STRATEGIES TO MEET GHG GOALS.

The CAP visioning asserts that new nuclear power and extensive use of carbon capture and sequestration (CCS) will be a necessary part of New York State’s energy future, and a main driving force for the state to meet the 80x50 goal. **CCE strongly disagrees, and believes that NYS needs to achieve the 80x50 goal without new nuclear power plants.** Furthermore, CCE finds the CAP’s dependency on unproven CCS technology to be irresponsible. A 2010 report developed by Synapse Energyⁱ indicates that the US can reach GHG emission reductions, while retiring all coal plants, building no new nuclear plants, and retiring over a quarter of the nation’s nuclear reactors. **NY’s CAP should pursue more aggressive energy efficiency and renewable energy goals.**

- 1. Expanding Nuclear energy generation is not a sustainable climate or energy solution.** The CAP inaccurately refers to nuclear power as “safe nuclear power”, but there is no discussion of the serious risks and costs associated with fuel extraction, operating risks and long term storage of waste associated with nuclear power. **In the interest of accuracy, CCE requests the CAP remove all references of the word “safe” in framing nuclear power, as there are inherent risks specific to nuclear power generation.**

No new nuclear power plant has been built and become operational in our country in decades. It is no wonder why, as high risk, exorbitant costs, and legacy waste come along with nuclear energy production. The legacy of toxic waste that persists from the use of nuclear energy threatens to contaminate our drinking water and land for tens of thousands of years. Today, Western New York residents are struggling to secure a full clean up of the West Valley nuclear waste site, a nuclear reprocessing site, contaminated half a century ago. Radioactive waste from the site has been discovered migrating towards our precious Great Lakes.ⁱⁱ In addition, nuclear waste does not make our nation more energy independent, as the vast majority of uranium currently used for nuclear energy is imported from other countries, such as Russia. **CCE strongly recommends that the CAP incorporate an evaluation of the risks and costs associated with nuclear power.**

While nuclear power is touted in the CAP for generating electricity without CO₂ emissions, a full “cradle to grave” analysis indicates that there are significant GHG emissions associated with the entire life cycle of using nuclear power. **CCE recommends that the CAP should adequately recognize the ‘cradle to grave’ carbon**

footprint of new nuclear power reactors and consider at a minimum, the emissions associated with:

- Construction;
- Mining;
- Refining;
- Transporting ore and refined fuel;
- Waste transportation and storage; and
- Transportation associated with the operating and safety professionals involved in all phases of the nuclear power generation.

2. **Carbon Capture and Sequestration (CCS) is not a sustainable or proven solution.**

It is irresponsible for the CAP to depend upon CCS as a climate solution. CCS is an unproven technology, continues our reliance on fossil fuels, and has led to serious environmental and public health risks. One of the world's largest CCS demonstration projects in Saskatchewan, Canada, is injecting approximately 8,000 tons of CO₂ into the ground every day. The Saskatchewan project led to significant adverse environmental and health impacts. Local farmers above the CCS project have documented leaking gas that is believed to cause algal blooms, bubbling ponds, explosions, and killing of many small animals in the areaⁱⁱⁱ.

In addition, using CCS often means the continued use of carbon based fossil fuels, such as coal and natural gas. The goal should be to move away from fossil fuels as quickly as possible, not continue New York State's fossil fuel addiction. Even if CCS was eventually developed and became a "proven" technology, using fossil fuels such as coal and natural gas have significant life cycle adverse impacts, including, but not limited to: mountain top removal for coal mining, hydraulic fracturing for natural gas extraction, coal ash waste, and thermal pollution from power plants. **CCE recommends that the CAP use effective, sustainable energy solutions; and not be dependent upon unproven, dangerous, and unsustainable CCS technology.**

3. **NYS should not build new coal-fired power plants**

The adverse public health and environmental impacts caused from coal fired power plants are well known, including: acid rain, mercury contamination, climate change pollution, and dirty and destructive mountain top removal for coal extraction.

The CAP proposes prohibiting new coal plants until CCS is deployed or power plants can meet certain emission standards. While the CAP recommends that all existing fossil fuel power plants have until 2030 to meet the new emission standards, it does not suggest ending all new coal-fired power plants. **CCE recommends the CAP include modified goals that stop the building of new coal-fired power plants in NYS, regardless of emissions standards. CCE also recommends accelerating emissions standard compliance to at least 2020 for existing coal-fired power plants.**

THE CAP SHOULD EMPHASIZE CLEAN, RENEWABLE, AND SUSTAINABLE ENERGY SOLUTIONS

More aggressive energy efficiency and renewable energy goals are necessary to meet the 80x50 goal without the use of new nuclear energy or being dependent on unproven CCS technology.

1. **Maximize Energy Efficiency:** The cheapest, cleanest, and safest energy is the energy not used. Aggressive energy efficiency and conservation measures must be the first strategy used. Unfortunately, the CAP fails to strongly emphasize energy efficiency and conservation. The CAP also predicts that NYS will fall short of the short term 15 x 15 energy efficiency goal and asserts that NY will likely only achieve 27% of the demand reduction goal. While it should be recognized that NYS is falling behind on implementation of 15 x 15, it does not mean that this important goal is unachievable. **CCE strongly believes that NYS can achieve a full 15% reduction by 2015, and the CAP should recognize this reasonable and necessary short term target should be met. Furthermore, CCE recommends that the CAP include a plan to implement a more aggressive, long term goal for energy efficiency.**
2. **Accelerate Renewable Energy Development.** The CAP fails to reflect NY's significant potential for renewable energy development. Realizing NY's renewable energy potential is essential to fight climate change, increase energy independence, benefit local economies, create green jobs, and ensure a sustainable economy and environment for current and future generations. The NYS Energy Plan of 2009 states that it is technically and practically feasible to generate more than 75% of New York's electricity from hydro, solar, wind, and biomass by the year 2018.

NYS is a wind rich state, ranked 15th in the nation for wind energy potential. Wind is emission free and abundantly available. **CCE recommends that the CAP favor policies and actions that will accelerate reaching New York's full wind energy potential, both on shore and off shore in the Ocean and Great Lakes.**

New York State has more solar power potential than Germany, the world leader in installed solar capacity. Unfortunately, New York State only generates approximately .01% of its electricity from solar, putting us far behind neighboring states such as New Jersey. A robust solar program will bring numerous benefits to New York residents, including: local grid congestion relief; long-term energy cost reduction and electricity price stabilization; and improved air quality and energy security. NY's peak demand correlates well with solar output, meaning an investment in solar generation will save ratepayers money by reducing the most expensive wholesale electricity purchases. **CCE recommends that the CAP incorporate a minimum goal of 10,000 megawatts (MW) of installed solar photovoltaic capacity by 2030 with interim goals of 500 MW by 2015, 1,500 MW by 2020, and 5,000 MW by 2025.**

THE CAP SHOULD INCLUDE NON-GHG COST/BENEFIT ANALYSIS

The environmental, public health and societal costs and benefits of our energy choices should be quantified and considered when comparing the economic benefits of policy options in the CAP.

There are serious public health and environmental costs associated with the entire life cycle of fossil fuels and nuclear energy not included in the market price. Conversely, there are significant public health and environmental benefits associated with efficiency and renewable energy sources such as wind and solar. The CAP should quantify these “unaccounted” costs and benefits in the policy analysis. For example, the CAP should quantify and incorporate the costs and benefits of:

- Over 65% of New Yorkers live in counties where air pollution endangers lives, due largely to pollution from fossil fuel combustion.
- Annually, fossil fuel emissions cause 1,200 premature deaths and 25,000 heart attacks in NYS.
- Poor air quality triggers asthma attacks. Kids in the US miss 14 million days of school annually due to asthma—the leading cause of school absenteeism due chronic illness in the nation.
- Burning of coal in the United States has a hidden external cost of \$62 billion a year, primarily from health damages
- Emissions of sulfur dioxide and nitrogen oxide, primarily from fossil fuel combustion, contributed to more than 500 lakes in the Adirondacks being too acidic to sustain life.
- Nuclear reactors generate radioactive waste – 20 to 30 tons of high level nuclear waste per reactor. There is no federal repository for high level nuclear waste, leaving the problem of long term storage of these dangerous substances unsolved. Radioactive waste can threaten public health and our environment for tens of thousands of years.
- Cooling systems in fossil fuel and nuclear power plants in NYS kill 17 billion fish, fish eggs, and young hatched fish annually; kill another 171 million larger fish and other aquatic species annually; and withdraw nearly 16 billion gallons of water a day from the states lakes, rivers, and estuaries.
- Energy produced from wind and solar power produce no harmful emissions, and requires no water for cooling; benefiting public health, wildlife and our environment.

An honest assessment of the costs/benefits of policy decisions will factor environmental, health, and societal cost/benefits, therefore CCE recommends that these costs/benefits are quantified and included in the CAP policy analysis.

THE CAP SHOULD INCLUDE A NEAR-TERM TARGET

It is necessary to establish checkpoint dates where progress can be measured and analyzed.

Measurable goals allow for accountability and provide an opportunity to review, and if necessary, to modify the existing plan if it is not proving effective. The interim milestone of a 40% reduction in GHG by 2030 proposed in the CAP is insufficient. States such as Massachusetts have set near term goals of 25x20. **CCE recommends setting a stronger near term target, similar to the goal set by Massachusetts.**

ENSURE ADEQUATE & MEANINGFUL PUBLIC PARTICIPATION OPPORTUNITIES

It is critical that this planning process remain open and transparent, with the public having the opportunity to review and provide meaningful comment on the progress of the plan development

and implementation. The Climate Action Committee should lay out a process for the public to provide comments on each draft version of the CAP, as well as the final. In addition, the CAC should lay out a process for regular public review periodically throughout the duration of implementing the CAP.

THE CAP SHOULD INCLUDE A TIMELINE FOR IMPLEMENTATION

While the CAP outlines policy options to meet the 80x50 goal, it fails to include a detailed timeline for implementation of these policies. A clear plan and timeline for implementation will help ensure that goals are achieved in a timely manner with accountability standards. In addition, the CAP should lay out a plan to be adopted in law, providing long term certainty for implementation.

POLICY RECOMMENDATIONS BASED ON FLAWED PROJECTIONS

The policy recommendations included in the plan are evaluated by their economic costs and benefits, however, the projections used to inform the costs and benefits are flawed. For example, the CAP recommends a change from a Renewable Portfolio Standard (RPS) that requires utilities to purchase a fixed percentage of clean renewable energy, to a Low Carbon Portfolio Standard (LCPS), which requires utilities to purchase a fixed percentage of low carbon fuels that include nuclear power and fossil fuel plants with CCS. The cost projections in the CAP that “justify” this policy transition underestimate the cost of nuclear power and fossil fuel plants with CCS, while overestimating the cost of renewable energy sources such as wind and solar. CCE believes that an accurate analysis of the costs and benefits do not support a transition from an RPS to a LCPS. In addition, the RPS was vetted in a rigorous public review process.

Due to the extreme volatility of the price of fossil fuels, it is impossible to provide long term predictions for energy prices that are accurate. In fact, the projected price of gasoline at the pump included in the CAP is already extremely inaccurate, and far below the average price at the pump that New Yorkers are actually paying-- before the comment period on the interim report is even closed!

Because renewable energy sources such as wind and solar have zero fuel costs, they can provide a long term, fixed, and reliable price. Renewable energy prices are consistently decreasing as economies of scale bring the price down. The CAP fails to recognize the economies of scale and overestimates the cost of renewable energy sources such as wind and solar.

CCE recommends that the CAP remove inaccurate price projections for fossil fuels and nuclear power, and recognize the benefits of the decreasing and steady price of renewable energy when evaluating policy options.

In closing, CCE is pleased that New York State is developing a serious action plan. New York State has long been a leader in addressing climate change and it apparent that so much more needs to be done. The Climate Action Plan can be the road map to shape New York State’s sustainable energy future by clearly articulating existing efforts, long term goals, and interim benchmarks for accountability. While the interim plan fell short of expectations for this roadmap, CCE appreciates the opportunity to help shape the next draft and looks forward to reviewing a CAP that unleashes New York State’s renewable energy and energy efficiency

potential, transitions the state off of unsustainable fossil and nuclear power, and recognizes the importance of mitigation for the most vulnerable areas and sectors of the Empire State.

Thank you for the consideration of our comments.

Sincerely,

Adrienne Esposito
Executive Director

ⁱ Synapse Energy, *Beyond Business As Usual: Investigating a Future Without Coal and Nuclear Power*, May 2010
<http://www.synapse-energy.com/Downloads/SynapseReport.2010-05.CSI.Beyond-Business-as-Usual.10-002.pdf>

ⁱⁱ New York State Department of Environmental Conservation, *West Valley, History and Future*, 2008.
http://www.dec.ny.gov/docs/materials_minerals_pdf/westvalley2008.pdf

ⁱⁱⁱ Vancouver Sun, *Reported Weyburn carbon capture failure is bad news for the world*, January 2011,
<http://communities.canada.com/vancouver/blogs/innovation/archive/2011/01/11/reported-veyburn-carbon-capture-project-failure-is-bad-news-for-the-world.aspx>