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**Sierra Club Atlantic Chapter Response to
The New York State Energy Planning Board Public Solicitation of Comments
For the Draft Scope of the 2009 New York State Energy Plan**

The Sierra Club Atlantic Chapter applauds Governor David A. Paterson for issuing the Executive Order No. 2 which establishes a State Energy Planning Board charged with creating a State Energy Plan to be completed by June 30, 2009.

The global climate crisis is finally getting serious public and government attention. We must reduce the amount of CO₂ in our atmosphere to below 350 parts per million to prevent an environmental, social and economic crisis unlike any in recorded history. The goals of the Plan must be to greatly increase the production and use of renewable energy and to create an efficient and sustainable Energy Plan.

The following comments are specific to the Executive Order No.2 as a Draft Scope of the 2009 Energy Plan. **Section III (A)**

1 (a)(xi)

The State Implementation Plan must develop priorities based on the results of modeling scenarios which will include the elements which are essential for all decision-making required to create a truly efficient and sustainable Energy Plan. The elements for the modeling scenarios should include public health and safety, environmental justice, greenhouse gases and all other environmental impacts, and green jobs and economic prosperity for New York.

(b)(c)(d)

The 10-year demand forecasts for electricity should be a separate item. The forecasts for fossil fuels and the supply requirements should not be separated from other resources in the Assessments. The uranium supply requirements for Nuclear power must be included.

(e)

World oil production will begin to decline by 2010 and the North American natural gas supplies are already on the decline. These conditions will increase the prices for both commodities and will lead to price spikes and supply shortages. The current decline in availability of quality uranium will result in a larger CO₂ footprint for the mining and an increase in price.

(g)

Assessments of the impacts associated with electricity production and energy use on public health and the environment should include the impacted communities within and outside of the State of New York.

Section III (B)

The proposed technical assessments by the Energy Coordinating Working Group must include Nuclear power and the storage of nuclear waste for 100,000 to 200,000 years.

The forecasts must include Supply Forecasts: demand and price is interlinked with fuel availability and fuel depletion.

The following comments are specific to the proposed Issue Briefs.

Meeting Future Energy Needs

- Public health and safety for all energy-using sectors must be included in the balance of the multiple objectives.

- All conservation, efficiency and Demand Side Management (DSM) potential in all energy-using sectors must be integrated into the calculations for the New York State Energy Needs. For example, high performance building requirements for new construction and retrofits will greatly reduce the State Energy Needs.

Energy Infrastructure Needs

- Electricity storage systems, such as flywheel systems and batteries, should be addressed to assure infrastructure security and the optimization of the electric grid.

- The option of public ownership of the electric grid as a public good and service must be examined.

Siting New Energy Infrastructure

- Small decentralized renewable energy projects should be encouraged as an alternative to the expansion of unsustainable fossil fuel energy infrastructures and the energy transmission and transportation corridors proposals.

Energy Costs and Economic Development

- The cost and benefits should include measurement of all associated costs such as health, social, environmental and economic costs.
- There needs to be a special category on subsidies which will examine the role of direct and indirect subsidies to all forms of energy, and how these subsidies can promote or discourage the development of a sustainable energy future.

Health Impacts of Energy Use

- The existing health impacts must be examined in addition to the potential impacts of energy production and use.
- There should be contingency planning to rapidly conserve fuel and protect and prepare the public, with a focus on the vulnerable communities, from the impacts of sudden fuel supply constraints, large price hikes or catastrophes due to the climate crisis effect.

Environmental Justice

- The principles of Environmental Justice as named in III (A) (g) must be respected.
- A methodology must be created to assess cumulative impacts when other industries are present.
- Environmental justice considerations should be applied to all imports of electricity and fuels needed for the production of energy in New York State, such as, the electricity produced by hydroelectric dams within the Cree and Innu communities of Canada, the uranium ore extracted from the lands of the Navaho communities, and the coal mined in the low income communities of Appalachia.

Meeting Transportation Needs and Alternative Transportation Options

- Urban sprawl issues and long-distance commuting must be addressed.
- An expansion of rail and mass transit must be designed along with the contraction of aviation as a form of transportation.
- The Plan should take into account the increased development of regional and local agriculture to provide fresh quality food, lower food costs, reduce the use of transportation fuel, support food security, and spur local economic development.

Climate Change

- Methods to reverse atmospheric CO₂ levels from 385 to 350 ppm must be implemented as quickly as possible to prevent irreversible damage our atmosphere.
- We the people of the State of New York must fulfill our responsibilities to all of the people and life forms that inhabit our planet. We must be accountable for the actual greenhouse gas footprint that we have created since the Industrial Age began.
- A proposed measure such as implementing a moratorium or prohibiting any new or additional CO₂ emissions for all sectors must be considered.
- Greenhouse gas footprints need to be determined for all fuels needed for the production of energy. A footprint must include all aspects of production such as mining, extraction, processing, transportation, storage, etc. Imports must also be included.

Environmental Impact and Regulation of Energy Systems

- Various scenarios for the Revenue Decoupling Mechanism (RDM) must be examined.
- The RPS eligibility criteria for renewable energy should be applied to State programs.
- CO₂ trading and its impacts must be compared to other CO₂ reduction options.
- A CO₂ tax and the System Benefit Charge (SBC) must be examined as part of funding scenarios for Greenhouse Gas mitigation.
- CO₂ offsets avoid and delay reductions in CO₂, this policy must be compared to other CO₂ reduction options.

- Barriers to energy efficiency must be identified.
- Real-time metering scenarios should consider the expansion of this policy to all customer classes.
- Full cost electric rates for large industrial users should be considered as part of the comprehensive review of policies that affect the energy sector.
- The amount and use of freshwater needed for the production of electricity, such as biofuels, fuel extraction, and cooling systems, must be examined as impacted by scarcity, drought and climate change, and as it impacts the watershed and water supply.

Regional Energy Issues

- This Brief must also explore the barriers within the region which do not support the economic growth and the development of a clean energy economy for the State. For example, there is no reciprocity for access to the electricity markets in Quebec. Regional cooperation is essential for a sustainable and secure Energy Plan.

As a final comment we recommend creating an additional Issue Brief for a public information campaign. The public has been, in our view, insufficiently informed on the recent developments in policy and legislation. A better informed consumer will greatly increase and enhance appropriate consumer participation in the implementation and development of a sustainable Energy Plan.

Thank you for the consideration of these Comments.

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