LONG ISLAND PROGRESSIVE COALITION

Established in 1979, the Long Island Progressive Coalition (LIPC) fights for structural change at the local, state, and national levels to attain racial justice, build community wealth, and realize a just transition to a 100% renewable energy future.

Doreen Harris, President and CEO
New York State Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203

Re: Comments on the Draft Blueprint for Consideration of Advanced Nuclear Technologies

Dear President and CEO Harris:

On behalf of the Long Island Progressive Coalition (LIPC), we thank you for the opportunity to comment on the Draft Blueprint for Consideration of Advanced Nuclear Technologies. We are a grassroots community-based organization founded in 1979. One of our first campaigns was to stop the Shoreham Nuclear Power Plant, a costly idea that Long Island ratepayers are still paying for today. Ever since, we have had a history of actively building NY's renewable energy future, as in 2011/2012 when we passed and implemented Green Jobs Green New York legislation and on-bill financing to provide low-to-moderate income homeowners with energy efficiency services. In 2019, alongside the statewide climate justice coalition NY Renews, we were instrumental in the multi-year campaign to pass the Climate Leadership and Community Protection Act. Over the years we also developed solar projects with houses of worship and affordable housing developments. We oppose the efforts by New York State to invest in new nuclear. We are alarmed by the promotion of new, untested, highly radioactive and expensive nuclear energy technologies.

Summary

The Draft Blueprint neglects to incorporate key factors associated with nuclear and meeting CLCPA mandates in New York State, including the following:

1. A robust accounting of the impacts of nuclear on Indigenous Nations, as made clear in the Red Paper "Nuclear Reactors Are Not Green" by the Onondaga Nation, the Haudenosaunee Environmental Task Force, and the American Indian Law Alliance;

2. A full capturing of the economic and environmental dangers posed by nuclear power;

3. The recommendations on nuclear made by the Climate Justice Working Group and advanced in the Scoping Plan;

4. A review of the economic impacts of nuclear on New York ratepayers in comparison to the lower cost of renewable energy sources like utility-scale solar and wind;

5. A meaningful consideration of New York State's progress toward CLCPA mandates through key policies like Cap, Trade, & Invest and the Build Public Renewables Act, and whether New York State is doing all it can to implement these policies to their greatest effect before considering nuclear, including whether alternatives like accelerating the development of renewable energy generation and battery storage are feasible;

6. Addressing the failure of many state agencies, including those with the most funding (i.e., the Departments of Health, Transportation, Education, and Economic Development), to follow the CLCPA's whole-of-government approach and analyzing the impact of state agency decisions on greenhouse gas emissions, pollution, and Disadvantaged Communities;

7. A failure to adequately consider the impact of nuclear energy on section 7(3) of the CLCPA, which prohibits state agencies from "disproportionately burdening" Disadvantaged Communities in permitting decisions and in other contexts.

Nuclear Impacts to Indigenous Communities

The future of nuclear power in New York State must grapple with the content of "Nuclear Reactors Are Not Green," a Red Paper by the Onondaga Nation, the Haudenosaunee Environmental Task Force, and the American Indian Law Alliance.[1] The

[1] Onondaga Nation, et al. Nuclear Reactors Are Not "Green." 30 Jan. 2020, www.allianceforagreeneconomy.org/sites/default/files/NukeRedPaper1-30-20.pdf

paper was written so that the voice of Indigenous Peoples can be heard, in order to document the vast harms from the nuclear power industry and so that the process of healing from these harms can begin. The list of past and ongoing treaty violations is long and troublesome and the deaths of, and devastating human health damage to, Indigenous Peoples are merely collateral damage to corporations and US governments. Prolonging the use of aging nuclear reactors without a viable plan for the handling of spent fuel rods at the expense of electric ratepayers is not an acceptable "solution." The billions of dollars that have been designated for nuclear bailouts would be better spent on promoting truly green alternative energy generation, electric car promotion and infrastructure, and high-speed rail projects. The Red Paper brings light to the dangers of the three aging nuclear power reactors in Scriba, New York and the direct harm that would result to the Onondaga people, and Nation lands and waters, from the continued operations of these aging nuclear reactors and from any accidental release of radiation, or worse; how these three aging nuclear reactors in Scriba are interfering with the stewardship responsibilities of Nation leaders to protect the natural world for future generations; and the dangers to the Onondaga Nation, its waters and its people from the current transport of nuclear wastes down Interstate Route 81, directly through the Nation's currently recognized territory. This legacy of impact must be the guide to discussions around the fate of nuclear power in our state.

Standing at less than 272 words of the draft blueprint, the "Environmental and Climate Justice" section fails to acknowledge these real, deadly harms faced by the Onondaga Nation, the Seneca Nation, the Ramapough Munsee Lenape Nation, and other environmental justice communities along the entire fuel chain of nuclear energy, including those who live close to existing reactors, uranium mines and enrichment sites, and nuclear waste dumps. NYSERDA staff must address concerns identified in the Red Paper and incorporate its content into the final Blueprint in a meaningful way, as it provides one of the best compilations of environmental injustices experienced by Indigenous peoples in New York and across the U.S., perpetrated by the nuclear industry and the governments that support it.

The Environmental and Human Toll of Nuclear Energy

Nuclear reactors create grave and deadly health hazards. A new generation of reactors threatens the health of people living near such facilities and puts them directly in the

path of radioactive and toxic exposures that cause increased cancers, birth defects, reproductive system diseases, and weakened immune systems.

Nuclear energy generates radioactive waste that is deadly for centuries. As there is no facility that will accept this deadly waste, the reactors in Oswego, Wayne, and Westchester Counties are in essence radioactive waste dumps. The shuttered West Valley nuclear reprocessing site is further testament to the failures of the nuclear industry to manage its waste in New York. It is one of the most contaminated places in the country, and despite decades of "cleanup" efforts and billions of federal and state dollars spent, this massive dump of long-lasting and radioactive waste threatens the Great Lakes watershed and the drinking water for millions of people. The latest estimate for full clean-up of the West Valley nuclear waste site in Western New York, owned by NYSERDA, was $10 Billion in 2010. Nuclear power waste from the 1960s and 70s was brought to West Valley in WNY from across the country and Puerto Rico for reprocessing and disposal, which failed, and is nowhere near cleaned up. New York must regularly pay itself for and beg for federal support to keep the site from getting worse and for efforts to "clean up." Because NYSERDA is so beholden to the federal Department of Energy for cleanup efforts, the state weakens or reduces its own standards, just so some movement continues toward cleanup of this over-60-year old nuclear power waste. Despite active containment, the massive inventory of long-lasting and intensely radioactive waste, largely from nuclear power in the 1960s and 70s, seriously threatens the Great Lakes and sole source aquifer. More nuclear power means more high-level and so-called "low-level" nuclear waste and routine radioactive releases into the air, water, soil, food web and bio-regions. As we haven't isolated the waste from the first nuclear power in the nation's history, it is irresponsible for NYS and NYSERDA to consider making more.

Climate Justice Working Group Recommendations on Nuclear & The Scoping Plan's Conditions for Using Nuclear Energy to Meet the CLCPA Electricity Targets

The Public Service Commission's Energy Policy Planning Advisory Council has already begun modeling new nuclear in their planning meetings, a concerning deviation from transparent energy planning. Good governance practices require that NYSERDA convene a judicious and comprehensive assessment and process with the involvement of the public and the Departments of Environmental Conservation and Health. We insist upon

an immediate halt to the PSC's modeling exercise until the state has made a decision. This has all been done without also following the Climate Justice Working Group's (CJWG) recommendations in the Draft Scoping Plan for CLCPA.

"The CJWG also recommends a lifecycle analysis of the environmental, health, safety, emissions, and environmental justice impacts of nuclear fuel be conducted and the State proactively plan for the scheduled shutdown of the four reactors upstate."[2]

Similarly, the Scoping Plan produced by the Climate Action Council (CAC) outlined the issues that the state should evaluate before adding nuclear to the mix of technologies available to comply with the CLCPA's 100x40 electricity target (Public Service Law § 66-p(2)):

"The State should evaluate the role of existing nuclear reactors within the 100x40 requirements as part of policy actions needed prior to the cessation of the State's Zero Emissions Credit program in 2029, and include the time needed for potential federal and State relicensing of these facilities and the time to determine refueling options for the different reactors. In addition, the State should consider the potential contribution of advanced nuclear technologies in achieving 100% zero-emission electricity by 2040. Advanced nuclear reactors may provide a way to develop and deploy new nuclear resources faster, at lower cost, with improved safety mechanisms and with lower residual nuclear waste, *but this potential has not been demonstrated and must be carefully and rigorously evaluated*. Within this evaluation, *the State should analyze the expense, health, safety, security, opportunity costs, community impact and environmental impacts of nuclear power generation, including but not limited to, fuel mining and production, nuclear waste disposal and site remediation."*[3]

The Draft Nuclear Blueprint has not addressed many of the issues set forth, except in some cases in the most limited fashion. And, when the Blueprint did touch on an issue, its analysis was often highly speculative or did not make the case for expansion of nuclear:

[2] Draft Scoping Plan, at 177
[3] Scoping Plan, at 256 [emphasis added]

1. The Blueprint did not determine what percentage of the "emissions free"[4] electricity goal could be achieved by nuclear technology and the alternatives.

2. The Blueprint did not purport to analyze the "time needed for …relicensing of" of existing nuclear plants or for refueling options -- a critical factor given that the CLCPA electricity targets must be met in specified years. As the Blueprint authors seemed to acknowledge, we cannot determine or even reasonably estimate when this new "advanced" generation of reactors will be available to address the state's power needs and what contributions it can make, if any, to meeting the CLCPA targets.

3. The Blueprint did not even estimate the extraordinary costs of an expansion of nuclear generation in New York State. In fact, the Blueprint correctly recognized the virtual impossibility of projecting costs at all, given the "long history of substantial cost overruns" of the nuclear industry, the cost overruns as to the most recent commercial reactors to be completed in the U.S.[5]

4. As to safety, the Blueprint cautioned that legitimate concerns have been raised about the Nuclear Regulatory Commission's (NRC's) ability to ensure safety "for the large number of very different reactor designs that are likely to enter full-scale licensing in the next several years."[6]

The Blueprint's Inadequate Discussion of the Impact of Nuclear on the CLCPA's Climate Justice Provisions

CLCPA section 7(3) provides that in issuing permits, licenses, and other administrative renewables and approvals and decisions, all state agencies must not "disproportionately burden" Disadvantaged Communities. The Blueprint falls short by failing to examine the role of nuclear power in light of section 7(3). It is simply unacceptable to imply, as does the Blueprint, that the environmental justice issues are a secondary concern when it comes to nuclear plants, as "almost all" of the life cycle of

[4] By using the term "emissions free," we are not conceding that nuclear energy meets the definition of "emissions free" in the CLCPA.
[5] Blueprint, at 16-18.
[6] *Id*,, at 14.

advanced nuclear facilities will occur out of state.[7] This statement ignores the fact that state residents will be significantly impacted by concerns like waste storage and transportation of nuclear materials which will occur within the state. Moreover, in siting a nuclear plant, there are obviously multiple other issues that must be considered under section 7(3) and other provisions, including safety, noise, traffic and evacuation plans in the event of an accident. Given the enormous regional and statewide impacts of siting any new nuclear plant in the state, these broad issues should be analyzed from an environmental justice standpoint at the early stages of the state's examination of nuclear rather than when state agencies have permit applications before them for the construction of nuclear plants.

Nuclear Zero Emission Credits (ZEC), Economic Costs of Nuclear, and Impacts to Renewables Buildout

The Public Service Commission order for the Clean Energy Standard included the ZEC requirement as part of the CES, which mandates that utilities/load serving entities procure ZECs from nuclear facilities in the State to fund their continued operation. It directs the revenue from sales directly to nuclear facilities in the State to fund their continued operation.

At the time of this decision we raised concerns about whether the stabilization of these power plants was the best use of billions of ratepayer dollars, necessitating rate increases over other options available to the state. The ongoing economic impacts of nuclear investment are worth serious consideration given that the levelized cost of nuclear power is relatively high compared to other energy sources: the minimum cost per megawatt-hour to build a new nuclear plant is $112, compared to $46 for utility-scale solar and $30 for wind. Capital costs to build nuclear plants can run into the tens of billions of dollars, and are much more expensive compared to wind and solar projects.[8]

This paints a clear picture that nuclear power is exorbitantly expensive in comparison to renewables and there is no path to the construction of new nuclear reactors that will not involve a massive infusion of public dollars. New nuclear power costs about 5 times

[7] Blueprint, at 16
[8] https://www.mackinac.org/blog/2022/nuclear-wasted-why-the-cost-of-nuclear-energy-is-misunderstood

more than onshore wind power per kWh.[9] While the report denigrates "overbuilding" solar, wind, and storage as a strategy to address the intermittency of generating sources, research has found that this is the most cost effective and efficient way to power a grid.[10] "Overbuilding" could just as easily be called "building enough renewables and storage to meet our needs." This idea should not be dismissed and deserves analysis to determine the cost and feasibility of achieving an optimized mix of renewables and storage to meet demand.

More than being more costly, pursuing and funding nuclear energy deprioritizes renewable energy: research shows that nuclear development competes with and can prevent interconnection of renewable energy.[11] An example of this is Japan: renewables were blocked from connecting to the grid due to policy choices by the Japanese government; even after the Fukushima disaster, they chose to invest in largely-failed strategies to restart the nuclear reactors vulnerable to earthquakes, volcanoes, and tsunamis.[12,13] In our own state, ratepayers paid over $520 million to subsidize the old upstate nuclear reactors in 2023, while renewable energy has garnered just $51 million.[14] By 2029, nuclear subsidies will total over $7 billion in public money. Imagine if we invested that money instead in energy efficient appliances and insulation for the homes of New Yorkers.

This is all before getting to the reality that Small Modular Reactors are an unproven technology. The Draft Blueprint acknowledges there are questions of "technological readiness", but it does not discuss the abject failure of the nuclear industry to deliver a product remotely on time or within the projected budget.[15] In addition to needed

[9] Stanford University Professor Mark Jacobson's 2024 U.S. House of Representatives testimony, titled "Seven Reasons Why New Nuclear Energy is an Opportunity Cost That Damages Efforts to Address Climate Change and Air Pollution" https://web.stanford.edu/group/efmh/jacobson/Articles/I/24-01-MZJ-HRTestimony.pdf

[10] Budischak, C., Sewell, D., Thomson, H., Mach, L., Veron, D. E., & Kempton, W. (2013). Cost-minimized combinations of wind power, solar power and electrochemical storage, powering the grid up to 99.9% of the time. Journal of Power Sources, 225, 60–74. https://doi.org/10.1016/j.jpowsour.2012.09.054

[11] Sovacool, B.K., Schmid, P., Stirling, A. et al. Differences in carbon emissions reduction between countries pursuing renewable electricity versus nuclear power. Nat Energy, 2020 DOI: 10.1038/s41560-020-00696-3

[12] Dreiling, M.C., Nakamura, T. & Braun, Y.A. Nuclear denial in Japan: the network power of an energy industrial complex. Theor Soc 53, 1–39 (2024). https://doi.org/10.1007/s11186-023-09513-8

[13] Myth buster: Nuclear energy is a dangerous distraction. Climate Action Network Europe. (2024, March 19). https://caneurope.org/myth-buster-nuclear-energy/

[14] Case 15-E-0302, Draft Clean Energy Standard Biennial Report (July 24, 2024). Page 89, Table 13. CES Financial Status Report for Calendar Year 2023.

[15] Ramana, M. V. (2024, January 31). The collapse of nuscale's project should spell the end for small modular nuclear reactors. Utility Dive. https://www.utilitydive.com/news/nuscale-uamps-project-small-modular-reactor-ramanasmr-/705717/

skepticism over timelines and budgets, NYSERDA should not believe attempts by the nuclear industry to sell new reactors as being somehow friendlier to the environment. Contrary to the claim that SMRs are capable of producing less waste on page 22 of the Draft Blueprint, they may create more waste than conventional designs, and waste that is more chemically-reactive and volatile.[16]

Oddly, the Blueprint failed to clearly outline a rationale for New York expanding nuclear power in our state. The closest the Draft Nuclear Blueprint has come to such a rationale is the need for Dispatchable Emissions Free Resources (DEFRs), particularly during "prolonged periods of low solar and wind input."[17]

In contrast, the Scoping Plan said in 2022 that "[t]he renewable electricity requirement can be accomplished by aggressive deployment of existing renewable energy technologies such as wind, solar, and energy storage."[18] Undoubtedly, the Scoping Plan states New York will have to invest significantly in energy storage technologies. However, the Scoping Plan outlined steps that can be taken to address the need for long-duration storage." [19]

Battery storage is already building the grid of the future as technology advances and the costs come down.[20] No reason is provided in the Blueprint why an expansion of our state's battery storage capacity is not a more commercially viable and cost-effective strategy for addressing the need for additional dispatchable resources than nuclear; it appears almost certain that it is. At a minimum, before the expansion of nuclear energy is even considered, NYSERDA should do a comparative analysis of nuclear and renewables, considering such factors as cost, safety, and technological feasibility.

Meeting 2030 Mandates: Cap & Invest, Build Public Renewables Act, & Whole of Government Approach

[16] Krall, L. M., Macfarlane, A. M., & Ewing, R. C. (2022). Nuclear waste from small modular reactors. Proceedings of the National Academy of Sciences, 119(23). https://doi.org/10.1073/pnas.2111833119
[17] Blueprint, at 1.
[18] Scoping Plan, at 219-220 [emphasis added]
[19] *See Id.*, at 226, 255.
[20] www.iea.org/news/rapid-expansion-of-batteries-will-be-crucial-to-meet-climate-and-energy-security-goals-set-at-cop28.

Before nuclear power is proposed to meet CLCPA mandates, we must first consider whether New York is doing all it can to meet our targets. The comments we have supported to inform New York's Cap, Trade, & Invest program, the comments we have offered to the New York Power Authority (NYPA) during its latest conferral process, and the publication of the NY Renews report, Flouting the Law, detail how the state is falling short, coupled with recommendations for rectifying the situation:

Cap, Trade, and Invest

More than five years after New York passed the Climate Act, the cap-trade-and-invest program is the single biggest policy proposed by the administration to make the emissions-reduction benchmarks real. Done right, the cap system could be a key tool in securing climate justice in New York: money for frontline communities, paid for by polluters. Done wrong, a cap system would only widen the gap between the haves and have-nots in our state: it could mean increased environmental harm for Black, Brown, Indigenous, and working New Yorkers. We are calling for a just cap-and-invest program—*without trading*—which would not allow corporations to trade their pollution permits for profit.

An emissions cap program will only benefit New Yorkers if it is implemented in a just way. Here's what we must see in an equitable, effective program:

1. **Statewide pollution limits must decline every year in every sector,** including the electric sector, and these limits must be strongly enforced. The limits must hit key benchmarks to ensure polluters reduce pollution to 50 % of current levels by 2040 and at least 85% by 2050.

2. **It must include facility-specific caps on greenhouse gas and co-pollutant emissions** in addition to a statewide pollution cap and sectoral caps.

3. **Greenhouse gas and co-pollutant emissions permits must be non-tradable and must have aggressive penalties for exceeding cap levels.** Permits must avoid loopholes that have weakened or undermined other efforts, including exemptions for any emissions and double allowances for facilities that utilize the same fossil fuel unit for multiple purposes, and avoid offsets and excessive banking.

Polluters should not be permitted to play games with the system with any emissions offset regimes. Unused permits should not be banked year-on-year, and regulators must adjust the cap-trade-and-invest program design as needed to minimize any banking.

4. **No giveaways to polluters.** The program must not exempt the worst corporate actors from paying for their emissions or give them a free pass to dump toxic pollution in frontline neighborhoods.

5. **Expenditures must not harm vulnerable New Yorkers**. The cost burden for New Yorkers who can least afford it must not be made worse. The cap program must include rebates and targeted relief for low- and moderate-income households to ensure energy bills go down. We believe the strongest approach is to create a Climate and Community Protection Fund and direct any funds raised to that fund.

6. **Permits should have a clear and escalating price**, and there should be a policy to ensure both a price floor to ensure adequate revenue and a price ceiling to limit consumer impacts. There should be a higher price in Disadvantaged Communities and environmental justice areas. The price and regulations must be based on the CLCPA's current 20-year cost accounting for methane.

7. **Any cap system must be part of a broader regulatory approach to reducing pollution** and must ensure that New York can achieve the greenhouse gas reduction mandates in the CLCPA. The cap system must be complemented by other strong regulatory and enforcement tools.

8. **The system must include pollution reduction mandates for overburdened communities** by agencies including the NYS Department of Environmental Conservation and the Attorney General's office. In addition to a cap-and-invest system, we need a broad array of effective regulations and enforcement to reduce pollution.

Build Public Renewables Act (BPRA)

The BPRA, passed as part of the 2023-24 state budget, mandates that NYPA fill gaps in renewable energy generation to ensure that CLCPA goals are met. So far, NYPA leadership has not acknowledged this responsibility. They should acknowledge it and give the public frequent reports on how they plan to ensure CLCPA goals are met.

As directed under the 2023-2024 New York State Budget, the New York Power Authority must shut down over 400 MW of its fossil fuel power generation capacity and build any necessary renewable energy generation by 2030 to guarantee that New York State meets its CLCPA mandate of a 70% renewable electricity grid six years from now. As the state's largest clean energy power provider through NYPA's fleet of hydroelectric power plants, NYPA is uniquely positioned, well equipped, and obligated to swiftly develop, build, and own several gigawatts of renewable electricity generation and energy storage to meet the state's renewable generation mandate and secure a timely achievement of a zero-emissions grid. Incentives offered by federal legislation, such as the Inflation Reduction Act (IRA), should be used liberally by NYPA. They could be even more accessible in the coming years as federal guidance and criteria are finalized. For instance, the Authority is eligible for direct pay incentives and federal grants that private renewable energy and battery storage developers cannot otherwise attract, bringing significant additional federal funding for NYPA's mandated renewable energy investments and enhancing the Authority's existing billions of dollars in bond making capacity.

To meet CLCPA mandates, NYPA must build at least 15 GW of renewable capacity by 2030. By adopting this ambitious goal, the state can create a whole new sector of green union jobs, lower skyrocketing utility bills for the New Yorkers who need it the most and shut down dirty fossil fuel plants on the timeline required by law. And because NYPA can finance its own projects and secure even more funding through the federal Inflation Reduction Act, we can have all of these benefits without raising utility rates or taxes by a cent. By building 15 gigawatts – enough to power 12 million households – NYPA would create roughly 25,000 good-paying green jobs, while funding training programs and apprenticeships to make sure our workforce is prepared for the task. These programs will retrain fossil fuel workers so they can benefit from the energy transition and continue using their important skills. They will also open up the green jobs sector to people in Disadvantaged Communities who have historically faced steep structural barriers to entering the trades. A 15 gigawatt plan would also help put the brakes on

skyrocketing utility bills. NYPA can use profits from renewable energy to lower bills for New Yorkers currently struggling to pay them. As for-profit utilities seek massive rate hikes around the state, we have an opportunity to put money back in people's pockets. To do this NYPA could work with community organizations to develop community co-owned renewable energy projects with its industry expertise. At scale, this could become another way to meet the greenhouse gas reduction goals as well as ensure NYPA is complying with CLCPA mandates to prioritize DACs.

Importantly, NYPA must accelerate the shutdown of its remaining peaker plants. Unless NYPA builds aggressively, we are unlikely to shut down dirty peaker plants by the legally-mandated 2030 deadline. That means thousands more children suffering from asthma and other harmful effects of air pollution. NYPA's mandate to build public renewables sunsets in 2033. The Authority should do everything possible to retire dirty, harmful, expensive peaker plants and build renewable energy and energy storage before that point. At times, however, NYPA's actions suggest the authority is trying to run out the clock instead. To date, NYPA has taken few concrete steps toward developing renewable resources as the Authority's own fossil peakers continue to exacerbate the climate crisis and harm surrounding communities. Every year that the state slow-walks swift and equitable renewable energy deployment is another year that the state's Disadvantaged Communities continue to unequally endure expensive energy bills and toxic air pollution from fossil fuel-fired power plants located in their neighborhoods. NYPA should use its economic development arm to encourage green manufacturing in New York State and ease supply chain difficulties for renewable construction. To minimize and then eliminate use of its own peaker plants as well as large heavily polluting privately-owned peakers, NYPA should partner with other utilities to implement far more aggressive and opt-out, rather than opt-in, demand response programs targeted both at large energy users and individual households.

Here on Long Island where although the Long Island Power Authority serves 15% of New York's population, only 5% of NYPA's 40 proposed projects in its Strategic Plan will be dedicated to renewable energy needs on Long Island — 2 battery storage facilities. If a proportionality rule applied, 6 projects would be on the list for Long Island — a region suffering from a shortage of renewable energy. NYPA should look to increase the number of projects it develops, in partnership with the Long Island Power Authority.

Despite having the highest rate of residential solar adoption in NYS, there is currently untapped potential for mass distributed solar on Long Island that NYPAs Strategic Plan should be taking into account through public-public partnerships with the Long Island Power Authority. The Long Island Solar Roadmap, a multi-year process which involved dozens of relevant stakeholders, experts, and developers identifies low-impact sites for commercial and utility-scale solar arrays, demonstrating that Long Island has enough low-impact sites (large rooftops, parking lots, and previously disturbed lands) for locating nearly 19,500 megawatts of solar without impacting forests, wetlands, and other ecologically important areas. That's enough solar energy capacity to power 4.8 million homes per year. NYPA should look at co-ownership opportunities with the Long Island Power Authority to develop projects on sites identified through the Roadmap, which provides prime opportunities for LIPA to step in, especially as it makes targeted facility upgrades to expand hosting capacity where the utility projects significant growth in DER penetration. This untapped potential could make invaluable contributions to meeting and exceeding LIPA's contributions to CLCPA mandates and NYPAs obligation to fill the gap in CLCPA targets, as well as provide excess energy to the Long Island grid.

Whole of Government Approach

As a member of the NY Renews coalition, we recently released "Flouting the Law: Major State Agencies Are Ignoring New York's Climate Mandates" in conjunction with the New York Lawyers for the Public Interest.[21] The report details how, on the fifth anniversary of the passage of the CLCPA, almost every state agency is in violation of the clear climate and equity mandates of the law, including four of the state's best-funded agencies: the Departments of Health, Transportation, Education, and Development (Empire State Development).

The report reveals that large state agencies with a combined annual budget of over $279 billion have made over 26,000 decisions without adequately analyzing whether and how those decisions will impact greenhouse gas emissions, pollution, and local Disadvantaged Communities across the state. Agencies have also spent nearly $2 billion on clean energy spending without ensuring that at least 35 to 40% of benefits reach Disadvantaged Communities, another requirement of the Climate Act.

[21] Flouting the Law: Major State Agencies Are Ignoring New York's Climate Mandates

The report highlights a lack of climate action at large and well-funded state agencies, including the Department of Transportation, Department of Health, State Education Department, and Empire State Development.[22] While these areas of government are often overlooked as drivers of environmental progress, they have immense resources, regulate sectors responsible for substantial portions of New York's emissions, and must play a pivotal role in reducing emissions and redressing our state's legacies of environmental discrimination. These findings come on the heels of reports that New York is currently three to five years behind on achieving its renewable energy targets, and as fossil fuel business interests have begun a lobbying campaign to weaken the state's climate mandates.

The report offers immediate and concrete policy recommendations that the Governor, the Comptroller, and State Agencies can take to rise to the challenge and promise of a renewable economy, fully meet the demands of the Climate Act and ensure a more just and sustainable future for all New Yorkers.

Conclusion

NYSERDA must not waste New Yorkers' time and money in considering an unproven and dangerous technology with serious outstanding economic, environmental, and health problems that have not been addressed. Having reported that the state is behind on our renewable energy targets, now is the time for NYSERDA to focus all its resources and attention on achieving the 2030 and 2040 renewable energy mandates of the Climate Act. The costs of solar and wind power and battery-based energy storage are decreasing; they are low risk, quick to build, and proven. We must prioritize the deployment of these technologies to meet the legal mandates of the Climate Leadership and Community Protection Act. The draft blueprint is a costly and dangerous distraction that New Yorkers cannot afford.

Sincerely,

Ryan Madden

Climate & Energy Campaigns Director

[22] The report only covered these four state agencies. As already stated, this is not by any means an all-inclusive list of the agencies that are failing to comply with their obligations under the CLCPA, like the Public Service Commission.