

To:  
NY State Senator Jennifer Metzger  
NY State Senator James Skoufis



March 5, 2019

## Hudson River Sloop Clearwater Comments on Climate and Community Protection Act

The proposed NY State 2019 Climate and Community Protection Act (CCPA) sets a path for the reduction in greenhouse gas emissions – 100% of human-caused climate pollution to be eliminated by 2050 from all sectors. The bill not only mandates an economy-wide shift to renewable energy, but also defines equity provisions which prioritize existing and future resources towards vulnerable, impacted, historically disadvantaged and front line communities, and establishes specific supports for workers. In the 2019 legislative session, the bill is **S2992 in the Senate and A3876 in the Assembly**. Before the CCPA is adopted NYS Climate goals are only aspirational; if CCPA is adopted climate commitments will be legally enforceable, and resources will be equitably reinvested in disadvantaged communities. State actions will not be able to stand in the way of its climate and equity objectives, and Fair Labor Standards will be attached to projects receiving public funds. The state must have a plan and execute that plan to achieve specific benchmarks, including that NY State's economy will be free of fossil fuels by 2050.<sup>1</sup>

The CCPA bill states, "According to the U.S. Global Change Research Program (USGCRP) and the Intergovernmental Panel on Climate Change (IPCC), substantial reductions in greenhouse gas emissions will be required by mid-century in order to limit global warming." Limiting global warming to 1.5°C (2.7° F) will require **"far-reaching and unprecedented changes"** to human behavior, according to the panel. "We are already seeing the consequences of 1°C of global warming through more extreme weather, rising sea levels and diminishing Arctic sea ice, among other changes," said Panmao Zhai, Co-Chair of an IPCC Working Group.<sup>2</sup>

The bill seeks to create regulations to reduce "greenhouse gas emissions from all anthropogenic sources 100 percent over 1990 levels by the year 2050, with an incremental target of at least a 50 percent reduction in climate pollution by the year 2030." The bill will create the New York State Climate Action Council, and promote environmental and climate justice across the state by directing resources toward disadvantaged populations where fossil fuel plants are often sited.<sup>3</sup>

CCPA has the following key milestones:

- **Year 1 and Annually: Green House Gas Emissions Report:** "No later than one year after the effective date of this article, and each year thereafter, the department [NYSDEC] shall issue a report on state-wide greenhouse gas emissions, expressed in tons of carbon dioxide equivalents, from all greenhouse gas emission sources in the state, including the relative contribution of each type of greenhouse gas and each type of source to the statewide total."
- **Mandatory Registry and Reporting System for GHG sources:** "Within one year after the effective date of this article, the department *shall consider establishing* a mandatory registry and reporting system from individual sources to obtain data on greenhouse gas emissions exceeding a particular threshold. If established, such registry and reporting system shall apply a consistent reporting threshold to ensure the unbiased collection of data."

Clearwater is concerned that the establishment of this Registry and Reporting System is optional -- at the discretion of the NYS DEC, not required. How else will DEC gather the data needed to proceed in an informed manner?

- **By Year 2: Scoping Plan for attaining GHG emission limits:** "On or before two years of the effective date of this article, the department shall prepare and approve a scoping plan outlining the department's recommendations for

<sup>1</sup> <http://www.nyrenews.org/what-we-do>

<sup>2</sup> <https://www.nature.com/articles/d41586-018-06876-2>

<sup>3</sup> <https://waterfrontalliance.org/2019/02/22/new-york-state-climate-and-community-protection-act-nears-passage/>

attaining the statewide greenhouse gas emissions limits in accordance with the schedule established in section 19 75-0107 of this article 20 2.”

- **Establish a Climate Action Council, and Environmental Justice Advisory Group and a Climate Justice Working Group.** “The draft scoping plan shall be developed in consultation with the council, environmental justice advisory group, and the climate justice working group established pursuant to section 75-0113 of this article 23 and other stakeholders.”

Clearwater commends the establishment of an Environmental Justice (EJ) Advisory Group and the Climate Justice (CJ) Working Group to ensure equity and fairness in addressing the climate crisis, both with the employment and other opportunities these solutions offer and to address or prevent any disproportionate impacts and vulnerabilities. In 2010 Clearwater worked with community groups in the City of Peekskill to develop a [Community-Based Environmental Justice Inventory and Angler Survey](#)<sup>4</sup> and in 2012 we worked with four Hudson Valley cities to undertake Climate Justice Assessments of each respective community, with funding from a highly competitive EPA Environmental Justice Small Grant. This grant utilized the template created by the Peekskill CBEJ to assess potential environmental, economic, public health, and safety impacts of climate change on communities of color and low income in Kingston, Poughkeepsie, Beacon, and Peekskill, each of which have waterfronts vulnerable to sea-level rise. Clearwater is one of the few active EJ and CJ organizations between New York City and Albany. We would like to offer our experience to serve on the County, EJ Advisory Group or CJ Task Force. Please see:

- [Community-Based Climate Justice Assessment; City of Kingston, Ulster Co., NY](#)<sup>5</sup>
  - [Community-Based Climate Justice Assessment; City of Poughkeepsie, Dutchess Co., NY](#)<sup>6</sup>
  - [Community-Based Climate Justice Assessment; City of Beacon, Dutchess Co., NY](#)<sup>7</sup>
  - [Community-Based Climate Justice Assessment; City of Peekskill, Westchester Co., NY](#)<sup>8</sup>
- **By 30 months the Scoping Plan will be finalized and submitted:** “On or before thirty months of the effective date of this article, the department shall submit the final scoping plan to the governor, the speaker of the assembly and the temporary president of the senate and post such plan on its website. The scoping plan shall identify and make recommendations on regulatory measures and other state actions that will ensure the attainment of the statewide greenhouse gas emissions limits established pursuant to section 75-0107 of this article.
  - **By 3 years, DEC will promulgate Rules and Regulations:** “§ 75-0111. Promulgation of regulations to achieve statewide greenhouse gas emissions reductions. 1. No later than three years after the effective date of this article, the department, after public workshops and consultation with the council, the environmental justice advisory group, and the climate justice working group established pursuant to section 75-0113 of this article, representatives of regulated entities, community organizations, environmental groups, health professionals, labor unions, municipal corporations, trade associations and other stakeholders, shall, after no less than two public hearings, promulgate rules and regulations.”

Clearwater strongly supports this process, and especially the inclusion of EJ, CJ, environmental, health and labor groups, but is concerned that if the IPCC cautions that we have only 11 years to reduce global CO<sub>2</sub> emissions 45% below 2010 levels by 2030 to limit global temperature rise to under 1.5 degrees, taking three years to put Rules and Regulations in place is not the accelerated schedule that is needed to adequately address the global climate crisis we are facing.<sup>9</sup> Also, once established, enforceable limits must be actively enforced, and that will take far more intention and proactive attention than is currently the practice (see below comments on Refrigerant Management).

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<sup>4</sup> [https://www.clearwater.org/wp-content/uploads/2011/03/CBEJ\\_FINAL-DRAFT-1-30-11-for-printing.pdf](https://www.clearwater.org/wp-content/uploads/2011/03/CBEJ_FINAL-DRAFT-1-30-11-for-printing.pdf)

<sup>5</sup> [https://www.clearwater.org/wp-content/uploads/2011/02/Kingston-CJ-REPORT\\_FINAL\\_1.14.13\\_KR-Edits.pdf](https://www.clearwater.org/wp-content/uploads/2011/02/Kingston-CJ-REPORT_FINAL_1.14.13_KR-Edits.pdf)

<sup>6</sup> [https://www.clearwater.org/wp-content/uploads/2011/02/Poughkeepsie\\_EJ\\_CJ\\_Assessment\\_FINAL.pdf](https://www.clearwater.org/wp-content/uploads/2011/02/Poughkeepsie_EJ_CJ_Assessment_FINAL.pdf)

<sup>7</sup> <https://www.clearwater.org/wp-content/uploads/2011/02/Final-Beacon-EJ-and-CJ-Report.pdf>

<sup>8</sup> <https://www.clearwater.org/wp-content/uploads/2011/02/Peekskill-CJ-Report-FINAL-EPA-Rev.-1.pdf>

<sup>9</sup> <https://insideclimatenews.org/news/07102018/ipcc-climate-change-science-report-data-carbon-emissions-heat-waves-extreme-weather-oil-gas-agriculture>

- **Every 4 years, Implementation Reporting.** “§ 75-0115. 1. The department shall, not less than every four years, publish a report which shall include recommendations regarding the implementation of greenhouse gas reduction measures.”

A major goal of CCPA is establishment of a “**Renewable Energy Program.** § 66-p. 1. As used in this section: establish and implement easily-replicated renewable energy projects, including solar arrays, heat pumps and wind turbines in public low-income housing in suburban, urban and rural areas.”

**By 2020 the NYS Public Service Commission (PSC) shall require 50% renewable energy generation by 2030:** “ 2. No later than January first, two thousand twenty, the commission shall establish a program to require that a minimum of fifty percent of the statewide electric generation secured by load serving entities to meet the electrical energy requirements of all end-use customers in New York state in two thousand thirty shall be generated by renewable energy systems. The commission shall set annual minimum percentage levels of electricity generated by renewable energy systems and delivered to end-use customers in New York state for each year of the program. “

**By 2021 and every 2 years thereafter PSC shall issue a comprehensive review of the Renewable Energy Program:** “3. No later than July first, two thousand twenty-one and every two years thereafter, the commission shall, after notice and provision for the opportunity to comment, issue a comprehensive review of the program established pursuant to this section.”

By 2020, the NY Power Authority (NYPA) “§ 5. Section 1005 of the Public Authorities Law is amended by adding a new subdivision 26: Renewable Energy Program. As deemed feasible and advisable by the trustees, no later than January first, two thousand twenty, the authority shall secure energy to serve the electrical energy requirements of its end-use customers in accordance with the renewable energy program as set forth and defined in section sixty-six-p of the public service law. § 6. ... a new section is added to read as follows: § 1020-kk. Renewable energy program. The authority and all load serving entities [LSEs] that secure energy to serve the electrical energy requirements of end-use customers in its service territory shall comply with the renewable energy program as set forth and defined in section sixty-six-p of the public service law.”

**Storage is critical to a successful transition to renewable energy:** Clearwater is concerned that there is not enough emphasis in CCPA on the importance of storage, which is mentioned only in passing in this legislation. Storage can include batteries, fly-wheels, fuel cells and pumped storage, as in use at the hydroelectric generating plants at Niagara Falls. Storage is essential to mitigating the variability of renewables, most of which are fuel-free and therefore very economical, once infrastructure is put into place. Energy efficiency and demand response are also key. Hydroelectric, tidal and wave power are generally very reliable sources of power, but care must be taken that they, and reservoirs for pumped storage, are sited and implemented so as not to endanger the aquatic habit, destroy carbon-sequestering ecosystems or cause other GHG releases. For example, flooding land to create reservoirs can cause vegetation to decay and release methane, and can convert mercury in soils to bioavailable methyl mercury.

**CCPA should utilize the Full Carbon Cycle:** When we think of climate solutions we often focus on the first half of the carbon cycle: reducing greenhouse gas emissions. This is typically achieved by switching from fossil fuel to renewable energy generation, by insulating buildings and utilizing energy efficient transportation, reducing food waste, using safer refrigerants and more. However, equally important is the need to protect and enhance systems that sequester and store carbon.

Forests, wetlands, tidal marshes, submerged aquatic vegetation and other ecosystem features, which actively sequester carbon and other greenhouses gasses and have real, measurable value in both promoting resilience and reducing the global climate crisis. Traditional environmental impact analyses focus on protecting rare and endangered species, but have not included the importance of carbon sequestration. Two excellent sources of information are Paul Hawken’s book and website, *Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming* and [www.drawdown.org](http://www.drawdown.org) and the Exponential Climate Action Roadmap, published by the Global Climate Action Summit, [www.globalclimateactionsummit.org/](http://www.globalclimateactionsummit.org/).

Clearwater urges the Legislature to understand that ecosystem services promote resilience and take up and sequester carbon dioxide and other greenhouse gasses. Intact ecosystems reduce risk, provide floodwater storage, and attenuate waves. Their benefits include “**carbon capture**, ecological/environmental, socio-economic, flood risk management, and shoreline stabilization.”<sup>10</sup>

An excellent example of valuing the carbon storage that is especially relevant to the Hudson Valley is Assemblymember Didi Barrett’s [Carbon Farming Bill \(A 3281\)](#), which creates tax credit for sustainable, climate-smart agricultural practices. The bill, which passed both houses in 2018 and is being considered again this year, establishes a tax credit for farmers who maximize carbon sequestration potential through a “carbon farming” land management strategy; directs DEC to develop regulations related to certifying the amount of carbon sequestered or emissions reduced.<sup>11</sup> It also creates a pilot project in Columbia and Dutchess counties to be administered by the local Soil and Water Conservation Districts. The legislation is a milestone in carbon farming nationally and will result in important data about the potential for a range of farming practices to sequester carbon in the soil and will help farmers improve soil resiliency and productivity on their farms.<sup>12</sup> “By using no-till systems, planting cover crops, trees and perennial forages in pastures, and by managing compost application, farmers can see improvements in water holding capacity, nutrient storage, and reduced erosion. All of these farming practices have the collateral benefit of sequestering carbon, thereby reducing its emission into the atmosphere as CO<sub>2</sub>.”<sup>13</sup> Clearwater urges your support for, or sponsorship of, this legislation in the NYS Senate.

**Need for Local Energy Planning:** While CCPA goes a long way to addressing energy planning, which is essential to creating a roadmap to the Renewable Energy Economy with Storage and Efficiency that is so urgently needed, it misses a very important aspect – that the best planning is done with LOCAL input. For several years, NYS PSC’s Reforming the Energy Vision (REV) spawned more than 100 proceedings, but we are not much closer to the roadmap we need to achieve the NY State renewable energy or carbon reduction goals. CCPA calls for:

- 50% electricity from clean renewable energy by 2030
- 40% clean energy funds reinvested in disadvantaged communities, and
- 100% human-caused climate pollution eliminated by 2050

The NY State Energy Plan (SEP) has relied on so-called “natural gas” (methane) as a ‘bridge fuel’ to get us to a more sustainable energy system, without adequately considering the full life cycle of fugitive emissions from fracking through transportation and delivery to the combustion facility.

Clearwater believes that energy planning should be done with local input, regionally by utility zone. That said, we cannot count on leadership by the utilities as REV has proposed. Had the utilities demonstrated leadership and worked collaboratively with the communities they serve over the past few decades, we might have made more progress and helped to avert the crisis we now face. Instead, they often put profits ahead of the clearly looming concerns about climate change. Funding should be allocated to set up a CCPA-like Council with EJ and CJ membership for each utility zone to look at loads, potential clean energy, storage and efficiency resources, costs, benefits, risks and rewards. The utilities can and should participate, and the New York Independent Systems Operator (NYISO), New York State Energy Research and Development Authority (NYSERDA), the PSC and SEP planning board should all serve as resources, but their collective leadership has failed to make the needed progress, so local energy planning should be funded and facilitated. Also, all Community Choice Aggregation (CCA) programs should be required to actively engage in energy planning.

**Refrigerant Management:** Another very important consideration is proper refrigerant management, which Drawdown considers to be the #1 Climate Solution – and if not managed properly a major contributor to the problem. Refrigerant management *per se* is not mentioned in CCPA. Very few people understand that when Freon and other chlorofluorocarbons (CFCs) were phased out in accordance with the Montreal Protocol, refrigerants used

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<sup>10</sup> [https://www.nad.usace.army.mil/Portals/40/docs/NACCS/Agency\\_Coord-and-Collaboration\\_Oct2014.pdf](https://www.nad.usace.army.mil/Portals/40/docs/NACCS/Agency_Coord-and-Collaboration_Oct2014.pdf) p.68.

<sup>11</sup> <https://nyassembly.gov/leg/?bn=A3281&term=2017#>

<sup>12</sup> <https://nyassembly.gov/mem/Didi-Barrett/story/82223>

<sup>13</sup> <https://nyassembly.gov/mem/Didi-Barrett/story/72914/>

in refrigerators, freezers, building and vehicle air-conditioners, chillers, dehumidifiers, etc. were replaced with hydrofluorocarbons (HFCs) and related compounds, which are less ozone-depleting, but have global warming potentials (GWPs) that are as much as 1000 to 2000 times that of carbon dioxide. It might seem that this is more of a problem across the globe than here in the U.S., where we have regulations to prevent the release of these refrigerants into the atmosphere. However, at a recent forum on refrigerant management, sponsored by the Ulster County Climate Smart Committee, it was revealed that some local scrap dealers are venting HFCs into the air, rather than capturing these extremely potent greenhouse gases. Others report that HVAC installers and repair staff are not using proper protocol to install heat pumps and other systems that need to be carefully managed. Given the resources NYSERDA and others are investing to incentivize the transition to air- and ground-source heat pumps, this problem must be corrected. Clearly more knowledge, oversight and enforcement is needed to address this important climate issue.

**No New Fossil Fuel Infrastructure:** Clearwater opposes any new fossil fuel infrastructure. Our collective energy dollars should be invested in renewables with storage and efficiency, and grid upgrades where needed. To reach its goals, NY should simply stop approving new fossil fuel facilities, and repower or phase out older, dirty fossil fuel plants as rapidly as possible. Clearwater is actively opposing the proposed Danskammer expansion in the Town of Newburgh, which would result in more methane being burned year-round in a new facility located on a flood-prone peninsula on the shores of the Hudson River – for decades to come, if this project is approved and built (see Attachment 1). The proposed GlidePath gas-fired peaker project in the Town of Ulster is an excellent example of community activism leading to a far more sustainable outcome: a large storage facility that will help address peak demand without burning fossil fuel. Clearwater urges you to please do whatever is in your power to prevent the Danskammer expansion as proposed, and to urge the investors to reconsider more sustainable, climate-solution alternatives.

Finally, **Nuclear is NOT a Climate Solution;** Nuclear power is not clean energy, and it should not be included in any plan to help NY to achieve its climate goals; nor should it be subsidized. From mining, to milling, to transport, in the reactor, in pool and dry storage, and throughout decommissioning greenhouse gases are emitted and some are radioactive. In fact, the 2015 NY State Energy Plan points to many “potential negative environmental impacts” of nuclear power, including radioactive emissions/discharges to air, surface water and groundwater; unscheduled releases of radioactive materials due to plant accidents; and issues with respect to the production, transportation, processing and disposal of the nuclear fuel cycle.<sup>14</sup> Although CCPA doesn’t include any reference to nuclear, some of the people participating in the planning process proposed in this legislation might cite the Clean Energy Standard (CES) -- Tier 3 for its inclusion. Clearwater, who is actively challenging NY’s nuclear subsidy, would strongly oppose any such consideration.

Thank you very much for considering these comments. We urge your support for CCPA and our other recommendations and look forward to offering comments on an ongoing basis.

Sincerely,

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<sup>14</sup> See 2015 SEP Volume II, Technical Appendix, Impacts and Considerations, Climate Change and the Energy System at 33-35;  
<https://energyplan.ny.gov/Plans/2015>



## **Attachment 1:**

The following is excerpted from **Hudson River Sloop Clearwater's Scoping Comments to US Army Corps of Engineers regarding Storm Surge Barriers proposed in the USACE New York/New Jersey Harbor & Tributaries Focus Area Feasibility Study**, dated November 5, 2018.

### **Importance of intact ecosystems in drawing down and storing Greenhouse Gases**

... Natural solutions minimize the consequences of storm surges while burying carbon, thereby removing carbon dioxide from the environment and thus reducing the impacts due to climate change. Research suggests that Hurricane Sandy would have caused an additional \$625 million of property damage had marshlands along the coast not buffered the storm. (see below).

Marine life also has an important carbon sequestration role, contributing to 2.4 - 4.6 percent of global carbon captured and sequestered (Nature). In fact, "despite the small fraction of the ocean surface occupied by salt marsh, mangrove and seagrass ecosystems, they account for 46.9% of the total carbon burial in ocean sediments." (Nature Climate Change article)

In addition, according to the Smithsonian Environmental Research Center, "under elevated carbon dioxide levels, wetland plants can absorb up to 32 percent more carbon than they do at current levels."

- Drawdown notes that "Coastal wetlands can store five times as much carbon as tropical forests over the long term, mostly in deep wetland soils." If the world protected 57 million acres of wetland more than the 18 million acres currently protected, the sequestered carbon could total 3.2 gigatons.<sup>15</sup>
- The Smithsonian Environmental Research Center suggests that wetlands/nature-based solutions are less expensive and more effective. As climate change accelerates, wetlands have a stronger mitigation effect. Wetland plants actually take up more carbon dioxide and other greenhouse gases when CO<sub>2</sub> is elevated in the atmosphere.<sup>16</sup>
- According to Nature, "Some 2.4 - 4.6 percent of the world's carbon emissions are captured and sequestered by living organisms in the oceans, and the United Nations estimates that at least half of that sequestration takes place in 'blue-carbon' wetlands."
- Research suggests that Hurricane Sandy "would have been even worse without the wetlands hugging the coastline. Marshlands prevented an additional \$625 million of property damage" - MIT Spectrum, Spring 2018
- "Despite the small fraction of the ocean surface occupied by salt marsh, mangrove and seagrass ecosystems, they account for 46.9% of the total carbon burial in ocean sediments."<sup>17</sup>

"The carbon buried in coastal vegetated ecosystems can be preserved over millennia, as demonstrated by radiocarbon dating of seagrass, salt marsh and mangrove soils. The efficient preservation of the carbon under these habitats is due to: slow decomposition rates; low nitrogen and phosphorus concentrations in plant tissues; low oxygen levels in the sediments; and the allocation of a large fraction, often exceeding 50%, of plant biomass production to roots and rhizomes that are buried into the soil." The Nature Conservancy has some helpful information about the important role that wetlands can play with regard to carbon sequestration.<sup>18</sup>

- Coastal wetlands – which includes salt marshes, seagrass meadows and mangroves – sequester billions of tons of carbon from our atmosphere in concentrations up to five times higher than terrestrial forests.
- Wetlands draw in carbon as they grow and transfer much of this into the rich soils held by their roots. The stored carbon can remain in the soil for thousands of years, making coastal wetlands a long-term climate mitigation solution.

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<sup>15</sup> Drawdown: <https://www.drawdown.org/solutions/land-use/coastal-wetlands>

<sup>16</sup> How Will the Wetlands Respond to Climate Change? <https://www.smithsonianmag.com/science-nature/how-will-the-wetlands-respond-to-climate-change-164048534/>

<sup>17</sup> The role of coastal plant communities for climate adaptation (Duarte, Hendriks, Losada, Mazarrasa) <https://www.nature.com/articles/nclimate3062>

<sup>18</sup> <https://www.nature.org/newsfeatures/pressreleases/the-nature-conservancy-and-xl-catlin-collaborate-to-bring-blue-carbon-cred-1.xml>

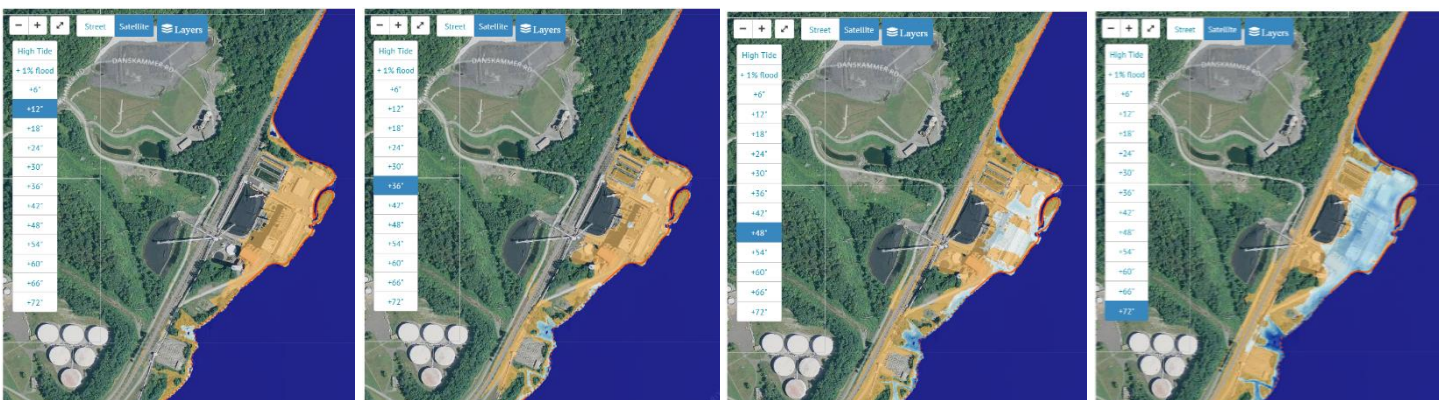
- Wetlands also serve as a continuous sink – layers of soil accumulate as plants die and are buried in the soil, enabling new plants to grow above. If the wetlands are not stressed by human activity, this upward growth can outpace sea level rise.
- Coastal wetlands protect coastlines by absorbing incoming wave energy and providing storm protection, often at lower costs than built, or grey, infrastructure like seawalls and levees.
- Research conducted by the Nature Conservancy illustrates how nature-based coastal resilience can save communities hundreds of millions of dollars when severe hurricanes hit the United States coastline, reducing flood damage by up to 29 percent.
- As our climate changes, the conservation and restoration of coastal wetlands can help protect millions of people, while providing many other benefits such as healthier fisheries, water purification and improved local livelihoods.

Wetlands are being lost at an alarming rate – more than almost any other habitat – due to human activity. Experts estimate that the amount of CO<sub>2</sub> released annually from degraded wetlands is equivalent to the annual emissions of the United Kingdom. It is critical that we protect and restore the world’s “blue carbon” systems. Not only will wetlands deliver ongoing sequestration with a net cooling effect on the planet, they will also provide critical protection from erosion, storms, and floods to communities, shorelines and coastal economies.<sup>19</sup>

### **Building in the Floodplain: Proposed Danskammer Power Plant in Newburgh; other power plants and critical infrastructure**

Danskammer is a 65-year old power plant located on the shores of the Hudson River in the Town of Newburgh. After being severely damaged by storm surges and flooding during Hurricane Sandy in 2012, the older coal-burning facility was closed and mothballed – considered to no longer be a viable source of electricity by the New York Independent System Operator (NYISO). Then, incentivized by the Lower Hudson Valley Capacity Zone and other market capacity incentives, Mercuria renovated the plant from coal-burning to a gas-fired peaker facility, which currently operates less than 5% of the time, burning so-called “natural gas” with oil as a backup fuel. The existing facility has four operating steam turbine generators with a combined nominal capacity of 511 MW. Tiger Infrastructure now proposes to build a \$400 million gas-fired baseload power plant (525 – 575 MW) in its place on the same 180-acre site, Danskammer Point, jutting out into the river that will be subject to increasing flooding as climate change worsens. Sea-level is now predicted to rise 4’ – 6’ by the end of this century. As sea level rises and storms increase in intensity, the Danskammer site will flood repeatedly and will ultimately be under-water. Scenic Hudson’s [sea level rise mapper](#) demonstrates this very clearly.

Because the new plant will be a year-round facility, operating 60 – 70% of the time, it will emit more greenhouse gases and other pollutants than the current facility, which will impact air quality in the City and Town of Newburgh as well as other nearby communities for years to come.



Screen shots of Danskammer Point at 1-foot, 3-foot, 4-foot and 6-foot sea level rise.

<sup>19</sup> <https://www.nature.org/ourinitiatives/urgentissues/oceans/building-coastal-resilience/coastal-risk-and-resilience.xml>

It also should be noted that the methane gas that would be its primary fuel should no longer be referred to as “natural” because it is now almost always obtained by hydraulic fracturing. This has significant impacts at the fracking site and all along the chain from fracking, through processing, and transportation along pipelines and at compressor stations and beyond – with well-documented releases of fugitive methane – a very highly potent greenhouse gas, much worse than carbon dioxide. The term “natural gas” was used to refer to the now rare underground pockets of methane that were more easily captured by simple drilling. Fracked methane gas has significant environmental and climate impacts and should never be considered “natural” or thought of as a “bridge fuel”. Preventing this foolhardy construction is one of the resilience principles the Army Corps should employ. The Corps should also consider other power plants and pipelines located along the shores of the Hudson and other tributaries to NY Harbor. Water and wastewater plants, hazardous waste and brownfield sites, and railroads located in low-lying areas all present similar challenges.

## Endangered Shorelines

