



Memorandum of Support
The Fossil Fuel Facilities Replacement and Redevelopment Act
S8405B (Parker) / A9881B (Cusick)

Founded 45 years ago by leaders of the bar, New York Lawyers for the Public Interest (NYLPI) is a community-driven civil rights organization that pursues justice for all New Yorkers. NYLPI works toward a New York where all people can thrive in their communities, with quality healthcare and housing, safe jobs, good schools, and healthy neighborhoods. In NYLPI's vision, all New Yorkers live with dignity and independence, with the resources they need to succeed. NYLPI's community-driven approach powers its commitments to civil rights and to disability, health, immigrant, and environmental justice. NYLPI seeks lasting change through litigation, community organizing, policy advocacy, pro bono service, and education.

New York Lawyers for the Public Interest (NYLPI) supports this legislation, which would mandate the development of a blueprint guide to replacing and redeveloping New York's oldest and most polluting fossil fuel facilities and sites by 2030.

This legislation will empower the New York State Energy Research and Development Authority (NYSERDA), Department of Public Service, and Department of Environmental Conservation to facilitate a transition from fossil fuel power generation to renewable energy and battery storage by 2030. NYLPI is a member of the PEAK Coalition, which recently published a joint study with the New York Power Authority (NYPA) finding that each of the authority's fossil fuel peaker plants could be individually replaced with battery storage by 2030.

PEAK's research has demonstrated that peaker plants are some of the oldest, costliest, and most polluting sources of energy production in our state. Transitioning to renewable energy and battery storage will have immediate, beneficial, and measurable climate, economic, and public health impacts and must be implemented as soon as possible.

This bill would also build on the recent NYPA / PEAK study and would enable NYSERDA to conduct a similar sector-wide study while accounting for renewable energy and battery storage combinations that can further strengthen resource adequacy and energy reliability without entertaining false solutions such as hydrogen combustion or carbon capture and sequestration.

This bill also helps the state meet the commitment to replacing and redeveloping its fossil fuel facilities and meeting the mandate of an emissions-free electricity system by 2040 under the Climate Leadership and Community Protection Act. Finally, this bill would help facilitate a just transition to a renewable energy economy that honors the priorities of frontline communities, protects workers, and ensures system reliability. For these reasons, NYLPI strongly supports immediate passage of A9981A/ (Cusick) / S8405A (Parker).

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