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Climate Action Council
Draft Scoping Plan Comments
NYSERDA
17 Columbia Circle
Albany, NY 12203

Dear Climate Action Council members,

Thank you for taking the time to accept public comment for the draft scoping plan for the Climate Act. I appreciate your willingness to venture out to the masses with the various public forums across the state and for accepting in volume a lot of written commentary such as that I am providing here.

My lengthy comments will cover a variety of subjects and might seem meandering, but I'm hopeful that they will provide some multi-faceted insight into the scoping plan and some things that could help flesh out the directives and action plans coming out of the plan.

Before I get into those comments, please allow me a quick introduction. You'll see that I'm connected, in a way, to "both sides" of the issue and that I unequivocally have love for the Empire State.

I am the President of Confer Plastics, a family owned and operated manufacturer of primarily outdoor leisure products (such as pool and spa products, kayaks, docks, and ice rinks) that has been in operation since 1973 and employs 190 people in Niagara County. I still live on the family farm which has been part of our legacy since the mid-1950s (we no longer farm, but rent out the arable land to local farmers). And, we own a sizable chunk of rather remote forest in Allegany County. The farm and the forest have contributed mightily to my interest in the environment and nature, seen by my daily #Nature365 posts on social media and my weekly nature column for the Wellsville Sun.

With that out of the way, let's dive in to some topics:

Manufacturers need reliable and affordable energy

When the Climate Act was passed it was the first time in my career that I actually wondered if Confer Plastics could make it to the fourth generation. I worried, and still do, about cost certainty and reliability of power in the future and whether, one, we could remain competitive domestically and globally and, two, if we'd have the ability to run the operations given the issues associated with less natural gas electricity and more green energy that at first glance might exclude nuclear or hydro (the fear here is: storage tech still isn't the best, it's still quite raw, and with no sun and little wind at night, what will a 24-hour factory use to keep everything going overnight?).

Cost certainty and reliability issues are concerns that I've never really had before. New York's electricity has been a blessing. Sure, there was a long time when New York's electricity was really expensive in the 1980s and 1990s, but it dropped once the legacy of PURPA sailed into the sunset. The grid, courtesy of

forethought by National Grid, NYPA, and NYISO, has reliably delivered power to me. It's not like Texas, where government oversight is so hands-off that years of mismanagement by state government and ERCOT caused that incredible collapse in their grid in February of 2021. People ask me why I don't move the business to a place like Texas. Well, what good is all that alleged freedom in Texas if there's no power? Basic human and economic needs can't be met.

But, now, I have worries about electrical certainty and reliability in New York. They are especially pronounced when I look at the 2020 energy disclosure that my electrical provider sent me this week. About 30% of my company's power usage comes from the Niagara Power Project. The other 70% comes from these sources:

Fuel Sources	
Biomass	< 1 %
Coal	2 %
Hydroelectric	14 %
Natural Gas	45 %
Nuclear	34 %
Oil	< 1 %
Renewable Biogas	< 1 %
Solar	< 1 %
Solid Waste	2 %
Wind	2 %
Total	100 %

(Total may vary slightly from 100% due to rounding)

I have a few suggestions to overcome that fear that is no doubt held by other manufacturers and data centers (the latter using power at a multiple of our demand):

Invest in hydroelectric power: It seems as if the law barely mentioned hydro, but it really didn't exclude it. Siting and creating new hydro dams is an undertaking no one wants...we, as a state, really shouldn't be in the business of flooding forests and bottomlands and redefining watersheds. But, we should capitalize on and expand what we have. A prime example is the Niagara Power Project. I think the state and NYPA should work with FERC to look at the feasibility of (1) adding more generators and (2) having more fillings and drawdowns of the project's reservoir, to address the overnight needs of manufacturers as well as WNY residents (especially as so many will be charging cars overnight and/or heating their homes electrically). There are other hydro dams throughout the state that could be put back to use or better use.

Invest in nuclear power: Like hydro, nuke was hardly mentioned in the Act. Nuclear power is everything that other clean sources aren't – there's no need to create reservoirs, there's no taking over fields and pastures, and there's reliability. Much power can be generated cleanly, efficiently, and safely, in a limited amount of space. I am so confident in how safe and clean it is, that I would welcome a nuclear facility in Niagara County. Looking out my back door, I used to see the Somerset coal plant generating electricity 5 miles away. If I looked out it now to see cleaner nuclear cooling powers there, I would be quite pleased.

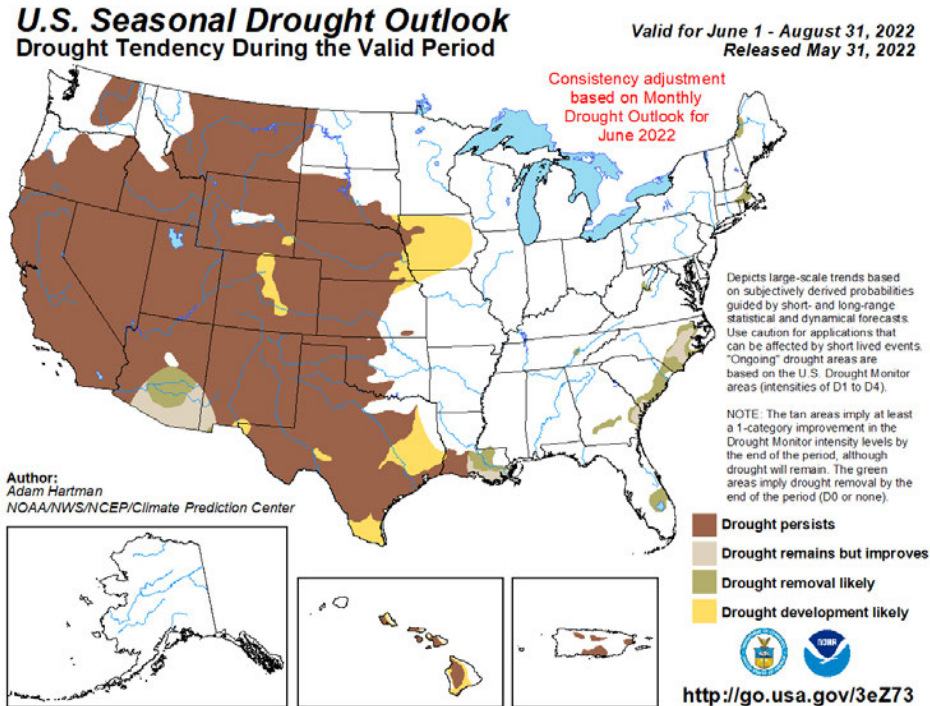
Get guarantees from Quebec: Getting hydro from Quebec and investing in the infrastructure to deliver it to NYC were wise moves and wise investments by the state and private industry players. Now, the pressure is on Quebec's energy producers and provincial government to produce. Adding to that pressure is the proposed \$5 billion Atlantic Loop that will bring power to Nova Scotia, New Brunswick, and Newfoundland as coal is phased out. The Loop's hydro will be coming from Labrador and Quebec. That said, I would strongly encourage the state to now enter into very long-term contracts with Quebec's energy players to ensure that NYC gets the power it needs before it is apportioned to NYC and the various provinces. Doing so now will force the hand of Labrador, not Quebec, to better address the needs of the maritime provinces.

Don't bet the farm

Addressing our energy needs with domestic, and more specifically, Empire State power will see plenty of now active farmland transformed into solar farms. Don't do too much!

I'm not saying this as a NIMBY. I'm saying this as someone concerned with national and international food security.

New York's agriculture is special and it's becoming more so as the western and central states battle either long-term or recurring droughts. We get spared such abuse with plenty of water and enjoyable weather. New York is the place to be for farming. We have blessings that the rest of the world is losing and will be losing. To put that into perspective, here's the latest Drought Monitor report from NOAA:



That makes us a veritable breadbasket – we have to feed our fellow New Yorkers and it’s getting to the point that we have to feed the world. Given those circumstances, I would hate for us to give up too much of those precious resources to solar. But, solar is happening, has to happen, and will happen.

Solar isn’t like wind. You can farm around wind. Hardly any landscape is lost. Sure, some people will tell you can raise sheep or honeybees around solar arrays, but the ag output on solar farms is tiny, almost inconsequential.

My suggestions:

One, solar’s deployment must be controlled. I think that state, and individual counties, should take an inventory of existing arable land and create a standard that says “no more than X% of this county’s farmland can be repurposed to solar.” The state and solar developers would then have to work around that and develop/assign projects only in places where the minimum ag inventory level hasn’t been breached.

Two, wind should be emphasized over solar. As mentioned above, the negative impact on ag is negligible.

Rural representation

As various teams, committees, and (sub)agencies are rolled out, it’s critical that rural dwellers be adequately represented. Too often, when looking at the make-up of such groups in state government, the vast majority of deciders and doers are from cities.

Small towns, rural locales, and more need to be represented as well. After all, they are the ones who will be hosting solar farms, wind farms, remodeled waste sites, electrical infrastructure, and potential hydro dams and reservoirs.

There has been an emphasis placed on environmental equity (protecting urban folk from decades of pollution), as there should be, but don’t go so far into the urban focus that rural folk are denied their equity as the environment is changed around them.

My suggestion:

As working groups and committees are rolled out, a concerted effort must be had to lean on Senators and Assemblypersons to suggest rural appointments. They know their constituents (well, I hope they do) and can provide mayors, council members, farmers, and leaders in community services to serve as helpers and experts on rural people and places.

Help big power users strategize for roll-out

Rolling-out new energy sources and disabling existing ones won’t be an easy task. There are going to be blips. There will be outages. There will be brownouts. As that happens, or appears likely to, give manufacturers an advanced heads-up. If someone like me was told weeks in advance that there will be strange nuances in the grid as rollouts happens, I can plan production and staffing accordingly. Day-of, day-before warnings won’t work for any of us. We need to plan.

Related to that, there will be times when power users might have to be prioritized over others. I would suggest such models to determine this be made now. For example: When grid issues happen, who should get the power – a factory like mine that employs 200 or a data center that uses far more power than me and employs only two dozen?

Protect the Allegheny Plateau's forests

The Allegheny Plateau, the Allegany Mountains, Appalachia...whatever you might call it...is a special place. The vast forested mountains of the counties that border Pennsylvania are quite like the Catskills and Adirondacks in environmental value, but with even more biodiversity (such as Appalachia's famed salamander populations).

The State has done a great job protecting this territory from fracking which would have destroyed the land. Now, it should be protected from other forms of energy. The wildest, most remote lands are in the southern thirds of Allegany, Cattaraugus and Steuben Counties. Those territories should be considered off-limits for solar and wind, as siting of both will negatively impact those vast stretches of forest as well as the pristine waters that come off the mountains and hills. Those areas should be managed as natural safe places with the same amount of concern that would be afforded the Adirondacks.

By doing so, the untapped woodlands will aid in CO2 sequestration and the state can also meet another goal which is independent of the Climate Act, but related in a way – the new drive to have the state be 30% conserved land.

Make more electricians...now

If there's one thing to take away from this letter, it's this: New York needs more electricians, immediately.

As someone who is in the trenches of manufacturing, I can tell you that my fellow producers and the contractors that serve us are short on talent in the skilled trades. There aren't enough electricians.

That's just for the day-to-day tasks of running the economy we have. The Climate Act will create its own economy, its own demand for such tradesmen to do any number of tasks including but not limited to: installing car charging stations at businesses; running 220-volt lines at homes for car charging; wiring solar farms; upgrading the grid; changing homes and businesses to electric heat; and so much more. There's an overwhelming amount of work to be done...and no one to do it.

My suggestion: NYSERDA and NYPA must take on major funding – and major marketing – of electrical trades programs at high schools, BOCES systems, and trade schools.

It will have to be a dramatic expenditure. The vocational programs for high schoolers should be grown, the state and authorities providing funding for supplies and facilities. Adults who opt for electrical training should have some or all of their trade school tuitions covered by the state. Apprenticeship programs at employers and in trade unions should see tax credits if not direct funding.

Much has to be done to increase the number of electricians...by the thousands. And, it has to be done now. It takes a few years for an electrician to get trained and be full competent to do the complex work that will be needed. By then, we will be well into the transition and transformation of New York's energy.

If you have any questions about any of these ideas and suggestions, please feel free to email me ([REDACTED]) or call me at my office ([REDACTED]).

Thank you for taking the time to read this tome.

Take care,

Bob Confer