



**COMMENT ON THE NEW YORK STATE CLIMATE LEADERSHIP AND
COMMUNITY PROTECTION ACT DRAFT SCOPING PLAN**

WHEREAS, Buffalo Place Inc. (Buffalo Place) is a not-for-profit organization dedicated to improving the economic health and quality of life in Downtown Buffalo, seeking to create the best possible environment in which to live, work and play; and

WHEREAS, the majority of its fifteen-member board of directors are, or represent, many of the largest property owners in Western New York, including M&T Bank, Ellicott Development Corporation, Ciminelli Real Estate, and Signature Development, collectively owning and/or managing tens of millions of square feet of commercial office space, thousands of residential units, numerous hotels, sporting facilities, and commercial spaces of all kinds; and

WHEREAS, Buffalo Place, community leaders, and the property owners within the district, have worked for years to stimulate private investment and economic development in downtown Buffalo; and

WHEREAS, on July 18, 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law in New York requiring the state to reduce greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels; and

WHEREAS, the law creates a Climate Action Council (CAC) charged with developing a draft scoping plan and final scoping plan of recommendations to meet these targets and place New York on a path toward carbon neutrality; and

WHEREAS, on December 20, 2021, the CAC voted to release the draft scoping plan for public comment; and

WHEREAS, Buffalo Place believes that the timeline provided in the CLCPA goals and the proposed actions in the CAC draft scoping plan for transition from natural gas use to electricity are not realistic and will have a devastating impact on all utility users in New York, especially Upstate and Western New York where there is an appreciably colder climate than Downstate and where there is near universal use of natural gas as a heating source; and

WHEREAS, Buffalo Place believes these impacts will force a dramatic rise in rents for tenants, as well as increased capital costs and operating expenses for building and homeowners, putting New York at a greater competitive disadvantage than the one it already faces from lower-taxed, lower-regulation states; and

WHEREAS, Buffalo Place believes investment in renovation and new buildings will likely slow significantly as construction budgets and operating costs surge because of the proposed ban on natural gas hook-ups and replacement of natural gas burning equipment; and

WHEREAS, Buffalo Place believes there is a compelling lack of generating capacity to meet the demand that would be created by this sudden transition, likely requiring years to stand up the necessary additional generation capacity, leading to an imbalance between supply and demand for electricity which would impact the reliability of the power grid; and

WHEREAS, solar and wind power, the two quickest generating capacity solutions, are intermittent, so they would require massive investments in battery storage, while nuclear or hydroelectric facilities, though reliable, take much longer to build and would face significant approval headwinds; and

WHEREAS, installation of new solar generation projects is currently hampered by global supply chain disruptions and the unknown costs to be incurred from retroactive U.S. tariffs on panel imports; and

WHEREAS, even if the incremental power required could be produced, the massive amounts of additional electricity that will require distribution will likely overwhelm the power grid, necessitating further investment and rate increases by the public utilities servicing the state, making living or doing business in New York even more expensive, forcing families and businesses with locational flexibility to consider a move out of state, putting further pressure on those that remain behind; and

WHEREAS, the proposal to disinvest in natural gas distribution infrastructure will remove an important and extraordinarily reliable option for energy distribution, without consideration for the possibility that future, low-carbon, gaseous fuels could be distributed through the existing infrastructure, or that it could provide a backup in the event of a power grid collapse; and

NOW THEREFORE, BE IT RESOLVED, we urge the CAC to recommend:

- A significantly less precipitous implementation schedule so that both utilities and end users will have time to plan, budget and execute for the transition.
- A scoping plan that accounts for the cost consequences of the required actions and does so in the context of NYS needing to at least maintain its competitive position relative to other states.
- Maintaining the natural gas distribution infrastructure so that it is available for future use as lower-carbon gaseous fuels are developed.
- Supporting investments in electrical capacity by utilities and private generators.
- Supporting property owner retrofits that increase efficiency as well as conversion to low/no carbon appliances and equipment.
- Supporting research into alternative fuel sources.

AND BE IT FURTHER RESOLVED that this resolution shall be filed with the CAC as part of the public comment period closing on July 1, 2022, and shared with elected officials of the State of New York.



Keith M. Belanger, Chairman

6/29/22

Date