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**To: Paul DeCotis, Chair and Members, Energy Planning Board**  
**Re: Comments: Framework and Draft Scope of 2009 NYS Energy Plan**  
**Date: July 3, 2008**

*This is an ambitious planning process on an ambitious schedule, but it is probably the single most important initiative that Governor Patterson can and should undertake for the benefit of New York State and its citizens in the next 12 months.*

**I. Comments on Framework for Implementing the Work of the NYS Energy Planning Board**

1. Energy Planning Board: Serious consideration should be given to enlarging the membership of the Energy Planning Board to include representation from local government, directly or in advisory capacity. The state plan will be heavily dependent on partnership with local government at the county, city, town and village level. Their input should be sought at the earliest possible time when formulating the draft plan. The state associations for Counties, Mayors, and Towns and Villages would be good starting places.

2. Public Participation and Public Hearings: Public Participation of stakeholders and the general public will be a critical factor in the successful adoption and implementation of the Plan. I would urge a minimum of nine (9) hearings as follows: Buffalo, Rochester, Syracuse, Plattsburgh, Albany, Hudson Valley, New York City, Nassau County, Suffolk County. Upstate involvement is very important and the state's three largest urban areas (after NYC metropolitan) are, in order, Buffalo, Rochester and Syracuse. Each of these urban areas draws from populated counties which naturally gravitate toward the respective urban centers--south, east, west, and north of their borders—and often have different sets of energy issues.

3. Interaction with Existing Initiatives and Planning: Add the NYS Constitution-protected Forest Preserve (Article XIV) in the Adirondack and Catskill Parks to the list of initiatives to be considered during the planning process.

**II. Comments on Draft Scope of 2009 NYS Energy Plan**

*Energy matters are central for addressing the 21<sup>st</sup> Century's primary challenge: a future that is sustainable-- ecologically, socially, and economically. Energy has moved to the front rank of international, national, state and local agendas. New York State needs to adopt a set of energy-related public policies that are aggressive, adaptive, and actionable; and needs to establish a public administration framework to implement and fulfill those policy objectives.*

1. Recommended general principles regarding the elements contained in Executive Order No.2:
  - a. Recommend fiscal policies that provide credits for renewables and that tax use of fossil fuels, especially coal.
  - b. Learn from the approach to corn-based ethanol (which is now recognized as having significant environmental, social and economic drawbacks) and cautiously implement initiatives when addressing any form or source of energy generation, including renewables.
  - c. Give strict attention to the environmental and land use consequences of accelerated drilling for gas in the Marcellus shale/southern tier counties of New York State.
  - d. Give strict attention to the site-specific environmental and land use consequences of carbon sequestration within New York State (even if the technology for doing so appears effective).
  
2. Issue Briefs:
  - a. **Forests and Land Use as Energy Sinks:** The importance of indigenous New York State resources in forestry and agriculture (in contrast to developed areas) and their significant role in combating the effects of climate change were highlighted at a recent climate change conference in Tupper Lake. There is urgent need for better understanding of how these resources can and should be counted in carbon mitigation budgets.
  - b. **Relationship/Partnership of New York State and Local Governments:** Global climate change is simply the cumulative impact of countless local decisions about how we use energy and allocate resources. A bottom up approach for addressing energy issues and needs will be as important as the more top-down approaches that are now being considered. New York State could lead the way by articulating how state and local governments can work in tandem to address the need for energy demand reduction, energy efficiency and renewables, for example.
  - c. **Energy Education:** Formal and informal energy education are fundamental if the initiatives in the energy plan are to continue cost-effectively beyond the time frames of the 2009 State Energy Plan. An Issue Brief should examine how we can best educate, (changes in behavior) current adult population and children by formal and informal methods. The goal would be to insure that the next generation(s) will have addressed energy issues cost-effectively by doing the right thing in the first place, rather than by after-the-fact corrections we are now facing.

### 3. Revise the Energy Slogan!!:

Currently the state is using 15 by 15 to represent the reduction goal for energy policy as of 2015. A new administration, a new state energy policy, and the need for an aggressive, accountable goal based on reductions from current levels or returns to previous (1990?) levels calls for a new "slogan".

2030 seems to be a reference year for many studies and bringing emissions down up to 28 percent from 2005 levels by that time has been stated in some studies. If holding the atmospheric concentration of carbon dioxide emissions to 350 parts per million is the scientifically defensible goal (it is now at 385 ppm), then New York State should set its goal proportionately to achieve the needed reductions.

### 4. Recommendation for Administrative Action to Implement the Policies, Objectives, and Strategies in the Energy Plan (element n):

New York State should establish a Department of Energy with a cabinet level Commissioner to oversee coordination, development and implementation of the state's energy policies, planning, programs, and strategies. Currently energy matters are dispersed and fragmented among several agencies and authorities including NYSERDA, PSC, DEC, Economic Development, DOT, DOS, DOH, Dormitory Authority.

When energy issues were considerably less formidable than they are today and when energy stakeholders were a small discrete number, New York had a state energy office, along with NYSERDA. NYSERDA, a national model for energy R & D, is today performing in exemplary fashion to fulfill its mandate for energy research, development and deployment, based on independent peer review assessments of priorities and needs, one very important aspect of energy. It has also assumed responsibility for energy planning and analysis, and functions as the state's "energy agency". If NYSERDA is to retain its reputation for credible, independent, peer-reviewed funding of energy R&D, it would be inappropriate to have it assume some of the expanded responsibilities and functions of a state Department of Energy.

The fifteen (15) elements to be included in the 2009 Energy Plan and the ten (10) or more Issue Briefs go far over and above what NYSERDA, the PSC and other agencies currently are mandated to address. They reinforce the very reasons for this call for a state Department of Energy.

**The best of public policies and plans will falter if there is no public administration structure to implement and fulfill those policy and planning objectives. With the dispersion and fragmentation of energy matters among multiple agencies, a system designed or created by default in a different era, New York State lacks a suitable state agency with the authority or staffing to implement:**

**\*state energy policy, planning and advocacy;**

**\*serve as the interface among state agencies and between state and local governments;**

**\*effectively communicate with, inform and interact equitably with utilities and energy service providers, business, industry and investment sectors, nonprofit public interest and educational organizations;**

**\*coordinate the range of state energy matters with federal and international initiatives;**

**\*serve as the state's forum to support energy education and the public's right to participate in decision-making related to energy matters.**

A small task force, with representatives skilled in public administration, from executive and legislative branches, utilities, business and investment sectors, public interest groups, higher education, schools, and associations of counties, towns and mayors should flesh out details of staffing and functions for a state Department of Energy to insure the success of Governor Patterson's critically important 2009 Energy Plan.

*Elizabeth Thorndike is, or has been, a founder, director, or board member of many nonprofit organizations, including the Center for Environmental Information, Adirondack Research Consortium, Association for Protection of the Adirondacks, Adirondack Park Institute, Sierra Club and Cayuga Lake Watershed Network.*