

ADOPTED
RESOLUTION NO. 2018-260

Resolution Opposing Cayuga Operating Company's Proposal to Convert to Natural Gas, Urging the Department of Environmental Conservation to Require an Environmental Impact Statement with Full Public Scoping, and Urging the Governor to Support Cayuga's Transition to Renewable Energy and Energy Storage and Provide Transition Support to the Plant Workers and to the Lansing Town and School District

WHEREAS, on April 27, 2018, the Cayuga Operating Company, LLC in Lansing, NY (Cayuga), submitted an application to the New York State Department of Environmental Conservation (DEC) to modify its Title V Air Emissions Permit to convert one or more of its generating units from burning coal to burning natural gas, and

WHEREAS, the Tompkins County Legislature recognizes that the project would represent a significant investment in the community with a corresponding impact on the tax base and job preservation, and

WHEREAS, Cayuga's application states that the requisite natural gas would be supplied in the form of compressed natural gas (CNG) delivered by 30 CNG powered trucks per day, and Cayuga's press release states that it would be delivered by an average of 25 - 60 trucks per day, thereby generating 50 -120 truck trips per day through numerous villages, towns, and cities in Tompkins County and other Southern Tier counties and creating a substantial increase in traffic in those communities, and

WHEREAS, CNG transport trucks in other regions of New York State have experienced multiple traffic incidents including two occurrences of spontaneous venting of gas (5/27/17 Binghamton, NY, resulting in closure of four lanes of Interstate, 6/18/18 Little Falls, NY) and 3 rollovers (9/12/17 Hartwick, NY; 6/2/18 Bethlehem, NY; 7/11/18 Exeter, NY - necessitated venting, evacuation within one-quarter mile and road closure for 12 hours) and have caused quality of life and safety concerns for residents along the truck route, and

WHEREAS, Cayuga's proposal would create a material demand for numerous daily CNG transport truck trips through the Southern Tier and Tompkins County, thereby creating a danger to human health and constituting a potentially significant adverse impact on the environment, and

WHEREAS, Cayuga has been operating for 63 years and uses outdated and inefficient steam-turbines to generate electricity, and nationwide 95% of plants of Cayuga's age and type have ceased operations, and

WHEREAS, in anticipation of Cayuga's outage, in August 2010 New York State Electric and Gas (NYSEG) completed transmission line upgrades from Cortland to the Etna substation to ensure reliable electric supply to Tompkins County independent of the Cayuga plant, and in July 2017 transmission line upgrades were completed in Auburn to similarly address reliability needs there, hence power from the Cayuga plant is no longer needed for regional reliability, and

WHEREAS, a fire in April 2016 severely damaged Generating Unit 2's stack and since then it has operated at only 4% capacity and since July 1, 2018, it has been on forced outage, and

WHEREAS, a substantial body of scientific research now clearly shows that when full life-cycle, fugitive methane emissions are taken into account and methane's global warming potential is evaluated in a 20-year timeframe, conversion from coal to gas does not provide any reduction in global warming impacts from greenhouse gas emissions, and in many instances is worse, and

WHEREAS, Cayuga's proposal would result in a major change in the quantity and type of energy used by its generating units, thereby constituting a potentially significant adverse impact on the environment, and

WHEREAS, the 2015 Tompkins County Comprehensive Plan established the principle that "Tompkins County should be a place where the energy system meets community needs without contributing additional greenhouse gasses to the atmosphere," and established the policy to "Reduce greenhouse gas emissions (GHG) to reach a minimum 80 percent reduction from 2008 levels by 2050 and reduce reliance on fossil fuels across all sectors," and

WHEREAS, in New York State's Clean Energy Plan, Governor Cuomo established GHG reduction goals of 40% by 2030, and the Reforming the Energy Vision (REV) and Clean Energy Standard initiatives articulate a vision for achieving that goal through reliance on renewable energy resources and energy conservation, and in 2017, New York State published a Methane Reduction Plan, recognizing that methane "is second to carbon dioxide in its contribution to climate change as a result of its high volume in the atmosphere and strong radiative effects", and

WHEREAS, Governor Cuomo has committed New York State to a leadership role in upholding the goals of the Paris Climate Accord, and the October 8th Special Report of the United Nations' Intergovernmental Panel on Climate Change (IPCC), evaluating progress on meeting the goals of the Paris Climate Accord, states unequivocally that we must rapidly reduce greenhouse gas emissions (GHG) by at least 40% over the next 12 years in order to avoid catastrophic tipping points, and the report specifically cites reduction of short-lived climate pollutants such as methane, black-soot and hydro fluorocarbons as an essential aspect of that GHG reduction, and

WHEREAS, Cayuga's proposal would result in an increase in carbon dioxide and methane gas emissions that would be in direct and material conflict with Tompkins County current energy goals and policy as stated in its Comprehensive Plan, as well as being in conflict with New York State's energy goals and the urgent global imperative articulated by the IPCC, thereby constituting a potentially significant adverse impact on the environment, and

WHEREAS, the New York State 2013 Energy Highway Blueprint does not support keeping uneconomic power plants online if they have not been deemed necessary for reliability purposes, but recognizes the economic impact that power plant retirement can have on workers, local economies and municipal and school tax base, and therefore urged the DEC to work with other State Agencies to develop a "Community Support Plan to mitigate the near-term strain on communities that demonstrate significant hardship arising from the retirement of a fossil-fuel power plant", and

WHEREAS, the combination of renewable energy and energy storage is better for the environment, and is increasingly found to be more economic than gas peaker plants, and Governor Cuomo has set a goal of 1500 MW energy storage by 2025 and a recent review by the NYS Public Service Commission shows that even more ambitious goals of up to 3000 MW by 2030 are achievable, and

WHEREAS, hundreds of community members spoke to the Legislature with a largely unanimous voice both in person and in written statements in support of making the strongest possible statement against repowering the plant with natural gas, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature finds that Cayuga's proposal to convert a non-operating, inefficient, coal-burning steam-turbine unit to natural gas fuel, resulting in increased CO₂ and methane emissions, is incompatible with the urgent global imperative to reduce reliance on fossil fuels, and will result in significant adverse environmental impacts in Tompkins County and other Southern Tier communities with regard to traffic, public safety, and poses a direct and material conflict with Tompkins County's and New York State's energy policies and greenhouse gas reduction goals,

RESOLVED, further, That the Tompkins County Legislature therefore opposes Cayuga’s request for a modification of their air emissions permit to allow conversion to burn natural gas,

RESOLVED, further, That, at a minimum, a full Environmental Impact Study (EIS) and formal public scoping process, soliciting input from all impacted communities, should be required in connection with the DEC’s consideration of Cayuga’s proposal,

RESOLVED, further, That the EIS should take into account the full life-cycle methane emissions - including out of state emissions - and should assess global warming impacts (radiative forcing) on a twenty-year time horizon,

RESOLVED, further, That the Tompkins County Legislature fully supports that portion of the proposal that would install solar and storage capacity and urges Governor Cuomo to prioritize and provide needed support to assist Cayuga’s conversion to renewable energy and storage upon retirement of all fossil-fuel power generation at their site,

RESOLVED, further, That the Tompkins County Legislature requests that Governor Cuomo work with the State Legislature and State Agencies to provide transition support to the plant workers and support to the Lansing Town and School District to mitigate tax impacts of plant closure, as Lansing will be eligible under the State’s program through the urban Development Corporation,

RESOLVED, further, That a copy of this resolution be sent to Governor Andrew Cuomo, NYS DEC Regional Permit Administrator, Commissioner Basil Seggos, NYS PSC Commission Chair John Rhodes, State Senator Pamela Helming, State Senator Thomas O’Mara, State Senator James Seward, Assemblywoman Barbara Lifton, Assistant Secretary for Energy Peter Olmsted, Deputy Secretary for the Environment Venetia Lannon, Matthew Marko, DEC Regional Director, Region 7, Thomas Elter, DEC Environmental Engineer, Air Quality Division Region 7, and Joseph Dlugolenski, DEC Deputy Region 7.

SEQR ACTION: TYPE II-20

RESULT:	ADOPTED [12 TO 2]
MOVER:	Anna Kelles, Member
SECONDER:	Anne Koreman, Member
AYES:	Black, Champion, Dawson, Granison, John, Kelles, Klein, Koreman, Lane, McBean-Clairborne, McKenna, Robertson
NAYS:	Glenn Morey, Michael Sigler

STATE OF NEW YORK)
) ss:
 COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Tompkins County Legislature on November 20, 2018.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Legislature at Ithaca, New York, on November 21, 2018.

Catherine Covert, Clerk
 Tompkins County Legislature