



EANY SUPPORTS Prohibit New Fossil Fuel Power Plants



[A.6761-A \(Mamdani, et al.\)](#)

[S.5939-A \(Ramos, et al.\)](#)

Explanation:

This bill prohibits the development of new fossil fuel powered electric generation facilities unless the developer is addressing a reliability need that cannot be addressed by alternate means, through any combination of transmission, zero emission generation, energy storage, demand response and energy efficiency.

The Climate Leadership and Community Protection Act (CLCPA) set New York on a path to a zero emissions electric grid by 2040, with no less than 70-percent of that power coming from renewables by 2030. The law also requires agencies to account for impacts on the state's ability to meet the climate and equity mandates of the climate law when making decisions on matters such as permitting and siting projects.

The development of new fossil fuel fired plants is clearly inconsistent with the CLCPA mandate of an emissions free grid by 2040, yet some developers are still attempting to move forward with expensive, time consuming approval processes. The siting process forces state agencies to dedicate limited staff and resources that could otherwise be put towards moving New York closer to meeting the requirements of the CLCPA. Prohibiting the siting of new fossil plants, with exception of situations when a reliability need is identified and no other solutions are viable, will send a message to the industry that New York's clean energy future has no place for fossil fuels.

Summary:

The legislation amends the Public Service Law and the Environmental Conservation Law to prohibit the development of any new major electric generating facilities powered in whole or in part by any fossil fuel, unless the developer of such facility can demonstrate a reliability need for such facility, and that there is no other reasonable method to satisfy such need.