

The Summer Vacation Road Trip Passes Through a Changing Climate

By: John L. Parker

The summer is upon us, and vacation season is about to begin for millions of Americans. With travel reopening for destinations around the world, it is likely that travelers will see evidence of increasing temperatures and weather extremes both here and abroad. The heat-trapping effect of carbon dioxide is more evident than ever because it is at its highest concentration level in the atmosphere in at least 4 million years.

New York's efforts to comprehensively address climate issues began in earnest in 2019, with the Climate Leadership and Community Protection Act or Climate Act. It set climate change goals at a 100% reduction in greenhouse gas emissions by 2050, with an incremental target of 40% reduction by 2030. The law sets forth a process to develop the pathway to achieve climate goals. The Climate Action Council took that next step by releasing its Draft Scoping Plan in December 2021. ¹It extended the public comment period to July 1, 2022. ²The Draft Scoping Plan is ambitious and comprehensive, addressing topics ranging from the transportation sector including cars and trucks, the heating of our homes, and environmental justice issues and a just transition. Public feedback has been incredible, and the state is on its way to receiving almost 20,000 comments by the public comment deadline.

The Climate Act is having immediate effects. Last Fall, New York rejected a permit application needed to upgrade the existing Danskammer electric power plant on the Hudson River. The applicant argued that the \$500 million in upgrades were for a more efficient and more environmentally beneficial facility than the one it would replace. They were rejected by the Department of Environmental Conservation because it "would be inconsistent with or would interfere with the statewide greenhouse gas emissions limits established" in the Climate Act. The applicant challenged the denial in court. In its 77-page ruling, the court upheld the authority to deny the permit because absent such authority, the immediacy and urgency of achieving greenhouse gas reductions set forth in the law would be rendered toothless.

¹ <https://climate.ny.gov>

² <https://tinyurl.com/bdff7b3j>

The impact this decision will have on similar projects is not yet known. But the decision underscores the urgency to address climate issues that is now enshrined in state law. It also demonstrates the importance of the burgeoning power of the wind turbine industry taking shape off the coast of Long Island, the solar energy sector on Long Island, and the significant support services these industries will need to successfully replace fossil fueled power sources. The electrification of the economy will be more and more reliant upon renewable sources as demand increases. The court case and the Draft Scoping Plan also demonstrate something profoundly important - our climate future will be shaped, in part, by public comments. Please submit your comments.

The decision in *Danskammer Energy, LLC v. New York State Department of Environmental Conservation, et al*, Index No. EF008396-2021 was filed on June 8, 2022