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DOCKET NUMBER P-15332

February 12, 2024

The Honorable Willie Phillips, Jr., Chairman  
The Honorable James Danly, Commissioner  
The Honorable Allison Clements, Commissioner  
The Honorable Mark Christie, Commissioner  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: DOCKET NUMBER P-15332 FERC APPLICATION BY YORK ENERGY STORAGE (YES)  
FOR THE APPROVAL OF A PRELIMINARY PERMIT APPLICATION FOR A PUMP  
STORAGE PROJECT AT CUFFS RUN ON THE LOWER SUSQUEHANNA RIVER IN  
PENNSYLVANIA

Dear Chairman Phillips and Commissioners Danly, Clements, and Christie:

We, the undersigned elected officials of Lancaster and York Counties in Pennsylvania, believe that York Energy Storage LLC (YES) should not be granted the application for a preliminary permit filed to the Federal Energy Regulatory Commission (FERC) on November 14, 2023, assigned docket number P-15332. This application follows a preliminary permit application filed by York Energy Storage LLC on February 10, 2023, under docket P-15303, which FERC rejected.

The previous and current applications are for a proposed 225-foot-high, 1.8-mile-long dam and power turbine pump storage facility along the lower Susquehanna River at Cuffs Run in York County, Pennsylvania. This pump storage project will flood 580 acres of a protected landscape rich with natural, cultural, and recreational resources.

The landscape of the lower Susquehanna River gorge has been recognized by both the Commonwealth of Pennsylvania and the federal government as a landscape worthy of protection and investment. This area was designated as a Conservation Landscape by the Commonwealth in 2010 and a National Heritage Area by an Act of Congress in 2019<sup>1</sup>. Per the final Susquehanna National Heritage Area Management Plan submitted by the Susquehanna Heritage Corporation, the entirety of Lancaster and York Counties, including the Susquehanna River between them, is designated as the

<sup>1</sup>Text - S.47 - 116th Congress (2019-2020): John D. Dingell, Jr. Conservation, Management, and Recreation Act. (2019, March 12). <https://www.congress.gov/bill/116th-congress/senate-bill/47/text>

National Heritage Area.<sup>2</sup> National Heritage Areas are designated by Congress as places where natural, cultural, and historic resources combine to form a cohesive, nationally important landscape. National Heritage Areas are lived-in landscapes, with grassroots, community-driven approach to heritage conservation and economic development. Consequently, these entities collaborate with communities to determine how to make heritage relevant to local interests and needs.

As such, this proposed project along the Susquehanna River and adjacent shoreline would be disruptive to the mission of the Susquehanna National Heritage Area. This proposed project would also impact the Capitan John Smith Chesapeake National Historic Trail, which follows the Susquehanna River along the York County riverbank<sup>3</sup>.

In the last 10 years, over \$100 million has been invested by non-profits, municipalities, county, state, and federal governments, to create a thriving outdoor recreation and tourism economy, an economy that will be threatened by yet another power generation facility on this stretch of the river.

This project, if allowed to proceed, would destroy preserved farms, a regional scenic trail, the viewshed of a popular multimodal rail trail, and forested lands needed to help protect the ecological health of this landscape and an already impaired waterway<sup>4</sup>. The proposed York Energy Storage LLC project would irrevocably damage the most pristine area of the lower Susquehanna. The impacted area is one of the last bits of unprotected nature left on the river, and we believe it is worth fighting for. Additionally, nearly forty families could be displaced as a result of this project.

We understand the need for renewable energy solutions; however, we believe that any net environmental benefits from additional low-carbon energy will be outweighed by the loss of trees and farmland. As part of its review, we argue that FERC should consider the disproportionate burden placed on the residents along the lower Susquehanna, as well as study the impact this proposed dam would have on the whole of the Chesapeake Bay watershed. The residents who live and work along the Susquehanna River and visit for recreation from the Maryland border to our northern neighbor of Dauphin County are already served by six existing energy generation facilities.

Additionally, there are already three hydroelectric dams on the Lower Susquehanna between York and Lancaster Counties: Holtwood Dam, Safe Harbor Dam, and York Haven Dam<sup>5</sup>. York Haven alone produces enough clean power to support over 13,000 homes. To top it off, both the Muddy Run Pumped Storage Facility and Peach Bottom Nuclear Power Plant also provide clean energy to the region. The energy produced by Peach Bottom supports nearly 2 Million homes.

According to the Energy Information Agency at the Department of Energy<sup>6</sup>, hydroelectric power is the third least consumed power source in Pennsylvania, with only 10.7 trillion BTUs of

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<sup>2</sup> *Susquehanna National Heritage Area Management Plan*, September 2022, pp. 395-413. [https://susqnha.org/wp-content/uploads/2022/09/RESUBMITTED-FINAL-DRAFT-to-NPS-SUSQ\\_MP\\_ALL\\_09-28-22-compressed.pdf](https://susqnha.org/wp-content/uploads/2022/09/RESUBMITTED-FINAL-DRAFT-to-NPS-SUSQ_MP_ALL_09-28-22-compressed.pdf)

<sup>3</sup> National Park Service, "Interactive Trail Map." <https://www.nps.gov/cajo/planyourvisit/maps.htm>

<sup>4</sup> Bay Journal, "Hydro Project on Susquehanna River Draws Controversy." April 10, 2023, [Hydro project on Susquehanna River draws controversy | Climate Change | bayjournal.com](https://www.bayjournal.com/news/maryland/2023/04/10/hydro-project-on-susquehanna-river-draws-controversy/)

<sup>5</sup> Susquehanna National Heritage Area, "RiverRoots: Power of the River," <https://susqnha.org/riverroots-power-of-the-river/>

<sup>6</sup> Energy Information Agency, "Pennsylvania State Profile and Energy Estimates," 2021, <https://www.eia.gov/state/?sid=PA>

hydroelectricity consumed, while 791.6 Trillion BTUs of nuclear energy and 1,868.1 Trillion BTUs of natural gas were consumed. Hydroelectricity's contribution to Pennsylvania's total energy consumption is .244% of the state's total consumption. There is no reason why this proposed project should move forward, destroying protected farmland and ecosystems, for an energy source that is a rounding error in the state's total consumption numbers.

In 2012, FERC considered the work of the Susquehanna Riverlands Conservation Landscape partners in its decision to remove lands from the Holtwood boundary for transfer and protection (143 FERC ¶ 62,216). That was a groundbreaking decision based on sound reasoning.

We stand united in opposition to this project and York Energy Storage LLC's application.

Thank you for considering our thoughts regarding the need to deny the application by York Energy Storage LLC and to respect the decades of hard work and millions of dollars of investment made to preserve our unique landscape, protect our natural resources, and grow a thriving outdoor tourism economy that will support our community for generations to come.

Submitted respectfully,



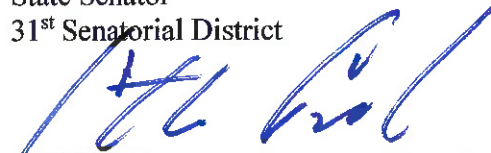
Rep. Lloyd Smucker  
Member of Congress  
11<sup>th</sup> Congressional District



Kristin Phillips-Hill  
State Senator  
28<sup>th</sup> Senatorial District



Mike Regan  
State Senator  
31<sup>st</sup> Senatorial District



Chris Gebhard  
State Senator  
48<sup>th</sup> Senatorial District



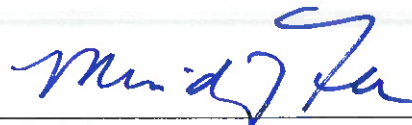
Wendy Fink  
State Representative  
94<sup>th</sup> Legislative District



Scott Martin  
State Senator  
13<sup>th</sup> Senatorial District



Ryan Aument  
State Senator  
36<sup>th</sup> Senatorial District



Mindy Fee  
State Representative  
37<sup>th</sup> Legislative District



Brett Miller  
State Representative  
41<sup>st</sup> Legislative District



Keith J. Greiner CPA  
State Representative  
43<sup>rd</sup> Legislative District



Joe D'Orsio  
State Representative  
47<sup>th</sup> Legislative District



Ismail Smith-Wade-El  
State Representative  
49<sup>th</sup> Legislative District



Dawn Keefer  
State Representative  
92<sup>nd</sup> Legislative District



Mike Jones  
State Representative  
93<sup>rd</sup> Legislative District



Carol Hill-Evans  
State Representative  
95<sup>th</sup> Legislative District



Mike Sturla  
State Representative  
96<sup>th</sup> Legislative District



Steve Mentzer  
State Representative  
97<sup>th</sup> Legislative District



Tom Jones  
State Representative  
98<sup>th</sup> Legislative District



Dave Zimmerman  
State Representative  
99<sup>th</sup> Legislative District



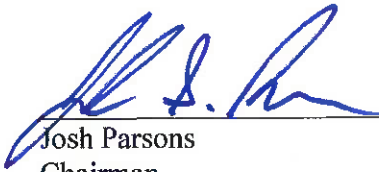
Bryan Cutler  
State Representative  
100<sup>th</sup> Legislative District



Kate Klunk  
State Representative  
169<sup>th</sup> Legislative District



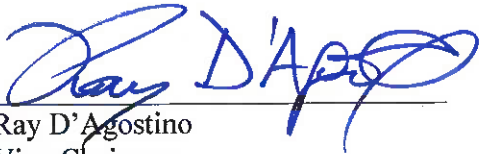
Seth Grove  
State Representative  
196<sup>th</sup> Legislative District



Josh Parsons  
Chairman  
Lancaster County Board of Commissioners



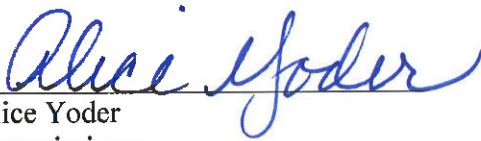
Julie Wheeler  
President Commissioner  
York County Board of Commissioners



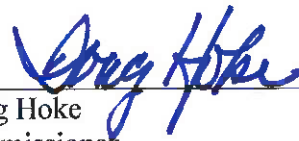
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Lancaster County Board of Commissioners



Scott Burford  
Vice President Commissioner  
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