A.862-B (Woerner, et al.)

S.2962-B (Parker, et al.)

**Explanation:**
The Climate Leadership and Community Protection Act (CLCPA) was called by *The New York Times*, “one of the world’s most ambitious climate plans.” It is a label that is justified because the law not only requires all sectors of the economy to be powered by clean renewable energy, but also requires equity and justice for historically disadvantaged communities.

Clean energy supply standards such as a “low carbon fuel standard” fail two key tests of the CLCPA:

1) **LCFS does not address environmental injustices and allows for pollution to continue overburdening environmental justice communities**

The [draft climate action plan](#) from the State Climate Action Council (CAC) states that clean energy supply standards “would not provide a mechanism for addressing any hotspots” where pollution could rise. It further states that “it would be difficult to mitigate any regressive impact of a clean fuel supply standard because no revenues are generated that could be used for rebates. The Climate Justice Working Group (CJWG), created by the CLCPA to advise the CAC, opposes clean fuels standards as they do not prioritize reduction of pollution in disadvantaged communities and the program design does not ensure that 40% of the funding will be spent in disadvantaged communities; both requirements of the CLCPA.

2) **LCFS perpetuates the usage of oil and gas and fossil fuel infrastructure**

Unlike the CLCPA, which sets up a robust process to develop the programs and policies the State should adopt to achieve the mandate of net zero reduction in greenhouse gas emissions by 2050, this bill develops a program that, by design, provides incentives to an industry that will be reliant on the continued use of internal combustion engines in New York State.
The draft climate action plan presents different potential scenarios to meet the climate law’s goals. The near-total electrification option is better for the health of New York’s people and economy than the path that uses other strategies like low carbon fuel standards. Full electrification achieves $30 billion more in net benefits from avoided greenhouse gas emissions and avoided public health costs. Furthermore, New York should not be encouraging fleet owners to transition from one combustible fuel to another when the CLCPA has a goal of zero-emissions.

**Summary:**
This bill amends the Environmental Conservation Law to require the Department of Environmental Conservation to adopt regulations setting a standard requiring a 20 percent reduction in the carbon intensity from the on-road transportation sector by 2030 and a system of tradable credits that fuel providers can utilize to offset their continued polluting. The B print of the bill includes amendments intending to address the need to align funding from this program with the mandates of the CLCPA and to involve the CJWG in program design. The amendments do not change existing requirements on state agencies and authorities, nor do they change the fundamental flaws of clean fuel standards.