

Environmental

Advocates

NY

EANY OPPOSES



Memo #52

Clean Fuel Standard

No same-as

[S.1292 \(Parker, et al.\)](#)

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.

To meet the state’s climate goals, New York must transition away from vehicles powered by internal combustion engines and into zero emission vehicles across all classes. Clean energy supply standards such as a “low carbon fuel standard” fail key tests of the CLCPA. The bill runs counter to the intent of the Climate Leadership and Community Protection Act (CLCPA) by creating a scheme that could perpetuate and even increase the state’s reliance on natural gas.

Unlike the CLCPA which sets up a robust process to develop the programs and policies the state should adopt to achieve the 100% net zero reduction in greenhouse gas emissions by 2050, this bill mandates the creation of a program that, by design, provides incentives to an industry whose success is predicated on the continued use of internal combustion engines in New York State.

The CLCPA has strict limitations on how offsets can be applied to meet the state’s emission reduction goals, including a prohibition on offsets involving the use of biofuels for transportation. A low carbon fuel standard will allow the oil and gas industry to continue to offer emissions intensive products in the communities they serve by allowing for the purchase of offset credits from lower carbon fuel alternatives located elsewhere.

The creation of incentives and a scheme of tradable credits to encourage the production of biomethane as a transportation fuel will serve as an excuse to build out gas infrastructure even as the state is transitioning off fossil fuels. Biomethane is interchangeable with natural gas, utilizing the same leaky networks of pipelines and distribution systems. Vehicles fueled by biomethane can also run on natural gas, which they will use when the extremely limited supply of biomethane is exhausted. **New York should not be encouraging fleet owners to transition from one combustible fuel to another when the overall goal is zero-emissions.**

Electric vehicle technology is rapidly evolving, becoming more affordable and efficient for all vehicle classes, including medium and heavy-duty vehicles. New York should be developing programs and policies to ensure equitable access to electric vehicles and charging infrastructure. An electrified transportation system powered by 100-percent clean, renewable energy will keep us on the right track toward achieving that state's climate goals and eliminating the tailpipe pollution that is suffocating our communities.

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 2031 and a system of tradable credits that fuel providers can utilize to offset their continued polluting.