



Memorandum of Opposition to S. 6030 (Parker)

An act to amend the environmental conservation law and the public service law, in relation to the state greenhouse gas emission accounting system

Summary

Earthjustice strongly opposes S. 6030. This legislation would gut New York's efforts to reduce greenhouse gas emissions by altering the way the State accounts for emissions of methane, a powerful greenhouse gas; prohibiting New York from including carbon dioxide emissions from biogenic sources in the State greenhouse gas inventory; and improperly designating some energy sources that increase of greenhouse gas emissions as "renewable energy systems."

Explanation

This legislation would undermine New York's work to meet the mandates of its landmark climate law, the Climate Leadership and Community Protection Act ("CLCPA") by requiring the use of a 100-year timeframe for methane instead of a twenty-year timeframe. The outdated 100-year timeframe vastly undercounts methane's climate impacts, and this change would prevent decisionmakers from accurately assessing the harms of methane-based fuels and require the state to reevaluate its greenhouse gas inventory and Scoping Plan, delaying urgently needed action.

New York has demonstrated climate leadership by adopting a science-based greenhouse gas accounting system. According to the Intergovernmental Panel on Climate Change, methane remains in the atmosphere for under two decades and is 87 times more powerful as a greenhouse gas than carbon dioxide over a twenty-year period. The use of a twenty-year global warming potential is critical for capturing the true climate impacts of methane emissions that occur during the production and transportation of natural gas. Adopting the 100-year global warming potential would act as an accounting trick, making it look like gas companies had significantly reduced their emissions overnight when in fact they had done nothing at all.

S. 6030 would further hobble New York's climate efforts by excluding biogenic emissions from the State's greenhouse gas inventory and treating forest biopower and anaerobic digestion as "renewable energy systems," even though these energy sources can result in significant net greenhouse gas emissions. The CLCPA intentionally did not designate these sources as renewable because the law seeks to eliminate greenhouse gases to the greatest extent possible.

The legislation would act as a giveaway to gas companies seeking to prolong reliance on gas and delay the transition to a renewable energy economy. To achieve the CLCPA's mandates New York must rapidly develop wind, solar, and energy storage capacity: an accounting system that conceals the climate impacts of combustion fuels will only hold the State back.

The proposed change to New York's greenhouse gas accounting system would weaken the CLCPA by putting a thumb on the scale for gas. Meeting our climate mandates requires moving away from combustion fuels and towards true clean energy solutions like electrification. Earthjustice opposes S. 6030.