

# ELECTEDS, CLIMATE ADVOCATES REJECT POISON PILL TO GUT NY'S NATION-LEADING CLIMATE ACT

*New bill (S.6030 Parker/A.6039 Barrett) w/reported interest from Gov. Hochul would totally undercut New York's efforts to reduce greenhouse gas emissions*

ALBANY, NY (04/03/2023) (readMedia)-- A new bill (S.6030 Parker/A.6039 Barrett) backed by the fossil fuel lobby, which the Governor's office is reportedly entertaining, would gut New York's nation-leading efforts to fight climate change by changing the way NYS accounts for methane emissions. The bill would require the use of a 100-year timeframe for methane instead of the 20-year timeframe currently mandated by the Climate Leadership and Community Protection Act. This would result in a vast undercounting of methane's climate killing impacts and undermine all of NYS's work to mitigate the worst of climate change. It would also allow highly polluting bioenergy to qualify for renewable energy subsidies in New York. Just last week, the Intergovernmental Panel on Climate Change warned that the planet will cross a critical and dire threshold for global warming within the next decade if we don't quickly and drastically reduce our dependence on fossil fuels.

The NYS Senate included many critical environmental measures in its one-house budget, but this bill would be a poison pill. The statewide environmental movement joined together in Albany to tell Governor Hochul - who claims to be a climate leader - that the environmental community will not support ANY deal that includes S.6030/A.6039, otherwise it's game over for our fight against climate change.

[Watch the presser here.](#)

"The CLCPA is a national model for how states can and must mitigate climate change. The Parker/Barrett bill is a direct attack on that achievement and makes a mockery of any claims the Governor and Legislature might make to be a climate leader," said **Lisa Marshall, Director of Advocacy and Organizing New Yorkers for Clean Power**. "Governor Hochul, who do you represent? New Yorkers, or the fossil fuel industry who raked in \$200 billion in profits last year on the backs of hard-working New Yorkers. Defend our good climate law and implement the climate plan with legislation, like the NY HEAT Act, that will take us forward, not back."

"Governor Hochul's attack on the state's landmark climate law is unconscionable. At a time when scientists are begging governments around the world to move faster, our governor seems intent on bending to the will of the fossil fuel lobby. New Yorkers won't stand for this, and we won't be gaslit into believing that burning more fracked gas is somehow a step forward. It's time for Governor Hocul to wake up and reject this proposal to weaken our most important climate law," said **Alex Beauchamp Northeast Region Director, Food & Water Watch**.

"This bill fundamentally undermines the State's Climate Act and delivers a body blow to the nation-leading law," said **Blair Horner, NYPIRG Executive Director**. "It would also allow highly polluting bioenergy to qualify for renewable energy subsidies. There have been no hearings, no committee votes, no public debate. And at the 11th hour, this legislation is reportedly under consideration as part of the secret negotiations around the state budget. The Governor and Legislature should immediately reject this special interest scheme to undermine New York's science-based law which currently allows decision

makers to accurately assess the harms of methane-based fuels and provides the basis for urgently needed climate action."

**Liz Moran, New York Policy Advocate for Earthjustice**, said, "Governor Hochul would side with the fossil fuel industry to torpedo New York's landmark climate law, along with her own budget proposals to address the climate crisis, should she move forward with a proposal to weaken the state's accounting for methane emissions. By making gas falsely appear less polluting than it is, the very communities the climate law sought to protect would be devastated by the changes proposed in this bill. The Governor and the Legislature still have the opportunity to make this a winning budget for the climate, but that is thrown to the wind if they cave to fossil fuel interests to gut New York's climate law."

In a memo opposing S.6030/A.6039 (attached), **Earthjustice writes**: "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."

"Instead of allying with the gas and biofuel industries in their attempt to roll back New York's climate law, Governor Hochul should be trying to actually meet its mandates. We can't get out of the climate crisis with accounting tricks and greenwashing," said **Assemblymember Zohran Mamdani**. "New York's climate plan is clear: we need to phase out all fossil fuels as quickly as possible, build renewable energy, and electrify everything. No more gas expansion, false solutions, loopholes, or delays. Millions of lives and the future of human civilization as we know it are on the line."

"I am alarmed at the very recently introduced bills which would undermine key objectives of the Climate Leadership and Community Protection Act - which is New York's landmark adoption of goals to transition to carbon-free energy sources. The bills would roll back goals for the reduction of methane emissions - methane is the primary component of natural gas and a byproduct of oil and coal production and use. I am joined by colleagues in the Legislature pushing back against these bills as we've only begun our efforts to combat the Climate Crisis," said **Assemblymember Chris Burdick**.

**Assemblymember Jo Anne Simon** said, "We must reject this poison-pill proposal that would gut our state's efforts to fight climate change. A key aspect of our state's 2019 climate law is the use of methodology that accounts for the global warming effects of methane gas over a 20 year period, instead of the outdated standard of 100 years. This attempt by the fossil fuel industry to roll back our laws would have disastrous effects on our climate by encouraging development using toxic gasses and inaccurately accounting for the environmental damage caused by methane. We cannot risk the future of our planet by caving in to the fossil fuel industry, who want nothing more than less accountability and oversight, which is why I reject this bad-faith legislation."

"It is deeply concerning to hear that this bill could be passed through the budget process and may be traded for essential climate legislation such as the All-Electric Building Act. I urge my fellow lawmakers to

prioritize the long-term health and safety of our constituents and our environment," said **Assemblymember Steven Raga**.

"I strongly oppose weakening the emission standards of the CLCPA. We should be making every effort to fully transition to renewables as quickly as possible, not making accommodations to the fossil fuel industry," said **Assemblymember Robert Carroll**.

"The CLCPA has appropriately aggressive goals and we should continue to work towards them. In the event that certain vehicles need more time and technology to convert to renewable energy, you provide a specific temporary exemption, you do not change the standard," said **Assemblymember Deborah Glick**.

"When we passed the Climate Act, we made New York a model for the nation," said **Jessica Azulay, Executive Director of Alliance for a Green Economy (AGREE)**. "But this attempt to protect corporations by greenwashing gas would sabotage that model's very foundations. Too many New Yorkers have fought for too long to put us on track to a future we can be proud of—we will not let the fossil fuel industry steal it from us behind closed doors."

"Our Climate Law, enacted with a lot of fanfare in 2019, requires using the 20-year global warming potential in our accounting of methane. We must continue to use it because the next 20 years are critical to turning our greenhouse gas emissions around and avoiding the tipping point. Twenty years is an entire generation, and we cannot let another one suffer the consequences of our inaction. Our children and grandchildren are depending on us to maintain our course so they have a livable climate," said **Billii Roberti, volunteer with Mothers Out Front**.

"Governor Hochul appears to be selling off our democracy and our future to the fossil fuel industry. Her legacy will be as the Governor who ignored the global call for climate action as ecosystems rapidly disappear and extractive tycoons continue to exploit and harm vulnerable communities for private profit," said **Kim Fraczek, Director of Sane Energy Project**. "Communities across the state organized for years to get the CLCPA passed using the rules of our democracy: its passage made New York State a national climate leader. The shameful Parker/Barrett bill is a desperate end run around that law and the will of the people. It is unacceptable and must be rejected out of hand."

In an opposition memo **the Energy Justice Law and Policy Center** states: "The fossil fuel industry wants to roll back the CLCPA's methane standards in order to keep their dirty infrastructure and staggering profits at the expense of New York's health, economy, and frontline communities. Instead, we must follow the science and the Scoping Plan and keep the CLCPA's 20 Year GWP. New York needs a just transition that leaves fossil fuel infrastructure behind." Read Why New York's 20 Year Global Warming Metric is Critical for Environmental Justice and Climate Action.

"S6030/A6039 is part of a larger pattern of attacks that threaten to sabotage New York's nation-leading climate law, the Climate Leadership and Community Protection Act, and roll back hard-won standards for accurately accounting the impacts of greenhouse gas emissions, particularly methane. If passed, the bill would change how the state measures methane and carbon dioxide emissions, pave the way for polluting corporations to emit without consequence, and harm the health and well-being of frontline community members who live, work, play, and pray in neighborhoods across NYS. We're calling on the state legislature to uphold the Climate Act as written into law and reject amendments that would threaten its

power to protect and prepare New Yorkers facing the worst effects of the climate crisis," said **Stephan Edel, NY Renews Coalition Coordinator**. Read NY Renews memo of opposition.

"We are in a climate emergency. Changing the way New York accounts for Greenhouse Gas Emissions Accounting will disproportionately discount co-pollutants from power plants, waste transfer stations, and highways, and have historic and ongoing harm on the quality of life in environmental justice communities," said **Eddie Bautista, Executive Director of the New York City Environmental Justice Alliance**. "NYC-EJA vehemently opposes any effort to undermine Climate Leadership and Community Protection Act. New York must move faster, not slower, in achieving an emissions-free economy. The Governor and State Legislators must not allow the fossil fuel industry and utilities to weaken what people of New York fought for in our Climate Law."

"After nearly four years of speeches trumpeting the 'most ambitious' 'nation-leading' climate law and literally zero legislative action to curtail fossil-fuels while California and Colorado eliminated gas-hookup subsidies, Washington became the first state to mandate electric heating in new construction, and Maryland adopted a 20-year global warming potential for methane, some of our 'leaders' now want to ensure that New York's climate law doesn't remain close to nation-leading even on paper. Bravos! Hard to imagine that this is the same state that passed the CLCPA into law and banned fracking," said **Anshul Gupta, Climate Reality Project**.

"I am outraged that at a time when we should be focusing on making sure the goals of New York's Climate Act are achieved, Governor Hochul and legislators like Assemblymember Barrett and Senator Parker are doing the bidding of the fossil fuel and other industries who are the ONLY ones who stand to benefit from rolling back the law," said **Bob Cohen, Policy and Research Director of Citizen Action of New York**. "We need to do everything in our power to electrify our buildings and transportation – not to give the natural gas industry a new lease on life."

"Weakening NY's climate law to match the weak federal standards is a race to the bottom, and utterly inexcusable for lawmakers to even contemplate in light of the latest IPCC synthesis report," said **Laura Haight, US Policy Director for the Partnership for Policy Integrity**, which focuses on biomass energy. "New York was the first state to end renewable energy subsidies for wood-burning biomass electricity plants, but since then Massachusetts, Hawaii, and now the European Union are taking similar action. This regressive legislation must not become law."

"350Brooklyn is appalled by this attempt to subvert the law," **Sara Gronim, co-leader of 350Brooklyn**, said. "After all the serious and informed work that went into crafting our landmark Climate Leadership and Community Protection Act, and the rigorous, science-based proposals developed by the Climate Action Council, Senator Parker and Assembly Member Barrett are asking us to play 'let's pretend.'" Substituting paper reductions for real reductions would yield worse health impacts, perpetuate climate injustice, and promote ever-more-frequent traumas from extreme weather.

"I'm a constituent of Senator Parker's and dad of three and I'm outraged that he introduced this pro-fossil fuel bill at the last minute. Now is not the time to weaken our state's climate law, but instead, to ensure it's fully funded by passing the full Climate, Jobs and Justice Package. Climate change is already hurting kids all over the state. My kids are too young to vote, but Senator Parker should be accountable to the children of his constituents, not to the fossil fuel lobby," said **Lorne Lieb, of Climate Families NYC**.

"This is a pivotal moment for our Governor and Legislative leaders. Will they stand up and represent the 70% of New Yorkers who support our constitutional right to a healthy environment or will they cozy up to the oil and gas industry terrorists that have been lying and destroying our environment for decades?" said **Irene Weiser, coordinator of Fossil Free Tompkins.**

"By using a 20-year Global Warming Potential Number, NY is more accurately weighing the detrimental impact of every ton of methane released over the next two decades. The policy mandates that flow from this analysis could potentially save us from irreversible tipping points - like thawing permafrost, burning rainforests, and melting glaciers - all of which have catastrophic and irreversible climatic impacts of their own, " said **Roger Downs, conservation director, Sierra Club Atlantic Chapter.** "The Sierra Club condemns this blatant end run around the Climate Action Plan, which will reopen the door to those who want to prolong the use of fracked gas and derail efforts to rapidly decarbonize our building and transportation sectors with all-electric solutions. We call upon Governor Hochul and legislative leaders to abandon this plan to gut the underlying strength of CLCPA with accounting gimmicks and carve outs for big polluters."

"New York's climate law has been a beacon of hope to the rest of the nation, exemplifying to other states exactly how they can rise to meet the climate emergency," said **Tim Guinee, Legislative Action Director, New York CLimate Reality Project Chapters Coalition.** "The proposed changes to the law would, it seems, reflect a cynical obeisance to industry pressure, ill-regarding potentially devastating consequences."

"In 2019, New York State became a national leader in addressing climate change when it chose to use a 20-year Global Warming Potential (GWP) for one of the most potent Greenhouse Gasses (GHG): methane. Now, four years later, we are at a critical moment at which the state has a choice to make in determining our Climate future. On the one hand, we could bow to the fossil fuel industry and weaken our Climate Law by changing the GHG accounting method for methane, thereby inviting climate catastrophe. Or we could make the resilient choice and use NY's ingenuity to pursue our ambitious, but attainable climate goals - fostering a thriving future for ourselves and our families. The urgency of this moment cannot be understated. We DO NOT have time to emit more methane, and simply cross our fingers and hope everything will be ok. Our elected leaders MUST reject any attempt to change the GHG accounting method," said **Clare Henrie, Director of Policy and Advocacy, Climate Solutions Accelerator of the Genesee-Finger Lakes Region.**

"You're either moving forward or moving backward; and this bill is definitely going to keep us from moving forward," stated **Christine Hoffer, Executive Director of the New York Geothermal Energy Organization (NY-GEO).** "Many companies and labor groups are already forging ahead with planning and workforce training/retraining efforts and utilizing both state and federal initiatives specific to clean energy. As stated by the U.S. Department of Labor, "The Inflation Reduction Act is by far our nation's largest investment in clean energy solutions to date. By pairing climate investment with the creation of good-paying jobs, the Inflation Reduction Act's unparalleled investments to fight the climate crisis will help improve job quality in clean energy industries and incentivize the expansion of workforce training pathways into these jobs." Backpedaling from a 20-year global warming potential for methane to a 100-year time frame will not appeal to the innovative, future companies and workers New York has attracted in the past and will need in the future. Senator Parker and Assembly Member Barrett's legislation tells

sustainability-minded investors, employers and employees that New York is not a climate leader, but instead a lemming following states with weaker global warming measurements to a detrimental end."

"New York's climate law is nation leading in many ways, from its aggressive economy-wide emission reduction mandates to its commitments to justice and equity for frontline environmental justice communities. A critical aspect of the law is the way it accounts for greenhouse gas emissions. This legislation guts the law by ignoring the latest science, severely undercounting the impacts of methane and opening the door to biofuels favored by the fossil fuel industry. This bill would take New York from a climate leader to a climate loser. We urge the Governor and the Legislature to stick with science and protect New Yorkers by rejecting this legislation," said **Conor Bambrick, Director of Policy for Environmental Advocates NY.**

"Almost 10 years ago, the anti-fracking movement pressed then governor Cuomo to lead on climate by banning fracking, and he listened," said **Adam Flint, Director of Clean Energy Programs at the Network for a Sustainable Tomorrow.** "Our organization helped lead that fight in the Southern Tier - what would have been ground zero for the climate & health disaster that is fracking. We have spent the last 10 years working with New York State to advance our ambitious climate plans, and this proposed law to change how New York accounts for the climate impact of methane would undermine all of that. We are calling on Governor Hochul to listen to us today, and refuse to back this ill-conceived piece of legislation, and to instead robustly fund New York's landmark climate law, the CLCPA."

"By passing the Climate Leadership and Community Protection Act (CLCPA), New York took bold leadership in the fight against climate change, adopting the most impactful pollution reduction plan in the nation to directly improve the health and wellbeing of neighborhoods and homes. This new bill is an environmental injustice. Undermining our strong climate law by weakening our emissions accounting methods will only harm New Yorkers because it ignores the reality of fossil fuel pollution in neighborhoods across the state and hinders our ability to actually implement solutions that protect people, the economy, and our environment. We must stand together as New Yorkers to say NO to industry pressure to weaken our strong climate law, and we must continue our urgent and nation-leading plans to address the climate crisis," said **Sonal Jessel, Director of Policy, WE ACT for Environmental Justice.**

Biomass Background: S.6030/A.6039 will also exclude biogenic emissions from NYS's greenhouse gas inventory and treat nonrenewable energy sources like forest biopower and anaerobic digestion as "renewable energy systems." Both cause air pollution and can result in an increase in greenhouse gas emissions. Wood-burning power plants, for instance, emit 50% more CO<sub>2</sub> emissions than coal plants, per unit of energy generated. Even assuming trees grow back, net CO<sub>2</sub> emissions from logging and burning forest wood exceed emissions from fossil fuels for decades to over a century. This is true even if the trees were harvested "sustainably." The IPCC guidelines "do not automatically consider or assume biomass used for energy as 'carbon neutral,' even in cases where the biomass is thought to be produced sustainably."