

**Adirondack Council
Alliance for a Green Economy
Campaign for Renewable Energy
Catskill Mountainkeeper
Clean Air Coalition of Greater Coeymans
The Climate Reality Project, Western New York Chapter
Climate Solutions Accelerator of the Genesee-Finger Lakes Region
Earthjustice
Energy Justice Law & Policy Center
Environmental Advocates NY
HabitatMap
Long Island Progressive Coalition
National Wildlife Federation
NYPIRG
NY Renews
Partnership for Policy Integrity
Protect the Adirondacks!
Rivers & Mountains GreenFaith
Sierra Club Atlantic Chapter
Standing Trees
Vote Solar**

Oppose Renewable Energy Subsidies for Biomass Power Plants

**A.4585 (Barrett, Hunter, Stern, Blankenbush)/S.4566 (Parker, Helming, Walczyk)
S.6030 (Parker)**

March 30, 2023

To the New York State Legislature and Governor Hochul:

Our organizations strongly oppose carving out a loophole for the ReEnergy Black River biomass plant to continue to receive renewable energy subsidies, either in the state budget or through stand-alone legislation (A4585/S4566). We also strongly oppose new legislation introduced by Senator Parker (S.6030) that significantly weakens New York's landmark Climate Leadership and Community Protection Act (CLCPA).

The CLCPA expressly excludes biomass combustion from its definition of "renewable energy resources." Biomass power plants emit 50-60% more CO₂ per unit of energy than modern coal plants. Even assuming trees grow back, net CO₂ emissions from logging and burning forest wood exceed emissions from fossil fuels for decades to over a century - long past the window of time for meaningful climate action.

A.4585/S.4566 creates a special exception for the ReEnergy biomass plant, a highly polluting facility that, in addition to forest wood, burns creosote-treated lumber, glued wood, and waste tires. This would set a damaging precedent and undermine the Act's critical climate and clean energy mandates. Last fall, 36 local, state and national organizations submitted comments to the Public Service Commission arguing that creating a special exception for ReEnergy would saddle electric customers with additional costs without advancing compliance with New York's renewable energy or climate mandates.ⁱ

S.6030 expands the definition of "renewable energy systems" in the CLCPA to include forest bioenergy and anaerobic digestion. It includes sham lifecycle accounting for bioenergy emissions by using the Argonne GREET model, which does not count the carbon emissions from biogenic sources, and explicitly requires that biomass and biofuel combustion be treated as having zero carbon emissions. Not only is this in contradiction to the science, but it is also not an "internationally accepted best practice," as the bill states. In fact, 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*" (emphasis added).ⁱⁱ Furthermore, the change from a 20-year to a 100-year timeframe after emission is heading in the direct opposite direction from where we need to go in terms of fighting climate change. The latest IPCC report calls for "deep, rapid, and sustained reductions" in emissions this decade, i.e. in the next seven years.ⁱⁱⁱ The only modeled pathway that avoids overshoot without relying on unproven carbon capture technologies requires reducing bioenergy use to below 2010 levels.

New York's climate law is one of the most ambitious and far-reaching in the nation, and the State has been working diligently at all levels to implement it. Special interest lobbying must not be allowed to derail the progress the State is making to reduce emissions and advance truly clean renewable energy.

Signed,

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ⁱ See *Response of 36 Groups to ReEnergy Holdings Petition*, 10/11/22, available at <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=15-E-0302>

ⁱⁱ IPCC Task Force on National Greenhouse Gas Inventories, Frequently Asked Questions, Q2-10, at <https://www.ipcc-nggip.iges.or.jp/faq/faq.html>

ⁱⁱⁱ IPCC AR6 Synthesis Report, Climate Change 2023, at <https://www.ipcc.ch/report/ar6/syr/>