



**MEMORANDUM OF OPPOSITION
A.6039 (Barrett) / S.6030 (Parker)**

March 31, 2023

A.6039 (Barrett) / S.6030 (Parker): to amend the environmental conservation law and the public service law, in relation to the state greenhouse gas emission accounting system.

Founded in 1991, the New York City Environmental Justice Alliance is a non-profit, citywide membership network linking grassroots organizations from low-income communities of color in their struggle for environmental justice. NYC-EJA empowers its member organizations to advocate for improved environmental conditions and against inequitable environmental burdens and climate risks through the coordination of campaigns designed to inform City and State policies. Through our efforts, member organizations coalesce around specific common issues that threaten the ability for low-income communities of color to thrive.

The New York City Environmental Justice Alliance voices strong opposition to A.6039 (Barrett) / S.6030 (Parker). Changing the way New York accounts for Greenhouse Gas Emissions Accounting from the current 20 year Global Warming Potential to 100 years would disproportionately harm the environmental justice communities where polluting sources, such as power plants, waste transfer stations, and highways, are located. The The Climate Leadership and Community Protection Act (CLCPA) codified the need to minimize the disproportionate levels of sickness and deaths from air pollution occurring in low income communities of color. If we're not accurately measuring the impact of greenhouse gas emissions, then we're not accurately accounting for current and future levels of pollution, distorting the improvements and benefits in environmental justice communities. This bill threatens to fundamentally undermine the emissions reduction mandates that are needed to make New Yorkers who reside in disadvantaged and other environmental justice communities healthier, and the future revenue from future pollution pricing including, but not limited to the Cap and Invest program currently under consideration by the Governor, State Legislature, the Department of Environmental Conservation, and the New York State Energy Research and Development Authority.

Our elected officials must protect the 20-year accounting standard in the CLCPA. Greenhouse gasses with a shorter lifetime than carbon dioxide, such as methane, have been shown to contribute significant climate damage in the first 20 years after it is emitted. A weaker 100-year calculation would—on paper only—make methane emissions appear less damaging than they actually are, which would reduce the state's response to requiring reductions and mitigations and decrease the amount of revenue collected under a pollution pricing system.

Methane emissions account for about one quarter of the global warming effect today and have been

surging since 2007; accurately accounting for their impacts is necessary to reducing and mitigating those impacts. This surge in methane emissions poses a serious near-term risk to our climate, earth, and water systems, as they are approaching tipping points that will have catastrophic knock-on effects. As [Dr. Lena Höglund-Isaksson at the International Institute for Applied Systems Analysis](#) put it, “Methane’s short lifetime means reduction of its emissions is one of the few options we still have to stay below 1.5C,” and “If you exceed that level, even temporarily, you might trigger irreversible effects [from climate tipping points].” The Intergovernmental Panel on Climate Change has made it clear that Greenhouse Gas emissions must start declining within the next few years to avert irreversible climate damage – which means that we must do our best in ensuring that the accounting method for global warming accurately reflects the urgency of the climate crisis.

The current accounting definitions for methane and other short term greenhouse gasses were continuously raised and tested throughout the drafting of the Climate Act. Moreover, the State’s Scoping Plan, which was developed based on extensive input from an array of stakeholders including scientific experts, businesses, and community stakeholders over the past three years, is predicated on using the CLCPA’s strong standards.

Let us be clear: this bill and other efforts to amend and otherwise undermine the CLCPA is primarily driven by fossil fuel interests who do not want to see the State aggressively reduce fossil gas use and associated emissions. There is no basis for this amendment except to fundamentally weaken our climate efforts.

NYC-EJA is also strongly opposed to a provision of the bill that would exclude carbon dioxide emissions generated by “the combustion of... biomass and biofuels” from the calculation of greenhouse gas emissions limits in the CLCPA. There is no justification for a categorical exclusion of such emissions from the targets in the CLCPA, especially given the well-known negative health impacts of at least some biofuels, as recognized in the Scoping Plan (see Scoping Plan, page 101). Weakening the law’s existing definitions and measures would be a significant capitulation to polluting industries and calls into question New York’s climate justice efforts moving forward.

In 2019, the New York State Legislature led the nation by passing the country’s strongest and most equitable set of climate mandates into law at the time, the Climate and Community Protection Act. Even as they rake in record profits, the fossil fuel industry and some utilities are mobilized to weaken NY State’s existing climate law. Do not let opponents of climate justice and their acolytes undermine the law negotiated and won by the state legislature and the people of New York.

For the reasons stated above, NYC-EJA strongly opposes A.6039 (Barrett) / S.6030 (Parker).