

**CITIZENS' ENVIRONMENTAL COALITION \* ENVIRONMENTAL  
ADVOCATES OF NEW YORK \* ENVIRONMENT NEW YORK \*  
NEW YORK PUBLIC INTEREST RESEARCH GROUP \*  
RENEWABLE ENERGY LONG ISLAND**

October 31, 2011

Mr. Arthur Marin  
Executive Director  
NESCAUM  
89 South Street, Suite 602  
Boston, MA 02111

**Subject: Northeast/Mid Atlantic Clean Fuels Standard**

Dear Mr. Marin and CFS Participating States:

The above-listed organizations commend the leadership of the 11 states—Connecticut, Delaware, Maine, Maryland, Massachusetts, Pennsylvania, New Hampshire, New Jersey, New York, Rhode Island and Vermont—committed to developing a framework for a regional clean fuels standard. Moving this initiative forward shows true leadership.

Pollution, especially pollution from the combustion of fossil fuels, is changing our climate. Average global temperatures are rising, rain patterns are changing, glaciers are melting, sea levels are rising, and oceans are becoming more acidic. If we continue on our present course, these changes will only become more severe. As stated by the National Academy of Science:

*Climate change is occurring, is very likely caused primarily by the emission of greenhouse gases from human activities, and poses significant risks for a range of human and natural systems. Emissions continue to increase, which will result in further change and greater risks. Higher emissions will result in more severe impacts. In the judgment of this report's authoring committee, the environmental, economic, and humanitarian risks posed by climate change indicate a pressing need for substantial action to limit the magnitude of climate change and to prepare for adapting to its impacts.<sup>1</sup>*

Science dictates that in order to stave off the worst impacts of climate change we must decrease our emissions by 80 percent of 1990 levels by the year 2050. New York's greenhouse gas emission level in 2008 was 253 million metric tons of carbon dioxide equivalent (MMtCO<sub>2</sub>e).<sup>2</sup>

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<sup>1</sup> See Advancing the Science of Climate Change, *National Academy of Sciences (2011)*, [http://www.nap.edu/openbook.php?record\\_id=12782&page=R1](http://www.nap.edu/openbook.php?record_id=12782&page=R1) (last visited October 24, 2011)

<sup>2</sup> See New York Climate Action Plan Interim Report, Chapter 3, Inventory and Forecast of New York's Greenhouse Gas Emissions, <http://www.nyclimatechange.us/ewebeditpro/items/O109F24015.pdf> (last visited October 24, 2011)

New York must reduce its emission levels significantly, to approximately 50 MMtCO<sub>2</sub>e. In 2008, the transportation sector accounted for nearly 33 percent of all emissions, or 86 MMtCO<sub>2</sub>e.

While addressing climate change has correctly been called one of the greatest environmental challenges of our time, it is not only an environmental threat. The effects of a changing climate threaten our public health, infrastructure, coastal property, agriculture, and potentially our drinking water supply. The impacts of climate change have been estimated at between 3.6 to 20 percent of global gross domestic product.<sup>3</sup>

As transportation accounts for approximately 33 percent of New York's share of climate pollution, the undersigned support your efforts to establish a clean fuels standard in order to reduce pollution from transportation. We offer the following points for you to consider:

**Avoid unintended consequences.** The New York State Department of Environmental Conservation and the NESCAUM report have indicated that this is an evaluation for a "regional clean fuels standard."<sup>4</sup> Alternative fuels vary significantly with respect to their impacts on ecosystems, air emissions, and water resources. As the states proceed we caution you to consider that fuels with low greenhouse gas content may be otherwise harmful to the environment and public health. The states must take steps to minimize or avoid these harmful fuels.

**To determine carbon intensity of a fuel the states must perform full lifecycle analyses of alternative fuels.** The emissions from all phases of a fuel's development must be analyzed, including inputs in production, processing, transportation, and use in order to determine the carbon intensity of a fuel. A full and accurate emission profile must be developed for each fuel. States with fossil extraction such as New York must take this opportunity to measure methane leakage from the drilling process and the methane that escapes from pipelines bringing the fuel to market. The full lifecycle must be considered on a product-by-product basis. For example, natural gas from conventional drilling must be analyzed separately from natural gas from unconventionally hydraulically fractured wells. Studies indicate that the carbon intensity of natural gas from conventional wells differs from those from unconventional recovery processes.<sup>5</sup> The same could be said for fuels derived by biomass. For example, corn ethanol needs to be analyzed separately from cellulosic ethanol and they both need to be looked at independently of soy diesel. The states also must not assume that biomass is carbon neutral.

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<sup>3</sup> See Stern Review: The Economics of Climate Change 2006, [http://webarchive.nationalarchives.gov.uk/+http://www.hm-treasury.gov.uk/stern\\_review\\_report.htm](http://webarchive.nationalarchives.gov.uk/+http://www.hm-treasury.gov.uk/stern_review_report.htm) (last visited October 24, 2011); The Cost of Climate Change: What We'll Pay if Global Warming Continues Unchecked, Ackerman, Frank and Stanton, Elizabeth, Natural Resource Defense Council 2008, <http://www.nrdc.org/globalWarming/cost/contents.asp> (last visited October 24, 2011)

<sup>4</sup> See New York State Department of Environmental Conservation web-site <http://www.dec.ny.gov/energy/76549.html> (last visited October 24, 2011)

<sup>5</sup> See Methane and the greenhouse-gas footprint of natural gas from shale formations, Howarth, Robert and Ingraffea, Anthony <http://www.sustainablefuture.cornell.edu/news/attachments/Howarth-EtAl-2011.pdf> (last visited October 24, 2011); Tyndall Centre for Climate Change Research report *Shale gas: a provisional assessment of climate change and environmental impacts*; and Lifecycle Greenhouse Gas Emissions: From Shale Gas Compared to Coal: An Analysis of Two Conflicting Studies, Hughes David J., July 2011, Post Carbon Institute, <http://www.postcarbon.org/reports/PCI-Hughes-NETL-Cornell-Comparison.pdf> (last visited October 24, 2011)

**The standard should not only incorporate carbon but also other greenhouse gases and climate-warming agents.** The standard should be adopted that not only evaluates carbon dioxide (CO<sub>2</sub>) but also accounts for other greenhouse gases, such as methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>) and climate-warming agents like black carbon. While it is not a greenhouse gas, black carbon is a powerful climate warming agent that is, pound for pound, 2,000 more potent than CO<sub>2</sub> over a 20 year period, as well as being extremely harmful to public health. Such gases and pollutants, some of which are the byproduct of fuels that may be adopted in response to this standard, have global warming potentials significantly larger than CO<sub>2</sub> and care should be taken so the new standard does not encourage alternative fuels that are more harmful than traditional fuels.

**When setting the standard, states should not let modeling limits interfere with setting medium and long-term reductions targets.** State and regional policies must meet the aggressive greenhouse gas reduction targets recommended by the Intergovernmental Panel on Climate Change and the National Academy of Sciences. In designing the program, the states should set a reduction trajectory past 2022; the trajectory should be structured to reach at least an 80 percent reduction by the year 2050.

**Sound environmental policies have positive economic impacts.** The NESCAUM economic analysis is yet another in a line of studies confirming that policies designed to protect air, land, water and public health can also be economically beneficial, contrary to unsubstantiated claims that this policy will be costly in terms of dollars and jobs. Similar claims have been made in the face of other environmental policies, and are routinely resoundingly debunked by program results. The Clean Air Act has prevented an estimated 160,000 deaths in 2010 and yielded cumulative net benefits of more than \$50 trillion through 2010—and will continue to provide net benefits.<sup>6</sup> The Regional Greenhouse Gas Initiative has raised \$457 million for energy efficiency programs, which generate \$1.1 billion in savings for consumers in the region, leading to economic output of \$2.7 billion and creating 21,000 jobs.<sup>7</sup>

## Conclusion

A clean fuels standard is one of the tools that states must adopt to reduce climate pollution. A clean fuel standard is a flexible and innovative method for addressing climate pollution. Not only does it reduce climate pollution but it encourages innovation to develop cost-effective solutions to reduce climate pollution. We strongly support the states' efforts to implement this program.

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<sup>6</sup> See Union of Concerned Scientists *The UCS Clean Air Act Ticker* [http://www.ucsusa.org/global\\_warming/solutions/big\\_picture\\_solutions/methodology-for-ucs-clean-air-acttickerhtml](http://www.ucsusa.org/global_warming/solutions/big_picture_solutions/methodology-for-ucs-clean-air-acttickerhtml), (last visited October 24, 2011)

<sup>7</sup> See Economy-wide Benefits of RGGI: Economic Growth through Energy Efficiency, September 2011, [http://env-ne.org/public/resources/pdf/ENE\\_RGGI\\_Macroeconomic\\_Benefits\\_110915.pdf](http://env-ne.org/public/resources/pdf/ENE_RGGI_Macroeconomic_Benefits_110915.pdf) (last visited October 24, 2011)

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We thank you for the opportunity to comment and again commend you on your leadership.

Respectfully submitted,

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