May 3, 2021

Dear Climate Action Council Member,

On behalf of the Clean Fuels NY Coalition, the signatories listed below respectfully ask you to include a Clean Fuel Standard (CFS), also known as a Low Carbon Fuel Standard, in the list of policy tools recommended to be included in the Climate Action Plan to meet the Climate Leadership and Community Protection Act’s (CLCPA) emission reduction requirements as they relate to transportation.

A CFS is a technology-neutral, performance-based standard that requires fuel manufacturers and importers to reduce the carbon intensity of their fuels by a set amount, which in New York could be scaled to an aggressive enough target to help achieve the CLCPA’s statutory requirements. California and Oregon’s CFS has successfully reduced transportation emissions at negligible cost to consumers and no cost to the State government other than administering the program. In 2019 alone, the California CFS resulted in the reduction of 2.5 billion gallons of fossil fuels with 20 percent of the credits awarded to the electric sector despite accounting for a small share of transportation fuels.¹

Transportation is the number one source of greenhouse gas (GHG) emissions in New York. Achieving the CLCPA mandate of reducing GHG emissions by 85% by 2050 will require eliminating almost all transportation emissions. Indeed, the pathways analysis presented to the Climate Action Council and Transportation Advisory Panel indicates that we must reduce transportation emissions by 31-33% by 2030 and 86-97% by 2050 in order to comply with the CLCPA. If we are to meet this target, we must begin reducing transportation emissions as soon as possible. However, it seems unlikely given the COVID-19 recession that the State will be able to allocate much, if any, new funding for clean transportation in the near term; even with the

funding made available to the state pursuant to the American Recovery Act, the recent state budget included only $20 million for electrifying mass transit bus fleets and $3 million for municipal EVs and EVSE – nowhere near the investment needed to move the needle on cleaning New York’s transportation sector. A CFS can accelerate the transition off fossil fuels and ensure that we remain on track even without new budgetary programs. Based on the value of credits in California and fuel use in New York, we project the CFS would generate $1-$1.4 billion annually for clean transportation, paid for by fossil fuel providers.2

The New York CFS, modeled on current legislation sponsored by Assemblywoman Carrie Woerner and Senator Kevin Parker (A. 862-A/S. 2952-A), would require manufacturers and importers of high-carbon intensity fuels like fossil gasoline and diesel to either reduce the carbon intensity of their fuels or purchase credits from low-carbon intensity fuel manufacturers and importers, such as operators of electric bus fleets like public transit agencies. The CFS provides meaningful support, paid by polluters, for public transit agencies, school busses, delivery vans, and for-hire vehicle fleet operators to switch to electric vehicles.

We expect electrification to be the primary beneficiary of a CFS, especially as the cap on carbon intensity is ratcheted down over time and as the grid gets greener. However, technology is not currently available or cost-prohibitive for the widespread transition of medium- and heavy-duty fleets, such as sanitation trucks and tractor-trailers, to electric engines. The elegance of a CFS as a performance-based standard is that it would still produce immediate and significant emission and air pollution reductions from these vehicles by providing them with an incentive to switch to renewable alternatives that can be readily dropped into existing engines to replace harmful fossil fuels. As the CFS carbon intensity cap is lowered over the duration of the program, these vehicle types would be provided with an economic incentive to switch to fully zero emission ahead of CLCPA mandates that they do so.

A Clean Fuel Standard would reduce transportation emissions by at least 20% over the next decade at no cost to the State of New York. This would mean significant progress toward meeting our obligations under the CLCPA, helping mass transit agencies across the state switch 100% of their bus fleets to zero emission by 2040, and reducing air pollution. This is an ambitious but achievable program that will reduce emissions, improve air quality, and create new jobs at no cost to the State.

Thank you,

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