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# Global Warming: Will Pataki Keep His Carbon Cap Promise?

by Charles R. Church

n June, 2001, Governor George E. Pataki announced the formation of the New York State Greenhouse Gas Task Force.

Staking out a place in the vanguard, he said: "I am committed to positioning New York state as a national leader on the critically important issue of reducing greenhouse gases."

Almost two years later, the Center for Clean Air Policy, in collaboration with the task force, issued a report with recommendations. The report depicts the current status as dire: "Since the Industrial Revolution in the mid-19<sup>th</sup> century, human activities – particularly fossil fuel combustion and changes in land use patterns – have caused an unprecedented increase in emissions of greenhouse gases, the underlying cause of global climate change."

The report cites a recent assessment by the United Nations Intergovernmental Panel on Climate Change (IPCC), calling its findings "sobering." The IPCC found that the current level of CO<sub>2</sub> in the atmosphere has not been exceeded in the past 420,000 years, and most likely in the past 20 million years. It concluded that, without strong action to mitigate greenhouse gas emissions, levels and rates of temperature change in



the next century probably will exceed those seen during the past 10,000 years.

These temperature changes will significantly alter precipitation cycles; global sea levels will rise. Human and ecosystem adaptation will be seriously challenged.

The IPCC assessment warns that the global community must reduce its greenhouse gas emissions below 1990 levels within a few decades if we are to stabilize atmospheric concentrations of CO<sub>2</sub>. Failure to significantly reduce these emissions by 2020 could eliminate the ability to stabilize CO<sub>2</sub> content at 450 parts per million (ppm) or lower; this compares with today's concentration of 360 ppm. Even this 450 ppm level

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Bay, habeas corpus, etc. His website is: www.churchlawllc.com Email him at: charleschurchllc@gmail.com could lead to average temperature increases of between 2.0 and 7.2 degrees F by 2100.

Unfortunately, the report tells us, climate change cannot be quickly halted or reversed. Greenhouse gases persist in the atmosphere. For example, CO<sub>2</sub> molecules remain in the atmosphere more than a century.

The clear need, then, is to reduce without delay the emission of greenhouse gases. Thus, the task force recommends as its central guiding principle that New York establish a statewide target to reduce greenhouse gas emissions to 5% below 1990 levels by 2010 and 10% below 1990 levels by 2020.

The report advocates a mandatory cap on carbon emissions from New

York electricity generation equal to at least 25% below 1990 levels by 2010.

This no doubt pleased the coalition of environmental and health groups - which includes the Sierra Club Atlantic Chapter - that had launched their Cap Carbon in New York Campaign about a year earlier.

The coalition pointed out that CO<sub>2</sub> is the state's most prevalent greenhouse gas, and power plants are the largest emitters of CO<sub>2</sub> in New York and across the nation.

Since the report recommended a two-step process - first, a cap on carbon emissions from New York power generators and, second, an agreement on regional coordination of state caps - many expected Pataki to put a New York carbon cap into effect without further ado. After all, New York currently puts no limit on power plant emissions of CO<sub>2</sub> and, the report told Pataki, New York's carbon emissions exceed even those of countries such as Sweden and the Netherlands.

The governor caused a stir by ignoring this advice, announcing instead that he had asked governors from Maine to Maryland to join a regional strategy to develop a market-based cap and trade program for CO<sub>2</sub> emissions from power plants. He envisioned a 90-day time frame to identify states willing to move together, and two years to develop final standards.

While some environmental groups applauded the governor's regional initiative, others worried that he simply is delaying adoption of a cap: "The verdict is in and now action is needed; simply waiting for a regional cap will mean more global warming...," said Jason K. Babbie, a NY Public Interest Research Group environmental policy analyst. "Clearly, we have the know-how and technology, now we need the courage for action.

continued on page 10

### What Is a Carbon Cap?

A carbon cap for the power sector limits the annual total amount of CO<sub>2</sub> that all of New York's power plants may release into the air. Each fossilfueled plant in New York can emit only its allotted portion of that total amount. "Capping power plant (CO<sub>2</sub>) emissions," said Anne Reynolds a coalition member of Environmental Advocates of New York, "is the most efficient and effective way to reduce the pollution that causes global warming."

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### **What Causes Global Warming?**

Greenhouse gases, the principal component of which is carbon dioxide (CO<sub>2</sub>), come from burning fossil fuels – coal, oil and natural gas. In the atmosphere, these gases absorb certain wavelengths of infrared, or thermal, radiation from the earth that otherwise would escape into space. This trapping of heat, naturally, warms the climate and the earth below; thus, the phenomenon is known popularly as global warming.

## **Governor's Carbon Cap Promise**

continued from page 1

"It has been almost two years since Governor Pataki promised he would be a national leader on this issue and not a single ton of global warming pollution has been reduced."

In July, 2003, *The New York Times* reported Governor Pataki's announcement that ten states in the Northeast, led by New York, had agreed to begin talks about creating

what would be the first marketbased compact in the nation intended to reduce CO. emissions from power plants. The idea is to curb emissions by creating a regional market in which power plants can buy and sell CO, credits among themselves as each state

### **What You Can Do**

Sierra Club members can add their voices to those pressing for immediate adoption of a carbon cap. Please call Governor Pataki at (212) 681-4580 to urge that he follow his task force's advice by setting a cap today on CO<sub>2</sub> emissions from New York power plants.

works toward reaching the cap.

Under this cap and trade program, power plants that keep their emissions under the cap would qualify for credits that they could then sell, and dirtier plants would have to buy credits to meet their cap obligations. Developers and plant owners would have a financial incentive to build and operate clean, efficient plants, and modernize dirtier plants through cleaner fuels or new equipment.

The Times also reported that some environmentalists felt the potential impact of the plan was huge but uncertain, because no details had been worked out.

Others expressed deep disappointment, because the timetable for the multi-state talks does not call for an agreement until April 2005. It could be years after that before rules and laws take effect to actually begin reducing carbon dioxide in the atmosphere.

Further potential obstacles exist. According to The Times, political divisions exist within the ten states, since four have Democratic governors and six have Republicans. Some governors responded to Mr. Pataki with only lukewarm enthusiasm, since they were moving ahead on ambitious reductions in power plant emissions of their own. New Jersey's Governor McGreevey, for example, called the Pataki plan modest in focusing only on CO, and not. on other power plant pollutants as well, like mercury, sulfur dioxide and nitrogen oxides, which New Jersey already was working to reduce through its own power plant rules.

On September 29, 2003, the commissioners of the environmental protection agencies of the various member states adopted the Regional Greenhouse Gas Initiative (RGGI), which has as its goal developing a multi-state cap and trade program for greenhouse gas emissions. RGGI initially will be aimed at producing a plan to reduce CO.

emissions from power plants in the participating states. The intent is to have an agreed-upon program by April 2005, if not sooner. After the cap and trade initiative for power plants is implemented, the states may consider expanding it to other sources of greenhouse gases. On September

30, the Chicago

Climate Exchange, which hopes to create a market for trading rights to emit global warming gases, got off to what The New York Times called "an ambiguous" start with an auction that laid the groundwork for trading to begin on October 31. Prices paid were less than \$1 per ton, one-tenth the price of over-thecounter trades of CO, emission allowances in Europe. The Times quoted Jon Coifman, a Natural Resources Defense Council spokesman: "It's going to be, at best, a fantasy baseball sort of exercise unless real emissions caps are in place."

Despite his bold claim that New York wants to lead the pack in the fight against global warming, Governor Pataki has taken *no* step to implement a carbon cap for New York power generators. Thus, New York clearly has fallen behind two states, Massachusetts and New Hampshire, which not only are participating in the regional plan but already have put into place their own limitations on carbon emissions from power plants. Oregon, too, already controls CO<sub>2</sub> discharged by its new power plants.

Even though, according to data in the report, New York state alone accounts for almost 1 percent of the world's total CO<sub>2</sub> emissions, Pataki continues to drag his feet. And his regional plan remains in its infancy, while considerable roadblocks raise doubts as to its fate.

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