

Climate Leadership and Community Protection Act Scoping Plan



By [Christina D. Bonanni](#)

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New York State's [Climate Leadership and Community Protection Act](#) (CLCPA) was enacted in 2019 to eliminate 100% of climate pollution caused by humans in New York State. The CLCPA set a target of 85% reduction in greenhouse gas emissions by 2050, and an interim target of 40% reduction by 2030. The CLCPA also mandates that 70% of all electricity generated in New York come from renewable sources by 2030. In order to achieve these ambitious goals, the CLCPA created the 22-member [Climate Action Council](#) (Council) to come up with a draft scoping plan (Draft Plan) for the state to reach these targets and mandates. To do so, the Council requested input from eight different advisory panels comprised of experts, stakeholders, and state commissioners to address emissions by sector, such as transportation and energy generation.

The Council has [released the Draft Plan](#) for a 120-day comment period commencing on January 1, 2022. The initial

framework focused on a few main areas:

- **Electricity Generation and Electrification.** The Draft Plan established a goal of increasing the use of electric heat pumps in residential and commercial buildings (the largest emissions sector). However, the electricity to supply such heat pumps will need to be switched from fossil fuel sources to renewable. The Draft Plan calls for eliminating the use of fossil fuels in any new home construction by 2025, and for multi-family or commercial buildings by 2030, effectively requiring new construction to be developed with electricity as the power source, as opposed to gas.
- **Buildings.** The Council estimated that 32% of the states' 2019 emissions came from heating the more than 6 million residential and commercial buildings in the state. The plan anticipates that 1 to 2 million homes, and 10-20% of commercial spaces, will be electrified with heat pumps by 2030. The Draft Plan further calls for changing building codes to drive electrification of new buildings.
- **Decommissioning and Retiring Fossil Fuel Sources.** In transitioning from pipelines and a gas-grid system, the Draft Plan requires that the safest, most reliable, and least expensive approaches should be taken to remove such structures from service. The Draft Plan provides examples to move toward electrification or other renewable sources of energy, such as setting up community-scale projects to switch from a gas distribution to a network of underground pipes that distribute thermal energy among all-electric buildings. This can be done on a small scale —*i.e.*, a street—or a larger-scale, such as an entire neighborhood.

Among many other areas, the Draft Plan established the [Climate Justice Working Group](#) to identify disadvantaged communities based on environmental burdens and demographic factors. The Draft Plan also found that the cost of inaction on climate change—which includes the public health impacts and economic costs of climate change—would exceed the cost of implementing the measures laid out in the Draft Plan by a value of \$90 billion.

For questions regarding this Client Alert, please contact Lippes Mathias' Environment & Energy Team Practice Leader, Ian Shavitz at ishavitz@lippes.com or Senior Associate, Christina Bonanni at cbonanni@lippes.com.

Related Team



Christina D. Bonanni

Partner



Ian A. Shavitz

Partner | Team

Leader -

Environment &

Energy