Policy Alert: U.S. Climate Goals Under Fire

In 2015, nearly 200 nations came together to seal a historic climate change deal in Paris, a culmination of 20 years of United Nations talks. The deal calls for nations to implement greenhouse gas reduction standards in order to keep global temperatures well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 degrees Celsius.

Former President Obama pledged that the United States would reduce its emissions to 26–28% below 2005 levels by 2025. The prominent policy for fulfilling this pledge was the implementation of the Clean Power Plan, however and last week President Trump signed an executive order instructing the EPA to begin dismantling it, along with several other climate actions enacted under the Obama Administration.

Clean Power Plan

Obama’s Clean Power Plan (CPP) is aimed at regulating existing energy infrastructure, specifically coal-fired power plants. The regulation was to be enacted under the Clean Air Act by the EPA with the intent to cut carbon dioxide emissions from power plants to 32% below 2005 levels by 2030. The plan was immediately challenged by coal-powered states and industry groups and has been held up in the courts since its announcement in 2015. Although the Supreme Court has already ruled that the EPA has the authority to regulate
carbon dioxide emissions, the claim made by CPP opposition is that rather than doing this, the enactment of the CPP is an effort to enforce massive industry changes through agency rules.

President Trump has denied the extent of the human role in climate change, and ran for office on a platform of increasing fossil fuel industry jobs, deregulating the EPA, withdrawing from the Paris Agreement, and has already taken steps to reverse regulations put in place on the coal industry that would limit freshwater pollution.

Last week's executive order lifts the moratorium on new federal coal leases (the one The Mountain Pact and our local government partners worked on for two years), revises the way that climate change is factored into federal decision making, and instructs the EPA to begin revising the CPP. This revision process will be lengthy, and could take years due to the fact that what Scott Pruitt does will rely heavily on the decision made surrounding the legality of the rule. The EPA will then have to re-write the rule, with details about why the agency is changing its mind, respond to millions of comments, and then environmental groups are bound to challenge the rule. More detailed information regarding this process can be found here.

Without the regulation of carbon dioxide emissions, the U.S. is at risk of continuing to release large amounts of greenhouse gases contributing to climate change. If Trump's executive order is carried out in full, according to projections by the Climate Action Tracker, the U.S. will not be able to reduce emissions by the 13% from 2014 levels necessary to reach the 2025 and 2030 goals submitted to the Paris Agreement. However, 30 states and many more cities have established standards requiring power companies to utilize more renewable energy, and falling prices of wind, solar, and natural gas are undermining coal's revival as an energy source. A major concern now, is how carbon emissions will be addressed by states that have not previously implemented policies similar to the CPP, and what its revision will do for momentum in states already working towards emissions reduction goals.

Paris Agreement
During his campaign, President Trump continually discussed his intention of withdrawing from the Paris Agreement when he took office. There are a number of ways he could do that:

- One option is to undermine national efforts to reduce greenhouse gas emissions that would in turn ensure America did not follow through to meet its goal under the Agreement – it looks like he is on track for this per last week's executive order. Not following through with the Agreement by enacting measures to reduce carbon dioxide emissions would be detrimental to the environment, with the U.S. being the world's second largest greenhouse gas emitter. It could also potentially have larger global political ramifications, and several of Trump's top advisers are divided over what the President should do; some urging him to withdraw, and others advising him to remain
in the Agreement without following through on any policies to reduce emissions. This approach would be fairly easy for the administration to carry out due to the lack of binding legal forces set forth by the Paris Agreement. The Agreement’s primary requirements are for countries to outline their emissions reductions goals, outline what they are doing to accomplish this, and later, report on how they are progressing towards meeting these targets. Hence, President Trump could choose to lower U.S. emission reductions goals.

- A second option would be formal withdrawal. The Agreement allows countries to leave after three years from the date of formally withdrawing, followed by a year wait period. If President Trump initiated this withdrawal now, the action would not take place until the end of his first term. Among the global ramifications feared is the possibility that if the U.S. were to pull out of the Agreement, other countries would follow suit, including the world’s first and third largest emitters, China and India. However, these countries and several others have stepped into the leadership void that the U.S. has left. Just last year, China installed 1.5 times as much solar capacity as the U.S. has ever installed, and at the end of 2016 India had installed 11 gigawatts of solar capacity and 29 gigawatts of wind capacity. Although encouraging, if the U.S. were to withdraw from the Agreement, or significantly lower their reductions goals, it won’t be enough to effectively curb the impacts of climate change.

- However, a third option would reduce this four year waiting period to one year if the U.S. were to also withdraw from the 1992 climate treaty, the UN Framework Convention on Climate Change (UNFCCC). Formal withdrawal from the UNFCCC takes only one year, and the treaty would have to be sent to the Senate for ratification if the U.S. were to rejoin under the next administration. Former President Obama did not need the approval of Congress to sign onto the Paris Agreement because it is consistent with existing laws and agreements outlined in the UNFCCC that was ratified by the Senate under President Clinton.

Fuel Standards
President Trump last month announced a plan to challenge the auto industry fuel efficiency standards enacted by the Obama Administration. These standards call for fleet-wide fuel efficiency of 36 mpg by 2025. President Trump’s challenge will not go into effect immediately, but instead calls for the EPA to make a decision next year about whether the fuel efficiency standards are appropriate. Known as the 'Tailpipe Rules' they were jointly put forth by the EPA and Transportation Department. Automakers cite concerns of technology gaps to implement the Obama era 'Tailpipe Rules' but according to a 2016 EPA Fuel Economy Trends Report, fuel–efficient technologies in the auto industry are being implemented at unprecedented rates equaling a record low of carbon dioxide auto emissions last year. The announcement raises other concerns of how states like California who have set their own emission standards for automakers will be impacted. If the EPA decides that the nationwide rules are not appropriate, they will have to submit a new proposal.

Budget Proposal
In his 2018 budget proposal President Trump suggested massive cuts in spending, particularly involving many programs dedicated to reducing carbon emissions, or doing further research on the matter. This includes 31% cuts to the EPA, 21% cuts to the Department of Agriculture—housing the US Forest Service, and 12% cuts to the Interior Department. This proposal is set to reverse further the strides taken by Former President
Obama to address climate change.

As President Trump continues to dismantle Obama's climate change policies in favor of coal, oil, and gas, stay tuned to The Mountain Pact for more information and ways to voice support for climate policies and the protection of our mountain communities.