For Immediate Release:
July 25, 2016

Contacts:
Andrea Rodgers, Western Environmental Law Center, 206-696-2851, rodgers@westernlaw.org
To set up interviews with youth plaintiffs contact Meg Ward, 503-341-8590, meg@ourchildrenstrust.org

WA Youths Provide Inslee Administration with Climate Science to Make Proposed Clean Air Rule Comply With Law

Seattle – On behalf of youth climate activists who secured an unprecedented court order directing the Washington State Department of Ecology (Ecology) to issue a rule regulating greenhouse gas emissions by the end of the year, attorneys Andrea Rodgers (WELC) and Julia Olson (OCT) submitted comments asking Ecology to bring its proposed Clean Air Rule into compliance with the law and the court orders obtained in the case. As part of their comments, the youths presented Ecology with a blueprint on how to put Washington on a path towards climate stability.

The youths’ comments lay out how Ecology’s proposed Clean Air Rule would unlawfully allow dangerous levels of greenhouse gas emissions, ensuring infringement of the rights of young people and future generations to a livable planet under the public trust doctrine, affirmed in our watershed Washington state court case. The best available science shows that to protect Earth’s natural systems on which humankind depends, long-term average global surface heating must be limited to 1°C and atmospheric carbon dioxide must be returned to 350 parts per million (ppm).

Top climate scientists and policy experts who submitted declarations for the case supporting the youths’ comments have found that to achieve 350 ppm, carbon dioxide emissions must be reduced by at least eight percent annually, combined with additional carbon sequestration actions. Yet Ecology’s proposed Clean Air Rule is designed to reduce the state of Washington’s emissions by only one percent per year, falling far short of doing what is scientifically required for Washington to do its part to achieve climate stability.

“We cannot continue to base life and death policies on politics rather than science,” said Andrea Rodgers, attorney for the youths. “The science and the law overwhelmingly support stricter emission reductions than Ecology recommended in its proposed Clean Air Rule. This generation of policymakers is the only one that can ensure our children can grow to adulthood safely. They have the science and the power of the law behind them and we hope they will heed the call to protect the rights of young people.”

The proposed Clean Air Rule regulates only a very small segment of greenhouse gas sources over a certain threshold (beginning at 100,000 metric tons of CO₂ equivalent starting in 2017, and leading to 70,000 metric tons of CO₂ equivalent in 2035). With this structure, Ecology would authorize continued emission of greenhouse gases by all entities under those thresholds.

In addition, the proposed rule illegally delays compliance for several sectors, and contradicts Ecology’s own findings that urgent action is needed to draw down greenhouse gas emissions. The proposed rule’s compliance threshold arbitrarily stops decreasing after 2035, and relies upon a flawed state greenhouse gas reporting program.
“Inslee’s proposed rule would lock in unacceptable levels of pollution and catastrophic harm to the young people of Washington,” said Julia Olson, executive director and chief legal counsel for Our Children’s Trust. “By legalizing emissions at dangerous levels, this proposed rule places the public’s survival at serious risk. Ecology is bound by law to ‘preserve, protect, and enhance the air quality for current and future generations.’ We need courage and leadership right now, not half-baked plans.”

This youth-led legal effort is one of several similar state, federal, and international actions, all supported by Our Children’s Trust, seeking the legal right to a healthy atmosphere and stable climate.

Our comments on Ecology’s proposed Clean Air Rule are available here. We also delivered a petition with over 1,000 signatures demanding a science-based Clean Air Rule for Washington state.

Our Children’s Trust is a nonprofit organization, elevating the voice of youth, those with most to lose, to secure the legal right to a healthy atmosphere and stable climate on behalf of present and future generations. We lead a global human rights and environmental justice campaign to implement enforceable science-based Climate Recovery Plans that will return atmospheric carbon dioxide concentration to levels below 350 ppm. www.ourchildrenstrust.org

The Western Environmental Law Center is a public interest nonprofit law firm. WELC combines legal skills with sound conservation biology and environmental science to address major environmental issues throughout the West. WELC does not charge clients and partners for services, but relies instead on charitable gifts from individuals, families, and foundations to accomplish its mission. www.westernlaw.org

Plant-for-the-Planet connects children around the world as Ambassadors for Climate Justice, planting trees, educating the public, influencing decision makers, and now going to court with expert legal guidance. Children inspire children at Academies, free one-day workshops where children ages 8-14 find their voice speaking out for their future and taking action to create a better world. http://www.plant-for-the-planet.org

###