

## C O L U M N S

# Avoiding Ghosts of Christmases Yet to Be

by Tom Munteer

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Just as when comprehensive climate change legislation reached the floor of the U.S. Senate in the fall of 2008, the U.S. House of Representatives' passage of the Waxman-Markey climate change bill (officially H.R. 2454, the American Clean Energy and Security Act) gave hope to supporters of comprehensive federal legislation.

The Climate Security Act of 2008 (S. 3036), introduced in May 2008, by Sen. Joe Lieberman (I-Conn.) and Sen. Mark Warner (D-Va.), made it to the floor of the Senate only to fall prey to proponents' inability to rally 60 votes to end opponents' filibuster.

Given the competing demands of the Barack Obama Administration's legislative agenda, not the least of which is enactment of comprehensive health care reform, it was impressive that House leadership was able to get the Waxman-Markey bill through as quickly as it did. Some last-minute horse-trading made that possible.

Senate proponents of the legislation are promising equally quick passage, though pundits suggest the legislation may face greater obstacles than in the House. Advocates of aggressive reform are concerned that any more horse-trading to secure Senate passage will undermine the legislation's goals. Many now suggest that the Senate will not act as rapidly as leadership has pledged and suspect the Senate bill will carry over until 2010, if not until after the mid-term election.

There are a number of controversial issues associated with the Waxman-

Markey bill, including how carbon dioxide (CO<sub>2</sub>) emissions allowances are allocated, how the emissions allowance trading markets are regulated, how allowance auction revenues are spent, and what steps are taken to prevent "leakages" (including international leakages) from the system.

The most pressing aspects of comprehensive federal legislation, however, are: (1) whether it will bring about enough of a reduction in CO<sub>2</sub> emissions; and (2) whether the reductions will be achieved soon enough. It may be impossible to know.

Legislative CO<sub>2</sub> emission reduction targets tend to account for more than simply what science dictates must be achieved to avoid untoward results. The U.S. Climate Action Partnership (USCAP)—an alliance of large businesses (including Alcoa, BP America, DuPont, and Duke Energy) and environmental groups with a climate focus (including Environmental Defense, the Natural Resources Defense Council, the Pew Research Center, and the World Resource Institute (WRI))—suggests that Waxman-Markey's targets, which generally track but are not altogether as aggressive as USCAP's, are "science-based." Yet, even the USCAP's *Blueprint for Legislative Action* acknowledges that the targets must be achievable at "manageable costs."

So, as with Lieberman-Warner before it, the CO<sub>2</sub> emission reduction targets that the Waxman-Markey bill sets are as much a political as a scientific imperative.



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Waxman-Markey sets CO<sub>2</sub> reduction goals in two categories: "capped sources" and "economywide." The economywide goals of a 3% reduction below 2005 emissions by 2012, 20% by 2020, 42% by 2030, and 83% by 2050 tend to receive the most media attention. The difference for capped sources (chiefly power plants and specified industrial, chemical, and petrochemical stationary sources) is slight: a 17% reduction goal by 2020.

Interestingly, other aspects of the legislation—such as emission offsetting provisions and compliance cost containment mechanisms—temper the bill's stated reduction goals both for capped sources and economywide. WRI reported on May 19 that, by its calculation, the net emission reductions achieved—when one accounts for the effects of all the different components of the bill—would be more along the lines of 15% below 2005 levels in 2020 and 73% below 2005 levels by 2050. Reports from Bonn in early June, where Kyoto parties are considering what emissions reductions have to be achieved in the post-Kyoto, i.e., post-2012, world, focus on a 16 to 24% reduction from 1990 emissions levels (equivalent to an approximately 12 to 21% reduction from 2005 levels for developed nations) by 2020.

More interesting still, House Energy and Commerce Committee Chairman Henry A. Waxman (D-Cal.) lowered the 2020 emission reduction goal for capped sources that was in the draft bill he initially introduced largely to win the support of the so-called Carbon Nine—nine moderate Democratic members representing districts whose carbon emissions are three times greater than the national median. Despite the chairman's concession, two of the Carbon Nine who sit on the Energy and Commerce Committee still voted against the bill.

One's perspective on the sufficiency of the legislation's CO<sub>2</sub> emission reduction goals depends on the credibility one gives to recent studies' predictions on future adverse effects and how one values those effects.

While the House was considering the Waxman-Markey bill, scientists released significant new reports on the climatic and terrestrial effects of climate change that necessarily raise this question.

A study released on May 27 by the National Center for Atmospheric Research in Colorado indicated that temperature increases caused by climate change may cause an even higher sea-level rise along the Atlantic coast than previously thought. The study attributed the sea-level rise to climate change's making waters in the northern Atlantic warmer, causing the release of freshwater from melting glaciers in Greenland. This could result in a one- or two-foot rise in sea level along the northeastern Atlantic coast.

On June 16, a collective of U.S. government agencies, operating as the "U.S. Global Change Research Project," issued the most comprehensive report on global climate change impacts in the United States. Among its noteworthy findings were that parts of the Southeast that currently experience about 60 days a year of temperatures greater than 90 degrees could experience as many as 150 such days by the end of the century.

In the Great Plains, projected increases in temperature, evaporation, and drought add to concerns about the region's declining water resources. The Northwest will likely experience increased insect outbreaks, wildfires, and changing species composition in forests. These are just some of the report's findings. So, few parts of the United States appear to be spared.

We might not be able to arrive at a precise answer to the question of what level of CO<sub>2</sub> emissions reductions need to be achieved, and on what timetable, to avoid the dire consequences forecast in these recent reports. Assuming one gives credence to their forecasts, and to the imperative of avoiding their predicted consequences, we might know enough to formulate public policy.

Reductions sooner, rather than later, and larger, rather than smaller, could be the right move. Further retrenchment and delay may be at our peril.