

NEWS RELEASE



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California Department of Justice

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Attorney General Lockyer Files Lawsuit Against “Big Six” Automakers for Global Warming Damages in California *Impacts of Uncurbed Vehicle Emissions Costing Taxpayers, Economy and Environment*

(OAKLAND) - Attorney General Bill Lockyer today filed a lawsuit against leading U.S. and Japanese auto manufacturers, alleging their vehicles' emissions have contributed significantly to global warming, harmed the resources, infrastructure and environmental health of California, and cost the state millions of dollars to address current and future effects.

“Global warming is causing significant harm to California’s environment, economy, agriculture and public health. The impacts are already costing millions of dollars and the price tag is increasing,” said Lockyer. “Vehicle emissions are the single most rapidly growing source of the carbon emissions contributing to global warming, yet the federal government and automakers have refused to act. It is time to hold these companies responsible for their contribution to this crisis.”

Filed in U.S. District Court for the Northern District of California, the complaint names as defendants: Chrysler Motors Corporation, General Motors Corporation, Ford Motor Company, Toyota Motor North America, Inc., Honda North America, and Nissan North America. The lawsuit is the first of its kind to seek to hold manufacturers liable for the damages caused by greenhouse gases that their products emit. Lockyer filed the lawsuit on behalf of the People of the State of California.

The complaint alleges that under federal and state common law the automakers have created a public nuisance by producing “millions of vehicles that collectively emit massive quantities of carbon dioxide,” a greenhouse gas that traps atmospheric heat and causes global warming. Under the law, a “public nuisance” is an unreasonable interference with a public right, or an action that interferes with or causes harm to life, health or property. The complaint asks the court to hold the defendants liable for damages, including future harm, caused by their ongoing, substantial contribution to the public nuisance of global warming.

As stated in the complaint, the automakers produce vehicles that emit a combined 289 million metric tons of carbon dioxide in the United States each year. Those emissions, the complaint alleges, currently account for nearly 20 percent of the carbon dioxide emissions in the United States and more than 30 percent in California. The defendants rank “among the world’s largest contributors to global warming and the adverse impacts on California,” according to the complaint.

“Global warming has already injured California, its environment, its economy, and the health and well-being of its citizens,” the complaint alleges. “California is responding to the ongoing impacts and the inevitable additional future impacts of global warming. The State is spending millions of dollars on planning, monitoring, and infrastructure changes to address a large spectrum of current and anticipated impacts, including reduced snow pack, coastal and beach erosion, increased ozone pollution, sea water intrusion into Delta drinking supplies, response to impacts on wildlife, including endangered species and fish, wildfire risks, and the long-term need to monitor on-going and inevitable impacts. California has already begun to address the decline in the snow pack and earlier melting of the snow pack in order to avert water shortages and flooding in the future.” Dealing with global warming’s harmful effects, the complaint adds, “will almost certainly cost millions more.”

Today’s filing comes as Lockyer fights the auto industry’s attempt to invalidate California’s landmark global warming regulations curbing tailpipe emissions. In their federal-court lawsuit, the automakers claim the regulations, adopted in 2005 through legislation sponsored by Assembly Member Fran Pavley, are preempted by federal law. Lockyer is defending the rules against the industry’s legal challenge.

Lockyer noted the Bush Administration’s inaction on global warming has forced California and other states to take action on their own. The U.S. Supreme Court is currently reviewing a lawsuit filed by Lockyer, 11 other Attorneys General, two cities and major environmental groups challenging the U.S. Environmental Protection Agency’s (EPA) refusal to regulate greenhouse gas emissions. Numerous parties have submitted amicus briefs supporting the states, including climate scientists, three former EPA Administrators, former Secretary of State Madeleine Albright, and environmental and religious groups.

In addition, Lockyer, along with nine other state Attorneys General, the District of Columbia and the City of New York, filed a lawsuit earlier this year challenging the Bush Administration’s new fuel economy standards for SUVs and light trucks. That complaint alleges the rules fail to address the effects on the environment and global warming.

California is particularly vulnerable to global warming impacts. According to a report recently submitted by the Climate Action Team to Governor Schwarzenegger and the California Legislature, the consequences of climate change in California will be “severe.”

“We are seeing the harmful impacts of global warming today, and if we continue with ‘business as usual,’ we can expect to see more and larger impacts in the future,” said Lockyer. “As a coastal state, an agricultural state, and a state that relies on its Sierra snow pack, California has an enormous stake in acting now to combat global warming.”