

Kneecapping California

Guess who's trying to kill the Golden State's emissions standards.

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THERE IS a bald attempt in Congress to short-circuit California's effort to regulate tailpipe emissions -- with Democrats leading the charge. A bill from the chairman of the House energy and air quality subcommittee, Rep. Rick Boucher (D-Va. -- or is that D-Big Coal?), would halt recent moves by states to limit the emission of greenhouse gases that cause climate change. He insists, "This is not an attack on California." Color us unconvinced.

The Supreme Court ruled in April that the Environmental Protection Agency has the authority to regulate greenhouse gases. Meanwhile, California has asked the EPA to do something it has done more than 40 times over the past 30 years: waive the agency's emissions rules to allow the state's more stringent regulations to take effect. That would mean a 30 percent reduction in greenhouse gases from car and light truck tailpipes by 2016, starting with the 2009 model year. Eleven other states have signed on to California's bold new standards. The only thing standing in the way is the EPA. Gov. Arnold Schwarzenegger (R) asked for the waiver in December 2005; he has threatened to sue if it is not granted within six months.

Because California's tough air pollution laws predate those of the federal government, the Clean Air Act allowed the state to devise its own laws, as long as they are not arbitrary and are at least as stringent as national regulations. Now comes Mr. Boucher's bill to bar any waiver if the EPA administrator finds that "such State standards are designed to reduce greenhouse gas emissions." Regulating carbon dioxide emissions from tailpipes "is the functional equivalent" of regulating fuel economy, a domain of the Transportation Department, Mr. Boucher told us. As a result, "We have gone from one regulatory agency to two or three when it comes to regulating fuel economy," he said, referring to the EPA, the Transportation Department and California. By making DOT the sole regulator, Mr. Boucher told us, "We are making order out of confusion."

He's right in saying that strong federal leadership would be ideal. What California is seeking permission to do wouldn't be necessary if the federal government had been serious about air pollution (initially) and global warming (now). But from President Bush to industry-beholden members of Congress, there has been little stomach for facing down the automakers or the coal and electricity industries, which together account for 60 percent of energy-related carbon dioxide emissions in the United States.

House Speaker Nancy Pelosi of California vowed Tuesday to oppose any legislation coming to the floor that undermines California's emissions plan and strips the EPA of its authority to regulate greenhouse gases. Ms. Pelosi should gird for battle.



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Editorial: Carbon divide

Detroit, coal states offer false choice

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Anyone who thinks that climate change is purely a partisan issue isn't paying attention.

Increasingly, the national debate on global warming is breaking down between carbon states -- those that produce coal, oil and automobiles -- and those that see a future beyond fossil fuels. Republicans and Democrats are all over the map.

This carbon-state split flared up in Washington this week when Rep. Rick Boucher, a Democrat from the coal state of Virginia, unveiled draft energy legislation that would prevent California and other states from enacting their own greenhouse gas laws.

The legislation would also restrict the U.S. Environmental Protection Agency from regulating greenhouse gas emissions -- a reaction to a Supreme Court ruling in April that said the EPA must treat these gases as a pollutant, regulate them or explain why it won't.

U.S. Rep. John Dingell, a Democrat from Michigan, is also mulling energy legislation that could block California from implementing its "clean-car" law -- enacted in 2002 and opposed by auto manufacturers in his state.

House Speaker Nancy Pelosi issued a strong statement Tuesday aimed at Boucher and Dingell. "Any proposal that affects California's landmark efforts to reduce greenhouse gas emissions or eliminate the EPA's authority to regulate greenhouse gas emissions will not have my support," Pelosi said.

The speaker's statement effectively kills any chance that Boucher's bill will reach the House floor. But the issue isn't going away. Although polls show that U.S. residents are increasingly concerned about global warming, the nation remains divided over how to control industrial emissions. The divisions do not align themselves with the red-state, blue-state checkerboard. They are aligned based on a presumption of politicians that their home states and districts could win or lose with mandatory caps on greenhouse gases, or with an increasingly warming climate.

You can see this trend playing out in the presidential race. Some Republicans running for president -- John McCain comes to mind -- are stronger on climate policies than many Democrats in Congress, particularly those who represent carbon states such as Michigan, West Virginia, Alaska and Texas.

On the Democratic side, Sen. Christopher Dodd has a stronger climate platform than Sen. Hillary Clinton, who seems as hesitant to affiliate herself with Al Gore as Al Gore did in affiliating himself with Bill Clinton back in 2000.

While Democrats hope to position themselves as the counterpoint to President Bush and his dithering policies on global warming, they have yet to unify their ranks behind a coherent strategy for responding to this threat. To do this, leaders such as Pelosi must not only blunt the clumsy legislative efforts of fossil fuel apologists, such as Boucher and Dingell, they need to rebuke the false choice that climate laws are sure to doom places such as Detroit and the Appalachian coal fields.

If anything, such laws may spur the automobile manufacturers to build the inexpensive, fuel-efficient cars the world demands. Without the current status quo, carmakers in Japan and other countries are dominating the market, while Detroit auto executives sit on their hands.

As for the coal states, a cap-and-trade system for carbon dioxide will not eliminate coal's future. Rather it could drive investments into new technologies, such as pollution reduction and sequestration of carbon dioxide from the burning of coal. Partly because of the laws it passed, California is now working with Wyoming and other states on ways to breathe real life into advanced coal technologies.

There's no reason that Virginia and Michigan can't join in this partnership. In fact, there's no reason that all states can't join in the cause of designing a cleaner energy future for the entire world.