



## BRIEF ON CLIMATE & SUSTAINABILITY

July 24, 2020

### DEVELOPMENTS IN CONGRESS

- ***House Set to Pass First Minibus.*** The House is on the glide path toward floor passage today of its four-bill spending package that would fund both EPA and the Interior Department for fiscal 2021. The chamber is set to dispense with debate and vote today on the underlying bill, [H.R. 7608 \(116\)](#), after adding more than 100 amendments to the package on Thursday.
  - House Democrats adopted partisan provisions to their first fiscal 2021 minibus on Thursday, including an amendment to [bar drilling in the Arctic National Wildlife Refuge](#), provide more funding to [replace lead drinking water lines](#) and block a host of Trump administration regulatory efforts. In the same en bloc package that included the ANWR provision, lawmakers also adopted a measure to prohibit the federal government from [rejecting any grant application](#) for using the terms "climate change" or "global warming."
  - The chamber also adopted some less-controversial provisions, including a bipartisan measure led by Rep. Debbie Dingell (D-Mich.) and Bill Posey (R-Fla.) that would [prevent EPA from changing course](#) on its plans to regulate PFOA and PFOS. Another bipartisan effort [would require EPA](#) to study [the relationship between PFAS](#) exposure and Covid-19 susceptibility.
- ***Senator Seeks to Move Package of Water Bills to Address Drought.*** Sen. Martha McSally (R-Ariz.), who leads the Senate Energy and Natural Resources' Water and Power Subcommittee, said she hopes to combine a variety of bills into a single water package, including a bill ([S. 2044](#)) she and Sen. Kyrsten Sinema (D-Ariz.) introduced that would address aging water infrastructure. Their measure won Energy and Natural Resources Committee approval in October.
  - Her panel's focus comes as both the House and Senate are already moving broad water infrastructure packages, including a water infrastructure bill ([S. 3591](#)) and safe drinking water legislation ([S. 3590](#)) that the Senate Environment and Public Works Committee unanimously approved in May.
- ***Republicans Seek to Help Clean Energy in Next Virus Aid Package.*** A [letter](#) signed by Sens. Thom Tillis (N.C.), Cory Gardner (Colo.), Susan Collins (Maine), Richard Burr (N.C.), Lindsey Graham (S.C.), Martha McSally (Ariz.), and Lisa Murkowski (Alaska) urges Senate Majority Leader Mitch McConnell to add clean energy incentives to the next relief package.
  - The aid could range from extending soon-to-expire tax credits to so-called "direct payments"—essentially a Treasury Department cash advance for renewable energy projects which would provide the industry much-needed liquidity—but no specifics were mentioned in the letter.

- ***Duckworth Introduces Coal 'Marshall Plan'.*** New legislation introduced Thursday by Illinois Sen. Tammy Duckworth (D) — eyed as [a potential running mate](#) for Joe Biden — aims to invest and revitalize coal communities struggling amid the decline in the coal industry, in part by expanding Medicare to all coal workers who have lost their jobs, increasing the federal minimum wage to \$15 per hour and making higher education free for coal workers and their families.
  - Duckworth's [Marshall Plan for Coal Country Act](#), which has the backing of the United Mine Workers of America, would also change bankruptcy laws so that coal companies prioritize paying health care expenses and pension benefits ahead of executive pay and bonuses. The legislation would also provide \$15 billion in loans for plants to install carbon capture technology and pipeline infrastructure to carry sequestered carbon to storage facilities.
- ***House Sends Conservation Legislation to Trump.*** The House on Wednesday approved the most ambitious bipartisan conservation package in a generation. The ideas at the core of the Great American Outdoors Act — providing mandatory annual funding of \$900 million to the Land and Water Conservation Fund and offering billions toward fixing the nation's crumbling parks and public lands — have been chewed over in Congress for years. But they had failed to gain legislative traction until President Donald Trump [tweeted praise](#) in March for the LWCF — reversing his previous plans to virtually eliminate it — as a means of sending support to two endangered GOP senators: Cory Gardner (Colo.) and Steve Daines (Mont.).
- ***Energy Department, Army Corps of Engineers, Others Receive \$2.2 Billion More in Funding.*** The Energy Department, Army Corps of Engineers, and related agencies would receive a combined \$50.5 billion in regular appropriations in FY2021 under [H.R. 7613](#), which was sponsored by Rep. Marcy Kaptur (D-Ohio). That total would be a \$2.22 billion increase from fiscal 2020 and \$7.37 billion more than requested, according to the House Appropriations Committee's [report](#) on the bill. The measure would also provide \$43.5 billion in emergency appropriations spread across the agencies covered by the bill, which wouldn't count against the discretionary spending caps. The total amount appropriated by the measure would be \$93.1 billion.
  - The bill ultimately focuses on investment into fighting climate change by strengthening our energy and water infrastructure. Committee Republicans objected to several aspects of the bill, including reduced funding for nuclear energy.
  - The bill could be considered during the week of July 27 as part of a seven-bill "minibus" package ([H.R. 7617](#)).
- ***Chair Grijalva: This Year's House Version of the National Defense Authorization Act Includes Landmark Environmental Victories.*** Chair Raúl M. Grijalva (D-Ariz.) called the House version of this year's National Defense Authorization Act (NDAA) a significant victory for environmental conservation thanks to the inclusion of his [Grand Canyon Centennial Protection Act](#), Rep. Joe Neguse's (D-Colo.) [Colorado Outdoor Recreation and Economy Act](#) and Rep. Diana DeGette's (D-Colo.) [Protecting America's Wilderness Act](#).
  - The House voted to include all three measures as amendments, after which Grijalva said he would vote for the overall bill.
  - Grijalva highlighted the measures' bipartisan nature and pointed to the lack of Senate action so far on the standalone measures and said Senate Majority Leader Mitch McConnell (R.Ky.) should consider this year's NDAA an opportunity to back up Republican rhetoric about caring for the environment.
- ***Senators Call for Increased Action on Ocean Plastic Pollution.*** "There's a lot we do agree upon and getting plastics out of the ocean should be something we can come together on," said Sen. Lindsey Graham (R-N.C.), chairman of the Appropriations State, Foreign Operations, and Related

Programs Subcommittee, during a hearing this week. Graham suggested the U.S. might join the Basel Convention if it were changed. The convention is an international treaty established in 1992, which limits developed countries from shipping hazardous waste to less developed countries. All but two countries, the U.S. and Haiti, are parties to the convention.

- But Sen. Tom Udall (D-N.M.) said the U.S. isn't in a position to lead on the issue. "When it happens that all the other countries in the world join [the Basel Convention] and then they make rules and we're not a part of it, then we've got problems," said Udall, who doesn't sit on the subcommittee but weighed in, given his sponsorship of the Break Free From Plastic Pollution Act ([S. 5845](#)).

### TRUMP ADMINISTRATION ACTIONS

- ***EPA Proposes First Greenhouse Gas Emissions Standards for Aircraft.*** This action will align U.S. standards with the international carbon dioxide (CO<sub>2</sub>) emissions standards set by the International Civil Aviation Organization (ICAO), making domestically manufactured aircraft competitive in the global marketplace.
  - "Along with the Affordable Clean Energy and Safer Affordable Fuel-Efficient Vehicle rule, this is the Trump Administration's third major action to take sensible, legally defensible steps to regulate greenhouse gases, while safeguarding American jobs and the economy," says EPA Administrator Andrew Wheeler.
  - Under the Clean Air Act, in 2016 EPA found that emissions of GHGs from engines used in certain aircraft causes, or contributes to, air pollution which may reasonably be anticipated to endanger public health or welfare. These findings triggered a requirement for EPA to promulgate standards addressing GHG emissions from the engines of affected aircraft.
- ***Court's Ruling Against Trump Elevates Debate on Climate Metric.*** A federal district judge's decision striking down the Trump administration's rollback of methane emissions standards could fuel other litigation over an obscure tool used to study the impacts of climate change. California Judge Yvonne Gonzalez Rogers' [opinion](#) included a detailed assault on how the Bureau of Land Management used a metric called the social cost of methane, calling the approach "riddled with flaws."
  - Trump's revised approach for calculating the cost of greenhouse gas emissions narrowed the projection of the costs of climate change by looking only at domestic impacts, not global impacts.
  - Gonzalez Rogers rejected the narrower metric, noting that "focusing solely on domestic effects has been soundly rejected by economists as improper and unsupported by science."
- ***U.S. EPA Sued by 21 States Over Mercury Pollution Rule.*** California Attorney General Xavier Becerra filed a lawsuit, as part of a coalition of 21 attorneys general, challenging the U.S. Environmental Protection Agency's (EPA) final rule undermining critical mercury pollution limits.
  - The coalition will argue that EPA unlawfully disregarded the life-saving benefits of these standards, in violation of the Clean Air Act
  - The coalition will argue, among other things, that the EPA's prior finding that the MATS are "appropriate and necessary" is consistent with applicable law and science; that

rescinding that finding exceeds the EPA's authority and is arbitrary and capricious; and that the EPA's current approach to cost-benefit analysis is not supported by fact or law.

### ENERGY ECONOMY NEWS

- ***Solar Surge is Making Coal Plants Unprofitable in Top Exporter.*** Australia's coal power plants, which make up most of the nation's generation mix, are under pressure as rooftop solar steals daytime demand. This gives energy planners the tricky task of ensuring energy security while replacing the steady, predictable flow of power with more variable renewable generation.
  - "We've got a problem with coal closures," Kerry Schott, chair of the Energy Security Board, told a virtual clean energy summit on Thursday. "We've got plants that are becoming uneconomic and some have got very tight margins at the moment."
  - Australia's coal fleet is mostly owned by the country's three big power companies: [AGL Energy Ltd.](#), [Origin Energy Ltd.](#) and the [CLP Holdings](#)-owned EnergyAustralia. AGL's Liddell facility will kick off a raft of retirements over the next decade with a phased shutdown from 2022.

### CORPORATE SUSTAINABILITY UPDATES

- ***Apple Pledges to be Carbon-Neutral by 2030.*** The company, which is already carbon neutral for its corporate operations, said the move means that by 2030, every iPhone, MacBook and iPad sold will have no climate impact. The initiative follows major climate action from other trillion-dollar technology companies. In January, [Microsoft announced plans](#) to remove more carbon than it produces by 2030. Last month, Amazon — which has set its own carbon-neutral goal for 2040 — publicized the creation of a [\\$2 billion venture capital fund](#) to back ambitious efforts to develop decarbonizing technologies.
  - Those promises have also [drawn scrutiny from company employees](#), environmental groups and others who see such initiatives in conflict with tech industry business partnerships with fossil fuel companies.
- ***Microsoft, Nike, Starbucks Set Goal to Achieve Net Zero Emission by 2050.*** Microsoft, Starbucks and Nike joined the heads of six other companies in an initiative launched Tuesday that has a goal of transitioning to net zero emissions by 2050. The Transform to Net Zero initiative that will focus on enabling the business transformation needed to achieve net zero emissions by 2050, with a focus on policy, innovation and finance, according to the [initiative's statement](#).
  - Other founding members included A.P. Moller-Maersk, Danone, Mercedes-Benz, Natura & Co, Unilever and the Environmental Defense Fund. The initiative is supported by BSR, a global nonprofit that works with a network of companies with a goal of building a sustainable world.
- ***Morgan Stanley Commits to Measuring Climate Change Impacts of Its Investments.*** Morgan Stanley, one of the largest U.S. investment firms, joined the Partnership for Carbon Accounting Financials (PCAF), which uses various data sets to estimate greenhouse gas emissions from investments and projects. A number of major banks, including Morgan Stanley, Goldman Sachs, JPMorgan Chase and Wells Fargo, have already pledged not to finance any drilling in the Arctic National Wildlife Refuge. PCAF is still refining its methodology for assessing the climate change impacts of investments.
- ***Microsoft Makes Its First Investment in Its Climate Fund.*** Microsoft said the first investment from its [\\$1 billion climate fund](#) will be in venture capital firm Energy Impact Partners to back new technologies for greener energy and transportation systems.

- The software giant provided \$50 million to EIP, which has invested in companies that make software to improve energy networks and Urbint, an artificial intelligence company that has a methane-capture technology.
- By 2050, the company plans to remove the equivalent of all of its emissions since Microsoft's founding in 1975. However, the company's funding isn't enough — more players and investments are needed, said Chief Environmental Officer Lucas Joppa in a speech. "We need additional applied research funding," he said.

## 2020 PRESIDENTIAL ELECTION NEWS

- ***Biden's Climate Support Could Spawn More Cases Against Big Oil.*** Biden's sweeping clean energy plan, unveiled July 14, includes a pledge to instruct the attorney general to "strategically support ongoing plaintiff-driven climate litigation against polluters," a reference to more than a dozen lawsuits seeking money from fossil fuel companies for local harms related to global temperature rise. The plan doesn't go into detail on the commitment, but any federal support for the climate plaintiffs would mark a 180-degree turn from the Trump administration's backing of Exxon Mobil Corp., BP Plc, and other companies in the litigation.
  - "I've argued and pushed for us suing those executives who are engaged in pollution, those companies engaged in pollution," the former vice president said at the Climate Crisis Town Hall last year in New York City. "I've never walked away from that."
- ***Biden Walks an Environmental Tightrope in Pennsylvania.*** Joe Biden is walking an environmental tightrope in Pennsylvania, trying to excite voters with a [new climate plan](#) without sparking fears that he'll seek to end fracking, which has made the state the No. 2 U.S. gas producer. Biden has said he would not allow new oil and gas development on federal land or waters. But in one debate misstated his own position, saying he would allow "no new fracking" — something his campaign immediately walked back. But the Trump campaign has clung onto the slip, broadcasting it often to paint Biden as aligned with Sens. Bernie Sanders (I-Vt.) and Elizabeth Warren (D-Mass.), who both have called for national fracking bans.
  - Pennsylvania Lt. Gov. John Fetterman said the current economic worries and public health crisis caused by the coronavirus pandemic are likely to overshadow fracking for most voters in the state in this year's election.

## NEWLY PUBLISHED CLIMATE STUDIES

- ***Major New Climate Study Rules Out Less Severe Global Warming Scenarios.*** The current pace of human-caused carbon emissions is increasingly likely to trigger irreversible damage to the planet, according to a comprehensive international [study](#) released Wednesday. Researchers studying one of the most important and vexing topics in climate science — how sensitive the Earth's climate is to a doubling of the amount of carbon dioxide in the atmosphere — found that warming is extremely unlikely to be on the low end of estimates.
  - These scientists now say it is likely that if human activities — such as burning oil, gas and coal along with deforestation — push carbon dioxide to such levels, the Earth's global average temperature will most likely increase between 4.1 and 8.1 degrees Fahrenheit (2.3 and 4.5 degrees Celsius). The previous and long-standing estimated range of climate sensitivity, as first laid out in a 1979 report, was 2.7 to 8.1 degrees Fahrenheit (1.5 to 4.5 Celsius).
- ***Rich Americans are Responsible for More Carbon Pollution at Home than Poor.*** Rich Americans produce nearly 25% more heat-trapping gases than poorer people at home, according to a

comprehensive study of U.S. residential carbon footprints, according to a study published Monday in the Proceedings of the National Academy of Sciences. Residential carbon emissions comprise close to one-fifth of global warming gases emitted by the burning of coal, oil and natural gas.

- Despite this, “the poor are more exposed to the dangers of the climate crisis, like heat waves, more likely to have chronic medical problems that make them more at risk to be hospitalized or die once exposed to heat, and often lack the resources to protect themselves or access health care,” said Dr. Renee Salas, a Boston emergency room physician and Harvard climate health researcher who wasn’t part of the study.
- ***Plastic Pollution in Oceans to Triple by 2040, Harming Climate.*** The annual flow of plastics into our oceans is on a trajectory to triple over the next 20 years, which could add up to 110 pounds of plastic trash for every meter of coastline worldwide, a new report finds.
  - That path is not inevitable, however. The volume could be cut by 80%, the analysis found, by taking actions to reduce the growth of virgin plastic production, improve waste collection systems across the globe, and invest in the creation of plastic materials that are easier to recycle.
  - “There is a path where we can have substantial reduction,” said Dr. Winnie Lau, a co-author of the report and a senior manager with the preventing ocean plastics program at Pew Charitable Trusts. “We picked numbers that were realistic to achieve but not easy.”

#### STATE & LOCAL GOVERNMENT NEWS

- ***New York Wants to Buy Enough Clean Power for 1.5 Million Homes.*** New York Governor Andrew Cuomo is seeking bids for up to 4,000 megawatts of clean energy, enough to power 1.5 million homes. The state plans to buy 2,500 megawatts of power from offshore wind farms proposed in the Atlantic Ocean and 1,500 megawatts from clean-power projects on land, according to a statement Tuesday. New York will also invest more than \$400 million in port upgrades to support the emerging offshore-wind industry. Last year, New York agreed to buy nearly 1,700 megawatts from wind farms proposed by Equinor ASA and a joint venture of Orsted A/S and Eversource Energy.
- ***Scandal Plagues Ohio Energy Package.*** Gov. Mike DeWine of Ohio reversed course Thursday and called for the full repeal of House Bill 6, which provided \$1.3 billion to prevent the shutdown of FirstEnergy Solutions' two nuclear power plants and a coal plant and was signed into law a year ago. The bill is at the center of an alleged bribery scheme announced this week that resulted in federal law enforcement officials charging the Ohio House's Republican speaker, Larry Householder.

#### INTERNATIONAL NEWS

- ***EU Approves Historic Green Stimulus With \$572 Billion Plan.*** At a marathon five-day summit in Brussels, heads of government reached a deal on an unprecedented economic rescue plan and seven-year budget for the region worth 1.8 trillion euros (\$2 trillion). Almost a third of that is earmarked for climate action, offering the bloc’s 27 nations a chance to develop clean energy resources, stimulate the market for emissions-free cars, invest in budding technologies, and promote energy efficiency.
  - The plan is part of Europe’s bid to become the world’s first climate-neutral continent by 2050, putting it ahead of other major emitters such as the U.S., China, and India in the global fight against unstoppable temperature rise.

- Globally, only \$54 billion of the trillions of dollars of recovery funds will be channeled into green policies, while \$697 billion has been allocated for carbon-intensive sectors such as air travel and fossil fuel extraction.
- ***Boris Johnson Announces \$446 Million Funding to Cut Greenhouse Gases.*** The cash will go into projects to scale up the use of hydrogen as a fuel, develop carbon capture and storage technology, and driving the use of “innovative materials” in heavy industry, U.S. Prime Minister Boris Johnson’s office said late Tuesday in a statement. On Wednesday, the premier will hold the first meeting of the government’s new Jet Zero Council to help cut flight emissions. The U.K. is trying to decarbonize its economy by 2050 to meet its own legally-binding “net zero” target, and both Johnson and Chancellor of the Exchequer Rishi Sunak have pledged to ensure the recovery from the coronavirus pandemic is a “green” one. The latest funding follows 3 billion pounds of investment in insulation announced by Sunak earlier this month.

