Chapter 12
State and Local Climate Action[i]

If there is a silver lining to the lack of assertive federal leadership on climate change, it is that states and localities have stepped up to "own" the issue.

The U.S. Conference of Mayors has endorsed and more than 500 mayors have signed an agreement to lead their cities in meeting, at minimum, the emission reduction targets established by the Kyoto Accord. These mayors are joining hundreds of local governments here in the United States and around the world that have been advancing climate protection at the local level for 15 years. With about three-quarters of Americans now living in cities and that number expected to rise, cities and other local governments are crucial to any effort to curtail energy use and global warming. In addition, successful mitigation and adaptation measures by local governments can provide a model and inspiration for federal efforts.

Climate action and climate-friendly policies also are growing at the state level. As of the beginning of 2007, 12 states had established their own appliance efficiency standards; 34 had instituted building codes for residential energy efficiency; 37 had approved similar codes for commercial buildings; 34 had programs to improve energy efficiency in public buildings; eight had established renewable energy set-asides to control nitrous oxide pollution; 47 were engaged in state or regional energy planning; 41 had established some form of interconnection and net-metering policies to support distributed energy generation; 10 had created energy efficiency portfolio standards; 24 had adopted renewable energy portfolio standards; and 16 states had created public benefits funds to support "clean energy supply programs."[ii]

Forty-two states have conducted greenhouse gas inventories. Thirty have adopted their own climate action plans or are in the process of writing them.[iii] Twelve have established

emission reduction targets for greenhouse gases. Seven northeastern and mid-Atlantic states have created their own carbon trading system (the Regional Greenhouse Gas Initiative, or RGGI) and other states are considering similar programs. In addition to these standards and policies, states regulate utilities and the insurance industry, both of which have vital roles to play in climate action.[iv]

In the absence of new federal standards for vehicle efficiency, 10 states have established greenhouse gas emission limits for automobiles.[v] A dozen states joined in a lawsuit against the federal government to challenge its assertion that it does not have the authority to regulate carbon dioxide from cars. The U.S. Supreme Court heard the case and ruled that the U.S. Environmental Protection Agency has both the authority and the obligation under the Clean Air Act to regulate vehicle CO_2 emissions.

In short, states and localities have shown extraordinary leadership in establishing goals, authorities and plans for climate action and in taking legal action, when necessary, to defend their rights to do so. "Some states are motivated by projections of climatic changes, while others view their policies as economic opportunities," according to the Congressional Research Service.[vi] "States also point to the potential co-benefits of reducing greenhouse gases: improvements in air quality, traffic congestion, and energy security." Similarly, cities, towns and counties have long realized the benefits of local climate action both in energy and cost savings. They've expanded their energy portfolios, reduced their climate impact, pushed the limits of innovation, and created safer, healthier communities along the way.

However, in many areas of climate action, state and local leadership cannot substitute for federal leadership. Without national requirements for greenhouse gas reductions, for example, an individual state's efforts may be offset by emissions from its neighbors. Uniform policies help ensure that a state doesn't put itself at a competitive disadvantage with other states for economic development when it limits greenhouse gases, prices carbon or requires investments in energy efficiency. And in the community of government and non-government organizations most familiar with climate issues, there is

general agreement that many localities do not have sufficient knowledge or resources to implement effective climate action without assistance. Local governments don't always have the jurisdictional power to design and implement emissions-reduction policies. The federal government should enable local action with technical and financial assistance, while avoiding unfunded mandates or unnecessary preemption of state and local authority. The federal role should be to empower climate leadership at all levels of government and civil society to speed and smooth the transition to a low-carbon economy.

Other PCAP chapters include recommendations that would assist local governments with mitigation and adaptation. For example:

- Chapter 3 on Energy Policy includes recommendations on new utility policies that would increase the availability of distributed generation and renewable energy technologies.

- Chapter 8 on Low-Carbon Mobility contains recommendations on public transit systems, transit-oriented design, smart growth and other local actions.

- Chapter 5 includes adaptation measures related to public health.

[i] This chapter was written with the assistance of ICLEI-Local Governments for Sustainability, one of several organizations in the U.S. helping local governments achieve carbon reduction and broader sustainability goals. It provides an excellent example of how nongovernmental organizations can enable local action. ICLEI is a bipartisan association of local governments in the U.S. It has been the genesis of and has provided support to local initiatives to address global warming. Through ICLEI, these cities, counties and towns have advanced greenhouse gas (GHG) emissions reductions, driven innovation, saved money and energy and made their communities cleaner, better places to live. ICLEI-USA's membership represents about 300 local governments and a quarter of the nation's population and reports achieving GHG reductions of 23 million tons annually, which translates into about $535 million in savings. This is the rubber-meets-the-road implementation piece of local climate action and produces performance-based, verifiable results. Specific tools to help these local governments include: Climate Action Handbook (http://www.iclei.org/documents/USA/documents/CCP/Climate_Action_Handbook-0906.pdf), the Cool Mayors for Climate Protection website www.coolmayors.org, and the Cities in Action report (http://www.iclei.org/documents/USA/documents/citiesinaction/ICLEI_Cities_in_Action_2006c.pdf). Another organization, Natural Capitalism Solutions, has worked with ICLEI to produce practical guidance for local action. The Sierra Club is engaging communities at the grassroots level to support local climate action through their Cool Cities program. Each of these entities – Natural Capitalism Solutions, the US

Conference of Mayors, ICLEI and Sierra Club – bring various strengths to the table and compliment the pioneering workunderway at the local level.

[ii] To see an inventory of state energy policies current to Jan. 1, 2007, see http://www.epa.gov/cleanenergy/stateandlocal/activities.htm

[iii] http://www.pewclimate.org/what_s_being_done/in_the_states/action_plan_map.cfm

[iv] Proposals regarding state regulations and programs are listed throughout other PCAP chapters.

[v]The state emission limits currently are being held up by litigation challenging their right to exceed federal standards.

[vi]"Climate Action by States to Address Greenhouse Gas Emissions," Congressional Research Service, Jan. 2008.