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December 11, 2018

Via Electronic Mail and First Class Mail

Andrew K. Wheeler
Acting Administrator
Environmental Protection Agency
Office of the Administrator Code 1101A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

**Re: Fourth National Climate Assessment and Proposed Rules Weakening
Greenhouse Gas Emission Standards for Motor Vehicles and Power Plants**

Dear Acting Administrator Wheeler:

The undersigned State Attorneys General and Local Government Attorneys (together “States and Cities”) respectfully submit this letter concerning the recent national climate assessment report issued by the Environmental Protection Agency and twelve other U.S. government agencies.¹ The Assessment provides a thorough evaluation of the harmful impacts of climate change that different regions of the country are experiencing and the projected risks climate change poses to our health, environment, economy and national security.

Although the Assessment credits emission reduction strategies the States and Cities and others have already put into action, it concludes that current efforts “do not yet approach the scale considered necessary to avoid substantial damages to the economy, environment, and human health over the coming decades.” *Assessment*, ch. 29. The sobering findings of the Assessment should serve as a call to action to EPA and other federal agencies to take prompt measures to require reductions in greenhouse gases. Yet EPA is proposing to move our nation backwards by rolling back current regulations that require greenhouse gas emission reductions from the transportation and electricity generation sectors, the two largest sources of those emissions in the United States. The combined effect of these two rollbacks would harm Americans by making climate change worse: Conservatively, based on EPA’s own figures, the

¹ See U.S. Global Change Research Program, “Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II,” (D.R. Reidmiller et al. eds., 2018), <https://nca2018.globalchange.gov/> (“Assessment”).

vehicle emissions rollback would result in increased emissions of 540 million metric tons of carbon dioxide equivalent just from model year 2022-25 motor vehicles (*i.e.*, not even counting the 2021 and 2026 model years),² and the rollback of the Clean Power Plan would cause an increase of up to 55 million metric tons (61 million short tons) of carbon dioxide equivalent in 2030. 83 Fed. Reg. 44,746, 44,784, tbl. 6 (Aug. 31, 2018). Added together, the emissions increases for those years alone would equal the annual emissions of 147 coal-fired power plants or 127 million gasoline-powered cars.

In light of the Assessment, we renew our request that you immediately withdraw the proposals to weaken the motor vehicle and power plant greenhouse gas emission standards. At a minimum, EPA should reopen the comment periods for each of the rollback proposals to allow for public input on and adequate consideration of the bearing of the Assessment’s findings on both proposals.³

With respect to the numerous climate change harms documented in the Assessment, two are particularly important to highlight. Regarding human health, the Assessment states that “[i]mpacts from climate change on extreme weather and climate-related events, air quality, and the transmission of disease through insects and pests, food, and water increasingly threaten the health and well-being of the American people, particularly populations that are already vulnerable.” *Assessment, Summary Findings*, ch. 6. Similarly, regarding infrastructure, the Assessment notes that “[o]ur aging and deteriorating infrastructure is further stressed by increases in heavy precipitation events, coastal flooding, wildfires, and other extreme events, as well as changes to average precipitation and temperature.” *Id.*, ch. 10.

Moreover, the Assessment makes clear that we need to act now to reduce greenhouse gas emissions. It cautions that “[i]n the absence of significant global mitigation action and regional adaptation efforts, rising temperatures, sea level rise, and changes in extreme events are expected to increasingly disrupt and damage critical infrastructure and property, labor productivity, and the vitality of our communities.” *Assessment, Summary Findings*, ch. 2. Furthermore, “[b]y the end of this century, thousands of American lives could be saved and hundreds of billions of dollars in health-related economic benefits gained each year under a pathway of lower greenhouse gas emissions.”⁴

² U.S. EPA, *Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards Under the Midterm Evaluation* (Jan. 2017), at 6.

³ Because we cannot assume that EPA will grant our request to withdraw the proposals or at least reopen the public comment period, the States and Cities intend to submit the Assessment to the dockets of the two rulemakings shortly, along with letters discussing how the Assessment supports our legal and policy concerns previously expressed in our rulemaking comments.

⁴ U.S. Global Change Research Program, “Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II: Report-in-Brief,” 102 (D.R. Reidmiller et al. eds., 2018), https://nca2018.globalchange.gov/downloads/NCA4_Report-in-Brief.pdf (“*Report-in-Brief*”).

EPA and its sister agencies cannot ignore or downplay their own Assessment. The Assessment represents the federal government's authoritative analysis of climate science and the impacts of climate change on the United States. *See* Global Change Research Act of 1990, Pub. L. No. 101-606. It represents the work of more than 300 governmental and non-governmental experts, was externally peer-reviewed by a committee of the National Academy of Sciences, Engineering and Medicine, and underwent several rounds of technical and policy review by the thirteen federal member agencies of the U.S. Global Change Research Program. *Report-in-Brief* at 1-2. EPA and other federal agencies must give full weight to the scientific facts and findings presented in the Assessment, and consider the implications of the Assessment for its proposed actions.

Many of the States and Cities have already filed extensive comments objecting to the proposals to weaken the motor vehicle and power plant greenhouse gas emission standards and calling for their withdrawal.⁵ We today renew our call for their withdrawal in light of the overwhelming evidence the Assessment presents of the need for prompt, meaningful action by the federal government to reduce greenhouse gas emissions.

Sincerely,

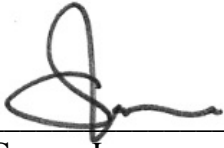


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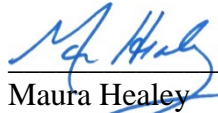


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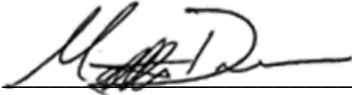
⁵ *See, e.g.*, Comments of California Attorney General, et al. on the Proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-26 Passenger Cars and Light Duty Trucks (Oct. 26, 2018), *available at*: <https://www.regulations.gov/document?D=NHTSA-2018-0067-11735>; Comments of New York Attorney General, et al. on EPA Proposed Rule, Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Emission Guideline Implementing Regulations; New Source Review Program (Oct. 31, 2018), *available at*: <https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-24817>.



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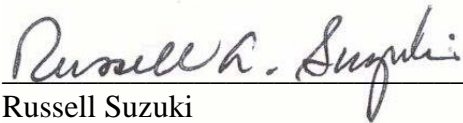
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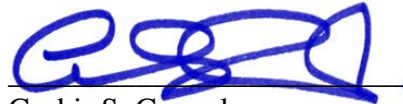
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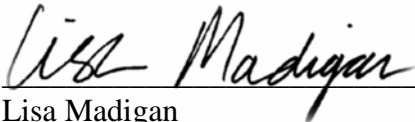
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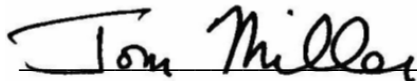
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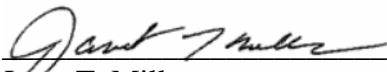
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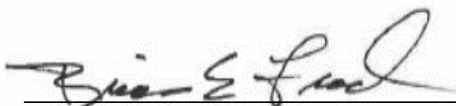
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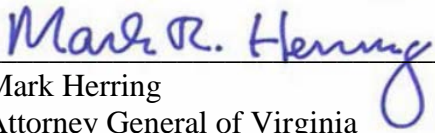
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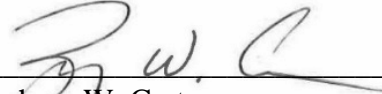
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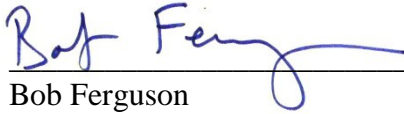
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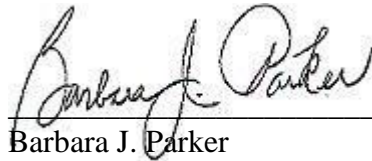
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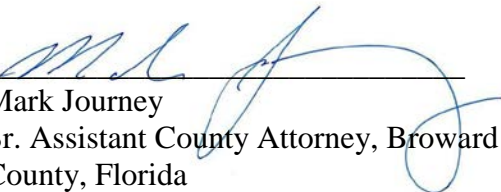
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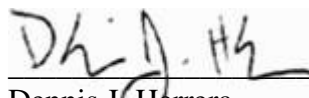
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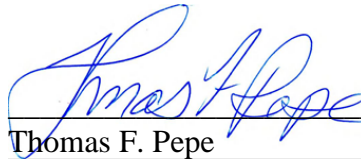
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