

› Climate Change, Trump and Populism

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Turn the clock back several months, to June 1, 2017, and imagine a world in which Donald Trump has agreed to keep the United States in the Paris Agreement. Those concerned with climate change—scientists, environmentalists, and, increasingly, ordinary people—would have breathed a collective sigh of relief. Media pundits among the mainstream outlets would have declared that the more moderate Ivanka Trump/Jared Kushner wing of the White House had prevailed, dealing Steve Bannon and company a huge blow. California Governor Jerry Brown would have continued to play a supporting role in Paris as the head of the U.S. state with the most ambitious climate agenda, and not instead have become the de facto leader of U.S. efforts to reduce greenhouse gas emissions. After a few days, attention on the issue would have largely dissipated.

And yet under such a scenario, the U.S. EPA, led by former Oklahoma Attorney General Scott Pruitt, would continue to dismantle the Obama Administration's climate change policies, to remove references to climate change from agency websites, and to defund climate research. OMB Director Mick Mulvaney would work to implement his promise that "we're not spending money on [climate change]. We consider that a waste of your money to go out and do that." Secretary of State Rex Tillerson would still eliminate the Special Envoy for Climate Change and oversee the effort to defund the U.S. commitment to U.N. climate negotiations and the Green Development Fund that helps developing countries protect themselves against the worst effects of a warming planet. In other words, the U.S. would remain in the Paris Agreement, providing the Administration with cover, while overseeing the most hostile assault on U.S. environmental policy in modern history. Most of the Administration's assault would occur largely under the radar, provoking outrage only among those of us who follow these developments closely.

Instead, the President's decision to "tear up the Paris Agreement" has met with widespread and almost universal derision. The withdrawal has focused

domestic and global attention on the Trump Administration's utter hostility to all things climate. It has elevated Jerry Brown almost to the status of head of state, leading to meetings in Beijing with the Chinese President about how to continue the momentum achieved by the signing of the Paris Agreement while Secretary of Energy Rick Perry, in China at the same time as Brown, was ignored. It has led cities and states across the country, in red and blue territory, to commit to reducing their emissions by an amount equivalent to the U.S. commitment under the Paris Agreement. More than a thousand U.S. businesses have made similar pledges. And in the wake of two of the strongest hurricanes ever to make landfall in the U.S., it has helped highlight the perils of U.S. inaction. Indeed, there is now confusion among U.S. and European diplomats about whether the U.S. will remain a party to the agreement despite Trump's June announcement.

The Trump Administration's decision to withdraw from Paris may, ironically, have spurred a much more vociferous and much deeper populist reaction against his climate policies than had he affirmed U.S. participation. If by populism one means representative of ordinary people (as opposed to the more sinister association with nationalism the term sometimes suggests), then the reaction to the Trump decision appears to have created a populist backlash. The simple act of withdrawing the U.S. from Paris is far easier to understand—and rally against—than the behind the scenes efforts to withdraw rules, issue notices to initiate new rule making proceedings, file briefs in federal courts reversing the position of the United States on environmental policies, cut staff, and defund obscure international agencies.

Moreover, the Trump Administration has gained virtually nothing substantive for the U.S. in withdrawing, even though its central rationale for doing so is that the U.S. "got a bad deal" and that Trump would attempt to negotiate a new deal. Individual commitments to reduce greenhouse gas emissions under

the agreement are entirely voluntary and require no negotiation. The U.S. could withdraw the commitment made by the Obama Administration and submit a new, weaker one with no penalty. Perhaps this realization is what is leading to the mixed messages coming out of the Administration now, signaling that the U.S. might remain in the agreement after all. I should stress that my point about the withdrawal of the U.S. from the Paris Agreement is not that withdrawal is uniformly a positive move. The failure of the U.S. to lead on climate change is a moral and substantive catastrophe. My point is a narrower one: the damage the Trump Administration is doing to climate policy is happening whether or not the U.S. remains a party to the agreement. The decision to withdraw has highlighted the U.S. failure to lead, not caused it. The result has been much stronger public interest in and reaction to the withdrawal announcement, which may offset some of the damage the Administration is doing to climate policy more generally.

HOW THE PARIS AGREEMENT WORKS

Very basically, under the Paris Agreement, each of the 197 parties to it (virtually every country in the world except Nicaragua and Syria) submitted Nationally Determined Contributions setting forth individual commitments to reduce greenhouse gases. The Agreement contains no parameters for what is expected of any country, large or small emitter, developed or developing. The Obama Administration early on rejected the more traditional top-down treaty format, where the treaty terms set forth what is expected of its signatories, for a number of reasons including a belief that global consensus on treaty terms was virtually impossible. Moreover, as a political matter the U.S. could never get the Senate to ratify a treaty containing binding commitments given that, at the time, most Republican Senators did not even acknowledge the existence of the underlying problem of climate change.

The U.S. in its NDC committed to reduce its emissions by 26 to 28 percent below 2005 levels by 2025. The commitment included five major components, all of which are currently threatened in whole or in part by a combination of Trump Administration and court action. Below is a description of each component and its current status:

The Clean Power Plan: The centerpiece of the U.S. commitment under the Paris Agreement is the Clean Power Plan (CPP). The CPP cuts emissions from the electricity sector by 32 percent by 2030. The power

sector is the second largest source of greenhouse gases in the U.S.—but the cuts in emissions would be greater than from the transportation sector, making the CPP's contribution to the U.S. commitment of outsized importance. The Trump Administration has withdrawn the rule.

Higher Fuel Economy Standards: The second biggest piece of the U.S. commitment is the strengthening of fuel efficiency standards from cars and trucks. The Trump Administration is currently reviewing the standards for new cars for 2021–2025 model years, with the expectation that it will weaken them. Pruitt's EPA may also try to rescind California's waiver to issue its own standards.

Tighter Appliance Efficiency Standards: In order to reduce energy consumption, the Obama Administration issued more stringent efficiency standards for 29 different categories of equipment and appliances. The Trump Administration has frozen the implementation of six of these standards—those that were not yet finalized but were close—by refusing to allow agencies to send the regulations for publication in the Federal Register. The standards apply to appliances like air conditioners and compressors.

Methane Reductions from Landfills and Oil and Gas Operations: In addition to adopting a new regulation to reduce methane from landfills, late in its term, the Obama Administration issued regulations to reduce emissions from oil and gas operations on public lands. The Pruitt EPA attempted to stay the regulations for two years but the D.C. Circuit Court of Appeals rejected the stay on the grounds that the Administrator failed to follow proper administrative procedures. EPA has yet to determine its next action on the issue but it is hard to imagine that the Administration will allow the rules to go into effect.

High Global Warming Potential Hydrofluorocarbon Reductions: The Obama Administration issued a rule requiring the phase out of some uses of HFCs, which are a particularly potent greenhouse gas. This is the only rule that, to date, the Trump Administration appears to be supporting, perhaps because Dupont Chemical's spinoff Chemour Company and Honeywell support the rule. The D.C. Circuit Court of Appeals, however, recently struck down the rule on the grounds that EPA lacked the authority to issue it under the Clean Air Act.

In short, then, the Trump Administration has taken aim at four out of the five major greenhouse gas emissions reduction strategies the U.S. has committed to under the

Paris Agreement and the fifth has been struck down by a federal court. But there's more. Trump has also proposed cutting the entire U.S. contribution to the Global Climate Change Initiative, which provides about 20 percent of the funding for the diplomatic and technical programs that are central to the international climate negotiation process. And he has proposed eliminating all funding for the Green Climate Fund, a central component of international climate programs to help developing countries finance climate change-related projects. The U.S. has pledged \$3 billion to the Fund and has to date paid \$1 billion of its commitment.

It's important to emphasize, again, that the decision to roll back the U.S. climate policies would happen whether or not Trump agreed to remain in Paris. The actions to roll back these policies began long before the June announcement. Thus the Administration could have remained in the agreement, continued its assault on the U.S. policies that form the basis of the Obama NDC, submitted a new and weaker NDC, and sustained far less political, media and international opprobrium. Instead, it may have finally succeeded, where so much else has failed, in stoking a sort of populist uprising in favor of climate action.

THE POST-PARIS RESPONSE

The response to the U.S. announcement to withdraw from the Paris Agreement has been swift and loud. International leaders across the globe, including from China and the European Union, have expressed their intention to continue their own commitments. Newspapers across the country, including the *New York Times*, the *Los Angeles Times*, the *San Diego Union*, the *Chicago Tribune*, the *Tampa Bay Times*, *Time Magazine*, *Bloomberg News*, the *Detroit Free Press*, and the *Washington Post* editorialized against the decision. Less than a third of Americans polled approved of the decision to pull out, with more than half opposing it. Business leaders, including the heads of G.E., Apple, Microsoft, IBM, Intel, Google, and Amazon all expressed their disappointment with the decision, and even Exxon-Mobile and Shell Oil expressed support for

continuing U.S. participation. More than a thousand businesses have pledged to cut their own emissions by the 26-28 percent contained in the U.S. pledge.

The most compelling evidence that the withdrawal decision has sparked a populist counter movement, however, comes from state and local governments. Twelve states and Puerto Rico, representing more than a third of U.S. GDP, have pledged to honor the U.S. Paris commitment and cut their own emissions 26 to 28 percent by 2025. 211 mayors have committed that their cities will do the same. And the cities include not only reliable environmental stalwarts like Los Angeles and New York but others like Houston, Columbia, S.C., Salt Lake City, Dubuque, Allentown PA and Anchorage. While it is true that most of these jurisdictions are governed by Democrats, the political calculation by these leaders is that public opinion is behind them. A May, 2017 poll by the Yale Program on Climate Communication revealed that a majority of registered voters favor stronger government action on climate change, including large majorities of liberal, moderate and conservative Democrats and near or actual majorities of liberal to moderate Republicans. Even conservative Republicans favor more corporate and industrial action to reduce emissions.

It is too early to know whether the immediate reaction to Trump's decision to withdraw from Paris will result in ongoing public support in favor of climate change action. One of the conundrums of the problem of climate change is that solving it requires sustained, comprehensive action across all sectors of the economy even though most of the benefits from such action will accrue to future generations. Public opinion about climate change has proven fickle. Nevertheless, the immediate aftermath of the withdrawal announcement has been to galvanize public opinion and—more importantly—public (and private) action against U.S. inaction. Trump's greatest achievement on climate change may turn out to be to increase public opinion in favor of doing something about climate change, something that wouldn't have happened had he committed to stay in the agreement while eviscerating U.S. climate policy.