

# San Francisco Chronicle

## Jerry Brown finds himself at forefront of climate-change battle

Carolyn Lochhead

November 26, 2016

One strange effect of Donald Trump's election to the presidency has been to vault California Gov. Jerry Brown, one of America's most fervent climate warriors and a failed presidential candidate himself, to national leadership on what he calls "the existential threat of our time."

As Trump promises to roll back President Obama's climate agenda, California's aggressive efforts to cut carbon emissions, along with Brown's globe-trotting courtship of like-minded Canadian provinces, Chinese cities and other jurisdictions seeking a "deep de-carbonization" that goes beyond international emissions targets, may soon become the nation's leading front against climate change.

As environmental activists and their Democratic allies brace for the worst from the new administration, they are eyeing the GOP playbook, executed over more than a decade, of making an end run around Washington.

That includes pouring more effort into state-level regulations like California's and forging alliances with businesses that have already made big investments in renewable energy, building environmental policy from the ground up.

"The White House is the biggest bully pulpit, but it's not the only one," said Jamie Henn, spokesman for the climate group 350.org. "Jerry Brown's got a pretty big one of his own."

Less than a week after the election, Brown announced that 29 new members had joined his Under2 Coalition, representing jurisdictions committed to keeping temperatures below the 2 degrees Celsius rise that scientists have set as a rough threshold for global catastrophe. The new members included Beijing and other Chinese cities, the Mexican states of Michoacan and Tabasco and a small territory in Australia.

Together, the coalition has grown to 165 jurisdictions worldwide, representing more than a billion people and more than a third of the global economy.

"It's incredibly important for states to step up their game," Henn said, pointing to the nine Northeastern states that have formed an alliance to cut carbon emissions by 80 percent. The effort is similar to California's climate pact with Washington, Oregon and British Columbia, which Brown initiated in 2013.

A group of 365 businesses and investors, including such big names as San Francisco's Levi Strauss and Gap, eBay, Kellogg, Mars and chemical giant Monsanto, a favorite target of environmental critics, signed an open letter to Trump on Nov. 16, warning that "failure to build a low-carbon economy puts American prosperity at risk."

The businesses pledged to "do our part, in our own operations and beyond," to cut carbon emissions. They urged Trump to keep the United States in the Paris Climate Agreement, signed by 193 nations, which took effect four days before the election.

Gov. Jerry Brown, right, flanked by Assembly Speaker Anthony Rendon, D-Paramount, and Sen. Fran Pavley, D-Agoura Hills, discusses the 10-year extension of the state's landmark climate change legislation, SB32, during a news conference in Sacramento in August.

A week later, Trump told the New York Times that he is "open" to staying in the pact, stunning his own allies.

"If President-elect Trump has now said that he has an open mind to keeping the Paris accord, I don't think there's any credibility we can assign to his previous statements about the Clean Power Plan," said Patrick Michaels, a leading climate-change skeptic at the libertarian Cato Institute, referring to the Obama administration's rule to restrict carbon emissions from power plants. Trump said during the campaign that he would scrap the plan.

On Tuesday, a collection of 36 "climate mayors," including San Francisco's Ed Lee and Eric Garcetti of Los Angeles, wrote an open letter to Trump, similarly promising to set their own climate targets and noting that voters in the Nov. 8 election had approved \$200 billion in mass transit and environmental investment bonds.

Trump won the presidency by promising such Coal Belt states as Pennsylvania and Ohio "an America First energy plan." Last week, he posted a YouTube video declaring that he wanted to cancel restrictions on fossil-fuel production, including coal and shale-oil fracking, which he promised would create "many millions of high-paying jobs."

Many climate activists scoff at the assertion, saying the plunging price of solar and wind energy has crushed coal, perhaps permanently, and may soon do the same to natural gas.

"Any time you turn away from technology and try to go backwards to the former technology, it's a mistake," said Tom Steyer, the wealthy Northern California environmental activist who heads the advocacy group NextGen Climate.

Trump is "trying to re-create a world that we're moving on from," Steyer said. "The American business establishment has moved on. He's fighting American business, and in terms of jobs and the cost of moving back to fossil fuels, it's a big mistake."

Trump has promised to immediately reverse President Obama's 263 executive orders, 35 of them related to climate change, such as requiring federal agencies to reduce their own carbon emissions.

But reversing regulations is an enormous undertaking, said Michael Wara, a professor of environmental and energy law at Stanford University.

“The administrative state moves very slowly,” Wara said. Trump’s promise to reverse the Obama rule requiring power plants to cut carbon emissions would require the same cumbersome, litigation-prone process that was required to write the regulation in the first place.

In addition, Wara said, “they’re going to have to explain, in a way that is defensible to a court, why all the reasons they gave last year for why this is important and essential and necessary and legal turned out to be wrong.”

The problem will be magnified if Congress cuts the Environmental Protection Agency’s budget or otherwise keeps it from doing its job. If the agency simply stops enforcing rules, the administration might meet resistance from businesses that have already invested in compliance and would risk lawsuits from environmental groups if they stop.

Congress could try to reverse regulations by law, but as an institution, has a limited capacity for tackling big issues.

“Trump has a big legislative agenda, including tax reform, and trade, and immigration, and Obamacare,” Wara said. “My guess is that all those things are going to come first on the congressional agenda so far as the president is concerned.”