

Green New Deal Shines Light on Environmental, Economic and Social Issues

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In February, Rep. Alexandria Ocasio-Cortez sponsored a resolution in the House of Representatives to recognize the duty of the federal government to create a Green New Deal. The reactions publicized in the media were colorful. Supporters viewed H. Res. 109 and its Senate counterpart introduced by Sen. Ed Markey, S. Res. 59, as embodying a critical commitment to halt global warming, restructure the economy and promote social justice. In contrast, detractors claimed that if adopted, the resolution would establish socialism and, worse yet, prevent Americans from eating hamburgers. Rather than engaging in a genuine policy debate concerning global warming or income inequality, some detractors seized upon a premature press release mentioning cow emissions, and, perhaps facetiously, sought to rally citizens to protect their claimed dietary rights.

Although the specific legislation needed to implement the resolution is still a work in progress, the resolution serves a valuable purpose in elevating important issues for public discussion. When polemics are set aside, the resolution establishes a vision for fundamental environmental, economic and social change that its proponents contend must be pursued with urgency. As a statement of principles, it neither sets enforceable statutory requirements nor contains a detailed blueprint for implementing its goals. In a democracy, the merits of these principles and how they may be implemented should be explored in the marketplace of ideas. So let the discussion begin.

The resolution commences by citing conclusions of the October 2018 report of the Intergovernmental Panel on Climate Change (IPCC) and the November 2018 Fourth National Climate Assessment report that global warming caused by human activity will result in serious adverse environmental and economic effects. Emissions of greenhouse gases will increase the prevalence and magnitude of extreme weather events, threaten communities and the environment with sea level rise and wildfires, and cause mass migrations and severe economic loss.

The resolution seeks to avoid the most severe impacts by providing a framework in which to limit the rise of global temperatures to no more than 1.5 degrees Celsius above pre-industrialized levels. To attain the necessary dramatic reductions in greenhouse gas emissions, the resolution advocates, among other things, urgently converting from fossil fuel to renewable sources of electric generation, upgrading buildings and transportation systems and capturing carbon through restoration of natural ecosystems, reforestation and other techniques. Whether the proponents of the resolution anticipate a major role for a carbon tax or cap and trade system in promoting these reductions is uncertain.

By focusing on the need to quickly reduce our country's contribution to climate change, the Resolution reflects the consensus of the scientific community and rests on solid scientific grounds. But to mobilize vast resources, alter the structure of the economy, and accomplish their goals within a short period, the Resolution's sponsors will need to convince most of the public, and in turn the Congress, that climate change is a crisis akin to the Great Depression and that through large government investments, economic harms from climate change can be avoided. This has yet to occur.

The environmental goals identified in the resolution extend beyond combating climate change. The resolution supports “clean air and water,” “healthy food,” “access to nature” and a “sustainable environment.” These goals, while easy to endorse as a generality, mean different things to different people. They are already among the objectives of existing environmental statutes, implementation of which is often controversial.

The resolution does not address climate change and the environment in isolation. It also decries the income inequality and lack of socioeconomic mobility faced by many workers and families. Reciting that as a result of systemic injustice the country is experiencing the greatest income inequality since the 1920s, the resolution advocates creating millions of high-wage jobs. This aggressive government-sponsored jobs and infrastructure investment program is reminiscent of the first New Deal. But according to the resolution, this time minorities and women would not be left behind. To be sure, a rapid conversion to renewable energy would create “green energy” jobs, but absent specific proposals, the amount of government investment required and the type and number of public and private jobs created remains unclear.

The resolution makes a significant contribution by focusing public attention on the interrelationship among environmental, economic and social issues. As the IPCC reported, many of the impacts of global warming fall disproportionately on poor and vulnerable populations. Principles of equity established in international law support promoting poverty eradication and sustainable development as part of a response to global warming. In the United States, since at least the early 1990s, the environmental justice advocates have sought to address the disproportionate impacts that pollution has on vulnerable communities. More recently, “climate justice” is a frequently used, and at times abused, term.

Let’s consider what changes in environmental laws may be proposed as Green New Deal programs are formulated. To achieve “net-zero greenhouse gas emissions,” the resolution identifies one implementation tenet advocated by environmentalists and certain others—enacting laws and programs that consider “the complete environmental costs and impacts of emissions.” Termed “internalizing externalities” by economists, this principle when incorporated into environmental laws could require companies emitting to the air or discharging to public waters to pay fees for use of public assets. But because the resolution is largely a statement of principles, the various structural and legal changes necessary to achieve its myriad environmental goals are unspecified.

To promote equity, the resolution’s supporters may seek to codify and expand existing environmental justice programs. Executive order 12,898 issued during the Clinton administration requires federal agencies to address disproportionately high and adverse human health or environmental effects of their programs on minority or low-income populations. This executive order could be made law, either by a new statute or amendments to existing environmental laws and the classes of protected populations could be expanded.

Proponents of the Green New Deal also may rethink the current environmental regime that places each environmental media in its own silo. Today we have the Clean Water Act to address discharges of pollutants to water, the Clean Air Act to address emissions to air and a bevy of other environmental laws of limited scope. Those few environmental laws of broader reach, such as the National Environmental Policy Act (applicable to major federal actions) and the Pollution Prevention Act, are not the source of a company’s principal environmental requirements.

A broader approach focusing holistically on an activity resulting in any form of pollution, or on an ecosystem suffering multiple environmental insults, would be consistent with the objectives of the Green New Deal. Human health and the environment are affected by the totality of emissions and the resulting loss of ecosystem services. Suppose that the law is changed to impose taxes or fees on a company for carbon emissions or more generally for use of public assets, itself a controversial proposition. This would incentivize companies to minimize emissions, the public resources utilized (e.g., water, air, land) and the ecosystems impacted. Companies and affected communities could be authorized to jointly decide how these fees are applied to benefit the environment or health of those communities.

To effectuate a quick, dramatic conversion to renewable forms of energy, proponents may seek to examine obstacles presented by existing environmental laws. Will siting restrictions, protections of endangered or threatened species, or other limitations be relaxed to allow construction of renewable energy facilities? Or will the goals of protecting the environment and ecosystems preclude these changes? Will utilities be compensated for stranded assets, or utility rates for disadvantaged populations subsidized? Will fossil fuel and nuclear electric generating facilities be permitted to operate when demand exceeds renewable energy production? Implementation will involve potential trade-offs that the Green New Deal proponents have yet to address.

The Green New Deal Resolution has done a service in bringing to the fore critical environmental, economic and social issues, and by expressly recognizing the interrelationship among them. In our democracy, it is our responsibility to address global warming and income inequality seriously, whether we are meat lovers or vegetarians.

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