



STATE & LOCAL RIGHTS National Climate Legislation

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Why Are State & Local Rights Important?

State/Local Rights: National Climate Legislation

- Laboratory of ideas
- Motivate ongoing federal action
- Achieve goals of the federal program
- Achieve needed GHG reductions





What Rights Are At Risk?

State/Local Rights: National Climate Legislation



- Authority to implement the cap
 - Monitoring, inspections, permitting, enforcement
 - Complementary measures within the cap
- Authority to strengthen the cap
 - Retire allowances, restrict offsets
 - Add sectors to the cap



What Rights Are At Risk?

State/Local Rights: National Climate Legislation

- Regulating non-capped sectors
 - California tailpipe standards
 - VMT/fuel measures
 - Land use
 - Renewables
 - Energy efficiency
- Control over revenue
 - Auction percentage
 - Use of revenue: reduce emissions, offset impacts, administration





What About Regional Cap and Trade Programs?

State/Local Rights: National Climate Legislation



Western Climate Initiative

MIDWESTERN
GREENHOUSE
GAS REDUCTION
ACCORD

- Transition
 - Regional program ended and transitioned into federal
 - States compensated for loss of auction revenue
- Incorporation
 - Fungible carbon allowances
 - Compliance with regional cap equals compliance with federal



Group Discussion

State/Local Rights: National Climate Legislation

- Do concerns about “double regulation” and inefficiency have merit?
- What are the key rights we need to protect?
- Are these issues being handled adequately in Lieberman/Warner?
- What are the pros and cons of “Transition” vs. “Incorporation”?

