



Legislation Text

File #: 18-1457, **Version:** 2

..Title

Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be filed with the Court of Appeals for the District of Columbia Circuit in State of California, et al. v. United States Environmental Protection Agency, et al. (Case No. 18-1114, consolidated with 180-1118, 18-1139, 18-1162)

Whereas, Climate change poses a grave threat to many cities and localities, including through impacts such as more localized flooding, longer and more pronounced heat waves, changes in disease vectors, and more;

Whereas, Greenhouse gas emissions are the primary cause of global climate change;

Whereas, greenhouse gas emissions are rising due to the use of fuels such as coal, oil, gasoline, and natural gas;

Whereas, Gasoline used in transportation emissions is a notable source of greenhouse gas emissions throughout the United States and specifically in the City of Ann Arbor;

Whereas, motor vehicle greenhouse gas emission and fuel economy standards promulgated by the federal Environmental Protection Agency (EPA) and the State of California pursuant to the Clean Air Act (hereinafter, "Clean Car Standards") are essential for addressing the risks associated with climate change insofar as they control emissions from vehicles;

Whereas, The City of Ann Arbor has established a goal of reducing community-wide greenhouse gas emissions by 25% by 2025 and by 80% by 2050 (based on emissions in 2000);

Whereas, The City of Ann Arbor has assumed that "Clean Car Standards" will continue to improve and has integrated that assumption into our plan for meeting our greenhouse gas emissions reduction goals;

Whereas, The federal EPA recently announced that they would conduct a Mid-Term Evaluation of vehicle emissions standards. On August 2, 2018, EPA and the Department of Transportation announced its proposal, The Safer Affordable Fuel-Efficient (SAFE) Vehicle Rule for Model Years 2021-2026 Passenger Cars and Light Duty Trucks, effectively freezing fuel efficiency standards;

Whereas, The federal EPA is proposing to revoke the State of California's vehicular waiver;

Whereas, These changes would significantly hinder the City of Ann Arbor's ability to slow and reduce local greenhouse gas emissions;

Whereas, These changes would also render local efforts to prepare for climate-related impacts less effective;

Whereas, The Sabin Center for Climate Change Law at Columbia Law School is representing a coalition of local governments that are challenging EPA's rollback of Clean Car Standards;

Whereas, As stated in the Coalition's request for the City of Ann Arbor to participate as amici curiae "EPA's Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles published in the Federal Register on April 13, 2018 at 83 Fed. Reg. 160777 ("Action") is not a valid exercise of EPA's authority [because it] fails to provide adequate factual support in the record to justify: 9i) its withdrawal of the January 2017 Final Determination that the 2022-2025 Light-Duty Vehicle Standards were appropriate, and (ii) its revised final determination that the 2022-2025 Light-Duty Vehicle Standards were not appropriate;

RESOLVED, The City of Ann Arbor shall request, through its City Attorney, to be listed as a supporting municipality to the amicus brief to be filed by the Sabin Center for Climate Change Law, Columbia Law School on behalf of the Local Government Coalition supporting California in the case *California et al., v. United States Environmental Protection Agency* (Case No. 18-1114), in defense of the Clean Car Standards;

RESOLVED, That a certified copy of this resolution be provided to the Sabin Center for Climate Change Law, Columbia Law School, as evidence of the City's support in the matter; and

RESOLVED, That the City Attorney be authorized to take any other actions necessary to implement this Resolution.

Sponsored by: Councilmembers Smith and Krapohl

As Amended and Approved by Ann Arbor City Council on August 23, 2018.