

Law to reduce emissions may do little to prevent global warming

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California's law requiring carbon emissions cuts within the state may have little effect on global warming.

Because of the 2006 climate change legislation, power companies in the state have sold their stakes in coal-burning plants, only to have neighboring states take them over.

"The California utilities are selling out their ownership in these plants, but the plants are still burning the coal," said Jeremy Nichols, the climate and energy director at WildEarth Guardians. "The carbon is just on someone else's hands. It is not being reduced."

California has no jurisdiction to prevent the new owners from continuing to burn coal, though the Clean Air Act may mean some older plants will be closed down in order to comply with states' emissions targets.

"This gets to the heart of whether states can limit carbon emissions on their own," said Jim Rossi, a professor specializing in energy law at Vanderbilt Law School. "If reductions in California are resulting in increases elsewhere, I am not sure the state's goals are being met."

California gets about a third of its electricity from power plants out of state. Energy companies are not required to specify whether that power comes from a source like coal or from renewable energy like wind, making it harder to tell exactly what impact the out-of-state power has on carbon emissions. Historically, much of the power brought into California came from burning coal in Utah, New Mexico and Nevada.

Although the law had provisions designed to prevent emissions from simply shifting to other states, critics say the number of exceptions included means that carbon emissions reductions are only happening on paper.

California officials say the Obama administration's plan to make all states lower power plant emissions could lessen concerns that emissions are shifting elsewhere. Yet states may still have a lot of leeway in their approaches, so their standards may still not match those already in place in California.