

# Daily Journal

Established 1888

[www.dailyjournal.com](http://www.dailyjournal.com)

## Governor defends state's vehicle emissions standards in filing

Thursday, March 16, 2017

*By Malcolm Maclachlan*  
*Daily Journal Staff Writer*

Gov. Jerry Brown has filed a motion to intervene in a lawsuit between the U.S. Environmental Protection Agency and two auto manufacturing groups, saying "California will take necessary steps to preserve" current standards. The warning came in a pair of letters, one to new EPA Administrator Scott Pruitt and the other to the plaintiffs in the lawsuit, the Alliance of Automobile Manufacturers and the Association of Global Automakers.

The groups sued the EPA on Monday challenging the agency's Midterm Evaluation, which found that the existing greenhouse gas emissions standards for vehicles for 2022 to 2025 are still appropriate. Alliance of Automobile Manufacturers v. United States Environmental Protection Agency, 17-CV1086 (D.C. Circuit, filed March 13, 2017).

On Dec. 22, Acting Assistant Administrator Janet McCabe sent the auto groups a letter stating the EPA had denied their request to withdraw the Midterm Evaluation or extend the comment period.

"Your action to weaken vehicle pollution standards — standards your own members agreed to — breaks your promise to the American people," Brown wrote to the automobile trade groups on Wednesday.

The motion filed by Attorney General Xavier Becerra argues that "California has a compelling interest in defending the findings." It also said "the auto industry is thriving and meeting the standards more quickly than required," undermining claims of harm by the industry.

The filing notes how the issue has evolved over three presidential administrations: "Although California's interests may appear ... to be aligned with the EPA's interests ... that has not always been the case in the past and may not always be the case in the future."

Last week, Pruitt raised the concerns of regulators in California and twelve other states that chose to adopt the CARB standards when he said he didn't think carbon dioxide was "a primary contributor" to climate change.

On Wednesday, President Donald J. Trump announced his administration would begin a formal review of the vehicle emissions standards. In a statement, the Alliance of Automobile Manufacturers praised the decision to let "analysis rather than politics ... produce a final decision" on the standards.

However, Trump has also said he would, for now, leave in place a waiver that allows California and 12 other states to impose the standards internally.

California and several other states sued the George W. Bush administration's EPA in 2008 when it denied the waiver. Barack Obama took office before that case could be completed, then issued an order making the California Air Resources Board's (CARB) rules a national standard.

While the emissions issue has been making headlines, actual policy changes are still years away, said **Daniel Sperling, a CARB member and director of the Institute for Transportation Studies at UC Davis.** The Trump administration has "no legal basis" to rescind the current waiver, he said.

"Nothing is going to change until 2022 at the soonest," Sperling said.

The auto industry groups agreed in 2012 to abide by the CARB standards. Meanwhile, other countries with large automobile markets have continued imposing their own standards, many of them stricter than those written by CARB.

Automakers have responded by investing billions of dollars in clean emissions technology, Sperling said. Despite clear efforts to ease regulations, these "international" companies also have a financial incentive to avoid "patch-work" regulations.

"The threat by California of continuing to go its own way could be enough to undermine any rollbacks that the administration might contemplate," Sperling said.

malcolm\_maclachlan@dailyjournal.com

DAILY JOURNAL NEWSWIRE ARTICLE

<http://www.dailyjournal.com>

© 2017 The Daily Journal Corporation.

All rights reserved.