

UNITED STATES

Declarations of independence

When COVID-19 began to spread rapidly across the US, President Donald Trump sensed that a window of opportunity was opening before him. An accelerating pandemic offered his administration the perfect excuse to roll back environmental regulations it had long deemed onerous or bad for business.

On 16 March, Trump held what many commentators would deem his first coherent press conference on the unfolding crisis, during which he advised the public to work from home and avoid gathering in groups of more than 10 people. Just over a week later – as the country's total number of confirmed cases passed 85,000 – the administration said it would no longer expect routine compliance with some pollution monitoring and reporting rules.

Regulatory holiday

At the time, the country's Environmental Protection Agency (EPA) was feeling increasing pressure from oil and gas industry groups to waive regulations as the pandemic hit fuel demand. Companies are ordinarily required to report when their production and refining facilities discharge set quantities of pollution into the air or local water supply. Earlier in March, trade association the American Petroleum Institute (API), had asked the agency for a suspension of rules that require water contamination measurements and the repair of faulty equipment. In its 10-page request, it cited concerns about worker safety and low staffing levels.

The API's wish was ultimately granted when the EPA announced it would retroactively cease enforcement activity from 13 March. In a statement, Gina McCarthy, President and CEO of the Natural Resources Defense Council, and former head of the EPA under Barack Obama, condemned the suspension as an 'open license' to pollute. 'The administration should be giving its all toward making our country healthier right now,' she said. 'Instead it is taking advantage of an unprecedented public health crisis to do favours for polluters that threaten public health.'

The EPA has since announced



For the last four years, the federal government of the United States has repeatedly sought to undermine efforts to move the country's economy away from fossil fuels. Jennifer Johnson looks at how states and municipalities are nevertheless upping their renewable ambitions.

that regulations would be reinstated as normal on 31 August. However, damage has already been done.

For instance, oil refineries did not have to report on and try to restrict their emissions of the carcinogenic hydrocarbon benzene during the regulatory holiday. *The Guardian* reported that 10 refineries, most of them in Texas, were already exceeding limits back in March.

By the end of that month, the Trump administration had also managed to finalise a rollback of Obama-era rules that demanded automakers produce more fuel-efficient vehicles. As a result, nearly a billion additional tonnes of CO₂ will likely be released into the atmosphere by American cars. While national legislators made a concerted effort to curb environmental regulation this year, they did not apply the same level of rigour to COVID-19 policies.

There was, in effect, never a national strategy for battling coronavirus in the US. The federal government left cities and states to impose their own lockdown measures and manage their own

caseloads. The same thing can be said for the Trump administration's approach to climate change and the energy transition. States have been left to control their emissions and take charge of renewable energy development.

Challenging conventional energy

Upon taking office, Trump was quick to disengage with the global imperative to decarbonise. He initially declared his intention to withdraw the US from the Paris Agreement in June 2017 and formally instigated the withdrawal process last year. Meanwhile, he also promised to revive jobs and activity in the country's ailing coal sector – making this a cornerstone of his election campaign in 2016.

Yet political promises have largely proved ineffective in preventing the collapse of the country's coal-fired power sector, which is increasingly outcompeted by natural gas and renewables on cost. This year, utility firms across the country have announced plans to close 13 coal plants – and the pandemic is expected to accelerate further demises.

The outlook is not much rosier

Corporate interest in renewable power purchase agreements means that onshore wind farms are appearing across the blustery, landlocked Plains states. Most recently, Danish developer Ørsted opened a 230 MW wind farm in Wayne County, Nebraska.

Photo: Ørsted

for the country's domestic oil and gas industry. After years of declining output, the fracking revolution made the US the world's top oil producer from 2013 to 2019.

But there were signs the boom was fading – even before the virus forced oil prices into negative territory earlier this year. There was an expanding body of evidence to suggest that well productivity had peaked and prime drilling locations were almost fully tapped. The spring and summer saw a flurry of shale bankruptcy filings make headlines, with analysts predicting that some 250 oil and gas firms could file for bankruptcy protection by the end of 2021.

Prices aside, there's another convincing reason for investors to shun major new US oil and gas projects – climate campaigners and local communities are becoming increasingly adept at challenging the industry in court. Years of struggle against major pipeline projects – chiefly by indigenous populations – have recently resulted in several landmark rulings.

In July, the US Supreme Court refused to allow construction to start on the Keystone XL oil-sands pipeline, which would transport 830,000 barrels of oil a day from Canada's Alberta oil sands fields to the state of Nebraska. From there the oil would be transported to specialised refineries along the Gulf Coast.

The project faced a series of delays after objections by landowners and environmentalists, with President Obama rejecting a border-crossing permit for the pipeline in 2015. However, Trump revived Keystone XL shortly after taking office, as well as granting approval for the controversial Dakota Access Pipeline (DAPL), which was also shut down in a federal court this July. In his ruling, judge James E. Boasberg concluded that the government had not met all the requirements of the National Environmental Policy Act (NEPA), which requires federal agencies to disclose how their decisions might harm the environment.

The US Army Corps of Engineers had previously carried out an environmental review of DAPL, which Boasberg ultimately deemed insufficient. 'Given the seriousness of the Corps' NEPA error, the impossibility of a simple fix, the fact that Dakota Access did assume much of its economic risk knowingly, and the potential harm each day the pipeline operates, the Court is forced to conclude that the flow of oil must cease,' the judge's ruling concluded. Decisions like this

In spite of the federal government's apathy (or even antipathy) toward clean energy, states have begun setting carbon reduction targets and timelines for achieving them – at present, 23 states plus Washington DC have adopted specific greenhouse gas reduction targets

will only make renewable energy look more attractive to both investors and legislators alike.

Renegade renewables

In spite of the federal government's apathy (or even antipathy) toward clean energy, states have begun setting carbon reduction targets and timelines for achieving them. Some of the strongest programmes have emerged from the country's long-standing progressive strongholds – such as New York, California, Colorado and Washington state.

Last July, New York Governor Andrew Cuomo signed the Climate Leadership and Community Protection Act (CLCPA) into law, committing the state to 100% carbon-free electricity by 2040 and net zero emissions by 2050. The bill stipulates that 85% of reductions should come from New York's energy and industrial emissions, with the remainder coming from approved carbon offsetting schemes.

While activists may have been displeased at the inclusion of offsets – which have proved notoriously difficult to verify and regulate – the bill reserves them for processes and industries where it's not possible to cut emissions. In addition, all offset projects must be located within 25 miles of the organisation that purchases them to ensure the benefits are realised locally.

Though much of the praise for the CLCPA was awarded to Cuomo and his team, strong local campaigning provided the vision and momentum necessary to pass the legislation. New York Renews, a coalition of around 200 advocacy groups, is credited with bringing the CLCPA to fruition.

'[The bill] also includes a commitment to allocate 35% of the benefits of state climate funding to communities on the frontlines of the crisis,' explained a statement from New York Renews. 'Given the Governor's dismissal of environmental justice priorities throughout the legislative session, it is clear that these provisions were included in the final bill due to overwhelming public pressure from New Yorkers across the state.'

At present, 23 states plus Washington DC have adopted specific greenhouse gas reduction targets designed to address climate change. California stunned commentators when it set a carbon neutrality by 2045 target in 2018. However, a recent report from the Lawrence Livermore National Laboratory revealed that the state must remove 125mn tonnes of

carbon emissions per year from the atmosphere to reach its goal. Neighbouring Nevada has committed to 50% renewable electricity by 2030 and 100% carbon-free electricity by 2050.

Ambitious cities are setting targets of their own in the hope of building resilient future economies. The Democratic then-Mayor of Chicago, Rahm Emanuel, worked alongside a Democratic city council to pass legislation committing to 100% renewable energy by 2035 last year. Meanwhile, Los Angeles Mayor Eric Garcetti, also a Democrat, has released a sustainability plan called *LA's Green New Deal*, which commits the city to using 100% renewable energy by 2045 and reaching carbon neutrality five years later.

'Politicians in Washington don't have to look across the aisle in Congress to know what a Green New Deal is – they can look across the country, to Los Angeles,' said Mayor Garcetti. 'With flames on our hillsides and floods in our streets, cities cannot wait another moment to confront the climate crisis with everything we've got.'

Outside observers could be forgiven for thinking that climate progress is exclusively made in places controlled by the Democratic Party. For the most part, it's true that most ambitious environmental legislation is drafted and passed by Democrats. But the attractive economics of renewables mean wind farms and solar installations are also appearing in traditionally conservative parts of the US. For instance, the blustery, landlocked states of Kansas, Iowa, and North Dakota are now all generating enough wind power every year to meet over half of their energy needs.

As November's presidential election approaches, some pundits will no doubt argue that the future of the planet depends on Democratic nominee Joe Biden defeating Donald Trump at the ballot box. During his four years in office, the current President has shown an alarming disregard for all matters relating to climate and clean energy. However, cities and states have shown that they're willing to make up for a lack of leadership from the federal government.

Whether localised efforts are enough to bring the US into alignment with the Paris Agreement is another matter. Regardless, the Trump administration has not succeeded in bringing progress to a standstill. ●