



CITY COUNCIL AGENDA REPORT

Meeting Date: November 17, 2022

From: Adrienne Etherton, Sustainability Manager

Subject: Letter recommending a Federal Climate Emergency Declaration

Community Goal/Result

Ecological Sustainability - Brisbane will be a leader in setting policies and practicing service delivery innovations that promote ecological sustainability

Purpose

To provide Council with the opportunity to review a draft letter to the Biden Administration encouraging a Federal Climate Emergency Declaration.

Recommendation

Consider sending the attached letter recommended by the Open Space and Ecology Committee (OSEC).

Background and Discussion

On July 15, 2021, the City Council, in concurrence with OSEC's recommendation, passed Resolution No. 2021-62 "Declaring a Climate Emergency and Initiating Immediate and Accelerated Action to Address the Climate Crisis and Limit Global Warming to 1.5 Degrees Celsius" following hundreds of other communities around the world in recognition of the threat to humanity and our environment posed by climate change.

In February 2022, the Center for Biological Diversity released a report titled "The Climate President's Emergency Powers" detailing the legal authority available if the President were to declare a state of emergency due to the climate crisis. OSEC became interested in a federal climate emergency declaration recommendation after learning of this report over the summer.

In August, the Inflation Reduction Act (IRA) burst onto the scene and was quickly enacted into law, becoming the largest climate legislation in US history. While historic and hugely beneficial to the climate fight, the act still falls short of the "whole of government" approach required for this existential challenge. Indeed, a subsequent report by The Revolving Door Project detailed gaps not addressed by the IRA which could be addressed through executive powers and an emergency declaration.

The proposed letter was drafted by OSEC's Climate Action Plan Subcommittee, aligns with the City's adopted Climate Emergency Declaration, and draws on the research of the referenced reports to provide example actions the Biden Administration could take.

Fiscal Impact

None.

Measure of Success

The Biden Administration declares a climate emergency and uses the power of the Executive Branch to address climate change.

Attachments

1. Letter to President Biden encouraging a federal Climate Emergency Declaration



Adrienne Etherton, Sustainability Manager



Randy Breault, Public Works Director



Clay Holstine, City Manager



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[Date]

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden,

The Inflation Reduction Act (IRA) of 2022 is a historic piece of legislation but will still fall short of protecting the United States, the Earth and humanity from climate change, which is already having adverse effects on weather and health. The City of Brisbane California urges you to declare a climate emergency and use your executive authority to augment and jumpstart the provisions of the IRA and speed the transition from fossil fuels to renewables.

It is within your executive powers to implement policies throughout the federal agencies to enforce existing climate friendly policies and close loopholes that allow the worst polluters to make the most profits. The Revolving Door Project's "The Corporate Crackdown Project - Climate" report from August 2022 (Ref 1) suggests a number of important actions you can take, such as sanctioning those who attack Amazon forest protectors, auditing the Defense Department's pollution-generating practices (burn pits and fossil fuel dependence), and incorporating the true cost of environmental damage into the Office of Information and Regulatory Affairs "cost-benefit" analysis.

Further, through declaration of a climate emergency you could unlock various executive emergency powers to reduce dependence on and production of fossil fuels, as described in the Center for Biological Diversity's report "The Climate President's Emergency Powers" from February 2022 (Ref 2). Two of the most important actions that have not been addressed by the IRA are suspending new domestic fossil fuel leases (whether offshore or on public lands) and using the International Emergency Economic Powers Act (IEEPA) to sanction investment in fossil fuel production abroad.

The City of Brisbane invites you to join us and hundreds of other communities around the country in declaring a climate emergency and urges you to use all the powers granted to the Executive Branch to protect the United States and her citizens from the dire consequences of climate change.

Sincerely,

Coleen Mackin
Mayor, City of Brisbane

References

1. Corporate Crackdown Project - Climate (<https://therevolvingdoorproject.org/wp-content/uploads/2022/09/Corporate-Crackdown-Project-Climate-1.pdf>) and its two-page summary (<https://therevolvingdoorproject.org/wp-content/uploads/2022/09/Corporate-Crackdown-Climate-two-pager.pdf>) from the Revolving Door Project, August 2022.
2. The Climate President's Emergency Powers, (<https://www.biologicaldiversity.org/programs/energy-justice/pdfs/Climate-Emergency-Powers-Report.pdf>) from the Center for Biological Diversity, February 2022