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More Than 50 Cities Press Court to Uphold Clean Power Plan, Citing Climate Change Risks

As 'First Responders' to Floods and Storms, Cities from Coast to Coast File Amicus Brief Supporting Federal Efforts to Curb Carbon Pollution

New York, NY—More than 50 city and county governments from 28 states, together with The U.S. Conference of Mayors (USCM), the National League of Cities (NLC), and the mayors of Dallas, Knoxville, and Orlando have signed an [amicus brief](#) explaining why the U.S. Environmental Protection Agency's Clean Power Plan is critical to the safety and economic security of local communities across the United States. The brief was authored by the Sabin Center for Climate Change Law at Columbia Law School, and filed in federal court on Friday, April 1st.

The signatories represent a diverse geographic, economic, and political mix and include Miami Beach, Miami and other southeast Florida cities; Tucson; Salt Lake City; Los Angeles; San Francisco; Houston; Jersey City; Pittsburgh; and Boston. Twenty-three of the signatories are local governments within states that have joined the lawsuit against the EPA. In all, the signatories represent 51 localities—home to more than 18 million Americans—and more than 19,000 additional cities, villages and towns that are part of the USCM and NLC networks.

"The nation's mayors are pleased to join in the defense of the Clean Power Plan, which is an essential part of our nation's ability to respond to climate change," said **Baltimore Mayor Stephanie Rawlings-Blake, President of The U.S. Conference of Mayors**. "This Plan will significantly cut carbon pollution from U.S. power plants; we must implement it now. Mayors know cities have the most to gain, as well as the most to lose in this debate because climate change and rising sea levels threaten the physical structure of our cities. Cities have been combating climate change for over a decade through our Mayors' Climate Protection Agreement, but we need a national response."

"Supporting the administration's Clean Power Plan efforts is not just the right thing to do, but necessary for Miamians as we fight for the very survival of our city," said **Commissioner Ken Russell of Miami, Florida**. "I am proud to have led the effort within Miami's government to sign on to this amicus brief and look forward to taking the lead wherever I can in combating and adapting to sea level rise."

The impact of climate change on urban areas is amplified by their dense concentrations of people, infrastructure, and commerce. More than 80 percent of Americans live in urban areas, making local governments responsible for protecting the wellbeing of an overwhelming majority of Americans.

"Cities have an essential voice to add to the legal debate over the Clean Power Plan," says **Michael Burger, executive director of the Sabin Center for Climate Change Law at Columbia Law School**. "All around the country, local governments have had to contend with the devastating impacts that sea level rise, heat waves and severe storms have on people and the infrastructure they depend on. At the same time, they have been among the first to seek innovative ways to reduce emissions and increase sources of clean energy. These cities

know as well as anyone how important the Clean Power Plan is to the security and well-being of Americans, and how reasonable EPA's rule really is."

City and county governments are the first line of defense in weather disasters and climate impacts, which grow increasingly frequent and severe as greenhouse gas emissions cause the climate to change. Many cities are already experiencing — and paying for — damage caused by climate change. The amicus brief provides examples:

Faced with flooding propelled by rising sea levels, Miami Beach is investing \$400 million in an adaptation strategy that includes pumping stations, raised roads, and seawalls. Rising seas likewise put Miami at risk for "losing insurability," and threaten drinking water supplies across southeast Florida.

The 2011 Texas heat wave not only filled hospital emergency departments in Houston but also burst pipes and water mains, draining 18 billion gallons of drinking water and with it millions in revenue for the city. Disruptive heat waves in Grand Rapids, Los Angeles and Pittsburgh have caused electricity brownouts and blackouts; in Arlington County, Evanston, Dallas, Minneapolis, and Salt Lake City they have compromised an airport runway, buckled roads and warped rails.

Cities and counties disproportionately shoulder the impact and bear the costs of continued inaction on climate change, and many are acting on their own to reduce the emissions under their direct control. However, local governments' ambition to act on climate change is limited by their lack of control over many aspects of this worldwide problem. According to the brief:

Cities' efforts to adapt to a changing climate and to mitigate its causes are highly sensitive to national policies like the Clean Power Plan, which shape national markets, steer state action, and have the largest impact on nationwide emissions ... Cities working to shoulder the burdens of adaptation would therefore face an ever harder—and ever more expensive—task in the absence of the Clean Power Plan.

The local government brief recognizes and builds on strong demand for climate action by cities and counties, which view the Clean Power Plan as a "legally necessary step toward addressing the extraordinary threat posed by climate change." In 2015, more than two dozen mayors sent a letter to President Obama urging him to "provide a path forward to make meaningful reductions in carbon pollution while preparing for the impacts of climate change." Furthermore, more than 125 U.S. cities have already committed to the [Compact of Mayors](#), a global coalition of more than 460 mayors pledging to reduce their greenhouse gas emissions, track their progress transparently and enhance their resilience to climate change. Of the 52 cities signed onto the brief, more than half are committed to the Compact.

"This amicus brief shows how cities across America are leading the way in the fight against climate change—and how eager they are for state governments to join them," said **Michael R. Bloomberg, founder of Bloomberg LP, three-term mayor of New York City and the UN Secretary-General's Special Envoy for Cities and Climate Change**. "Mayors are responsible for people's health and safety, and with their cities already feeling the effects of climate change, they can't afford to let ideological battles slow the great work they're doing to clean the air, strengthen local economies, and protect people from risks."

Read the full brief: <https://web.law.columbia.edu/climate-change/document-login/document-access>

Amicus Brief Signatories

The U.S. Conference of Mayors; The National League of Cities; **ARIZONA:** Tucson; **CALIFORNIA:** Berkeley, Los Angeles, Oakland, San Francisco, West Hollywood; **COLORADO:** Boulder County, Fort Collins; **FLORIDA:** Coral Gables, Cutler Bay, Miami, Miami Beach, Orlando Mayor Buddy Dyer, Pinecrest, West Palm Beach; **GEORGIA:** Clarkston; **IDAHO:** Boise; **ILLINOIS:** Aurora, Elgin, Evanston, Highland Park; **INDIANA:** Bloomington, Carmel; **MAINE:** Portland; **MASSACHUSETTS:** Boston, Holyoke; **MARYLAND:** Baltimore; **MICHIGAN:** Ann Arbor, Grand Rapids; **MINNESOTA:** Minneapolis; **MONTANA:** Missoula; **NEVADA:** Henderson, Reno; **NEW JERSEY:** Hoboken, Jersey City; **NEW YORK:** Rochester, Syracuse; **NORTH CAROLINA:** Chapel Hill; **OHIO:** Newburgh Heights; **OREGON:** Eugene, Milwaukie, Portland; **PENNSYLVANIA:** Pittsburgh, West Chester; **RHODE ISLAND:** Providence; **TENNESSEE:** Knoxville Mayor Madeline Rogero; **TEXAS:** Houston, Dallas Mayor Mike Rawlings; **UTAH:** Salt Lake City; **VIRGINIA:** Arlington County; **WASHINGTON:** Bellingham, King County; **WISCONSIN:** Madison, Washburn

Voices from the Local Government Coalition

Mayor David Bieter of Boise, Idaho

"It's well known that the best way to affect true change in policy is at the local level. There are many policies one can pursue to impact climate change, but the first order of business is being mindful about your organization's footprint and being thoughtful in how to reduce it. Being more sustainable is something local policy makers all over the globe can work toward, just as we do every day at the City of Boise. That is why we support the Clean Power Plan."

Mayor Jim Brainard of Carmel, Indiana

"Having served as mayor for over 20 years and as a lifelong Republican, I am proud to support the Clean Power Plan. There is no question that the climate is changing and we must adapt to this reality, which includes investment and programs that support the shift from coal to clean and renewable energy sources. While these are contentious issues in Indiana, I believe we cannot hide from facts and must work together to sensibly plan for our future. In Carmel, we have examined every area of city government from adding hybrid cars, investing in solar programs, creating bicycle and pedestrian facilities, and designing the city for people not cars, with the goal of making our city as environmentally friendly as possible."

Mayor Rosalynn Bliss of Grand Rapids, Michigan

"The Clean Power Plan is among the key elements in furthering the City's plans to mitigate the devastating impact of greenhouse gas emissions. Without such a critical national plan in place, our city's efforts to be more resilient — as outlined in our sustainability plan — would fall short."

Mayor Sylvester Turner of Houston, Texas

"Houston has made a commitment to investing in clean energy, and now uses more renewable energy than any other city in the United States," said Houston Mayor Sylvester Turner. "We are also a leader in the area of emissions reductions initiatives like our LED street light program, which is proving to be a very smart investment. As a city government entity located in the Energy Capital of the World, we understand the need to diversify our energy use and economy. Houston is well positioned to lead the country in the shift to clean energy. The Clean Power Plan provides a sensible framework for helping us to do so."

Mayor Madeline Rogero of Knoxville, Tennessee

“Clean energy jobs are some of the fastest-growing in Tennessee – nearly triple the state’s overall employment growth. There’s opportunity in the Clean Power Plan to further accelerate job creation in energy efficiency and renewable energy industries. These are the energy jobs of the future. The City of Knoxville looks forward to working with state officials and utilities as they develop their plan for compliance.”

Mayor Bill Peduto of Pittsburgh, Pennsylvania

“The Clean Power Plan presents an opportunity to strengthen the nation's economy while enhancing and preserving the environment. Pittsburgh's industrial past has helped us to understand how to prepare for and be competitive in the midst of inevitable economic shifts. There are important lessons to be learned from the 'Steel City' as we move into a clean energy future. The Clean Power Plan sets a framework for the country's essential energy transition, acknowledging that both the climate and markets are changing. From energy efficiency and optimization to finding pathways for implementation of tools such as micro-grids and district energy, cities stand as key partners for their states and the federal government.”

Councilmember David Bobzien of Reno, Nevada

"The Clean Power Plan supports the City of Reno's economic revitalization strategy to lead in the renewable energy economy. It also supports our goals for creating a more sustainable future for our community. Nevada ranks first in the country in solar and geothermal resources and is well poised for meeting and exceeding the requirements of the Clean Power Plan. We are proud to join the impressive and wide ranging network of cities that also view the Clean Power Plan as of major importance to their city and citizens."



*The National League of Cities (NLC) is the oldest and largest organization representing municipal governments throughout the United States. Working in partnership with 49 state municipal leagues, NLC serves as a national advocate for more than 19,000 cities, villages, and towns, representing more than 218 million Americans. **Contact: Tom Martin, martin@nlc.org, 202-626-3186***



*The U.S. Conference of Mayors (USCM), founded in 1932, is the official nonpartisan organization of all United States cities with a population of more than 30,000 people, which includes over 1,400 cities at present. **Contact: Elena Temple-Webb, etemple@usmayors.org, 202-861-6719***



*The Sabin Center at Columbia Law School develops legal techniques to fight climate change and provides up-to-date resources on key topics in climate law and regulation. **Contact: Michael Burger, michael.burger@law.columbia.edu, 212-854-2372***