

SYLLABUS

CLIMATE CHANGE LAW AND POLICY

Columbia Law School

**L6038
SDEVUN3355**

Spring 2024

Professor Michael B. Gerrard

Class hours: Tuesday and Thursday, 1:20 – 2:40 pm
Jerome Greene Hall Room 104

Instructor's office hours: Thursday, 11:00 am to 12:00 pm and 3:00 pm to 6:00 pm, or by
appointment (preferred)
Jerome Greene Hall Room 525

Contact michael.gerrard@law.columbia.edu for appointment

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Course description:

This course begins with an overview of the causes and effects of global climate change and the methods available to control and adapt to it. We will then examine the negotiation, implementation and current status of the Montreal Protocol, the United Nations Framework Convention on Climate Change, the Kyoto Protocol, the Copenhagen Accord, the Paris Agreement, and the subsequent agreements through that reached at COP28 in Dubai in December 2023. The focus will then turn to the past and proposed actions of the U.S. Congress, the executive branch and the courts, as well as regional, state and municipal efforts. The Clean Air Act, the National Environmental Policy Act and the Endangered Species Act will receive special attention, as will the authority of an administration to reverse prior policy. We will examine efforts in the U.S. and other countries to use the courts to force action on climate change. We will evaluate the various legal tools that are available to address climate change, including cap-and-trade schemes; carbon taxation; command-and-control regulation; litigation; and securities disclosures. The roles of energy efficiency, renewable energy sources, carbon capture and sequestration, and forestry and agriculture will each receive close attention. Implications for international human rights, international trade, environmental justice, and international and intergenerational equity will be discussed. The course will conclude with examination of proposals for adaptation and geoengineering.

The final exam will be open book and will consist of a series of essay questions, most of which will require applying the law covered in the course to specified factual situations. Course grades

will be based on the final exam, but they may be adjusted up or down a notch to reflect the quality of class participation.

All class sessions will be recorded, and the recordings will be posted on CourseWorks.

Columbia University is dedicated to facilitating equal access for students with disabilities and to cultivating a campus culture that is sensitive and responsive to the needs of students. To request an accommodation for a disability during the course, students are welcome to reach out to the Office of Disability Services, to the Academic Counselors in Student Services, or to the instructor. (In general, students may decide whether or not to inform their professors of any accommodations, as they prefer. But note that individual exam arrangements are generally not discussed with the professor.)

Readings:

The principal reading is Michael B. Gerrard, Jody Freeman & Michael Burger, *Global Climate Change and U.S. Law* (American Bar Association, third edition, 2023) (“Gerrard Freeman & Burger”). Both the ebook version and the hard copy version can be ordered from this site: <https://www.americanbar.org/products/inv/book/427734122/>

Use this discount code to get the 50% student discount: GCCMG50

This code is available from December 28, 2023 through January 31, 2024.

When you log in, you will need to create an ABA account in order to complete the transaction. (Do not purchase the second edition; the third edition is almost entirely rewritten.)

URLs are provided for most of the additional readings. Where a reading is not available online, it is posted on CourseWorks. For some of the judicial decisions, the URL is to the docket page on the Sabin Center’s climate litigation charts; for these, be sure to select the proper item (by date).

In some instances the readings are marked as “Excerpts” or “Skim”. Where page numbers are given to indicate that only certain pages need to be read closely, the page numbers refer to the source material.

Additional materials may be assigned during the course of the semester, primarily as a result of recent developments. In that event, their URLs will be provided or they will be posted on CourseWorks.

Students enrolled in schools other than the Law School should also read:

Orin S. Kerr, How to Read a Legal Opinion, 11 Green Bag 2d 51 (2007)
<https://law2.wlu.edu/library/documents/kerrhowtoreadopinion.pdf>

Administrative Office of the U.S. Courts, Understanding the Federal Courts, pp. 1-20
<https://www.uscourts.gov/sites/default/files/understanding-federal-courts.pdf>

Mailing lists

To keep up with developments in climate change law and policy, the following free mailing lists are recommended. This is entirely optional; familiarity with the material is not expected.

Climate Nexus Hot News

https://newsletter.climatenexus.org/hot-news-sign-up?utm_campaign=Hot%20News&utm_medium=email&_hsmi=200638744&_hsenc=p2ANqtz-KgLe94nvL68e0-ok1xh-oUgIkVZ1h-7C4uyyMTd_974BWCzdD6DC_WhnASVL7sJVTdmFqsdE8cVldouAU6565Bh6DzACzonG2zY3Gt7-EozLL0wk&utm_content=200638744&utm_source=hs_email

Sabin Center Climate Chart Monthly Update

<https://us13.list-manage.com/subscribe?u=9906c7202590aac6a8bdbb7b9&id=a721b41b2d>

Legal Planet (Berkeley Law and UCLA Law)

<https://legal-planet.org/subscriptions/>

Class Topics and Readings

Class 1: January 16

Scientific background

Michael B. Gerrard, “Introduction and Overview,” Chapter 1 in Gerrard, Freeman & Burger, pp. 3-29

U.S. Global Change Research Program, *Fifth National Climate Assessment, Overview: Understanding Risks, Impacts, and Responses* (November 2023), pp. 5-47

https://nca2023.globalchange.gov/downloads/NCA5_Ch1_Overview.pdf

[UN Environment Programme, Emissions Gap Report 2023 \(November 2023\), Executive Summary \(pp. iv-xiv\)](https://wedocs.unep.org/bitstream/handle/20.500.11822/43923/EGR2023_ESEN.pdf?sequence=10)

https://wedocs.unep.org/bitstream/handle/20.500.11822/43923/EGR2023_ESEN.pdf?sequence=10

Kate Marvel, I’m a Climate Scientist. I’m Not Screaming Into the Void Anymore, N.Y. Times, November 18, 2023

<https://www.nytimes.com/2023/11/18/opinion/climate-change-report-us.html>

[Also on Courseworks]

Class 2: January 18

Montreal Protocol and U.N. Framework Convention on Climate Change

Tseming Yang, “The Relationship Between Domestic and International Environmental Law,” in Martella & Grosko, eds., *International Environmental Law: The Practitioner’s Guide to the Laws of the Planet* (2014)

<https://digitalcommons.law.scu.edu/cgi/viewcontent.cgi?article=1770&context=facpubs>

David Wirth, “The Multilateral Climate Regime,” Chapter 2 in Gerrard Freeman & Burger, pp. 33-40

Greg Whitesides, Learning from Success: Lessons in Science and Diplomacy from the Montreal Protocol, 9 Science & Diplomacy No. 2 (June 2020)
https://www.sciencediplomacy.org/sites/default/files/whitesides_june_2020.pdf

United Nations Framework Convention on Climate Change (1992) (read pp. 1 - 9; skim rest)
<https://unfccc.int/resource/docs/convkp/conveng.pdf>

Class 3: January 23

Kyoto Protocol

David Wirth, “The International Climate Regime,” Chapter 2 in Gerrard Freeman & Burger, pp. 40-45

Kyoto Protocol to the United Nations Framework Convention on Climate Change (1998) (read pp. 1 - 12; skim rest)
<https://unfccc.int/resource/docs/convkp/kpeng.pdf>

Daniel Bodansky et al., *International Climate Change Law* (2017), pp. 1-34
(in CourseWorks)

Class 4: January 25

Copenhagen Accord and Paris Agreement

David Wirth, “The Multilateral Climate Regime,” Chapter 2 in Gerrard Freeman & Burger, pp. 45-65

United Nations, Copenhagen Accord (December 2009)
<https://unfccc.int/resource/docs/2009/cmp5/eng/109.pdf>

Adoption of the Paris Agreement: Decision 1/CP.21 (pp. 1 - 20) (skim)
Paris Agreement (pp. 21 – 36) (read)
<https://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf>

Daniel Bodansky, “The Paris Climate Change Agreement: A New Hope?” 110 *Am. J. Int’l L.* 288 (2016)
[on CourseWorks]

Class 5: January 30

Implementation of the Paris Agreement

White House, “Statement by President Trump on the Paris Climate Accord,” June 1, 2017
<https://it.usembassy.gov/statement-president-trump-paris-climate-accord/>

Oliver Milman, Biden returns US to Paris climate accord hours after becoming president, *Guardian*, January 20, 2021
<https://www.theguardian.com/environment/2021/jan/20/paris-climate-accord-joe-biden-returns-us>

United Nations, Glasgow Climate Pact (November 13, 2021) (skim)
https://unfccc.int/sites/default/files/resource/cma3_auv_2_cover%20decision.pdf

United Nations, Sharm el-Sheikh Implementation Plan (November 20, 2022) (skim)
<https://unfccc.int/documents/624444>

[United Nations, First global stocktake \(United Arab Emirates, December 13, 2023\) \(read paragraphs 10-42, 80-81, 126-131; skim rest\)](https://unfccc.int/sites/default/files/resource/cma2023_L17_adv.pdf)
https://unfccc.int/sites/default/files/resource/cma2023_L17_adv.pdf

Edward A. Parson, “COPs as Three-Ring Circus,” Legal Planet, December 17, 2021
<https://legal-planet.org/2021/12/17/cops-as-three-ring-circus/>

Class 6: February 1

U.S. policy

John C. Dernbach & Rachel A. Jones, “Evolution of U.S. Climate Law and Policy,” Chapter 3 in Gerrard Freeman & Burger, pp. 75-98

White House, Executive Order: Promoting Energy Independence and Economic Growth (March 28, 2017)
<https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth>

Indigenous Environmental Network v. U.S. Department of State, CV-17-29-GF-BMM (D. Mt., Nov. 8, 2018) (Slip op. pp. 1-5, 19-23, 31-35; skim the rest) [Note: be sure to read the 11/8/18 order], vacated as moot, 9th Cir., June 6, 2019
<http://climatecasechart.com/case/indigenous-environmental-network-v-united-states-department-of-state/>
[also on Courseworks]

Optional: Barack Obama, *A Promised Land* (2020), pp. 486-516
[on CourseWorks]

White House, Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, January 20, 2021
<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>

United States of America Nationally Determined Contribution: Reducing Greenhouse Gases in the United States: A 2030 Emissions Target (April 15, 2021) (read pp. 1-6; skim pp. 7-23)
<https://unfccc.int/sites/default/files/NDC/2022-06/United%20States%20NDC%20April%202021%20Final.pdf>

Francesca Paris et al., A Detailed Picture of What’s in the Democrats’ Climate and Health Bill, N.Y. Times, August 13, 2022
<https://www.nytimes.com/interactive/2022/08/13/upshot/whats-in-the-democrats-climate-health-bill.html>

David Wallace-Wells, The Green Transition is Happening Fast. The Climate Bill Will Only Speed It Up, N.Y. Times, August 17, 2022
<https://www.nytimes.com/2022/08/17/opinion/environment/inflation-reduction-act-climate-change.html>

Robinson Meyer, Biden’s Climate Law is Ending 40 Years of Hands-Off Government, Atlantic, August 18, 2022
<https://www.theatlantic.com/science/archive/2022/08/climate-law-manchin-industrial-policy/671183/>
[also on Courseworks]

Class 7: February 6
Climate Denial: Origins and Litigation

CNBC, “The money funding climate change denial” (20 minute video)
<https://www.cbc.com/2020/12/20/the-big-business-of-climate-change-denial-.html>

Coral Davenport and Eric Lipton, “How G.O.P. Leaders Came to View Climate Change as Fake Science,” New York Times, June 3, 2017
<https://www.nytimes.com/2017/06/03/us/politics/republican-leaders-climate-change.html>

Brad Plumer & Coral Davenport, “Science Under Attack: How Trump is Sidelining Researchers and Their Work,” New York Times, December 28, 2019
<https://www.nytimes.com/2019/12/28/climate/trump-administration-war-on-science.html>

David Gelles, “The Texas Group Waging a National Crusade Against Climate Action,” New York Times, December 6, 2022
<https://www.nytimes.com/2022/12/04/climate/texas-public-policy-foundation-climate-change.html>

White House, Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking (January 27, 2021)
<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>

District of Columbia v. Exxon Mobil Corp. (D.C. Super. Ct., June 25, 2020) – complaint, pp. 1-70, 77-78
https://climatecasechart.com/wp-content/uploads/case-documents/2020/20200625_docket-2020-CA-002892-B_complaint-1.pdf

Sheldon Whitehouse, “What phony op-eds about climate change have in common,” *Columbia Journalism Review*, July 12, 2016
https://www.cjr.org/first_person/climate_change_department_of_justice.php

[Polly Bindman, “How climate denial became the anti-ESG movement,” Energy Monitor, December 20, 2022](https://www.energymonitor.ai/finance/sustainable-finance/how-climate-denial-became-the-anti-esg-movement/?utm_campaign=Carbon%20Brief%20Daily%20Briefing&utm_content=20221222&utm_medium=email&utm_source=Revue%20Daily)
https://www.energymonitor.ai/finance/sustainable-finance/how-climate-denial-became-the-anti-esg-movement/?utm_campaign=Carbon%20Brief%20Daily%20Briefing&utm_content=20221222&utm_medium=email&utm_source=Revue%20Daily

Optional: Yale Climate Communications, The Emotions of Climate Change (9 minute video)
<https://www.youtube.com/watch?v=MYFIRxJ5Sh0>

Class 8: February 8

Clean Air Act I: Massachusetts v. EPA, Endangerment Finding, Cars Rule

Thomas Lorenzen et al., “Regulation of Greenhouse Gases Under the Clean Air Act,” Chapter 4 in Gerrard Freeman & Burger, pp. 113-137

Massachusetts v. U.S. Environmental Protection Agency, 549 U.S. 497 (2007)
(Majority opinion and Scalia and Roberts dissents)
<https://www.oyez.org/cases/2006/05-1120>

Class 9: February 13

Clean Air Act II: Tailoring Rule, Clean Power Plan, Affordable Clean Energy Rule

Michael B. Gerrard, “Presidential Progress on Climate Change: Will the Courts Interfere With What Needs to Be Done to Save Our Planet?” American Constitution Society, February 2021
<https://www.acslaw.org/wp-content/uploads/2021/02/Presidential-Progress-On-Climate-Change.pdf>

Utility Air Regulatory Group v. U.S. Environmental Protection Agency, 134 S.Ct. 2427 (2014)
(majority opinion only)
<https://supreme.justia.com/cases/federal/us/573/302/#tab-opinion-1970957>

West Virginia v. U.S. Environmental Protection Agency, 142 S.Ct. 2587 (2022) (read majority opinion and Kagan dissent; skim Gorsuch concurrence)
https://www.supremecourt.gov/opinions/21pdf/20-1530_n758.pdf

EPA Proposes New Carbon Pollution Standards for Fossil Fuel-Fired Power Plants to Tackle the Climate Crisis and Protect Public Health (EPA, May 11, 2023)
<https://www.epa.gov/newsreleases/epa-proposes-new-carbon-pollution-standards-fossil-fuel-fired-power-plants-tackle>

Class 10: February 15

National Environmental Policy Act

Jessica Wentz, “Environmental Impact Assessment,” Chapter 6 in Gerrard Freeman & Burger, pp. 177-194

U.S. Council on Environmental Quality, “National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change,” 88 Fed.Reg. 1196, January 9, 2023 (skim)

<https://www.govinfo.gov/content/pkg/FR-2023-01-09/pdf/2023-00158.pdf>

Joseph B. Nelson et al., Permitting Reform Package Passes as Part of Debt Ceiling Deal (Van Ness Feldman, June 12, 2023)

<https://www.vnf.com/permitting-reform-package-passes-as-part-of-debt-ceiling-deal>

Dan Farber, Revamping the NEPA Process (Legal Planet, July 31, 2023)

<https://legal-planet.org/2023/07/31/the-new-nepa-regs-a-delicate-balance/>

Sierra Club v. Federal Energy Regulatory Commission, 667 F.3d 1357 (D.C. Cir. August 22, 2017) (excerpts)

(Slip op. pp. 1-5, 10-12, 18-27, dissent pp. 1-8)

https://climatecasechart.com/wp-content/uploads/case-documents/2017/20170822_docket-16-1329_opinion.pdf

Class 11: February 20 Securities Disclosure Laws

Hana V. Vizcarra, “Corporate Climate Disclosure and Climate-Related Financial Risk Management, Chapter 9 in Gerrard Freeman & Burger, pp. 263-278

Mark Carney, “Breaking the tragedy on the horizon – climate change and financial stability” (Bank of England, September 29, 2015)

<https://www.bis.org/review/r151009a.pdf>

Task Force on Climate-related Financial Disclosures, Final Report – Executive Summary (June 2017) (read pp. ii-v; skim rest)

<https://www.fsb-tcfd.org/wp-content/uploads/2017/06/FINAL-2017-TCFD-Report-11052018.pdf>

White House, Executive Order on Climate-Related Financial Risk (May 20, 2021)

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/20/executive-order-on-climate-related-financial-risk/>

Financial Stability Oversight Council, “Report on Climate-Related Financial Risk (October 21, 2021) (read pp. 1-9; skim rest)

<https://home.treasury.gov/system/files/261/FSOC-Climate-Report.pdf>

People of the State of New York v. Exxon Mobil Corp., Index No. 452044/2018 (N.Y. Sup. Ct., December 10, 2019)

(Read p. 1-3, 5-10, 28-38, 54-55; skim the rest)

https://climatecasechart.com/wp-content/uploads/case-documents/2019/20191210_docket-4520442018_decision.pdf

Michael B. Gerrard & Eric W. Orts, New California Legislation Would Be a Major Step Forward for Climate Disclosure, CLS Blue Sky Blog, July 20, 2023

<https://clsbluesky.law.columbia.edu/2023/07/20/new-california-legislation-would-be-a-major-step-forward-for-climate-disclosure/>

Charlie Cibrario & Cynthia Hanawalt, A Comparative Analysis of the SEC’s Climate Disclosure Proposal, CLS Blue Sky Blog, December 13, 2023

<https://clsbluesky.law.columbia.edu/2023/12/13/a-comparative-analysis-of-the-secs-climate-disclosure-proposal/>

Class 12: February 22 Endangered Species Act

Alejandro E. Camacho, “Endangered Species Act,” Chapter 8 in Gerrard Freeman & Burger, pp. 237-254

In re Polar Bear Endangered Species Act listing and Section 4(d) Rule Litigation, 709 F.3d 1 (D.C. Cir. 2013)

[https://www.cadc.uscourts.gov/internet/opinions.nsf/27B0BE9562811E2485257B2100550BFF/\\$file/11-5219.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/27B0BE9562811E2485257B2100550BFF/$file/11-5219.pdf)

J.B. Ruhl, “Climate Change and the Endangered Species Act: Building Bridges to the No-Analog Future,” 39 *Environmental Law Reporter* 10735 (August 2009)

(note: the commentaries by Baur and Irvin in the pdf are not assigned)

<https://biotech.law.lsu.edu/blog/Ruhl-2009.pdf>

Anna T. Moritz et al., “Biodiversity Baking and Boiling: Endangered Species Act Turning Down the Heat,” 44 *Tulsa L. Rev.* 205 (2008) (read 205-07, 234; skim rest)

<https://digitalcommons.law.uw.edu/cgi/viewcontent.cgi?article=1239&context=faculty-articles>

United Nations Environment Programme, Kunming-Montreal Global Biodiversity Framework (December 18, 2022)

<https://www.cbd.int/doc/c/e6d3/cd1d/daf663719a03902a9b116c34/cop-15-l-25-en.pdf>

Class 13: February 27 Public nuisance litigation

Alexandra B. Klass, Brent Murcia & Shantal Pai, “Civil Remedies,” Chapter 10 in Gerrard Freeman & Burger, pp. 289-307

American Electric Power v. Connecticut, 564 U.S. 410 (2011)

<https://supreme.justia.com/cases/federal/us/564/410/#tab-opinion-1963617>

City of New York v. Chevron Corp., 883 F.3d 81 (2d Cir. 2021)

https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210401_docket-18-2188_opinion.pdf

City and County of Honolulu v. Sunoco LP, ___ P.3d ___ (Hawaii Supreme Court, October 31, 2023)

https://climatecasechart.com/wp-content/uploads/case-documents/2023/20231031_docket-SCAP-22-0000429_opinion.pdf

Michael B. Gerrard, “What Litigation of a Climate Nuisance Suit Might Look Like,” 121 *Yale Law Journal Online* 135 (2011)

<https://www.yalelawjournal.org/forum/what-litigation-of-a-climate-nuisance-suit-might-look-like>

Class 14: February 29

Constitutional and public trust claims

Juliana v. United States, 947 F.3d 1159 (9th Cir. 2020)

<http://cdn.ca9.uscourts.gov/datastore/opinions/2020/01/17/18-36082.pdf>

Held v. Montana, 2023 WL 5229257 (Mont. Dist., August 14, 2023) (excerpts)

On Courseworks

State of the Netherlands v. Urgenda Foundation, Supreme Court of the Netherlands (December 20, 2019)

Read pp. 1-7 of Supreme Court Judgment in English, 01/13/2020

https://climatecasechart.com/wp-content/uploads/non-us-case-documents/2020/20200113_2015-HAZA-C0900456689_judgment.pdf

View trailer to film “Duty of Care” (5 minutes)

<https://www.youtube.com/watch?v=QGpBIhVKIAA>

Milieudefensie v. Royal Dutch Shell PLC, Hague District Court (May 26, 2021), ¶¶ 4-5 (pp. 22-45)

https://climatecasechart.com/wp-content/uploads/non-us-case-documents/2020/20200113_2015-HAZA-C0900456689_judgment.pdf

Maria Antonia Tigre & Margaret Barry, Climate Change in the Courts: A 2023 Retrospective (Sabin Center for Climate Change Law, December 2023)

https://scholarship.law.columbia.edu/sabin_climate_change/212/

Class 15: March 5

International human rights law and migration

David R. Boyd, Special Rapporteur, “Human Rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment” (United Nations General Assembly), July 15, 2019

(Read pp. 10-25; skim rest)

<http://srenvironment.org/sites/default/files/Reports/2019/UNGA%20Safe%20Climate%20Report%202019.pdf>

United Nations General Assembly, Resolution: The human right to a clean, healthy and sustainable environment (July 26, 2022)

(download English version)

<https://digitallibrary.un.org/record/3982508?ln=en>

United Nations Human Rights Council, Providing legal options to protect the human rights of persons displaced across international borders due to climate change: Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, Ian Fry (April 18, 2023)

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/073/25/PDF/G2307325.pdf?OpenElement>

United Nations Human Rights Committee, decision on communication submitted by Ioane Teitiota, concerning deportation from New Zealand to Republic of Kiribati (January 7, 2020) – excerpts: pp. 1-6, 10-16, and dissenting opinions of Vasilka Sancin and Duncan Laki Muhumuza

https://climatecasechart.com/wp-content/uploads/non-us-case-documents/2020/20200107_CCPRC127D27282016_opinion.pdf

Class 16: March 7 State and regional actions

Kate Konschnik, “State and Multistate Climate Action,” Chapter 11 in Gerrard Freeman & Burger, pp. 321-347

Ruby Wincele, 2023 State Climate Progress: Our Full List of Enacted Policies and Trends (ClimateXChange, December 13, 2023) (skim)

<https://climate-xchange.org/2023/12/13/2023-state-climate-progress-our-list-of-enacted-policies-and-trends/>

Association of Irrigated Residents v. California Air Resources Board, 206 Cal.App.4th 1487 (Cal Ct. App. June 19, 2012)

https://climatecasechart.com/wp-content/uploads/case-documents/2012/20120619_docket-A132165_opinion.pdf

Bowfin KeyCon Holdings, LLC v. Pennsylvania Department of Environmental Protection (Pennsylvania Commonwealth Court, November 1, 2023)

https://climatecasechart.com/wp-content/uploads/case-documents/2023/20231101_docket-247-MD-2022_opinion-1.pdf

New York State Climate Action Council, Final Scoping Plan (December 2022)

Executive Summary – pp. 1-23
<https://climate.ny.gov/resources/scoping-plan/>

Class 17: March 19
Municipal actions

Sheila R. Foster & Chiara Pappalardo, “Local Initiatives,” Chapter 12 in Gerrard Freeman & Burger, pp. 361-386

Sara C. Bronin, “Land Use and Transportation Policies Addressing Climate Change,” Chapter 14 in Gerrard Freeman & Burger, pp. 445-473

Amy C. Turner & Michael Burger, *Cities Climate Law: A Legal Framework for Local Action in the U.S.* (Sabin Center for Climate Change Law, November 2021) (read pp. 1-8; skim rest)
https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=1000&context=sabin_climate_change

Class 18: March 21
Transforming the energy sector

Jim Rossi & Hannah Wiseman, “Electricity Background and Trends,” Chapter 13 in Gerrard Freeman & Burger, pp. 401-434

Jeffrey Sachs, “Getting to a Carbon-Free Economy,” American Prospect, December 5, 2019
<https://prospect.org/greennewdeal/getting-to-a-carbon-free-economy/>

[Robinson Meyer, “The Climate Economy Is About to Explode,” Atlantic, October 5, 2022](https://www.theatlantic.com/science/archive/2022/10/inflation-reduction-act-climate-economy/671659/)
<https://www.theatlantic.com/science/archive/2022/10/inflation-reduction-act-climate-economy/671659/>
(On Courseworks)

Ben King et al., Taking Stock 2023: US Emissions Projections after the Inflation Reduction Act (Rhodium Group, July 20, 2023), pp. 4-21
https://rhg.com/wp-content/uploads/2023/07/Taking-Stock-2023_Rhodium-Group.pdf

Class 19: March 26
Renewable energy

James H. Williams, Ryan A. Jones & Margaret S. Torn, “Observations on the transition to a net-zero energy system in the United States,” 2 Energy & Climate Change 100050 (2021)
<https://reader.elsevier.com/reader/sd/pii/S2666278721000271?token=60D13EE78B6F48E32E7DF54507F9DD318CA6AD39023E7E11B0FEE4D81B7303C09A788EC8703E5F0C501E5E9CA5B160CA&originRegion=us-east-1&originCreation=20211225205222>
[posted on CourseWorks]

Michael B. Gerrard, “A Time for Triage,” *The Environmental Forum*, November/December 2022
https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=4885&context=faculty_scholarship

Animal Welfare Institute v. Beech Ridge Energy LLC, 675 F. Supp.2d 540 (D. Md. 2009)
(excerpts)
(on CourseWorks)

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