

Climate Policy Update

October 30, 2023

Good afternoon!

This is Akin's newsletter on climate change policy and regulatory developments, providing information on major climate policy headlines from the past few weeks and forthcoming climate-related events and hearings:

National

- **Senate Republicans Look for Cover in Carbon Tariff Push** (*E&E News*)

Ahead of the introduction of “new legislation that would impose a tariff on carbon-intensive imported goods,” Sen. Bill Cassidy (R-LA) is pushing a resolution to stress disapproval of a carbon tax. This “underscores the political minefield ahead for Republicans on the concept of imposing fees on the heaviest polluters as a form of climate action.”

- **Johnson Buoy Oil and Gas Hopes Despite Scant Energy Record** (*E&E News*)

The newly empowered Speaker Mike Johnson (R-LA) “is seen as a win for the oil and natural gas industry, which now counts two Louisiana lawmakers among the House GOP leadership.”

- **Energy Department Pours Billions into Power Grids but Warns It's Not Enough** (*New York Times*)

The Department of Energy (DOE) announced a \$1.3 billion investment to construct three power lines across six states “to upgrade America’s electric grids so they can handle more wind and solar power and better tolerate extreme weather.” However, in a DOE report, officials cautioned that greater transmission line expansion is necessary to achieve the President’s goal of powering the nation with clean energy.

- **White House Names First U.S. Hydrogen Hubs** (*E&E News*)

The Biden administration “announced seven projects that will receive \$7 billion to build landmark hydrogen hubs, delivering a major boost to a nascent U.S. industry.” Further, the White House noted that the Department of Energy funds may slash 25 million metric tons of carbon dioxide annually.

- **'Carbon Mega Bomb': Climate Experts Urge Biden to Block Gas Export Hub** (*The Guardian*)

The Biden administration is facing pressure to “block construction of what would be one of the world’s largest gas export hubs, and which would be perched near the rapidly eroding Louisianan shoreline,

due to concerns over its impact on the climate and communities living amid an unprecedented expansion of new gas infrastructure along the Gulf of Mexico.”

- **Supreme Court Rejects Challenge to Biden Climate Metric** (*E&E News*)

The Supreme Court of the United States (U.S.) opted to reject a challenge from “Republican-led states over the federal government’s method of estimating the costs of climate change, in a win for President Joe Biden’s push to address rising emissions.”

- **U.S. Oil Production Hits All-Time High, Conflicting with Efforts to Curb Climate Change** (*PBS*)

Last week, domestic production of oil reached an all-time high, “contrasting with efforts to slice heat-trapping carbon emissions by the Biden administration and world leaders.” Specifically, the United States produced 13.2 million barrels per day in the first week of October, surpassing the previous record set in 2020.

State and Local

- **Some Democrats Question Murphy Plan to Ban Sale of Gas Cars** (*Politico*)

A group of New Jersey lawmakers—including Assembly Majority Leader Lou Greenwald (D-NJ)—have expressed hesitation about Gov. Phil Murphy’s (D-NJ) plan to ban the sale of gas-powered cars by 2035 in a letter “sent to the Department of Environmental Protection as part of a just-closed public comment period.”

- **Newsom Signs Bills Authored by Solano County Lawmaker** (*Times Herald*)

Gov. Gavin Newsom (D-CA) signed the Sustainable Groundwater Management Act into law to establish a “framework for groundwater management.” Moreover, the law tasks courts with considering the needs of underserved communities and small farmers when making judgments during the groundwater application process.

- **California Gov. Gavin Newsome is Traveling to China to Talk Climate Change** (*ABC News*)

Gov. Newsom traveled to China to “reinforce his state’s role as a global leader on climate change.” Specifically, the Governor is slated to “sign agreements with leaders of Chinese provinces to set mutual commitments on a host of climate goals.”

- **Governor Hochul Announces New Milestone in Efforts to Build Fast Charging Stations for Electric Vehicles Across New York State** (*Gov. Kathy Hochul*)

Gov. Kathy Hochul (D-NY) announced that the Federal Highway Administration greenlit New York’s plan to leverage National Electric Vehicle Infrastructure Program Funds “to install and operate additional fast charging stations, clearing the way for the state to receive its next apportionment of \$34.7 million to continue the buildout.”

- **Governor Hochul Announces New 10-Point Plan to Expand the Renewable Energy Industry and Support High-Quality Clean Jobs in New York State** (*Gov. Kathy Hochul*)

Gov. Hochul released a new 10-Point Action Plan to “expand and support the growing large-scale renewable energy industry in New York.” The Governor noted that the Plan will bring New York closer to achieving its Climate Act goal of obtaining 70% of its electricity from renewable sources by 2030.

- **New Mexico Governor to Pursue EV Tax Credits to Achieve Zero-Emissions Goals** *(Reuters)*

Gov. Michelle Lujan Grisham (D-NM) is pursuing “electric vehicle (EV) credits and directed the state to transition to EV to achieve a zero-emissions vehicle fleet by 2035.”

International

- **Window for Meeting Key Climate Goal is Even Narrower Than Thought** *(New York Times)*

New estimates detail that humans have five years to “keep pumping carbon into the atmosphere at our current rate before we’re likely to push global warming past the most ambitious limit set by the Paris Agreement.”

- **Global Discord Threatens COP28 Climate Talks, EU Commissioner Says** *(Reuters)*

European Union (EU) Climate Action Commissioner Wopke Hoekstra “said the EU would not accept an outcome at [the Conference of Parties 28 (COP 28)] that only reached deals on less contentious topics –such as increased use of renewable energy—if it failed to solve tougher issues such as phasing out fossil fuels.”

- **US, EU Blamed as Climate Fund Talks Break Down Over World Bank Push** *(Politico)*

During negotiations to establish a fund to assist countries vulnerable to climate change, “negotiators from developing countries blamed the U.S. in particular for insisting on housing the proposed fund in the World Bank, an institution dominated by highly developed economies.”

- **Britain’s Post-Brexit Carbon Pricing Could Cost Treasury Billions** *(Reuters)*

After Brexit resulted in decreased prices in its emissions trading system, “Britain’s Treasury could lose out on 3 billion pounds of revenue a year from the sale of carbon permits.” This comes after the country tightened the scheme’s cap while signaling that it would release more permits.

- **U.S. Companies Scramble Ahead of EU Climate Disclosure Rules** *(E&E News)*

U.S. companies are bracing to “meet sweeping climate disclosure requirements from the European Union [(EU)] – even as the U.S. Security and Exchange Commission [(SEC)] struggles to finalize its own disclosure rule.”

- **WTO Launching Global Carbon Price Task Force** *(Reuters)*

The World Trade Organization (WTO) is establishing a “task force to create a methodology to determine global carbon prices to ensure that plans to tax imports based on their carbon emissions do not unfairly penalize developing countries.”

- **Urgent Action to Cut Methane Emissions from Fossil Fuel Operations Essential to Achieve Global Climate Targets** *(International Energy Agency)*

The International Energy Agency (IEA) issued the Imperative of Cutting Methane from Fossil Fuels report, which determined that “while a drop in fossil fuel demand would cut methane emissions, these reductions by themselves would not occur fast enough to meet the world’s climate goals.”

Check out below for key quotes, federal agency news and a look at the week ahead in congressional hearings and think tank events:

Quotes of the Week

“If we limit warming to 1.6 degrees, or 1.65 degrees, or 1.7 degrees, that’s a lot better than 2 degrees [...] we still need to fight for every 10th of a degree.”

– *Climate Scientist Christopher J. Smith* ([New York Times](#) – October 30)

Congressional Hearings (October 30 - November 3, 2023)

Senate

[Hearings to Examine the Science of Extreme Event Attribution, Focusing on How Climate Change is Fueling Severe Weather Events](#)

Senate Environment and Public Works

Tuesday, November 1, 10:00 AM ET

[Hearings to Examine the Opportunities and Challenges in Deploying Carbon Capture Utilization and Sequestration and Direct Air Capture Technologies on Federal and Non-Federal Lands](#)

Senate Energy and Natural Resources

Wednesday, November 2, 10:00 AM ET

House of Representatives

No relevant House hearings.

Federal Agency Climate News

Department of Energy

[Biden-Harris Administration Announces \\$1.3 Billion to Build Out Nation’s Electric Transmission and Releases New Study Identifying Critical Grid Needs](#) (October 30)

[DOE Announces \\$36 Million To Advance Marine Carbon Dioxide Removal Techniques and Slash Harmful Greenhouse Gas Pollution](#) (October 26)

[Biden-Harris Administration Announces \\$3.5 Billion for Largest Ever Investment in America’s Electric Grid, Deploying More Clean Energy, Lowering Costs, and Creating Union Jobs](#) (October 18)

[Biden-Harris Administration Announces \\$7 Billion For America’s First Clean Hydrogen Hubs, Driving](#)

Environmental Protection Agency

[Biden-Harris Administration Announces Nearly \\$128 Million for Environmental Justice Projects in Communities Across the Country as Part of Investing in America Agenda](#) (October 24)

[Biden-Harris Administration Selects 24 Recipients to Receive Nearly \\$16 Million in Pollution Prevention Grants to Advance Environmental Justice](#) (October 12)

White House

[Biden-Harris Administration Announces Historic Investment to Bolster Nation’s Electric Grid Infrastructure, Cut Energy Costs for Families, and Create Good-paying Jobs](#) (October 30)

Clean Manufacturing and Delivering New Economic Opportunities Nationwide (October 13)

Biden-Harris Administration Announces \$30 Million in Clean Energy Funding to 28 State, Local and Tribal Governments (October 12)

Biden-Harris Administration Announces More Than \$38 Million to Support Hydropower Facilities Across the Country (October 11)

Department of Interior

Biden-Harris Administration Announces \$65 Million in Rural Water Funding from President's Investing in America Agenda (October 30)

Biden-Harris Administration Announces Next Steps to Protect Stability and Sustainability of Colorado River Basin (October 25)

Biden-Harris Administration Advances Long-Term Planning Efforts to Protect the Colorado River System (October 19)

Biden-Harris Administration Takes Action to Cut Energy Bills, Housing Costs and Climate Pollution (October 19)

Remarks by President Biden on Creating Good-Paying Union Jobs, Investing in America and Building the Clean Energy Future (October 14)

Biden-Harris Administration Announces Regional Clean Hydrogen Hubs to Drive Clean Manufacturing and Jobs (October 13)

Funding and Comment Opportunities

Climate Pollution Reduction Grants

Environmental Protection Agency

Close Date: April 1, 2024

Critical Mineral Innovation, Efficiency and Alternatives

Department of Energy

Close Date: November 10, 2023

Domestic Manufacturing Conversation Grants

Department of Energy

Close Date: December 7, 2023

Advanced Processing of Critical Minerals for Industrial and Manufacturing Applications

Department of Energy

Silicon Solar Manufacturing and Dual-Use Photovoltaics Incubator

Department of Energy

Concept Paper: September 27, 2023

Close Date: November 14, 2023

Additional Clean Hydrogen Programs – Regional Clean Hydrogen Hubs

Department of Energy

Close Date: TBD

Transmission Siting and Economic Development Program

Department of Energy

Close Date: April 5, 2024

Close Date: October 20, 2023

Career Skills Training Program

Department of Energy

Close Date: November 27, 2023

D.C. Climate Events

Europe's Progress and Future Outlook for Diversifying and Decarbonizing its Energy Supply and the EU's Longer-Term Climate and Security Priorities

Atlantic Council

Monday, October 30, 3:30 PM ET

The Role of Hydrogen for Decarbonizing Industry in the U.S.

World Resources Institute

Tuesday, November 1, 12:00 PM ET

A Look at the UN Climate Summit's New Focus on Relief, Recovery, and Peace

Wilson Center

Wednesday, November 2, 10:00 AM ET

For more information, please contact your regular Akin lawyer or advisor, or:

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