

Climate Policy Update

January 18, 2024

Good morning!

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

National

- [Manchin, Carper Predict Biden Will Ease Hydrogen Rules](#) (*E&E News*)

Sens. Joe Manchin (D-WV) and Tom Carper (D-DE) predict that the “Biden administration will tweak a controversial Treasury Department proposed rule on hydrogen tax credits to make it friendlier to producers.” Moreover, the two lawmakers are actively lobbying the White House to reduce the rule's qualification thresholds.

- [John Kerry Bows Out as U.S. Climate Envoy](#) (*New York Times*)

President Joe Biden's special envoy for climate—John Kerry—will step down by spring “ending a three-year run in a major diplomatic role that was created especially for him and which will face an uncertain future with his departure.”

- [Conservative Climate Caucus is Trying to Build its Bench](#) (*E&E News*)

As Rep. John Curtis (R-UT) is slated to retire from the House next year, the Congressman is anticipated to announce five vice chairs of the House Conservative Climate Caucus. Reps. Buddy Carter (R-GA), Greg Murphy (R-NC), Tim Walberg (R-MI), Jennifer Kiggans (R-VA) and Lor Chavez-DeRemer (R-OR) will join Rep. Mariannette Miller-Meeks (R-IA), who has served as vice chair of the caucus since last January.

- [U.S. Carbon Emissions Fell in 2023 as Coal Use Tumble to New Lows](#) (*New York Times*)

New estimates outline that “America's greenhouse gas emissions fell 1.9 percent in 2023, in large part because the burning of coal to produce electricity plummeted to its lowest level in half a century.” As such, U.S. emissions have decreased by 17.2% since 2005.

State and Local

- **[Newsom Unveils Plan to Cut California Climate Funding](#)** (*CalMatters*)

In his recent budget proposal, Gov. Gavin Newsom (D-CA) “proposed scaling climate funding back by about 7% compared to last year’s budget, to \$48.3 billion, while spreading that money out over seven years, up from six last year.” This move elicited pushback from environmental groups as they are concerned with losing progress on the state’s climate efforts.

- **[California Has Dealt a Blow to Renewable Energy, Some Businesses Say](#)** (*New York Times*)

A recent California policy has “greatly reduced incentives that had encouraged homeowners to install solar panels.” As such, reports predict that “sales of rooftop solar installations in California dropped as much as 85 percent in some months of 2023 from a year earlier.”

- **[Biggest US Wind Project is Under Construction in New Mexico](#)** (*E&E News*)

A wind project broke ground in New Mexico recently. Specifically, Pattern Energy is seeking to build a “3.5-gigawatt wind farm that will send power from New Mexico to California via a 550-mile transmission line.”

International

- **[COP28 Could Spur Wave of Climate Lawsuits](#)** (*E&E News*)

The agreement forged out of the Conference of Parties 28 (COP28) “could add momentum to a growing tide of lawsuits against oil companies and fossil-fuel-reliant countries worldwide.” Specifically, the language regarding shifts away from fossil fuels may be seen as a liability.

- **[At Davos, Conflict, Climate Change and AI Get Top Billing as Leaders Converge for Elite Meeting](#)** (*Associated Press*)

The World Economic Forum (WEF) included a panel on the environment to discuss the “need for investment to flow to the Global South, ‘where the action is’ in fighting climate change, as well as bringing emerging markets and developing countries more into global value chains.”

- **[2023 Confirmed as World’s Hottest Year on Record](#)** (*BBC*)

The European Union (EU) Climate Service confirmed that “last year was about 1.48C warmer than the long-term average before humans started burning large amounts of fossil fuels.”

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

“[John Kerry] was instrumental in reestablishing U.S. credibility on climate and helping drive other countries to step-up their efforts. His imprint is all over the increased action we have seen the last couple of years,”
– *Jake Schmidt, Senior Strategic Director of International Climate, National Resources Defense Council (Politico – January 13)*

Congressional Hearings (January 15 - 19, 2023)

Senate

No relevant Senate hearings.

House of Representatives

[Oversight of the SEC's Proposed Climate Disclosure Rule: A Future of Legal Hurdles](#)

House Financial Services

Thursday, January 18, 10:00 AM ET

[Fueling America's Economy: Legislation to Improve Safety and Expand U.S. Pipeline Infrastructure](#)

House Energy and Commerce

Thursday, January 18, 10:00 AM ET

Federal Agency Climate News

Department of Energy

[Biden-Harris Administration Announces More Than \\$104 Million to Advance Net-Zero Projects at Federal Facilities](#) (January 17)

[DOE Announces \\$34 Million to Improve the Reliability, Resiliency, and Security of America's Power Grid](#) (January 16)

Environmental Protection Agency

[Biden-Harris Administration Announces Proposed Rule to Reduce Wasteful Methane Emissions from the Oil and Gas Sector to Drive Innovation and Protect Communities](#) (January 12)

Department of Interior

[Biden-Harris Administration Announces Significant Progress to Catalyze Solar Energy Development Throughout the West](#) (January 17)

Funding and Comment Opportunities

[Climate Pollution Reduction Grants](#)

Environmental Protection Agency

Close Date: April 1, 2024

[Transmission Siting and Economic Development Program](#)

Department of Energy

Close Date: April 5, 2024

[Battery Materials and Battery Manufacturing Grants](#)

Department of Energy

Close Date: March 19, 2024

[Section 45V Credit for Production of Clean Hydrogen](#)

Department of Treasury

Close Date: February 26, 2024

D.C. Climate Events

Unpacking the Fifth National Climate Assessment

Environmental and Energy Study

Thursday, January 18, 3:00 PM ET

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

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