

Environmental Impact Statement for the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Year 2021-2026 Passenger Cars and Light Trucks- (“the EIS”)

Docket ID No. NHTSA-2017-0069

We are writing, both as editors of InternationalMosaic.com and individually, to provide comments on and objections to the EIS. These comments supplement those previously provided by the editors of InternationalMosaic.com including, but not limited to those submitted with respect to the proposed rule that is subject to the EIS.

While the misleading nature of the EIS’s handling of the climate change issue was apparent when first published as a draft, subsequent developments have repeatedly and consistently underscored the EIS’s flaws.

First, for example, in the 2018 report by D. Laffoley and J.M. Baxter entitled: Ocean Connections: An Introduction to Rising Risks From A Warming Ocean (copy attached), the authors note:

“The real and urgent question is therefore when will we reach tipping points where mitigation and adaptation actions to reduce the risks arising are no longer an option, and risks to humans and our ocean life support systems become unmanageable? It is becoming increasingly clear that this may be sooner than some think (Figures 11 and 12), and the issue is what action must be taken to avoid reaching such tipping points.”

Id. at p. 16.

Second, as another example, climate change has accelerated the extinction of endangered species. Online May 12, 2019 and in the May 20, 2019 print issue of the *New Yorker*, Elizabeth Kolbert reported that the “first documented extinction of 2019 occurred on New Year’s Day, with the death of a Hawaiian tree snail named George.” *Cf.* Elizabeth Kolbert, *The Sixth Extinction: An Unnatural History* (2015).

Third, perhaps striking closer to home, a flock of federal agencies conclude that the climate change problem is urgent. The Fourth National Climate Assessment (published by the U.S. Global Change Research Program, released on November 23, 2018 (“Black Friday”)) states in part:

“Climate change is projected to significantly affect human health, the economy, and the environment in the United States, particularly in futures with high greenhouse gas emissions and limited or no adaptation. Recent findings reinforce the fact that without substantial and sustained reductions in greenhouse gas emissions and regional adaptation efforts, there will be

substantial and far-reaching changes over the course of the 21st century with negative consequences for a large majority of sectors, particularly towards the end of the century.

“The impacts and costs of climate change are already being felt in the United States, and changes in the likelihood or severity of some recent extreme weather events can now be attributed with increasingly higher confidence to human-caused warming (see CSSR, Ch. 3). Impacts associated with human health, such as premature deaths due to extreme temperatures and poor air quality, are some of the most substantial (Ch. 13: Air Quality, KM 1; Ch. 14: Human Health, KM 1 and 4; Ch 29: Mitigation, KM 2).“

Fourth National Climate Assessment, pages 58-59. For the full report please see: <https://nca2018.globalchange.gov/downloads/or> https://nca2018.globalchange.gov/downloads/NCA4_2018_FullReport.pdf

Significantly, the EPA administrator has read some or all the Black Friday Report. <https://www.eenews.net/stories/1060107611> (copy attached).

Finally, while in this comment we cannot detail each of the numerous reports establishing that the EPA and NHTSA misapprehend the importance and urgency of the climate change issue, we note that the Intergovernmental Panel on Climate Change (“IPCC”) has published a special report for policymakers entitled “Global Warning of 1.5 [degrees] C” (2018, revised 2019) (copy attached). The IPCC conclusions that undercut the DEIS and EIS include: “A.3.1 Impacts on natural and human systems from global warming have already been observed (high confidence). Many land and ocean ecosystems and some of the services they provide have already changed due to global warming (high confidence). (Figure SPM.2) {1.4, 3.4, 3.5}” at page 11 of 32.

Moreover, even assuming that the DEIS and EIS adequately analyzed the climate change issue with respect to the mileage regulation, they failed to properly analyze the regulation’s cumulative impacts when one considers other pending proposals that have adverse climate impacts. For example, the EPA is considering Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration ID: EPA-HQ-OAR-2017-0483-0005. The proposed emission standards will allow the increased release of methane (a greenhouse gas). There is a wealth of published scientific evidence that methane leaks associated with oil and natural gas production present a major climate change danger. For example, one UN article states in part:

“The Problem with Methane

“[Methane](#) is a greenhouse gas as is carbon dioxide. Human activity has increased the amount of methane in the atmosphere, contributing to climate change. Methane is particularly problematic as its impact is 34 times greater

than CO2 over a 100-year period, according to the latest [IPCC Assessment Report](#). A significant source of human-made methane emissions is fossil fuel production. For example, methane is a key by-product of the rapidly rising global extraction and processing of natural gas. Other top sources of methane come from the digestive process of livestock and from landfills, which emit it as waste decomposes.

“The Growing Response to Climate Change

“The current level of response remains inadequate to keep the average global temperature rise below two degrees Celsius, beyond which expected climate change impacts become significantly worse. But action to curb human-generated greenhouse gas emissions is rapidly increasing at every level of government, business, cities and civil society as the many economic, social and environmental benefits of taking climate action become clear. “

UN Article, “Why Methane Matters”, Aug. 7, 2014. For the full article, please see: <https://unfccc.int/news/new-methane-signs-underline-urgency-to-reverse-emissions>

In sum, the EIS is fatally flawed and cannot be adopted before EPA and NHTSA prepare a new and proper EIS for the mileage regulation. In addition, due to the wealth of information published months after the “close” of the public comment period, EPA and NHTSA should reopen the matter for further public comment.

Sincerely,
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