

**TO: Interested Parties**  
**FR: David Di Martino, Climate Action Campaign**  
**DA: November 12, 2015**  
**RE: Momentum for Climate Action**

## **Polluters and Allies in Desperate Scramble Amid Growing Support for Action on Climate, Clean Air, Public Health**

If Climate Change opposition was free market traded commodity, polluter industry investors would be in SELL mode. Why? The Headlines tell the story:

[EE News: 'Just saying no' strategy appears to be crumbling](#) - 10/28/2015

[WMUR: Sen. Kelly Ayotte announces support for clean power plan](#) - 10/25/2015

[Yale: 61% of the Public in the States Suing to Stop the Clean Power Plan Actually Support the Policy](#) - 11/02/2015

[WSJ: Coalition of 18 States to Move to Defend Carbon-Emission Rules](#) - 11/04/2015

Momentum for climate action is building; building in the states and local communities, building in Washington; and building globally. With each passing day, the polluters and their allies are becoming more isolated and getting left behind.

Recently, more than two dozen states and cities and several major utility companies filed with the court their intentions to defend the Clean Power Plan. Meanwhile, polluter-backed attorneys general are failing in the court of public opinion: A new analysis of state-level polling found that [61 percent of the public](#) in states suing to block the Clean Power Plan support the Environmental Protection Agency (EPA)'s new standards to reduce carbon pollution from power plants. And even the Republican Party is rejecting Senate Majority Leader Mitch McConnell's "just say no" campaign. The first Senate Republican acknowledged the political liability of climate denial and announced support for the EPA's Clean Power Plan, and governors across the country, even in states suing the EPA, are moving forward with state implementation plans, demonstrating how McConnell's strategy is crumbling.

Indeed, where at this point in 2009, there wasn't much hope for action to address climate change, the most pressing public health and environmental challenge of our time, we are today on the precipice of implementing an historic standard to set the first ever limits on carbon pollution from power plants in the U.S. and a global agreement from all of the major economies in the world to take meaningful action on climate change. Whereas polluters had deep, financially-driven hooks in our elected leaders and controlled the agenda; now we have an engaged and active president that has used his existing authority under the Clean Air Act to make unprecedented pollution reductions from cars and trucks and now power plants. And in the face of seven years of aggressive lobbying and millions of dollars spent by big polluters and climate deniers, President Obama has rejected the Keystone XL pipeline, once considered by many as a done deal. How the times have changed.

### **Broad Coalition Lines Up to Defend Clean Power Plan**

**WEDNESDAY, NOV. 4: More than two dozen states, cities will defend climate rule in court.** This Wednesday [Nov. 4], a coalition of more than two dozen states and cities joined the fight to protect the Clean Power Plan by filing a motion to intervene in lawsuits aimed at dismantling the new carbon pollution standards. The coalition is made up of 18 states -- California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia and Washington -- and several major U.S. cities, including Chicago, Philadelphia, South Miami, New York City, and more. What they're saying:

- **"We can no longer afford to respond to climate change with denials or obstruction."** –*New York Attorney General Eric Schneiderman*
- **"Here in Virginia, climate change isn't some theoretical idea or academic exercise."** –*Virginia Attorney General Mark Herring*

**THURSDAY, NOV 5: Major utilities stand up for Clean Power Plan, in court. On November 5, at least five energy companies filed to legally intervene to support the EPA's Clean Power Plan. Calpine Corp., Austin Energy, Pacific Gas**

and Electric Co., Seattle City Light and National Grid PLC filed to fight for the Clean Power Plan. These companies have invested in and developed clean energy generation, and the Clean Power Plan will encourage more investment in clean, renewable energy.

[Houston Chronicle: Calpine to intervene against Texas lawsuit on emissions](#) - 11/04/2015

[MarketWatch: National Grid US Applauds EPA's Clean Power Plan](#) - 08/03/2015

## Opposition Is Reckless and Out of Touch

**NEW STUDY: 61% of the public in the states suing to stop the Clean Power Plan actually support the policy.** States suing to block the Clean Power Plan are out of touch and going against public opinion. A new analysis of state polling shows that [61 percent of the public](#) in states filing legal challenges against the clean air safeguards actually support the Clean Power Plan.

**41 states moving forward with compliance plans.** In some states, the opposing attorneys general are even going against their own governors -- not to mention the majority of state citizens -- who support the Clean Power Plan and are moving forward with plans to comply. At last count, 41 states have agreed to move forward with developing customized plans for reducing carbon pollution -- including West Virginia, whose attorney general is leading the reckless legal charge against the Clean Power Plan. Even Oklahoma, whose governor initially pledged not to submit a state plan, has recently hinted it may develop a compliance plan.

## Support for Climate Action Is Growing – At Home and Abroad

**Republican Party is rejecting McConnell's "just say no" campaign.** It's clear that tremendous momentum has shifted within the Republican Party away from Senate Majority Leader Mitch McConnell's "[just say no](#)" campaign, and towards support for climate action. Last week, New Hampshire Senator Kelly Ayotte became the first Republican Senator to publicly announce her support for the Clean Power Plan. Then four Senate Republicans – Ayotte, Mark Kirk, Lindsey Graham and Lamar Alexander – launched a coalition aimed at changing their party's approach to environmental policy. And to top it off, a new poll conducted by the University of Texas, Austin, showed a jump in Republican support for belief in climate change.

**With cheaper clean energy, electric utilities embrace Clean Power Plan.** As the price of wind and solar energy falls, electric utilities across the country are embracing the Environmental Protection Agency (EPA)'s Clean Power Plan, which sets the first ever federal limits on carbon pollution from power plants and encourages investment in clean energy and energy efficiency. Economic forces are pushing power producers away from polluting sources of energy and toward cleaner, more renewable ones, meaning that major utilities like Virginia's Dominion Resources and Houston's Dynegy Inc. are ready to comply with the EPA's new safeguards.

**NEW POLL: 67% of African Americans support action to combat climate change.** African American and lower-income communities are often hit the hardest by climate change in the United States. And a new [national poll](#), by Green for All and the National Resources Defense Council, demonstrates that African Americans rightly view climate change and air pollution as serious problems. The poll found that 67% of African Americans believe the nation should act to combat climate change. In addition, 83% support the Obama administration's Clean Power Plan, which sets the first ever federal limits on carbon pollution from existing power plants.

**Global consensus on dangers of climate change, need for action.** Ahead of the critical Paris climate talks, a [new Pew Research Center poll](#) makes clear that there is global consensus around climate change, the threat it poses, and the need for action. Majorities in all 40 nations polled said climate change is a serious problem, while a global median of 54% consider it a very serious problem. Nearly eight in ten, or a median of 78%, support the idea of their country limiting greenhouse gas emissions as part of an international agreement in Paris. So when international leaders travel to the climate talks later this month, they'll bring with them broad support for international action and should harness that momentum to reach an agreement to address climate change.