

**By E-mail Attachment and  
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October 8, 2014

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**Re: A Chance to Seize a Transformational Opportunity to Account for Carbon Benefits and Safeguard the Climate**

Dear Secretaries Jewell and Vilsack:

The undersigned organizations write to urge you to embrace a significant opportunity to ensure that the costs of carbon emissions are taken into account in decision making processes under the National Environmental Policy Act. Recent events have opened the door for both the Departments of Agriculture and the Interior, together the largest land and resource managers in the United States, to consistently and effectively address the costs and benefits associated with carbon, and in doing so to set our nation on a new path toward climate security.

As you are aware, the U.S. District Court for the District of Colorado held on June 27, 2014 that it was both reasonable and appropriate for the Departments of Agriculture and Interior to utilize the social cost of carbon protocol when analyzing the costs of greenhouse gas emissions associated with a federal coal leasing decision in western Colorado.<sup>1</sup> According to the U.S. Environmental Protection Agency, the social cost of carbon protocol, which was developed by numerous federal agencies, “is meant to be a comprehensive estimate of climate change damages and includes, but is not limited to, changes in net agricultural productivity, human health, and property damages from increased flood risk.”<sup>2</sup> Its purpose is to reflect “an estimate

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<sup>1</sup> *High Country Conservation Advocates, et al. v. U.S. Forest Service, et al.*, F.Supp.2d---, 2014 WL 20922751 (D. Colo. June 27, 2014).

<sup>2</sup> U.S. EPA, “The Social Cost of Carbon,” website available at <http://www.epa.gov/climatechange/EPAactivities/economics/scc.html> (last accessed Sept. 15, 2014).

of the economic damages associated with a small increase in carbon dioxide (CO<sub>2</sub>) emissions, conventionally one metric ton, in a given year.”

The protocol was developed primarily in response to Executive Order 12866, which directs federal agencies to assess the economic costs and benefits of significant regulatory actions. In 2009, an Interagency Working Group was formed to develop the protocol and issued final estimates of carbon costs in 2010.<sup>3</sup> These estimates were then revised in 2013 by the Interagency Working Group, which at the time consisted of 13 agencies, including the Department of Agriculture.<sup>4</sup> Currently, the Interagency Working Group estimates the cost of carbon emissions, and therefore the benefits of reducing carbon emissions, to range from \$11 to \$105 per metric ton of carbon dioxide, depending on the chosen discount rate. In July 2014, the U.S. Government Accountability Office confirmed that the Interagency Working Group’s estimates were based on sound procedures and methodology.<sup>5</sup>

The June 2014 District of Colorado ruling emphasizes that accounting for carbon costs and benefits is wholly appropriate in the coal leasing context, particularly where other economic costs and benefits are quantified through socio-economic impacts analyses under the National Environmental Policy Act. Additionally, the ruling found that in the context of analyzing climate impacts, agencies have an obligation to evaluate and disclose the “reasonably foreseeable effect” that federal agency decisions have on the coal market and thus on overall coal combustion.<sup>6</sup> The decision provides the Departments of Agriculture and the Interior with a powerful platform from which to engage the public in an open, transparent, and thorough accounting of carbon impacts associated with federal coal leasing.

This ruling presents a significant opportunity for both the Departments of Agriculture and the Interior to use existing tools, created by sister federal agencies, in order to better inform decision makers and more openly engage the public, while ensuring that the climate impacts of federal actions are adequately analyzed and disclosed. This opportunity is especially critical given that Agriculture and Interior agencies undertake many actions that impact the climate. A quantitative accounting of carbon costs and benefits will ensure a more robust understanding of the climate implications of agency decisions.

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<sup>3</sup> Interagency Working Group on Social Cost of Carbon, “Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866” (Feb. 2010), available at <http://www.whitehouse.gov/sites/default/files/omb/inforeg/for-agencies/Social-Cost-of-Carbon-for-RIA.pdf> (last accessed Sept. 15, 2014).

<sup>4</sup> Interagency Working Group on Social Cost of Carbon, “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866” (May 2013), available at <http://www.whitehouse.gov/sites/default/files/omb/assets/inforeg/technical-update-social-cost-of-carbon-for-regulator-impact-analysis.pdf> (last accessed Sept. 15, 2014).

<sup>5</sup> GAO, “Regulatory Impact Analysis, Development of Social Cost of Carbon Estimates,” GAO-14-663 (July 2014), available at <http://www.gao.gov/assets/670/665016.pdf> (last accessed Sept. 15, 2014).

<sup>6</sup> *High Country Conservation Advocates, et al. v. U.S. Forest Service, et al.*, F.Supp.2d---, 2014 WL 20922751 at \*15 (D. Colo. June 27, 2014).

Under your leadership, both the Departments of Agriculture and the Interior have acknowledged the economic and environmental risks of carbon pollution and stepped up to play vital roles in helping our nation combat climate disruption. With the District of Colorado ruling now before us, another significant moment of leadership is at hand.

We urge your Departments to seize the opportunity to ensure transparent and informed decision making, and ensure that our nation is moving forward as effectively as possible to address the impacts of climate change.

Sincerely,

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