

California's AB 32 — the Global Warming Solutions Act — is the biggest and best thing going on the domestic climate change front. The bill is sweeping in its application and the agency charged with implementing the Act, the California Air Resources Board, has moved aggressively to chart out the path the state will need to follow to cut emissions to 1990 levels by 2020. But the state still faces significant obstacles to actually achieving those reductions. And the obstacles come from groups who are otherwise sympathetic to the overarching purpose of AB 32: labor unions, environmental justice groups and mainstream environmentalists. Here are three recent examples:

1) The State Building and Trade Council of California has used state and federal environmental laws — the Endangered Species Act and the California Environmental Quality Act — to challenge numerous projects to create renewable energy supplies, as outlined by the LA Times [here](#). The council, acting under the name California Unions for Reliable Energy (CURE), has allegedly used environmental statutes to leverage contracts for its members by filing lawsuits and using the state's administrative approval process to delay project approval and then dropping its challenges once it secures contracts. The result is that renewable energy projects are taking longer to get up and running, making the state's renewable energy goals — 33 percent renewable energy by 2020 — harder and more expensive to meet.

2) Numerous environmental groups won [a lawsuit](#) last week blocking the U.S. Department of Energy's plan to establish national transmission corridors for electricity, including one that would cover parts of Southern California. The DOE used authority provided under the 2005 Energy Policy Act to designate transmission corridors that would be eligible for expedited permit review. The Ninth Circuit found that the DOE made these designations without conducting legally required environmental reviews and without properly consulting the affected states. The transmission corridor in the southwest would cut through Joshua Tree National Park and the Sonoran Desert National Monument and three million acres of wildlife refuges (the [Piedmont Environmental Council](#) has a map of the corridor [here](#)). Many of the areas covered by the transmission corridor are also prime targets for renewable energy development and transmission lines are necessary to bring renewable energy to more populated areas. The lack of transmission lines is a major obstacle, again, to the state meeting its 33 percent renewable energy goal.

3) As detailed [here](#) and [here](#), environmental justice groups won a partial victory last week — at least temporarily — when a superior court judge issued a tentative decision holding that the Air Resources Board violated the California Environmental Quality Act in approving the overall plan (called the scoping plan) that sets forth how the state will meet its AB 32 goals. The ruling, if it stands, may slow down the board's implementation efforts until the

state can satisfy its legal obligations under CEQA.

I highlight each of the obstacles above not because the disputes necessarily lack merit. The DOE decision to ignore mandated environmental review processes, for example, is highly problematic — a transmission corridor cutting through environmentally sensitive and important areas that are home to sensitive habit and endangered species has obvious environmental impacts that need evaluation under federal statutes. But the cases also highlight how difficult the transition to a low carbon economy will be. Passing a bill is an obvious first start. But implementing and [enforcing](#) it may be even harder.