



It's a myth (of course) that ostriches hide their heads in the sand when they're afraid. Hiding one's head is about the worst possible way to react to danger: it won't make a threat go away, but it will make it awfully difficult to respond effectively. Ostriches are not that stupid. (They apparently do sometimes "[flop\[\] to the ground and remain\[\] still](#)," which is probably more effective for evading a threat, and can make them look like they have buried their heads.)

But never mind that it's fake news, the ostrichism myth is a perfect metaphor for the Trump administration's approach to inconvenient truths, especially about climate change.

There's a new example of that this week, but also a welcome push-back from the federal courts.

On the head-in-the-sand side, [the Washington Post reports](#) that the administration is disbanding the [Federal Advisory Committee for the Sustained National Climate Assessment](#). The Post headline is not quite accurate — the Committee's charter expired on August 20, so it's not being cut short, it's just not being extended. Nonetheless, ending the Committee is a foolish act of (mythical) ostrichism.

The Committee consisted of 15 experts from academia, industry, state and local government, and non-profits. Its mission was to provide advice to the US Global Change Research Program, which must report periodically to Congress and the President on the state of knowledge about climate change and its impacts. NOAA, which announced the end of the Committee, insists that the change will not "impact the completion of the Fourth National Climate Assessment," which is due to be delivered in 2018. That should be true, because the Assessment is required by the Global Change Research Act of 1990. Unless Congress repeals that law (which I don't think is likely in the short term), release of a final version of the report will still be mandatory. Of course there's room to worry that the administration will try to shade the report to minimize the impacts of climate change, but that isn't likely to be effective, given the number of scientists involved in drafting the report and the wide circulation of the draft, even before it was [linked to by the New York Times](#). So this isn't a case where the administration has the ability to actually bury information.

Still, the end of the Committee is a serious loss. It deprives the nation of a set of knowledgeable outside eyes which had been focused particularly on how the quadrennial reports can be made more useful to and usable by a wide range of stakeholders. Ending the Committee doesn't directly threaten the release of information, but it does threaten the ability to translate that information into meaningful action.

But it's not all bad news. While the administration works to bury the nation's collective head, the federal courts are making some efforts to pull it out. An example comes from just yesterday — the DC Circuit decision in [Sierra Club v. FERC](#). The panel (over the dissent of Judge Janice Rogers Brown) set aside the Federal Energy Regulatory Commission's approval of three natural gas pipelines in the southeast because the environmental impact statement did not sufficiently examine the impacts of greenhouse gas emissions from burning the gas in power plants at the pipelines' destinations. The National Environmental Policy Act (NEPA) is a powerful anti-ostrichism law. It requires that federal agencies take a hard, and public, look at environmental impacts before committing to action. Because FERC had the legal authority to deny the requested pipeline certificates if it found that the adverse effects of the pipelines outweighed their public benefits, a majority of the panel concluded that it was required to estimate the downstream greenhouse gas emissions and their environmental impacts.

The *Sierra Club v. FERC* decision is especially important in light of the Trump administration's withdrawal in April of the [Council on Environmental Quality's Guidance on considering greenhouse gas emissions in NEPA reviews](#). The Guidance was an important commitment to seeing the hazards created by our actions, and its withdrawal was an early example of administration ostrichism. The new DC Circuit decision doesn't revive the Guidance, which sought to achieve consistency across the government by encouraging agencies to use specific tools, such as the social cost of carbon, in evaluating the impacts of greenhouse gas emissions. But it at least reminds the executive branch that with or without the Guidance NEPA requires that agencies publicly and realistically acknowledge the greenhouse gas emissions and climate impacts their proposed actions will bring. Score one for those of us who think its better to get our heads out of the sand.