Last week, Sean Hecht and I filed an amicus brief with the DC Circuit in the legal challenge to the Trump Administration's attempt to eliminate California's authority to apply its own automobile emission standards under the Clean Air Act. (We filed the brief in our individual capacities and not on behalf of our respective institutions.) Our clients are the National Parks Conservation Association and the Coalition to Protect America's National Parks, two nonprofits that seek to protect and preserve America's National Parks.

When Congress designed the modern Clean Air Act in the 1960s and 70s, it allowed California to set its own automobile emission standards in light of the state's decade of leadership on clean air regulation and the particularly challenging air pollution conditions facing the state. In 2012, the state used this authority to issue greenhouse gas emission standards and zero-emission vehicle manufacturing regulations, together known as the Advanced Clean Cars Program. EPA approved the regulations in 2013.

Although the law includes no provision allowing EPA to "withdraw" this approval once issued, and EPA had never done so in over five decades, last year EPA issued the ironically named Safer Affordable Fuel-Efficient Vehicles Rule, in which it (purportedly) withdrew the Advanced Clean Cars Program waiver, claiming that California lacked the legal authority to issue the regulations. EPA based its argument in part on the claim that since climate change is a global phenomenon, and California does not suffer uniquely from its impacts, the state cannot satisfy the statutory requirement that it experiences "compelling and extraordinary conditions" necessitating a separate vehicle program.

As Sean Hecht and I argue in an *amicus* brief filed with the D.C. Circuit last week, this interpretation not only gets the law wrong (EPA is supposed to evaluate California's programmatic need for separate standards, not its need with respect to any individual standard), but also gets the facts wrong. The climate change- and air pollution-related harms occurring in National Parks in California are direct evidence of the compelling and extraordinary conditions that justify California's vehicle emissions program.

Iconic spaces like Yosemite and Sequoia National Parks are already suffering from a fierce combination of severe air quality degradation and climate change-induced impacts to ecosystems, species, and landscapes. These singular national treasures are losing ancient trees due to massive die-offs, vital snowpack due to warming temperatures, and irreplaceable habitats due to record-setting wildfires driven by a

combination of the two. At the same time, air quality and visibility in these parks are regularly diminished below the levels seen in major urban centers, harming public health in vulnerable neighboring communities, reducing visitor numbers (and revenues), and damaging natural resources. And coastal resources at Golden Gate National Recreation Area and Channel Islands National Park may suffer hundreds of millions of dollars in damage due to sea-level rise, while their ecosystems are degraded by increased ocean acidification due to onshore sources of air pollution. These impacts demonstrate the particular geographic and climatic conditions facing California, which expose these parks to the combined threats of greenhouse gases, ozone, particulate matter, and other air pollutants originating from vehicles. And they will only get more harmful without ambitious clean air protection like the Advanced Clean Cars Program.

Our brief is one of many expected to be filed opposing EPA's attempted withdrawal of California's standard-setting authority. California and other state and NGO petitioners filed their brief last week, as did energy companies that support California's authority to set its own standards. These briefs demonstrate how the agency's current position is misguided legally, scientifically, and economically. You can download a copy of our brief here.