

The Law and Policy of Climate Change
Law 878

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Fall 2006

Class I: Introduction: Science/Sustainable Development/Neoliberalism

National Academy of Sciences, *Understanding and Responding to Climate Change: Highlights of National Academies Reports* (2006)

Herman E. Daly, *Sustainable Growth: An Impossibility Theorem*, in *Valuing the Earth* 267–273 (Herman E. Daly and Kenneth N. Townsend eds. 1992)

World Commission on Environment & Development (WCED), *Our Common Future* (1987) (excerpts)

Wilfred Beckerman, *A Poverty of Reason: Sustainable Development and Economic Growth*, 1-5 (2003)

Class 2: The Framework Convention on Climate Change:

The United Nations Framework Convention on Climate Change

Daniel Bodansky, *The Framework Convention on Climate Change*, A Commentary 18 *Yale J. Int'l L.* (1993)

Class 3: The Kyoto Protocol

Kyoto Protocol to the United Nations Framework Convention on Climate Change

David M. Driesen, *Free Lunch or Cheap Fix?: the Emissions Trading Idea and the Climate Change Convention*, 26 *BOST. COLL. ENVTL. AFF. L. REV.* 1, 1-35 (1998).

Class 4: Kyoto Protocol's Trading Provisions

Driesen, *Free Lunch: Cheap Fix*, *supra*, at 35-87
Bruce A. Ackerman & Richard B. Stewart, *Reforming Environmental Law*, 37 *STAN. L. REV.* 1333 (1985)

Class 5: European Union Emissions Trading Scheme:

R. Watanabe & G. Robinson, 5 *CLIMATE POLICY* 10 (2005).

Michael Grubb, et al., *Allowance Allocation in the European Emissions Trading Scheme: A Commentary*, 5 *CLIMATE POL'Y* 127 (2005)

Updates from Class Members Representing European Countries as to Phase Two.

Class 6: The CDM

Kyoto Protocol, art. 12.

Measures for Operation and Management of Clean Development Mechanism Projects in China, <http://cdm.ccchina.gov.cn/english/main.asp?ColumnId=27>.

Ben Pearson, *CDM is Failing*, 56 TIEMPO 12 (2005) [Done]

Clean Development Mechanism Project Design Document for 125 MW Wind Project in Karnataka, India 1-6, 8-10, 23-29, 34, 39-40 (2006)

Class 7: EU Renewable Energy Legislation and Approach.

Mark Ringle, *Fostering Use of Renewable Energies in the European Union: The Race Between Feed-in Tariffs and Green Certificates*, 31 *Renewable Energy* 1-17 (2006)

European Commission, Directorate-General for Energy and Transport, *Renewable Energy to Take Off in Europe?* (2004) (7 pages)

Class 8: Demand Side Management

Ralph Cavanagh, *Least Cost Planning Imperatives for Electric Utilities and Their Regulators*, 10 *Harv. Envtl. L. Rev.* 299 (1986)

Class 9: Vehicle Emissions Control

Am. Auto. Manufacturers Ass'n v. Cahill, 152 F.3d 196 (1998)

California Environmental Protection Agency Air Resources Board, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Public Hearing to Consider Adoption of Regulations to Control Greenhouse Gas Emissions from Motor Vehicles* (August 6, 2004) cover page, i-xii, 39-41.

Class 10: State Emissions Trading

Regional Greenhouse Gas Initiative, *Memorandum of Understanding* (2005) (11 pages)

Regional Greenhouse Gas Initiative, *Amendment to Memorandum of Understanding* (2006) (3 pages)

Class 11: Federal Authority

S. Res. 98, 105th Cong. (1997)

Letter from George W. Bush to Senators Hagel, Helms, Craig, and Roberts
(March 13, 2001)

Massachusetts v. EPA, 415 F.3d 50 (D.C. Cir. 2005), *cert. granted* 74 U.S.L.W.
3713 (2006).

Statutes and Facts Bearing on Preemption Claims: California Regulations of
Vehicular Carbon Dioxide Emissions [5 pages]

Class 12: Kyoto's Future

Country Papers Due Before This Session

Caucus Meetings

Chapters from *Avoiding Dangerous Climate Change* (Hans Joachim et al. eds.
2006):

*Rachel Warren, Impacts of Global Climate Change at Different Annual
Mean Global Temperature Increases*

*Bert Metz & Detlef van Vuuren, How, and at What Costs, can Low-Level
Stabilization be Achieved?- An Overview*

*Terry Barker et al., Avoiding Dangerous Climate Change by Induced
Technological Progress: Scenarios Using a Large-Scale Econometric
Model.*

Class 13: Negotiation.