

# A RENEWED ROLE FOR CONSERVATION IN ENVIRONMENTAL POLICY

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*“We simply must balance our demand for energy with our rapidly shrinking resources. By acting now, we can control our future instead of letting the future control us.”*

—Jimmy Carter, April 18, 1977

## INTRODUCTION

Environmental issues loom large for both candidates in the current presidential campaign. High-profile issues such as the regulation of greenhouse gases and the development of alternative fuels take center stage in the national debate. But not since President Carter’s impassioned speeches in the 1970s, which warned Americans that their country’s dependence on oil was “likely to get progressively worse through the rest of this century,” has there been serious attention to the role conservation should play in addressing environmental issues such as climate change and sustainability. The next presidential administration should highlight the importance of individuals taking action in their homes and communities in order to decrease the unsustainable demand for natural resources.

U.S. environmental policy tends to focus on finding new ways to meet the existing demand for resources, ranging from fossils fuels to water, instead of on reducing the demand for these resources through conservation. To the extent that reducing resource consumption comes into play, most regulations are targeted at corporations. However, individual citizens’ awareness and reduction of resource consumption could result in a substantial change. According to a report from the Energy Information Administration, while the industrial sector—which includes manufacturing and agriculture—leads carbon emissions with a total of 1.9 billion metric tons, the residential sector is not far behind with annual emissions of 1.2 billion metric tons. The commercial sector, which includes schools and shopping malls, is behind the residential sector with energy-related carbon emissions of 1 billion metric tons annually. Because the residential portion of emissions is so substantial, ignoring energy conservation by private individuals does not make sense in a comprehensive environmental policy. The

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next administration should highlight the fact that relatively small changes by individual citizens and the communities they live in can make a difference.

This Comment will discuss why a reduction in the overall consumption of resources should become a part of any policy aimed at addressing environmental issues in the United States and why individuals must be involved in that effort. While there is only so much the presidential administration can do to directly influence individuals' consumption habits, its interactions with state and local governments can effect change closer to home. Because local governments are uniquely positioned to influence their residents' actions, supporting local policies that require or encourage individuals to decrease their personal use of natural resources is one way that the next presidential administration can work toward this goal. By augmenting direct federal action with support for state and local governments, the next presidential administration can ensure that individuals have access to the resources and knowledge they need in order to reduce their personal consumption, thus contributing to a cleaner, more sustainable, and less energy-dependent nation.

#### I. THE PRESIDENTIAL ADMINISTRATION'S ABILITY TO DIRECTLY INFLUENCE INDIVIDUAL BEHAVIOR

The next presidential administration can directly influence individual behavior in relation to resource consumption in somewhat limited ways. Some federal agencies provide individuals with information about conservation. The Department of Energy ("DOE") website offers extensive information about saving energy, including tips for homeowners and car owners. The Environmental Protection Agency ("EPA") website offers an individual emissions calculator so that interested individuals can see exactly how big their carbon footprint is. Although it is difficult to measure the effects of providing this information, it is an inexpensive way to make resources available to those who seek them.

The administration could make a more perceptible contribution by renewing tax credit programs that create incentives for consumers to buy energy efficient products. The Energy Policy Act of 2005 provided tax credits that encouraged individuals to choose energy efficient cars and appliances. One provision of the Act, which allowed homeowners to receive up to a \$500 tax credit for purchasing certain Energy Star appliances, expired on December 31, 2007. The tax credits for energy efficient vehicles (including hybrids) applied to vehicles put into service starting January 1, 2006, and were phased out after fifteen months or when the manufacturer had sold 60,000 cars. This complex formula still applies to energy efficient cars hitting the markets for the first time but will expire altogether in 2010. These tax credits encourage individuals who may be on the fence about whether to buy a new vehicle or update their home appliances to choose energy efficient options, and they should be renewed.

## II. THE PRESIDENTIAL ADMINISTRATION'S ABILITY TO INFLUENCE INDIVIDUAL BEHAVIOR THROUGH COOPERATION WITH CITIES AND LOCAL GOVERNMENTS

Because the administration's ability to directly influence individual behavior is limited, it should also seek to involve local governments in its efforts to influence individuals' conservation habits. Cities and local governments should be involved because of their unique ability to create or improve infrastructure, offer services such as recycling programs, and gauge what sort of policy measures would gain support in their specific communities. According to a 2007 United Nations Report on World Urbanization Prospects, 81.4% of Americans live in urban areas—defined as cities or metropolitan areas with a population of at least 750,000. Governments of large cities and municipalities comprising metropolitan areas thus have a significant opportunity to influence individual resource consumption.

Federal agencies can encourage conservation on a community level by offering resources and recognition to those who take action voluntarily. The EPA, for example, offers several "partnership programs" in which cities, organizations, and businesses can participate. Such programs offer participating local governments resources and information to help them develop programs encouraging conservation in their communities. Participants benefit from the recognition of their commitment to the environment, through their membership in these partnerships or awards received for their efforts. In today's environmentally savvy society, showcasing concern for the environment creates good publicity.

One such partnership, WasteWise, recognizes cities that offer recycling programs, including curbside pickup and drop off centers. By providing recycling services, cities can give their residents the opportunity to take responsibility for reducing their consumption of resources. Though the EPA does not have the authority to mandate recycling programs, the agency attempts to encourage local governments to set up such programs by providing them with information and resources and offering recognition through WasteWise. By publishing an annual report on the generation of solid waste and the amount of recycled materials, the EPA quantifies the contributions of individuals and their communities, demonstrating that individual contributions add up to a substantial increase in recycling. The report for 2006 tracks the increase in the percentage of waste recycled, from 16.9% in 1990 up to 32.5% in 2006.

Another EPA effort is the Green Power Partnership Program, in which cities, organizations, and businesses voluntarily commit to purchase a certain percentage of their energy from providers that use renewable sources such as wind and solar. Although the program's only incentive is an opportunity to showcase environmental awareness and social responsibility, it has been somewhat of a success, attracting such diverse members as Intel Corporation, the American Jewish Committee, New York University, and the city of Boston. In response to increased demand, utilities will put more time

and money into providing power from green sources, making it a more viable option for private individuals as well.

The next president can further encourage local efforts to increase individual conservation and environmental responsibility by recognizing them and mirroring their commitments on a national level. President Bush's decision not to pursue U.S. ratification of the Kyoto Protocol in 2005 triggered a strong response from mayors across the nation. As NPR reported on July 31, 2007, more than 600 mayors from cities around the United States committed to meeting protocol requirements for reducing greenhouse gases in their own cities. This commitment requires them to reduce emissions to 7% below 1990 levels by 2012, which will require the participation of individuals and corporations in their communities. This reduction is particularly challenging because these cities have seen increases in emissions ranging from 6% to 27% between 1990 and 2005, when Seattle's Mayor Greg Nickels became the first mayor to commit to meeting the protocol goal.

Whether or not the cities actually meet the goal, they are taking actions tailored to their own communities to reduce greenhouse gases that involve their residents in the effort. For example, the *New York Times* reported on November 14, 2006 that the city of Boulder had adopted the first municipal carbon tax, which gives its residents an incentive both to conserve energy and to switch to alternative sources of electricity such as wind power. The next presidential administration should acknowledge these efforts and this show of support for involvement in addressing environmental issues on an international level by reconsidering the Kyoto Protocol. The new administration could either sign on to the protocol or, if concerns about the effect of the treaty on domestic law are prohibitive of officially signing, adopt requirements that would mirror those contained within the protocol.

The above examples demonstrate the willingness of a number of cities to take steps toward environmental protection, many of which would be unlikely to garner support at a federal level. However, contrary to what one might expect, it is not just cities with liberal-leaning populations who are taking environmentally progressive actions. Rather, cities committed to meeting the Kyoto Protocol standards represent all parts of the political spectrum, from the conservative-leaning Fort Wayne, Indiana, to the more liberal Boulder, Colorado. The fact that addressing environmental concerns is not confined to one political party at the local level may demonstrate that even policies unable to garner support at the national level may have success when adopted at the local level in direct response to the concerns of those who live in the area.

Another way that the next presidential administration can encourage conservation on an individual and community level is, of course, through funding. Several federal agencies fund local projects aimed toward environmental issues. The EPA funds efforts such as environmental cleanups through Superfund and research on new technologies under the Science to Achieve Results ("STAR") fellowship program. The EPA already recognizes, to some extent, the importance and the promise of working with local governments to achieve environmental goals. In the budget posted on its

website, the EPA states that its “strategy will continue to be based on . . . establishing and expanding partnerships with businesses, industries, tribes, states, communities, and consumers.” Additionally, the Federal Transit Authority provides funding through a grant program for public transportation projects. By funding local projects, these agencies support local government efforts to address environmental issues specific to their location, infrastructure, and population.

The focus of this Comment is not on determining how federal funds should be allocated; however, the next presidential administration should consider carefully which efforts prioritize and support conservation and sustainable energy policy. Even in the current political climate, in which oil prices are high and support for developing clean technologies abounds, the proposed budget for the DOE for fiscal year 2009 would decrease appropriation for renewable energy and energy efficiency by 27.1%, while the total budget for fossil fuels, including clean coal technology and strategic petroleum reserves, would increase by 24.6%. This redistribution of funds again highlights the federal government’s reticence to recognize that fossil fuels are not going to be a source of energy for much longer and to address the problem through new technology or conservation.

#### CONCLUSION

The next presidential administration should encourage individual conservation as a part of its environmental policy. It can do so both directly, by providing information and tax credits, and indirectly, by working with cities and local governments. Cities and local governments can affect the environment by creating and implementing policies that, in turn, allow their residents to reduce their consumption and conserve natural resources. Through both direct efforts and cooperation with local governments, the next presidential administration can support local efforts and send a clear message that local communities and the individuals that live in them have an important role to play in addressing climate change and increasing sustainability.