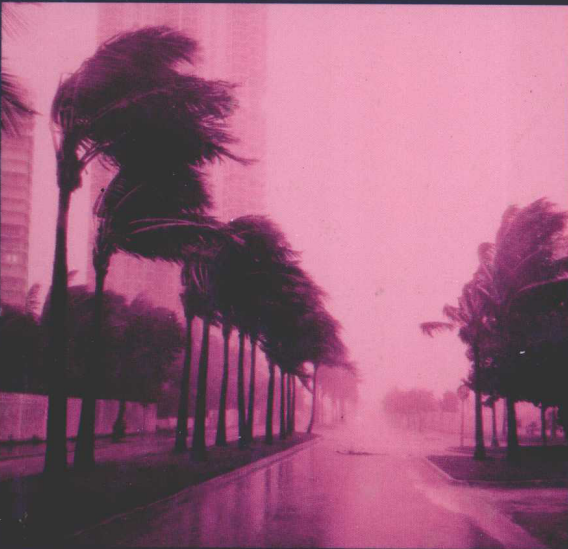




Edited by
Benjamin J. Richardson

Local Climate Change Law

Environmental Regulation in
Cities and Other Localities



IUCN Academy of
Environmental Law Series



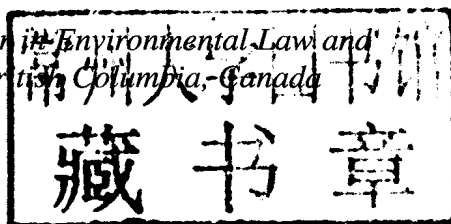
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Benjamin J. Richardson

*Senior Canada Research Chair in Environmental Law and
Sustainability, University of British Columbia, Canada*



THE IUCN ACADEMY OF ENVIRONMENTAL LAW SERIES

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Abbreviations

CAC	Climate Action Charter (BC, Can.)
CBD	Convention on Biological Diversity
cCCR	carbonn Cities Climate Registry
CCP	Cities for Climate Protection
CCS	carbon capture and storage
CDM	Clean Development Mechanism
CER	certified emissions reduction
COP	Conference of the Parties
CPA	Climate Protection Agreement
CPM	carbon pricing mechanism (Aus.)
EFA	ecological footprint analysis
ENGO	environmental non-governmental organization
EPA	Environmental Protection Agency (US)
ESD	ecologically sustainable development
EU	European Union
EU ETS	EU Emissions Trading Scheme
FCM	Federation of Canadian Municipalities
FNLMA	First Nations Land Management Act (Can.)
FPA	Federal Power Act (US)
GHG	greenhouse gas
ICLEI	International Council for Local Environmental Initiatives– Local Governments for Sustainability
IPCC	Intergovernmental Panel on Climate Change
LCG	local climate governance
LEED	Leadership in Energy and Environmental Design
LIC	local improvement charge
MLG	multi-level governance
MRV	measurement, reporting and verification
NCCP	National Climate Change Program (China)
NDRC	National Development and Reform Commission (China)
NGO	non-governmental organization
SAR	special administrative region (China)
SEAP	Sustainable Energy Action Plan
SOE	state-owned enterprise

TFEU	Treaty on the Functioning of the European Union
UCLG	United Cities and Local Governments
UN	United Nations
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNFCCC	UN Framework Convention on Climate Change
VMT	vehicle miles travel

Preface

The role that local governments can and should play in addressing climate change has become an increasingly important issue as many national governments retreat from their domestic and international commitments to reduce greenhouse gas emissions and develop adaptation strategies. While many people may be familiar with particular local actions taken by a city or community near them, this book provides a broad, comparative view of local actions to mitigate and adapt to climate change. It will, we believe, serve as a template for future collaborations in which scholars and practitioners from around the world can learn from other governments' successes and failures in trying to address a global environmental crisis.

This publication also serves as an important reminder of the role that collaborative scholarship can play in advancing environmental legal knowledge and skills. This book is endorsed by the Research Committee of the IUCN Academy of Environmental Law (IUCN Academy). Since its founding in 2003, the IUCN Academy has worked to bring environmental law scholars and teachers together to promote a greater understanding of international and domestic environmental law. The IUCN Academy hosts an annual colloquium in which hundreds of scholars gather to discuss their research and learn from each other. Since 2008, the IUCN Academy has also organized workshops focused on specific environmental issues. The IUCN Academy also publishes an online e-journal providing readers with updates of emerging environmental issues from around the globe and peer-edited articles focused on critical environmental issues. Finally, through its research and teaching committees, the IUCN Academy aims to further promote scholarship and build capacity through workshops, research projects, and other collaborative efforts. In a very short time, the IUCN Academy has grown into a robust international academic organization.

The IUCN Academy has played an important role in bringing scholars together to discuss and evaluate climate change policies. In 2007, members of the IUCN Academy first began exploring the role of climate law in developing countries. This exploration began with a workshop in Vancouver, Canada in 2007 (organized by Professor Benjamin Richardson, editor of this book), which expanded into a larger conference in Ottawa in 2008, with scholars from around the globe presenting their projects and insights. Out of this

conference emerged the IUCN Academy's first published collaboration with Edward Elgar, Benjamin J. Richardson *et al.* (eds), *Climate Law and Developing Countries: Legal and Policy Challenges for the World Economy* (2009). It provides valuable insight into how climate change affects developing countries and the ways in which climate change law mostly fails to serve developing countries' needs.

The IUCN Academy has also undertaken analyses of various countries' biofuels policies and their domestic and global implications for climate change. Beginning in 2008 in Wuhan, China, and continuing through conferences in 2010 and 2011 in Toronto and Ottawa, respectively, the IUCN Academy has brought together scholars from many countries to discuss their domestic biofuels policies. These comparative studies provide insight into the most effective ways in which to incentivize and appropriately regulate biofuels. They also help the development of important research necessary to inform and influence scholars. In all of this Professor Richardson played an influential role.

Finally, the IUCN Academy has developed a comprehensive set of educational resources to enable other scholars to teach climate change law (see <http://iucnael.org/en/online-resources/climate-law-teaching-resources.html>). These resources include sample syllabi from dozens of instructors, sample materials for in-class simulations, and sample written assignments. Collectively, they provide an abundance of materials for those interested in teaching climate change law. They also serve as an important complement to the scholarly work IUCN Academy members have done in climate change law.

This book, *Local Climate Change Law: Environmental Regulation in Cities and Other Localities*, continues the IUCN Academy's work in climate change law. As with much of the previous work mentioned above, the project developed through the leadership of Professor Richardson, who served as the principal investigator, conference convener, and editor of this book. Under his guidance, authors of the chapters in this book researched several critical issues regarding the role local governments can play in developing and influencing climate change law. The authors then met for a two-day conference at the University of British Columbia in Vancouver, where they presented their research and exchanged ideas.

Although much of *Local Climate Change Law* focuses on the North American experience, it offers many insights and lessons of potential value to local authorities in other regions, including the developing world. The threat of climate change may be realized, but in many instances municipalities in developing countries do not have the tools to address climate change issues or know how to use existing legislation to enable positive changes. This book may serve as a starting point to identify the possible strategies local governments may deploy.

Overall, the book is essential reading for students, seasoned scholars, local policy-makers and others who need to understand the threat of climate change at the local level. The IUCN Academy looks forward to other collaborative and productive efforts like those undertaken in developing *Local Climate Change Law*.

Willemien du Plessis, Professor, Faculty of Law, North-West University (Potchefstroom Campus), South Africa and Melissa Powers, Associate Professor, Lewis & Clark Law School, Portland, Oregon, USA Co-Chairs, Research Committee, IUCN Academy of Environmental Law.

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