



## Transcript of CleanLaw Episode 46: Joe Goffman Speaks with Sam Ricketts About Developing Comprehensive Climate Change Policies, July 9, 2020

To return to our website [click here](#).

**Robin Just:** Welcome to CleanLaw from the Environmental and Energy Law Program at Harvard Law School. In this episode, our executive director Joe Goffman speaks with Sam Ricketts, senior fellow for energy and environment at the Center for American Progress and former climate director for the presidential campaign of Governor Jay Inslee. He now also serves as a co-founder of Evergreen, an organization created by Inslee Campaign alumni to continue to deploy the policy, communications, and organizing tools of a political campaign in service to the climate movement. They discuss Sam's experience developing comprehensive climate change policy proposals, how he and his colleagues thought through the problems they had to address, and how to think about the climate change policy proposals recently unveiled in the US House of Representatives and by the Biden Campaign. We hope you enjoy this podcast.

**Joe Goffman:** Hi Sam. It's very nice to talk to you and thank you very much for making the time to talk to us on the CleanLaw Podcast.

**Sam Ricketts:** Greetings, Joe. It's a pleasure. The opportunity is a great one and thanks for having me.

**Joe:** One of the reasons I was eager to talk to you is that I think of you as a climate policy pilgrim who, in the course of your career, has traveled to and through a lot of different places on a journey of advancing climate policy. I think your experience is highly relevant. I do want to say that we're recording this podcast on July 9, 2020, and before I started this conversation I checked the presidential election polls and noticed that Vice President Biden is leading President Trump by about nine points. I say that because, while subsequent events may prove us all to be foolish, at least at the moment it seems, shall we say, not totally insane for planning for some possible electoral success in the fall such that we end up with an administration that wants to advance climate policy.

**Joe:** You, Sam, have spent the last few years trying to do just that: trying to advance climate policy from a variety of perches. We're having this conversation very shortly after the special committee in the House unveiled what may be one of the most, if not the most, comprehensive climate policy plans in history, what with it having what they call 12 pillars with lots and lots of detail. I think people will be pouring over that plan for many weeks to come, and again, quite possibly depending on the results of the election, many months to come. But you have



had the experience of being a pioneer, or being part of a team of pioneers, in putting together a comprehensive climate policy for Governor Jay Inslee when he was governor and for Governor Inslee when he was a candidate. Before the special House committee issued its plan, Governor Inslee as Candidate Inslee also unveiled a comprehensive plan with lots of details.

Joe: But one of the things that I wanted to tease out of you was not so much a review of the substantive details in Governor Inslee's plan but to get your account of how you and your colleagues went about thinking about climate policy and thinking about how to tackle the issue. I know from having heard you brief a group of folks that I've been working with over the course of the last year or so looking ahead to issues of climate policy and governance that you all on Governor Inslee's team didn't just start a list of things to do and policies to adopt, but you really started out with a way... at least when you briefed the group about a year ago you started out with a kind of set of categories and some organizational techniques, methodologies, and principles.

Joe: That's what I want to try to get you to talk about today. I kind of leave it to you as to how you want to go about doing that. As I said, you've played a lot of different roles in your career. Feel free to remind us of what those were or just cut to the chase and take us through how your colleagues went about putting together Governor Inslee's plan.

Sam: Thank you. Very quickly before I go any further, I'd like to take a moment to recognize my co-authors and co-patriots in the Inslee climate policy team on our campaign. For starters, Bracken Hendricks, who is the governor's senior policy advisor on climate and the economy. Bracken and Mr. Inslee wrote a book together called Apollo's Fire: Igniting American's Clean Energy Economy that hit the shelves even before I began working for Mr. Inslee more than a decade ago. Likewise also Maggie Thomas, who is the deputy climate director for the campaign... and actually after our campaign concluded went on to become Elizabeth Warren's climate policy advisor. Also folks like Ben Unger, our deputy campaign manager, Jeff Potter, our debate director, and also allies to the campaign like Dr. Holmes Hummel and Andrew Light and countless others who devoted a bunch of energy into insuring that we got policy done right. I grew appreciative of their leadership as well.

Sam: I will just, by way of introducing the background, talk a bit about my path to get there. I'm currently... After the conclusion of the Inslee presidential campaign, I took up residence as a senior fellow at the Center for American Progress in Washington DC. I'm also now the co-founder of a new group that we've started out of some of the ashes of the Inslee presidential campaign called Evergreen. Evergreen Action is the 501c4 and Evergreen Collaborative is the Title I c3, a group that's asserting forward the policy agenda that Governor Inslee had



espoused as a presidential candidate. Both of those perches I'm seeking to continue to advance bold and equitable climate policies: policies aimed at building a more just and inclusive and thriving clean energy economy over the course of the next decade and beyond.

Sam: I just want to start by saying I feel somewhat oddly given the moment we are in. I'm feeling very hopeful about what can occur probably not this year but beginning next year with a hopeful Biden Administration, with a hopeful Democratic Congress, and the opportunity to really invest in building the economy for a sustainable climate, building the economy for greater environmental justice, building the economy for good union jobs, and a more thriving and sustainable clean energy future. And I'm feeling hopeful for the reasons you point out: I'm feeling hopeful because of the way things are looking in terms of the presidential contest. I'm feeling hopeful because of the time that has been dedicated by the House select committee espousing the most comprehensive policy plan we've certainly ever seen out of the Congress if not ever seen out of anywhere. I'm feeling hopeful because of the commitment we're seeing from leaders in the United States Senate to saying they want to prioritize action should they get the chance to operate in the majority as the Democratic Party next year. I'm feeling hopeful that the movement is coalescing around a vision for what this should look like.

Sam: But let's step back. I'd love to explain a bit about how we went about building the Inslee climate mission agenda, which we've repurposed at the Evergreen Action Plan. In doing that, I'll step back into my experience. As you mentioned, I was climate director for Governor Inslee's presidential campaign in 2019: a campaign that lasted from March 1 until August 20 or 21, I believe, before he bowed out of the race and Governor Inslee returned to Washington State where he's running for re-election. Prior to that I spent 11 different years in a variety of capacities working for Mr. Inslee. I rather like your term climate pilgrim. I got a chance to work for Mr. Inslee in both campaign and governmental capacities as a member of Congress, as a candidate for Congress, as a candidate for governor, as a governor, as a governor who is engaging with other governors and the federal government in Washington DC and then eventually as a presidential candidate and in that time had a chance to advance climate policy or fight to advance climate policy at multiple levels of government across the country. Those experiences led squarely into what became our climate mission agenda that we began writing in the beginning of 2019.

Joe: Harkening back to the briefing you gave to the group I was part of at the time, which made such an impression on me, was that listening to you you could really tell that you had had experience in government: working with an elected leader who is also at the time the head of the state government. You were really not just thinking about the problems the way an advocate or a policy analyst would



but really thinking about how to formulate the problem statement and then go about solving the problem in a way that showed your experience with governance. The reason I'm harping on that is that if there is a Biden Administration and/or a working majority in Congress for those who want to do something about climate policy they'll be thinking about the problems in somewhat the way you guys did, which is from the perspective of operating out of a set of government institutions. I want to make sure the people listening to you catch how much of your experience was on the government side of things.

Sam: Thank you, Joe. That's a very important point. It's a good segue into a task that was given to us by Governor Inslee in the start of 2019 in the winter quarter before the campaign launched publicly, which was we wanted to write down how it was that the next president of the United States working obviously with Congress and with other state and local leaders around the country would need to mobilize the nation to confront the greatest existential threat of our time and how doing so could actually build a more just, a more inclusive, and more prosperous economy. There has been such an energy that has been pouring out around the country in those fighting for a vision for a Green New Deal and those advocating and achieving solutions at the state level and the local level to drive forward a clean energy agenda, but we felt that the time needed to be taken to really put down on paper just what it was that the next president... and at the time we were campaigning to be that eventually that nominee and hopefully that president was going to do.

Sam: We had a chance to dive into a wealth of knowledge, engage with hundreds of experts around the country, to set out that agenda. In the end, we wrote what ended up being 218 pages of climate policy that we ended up releasing in six different segments. Comprehensively it was known as the Inslee Climate Mission Agenda. I mentioned that we've since repurposed it as the Evergreen Action Plan: this new organization that a number of us run in. But to begin at the beginning, in the beginning of 2019 we sat down to do this. We looked across the landscape of climate policy as it exists today and we looked at where could we find the solutions. What does the solution set look like for confronting this behemoth of a challenge beginning in 2021?

Sam: I'll mention two elements of experience that led us directly to this. First of all, immediately prior I spent 2018 on staff to Governor Inslee when he was chairman of the Democratic Governor's Association. His role as chairman of the DGA was to get Democratic governors elected, but my role as an advisor to him in that time was to help Democratic governors get elected and to support them in their clean energy agenda and any state and local climate leaders around the country who were also looking to get elected. And that is an important point because, as we know, state leadership in particular and also local leadership has really been where the ball has been able to move forward over the course of



the last decade and it certainly has. In the last two or three years in particular you have seen a transformational change as new governors and new state legislators have come into office and passed 100% clean energy laws, have passed economy-wide emission reductions laws, have passed environmental justice laws and pro-union clean energy worker laws. That momentum is something that we certainly sought to lift up and I think that the next Congress, the next president, are certainly going to be drafting off of.

Sam: But that momentum... Just one other piece that I mention is a piece of history that sort of informed how we built our plan. That momentum at the state and local level has been the only momentum for climate progress of late in large part because we have been locked out of any progress in Washington DC over the course of the last decade. That draws me the other element of my experience that I'll point to, is in 2009, 2010, I was the first executive director of the Congressional Sustainable Energy and Environment Coalition, a caucus of, quote unquote, green dog Democrats that Governor Governor Inslee, then Congressman Jay Inslee and Congressman Steve Israel formed to push forward clean energy and climate agendas back then when Democrats similarly had majorities in Congress and President Obama was in office.

Sam: That time, 2009, 2010, resulting in some really transformational clean energy policy passing as part of the Recovery Act and its transformative investments in clean energy that were of course implemented by Vice President Biden, but it also saw failure. It also saw the hopes and dreams of comprehensive climate legislation crash upon the walls of the United States Senate and its filibuster rules and an obstinate Republican minority that was successful in blocking things, not to mention that the way the legislative agenda that an Obama and a Democratic Congress had to deal with at the time, which of course was respond to the economic crisis, was getting healthcare reform done, was reforming Wall Street. Some stuff just didn't get over the finish line. Democrats lost control of the House in 2010 and Republican governors gerrymandered themselves a permanent House Republican majority until 2019, and that resulted in a lack of legislative progress, as important as it is. Certainly the Obama Administration found other ways to make progress with rule makings and otherwise, but that cost us a decade, that loss in 2010, and it is only now when I think lawmakers in Washington DC are even coming upon the horizon to have the opportunity to take the transformational progress we want to take.

Sam: That's a long way of me saying that brings us to January and February of 2019 when we set about to start writing the Inslee Climate Mission Agenda. You mention different categories that we zeroed in on as we sought to construct this agenda and where we wound up was building a climate mission agenda around some key principles. I would point to the three foundational principles and then a fourth and fifth also crucially important but less in the driver's seat principles.



Those initial three categories were around the use of standards to drive de-carbonization and a transformation towards a clean energy economy sector by sector. The second being investments: the need for robust public investments to unlock even greater private sector investments that will result in the creation of good jobs and a massive transformation of infrastructure, manufacturing capacity, innovation to drive forward the clean energy agenda. And the third being justice: a real commitment grounded in environmental and economic justice that we're not just going to build an old-fashion economy with new technologies. That, in fact, we're going to build an economy that works for more people, that does not leave communities of color, low income communities, out in the cold.

Joe: Let me jump in and say the first two pillars I think would sound very familiar to environmental policy folks and climate policy folks because they would say, "Yes, I think that's right. You felt that any good policy had to tend both to the supply and the demand side," the demand side being standards that really created a pool of technology and the investment in and diffusion of technology to achieve certain objectives, but you also have to invest in the development, innovation, and deployment, if you will, the supply of that technology and the supply of that knowhow. The third pillar, what you refer to as justice, often shows up... or at least I would say before Governor Inslee often was part of the discourse about climate policy but remained kind of like an abstract or aspirational box. I'm curious to see, or, looking forward to your elaborating on how you landed that.

Sam: I'd love to turn to each of those. I'll briefly mention that the fourth and fifth principles that form the agenda for the climate mission and eventually now the Evergreen Action Plan are, one, ending fossil fuel giveaways and really confronting the fossil fuel economy: the financing, the free giveaways, the unaccountable air pollution, water pollution, that are enjoyed by the corporations who have despoiling the planet and communities for decades and the need to intentionally confront that negative in addition to build the positive. And the last thing: obviously, a commitment to global action, considering the United States is just 15% of the world's global greenhouse gas emissions and both domestic action at home is the first most important thing but what's going to take a really aggressive use of the United States engagement globally to confront this behemoth that is the climate challenge.

Sam: But back to standards, investment, and justice, and how we came to standards, investment, and justice as the foundational pillars within this climate agenda. Standards is really derivative of the progress that I mentioned that has been happening at the state and local level around the country. If you look at the policies that have truly been most important and most successful in driving forward the growth of clean energy and achieving sustained emission reductions they are not, so far, policies aimed at pricing carbon pollution. They are policies



that are setting specific standards on utilities, on auto makers, on fuel producers, that require them to achieve emission reductions or cleaner portfolios over time. The most obvious example here being things like state renewable portfolio standards or energy efficiency resource standards where you've got utilities being required to meet certain requirements of more deployment of efficiency, more deployment of renewables on the grid.

Sam: Other examples of this are things like a low carbon fuel standard, such as that in California and in Oregon where you've got fuel producers actively needing to confront the carbon intensity of the fuel they're putting into a system and therein promoting the growth of low carbon biofuels, promoting the growth and deployment of electric vehicles. But this is a time-tested proof point that has for decades been happening at the state level, has been incorporated in climate policy models at the federal government level but until recently has taken somewhat of a backseat to agenda driven by carbon pricing. We sought to turn that on its head. We had our own policy reasons for doing so, obviously. There's also good political economy reasons for doing so that we experienced in Washington State, but that led us to say, "Success in the states now with 10 states having passed 100% clean electricity standards..." The success of the states show that really one should lean into the use of standards to drive de-carbonization, not simply macro-economic signals like pricing carbon.

Sam: We came up with standards specific to utilities to drive them towards 100% clean generation, standards specific to auto makers to require them to eventually produce 100% clean vehicles, standards specific to new buildings to require those to be zero carbon at the end of the next decade. Standards was really used as the primary way we're going to drive our emission reductions and we're going to drive this economic transformation.

Sam: Secondarily but no less importantly is the use of investments and the importance of the federal government in driving public investment that will catalyze even greater private sector investment. Here I would suggest there were two inspirations for us landing in this. Number one is... again, speaking here about experience and where we've seen things work... the 2009 Recovery Act, which including 90 billion dollars in investment in clean energy solutions: green investments. Those investments have catalyzed absolutely transformational growth in American clean energy industries where you now... Prior to the COVID-related economic crisis, you had industries like wind and solar energy storage growing faster than any other industries in the American economy. Just absolutely transformational clean energy job growth. It was 10% in some years across the country in these industries on the back half of this last decade. That transformation, that industrial growth, can be traced directly back to that 90 billion green investments that was in the Recovery Act. Now we know we need a lot more now, but the important point is that we know the recipe works.



Sam: The second inspiration for the investment side of this agenda is really the transformational vision brought forward by those fighting for a Green New Deal who said, "We don't need to be living in the politics of scarcity. This is about an agenda for putting the federal government behind working people again and getting money into communities so that we can actually have jobs, so that we can actually have sustained economic growth." I think the Green New Deal vision that has been championed by folks in the Sunrise Movement really has opened many lawmakers' eyes to what the realm of the possible is here when it comes to the investment of public dollars to drive private sector dollars too and building this clean energy economy.

Sam: It's those two things... If you take the success of proven standards in the states and the success of investments from the Recovery Act plus the vision for a Green New Deal of ambition, those things together line up really well around standards and investment. You add to that the Green New Deal's vision for a more just economy, you add to that the organizing that's been happening and the environmental justice communities fighting and building and achieving their own solutions for community-led growth and development and sustainability, we think you get a really powerful model for what 2021 climate policy should look like.

Joe: Did you have a chance in early 2019 when you were putting the Inslee plan together, or when you were reflecting on your previous role supporting Governor Inslee's work with other governors on clean energy... Did you have a chance to reflect at all on what it was that brought success when those states adopted those policies and were really able to put them into place? I think you've made a very strong case, which obviously I agree with, that the policies themselves demonstrated that they were first politically workable... that they could be adopted and put into place... and they also delivered outcomes. They delivered the desired outcome more or less such that the Clean Power Plan, for example... the EPA policy... really built on them or rode the wave that they created. But in your travels or in your work were you able to distill lessons for success for how those states were able to pull those policies off politically that could be generalized or extrapolated to the national level?

Sam: Yeah. Absolutely. I think there is a commonality in many of the formulas that I think has become crucial for the path forward and in fact that is a big part of the work that I'm doing at CAP, is to take up the lessons from state level progress around the country and impute those onto lawmakers and then to advocates' minds in Washington DC so that folks do gain some national relevance out of that and some roadmap as to how to pursue these solutions for nationwide action.



Joe: That's important because our colleague here at the Environmental and Energy Law Program, Ari Peskoe, did an interview with Leah Stokes, who put out a very incisive but not always reassuring study of how the utilities responded to some of these state policies. We know that they learned lessons and applied them about how to slow progress. I think it's important that those who want to advance climate policy make sure that they understand the lessons for succeeding and advancing progress.

Sam: Totally. It's something that's really, I would say... Now that we know that policy progress has to be transformational it's worth looking across the country at even just the last couple of years at where that progress has been most catalytic and where it has been most transformational. Of course we know the last couple years in particular thanks to the good efforts of the groups and partners that get people elected who want to pursue the right thing the progress that has been astounding. You look at Virginia, the first state in the American south to pass 100% clean energy law. Colorado last year passed economy-wide climate program with a number of bills on to that governor. You've got ongoing progress right now in the state of Illinois around a clean energy jobs act and transformational progress that can be possible there in the mid west.

Sam: Let me offer... although it's specific to the state that I worked with. I was out of the governor's office and not part of that team when the bill was passed so I feel like I'm not being over-parochial by referring to it, but I think it's an instructive example. In 2018, as you may recall, there was a coalition that got behind a ballot initiative to put a fee on carbon pollution and to redirect those investments into clean energy investments in the state economy and in environmental justice investments. That ballot initiative went down at the ballot because of 32 million dollars spent against it by oil industries. Just an incredible sum. Massive expenditure against that ballot initiative that dwarfed any previous expenditure for or against any ballot initiative in Washington State. But crucially, that coalition came together, didn't stop. It turned its attention to the state legislature where Governor Inslee decided that he was... and much like we did at the federal government level with his campaign climate plan, brought forward a suite of sector specific policies within the state legislature to confront carbon pollution but in a slightly different strategy: a clean electricity standard, a clean building standard, a retrofit law, the clean fuel standard.

Sam: Most of these were passed subsequently in the legislature that happened months after the ballot initiative went down, but it is the 100% clean electricity standard I want to zero in on here particularly because the coalition that was fighting for good jobs and justice as part of that ballot initiative got behind and pushed and helped shape that 100% clean energy law, and so therefore a robust coalition that included tribal nations, that included economic and environmental justice advocates, that included environmental organizations, and crucially that



included labor unions, got behind this bill. There are pieces of the bill... The construction of the policy necessarily followed the coalition and the 100% clean electricity law necessarily requires that utilities invest in energy savings and in growth in disadvantaged communities, which is a crucially important thing for those communities and their advocates. The law also provides for tiered tax incentives that promote construction of renewable energy and clean energy projects that utilize union labor, therefore bringing along and incentivizing the growth of union jobs in a sector that could always use more of them.

Sam: Therefore you got labor unions backing that bill and I think that marriage of justice advocates, of green organizations, and of worker organizations, labor unions, working together to advance a progressive climate vision of that nature resulted in swift success in Washington State's legislature and we know is implemented well. For example, we know there are already clean energy projects being developed in Washington State that are turning to looking at unionized labor, which has not generally been how many clean energy projects have been constructed around the country. We know that the environmental justice advocates are feeling that have been passed in that place have been advancing the ball, so that sort of progress, which we saw elsewhere... You look at Colorado. You had the Colorado AFL/CIO get behind that bill. You had environmental justice advocates get behind the transformational progress they were able to make there.

Sam: There is a formula here. It's that mix of advocates and organizations and constituencies in particular that we at the Inslee team feel is a powerful model to replicate in other states and replicate for national action.

Joe: After the legislature did its work, how much was left to do on the implementation side? How did that go and did the broad-based coalition you described remain mobilized during the implementation process?

Sam: It's an excellent question. The implementation... I don't... speak too soon. It's a multi-year and eventually decade old law that is actively being implemented and pieces of it are coming forwards. The advocates have had to stay engaged in the implementation and indeed they're going to need to continue to stay engaged. As you know, in implementing a law, just as in writing and advocating for it, fissures can occur in how things can get implemented. It's vitally important that the same type of engagement with those constituencies occur in the ongoing implementation process, but I'd like to say it's going smoothly. That said, there are always warts and there's still unresolved questions. That's a really crucial thing, Joe, to point out in how the federal government's going to need to do its work because we need to see just an absolutely transformational agenda to take shape in 2021 to drive real emissions directions and a real economic transformation for this challenge, and it's going to require not just writing a law



or writing a regulation but an ongoing community engaged constituency and ultimately successful path for implementation.

Joe: One of my perennial anxieties or observations is that the private sector, not least of whom are the fossil fuel interests, for all intents and purposes are permanently mobilized. That's part of their day job. It's not often the case that elements in the participants and the partners in the coalition you describe have or are able to maintain the same level of permanent or durable mobilization. It's very often the case that it's in the implementation phase that it's not just that the policy underachieves what was intended or designed into the legislation but that the private sector interests remain mobilized, play a huge role in the implementation phase, and often don't meet with anywhere near the energy or mobilization of the coalition that drove the legislation through.

Joe: I'm wondering whether you've had any experience, or you observed any others who have had the experience, in overcoming that problem: overcoming the imbalance during the implementation phase that seems to plague the ability of progressive clean energy legislation to reach its goals.

Sam: It's a really important point. I think I would say a couple different things. One, in the success of states in implementing things like renewable portfolio standards, which extends back now for decades, or even air quality regulations, clearly shows where fossil fuel industries or other interests have inserted themselves, gotten an outcome that maybe wasn't originally intended by the legislation or by the advocacy who was fighting for the change they originally achieved at policy level but was actually changed in implementation. That said, those examples also show that a sustained and committed advocacy committee can continue to make those laws effective, can fight off efforts to weaken those laws. We saw that in Washington State with the RPS and the ERS that were passed in 2006. Some utilities consistently tried to weaken over time but that a sustained advocacy community to achieve that vision... actually, at the ballot in 2006... was able to engage and to defend and actually now, 14 years later, to make much stronger.

Sam: I think there's bright spots. The danger you present is clear and present and actually in particularly it's clearly there at the federal level where we know that at K Street and that fossil fuel industries lobbyists that blanket Capitol Hill, blanket agencies in DC, can be very effective at slowing down or diverting progress onto other paths. I would say that it is incumbent on both the advocacy communities that are building stronger bonds with other constituencies and is also incumbent on lawmakers in the next administration to think about writing and passing and setting up the processes by which these laws are implemented that empower communities to drive their own outcomes, including with dollars. For example here... including with how they spend resources and where they're dedicating them. By empowering and building capacity inside communities you



can empower those groups not just to benefit from the end goal of a policy but actually to engage with it, to shape it, to make it stronger, to make it more aggressive over time.

Sam: This is a crucial point that you're alluding to here. It's not all just in getting 218 and 51 votes. It's in a sustained, years long implementation process.

Joe: That may be a good way to cycle back to the third pillar of the Inslee plan: the justice pillar. Again, the first two pillars, the standards and the investment, I think by dint of experience and intuition, it's easy to see how that would have been, if you will, easy to really flesh out. But in so much discussion about climate policy, the justice piece remains more abstract, remains more aspirational. How did you make it real as part of the Inslee plan?

Sam: It's a good question and you're very right. As you alluded to earlier, the components of standards to drive outcomes, the experience of investments to drive policy outcomes, those are well understood in policy making, especially in environmental and energy policy making. A commitment to justice, environmental justice, economic justice, racial justice, is not as intrinsic in these areas of policy making: indeed, in many areas of policy. We did have a harder time. We didn't automatically get a chance to look at a certain state and say, "You've a standard of X outcome by X time," or, "You've constructed a certain tax incentive or certain investment program to achieve X angle." We didn't have that same playbook. We intentionally sought to go out and listen to people and hear about what are those solutions that are being furthered. In most places, they are not making the same sort of progress on justice as is going to need be achieved at the federal level and really across the country. But there are really powerful examples of success or really powerful examples of failure or of where things are happening in the wrong direction that themselves portend really important changes that are going to need to be made.

Sam: We actually took the longest of these plans. We took a good long while bringing this one forward as far as the sequencing of our plans. I mentioned that we had these three pillars that informed our plans and that we had six different eventual plans that came out. Our first plan that we released in May of 2019 was around standards. The second was around investment. The third was around international action. The fourth was around turning off the tap of fossil fuels. It wasn't until late July in a visit to a 48217 zip code, one of the most polluted in Detroit and in all of Michigan, that we released our environmental justice plan and that's because we were taking the time to visit with people and with advocates around the country, with community leaders around the country, to learn and to construct this plan very carefully.



- Sam: I would say again, here too, we looked to progress being led by communities and by states. We built it around some key components. Number one, you've got to recognize and you've got to confront the overwhelming disparities in pollution and in adverse environmental outcomes happening in some communities versus others. The first step in doing that is understanding that that's the case and understanding why and the third most difficult is actually stopping it. We proposed things like equity impact mapping, which is similar to a policy that's been furthered with the California EnviroScreen, Washington State's environmental health disparities mapping, and we propose using that data at the federal level to inform policy outcomes, which was passed in law last year in New York and is now being implemented with an equity screen through the Climate Leadership and Community Protection Act. That's that first segment of what was our EJ plan: our community climate justice plan, I should say.
- Joe: Either way, that was one of the perhaps less well noticed but one of my personal favorites of the Inslee plan. Just saying.
- Sam: Thanks, Joe. The second segment of this is around affirmative investment. If the first is understanding and confronting of the bad, the second is around building opportunity and investing in communities that are being ... One must recall we're not just talking about more air and water pollution, although that is clear as day impacting certain communities: communities of color, low income communities. We're also talking about decades and a legacy of redlining: a lack of generational wealth. We're talking about a lack of governmental investment and likewise private sector investment. We've got to building economic opportunity in disadvantaged communities just as much as we need to be confronting the pollution that is being allowed to harm them.
- Sam: We found ways of targeting... both within the existing programs we're talking about... How much do you invest in clean water infrastructure? How do you invest in building energy retrofits? How do you invest in Superfund clean up, which is of course impacting these communities first and foremost, but we also look for ways to set constructs where you actually intentionally target dollars into those communities, and here too we found inspiration in New York's Climate Leadership and Community Protection Act, which requires the state to devote 40% of its green investments into disadvantaged communities, which we found is a number that's similar to Washington. New York State actually imputes well across the entire country. For example, 40% of Americans are people of color. You've got income disparities that closely match that number. We figured that is actually a good target and by forcing federal agencies to view their investment strategies through that construct you can make sure you're directing dollars into these disadvantaged communities.



- Sam: The third and final part... and these are all intermixed... but it's just as crucial, and it gets to the point you were just talking about about policy implementation, is actual community empowerment: giving communities the tools to drive their own outcomes, giving them the ability to, if they don't want a pipeline going through their community, to stop that pipeline. Giving them a voice at the table in permitting. Giving them a voice at the table in policy construction and regulatory developments. We propose a council within the White House that drives environmental justice outcomes. We propose the utilization of councils within states and the engagement of different agencies with community voices so that you're actually pulling frontline communities into the halls where decisions are made and saying, "How do we engage those voices so that they're actively not just responding to or reacting to policy but helping to drive the policy so we're achieving more just and equitable outcomes."
- Joe: Well, you gave the answer that I was eager to hear you give because I think it's probably worth dwelling a bit on how that ties up some really important elements of policy making in this area and governance in this area. I think my own personal background, having worked on the Clean Power Plan and worked for an administration that really wanted to prioritize actualizing its aspirations for environmental justice, I guess I was conditioned to really look for that element of the Inslee plan that you just described. I think they're really worth emphasizing for people who might want to take our discussion as something to map onto how policy makers who have the ball now are taking it forward.
- Joe: There's only so much in the Clean Air Act that authorized EPA to require states in carrying out the Clean Power Plan to do that advanced issues of community empowerment and environmental justice, but one of the things we could do was define what an approvable state plan was. One of the elements that we made of approvability was demonstrating that when the state put the plan together the state used the process that genuinely included and gave power to various communities and stakeholders to contribute to the state plan and to hold the state planning process accountable. I think what you said about not just trying to find ways to confer benefits on different communities but actually giving those communities the power to advance their own interests, identify their own interests, and identify what they thought were responsive to or advance their interests was really critical.
- Joe: My hope, I guess, is that also speaks to or provides some tools for the dilemma of keeping communities and progressive interests mobilized throughout the policy making process over the course of the months and years it takes to go from enactment of legislation through implementation through enforcement and compliance. The reason I'm emphasizing that is that I think it's so important to a policy or set of policies that's durable and resilient, knowing that there's going to



be all sorts of cross pressures on government and the political system even after policies like the one in the House plan or in the Inslee plan are initially enacted.

Sam: That's a really good point, Joe, and I recall that really crucial part of that rule that you worked on. I'm derelict here in not recognizing your years of work in this space. You've been such a leader...

Joe: Yeah, yeah, yeah. Stop.

Sam: With that rule in particular, that's actually a very point. I mean, the lessons we have learned over the course of the last decade and things that have come to pass and not at the federal and state level, local level, again inform the thinking I think all of us have around this space. That is another example within that rule of a step forward that has informed this work, and furthermore the Clean Power Plan, but for its eventual legal fate, as you know better than I, did so much to compel utilities to approach their work and their business in a different way than we have now, and frankly state regulators in their work. The implications of what that rule has kicked off has already been transformative within the power sector.

Sam: Let me also add that your work with the Clean Air Act and the Obama Administration... When it comes time for hopefully a Biden Administration to take the reigns of power in January 28 of next year and drive forward, we've spent all this time talking about the entirety of the agenda and all the different component parts. I just want to say that the utilization of the 50 year old incredibly successful Clean Air Act to immediately begin putting the transformation into this economy in various sectors or across sectors is going to be crucial. I think aggressive use of the Clean Air Act is going to need to be a key thing that the Biden Administration engages with directly, and thankfully thanks to your good work maybe we'll see it again in those halls. That's going to be a thing that I think is going to need to take off just at the same time, if not faster, than any congressional deliberations around investments and standards and justice.

Joe: Thank you for the kind words. I think they're a reflection of two things. One is the incredible professionals at EPA who I think are some of the finest people our society produces, and two, the work of the states that had proceeded the Clean Power Plan. But I'd like to endorse your point that the process of putting the Clean Power Plan together that involved so much public engagement and the months before it was stayed by the Supreme Court really did force a lot of players of the electricity system to pay attention to de-carbonization. That complimented what a lot of the states had already put in place in terms of policy but it was a contribution.



- Joe: I think there's an implication in your point about perhaps using the Clean Power Plan if there is a Biden Administration for the simple reason that I'm assuming that if Vice President Biden is elected president it'll be in no small part because his electoral coalition prioritized climate policy, clean energy, and environmental protection more broadly, and using the legal authority of statutes like the Clean Air Act that are created for the executive branch is something that's in, if you will, the immediate control of an incoming administration. So while I think there's every reason to continue to prioritize legislative and investment and spending initiatives for the medium and long term, as your comment implies, it's something that a new administration can start doing right away to help smooth the runway for these broader policies. Not to put words in your mouth, but I think that's one of the first issues of an incoming administration using, shall we say, an all of the above approach to the policy toolbox, if not to sources of energy.
- Sam: That is fair. I can join you there.
- Joe: You've been really generous with your time and so I'm going to ask you to set the agenda for the remaining time of this discussion. Any other wisdom from your experience that you want to share before we wrap up?
- Sam: I'll start by saying thanks for having me on. It's been a real pleasure talking with you over the course of this time together and I look forward to when our paths will cross next. I will conclude maybe by speaking to the need for real prioritization or action around this. You referred to the electoral coalition that will hopefully carry Vice President Biden to victory in November and to the start of a new administration and hopefully a new congress that's going to be willing to prioritize climate action. We also talked about policy plans that had been written and brought forward, both the Inslee plan and others like the House select committee report.
- Sam: I'll just end by alluding to a crucial principle, which is around prioritization. Governor Inslee always reminded us that it's just about having the best ideas or the best thought-through policy plan or even a robust coalition to go advocate for what you want to do. Unless you have leaders who are really willing to say, "This is going to get done because I'm making it a priority," you may as well have nothing. I think for all of those who are thinking about climate policy, for all those who are working in climate advocacy, it's incumbent upon all of us to really scratch and claw and kick our way to ensuring that this is a top priority on the agenda for a future president, for future leaders of Congress. As Jay Inslee would say, "If it's not job one it won't get done." We have seen legislative efforts in the past get de-prioritized and didn't get done.



Sam: I will conclude by saying we've come a long way over the course of the last decade and otherwise in our policy thinking, in our coalition building, and now it's time to all work together to make sure this is on the agenda and it gets done.

Joe: Your comment, despite the comment that it would serve as an excellent conclusion for this interview, really created a temptation for me to ask one more question.

Sam: Sure, please.

Joe: You're absolutely right. This particular policy challenge has got to be more than just the box-checking exercise. It really does have to be something that the president prioritizes and I would certainly argue that in parts in the first term and all of the second term President Obama really modeled how to prioritize climate policy, at least within the executive branch, and I have to believe that his vice president, Joe Biden, really would reflect that if he becomes president. Have you had any opportunity to think about how the kind of actions that would constitute a robust climate policy would fit into and potentially be responsive to what's clearly going to be a dominating imperative next year regardless of who's elected president, which is dealing with the COVID-19 pandemic and dealing with the economic devastation that that pandemic has created and in all likelihood will continue to create between now and early next year?

Sam: It's a really good question and I think it's more easily answered than one might think but it's something that we all need to spend our time, over the course of this year, making sure is clearly understood in every hall of power, which is a response to the economic crisis. Hopefully by then we are past the worst of this devastation and when it comes to the actual health pandemic, which is a travesty of a failure in the federal government unlike any we may have ever seen before, which is really saying something. But the economy as you mention will likely still be in a very difficult place. It is fortunate for us that the tools to confront the economic crisis we find ourselves in can be the same tools we use to build a more just and thriving clean energy economy that actually confronts the climate crisis simultaneously.

Sam: This is about getting back to the principles we were using. This is about confronting justice and disparate health impacts in addition to environmental impacts, because we know they're related. This is about standards to provide accountability on the economic actors in the space who are actively making things like climate change worse. But crucially, this is about investments. This is about putting money into communities that creates jobs and economic opportunity, whether that's in rebuilding a crumbling infrastructure or expanding manufacturing capacity that we've come to see as sorely lacking for things like personal protective equipment for healthcare providers, just like it is in wind



turbines and solar panels and in innovation and in conservation and in ensuring these things are good union jobs. This is an agenda for economic transformation and economic recovery just as much as it's an agenda for confronting the climate crisis.

Joe: I think it was so important to make that link and I appreciate it, Sam. Let's wrap this up. Let me thank you very much for spending time talking to me and thank you for all the work you've done. You've had quite a remarkable career already. I'll add one final thought, which is to fervently hope that what we talked about today and in this discussion remains acutely relevant to the policy world we will find ourselves in in late January of 2021.

Sam: Indeed. This has been a strange year. This has been a tragic year. This is a year that will hopefully come to an end quickly, but as it does we are, to your point, constructing an agenda and vision for the country that it's going to need to come in earnest and we're going to need to be ready for. I look forward to working with you to realize that better future.

Joe: Yes. Thanks a lot, Sam. Really appreciate it.

Sam: Thank you, Joe.

To return to our website [click here](#).