The “Build Back Better” Climate Plan and Its Implications for Land Use in the West
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Brownstein Hyatt Farber Schreck
Panelists:

- **Jerry Tinianow**, Western Urban Sustainability Advisors
- **Russ Sullivan**, Brownstein Hyatt Farber & Schreck
- **Hilary Cooper**, County Commissioner, San Miguel County Colorado
- **Ralph Becker**, Central Wasatch Commission
The “Build Back Better” Climate Plan and Its Implications for Land Use in the West

Presentation to the Rocky Mountain Land Use Institute Bounce Forward Conference
March 26, 2021

Jerry Tinianow
Jerry@WestUrb.com
303-264-4102
Atmospheric CO2 concentration

Global average long-term atmospheric concentration of carbon dioxide (CO₂), measured in parts per million (ppm). Long-term trends in CO₂ concentrations can be measured at high-resolution using preserved air samples from ice cores.


OurWorldInData.org/co2-and-other-greenhouse-gas-emissions • CC BY
U.S. Cities are Behind on Climate Change Goals

- Only 20% of cities with 2020 goals met them
- Most cities didn’t have goals
- Only 23 out of 170 C40 Cities met their pledges to have updated climate plans done by 2020
- The Paris Goals were no longer high enough
**GHG Reduction Target Changes 2015 to 2021**

<table>
<thead>
<tr>
<th>Target Year</th>
<th>Paris Reduction Goal 2015</th>
<th>IPCC/UN Now</th>
</tr>
</thead>
<tbody>
<tr>
<td>2025</td>
<td>24-36%</td>
<td>24-36%</td>
</tr>
<tr>
<td>2030</td>
<td>45%</td>
<td>57%</td>
</tr>
<tr>
<td>2050</td>
<td>80% – “80 by 50”</td>
<td>100% “Carbon Neutral”</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Denver</td>
<td>749,103</td>
<td>YES</td>
</tr>
<tr>
<td>Colorado Springs</td>
<td>489,529</td>
<td>NO</td>
</tr>
<tr>
<td>Aurora</td>
<td>388,723</td>
<td>YES</td>
</tr>
<tr>
<td>Fort Collins</td>
<td>174,481</td>
<td>YES</td>
</tr>
<tr>
<td>Lakewood</td>
<td>160,441</td>
<td>YES</td>
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<tr>
<td>Thornton</td>
<td>145,688</td>
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<tr>
<td>Arvada</td>
<td>122,974</td>
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<tr>
<td>Pueblo</td>
<td>116,133</td>
<td>NO</td>
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<tr>
<td>Westminster</td>
<td>113,144</td>
<td>NO</td>
</tr>
<tr>
<td>Centennial</td>
<td>111,183</td>
<td>NO</td>
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</tbody>
</table>
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Biden’s “Build Back Better” Plan
Leading Proposals in the President’s Economic Recovery Effort
Buildings and Land Management

Sustainable Buildings

• H.R. 2 (116), The Moving Forward Act
  – Expand the Low-Income Housing Tax Credit
  – Increase of the Historic Tax Credit program for all projects, expand the credit for small projects, and eliminate rules that prevent access for non-profits, including public schools
  – A new Neighborhood Investment Tax Credit to subsidize certain development costs to encourage the rehabilitation of vacant homes or construction of new homes in distressed areas.

30 X 30

• E.O. 14008, Tackling the Climate Crisis at Home and Abroad
  – Commits to conserving at least 30% of lands and oceans by 2030
  – Agencies will seek stakeholder engagement from agricultural and forest landowners, fishermen, Tribes, States, Territories, local officials, and others to identify strategies that will result in broad participation.
  – The US Geological Survey reports that 12% of US lands are permanently protected, with roughly 23% of its coastal waters protected.
Energy: Efficiency and Emissions

Proposals

• Legislative proposals like the creation of a state climate plans are unlikely to pass

• However, the Moving Forward Act, CLEAN Future Act, and LIFT Act include a number of proposals benefiting states efficiency and emissions goals, such as:
  – Faster distribution of weatherization assistance funds from DOE, energy efficiency upgrade grants for homes and public schools
  – Creation of Clean Cities Coalition Program to work together on greenhouse gas emission reduction programs
  – Significant increases in energy efficiency and conservation block grants to states
  – Increased rural and remote communities electrification grants
    • Reauthorizes/updates PURPA Sec. 609 rural/remote communities electrification grants to include Indian tribes
    • Expands eligibility to areas impacted by the closure of a coal generating unit.
    • Increases the size of a rural area from 10,000 to 20,000 inhabitants.
    • Increases grant funding authorization to $50 million (up from $20 million)
  – Additional grant programs for low-income and underserved areas for clean electricity generation
Energy: EVs

Electric Vehicles

H.R. 2 (116), The Moving Forward Act
H.R. 1512 (117), The CLEAN Future Act
H.R. 1488 (117), The LIFT Act

• Include numerous policies to encourage rapid adoption of electric vehicles
• Increases the cap on the number of qualified plug-in electric drive motor vehicle qualifying for the tax credits (§ 30D).
• New tax credit for previously-owned qualified plug-in electric drive motor vehicles (§25E).
• $2 billion for state transportation electrification projects
  – Includes projects related to transportation electrification, including electric vehicle charging equipment and ground support equipment at ports.
• $96 million for grants to ensure expanded access to EVs in underserved communities
• $2.5 billion for a clean school bus program
Energy: Sources

Oil and Gas

- Enhanced Regulatory Environment
  - Heavier agency regulation at EPA, Interior – and even the SEC.
  - Increased regulation through legislation is not as likely
  - Goal is to ensure oil and gas products are less attractive in terms of cost competition and for investors

- Workforce Development and Site Remediation
  - Legislative proposals will include
    - Job training programs for fossil fuel workers
    - Funding and training for fossil fuel–related environmental remediation programs

Renewables

The Moving Forward Act, the CLEAN Future Act, and the LIFT Act:

- Include significant investments in grid modernization
- Investments in renewable energy, including billion-dollar grant programs for state and local communities
- Tax incentives for renewable energy technologies or for technologies that produce carbon emissions reductions
- Expect accelerated demand for wind and solar farms
- Expect more solar panels installed on commercial and residential properties
Mobility

**Infrastructure**

- The Moving Forward Act provides for more than $300 billion of investment in fixing existing infrastructure, including bridges.
- Provide for significant funding mechanisms
  - Reinstatement of Build America Bonds and Advance Refunding Bonds
  - Increase and expand issuance of Private Activity Bonds
  - Expand and make permanent the New Markets Tax Credit
  - Change in treatment of Tribes in the tax code

**Broadband**

- The Moving Forward Act and the LIFT Act have provisions for Broadband.
- Up to $100 billion in broadband investments are possible, including funding for
  - Expansion of broadband to underserved communities
  - Grants for emergency responder networks
  - Low-interest financing options