

*Climate Regulation***Scholars Model Climate Change ‘Protocols’  
For Environmental Assessments of Projects**

**F**ederal agencies have begun to address climate change considerations when reviewing the environmental impacts of projects but lack consistent guidelines for assessing those impacts, legal scholars said in a pair of recent reports outlining model protocols that could standardize the review process.

While the White House Council on Environmental Quality has directed federal agencies to incorporate climate change impacts into the National Environmental Policy Act review process, the draft guidance does not provide reviewers with detailed instructions for how to conduct that assessment, Jessica Wentz, associate director and postdoctoral fellow at the Sabin Center for Climate Change Law at Columbia Law School, said in an August report.

“More specific guidelines or protocols would help to promote consistency in agency practice and ensure that federal agencies are adequately accounting for the impacts of climate change when conducting these assessments,” Wentz said in the report, “Assessing the Impacts of Climate Change on the Built Environment under NEPA and State EIA Laws.”

With that report, the Sabin Center has also released model protocols that detail aspects reviewers should consider when evaluating the potential climate change impact of projects. Those include whether climate change could impact the baseline conditions against which the project is being reviewed in the future; evalu-

ating projects using multiple forecasts, including the most severe conditions projected by the Intergovernmental Panel on Climate Change; and accounting for climate change impacts during multiple steps of producing environmental impact statements.

The White House Council on Environmental Quality issued its revised draft guidance on incorporating climate change considerations into National Environmental Policy Act reviews in December 2014. The draft guidance advises federal agencies to consider the climate impact of any action that would increase greenhouse gas emissions by the equivalent of 25,000 metric tons of carbon dioxide annually when reviewing projects (244 DEN A-8, 12/19/14).

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*The Sabin Center for Climate Change Law report, “Assessing the Impacts of Climate Change on the Built Environment under NEPA and State EIA Laws,” is available at [http://web.law.columbia.edu/sites/default/files/microsites/climate-change/assessing\\_the\\_impacts\\_of\\_climate\\_change\\_on\\_the\\_built\\_environment\\_-\\_final.pdf](http://web.law.columbia.edu/sites/default/files/microsites/climate-change/assessing_the_impacts_of_climate_change_on_the_built_environment_-_final.pdf). “The Model Protocols for Assessing the Impacts of Climate Change on the Built Environment under NEPA and State EIA Laws” are available at [http://web.law.columbia.edu/sites/default/files/microsites/climate-change/model\\_protocols\\_for\\_assessing\\_the\\_impacts\\_of\\_climate\\_change\\_on\\_the\\_built\\_environment.pdf](http://web.law.columbia.edu/sites/default/files/microsites/climate-change/model_protocols_for_assessing_the_impacts_of_climate_change_on_the_built_environment.pdf).*

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