

## Breton, Mary B

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**To:** DEP Rule Comments  
**Subject:** California Advanced Clean Cars II Regulation

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Honorable Chairman and members of The Maine Department of Environmental Protection, my name is David Reed and I live in Rockport, Maine. I am submitting testimony in opposition to adopting the requirements of the California Advanced Clean Cars II and California's Advanced Clean Trucks Regulations into Maine's existing regulatory code as proposed by the Natural Resources Council of Maine. The Biden Administration, John Kerry, and Al Gore to the contrary, the case for manmade global warming and climate change has not been established sufficiently enough to allow for a mandated ban on fossil fuel and gasoline powered vehicles. In support of this, I am submitting a report from *THE EPOCH TIMES*, Vol. XX | No. 3,533, Wednesday, Aug. 16, 2023, by Kevin Stocklin titled, "Princeton, MIT Scientists Say EPA Climate Regulations Based on a 'Hoax'," in its entirety for your review.

Two prominent climate scientists have taken on new rules from the Environmental Protection Agency (EPA) on cutting carbon dioxide (CO<sub>2</sub>) emissions in electricity generation arguing in testimony that the regulations "will be disastrous for the country, for no scientifically justifiable reason."

Citing extensive data to support their case, William Happer, professor emeritus in physics at Princeton University, and Richard Lindzen, professor emeritus of atmospheric science at Massachusetts Institute of Technology (MIT), argued that the claims used by the EPA to justify the new regulations aren't based on scientific facts but rather political opinions and speculative models that have consistently proven to be wrong.

"The unscientific method of analysis, relying on consensus, peer review, government opinion, models that do not work, cherry-picking data and omitting voluminous contradictory data, is commonly employed in these studies and by the EPA in the Proposed Rule," Mr. Happer and Mr. Lindzen wrote. "None of the studies provides scientific knowledge, and thus none provides any scientific support for the Proposed Rule.

"All of the models that predict catastrophic global warming fail the key test of the scientific method: they grossly overpredict the warming versus actual data. The scientific method proves there is no risk that fossil fuels and carbon dioxide will cause catastrophic warming and extreme weather." Climate models such as the ones that the EPA is using have been consistently wrong for decades in predicting actual outcomes, Mr. Happer told The Epoch Times. To illustrate his point, he presented the EPA with a table showing the difference between those models' predictions and the observed data.

"That was already an embarrassment in the '90s, when I was director of energy research in the U.S. Department of Energy," he said. "I was funding a lot of this work, and I knew very well then that the models were overpredicting the warming by a huge amount."

He and his colleague argued that the EPA has grossly overstated the harm from CO<sub>2</sub> emissions while ignoring the benefits of CO<sub>2</sub> to life on Earth.

Many who have fought against EPA climate regulations have done so by arguing what's called the "major questions doctrine," that the EPA doesn't have the authority to invent regulations that have such an enormous effect on Americans without clear direction from Congress. However, Mr. Happer and Mr. Lindzen have taken a different tact, arguing that because the EPA regulations are "arbitrary and capricious," they fail a test laid out in *Motor Vehicle Manufacturers v. State Farm Mutual Automobile Insurance Company*.

"Time and again, courts have applied "State Farm's" principles to invalidate agency rules where the agency failed to consider an important aspect of the problem, or cherry-picked data to support a pre-ordained conclusion," they wrote.

According to Mr. Happer and Mr. Lindzen's testimony, "600 million years of CO<sub>2</sub> and temperature data contradict the theory that high levels of CO<sub>2</sub> will cause catastrophic global warming."

They present CO2 and temperature data indicating much higher temperatures and levels of CO2 than are observed today, with little correlation between the two. They also argue that current CO2 levels are at a low point historically.

“The often highly emphasized 140 [parts per million] increase in CO2 since the beginning of the Industrial Age is trivial compared to CO2 changes over the geological history of life on Earth,” they wrote.

The scientists’ testimony to the EPA also stated that the agency’s emissions rules fail to consider that CO2 and fossil fuels are essential to life on earth, particularly human life.

“Increased levels of carbon dioxide in the atmosphere create more food for people worldwide, including more food for people in drought-stricken areas,” they wrote. Increases in carbon dioxide over the past two centuries since the Industrial Revolution, from about 280 parts per million to about 420 ppm. caused an approximate 20 percent increase in the food available to people worldwide, as well as increased greening of the planet and a benign warming in temperature.” More CO2 in the atmosphere leads to more plant growth and higher farming yields, they said. Synthetic fertilizers, which are derivatives of natural gas, are responsible for nearly half the world’s food production today. “Net zero” goals would reduce CO2 emissions by more than 20 gigatons per year, reducing the food supply proportionally, according to the scientists.

In addition to disregarding the benefits of CO2, they stated, the EPA’s emission rules and the global warming narrative that has been used to justify them are based on flawed data.

In addition to teaching physics at Princeton, Mr. Happer’s decades of work in physics have focused on atmospheric radiation and atmospheric turbulence, and his inventions have been used by astronomers and in national defense.

“Radiation in the atmosphere is my specialty,” Mr. Happer said, “and I know more about it than, I would guess, any climate scientists.”

His expertise “involves much of the same physics that’s involved in climate, and none of it is very alarming,” he said.

The global warming narrative argues that as people burn fossil fuels, they emit higher concentrations of carbon dioxide into the earth’s atmosphere, which creates a “greenhouse effect,” trapping the sun’s radiation and warming the earth.

But one aspect of CO2 emissions that global warming models fail to take into account, according to Mr. Happer, is a phenomenon called “saturation,” or the diminishing effect of CO2 in the atmosphere at higher concentrations.

“At the current concentrations of CO2, around 400 parts per million it decreases the radiation to space by about 30 percent, compared to what you would have if you took it all away,” he said. “So that’s enough to cause quite a bit of warming of the earth, and thank God for that; it helps make the earth habitable, along with the effects of water vapor and clouds.

“But if you could double the amount of CO2 from 400 to 800, and that will take a long time, the amount that you decrease radiation to space is only 1 percent. Very few people realize how hard it is for additional carbon dioxide to make a difference to the radiation to space. That’s what’s called saturation, and it’s been well known for a century.”

In addition to scientific arguments about why global warming is overblown, the scientists cite data showing large discrepancies between global warming models and actual observations. In some cases, Mr. Happer and Mr. Lindzen say, data has been disingenuously manipulated to fit the climate change narrative.

“The most striking example of that is the temperature record,” Mr. Happer said. “If you look at the temperature records that were published 20 years ago, they showed very clearly that in the United States by far the warmest years we had were during the mid-1930s.

“If you look at the data today, that is no longer true. People in charge of that data or what the public sees, have gradually reduced the temperatures of the ‘30s, then increased the temperature of more recent measurements.”

Asked why there would be a need to censor, alter, and cherry-pick data to support the global warming narrative, Mr. Lindzen said “Because it’s a hoax.”

Asked to respond to the professor’s comments, an EPA spokesperson said: “The Agency will review all comments we received as we work to finalize the proposed standards.”

David G. Reed

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