

**Testimony of Colorado Attorney General Philip Weiser**

**U.S. Environmental Protection Agency  
Docket EPA-HQ-OAR-2025-0194**

**Public Hearing on EPA's Proposed Reconsideration of 2009 Endangerment Finding and  
Greenhouse Gas Vehicle Standards, 90 Fed. Reg. 36,288 (Aug. 1, 2025)**

**August 20, 2025**

Good morning. I am Attorney General Phil Weiser of Colorado. I am here today to speak in opposition to EPA's misguided proposal to roll back decades of progress in fighting climate change by undoing a key finding grounded in well-established scientific research and common sense: greenhouse gas emissions from motor vehicles endanger public health and welfare.

The climate crisis is real and has devastating impacts on Colorado. We are in the midst of an historic drought that has been exacerbated by our changing climate and has caused immense strain throughout the state, including in our rural communities. We've experienced costly and catastrophic wildfires and floods that have destroyed lives and property. Heat waves impact the health of our most vulnerable residents, particularly in low-income communities that may lack access to air conditioning, and damage our infrastructure. And our outdoor economy, central to the Colorado way of life, is suffering due to hotter temperatures and decreased snowpacks.

Climate change isn't only a threat for our grandchildren – it's a threat right now. And evidence is emerging that climate change itself exerts a disproportionate mental health burden on young people, in addition to its environmental impacts. The EPA's proposal addresses none of these costs to Colorado or society in general and significantly downplays the benefits of the standards it seeks to repeal.

In the face of these impacts, Colorado has taken steps to address climate change and has made significant investments to reduce our state's greenhouse gas emissions, with a goal of a 100 percent reduction in net statewide greenhouse gas pollution by 2050. Colorado's efforts include building out electric vehicle infrastructure, adopting stringent greenhouse gas standards for vehicles while providing incentives to help consumers purchase EVs, and engaging in rigorous planning processes with our electric utilities to ensure a resilient electric grid and a just transition to a clean energy economy.

These efforts have not only allowed us to make meaningful progress in curbing harmful emissions and protecting our air quality, but they also provide important economic benefits. These positive impacts include fuel cost savings, lowered maintenance costs, lowered total cost of vehicle ownership, and downward pressure on electric rates

associated with increased adoption of EVs. And we are still in the early days of this transition.

EPA's proposal to rescind the endangerment finding for greenhouse gas emissions from motor vehicles and repeal the related vehicle emissions standards is misguided in several respects.

**First, the proposed rollback is contrary to established law.** Nearly twenty years ago, in *Massachusetts v. EPA*, the Supreme Court confirmed that the Clean Air Act authorizes the EPA to regulate greenhouse gas emissions from motor vehicles. And that central finding has been confirmed as the best reading of the Act in subsequent Supreme Court decisions and affirmed by Congress through statutory enactments recognizing that greenhouse gases are air pollutants.

**Second, the EPA's proposal ignores decades of scientific evidence compiled by the agency under multiple presidential administrations.** The overwhelming weight of that evidence clearly establishes that the earth is warming at an unprecedented rate and that human activity is the principal cause. The evidence also demonstrates the immense costs that climate change imposes on our residents and economy—costs EPA has improperly ignored or minimized in the current proposal.

**And third, the proposed rollback will cause harm to Colorado's environment and economy, undermining bedrock principles of cooperative federalism.** The EPA's proposed action will harm the health of Coloradans living near high-traffic areas and make Colorado's existing federal Clean Air Act obligations more challenging and expensive. If finalized, the rescission of federal greenhouse gas standards for motor vehicles will lead to increased pollution from this sector, with real world impacts on Colorado's ability to comply with a variety of clean air requirements. Because Colorado has relied on the expected emissions reductions from federal vehicle standards in preparing plans to comply with separate federal standards for ozone, nitrogen oxides, and regional haze, rescinding these standards will have ripple effects far beyond the vehicle sector and may impact other pollutant emitting sectors.

The Clean Air Act, under which EPA's determinations in the 2009 Endangerment Finding and subsequent motor vehicle emissions standards were promulgated, is a justly celebrated model of cooperative federalism. The statutory structure works, and was designed to work, by allowing the federal government and states to consistently rely on one another. It is an affront to this model for the federal government to arbitrarily undermine

federal emissions standards without grounding the decision in valid science, common sense, and legal reasoning. In this case, moreover, the EPA's action also fails to take into account the significant financial and other impacts on states, further undercutting the important balance of federal and state interests established by the statute.

I urge EPA to withdraw its misguided and unlawful proposal that fails to provide the appropriate level of respect due to states based on the Clean Air Act's commitment to a cooperative federalism, defies common sense, and runs afoul of well-established scientific research.