

will make waves in other parts of the world — particularly in the United States.

In 2007, the US Supreme Court authorized the Environmental Protection Agency (EPA) to regulate greenhouse-gas emissions that contribute to air pollution, because pollution could endanger public health or welfare. A series of greenhouse-gas reduction plans have followed. But attempts to get federal courts to order more-substantial cuts have so far come to nothing. Four years after the EPA decision, the Supreme Court rejected an effort by California and five other states to seek a cap on emissions from the utilities sector. The states argued that greenhouse gases are a ‘public nuisance’; however, the court countered that the EPA’s authority to regulate emissions prevented federal judges from using the public-nuisance argument. Attempts by others to claim liability against polluters and seek damages under civil law have also been unsuccessful.

LIMITED POWER

In the United States, “there is no federal constitutional right to environmental protection”, says Richard Stewart, an environmental-law specialist at New York University. “Some state courts may recognize such a right, but the remedy might at best be limited to local sources.”

That seems to be the case in Washington state, where on 23 June, a Seattle court ordered

the state’s ecology department to reconsider a 2014 petition brought by eight school students to limit the state’s carbon dioxide emissions. The petition called for the agency to act in line with what scientific evidence says is needed to protect the climate and the environment. The agency initially denied the petition, but has been ordered to report back to the court by 8 July. Petitioners’ lawyer Andrea Rodgers, of the Western Environmental Law Center in

“This is a very powerful decision with far-reaching repercussions.”

Seattle, said that it was the first time a US court had ordered a state agency to consider the most current and best available climate science in deciding regulation on carbon emissions.

It would be unusual for a US court to demand a specific level of federal emissions regulation, as has happened in the Netherlands, says Michael Oppenheimer, who studies geosciences and international affairs at Princeton University in New Jersey. A court would be likely to do so only if there were a large gap between public safety and existing regulations, he says.

“If it became clear that US regulations, along with actions of other countries, are insufficient, then at some future date a court might invoke the objective to force stronger action,” he says. But, adds Oppenheimer, current US targets are

consistent with “at least some pathways” that would keep the world’s warming below 2 °C, the internationally recognized threshold for ‘dangerous’ climate change. ■

CORRECTIONS

The News story ‘Election results delight scientists’ (*Nature* **522**, 264–265; 2015) stated that Gençay Gürsoy won a seat in the new Turkish parliament for the HDP. He did not; he is a member of the HDP assembly. The News story ‘Earth science wrestles with conflict-of-interest policies’ (*Nature* **522**, 403–404; 2015) erroneously stated that hydrologist Donald Siegel disclosed the provision of water samples by Chesapeake Energy Corporation only in a correction to his article. In fact, this information was included in the acknowledgements of his original paper.

CLARIFICATION

The News story ‘Earth science wrestles with conflict-of-interest policies’ (*Nature* **522**, 403–404; 2015) did not make clear that Siegel’s findings related to gas production in general, and not just the process known as fracking. This has been clarified in the online version of the story.

