

California Capitol focuses on environmental injustice—but will it lead to real results?

By [Laurel Rosenhall](#) | May 17, 2017 | [POLITICS](#)

As Gov. Jerry Brown seeks support to extend a key environmental policy in California, he is planning a trip to a gritty corner of the state: the blue-collar neighborhoods southeast of Los Angeles, where thousands of people live alongside rail yards that spew plumes of smoke and freeways rumbling with big rigs.

Brown is better known as a global environmentalist: His zeal for fighting climate change has taken him to Paris, Rome and Canada for meetings with world leaders, and he's going to China next month for a clean energy forum with officials from two dozen countries.

But his Los Angeles trip reflects the rise of environmental justice concerns inside the Capitol. A new generation of legislators and the growing clout of eco-advocates from urban communities is changing the focus of environmental debates in California. Once sidelined as a fringe voice of activism, the “environmental justice” perspective—focused on how environmental decisions impact poor communities and people of color—is now at the center of high-profile deliberations.

It's emerged at the California Air Resources Board, which is overseeing plans by Volkswagen to invest \$800 million in the state as part of the

legal settlement over its emissions cheating scandal. And it's become pervasive at the state Capitol, where lawmakers are wrestling with proposals to extend California's cap-and-trade program, a key piece of the state's fight against global warming that makes industry pay for emitting too many greenhouse gases. The environmental justice perspective is gradually coming into the mainstream across state government, as new laws add representatives who work on those issues to commissions that regulate air quality and coastal access.

But the Legislature's record on environmental justice issues in recent years is mixed, and it's an open question whether the burgeoning focus will result in major policy wins this year.

"The (traditional) environmental movement has definitely overlooked certain parts of California," said Democratic Assemblywoman Cristina Garcia of Bell Gardens, who invited Brown to visit her district in southeast Los Angeles County. "Things are getting better. But clearly we still have work to do."

She wants the governor to see how close her constituents live to freeways, rail yards and toxic industrial sites correlated with asthma and other health problems. And her invitation comes at an opportune time: Brown wants the Legislature to approve a plan this year to extend [cap and trade](#) past 2020. To protect the program from legal challenges, he's seeking a two-thirds vote. The high bar gives lawmakers leverage to try to steer cap and trade in a different direction, and they're looking at ways to put pollution that impacts Californians on par with emissions that warm the planet.

A Senate [bill](#) would eliminate cap and trade's use of carbon offsets, which allow companies to pollute in California if they pay for

environmental benefits [somewhere else](#). Garcia has introduced [a bill](#) that would expand the kinds of pollution monitored under the cap-and-trade program, so that it not only limits greenhouse gases emissions but also particulate pollution that can cause respiratory problems in those who live near industrial sites.

“We’re doing both: We’re talking about the global society, making sure the earth is not getting too warm too quickly, but we’re also taking care of our own backyard,” she said.

Garcia, who heads the Assembly Natural Resources Committee, is one of several lawmakers who hail from working-class communities that suffer from environmental pollution and now hold influential positions in the Legislature. The Democratic leaders of both houses—Assembly Speaker Anthony Rendon and Senate President pro Tem Kevin de León—also represent urban, largely Latino neighborhoods and have prioritized environmental issues. Assemblyman Eduardo Garcia of Coachella—who chairs the Water, Parks and Wildlife committee—has also [emerged](#) as a new voice for environmental justice.

“You have new legislators who are bringing in new perspectives,” said Amy Vanderwarker, co-director of the California Environmental Justice Alliance, an advocacy group.

Yet the Legislature last month approved a gas tax bill to fund backlogged road repairs over the objections of environmental justice advocates. They opposed a last-minute amendment that eased environmental requirements on the [trucking industry](#). It’s an example of the kind of concerns lawmakers are frequently asked to balance as

industry groups contend that California environmental regulations are bad for business.

Garcia said the concession to help trucks that rumble through her district from the Long Beach port makes her feel she needs to “fight that much harder” to look out for her community in the upcoming cap-and-trade debate.

Some environmental justice advocates are calling for even more radical changes. The advisory committee that reports to Brown’s Air Resources Board proposes [eliminating cap and trade](#) altogether and replacing it with a system that gives polluters less leeway.

But disadvantaged communities reap some benefits from cap and trade. One-fourth of the money generated from cap-and-trade auctions must be spent to benefit poor parts of the state, on things like solar power, electric vehicles and low-carbon transit. Brown highlighted these funds at a recent budget press conference in which he made the case that lawmakers should approve an extension of cap and trade this year.

“On the climate change front, it’s crucial that we get that cap and trade now. On the point of environmental justice, it’s also crucial,” Brown said. “I don’t think we should turn our backs on the low-income communities of California by destroying millions and millions of dollars that they are now slated to get but will not get if the cap and trade is destroyed.”

Benefits to low-income communities—or lack thereof—have also emerged as a point of contention in the debate over how Volkswagen will spend \$800 million in California. It’s one piece of a larger legal

settlement the car manufacturer reached with the government last year after it admitted installing technology to cheat pollution limits.

Volkswagen agreed to invest \$800 million in installing charging stations and other infrastructure to support an expansion of electric cars. But environmental justice advocates are pushing back, saying the carmaker's plan doesn't do enough to bring clean car technology to polluted areas where many residents are poor.

“Priority will be given to areas where VW can make the most money, places like Palo Alto, Beverly Hills and La Jolla. VW pays lip service to low-income communities—and the real money goes elsewhere,” Dean Florez, a member of the Air Resources Board, [wrote in a recent op-ed](#). Florez, a former legislator from the Central Valley, was appointed to the board following a 2015 law that required adding two environmental justice representatives. The air board also recently [hired an executive](#), Veronica Eady, to coordinate environmental justice work throughout the agency.

Eady, a lawyer who recently moved back to California after living in New York and Massachusetts, said she's awed by how much power the environmental justice movement here has gained: “There is a real partnership with the Legislature that has really put (environmental justice) issues front and center.”

Expanding government boards to include environmental justice representatives is becoming more common in California. Last year lawmakers passed a bill to require an environmental justice representative be added to the Coastal Commission, and this year, a bill proposes adding one to the Transportation Commission.