



CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE

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Cap-and-Trade Extension Bill Passes Senate Environmental Quality; Environmental Justice Groups Maintain Opposition

*Bill Will Have Negative Impact on Environmental Justice Communities
and Climate Policy*

Sacramento, CA | July 14, 2017 — Despite strong environmental justice opposition, the controversial bill to extend California's cap and trade program, AB 398 (E. Garcia), passed out of Senate Environmental Quality Committee on a vote of 5 - 2.

AB 398 contains a host of business-friendly provisions that would impact environmental justice communities and undermine the state's ability to achieve California's greenhouse gas emission reduction targets. The bill includes provisions that would prevent local air districts from creating their own carbon emissions regulations for industries regulated under cap-and-trade and would prevent the California Air Resources Board from enacting more regulations on carbon emissions from refineries. EJ advocates believe it will have a devastating impact on our climate, on toxic air contaminants, public health, the health of our environment, and the health of local residents, as it sets a very bad precedent that represents a huge step backward for our climate leadership.

"Recognizing that the regulatory approach of the state was not working for our local communities, we worked directly with the Bay Area Air Quality Management District to produce some of the most groundbreaking rules to date around refinery emissions. With AB 398, those rules are now at risk. Residents living near the Chevron Refinery in Richmond are upset that their ability to make decisions about our air quality is now being preempted by the state. Overall this is a missed opportunity by California to lead the world in an equitable approach to address the immediate health impacts of local pollutants that actually reduces the risk of climate catastrophe."

Miya Yoshitani, Executive Director, Asian Pacific Environmental Network

"Our communities take climate change seriously and expect bold and courageous action from our policy makers, yet this bill represents a failure to keep that promise. AB 398 gives unacceptable concessions to the oil industry, and impedes our ability to clean our air, improve our economy and to protect Californians, by ensuring that the most vulnerable are protected. As a member of the Environmental Justice Advisory Committee, we've engaged hundreds of residents asking them what they wanted in a SB 32 Scoping Plan and this proposal reflects very little of what we heard from residents who deserve accountability and want to see AB 197 implemented. Making a deal for the sake of making a deal is not what climate leadership looks like. We hope that our representatives stand strong and reject this bad policy."

Martha Arguello, Executive Director, Physicians for Social Responsibility - Los Angeles

"AB 398 has been crafted behind closed doors without including the voice of environmental justice communities that face the impacts of climate change everyday. We call on legislators to oppose this bill and work with environmental justice communities to craft climate policy that truly leads the nation and

doesn't leave our most overburdened communities behind. AB 398 includes a suspension of a fire prevention fee, which would be paid from revenues from the Greenhouse Gas Reduction Fund, which would severely undercut the amount of revenues which would be available to transform environmental justice communities. It also contains tax breaks for generation and distribution of electric power. We need strong mechanisms in place that address both local and state pollution, local air quality, and that truly reinvests in our environmental justice communities that for far too long have borne disproportionate impacts."

Veronica Garibay, Co-Director of Leadership Counsel for Justice and Accountability

"AB 398 is a big step backward for California's climate leadership and environmental justice communities. At a time when all eyes are on California, we can't set a standard for other states and countries for a climate policy that includes hand outs to the fossil fuel industry. We are deeply concerned about the role Big Oil has played in drafting this legislation behind closed doors. AB 398 ties the hands of the California Air Resources Board and likely makes it impossible for this agency to accomplish our mandate, which is to reduce greenhouse gases to 40% below 1990 levels by 2030. As our largest sources of greenhouse gases in the state, limiting regulations on refineries will drive up prices on all cap and trade entities and increase pressure on other facilities and sources of pollution. It also weakens the legislative gains made by AB 197 by constraining the ability of the Air Resources Board to prioritize direct emission reductions. If California is to maintain our climate leadership, we need a program that helps us achieve our 2030 targets, not hinders that ability.

Amy Vanderwarker, Co-Director of California Environmental Justice Alliance

Over 50 groups, representing climate and environmental justice groups throughout the state, have announced opposition to AB 398. The bill is set for a floor vote on Monday.

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[California Environmental Justice Alliance](http://www.caleja.org) is a statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions. We unite the powerful local organizing of our members in the communities most impacted by environmental hazards – low-income communities and communities of color – to create comprehensive opportunities for change at a statewide level. We build the power of communities across California to create policies that will alleviate poverty and pollution. Together, we are growing the statewide movement for environmental health and social justice.

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