



## Legislative bills extend pollution controls but critics say it lacks teeth

By WILLIAM ROLLER, Staff Writer I

Two bills to strengthen curbs on pollution moving through the state legislature could be voted on Thursday before the legislative session in Sacramento concludes at the end of next week.

Gov. Jerry Brown and legislative leaders Monday appeared to reach a deal to extend the cap-and-trade program, the state's foremost method of reducing greenhouse gases. Assembly Bill 398 by Assemblyman Eduardo Garcia (D-56th) reauthorizes the cap-and-trade program (initiated in 2006), which requires cutting greenhouse gases by 40 percent below 1990 levels by 2030. Also AB 617 by Cristina Garcia (D-58th) aims to cut pollution in areas it is most prevalent, increases penalties against offenders and requires industry such as oil refineries to replace outdated technology with cleaner operating machinery.

An email from Assemblyman Eduardo Garcia's office noted the two bills would benefit California's economy and environment. "AB 398 and AB617 create an air quality and carbon reduction package that continues the work we embarked on last year with SB 32 and AB 197," said Garcia. "The statewide program keeps us on track to meet our climate goals, addressing issues of air quality in disadvantaged communities most affected by pollution."

But California Environmental Justice Alliance, a community coalition that works to achieve environmental justice noted the bills were written in a way to give advantage to oil companies, they will use to bar state and local agencies from protecting public health and enforcing new regulations on pollution from refineries.

Martha Arguello, executive director of Physicians for Social Responsibility, a partner organization with CEJA, noted AB 398 provides

a broad exemption of the state's ability to limit greenhouse gasses and does not limit offsets, which are credits for polluters used as a type of tradeoff, such as funding clean energy projects: wind farms or solar arrays to reduce emissions.

"A lot in the bills doesn't sit well with what communities are asking for," she said. "We want to hold the oil industry accountable. This horrible bill is a poison pill. I think Gov. Brown just wanted a deal at any cost. And it's the citizens that pay that cost with dirty air and poor health."

Arguello added, CEJA was surprised Assemblyman Garcia sponsored AB 398 since he advocated AB 197 last year, which called for a reduction in direct emissions of major sources of pollution. "AB 398 marks a real move away from California's stated climate leadership," she said.

Bonnie Holmes, senior director for air quality and climate change with the American Lung Association in California remarked her organization supports the bills. They make progress on air pollution environmental groups have been striving to attain for 30 years. It also strengthens penalties for noncompliance of companies who continue to emit pollutants.

"This package is not perfect," she said. "But on the whole it's improving air quality and health for communities across California."

And the bills change how the system operates, including giving the California Air Resources Board authority to set a ceiling on the price of carbon that can determine how expensive emissions permits will be as a way to ward off price increases at the gas pump.

Staff Writer William Roller can be reached at [wroller@ivpressonline.com](mailto:wroller@ivpressonline.com) or 760-337-3452.