Climate Justice in California

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A little about me...

- BS and MS in Community Development from UC Davis
- Previous Employment:
 - UC Davis Center for Regional Change
 - Public Advocates, Inc.
 - Sacramento Housing Alliance/Coalition on Regional Equity
 - Ubuntu Green
 - Breathe California
 - VG Consulting
 - Joint Legislative Committee on Climate Change Policies
- Previous Volunteer Roles:
 - Sacramento Young Professionals of Color
 - Sacramento Building Healthy Communities
 - Office of Healthy Equity Advisory Committee
 - AB 32 Environmental Justice Advisory Committee
 - Sacramento Neighborhood Coalition
- Currently:
 - Co-Chair, Sacramento Community Land Trust
 - Sacramento City Councilmember-Elect, District 4
 - Policy & Political Director, California Environmental Justice Alliance



Our Mission

The California Environmental Justice Alliance is a statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions.

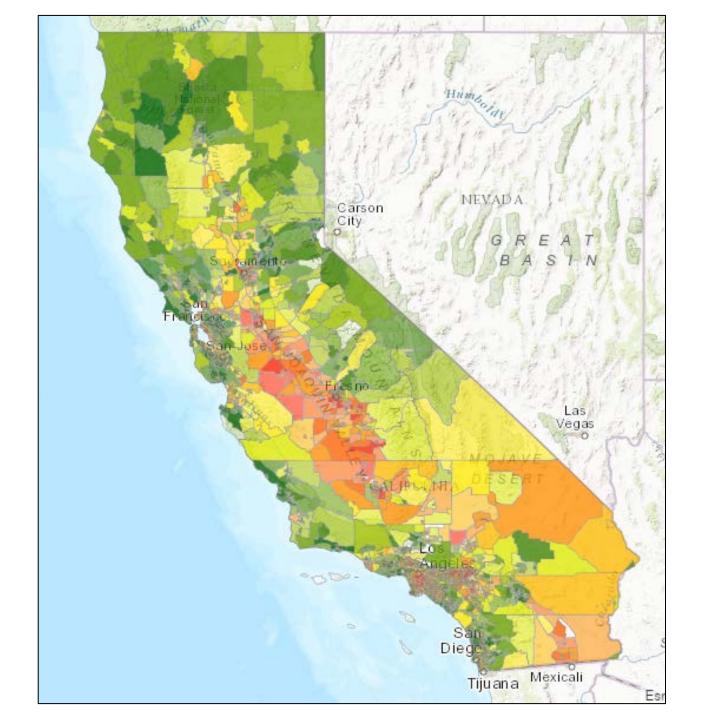


Climate Justice Case Study: AB 345

AB 345 (Muratsuchi)

- Sponsored by Center on Race, Poverty & the Environment (CRPE) and VISION
- Based on years of advocacy to protect communities from the health impacts of oil extraction
- Introduced as a bill to require a 2,500 foot setback, stalled in the Assembly Appropriations Committee
 - Community tours in Kern County and LA
 - Announcement of public health rulemaking at CalGEM
 - Mass mobilization to CalGEM workshops, including 40,000 comments submitted
- Amended to compliment rulemaking process
 - Statewide coalition of advocacy groups formed
 - Academic partner research released
- Currently in Senate Committee on Natural Resources & Water

Environmental Justice and Racial Justice



INDIAN LAND FOR SALE

GET A HOME

YOUR OWN

EASY PAYMENTS



PERFECT TITLE

POSSESSION WITHIN

THIRTY DAYS

FINE LANDS IN THE WEST

IRRIGATED IRRIGABLE

GRAZING

AGRICULTURAL DRY FARMING

IN 1910 THE DEPARTMENT OF THE INTERIOR SOLD UNDER SEALED BIDS ALLOTTED INDIAN LAND AS FOLLOWS:

Location Acres Average Price per Acre.

Average Price per Acre.

Advantisament Library of Countries.







AB 32 (Núñez)

- California Global Warming Solutions Act of 2006
- Established the 2020 target
- Identified that low-income communities and communities of color need special attention:
 - Required ARB to establish the Environmental Justice Advisory Committee
 - Required outreach in EJ communities before adopting plans and regulations
 - Required ARB to ensure the regulations do not disproportionately impact those communities

Excerpts from AB 32

 "The state board shall ensure that the greenhouse gas emission reduction rules, regulations, programs, mechanisms, and incentives under its jurisdiction, where applicable and to the extent feasible, direct public and private investment toward the most disadvantaged communities in California and provide an opportunity for small businesses, schools, affordable housing associations, and other community institutions to participate in and benefit from statewide efforts to reduce greenhouse gas emissions." (emphasis added)

Assembly Bill No. 32

CHAPTER 488

An act to add Division 25.5 (commencing with Section 38500) to the Health and Safety Code, relating to air

(Approved by Governor September 27, 2006. Filed with Secretary of State September 27, 2006.)

LEGISLATIVE COUNSEL'S DIGEST

AB 32, Nunez. Air pollution: greenhouse gases: California Global Warming Solutions Act of 2006.

Under existing law, the State Air Resources Board (state board), the State Energy Resources Conservation and Development Commission (Energy Commission), and the California Climate Action Registry all have responsibilities with respect to the control of emissions of greenhouse gases, as defined, and the Secretary for Environmental Protection is required to coordinate emission reductions of greenhouse gases and climate change activity in state

This bill would require the state board to adopt regulations to require the reporting and verification of statewide ouse gas emissions and to monitor and enforce compliance with this program, as specified. The bill would gas emissions levels in 1990 to be achieved by 2020, as specified. The bill would require the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective prenhouse gas emission reductions, as specified. The bill would authorize the state board to adopt market-based compliance mechanisms, as defined, meeting specified requirements. The bill would require the state board to monitor compliance with and enforce any rule, regulation, order, emission institution, emissions reduction measure, or markets based compliance mechanism adopted by the state board, pursuant to specified provisions of existing law. The bill ize the state hoard to arout a schedule of fees to be paid by reemissions, as specified.

Because the bill would require the state board to establish emissions limits and other requirements, the violation of which would be a crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain cost mandated by the state. Statutory provisions establish procedures for making that reimb

This bill would provide that no reimbursement is required by this act for a specified reason

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1, Division 25.5 (commencing with Section 38500) is added to the Health and Safety Code, to read:

DIVISION 25.5. CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006

38500. This division shall be known, and may be cited, as the California Global Warming Solutions Act of 2006.

CHAPTER 2. Findings and Declarations

38501. The Leoislature finds and declares all of the following:

(a) Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human healt related problems.

(b) Global warming will have detrimental effects on some of California's largest industries, including agriculture, wine tourism, skiing, recreational and commercial fishing, and forestry. It will also increase the strain on electricity supplie necessary to meet the demand for summer air-conditioning in the hottest parts of the state.

(c) California has long been a national and international leader on energy conservation and enviro efforts, including the areas of air quality protections, energy efficiency requirements, renewable energy standards, established by this division will continue this tradition of environmental leadership by placing California at the forefront of national and international efforts to reduce emissions of greenhouse gases.

(d) National and international actions are necessary to fully address the issue of global warming. However, action taken by California to reduce emissions of greenhouse gases will have far-reaching effects by encouraging other states. the federal government, and other countries to act.

(e) By exercising a global leadership role, California will also position its economy, technology centers, financial institutions, and businesses to benefit from national and international efforts to reduce emissions of greenhouse gases.

More importantly, investing in the development of innovative and pioneering technologies will assist California in achieving the 2020 statewide limit on emissions of greenhouse gases established by this division and will provide an opportunity for the state to take a global economic and technological leadership role in reducing emissions of

(f) It is the intent of the Legislature that the State Air Resources Board coordinate with state agencies, as well as ental justice community, industry sectors, business groups, academic institution environmental organizations, and other stakeholders in implementing this division.

(g) It is the intent of the Legislature that the State Air Resources Board consult with the Public Utilities Commission in the development of emissions reduction measures, including limits on emissions of greenhouse gases applied to electricity and natural gas providers regulated by the hybit Utilities Commission in determining that elect natural gas providers are not required to meet duplicative or inconsistent regulatory requirements.

(h) It is the intent of the Legislature that the State Air Resources Board design emissions reduction med the statewide emissions limits for greenhouse gases established pursuant to this division in a manner that minimizes costs and maximizes benefits for California's economy, improves and modernizes California's energy infrastructure and maintains electric system reliability, maximizes additional environmental and economic co-benefits for California, an complements the state's efforts to improve air quality.

(i) It is the intent of the Legislature that the Climate Action Team established by the Governor to coordinate the efforts set forth under Executive Order S-3-05 continue its role in coordinating overall climate policy

CHAPTER 3. Definitions

38505. For the purposes of this division, the following terms have the following mea

(a) "Allowance" means an authorization to emit, during a specified year, up to one ton of carbon dioxide equivalent.

(b) "Alternative compliance mechanism" means an action undertaken by a greenhouse gas emission source that Activers the equivalent reduction of greenhouse gas emissions over the same time period as a direct emission reduction, and that is approved by the state board. "Alternative compliance mechanism" includes, but is not limited to, a flexible compliance schedule, alternative control technology, a process change, or a product substitution.

(c) "Carbon dioxide equivalent" means the amount of carbon dioxide by weight that would produce the same global warming impact as a given weight of another greenhouse gas, based on the best available science, including from the

(d) "Cost-effective" or "cost-effectiveness" means the cost per unit of reduced emissions of greenhouse gases adjusted or its global warming potential. (e) "Direct emission reduction" means a greenhouse gas emission reduction action made by a greenhouse gas

emission source at that source.

(f) "Emissions reduction measure" means programs, measures, standards, and alternative compliance mech authorized pursuant to this division, applicable to sources or categories of sources, that are designed to reduce emissions of greenhouse cases.

(g) "Greenhouse gas" or "greenhouse gases" includes all of the following gases: carbon dioxide, methane, nitrous oxide, hydrofluoroca rbons, perfluorocarbons, and sulfur hexaflouride

(h) "Greenhouse has emissions limit" means an authorization, during a specified year, to emit up to a level of suse gases specified by the state board, expressed in tons of carbon of

(i) "Greenhouse gas emission source" or "source" means any source, or category of sources, of greenhouse gas sions whose emissions are at a level of significance, as determined by the state board, that its participation in the lished under this division will enable the state board to effectively reduce greenhouse gas emissions and monitor compliance with the statewide greenhouse gas emissions limit.

(j) "Leakage" means a reduction in emissions of greenhouse gases within the state that is offset by an inc emissions of greenhouse gases outside the state.

(k) "Market-based compliance mechanism" means either of the following:

(1) A system of market-based declining annual aggregate emissions limitations for sources or categorial

(2) Greenhouse oas emissions exchanges, banking, credits, and of erned by rules and hed by the state board, that result in the same gre as direct compliance with a greenhouse gas em sion limit o tion measure adopted by the pursuant to this division.

in state or imported.

he state agency charged with monitoring and regulating sources of emissions ing in order to reduce emissions of green

Y GREENHOUSE GAS EMISSIONS REPORTING

38530. (a) On or before January 1, 2008, the state board shall adopt regulations to require the repo verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program

(b) The regulations shall do all of the following:

(1) Require the monitoring and annual reporting of greenhouse gas emis beginning with the sources or categories of sources that contribute the most ti

(2) Account for greenhouse gas emissions from all eledistribution line losses from electricity generated within polies to all retail sellers of electricity, includiection 380 c

Division 26. Enti to December 31, 2006

hensive records of all reported preenhouse gas

Periodically review and update its emission reporting requirements, as necessary.

(2) Review existing and proposed international, federal, and state greenhouse gas emission reporting programs and make reasonable efforts to promote consistency among the programs established pursuant to this part and other programs, and to streamline reporting requirements on greenhouse gas emission sources.

PART 3. STATEWIDE GREENHOUSE GAS EMISSIONS LIMIT

38550. By January 1, 2008, the state board shall, after one or more public workshoos, with public notice, and an opportunity for all interested parties to comment, determine what the statewide greenhouse gas emissions level was in 1990, and approve in a public hearing, a statewide greenhouse gas emissions limit that is equivalent to that level, to e achieved by 2020. In order to ensure the most accurate deter sination feasible, the state board shall evaluate the best available scientific, technological, and economic information on greenhouse gas emissions to determine the 1990 level of greenhouse gas emissions.

38551. (a) The statewide greenhouse gas emissions limit shall remain in effect unless otherwise amended or repealed. (b) It is the intent of the Legislature that the statewide greenhouse gas emissions limit continue in existence and be

used to maintain and continue reductions in emissions of greenhouse gases beyond 2020.

(c) The state board shall make recommendations to the Governor and the Legislature on how to continue reductions of eenhouse gas emissions beyond 2020.

PART 4. GREENHOUSE GAS EMISSIONS REDUCTIONS

38560. The state board shall adopt rules and regulations in an open public process to achieve the maximum nologically feasible and cost-effective greenhouse gas emission reductions from sources or categ subject to the criteria and schedules set forth in this part.

38560.5. (a) On or before June 30, 2007, the state board shall publish and make available to the public a list of di early action greenhouse gas emission reduction measures that can be implemented prior to the measures. adopted pursuant to Section 38562.

(b) On or before January 1, 2010, the state board shall adopt regulations to imp list published pursuant to subdivision (a).

38560.5. (a) On or before June 30, 2007, the state board shall a adopted pursuant to Section 38562.

list published pursuant to s

e the maximum technologically

achieving the maximum technologically feasible and cost-effective reductions in ssions from sources or categories of sources of greenhouse gases by 2020 under this division. The suit with all state agencies with jurisdiction over sources of greenhouse gases, including the Public ission and the State Energy Resources Conservation and Development sion, on all elements of plan that pertain to energy related matters including, but not limited to, electrical or requirements, the provision of reliable and affordable electrical service, pet supplies to ensure the greenhouse gas emissions reduction activities to be ador board are complementary, nonduplicative, and can be implemented in an efficient as

(b) The plan shall identify and make recommendations on direct emission reduction mechanisms, market-based compliance mechanisms, and potential and categories of sources that the state board finds are no

pertaining to greenhouse gas em

house gas emissions below which emission reduction requirements will no

the plan f and public health, using the best

(e) In de the state board shall account the relative contribution of each source or source the potential for adverse effects on small businesses, and shall

apply. oping its plan, the state board shall identify opportunities for emission reductions measures from all enforceable voluntary actions, including, but not limited to, carbon sequestration projects and best

(g) The state board shall conduct a series of public workshops to give interested parties an opportunity to comment on the plan. The state board shall conduct a portion of these workshops in regions of the state that have the most significant exposure to air pollutants, including, but not limited to, communities with minority populations, communities with low-income populations, or both

(h) The state board shall undate its plan for achieving the maximum technologically feasible and cost-effective

38562. (a) On or before lanuary 1, 2011, the state board shall adopt greenhouse gas emission limits and emission reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions in furtherance of achieving the statewide greenhouse gas emissions limit, to become operative beginning on January 1, 2012.

(b) In adopting regulations pursuant to this section and Part 5 (commencing with Section 38570), to the exter feasible and in furtherance of achieving the statewide greenhouse gas emissions limit, the state board shall do all of

(1) Design the regulations, including distribution of emissions allowances where appropriate, in a manner that is table, seeks to minimize costs and maximize the total benefits to California, and encourages early action to reduce greenhouse gas emissions.

(2) Ensure that activities undertaken to comply with the regulations do not disproportionately impact low-income

(3) Ensure that entities that have voluntarily reduced their greenhouse gas emissions prior to the implementation of this section receive appropriate credit for early voluntary reduction

achieve and maintain federal and state ambient air quality standards and to reduce toxic air contaminant

(5) Consider cost-effectiveness of these regulations.

nsider overall societal benefits, including reductions in other air pollutant other benefits to the economy, environment, and public health.

(7) Minimize the administrative burden of implementing

(8) Minimize leakage.

(9) Consider the significance each source or category of s emissions of greenhouse gases

limit, by January 1, 2011, the state board may of market-based sion limits for sources o mum technologically feasible and cost-effective rom those sources or categories of sources

(d) Any n nd pursuant to this part or Part 5 (commencing with Section 38570) shall

luctions achieved are real, permanent, quantifiable, verifiable, and enforceable by

(e) The state board shall rely upon the best available economic and scientific in

existing and projected technological capabilities when adopting the regulations required by this s (f) The state board shall consult with the Public Utilities Com

affect electricity and natural gas providers in order to minimize duplic (g) After January 1, 2011, the state board may re-

and from adopting greenh

ent, and other nations to identify th and the federal oc ouse gases, manage greenhouse gas control programs, and to ective regional, national, and international greenhouse gas

ouse gas emission reduction rules, regulations, programs ere applicable and to the extent feasible, direct public and private ities in California and provide an opportunity for small businesses. able housing associations, and munity institutions to participate in and benefit from statewide

PART 5. MARKET-BASED COMPLIANCE MECHANISMS

to any direct emission reduction required pursuant to this division.

38570. (a) The state board may include in the regulations adopted pursuant to Section 38562 the use of market-based compliance mechanisms to comply with the regulations.

(b) Prior to the inclusion of any market-based compliance mechanism in the regulations, to the extent feasible and in furtherance of achieving the statewide greenhouse gas emissions limit, the state board shall do all of the following

(1) Consider the potential for direct, indirect, and cumulative emission impacts from these mechanisms, including ized impacts in communities that are already adversely impacted by air pollution (2) Design any market-based compliance mechanism to prevent any increase in the emissions of toxic air

contaminants or criteria air pollutants.

(3) Maximize additional environmental and economic benefits for California, as appropriate,

(c) The state board shall adopt regulations governing how market-based compliance mechanisms may be used by egulated entities subject to greenhouse gas emission limits and mandatory emission reporting requirements to achieve compliance with their greenhouse gas emissions limits.

38575. The state board shall adopt methodologies for the quantification of voluntary greenhouse gas emission reductions. The state board shall adopt regulations to verify and enforce any voluntary greenhouse gas emiss reductions that are authorized by the state board for use to comply with greenhouse gas emission limits established by the state board. The adoption of methodologies is exempt from the rulemaking provisions of the Administration Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government

38574. Nothing in this part or Part 4 (commencing with Section 38560) confers any authority on the state board to alter any programs administered by other state agencies for the reduction of greenhouse gas emission

3850. (a) The state board shall monitor compliance with and enforce any rule, regulation, order, emission limitation emissions reduction measure, or market-based compliance mechanism adopted by the state board pursuant to this

(b) (1) Any violation of any rule, regulation, order, emission limitation, emissions reduction measure, or other measure sted by the state board pursuant to this division may be enjoined pursuant to Section 41513, and the viole subject to those penalties set forth in Article 3 (commencing with Section 42400) of Chapter 4 of Part 4 of, and subject to those penalties set forth in Article 3 (commencing with Section 42400) of Chapter 4 of Part 4 of, and Chapter 1.5 (commencing with Section 43025) of Part 5 of, Division 26.

(2) Any violation of any rule, regulation, order, emission limitation, emissions reduction measure, or other measure adopted by the state board pursuant to this division shall be deemed to result in an emission of an air contaminant for the purposes of the penalty provisions of Article 3 (commencing with Section 42400) of Chapter 4 of Part 4 of, and Chapter 1.5 (commencing with Section 43025) of Part 5 of, Division 26.

(3) The state board may develop a method to convert a violation of any rule, regulation, order, emission limitation, or other emissions reduction measure adopted by the state board pursuant to this division into the number of days in violation, where appropriate, for the purposes of the penalty provisions of Article 3 (commencing with Section 42400) of Chapter 4 of Part 4 of, and Chapter 1.5 (commencing with Section 43025) of Part 5 of, Division 26.

(c) Section 42407 and subdivision (i) of Section 42410 shall not apply to this part.

PART 7. Miscellaneous Provisions

38590. If the regulations adopted pursuant to Section 43018.5 do not remain in effect, the state board shall implement ilternative regulations to control mobile sources of greenhouse gas emissions to achieve equivalent or greate

38591. (a) The state board, by July 1, 2007, shall convene an environmental justice advisory committee, of at least ree members, to advise it in developing the scoping plan pursuant to Section 38561 and any other pertinent m in implementing this division. The advisory committee shall be comprised of representatives from communities in the state with the most significant exposure to air pollution, including, but not limited to, communities with minority

advisory committee members from nominations received from environmental Sustice organiza

nable per diem for attendance at advisory committee meetings by advisory

nomic and Technology Advancement Advisory Committee to advise the state vestment in and implementation of technological research and development to, identifying new technologies, research, demonstration projects, funding tional, and international partnerships and technology transfer opportunities, and ing research and advanced technology investment and incentive opportunities that will assist in enhouse gas emissions. The committee may also advise the state board on state, regional, ind international economic and technological developments related to greenhouse gas emission reductions.

38592. (a) All state agencies shall consider and implement strategies to reduce their greenhouse gas emissions.

(b) Nothing in this division shall relieve any person, entity, or public agency of compliance with other applicable federal, state, or local laws or regulations, including state air and water quality requirements, and other requirements

(a) Nothing in this division affects the authority of the Public Utilities Commission.

38593. (b) Nothing in this division affects the obligation of an electrical corporation to provide customers with safe and reliable electric service.

38594. Nothing in this division shall limit or expand the existing authority of any district, as defined in Section 39025.

38595. Nothing in this division shall preclude, prohibit, or restrict the construction of any new facility or the expa of an existing facility subject to regulation under this division, if all applicable requirements are met and the facility is compliance with regulations adopted pursuant to this division.

38596. The provisions of this division are severable. If any provision of this division or its application is held invalid, that idity shall not affect other provisions or applications that can be given effect without the invalid provision or

38597. The state board may adopt by regulation, after a public workshop, a schedule of fees to be paid by the sources regulated pursuant to this division, most pursuant to this section, shall be deposited into the Air Pollution Control Fund and are available upon appropriation, by the Legislature, for purposes of carrying out this division

38598. (a) Nothing in this division shall limit the existing authority of a state entity to adopt and implement greenhouse

(b) Nothing in this division shall relieve any state entity of its legal obligations to comply with existing law or

38599. (a) In the event of extraordinary circumstances, catastrophic events, or threat of significant economic harm, the Governor may adjust the applicable deadlines for individual regulations, or for the state in the aggregate, to the earliest feasible date after that deadline

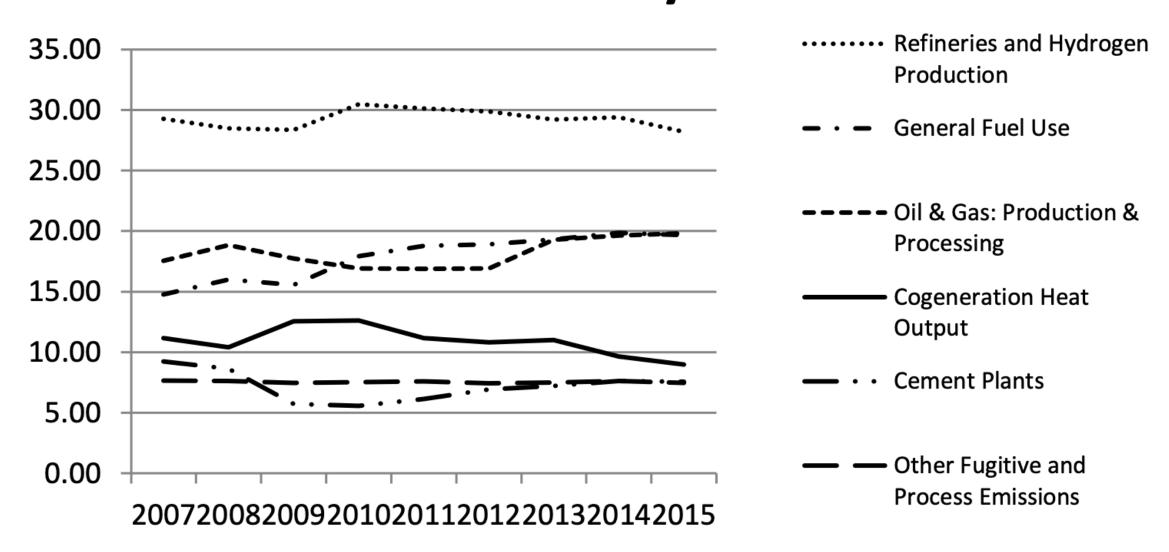
(b) The adjustment period may not exceed one year unless the Governor makes an additional adjustment pursuant to

(c) Nothing in this section affects the powers and duties established in the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code). (d) The Governor shall, within 10 days of invoking subdivision (a), provide written notification to the Legislature of the

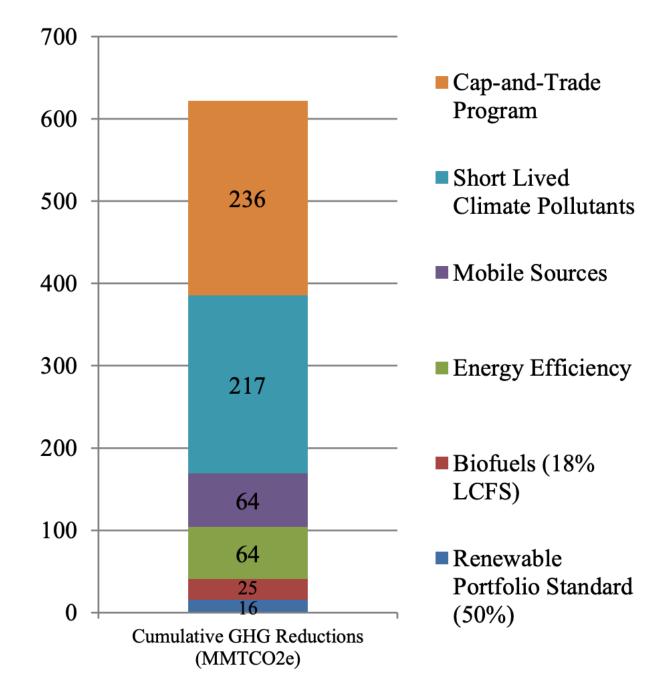
SEC. 2 No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



California GHG Inventory, 2000-2015: Industry



2030 TARGET SCOPING PLAN



"We now know that we are not on a line that's going to meet the 2030 target, much less the 2045 goal of carbon neutrality. And so we're going to have to step back and take a serious look at the role that Cap-and-Trade, and other measures, play in getting us to that point."

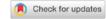
- Chair Nichols, Dec. 13 2018 ARB hearing

Concerns with Carbon Neutrality

nature sustainability

PERSPECTIVE

https://doi.org/10.1038/s41893-020-0497-



Evaluating the efficacy and equity of environmental stopgap measures

Holly Jean Buck¹¹², Laura Jane Martin², Oliver Geden³, Peter Kareiva¹, Liz Koslov¹⁴, Will Krantz¹, Ben Kravitz^{5,6}, John Noël³, Edward A. Parson⁸, Christopher J. Preston⁹, Daniel L. Sanchez¹, Lynn Scarlett¹ and Shuchi Talati¹

- Extends polluting actions, delays deployment of cleaner technology or stronger policies to reduce emissions at the source
- Relies heavily on market mechanisms, which often assume a false equivalency between a pound of carbon emitted and a "credit" for a pound of carbon reduced.
- Fails to address co-pollutants

Carbon vs. Co-Pollutants



- Criteria Pollutants and Toxic Air Contaminants
 - Examples: Particulate Matter, Ozone, Benzene, etc.
- Similar sources, various levels of correlation

California's Path Forward

Fighting Climate Change and Improving Public Health





- Prioritize direct emissions reductions.
- Set a target for ending fossil fuel extraction, production, and use in California.
- Implement a Just Transition/Just Recovery.
- Let communities lead.



Thank you!

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https://caleja.org/

http://ceja-action.org/