



# California Today

Winter 2019-20, Volume 49 No. 2



Photo by Maarten van den Heuvel

## Governor Makes a Necessary Tall Order on Climate

In September, amidst the U.N. Climate Summit and climate action marches across California and the world, Governor Newsom issued an ambitious Executive Order on actions the State must take to reduce our greenhouse gas emissions and make our state resilient to the effects of climate change we are already experiencing.

The Order, EO-N-19-19, proposes bold action across all of California's investment portfolio and property, including accelerating conversion to zero-emission vehicles. The part PCL is most interested in is section 2:

*2. The State Transportation Agency shall leverage the more than \$5 billion in annual state transportation spending for construction, operations, and maintenance to help reverse the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector. To accomplish this, the State Transportation Agency in consultation with the Department of finance, shall:*

- *Aligning the state's climate goals with transportation spending on planning, programming, and mitigation to achieve the objectives of the state's Climate Change Scoping Plan, where feasible.*
- *Reducing vehicles miles traveled (VMT) by strategically directing discretionary transportation investments in support of housing production near available jobs and in accordance with the state's*

## Introducing the Emerging Leaders Council!

PCL is introducing a new project, the Emerging Leaders Council, a small group of young professionals who are invited to learn and participate in the environmental policy process. Our goal is to cultivate an opportunity for young professionals to work on par with experts and receive mentorship and firsthand experience in the field. The council members will be expected to participate in policy discussions, attend events and volunteer opportunities, and work closely with our staff and board members to help PCL reach its policy objectives. The members will meet on a biweekly basis where they will report on their progress, brainstorm more ways to get involved, and receive updates and assignments from the PCL team.

As the interest in this program grows, we hope to expand the program as well. We plan to incorporate our allies into the process to give council members a larger choice of organizations to work with. Since most non-profits specialize in a certain field of policy, members will also be able to hone their experience on

## Dear Members,

I'm writing this from my office in an area that is experiencing a power shutoff. I am fortunate enough to still have power but it does remind me that many of us live in threatened wildfire areas throughout California that experience these power outages way too frequently. This situation should remind us of the changing dynamics in our environment that result in an increase of wildfires, growing sea-level rise, and frequent droughts and flooding. For decades this ecological instability has been identified.

The climate change data from around the globe is undeniable. PCL's overarching objective with all of our efforts on land use, transportation, housing, water, and CEQA is to slow down and stop the climate crisis. We need your help desperately to do this.

Our annual assembly will focus on the actions we can take to combat climate change beyond building seawalls and driving electric vehicles. We need state, national, and global policies to shift us toward a healthier future. Every option needs to be on the table and PCL will be leading the way with policies and legislation that will make a difference. Join us at the Assembly on January 25th at the McGeorge School of Law — [PCL.org/Assembly](https://www.pcl.org/assembly) or help us by sponsoring the event or contributing at [PCL.org/Donate](https://www.pcl.org/donate). Every donation makes a difference.

**Howard Penn**  
Executive Director

Tall Order on Climate | from page1

*smart growth principles, as defined in government code section 6504.1 and taking public health into account.*

- *Reducing congestion through strategies designed to encourage people to shift from cars to other modes of transportation.*
- *Funding transportation options that contribute to the overall health of Californians and reduce greenhouse gas emissions, such as transit, walking, biking, and other active modes.*
- *Mitigating increases in transportation costs for lower income Californians.*
- *Considering these transportation goals in combination with the Administration's stated housing goals of 3.5 million new units by 2025, we have a vision that represents a significant shift from the way California has built for decades. This is a shift that is necessary.*

The CA Air Resources Board's (ARB) 2017 Scoping Plan Update, referenced in the Order, outlines the State's strategy to meet GHG reduction goals mandated by AB 32 and SB 32 (80% below 1990 levels by 2050). Even with 100% zero-emission vehicles and 75% of energy production from renewable sources, we will still need 15% more vehicle-miles-traveled (VMT) reduction beyond what is projected by our current Regional Transportation Plans / Sustainable Community Strategies (2017 Scoping Plan Update, pg 101).

In short, clean vehicles and clean energy will not alone be sufficient for achieving our goals. We must significantly change historic growth patterns to enable people to drive less.

"VMT reduction" is a very good proxy metric for GHG reduction from improved land use and transportation, but also for the many co-benefits to natural resource conservation, public health, and social equity that this improved land use can provide.

Yet, despite broad recognition of this need, CARB's most recent 2018 Progress Report on SB 375 (2008) implementation has illustrated that per-capita VMT is going up in California, not down, and that none of the State's regions are on track to achieving their respective GHG reduction targets through improved land use and transportation (reduced VMT) as mandated by SB 375.

California needs to build a lot more affordable housing to solve our crisis, but we believe that our housing goals should not be defined



by production numbers alone, and that the State’s housing goals must be aligned with California’s goals for climate, health, and equity as well. Achieving all of these goals holistically in addressing our housing shortage demands consideration of where our housing is and who it will serve, not solely the sheer number of units a jurisdiction can produce—and a fundamental component in achieving these housing goals holistically is to first ensure our state transportation investments are in line with our climate, health, and equity goals.

In one of the first substantive actions taken since the Executive Order, the Administration’s recent proposal to hold in reserve \$61 million in funds for rail projects, which had previously been marked for three highway expansions projects, received vicious pushback and misguided press. This was unfortunate and has to change.

Yes, to shift the way we have lived and traveled and invested for a century will be difficult, but it is the necessary challenge of our time. To achieve California’s climate, health, and equity goals, we need to build and protect inclusive communities that offer opportunities to drive less—to do that, we need the state transportation agencies to begin conditioning and prioritizing our transportation investments in accordance with the project’s VMT reduction potential.

PCL and many of our partners worked hard in support of Senator Allen’s SB 526 in 2019, which proposed an approach to give the state agencies better planning tools and discretion to make those prioritizations. SB 526 also received a great amount of push back and stalled, but it also raised a lot of important questions, questions that the Governor’s Executive Order now mandates that we find answers to. Identifying those answers will continue to be a focus for PCL moving forward.

## 2019 Capitol Recap

It was another busy year in the Capitol. With a new administration, and a lot of hefty ideas pursued on housing, climate, equity, and the environment in the legislature, no one knew for sure how this session was going to end. Well, the results were mixed. There were some big wins and some big losses, and many questions left to be answered in 2020. For more information, you can visit our online watchlist at [pcl.org/watchlist](http://pcl.org/watchlist) and view a more updated recap in our November Capital Insider at [pcl.org/news](http://pcl.org/news), but below is a summary of highlights of PCL’s engagement in 2019.

### Some wins:

#### **SB 200: Safe and Affordable Drinking Water Fund (Support):**

After years of effort from many partners, this bill finally establishes a fund to address the needs of 1 million Californians that live without safe drinking water. We are so pleased this was finally accomplished, but are also disappointed that the final solution was to fund these needs through the Greenhouse Gas Reduction Fund, rather than a separate fund as originally proposed. The Safe and Affordable Drinking Water Fund should be secured in the future separately on its own merits rather than by replacing other important programs.

#### **AB1482: Tenant Protection Act (Support):**

This bill provides a baseline of anti-rent gouging and just-cause eviction protections for vulnerable renters statewide—a long-fought, huge win for protecting communities from displacement. Read more on why PCL



believes tenant protection is smart growth policy on our Summer 2019 Newsletter at [pcl.org/news](http://pcl.org/news).

**SB 330: Housing Crisis Act (Support):**

This act presents a wide range of reforms to accelerate housing permit approvals and to preserve jurisdictions' zoning capacity for housing. While some tweaks may be needed in the future to ensure that the creation of parks and conservation areas are not unduly inhibited, this was, on balance, an ambitious and good bill.

**AB 285: California Transportation Plan and GHG reduction (Support):**

Among other supporting actions, this bill updates the California Transportation Plan requirements to achieve a 40% GHG reduction from 1990 levels (in alignment with existing mandates) by 2030.

**AB 65: Coastal protection and climate adaption (Support):**

This bill updates The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Prop 68) with a range of forward-thinking specifications for how these funds are to be used to address climate adaptation in coastal communities.

**Governor's budget:**

The Governor proposed significant increases in funding incentives for housing production in his initial budget proposal. PCL, with many other cross-interest partners, worked with the administration to ensure that these funds would be directed to equitable compact development, resulting in a shift of those incentives (\$500 million) to the Infill Infrastructure Grant program in the final budget.

PCL also worked with our affiliate National Wildlife Federation and many others to support legislation to extend California's Habitat Conservation Fund for ten more years, which was due to expire in 2020. That proposal ended up being successfully incorporated into the final budget.

**Some losses:**

**SB 1: California Environmental, Public Health, and Workers Defense Act (Support):**

SB 1 would encode portions of the federal Clean Air Act, Clean Water Act, Safe Drinking Water Act, Endangered Species Act, and basic workplace safety laws that are not currently in California law. SB 1 would not have added any regulations beyond what was required by these federal protections in existence prior to January 19, 2017. Instead, it would only hold those same protections in place. The governor's veto of this long-negotiated and well-reasoned bill is a big step backward.

**AB 430: Camp Fire Housing Assistance Act (Oppose):**

PCL has the utmost concern for the victims of the Camp Fire, as we do for all of the communities across California that have been struck

a certain topic. Council members will start by learning the basics of policy work at PCL before transferring to work with a different organization. This will allow the young professionals to experience a wider range of settings and allow our allies to also work with bright and motivated professionals.

We hope to begin this collaborative project towards the end of the fall season in order to collect council membership applications during our annual Assembly. If you are interested in participating, or are an organization interested in working with the Emerging Leaders Council, please contact our Policy Coordinator, Sofia Rafikova at [sofia@pcl.org](mailto:sofia@pcl.org), for more information about how to get involved.

**Donation Information**

PCL's success has been due to your unwavering support. You can visit [PCL.org/donate](http://PCL.org/donate) to learn about the many donation options available. Please consider contributing today to help ensure our environment is protected for humans, plants, and wildlife forever.

You can also mail your donation to the address listed below. Please contact PCL at 916.822.5631 if you have any questions. Thank you very much.

**Contact PCL**

1107 9th Street, Suite 901  
Sacramento, California 95814  
916.822.5631 website: [pcl.org](http://pcl.org)  
e-mail: [pclmail@pcl.org](mailto:pclmail@pcl.org)



Senator Lena A. Gonzalez

## Legislative Scorecard Results

PCL is excited to announce the results of the 2019 Legislative Scorecard. This year, we took a stance on 33 bills and assigned points to legislators who supported our positions. A vote Yes on a supported bill would earn one point, and a vote No on a supported bill would subtract one point, and vice versa. We also assigned points to legislators who cosponsored the bills we supported. Only the votes from the House and Assembly floor sessions counted in the final score.

The 2019 PCL champions are Rep. Richard Bloom, Rep. Todd Gloria, and Rep. Lorena Gonzalez with 19 points each. The average score was 9.7 points. PCL would also like to recognize Sen. Lena Gonzalez who was the only legislator to vote with PCL's position 100% of the time. Thank you to all of California's legislators for their hard work.

To view the full results of the scorecard, please visit [pcl.org/scorecard](https://pcl.org/scorecard). You may also read about the bills we took a position on starting on page 3 of the newsletter.

2019 Capitol Recap | from page 4

by the increasingly devastating fires of recent years. California needs a new standard process for accelerating disaster recovery, one that reflects community identified needs as well as state law. AB 430, now signed into law, does not offer such a process. Read more on why we believe this is a bad precedent in our July Insider at [pcl.org/news](https://pcl.org/news).

### **SB 127: Complete streets on state highways (Support):**

SB 127 would have required the asset management plan to prioritize the implementation of safe and connected facilities for pedestrians, bicyclists, and transit users on all State Highway Operation and Protection Program projects. We have high hopes for the new administration on transportation issues, but vetoing this bill was a confusing disappointment.

### **Some question marks – bills that stalled in 2019 but may move in 2020**

#### **AB 1788: California Ecosystems Protection Act (Support):**

This bill would expand common-sense restrictions on the use of anticoagulants and other damaging pesticides across California. We hope it will continue to move in 2020.

#### **SB 25: Expedited judicial review for Opportunity Zone and publicly funded projects (Oppose):**

There was the usual wide slate of attempts to undercut the California Environmental Quality Act (CEQA) again in 2019. Many of the proposals took the shape of “expedited judicial review,” an approach streamlining projects that is not only irresponsible but simply doesn't work for the courts. SB 25 is the farthest-reaching of these proposals.

#### **SB 50: Planning and zoning, permit streamlining and incentives:**

One of the most talked-about bills of 2019, SB 50 proposes maximizing housing densities in all applicable “transit-rich” and “jobs-rich” areas statewide. While many concerns have been addressed since the bill's previous iteration (SB 827, 2018), some concerns still remain, and this conversation will continue in 2020.

#### **SB 5: Affordable Housing and Community Development Investment Program:**

SB 5 was the furthest a proposal has gotten to reinstate Redevelopment in California. The governor vetoed it, but we suspect it will not be the last proposal along these lines.

#### **SB 526: State Mobility Action Plan for Healthy Communities (Support):**

A top priority bill for PCL, SB 526 proposed a new level of inter-agency transportation planning that would be more accountable to California's climate and equity goals, as well as to provide greater direction and discretion to the California Transportation Commission to prioritize VMT-reducing projects in jurisdictions that are not meeting their GHG reduction targets. SB 526 stalled, but given the Governor's recent Executive Order on climate, these are topics of conversation that can and must continue.

## What a Water Year! PCL Remains Engaged in California

It was 10 years ago that Debbie Franco, then with the Environmental Justice Coalition for Water, and Mindy McIntyre, then with PCL, convened the Water Summit. Out of that came the Human Right to Water legislation. After a decade of incredibly hard work by many EJ advocates, Governor Newsom earlier this year approved \$1.3 billion over the next ten years to provide safe drinking water to underserved communities.

The impacts of the Sustainable Groundwater Management Act started hitting home this year. The irrigation districts, farmers, and farmworker communities in the San Joaquin Valley are realizing half a million or more acres will be going out of agricultural production. That will cause them to seek more surface water from already overtaxed rivers.

Unfortunately, the Governor kept the State Water Resources Control Board from adopting flow standards for the San Francisco Bay-Delta and the Sacramento and San Joaquin River tributaries. Instead, he has his appointees asking water diverters to voluntarily agree to take less water. After over two decades of State inaction, we will need to find some new ways to force action.

The Governor also announced he was going to issue his Water Resilience Portfolio. PCL convened a major effort bringing environmental groups, urban and agricultural water districts, tribes, business groups, farmers and environmental justice groups to provide input. We will stay engaged in its follow-up and will be offering a panel on this topic in the 2020 Assembly.

The Governor scaled the State's pursuit of two Delta tunnels to just one. That was in no small part due to the opposition of PCL and many others. Unfortunately, it is quite possible that even one tunnel could have environmental impacts as bad as the two. The State says the new EIR will take several years to prepare. PCL will keep engaged in what will undoubtedly be countless meetings, reviews, etc.

PCL has also remained involved in the work to restore the Carmel River. Now that San Clemente Dam has been removed, coastal steelhead and even lampreys are starting to return. PCL has worked with many others to reduce California American Water company's illegal diversions from the River by 80%. Now we are pushing to close the remaining gap with an expanded water recycling project rather than a much more energy-intensive ocean water desalination plant.

## Save-the-Date! California Environmental Assembly is January 25, 2020

Join us this year for PCL's 2020 California Environmental Assembly – *Our Climate Crisis: Beyond Seawalls and Electric Vehicles*. Our Assembly this year is focusing on climate change and what we can do together to slow down the effects of global warming. Join us to hear expert panelists from agencies, organizations, companies, and law firms to pitch their big ideas on how to solve the most pressing issues of our time. We are collaborating with Green California to bring you topics not previously addressed before, such as fossil fuels, biodiversity, agriculture, and health and environmental justice. We will also be inviting Governor Newsom to speak at our keynote and will be continuing our Emerging Leaders program as a way to share our next generations' passion for the environment.

The assembly will be held January 25th 2020 at the McGeorge School of Law. Registration is currently open at [pcl.org/register](https://pcl.org/register). For more information on the Assembly, visit [pcl.org/assembly](https://pcl.org/assembly) or contact us at [events@pcl.org](mailto:events@pcl.org).

