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What We Learned From COVID 19 | How It Influences Our Approach to Combating Climate Change

The outbreak of COVID 19 is showing us a little piece of our future, and what tackling other societal threats such as climate change could look like in the years ahead. Throughout this pandemic, we see what both good and bad responses could do for a country's people and economy. The good led to quick mitigation efforts, fewer deaths, and relatively brief life disruptions in the grand scheme. While the bad led to a scramble, greater life impacts, and inadequate preparation given the magnitude of the pandemic. Given these successes and failures, we must learn from this emergency and use the opportunity to better respond to threats such as climate change and its resulting catastrophes — wildfires, floods, and other natural disasters.

What went right?

Many are hailing the decrease in air pollution as a win for the environment, and COVID 19 may provide for some great opportunities to instill productive and environmentally focused legislation. However, the long-term environmental impact of COVID 19 will not be known until we see how we shape our recovery process. By side-stepping environmental regulations and putting subsidies and economic growth above all other priorities, we could effectively be constructing the infrastructure that will lead to a regression in environmental policy. Many industries are attempting to ride the wave and roll back environmental regulations, from ending recycling programs to plastic bag bans¹.

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Tracking California's Water Issues During the Pandemic

Even during this pandemic, bad actors in California's water politics do not take the day off. Using the current state of the world as a cover, the Trump administration launches a power grab to roll back California's environmental protections. Even at the state level, problematic water policy persists as Governor Newsom moves forward with a new vision for a Delta Tunnel. In these troubling times, the Planning Conservation League is working to shed a light on these currently overlooked water policy crises facing California and work to prevent these disastrous proposals.

The Trump administration recently approved biological opinions (BiOps) that would allow the federal Central Valley Project to pump more water from the Delta. Despite the Newsom administration suing the feds for that, his own State Department of Water Resources has applied for approval to increase the State's own pumping from the Delta.

Last year, the SWRCB under then Chair Felicia Marcus did adopt a new plan for the San Joaquin River watershed and had begun

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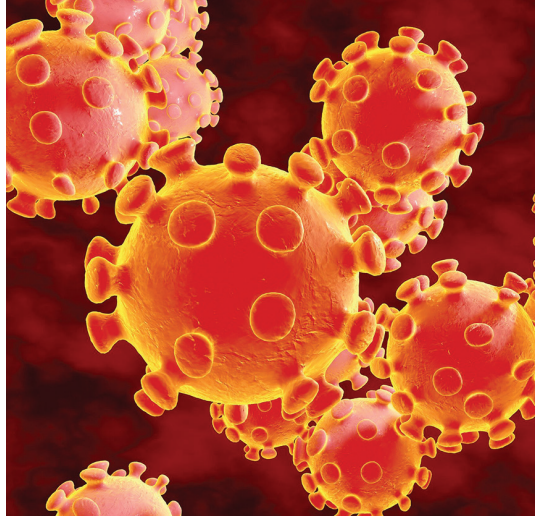
Dear Members,

I hope you and your community are safe and well. I know we hear this almost daily but we live in unprecedented times. That can be unsettling, anxious, and sometimes down-right scary. Nothing seems to be normal or sane anymore, and that is alarming.

But maybe, just maybe, we have a chance to springboard forward from these massive public health and social-political trials we are experiencing currently and become more resilient and stronger because of it. The pandemic is testing our resolve and our institutions at a time when we are stretched thin from political division in this country. The Black Lives Matter movement has rightly raised its voice over all the other noise to welcome new hearts and minds to its necessary cause. Additionally, we are preparing for a national election cycle that will probably be the most divisive and personal we have seen in our lifetimes.

Because of the issues we tackle daily throughout the state and at the state and federal Capitols, PCL is at the confluence of complicated issues. How do we protect public health as we plan and implement policies for the future? How do we prepare for a climate crisis that is upon us and impacting disadvantaged communities and communities of colors disproportionately? Why are CEQA and other environmental laws so important in protecting our communities

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We can even look to China as it is further down the recovery process and may be an example of what to expect once the stay at home orders are lifted. Experts speculate the waiving of many environmental regulations to stimulate the economy quickly². The step back is a devastating blow when dealing with the substantial greenhouse gas emitters in the world, and American policy should reflect the need to remain on track in limiting our emissions.

“Science-Deniers”

However, the United States faced unique challenges in preparation. Many became infected due to late and scattered responses resulting from the dismissal of expert claims. The approach demonstrates how both emergencies, COVID 19 and climate change, are resulting from willfully ignoring experts and data³. Many officials and citizens were and are dismissing the seriousness of the pandemic while attacking scientists’ credibility and dismissing advice from medical professionals have led to the circulation of countless conspiracy theories. One thing such narratives are missing is how the consequences of rejecting such sound medical knowledge are currently pointing to unprecedented casualties and economic devastation.

Similar to that of climate change, the United States has been a leader for pro-fossil fuel rhetoric, attempting to sway people from addressing the problem. Our reluctance to roundly agree with accepted climate change science in our federal government has led to the prolonged use of coal subsidies and autonomy to address greenhouse gas emissions on a state-by-state basis.

How can we take this pandemic and avoid future tragedy?

The COVID response has shown us that if we wait to see the impact of threats, it is often too late to stop them. The same is true of climate change, where planning is essential to get ahead of catastrophe. Prioritizing public health, reductions in CO₂, and better emergency planning for catastrophic events must become priorities in policy to avoid devastating loss of life. Bailouts for wealthy business interests while dismissing the needs of the people have unfortunately become standard practice. We must remain vigilant in times of crisis to ensure we take

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the proper steps to develop green infrastructure and invest in a sustainable future. The virus has given us the opportunity to lessen the impacts of climate change, and if we are strategic in our recovery, we can facilitate significant change to reach this end.

We need a plan

A great takeaway from this disaster is that when we do not work together in a centrally unified and cohesive group, many will suffer. From hoarding masks and ventilators to toilet paper and disinfectant, states and people have been forced to compete against one another. Fears of scarcity arise once inaction and improper planning leave us with uncertainties.

Proper planning for climate change mitigation and adaptation is, therefore, necessary to avoid widespread panic. As illustrated by the pandemic, failure to plan and lead can only exacerbate existing fears. Planning to address climate change must be done at the federal level to ensure states and citizens both understand the importance of climate change legislation and implement it.

What have we learned?

Quick government action in the face of a crisis is absolutely necessary to form a united front against common threats. The creation of pacts between western states shows how more cooperative and motivated alliances can address specific problems unique to particular regions. COVID 19 will be an opportunity to make monumental leaps forward in our climate change policy, or it will be a step back to short-term gains. If we take the usual road to re-building, it will cause more work in the future to mitigate disastrous consequences worldwide.

The intangible nature of climate change is one of the most cumbersome factors in the inability of many to internalize the externality. However, similar to the virus, effects will be evident in time.

There is hope for the future. Responses to societal emergencies, whether pandemics or climate change, can be improved if we learn from what worked and avoid what did not. We have learned that a lack of action and denying the claims of experts can lead to problems so devastating that they cannot be alleviated. Let's not continue to make the same mistakes on our number one existential problem.

References

[1] "The Unexpected Environmental Consequences of Covid-19", Bloomberg News (March 30, 2020) <https://www.bloomberg.com/news/articles/2020-03-30/the-unexpected-environmental-consequences-of-covid-19>

[2] Matt Simon, "The Coronavirus Pandemic is Bringing Down Emissions, but Not for Long", Wired (March 12, 2020) <https://www.wired.com/story/coronavirus-emissions/>

[3] Neela Banerjee and David Hasemyer, "Decades of Science Denial Related to Climate Change Has Led to Denial of the Coronavirus Pandemic", Inside Climate News (April 8, 2020) <https://insideclimatenews.org/news/08042020/science-denial-coronavirus-covid-climate-change>

NEPA Gave Disadvantaged Communities a Voice | Trump is Now Threatening to Take it Away

Using the pandemic as a cover, the Trump Administration is laying siege to legal protections that have safeguarded the most vulnerable ecosystems and communities in our country. Not only are they ignoring the calls to end police brutality, but they are also hard at work dismantling laws that have given power to communities of color for decades. In June, President Trump signed the executive order to roll back the National Environmental Policy Act (NEPA) while the nation is occupied with the coronavirus, an economic recession, and protests to hold police accountable. PCL condemns this cowardly response to the situation by our nation's leaders and calls on them not to use this crisis as political cover to dismantle critical and popular policies.

In January, the Council of Environmental Quality first announced its decision to rollback NEPA. This landmark law was signed by President Nixon in 1970 as one of our nation's first environmental laws. NEPA requires government agencies to consider environmental impacts when developing any large project by conducting either an environmental impact statement (EIS) or a finding of no significant impact (FONSI) based on the information found. NEPA protects both vulnerable communities and the environment by allowing citizens to participate in the approval process through public hearings, comments, and even litigation if the agency prepares the environmental assessment incorrectly or fails to consider an important alternative.

However, the Trump administration's new rules would drastically reduce the number of projects qualifying for NEPA review by redefining key terms such as "major federal action," "effects," and "reasonable alternatives" to be less inclusive. The proposed rule removes the requirement for agencies to analyze cumulative impacts, which would result in less time studying the long-term effects on the environment. The rollback also reduces the timeline for public comments from 90 to 60 days, providing little time for concerned citizens to organize against a project. With the order signed on June 5th, these rollbacks will be a major win for industry and development, but an incalculable loss for the environment and environmental justice.

Rolling back NEPA will have significant consequences especially on the low-income and minority communities. Since the NEPA process was developed as a way to include community participation in the planning process, reducing the number of projects qualified for a NEPA review will silence communities and force them to go along with projects that could jeopardize their health and livelihood.

The NEPA review also includes a specific provision to consider the environmental justice aspects of the project, such as whether the project will create a public health hazard, disproportionately affect minority and low-income populations and Native American tribes,

and whether the project will harm the cultural, historical, or economic aspect of the region. Projects will not consider any of these aspects if they are excluded from a NEPA review, resulting in more harm being done to disadvantaged communities with no way of addressing their concerns.



and the environment as we move into an unknown future? Both the pandemic and the Black Lives Matter movement has encouraged us to re-evaluate our policy and legislative framework.

In this newsletter, you will find a compilation of past articles about just these issues. We thought it would be valuable to re-publish them in print since many of you do not belong to our email list — please join by filling out the form at www.pcl.org/signup. We have also included some new articles about current issues at the legislature we hope you find educational.

During these trying times, PCL is hard at work keeping sound land-use planning, sustainable water planning, clean air and water policies, affordable location efficient housing, state climate goals, and many other environmental objectives at the forefront of our statewide policies. We are doing all this with our focus on making sure these policies apply to all Californians, regardless of zip code. We are committed to implementing environmental justice policies that directly help communities of color and disadvantaged neighborhoods and will work with our partners and allies to affect this change across the state. We hope you will support us in this effort — and you can even designate your donations for this important work if you would like.

Stay safe. Be well. And may we all find a peaceful moment to appreciate the things that are dear to us during these challenging times.

Howard Penn
Executive Director

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PCL's success has been due to your unwavering support. You can visit [PCL.org/donate](https://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.

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Rolling back NEPA is the last thing our country needs as a pandemic that disproportionately affects those with preexisting environmental diseases spreads across our country. Make no mistake, this decision will shorten life expectancy and make our country more vulnerable to the COVID-19 virus. Not only will this rule cause irreversible harm to our environment, but it will also continue the cycle of silencing minority and low-income voices from the decisions that affect them the most. As our country is facing protests whose goal is to guarantee that minority voices are heard, President Trump is signing executive orders that will remove their voices from the decision-making processes. PCL stands with the protesters and the Black Lives Matter movement to ensure that all voices are heard in decisions that have negative environmental impacts on our communities.

7-Year Win for the Environment and Our Communities SB 743 (2013)

After 7 years of development and an 11th-hour campaign to further delay the law, SB 743 (Steinberg, 2013) was finally enacted on July 1st. This is a historic moment, long in the making, for a law that we believe to be one of the most innovative policy tools ever created to ensure a more sustainable, equitable, and resilient future for California.



SB 743 mandated the Governor's Office of Planning and Research (OPR) to develop a new methodology for evaluating transportation impacts to replace the antiquated automobile-only "Level of Service" (LOS) method, which had long been found to obstruct quality infill development and densification. After years of cross-sector input, the California Environmental Quality Act (CEQA) guidelines for this new multi-modal methodology, based on Vehicle Miles Travelled (VMT) performance, were adopted by the Natural Resources Agency in 2018.

Since 2018, some special interests that would prefer the status quo have pushed back against the law, with ill-founded claims that the law will raise housing costs and inhibit housing development. These interests will claim that these increased costs will disproportionately impact low-income communities of color, but this presumes the only option available to low-wage workers and people of color to afford a home in the future would be to live ever-farther away from their jobs. The growing number of workers that are subjected to ever-longer commutes in California to find affordable housing is indeed disturbing, and the "lower" cost of that housing does not account for the ever-increasing transportation costs and loss of time spent with loved-ones. SB 743, however, is designed precisely to correct this problem and encourage development that will provide greater and more equitable access to opportunity with less driving and commute times all while preserving natural resources, reducing GHG emissions, and drastically improving public health outcomes.

VMT regulation will not inhibit development. Effective SB 743 implementation will be an economic engine for precisely the kind of land use development and transportation infrastructure that California needs. The high cost of housing in California is of course due to a combination of a list factors too long to list here, but under SB 743:

- Low-VMT development and transportation infrastructure will be cheaper and easier, encouraging housing that is close to jobs,

the process of adopting a plan for the Sacramento River watershed. But last Spring, Governor Newsom did not reappoint Marcus to the Board. Instead, Newsom's administration continued to pursue so-called "voluntary agreements."

These would allow virtually endless levels of pumping in exchange for money (largely from State taxpayers). It would rely on undefined "adaptive management" to make everything okay. This is akin to EPA asking polluting industries to voluntarily agree to air quality measures instead of setting enforceable standards.

But it does not stop even there. Like Jerry Brown and Arnold Schwarzenegger before him, Gavin Newsom sees his manifest destiny as pursuing a Delta Tunnel. This time instead of two 34 foot diameter tunnels there would be one 40 foot diameter tunnel.

Paradoxically that could be even worse than the two tunnels. The two tunnels were being sold to enable a "Big Gulp – Little Sip" operation, i.e. they would divert Delta water only in times of very high flows in the Delta. If there is only one tunnel, those who pay would insist they be used even in times of lower Delta flows.

However, not all is as dark as it seems. PCL is actively working with environmental, environmental justice, tribal, and other groups to fight many of these proposals.

In particular, we are currently developing a "Water Threats Tracker" to track litigation and regulations that could threaten the water resources in California. By compiling all of the information into one spot, we believe the tracker can be used by water advocates to effectively address issues on the list and ensure that no water threat goes unchallenged. In addition to the tracker, we are also documenting videos of important water hearings that could be used as evidence in future court cases. All of this and more will be made available to the public later this year.

Just as the virus is causing the world to think about and do things in previously unimaginable ways, perhaps we can collectively rethink our societal approach to water management. As we settle into a "new normal", perhaps we can develop a system where water is diverted in a way that does not cause irreversible damage to our aquatic ecosystems.



Delta Photo by IBM Research / Flickr

services and opportunity for all incomes.

- High-VMT development and transportation infrastructure will have to mitigate VMT impacts, in turn providing more stimulus to offsetting low-VMT projects.

SB 743 will save California money now and in the long run. The cost of VMT impacts will now begin to account for the costs to public health, natural resources, climate, and quality-of-life disparities that have gone unaccounted for by our transportation analysis since the advent of the automobile — not to mention ever-increasing costs of road maintenance. VMT regulation will help right-size the costs associated with these previously unaccounted-for impacts, and encourage development that will lessen them.

PCL and 40 other organizations signed on to a letter, which you can view at www.pcl.org/743letter, urging Governor Newsom to not further delay implementation of SB 743, as did so many other housing and environmental advocates, developers, and agencies across the state. There are many challenges ahead in ensuring strong equitable local implementation across California's diverse communities, and PCL continues to be focused on providing solutions to those challenges—but right now we just want to thank the Governor, OPR, the leadership of our transportation agencies, and all the organizations and individuals that have worked to finally enact this historic law. Thank You!