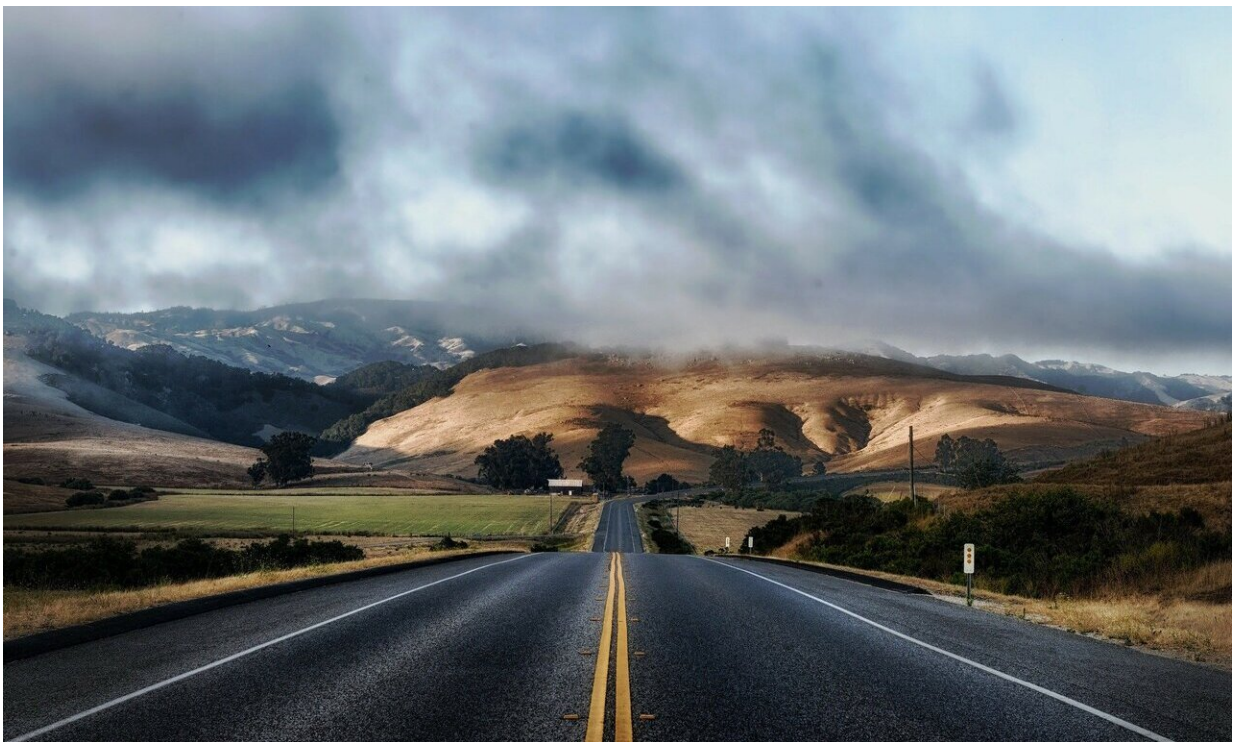


California takes leading edge on climate laws. Others could follow

October 7 2022, by Matt Vasilogambros



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California has enacted an ambitious package of legislation to aggressively combat the climate crisis—a bold move by the world's fifth-largest economy that could inspire action in other states.

Three years into a drought that is exacerbating wildfires and forcing

limits on [water consumption](#), California Democratic Gov. Gavin Newsom recently signed bills that will slash the state's carbon emissions, protect vulnerable communities by banning new oil extraction close by and create a two-decade pathway to a 100% clean energy electrical grid.

In addition to the [new laws](#), California legislators approved \$54 billion in climate spending over the next five years, including investments in electric vehicles, drought resilience and public transportation using the state's budget surplus.

This was a breakthrough year in California for the legislative and regulatory action needed to curb the worst impacts of the [climate crisis](#), said Ryan Schleeter, communications director for The Climate Center, a nonprofit that advocated for several of these measures.

"The world is really desperate for a climate leader right now," he said. "Somebody needs to step up and not just do their part but really push the envelope. California is now in the best position to do that."

Environmental advocates lauded the measures, but the oil and gas industry warned that the policies would raise costs for consumers and increase California's dependence on other countries for fuel.

"It is the California government dictating how and when we can travel and mandating the type of energy we're using and when we can use it," said Kara Greene, a spokesperson for the Western States Petroleum Association, a Sacramento, California-headquartered trade group that represents petroleum companies in Arizona, California, Nevada, Oregon and Washington.

"It disregards the livelihoods of thousands of Californians, who still need to drive to work, who still need to drive their kids to school, who still need to balance their household budgets."

The raft of legislation includes a requirement that the state generates 90% of its electricity from renewable energy by 2035. It cements the state's goal of producing net-zero carbon emissions by 2045 and requires the state to hasten carbon removal through natural means, such as planting more trees and restoring wetlands. The state also extended the life of its last remaining [nuclear power plant](#) by five years.

One of the more contentious laws bars new oil and gas wells within 3,200 feet of day care facilities, homes, schools and hospitals. So-called setbacks have been a goal of environmental justice activists for nearly a decade in California, the country's seventh-largest oil producer.

In communities in and around Bakersfield and Los Angeles, oil derricks operating close to homes and schools are commonplace, especially in low-income communities of color, said Kobi Naseck, the coalition coordinator at Voices in Solidarity Against Oil in Neighborhoods (known as VISIÓN). The coalition consists of eight environmental justice and health and safety organizations, most based in Kern and Los Angeles counties.

Around 2.7 million Californians live within a half-mile of an oil or gas well, he said. People who live near oil and gas drilling are exposed to contaminants that increase rates of asthma, premature births, low birth weights, cardiovascular disease and cancer, according to numerous studies.

"It's a huge impact," said Naseck. "It's really a testament to the front-line communities not shutting up and not staying quiet about it."

California joins other oil states such as Colorado, North Dakota, Pennsylvania and Texas that already have setbacks in certain communities.

But Greene, at the Western States Petroleum Association, said the law wouldn't make life safer for nearby families. She called it "a blatant attempt by the governor to shut down the oil and [gas industry](#) in California."

Last week, the oil industry began gathering signatures for a referendum to overturn the measure.

As gas prices soar at California pumps, Newsom last week proposed a higher tax rate on oil company profits that would tax earnings above a certain level. In a Twitter video, he said, "We're not going to stand by while greedy oil companies fleece Californians."

Newsom has faced some criticism from environmental advocates for some of his proposals, including one new law that establishes guidelines for the use of carbon capture technologies, which trap carbon dioxide emissions and bury them deep underground.

Carbon capture technologies are dangerous, expensive and infeasible, argues Maya Golden-Krasner, the deputy director of the Climate Law Institute at the Center for Biological Diversity, an environmental advocacy group.

"It's creating a ticking time bomb that needed to be addressed before the state goes forward with anything," she said, referring to the potentially hazardous effects for communities living above any of these deposits.

The slate of new laws comes at an auspicious moment in the fight against climate change, said Katelyn Roedner Sutter, the California state director of the Environmental Defense Fund, an international advocacy organization.

In August, President Joe Biden signed into law the Inflation Reduction

Act, which pumped \$370 billion into clean energy investments nationwide. Sutter said other states should follow California's example and invest even more in transitioning to a more sustainable economy.

"We now need states to seize that opportunity and really step up," she said. "California is taking advantage of that by setting ambitious climate goals, capitalizing on this really important moment to make as much climate progress as we can."

In August, state regulators also approved plans to ban the sale of new gasoline-powered cars by 2035, which could hasten a nationwide transition to electric vehicles.

Following California's lead, New York and Washington state also announced they would ban the sale of new gas-powered cars by 2035.

Most environmental advocates were impressed by the scope of California's legislation—and taken aback by how fast it passed.

In July, near the end of the legislative session, Newsom urged the state legislature to pass the package.

His last-minute push was crucial in breaking a four-year impasse over the measures, which Republicans and moderate Democrats were blocking, according to Sasan Saadat, a senior research and policy analyst at Earthjustice, a San Francisco-based litigation nonprofit.

"Gov. Newsom took a more commanding role in climate legislation this session, and the effect of that was clear," he said.

But Newsom didn't get everything he wanted this session.

One of the more ambitious pieces of legislation would have required the

state board that monitors and regulates greenhouse gas emissions to add rules that would reduce emissions to 55% below 1990 levels by the end of 2030. Current state law sets the required reduction of emissions to at least 40% below 1990 levels. The measure failed in the Assembly.

The California Chamber of Commerce, which advocates on behalf of business interests, opposed the measure, calling it a "job killer." In a letter to members of the state Senate, Ben Golombek, the chamber's executive vice president and chief of staff for policy, wrote that the legislation would lead to excessive costs for residents and businesses already struggling with high prices for gas and groceries.

California can be a model for other [states](#), but only if regulators vigorously implement the new laws and create new rules, said Danny Cullenward, policy director at CarbonPlan, a nonprofit that analyzes climate solutions.

Later this month, for example, the California Air Resources Board will meet to consider a new rule that would phase out diesel and gasoline-powered medium-duty and heavy-duty trucks from the state's roads, transitioning the 1.8 million big rigs in the state to zero-emission, electric vehicles by 2040. Regulators on the board also are considering updates to a plan unveiled in May to implement investments and strategies that will help the state achieve carbon neutrality by 2045 using the \$54 billion approved by the legislature.

"The most important thing for people to pay attention to is not what we say but what we do," Cullenward said. "There's often a gap."

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