



Climate change, California, and what we can do

By Shelley Tanenbaum

Shelley is a board member of FCLCA and serves as General Secretary of Quaker Earthcare Witness, www.quakerearthcare.org. She addressed the FCLCA General Committee Meeting with the following remarks on December 2, 2017. The General Committee of FCLCA designated Environmental Justice as a focus for FCLCA's legislative and grassroots lobbying efforts during the 2017-18 legislative session at their December 2016 meeting.

Climate change is already changing our world.

In fact, we are now living in prehistoric times. The last time that atmospheric carbon dioxide was as high as it is today was three million years ago, when the average global temperature and sea levels were significantly higher than today. If we keep increasing atmospheric carbon dioxide at current rates of growth, we will soon be close to the climate of 50 million years ago: 6 degrees Celsius hotter and 100-150 meters higher at sea level. What we are seeing today is unprecedented in human history.

Climate change wars are already happening.

The civil war in Syria is thought to have been sparked by a 15-year drought in the region. Destitute farmers flooded the cities. Scarce resources, an authoritarian regime and protests have led to all-out warfare; 480,000 deaths and five million refugees.



The same drought led to failed irrigation in Iraq; distrust of a government that favored oil production over water for agriculture; upstream users, such as Turkey and Iran, diverting water for their own uses; and desperately poor farmers who were ripe for ISIS recruitment.

And the effects are readily apparent in our own state. In California the drought has left millions of dead trees – mostly due to susceptibility to infections and insects after being weakened by drought. We are likely to see ecosystems marching northward, with San Francisco becoming more like Los Angeles and Los Angeles becoming more like northern Mexico.

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“The Friends Committee on Legislation of California (FCLCA), guided by Quaker values, advocates for California state laws that are just, compassionate and respectful of the inherent worth of every person.”

What does the science say?

The November 2017 Fourth Climate Assessment (science2017.globalchange.gov), recently released by a collection of U.S. federal agencies, issues several warnings. Even if we stopped emitting greenhouse gases (GHG) as of today, the amount that has been pumped into the atmosphere already will cause an additional .6 degrees Celsius of warming by the year 2100.

If we keep going at the rate we are going with only modest decreases in GHG emissions, we are likely to raise global temperature by 3 to 5 degrees Celsius. This rise in temperature will have dire results. In California, the snowpack in the Sierras – essential to our water supply – will have declined by 22 percent in 2050 and by 78 percent in 2100. We will see at least eight feet of sea level rise by 2100.

If we are wildly successful at controlling global warming and can limit global temperature rise to only 2 degrees Celsius, we can still expect at least two feet of sea level rise. All of these estimates are likely to be in the modest/conservative range.

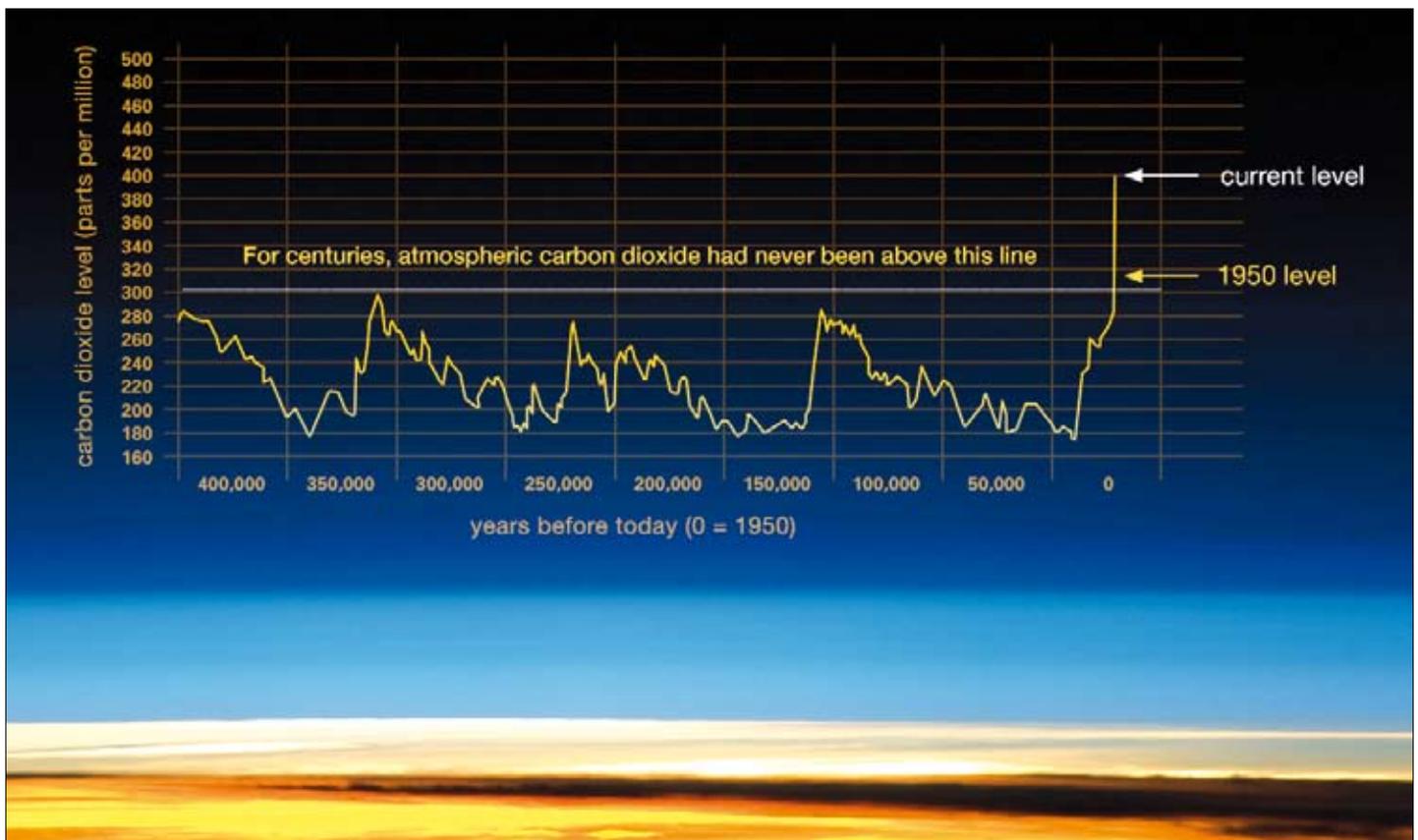
The National Climate Assessment recommends that we stay below 2 degrees Celsius in temperature rise if we don't want to push ourselves past the tipping point, into a climate that is completely unpredictable. The Assessment states that to stay below a 2 degrees temperature rise, carbon emissions must peak by 2020, be cut 50 percent by 2040 and achieve net zero by 2080.

The world responds to climate change

Every year for the past 23 years, the world has met to discuss climate change at climate conferences. Every year the 'host' country leads negotiations that build up to the November or December conference. In 2015, after intense negotiations led by France, the Paris Accords were agreed to and subsequently every country in the world has signed on to the Accords.

The Paris Accords set up two objectives: 1) limit global warming to 2 degrees Celsius and 1.5 degrees Celsius if possible and 2) each country sets its own goals for getting there. Objectives (1) and (2) are currently inconsistent because the country goals that have been set will not limit warming to 2 degrees, but the Accords expect that countries will continue to ramp up their goals. If all countries make their current Paris pledges, we are on track to increase global temperatures by about 4 degrees Celsius, creating 760 million climate refugees by the end of the century. If we are successful in ramping up our Paris commitments and limiting global warming to 2 degrees Celsius, we will still have 130 million displaced persons globally.

Under the Trump administration, the United States has initiated a process to move toward withdrawal from the Accords. November 2020 is the earliest that the United States can officially withdraw from the climate accords.



This graph, based on the comparison of atmospheric samples contained in ice cores and more recent direct measurements, provides evidence that atmospheric CO₂ has increased since the Industrial Revolution.

Source: Vostok ice core data/J.R. Petit et al.; NOAA Mauna Loa CO₂ record at <https://climate.nasa.gov/evidence>

This year, the host country for the world climate conference was Fiji (although the conference was held in Bonn, Germany), in recognition that island nations are particularly vulnerable to sea level rise.

Some highlights from this year's conference in Bonn:

- The official United States delegation was mostly ignored. A group called “We Are Still In,” made up of US representatives from states, cities, business and civil society, told the world that they hadn't turned down the Accords, even if our federal government is trying to do so. California is a leader in this movement, and Governor Jerry Brown is recognized by the United Nations as a special advisor for states and other subnational entities. Those signed on to ‘We Are Still In’ represent about half of the US economy, including California and 14 other states.
- The goals established by the Paris Accords for each country have us on track to reach

global temperature rises of 3 to 4 degrees Celsius; most countries are behind on their goals. Countries are supposed to ramp up their goals, not fall behind.

- Developing countries expect the developed countries to help them meet their goals and cope with the impacts of climate change through a mechanism called the Green Climate Fund that provides funds for climate change mitigation and adaptation. Generally, the countries most impacted by climate change contributed the least to creating the problem – this is called environmental injustice.
- Fiji is committed to leading the negotiations over the next year using a process called Talanoa – this is based on Polynesian decision-making, and is similar to what we know of as Quaker process. Fiji will be hosting a series of listening meetings leading up to the 2018 climate conference in Poland.

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California and climate change

California plays a very important role in addressing climate change, especially with nothing good expected to come out of either the White House or Congress in the next few years.

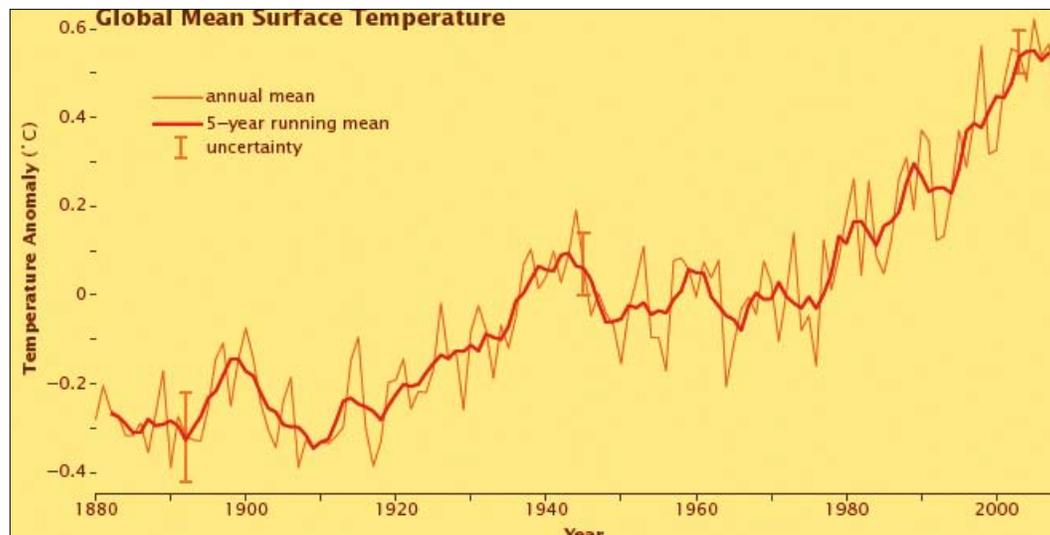
Much of what needs to be done can be done at state and local levels and by each of us, such as:

1. Convert regional electricity grids to renewables;
2. Reduce heating and cooling loads through conservation and convert heating/cooling energy use to renewables;
3. Convert to electric vehicles; and
4. Eat less meat, especially if you buy meat in a standard grocery store or restaurant.

As reported in the November 2017 Climate Assessment, if we want to limit global warming to 2 degrees, we need to see total carbon emissions peak by 2020, cut 50% by 2040 and achieve net zero by 2080. A good start is California's SB 100 for 100% renewable electricity by 2045. SB 100 is a two-year bill – introduced in 2017 – that will be taken up by the California legislature in 2018. FCLCA supports SB 100 and will help organize lobbying at the Capitol and among our supporters to get SB 100 passed and signed by the governor.

How do we move forward?

Climate Change may seem like the worst nightmare you can imagine – it does to me. But environmentally speaking, we are facing several major crises, not just climate. Just this past month, a call to action was re-issued by 16,000 scientists to change our ways regarding environmental degradation. The 'Warning to Humanity' was originally issued



Despite ups and downs from year to year, global average surface temperature is rising. By the beginning of the 21st century, Earth's temperature was roughly 0.5 degrees Celsius above the long-term (1951–1980) average.

Source: <https://earthobservatory.nasa.gov/Features/GlobalWarming>

25 years ago by 1,700 scientists. The warning highlights nine different disturbing statistics including the loss of fresh-water resources, dead zones in the ocean, forest declines, vertebrate species declines, human population growth and increases in carbon emissions and temperature.

But there is hope. From the Warning issued 25 years ago, one environmental crisis has been averted – and it serves as a model for what we can achieve when we have the political will to do so. We used to worry about the “ozone hole” – a gap in the ozone layer of the upper atmosphere that shields us from harmful ultra-violet solar rays. We have now successfully stopped using significant ozone-depleting pollutants, and the “hole” is shrinking. This was accomplished with the Montreal Protocol, approved in 1987, which phased out ozone-depleting pollutants. It worked! The hole is expected to disappear completely by mid-century.

We don't have much time to keep climate change from becoming climate catastrophe – maybe a few years to set us on the path to a fossil-free future. Later will be too late. Join us as FCLCA works to have an environmental impact through the California legislature. Your voice counts! **FCLCA**

YOU AND FCLCA

What we accomplished together in 2017

It was a very good year.



“I feel like years and years of hard work and perseverance have paid off! In my 15 years at FCLCA, 2017 is by far the best year we’ve had for enacting progressive legislation and advancing FCLCA’s legislative priorities.”

Jim Lindburg, FCLCA’s Legislative Director and lobbyist

Because of your activism and contributions, FCLCA was able to support groundbreaking legislation that was passed and signed by the governor.

A few highlights:

FCLCA co-sponsored historic sentencing reform, SB 180, by Sen. Holly Mitchell (*pictured above with your lobbyist, Jim Lindburg*) that repealed mandatory sentencing enhancements for previous nonviolent drug convictions, a relic of the “War on Drugs.”

FCLCA joined with others to win an expanded Earned Income Tax Credit (EITC), one of the most effective anti-poverty programs for low-income families.

Thanks to you!



FCLCA advocated at the Capitol and mobilized inter-faith support around the state for SB 54, the California Values Act, a crucial bill that will help protect immigrants in California from the federal deportation machine.





AB 63, the New Parent Leave Act, will provide job-protected paid family leave to over 2.7 million workers so that parents can bond with their newborns.

AB 1316 expanded lead testing to more children, particularly those living in “hot spots” of lead contamination.



SB 50 protects federal lands in California from being conveyed into private hands and mandates that California have the right of first refusal to acquire federal lands.

The Disclose Act, AB 249, will mean greater transparency for us to know who is really paying for political campaign ads.

2017 By the Numbers

Bills we advocated for or against

79

Bills we co-sponsored

2

Bills we co-sponsored signed into law

2

In-district visits participated in by FCLCA supporters

14

People we reach through our Action Network system

8,416

Number who took action in 2017

3,059

Communications they sent to legislators on key bills

6,000

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Give today at www.FCLCA.org**

President Trump: This is what representative democracy looks like!

California moves forward as a beacon of progress in a banner year for reforms

By Jim Lindburg, FCLCA

Exactly one year ago lawmakers and advocates grappled with how best to respond to the Trump administration's anti-immigrant, anti-Muslim rhetoric and campaign threats to ramp up deportations and gut environmental protections. Legislative leaders and Gov. Brown pledged that California would do things differently. Many of those discussions evolved into good legislative proposals. In direct contrast to the doom and gloom at the national level, by all accounts 2017 has shaped up to be a banner year in the State Capitol.

The State Legislature has moved aggressively to enact protections for undocumented residents. While federal Attorney General Jeff Sessions has been rekindling the failed War on Drugs, California is moving in the opposite direction, and this was a remarkable year for the enactment of criminal justice reforms. As the Republican Congress moves forward with a regressive tax proposal that, according to the Congressional Budget Office, will raise the national debt by \$1.4 trillion and ultimately threatens federal safety net and health care spending, in California we are running budget surpluses and making restorations to the state's safety net. Here on the Left Coast the Legislature passed an extension of the State's cap and trade program, and legislation to further reduce greenhouse gas emissions and increase our reliance on renewable energy sources is moving forward. Meanwhile, the Trump administration has announced its intention to withdraw from the Paris climate agreement and is deregulating coal mining.

What follows is a recap of some highlights of 2017. Due to space limitations, it is not comprehensive, but we think it will give you a good sense of the flavor of year one of the two-year session.

California says youth are redeemable and says no to mass incarceration

When California moved away from indeterminate sentencing towards determinate, or fixed sentences, the Legislature proceeded to ratchet up penalties in the 1980's and 1990's. This eventually led to severe prison overcrowding and corrections budgets that consume more and more resources. Our state is still under federal court order to reduce its prison population to below 137.5 percent of capacity. While the immediate goal has been achieved, the federal three-judge panel is requiring that a "durable solution" to overcrowding be put in place before it will relinquish its supervision. This, along with strong public support for sentencing reforms at the ballot, has created a window for reforms aimed at reducing the state's prison population. FCLCA co-sponsored two sentencing reform bills that were signed into law by Gov. Brown.

SB 180, the Repeal Ineffective Sentencing Enhancements Act (the RISE Act), by Sen. Holly Mitchell (D-Los Angeles), does away with sentencing enhancements for prior nonviolent, felony drug convictions. The RISE Act was vigorously opposed by the California District Attorneys Association and the California Police Chiefs Association. Sentencing enhancements magnify racial disparities resulting from the over policing of marginalized communities for drug offenses, and there is scant evidence that they deter criminal behavior. The enactment of SB 180 is historic in that it is the first time the Legislature has done away with a sentence enhancement.

SB 620, by Sen. Steven Bradford (D-Los Angeles), also co-sponsored by FCLCA, gives a trial court judge the discretion to strike a firearm enhancement in the interest of justice at the time of sentencing. Currently, all of the discretion in seeking a firearms enhancement rests in the prosecutor's charging practices.

Making the sentence fit the crime is considered a hallmark of a fair criminal justice system. One-size-fits-all sentencing schemes fail to take into account the facts and circumstances of the individual case. This bill restores some balance at the time of sentencing when the facts of the case are known.

FCLCA also supported **SB 239**, by Sen. Scott Weiner (D-San Francisco), which changes the penalty for intentionally spreading the HIV/AIDS virus from a felony to a misdemeanor. The progress that has been made in reducing the spread of HIV/AIDS did not result from imposing harsh penalties. Rather, it came about as the result of taking a public health approach. There is evidence that the harsh penalties, in addition to reinforcing negative stigmas, may actually deter people from being tested. Thanks to SB 239, criminal penalties for HIV/AIDS are now on par with those for other communicable diseases.

The reform of money bail received a boost this fall when Gov. Brown, California Supreme Court Chief Justice Tani Cantil-Sakauye and Sen. Bob Hertzberg (D-Sherman Oaks) announced that they would work together to advance bail reform in 2018. The purpose of money bail is to keep people out of jail who have not been convicted of a crime, ensure that people who are released show up for trial and to protect public safety. Money bail is not performing any of these functions well. In some estimates, up to two-thirds of local jail populations are composed of people awaiting trial, and some jails are under consent decrees to limit overcrowding. While people with access to financial resources are able to buy their freedom, those who cannot afford to post a bond languish in jail. It is rare to have all three branches of state government working together towards reform. **SB 10**, by Sen. Hertzberg and Assembly Member Rob Bonta (D-San Leandro), will enact needed bail reforms. The bill passed the full Senate and is now in the Assembly.

Some other good reform bills were signed into law concerning juveniles and young adults.

Persons sentenced to life without the possibility of parole (LWOP) for an offense committed as minor will now be eligible for a youth offender parole hearing and eligible for parole after serving 25 years thanks to **SB 394**, by Ricardo Lara (D-Bell Gardens). Currently, these individuals are eligible to petition

the sentencing court for resentencing after serving 25 years. Youth offender parole hearings require the Board of Parole Hearings (BPH) to give great weight to the diminished culpability of youth, the hallmark features of youth (young people have less impulse control, are more susceptible to peer pressure and do not understand the consequences of their actions as well as adults), and require the BPH to take into account the young person's subsequent development and maturity.

The enactment of SB 180 is historic in that it is the first time the Legislature has done away with a sentence enhancement.

AB 1308, by Assembly Member Mark Stone (D-Santa Cruz), expands the youth offender parole process for young adults sentenced to lengthy prison terms for crimes committed before attaining 23 years of age, to include those who have committed their crimes before attaining the age of 25. The bill does not apply to young adults sentenced to LWOP.

SB 190, by Sen. Holly Mitchell, eliminates the practice of billing costly administrative fees to the families of youth incarcerated in juvenile halls and camps. While the fees collected have little impact on county budgets, they have serious financial impacts on some of our state's most vulnerable residents.

Hope for undocumented residents

As reported in the summer issue of the *FCLCA Newsletter*, FCLCA helped organize an interfaith delegation to meet with key members of the governor's staff concerning **SB 54**, the California Values Act, by Sen. Kevin de León, (D-Los Angeles). The bill, with some exceptions, limits state and local law cooperation with Immigration and Customs Enforcement (ICE) and will help ensure that state and local resources are used for state and local purposes. Blurring the roles between state and local law enforcement and immigration enforcement results in fewer crimes being reported by vulnerable undocumented residents. FCLCA also supported **AB 450**, by Assembly Member David Chiu (D-San Francisco), to prohibit ICE from entering the workplace without a warrant. Both bills were signed by Gov. Brown.

Immigration law is extremely complex, and for people who are facing deportation proceedings, having legal counsel to help them navigate the process is the best defense against deportation. Undocumented residents have been known to engage the services of

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notary publics. “Notarios” are respected legal professionals in Mexico, but their California counterparts lack expertise and training in immigration law. Individuals facing deportation are vulnerable to being defrauded out of thousands of dollars. FCLCA is supporting **AB 638**, by Assembly Member Anna Caballero (D-Salinas), which prohibits persons who are not attorneys or otherwise authorized to represent others under federal law from accepting compensation for advising persons on immigration matters. The legislative clock ran out before the Senate Appropriations Committee could consider amendments and AB 638 is now a two-year bill.

Some great news! Immigrant advocates secured an additional \$15 million to provide legal assistance for those seeking help with naturalization, deportation defense and securing legal status on top of the \$30 million that Gov. Brown proposed in the state budget.

Gov. Brown also signed **SB 31**, the California Religious Freedom Act, by Sen. Ricardo Lara. The bill directs California state and local governments to refrain from initiating, participating in, or assisting with any program to create a list, registry, or database based on a person’s religion, national origin or ethnicity for law enforcement or immigration purposes. **SB 31** enjoyed near unanimous support in both houses. **SB 30**, also by Sen. Lara, prohibits the State of California from contracting with entities that provide goods and services to the federal government for the construction of the border wall. This bill is currently in the Assembly Accountability and Administrative Review Committee and is a two-year bill.

California’s Deferred Entry of Judgment (DEJ) program currently eliminates misdemeanor convictions for drug offenses upon completion of a diversion program. However, undocumented DEJ participants may face negative consequences, including deportation or the prohibition from becoming a U.S. citizen if the defendant is legal resident. **AB 208**, by Assembly Member Susan Talamantes Eggman (D-Stockton), converts the current DEJ program into a pre-plea diversion program. When a judge determines that a defendant would benefit from diversion, participants

who successfully complete the program will have their charges dismissed. Therefore, undocumented participants who successfully complete a DEJ program would not jeopardize their legal status as a result of being arrested and charged. Gov. Brown signed AB 208 into law.

Economic Justice: Building strong communities from the ground up

While Congress is poised to pass a regressive, top-down federal budget that could ultimately threaten the safety net, we made some important gains through the state budget process. (Note: these were

reported in the Summer issue of the newsletter, but they bear repeating here.) The Legislative Analyst’s Office is forecasting that California will end 2018-2019 with \$19 billion in reserves, of which \$7.5 billion would be available for discretionary spending.

FCLCA lobbied with the Children’s Defense Fund and other advocates in support of expanding the State’s

Earned Income Tax Credit (EITC). Through the budget process, we were able to end the eligibility exclusion for persons who are self-employed and increase the income eligibility threshold to account for the increase in the state’s minimum wage, a major advance for low-income working families. The EITC is an effective anti-poverty program that puts money directly in the hands of economically disadvantaged people without requiring the implementation of new government programs. FCLCA is pleased to be part of the workgroup that will push for additional augmentations in 2018.

The governor and the Legislature reached agreement on the allocation of the \$1.3 billion in new tobacco tax funds resulting from the passage of Proposition 56 with \$546 million slated to increase Medi-Cal provider reimbursement rates. The remainder of the new revenues would fund normal program growth. The Legislature also restored full adult DentalCal benefits and will restore vision services in 2020. The State budget also continued its reinvestment in childcare services though funding still falls far short of pre-Great Recession levels.

The State Legislature has moved aggressively to enact protections for undocumented residents.

California has a huge housing shortage. The Legislature and the governor made a down payment on the state's housing crisis by reaching agreement on a package of 15 affordable housing bills. Chief among them were **SB 2**, by Sen. Toni Atkins (D-San Diego), which establishes a \$75 recording fee on real estate transactions to create a permanent funding stream for the construction of affordable housing. The bill, which excludes the fees on new home purchases, is expected to generate between \$200 and \$300 million annually. **SB 3**, by Sen. Jim Beall (D-Campbell), places a \$4 billion bond measure on the November 2018 ballot for the construction of affordable housing. Numerous other bills were included in the package to facilitate affordable housing construction by streamlining the local permitting process and to create more accountability in order to ensure that local jurisdictions provide their fair share of housing, including housing for low-income residents.

FCLCA supported **SB 63**, by Sen. Hannah-Beth Jackson (D-Santa Barbara), which was signed into law. The bill expands the state's Parental Leave Program to employees who work for employers with 20 or more employees. Now 2.7 million newly eligible California employees can take advantage of the leave program they have been paying into and be assured of continued employment when they return.

Nothing reduces recidivism like having a job, and FCLCA supported **AB 1008**, by Assembly Member Kevin McCarty (D-Sacramento). The bill will give formerly incarcerated people a fair chance in the employment interview process. The bill extends "ban the box" provisions to private employers, which means that employers, with some exceptions, cannot inquire into an applicant's criminal history until a conditional offer of employment has been made. AB 1008 was signed into law by Gov. Brown.

Leading the way on the environment

FCLCA signed on to the Preserve California package of bills designed to protect California's environment from weakened federal environmental regulations and policy shifts emanating from the Trump administration. **SB 49**, the California Environmental Defense Act, by Sens. Kevin de León and Henry Stern (D-Canoga Park), protects California from federal rollbacks in vital environmental, public health and worker safety laws, and ensures that California maintains existing

protections for its most important assets – its people and natural resources. The bill is now a two-year bill and is in the Assembly Rules Committee. **SB 50**, the Public Lands Protection Act by Sen. Ben Allen (D-Santa Monica), was signed into law. The bill maintains public lands for the public by directing the State Lands Commission to establish California's right of first refusal for any federal lands proposed for sale or conveyance to other parties. Gov. Brown vetoed **SB 51** by Sen. Hannah-Beth Jackson (D-Santa Barbara). SB 51 would ensure that federal employees do not lose state licensure for revealing legal violations, unethical actions or dangers to public health and safety. In his veto message the governor questioned the need for the bill and opined that he could not envision a scenario that would lead to a disciplinary action at the whim of the federal government. He also directed the California Environmental Protection Agency to collaborate with universities and nonprofits to compile and preserve all relevant federal research and data.

FCLCA is also working to pass **SB 100**, by Kevin de Leon, which requires the State of California to adopt the policy of achieving 100 percent of the electricity generated in California from renewable or zero carbon sources by 2045. Late in the session, the International Brotherhood of Electrical Workers and the utility companies sought amendments to the bill prior to the Assembly Floor vote. The bill was re-referred to the Assembly Utilities and Commerce Committee and is now a two-year bill.

The California State Water Resources Control Board has identified approximately 300 California public water systems that are currently out of compliance with drinking water standards. Advocates estimate that over one million Californians are exposed to unsafe drinking water each year. The Board has called for the creation of a durable funding source to support safe drinking water needs. **SB 623**, by Sen. Bill Monning (D-Santa Cruz), will establish the Safe and Affordable Drinking Water Fund to provide ongoing funding to ensure that all Californians have access to safe drinking water. The new funding, estimated at \$140 million per year, would come from a fertilizer mill fee, a fee on dairies and a small fee assessed on monthly water bills. SB 623 is currently in the Assembly Rules Committee, and we are working with our fellow advocates to move the bill in 2018.

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FCLCA *In Action* (continued from page 11)

Scientific advances now indicate that no amount of lead in the bloodstream is safe. FCLCA supported **AB 1316**, by Bill Quirk (D-Hayward), which was approved by Gov. Brown, to improve lead testing in California. Initially, the bill would have required every child to undergo lead screening. The bill was opposed by both the California Medical Association and the American Academy of Pediatrics, California because the mandate contradicts the current medical literature on lead screening and could create legal liability for doctors. The universal lead screening mandate was removed from the bill, which now requires the California Department of Health to revise its regulations to take into account the most significant risk factors for childhood lead exposure, such as the amount of time spent in a home or school that was constructed before 1978 and other known sources of lead contamination. FCLCA is now part of a workgroup that is considering legislative proposals for 2018. **FCLCA**

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Expressions of views in this newsletter are guided by Statements of Policy prepared and approved by the FCLCA Committees. Seeking to follow the leadings of the Spirit, the FCLCA speaks for itself and for like-minded Friends. No organization can speak officially for the Religious Society of Friends.

While we strive above all for correctness and probity, we are quick to recognize that to err is human. We therefore solicit and welcome comments and corrections from our readers.