

The Future Of Cap-And-Trade In California Hangs In The Balance

“This isn’t for me. I’m going to be dead. It’s for you,” California Gov. Jerry Brown urged.

[By Lydia O’Connor](#)

California’s milestone climate legislation is at a critical crossroads, and reluctance toward the program from both liberals and conservatives could stand in the way of extending it.

The California Senate will vote Monday on AB 398, a bill drafted to extend the state’s [cap-and-trade program](#), which since 2012 has enforced limits on carbon emissions and required polluters obtain permits to emit greenhouse gases. The program’s goals — bringing emissions down to 1990 levels by 2020 and achieving an 80 percent reduction of that by 2050 — are among the most aggressive climate-change-curbing efforts in the U.S.

But the program will collapse in 2020 if lawmakers don’t vote to renew it. Gov. [Jerry Brown](#) is seeking to ensure its expansion until 2030 now, making it clear that California will continue the fight against climate change in spite of President [Donald Trump](#) reneging on national commitments to it. In the face of Trump backing out of the Paris Agreement on climate change and going “AWOL” on the subject, Brown said earlier this month that California will [host its own](#) climate summit next year.

“Cap-and-trade is the way forward,” Brown said in an impassioned speech at a hearing for the bill Thursday. “I know we’ve got politics; they have everybody on different sides. This is fundamental,” he said, calling climate change a “threat to organized human existence.”

He warned of a future where the [massive wildfires](#) ravaging the state in recent weeks and other climate-caused catastrophes are the new normal. More than a dozen wildfires have

scorched California in recent days, including the ever-growing Whittier fire in Santa Barbara County, which has burned [more than 18,000 acres](#) since igniting more than a week ago. Wildfires this catastrophic, scientists warn, will only become [more frequent](#) as global temperatures rise.

“You’re going to be alive in a horrible situation where you’re going to see mass migrations, vector diseases, forest fires, Southern California burning up,” he urged. “That’s real, guys. That’s what the scientists of the world are saying. I’m not here about some cockamamie legacy that some people talk about. This isn’t for me. I’m going to be dead. It’s for you.”

Brown is seeking passage with a super-majority, or two-thirds, vote in order to protect the program from future legal threats. But that won’t be so easy, even as Democrats control the legislative body.

To pass, AB 398 will need 27 votes in the state Senate and 54 in the state Assembly — the exact number of seats held by Democrats in each of those houses. But with Assemblywoman Jacqui Irwin (D-Thousand Oaks) out all week, The [Los Angeles Times](#) noted, cap-and-trade’s security hinges on at least one Republican vote.

While many GOP lawmakers oppose the bill’s taxes and increased regulatory efforts, securing some Republican votes is not out of reach. However, lawmakers on both sides of the aisle are facing pressure from environmental justice groups who say the bill is too friendly to the oil industry and doesn’t go far enough to protect citizens from pollution.

“Governor Brown wants to give the oil and gas industry a pass to pollute for another decade,” Food & Water Watch California director Adam Scow said in a statement to HuffPost. “This bill, that is supported by Sempra Energy and the fossil fuel industry, makes a mockery of California’s climate leadership,”

The bill is also opposed by the Sierra Club, the Coalition for Clean Air and a handful of other groups, whose complaints largely center on the limits it imposes on the state’s Air Resources Board and its ability to protect people who live near pollution sites. Under AB 398, the board would not be allowed to regulate carbon emissions from sources that are subject to the cap-and-trade program.

Stifling the Air Resources Board in an effort to secure cap-and-trade ignores the health consequences for people who live near companies’ pollution sites. It’s a “[non-starter](#),” the Coalition for Clean Air said.



WANG ZHAO via Getty Images

Brown, increasingly the face of the U.S. climate efforts abroad, attends the Clean Energy Ministerial international forum in Beijing on June 6, 2017

But Brown says letting cap-and-trade take the lead and avoiding “intrusive commanding control” from the Air Resources Board is essential for ensuring climate change efforts stay affordable and avoiding the short-term consequences of higher gas and food prices.

AB 617, a companion bill to the cap-and-trade legislation that requires upgrades for outdated equipment and creates stricter penalties for violations, is intended to address some of those concerns, but critics of the bill say it [doesn’t undo the problems](#) caused by AB 398.

The Natural Resources Defense Council is one of the environmental groups that supports the bill, despite such limits on the Air Resources Board and other concessions to the gas and oil industry being “bitter pills” to swallow. They’re joined by the Environmental Defense Fund and NextGen Climate, among other groups.

“[O]n balance the package ensures our emissions limits are enforceable against polluters and secures critical gains to improve air quality for millions of Californians,” Alex Jackson, the legal director of group’s California climate project, said in a statement last week. “The world is watching for California to chart a path through the climate denial and obstruction coming from the White House – and California is yet again poised to deliver.”