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Senate Unveils California Environmental Defense Act, Public Lands and Whistleblower Protections

Measures to protect public health, the environment and scientific integrity

SACRAMENTO – Today, Senate leadership unveiled the *Preserve California* legislative package to insulate the state from dangerous rollbacks in federal environmental regulations and public health protections.

The bill package establishes strong and legally enforceable baseline protections for the environment, public health, worker safety, and other areas of federal regulatory law that could be dramatically and recklessly weakened by the Trump Administration. Measures would also protect federal lands within the State of California from sale to private developers for the purpose of resource extraction; ensure federal employees are not penalized under California law for whistleblowing; and shield public information and data resources from federal censorship or destruction.

“The Trump Administration and Republicans in Congress are racing to weaken decades-old environmental and public health protections,” **California Senate Leader Kevin de León (D-Los Angeles)** said. “SB 49 makes existing federal laws – like the Clean Air and Clean Water Acts – enforceable under California law, so we can preserve the state we know and love, regardless of what happens in Washington.”

“This is pretty straightforward - just common sense measures to preserve minimum safeguards for clean air and water,” **Senator Henry Stern (D-Agoura Hills)** said. “We still have a ways to go to clean up our environment, but at the very least we should not be backsliding.”

“We have a sacred duty to take whatever actions we can to protect public lands from any sale or lease that would result in their loss or degradation. SB 50 will put the state in a strong position to defend federal lands in California against those threats,” said **Senator Ben Allen (D – Santa Monica)**, author of the Public Lands Protection Act.

“With science and scientific data under threat, SB 51 will protect whistleblowers who bravely and selflessly stand up for the public’s interest from having their professional credentials stripped away if they are licensed to practice in California,” said **Senator Hannah-Beth Jackson (D-Santa Barbara)**. “It will also ensure that climate change and other scientific data so critical to our future remains intact and accessible to scientists for years to come.”

“California’s leadership on clean air and climate issues has shown the way forward for other states and the world. After 50 years of progress, relaxing our safeguards on pollution will damage our emerging clean economy and increase the number of people suffering from asthma, lung cancer and other

respiratory illnesses,” said **Senator Bob Wieckowski (D-Fremont)**, Chair of the Senate Environmental Quality Committee. “We must not turn back.”

PROPOSAL DETAILS

[SB 49: The California Environmental Defense Act \(de León/Stern\)](#)

- Makes current federal clean air, climate, clean water, worker safety, and endangered species standards enforceable under state law, even if the federal government rolls back and weakens those standards.
- Directs state environmental, public health, and worker safety agencies to take all actions within their authorities to ensure standards in effect and being enforced today continue to remain in effect.
- Federal laws in these areas set “baselines”, but allow states to adopt more stringent standards. This bill simply ensures CA does not backslide as a result of rollbacks and damage done by the new regime in Washington DC.
 - In 2003, when the Bush Administration attempted to enact similar rollbacks of federal clean air standards, the Legislature passed SB 288 (Chapter 476 statutes of 2003), the Protect CA Air Act. This measure builds on that platform.

[SB 50: The Public Lands Protection Act \(Allen\)](#)

- This measure establishes a new state policy to discourage conveyances of federal lands to private developers for resource extraction and directs the state Lands Commission, which oversees much of the federal lands in the state, to establish a right of first refusal by the state of any federal lands proposed for sale or conveyance to other parties.
- In doing so, this measure would ensure (a) that the state reviews any transactions involving federal lands here in CA to ensure those lands are protected, and (b) where feasible, important lands are protected via state action.

[SB 51: The Whistleblower and Public Data Protection Act \(Jackson\)](#)

- Attorneys, engineers, scientists and other professionals working for federal agencies are often licensed to practice in California. US EPA attorneys and scientists who report cover ups, destruction of information, or other wrongdoing may have federal whistleblower protection but could still lose their professional certifications under California law.
- This measure would ensure federal employees do not lose state licensure for revealing violations of law, unethical actions or dangers to public health and safety. It also would direct state environmental and public health agencies to protect any information or data under state law, even if parties in Washington DC order their censorship or destruction.

- In 2003, the Legislature passed a similar law to provide state whistleblower protections (see AB 2713 of 2002). That bill was vetoed by then-Governor Schwarzenegger.

ADDITIONAL BACKGROUND

Recent and ongoing disasters in California and across the nation provide strong evidence of the need to strengthen – not recklessly undermine – federal environmental, public health and worker safety regulations.

- The Aliso Canyon gas storage facility in Southern California leaked methane for over 112 days in 2016, causing the single worst discharge of greenhouse gases in U.S. history. The leakage was equivalent to the annual emissions of 600,000 automobiles, sickening and displacing thousands of families.
- More than 100,000 gallons of unrefined crude oil leaked onto beaches and into the ocean at Refugio State Beach near Santa Barbara in May of 2016. The oil spread all the way to Los Angeles, harming wildlife, preventing tourism and recreation, and contaminating local seafood.
- Communities in the Boyle Heights neighborhood of Los Angeles were exposed to toxic lead levels for years as a result of unregulated emissions from the Exide Battery Technologies facility.
- Six California cities consistently rank among the ten most polluted in the nation for air quality, according to the American Lung Association's state of the Air report.

Throughout the presidential campaign, during the transition period and since taking office, President Donald Trump has repeatedly expressed his disdain for government regulations of all types. The President has demonstrated particular contempt for environmental, labor and public health regulations; an irrational skepticism for the science that underpins those protections; and an egregious lack of respect for the civil servants charged with designing and implementing them.

Among other things, the President has:

- Called the concept of man-made climate change a “hoax created by and for the Chinese to make American manufacturing non-competitive.”
- Suggested he would like to cut the staff of the Environmental Protection Agency in half.
- Suggested he would like to eliminate 70 percent of all federal regulations.
- Signed an executive order requiring two regulations to be repealed for each new regulation adopted.
- Placed comprehensive gag-orders on federal agency staff, including the Environmental Protection Agency, the Department of the Interior, and the Department of Energy.
- Ordered a federal hiring freeze, affecting all state agencies, including the hiring of new doctors by the Department of Veterans Affairs.
- Sought the names of civil servants who worked on issues related to climate change, women's rights and reproductive health.
- Appointed well-known climate change denier, Myron Ebell, to lead his Environmental Protection Agency transition team.
- Announced his intention to abandon the Paris climate accords, making the United States one of only four U.N. member nations not to sign on, joining Syria, Uzbekistan, and Nicaragua.

The President's cabinet appointments reflect his backwards views and, taken together, offer a strong indication he plans to follow through with his promises.

- The Environmental Protection Agency Administrator, **Scott Pruitt** is singularly unqualified to serve in this position. As the state Attorney General of Oklahoma, he made a career of defending corporate polluters and blocking environmental protections by litigating against the agency he now leads. EPA actions in recent days directly undermine the agency's objective to protect health and the environment, and also threaten the role of science in federal policymaking. On the issue of removing lead from gasoline—one of the agency's top environmental accomplishments—during his confirmation hearing, Mr. Pruitt stated he had “not evaluated this issue,” which demonstrates his this lack of understanding of the EPA's core mission .
- Prior to being confirmed as Secretary of State, former Exxon Mobil CEO, **Rex Tillerson**, had worked for the company his entire career. Exxon Mobil, one of the world's largest private oil companies, is currently under investigation by multiple states' Attorneys General for fraud relating to its efforts to refute climate science dating back to the 1970's. The company privately prepared for the effects of climate change on its own business while publicly denying the science and aggressively lobbying against any effort to mitigate greenhouse gas emissions.

#PreserveCA

#ActOnClimate

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