

Jared Blumenfeld (far right), California Secretary for Environmental Protection, and Wade Crowfoot (center), California Secretary for Natural Resources, shared their views on the state'e environmental policy priorities at the 2019 Environmental Law Conference at Yosemite. Photo credit: Daniel Melling

Managing California's wildfire emergency is understandably the focus of the Newsom administration this month, but state officials are also pursuing a broader environmental policy agenda, with groundwater management, resiliency planning, and pesticide reform among the top priorities in the year ahead.

Jared Blumenfeld, California Secretary for Environmental Protection, and Wade Crowfoot, California Secretary for Natural Resources, shared their views in a plenary session at the Environmental Law Conference at Yosemite, an annual meeting organized by the California Lawyers Association's Environmental Law Section (my colleague Julia Stein served on the planning committee for the event). The Newsom administration's agenda reflects both a need to implement the state's existing climate and environmental policies, while looking for new opportunities to enhance California's leadership across a range of environmental issues.

Planning water systems

Both officials emphasized their focus on managing California's water system as

global warming leads to more uncertainty over rainfall and snowpack across the state. Blumenfeld noted the limitations of state government control of water planning, citing time spent with LA mayor Eric Garcetti as instructive on the needs to balance regional and state concerns.

Implementation of the state's Sustainable Groundwater Management Act will be an issue to watch, as local agencies responsible for the most depleted aquifers will have to submit management plans by January 2020. "Hang on to your hats," Crowfoot said, anticipating intense fights over where large amounts of agricultural land in the Central Valley – potentially more than a million acres – will be fallowed to achieve targets. Crowfoot suggested state and local agencies will have to find revenue streams for fallowed lands, such as payments for ecosystem services or solar energy development, to offset expected impacts of fallowing on the local economy.

Improving resilience and adaptation

Recognizing California's progress in reducing climate pollution, Crowfoot said the state must deal with existing and future impacts of global warming on residents, including wildfires, power outages, and potential dam failures from intense rainfall events. Crowfoot pointed to the state's water system, which needs to integrate its more than 1,000 water agencies towards shared management to improve resilience.

Later this year, the Newsom administration will present a water resilience portfolio for public comment. The portfolio will build on Governor Jerry Brown's Water Action Plan, first released in 2014, which identified needs for building resilience into the state water system. Crowfoot said one challenge is that water resilience differs from region to region, with distinct plans needed for desert communities, the North Coast, and other areas.

Crowfoot also described the need to build resilience by re-integrating the natural environment into infrastructure planning. With much of the state's water flowing through outdated dams, channels, and other concrete infrastructure, the state could focus more on forested headwaters to manage water supplies. Likewise, re-opening some of the flood plains in the Central Valley could protect public safety and recharge groundwater basins. Improving resilience through natural infrastructure requires cutting "green tape," Crowfoot said, so that, for example, permitting a wetlands project doesn't require the same approvals as a strip mall.

Reforming pest management

Blumenfeld detailed the Newsom administration's ambitions on pesticide reform. California recently banned chlorpyrifos and formed a working group to recommend safer pest management approaches. The state needs to ensure that if a pesticide is banned, its replacement is not more hazardous to farmworkers and nearby communities, Blumenfeld said. But he also cautioned against a reform process that would individually address each of the more than 1,000 pesticides used across the state.

"We really need to rethink the underlying framework by which we look at pest management," Blumenfeld said. California's reform of pesticide governance should follow the state's climate policies, with multi-decade targets based on an overarching vision, in this case, for healthy soils and lands. Another new appointee, Val Dolcini, California's Deputy Secretary for Agriculture, will be closely involved in the pesticide reform process.

Reducing pollution across borders

Blumenfeld and Crowfoot both noted the importance of California-Mexico relations in resolving water and air quality issues. Release of untreated sewage in the Tijuana River has made Imperial Beach in California unsafe for swimmers. Blumenfeld described the engagement of officials across California government including the state's Congressional delegation and the governor's office in finding solutions.

State officials are also focused on the New River, which carries pollution across the border from Mexicali into the Salton Sea (last week, Imperial County declared a local state of emergency due to the pollution). Crowfoot said he had spent more time at the Salton Sea than any other area in California in his first year, as part of an effort to rebuild trust between state government and local residents over management of California's largest lake.

Defending against the Trump administration

Blumenfeld asserted California's right to defend its climate programs against attacks by the Trump administration, counting the more than 40 lawsuits the state has filed against the federal government, but also said the defensive efforts took up time and energy.

Both officials noted the need to work together with federal agencies on environmental issues. California and the federal government share responsibilities for managing forests and reducing wildfire risks. And interwoven state and federal water projects require coordination to avoid chaos.

Access, biodiversity, and plastics

Crowfoot recognized that although all Californians contribute towards protections for state and federal parks, not everyone has the opportunity to visit the state's natural lands. Access to state parks, beaches, and other natural resources is a priority for Governor Newsom, as part of its overarching focus on justice and equity issues.

Crowfoot also said California is not doing enough to protect species from becoming extinct. California is among the world's 36 biodiversity hotspots, but the federal and state Endangered Species Acts do not take effect "until the patient is on life support—and that's too late." Crowfoot suggested a broader approach to habitat restoration, to benefit more species earlier in the process.

Blumenfeld described recycling and circular economy policy as another priority for the administration, relaying the Governor's frustration with the failure of the California legislature to advance comprehensive recycling legislation this year.

A broad agenda carries risks

With Californians experiencing the impacts of global warming and the federal government retreating on environmental protections, the Newsom administration is stepping in with bold ideas to address a range of urgent problems. But a comprehensive approach carries some risks. Looking back on the administration's broader agenda in 2019, L.A. Times columnist George Skelton wrote that Newsom "swung at every pitch, many of them out of the strike zone," struggling to find solutions to housing, homelessness, and other stated priorities. To make progress next year – on the environment and in other policy areas – the administration will have to pick its fights.