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CLIMATE RESILIENCE AND ENVIRONMENTAL JUSTICE: A CALIFORNIA PERSPECTIVE

Sarah Barrie

MAQOLA MALUMOTI

MAQOLA TARIXI:

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This article explores how California's legal system addresses climate change through the dual lenses of resilience and environmental justice. Drawing on the perspective of an international law student studying at UC Davis, the article outlines how policy frameworks are evolving to meet both environmental and equity challenges. It analyzes California's multi-layered legal strategies, including state-level adaptation mandates, local governance innovations, and emerging energy justice issues. With an emphasis on inclusion, the paper reflects on how climate resilience is being shaped not only by scientific and regulatory urgency, but also by the lived experiences of vulnerable communities. Rather than critique, the goal is to observe, document, and gently suggest how California's approach may serve as a model for future legal development.

Introduction

Having studied at UC Davis School of Law as an international student in the Master of Laws program, I have developed a deep understanding for California's distinctive environmental challenges and solutions. It was not long before I realized that the law, at least with regard to California, wasn't simply a theory I had come to study from abroad; here in this state, it was flesh and blood. It's a living framework that accounts for the state's complex geography, history and social realities.

California is frequently hailed as a climate-policy leader, but the reality is more complicated. Climate change is intensely personal in this state. From droughts and wildfires to flooding rains and sweltering heat, environmental challenges pervade every aspect of life.

But what may be both the most important — and increasingly central — dimension of California's ecological response is how it includes justice in its efforts to make the state climate-resilient. Though it remains limited in scope, many legal approaches now aim to avoid treating communities as mere subjects of climate policy.

This article is an attempt to examine the mechanisms through which California is incorporating climate resilience and environmental justice in its legal and policy frameworks. I'm not here to criticize the law; I want to think about those barriers, and these (perhaps) golden gates that the state is moving through in addressing long-term climate challenges in just and adaptive ways. I will try to provide a sense of how environmental law is changing in response to the scientific imperative and also social equity, and how that change might be a model — or at the very least give some impetus — for similar commitment elsewhere.

Climate Resilience and Environmental Justice: A California Perspective

California's legal response to climate threats is characterized by an integrated, multi-sectoral approach. The Safeguarding California Plan, administered by the Natural Resources Agency, outlines strategic efforts across different state agencies, targeting threats such as drought, wildfire, extreme heat, and sea level rise. While this plan is not a statute, it provides essential policy direction.

Importantly, Senate Bill 379 (2015) requires all cities and counties to incorporate climate adaptation and resilience into the safety element of their general plans. This ensures that local governments assess their own climate vulnerabilities and outline strategies to address them.

A good example of local planning is seen in San Mateo County, which sits between the Pacific and the Bay, with low-lying, intensely used bayshore corridors. The countywide vulnerability assessment—backed by extensive mapping—has become a shared language for cities and special districts.[90]

By embedding resilience planning into land use law, California promotes long-term thinking at all levels of governance, while allowing flexibility for local adaptation.

Historically, marginalized communities in California have borne the brunt of environmental harm. Recognizing this, the legal system is gradually shifting toward more equitable frameworks that prioritize both physical infrastructure and community well-being.

[90] Cnty. of San Mateo, *Sea Level Rise Vulnerability Assessment*, at 23–25 (2018)

One of the key tools used to operationalize environmental justice is the CalEnviroScreen, developed by CalEPA. This mapping tool identifies areas most impacted by pollution and socio-economic disadvantage. Communities with high scores often become priority recipients of climate resilience funding.

A practical example is the Transformative Climate Communities (TCC) program, which allocates Cap-and-Trade revenue to support local projects in high-need areas. These projects integrate green spaces, transit access, housing upgrades, and community engagement efforts—designed not just to mitigate risk, but to improve lives.

However, challenges remain. Smaller communities may lack the legal or technical capacity to compete for state grants or navigate planning processes. Legal tools must therefore be complemented by accessible processes and capacity-building supports if justice is to be fully realized.

California's cities have become legal laboratories for experimenting with climate resilience strategies. These local efforts highlight how resilience and equity can be embedded in city law and policy.

In Los Angeles, for instance, the city's Green New Deal outlines not only aggressive climate goals, but also specific urban equity initiatives. These include expanding tree canopy in low-income neighborhoods and retrofitting infrastructure to reduce heat exposure.

In Oakland, housing policy has integrated flood resilience design into new developments, particularly in areas identified as vulnerable to sea level rise. These legal approaches reflect a broader recognition that resilience must be place-based and community-driven.

Local governments are also developing legal innovations around climate disclosure, participatory planning, and zoning flexibility. These examples suggest that local law can lead in areas where state or federal law may lag.

A cornerstone of California's environmental legal framework is the requirement for public participation. The California Environmental Quality Act (CEQA) mandates environmental review for major projects and includes opportunities for public comment and litigation. For communities disproportionately impacted by development, CEQA can be a critical legal tool.

Yet public participation is evolving beyond CEQA. Many climate programs now encourage co-design of projects with residents. Workshops, listening sessions, and participatory budgeting are becoming common features of local climate planning processes.

There is growing interest in legal models of co-governance, where communities share decision-making authority with government bodies. While not yet widespread, these experiments point toward future frameworks that treat community knowledge as legally valuable.

California's rapid transition to clean energy is a legal achievement, but it also raises issues of access, affordability, and equity—now often referred to as energy justice.

Programs like Solar on Multifamily Affordable Housing (SOMAH) and Disadvantaged Communities – Single-Family Solar Homes (DAC-SASH) aim to distribute solar energy benefits more equitably. These programs have legal underpinnings tied to the state's Cap-and-Trade revenue and CPUC mandates.

Legal scholars like Safoev argue that frameworks around green energy must not only support market development but also ensure broad inclusion. He emphasizes the risk that climate legislation, without specific community safeguards, could deepen existing disparities.[91]

This insight has led to new conversations within the California Public Utilities Commission and the legislature around designing climate law to explicitly include low-income and underrepresented populations.

One emerging concept in climate law is legal adaptability—the idea that legal systems should evolve alongside the threats they seek to manage. Climate impacts change over time, and so must legal responses.

California's Governor's Office of Planning and Research (OPR) provides regular updates and guidance on integrating resilience into planning law. Online resources like the State Adaptation Clearinghouse ensure that cities and counties have access to the latest legal tools and data.

Moreover, legal education is changing to support this shift. At institutions like UC Davis, students are increasingly encouraged to explore interdisciplinary and community-oriented approaches to climate law. This reflects a growing belief that tomorrow's lawyers must be equipped not just with statutory knowledge, but with the skills to collaborate, adapt, and engage.

[91] Safoev, *Laws on Green Energy and Climate Change*, *Am. J. Educ. & Learning*, 2(5), at 470–474 (2024)

Conclusion

California's experience shows that environmental law can evolve to meet the demands of climate change—if it listens, adapts, and includes. As an international student trained in this system, I am encouraged by the ways in which law and policy here are embracing complexity. Climate resilience is no longer only about technology or infrastructure. It is also about trust, participation, equity, and inclusion.

There is much more to be done. But by embedding justice into adaptation efforts, California offers a working example of how legal systems can grow to reflect the needs of both people and planet. Other jurisdictions may not follow the same path—but the core values of fairness, flexibility, and community-centered governance may resonate far beyond the state's borders.

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