

Panel 2: Effects of Climate Change on Rural Legal Work

Moderators: Sabrina Ashjian & Katalina Hadfield***
*Speakers: Estella Cisneros,*** John Meyer,**** & Kevin Hamilton******

INTRODUCTION

Sabrina Ashton: All right. Welcome back, everyone. Great to see you again. For those of you who were not here this morning, I just wanted to quickly introduce myself. My name is Sabrina Ashton. I am one of the supervising attorneys in the Environmental Law Clinic, and I also teach a couple of the [Environmental Justice] (EJ) courses in the fall. I am thrilled that I was asked to participate today as one of the moderators because I worked and lived in Fresno County for a decade, starting as a public defender and then environmental crimes work. It's wonderful, especially with this panel, to actually be here with Kevin Hamilton, who I worked with a lot on an EJ task force when I was in the Central Valley, and to see a legal director from [California Rural Legal Assistance] (CRLA), where I also was able to work a lot with. I'm going to introduce the panelists and have them go ahead and talk about who they are, what their organization is, and what they do.

I'll ask some questions. I'm going to open it up to all of you for some questions, and then we'll break for lunch around about 12:30. Estella Cisneros, I'm going to start with you. She is the legal director of the Agriculture Worker Program at CRLA, which is California Rural Legal Assistance. Estella, if you could introduce yourself. Thank you.

Estella Cisneros: Hi, everyone. Good afternoon or morning. I'm Estella Cisneros. I'm the Legal Director of the Agricultural Worker Program. The Agricultural Worker Program is a program within CRLA, California Rural Legal Assistance. CRLA is a statewide legal aid organization. We've been around for

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* Sabrina Ashjian is a supervising attorney for Berkeley Law's Environmental Law Clinic.

** Katalina Hadfield served as Editor in Chief of Ecology Law Quarterly for 2022–23.

*** Estella Cisneros is the Legal Director of Agriculture Worker Program at California Rural Legal Assistance.

**** John Meyer is the founder and Executive Director of Cottonwood Environmental Law Center.

***** Kevin Hamilton is Co-founder and Co-executive Director of the Central California Asthma Collaborative.

about fifty-five years. The mission of our organization is to provide free legal services to low-income residents of the state, specifically people who reside in rural communities.

We have about sixteen offices statewide. I practice out of the Fresno area. The program that I manage specializes in representing agricultural workers, primarily in employment matters, as well as workplace health and safety, some limited immigration, some limited housing, and unemployment insurance, and other state public benefits work.

The program consists of about thirty people in five offices statewide: Fresno, Stockton, Salinas, Oxnard, and Coachella. I always have to remember since I'm very Central Valley focused, but the program is statewide. We do a lot of work in the workplace health and safety sector. That's the perspective that I'll be bringing today. The impacts of climate change on farm worker and farm worker communities in the state of California. Thanks.

Sabrina Ashton: Thank you so much. John Meyer, I'm going to turn it over to you. He's the Founder and Executive Director of the Cottonwood Environmental Law Center. Thank you, John.

John Meyer: Hi there. My name is John Meyer. I'm the Executive Director of Cottonwood Environmental Law Center. Cottonwood is a nonprofit. We're committed to protecting the people, the forest, the water, and the wildlife of the West. We have members, so you guys can become members. Our members only give about \$1, \$5, \$10 a month, and then we sue on your behalf to stop the federal government from logging old growth, to stop various water polluters, things like that.

I just want to say this is a huge honor to be here with you guys. Thank you for the invitation. I'm the first person in my family to graduate from college. My dad pumped gas at the gas station back in the day, it was full service, so that's what he did. My mother, she was the day and night laborer to cut slabs of steel when there were still steel mills in Indiana up on Lake Michigan. She cut slabs of steel. She's the first female to do that, and so it's a big deal for my family for me to be here. Thank you for inviting me.

Sabrina Ashton: Thank you for being here. Kevin, I'm going to turn it over to you. Kevin Hamilton is the Co-founder and Co-executive Director of the Central California Asthma Collaborative.

Kevin Hamilton: It's fair. CCAC. It's cool, man. When I was invited, I thought, "What am I doing here?" As I am not a lawyer, I'm a Registered Respiratory Therapist and Asthma Clinical Specialist. I started my career working in trauma centers in low-income communities. I am a client, and so I have been listening to this from the perspective of a client. Our organization is part of CCAC that acts as a client called Medical Advocates for Healthy Air. If you mention that at the EPA, they will tremble. We have won eight out of our nine lawsuits against them with Earthjustice over the last fifteen years for enforcement in the San Joaquin Valley.

Now, we've lost a lot of staff, but in that particular arena, we've been very successful because the violations have been so egregious. What you find and what you're hearing about is areas where the economy, and the needs of that, and greed have driven policy or driven it away where there's good policy for so many

years that it's become entrenched. It feels to the people who live there like that's the way that it is, and it should be.

As attorneys, you'll find yourself often in conflict, even with residents where you're living. I heard that question come up about what you do with that conflict, and all I can emphasize is educate, educate, educate. Know what you're talking about and be able to say it in regular words. People do not talk like attorneys. People do not talk like healthcare providers. I spent a lot of my career in the last half of it translating things for folks who live in the communities that we serve in the eight counties of the San Joaquin Valley.

Our mission is to provide education and direct services and build regional capacity. Advocate for sensible policies that improve health and address inequities by reducing environmental impacts and emphasizing the prevention and management of chronic disease. Primary prevention is preventing the thing that causes the chronic disease in the first place. Most of those are environmental insults. Many of them are actually, if not illegal, tightly regulated, and quite often, those regulations are not enforced.

Our work is in what I call the three levels before litigation, which are emergent care, chronic care, and then primary prevention. When those have failed, I learned at one point that I needed more help and always diving into the literature trying to find out where that might be determined; I don't know, twenty years ago now, that that would have to come through litigation, which I actually hate having to do.

I tell those folks that we're litigating against it. "Now you pushed me into something I really don't like, so I'm pissed off and I'm not going to let it go." Again, they know that. We have three different areas. One is we always want to know. My colleague and co-founder was the Director of Research for UCSF's family medicine program for eighteen years. We have one arm that does environmental health research, and we do a lot of it.

If you look at our website, look at the projects we do, we probably have twenty, twenty-four research projects going at any given moment all around in environmental health issues, working with about seven universities and JPL NASA. Because now we're really high-tech and looking for methane plumes and making sure that information gets out in a usable way to the community-based organizations that are Ag because they need more information. Then, of course, providing information for us to use and policy work and regulation.

I think that's probably one of the most interesting parts. The other piece is the environmental health advocacy and policy work. That's another division. The last is chronic disease management. I have a team who's in the homes of patients that have asthma and other chronic respiratory diseases in seven counties of San Joaquin Valley. Their stories, the work that they do, and they bring back and tell me and we talk about and occasionally I go and visit, that is what inspires me and my team to continue to do the work that we're doing.

It's informed by what's happening on the ground, constantly testing whether a good policy is actually reaching the ground because you see lots of celebrations in the legislature, federally and statewide, "Well, we passed this law two years." It takes two years for a law to turn from regulation into something that actually hits the ground. At that point, I want to see it hit the ground, and we can test that, and we do. Once you've done that and it doesn't, that's where you

end up back with you guys again. That's us. Sorry it was a little long-winded there, but that's how I got here though.

Sabrina Ashton: It's critical that something that we always talk about in our classes is these laws getting passed or these laws on the books, but are they being implemented? Are they being regulated? Thank you for sharing.

RURAL PUBLIC INTEREST WORK

Sabrina Ashton: My first question for all of you and I'm going to open it up to everybody is, how your work differs from those who are doing public interest work in more urban areas? Estella, I'm going to start with you.

Estella Cisneros: All of the work that we do is in rural communities. That's the mission of the organization that I work for. I think the way that it differs is, you really see a different subgroup or subpopulations of people in rural communities than urban ones. There's a lot of crossover, of course. There's a lot of wage theft, there's a lot of homelessness. Because the organization that I work for is a legal aid organization, we have specialized programs like mine, but we also have our rural justice unit, which is traditional legal aid.

They provide a lot of housing, education, public benefits, labor, and employment work. They provide assistance to any person within their geographical area, but then there's unique issues to rural communities. One of them is just the terrible air quality that a lot of rural communities suffer from. It's a little bit different in coastal areas, of course. Just varies on where you're at, but now that I think about it, that may actually be something that you share with urban communities.

Maybe the reasons for why there's really terrible air quality in rural communities, a lot of it is environmental in the sense of there's a lot of farms, there's a lot of agriculture. For a long time, farms and agriculture were not regulated in terms of air quality standards. That's changing. I think another thing that you see in rural parts of the state is things like access to transportation, access to services is very different. A lot of people are still struggling with lack of just basic infrastructure, lack of internet access, the ability to very easily go to a local physical office for any kind of assistance, whether it's because of their health or because of a legal problem that you might have.

Sabrina mentioned another program within my organization that she worked a lot with, which is the community equity initiative. I'm not the manager of the program, but I'm familiar with what they do. A lot of it involves community education and community leadership development that's really important to improving environmental factors or the environment within the Central Valley and other rural areas.

A lot of it, too, involves gaining access to additional representation, additional involvement from the communities in things like the way that cities are built, the way that they expand, things like the general plan that a lot of cities are involved in, or involved with. It's multilayered and it's multifaceted because it's not just one thing. It's not just the air that people breathe, but it's also the housing that they live in. It's also the access to medical care, it's the access to health insurance. It's what's happening in their children's schools.

I think really what sets rural areas apart is, a lot of them are in a place where they just struggle to access services and to access different options, in terms of whatever community issues that they're facing and the infrastructure, and the lack of just like basic internet service, as an example, really isolates people to live in their small communities, and really just cuts off access to the ability for them to be able to help themselves and help the rest of the families, or help them, everybody else in their community.

Sabrina Ashton: You're on time.

John Meyer: Montana is a very rural state, we have more cows than we have humans. There is a perception that if you're an environmental attorney, you're some academic tree hugger and you're out of touch with regular rural people. That is a frame that we're constantly trying to enter and discuss. We do that by going to meetings with the US Forest Service, showing up in Carhartts.

You don't wear a suit, you don't wear a tie, you wear a hat, you wear a visor. You look like a normal person. When you start showing up to meetings with rural people, and you're driving the truck, they start to trust you. They may not agree with you, but at least they will listen to what you have to say, which is where you have to start from right there. That's how we're a little bit different from some of the more urban law firms.

Sabrina Ashton: Awesome. Thank you. Kevin.

Kevin Hamilton: I think the difference that we have in our organization is, first of all, most community-based organizations are founded from advocacy. Ours is founded from a different direction. We come out of the academic sector, always worked in university medical centers, trained residents for many, many years, and spun out of that into a community-based organization, which in the transition areas can be incredibly bizarre. Just learning a whole different way to live, and survive, and to do the work.

Being able to bring that over intact, the good pieces of it, was difficult. A lot of the information that we need is data, is proof that this is true. The problem that we have as we go forward with regulations because we see it seems obvious that we should do this, but we don't have enough data underlying it, especially in these local communities. Montana is a perfect example, as is the San Joaquin Valley, where they say, "There's no place like this. You can't use this from there because we're so different."

In fact, of course, that's not true. Otherwise, I wouldn't be giving you aspirin or Tylenol, it was never tested in your community. For medicine, we can look at that, and I can bring a different voice and say, "That's crazy because we can't test everything everywhere, right." We are to some extent doing that now in the region and so we can bring local data forward, that's legitimate, that's recognized because we are doing, we've proven that you can do really great research in a community setting that matches anything that you seek and bring forward, by the way. We've got the publications to prove it at this point and the budget.

Then the other piece is, we're actually providing care for people at the same time. Again, we get paid by Pharma & Healthcare services and medical to do the work that we do there, so we have a revenue stream coming in. Again, that's very different than the average community base, which is constantly struggling just to

pay its people. Part of what we've done is, a third of our revenue is passed forward.

It's funny, I was talking to Baldwin Moy, CRLA attorney last night, about how we can bring back a hospital that just went under in Madera County. What kind of tools might we have that we could bring to bear? You find yourself working in a lot of different arenas where that expertise is needed by an attorney at that point in order to work in his community to solve a significant problem, which is, you've got a really large community here, mainly farm workers, who no longer have access to a hospital.

The nearest hospital for them could be an hour, hour and a half away instead of twenty minutes. Can you imagine that? Of course, you could be in Montana where the nearest hospital is three hours away, but they're not going to send a helicopter for anybody in here, I can tell you that, for sure. It's very difficult, very difficult, but that's what makes us a little different, I think.

Sabrina Ashton: Thank you. Well, each of you have spoken a little bit to this, but can you speak in a little more depth about some of the inequities that you're facing in your communities and how you're advocating for or against those issues? John, start with you.

John Meyer: There's been a lot of talk recently about this idea of just transitioning fossil fuel and decarbonizing the economy. That's great news that we're moving in that direction, but one issue that we have not talked about is the role of our national forests in mitigating against climate change. Our national forests store huge amounts of carbon. I think we're the fourth-largest carbon storage of any country in the world. While we're talking about decarbonizing, maybe we should talk about cheap ways to do that by maybe not logging down all of our old-growth forests. I see it as an inequity that we're trying to buy our way out of this problem when we don't need to spend money on it. It's fundamentally an issue where we don't have to spend money. We just have to look at the science. The science says, at least knowing the Rockies, when you log, our forests are not regenerating. They're not coming back. Trees are not growing back because of climate change.

If that's the case, maybe we shouldn't go and log all these old growth forests and let all that sequestered carbon into the atmosphere. That's it's, I think, a relatively straightforward common-sense solution to addressing climate change, but it hasn't really been addressed, and I see that as an inequity within the conservation field that I'm working.

Sabrina Ashton: Thank you. Very interesting, Estella?

Estella Cisneros: There's a lot of inequities that come to mind when it comes to not just farmworkers, but I would say probably, definitely all rural communities. If you compare numbers, if you compare statistics, a lot of rural communities have very high poverty rates, so very high rates of poverty, very low rates of literacy. They do not have very good educational attainment rates for children.

They have very high rates of illnesses like asthma and other illnesses like that that really just affect people's quality of life. There's a lot of undocumented people as well that reside in rural areas. That really just affects their ability to access justice and even just basic services, to be quite frank. When you look at inequities, they run the gamut, right, of just how communities are struggling.

Kevin was talking about this one particular hospital in Madera, and I think that's actually a really good example of what I was touching on earlier, which is just the literal physical infrastructure that is set in place to where communities cannot access the services and the help that they need. In Madera, because that hospital closed, people now have to drive an hour to an hour and a half to obtain medical care.

Actually, another thing that was troubling us was, I'm not necessarily working on this, but my dad had a really great program for undocumented immigrants to access medical care.

That may no longer be at play and so where do those communities turn when they need medical care? It's something that is not their fault. They live in an area with really poor air quality caused by all these big factors, right?

Agriculture, all the big rigs that drive through the Central Valley, just a large variety of things that they don't really have any control over, but they're suffering these negative health effects. The things that we do as an organization, we do the traditional legal services, right, where we're representing individuals experiencing difficulties with housing, education, employment. We also have some health initiatives in some areas of the state because of capacity.

We have some health initiatives in parts of the state where we are in health clinics to provide legal services to folks to access things like state disability benefits, unemployment insurance if they qualify. We help people who were denied medical coverage through Medi-Cal, I should say. Then we have programs like the Community Equity Initiative that really are in the community trying to understand what the community needs are and help groups of people form nonprofits or just a collective to advocate for themselves for whatever their biggest concern is.

Some examples are, the CEI team helped to stop an incinerator from being placed in their community. That was very important for that community because incinerators generate a lot of really bad things into their air. That work was done through the formation of this really amazing group of just people, regular people, who wanted to get together, this was going to come into their community, and they didn't want that.

Examples like that of, like, really being in the community and like listening to community members and providing, whether it's through assisting them in forming their own groups so they can advocate for themselves with our assistance or litigation, if that's what it takes. Those are just examples of the overarching work that our organization does.

We are not a traditional environmental law firm, but because we have access to the community and we've been around for so long, we can connect with other groups who may be doing the more traditional environmental work or what one thinks as the traditionally environmental to amplify that and just work off of each other, right? The goal is to, again, just improve the outcomes for people, to help them live a healthier, and safer, and just better life.

Sabrina Ashton: Thank you.

Kevin Hamilton: I think there's the inequities in this country and, certainly, in the San Joaquin. I don't know how familiar you are with the San Joaquin. The San Joaquin Valley is an area so large that if it was a state, it would be the twenty-sixth largest state. As an economy larger than eleven other states, I think we're

ninth in the world. Crazy how big the San Joaquin Valley is and how much money it makes and how little of that actually makes it down to the residents who are the ones who create that product that makes that money.

A big problem we had recently with flooding is people with small businesses in a town called Planada were washed out and their businesses destroyed, but because they've got a paperwork issue, I don't call them undocumented. They just have paperwork issues, right? They can't access a lot of the services, but yet they've been working and developed their own thriving business that's been operating for twenty years. That's ridiculous. That's an inequity.

Inequities like that proliferate across that region, which has been called the Appalachia of the West by the Brookings Institute, but it's farming not mining that's been the driver there.

In our world or CCAC, inside the home, we have a slogan. We say, "We help you create a safe place to breathe." Everybody deserves a safe place to breathe. Unfortunately, in that region and in large parts of our country, the outdoor air is not really always a safe place to breathe, right? We have to help people secure their indoor environment.

We use a tool called the EPA's Healthy Homes Environmental Survey. All our community health workers do that survey of people's homes, and then, thankfully, through this statewide program, we're able to provide them with things like air purifiers, dehumidifiers, mold remediation, weatherization, so we can help seal up that home so at least that home becomes a safe place to breathe.

If they can get eight to ten hours a day in a safe place to breathe, we know that their body will be able to, if they're reasonably healthy, recover from the insults that it's experienced during the day. That's one way that we work, and then the other way is what I talked about before. I expect that I can help them become that and turn it over to them. The outdoor air, I can't expect them to do much other than teach them some behavioral changes they might want to do, which are almost impossible because they don't have a grocery store close enough to them to walk to it or ride a bike or something, so they're going to be in a car.

The transportation system in the Valley basically doesn't exist. Certainly, not to meet the needs of people who have to go to work, so we have to do that, right? People who have the knowledge and can afford to need to be doing that work on cleaning up that outdoor air, and the soil, and the water in the San Joaquin. We work on pesticide-related issues. We worked on that incinerator issue as well.

The wonderful thing about attorneys is now, we have attorneys that are working with us as we're working on those issues. In some ways, we're able, I think, to avoid moving to litigation, because we've got that advice early on—it's so helpful. You guys could be so helpful there. One of those attorneys actually was running the law clinic before Sabrina was. We worked together to be interveners with the Leadership Council, also from the Valley, on our big problem with Derry Biogas. We were able to really slow down that whole conversation by developing, which I personally didn't have any idea how to do, intervener status with the utility agency, which somebody mentioned on an earlier panel. It's a critical agency that holds a lot of power. Our CPUC here,

California Public Utilities Commission, was founded in 1925 to manage coal cars that were carrying coal to energy plants.

Somehow, they're still here today driving us all crazy, right? Supposedly protecting our electricity with crazy things like NEM, time of use, and that crap. None of that works for people who are living in poverty. People in the valley face \$700 to \$800, \$1,000 electric bills in summer if they have an air conditioning unit. When it's 116 degrees out, you damn sure want an air conditioning unit.

They've got a program that says, "We can cut your bill with this program sign-up. It cuts it 20 percent." Congratulations. You reduced my bill from \$1,000 to \$800, I bring \$1,400 a month into this household picking grapes. That's an inequity, right? How do we deal with that? I'm really not sure we're fighting the fight, but we need new minds, people that have never come into this conversation who can look at it maybe differently than we are, because sometimes we get entrenched, right? We think that we know, and I've learned that I don't always know, but then I need to know. Definitely need you here.

Estella Cisneros: Can I add something, Sabrina?

Sabrina Ashton: Yes.

Estella Cisneros: I actually had not met Kevin before-

Kevin Hamilton: Which is really—

Estella Cisneros: —which is really strange.

Kevin Hamilton: Really strange.

Estella Cisneros: Yes. Just I think in our interaction right now, I just want to highlight. We're talking about community-based organizations that are in the communities. That's really important. I actually have office space there or are walking around in there making contact with the community and coalition building because we can't do it alone as attorneys, especially.

We have community workers that are out in the community doing community education and really engaging with the community. In order to really reach people, you need to also be in a coalition with other trusted community-based organizations such as CCAC. Sorry, for some reason, I thought your acronym was different. Right? Yes. Because they are in the communities just like we are, and they are trusted as health care providers.

They are trusted. We do that with a lot of different things. We did that engagement. We've done that with COVID relief. You have to engage with other organizations that are also on the ground to really amplify your message and to get different things done. Kevin can do something very different than I can as an attorney, but that's critical to the work that all of us are trying to achieve.

Sabrina Ashton: Yes. The coalition building, capacity building, all of that. That's why these things are so important. We very rarely hear the wonderful things about attorneys, so thank you so much.

Kevin Hamilton: I didn't think that way twenty-five years ago, so I have to admit there's a certain bias that's probably implicit out there that you got. I just want to bounce off what you're saying there, and it's, absolutely, true. We're so big at times that we realize that what we need is to help the smaller groups build capacity. That's a big issue. It's because small community-based organizations don't have good grant writers. They don't know how to do it. They don't have to fundraise.

They don't know how to do any of that, but they're passionate about what they need in their community. They know what they need. They've organized it. For us, one of our big focuses is, like I say, is passing through. We have seventeen other organizations we work with valley wide. Eight of those, we pass through enough funding to have a full-time staff person. That was critical to be able to move issues forward, like how do we get electric vehicles into these neighborhoods? You'd say, "How can they afford them?"

With the new incentives, they're going to get up to \$34,000 in incentive upfront that because we have a program we were able to develop with CARB, because we embarrassed the hell out of them, to put it on the hood at the time of sale as a down payment and arrange financing for people with either no credit score or a credit score down to 535 at a loan that's 6 percent or less, which some of us probably can't get, right? That's a deal to me. That's the kind of things that are going to change things.

Because of that, we ran them out of money the first cycle in three months, but we got eighty people in these community electric vehicles, which they learned they can plug from an extension cord in their garage or their house without running their electric bill up extremely. It's so much more dependable than a gasoline car. A lot of these folks would lose their job when their car would break down because there's no public transportation to get them to work.

We're trying to get them out of a car and then up here in the Bay, people are like, "Oh, you need mass transportation. You need more clean mobility options." It's like, "Yes, I got the option to go fifty miles to go to work, and there's no bus." I think part of the deal is becoming more sensitive to each other's needs, regionally and nationally, and understanding that what we see here and what we're thinking is reflective of our environment and where we live.

It may not be the lived experience of others in other states, other regions, where I come from in another part of Appalachian in the Eastern border of Pennsylvania and Ohio. You see the difference there and here. The population's skin color may be different, where it's more White and Black there than Brown as it is here and Black, but still, the same inequities are occurring in those communities.

The same disasters are occurring in those communities to people who are living in poverty, and people who are not are completely ripping off constantly and developing things that are slowly destroying all of our world. Right. It's tough, though, when you go down that local community and you're going to say, "I'm attacking this," and half the people there work at it, you're going to be really careful about how you talk about that.

IMPACTS OF CLIMATE CHANGE ON RURAL LEGAL WORK

Sabrina Ashton: You've all touched on this a little bit, but I just want to go into a little more depth on how climate change is affecting both your work and the clients that you serve for those who do serve clients. Who would like to go first?

Kevin Hamilton: John, you get your talk at the time.

John Meyer: I think that climate change is fundamentally driven by overconsumption because our economy is based on consumption. As we

continue to consume, we continue to build, we continue to grow our entire economy is based on growth. How do we address growth in the context of climate change? I think that's the biggest question that we have as a society if we want to really address climate change. What was your question? Because I'm going to tie it right back in.

Sabrina Ashton: No, that was right. How is climate change affecting your work?

John Meyer: How is it infecting our work? Yes. We're trying to take individual cases that have a high impact to really address the idea of putting the brakes on growth and development just for the sake of growth and development. There's a small resort outside of Bozeman, Montana, in Big Sky called the Yellowstone Club. I don't know if people have heard the Yellowstone Club? Yes, people are shaking their heads. Yes. Bill Gates, Tom Brady, all the bajillionaires have houses in the Yellowstone Club.

Those guys, we don't need to build a seventh house for Tom Brady, but we do that. That provides jobs for people in the blue-collar communities where we live. The problem is that they're trying to figure out, "How are we going to dispose of all this waste? Because we've already polluted the river, so we need to figure out a new innovative approach to dispose of all this waste." They said, "We're going to make snow. We're going to make snow using treated wastewater, and it's going to be great because we're recycling. We're going to pat ourselves on the back. Good job, everyone. Yes."

The truth is that the USGS, the U.S. EPA, and state agencies are coming out with science saying, "You cannot remove pharmaceuticals from treated wastewater." You go and make your snow, and then it melts, and it drains in the river. What happens when pharmaceuticals enter our water? We've got science saying that fish change sex, amphibians change sex, it's having human impacts. The government won't tell us what those human impacts are, but they're saying it's having human impacts. We're challenging these permits, saying, "Maybe we shouldn't go forward with this idea of growth for growth's sake because it's having serious human impacts on all of us." That's one way how we're trying to really address the idea of climate change.

Sabrina Ashton: Thank you. That was a great example.

Estella Cisneros: I think for my program, where we really see the impacts of climate change on the working conditions for agricultural workers. When I say agricultural workers, I don't mean only farm workers or field workers, people that pick and take care of fruits and vegetables, but also, I'm also talking about people that work on dairies, nurseries, and packing houses because agriculture is a big industry, there's a lot of different work that you can do.

Really, where we see it the most is for field workers. When it comes to really increased temperatures during the summer, makes them really susceptible to heat stress, and heat stroke, and death from heat illness. Employers are supposed to be providing a large variety of protections and measures to help protect agricultural workers from heat stress. A lot of them don't. Things like portable shade, cool drinking water, and additional breaks if temperatures are above a certain temperature.

Shockingly there's actually no requirement that employers stop workers from working if the temperature hits a certain degree. It's just up to them to

decide if they want to have their workers working in 120-degree heat. The really high temperatures for extended periods of time in, not just the Central Valley, but also in the Coachella, Riverside area, we have agricultural workers there as well. That's really where we see it the most.

The other place is when it comes to fires and smoke. Two summers ago, during the middle of the pandemic, there was just a giant number of fires all across California. This really impacts farm workers, not just the areas that are affected. We had farm workers like in the Sonoma area who were not being told to evacuate and so some of them were working when the AQI was 500. It was astronomical and some of them are still working.

There's actually a health and safety standard that says employers are supposed to provide N95 masks to farm workers when they're outside working when the AQI is above a certain amount. A lot of advocates don't believe it's strong enough because you probably shouldn't be working if the AQI is above 300 anyway. We have the standard, it's relatively new. It's only been around for less than five years, maybe three to four years.

There's still a lot of community education enforcement that needs to be done to force employers to provide the N95 masks. During the pandemic, there were no N95 masks to be had by anybody, so communities really struggled to even have access to them to be able to hand out to the communities. Employers were, certainly, not doing it, even though they claimed they were.

That's the really affected community where the fires are happening. Then you have communities like in the Central Valley where terrible air quality from all around, smoke and all that junk from everywhere around the state makes its way there and just stays there. You had terrible AQI all the way into the Central Valley from fires that were happening in Sonoma and other parts of the state. Those workers also should have N95s provided to them. Other measures should be taken to help them not be breathing in all that junk when they're working outside. Again, similar to the heat illness standards, there's a lot of non-compliance.

Compliance from the state is really important. Cal OSHA is severely underfunded. They don't have enough people. Nobody does, and so a lot of employers just really don't take that responsibility seriously. Those are the two ones that I've seen within the last five years or so that have really increased heat stress has been dangerous for farm workers, but now we're again, we're starting to see some extreme temperatures for prolonged periods of time that are really not safe for farm workers, and then the bad air quality from fires and being in fire zones.

Sabrina Ashton: Thank you. Then over to you.

Kevin Hamilton: I think probably one of the biggest challenges we faced early on was we had worked quite a number of years with our colleagues up and down the valley to educate communities about the dangers of air pollution, particularly particulates, because it is the most polluted air basin in the nation, especially with PM 2.5 and smaller, which is the most dangerous particles. Then, along comes the whole climate conversation.

For residents, it's really hard to connect that back to what they do every day. I think for us as an organization that is committed to, I say translating this stuff and trying to connect it to real-world examples, the blessing was in the wildfires,

a mixed blessing. It forced us to look at how could these folks know that this was happening and the danger that it presented.

The only way that we knew was through the Air District's air monitoring network, and we passed that information back to local organizations to get warnings out to the community. Then we realized that that system is really weak and has huge gaps, fifty, sixty miles wide, where there's no monitor. With PM, I have a T-shirt that says *Physics Rules* because it does, by the way. Say what you want. The other piece of it is, sorry, it's my wife.

She can break through, put on my phone to stop it ringing. Nobody else can ring my phone right now. It's just really behooving on us to fix that. We got some people who were interested. There is an off-the-shelf monitor called Purple Air, who is really amazing, and I happen to have a colleague who can calibrate this data because we did it for medical studies where we were looking at diesel emissions and we had to calibrate that work.

We established sjvair.com, you can look at it right now. It's a network of almost 300 monitors that run from San Joaquin County down to Kern. The data on SJV and includes all the regulatory monitors. We worked with the local Air District and CARB, California Air Resources Board, and EPA to show them that we could do something good together. They eventually allowed us to co-locate our monitors with those.

Calibrations are now automatic and stuff because there are a lot of microenvironments and the weather, and everything comes into play when you're feeding that data, and so we created this as an early warning network. How do our folks get internet? That's another problem. Through Moving Forward Network and others, we were able to get enabled tablets for a lot of folks in those communities. They're able to give away for free and pay for their internet service through a phone number on those for up to a year and connect them up to the 999 and 1499 programs that all these ISPs have to run.

I think that's helped a lot. They've been very grateful. It's not everywhere, everyone, but everybody knows somebody else. One way you get things around in those communities is just know who is the local person who everybody talks to, and your local community-based organizations know who that is, and often it is them. That forced us, again, I mean, constantly we feel like we're being forced by climate to make these changes and then it takes a long time to get them into place and money. Now, it's actually happening, which is remarkable to me.

If you had told me twenty years ago that I would be in an organization that was responsible for an air monitoring network, I told you we were at, but yet here we are because black carbon is so dangerous to all of us. The thing about those monitors is they'll detect it before they can even see it because it's PM 2.5, you can't see it. That's huge. All the schools now want these monitors, so we're placing them on schools. We have money to do nine at this point. We even added in a regulatory monitor called a Beta Attenuation Monitor putting on the high school.

Now, that's working with students, so the kids in the community are now getting educated about this, and we're encouraging all of them to become geologists, geographers, air scientists, whatever they want to be, but it's very cool. We think that, generationally, this is the way this has to happen. It's not climate change, it's a generational problem. We're not going to fix it. Certainly,

my generation ain't going to fix it for you, brothers and sisters. I'll tell you that right now, so it's going to be you and you guys. That's what it's done to us. It feels like it's always doing things to us, and we're reacting. I'm not sure how to get into a proactive space that doesn't destroy some group of people's lives in some way. Sacrifice. Are we into sacrificing? Now that's the question, right? No.

Katalina Hadfield: Thank you.

AUDIENCE Q AND A

Sabrina Ashton: I'm going to open it up to all of you if you have any questions. ... Yes, Kat. Go ahead.

Katalina Hadfield: What's something that's giving you hope in your field right now?

Sabrina Ashton: I love that question.

Kevin Hamilton: I hope every day. I really do. People tell me. There's an old movie that has somebody in it called Pollyanna, and people say I'm a real Pollyanna.

Estella Cisneros: I see.

Kevin Hamilton: Do you? I really believe that this can happen, and I see it in people's homes. I go to somebody's home that we've been working in, kids playing in the backyard, and they say, "Before your program, I had to keep my son in the house all the time." At that moment, I'm like, "Okay, this can happen." We can create change one at a time and really, that's how it happens.

I'm lucky enough to be working on a big picture with folks like you who are doing just really amazing work, which, again, I never expected to do. I was doing it one patient at a time, and I miss that quite honestly. That feeling that I can change somebody's life today and I don't get to even see anybody anymore, which is other than people who call me and say, "Hey, man. I've got this health problem. I'll talk to you about it." That's the way to start. It really has to start there.

Sabrina Ashton: John. Go ahead, John.

John Meyer: The fact that you all are sitting right here today gives me hope. You guys are the brightest legal minds in the United States. You're the youngest. It's up to you, and I have complete faith that you're going to do it. It's not going to be easy, but I do, in my gut, in my heart, I believe that we're going to do it together and you just gave me a look like, "Okay. Whatever."

I'm not trying to be Pollyanna; I'm fucking serious. It's going to happen. You guys are here. If you're committed to the public. I have twin boys named Rex and Wiley. They're three years old. If you're committed to future generations, and I think you are because I don't think that you'd be here if you weren't, it's going to happen, so I'm inspired by you guys being here. Thank you.

Estella Cisneros: I think for me, it's two things. One is clients or client community, just amazing folks. They're just humble, trying to do their best, the best that they can for their families and for their communities. That is one thing that you do see a lot in legal aid is people just being really grateful for possibly being the first person to hear about a terrible situation that they're going through, whether it's at work or because of a state agency or a landlord, to people that you

represent in litigation that you're able to recover thousands of dollars and that changes the lives of their families.

Then, two is what my coworkers and I call youths. It's like young people who just are out there. I don't know what part of the generation I am, but I'm like X, Y, whatever. I don't know. I don't know what it is, but it's the generation after me. People are just like sixteen, and they're saving the world, and I'm like, "Oh, my god, at sixteen, I was like, I don't know, obsessed with the Backstreet Boys." I don't even remember what I was doing.

The change in demographics, the change in people's acceptance of others across a large, everything. You guys are so smart. Young people are just like, they're sick of my generation and previous generations, like screwing everything up, and I'm like, "Thank God." That gives me hope for sure because there are a lot of people that care. There's a lot of really bright minds that are trying to just make things better.

As long as you continue to have that, I've been an attorney for about ten years now, almost eleven years, so it's not a particularly long time. Not thirty, forty years, but it's really easy to become jaded when you see the same thing for fifty years because farmworkers have been facing the same things for fifty and it doesn't change. As long as you have that desire to help and make positive change, I'm like, that's really the only hope that you need, in my opinion.

Sabrina Ashton: Well, hope is a fantastic thing to end on, so thank you, Kat, for that. I want to thank our panelists for joining us today.

