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# ENVIRONMENTAL PLANNING AND POLICY IN THE LOS ANGELES REGION: OPENINGS AND OPPORTUNITIES

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Though often presented as an example of the disastrous environmental consequences of modern urban growth, Los Angeles can also be seen as a locus of successful innovations in environmental management. Over time, these innovations have created a complex of specialized agencies managing local and imported water, air quality, and other regional environmental problems. Now the very number of these agencies and their overlapping and intersecting powers and roles are increasingly identified as a part of the problem, not the solution. Community activists, environmentalists and business representatives have separately argued that we must restructure regional environmental planning in Los Angeles if we are to achieve more effective environmental controls. Each alternative now on the table involves a reorganization of agencies and a reallocation of responsibility for various environmental problems. Though each group puts forward substantially different critiques of the current regulatory and planning structure, there also exists a potential for consensus, for a common approach toward moving beyond regulatory gridlock.

The institutional government of the Southern California regional environment has been organized around access to and management of particular necessary resources: air, water, residential and industrial land and open space, and the disposal of industrial and household wastes. As the city of Los Angeles, other local municipalities, and the metropolitan region have grown and changed, the need to manage common environmental resources within and across municipal and county boundaries stimulated the incremental development of agencies and their respective tasks and powers. More recently, the growing importance of these issues at state and national levels has led to legislation mandating particular local and regional planning and regulatory activities, so that the agencies we now encounter are a result of both local and more general developments and concerns.

In this paper we focus on the institutions engaged in environmental management, rather than on the environment itself. We briefly explain the intricate structure of agencies involved directly or indirectly in environmental issues as the result of a complex historical and institutional evolution which derives from the political and economic history of development of the region, the role of the region within the state, the general environmental concerns of the state, and the particular development of Federal environmental policy and regulation since the 1960s. The current structure of environmental planning and regulation has led to overlapping but not co-incident local municipal and regional agencies. We summarize the history of these

agencies and their origin in popular and elite concerns within the region. We then consider some of the weaknesses of the current structure and strategy of environmental planning and management. Finally, we address the meaning of these proposals for consolidation and reorganization of environmental planning, with particular emphasis on the need for public participation in decisions about environmental policy and its costs and benefits.

### **The Origins of Environmental Planning in Southern California**

Los Angeles has a long and complex history of addressing environmental problems, due to the range and nature of the environmental concerns and resource issues this region has been forced to confront. Though many Southern California agencies are now responsible for implementing state and federal environmental laws, the agencies themselves (or their immediate precursors) originated first in local initiatives. These initiatives reflected two distinct political impulses: *local elite concerns about limits to local economic growth*, and *popular concerns about quality of life*. Particular agencies sprang from one or the other impulse, but most must now incorporate compromises between elite and popular concerns and claims.

The division of planning and regulatory activities by environmental medium -- the separate treatment of water, air, sewage, waste disposal, open space and natural resource conservation, and land use planning -- also developed incrementally as a series of ad-hoc responses to the problems and limits of urban and industrial growth. As each new problem appeared as an issue of public concern, a new agency was formed to manage that specific problem. This division of environmental issues has both confirmed and been reproduced by the complex institutional division of labor within which environmental planning in Southern California has come to take place. Though in this paper we refer primarily to two of the largest and most powerful of these agencies, the South Coast Air Quality Management District and the Metropolitan Water District, by one observer's count, there are currently 72 agencies in the Southern California area with significant permitting roles in environmental regulation.<sup>1</sup>

Within the present division of planning and regulatory labor, environmental agencies can be distinguished as responsible primarily for either infrastructure development or pollution control. In general, elite concerns provided the impetus for the first set of agencies, while elite and popular interests have confronted each other, and at times converged, in the second. The basic structure of the infrastructure agencies was put in place between 1900 and World War II, while many of the pollution control agencies appear only with the environmental problems which followed rapid urban growth and industrial expansion during and after the war.

#### **The Rise of the Infrastructure Agencies**

As Los Angeles rapidly expanded its industrial, commercial, and residential base through the first half of the twentieth century, regionally based resource agencies and utilities were formed to make infrastructure decisions which would support and direct that expansion. The

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<sup>1</sup> Letter from Roy Anderson, Chair, Los Angeles 2000 Partnership to Governor Pete Wilson, May 4, 1992.

story of water resource development is relatively well known<sup>2</sup>: The Los Angeles Water Department (later the Department of Water and Power) was formed to rationalize the local privately-dominated water supply system and to plan and construct the Los Angeles Aqueduct, bringing water from the Eastern Sierra; twenty-six years later city fathers established the multi-city, multi-county Metropolitan Water District of Southern California to bring more water from the Colorado River to land outside the Los Angeles municipal boundaries, thus opened to further urban growth and development. Two aspects of this infrastructure development should be noted. Each agency funded imported water in substantial part by taxes on the largely residential developed land base, thus assigning the costs of huge capital investments to support metropolitan growth primarily to homeowners, rather than industry and land development. At the same time, the changing service area of each agency had strong effects on the municipal and regional political geography of the metropolitan region: Los Angeles annexed huge new areas and previously independent cities by offering a secure water supply for growth; later, the MWD directed the pattern of Southern California development as it defined areas as inside or outside the MWD service area.

Imported water had a powerful effect on local development and the management and conservation of local water supplies. Rapid growth in Orange County and the western and central parts of Los Angeles County in the late 1940s and 1950s and subsequent urban expansion in the eastern end of L.A. County (ultimately spilling over into Riverside and San Bernardino counties) placed serious stress on the groundwater basins which provided water supplies for those areas. This stress included both excessive withdrawal and growing groundwater contamination from industrial discharge of wastes. Overdraft, seawater intrusion, and high nitrate levels threatened the basins. But the management districts established to protect water rights holders in the basin areas dealt with the overdraft from urban expansion not by managing growth but by contracting for new imported water via the Metropolitan Water District, to be used as a peaking source during periods of high demand. This addressed immediate overdraft problems and allowed expansion to continue unimpeded. Contracting for imported water (from the Metropolitan Water District) as a peaking source undercut any potential for managing the use of the water, for conjunctively storing imported water in groundwater basins as reservoirs, or for addressing the demand side of the water question.<sup>3</sup>

While the establishment of water resources infrastructure and increasing dependence on imported water stimulated land development and speculation, the formation of regionally-oriented electric utilities, notably Southern California Edison and the city's Power Department, influenced the local development, siting and expansion of an important manufacturing base. Here also municipal bond-based funding of construction, regressive pricing policies<sup>4</sup> and an aggressive

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<sup>2</sup> See, for example, William Kahrl, 1982, Water and Power: The Conflict over Los Angeles' Water Supply in the Owens Valley, Berkeley: University of California Press; Robert Gottlieb and Margaret FitzSimmons, 1991, Thirst for Growth: Water Agencies as Hidden Government in California, Tucson: University of Arizona Press; Steven P. Erie, 1992, "How the Urban West Was Won: The local state and economic growth in Los Angeles, 1880-1932," Urban Affairs Quarterly 27 (4): 519-554.

<sup>3</sup> On the question of imported water as a peaking source, see "Ground Water Basin Management", James H. Krieger and Harvey O. Banks, California Law Review, 50 (1962): 57; see also 1978 Albert Lipson, Efficient Water Use in California: The Evolution of Groundwater Management in Southern California, Rand Corporation, Santa Monica, CA R-2387/2-CSA/RF.

<sup>4</sup> Particularly, sharp declining block rates, which meant that large industrial users paid much less per unit than households.

search for new external energy sources<sup>5</sup> characterized agency policy. The strategy of securing huge external sources of water and power well in advance of local demand, and of subsidizing industrial and land development by assigning capital and operating costs differentially to residential users culminated in the "Grand Plan"<sup>6</sup> of the post World War II period. In this "Grand Plan", Southern California utilities allied with Southwestern (and later Pacific Northwestern) utilities and industries to establish an interregional power grid to facilitate the intense growth of the postwar years.

### The Pollution Control Agencies

During the heightened expansion of the 1950s and 1960s, significant -- and visible -- environmental problems with the potential to seriously impact the patterns and dynamics of regional growth appeared. These problems led to the formation of new, fragmented agencies which ignored the connection between infrastructure and pollution control. Sharp increases in sewage outflow into Santa Monica Bay, for example, had already by the early 1950s forced Los Angeles to construct its Hyperion sewage treatment facility, which discharged sludge through a seven-mile-long outfall to the ocean floor.<sup>7</sup> The city would soon discover a continuing capacity problem at the plant; it had failed to plan for future growth or to anticipate the nature and volume of sewage flows<sup>8</sup> and had also overlooked the potential for contamination related to the sludge discharge into the Bay. The Metropolitan Water District had been formed as a regional agency to ensure coordination of the regional water supply, but there was no parallel early regional coordination of sewage treatment and disposal.<sup>9</sup> In these growth years, no effective coordination was developed among the sewage treatment agencies or with the water suppliers whose policies were stimulating low-density rapid residential expansion.

In the growing suburbs, more water for expansion increased dependence on imported water, failed to deal with the relationship between water use and sewage flows, and eliminated water resource planning as a constraint on land use decisions. Rapid-fire checkerboard growth, framed by such resource management decisions, became characteristic of the region. The provision of imported water complicated the integration and coordination of waste water treatment both by encouraging increasing flows and by encouraging spatial patterns of development which ignored the problem of sewage treatment and disposal.

In the same period, air pollution and land contamination problems also began to tax the

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<sup>5</sup> Initially associated with water supply infrastructure, as in the hydroelectric generators of the Los Angeles aqueduct and Hoover Dam on the Colorado; later with the development of coal resources on the Kaiparowitz Plateau.

<sup>6</sup> The term "Grand Plan" was first introduced by a DWP official in the early 1950s. See, 1985, Peter Wiley and Robert Gottlieb, Empires in the Sun: The Rise of the New American West, University of Arizona Press, Tucson.

<sup>7</sup> On the background to the development of the Hyperion plant, see Metropolitan Los Angeles: A Study in Integration: V. Sanitation and Health, Winston W. Crouch et al, the Haynes Foundation, Los Angeles, 1952

<sup>8</sup> And the technical problems associated with combining residential and industrial sewage, as industry grew, chemical use became more common, and industrial discharges frequently killed the bacteria employed to digest residential wastes.

<sup>9</sup> Though the Los Angeles County Sanitation District provided parallel sewage treatment and disposal services for some new municipalities and their rapidly growing population. Other areas constructed local treatment plants and infiltrated their effluent into ground overlying the groundwater pools.

region severely. The first major episode of visible air pollution was the "Black Monday" smog attack of 1943; such smog events became a frequent occurrence by the early 1950s. The smog problem led to quick response from the County Board of Supervisors, whose efforts were immediately paralleled by the Chamber of Commerce Smoke and Fumes Commission.<sup>10</sup> The chamber lobbied to limit the extent and severity of regulation, favoring an 'educate and persuade' approach over 'command and control'. But some local leaders broke with the Chamber's attempts to limit regulatory response; Chandler's support of a state bill to allow a country-wide Air Pollution Control District, in 1947, overran business opposition.<sup>11</sup> Still, local regulators were encouraged to consider only stationary sources of air pollutants, in part because of early concern with sulfur and particulates. Early programs included elimination of all incinerators (and development of a solid waste disposal system at the county level) and smokestack and engineering controls on industry, particularly oil refineries. The unwillingness of the APCD to regulate autos led the state, by 1960, to set up the Motor Vehicle Pollution Control Board. Cars were then blamed, by the APCD, for 80-90% of basin smog.<sup>12</sup> The South Coast Air Quality Management District is the regional successor to the County Air Pollution Control Board and regulates stationary sources primarily; the State Air Resources Board (successor to the Motor Vehicle Pollution Control Board) and its regional offices address the problem of mobile sources of air contamination.

Stationary source restrictions, begun from the hypothesis that air pollution resulted from the engineering weaknesses of backward or careless plants and industries, have tended to focus on pollutant by pollutant regulations. The separation of industrial and mobile sources of pollution -- automobile traffic and bus, truck, air and sea transport -- until recently discouraged attention to the relationship between air pollution and land use patterns, both in industrial siting and transport and in long-distance individual auto commuting from the growing suburbs. The construction of freeways continued to encourage peripheral growth. "Traffic" decisions were defined as engineering problems, distinct from social or environmental concerns; the solutions implemented expanded the circumference of the regional grid, separating home and workplace and creating in the process what today is defined as a regional "jobs/housing imbalance". Traffic solutions caused environmental problems.

The problem of waste disposal, linked to residential and industrial expansion, had also escalated dramatically in the postwar years, exacerbated by the decline in earlier disposal strategies such as swine feeding and residential incineration. Sanitation officials focused on accommodating the growing waste stream, treating waste issues exclusively as disposal questions. The new strategies abandoned sorting and recycling of municipal waste and instead relied exclusively on the development of new landfill sites in areas then seen as marginal for real estate development: the canyons of the Santa Monica Mountains and other extra-urban areas appeared to offer inexpensive land for sanitary landfills. Over time, sanitary landfills were increasingly contested by communities adjacent to landfill sites and by those who saw the mountain canyons as ecological and recreational resources.

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<sup>10</sup> Marvin Brienens, 1976, "Smog comes to Los Angeles," Historical Society of Southern California, 58 (4): 525-532.

<sup>11</sup> Jeffrey Fawcett, 1990, The Political Economy of Smog in Southern California, New York: Garland.

<sup>12</sup> Jeffrey Fawcett, 1990, The Political Economy of Smog in Southern California, New York: Garland, p.84.



Municipal waste disposal questions, much like air quality and sewage problems, have continued to plague the region. Each of these problems, when defined as a public responsibility to accommodate the effects of unrestrained private actions, stretches public resources due to the growing costs and dimensions of the problems involved. The strategies employed have achieved at best only minimal success, managing but hardly slowing, let alone reversing, the pollution being addressed. Regional environmental questions continued to be defined as a set of discrete, protracted, media-specific issues where each of the agencies had jurisdiction over part of a particular environmental question, and the primary mission of the agencies continued to be unabated industrial and residential expansion of the region.

#### State and National environmental mandates

By the 1970s, many of these environmental problems, appearing in Los Angeles and shared in part or in whole by other regions throughout the country, were becoming defined as national in scope, requiring new forms of public intervention and some funding at the state and federal levels. Legislation passed in the 1970s, from the Clean Air Act and Clean Water Acts to the Resource Conservation and Recovery Act, sought to accelerate and restructure the process of environmental mitigation and treatment, both through setting pollutant standards (discharge and emission limits) and by providing for the development and use of add-on or "end-of-pipe" technologies. Nearly all the federal laws provided for state and regional or county implementation, thus establishing an entirely new set of responsibilities for local and regional agencies. New state laws also established new agencies, and new roles for existing agencies, in the management and protection of specific resources, such as groundwater or air.

Together, this set of state and regional environmental bureaucracies helped put in place, during the 1970s and 1980s, a complex and intricate **pollution control system**, much of it now derived from federal legislation and mandates. The system was designed primarily to control the flow of pollutants at a regional level (defined in terms of air basins, groundwater basins, land areas, surface and bay waters, etc.) on a pollutant by pollutant basis through industry- and media-specific technological controls and (primarily) technology-derived standards. Environmental problems, though increasingly recognized as derivative of the industrial fabric and spatial construction of a region, were regulated only as externalities requiring either better engineering and/or add-on controls. Because environmental policy was becoming a substitute for an absent industrial policy, the environmental agencies operated without direct guidance on economic issues other than the arguments and lobbying of the industries they were charged with regulating. Agencies accepted the dominant models of economic development and growth and tried to accommodate them, while charged to meet specific mandates about pollutant levels. Given an economic status quo ante -- a mix of industries and technologies developed without industry responsibility for reducing environmental problems -- environmental agencies continually failed to meet deadlines and targets for pollutant reductions, defended themselves by questioning the value of such targets, and became subject to growing criticisms from community and environmental groups concerned about agencies' failures to resolve regional environmental problems.

The infrastructure agencies and utilities had helped to organize the patterns of industrial and residential expansion, but the new pollution control bureaucracies separated the problems of environmental pollution from directing regional growth, addressing each problem narrowly and inadequately. Environmental policy and planning gridlock had set in in Southern California.

### Community resistance to agency initiatives

Though the pollution control agencies had many successes, the system was, as a result of this lack of coordination, inevitably inadequate to control the effects of continuing rapid regional growth, and the perceived bias of the agencies toward encouraging such growth brought the agencies under serious attack during the 1970s and 1980s, from the community level. Regional growth and integration distributed economic and environmental costs and benefits unequally and unevenly. Communities fought the siting of landfills, the construction of new treatment facilities, the delayed clean-up of waste sites, and continuing failure to control the flow of pollutants into groundwater basins, bays or air basins. Some opposition arose from public interest or environmental groups primarily active at the state and federal levels, but many other groups were rooted in their neighborhoods, involving constituencies new to environmental and public policy and planning issues.

During the late 1970s, the Los Angeles Bureau of Sanitation began to seek alternative disposal strategies for residential solid waste as opposition by homeowner groups and environmentalists in the Santa Monica Mountains blocked the city's plans to expand landfills into new sites in those areas. This shift in direction led to plans to develop three large regional solid waste incinerators, collectively known as the Los Angeles City Energy Recovery project, or LANCER. The first of the LANCER projects was planned to be built in a section of South Central Los Angeles where opposition, Bureau of Sanitation officials assumed, would be non-existent. The dramatic campaign by the newly mobilized Concerned Citizens of South Central not only blocked the LANCER plans but also enlarged the debate about solid waste management policy. Similar struggles occurred in places like Glen Avon in Riverside County (where a local community group, Neighbors in Action, challenged the clean-up strategies for the Stringfellow Acid Pits Superfund site) and East Los Angeles (where a community group originally formed around another, non-environmental question, successfully fought a planned hazardous waste incinerator and moved on to raise larger questions of environmental equity and "negative land uses" in poor communities).

In the San Gabriel Valley, residents concerned about the clean-up of contaminated wells throughout the San Gabriel Basin organized to challenge long-entrenched water agency boards and their ties to specific water users. In westside communities of Los Angeles, coastal residents opposed to the inaction of the Sanitation Districts in addressing bay pollution problems established Heal the Bay, an organization that forcefully insisted on Los Angeles' compliance with the Clean Water Act. Similarly, the Coalition for Clean Air through a law suit forced the AQMD to rework its plan for industry compliance with the Clean Air Act. Beyond specific pollution issues, a number of groups formed to push for "growth" constraints on their communities, primarily through ballot measures. These "slow growth" movements, defining their concerns in terms of "quality of life", were focused on the inability or unwillingness of local governments to address the impacts of residential and commercial expansion on local infrastructure.

These extraordinary mobilizations often involved local residents with no prior activist history. They challenged specific agency strategies for environmental compliance or resource policy and also the alliance of local governments with local developers. Such community groups have proposed new strategies to restructure the regulatory framework and to establish new agency priorities. Intense community opposition to solid waste landfills and incinerators, for example, helped generate the political momentum that culminated in the 1989 passage of

AB 939. This law established specific recycling mandates for local governments and a focus on reducing or redirecting household hazardous wastes from the solid waste stream. As a result of the passage of AB 939 and the defeat of the LANCER project the City of Los Angeles established a new agency (the Office of Integrated Solid Waste Management) to encourage recycling and reduction efforts, while redirecting the Bureau of Sanitation to oversee the city's own curbside recycling collection program.

In the area of toxics and hazardous waste policy, effective mobilization at Stringfellow and the city of Vernon near East Los Angeles ("our efforts are designed to 'plug up the toilet'", declared anti-toxics organizers) pushed policymakers away from a disposal and treatment focus toward the concept of "pollution prevention" or "toxics use reduction"<sup>13</sup>. The rapid growth of Heal the Bay, which combined lobbying and litigation with protest and mobilization, quickly translated into successes on sewage and storm drain issues. One Heal the Bay activist became the president of the Board of Public Works (overseeing both the solid waste and sanitation bureaucracies), while the City of Los Angeles upgraded its Hyperion treatment plant and arranged with the City of Santa Monica to begin treatment of pollutant-laden storm drain waters. Most importantly, new managers of the sanitation agencies began to consider the potential for reduction of sewage at the pre-treatment stage (including the direct linkage between water use and sewage flow). Heal the Bay helped draft new ordinances addressing "the structural causes of urban runoff pollution". This was to be accomplished through "good housekeeping" and toxics use reduction as well as by maximizing the on-site percolation of runoff (that is, identifying ways to keep the water on the land rather than in the drains).<sup>14</sup>

The agency most directly affected by community and environmental criticism,<sup>15</sup> the AQMD, also became the environmental bureaucracy whose regulatory activities had the highest-profile environmental and economic implications. The District's revised Air Quality Management Plan, released in 1989, and its executive director, James Lents, seemed willing in response to extend the parameters of regulatory intervention. This was accomplished through changes in rule-making procedures, stricter standards and pollutant reduction targets, specific product bans, an emphasis on clean technologies (such as gasoline substitutes and electric vehicles), and strategies to change behavior (for example, Regulation 15 to require firms to address employee vehicle use). But the AQMD approach was ultimately limited by two crucial factors: the concept of "spreading the blame" for pollution generation, thus emphasizing the consumer and industry-wide nature of the regulations (a position promoted by large air emitters such as the oil refineries); and an acceptance of key industry assumptions about the prerequisites of economic growth which led to the development of the market-oriented RECLAIM program (again inspired by large emitters who saw their pollution-based activities as a potential income source).

Despite continuing community and environmental concerns about AQMD's shifting approach, the Air District's activities symbolize the uneven nature of agency response to the

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<sup>13</sup> The term of preference for community and environmental groups; see "Toxics Use Reduction and Pollution Prevention", Ken Geiser, *New Solutions*, Spring 1990.

<sup>14</sup> See, for example, the City of Santa Monica 1992 ordinance on storm drain runoff, drafted in conjunction with Heal the Bay staff members, approved August 11, 1992.

<sup>15</sup> Primarily through litigation.

social movements. In the toxics area, for example, pollution prevention has become a new buzzword for local governments and agencies but has failed so far to translate directly into a shift in regulatory direction. Community groups also suffer from lack of coordination and the absence of any coherent alternative discourse in the area of environmental policy. Perhaps most importantly, most community groups still fail to address **industrial policy** directly, whether in relation to the need for jobs, the search for clean technology, or the articulation of strategies for urban sustainability.<sup>16</sup>

Thus, uncertainty about appropriate regional environmental policy seems today greater than ever, particularly with regard to the ways that environmental and economic policy intersect. Community and environmental movements have forced agencies to modify treatment and control strategies and have challenged their growth biases. Yet most agencies have failed to redefine their mission or to fundamentally alter the premise of regulation. Policy gridlock continues, most pronounced at the regional level, which in turn has stimulated discussion about new forms of regional governance based on the environmental question. What these discussions yet fail to address, however, is the process by which agendas are set and the organization and geography of environmental agencies defined, as well as the issue of governance itself, namely who decides and how those decisions are made.

#### **Current problems in environmental regulation:**

The current institutional management of environmental planning and permitting, arising incrementally (as described above) out of the accumulation of environmental problems of growth and development and the consequent formation of particular environmental agencies, is characterized by several structural problems:

- **INFRASTRUCTURE PROVISION AND USE:**

In infrastructure, the provision of resources -- water, energy, transportation -- is separated from the regulation of their use, and institutional divisions create barriers to communication among parallel agencies regulating segments of a shared resource management problem.

- **COORDINATED POLLUTION CONTROL:**

In pollution control, each agency's separate responsibility to manage pollution in a particular environmental medium -- air, water, solid waste, etc. -- poses problems of coordination and limits real innovation and incentives for source reduction. An agency's regulation of emission of a pollutant in one medium often encourages shifting the pollutant to another environmental medium and thus another agency.

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<sup>16</sup> It should be noted, however, that several of the groups, ranging from Concerned Citizens of South Central and Mothers of East Los Angeles to the Silicon Valley Toxics Coalition in the Santa Clara area and the Los Angeles-based Labor/Community Strategy Center have begun to explore some of the questions related to the link between environmental and industrial policy.

- **SURROGATE REGIONAL PLANNING:**

The absence of other institutions charged with democratic regional discussion and planning of land use and growth and regional industrial and economic issues means that environmental planning agencies become surrogates for land use and industrial policy planning. Neither agency powers nor the composition of agency staffs suit these agencies to meet the need for planning in these important policy areas.

- **UNDEMOCRATIC PLANNING FORUMS:**

Centralized decision making about environmental questions, presented as technical issues of regulation, can obscure the social impacts of these decisions for affected communities. In considering restructuring the agencies of environmental planning, we must take into consideration issues of participation, of ensuring access to the decision-making process in a way which reflects the importance of these decisions in people's everyday lives.

Provision and use of resources:

The major infrastructure agencies of Southern California, such as the Metropolitan Water District, the transportation agencies, and the sanitation agencies, have tended to emphasize providing increases in supply at the expense of managing demand. Fee and rate structures have, until recently, encouraged increased rather than reduced resource use. This then increases the pressure on other agencies responsible for dealing with the consequences of such growth in areas such as sewage treatment, waste disposal, and air quality. For example, water policy has mostly separated water supply and waste water disposal questions. Agencies such as MWD and DWP emphasize the provision of constantly expanding (largely imported) supplies, exacerbating the problems of sewage treatment and disposal and as yet avoiding effective responsibility for controlling groundwater contamination at its source.

In examining our infrastructure agencies, we need to ask whether we get better returns to new public investment from further supply enhancement or from demand management and new strategies of integrated management of infrastructure commitments and policies. In water, for example, this means measuring choices about new external supplies of water against water conservation, peak demand management, and better conjunctive use of groundwater basins (as reservoirs, not resources) with local, and existing imported water supplies. The marginal costs and social and environmental impacts of relying on new supplies of imported water rather than managing demand are likely to be high even if that water is purchased from other users of existing developed water supplies. At the same time, conservation as a supply strategy (that is, increasing the supply available for unmanaged or undirected growth) rather than a demand strategy (for example, re-evaluating how water is used for industrial or residential purposes) has merely substituted one supply enhancement strategy for another.

Similar questions can be asked about energy. In the 1930s, Los Angeles entrepreneurs made substantial strides in developing solar power technologies for water and home heating. Southern California Edison and the city power utilities should be encouraged in exploring the

same possibilities. Initiatives to reduce the use of generated power where it can be replaced by solar alternatives would enable the gradual adoption of electric vehicles, for example, without the environmental costs of increased fossil-fuel based generation capacity, leading to air quality gains both within and without the Southern California region.

The point here is to consider a restructuring of initiatives which seeks to close the various environmental loops -- to plan water supply and water use, water quality maintenance, and wastewater disposal as one integrated problem; to integrate energy and transportation issues not just by a single shift in technology but by connecting energy savings in one area with expanded opportunities for air quality improvements in another. Rationalization of environmental problems to relate infrastructure issues and related pollution problems to each other can stimulate more opportunities for private and public innovation.

#### Coordination of pollution control:

Agencies such as the Regional Water Quality Management District, the California Air Resources Board, and the South Coast Air Quality Management District are mandated by federal or state legislation to regulate industrial and urban environmental effects in particular media. In some cases, federal laws provide for handing off direct responsibility for data collection, permitting and enforcement to state agencies. In others, federal law assigns responsibility for ensuring compliance with federal standards to regional planning and permitting agencies, such as the Air Quality Management District. These mandated agency responsibilities generally do not allow for locally-initiated trade-offs based on regional physical and social conditions, though such trade-offs might substantially improve overall environmental quality and reduce the aggregate costs of regional intervention.

The media specific charges to these agencies contribute to the pollution shell game. Even the establishment of CAL EPA as a unified "pollution control" agency at the state level, while integrating certain key agencies (e.g. the Integrated Waste Management Board or the Department of Toxic Substances Control) with discrete tasks into a single agency, has thus far failed to establish a unifying framework for cross-media regulation. This is especially true at the regional level where the fragmentation of functions continues to predominate. After twenty years of experience, we find that strategies of end-of-pipe controls of environmental contaminants too often lead just to moving pollution from one environmental medium to another. For example, air stripping solvent contaminants from groundwater moves these contaminants into the air or the solid waste stream; incinerator ash contributes to the stream of hazardous wastes to landfills; sludge from sewage treatment is sent to landfills or discharged into the ocean. The separation of regulation across agencies which are each responsible for a single environmental medium exacerbates this problem. There is growing agreement among many observers of these problems that the best strategy of pollution control is reducing the generation of pollutants -- redesigning industrial processes to build environmentally-friendly technologies into the production process from the beginning. Environmental innovation in this context then becomes a context for industrial policy and vice versa. For example, Felicia Marcus, President of the Board of Public Works and a one-time Heal the Bay activist, argues for Los Angeles' potential as a recycled products manufacturing center, where some of the technologies involved, while still "dirty" and themselves a potential target for toxics reduction, are nevertheless "cleaner" than their

comparable virgin material industries.<sup>17</sup>

### Surrogate planning:

Though regional environmental planning agencies have limited powers, they are at present *the only agencies with regional power*. As such, their decisions manifest all that we have of regional economic and industrial policy, and become implicated in debates about such policy and about growth in general. But without direct -- and democratic -- discussion of questions of land use, industrial location, or preferred technologies or industrial sectors, key agencies such as the Metropolitan Water District or the South Coast Air Quality Management District serve as surrogate regional planners. They carry into this informal role, as regional economic and land use planners, old relationships with the industries (e.g., land development and petrochemicals) they have historically supported or regulated which seem likely to distort the agencies' understanding of the dynamics of the current regional economy. The close relationship of both board members and staff with representatives of these industries leads to a new form of agency capture, in which the agencies are susceptible to industry arguments that the problems and concerns of the longest-regulated industries, the agencies' special customers, are at the heart of the regional economy. This is unlikely to be the case: new land development will inevitably be restricted by problems of infrastructure and transport costs, and the petrochemical industry is a mature industry with a large fixed capital investment in the region but little likelihood of significant local expansion or growth.

In water policy, the prominent role of MWD in making available presumably unlimited supplies of imported water,<sup>18</sup> and then pricing both the water and the construction of new distribution facilities to benefit new growth areas, situated the agency as a *de facto* land planner. To grow, a region needed to join MWD; any region that had joined MWD could grow without needing to anticipate limits based on water shortages. Between 1946 and 1971, more than a dozen new districts joined MWD, eventually serving an additional ten million customers. MWD's planning function, however, was informal and discrete, stimulated by the special relationships real estate developers, financial institutions, and others had formed with water agency board members, managers and engineers.<sup>19</sup> This community of regulators and regulated coalesced into the *water industry*, that is, a close but informal collaboration between public agencies and private interests both involved in lobbying and policy-making entities such as the Association of California Water Agencies or MWD itself.

In later years, as MWD and other water agencies came under challenge for indirectly influencing land use decision-making from oversight agencies such as Local Agency Formation Commissions, the water agencies denied having any role in land use planning. Yet the agencies continued to encourage unrestricted (or unplanned) growth by refusing to place restrictions (or

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<sup>17</sup> Personal communication, November 12, 1992.

<sup>18</sup> Which MWD guaranteed its member agencies in the Laguna Declaration of 1952, initially to meet peak demand and ultimately as a primary (rather than supplemental source) of water for regional growth. Gottlieb & FitzSimmons, *Thirst for Growth*, p. 14-15.

<sup>19</sup> MWD had initially been expected to incorporate new areas on a groundwater basin basis, but the agency's willingness to accommodate its clients and supporters on demand led to a much more irregular pattern of annexation and service.

planning interventions) on either the availability or the use of the water supply within an ever-expanding metropolis.

In air quality management, the AQMD evolved from an agency seeking to improve the efficiency or performance of certain industrial activities into one which, because of the broad influence of its decisions and their direct application to industry, became the locus of debate on industrial policy in the region. Though AQMD's policies were seen as influencing the regional industrial structure, it made only an indirect and partial contribution to the debate about regional economic growth, industrial policy and the regional environment. In the 1950s and 1960s, the Air District worked out a policy in conjunction with the local Chamber of Commerce whereby the most visible polluters in the region (the refineries or utilities) would demonstrate a commitment to specific pollutant controls or would export the pollution associated with new investments. So, for example, local utilities participated in coal-fired power plants in the Southwest and in wheeling electric power from distant generators rather than increasing generating capacity within the air basin.

With the passage of the 1970 Clean Air Act (and its subsequent Amendments), which mandated regional attainment levels for specific pollutants by targeted dates, the AQMD found itself subject to new pressures to achieve specified reductions in emissions of certain pollutants. This led it more directly into the arena of pollutant-based rule making with greater implications at the facility or industry level. The pressure for Clean Air Act compliance (intensified by the surveillance of litigious environmental groups) placed AQMD in the position of regulating "after-the-fact"; that is, placing constraints on industries across the board, without attention to an industry's size, location, labor market characteristics, or its role within the regional economy. This approach was encouraged by large emitters such as the refineries who argued that regulatory burdens had to be shared across industries (and by consumers). One example of this appears in the way that AQMD staff structured the regulation of new industries in the 1989 Air Plan. Though they had the benefit of access to a high-quality regional economic model which might have been used to estimate the employment effects of regulating particular industries, staff did not employ the model to discover where further regulation would cause the fewest employment effects. Instead, they acceded to the petrochemical industry argument (that it had already been stringently regulated and had made substantial progress in reducing its contribution of pollutants), and promulgated rules which brought additional much-more-labor-intensive industries and many small businesses under air pollution regulation for the first time. The model was used only to estimate the employment effects of proposed regulation in the newly regulated industries, rather than to discover where further regulation would cause the smallest employment or regional economic effect. Because the new regulations strongly and suddenly affected industries which employ large numbers of low-wage minority workers, public concern and popular resistance about the new regulations rapidly appeared.

Though AQMD reached out widely to include decentralized industries and small businesses in the regulatory field in its new plan, it has not done the same in its development of new strategies of pollution-permit marketing. The AQMD's "RECLAIM" program, meant to allow the capitalization of the right to emit pollutants into an asset which large firms can then trade, was heavily promoted by the major emitters as a way to turn a regulatory burden into a potential source of profit. The concept of pollution permit trading appears to promise incentives to encourage major polluters to innovate within their production processes in order to have



surplus emissions to trade,<sup>20</sup> but this will not be likely to occur in the limited market proposed for RECLAIM, in which most newly regulated firms, and most industries, will not be participants. Instead, the emergence of RECLAIM has put on hold -- and possibly eliminated -- any direct debate on the industrial policy implications of environmental regulation, institutionalizing the current pattern of both industries and emissions and failing to confront the question of how to intervene to encourage new industrial activity with reduced effects on the regional environment.

#### Undemocratic planning forums:

Much of the conceptual tradition underlying our current strategy and forms of environmental and resource policy decisions was laid down in the Progressive Era. Progressive reformers believed that good government could be constructed out of good, disinterested, technical knowledge; and that public policy based on rational, professional staff analyses of policy questions would avoid the messy struggles of political debate while still limiting powerful forces in the interests of a general public. Progressive agencies, set up widely in California during the reforms of the 1910s, were intended to depend on the participation of good citizens while avoiding too much politics and too much democracy. The political process was accommodated by allowing elected officials (the Governor, the Speaker of the Assembly, and so on) to appoint citizens (often mandated to be from particular professions and interest groups) to the policy boards of the new public agencies -- but the assumption that technical knowledge could find compromises and solutions which reflected a general common good allowed the progressives to disregard the lack of direct accountability and democracy in their structure of policy administration.

The new environmental and resource management agencies set up and elaborated in the era of pollution control-directed environmental planning and regulation during the 1970s and 1980s were mostly designed after the progressive model. They were meant to deal with scientific or technical questions seen at the time as best removed from the domains of direct or representative public decision-making. Even arenas established for popular participation, such as public hearings, or the more formal mechanisms for agency governance, such as the appointed boards, are structured to discourage general public participation. They are intimidating forums, with obscure presentations of the issues and invisible procedures. In engaging these agencies, you often have to be a professional to be a citizen. As a consequence, the debates within these agencies have often been captured by the particular interest groups who are the subject of agency decisions. Yet the scale and reach of these decisions, particularly in the centralized, regionally-organized agencies such as MWD or AQMD where problems of access and participation are greatest, makes the question of the democratic content of decision-making a core issue for regional environmental planning.

These issues have become particularly compelling during periods of contention over particular policy disputes, such as MWD's erratic and poorly debated sequence of decisions during the first months of 1991 to impose mandatory rationing requirements (with growth exemptions) for its member retail agencies in response to the statewide drought; the bus-vs-rail

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<sup>20</sup> The bubble concept, which allows firms to find their own strategies to reduce emissions rather than specifying particular end-of-pipe technologies for pollution control.

policy dispute highlighted by an LACTC advisory committee recommendation to raise bus fares; and AQMD's decision on how to interpret right-to-know legislative mandates for reporting emissions, particularly for oil refineries. What each of these disputes reveal is increased public attention to environmental agency disputes despite (or in certain cases because of) barriers to participation. The form of decision-making becomes inevitably linked to its content.

The geographical organization of agency responsibilities and of opportunities for participation in setting agency policy adds to this problem of effective representation. Policy, planning, and permitting agencies have regional scope, but their regions are not coterminous. Their territories and responsibilities overlap and intersect with those of the municipal and county governments they overlay. There is a complex pattern of agency jurisdictions and interactions, formal and informal. Direct political accountability, through democratic participation, is very limited -- even where agencies have elected boards (like certain water agencies), districts are not coincident with other political entities, fragmenting the political spaces within which urban politics otherwise appears. Few residents of the Los Angeles region know whether they have elected representatives to resource management boards or environmental agencies; and when candidates for these positions are unopposed, they are often not listed on the ballot at all.

### **Proposals for Consolidation and Integration:**

In the last few years, various arguments designed to address these planning and policy concerns have emerged. Industry and community groups have both challenged the existing structure of planning and regulation and offered proposals for new forms of initiative and organization. Environmentalists have also been engaged with reworking the foundations of environmental planning, at the federal and state level. The point of entry, and the points of criticism, of each of these groups differs.

### The Industry Approach:

The most active initiative about regional reorganization of environmental planning and policy in recent years has come from the industries which are supported by the infrastructure agencies and regulated by the pollution-control agencies. This is clearly evident in the process of blue-ribbon discussion which led to the Los Angeles 2000 Report and has continued in the LA 2000 Partnership. It also appears in initiatives supported by groups such as the Californians for Environmental and Economic Balance (dominated by the oil and chemical industries), the California Business Roundtable, and the California Chamber of Commerce, among others. We will use the LA 2000 process as an example of these concerns.

In preparing the Los Angeles 2000 report to Mayor Bradley, Los Angeles 2000 committee members met over a period of two years. The Environmental Goals Committee reviewed the multiplicity of environmental problems which appeared significant to the future of the Los Angeles region, including issues of water supply and other infrastructure as well as the continuing problem of air quality and municipal solid waste and the new issues of toxic wastes and toxic industrial hazards.

The committee was made up of representatives of many different interests, including homeowners' groups, industries, public agencies, environmental groups, and academics. Various consultants to the goals committee prepared written problem statements on a number of different areas. The committee's straw plan integrated the members' discussions in all of these areas, recommending:

- emphasis on pollution prevention through source reduction and the regulation of substances, not environmental media, encouraging firms to look at process changes, products reformulations, and chemical substitutions to reduce waste generation, rather than relying primarily on end-of-pipe controls.
- 'Fair' allocation of the region's environmental burden, but with institutional recognition of the difficulties that small firms face in innovation and in investing in production changes
- Local and regional trade offs between land use and environmental planning to address the cumulative effects of permitting and the problems associated with zoning done before the environmental effects of development were fully known. Integration of the activities of the various agencies and better information flow between the various regulators was recommended to address this.
- Accountability for environmental policy decisions.
- Negotiation with state and federal agencies responsible for delegating permitting and compliance activities to allow experimental integration across media.
- In the longer run, development of a new regional environmental management agency, which would consolidate planning efforts and incentives and would encourage broader accountability and political participation.

The straw plan of the environmental goals committee was substantially simplified when included in the final report. Several participants in the goals committee's discussions chose not to have their names included in the final report. The final report included statements about the need for further sources of imported water which were not accepted by many participants in the committee's discussions, but which reflected the position then held by the Los Angeles Department of Water and Power and the Metropolitan Water District. The complex discussions about environmental equity which had occurred in committee deliberations were simplified to an argument that some industries -- power, oil, and autos specifically -- had already been heavily regulated and that further regulatory initiatives should draw small businesses and individuals into the regulatory pool.

The position that equity or 'fair share' strategies of regulation were necessary for any further development of air quality regulations, and that equity meant that new regulations should be imposed on small businesses, consumers, and vulnerable, low wage local industries was taken up by the AQMD Staff and formed a part of the new direction of the Air Management Plan. However, this extension of regulation did not appear in the AQMD's next initiative -- to establish markets for permits to emit pollutants. The RECLAIM program, now at the rule-making stage, offers very limited participation; it allocates a marketable right as a new capital asset to the largest and most concentrated industries, long engaged with AQMD. As discussions of the limits on the market to be imposed within the RECLAIM program have developed at the District level, those benefits which a real market in emissions might offer (such as the possibility of public purchase and retirement of pollution credits) have been discarded.

The impetus for regulatory reform and integration of regional environmental planning continues, in part under the aegis of the 2000 Partnership, the successor to the Los Angeles 2000 Committee. This group, whose members include representatives of the leading businesses in the region and various public citizens, has begun to consider the relationship between environmental and industrial policy more directly. Their position on agency reorganization is presented in John Kirlin's consulting paper to the committee.<sup>21</sup> It reorganizes the planning and regulatory responsibilities of the AQMD, combining the planning responsibilities with those of SCAG to construct a new regional planning agency with the charge to coordinate and reconcile regional goals. It is conservative of the existing rights of municipalities in land use planning and bases its new structures of democratic regulation on the existing municipal system, forming its board primarily from a combination of peer-elected people in local government and directly elected public representatives.

The emphasis in this project is the rationalization of the regulatory, pollution control aspect of environmental planning and its coordination with regional planning. The report outlines the power and tax and fee resources of the two major regional infrastructure agencies, the MWD and the Los Angeles County Transportation Commission (LACTC) but does not, at this stage, seek to bring these infrastructure agencies into the integrated planning process. The continued separation of infrastructure from pollution control planning reduces seems to reduce the complexities of regulatory pressures on business while leaving existing arrangements in place for the provision of publicly-funded infrastructure to support private investment. This means that the structure of publicly-funded subsidies would, in this plan, not be used to provide incentives for more effective investment and a more manageable urban form.

One problem is in the selection of industries invited to send representatives to the 2000 blue-ribbon planning process. The large industries which participated were very critical of pollutant by pollutant regulation and very committed to the maintenance of infrastructure subsidies for growth; but for the most part these were industries vested in the current industrial structure, mature industries which are not likely to provide economic or employment leadership and growth in the regional economy of future Los Angeles. Their participation in the 2000 reform process limits the ability of the process, in protecting an industrial status quo and overlooking the strong likelihood of a shift in the sectoral composition of the regional economy in the coming years.

#### The Environmentalist Concern:

The mainstream environmental movement has inherited the mantle of the Progressive Era, with its emphasis on the particular social power of scientific rationality, and has in the years of mandated pollution regulation been reconstituted as a professional movement whose concerns parallel the existing division of labor in environmental policy and planning. Mainstream environmentalists thus base their criticisms of environmental planning agencies on the agencies' failure to carry out their own mandates and missions effectively, and on ways that agencies ignore certain environmental consequences of their actions. In Southern California, mainstream environmental groups thus complain of MWD's historic failure to manage existing supplies more efficiently (the lack of "conjunctive use" storage programs; the continuation of

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<sup>21</sup> "Toward government simplification, accountability and efficiency: financing regional policy making," The 2000 Partnership, August 1992.

pricing programs designed to encourage use; the limited interest in wastewater reuse) and of the DWP's justification of system expansion (e.g. the Mono Lake Aqueduct completed in 1970) on the basis of cost savings from power sales and non-residential commercial increases in water use without taking into account environmental impacts on the area of origin. AQMD, the Sanitation Districts and city sanitation bureaus, and the Regional Water Quality Control Boards are each criticized for their failure to carry out the provisions of federal and state legislation such as the Clean Air and Clean Water Acts or AB 939 more successfully.

The national environmental groups have emphasized activities at the national and state level, rarely taking an activist position about environmental issues in the Los Angeles region, though this region serves as a laboratory and focus for the implementation of structures and rules mandated at the national and state levels. This is consistent with the evolution of these organizations toward national and state lobbying and litigation, rather than alliances with communities concerned with local environmental problems, a position which reflects their commitment toward professional and progressive rather than populist strategies.<sup>22</sup> Of the various prominent national organizations, only the Sierra Club, the Audobon Society and the Natural Resources Defense Council have local offices. The Sierra Club and Audobon Society, as organizations, have largely remained detached from the problems of urban and metropolitan planning in this region.<sup>23</sup> NRDC recently opened a Southern California office and its local staff are active participants in environmental policy discussions, but it has not proposed an alternative structure of integrated environmental management. The Environmental Defense Fund has remained active in water supply issues which intersect the concerns of the Metropolitan Water District, and joined the MWD in an analysis of the problem of industrial groundwater contamination through the Source Reduction Research Partnership. However, none of these organizations have offered systematic criticism of the institutional structure within which environmental planning now takes place in the region; their positions on environmental planning and popular participation often replicate the media-specific structure of federally-mandated activities which their national efforts helped to bring into being, and their suggestions for citizen participation emphasize individual rather than organized local political action.<sup>24</sup>

Environmental organizations, in emphasizing the defense of the existing structure of national and state regulation, are missing an opportunity to participate in local attempts to close the environmental loops left hanging by this incremental, medium by medium approach. In their support of preemptive regulation at the state and federal level, these groups often reject the concerns of the most activist new environmental groups, which are formed out of every-day-life problems with pollution and infrastructure and which are often made up, as the national groups themselves are not, largely of women and people of color.

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<sup>22</sup> Margaret FitzSimmons and Robert Gottlieb, 1988, "A New Environmental Politics," in M. Sprinker and M. Davis (eds.), Reshaping the U.S. Left: Popular Struggles in the 1980s, London: Verso.

<sup>23</sup> Though some of its members have been regional activists, the Angeles chapter – the Sierra Club's largest local chapter - has been focussed mostly on recreational activities and regional open-space issues.

<sup>24</sup> See Mary Nichols and Stanley Young, 1991, The Amazing LA Environment: A Handbook for Change, Los Angeles: Living Planet Press. This book provides a useful introductory history of regional infrastructure and pollution problems, on a media-by-media basis. It encourages citizen action through individual choice – recycling, green consumerism – and refers its readers to only a few local community groups – Heal the Bay, Friends of the Ballona Wetlands, and Tree People, for example.

### Community activism:

The disparate impact of environmental problems on minority and poor communities has stimulated the growth of a new pattern of environmental activism.<sup>25</sup> In communities throughout the country, people are discovering the hazards to their families' health and well-being associated with industrial hazards and forming spontaneous organizations to fight for repair of those hazards and for continued community participation in environmental regulation and the management of publicly-subsidized growth. In Los Angeles, this pattern is particularly clear, and the role of people of color in this new activism is especially obvious. New groups like the Mothers of East LA, the Concerned Citizens of South Central Los Angeles, and the Labor/Community Strategy Center are changing the discourse about what public participation in environmental decision-making means. Particularly injured by existing geographies of pollution, by the location of proposed new facilities, and by the community and employment effects of regulatory proposals originating from the existing agencies, these groups have taken an aggressive and creative position about opening up the environmental planning structure within the region.

These groups see the existing regulatory structure as captured by the industries it is meant to regulate. In LA's Lethal Air,<sup>26</sup> the Labor/Community Strategy Center proposes a number of institutional initiatives to address the problems of industrial contamination and the biases of infrastructure investment. These include a superfund for workers displaced by the regulation of hazardous industries, restrictions on the flight of industrial capital to lower wage and less regulated locations, restrictions on toxic dumping by U.S. firms in Third World locations, reworking the transportation system to reduce air pollution and provide transport for low-income people, and community economic development and consumer education.

The new community activist groups challenge the existing agencies directly, using the tactics of confrontation and direct action in an attempt to force open the closed practices of regulatory negotiation and enforcement. One common claim is that the community has a right to know, to review agency data on regulated industries, to be notified about hazards which result from local industrial activity and toxic substances used on the job and carried into the home and community. The activist groups have been the source of a number of creative proposals which expand the possibilities of integrating environmental regulation with economic and community development. The energy and commitment they bring to the discussion of the relationship between environmental and economic policy in the Los Angeles region should not be overlooked.

Reorganization of regional environmental planning is an ambivalent issue to these organizations. The form of this reorganization will open or close doors to communities now engaged in struggle with the existing agencies. Members of these groups often suggest that it is not coincidence that this initiative to reorganize, centralize and consolidate planning activities at the regional level appears just as they are winning the right to participate in the current structure. The problem that regional government poses to minority populations has been

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<sup>25</sup> Margaret FitzSimmons and Robert Gottlieb, 1988, "A New Environmental Politics," in M. Sprinker and M. Davis, Reshaping the U.S. Left, London: Verso; Robert Bullard, 1990, Dumping in Dixie, Boulder: Westview; Laura Pulido, 1992, "Deregulation and the Erosion of Community Environmental Rights in Southern California," unpublished manuscript, Department of Geography, CSU Fullerton.

<sup>26</sup> Labor/Community Watchdog, LA's Lethal Air: New Strategies for Policy, Organizing and Action, Los Angeles: Labor/Community Strategy Center.

acknowledged for some time.<sup>27</sup> The sub-regional forms proposed by the 2000 Partnership would not necessarily resolve this difficulty, since they are based on existing municipal boundaries, which do not coincide with political communities of people of color and other now-activated groups.

To the community activists, three questions are central in the discussion of regional integration: how will democratic participation be ensured, how will community-based suggestions for regulatory innovation affect the new patterns of planning, and what forms of industrial activity will this planning encourage or restrict? Encouraging particular forms of industrial activity -- with regulatory relief and public subsidy -- affects communities directly both in terms of employment and wage issues and in the occupational and community hazards of the industries involved. Regulatory relief for mature industries may not stimulate much in the way of economic growth, and will not encourage the development of new industries and new production strategies which reduce the environmental hazards of existing production processes or encourage innovation. These are not issues which can be met by appointment to oversight boards. Boards of directors of public agencies rarely have a role as innovators; the progressive board structure continues to leave the responsibility for agenda setting and for outlining the strategies of intervention to agency staffs. Unless communities have a voice in setting the rules and agendas for this new environmental integration, they are unlikely to agree that it resolves the problems that the current structure poses.

#### **Conclusion and recommendations:**

In conclusion, we address the question of regional integration. A move toward regional environmental planning would shift the power to regulate environmental issues (and thus, under current institutional circumstances, the power to regulate the industrial, land use, and social choices within which those issues appear) from municipal and county agencies to decision-makers beyond the domain of municipal and county politics. This is for some the purpose of this initiative, to free firms from the constraints imposed by local political opposition. Such disenfranchisement of local communities (even the huge City of Los Angeles) would create an immense problem of public participation and political accountability, under the guise of rational comprehensive planning. It is also likely to exacerbate current inequities of income and power, unless some effective structure of political participation and local control is tied from the start to the rationalization of the policy and permitting process.

The problem of democratic participation should be taken seriously. It is too easy for those of us accustomed to life in Los Angeles to forget that the Southern California metropolitan region contains one out of every twenty people living in the United States. More than 15 million people live within the MWD service area, and the population affected by the actions of the AQMD is only slightly smaller. The Los Angeles metropolitan region is larger, in population and at times in area, than the countries of Eastern Europe which are struggling to establish democratic forms. It is also much more diverse. It is not legitimate to consider constructing a form of government, through integration of regional environmental planning, which makes

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<sup>27</sup> "The second step is to assure that a regional body will indeed be representative. There is some reason to believe that minorities would not be represented in such organizations. There are problems with both elected and appointed bodies in providing for the proper representation of minorities." Chester McGuire, 1973, "Regional Government and the Interests of Minorities," Institute of Urban & Regional Development working paper #224, University of California, Berkeley.

crucial policy choices affecting the everyday lives of every resident of this metropolis but which is not subject to accountability through mechanisms of democratic participation and consent.

What we suggest is integration and disintegration, coordination and concentration of agencies and, at the same time, devolution of their powers to make choices about policy and location to elected representatives of the communities their choices affect. To be effective, environmental planning must be based in communities as well as agencies. Social choices about the difficult issues of environmental and economic risk and uncertainty must be submitted to popular approval if they are to be legitimate and effective. The process of agency integration should probably proceed in a step-wise fashion. as the 2000 Committee proposes,<sup>28</sup> but the selection of the agencies to be integrated should reflect more than business concern about the regulatory role of the AQMD.

The relationship between environmental and industrial policy in these issues should be brought to the surface. All participants in these discussions agree that they want a strong regional economy with growing employment. But the connection between employment growth and environmental regulation is complex and needs full investigation and public discussion. The representations of the regulated and subsidized industries are necessarily self-serving; they cannot provide the only source of information and the only appraisal of the choices involved in constructing economic growth and environmental quality. The Los Angeles regional economy is changing, being restructured by changes in the global economy and in national policy as well as by the limited effects of local regulation. A discussion which begins with the assertion that we want to stimulate the growth of an environmentally-sound industrial base, with good employment practices, high rates of innovation and effective protection for worker, community, and consumer health and safety and quality of life, comes to a different conclusion than one that sees the role of the planning agencies as protecting vested industries with low employment rates and high environmental costs.

We should allow local communities a strong role in setting planning and regulatory agendas. The role of the regional environmental planning agency might be to centralize information-gathering, and to develop and provide scientific and technical information, but decisions about environmental policy must have effective citizen representation and accountability. Centralization of some planning activities must be complemented by supporting the development of technical knowledge available to communities and by constructing a structure which allows for community-level as well as sub-regional and regional planning and general popular participation. The most crucial mission an effective environmental planning agency could have is the charge to stimulate and incorporate creative ideas, innovation and responsible action from all participants, to engage everyone in the process of linking environmental quality with economic growth.

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<sup>28</sup>The 2000 Partnership, "Toward Government Simplification, Accountability and Efficiency: Financing Regional Policy Making," Technical report, August 1992.



