



## The California Green Amendment Strengthening Environmental Justice, Protection & Healthy Communities

**Passage of the California Green Amendment will allow the people of California to proactively protect our environment, communities and state economy.** The California state constitution provides the overarching legal structure, principles and obligations to which all state government action must conform. The California Green Amendment will ensure that all government officials – including at both the local and state level -- will work to advance proactive environmental protection at every level of the decisionmaking process. The California Green Amendment will help ensure that existing environmental laws and regulations are implemented to their full potential; will provide a basis for advancing new needed protections (e.g. through legislation, regulation or government action); and will provide a basis to secure protective government action when a gap in the law is identified.

**The California Green Amendment will strengthen the healthy economic growth that avoids the costs of environmental harm** including illness, cleanup costs, flooding, toxic tort lawsuits, drought and declining property values, by ensuring government actions avoid environmental degradation rather than responding to it after-the-fact.

**The California Green Amendment will place the rights to a clean and healthy environment legally on par with other fundamental rights such as private property rights.** When two rights are implicated by government action – such as property and environment – government will have to work to balance and protect both sets of rights. By lifting up environmental rights, we can ensure they are not ignored in service to profit or political objectives.

**When there are critical issues of environmental concern not addressed by existing law, the California Green Amendment can be utilized to fill these gaps in protection until such time as the law catches up and addresses the areas of concern.** PFAS was allowed to contaminate drinking water and environments across California for decades because there were no laws or regulations that empowered government to provide needed protections. A California Green Amendment can help fill environmental protection gaps.

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**The California Green Amendment will strengthen existing laws as a tool for environmental protection as well as provide a foundation for passage and implementation of strengthened protections.** By recognizing constitutional protection of environmental rights, the Green Amendment will strengthen the interpretation, application and enforcement of existing laws while also providing a strong platform for needed, but missing, community and environmental protection legislation.

**The California Green Amendment will strengthen environmental protections beyond existing state protections** by explicitly recognizing an independent enforceable right of the people to a clean and healthy environment; mandating a focus on preventing environmental pollution and degradation rather than a focus on control of harm; elevating environmental rights to the constitution's Declaration of Rights which brings additional legal strength for environmental protection and environmental justice; and ensuring informed government decisionmaking is a constitutional pre-requisite to taking action that could infringe upon environmental rights.

**BIPOC communities in California continue to be disproportionately impacted by environmental pollution and degradation. Creating an overarching constitutional right to be equitably protected is an essential tool for creating and supporting enforceable environmental justice.** The California Green Amendment will ensure all communities – regardless of race, ethnicity or wealth – have the same rights to clean and healthy environments and will create a constitutional duty on all government officials to protect natural resources and environmental rights equitably.

**The California Green Amendment provides for equitable remedies**, ensuring the focus is on remedying the government action causing the unconstitutional violation. The California Green Amendment will not seek money payouts for environmental harms but instead will focus judicial decisionmaking on remedies that secure protection for all communities potentially impacted by unconstitutional government action.

**It is the right of the people of California to determine if they want the right to a clean and healthy environment added to the state constitution.** The constitution is the People's document. It should be left to Californians to determine whether or not to amend it. A vote of the legislature will not in and of itself amend the constitution, it will mean the people can vote in on whether we want to amend our constitution.

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