

Climate Justice Moves to States With California's Fire Probe

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The Trump administration has retreated from enforcing environmental justice, making California Attorney General Rob Bonta's announcement of a civil rights investigation into Los Angeles County's emergency response to the 2025 Eaton Fire a possible new blueprint for state leaders.

Bonta's office said last week that it is investigating whether county delays in notifying and evacuating the historically Black community of [West Altadena](#) violated state anti-discrimination and disability rights laws. Eighteen of the 19 people who died in the fire lived in West Altadena, and residents say the sheriff's department and fire personnel failed to provide enough timely, in-person support for them to escape. Evacuation alerts reportedly took several hours longer to reach West Altadena residents compared to their neighbors on the east side of town.

Since the US Justice Department is no longer enforcing civil rights law based on the disparate impact theory that the California office is pursuing, the investigation represents a key legal step by Bonta, who is part of a coalition of Democratic attorneys general that has filed a volley of lawsuits seeking to defend environmental regulations and prevent climate funding cuts.

The disproportionate impact of environmental disasters based on race and disability is well-documented, "but opening an investigation to delve more deeply into it, to understand what are the mechanisms by which there is this disproportionate impact, and was there discrimination, is an important next step," said Marianne Engelman-Lado, director of NYU School of Law's Environmental & Climate Justice Initiative.

Claims of discrimination related to natural disaster emergency responses were previously pursued across the US and globally, said Carlton Waterhouse, former EPA Deputy Assistant Administrator, but even before Trump took office findings of discrimination by entities receiving federal funds were rare.

It was more common that the EPA reached a settlement where the target of an investigation agrees to voluntary compliance measures without the agency making a finding, Carlton said.

“In terms of someone actually opening up a state office and investigating those claims, I’m not aware of any prior to this,” Waterhouse said. “But there are a lot of states, and a lot of years of natural disasters.”

State Law Investigation

The Justice Department published a final rule in December requiring its Civil Rights Department to stop investigating policies that may appear neutral but disproportionately impact people based on protected categories such as race, and [focus instead](#) on “intentional discrimination” when regulating federally funded programs.

First Assistant US Attorney Bill Essayli, who leads the US Attorney’s Office for Los Angeles-based Central District of California, [said in a Friday post on X](#) that Bonta should instead investigate Edison International’s Southern California utility, which is widely blamed for causing the fire.

Bonta on Friday emphasized the probe is based on state law and brought by a state law enforcement agency, so the Trump administration’s stance on disparate impact doesn’t apply.

Environmental activist Charles Lee said “the impetus for state and local actors to be responding in the same way to the disproportionate impact of climate disasters is going to get greater.”

If Bonta’s office finds a civil rights violation, the remedy would likely be “changes in conduct, changes in policies, practices, training,” of the Los Angeles County Fire Department, Sheriff’s Department, and other agencies that responded to the fire, Bonta said in an exclusive Tuesday interview.

Emergency response in particular is a challenging area to incorporate environmental justice findings, because it relies on a set hierarchy and playbook and “there is a very high premium on proving that any modification is a positive or is necessary,” said Matthew Tejada, former director of the EPA’s environmental justice division.

“From my experience, this is an area where there is a need for a lot greater attention and investigation, because these are systems—literally, people’s lives depend on them working,” and it’s important to understand who will experience the greatest impacts from climate disasters, said Tejada, now senior vice president of environmental health at the Natural Resources Defense Council.

'Cancer Alley' Parallels

Bonta's announcement follows an environmental justice win this month in Louisiana, where a federal district judge [denied](#) a motion to dismiss novel environmental racism claims brought by residents of St. James Parish.

In both regions, grassroots efforts have amplified claims that racially discriminatory housing laws have exposed Black residents to a disproportionate share of environmental harms.

"The movement for environmental justice was driven by communities, and whether communities are in red states or blue states, they're going to continue to speak out," Engleman-Lado said.

US District Judge Carl Barbier, of the Eastern District of Louisiana, cited the "long list of specific examples" provided by residents of Louisiana's "Cancer Alley" in his ruling to allow the lawsuit over industrial pollution to proceed.

"The extensive history of land use decisions" provided by the plaintiffs could "represent one of those rare cases in which 'a clear pattern, unexplainable on grounds other than race,' provides sufficient evidence of discriminatory intent," Barbier wrote.

Bonta similarly pointed to residents' testimony and evidence-gathering as a reason for his announcing a civil rights investigation after his January meeting with fire survivor members of Altadena for Accountability; the survivors had maintained pressure on his office to announce an investigation for a year.

Gina Clayton-Johnson, who attended the meeting, said about eighteen residents discussed with Bonta personal stories, official reports on other wildfires, and a legal brief and questions.

"This was truly a community effort. It wasn't just one person in a back door room, striking a deal," she said, adding, "everybody participated in sharing what it was that was important here, what happened, and what we believed that he should do about it."

Isaiah Poritz in San Francisco also contributed to this story.

To contact the reporter on this story: Maia Spoto in Los Angeles at mspoto@bloombergindustry.com

To contact the editors responsible for this story: Stephanie Gleason at sgleason@bloombergindustry.com; Alex Clearfield at aclearfield@bloombergindustry.com

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