

## LISA GARCIA

Vice President of Litigation for Healthy Communities

**P**resident Trump's aggressive, anti-environment agenda spells trouble for our nation. The new administration plans to slash the budget, reach and rulemaking power of the EPA, the government body tasked with protecting our health and environment.

*Lisa Garcia, Earthjustice's Vice President of Litigation for Healthy Communities, is a former senior advisor to the EPA on environmental justice. Garcia believes the Trump administration and its appointees pose a serious threat to the EPA and the struggle for environmental justice—the fair treatment and meaningful involvement of all people, regardless of race, color, national origin or income, in the development, implementation and enforcement of environmental laws. Garcia and Earthjustice's other litigators will remain vigilant, ready to counter the administration's attacks on the nation's environmental safeguards.*

### What are your biggest concerns with the new administration in place?

I, like so many others, am extremely concerned that this administration will prioritize business profits ahead of public health and will roll back environmental health protections, all of which will disproportionately impact low-income communities, communities of color and indigenous populations. One of my other biggest concerns is that this administration won't be transparent and will deny opportunities for public participation and public input in government decisions. One of the principles of environmental justice is that the people speak for themselves. So if you're sitting at a table, about to make a decision, and there's no person or input from the community, you have to ask yourself, "Do I really have all the right people at the table?" There's a saying used by many community leaders: "If you are not at the table, then you must be on the menu!"

For low-income communities, communities of color and indigenous communities, participation is at the core of environmental justice. Overburdened communities impacted

**Lisa Garcia, Earthjustice's VP of Litigation for Healthy Communities**  
Chris Jordan-Bloch/Earthjustice



Scott Pruitt speaking at the 2016 Conservative Political Action Conference in Maryland  
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by huge amounts of pollution are often the ones that bear the brunt of the government's bad decisions. The Obama administration, even though it didn't get as far as it wanted to, opened the door to having everyone sit at the table and participate in the decision-making process. The administration tried to improve government-to-government consultations with Native American tribes, for example. That's really important, and to throw that all away would be a real shame.

### Scott Pruitt, an anti-environmentalist, will head the EPA for the next four years. What could this mean for the agency?

The confirmation of Scott Pruitt is a terrible thing for the EPA. Pruitt takes the helm of the agency as an opponent of everything the EPA has done over the years, including putting limits on mercury and ozone pollution. It's really interesting to watch someone like Pruitt, who has sued the EPA 14 times to prevent the agency from doing its work, who doesn't believe in the science of climate change, walk in as head of the agency.

I listened to Pruitt's first speech to EPA employees on February 21st and it was largely a business lesson in how to avoid a lawsuit and how not to issue regulations. He spoke for 11 minutes and in the first 10 minutes didn't mention anything about protecting the environment. Basically, the last thing he listed was protecting the environment. Even more concerning to me and to communities across the country is that he never once mentioned human health risks. Air pollution, water pollution, soil contamination, exposure to pesticides—they're all a risk to our health. This is the man who, in taking this job and speaking to the staff of the EPA, not once mentioned the biggest part of the agency's mission: protecting public health.

### How could the rollback of EPA safeguards affect people on the ground?

Scott Pruitt has already given us signs that he thinks what's happened in the past at the EPA has been "overreach." He's given a clear indication that he's going to roll back some of the EPA's stringent protections, such as the recently repealed Stream Protection

Rule, which keeps coal companies from dumping waste into our waterways. The data we have show that communities of color, low-income communities and indigenous populations are already faced with a greater pollution burden. So some of the most vulnerable populations will be hit even harder by weakened safeguards because of the cumulative effects and resulting health disparities many communities contend with already.

Low-income communities are usually the ones that depend heavily on the government acting in their best interests because they may not have access to information and resources, or the time or capacity to challenge violators or walk into court and sue or go to an afternoon meeting regarding a new permit. Many have jobs (often more than one) or English is not their first language or they have other daily burdens that limit their ability to engage. We also know low-income communities will be less likely to recover from climate events like sea-level rise and flooding. I recall one climate justice advocate rightly pointing out that the people working at the deli

in the Hamptons or mowing lawns for billionaires in Malibu do not have the same access to resources to just move inland or rebuild! The government needs to be able to step in and help protect all impacted communities, especially those most in need. Now is not the time for us to turn our backs on them and pretend that there's no such thing as climate change.

**How do you think the confirmation of Jeff Sessions as attorney general will affect the Justice Department and its work with the EPA?**

The Justice Department is the lawyer for the EPA, essentially. So if there's a gas leak, an oil spill or an explosion, usually the Department of Justice is the one that steps in and helps with the enforcement action against those violations of our environmental laws. Under Sessions, I think the Department of Justice is unlikely to deal with these issues in a serious fashion and truly make polluters pay. They will probably turn a blind eye or issue a warning that is nothing more than a slap on the hand. That is absolutely not enforcement of our

environmental laws and is an abdication of the department's responsibility.

**What can Earthjustice do to ensure the EPA continues to protect the environment and human health?**

For me, Scott Pruitt's inaugural speech made it very clear that we have to be hypervigilant. Earthjustice has been great at monitoring the regulations coming out of the EPA, but we need to be even more vigilant about what's going on internally at the EPA. It goes deeper than just walking into court when the EPA issues something; this is about remaining true to the science that underpins many of the environmental regulations in place today. Pruitt is actually interested in changing the core EPA apparatus and the way the Clean Air Act, the Clean Water Act and other statutes are carried out (or not). But it's good to know that Earthjustice has great litigators ready for the fight ahead to make sure the EPA remains the agency that protects public health and the environment!

**What gives you hope in your work? What will keep you motivated over the next four years?**

What's given me hope is the growing solidarity of social justice and civil rights movements—a range of people working on economic, housing, education and justice issues; environmental issues; protecting

our voting and immigration and reproductive rights. The administration may have come in spouting campaign promises, but when it comes to actually doing something, they're going to have to do it within the law. People are standing together to make sure they do the right thing. Seeing how many

allies we have and how we're allies to so many different groups and communities out there gives me hope.

The other thing that makes me optimistic is that there are state governments willing to disagree with what Trump and the others are saying, especially on environmental issues. So what gives me hope is that we'll be able to work in the states for the next

few years and set the stage for a new administration to walk in and say, "Hey, New York and California and Vermont did it, so now we can extend the work to the rest of the states."

A lesson I've taken from the environmental justice movement is that you just have to keep up the fight and stay resilient, no matter what you're up against, because this is the fight for our children's health and the future of our planet. We're in it for the long haul. Maybe this is a bump in the road, but the communities and environmental justice groups I've worked with, they are 100 percent resilient in the face of adversity. They just maintain their priorities, pivot to new strategies and keep going, and I think that's what we have to do. There's a saying, "en la lucha siempre," which means, "in the fight...always!" We're always in the fight—until we win. ☺

**“WHAT’S GIVEN ME HOPE IS THE GROWING SOLIDARITY OF SOCIAL JUSTICE AND CIVIL RIGHTS MOVEMENTS.”**



A rally in Washington, D.C., to oppose the nomination of Scott Pruitt as EPA administrator  
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