

MOTION BY SUPERVISOR JANICE HAHN

AGN. NO.
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Supporting the Polluters Pay Climate Superfund Act of 2025

There is a long history of smog and poor air quality in Los Angeles County (County). As early as 1903, smoke from industrial expansion and rapid population growth intensified pollution and introduced the need for regulation. In the 1950s, smog worsened, especially due to growing automobile use and urban sprawl. This created a dense, grey haze that could envelop the city, obscure landmarks, cause fatal accidents, and make daily life a struggle. Geographically, the Los Angeles Basin is prone to temperature inversion which traps pollutants under a layer of warm air, meaning emissions stay in the air for longer durations of time. To combat this, California has pioneered tailpipe emission controls, requiring crankcase ventilation in 1963 and later introducing catalytic converters and stricter vehicle emission standards. Over subsequent decades, air quality in the region significantly improved and pollution levels dropped even as the population tripled. This history with air pollution and smog illustrates the struggle from early industrial haze to modern clean air technologies and the impactful legislation that has brought about real environmental improvements.

In the County today, on-road transportation (cars, trucks, buses) is the single largest contributor of greenhouse gas (GHG) emissions, accounting for roughly 40%. Transportation fuels, primarily fossil fuels like gasoline and diesel, have significant

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impacts on health, climate, and the environment. These impacts stem from the extraction, processing, and burning of fossil fuels, leading to air and water pollution, increased GHG emissions, and contributes to climate change. It's important to uplift measures that focus not only on cutting future emissions, but also to repair past harm.

Senate Bill 684 (Menjivar) and Assembly Bill 1243 (Addis), which are companion bills known as the Polluters Pay Climate Superfund Act (Act) of 2025, would do just that by requiring the largest oil and gas companies doing business in the state to pay their fair share of the damages caused by planet-warming GHG emissions. The fees collected into the Polluters Pay Superfund would be put toward projects and programs aimed at helping the state mitigate, adapt, and respond to climate change.

If passed and successfully defended in court, the Act could redirect the financial burden of climate impacts away from taxpayers and toward fossil fuel corporations, enabling major investments in resilience, and clean energy projects. Delivering both justice and emissions cuts will require Act allocations that ensure equitable benefits to all communities, particularly those historically marginalized and disproportionately affected by environmental injustices. Port-adjacent communities like San Pedro, Wilmington, and Long Beach, as well as oil field neighborhoods (Inglewood, Baldwin Hills, Torrance) could benefit from the provisions of this Act because it will prioritize frontline, overburdened communities often near freeways, refineries, and industrial zones facing the brunt of fossil fuel pollution for decades.

To facilitate accountability, it's necessary to establish a funding process that is collaborative and transparent. A well-designed allocation plan could be a transformational environmental tool for California if implemented well. This legislation has the potential to generate hundreds of billions for climate solutions, with a focus on communities hardest hit by pollution. Similar laws in New York and Vermont have already created funds from

fossil fuel company fees to invest in climate resilience, and New York's Superfund bill has been valued at \$75 billion over 25 years. Additionally, California Attorney General Rob Bonta has launched a climate liability lawsuit (September 2023) against top oil companies that seeks to establish a fund to finance climate mitigation and adaptation efforts.

These parallel tracks strive to finance climate mitigation and adaptation efforts, protection of natural resources, as well the prevention of misleading statements about the contribution of fossil fuel combustion to climate change. However, there are challenges ahead as the bills currently stand stalled in committee, with both Assembly and Senate versions not yet advancing to votes. It will be critical to have County support as these two-year bills are revisited for consideration in 2026.

In short, the Polluters Pay Climate Superfund Act could fundamentally reshape how cities and counties in California finance and respond to climate-driven risks, including natural disasters and states of emergency. By internalizing the cost of pollution, the legislation holds polluters accountable while empowering local governments to deliver cleaner, safer, and healthier communities.

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Office Legislative Affairs and Intergovernmental Relations branch to support legislation that would require the largest oil and gas companies doing business in the state to pay their fair share of the damages caused by planet-warming greenhouse gas emissions, assess a cost recovery demand against responsible parties for the damages caused by fossil fuels emissions, and direct those funds to be reinvested into California communities to mitigate the impacts of climate change.

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