



Senate Panel Backs DTSC Board Appointee Amid Conflict Accusations

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Post

A California Senate panel has confirmed Gov. Gavin Newsom's (D) appointment of a lobbyist to the toxics department's Board of Environmental Safety (BES), amid accusations by environmental and equity groups that he has conflicts of interest because some of his clients are regulated by the department.

It remained unclear at press time whether the full Senate would confirm the appointee, Rhys Williams, by the end of the legislative session Aug. 31.

But Senate President Pro Tem Monique Limon (D-Santa Barbara), who chairs the Senate Rules Committee, urged Williams during his Aug. 25 confirmation hearing to address the critics' concerns before the Aug. 31 deadline.

"I hope that over the next six days that you are able to proactively reach out to" lawmakers and community members to address their concerns, she said.

"The concerns are about trust. And there are a whole group of folks who do not feel that that trust is there. And those are the folks that do have the trust of our community," she continued. "And if their support is there, if they're understanding that you can use your expertise, your knowledge, your experiences that have served you, this Legislature and our state, in a way to create that trust for the good of the people, I think it would be really important for you to think about that over the next six days."

The committee voted 4-0 to confirm Williams' Jan. 2 appointment to the five-member BES by Newsom. Sen. Eloise Gomez Reyes (D-San Bernardino) did not cast a vote, after raising numerous concerns about whether Williams has conflicts of interest because he is a principal at the Sacramento lobbying firm Axiom Advisors, whose clients include companies regulated by the Department of Toxic Substances Control (DTSC).

Many of those concerns were detailed in [an Aug. 24 letter](#) to the committee from a coalition of environmental and equity groups.

"We assert that someone who is an actively registered lobbyist at a firm representing the hazardous waste industry is not appropriate to serve on the BES," states the letter from the groups, which include the Center for Biological Diversity, Center for Community Action and Environmental Justice, Center for Environmental Health, Climate Justice Center for Progressive Reform, Clean Water Action, Committee to Bridge the Gap, Communities for a Better Environment, Greenaction for Health and Environmental Justice, Physicians for Social Responsibility-Los Angeles, and Sierra Club California.

"Recusal from matters relating to specific clients would not adequately address our concerns," the letter continues. "For as long as Mr. Williams remains on the Board, community members and advocates may reasonably question whether his actions, statements, or silence are influenced by his firm's clients, or the interests of potential clients Axiom hopes to attract. The erosion of public trust in Mr. Williams' ability to represent the public's interest not only impacts his effectiveness as a Board member, but threatens the Board's integrity as a whole."

'Perception' Of Conflict

Williams, who previously served as acting deputy chief of staff and senior counselor on infrastructure and other roles in Newsom's office, defended himself during the Aug. 25 committee hearing, explaining that he has subjected himself to rigorous legal and ethical standards to ensure he does not have conflicts of interest as a member of the BES.

He also pledged not to take on clients who have matters pending before the BES and to recuse himself from any matter before the BES involving his lobbying firm.

"I would not take on work with an entity that had a matter before BES," he told the panel. And if there is an entity that works with anyone at Axiom Advisors, "I should recuse myself from that as well," so there isn't even the "perception" that there is any conflict.

Further, issues that go before the BES are never discussed in the Axiom offices, he added.

Williams' appointment marks another controversy over the BES in general, which over its four-year lifetime has been criticized repeatedly by environmentalists and equity advocates as failing to live up to its mission as an oversight panel for DTSC to ensure it is carrying out its mission to protect disadvantaged communities.

Earlier this month, environmental justice advocates pressed lawmakers to strengthen the power of BES during an oversight hearing.

"I call again on the board and on this Legislature to take clear, decisive action to break the spell of gradualism," Angela Johnson Meszaros, a senior attorney with Earthjustice's Community Partnerships Program, said during an Aug. 4 joint oversight hearing by the Assembly Environmental Safety & Toxic Materials Committee and the Senate Environmental Quality Committee.

"The role of the board is to provide leadership to move the department beyond some of its most vexing, long-identified problems. And if the board is unwilling or unable to provide leadership, its role and functions become much less clear. And change remains unlikely," she continued.

"The board must be willing to choose to speak publicly rather than to stay silent. It must choose to be active, rather than to be passive. And in the end, it must choose to decide whether to defer to [department] staff, or to push them," she added. -- *Curt Barry* (cbarry@iwpnews.com)

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