

Unincorporated Areas in California and Environmental Justice

*Camille Pannu**

Austin McNichols: I am delighted to be introducing our first speaker of the day to set the stage for us to talk about the ongoing work in unincorporated communities. And Camille was one of the first people that I talked to when I started the planning process, and for the *ELQ* members out there, we were actually lucky enough to read some of her work in our environmental justice (EJ) office hours last week.

So, Camille Pannu is Associate Clinical Professor of Law and the founder and director of the Environmental and Climate Justice Clinic at Columbia Law School, which uses comprehensive legal strategies to achieve environmentally just outcomes for low-income communities. Her research focuses on structural racism, poverty, and environmental inequality in low-income, rural, and unincorporated communities. Her work examines how groups leverage power through corporate law and local government to assert control over shared environmental resources and essential infrastructure.

Before joining Columbia, she was visiting co-director of UC Irvine School of Law's Community and Economic Development Clinic, and she founded and led the Aoki Water Justice Clinic at UC Davis Law School. Pannu received both her undergraduate and law degrees from the University of California, Berkeley. Go Bears!

Camille Pannu: Thank you so much, Austin. Thank you, *ELQ*, for having me. It is a blast to be back. I haven't been here for like ten years. So thank you.

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So, as you've all heard, I'm a repeat offender of the University of California, Berkeley. I had a hard time getting away, and then I went really far away.

But almost twenty years ago now, I remember attending a symposium that was hosted by [Environmental Law Society] (ELS), actually, and it was there. They used to do an annual environmental justice symposium. I don't know if they still do. And the theme was water justice with a focus on rural communities. And then two years later, there was another symposium on disadvantaged, unincorporated communities. So this is a really interesting book note for me because I come from a really urban area.

I grew up in Richmond, just up the 80. And as you can tell, I went very far for my higher education. And when I came to law school, I very much wanted to be an [environmental justice (EJ) lawyer, and I thought I would sue refineries. I was like, "That's what I'm going to do. I'm going to just sue the Chevron refinery until it closes. That is my dream." My very first litigation when I was a 1L was suing the Chevron refinery. I was, like, just so happy.

And then I went to these symposia, and I had a professor at the time, no longer here at Berkeley, who said, "Hey, you should come on a ride-along with me to the Central Valley." And I was like, "My cousins live in the Central Valley. I have been to the Central Valley over a thousand times to go see them, there is nothing you could show me that I haven't seen." And I was wrong. She showed me a community that I must have passed a hundred times or a thousand times because it was only, at the time, five miles outside of the city of Madera.

Now it's a front line. It's on the fringe of the city of Madera. And I had never seen it, and they were running their entire water system off of a car engine, and that was what was powering their well.

And I had just come from—I worked in international development before I went to law school, so I had been in a community with no running water or electricity, and this to me was mind-boggling. I was like, "I cannot believe that I'm seeing the same things I saw in rural Kenya here in California." I knew this poverty existed, but I didn't think it existed so close to where we were.

And then I became a convert, and so ever since then, I've been a carpetbagger for rural environmental justice. What am I doing in New York? It's a very good existential question. But I'm hoping that I can give you a little bit of a framing about what we're going to talk about today. I think the panels after mine are actually very, very interesting, so apologies that I am not as interesting. But my hope is to spark some kind of excitement.

You're going to hear about some really tremendous kind of path-breaking work that's happened in the last fifteen years that has happened at a faster pace than I think we've ever seen in the history of equity legislation regarding kind of space and place in California. And so my hope is to tee up the much more interesting panels coming after me, but also to maybe make a plea for folks to think about rural lawyering as a calling. I think it's really critical. The biggest

justice gap is in rural California, and there is such a tremendous amount of work to be done there.

So, before I jump too far in, I wanted to ask, is anyone here from the Imperial Valley, the Coachella Valley, the Central Coast, the Central Valley, or the quasi-State of Jefferson? Ah, welcome. Okay, great. This is fantastic. You are four times more than what I normally get to see.

So, we're going to talk all about your California, which is our California, but if you are like me and grew up in the Bay Area or in the urban parts of the state, which is most of the folks who go to school here. Hopefully this will not be too repetitive, and I will require the four people in the room who are from those communities to tell me if I'm wrong. So feel free to interrupt and tell me if I say anything that's incorrect. I haven't been in California for about five years, so I could be kind of outdated in terms of on-the-ground experience. All right, so we're going to take a trip.

For folks who've been to that part of California, when we think of the other California—there's a gap in, I would say, sympathy or understanding about the lived experiences of folks who live there. And that it's not a singular experience. So to be from, I call it the quasi-State of Jefferson, but from the northern, more libertarian part of the state, is a very different kind of rural than the rural of the Central Valley. The Sacramento Valley is a different rural than the San Joaquin Valley. Lake County is different. Mendocino County is different. All of these different communities have different politics, different racial histories.

In the north, a lot of the history we've seen has to do with Indigenous communities, and so you see a lot more around continuing an existing kind of allocation of resources based on land or lack of land and treaties. There are also historic Asian American communities that were kind of pushed up in the north based on gold prospecting and the railroad construction. You'll find communities of color and Indigenous communities throughout all of California, but the kinds of struggles you'll see are slightly different.

My area of specialty is mostly the San Joaquin Valley, so I'm going to talk primarily about that. That's also the area where we have the most data, but I'm going to tell you why we have the most data there, because it doesn't mean that there's not rural disadvantaged communities in the rest of the state. It just means we don't have as thorough of information about the rest of the state.

So, disadvantaged unincorporated community, or DUC, is a term of art. It's a legal term now. You'll also hear DACs, or disadvantaged communities. They're not technically the same thing. I don't know . . . I do know why we use both, but they're not the same thing technically. Unincorporated in California just means not in a city, so not in city limits.

California technically doesn't have, I think, any rural counties if we look at the federal definition of rural. And so the way we define rural in the state is really different. So colloquially, really when we talk about rural, we mean not in a city for the most part.

You could be rural and right next to a city, or you could be rural and remote, we would call it. And so the kind of rural we experience is very different than the rural of Wyoming, for example, where you could have large swaths of land, or the Dakotas, where you don't have a city at all. I think there's only one county in California where there's no major incorporated city, which is hard to do.

So we have three kinds of . . . Oh, sorry. And I should say, just as there are disadvantaged unincorporated communities, there are also advantaged ones. So you should just be aware that advantaged unincorporated communities also exist. But they typically have a different history, and their history is usually about not wanting to be in an integrated city or an integrated school system.

So, a really great example of this is—are folks familiar with Piedmont by Oakland, or Alameda? Alameda was not unincorporated. Alameda's an old city. But Piedmont was unincorporated and incorporated when it was afraid of Oakland annexing it in and it having to integrate its school system.

Same is true if you're down from the Long Beach area: Lakewood. Is anyone familiar with Lakewood? If you ever take local government, you'll hear about the Lakewood model. Lakewood is famous because Lakewood is the first city in the United States to figure out how to become a city without having to provide essential services because it didn't have the tax base, and it was all because it didn't want to integrate with the Long Beach school system. Lakewood instead contracts its services from Los Angeles County. And so, if you're from LA, that is a very common history. Most folks in Los Angeles, most small cities in Los Angeles and unincorporated areas get all their services from the county, and so the county is, like, massive as a governmental entity as a result. So those are examples of advantaged unincorporated areas.

So, there's also urban disadvantaged communities. I'm from Richmond. The Chevron Refinery is right next to the community of North Richmond, which is an unincorporated community, historically Black. It was literally created so that Black people could not live in the City of Richmond. So folks who were working on the docks and at the refinery were required to live there. There's lots of little pockets like that. In Los Angeles, you'll see it the most intensely. Los Angeles has the highest number of disadvantaged unincorporated communities that are urban in nature. But we're going to talk mostly about the rural swaths of the state.

We categorize these in three different buckets. The buckets are fringe communities—these are communities that are adjacent to a city, like literally right on the edge of the city. In some cases, if you drove, you wouldn't know that you had left city limits at all.

Then we have islands, which are not as tropical as they sound. Islands are little communities where the city annexed all around them and then didn't actually annex the community. The city of Modesto and the city of Fresno have a bunch of islands. Bakersfield as well.

And then we have legacy communities. So, if you see a community out in what you think is the middle of nowhere, it is probably a legacy community. And what that means is that it's remote, but also, usually, it wasn't actually in the middle of nowhere when it was created. It became in the middle of nowhere through other kinds of choices that were made. So, I'll give you some examples of that.

Is anyone from the Stockton, Modesto area? Modesto in particular? Patterson-ish?

Audience Member: Yeah, I'm from Merced.

Camille: You're from Merced? Oh, you're nowhere near any of those. You're an hour away from Modesto. But you count. There are unincorporated communities in Merced as well.

I was going to talk about Westley, which is a small, unincorporated community between Modesto and Patterson. If you're on the I-5 and the 99, those are the two big thoroughfares through the San Joaquin Valley. You have probably seen Patterson but not realized you've seen it because it's very small. The 5 is not where most people settled. It's not an area that had a lot of water access or good water, and the land was not particularly good until we built a bunch of infrastructure to irrigate it.

If you go through the 5, which I think most folks do when they drive from north to south, instead of the 99 . . . I will just make a bid for the 99—it's longer, but it's more scenic. There's way more drive-through Starbucks on the way. Pro and con, I'm not a huge Starbucks fan, but you know, there's no Dunkin' on this side of the country for the most part.

But the 5 is kind of our thoroughfare, and it's also a scenic tour of California's prisons, if you ever want to see a ton of prisons. So, between the two, there's a lot of communities, and there's a historic community between those two freeways called Westley, and it looks like it's in the middle of nowhere, and it's unincorporated. Westley used to be a shipping area. The San Joaquin River used to go through there. And so it used to have a ton of ship traffic on it. And then we moved the river through all of these infrastructure programs.

So, we have the Central Valley Project, which moves a ton of water, and we have the California Aqueduct, which moves drinking water for the most part. When we did that, we changed the infrastructure of where the rivers flow. And so it dried up. But you still have a community that lives there that used to kind of support and sustain it.

Another example of a remote community is the community of Allensworth. This is one of my favorite communities. It's unincorporated. It's the first freedom colony west of the Mississippi. Freedom colonies were created by freed Black folks after the Civil War.

It was a thriving community. It still exists today, although it's majority Latine now. And it's a whistle stop, so if you take the Amtrak down south, you can actually get off at Allensworth. You can't get back on unless there's twenty

of you, but you can get off. It used to be a major train depot, and it thrived, and now it's remote in part because they shut down the train depot there, and so there's just not a lot of traffic. And so, folks kind of got stuck in the place they were at. But those communities existed for over fifty, sixty years, and were thriving. And so then the question is, why did they get stuck? So that's what I'm going to tell you about: How these communities ended up the way they did.

So, many of these communities have existed for over fifty years. Some of them are over one hundred years old. Some are close to 150 years old. The San Joaquin Valley, as far as we know, has the highest concentration of these disadvantaged unincorporated communities, and I kind of previewed this: Some of them were created through explicit racial exclusion, so literal laws that said people of color cannot live in a city.

Merced is a great example, because Merced has South Merced, which is majority Black and Latine. And South Merced is unincorporated. It's one of those communities that we would call fringe now. It wasn't always fringe. There was more of a gap, but the city of Merced has grown over time, and as it's grown, it's grown to the border. They have completely different water systems. They have completely different infrastructure.

Does anyone know who the local government is if you're unincorporated?

Audience Member: The county.

Camille: It's the county. One of the things I want folks to remember is that it's not that there's no local government. There is a local government, but the local government has chosen not to be present, and so you end up with a bunch of folks. In South Merced, for example, more folks will identify their local government as the water district that serves them water than they will the county, because the county is not present.

Does anyone know where the seat of Merced County is? Meaning, like, where the county offices are. I don't mean to put you on the spot.

Audience Member: Merced.

Camille: It's Merced! So that makes it even kind of more, like, insult to injury, right? Like, South Merced is not a mile from the city of Merced, and the county, which is housed in the City, is not interested in dealing with the people who live in Merced, or in South Merced. So, I think it's really important for us to also remember that DUCs are sometimes not even far from their county government, and they still have historically been largely ignored.

I'm going to ask you to buy this with me—the first time I heard this, I found it shocking, but then over time, it's absolutely true—the San Joaquin Valley in particular operates on kind of a racialized feudal system, is what I would call it, in which there were very clear racial delineations between who gets to work on land and who gets to own land.

So, all of the West, including California, was originally chopped up into these little forty-acre plots, and people were supposed to get land and water. That's why we built things like the Central Valley Project. However, the

Department of Interior did not actually want people of color to be buying those plots up. So there was an active effort—and there's some really interesting research that's been done on this that's kind of in draft and hasn't been published yet, but I've seen talks on it and it's amazing—to track the internal communications. Even though the bills that authorized the divvying up of land were race neutral, the Department of the Interior strongly preferred white men to be able to be the ones to own land.

Then you had a bunch of essentially crazy behavior by folks where they would buy a tract of land and put it in the name of their child because one person couldn't own more than a certain number of acres. And so they kind of faked it until they created these huge land conglomerates. And so we have three families in the San Joaquin Valley, for example, who own over 70% of the farmland, which was not the intention of the rest of taxpayers paying to move water to irrigate the valley, but that's what happened.

In order to kind of make this system work, we have this racialized labor system. That includes Black workers who moved from the South during the Great Migration and after the Civil War. That includes Latine workers, Filipino workers. There's a huge Hmong population in the San Joaquin Valley, and also a huge Armenian and Azorean Portuguese population, which I think we would now think of as white, but at the time they immigrated, they thought of themselves as being ethnically non-white. And of course, a large population that kind of came from Oklahoma and Arkansas during the Dust Bowl .

The Dust Bowl migrants were overwhelmingly white and were part of the system, but eventually were able to kind of penetrate the hierarchy. So, it's interesting, one of the only places outside of the South where you can get an authentic Southern accent is in the San Joaquin Valley—it's on Wikipedia. There's a map. It's down in Kings County and Kern County, but it's where you have, like, a concentration of Oklahomans and Arkansans.

And so what they did instead is they had these sundown laws. Sundown laws are where people of color are not allowed in a city after the sun goes down on threat of lynching. There was substantial lynching throughout the San Joaquin Valley and lots of kind of vigilante justice, I guess we would call it, or injustice. And then we also had explicit racial exclusion from the city. When that became illegal, then we had cultural practices that made it really difficult for people to move, and the other thing that happened was that, throughout this entire period, county governments refused to invest in these communities.

At first, they refused to invest because they were people of color and the system is racialized. Later, they refused to invest because poverty had become so acute in those communities that the cost of fixing it was going to be really, really expensive, and counties, for the most part, do not have great tax bases, especially in agricultural regions.

We have a special provision that taxes farmland at a lower rate so that folks don't have to pay the fair market value, in theory, to help preserve farming. But

the result of that is that the county is really encouraged to do suburban sprawl style development so that it can get higher property tax values and higher taxes. And then a city will annex that division, and that county loses all the property taxes anyway, which is frustrating. So that was how a lot of it showed up.

I want to talk about islands in particular, because I think there's a really interesting legal case that I think can help kind of animate how this all plays out in the modern day. Right? It's like, we could talk about historic racism. I would argue that that racism persists.

I argue this because I have literally seen elected officials on the record say insanely racist things. And the fact that they are comfortable saying it, I think, is a real testament to the cultural norms within a region. It's shifting, but it's shifting with like a lot of . . . angst, I guess is what I would say, for lack of a stronger term.

So, a great example of island communities is a case called *Committee Concerning Community Improvement (CCI) v. City of Modesto*. The city of Modesto has, for its entire history in the metropolitan area, been majority Latine. Folks are familiar with Modesto, I hope, right? Modesto is apparently, and Merced is apparently, part of the commuting radius of the Bay Area now, which to me is shocking. Modesto was how far it went when I was in undergrad, and we thought that was crazy at that time, and now it's Modesto or Merced. So, who knows? Fresno next. Yeah, and then we'll have Bakersfield. It'll be wild.

So CCI is a group of different folks in islands. So, the city of Modesto has like at least seven islands now, but it had more. This is a great example of how racism is expensive. I just want to make that proposition as well. So, they were running new sewer lines. Modesto had grown to double its size over time, but it had been annexing up for suburban development into areas that weren't developed at all and annexing around these communities, so it created these islands. And of course, these communities are majority Latine, overwhelmingly at the time farmworkers, although that has now kind of diversified in terms of socioeconomic backgrounds.

And they ran the sewer line around the entire island instead of just running the pipe through, which they could have done, but that was how much they didn't want to give people in the island sewage systems. They were just like, "We don't want to give you this benefit. Even if the county were to pay us, we don't want you to have this benefit. Even if you were going to pay for the hookup, we don't want you to have this benefit, so we're going to run the pipe around," which is hundreds of thousands of dollars more, probably millions of dollars more money, just to be super racist.

The other thing Modesto did was that it excluded these Latine communities who were all within its sphere, within its metropolitan area, because the city limits and the metropolitan area don't match so that its population within the city was still majority white. And the reason it did that was because it had at-large city council elections.

Modesto had not had a Latine mayor for over 115 years, despite being a majority Latine city, and it had zero Latine members of its city council, because what they would do is instead of doing districts—which is what most of us do, right, we vote in a specific ward or district—it did at-large elections, which would wash out the votes of the Latine population there. And there's also a Black population in Modesto, but they're very small. And so, you know, it was just wiping out kind of all these votes.

So CCCI brought a lawsuit, and it's really interesting. It's totally worth reading. It's in the Ninth Circuit. It is a little mind-numbing to read because it's all about municipal tax agreements between cities and counties, which is crazy.

Oh, here's another that's fun. Guess where the county seat of Stanislaus is? It's in Modesto. So, you know, it's another Merced-like story. For example, what was happening is that if people wanted to do drug deals or kill someone, they would take them down to the island, shoot them, and they knew that emergency services were not going to come. Because in order to get emergency services to an island, the county has to dispatch them, but the county has to get permission from the city to send its cops through the city. This is true throughout almost all of California. If you've been following the stuff with ICE, it's this policy that police have where they notify each other when they're in one another's jurisdiction. So even though they're not going to do anything in the city, they have to drive through the city to get to the island.

So, the CCCI litigation was about emergency services. It said ambulances weren't coming and people had died because of that, which was true. There was over, I think, a ten-minute delay for ambulances to come to the island versus coming to adjacent neighborhoods in the city of Modesto. Police services never came, so crazy things were happening all the time. There were no streetlights, there were no sewers because Modesto ran its sewer line around. And the water system was failing because they were all on their own either private wells or on a small mutual water company, which means that the cost of providing the utility service is very, very high. Utilities are always expensive unless you can spread out how many people you have paying into the service.

So, they did this lawsuit, and they alleged that the city had engaged in racial annexation, which is really fascinating. And the reason I bring this up is because that's a hard case to prove. You have to prove intentional racial discrimination, and they met the burden of proving intentional racial discrimination at the pleading stage, and they also sued the county. They got dismissed at the district court on a 12(b)(6) motion, and then it was reinstated by the Ninth Circuit. Once it was reinstated, they entered into a settlement agreement.

The settlement agreement finally went into action in 2014. The lawsuit, I think, originated around 2003. So law takes a long time. In 2008, the Ninth Circuit heard it. In 2014, the settlement agreement was reached. Modesto now has district-based voting. It now has Latine representation.

And something else really interesting happened, and that was that the California government started passing bills requiring counties to count where their unincorporated communities were located—that's going to be SB 244, and you're going to hear a lot about it.

If you want to find a hero of an elected official, her name is Lois Wolk. She's from Davis. She's amazing. She passed almost all the equity bills that you're probably going to hear about today and she kind of championed them. It helped because she was coming also from a rural district, because Davis is in Yolo County. Best name for a county. So she understood kind of the issues that disadvantaged communities were facing. I think Davis is one of only two cities in that county, so almost all the communities there are unincorporated, and most of them are disadvantaged.

Oh, and there's one more thing I want to talk about. Sorry, I'm out of order. Before I go to the changes that happened. So I think one of the things to know about DUCs is they're almost all created through racial inequality. Very important to know. There's a really interesting racialized, anti-poverty thing, too. People will always say things like, "Well, if they don't want to live there, they should just move," which is an absurd thing for an elected official to say, but you'll hear it from county officials all the time. People can't move because if you don't have running water, you don't have a habitable house. It's not marketable.

It really diminishes the wealth and the capacity of the folks who live there. The cost of coping is entirely transferred to them. They end up being the least capable in terms of their financial resources to deal with an issue, and then they're asked to basically deal with the fact that government has not done its job.

So, here are the essential infrastructure items that are frequently missing from disadvantaged communities.

Water. Sometimes this means piped water, but often it means access to safe water that is affordable. Most of their water is heavily polluted. And I think we have a session later in the afternoon that's going to be talking about measuring water and the human right to water in these communities.

Sewers. Most of them do not have any sewage systems, so they're on septic. That is not a great system, and it is expensive because you have to install it and pay for it to get pumped out every now and again. They don't have gutters and curbs, which means when there's flooding, stuff goes really bad.

Streetlights are often missing. Paved roads. One of the communities I'm in, if it rains, children don't get to go to high school because the bus can't come in to pick them up.

Electricity and heat. So, there's a lot of communities that especially are missing heat, heating and natural gas, but electricity is common too.

Sometimes, they're fully missing communication systems. There's none of what we called POTS, plain old telephone service. So, they don't have old school telephones, but they often are also not covered by cell phone service. That's

improved over time, and there was a huge push to do broadband, but I don't know. I was like, "If people don't have water. . . What good is broadband?" I don't know. It matters, but yeah, they're often lacking in a communication service.

They often have a lack of healthcare infrastructure, so lack of access to medical care, emergency care, or even just regular preventative and primary care.

And they often are lacking transit, access to transit, emergency services, and local government.

So, the county doesn't show up. I can't tell you how many times I got stood up by a supervisor for a meeting about a specific community. Like, to the point where I literally showed up at the meeting and saw him run out the side door so that he didn't have to meet with us, and that was, like, our fourth meeting. And I was just like, "If you don't want to meet with us, just tell us you're not going to meet with us, but, like—stop wasting our time." Like, everyone has jobs.

The other thing that these DUCs often have is what I would call an overabundance of environmental bads, right? So, examples of bads include industrial agriculture. Agriculture, as hopefully folks know, is not bucolic and environmentally friendly the way we do it in California. It is full of pesticides. And, certainly when it comes to animal production, California mostly has CAFOs, which are concentrated animal feed operations that generate an insane amount of pollution.

So, these areas are also home to garbage dumps and hazardous waste facilities. All three hazardous waste facilities in the western United States are located in the San Joaquin Valley. We have an overabundance of prisons, and they call them detention facilities. I'm just going to call them immigration concentration camps because I think that's how they're operating. There's an overabundance of air pollution because of the physical geography of where they're located, and also of drinking water pollution. So oftentimes the folks who are drinking the water are not creating the pollution, but they're having to clean it, which is really, really expensive.

Then there's an overabundance of goods movement. So, this includes trains and trucks. Shipping is mostly happening in cities, but also in unincorporated communities and cities for the most part. The third biggest port in California is the Port of Stockton. So, if you think they're not shipping inland, they are shipping. They're just doing it on the river and warehouses. So if you're from, for example, the Inland Empire or the Coachella Valley, most of what's happening down there is warehouse kind of movement and goods movement.

So there's also a lack of, I would say, environmentally sustainable or dignified labor. There's not a lot of jobs in those areas, and most of the industries in those regions are extractive in nature. We have fracking, for example, and other kinds of highly disruptive things. I would argue that industrial agriculture is also an extractive economic production.

I'm going to transition with just a couple of comments about what has changed. When I started as a law student, we didn't have a great sense of how many DUCs there were. And what happened was, California Rural Legal Assistance, which is the largest legal aid in the state, combined with PolicyLink, which you may have heard of, it's a think tank, and received funding to do a study to start mapping these areas. They had worked in these areas, but there was no formal mapping that had happened or a formal accounting of what had happened. They spent a ton of effort, community workers and lawyers, going out, interviewing people, finding the boundaries of the community, and registering where they were.

One of their partners and one of the experts in what has now become the mapping and identification of disadvantaged unincorporated communities is Jonathan London up at U.C. Davis. He's incredible and comes from a community-based movement kind of background, and he does really great partnered, community-based, participatory research work.

So, they did the first survey. In 2008, we got the first survey where these DUCs were located in the Valley, but nowhere else in the state. Then they did an update in 2011, and it doubled the number of DUCs that we thought were out there. That number has continued to grow as we continue to find communities. It's not that they weren't there, it's just that if you don't know what you're looking for, it's hard to find.

Also, a lot of these communities are very insular, and so sometimes it's hard to kind of get a hold of them. Some cities serve their islands, and so that can make them hard to find too. Fresno actually serves the islands that are in its area, unlike Modesto. Modesto now has to, though, because of the lawsuit.

I think one of the things that's really helpful to know is that the first big thing was recognizing that these communities existed. DUC as a term didn't exist prior to 2008, I would say. Sometimes we use the term colonia, but that now has an official definition under the USDA that doesn't apply to a lot of communities in California. So, part of it was naming the issue and identifying the issue, and I think that it's important for us to know that there's dignity in being recognized as existing. That was an important first step.

The second step was then a ton of community mobilization. There had been over twenty years of community organizing by the time that bills started to actually pass. But I think the thing that made the difference—and maybe this is me being a little biased as a lawyer—is having access to lawyers. It actually made a huge difference for folks because people had been organizing, but they were organizing locally. When they were able to organize outside of their county and had county-to-county regional mobilization at Sacramento was when they started getting bills passed. Since then, there have been a huge number of bills that have passed on disadvantaged communities, and a lot of that has been done through land use and planning and requiring counties to actually account for these folks,

to do a review of what their services are, and to create a plan for what they're going to do.

Now, if you're going to annex a new land as a city, you have to make a really big case for why you're not annexing first these fringe communities, these islands, et cetera. So instead of supporting sprawl, the state has passed a number of laws that come from state power—in particular, laws requiring local governments to be more responsible stewards of their resources. I think it's really one of the things that I would like you to think about throughout the day today: What was the role of lawyers?

I think one of the things that's really interesting is that lawyers were not at the forefront. Lawyers were not necessarily the people on the microphone giving the talk, but they were technicians doing really important work. I hope it inspires you to think about what you could do as a lawyer in these areas. The gaps in resources are still so vast. Even though we've addressed a lot of the most emergent issues for some of these communities, there's still over five hundred or six hundred communities in California that are facing persistent poverty issues that could be addressed.

I also think it's a really great way to think about local government as an avenue for advocacy, especially in a time when environmental justice is so bleak and environmental law is so bleak at the federal level. There's a lot of really interesting things you can do at a governmental level and a sub-governmental level, so I'd like you to think about all of those things as you get to listen to the much cooler presentations that are going to follow.

I want to thank you again for coming out on a Friday. I know this is kind of a gloomy day. And thank you for having me. I hope you have a wonderful symposium. I think it's going to be awesome.

I'll take questions.

Audience Member: I just had a question because I know you're at Columbia Law School right now, and I'm curious about, how the rural advocacy work works from Columbia Law School and what you do on a daily basis.

Camille: That's a great question. It's not as robust as what I would like. I mostly work disadvantaged neighborhoods in New York City now. But we do some work up the Hudson River, so with communities in the Kingston area. Most of New York is actually kind of rural in nature. New York City is just a little bit of a microcosm.

One of the things that's a little unique about my clinic is that it does a lot of transactional law, so here's a bid for transactional law. I really thought I'd be a litigator, but my first job was an Equal Justice Works Fellow, and the communities I was working with said that they needed a transactional lawyer because they wanted to affirmatively create the kind of community they wanted to live in. They were like, "We're tired of suing about bad things coming in. We'd rather create the kind of economic opportunity that we want," whether that was community gardens or cooperative organic farms or other things that are

community-owned. It was mostly food and food chain kind of work because that was where people's expertise was.

So, I was like, "All right, time to learn how to be a transactional lawyer." One of the things that's exciting about that is that we are almost the only environmental clinic in the country that does that, and so we get phone calls from other people. So we also represent folks in Pennsylvania, for example. Especially out on the Appalachian side of Pennsylvania. We usually will co-counsel with folks.

The downside is I don't get to do as much of the community lawyering, which is being on the ground in the community. Our community lawyering really happens in these low-income New York City communities. But we have worked, for example, with a nonprofit that serves the Utah Band of the Navajo Nation. So we are working outside with communities that are in rural areas. It's a little bit harder.

I will say, when I was here in California, all my clients were rural for the most part. When I was at Irvine, they were not all rural, but I brought in their rural docket. We represented a bunch of folks in rural areas. I think it's a little trickier at Columbia. It's a little trickier in New York.