Message

From: Nazmi, Niloufar [Nazmi.Niloufar@epa.gov]
Sent: 9/25/2019 3:09:39 PM
To: R9-AIR-Division [R9-AIR-Division@epa.gov]
Subject: FW: FYI - Trump threat on California highway funds may be a first. Gavin Newsom calls it payback

For your situational awareness.

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From: Maier, Brent <Maier.Brent@epa.gov>
Sent: Wednesday, September 25, 2019 8:06 AM
To: Nazmi, Niloufar <Nazmi.Niloufar@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>; Lee, Anita <Lee.Anita@epa.gov>
Cc: Glenn, William <Glenn.William@epa.gov>; PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>; Calvino, Maria Soledad <Calvino.Maria@epa.gov>; Adamic, Denise <Adamic.Denise@epa.gov>; DIAZ, ALEJANDRO <Diaz.Alejandro@epa.gov>; Schmidt, David <Schmidt.David@epa.gov>
Subject: FYI - Trump threat on California highway funds may be a first. Gavin Newsom calls it payback

Trump threat on California highway funds may be a first. Gavin Newsom calls it payback

BY DALE KASLER AND SOPHIA BOLLAG – SACRAMENTO BEE

SEPTEMBER 24, 2019 02:08 PM, UPDATED SEPTEMBER 24, 2019 02:11 PM

- Clean car advocates and state leaders gathered in Fresno on Monday, Sept. 24, 2018 for an EPA hearing against the plan to revoke California's authority on vehicle pollution. BY JOHN WALKER

The federal government has fought with California officials for years over the state's chronic air pollution. It's even threatened to withdraw highway funding from parts of the state because of selected shortcomings in California's anti-pollution strategies.

But the Trump administration's threat to pull billions of dollars in highway funding from vast stretches of California over a broad range of pollution issues appears to be unprecedented.

Critics said the threat, spelled out in a letter Monday from the head of the U.S. Environmental Protection Agency to the chairwoman of the California Air Resources Board, represents payback for California's efforts to push stricter controls on greenhouse gas emissions from cars. The Trump administration is resisting those efforts.

"The White House has no interest in helping California comply with the Clean Air Act to improve the health and well-being of Californians," Gov. Gavin Newsom said in a prepared statement. "This letter is a threat of pure retaliation.

"While the White House tries to bully us and concoct new ways to make our air dirtier, California is defending our state's clean air laws from President Trump's attacks," Newsom added. "We won't go back to the days when our air was the color of mud. We won't relive entire summers when spending time outside amounted to a public health risk. We won't be intimidated by this brazen political stunt."

Wayne Nastri, who ran the EPA's Western regional office under President George W. Bush's administration, called the letter unprecedented in its scope.

"I've never seen such a letter," said Nastri, who now runs the South Coast Air Quality Management District, the air pollution agency for much of Southern California. "It's a punitive action. We're on the front lines now."

As recently as last December, the EPA threatened California with sanctions over problems with the state's plan for reducing particulate matter in the San Joaquin Valley. Particulate matter is a mix of small particles of dust, metals and other components that can enter the lungs. Also last year, the feds sent a similar warning to California over particulate matter in Imperial County.

But Nastri and others couldn't recall the EPA ever issuing a broad-brushed threat, covering most of the state, comparable to the letter EPA Administrator Andrew Wheeler sent Monday to Mary Nichols, the chairwoman of the Air Resources Board.

"The goal should be to try to help California succeed," said Felicia Marcus, who ran the EPA regional office during the Clinton administration. "That's a political letter."

Wheeler's letter accuses California of falling short on its state implementation plans — programs the state has pledged to carry out to fix problems with ozone, smog and other forms of pollution in various parts of the state. The EPA chief said California in many cases had submitted plans that "are inactive" or are lacking pieces of information. He said he wanted to clear out a "backlog" of more than 130 such plans pending in California, "many dating back decades."

In a written response to the EPA, the Air Resources Board's executive officer Richard Corey said the federal agency "has unclean hands: It sat on these documents for years and is now pounding the table about paperwork issues of its own creation."

Among other things, Wheeler cited the Sacramento area's excessive ozone problems. The Sacramento Metropolitan Air Quality Management District had no immediate response to the EPA's letter.

Under the EPA's rules, the state has 18 months to get into compliance with the agency's regulations. If the state's plans are still deemed inadequate, the EPA can then impose so-called "offset" sanctions, which require immediate reductions in pollution.

Six months later, if the EPA isn't satisfied, it can then move to block federal highway funding in the affected area of the state.

"Rarely do we impose sanctions following disapproval of state plans," said Michael Abboud, the EPA's chief spokesman. "Usually states will provide a complete, satisfactory plan prior to sanctions being issued."

He added that "sanctions limiting the use of highway funds have rarely been imposed," but he didn't provide any examples.

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