

A. Bulf Open Forum #BOS 10/8/2019

Proposal: Making Hwy 50 the superior corridor to Lake Tahoe
AKA, TUNNEL UNDER ECHO SUMMIT

"The minimum distance between two points is a straight line" Euclid's Elements: Book 1, Proposition 20

However, Hwy 50 goes 11 miles over Echo Summit, often requiring winter travelers to use snow chains over the accident-prone route; and always requiring the burning much fossil fuel.

- The alternative would be 2 miles straight through a newly built toll-tunnel. An economically viable toll could finance the tunnel construction; and provide a permanent source of revenue for the County.
- Save energy, reduce CO2 emissions, and put fewer pollutants into the air of the ecologically sensitive Tahoe Basin.
- Make a one-time investment and allocate toll revenue to road maintenance, and even enhancements to both sides of Echo Summit.
- Issue Bonds and/or invite Public-Private partnerships to finance the tunnel construction; and construct a county owned village at Twin Bridges, increasing the effectiveness of the of road/tunnel availability.
- The county-owned Village would not be unlike a rest-stop along an upstate New York toll highway, occupying concessions for everything from a food court to a post office.
- The I-80 Donner Summit route is the most expensive highway in the state because of the impact of snow loads.
- In the longer view, the Highway 50 El Dorado County corridor would become a safer, easier, and all-weather route to the Tahoe Basin.



**Electric Rail & Energy
Development Management**

**Alfred P. Bulf
consultant**

**530-470-0849
530-264-6418 cell**

Al Bulf, Consultant
6th October 2019



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M. Lane Open Forum BUS 10/8/2019



November 1, 2016

John Hidahl
622 Toreno Way
El Dorado Hills, CA 95762

Dear Mr. Hidahl:

I write on behalf of Congressman Tom McClintock and the McClintock for Congress Committee.

It has come to my attention that you have recently launched a series of Internet advertisements (copies attached) featuring a likeness of Congressman McClintock and attributing to him two quotations in support of John Hidahl, a candidate whom he very clearly opposes and a quotation in opposition to Beth Gaines, a candidate whom he very clearly supports.

As you are well aware, Mr. McClintock has made his views on the race for El Dorado County District 1 Supervisor crystal clear. In a recent letter that was widely circulated in El Dorado County, Mr. McClintock stated that he is strongly supporting the campaign of Beth Gaines for Supervisor.

I have every reason to believe that you are well familiar with Mr. McClintock's views on Mr. Hidahl's campaign. Therefore, your publication of fictitious quotes that you maliciously attribute to Mr. McClintock can only be construed as a willful attempt to defeat Mrs. Gaines's candidacy by misleading and confusing voters within a week of the election and to obtain campaign contributions by means of fraud.

Your attempt to involve Mr. McClintock in this reckless scheme is actively harming his reputation.

Paid for by McClintock for Congress

PO Box 1198 • Rocklin, CA 95677 • www.mclintock.com • Phone: 530-513-1168

Accordingly, I demand that you immediately cease any further publication of these and other advertisements misrepresenting Mr. McClintock's position, remove them from all outlets where you have heretofore published them and issue a full and immediate retraction and apology. Failure to do so will leave Mr. McClintock with no option but to pursue all available actions and remedies.

Sincerely,



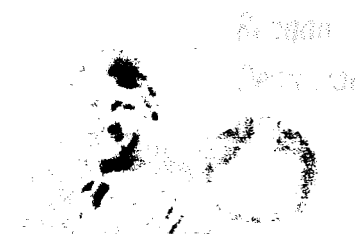
Jon Huey
Campaign Manager
McClintock for Congress

cc: Assemblywoman Beth Gaines
Beth Gaines for Supervisor



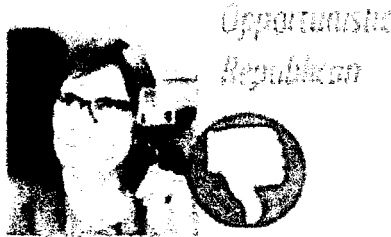
Fran DuChamp · Debating El Dorado County Local Politics

The Choice is Clear



Beth Gaines
 Reason Democrat

...with her...
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 ...



Beth Gaines
 Opportunistic Republican

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Congressman Tom McClintock

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Most EDH residents agree after her smear campaign, Beth Gaines is the worst choice for El Dorado Hills!!

...
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 ...



Fran DuChamp
 Jim Pridemore, some feel, although funny...that Beth will use it against John-- your call to bring it down or not.













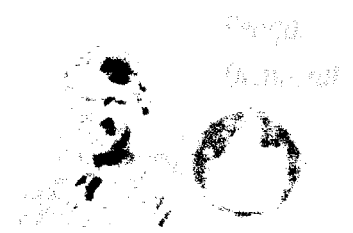

Merrilee Posner · El Dorado Hills Community Discussions

11/11/2014

Good news all! Bravi to those of you who complained to McClintock, appears he got the message! Courtesy of **Jim Pridemore**, Serrano Neighborhood Forum. Thanks Jim!

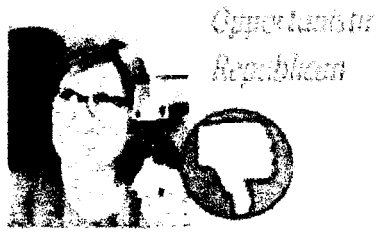
Turn about is fair play!!

The Choice is Clear



John Gask
Progress Democrat

I am proud to represent the people of El Dorado Hills. I have worked hard to bring you the best of the best in education, public safety, and economic development. I will continue to work for you and your family.



Beth Gaines
Superstar Republican

I am proud to represent the people of El Dorado Hills. I have worked hard to bring you the best of the best in education, public safety, and economic development. I will continue to work for you and your family.



Congressman Tom McClintock

I am proud to represent the people of El Dorado Hills. I have worked hard to bring you the best of the best in education, public safety, and economic development. I will continue to work for you and your family.

Most EDH residents agree after her smear campaign, Beth Gaines is the worst choice for El Dorado Hills!!



CERTIFICATE OF COMPLETION

This certificate is awarded to

Supervisor Sue Novasel

In recognition of your completion of
Ethics (AB 1234)



April 23, 2015

?
Courses, topics, time?

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Friday, October 4, 2019 6:33 PM

To: 'El Dorado County Public Records Center'; Vern R Pierson; Paula Frantz; 'Donald Ashton'; david.livingston@edcgov.us

Cc: edc.cob@edcgov.us; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: RE: Public Records Request :: P002210-062519

Ms. Stronk et al:

It is unlawful for you to limit the method in which that information is made available to the requestor. You should be aware by now that I cannot access the PRC system. This was thoroughly discussed during multiple meetings with Don Ashton, Robyn Drivon, and Paula Franz. Larry Weitzman and Lori Parlin accompanied me to those audio recorded meetings.

Furthermore, you are grossly incorrect in stating that I “substantially expanded” my initial request. The law strictly prohibits your Bureaucratic Shenanigans and deliberate delay tactics in accessing public information. County Counsel’s unethical tactics are referred to as “ultra vires” meaning: *outside of the law*. Need you be reminded that as a **public servant** you were required to take a Constitutional oath of office. In case you need a refresher course in CPRA law:

- 1) **Every person** has a right to inspect any public record, except as...provided, [and to receive] an exact copy [of] an identifiable record" unless impracticable. (§ 6253). Specific exceptions to disclosure are listed in sections 6253.5-6253.7, 6254, 6254.1-6254.21, 6255, 6267 and 6276; to ensure maximum access, they are read narrowly. The agency always bears the burden of justifying nondisclosure, and "any reasonably segregable portion... shall be provided...after deletion of the portions which are exempt." (§ 6253(a))
- 2) **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1) It now appears I've been prohibited from corresponding with Tiffany Schmid who has been suspiciously unresponsive to departmental matters. In addition to all other county staff, I also specifically requested the identity of the SIX elected department heads in the following email distributed by Don Ashton:

I'm not sure if you receive the various emails sent by Melody Lane to the County, but if you are, you have likely noticed that recently they seem to have been escalating, becoming more and more inflammatory and in some instances attacking staff. In addition, you are not aware, the Sheriffs Office blocked access to all of her emails some time ago.

I now have two other elected department heads asking to have her emails blocked, and the other four elected department heads agree to have restrictions put in place so that Melody cannot email their staff, but can still email them.

Mike Ciccozzi and I have discussed a variety of options relative to how restrictive the County can be in limiting a constituents access to government and we settled on the following two options.

- 1) Prevent Melody from emailing all staff, only allowing her access to email Department Heads and Board members.
- 2) Restrict Melody's email access to only the CAO, County Counsel, Clerk of the Board, Clerk of the Planning Commission, and Board members.

Based on discussions with the elected department heads, I'm now considering implementing Option 1, but wanted to see if you have any concerns.

Please let me know by the end of the week if you have any questions or concerns with this approach ... most importantly I want to be as consistent as possible county wide. If I don't hear any concerns, I will work with County Counsel and IT to implement some time next week.

Note: *It is the duty of every citizen to hold all public servant's feet to the fire. There has never been anything "inflammatory or attacking" in any of my correspondence with staff as Mr. Ashton falsely claimed—everything I've communicated has been based upon truth, fact, evidence and valid law.*

3) An agency has 10 days to decide if copies will be provided. In "unusual" cases (request is "voluminous," seeks records held off-site, OR requires consultation with other agencies), the agency may upon written notice to the requestors give itself an additional 14 days to respond. (§6253(c)) These time periods may not be used solely to delay access to the records. (§ 6253(d))

Not only did you fail to provide written notice requesting an additional 14 days, you have unlawfully exceeded those time periods by more than 3 months.

Lastly, a requester is NOT required to justify or explain the reason for exercising his or her fundamental right of access. If an agency (EDC) receives a request to inspect an identifiable, disclosable record, the agency ***must promptly make the record available.*** ***The agency cannot limit the manner in which the record is accessed.*** ***Compressed pdf form is the most time and cost efficient manner in making that information available to the public.***

To reiterate, there is NO justification in your delay tactics or placing limitations upon my accessibility to public information. Please comply immediately with this request.

Melody Lane

Founder – Compass2Truth

Brown Act Preamble: "The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

From: El Dorado County Public Records Center [mailto:eldoradocountyca@mycusthelp.net]

Sent: Friday, October 4, 2019 4:37 PM

To: melody.lane@reagan.com

Subject: Public Records Request :: P002210-062519

--- Please respond above this line ---

RE: SUPPLEMENTAL PUBLIC RECORDS REQUEST, Reference # P002210-062519

Dear Ms. Lane,

The County of El Dorado, CA received a public information request from you on June 25, 2019. Your request mentioned:

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain copies of all correspondence to/from CAO Don Ashton identifying all EDC personnel and county committee or commission members with whom he has unlawfully denied me the ability to directly communicate with electronically since January 2018 to the present.

You subsequently expanded your request, resulting in this supplemental document production.

The County has reviewed its files and has located records responsive to your request. These records can be accessed by visiting the Public Record Center. If you have trouble accessing the these referenced records, please let me know.

Sincerely,

Sharon Carey-Stronck

Deputy County Counsel

Office of the County Counsel

El Dorado County

To monitor the progress or update this request please log into the El Dorado County Public Records Center.

M. Lane Open Forum Bas 10/8/2019

Last month I submitted another CPRA requesting proof of Mandatory Ethics Training for Lori Parlin, John Hidahl, and Sue Novasel. The responses I received were very revealing about how EDC operates in the dark, topics that we discussed during yesterday's Taxpayers Association meeting. Depriving the public of honest services is a federal crime for which officials can be removed from office.

Because of the breadth of federal anticorruption law, public officials are warned to avoid any temptation to walk closely to the line that divides legal from illegal conduct under state law. Even though a course of action may be lawful under state law, it may not be lawful under federal law. The law provides only minimum standards for ethical conduct. *Just because a course of action may be legal, doesn't make it ethical or what one ought to do.* AB1234 requires *all* elected officials to complete mandatory ethics training within one year of taking office and then take supplemental training every other year thereafter.

In the case of Lori Parlin, she failed the test of character and ethics long before she was elected, yet she still maintains the corrupt status quo of her predecessors. The faces may change, but the Bureaucratic Shenanigans are still the same. Furthermore my audio recordings and witnesses will attest that Lori LIED about signing a Constitutional Affidavit if she was elected. Rest assured, voters will not tolerate her hoodwinks and she will be held accountable.

John Hidahl also has some explaining to do about his ethics training and dishonest campaign tactics. The letter to Mr. Hidahl from Congressman McClintock's office that I obtained from my Capitol co-worker should be a pretty good indicator of John's moral and ethical deficiencies. Fran DuChamp, Merrilee Posner, and Jim Pridemore received similar letters from McClintock.

Then I brought it to the attention of HR that Sue Novasel was elected in 2014, but she didn't complete her initial ethics training until two years later on November 29, 2016. That's when HR suddenly produced an apparent fraudulent ethics certificate dated April 23, 2015 which you have before you. It is significant that Ms. Novasel routinely operates outside of the law and has violated the following segments of the mandatory ethics training:

- (3) Government transparency laws, including, but not limited to:
 - (A) Economic interest disclosure under the Political Reform Act (Gov. Code §§ 87200 et seq.).
 - (B) Brown Act (Gov. Code §§ 54950 et seq.).
 - (C) Public Records Act (Gov. Code §§ 6250 et seq.).
- (4) Laws relating to fair processes, including, but not limited to:
 - (A) Common law bias prohibitions.
 - (B) Due process requirements.

(E) Disqualification from participating in decisions affecting family members (anti nepotism laws).

(b) Core Content Ethics Law Topics Under Political Reform Act.

The public needs to know that even Sheriff D'Agostini never completed any ethics training, yet he consistently acts as though he is above the law!

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds.

I know the Constitution, and I know my rights, therefore I've grown adept at recognizing when government oversteps its bounds. For example I challenged Sharon Stronk when she fraudulently misrepresented the law and failed to respond to multiple CPRAs. My last response to Ms. Stronk is also before you. ***To be clear, counsel has no lawful authority whatsoever to run interference for any public servant, or to deprive the public of PUBLIC information or PUBLIC services.***

When any public official has knowledge of wrong doing, but fails to take remedial action, then that official becomes complicit and personally liable. You should also be aware that the county's bonding insurance policy specifically exempts theft or any deliberate acts of dishonesty. This should be a real wake-up call about your own roles in perpetuating EDC corruption, how it represents contempt for the people, and most importantly, for the Constitution.

If you have any questions or comments, please make them now while I'm at the podium.

Madam Clerk: Please enter these documents into the public record:

- 1) This transcript
- 2) McClintock letter to Hidahl
- 3) Novasel fraudulent EDC ethics form
- 4) Response to Sharon Stronk

El Dorado County Board of Supervisors Meeting
Open Forum Commentary by Terry Kayes, District 3

U.S. EPA Threats: Emission Standards Versus Pollution Standards

Today, I am going to defer commenting further on what I believe to be Caltrans' sometimes questionable planning procedures and conduct in El Dorado County, or on what I learned about Caltrans and its deficiencies at the International Conference on Ecology & Transportation in Sacramento the week of September 22, 2019. Instead, I have a written statement to read about two recently raised high-profile topics that could have ominous consequences for federal funding of future highway, roadway and other transportation projects in El Dorado County.

The first of these, which is the U.S. EPA's stated intent to deny the State of California's previously allowed power to regulate its own motor-vehicle fuel mileage and tailpipe emission standards (a power granted solely to California among the states, so long as those standards exceeds federal standards, as well as other criteria), is reportedly the subject of a lawsuit or series of lawsuits in federal court filed by the California Attorney General.

As anyone might expect, the Governor and Attorney General of California, as well as many California-based legal scholars claim that they expect the state will win on these matters — based on precedents in law. However, some legal scholars and students of the present federal court system, who are based elsewhere than

in California, argue that any such conclusions are premature and that a compelling case could be made for the EPA's position.

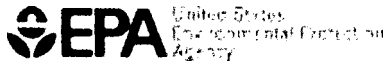
The second high-profile matter likely to be the subject of a legal challenge by California in federal court is the EPA's stated intent to take punitive actions — including "highway funding sanctions, which could result in a prohibition on federal transportation projects and grants in certain parts of California" — meaning those "82 nonattainment areas and 34 million people living in those areas" which do not meet the EPA's National Ambient Air Quality Standards (NAAQS), as they relate to the U.S. Clean Air Act of 1963 and its subsequent amendments.

While many in California government and in the national news media have linked these high-profile "statements of intent" by the U.S. EPA, as evidence of President Trump's attempt to try to punish the state for not complying with his policy wishes, I have yet to see any concrete evidence of such a link between the two matters described above in any U.S. EPA communications (see handouts). The plain fact is that for many decades California has managed to avoid compliance with federal air-quality regulations. It may now need to deal with that reality honestly, and not just by what it has done in the past.

California needs to stop "gaming the system" on air pollution.

Thank you for your attention.

An official website of the United States
government.



News Releases from Headquarters › Office of the Administrator (AO)

EPA Takes Action to Ensure California Meets Nation's Air Quality Standards

09/24/2019

Contact Information:
EPA Press Office (press@epa.gov)

WASHINGTON (Sept. 24, 2019) — Yesterday, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler sent a letter to California Air Resource Board (CARB) Chairman Mary Nichols notifying her of the Trump Administration’s forthcoming action to eliminate its backlog of California State Implementation Plans (SIPs). This action is a necessary step toward ensuring compliance with EPA’s National Ambient Air Quality Standards (NAAQS) designed to ensure that all Americans have clean air.

“California has failed to carry out its most basic responsibilities under the Clean Air Act, and as a result, millions of Californians live in areas that do not meet our nation’s air quality standards,” **said EPA Administrator Andrew Wheeler**. “EPA stands ready to work with California to meet the Trump Administration’s goal of clean, healthy air for all Americans, and we hope the state will work with us in good faith.”

The state of California represents a disproportionate share of the national list of backlogged SIPs, including roughly one-third of EPA’s overall SIP backlog. As most of these California SIPs are inactive and do not meet the minimum threshold

of public health protection necessary for approval, they must either be redone or withdrawn. As a first step, EPA is calling on California to immediately withdraw inactive SIPs that would most likely be denied. If California does not withdraw the inactive SIPs in a timely manner, EPA will begin the process of evaluating these SIPs for disapproval and developing Federal Implementation Plans that are approvable and will protect public health.

Disapproval of a SIP triggers statutory clocks for:

- Highway funding sanctions, which could result in a prohibition on federal transportation projects and grants in certain parts of California.
- New Source Review permitting sanctions.
- A deadline for the issuance of a Federal Implementation Plan (FIP).

“We certainly want to avoid these statutory triggers, but our foremost concern must be ensuring clean air for all Americans. That is our goal,” **added Wheeler.**

EPA has made reviewing and approving or disapproving of SIPs a priority to meet its goal of providing regulatory certainty with regard to Clean Air Act implementation. This is particularly relevant for SIPs, which provide important air quality benefits to impacted communities. California’s extensive backlog is due to approvability issues, state-requested holds, missing information, or resources. California has the worst air quality in the United States, with 82 nonattainment areas and 34 million people living in areas that do not meet NAAQS—more than twice as many people as any other state in the country.

Background

A SIP is a collection of regulations and documents used by a state, territory or local air district to reduce air pollution in areas that do not meet NAAQS. EPA has established the NAAQS for six criteria air pollutants known to be harmful to human health: carbon monoxide, lead, nitrogen oxide, ozone, particulate matter, and sulfur dioxide. SIPs provide a plan for implementation, maintenance and enforcement of the NAAQS in each state. To learn more, visit <https://www.epa.gov/sips/basic-information-air-quality-sips#what-is-a-sip>.

LAST UPDATED ON SEPTEMBER 24, 2019



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 24, 2019

THE ADMINISTRATOR

Ms. Mary D. Nichols
Chair
California Air Resources Board
1001 I Street, P.O. Box 2815
Sacramento, California 95812

Dear Ms. Nichols:

The U.S. Environmental Protection Agency and California Air Resources Board play a critical role in protecting public health through implementing National Ambient Air Quality Standards under the federal *Clean Air Act*. In particular, the state of California facilitates the submittal of State Implementation Plans from its 35 local air districts with *Clean Air Act* responsibilities.

A SIP is a collection of regulations and documents used by a state, territory or local air district to reduce air pollution in areas that do not meet NAAQS. Failure to carry out this SIP responsibility correctly, including submitting timely and approvable plans to assure attainment of the NAAQS, can put at risk the health and livelihood of millions of Americans. As part of our fundamental *Clean Air Act* responsibilities, I have recommitted the EPA to act quickly to approve or disapprove SIPs and to dramatically reduce the backlog of SIPs nationally.

Since the 1970s, California has failed to carry out its most basic tasks under the Clean Air Act. California has the worst air quality in the United States, with 82 nonattainment areas and 34 million people living in areas that do not meet National Ambient Air Quality Standards – more than twice as many people as any other state in the country. As evidenced by the EPA's recent work on interstate air pollution issues as well as analysis accompanying its rulemakings, California's chronic air quality problems are not the result of cross-state air pollution or this Administration's regulatory reform efforts.

In addition, the state of California represents a disproportionate share of the national list of backlogged SIPs, including roughly one-third of the EPA's overall SIP backlog. California's total portion of the SIP backlog is more than 130 SIPs, with many dating back decades. Most of these SIPs are inactive and appear to have fundamental issues related to approvability, state-requested holds, missing information or resources. For example, these SIPs include key ozone NAAQS attainment plans for the following areas:

- Coachella Valley for 1997 and 2008 ozone NAAQS

- Sacramento Metro for 2008 ozone NAAQS
- Western Nevada County for 2008 ozone NAAQS
- Ventura County for 1997 and 2008 ozone NAAQS

We recommend that California withdraw its backlogged and unapprovable SIPs and work with the EPA to develop complete, approvable SIPs. In the event California fails to withdraw them, the EPA will begin the disapproval process consistent with applicable statutory and regulatory requirements.

As you know, if the EPA disapproves a SIP, that triggers statutory clocks for:

- Highway funding sanctions, which could result in a prohibition on federal transportation projects and grants in certain parts of California;
- New Source Review permitting sanctions; and
- A deadline for the issuance of a Federal Implementation Plan.

We certainly want to avoid these statutory triggers, but our foremost concern must be ensuring clean air for all Americans. That is our goal.

To ensure that we are making progress on improving air quality in California, we request a response from CARB by October 10 indicating whether it intends to withdraw these SIPs.

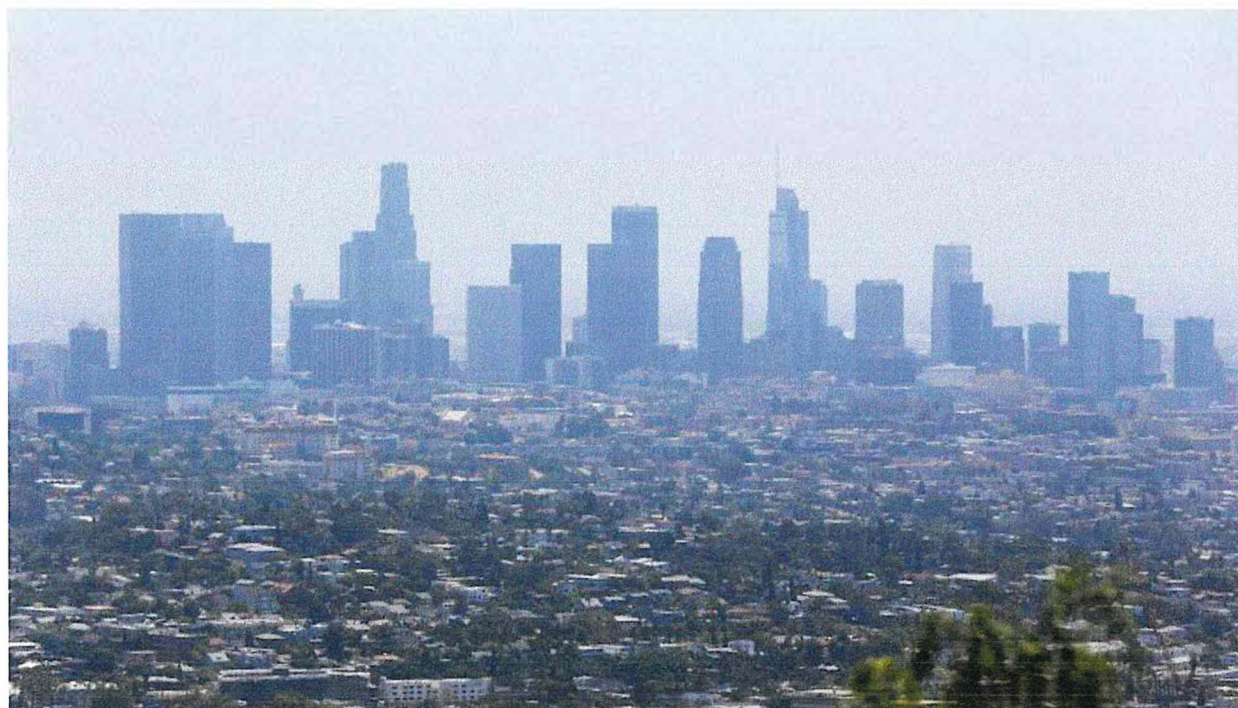
Sincerely,



Andrew R. Wheeler

Los Angeles Times

EPA threatens to cut California's highway funding over Clean Air Act 'failure'



The downtown Los Angeles skyline, as seen from Griffith Observatory, in July. (Christina House / *Los Angeles Times*)

By Alexa Diaz, Anna M. Phillips, Tony Barbarosa

September 24, 2019

The Trump administration's political feud with California intensified Monday with a letter from the U.S. Environmental Protection Agency threatening to cut federal transportation funding from the state as punishment for not submitting timely pollution-control plans.

The letter from EPA Administrator Andrew Wheeler to California's chief air quality regulator accused the state of having failed for decades to take required steps under the Clean Air Act, specifically allowing a backlog of more than 130 inactive smog-reduction plans to accumulate.

“California has the worst air quality in the United States,” says the letter, which states that 82 areas within California aren’t meeting federal air quality standards. The letter was first reported by the *Sacramento Bee*.

California politicians and the Trump administration have been engaged in open political warfare for years — each casting the other as its foil. But recent months have seen an escalation in the fighting.

California regulators surprised the White House in July by secretly negotiating a deal with four major automakers to voluntarily abide by California’s emissions rules and increase fuel efficiency. The agreement bypassed the Trump administration’s plans to roll back car pollution standards put in place under the Obama administration and deeply angered the president.

Last week, the Trump administration launched an assault on California’s role as an environmental leader in reducing greenhouse gas emissions and improving air quality. It announced the revocation of a now decades-old rule that empowers the California to set tougher car **emissions standards** than those required by the federal government.

California Atty. Gen. Xavier Becerra sued the administration the next day, arguing that the state’s stricter **pollution rules** [note different wording from the above] were lawful and needed to improve air quality. [California still has the worst air quality of any state in the nation, regardless of tougher emission standards, because it has been largely disregarding other ways to reduce toxic mobile-source air pollution – T. Kayes.]

The state’s [tougher] standards “are necessary to protect the public health and welfare,” California Air Resources Board Chairwoman Mary Nichols said at a news conference last week. “We actually need these extra clean cars in order to meet the health standards that are set by the federal government that we violate now on a very regular basis throughout Southern California and the San Joaquin Valley,” [as well as in the Sacramento region – T. Kayes]

In his letter to Nichols, Wheeler attacked the foundation underlying the state’s argument by saying California’s decades-old smog problem was its own fault, not a result of the Trump administration’s policies.

Wheeler warned that if California did not withdraw its “backlogged and unapprovable” reports and work with the EPA to develop new ones, the administration could hand down sanctions that would mean cuts to highway funding and allow the federal government to impose its own restrictions.

A senior EPA official, speaking in a conference call with reporters on condition of anonymity, insisted the move was unrelated to the administration’s revocation of California’s car emissions waiver and was only meant to bring California into compliance with federal smog standards. [Underlined by T. Kayes.]

Ann Carlson, a professor of environmental law at UCLA, criticized the agency’s move. “It’s actually hard to think of a more hypocritical move by the most anti-environmental EPA in history than today’s threat to withhold highway funds from California for failing to do enough to fight air pollution while simultaneously taking away the state’s most effective tool for doing so,” she said.

Under the Clean Air Act, the EPA can respond to inadequate smog clean-up plans from states by imposing a series of escalating sanctions, including increasing restrictions on polluting industries and the loss of federal highway funds.

The act’s 18-month timeline for sanctions, however, means that even if the EPA rejected one of California’s pollution-reduction plans tomorrow, penalties would not take effect until well into 2021.

By that time, the country may be under a new presidential administration, said David Pettit, a Natural Resources Defense Council attorney based in Los Angeles. The EPA’s threat is “more like a schoolyard bluff than anything substantive at this point,” he said.

Billions of federal highway dollars are at stake if the EPA ultimately follows through. Wheeler’s letter asks the California Air Resources Board to respond by Oct. 10.

“We certainly want to avoid these statutory triggers,” Wheeler wrote, “but our foremost concern must be ensuring clean air for all Americans.”

In fact, Trump’s EPA has pursued an agenda of rolling back or significantly weakening Obama-era environmental policies that were written to protect clean air.

Responding to industry complaints that federal air regulations were too strict, the president in 2018 instructed former EPA Administrator Scott Pruitt to quickly review states' smog-reduction plans and to evaluate health-based smog and soot standards to determine whether they "should be revised or rescinded."

Trump's EPA has also ended a requirement for the oil and gas industry to report methane emissions.

The EPA's threat follows President Trump's trip to California last week in which he ramped up his attacks on the state over its homeless crisis. He also threatened San Francisco with some type of violation notice for its "tremendous pollution" flowing into the ocean because of waste in storm sewers, specifically citing used needles.

"It's a terrible situation — that's in Los Angeles and in San Francisco," Trump said. "And we're going to be giving San Francisco — they're in total violation — we're going to be giving them a notice very soon."

It remains unclear whether San Francisco has violated any rules.

Note: California has **not been able to meet federal clean air standards**, because in its compliance efforts it has relied almost exclusively on reducing motor-vehicle emissions on a "vehicle-by-vehicle" basis, while largely ignoring such contributing factors as total numbers (or densities) of vehicles on California's roadways per unit of time, the tire dust produced by the ever-increasing numbers of vehicles traveling on those roadways (as well as in off-road situations), the well-known potential for environmental degradation through cumulative effects with other factors, etc. That California overall continues to have the worst measured air quality in the nation is a fact that cannot be glossed over by the "politically-based" claim that lowering the level of toxic emissions from individual motor vehicles, as the principal means of reducing air pollution, will (someday maybe) work – T. Kayes. See article below.

CALIFORNIA — JULY 1, 2019 [reference to earlier LA Times article]

Must Reads: The war on Southern California smog is slipping. Fixing it is a \$14-billion problem.