CITY COUNCIL MEETING TUESDAY, JULY 26, 2016

DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA

PUBLIC COMMENTS

Kim Huggett





PUBLIC COMMENTS

Charlie Peters

California Sues EPA Over Emissions Rules

By Keith B. Richburg / Washington Post / January 3, 2008

NEW YORK, Jan. 2 -- California, joined by 15 other states led by New York, sued the Environmental Protection Agency on Wednesday over its refusal to allow the state to set its own, tougher vehicle-emissions standards to control greenhouse gases and combat global warming.

The suit, to which Maryland is a party, was filed in the U.S. Court of Appeals for the 9th Circuit in San Francisco two weeks after the EPA's decision to turn down California's request for a waiver that would have allowed it to begin implementing a landmark 2004 state law limiting carbon dioxide output from cars, trucks and SUVs. That law would require new vehicles to cut tailpipe emissions by a third by 2016, which California officials said would result in a fuel-efficiency standard of 36.8 miles per gallon.

Such waivers have been routinely granted to California under the 1970 Clean Air Act, which allows the Golden State to set its own air-pollution standards with federal approval. As a result, California has often been a national leader in developing air-quality protections.

In denying the waiver this time, EPA Director Stephen L. Johnson said following a single federal policy rather than having a confusing patchwork of state laws would be a more efficient way to combat global warming. In December, President Bush signed an energy bill that will raise vehicle fuel-efficiency standards nationwide to 35 mpg by 2020, four years later than the California mandate. Johnson called that approach a better way to address vehicles' contributions to the greenhouse-gas buildup.

In filing the lawsuit, California Attorney General Edmund G. "Jerry" Brown Jr. (D) said, "There's absolutely no justification for the administrator's action," the Associated Press reported. "It's illegal. It's unconscionable and a gross dereliction of duty.

"To curb the innovative efforts of California and other states makes no sense," Brown said in an interview.

In New York, Attorney General Andrew M. Cuomo announced that his state will lead a coalition of 15 states backing California's legal right to set its own environmental standards in the face of what he called inaction at the federal level.

"The EPA's attempt to stop New York and other states from taking on global warming pollution from automobiles is shameful," Cuomo said in a statement. "By denying New York the right to set global warming emissions standards for cars, the Bush administration is intentionally obstructing our efforts to combat climate change."

The EPA's deputy press secretary, Jonathan Shradar, said in a statement: "As the Administrator indicated when announcing his intention to deny the California waiver request, under the recently signed Energy bill we now have a more beneficial national approach to a national problem which establishes an aggressive standard for all 50 states, as opposed to a lower standard in California and a patchwork of other states." He referred questions to the Justice Department.

Besides Maryland and New York, the other states and agencies that joined the suit are Massachusetts, Arizona, Connecticut, Delaware, Illinois, Maine, New Jersey, New Mexico, Oregon, the Pennsylvania Department of Environmental Protection, Rhode Island, Vermont and Washington.

Also yesterday, Sen. Dianne Feinstein (D-Calif.) sent a letter to the EPA inspector general's office asking for a formal investigation into how the decision was made to deny California the waiver.

In the letter to Deputy Inspector General Bill A. Roderick, Feinstein said the agency's administrator appears to have "deviated from standard Administration protocols in making this unprecedented decision," among other things by ignoring the advice of the EPA's technical staff and consulting with the White House before denying the waiver.

http://www.washingtonpost.com/wp-dyn/content/article/2008/01/02/AR2008010202833.html

"Edmund G. 'Jerry' Brown Jr. (D) supports a GMO Fuel WAIVER?"