

Faye Thomas

From: Karen Nyhlen [REDACTED] >
Sent: Thursday, June 5, 2025 5:42 PM
To: Clerk of Board; Sandra Hernandez (Del); Vanessa Delgado; Teresa Acosta (Del); Alisa Cota; Michael Cacciotti (GBM); Sho Tay (Cac); Ben Wong (Cac); Ben Wong; Bill Glazer (Cac); Wesley Reutimann (GBA); Ken Chawkins; Sam Kang (Cac); Jose Zavala (Cac); plock_dawson@aqmd.gov; Thomas Gross; Andrew Silva; Curt Hagman (GBM); Curt Hagman; Jodi James (Hag); Michael Miller; progers1@aqmd.gov; Katherine Kolcheva (Hag); Ron Ketcham (McC); Debra Mendelsohn (McC); hmitchell@aqmd.gov; Loraine Lundquist; Loraine Lundquist (Mit); janet.nguyen@ocgov.com; Charles Hahn (Ngu); Diane Nguyen (Ngu); tina.tran@oc.gov; tim.sandoval@pomona.gov; Larry McCallon (GBM); tinatran@uchastings.edu; Tina Tran (Ngu)
Cc: opinion@scng.com; senator.strickland@senate.ca.gov; Assemblymember.Ta@assembly.ca.gov
Subject: [EXTERNAL] Re: US Attorney Essayli says you better vote NO on Proposed Amended Rules 1111 and 1121
Attachments: US Attorney No Proposed Amend 1111 1121.jpg

Hello,

Please see US Attorney Bilal A. Essayli's letter dated June 5, 2025.

YOU MAY NOT ENACT PROPOSED AMENDED RULES 1111 and 1121 because both are preempted by federal law, the Energy Policy and Conservation Act, 42 USC Section 6201.

You cannot fight the feds. The 9th Circuit already upheld it as the US Attorney explains.

The ONLY matter you can record at your meeting is the receipt of this letter.

I thank God President Trump appointed US Attorney Essayli. He used to be a State Assemblymember. He's brilliant.

Karen Nyhlen
Garden Grove, CA

On Thu, Jun 5, 2025 at 4:21 AM Karen Nyhlen <karen.nyhlen@gmail.com> wrote:

At 12:40 a.m.. today, THE DAY BEFORE YOUR VOTE, June 5, California is getting 24.6% of its electricity from natural gas and 24.3% from "imports," power generated in other states (guess how). **It is BLITHERING IDIOCY to ban gas powered water heaters and furnaces.**

VOTE NO ON Proposed Amended Rules 1111 and 1121


25,232 MW
Current demand


5,483 MW
Current renewables

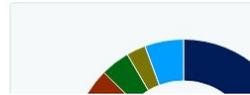

-9 MW
Current hybrids


MW
Current solar

Current supply



Current renewables



On Wed, Jun 4, 2025 at 3:24 AM Karen Nyhlen [REDACTED] > wrote:

Proposed Amended Rules 1111 and 1121 will ban home furnaces and water heaters that run on natural gas.

The 9th Circuit already said YOU CANNOT DO THIS SO WHY ARE YOU BEING SO DAMN STUBBORN and HURTING CALIFORNIANS?

Not to mention, you should talk to SCE who sent me HATE MAIL FOR USING SO MUCH ELECTRICITY when I had a TEMPORARY WATER HEATER for 3 months while mitigating water damage in my condo.

<https://californiaglobe.com/fr/deceitful-so-cal-gas-water-heater-ban-back/>

Karen Nyhlen
Garden Grove, CA



United States Department of Justice

United States Attorney's Office Central District of California

BILAL A. ESSAYLI
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312 N. Spring St. Suite 1200
Los Angeles, California 90012

June 5, 2025

VIA E-MAIL

Hon. Vanessa Delgado, Chair
South Coast Air Quality Management District
21865 Copley Dr.
Diamond Bar, CA 91765
Email: ClerkOfBoard@aqmd.gov

Re: Proposed Amended Rules 1111 and 1121

Dear Chair Delgado and Governing Board Members:

The United States government is committed to the removal of illegitimate impediments to the use of domestic energy resources, including natural gas. Indeed, "Americans must be permitted to heat their homes, fuel their cars, and have peace of mind — free from policies that make energy more expensive and inevitably degrade quality of life." Exec. Order No. 14,260, *Protecting American Energy from State Overreach* (Apr. 8, 2025).

As you are surely aware from the public comments on Proposed Amended Rules (PAR) 1111 and 1121, both are preempted by federal law, namely, the Energy Policy and Conservation Act (EPCA), 42 U.S.C. § 6201. As the Ninth Circuit Court of Appeals explained, "[b]y enacting EPCA, Congress ensured that States and localities could not prevent consumers from using covered products in their homes, kitchens, and businesses." *Cal. Rest. Ass'n v. City of Berkeley*, 89 F.4th 1094, 1098 (9th Cir. 2024). The water heaters and furnaces that PAR 1111 and 1121 seek to eradicate are covered by the EPCA. 42 U.S.C. § 6292(a)(4), (5).

To protect the interests of the American people, the Attorney General has been directed to take all appropriate action to stop the enforcement of state and local laws and regulations that burden the use of domestic energy resources, including those like PAR 1111 and 1121 that are preempted by federal law. Please be advised that if PAR 1111 and 1121 pass, my Office is prepared to take all steps necessary to enforce federal law, including filing a civil action seeking any and all available relief, including injunctive relief, monetary damages, and penalties.

Respectfully,

A handwritten signature in blue ink that reads "Bilal Essayli".

BILAL A. ESSAYLI
United States Attorney