

Chair  
Supervisor Daron McDaniel  
Merced County



Vice Chair  
Supervisor Vito Chiesa  
Stanislaus County

September 25, 2025

The Honorable Tom McClintock  
United States Representative  
2256 Rayburn House Office Building  
45 Independence Avenue SW  
Washington, DC 20515

The Honorable Vince Fong  
United States Representative  
243 Cannon House Office Building  
27 Independence Avenue SE  
Washington, DC 20515

The Honorable Josh Harder  
United States Representative  
209 Cannon House Office Building  
27 Independence Avenue SE  
Washington, DC 20515

The Honorable David Valadao  
United States Representative  
2465 Rayburn House Office Building  
45 Independence Avenue SW  
Washington, DC 20515

The Honorable Jim Costa  
United States Representative  
2081 Rayburn House Office Building  
45 Independence Avenue SW  
Washington, DC 20515

The Honorable Adam Gray  
United States Representative  
1230 Longworth House Office Building  
15 Independence Avenue SE  
Washington, DC 20515

The Honorable Jay Obernolte  
United States Representative  
2433 Rayburn House Office Building  
45 Independence Avenue SW  
Washington, DC 20515

Dear Members of the San Joaquin Valley Congressional Delegation,

We want to thank you for taking the time to meet with the San Joaquin Valley Regional Policy Council (Policy Council) in September. On behalf of our ten member agencies, the delegation appreciated having the chance to share our grave concerns about the unintended consequences of recent federal actions impacting the delivery of infrastructure projects in the region. As discussed, following the revocation of California's Clean Air Act waivers, our Metropolitan Planning Organizations are unable to demonstrate "transportation conformity" and are therefore subject to a freeze on federally funded infrastructure projects leveraging **billions** worth of state, local, and private investment. The Policy Council urges our Congressional delegation to work with the Environmental Protection Administration (EPA) and Federal Highway Administration (FHWA) to identify solutions and provide regulatory relief, potentially through the **issuance of a two-year grace period to avoid risk to more than \$4.6 billion worth of infrastructure projects** needed to get our hard-working residents to work, our families to school and commerce, and our agricultural goods and other products to market.



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Metropolitan Planning Organizations (MPOs) are responsible for investing in transportation projects that optimize safety and mobility, while conforming to the applicable State Implementation Plans, which ensure that their actions do not interfere with the state's ability to achieve and maintain air quality standards established under the federal Clean Air Act. EPA notes that "Transportation conformity is a Clean Air Act requirement that ensures that federally supported highway and transit projects are consistent with state air quality implementation plans (SIPs). Conformity helps protect public health through early consideration of the air quality impacts of transportation decisions in places where air quality does not currently meet federal National Ambient Air Quality Standards (NAAQS) or has not met them in the past." Decades of air improvement efforts and investments under the Clean Air Act, including through transportation conformity, have provided for an 80% improvement in air quality in our Valley since 1990.

As you are aware, President Donald J. Trump signed three Congressional Review Act (CRA) Resolutions on June 12, 2025, which effectively rescinded California's waivers to regulate emissions through certain mobile source strategies in the state. The CRA resolutions affect California's EMFAC2021 model, the federally approved tool used to estimate future year emissions from the transportation sector – effectively making it invalid for use. This development forces the Valley into a "conformity lockdown" where Transportation Conformity cannot be demonstrated. In the absence, MPOs will be unable to perform the calculus necessary to show that federally funded projects align with the State Implementation Plan approved by EPA.

Transportation conformity is required to amend regionally significant projects and plans, and to proceed with certain project-level conformity analyses. Currently, the Valley is unable to demonstrate conformity, which results in costly delays and the potential loss of funding for critical infrastructure projects seeking to proceed over the next three years.

Transportation conformity is also required to adopt Regional Transportation Plans (RTP). In the Valley, RTPs are set to be adopted in the Summer of 2026. Should the "conformity lockdown" continue through 2026, the Valley will be unable to adopt its RTPs. This would create a long-term impact where failure to demonstrate conformity results in an inability to consider any new projects, make changes to existing projects, and lead to further delays and potential loss of funding for regionally significant projects.

Fortunately, there is past precedent for the EPA to provide a grace period for MPOs to adapt to changes. In 2011, EPA provided a two-year grace period before the Motor Vehicle Emission Simulator model (MOVES2010a) became required for regional emissions analyses for transportation conformity determinations ("regional conformity analyses"). The agency extended that grace period for an additional year thereafter.

The Policy Council asks for the Congressional delegation to work with the Administration to proactively identify a regulatory solution – or legislative solution if necessary. Absent a resolution, approximately \$2.1 billion worth of regionally significant projects are at risk between 2025-2026, while that figure will escalate to \$4.6 billion worth of infrastructure investment if an RTP is not adopted next year. Some counties are already seeing \$100 million+ projects being put on hold until a resolution is reached between state and federal partners. Progress on the Atwater-Merced Expressway in Merced County has already ceased because of these complications. We acknowledge that the project shutdown was an unintended consequence and appreciate the effort to streamline the process.

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Simply stated, the uncertainty puts our region's economic vitality, our goods movement, our transportation systems, and our ability to create jobs at risk if this matter is not resolved in the immediate weeks or months ahead. The Valley cannot afford a failure to resolve this issue.

Thank you for your time and attention to this critical matter. We appreciate your continued partnership and look forward to working together on a solution – hopefully in the form of a two-year grace period – to address this problem and provide certainty until we have more clarity moving forward.

Sincerely,

Supervisor Daron McDaniel, Chair, San Joaquin Valley Regional Policy Council  
Merced County Board of Supervisors



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