



Jason Meggs <jmeggs.bclu@gmail.com>

CARB Reform - Urgent

Jason Meggs <jasonmeggs@gmail.com>

Thu, Dec 3, 2020 at 6:09 PM

To: mnichols@arb.ca.gov, mary.nichols@arb.ca.gov

Cc: jnottoli@arb.ca.gov, judy.nottoli@arb.ca.gov, Vahlsing <cvahlsing@gmail.com>, Jared.Blumenfeld@calepa.ca.gov, "Corey, Richard@ARB" <richard.corey@arb.ca.gov>, Edna Murphy - ASD <edna.murphy@arb.ca.gov>, PECG <pecg@pecg.org>

Bcc: Michelle.Hutzel@calepa.ca.gov, Jared.Blumenfeld@calepa.ca.gov, Serena.McIlwain@calepa.ca.gov, Michelle.Sinclair@calepa.ca.gov, Erin.Curtis@calepa.ca.gov, Sheryl.Watson@calepa.ca.gov, Anna.Ferrera@calepa.ca.gov, Yana.Garcia@calepa.ca.gov, Leticia.Syslo@calepa.ca.gov, Caroline.Godkin@calepa.ca.gov, Julie.Henderson@calepa.ca.gov, Brian.Petersen@calepa.ca.gov, Eric.Jarvis@calepa.ca.gov, Ashlyne.Poston@calepa.ca.gov, Kristin.Peer@calepa.ca.gov, Sarah.Taylor@calepa.ca.gov, Lauren.Sanchez@calepa.ca.gov, John.Blue@calepa.ca.gov, Bonnie.Waltz@calepa.ca.gov, Jason.Boetzer@calepa.ca.gov, Jennifer.Rohde@calepa.ca.gov, Jeremy.Brown@calepa.ca.gov, Sergio.Gutierrez@calepa.ca.gov, Suma.Peesapati@calepa.ca.gov, Marcy.Reed@calepa.ca.gov, Alejandro.Rodarte@calepa.ca.gov, Courtney Smith <cesmith2@gmail.com>, Courtney.Smith@energy.ca.gov, [TRUNCATED]

Dear Chair Nichols:

I am writing to follow up on this critically necessary and timely initiative to reform harmful practices within the California Air Resources Board (CARB).

Attached is a proposed policy directive addressed from you to Richard Corey and Edna Murphy, whom I am adding as recipients, along with attaching the original letter of request for their reference. I am also copying the PECG union and via BCC, an array of appropriate recipients.

I deliberately left out the circumstances of my own experience which was powerfully instrumental in identifying the deep need for this reform. For this is about our duty to Californians and the world - starting with a healthy and accountable agency environment for all staff. However, at this time some background on my experience is appropriate.

Edna in particular needs to know that I came under attack at CARB for issues such as:

- Asking ASD why an interview with a highly qualified African American woman was cancelled on short notice, which appeared to contravene CARB written policy and goals (I had been asked to seek candidates by my supervisor due to the difficulty finding qualified ARTs)
- Objecting to falsification of the GHG inventory
- Objecting to CARB's failure to address a GHG pollutant when science strongly indicates California's (ab)use of which is seriously damaging child IQ in countries that depend on California for dried fruits and nuts
- Urging effective action on Short-Lived Climate Pollutants, particularly fluorinated gases, in the face of unsupportable inaction, missed opportunities and ineffective solutions
- Urging effective inclusion of important low-carbon transport options science had identified as essential to meeting SB 375 targets
- Voluntarily producing an Energy Economy Ratio for the Low-Carbon Fuel Standard Program at the request of the program's Branch Chief
- Urging the Office of the Clerk and EEO to improve outreach to and inclusion of non-English speaking members of the public
- Objecting to failure to enforce against known major violators of chemical regulations
- Alerting EO to preferential hiring of a candidate who was by all available information, not qualified to be hired in the first place, and lied extensively to join ARB, as a result seriously compromising one of our most important statewide GHG reduction programs

- Alerting management to millions of dollars and GHG reduction opportunities wasted by internal malfeasance, and following up on management's wilful inaction to address that malfeasance
- **Asking for mediation when retaliation and discrimination occurred as a result of my accountability efforts**
- And certainly more

Please take my proposal seriously and respond with immediate appropriate action to reform CARB's practices.

Thank you for your consideration and needed action.

Jason N. Meggs, MCP/MPH

On Fri, Nov 27, 2020 at 10:08 AM Jason Meggs <jasonmeggs@gmail.com> wrote:

Dear Mary,

As Chair you don't often hear from staff, particularly not regarding our most difficult challenges within the agency.

This is a symptom of a major problem: the accountability and health of our agency is jeopardized by the lack of voice and recourse staff suffer.

One of your last acts as Chair could make generations of difference to CARB staff and thus to fulfilling our mission, if you are able to initiate a new approach in any way. Please support a vision of CARB wherein staff feel protected and heard, not scared and suppressed.

Please see the attached letter (also pasted below) and use your power for good.

Thanks sincerely,
Jason Meggs

[Pasted letter, also attached as a PDF.]

Dear Mary,

CARB lacks a mediation structure to resolve internal conflicts, and staff have no trusted party to report and address malfeasance within CARB.

Our staff are suffering as a result, along with our agency's mission.

Before you leave, PLEASE protect your legacy by taking meaningful steps to heal CARB's vitality.

Our most dedicated staff too often face situations where we are neutralized at best, persecuted at worst, with literally zero avenues for resolution. I have seen this first-hand as I was subjected to intense whistle-blower retaliation within CARB. As CARB continues to grow in size, power and influence, the trend away from our mission and into disabling corruption will only continue without structural measures in place to keep our agency healthy and on track.

I offer that the process begin with my own case and be based in the Office of the Ombuds[person] (OMB) until the new programs are fully established.

I am therefore CC'ing Judy Nottoli, OMB Supervisor, who I trust will support this initiative. Judy has my great respect for speaking rigorous truth with expertise, which I witnessed repeatedly working with OMB over the years.

I am also CC'ing your Science & Policy Advisor, Candace Vahlsing (whose praises we've sung together). Accountability at CARB requires a strong bridge between science and policy. Candace has my great respect in such matters; of note, we once initiated a structural approach to resolving issues of student misconduct in our small Environmental Health Science program while pursuing our MPH degrees at the Berkeley School of Public Health.

My experience witnessing the inadequacies of CARB as well as the failings and limits of the State's external accountability bodies, coupled with a strong history championing accountability, makes me uniquely qualified to help lead resolutions to these crippling structural failings of our agency.

My career has dealt with accountability more as a constant than an exception: from many years struggling for police and MPO-level reforms to protect pedestrian and bicyclists; to serving on the Hearing Board at the Bay Area Air Quality Management District; to working on same-day election audits with Democracy Counts to help safeguard the integrity of the voting process; to the instant case of my better half of a decade within CARB. (See attached CV for some sense of this legacy.)

I hope you will advocate my reinstatement to assist these essential provisions.

I came to CARB inspired to join in dedicated teamwork, leading the world in the fight against climate change. I found something quite different. Today we watch our carbon stocks go up in smoke, obliterating our clean air goals and dwarfing our climate gains, while experts criticize our programs as too little too late: a captured agency manipulated by industry, wasting critical time despite our unique ability and leverage to address this global existential threat. Is that how you wish to be remembered? I hope and trust not.

There are many more reforms needed to get California climate policy on track, but getting our own house in order is step one. I know there is widespread support within the agency for what I am asking. The question is whether leadership will do the right thing.

With lack of action I will have no choice but to go public. I sincerely hope you will work with me before then. I am fully available to assist you in this effort.

Happy Thanksgiving,

Mx. Jason N. Meggs, MCP/MPH

jasonmeggs@gmail.com

510-725-9991

Non-male pronouns

3 attachments



ARB Staff Protection Act - 03Dec2020 - v1.pdf

191K



ARB Staff Protection Act - 03Dec2020 - v1.docx

42K



Appeal-to-Heal-CARB-Mary-Nichols-27November2020.pdf

166K