

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET
SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000**

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
9:30 a.m., Monday, June 9, 2003

1. Call to Order - Roll Call: Chairperson Wagenknecht called the meeting to order at 9:45 a.m.

Present: Brad Wagenknecht, Chairperson, Maria Ayerdi, Liz Kniss, John Silva, Pam Torliatt.

Absent: Chris Daly, Mark DeSaulnier, Dena Mossar, Mark Ross.

Also Present: Scott Haggerty (9:47 a.m.).

2. Public Comment Period: There were none.

3. Approval of Minutes of April 9, 2003: Director Kniss moved approval of the minutes; seconded by Deputy Director Ayerdi; carried unanimously by acclamation with Directors Torliatt and Silva abstaining.

4. Consideration of new Legislation and Corresponding Agency Positions: Staff presented the following bills with a recommendation for each one:

Bill	Brief Description	Staff Recommendation
SB 288 (Sher)	<i>New Source Review Restoration Act of 2003</i>	Support in concept, and seek amendments
AB 170 (Reyes)	<i>Mandates that, over time, local governments in the San Joaquin Valley adopt air quality elements in their General Plans</i>	Support
AB 1409 (Wolk)	<i>Allows buses longer than 40 feet to have bike racks in front</i>	Support

Tom Addison, Advanced Projects Advisor, stated that there has been some significant legislation since the Committee last met. Mr. Addison discussed the bills as follows:

SB 288 (Sher) is an attempt to prevent the Federal New Source Review (NSR) program from being weakened. Staff are strongly supportive of this goal. However, there is language in the bill that sets up a new category of citizen suits whereby stationary sources, local districts, and the Air Resources Board (ARB) could all be sued by anyone, and could end up paying attorneys' fees to the plaintiffs, regardless of whether the plaintiffs won or lost. In addition, the bill as drafted, would weaken the Air District's NSR program, which is more stringent than that previously mandated by the US Environmental Protection Agency (EPA).

There was considerable discussion on what position the Committee should take on the bill.

Committee Action: Director Kniss moved the Committee recommend the Board adopt a position to "Oppose the current language, but support the intent of the legislation and seek amendments;" seconded by Deputy Director Ayerdi; carried unanimously by acclamation.

AB 170 (Reyes) would mandate that local governments in the San Joaquin Valley include air quality elements in their general plans. This bill is for the San Joaquin Valley only and looks at the transportation, land use, and air quality connection. Staff is recommending a support position. During discussion, the Committee determined that the staff position should be changed to "Watch" instead of "Support."

Committee Action: Director Kniss moved the Committee recommend the Board adopt a "Watch" position on AB 170 (Reyes); seconded by Director Torliatt; carried unanimously by acclamation.

AB 1409 (Wolk) is being sponsored by the Metropolitan Transportation Commission, and would amend state law to allow bike racks to be placed on the front of buses longer than 40 feet. The unions are no longer opposed to this bill.

Committee Action: Director Haggerty moved that the Committee recommend the Board adopt the staff's recommendation of "Support" on AB 1409; seconded by Director Silva; carried unanimously by acclamation.

5. Discussion or Comments by Committee Members on any Previously Agendized Legislation, or Bills Included on Attached "BAAQMD Bill Discussion List-June 2003":

Mr. Addison noted that the three bills that would fund the Carl Moyer Program are dead and briefly discussed property tax issues that could affect the Air District.

6. Committee Members' Comments: Director Torliatt requested the list of bills and the Board positions be forwarded to MTC after the June 18th Board meeting.

6. Time and Place of Next Meeting: 9:45 a.m., Monday, July 14, 2003, 939 Ellis Street, San Francisco, CA 94109.

7. Adjournment: The meeting adjourned at 10:30 a.m.

Mary Romaidis

Mary Romaidis
Clerk of the Boards

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