

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Monday, March 7, 2011

Call to Order: Chairperson Susan Garner called the meeting to order at 9:45 a.m.

Roll Call: Present: Chairperson Susan Garner, Vice Chairperson David Hudson, Directors Jennifer Hosterman, Carol Klatt, and Brad Wagenknecht

Absent: Directors Ash Kalra and Nate Miley

Public Comments: There were no public comments.

Approval of Minutes of December 6, 2010:

Committee Action: Director Wagenknecht made a motion to approve the December 6, 2010 Legislative Committee minutes; Director Klatt seconded the motion; carried unanimously without objection.

Review New Bills and Consider Recommending Positions

Senior Advanced Projects Advisor, Tom Addison, gave the staff presentation, stating the legislature introduced 2,438 bills and several regulatory reforms are underway. He noted that the Committee had previously indicated its goal for 2011 as minimizing legislative damage to programs, and many bills would weaken greenhouse gas and air quality programs and regulations. Because of timing issues of when the Legislative Committee would next meet, staff is requesting the Committee also endorse as a principle that important air quality and climate change programs not be sacrificed under the banner of regulatory reform.

Mr. Addison reported the focus at the Capitol as being dominated by the State Budget and he hoped to see enough votes for a budget package on the June ballot.

Mr. Addison discussed the most significant bills and analyses of staff's proposed recommendations. He noted that copies of the actual bill language are attached to the agenda report, as well as a longer list of bills of air quality significance.

Committee Member Comments/Questions:

Directors discussed and supported all but two staff recommended positions:

AB 343 (Atkins) from Support to Watch
 AB 710 (Skinner) from Support to Watch.

BILL NO.	AUTHOR	SUBJECT	RECOM-MENDATION
AB 128	Logue	Would allow ARB to, instead of imposing an air penalty, spend an equivalent amount on actions to comply with the violated regulation or on a supplemental project	Oppose
AB 333	Grove	Exempts counties with unemployment over 7% from AB 32	Oppose
AB 343	Atkins	Requires redevelopment plans to identify how redevelopment projects will help regions attain their SB 375 (GHG emission reduction) goals	Support WATCH
AB 382	Nestande	Requires all written air district communications alleging violations to contain new detailed information, and imposes new requirements on inspectors	Oppose
AB 462	B. Lowenthal	Allows air districts to use AB 923 funds to replace older CNG tanks on schoolbuses	Support
AB 710	Skinner	Infill Development and Sustainable Community Act; eliminates excessive minimum parking requirements in infill and transit-oriented development areas	Support WATCH
AB 942	Huber & B.Berryhill	Directs all penalties and fines collected by ARB into the General Fund, rather than air pollution remediation accounts	Oppose
AB 1332	Donnelly	Abolishes ARB and transfers duties and obligations to CalEPA	Oppose
ABx1 2	Logue	Would allow ARB to instead of imposing an air penalty spend an equivalent amount on actions to comply with the violated regulation or on a supplemental project	Oppose
ABx1 7	Logue	Directs all penalties and fines collected by ARB into the General Fund, rather than air pollution remediation accounts	Oppose
SB 170	Pavley	Allows South Coast Air District to receive intellectual property benefits or revenues from projects funded with grant funds controlled by the South Coast Air District	Support if Amended
SB 209	Corbett	Prevents homeowners associations from blocking EV residential charging	Support
SB 582	Emmerson	Allows MPO's and air districts to jointly adopt regional commute benefit policies, with requirements on employers	Co-Sponsor
SB 724	Dutton	Expands ARB's requirements and considerations when assessing penalties, and imposes new deadlines and requirements on ARB when certifying engines	Oppose
SB 739	A.Lowenthal	Requires ports to assess infrastructure and air quality needs, in consultation with the local MPO and air district, specifying needed projects, funding, and timelines	Support

Public Comments: None

Committee Action: Director Wagenknecht made a motion that the Committee amend the position of AB 343 (Atkins) from “Support” to “Watch”; Director Hosterman seconded the motion; which carried unanimously without objection.

Committee Action: Director Hosterman made a motion to amend the position of AB 710 from “Support” to “Watch”; Director Hudson seconded the motion; which carried unanimously without objection.

Committee Action: Director Wagenknecht made a motion to support the revised slate of positions, as amended to move from a “Support” to “Watch” positions for AB 343 (Atkins) and AB 710 (Skinner); and, to endorse as a principal that important air quality and climate change programs not be sacrificed under the banner of regulatory reform; Director Hudson seconded the motion; carried unanimously without objection.

Committee Members’ Comments:

Director Hosterman expressed her desire for staff to schedule multiple Committee meetings on the same day. Chairperson Garner confirmed that staff was currently polling for a tentative April 4, 2011 meeting date.

Time and Place of Next Meeting: At the Call of the Chair

Adjournment: Meeting adjourned at 10:51 a.m.

LS/ Lisa Harper

Lisa Harper
Clerk of the Boards