



BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

DOUG KIM - CHAIR
JOHN BAUTERS
JOHN GIOIA
LIZ KNISS
JIM SPERING
SHIRLEE ZANE

MARGARET ABE-KOGA - VICE CHAIR
DAVID CANEPA
SCOTT HAGGERTY
KAREN MITCHOFF
BRAD WAGENKNECHT

MONDAY
DECEMBER 17, 2018
10:30 A.M.

1ST FLOOR BOARD ROOM
375 BEALE STREET
SAN FRANCISCO, CA 94105

VIDEO CONFERENCE LOCATION:
SANTA ROSA JUNIOR COLLEGE
DOYLE LIBRARY, ROOM 4248
1501 MENDOCINO AVENUE
SANTA ROSA, CA 95401

AGENDA

1. **CALL TO ORDER - ROLL CALL**

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

Public Comment on Agenda Items *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3 *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF MARCH 22, 2018**

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Legislative Committee meeting of March 22, 2018.

4. **REVIEW OF THE 2018 LEGISLATIVE YEAR**

T. Addison/5109

taddison@baaqmd.gov

Staff will report on the outcome of key legislative proposals in 2018, particularly measures with Air District adopted positions.

5. **DISCUSSION OF POTENTIAL 2019 LEGISLATIVE AGENDA**

T. Addison/5109

taddison@baaqmd.gov

The Committee will discuss a potential legislative agenda for 2019.

6. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.

7. **COMMITTEE MEMBER COMMENTS**

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

8. **TIME AND PLACE OF NEXT MEETING**

At the Call of the Chair.

9. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Legislative Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Committee meeting. Any correspondence received after that time will be presented to the Committee at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 BEALE STREET, SAN FRANCISCO, CALIFORNIA 94105
FOR QUESTIONS PLEASE CALL (415) 749-4941**

**EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS**

DECEMBER 2018

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Monday	17	9:30 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee <i>(At the Call of the Chair)</i>	Monday	17	10:30 a.m.	1 st Floor Board Room
Board of Directors Special Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	19	9:00 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i> - CANCELLED	Wednesday	26	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> - CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 17, 2018 AT 9:30 A.M.	Thursday	27	9:30 a.m.	1 st Floor Board Room

JANUARY 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	2	9:30 a.m.	1 st Floor Board Room
Board of Directors Special Meeting/Retreat <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:30 a.m.	Embassy Suites Novato Meeting Room 101 McInnis Parkway San Rafael, CA 94903
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other Month)</i>	Thursday	17	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of every other Month)</i>	Monday	21	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	23	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	24	9:30 a.m.	1 st Floor Board Room

FEBRUARY 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	6	9:30 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	28	9:30 a.m.	1 st Floor Board Room
HL – 12/6/18 – 2:20 p.m.				G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Doug Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 6, 2018

Re: Approval of the Minutes of March 22, 2018

RECOMMENDED ACTION

Approve the attached draft minutes of the Legislative Committee (Committee) meeting of March 22, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of March 22, 2018.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of March 22, 2018

AGENDA 3A – ATTACHMENT

Draft Minutes – Legislative Committee Meeting of March 22, 2018

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, California 94105
(415) 749-5073

Video Conference Location

Santa Rosa Junior College
Doyle Library, Room 4248
1501 Mendocino Avenue
Santa Rosa, CA 95401

DRAFT MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Thursday, March 22, 2018

1. CALL TO ORDER – ROLL CALL

Committee Chairperson, David Hudson, called the meeting to order at 9:36 a.m. Brian Bunker, District Counsel, announced that Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Chairperson David Hudson; Vice Chair Doug Kim; and Directors David Canepa, Scott Haggerty, Rebecca Kaplan, Karen Mitchoff, Jim Spring, and Shirlee Zane (remote).

Absent: Directors Margaret Abe-Koga, John Gioia, and Brad Wagenknecht.

Also Present: None.

2. APPROVAL OF THE MINUTES OF FEBRUARY 22, 2018

Public Comments:

No requests received.

Committee Comments:

None.

Committee Action:

Director Kaplan made a motion, seconded by Vice Chair Kim, to **approve** the minutes of February 22, 2018; and the motion **carried** by the following vote of the Committee:

AYES: Hudson, Kaplan, Kim, Mitchoff, and Spring.
NOES: None.
ABSTAIN: Zane.
ABSENT: Abe-Koga, Canepa, Gioia, Haggerty, and Wagenknecht.

3. CONSIDERATION OF NEW BILLS

Thomas Addison, Senior Policy Advisor, delivered the staff report *Consideration of New Bills*, including discussion and review of the following bills and recommended positions:

- **Assembly Bill (AB) 1796 (Muratsuchi)** – Addresses electric vehicle (EV) charging station installation in rent-controlled buildings - **Support;**
- **AB 2061 (Frazier)** – Increases truck weight limits for electric, fuel cell, or natural gas trucks - **Support;**
- **AB 2940 (Caballero)** – Exempts certain heavy-duty, diesel, low-use and agricultural vehicles from existing requirements that would prevent their registration – **Oppose;**
- **AB 3059 (Bloom)** – Authorizes congestion pricing demonstration projects – **Support;**
- **Senate Bill (SB) 1144 (Dodd)** – Increases civil stationary source and penalty ceilings for serious violations at power plants, petrochemical facilities, and refineries – the Committee revised the recommended action of **Support if amended** to **Seek amendments;**
- **SB 1427 (Hill)** – States legislative intent to improve enforcement of high-occupancy vehicle (HOV) and high-occupancy toll (HOT) lanes – **Support.**

NOTED PRESENT: Director Haggerty was noted present at 9:44 a.m.; Director Canepa was noted present at 9:52 a.m.

Mr. Addison noted that, since the meeting packet was published, the following bill was added to the agenda:

- **AB 2336 (Salas)** – Carl Moyer program spot bill – **Oppose.**

Public Comments:

Public comments were made by Jed Holtzman, 350 Bay Area.

Committee Comments:

- **AB 1796:** The Committee and staff discussed how this bill would increase the market for new and used EVs; how costly this might be for tenants; the charging levels that could be installed; the possibility that the infrastructure may be unused after tenants who did use it move off the property; the opinion that some charging infrastructure and cables are unreliable and do not fully charge a vehicle overnight; the suggestion that future legislation requires that all rental units have EV charging infrastructure; EV infrastructure requirements for new multi-family and nonresidential buildings in the City of Oakland; the suggestion that the District should seek an author for a bill that penalizes gas vehicles that park in parking spaces designated for EV charging in both private and public lots; the need for the regional agency tenants at the Bay Area Metro Center to enforce penalties for of gas vehicles parking in EV designated parking spaces of the parking garage; the

desire for a provision in this bill requiring EV manufactures to offer rebates upon the installation of a charging station; and California’s green building code requirements regarding electric vehicle-capable parking spaces in new and existing multifamily dwellings and nonresidential buildings.

- **AB 2061:** No discussion.
- **AB 2940:** The Committee and staff discussed how this bill would increase the annual truck mileage limitation to 5,000 miles, and would delay regulatory requirements on agricultural trucks; the District’s concern that many owners of applicable vehicles that have complied with regulatory State requirements would be unfairly penalized, as this bill would give a significant financial advantage to less scrupulous competitors who have delayed compliance; the estimated number of vehicles that have delaying complying with State regulations; and whether agricultural vehicles that never use public roads and highways or leave their property would be exempt from this legislation.
- **AB 3059:** The Committee and staff discussed how this is a good first step to congestion reduction, but how it should be extended to more than four cities; whether toll roads need to be included; and success other jurisdictions have experienced with similar programs.
- **SB 1144:** The Committee and staff discussed District staff’s concerns about the bill’s potential impact of setting back the ability to impose higher penalty ceilings, as the District feels that inadequate financial consequences would result in a lack of compliance from those that violate air quality regulations; alternative positions that the Committee could recommend the Board adopt, such as ‘oppose unless amended’, ‘monitor’, or ‘take no action’, could affect the Legislature, and how the District prefers to focus on the bill’s potential, rather than dismiss it; the Legislature’s general opinion of the Bay Area Air District’s Board; the suggestion and feasibility of Board members accompanying Mr. Addison to meetings with legislators and bill authors; the request that Mr. Addison contacts Senator Dodd as soon as possible to convey the Board members’ desire to discuss this bill with him, and the request for talking points from staff about this bill; and a motion that the Committee recommend that the Board take a position of ‘seek amendments’ and request an in-person meeting with the author.
- **SB 1427:** The Committee and staff discussed the percentage of single-occupancy vehicles that are identified as unlawfully using HOV lanes in the Bay Area; the proposed increase of California Highway Patrol solely dedicated to HOV/HOT monitoring, and which State funding source would support that additional enforcement; and how carpools can sometimes be mistaken for single-occupancy vehicles.
- **AB 2336:** No discussion.

Committee Action:

The Committee members’ votes on recommended positions as outlined above on these seven bills are reflected below:

	AB 1796	AB 2061	AB 2940	AB 3059	SB 1144	SB 1427	AB 2336
Abe-Koga	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Canepa	Aye	Aye	SECOND	Aye	Aye	Aye	Aye
Gioia	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Haggerty	Aye	Aye	Aye	Aye	Absent	Aye	MOTION
Hudson	Aye	Aye	Aye	Aye	Aye	Aye	Aye
Kaplan	MOTION	MOTION	Aye	MOTION	MOTION	MOTION	Aye
Kim	SECOND	Aye	Aye	Aye	Aye	Aye	Aye
Mitchoff	Aye	Aye	MOTION	SECOND	Aye	SECOND	SECOND
Spering	Aye	SECOND	Aye	Aye	SECOND	Aye	Aye
Wagenknecht	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Zane	Aye	Aye	Aye	Aye	Aye	Aye	Aye

The recommended positions on the above seven bills were approved, with the exception of SB 1144 (the Committee approved the revision of the recommended action of **Support if amended to Seek amendments.**)

4. SACRAMENTO UPDATE

Mr. Addison gave the following updates, some pertaining to legislation and potential legislation that was discussed at the February 22, 2018 Committee meeting:

- Regarding funding for AB 617 implementation, both the Assembly and Senate Budget Subcommittees are holding this item open, and a resolution is not anticipated until mid-June 2018. A coalition is being formed by others who wish to hold the State accountable to communities that are disproportionately impacted by air pollution. Bay Area legislators have inquired with the Department of Finance why this is not being funded, and there seems to be an inaccurate perception that air district fees can fund AB 617 implementation.
- Senator Toni Atkins is the new President Pro Tempore of the California Senate.
- Regarding budgetary proposals, initiated by the Department of Finance, to transfer fees (\$26 million annually) assessed on purchasers of new tires in the State of California, from the Carl Moyer program, to the Department of Fish and Wildlife, a coalition of 40 organizations has been formed. The Department of Fish and Wildlife is running a \$20 million annual deficit.
- Regarding potential legislation that would alter the composition of this Air District’s Board of Directors, no such bill has been introduced.

Public Comments:

No requests received.

Committee Comments:

The Committee and staff discussed the need for all Board members to be involved in advocacy for AB 617 funding; the suggestion that President Pro Tempore Atkins be invited for a joint reception

hosted by the District and the Alameda Transportation Commission; and the request for an additional column in future bill discussion lists that indicates key supporters and opponents.

Committee Action:

None; receive and file.

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBERS' COMMENTS / OTHER BUSINESS

Directors Kim, Zane, Mitchoff, and Canepa expressed their gratitude for Director Kaplan's contributions to this Board, as this was her final Legislative Committee meeting as a Board member.

Director Mitchoff corrected a statement she thought she might have made earlier in the meeting. She said that if she had stated that she "represented refineries", she meant that she "represents a county where refineries are located." She added her opinion that Board members from jurisdictions that have refineries in them are just as concerned with holding refineries and other polluting facilities accountable and protecting public health.

Regarding an unknown driver of a gas vehicle that had parked in an EV parking spot in the building, Director Mitchoff reported that building security will watch the video footage to look for the driver, and that she informed the attendant about the incident.

Director Haggerty acknowledged that detailed discussion was possible at this meeting because there was no meeting scheduled directly after it, as has happened in the past.

Chair Hudson requested that SB 1427 be sent to Metropolitan Transportation Commission Government Relations Manager, Rebecca Long, and to someone at the Association of Bay Area Governments.

Public Comments:

Public comments were given by Jed Holtzman, 350 Bay Area.

7. TIME AND PLACE OF NEXT MEETING

At the call of the Chairperson.

8. ADJOURNMENT

The meeting adjourned at 11:24 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 6, 2018

Re: Review of the 2018 Legislative Year

RECOMMENDED ACTION

None; review and file.

BACKGROUND

On September 1, 2018, the California Legislature ended its work for the 2017-2018 session. The Legislature introduced 2,225 bills this year, and 1,217 of these (or 55%) made it to Governor Brown. Governor Brown in his final year in office, vetoed almost 17% of the bills. Forty five percent of bills introduced in 2018, were chaptered into law.

Two themes that emerged from the Capitol this year were the continuing influence of the moderate Democrats, especially in the Assembly, and the fiscal restraint exercised by Governor Brown.

DISCUSSION

The Air District's primary legislative goal for 2018 was to secure funding to implement AB 617. This was particularly challenging, since the Department of Finance and key leadership staff in the Assembly tried to block our efforts to secure funding throughout the year. Their argument essentially was that air districts should recover all costs for AB 617 implementation through fees on industry. While that was and remains both legally impossible and impractical, Finance especially is likely to continue to assert their position in 2019.

However, staff orchestrated a campaign spearheaded by Assemblymember Tim Grayson (joined by 49 other members of the Legislature) that ultimately resulted in a \$50 million statewide allocation as part of the budget process. This was part of the cap-and-trade expenditure plan, and there was commitment by the 2018 Legislature and staff that this same level of funding should continue in 2019. However, items in the 2019 budget cannot be decided in advance, so more work will be required in the upcoming year to try to yet again secure funding for the major ongoing workload required by AB 617.

Another key budget issue for the Air District (District) were the statewide allocations of a substantial \$245 million for incentive programs in AB 617 communities, and a paltry \$3 million for woodsmoke incentive programs. Both of these allocations are also from the Greenhouse Gas Revenue Fund (GGRF), part of the cap-and-trade expenditure plan. The District was also part of a California Air Pollution Control Officers Association (CAPCOA)-led coalition that successfully blocked a Department of Finance proposal to grab Moyer revenues from tire fees (\$26 million annually) and divert it to the Department of Fish and Wildlife. Finance suggested that the Moyer program be backfilled with GGRF revenues. Because demand for GGRF funds exceeds their supply, and we would have had to have fought for the backfill every year, this raid on the Moyer program would have been highly detrimental to our incentive programs. The Finance proposal ultimately was successfully opposed by a diverse coalition of environmental and industry groups, organized by CAPCOA.

Outside of the budget arena, the District's track record on bills in 2018 was generally positive, although several measures we supported failed to advance. None of the bills the District opposed became law, including measures to exempt certain equipment from air quality regulations, to direct certain GGRF funding only to extreme ozone non-attainment areas, and to repeal 2017's transportation funding package. We successfully worked with the Bay Area's Assemblymember Kansen Chu and Senator Bill Dodd to have their bills AB 1975 and SB 1144 amended into bills we could support. These bills respectively addressed odor issues in Milpitas and environs, and civil air penalty ceilings for serious stationary source violations at refineries and other facilities. Ultimately, opposition to both bills was quite strong. Assemblymember Chu's AB 1975 died on the Assembly Floor. Senator Dodd's SB 1144 was not even heard in its first policy committee before the author amended the bill to address unrelated issues.

AB 2061, which we supported, is now law. Authored by Assemblymember Jim Frazier, it increases weight limits for clean trucks. Also, AB 1796, authored by Assemblymember Al Muratsuchi and supported by the District, is now law. It prevents landlords of rent-controlled buildings from blocking installation of tenant-funded electric vehicle charging stations. A number of other measures the District supported failed to advance, including bills on congestion pricing demonstrations, HOV lane enforcement, and exempting Moyer grants from taxes.

The Bill Discussion List (Attachment 4A) gives outcomes for 85 of the more significant bills with air quality implications.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tom Addison

Attachment 4A: Bill Discussion List

BAAQMD BILL DISCUSSION LIST

December 3, 2018

BILL NO.	AUTHOR	SUBJECT	STATUS	POSITION
AB 1745	Ting	Generally requires that by 2040, new vehicles be ZEVs	Dead	
AB 1756	Brough	Repeals SB 1 (transportation funding measure of 2017)	Dead	Oppose
AB 1796	Muratsuchi	Addresses EV charging station installation in rent-controlled buildings	Chaptered	Support
AB 1866	Fong	Traffic Relief and Road Improvement Act	Dead	
AB 1933	Maienschein	Revises CalRecycle organics programs to include food diversion and recovery	Chaptered	
AB 1945	E. Garcia	Changed GGRF grant funding guidelines to count daytime population in San Diego and Imperial Counties, and boost score for AB 617 communities	Vetoed	
AB 1975	Chu	Establishes South Bay Interagency Odor Taskforce	Dead	Support if amended
AB 1981	Limon	Includes CalFire in state efforts to increase composting and reduce organics	Chaptered	
AB 2006	Eggman	Agricultural Worker Clean Transportation Investment Program	Chaptered	
AB 2008	Salas	Excludes Moyer grants from taxable income	Dead	Support
AB 2061	Frazier	Increases truck weight limits for electric, fuel cell, or natural gas trucks	Chaptered	Support
AB 2091	Grayson	Promotes efforts to cut costs of prescribed burning	Chaptered	
AB 2120	Quirk	ARB to report on emissions trade-offs between wildfire and prescribed burning	Dead	
AB 2127	Ting	Directs CEC to do statewide assessment of EV charging infrastructure needs	Chaptered	
AB 2145	Reyes	Modifies and updates the Clean Truck, Bus, and Off-Road Vehicle and Equipment Program	Chaptered	
AB 2195	Chau	Requires ARB to quantify GHG impacts of out-of-state natural gas use in CA	Chaptered	
AB 2268	Reyes	Vehicle license fee changes	Dead	
AB 2321	McCarty	Solid waste management spot bill	Dead	
AB 2336	Salas	Requires ARB to prioritize schoolbus cleanup in San Joaquin and South Coast	Dead	
AB 2346	Quirk	Requires CPUC tracking of wildfire costs	Vetoed	
AB 2365	Acosta	Exempts crane owners from air quality regulations	Dead	

AB 2377	Irwin	Establishes technical assistance grant program for Healthy Soils Program	Chaptered	
AB 2378	Salas	ARB to quantify public health impacts of GGRF-funded programs	Dead	
AB 2381	Carrillo	ARB to increase emissions testing of new vehicles and impose fees on manufacturers to cover the costs of this program	Chaptered	
AB 2407	Ting	Research group to develop policy for recycling vehicle lithium-ion batteries	Dead	
AB 2434	Bloom	Creates Health in All Policies taskforce at Strategic Growth Council	Dead	
AB 2453	E. Garcia	School Climate and Pollution Resilience Act of 2018; focuses on air pollution mitigation for schools in disadvantaged communities	Chaptered	
AB 2492	Salas	Directs GGRF funding to pilot program for medium-duty trucks, only in extreme ozone non-attainment areas	Dead	Oppose
AB 2506	Burke	15% of state heavy-duty vehicle purchases to use renewable natural gas	Dead	
AB 2548	Friedman	Allows LA Metropolitan Transportation Authority to require employers of 50 or more to offer pre-tax transit option	Chaptered	
AB 2551	Wood	Forest and Wildland Health Improvement and Fire Prevention Program	Chaptered	
AB 2564	Rodriguez	New ARB penalty authority for illegal "glider" trucks (new truck bodies with non-compliant remanufactured engines)	Chaptered	
AB 2570	Nazarian	Clean and Healthy Schools Act; focused on improving indoor air quality by only allowing cleaning products free of harmful chemicals in schools	Dead	
AB 2572	Calderon	When air districts issue unhealthy air warnings, schoolchildren to be kept indoors	Dead	
AB 2585	Patterson	Addresses liability of landowners for prescribed burns conducted with permits	Dead	
AB 2636	E. Garcia	Creates Environmental Justice Fund, to be used by the AG to support EJ cases	Dead	
AB 2645	Patterson	Appropriates \$525M annually from GGRF to Dept. of Forestry, for various programs including wildfire prevention	Dead	
AB 2672	Patterson	Requires ARB annual report comparing wildfire GHG emissions to reductions from regulatory programs	Dead	
AB 2809	Patterson	Defines large hydro facilities (those over 30 megawatts) as renewable per Renewable Portfolio Standard requirements	Dead	
AB 2814	Gray	Defines large hydro facilities (those over 30 megawatts) as renewable per Renewable Portfolio Standard requirements	Dead	
AB 2885	Rodriguez	Prioritizes Clean Vehicle Rebate Program incentives to the low income	Chaptered	
AB 2908	Berman	Various changes to tire fee laws paid on new tires	Vetoed	

AB 2940	Caballero	Exempts certain heavy-duty diesel low-use and agricultural vehicles from existing requirements that would prevent their registration	Dead	Oppose
AB 2951	Gloria	Spot bill on Bay Area Employer Commuter Benefit Program	Dead	
AB 3001	Bonta	California Zero-Emission Buildings Act	Dead	
AB 3015	Caballero	ARB to report on cost-effectiveness of clean cargo handling equipment	Dead	
AB 3020	Flora	CEQA exemption for actions to cut wildfire risk	Dead	
AB 3059	Bloom	Authorizes congestion pricing demonstration projects	Dead	Support
AB 3070	Carillo	Spot bill on AB 32 (greenhouse gas emission reduction program)	Dead	
AB 3107	Baker	Spot bill on vehicle emissions standards	Dead	
AB 3113	Fong	Spot bill on AB 32 (greenhouse gas emission reduction program)	Dead	
AB 3146	Holden	Requires hydrocarbon testing during remediation of old oil and gas wells	Dead	
AB 3156	Mullin	Specifies that any EV charging, including cordless charging, is subject to existing EV charging laws regarding public accessibility	Dead	
AB 3165	Friedman	Affects at what point the CEC can stop providing funding for hydrogen refueling	Dead	
AB 3201	Daly	Includes large-scale bus deployment as grant eligible in clean truck program	Dead	
AB 3232	Friedman	Sets goal of zero-energy new buildings by 2030, and 50% reduction in GHG emissions from existing buildings by 2030	Chaptered	
SB 957	Lara	Increases time-period for HOV decal validity for low income motorists	Chaptered	
SB 980	Cannella	Spot bill on HOV lanes	Dead	
SB 985	Morrell	Spot bill on renewables portfolio standard	Dead	
SB 1000	Lara	Requires assessment of whether chargers are proportionally deployed; blocks local governments from restricting use of public charging by certain EV types	Chaptered	
SB 1002	Nielsen	Safe Forests and Grasslands Act of 2018	Dead	
SB 1013	Lara	Codifies in state law US EPA controls on CFCs with high GHG impacts	Chaptered	
SB 1014	Skinner	Requires CPUC to adopt a program to increase the use of ZEVs by ride-hailing companies such as Uber and Lyft	Chaptered	
SB 1015	Allen	Establishes California Climate Resiliency Program, administered by Wildlife Conservation Board, using GGRF, with funds to CalEnviroScreen communities	Dead	

SB 1027	Pan	Requires adoption and tracking of GHG emission reduction targets for state agency employees or categories of employees	Dead	
SB 1035	Jackson	Requires local government general plan safety element updates to address fire and flood hazards and climate adaptation and resilience strategies	Chaptered	
SB 1072	Leyva	Provides GGRF funds to new Regional Climate Collaborative Programs, to assist under-resourced communities to get grants	Chaptered	
SB 1074	Moorlach	Requires gas stations to post all taxes and GHG compliance costs	Dead	
SB 1119	Beall	Changes to the GGRF-funded Low Carbon Transit Operations Program	Chaptered	
SB 1144	Dodd	Increases civil stationary source air penalty ceilings for serious violations at powerplants, petrochemical facilities, and refineries	Dead	Support if amended
SB 1163	Galgiani	Initially exempted concrete trucks from air regulations; this was defeated. Signed bill on unrelated subject matter	Chaptered	
SB 1209	Leyva	Spot bill on AB 32 (greenhouse gas emission reduction program)	Dead	
SB 1330	Fuller	Toxic air contaminants spot bill	Dead	
SB 1347	Stern	Directs CPUC to adopt targets for energy storage by utilities	Dead	
SB 1377	Wilk	Spot bill on community air monitoring next to refineries	Dead	
SB 1380	Stern	Establishes Clean Energy Financing Clearinghouse	Dead	
SB 1399	Wiener	Affects PUC's net energy metering requirements	Dead	
SB 1401	Wieckowski	Office of Planning and Research required to seek feedback on their existing climate adaptation information clearinghouse	Dead	
SB 1427	Hill	States legislative intent to improve enforcement of HOV and HOT lanes; amended to unrelated subject matter	Dead	Support
SB 1434	Leyva	States legislative intent to affect electricity rates to increase alternative fuel medium- and heavy-duty ZEVs	Dead	
SB 1440	Hueso	CPUC to consider adopting biomethane procurement goals	Chaptered	
SB 1444	Stone	Spot bill on wildfires	Dead	
SB 1463	Moorlach	ARB required to include wildfire emissions in scoping plan	Dead	
SB 1477	Stern	Would require incentives for low-emission space and water heating technologies	Chaptered	
SB 1478	Leyva	Spot bill on AB 32 (greenhouse gas emission reduction program)	Dead	

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 6, 2018

Re: Discussion of Potential 2019 Legislative Agenda

RECOMMENDED ACTION

The Committee will consider recommending a 2019 Legislative Agenda to the Board for adoption.

BACKGROUND

The new 2019-2020 Legislative session officially began on December 3, 2018, although little legislative activity occurs until January. Key dates for members are January 25, 2019 to submit potential bills to Legislative Counsel, and February 22, 2019 is the deadline to bill introductions.

DISCUSSION

In considering a potential legislative agenda for 2019, some topics the Committee may wish to consider include recent smoke exposures in the region, funding needs for implementing Assembly Bill 617 (AB 617), and potential responses to any legislation involving the composition of the Board. Outlined below are a few of the potential topics.

Recent Smoke Exposures in the Region

November saw record levels of fine particulates throughout the Bay Area and beyond, as smoke from the catastrophic Camp fire in Butte County drastically affected air quality. While the Air District (District) was highly visible sharing information about exposures and strategies to reduce exposures, there is not a centralized or publicized network of indoor spaces protected with filtration systems where residents might congregate during future such episodes. Having a publicized network of public spaces where residents could congregate indoors could be a significant benefit for public health. Potential legislation might both call for the establishment of such a network and simultaneously for funding to provide the systems necessary to ensure that the air in such buildings is clean. Improved particulate air filters are one way to effectively remove particulates from outside air, but N-95 particulate masks might also be available at such facilities during acute future episodes.

Funding Needs for Implementing AB 617

The 2017 passage of AB 617 as part of the extension of California's cap-and-trade program has imposed multiple requirements upon the District and is well underway as part of the Community Health Protection Program in the Bay Area. Some of the more prominent aspects include the development and installation of new community air monitoring programs, implementation of comprehensive community emission reduction plans, and significant new work regarding Best Available Retrofit Control Technology (BARCT). In 2018, the District worked collaboratively with a variety of partners to secure \$50 million in statewide funding for AB 617 implementation, with a commitment from members and staffers in both houses that this amount should also be appropriated in 2019.

However, as the number of designated communities increases, and the scope of work in these communities expands, it is critical that the District secure and expand upon prior funding, to ensure the program achieves its public health goals. Of the \$50 million statewide allocation for 2018, the District is slated to receive \$12 million. Securing funding that is both ongoing and adequate to implement our community programs in a way that heavily impacted communities deserve could be part of the District's 2019 legislative agenda.

Responses to Legislation Involving the Composition of the Board

There may be legislative proposals that could affect the composition of this Board. Last year, the Board opposed any legislation regarding the composition of this Air District's Board of Directors that did not originate with the Board but was instead proposed by others. Ultimately, in 2018 no such proposals were submitted as bills, in part because staff articulated the District position to a variety of interest groups and legislators. However, staff believe that one or two such proposals may be introduced in 2019, and suggest the Board consider retaining its previous position.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tom Addison