

Bay Area Air Quality Management District
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San Francisco, California 94105
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Video Conference Location
Santa Rosa Junior College
Doyle Library, Room 4248
1501 Mendocino Avenue
Santa Rosa, Ca 95401

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Monday, January 14, 2019

1. CALL TO ORDER – ROLL CALL

Legislative Committee (Committee) Chairperson, Doug Kim, called the meeting to order at 9:32 a.m. Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Chairperson Doug Kim; Vice Chairperson Margaret Abe-Koga; and Directors David Canepa, Karen Mitchoff, Jim Spering, Brad Wagenknecht, and Shirlee Zane (remote).

Absent: Directors John J. Bauters, John Gioia, Scott Haggerty, and Liz Kniss.

Also Present: Board of Directors (Board) Chairperson David Hudson

2. PUBLIC COMMENT ON NON-AGENDA ITEMS, PURSUANT TO GOVERNMENT CODE SECTION 54954.3

No requests submitted.

3. APPROVAL OF THE MINUTES OF DECEMBER 17, 2018

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Wagenknecht made a motion, seconded by Director Spring, to **approve** the minutes of December 17, 2018; and the motion **carried** by the following vote of the Committee:

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

4. CONSIDERATION OF NEW BILLS

Chair Kim introduced Alan Abbs, the Air District's new Legislative Officer, who presented the following bills to the Committee:

- **Assembly Bill (AB) 40 (Ting)** – Requires the California Air Resources Board (CARB) to develop a strategy to ensure all new motor vehicles and light-duty trucks are zero-emission by 2040. *Staff recommendation: Do not take a position until the Air District's (District) next Legislative Committee meeting, allowing time for District staff to meet with authors.*
- **Senate Bill (SB) 1 (Atkins)** – Defines “baseline federal standards” for air quality; requires CARB to publish changes made to federal standards on a quarterly basis and assess how federal standards have been impacted by these changes. *Staff recommendation: Support in principle but continue working with authors to address District's concerns.*
- **SB 210 (Leyva)** – Creates a Heavy-Duty Vehicle Inspection & Maintenance Program and a “smog check” for non-gasoline vehicles in excess of 14,000 lbs. gross vehicle weight. *Staff recommendation: Support.*

NOTED PRESENT: Director Abe-Koga was noted present at 9:44 a.m.

Public Comments

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

Committee Comments

- **Assembly Bill (AB) 40 (Ting)** – The Committee and staff discussed whether this legislation will apply to zero-emission vehicles already on the road or zero-emission vehicles for sale; whether the legislation includes provisions that were designed to benefit low-income communities and outreach to those communities; the request that Air District staff communicates to the author that Board members want to ensure that the comprehensive strategy to move toward complete electrification of new passenger vehicles sold in California by 2040 required by AB 40 will actually be implemented in a follow-up bill; whether air districts are excluded from the development of the comprehensive strategy, and the request that Air District staff communicates to the author that Board members would like air districts to be involved; whether this legislation is in

alignment with/applies to the Air District’s “Diesel-Free by ‘33” campaign; the percentage of light and medium-duty electric vehicles that have been sold in California; and the anticipated reaction of automobile manufacturers in response to this legislation.

- **Senate Bill (SB) 1 (Atkins)** – The Committee and staff discussed the need for the collaborated analyzation of this legislation by legal counsel from all California air districts before air district adopt positions.
- **SB 210 (Leyva)** – The Committee and staff discussed the need for specific outreach to the agricultural industry, and CARB’s Off-Road Regulation pertaining to agricultural operations; the request that the Air District immediately educates the public about this legislation to generate public support; the concern that weigh station inspections will increase pollution from idling engines on highways and impose additional burdens on the California Highway Patrol; and the request that the District involves Assemblymember Ash Kalra in their discussion of this bill, when appealing to the author.

Committee Action

Director Mitchoff motioned, and Director Wagenknecht seconded, that the Committee recommend that the Board adopt the following positions on the following bills:

- **Assembly Bill (AB) 40 (Ting)** – Support if amended.
- **Senate Bill (SB) 1 (Atkins)** – Do not take a position until the Air District’s next Legislative Committee meeting, allowing time for Air District staff to meet with authors.
- **SB 210 (Leyva)** – Do not take a position until the Air District’s next Legislative Committee meeting, allowing time for Air District staff to meet with authors.

The motion **carried** by the following vote of the Committee:

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

5. SACRAMENTO LEGISLATIVE UPDATE

Mr. Abbs and Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, gave updates on the following topics: Legislative Committee Assignments for the 2019-2020 Legislative Session; the release of the Governor’s Budget, including allocations for wildfire emergency readiness, response and recovery; air districts’ continued need for implementation funding for AB 617; Cap and Trade Program auction projections; and budget cuts to California’s Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program.

Public Comments

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

Committee Comments

The Committee and staff discussed the Air District's concern of disproportionate FARMER Program funding allocations to the Bay Area *prior to* this new budget cut in the program, the need for an updated State inventory of agricultural equipment, the request that Air District staff advocates to the Governor's financial advisors on the (Bay Area) agricultural community's behalf, the amount of food that is produced in the San Joaquin Valley (historically the recipient of the greatest amount of FARMER Program funding), and the need for Legislators to be educated on this issue; the need to educate the public about clean food production; and the request that the Air District continues to monitor Pacific Gas and Electric's decision to file for bankruptcy, as it could affect 2019 legislation.

Committee Action

None; receive and file.

6. POTENTIAL WILDFIRE SMOKE PUBLIC HEALTH LEGISLATION

Mr. Broadbent introduced this item as the Air District's signature legislative effort for 2019. He introduced Wayne Kino, Deputy Air Pollution Control Officer, and Mr. Abbs, who gave the staff presentation *Potential Wildfire Smoke Public Health Legislation*, including: review; summer 2018 California fires; Particulate Matter_{2.5} concentrations; Wildfire Air Quality Response Program; program and legislative strategy; and costs.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed disposable mask effectiveness, the tradeoffs of staying inside homes or going outdoors with a mask during or after a wildfire, and the need to clarify to the public that disposable N95 respirator masks are not to be reused, as they are intended for single-use only; confusion between local agencies (in any given Bay Area county) as to who is responsible for obtaining masks from the Air District and distributing them to constituents, and the need for state funding for masks; whether the proposed clean air shelters are going to offer long or short-term shelter; the suggestion that new construction of schools include design elements of clean air shelters; the Air District's plan to create inventories of eligible buildings for clean air shelters in each county; the need to establish a communication plan, procedures, and policies so that CARB, the Air District, and county officials and staff will know how to reach out to one another during the next wildfire; the need to educate the public about the impacts of wildfire and wood smoke on human health; whether there is enough time to have this legislation properly authored and submitted to the Office of Legislative Counsel; the ways in which counties can support the Air District's legislative efforts; and whether the proposed legislation will be statewide or applied only to the Bay Area.

Committee Action

None; receive and file.

7. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

8. COMMITTEE MEMBERS' COMMENTS / OTHER BUSINESS

Board Chair Hudson said that he would be interested to know if any legislation regarding insurance on autonomous vehicles is anticipated to be introduced in 2019. He also reiterated a prior statement regarding the need for a protocol for putting out wildfires in a shorter period of time than it currently takes.

Director Zane stated that she recently attended the National Council for Science and the Environment's (Council) Annual Conference and spoke about the Council's new initiative called "Resilience through Innovation in Sustainable Energy."

9. TIME AND PLACE OF NEXT MEETING

Monday, February 25, 2019, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 9:30 a.m.

10. ADJOURNMENT

The meeting adjourned at 11:37 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards