



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE

COMMITTEE MEMBERS

PAULINE RUSSO CUTTER – CHAIR
MARGARET ABE-KOGA
LYNDA HOPKINS
KATIE RICE
LORI WILSON

ROB RENNIE – VICE-CHAIR
ERIN HANNIGAN
DAVID HUDSON
BRAD WAGENKNECHT

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
ASSEMBLY BILL 361**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
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AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE
FOLLOWING LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/86551114227>

(669) 900-6833 or (408) 638-0968

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- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A
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LEGISLATIVE COMMITTEE MEETING AGENDA

MONDAY, FEBRUARY 14, 2022

1:00 PM

1. **Call to Order - Roll Call**
2. **Pledge of Allegiance**
3. **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.

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. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (Item 4)

4. Approval of the Legislative Committee Meeting Minutes of December 9, 2021

The Committee will consider approving the attached draft minutes of the Legislative Committee meeting of December 9, 2021.

REGULAR AGENDA (Items 5 - 8)

5. State Legislative Budget Update

The Committee will receive an update on recent events of significance in Sacramento, including an update on the Fiscal Year (FY) 2022/23 Budget.

6. Air District-Sponsored Bills

Staff will provide an update to the Committee on the status of this year's Air District-sponsored bills.

7. State Legislative Update and Consideration of New Bills

Staff will present bills of interest and recommend the Committee recommend that the Board of Directors take positions on high priority bills where appropriate.

8. Review of the Draft Legislative Platform for 2022

The Committee will review and discuss the draft legislative platform for 2022 and based on discussion and feedback, staff will provide a revised platform for the March 2022 meeting.

OTHER BUSINESS

9. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Committee.

10. Committee Member Comments

Any member of the Committee, 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)

11. Time and Place of Next Meeting

Monday, March 14, 2022 at 1:00 p.m., via webcast, pursuant to procedures authorized by Assembly Bill 361.

12. Adjournment

The Committee meeting shall be adjourned by the 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

- 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 Air 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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

FEBRUARY 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting	Monday	14	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	14	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	16	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	16	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee - Cancelled and rescheduled to Monday, February 14, 2022 at 1:00 p.m.	Wednesday	16	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee – Cancelled and rescheduled to Monday, February 28, 2022 at 9:00 a.m.	Monday	21	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee - Cancelled	Thursday	24	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	28	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	28	5:30 p.m.	Webcast only pursuant to Assembly Bill 361

MARCH 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	2	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee	Thursday	3	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	14	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation	Wednesday	16	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	16	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	16	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	21	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	21	6:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	24	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

HL 2/4/2022 – 2:50 P.M.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 14, 2022

Re: Approval of the Legislative Committee Meeting Minutes of December 9, 2021

RECOMMENDED ACTION

Approve the attached draft minutes of the Legislative Committee (Committee) meeting of December 9, 2021.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of December 9, 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Legislative Committee Meeting of December 9, 2021

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

Legislative Committee Meeting
Thursday, December 9, 2021

DRAFT MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

This meeting was conducted under procedures in accordance with Assembly Bill 361. Members of the Committee participated by teleconference.

OPENING ITEMS

1. CALL TO ORDER - ROLL CALL

Opening Comments: Legislative Committee (Committee) Co-Chairperson, Margaret Abe-Koga, called the meeting to order at 2:06 PM.

Roll Call:

Present: Committee Co-Chairs Margaret Abe-Koga and Pauline Russo Cutter; Committee Vice Chair Brad Wagenknecht; and Directors David Haubert, David Hudson, and Rob Rennie.

Absent: Directors David Canepa, Erin Hannigan, and Lynda Hopkins.

2. APPROVAL OF THE MINUTES OF OCTOBER 6, 2021

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Haubert made a motion, seconded by Vice Chair Wagenknecht, to approve the Minutes of October 6, 2021; and the motion carried by the following vote of the Committee:

- AYES: Abe-Koga, Haubert, Hudson, Rennie, Wagenknecht.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Cutter, Canepa, Hannigan, Hopkins.

3. STATE LEGISLATIVE BUDGET UPDATE

Alan Abbs, Legislative Officer, described the anticipated timeline of the adoption of the State’s Fiscal Year (FY) 2022-23 Budget. He summarized the development of the State’s FY 2021-2022 Budget during the Calendar Year of 2021, noting a structure that deviated from the normal timeline, due to uncertain revenues caused by the COVID 19 pandemic. Mr. Abbs reported that there is currently a \$31 billion budget surplus in the General Fund, and that based on the most recent Cap and Trade auction, the State will have over \$2 billion to allocate to the Greenhouse Gas Reduction Fund for the coming budget cycle. The Air District submitted its annual letter to the Governor, various state agencies, and the Bay Area Legislative Caucus, expressing the Air District’s desire for continued funding for Assembly Bill (AB) 617 implementation and incentive programs, low carbon transportation programs, wildfire smoke programs, lawn and garden equipment replacements, and commercial harbor craft engine regulation.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the request for a capital program that would fund building electrification (residential and commercial), and the suggestion of partnering with Bay Area community choice electricity providers to advocate for that funding.

Committee Action

None; receive and file.

4. DRAFT 2022 LEGISLATIVE PLATFORM AND 2022 LEGISLATIVE ACTIVITIES

Mr. Abbs gave the presentation *2022 Legislative Platform*, including: outcome; outline; requested action; and 2022 legislative platform (State Budget, state legislation, federal advocacy).

Public Comments

Public comments were given by Dr. Steve Rosenblum, Palo Alto resident.

Committee Comments

The Committee and staff discussed the Air District's monitoring of legislation regarding land use policy that could have air quality impacts; the desire to seek legislation that would allow the composition of the Air District's Board to include members of the public that are not elected officials as voting members; the need to continue advocating for the extension of the Carl Moyer Program, and the suggestion of forming a coalition of community, agricultural, and industry members who benefit from the Carl Moyer Program to help advocate for this; the suggestion of assisting Legislators with extending existing fees (programs that the Air District is advocating for) during a budget surplus; and the suggestion of representatives from the Board meeting in-person (or virtually) with State Legislators to advocate for the Air District's interests.

Committee Action

None; receive and file.

5. FEDERAL LEGISLATIVE UPDATE

Mr. Abbs gave the staff presentation *Federal Legislative Update*, including: outcome; outline; requested action; federal legislative update; infrastructure bill; and reconciliation package.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the similarities between elements of the Infrastructure Bill (House of Representatives Bill 3684 - DeFazio) and existing Air District programs, and whether the public would be confused about seemingly duplicative programs.

Committee Action

None; receive and file.

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

7. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS

Director Cutter asked whether there are any new regulatory proposals requiring restaurants with patio heater units to use electric (rather than gas-powered) or low emission units.

8. TIME AND PLACE OF NEXT MEETING

Monday, February 14, 2022, at 1:00 p.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

9. ADJOURNMENT

The meeting adjourned at 3:12 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 14, 2022

Re: State Legislative Budget Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

On January 10, 2022, Governor Newsom released his initial proposal for the fiscal year (FY) 2022-23 Budget.

DISCUSSION

Staff will provide an update to the Legislative Committee (Committee) on activities related to the budget.

On January 10, 2022, Governor Newsom released his draft budget proposal for FY 2022-23. The initial budget starts with an assumption of roughly a \$29 billion budget surplus.

Attached is a table of programs significant to the Air District, along with budget data from the previous year. Compared to previous years, there is significant new funding for zero-emission vehicle and infrastructure programs, as well as new funding for various building decarbonization initiatives.

The Senate and Assembly have started budget hearings that will continue for several months. Air District staff will participate and comment as appropriate. In May, the Governor will release a budget revision (the “May Revise”), and the remainder of May and most of June will be spent reconciling priorities and funding of the Administration, Senate, and Assembly. The budget must be signed by the Governor by July 1, 2022.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

ATTACHMENTS:

- 1. State Budget Table - Current vs. Previous Year
- 2. Air District Letter to Governor Regarding 2022-2023 Budget - Dated 11/29/2021

**2022-23 State Budget vs. Previous Year
Statewide Funding Amounts**

Program	FY 21/22 Proposed Budget Plus Early Action	FY 21/22 Approved Budget	FY 22/23 Proposed Budget (January)
AB 617 – Implementation	\$50M	\$50M	\$50M
AB 617 – Incentives	\$265M	\$260M	\$180M
AB 617 – Community Grants	\$10M	\$10M	\$10M
Clean Vehicle Rebate	\$0	\$525M	\$0
Clean Truck & Bus	\$315M	\$315M	\$600M
Ag Diesel Engine Replacement	\$170M	\$213M	\$150M
Clean Cars For All/ School Bus/Equity	\$150M	\$150M	\$125M
AB 836 – Clean Air Centers	\$0	\$25M*	\$0
Prescribed Fire	\$2M	\$2M	\$2M
Carl Moyer Program	\$247M	\$247M	\$130M
Zero-Emission Lawn and Garden	\$0	\$30M	\$0
Woodstove Replacement	\$0	\$5M	\$0
Port and Freight Goods Movement Infrastructure			\$1.2B
ZEV Port Equipment			\$875M
ZEV Drayage and School Bus			\$935M
Long Duration Energy Storage			\$380M
Low-Income Residential Decarbonization			\$622M
Consumer Rebates for Residential Decarbonization			\$300M

** Overall Budget for
"Resilience Centers"*



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

November 29, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

Re: 2022-23 State Budget Funding Priorities

Dear Governor Newsom:

The Bay Area Air Quality Management District (Bay Area AQMD) and other local air districts play a pivotal role in ensuring the State’s air quality goals are met. These goals include attaining the health-protective national and state ambient air quality standards, working closely with the California Air Resources Board (CARB) to implement the State’s climate change programs, and ensuring community health is protected from the effects of air pollution. Many of California’s disadvantaged communities are in areas impacted by localized air pollutants, making expedient emissions reductions a critical need if we are to protect human health in all communities. In addition, COVID-19 infection rates have correlated with areas of worse air pollution and in areas with greater disadvantaged populations, making many air district programs highly important in protecting public health during the COVID-19 pandemic.

Therefore, we respectfully request your support for funding in the 2022-23 State budget for the following programs:

AB 617 Community Air Protection Program Local Air District Implementation Funding

The Bay Area AQMD has played a central role in implementing this important program that will provide significant public health benefits by identifying and reducing air pollution’s impacts on communities disproportionately impacted by air pollution. AB 617 (C. Garcia; Chapter 136, Statutes of 2017) was signed into law with the Cap-and-Trade extension bill AB 398 (E. Garcia; Chapter 135, Statutes of 2017) to ensure our most burdened communities in the State received the health benefits promised by Cap-and-Trade. The Bay Area AQMD has been working aggressively to make the program a success in two communities, West Oakland and Richmond/San Pablo. In addition, we will be requesting that CARB add East Oakland as a new AB 617 community in 2023. Vallejo, San Francisco, San Jose, the Tri-Valley area, and Eastern Contra Costa are also high on our priority list, pending available resources.

AB 617 envisions a long-term focus on air pollution reductions and improved community health, all of which require dedicated equipment and staffing over many years. This is especially true as new communities are identified for

- ALAMEDA COUNTY**
John J. Bauters
(Secretary)
Pauline Russo Cutter
David Haubert
Nate Miley
- CONTRA COSTA COUNTY**
John Gioia
David Hudson
Karen Mitchoff
(Vice Chair)
Mark Ross
- MARIN COUNTY**
Katie Rice
- NAPA COUNTY**
Brad Wagenknecht
- SAN FRANCISCO COUNTY**
Tyrone Jue
(SF Mayor’s Appointee)
Myrna Melgar
Shamann Walton
- SAN MATEO COUNTY**
David J. Canepa
Carole Groom
Davina Hurt
- SANTA CLARA COUNTY**
Margaret Abe-Koga
Cindy Chavez
(Chair)
Rich Constantine
Rob Rennie
- SOLANO COUNTY**
Erin Hannigan
Lori Wilson
- SONOMA COUNTY**
Teresa Barrett
Lynda Hopkins

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



action alongside the existing 15 communities. If the Community Air Protection Program is to be successful as the Legislature intends, and perhaps serve as a model for a federal environmental justice program, then adequate, ongoing statewide funding supporting the Bay Area AQMD, and other air districts' efforts is essential. These communities have long suffered from government neglect and discriminatory policies. Establishing AB 617 and then failing to fund it would be a continuation of that pattern.

Recognizing the significant ongoing air district costs related to implementation of AB 617 mandates, the last four fiscal year budgets included \$50 million for local air district implementation costs. The Bay Area AQMD receives approximately \$9 million per year of this funding. While we appreciate the funding, our experience with the implementation of this program over the last four years is showing that statewide implementation costs are significantly higher than \$50 million, and the Bay Area AQMD's costs are significantly higher than \$9 million. This will be exacerbated by adding East Oakland. Although the AB 617 activities are mandated, the uncertainty surrounding annual funding makes it extremely difficult to maintain staff levels, provide adequate community support, and purchase equipment. We strongly urge you and the Legislature to identify long-term funding of at least \$75 million per year through a continuous appropriation for ongoing implementation and, as communities are added, future increases to support this important program.

AB 617 Incentive Funding and Other Mobile Source Incentive Funding

The Bay Area AQMD believes that incentive funding is the most cost-effective and expeditious way to bring emission reductions and public health benefits to our most impacted communities. Because transportation and goods movement air pollutant emissions continue to be the largest contributor to poor air quality and adverse human health effects, it is important to continue programs that accelerate the turnover and elimination of older diesel vehicles and diesel-powered equipment. In addition to immediate reductions in diesel exhaust, benefits include a reduction of ozone precursor gases such as oxides of nitrogen (NO_x), a reduction of fine particulate matter (PM_{2.5}), and reductions of greenhouse gases (GHGs). These are very positive outcomes for air quality, climate change, public health and our quality of life, and we respectfully request continued funding for these critical programs.

In the 2021-22 budget, air districts were provided \$260 million from the Greenhouse Gas Reduction Fund (GGRF) for AB 617 Community Air Protection Program incentives. This funding allows local air districts to fund early emissions reduction projects that cut both stationary and mobile source emissions of, and exposure to, criteria air pollutants and toxic air contaminant emissions in the communities disproportionately impacted by air pollution. Like the implementation funding, the incentive funding is critical to the success of

the AB 617 program, and the State should continue committing funding to reduce emissions and exposure in our most burdened communities.

The 2021-22 budget also provided funding for several successful and cost-effective statewide emission reduction programs from the GGRF, Air Pollution Control Fund, and General Fund that should receive continued funding, including Clean Trucks, Buses, and Offroad Freight Equipment; Clean Cars for All, and Clean School Buses; Commercial Lawn and Garden Equipment; and the FARMER Agricultural Replacement Program. The 2021-22 budget process provided commitments for future funding in many of these programs, and we urge you to continue prioritizing them. These incentives reduce greenhouse gas, criteria pollutant, and toxic air contaminant emissions from light-duty vehicles, agricultural tractors and harvesting equipment, heavy-duty trucks, school and transit buses, and port equipment. Locally, they have contributed to our efforts to expand electric vehicle usage, clean local transit fleets, and reduce emissions in the freight sector. Because the goal of reducing the air quality impacts in these areas is a multiyear effort, it is important to ensure these programs are well-funded into the future.

Commercial Harbor Craft Incentive Program

In addition to programs listed above, the Bay Area AQMD urges you to create a new incentive program specifically for commercial harbor craft, including tugboats, dredges, ferries, commercial fishing boats, and sportfishing boats. One third of the state's commercial harbor craft fleet operates out of the Bay Area region, and in 2022, CARB will be completing a regulatory process that will require much of the commercial harbor craft fleet to either upgrade existing diesel engines or change to zero emission propulsion. The new requirements will assist in lowering cancer risks and other health issues caused by exposure to diesel particulate matter in shoreline neighborhoods, will help the Bay Area reach and maintain the Federal and State ambient air quality standards, and continue moving us in the right direction for achieving needed GHG reductions. Meeting these requirements, however, will entail significant expense, especially for small owner-operators. A new incentive program of at least \$100 million targeting commercial harbor craft will better ensure future success of the CARB regulation, lower exposure to diesel particulate matter, and assistance to harbor craft businesses.

Wildfire Smoke Public Health Response

The Bay Area AQMD is dedicating significant effort to improving wildfire smoke public health response capabilities in the Bay Area Region in the coming years. As in many parts of the State, wildfire smoke from several of the catastrophic fires in recent years blanketed the region with smoke for weeks at a time, erasing public health gains made over many years through district programs to reduce emissions from mobile and stationary sources.

Pursuant to AB 836 (Wicks; Chapter 393, Statutes of 2019), the Bay Area AQMD has been working with regional stakeholders to identify public locations that can serve as “clean air centers” during wildfire smoke or other times of high particulate exposure. These clean air centers would provide a healthy space for our vulnerable population during emergency events. While some of these potential locations such as schools, community centers, and libraries may be equipped with high-efficiency filtration to provide a clean indoor environment, some will require filtration system retrofitting and maintenance, or use of portable air filtration units. This program received \$5 million in the 2020-21 budget, but unfortunately was not funded in the 2021-22 budget, and we ask that this program again receive funding in the 2022-23 budget.

The Bay Area AQMD has also recently begun a small-scale program to assist low-income homeowners and renters in improving their indoor air quality with portable filtration units or HVAC filter upgrades, by working with local public health providers. Innovative programs like this that directly target residents where they live can make a huge improvement in their quality of life, but expansion throughout the Bay Area and the rest of California would require a state funding source. We would welcome the opportunity to showcase this new program and its potential for state funding to expand it within the Bay Area and the rest of California.

The Bay Area AQMD appreciates the opportunity to provide our funding request for the upcoming fiscal year. We are committed to reducing air pollution in California and ensuring that every one of the region’s nearly 8 million residents can breathe clean, healthful air. We are also committed to ensuring that the State’s most disproportionately affected populations realize emissions reductions as expeditiously as possible. If you should have any questions, please do not hesitate to contact me at (415) 749-5052, or our Legislative Officer, Mr. Alan Abbs at (916) 769-7769.

Sincerely,



Jack P. Broadbent
Executive Officer/APCO

JPB:AA

cc: The Honorable Toni Atkins, President Pro Tempore, California State Senate
The Honorable Anthony Rendon, Speaker, California State Assembly
The Honorable Nancy Skinner, Chair, Senate Committee on Budget and Fiscal Review

The Honorable Phil Ting, Chair, Assembly Committee on Budget
The Honorable Bob Wieckowski, Chair, Senate Committee on Budget
and Fiscal Review Subcommittee No. 2 on Resources, Environmental
Protection and Energy
The Honorable Richard Bloom, Chair, Assembly Budget
Subcommittee No. 3 on Climate Crisis, Resources, Energy, and
Transportation
Jared Blumenfeld, Secretary for Environmental Protection
Liane M. Randolph, Chair, California Air Resources Board
Christine Hironaka, Deputy Cabinet Secretary, Office of Governor
Newsom
Lauren Sanchez, Senior Climate Advisor, Office of Governor Newsom
Keely Martin Bosler, Director, Department of Finance
Matt Almy, Program Budget Manager—Natural Resources,
Environment, and Capital Outlay, Department of Finance

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 14, 2022

Re: Air District-Sponsored Bills

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Potential bills will need to be introduced by February 18, 2022.

DISCUSSION

Staff has been working on the following three bill proposals for potential introduction in 2022:

- Raising penalty limits for air quality violations at refineries.
- Changes to environmental review of new school siting.
- Revising Air District boardmember compensation limits to include active transportation compensation.

Staff will provide updates on each bill, and the introduced bill language, if available.

Staff will also update the Legislative Committee on the proposed process to consider changes to Board of Directors composition.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

ATTACHMENTS:

None.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 14, 2022

Re: State Legislative Update and Consideration of New Bills

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is the second year of the two-year 2021-2022 Legislative Session. January 31, 2022 was the last day for two-year bills to get voted out of their house of origin. February 18, 2022 is the last day for new bills to be introduced. Bills can be heard in committee 31 days after being introduced, with most bills being heard in committee beginning in mid-March.

As a result of redistricting, upcoming elections, and other factors, at least 28 legislators have opted to leave the Legislature at the end of the current term or earlier, creating several vacancies. This may affect the total number of bills introduced and may also affect how individual legislators vote on certain issues.

DISCUSSION

Staff will provide the Legislative Committee (Committee) with a summary and status of bills on the attached list and will review other bills that may be of interest to the Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

ATTACHMENTS:

1. Bills of Interest Matrix - As of February 4, 2022

Bill #	Author	Subject	Last Amended	Last Status - As of 2/4/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
AB 1749	Garcia, Cristina	Community Air Protection Blueprint: community emissions reduction programs: toxic air contaminants and criteria air pollutants.		2/2/2022-From printer. May be heard in committee March 4.	2/1/2022-A. PRINT			Medium	AB 617
AB 284	Rivas, Robert	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	7/14/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/2/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	Climate Change
AB 1369	Bennett	Buy Clean California Act: eligible materials: product-specific global warming potential emissions.	1/12/2022	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.	2/1/2022-S. RLS.			Low	Climate Change
AB 1395	Muratsuchi	The California Climate Crisis Act.	9/3/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	Climate Change
AB 1676	Burke	Greenhouse gases: carbon capture, utilization, and sequestration.		1/21/2022-From printer. May be heard in committee February 20.	1/20/2022-A. PRINT			Low	Climate Change
SB 260	Wiener	Climate Corporate Accountability Act.	1/3/2022	1/26/2022-Read third time. Passed. (Ayes 23. Noes 7.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/26/2022-A. DESK			Medium	Climate Change
SB 852	Dodd	Climate resilience districts: formation: funding mechanisms.		1/26/2022-Referred to Coms. on GOV. & F. and N.R. & W.	1/26/2022-S. GOV. & F.			Low	Climate Change
AB 1001	Garcia, Cristina	Environment: mitigation measures for air and water quality impacts: environmental justice.	1/24/2022	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.	2/1/2022-S. RLS.			Medium	Environmental Justice
AB 363	Medina	Carl Moyer Memorial Air Quality Standards Attainment Program.	7/5/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 6/28/2021)(May be acted upon Jan 2022)	7/14/2021-S. 2 YEAR			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 965	Levine	Building standards: electric vehicle charging infrastructure.	6/29/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 1389	Reyes	Alternative and Renewable Fuel and Vehicle Technology Program.	9/3/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/7/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 1738	Boerner Horvath	Building standards: installation of electric vehicle charging stations: existing buildings.		2/1/2022-From printer. May be heard in committee March 3.	1/31/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 1771	Ward	Zero-emission vehicles: grants.		2/3/2022-From printer. May be heard in committee March 5.	2/2/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
SB 45	Portantino	Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.	1/3/2022	1/24/2022-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/24/2022-A. DESK			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
SB 542	Limón	Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks.	5/25/2021	1/18/2022-Read third time. Passed. (Ayes 33. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/18/2022-A. DESK			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
SB 726	Gonzalez	Alternative fuel and vehicle technologies: sustainable transportation.	8/30/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/7/2021)(May be acted upon Jan 2022)	9/10/2021-A. 2 YEAR			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
SB 771	Becker	Sales and Use Tax Law: zero emissions vehicle exemption.	5/11/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was DESK on 5/26/2021)(May be acted upon Jan 2022)	9/10/2021-A. 2 YEAR		Propose Support	Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
SB 894	Jones	Off-highway vehicles.		2/1/2022-From printer. May be acted upon on or after March 3.	1/31/2022-S. RLS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 983	Garcia, Eduardo	Public contracts: construction projects: community workforce agreements: battery manufacturing and lithium-based technology.	6/15/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 6/22/2021)(May be acted upon Jan 2022)	7/14/2021-S. 2 YEAR			Low	Other
AB 1240	Ting	Indoor air pollution.	1/24/2022	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.	2/1/2022-S. RLS.			Medium	Other
AB 1624	Ting	Budget Act of 2022.		1/20/2022-Referred to Com. on BUDGET.	1/20/2022-A. BUDGET			High	Other
AB 1717	Aguar-Curry	Public works: definition.		2/3/2022-Referred to Com. on L. & E.	2/3/2022-A. L. & E.			Low	Other
SB 560	Rubio	Climate Pollution Reduction in Homes Initiative: grants.	5/20/2021	1/24/2022-Read third time. Passed. (Ayes 33. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/24/2022-A. DESK			Medium	Other
SB 778	Becker	Buy Clean California Act: Environmental Product Declarations: concrete.	6/21/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was A. & A.R. on 6/24/2021)(May be acted upon Jan 2022)	7/14/2021-A. 2 YEAR			Low	Other
SB 853	Dodd	Community Energy Resilience Act of 2022.		1/19/2022-Referred to Com. on E., U. & C.	1/19/2022-S. E. U., & C.			Low	Other
SB 840	Skinner	Budget Act of 2022.		1/11/2022-From printer.	1/10/2022-S. BUDGET & F.R.			High	Other
Total Active Bills	26							Low: 15 Medium: 9 High: 2	

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 14, 2022

Re: Review of the Draft Legislative Platform for 2022

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Legislative Platform is an attempt to provide overall advocacy principles to the Legislative Committee (Committee) and Board of Directors, as well as provide guidance to Air District staff for this legislative year.

DISCUSSION

The platform is divided into three sections – state budget, state legislation, and federal legislation. The platform does not commit the Air District to positions on every legislative proposal in the listed categories but does provide a metric for use in bringing proposals to the Committee for discussion. A draft was reviewed by the previous Committee. After feedback from the current Committee, staff will provide a revised version for review and approval at the next Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

ATTACHMENTS:

1. Draft Legislative Platform for 2022



Legislative Platform (2022)

State Budget

1. **State Funding for Clean Air Projects:** Advocate for new and continued funding for investment in projects that reduce air pollution and exposure in the Bay Area. The Air District will pursue funding to support programs in the Bay Area Region from all available sources, including Carl Moyer, the Greenhouse Gas Revenue Fund, Assembly Bill (AB) 118, and the Air Pollution Control Fund.
2. **AB 617 Community Air Protection Implementation and Incentive Funding:** Advocate for adequate and continuous funding to support the Air District's AB 617 Community Air Protection Program. The state should provide necessary resources to fund the emissions inventory, regulatory, administrative, air monitoring, and community outreach activities necessary to effectively implement AB 617 requirements. The 2021/22 budget includes \$50 million (M) and \$260M statewide for implementation and incentives, respectively. When possible, the Air District will advocate support for continued funding and/or increases to funding.
3. **Carl Moyer/Mobile Source Incentive Fund/AB 118 Reauthorization:** The Carl Moyer Memorial Air Quality Standards Program, the AB 923 Program (also known as the Air District's Mobile Source Incentive Fund [MSIF]), and the California Energy Commission's AB 118 Program currently sunset at the end of 2023. The Air District will strongly advocate for extension of Moyer and 923 as part of the state budget process or through a separate policy bill.
4. **Wildfire Smoke Public Health Response:** The Air District sponsored AB 836 Wildfire Smoke Clean Air Centers Pilot Program by Assemblymember Wicks in 2019, which received funding in the state budget for 2020/21 for \$5M. The Air District will strongly advocate for continued funding.
5. **Support for Air District Activities Related to Wildfire Mitigation:** The passage of Senate Bill (SB) 1260 in 2018 has provided funding for air districts to support prescribed fire and other forest health activities by land managers. The Air District will continue to advocate for this funding.
6. **Clean Tech Financing:** Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District's Climate Tech Finance Program.
7. **Low-Carbon Transportation Incentives:** Support proposals for mobile source incentive programs that accelerate the turnover of older and more polluting diesel engines with cleaner alternatives, including zero emission alternatives, that reduce emissions of greenhouse gases, criteria pollutants and precursors, and toxic air contaminants.
8. **Commercial Harbor Craft Funding:** Advocate for new dedicated incentive funding for commercial harbor craft in order to meet requirements of CARB regulations to reduce diesel particulate matter.



Legislative Platform (2022)

State Legislation

1. **Vehicle Emissions and Congestion Relief:** Support legislative proposals that encourage active transportation, reduce vehicle miles traveled, and reduce emissions in the transportation sector. Oppose legislative proposals that roll back existing smog check and vehicle maintenance requirements.
2. **Climate Change:** Support legislative proposals that align with the Air District's 2017 Bay Area Clean Air Plan, including limiting fossil fuel combustion, stopping methane leaks, advancing zero-emission vehicle usage, advancing clean fuel adoption, accelerate low carbon buildings, supporting Community Choice Aggregation programs, and building energy efficiency in both new and existing buildings.
3. **AB 617 Community Air Protection Program:** Support legislative proposals that seek to reduce emissions and exposure in overburdened communities consistent with the framework of the Federal Clean Air Act and California Clean Air Act.
4. **Wildfire Smoke Public Health Response:** Support legislative proposals that would improve indoor air quality in public and non-public spaces through improved filtration or weatherization, especially in vulnerable and disadvantaged communities.
5. **Emergency Backup Generation:** Support legislative proposals that seek to reduce diesel particulate emissions in backup generation through use of cleaner generation. Oppose legislative proposals that restrict air district regulatory authority of diesel backup generators.
6. **Toxic Air Emissions:** Support legislative proposals to reduce emissions and exposure of air toxics. Oppose legislation that would potentially result in increases of exposure to air toxic emissions in the Bay Area Region.
7. **Wildfire Smoke Mitigation/Prescribed Fire:** Support legislative proposals to proactively reduce smoke from catastrophic wildfires through responsible fuel management policies, including the use of prescribed fire.
8. **Stationary Source Greenhouse Gas Authority:** Support legislative proposals to allow local air district the authority to establish stationary source greenhouse gas limits.
9. **Land Use:** Monitor legislative proposals that have the potential to directly affect local and regional air quality goals.



Legislative Platform (2022)

Federal Legislation

1. **Federal Funding for Air District Clean Air Programs:** Advocate for continuous and increased funding for Air District programs that reduce emissions and exposure, or that support monitoring and planning efforts in the Bay Area Region, including federal 103 and 105 grants, Diesel Emission Reduction Act grants, and Targeted Airshed Grants.
2. **Wildfire Smoke Public Health Response:** Support federal level efforts, including legislative efforts, to improve wildfire smoke public health response and indoor air quality in the Bay Area Region.
3. **Clean Transportation Programs:** Support efforts to secure funding for clean transportation infrastructure in the Bay Area in federal transportation bills and economic stimulus bills.
4. **Clean Energy Programs:** Support efforts to promote clean energy technology through incentive funding or tax credits, especially in disadvantaged communities in the Bay Area. Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District's Climate Tech Finance Program.
5. **Particulate Matter Standards:** Support efforts to review EPA's 2020 decision to leave federal PM_{2.5} unchanged, per recommendations of Air District Board and Advisory Committee.
6. **Vehicle Emission Standards:** Support efforts to develop more stringent vehicle emission standards that align with current California standards for light duty, medium duty, and heavy-duty vehicles. Support efforts to retain California vehicle emission standard authority.
7. **Climate Change:** Support federal level efforts, including legislative efforts, that align with the Air District's 2017 Bay Area Clean Air Plan, including limiting fossil fuel combustion, stopping methane leaks, advancing zero-emission vehicle usage, advancing clean fuel adoption, accelerate low carbon buildings, supporting Community Choice Aggregation programs, and building energy efficiency in both new and existing buildings.
8. **Leaded Aviation Gas:** Support efforts to cause EPA to adopt an endangerment finding for leaded aviation gas. Support additional regulatory and incentive programs to promote use of lower lead and no-lead alternatives.