



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 6

Potential Legislative Activities for 2023

**Legislative Committee Meeting
December 12, 2022**

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Presentation Outcome



Staff will provide the Legislative Committee (Committee) with a list of potential legislative activities in 2023 for the Committee's consideration to recommend to the Board of Directors (Board), including ideas for potential Air District-sponsored bills as well as other potential bill activities of interest.

Presentation Outline



- Refinery Penalties
- School Siting for Private and Charter Schools
- Brown Act Teleconferencing Provisions
- Commuter Benefits
- Vessel Speed Reduction (VSR) – Ocean-Going Vessels
- Air District Board Composition
- Goods Movement-Related Port Cargo Fee
- Installation of Heat Pumps in Neighborhoods with Homeowners' Associations (HOAs)
- Air District Advisory Council Meeting Stipend

Presentation Requested Action



Staff suggests that the Committee vote to approve a recommendation that the Board endorse these nine Legislative Activities for 2023.

2023 Legislative Session



- December 5, 2022 – Legislative Session for 2023 begins.
- January 4, 2023 – Legislature reconvenes.

Key Deadlines for Members:

- January 20, 2023 – Last day to submit bill requests to the Office of Legislative Counsel.
- February 17, 2023 – Last day for bills to be introduced.

Refinery Penalties



Reintroduction/modification of the 2022 Air District-Sponsored refinery penalty bill to raise penalty ceilings for some air quality regulatory and emissions violations at refineries

Staff Notes/Recommendation: Sponsor

School Siting (Private/Charter Schools)



Reintroduction of the Air District-sponsored schools bill to address environmental review of new school siting by requiring that private schools and charter schools meet the same siting requirements as public schools.

Staff Notes/Recommendation: Act as potential co-sponsor or major supporter.

Brown Act Teleconferencing Provisions



Address concerns regarding Assembly Bill (AB) 2449 (Rubio) and the limitations that the teleconferencing provisions within the Brown Act have on the legislative bodies of regional agencies.

Staff Notes/Recommendation: Support any legislative efforts to address these concerns.

Commuter Benefits



Air District staff is interested in revisiting the original AB 2206 (Lee) which was originally introduced as a bill to identify parking benefits provided to employers in a way that exempted them from some parking cash out programs.

Staff Notes/Recommendation: Potential sponsorship or co-sponsorship.

VSR – Ocean-Going Vessels



Voluntary VSR programs have documented significant cost-effective reductions in NO_x and particulate matter (PM), and anecdotally lowers the risk of “whale strikes” during migration periods. Potential legislation could include direction to various state agencies to develop an official VSR program that could make funding more reliable.

Staff Notes/Recommendation: Legislative effort currently led by Ventura County Air Pollution Control District. Potential co-sponsor or major supporter.

Board Composition



Possible changes to the Board's composition, including the size and the types of appointees, may be agendaized by the Community Advisory Council for future discussion – the results of which will be presented to the Legislative Committee and the Board for potential future action.

Staff Notes/Recommendation: No recommendation currently.
Moving forward would require the Air District to be the sponsor.

Goods Movement-Related Port Cargo Fee



Potential bill idea that would create a goods movement-related port cargo fee that would generate funding for air quality related incentives for port and cargo equipment replacement with low-emission and zero-emission equipment.

Staff Notes/Recommendation: Legislative effort currently led by South Coast Air Quality Management District. Potential co-sponsorship or major supporter.

Installation of Heat Pumps



Address concern/anecdotal evidence of occasions in which property owners may desire to replace gas furnaces with heat pumps yet be prevented by their HOA for various reasons.

Staff Notes/Recommendation: Potential Air District sponsorship or co-sponsorship.

Advisory Council Stipend



Proposed legislation to make changes the Health and Safety Code (HSC) for the Air District's Advisory Council to either specify compensation for attending meetings in statute or allow compensation to be established in the Air District's Administrative Code.

Staff Notes/Recommendation: Sponsor



Questions / Discussion