



# Community Priorities for Rule Development

Board of Directors Meeting

March 4, 2026

Bradley Cole

Manager

Regulatory Development Division

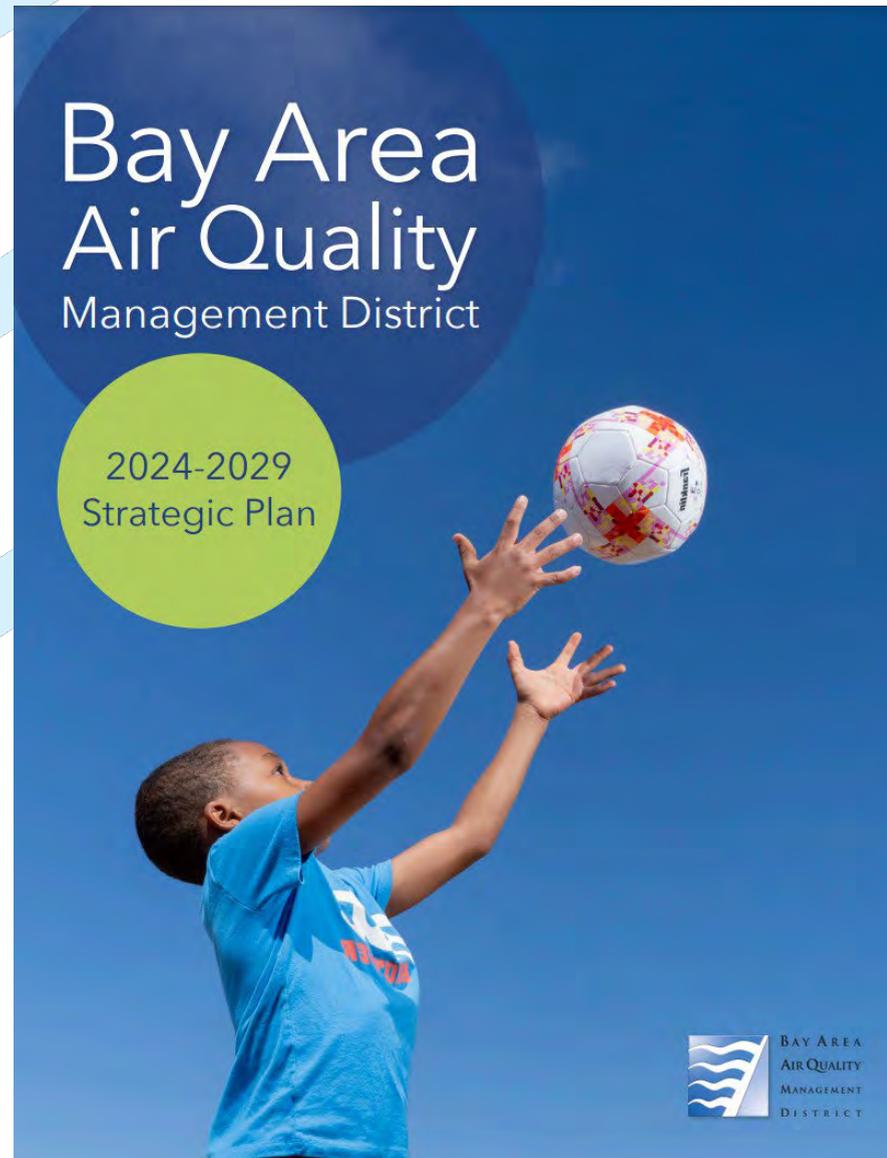


# Overview

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- Rules as a powerful tool
- Community-focused rule development
- Ensuring community experiences and priorities are considered moving forward

# Strategic Plan Goals



## Four Primary Goals:

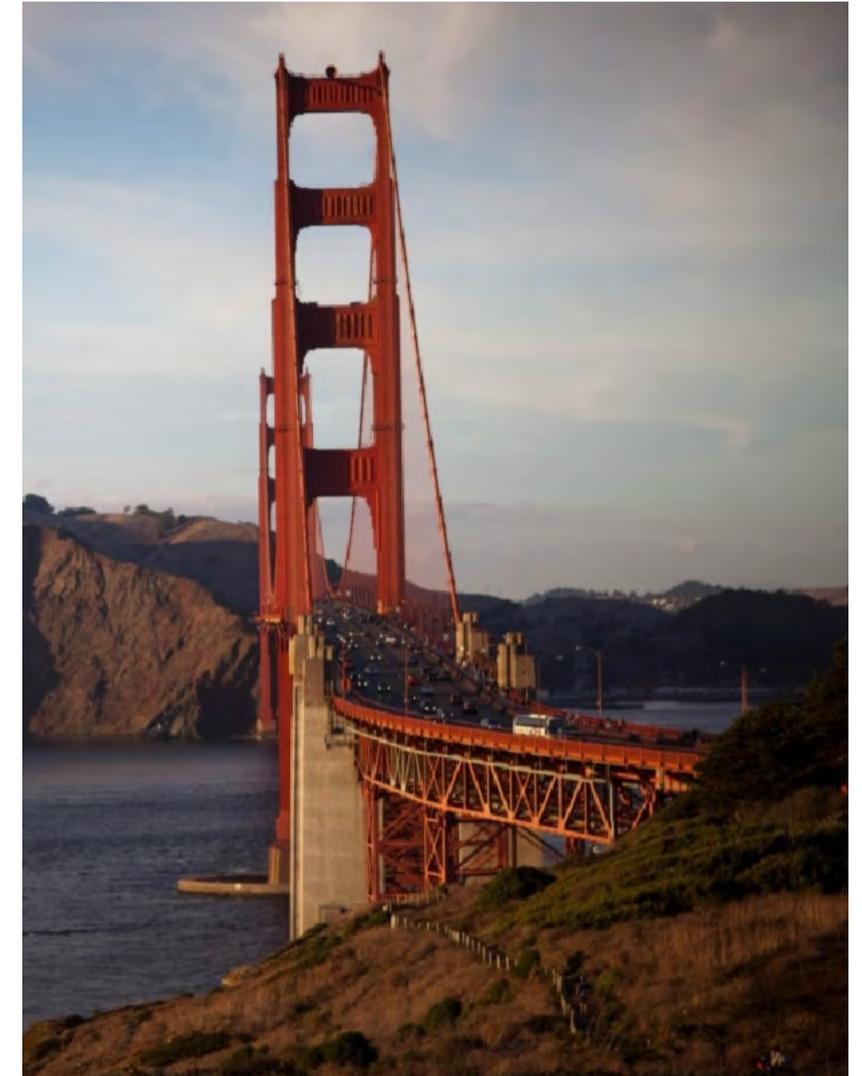
- Achieve Impact
- Advance Environmental Justice
- Foster Cohesion and Inclusion
- Maintain an Effective, Accountable, and Customer-Oriented Organization

# Strategic Plan Goals and Strategies

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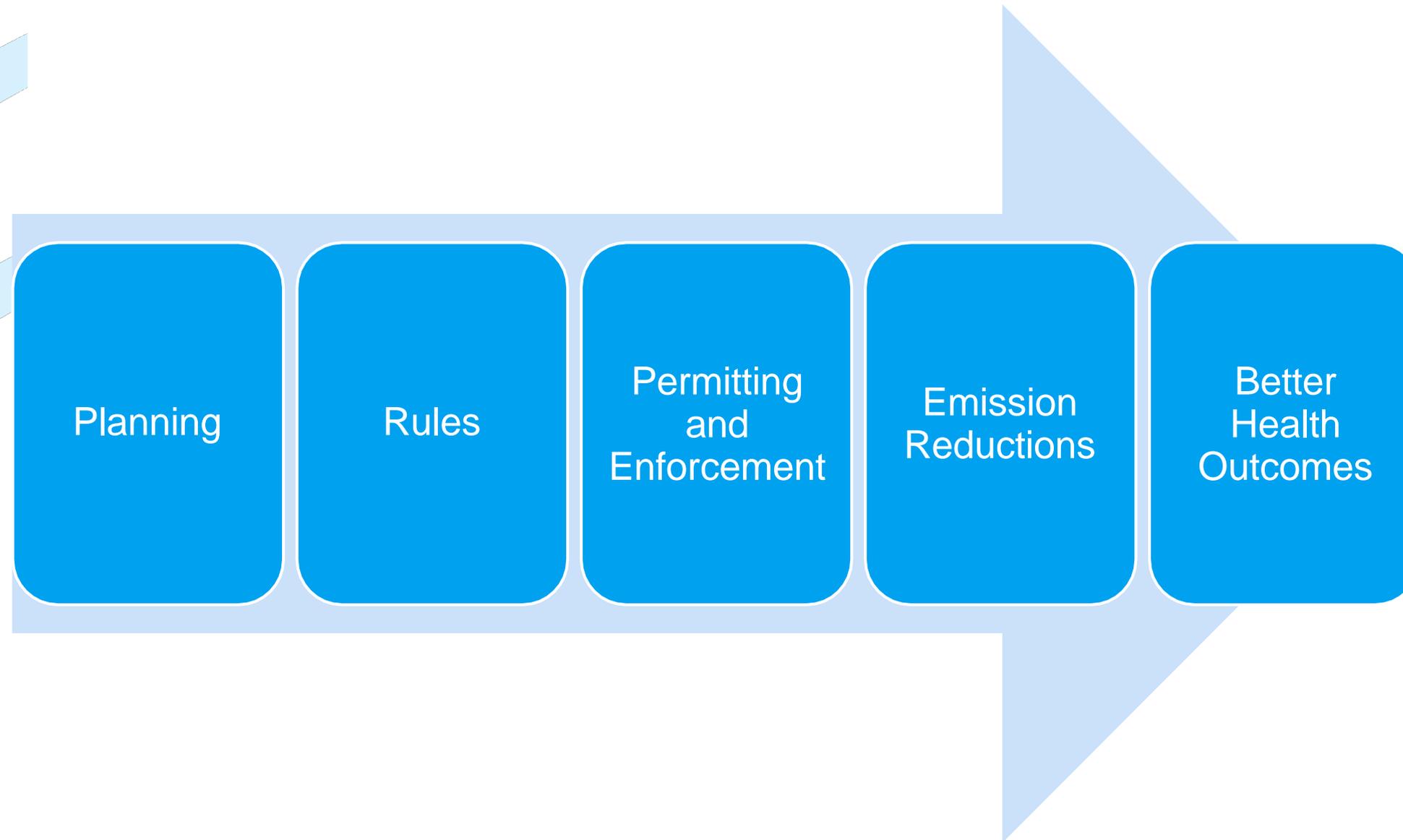
## **Effective rules are critical to achieving Goals 1, 2, and 3**

Our rules and regulatory development efforts are powerful tools that will help achieve beneficial impacts and further address environmental justice concerns.



# How Rules Fit In

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# Prioritization Criteria

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- Board Direction
- Air Quality Benefits & Impacts
- Identification of unregulated sources of air pollution
- Air Quality Mandates (e.g., SIP, legislation)
- **Community Concerns / Stakeholder Input**
- Community Emissions Reduction Plans
- Strategic Plan Alignment
- Air District Resource Constraints

**Note:** **SIP:** State Implementation Plan



# Community-Focused Rule Development

Project	Community Impetus
Minimize Flaring (Rules 12-11 & 12-12)	AB 617 CERP / Community Concerns / CBOs
Fugitive Dust (Rules 6-1 & 6-6)	AB 617 CERPs / Community Concerns
Toxic Risk at Existing Facilities Phase I (Rule 11-18)	Community Concerns / CBOs / CAC Priority
Metal Recycling and Shredding Operations (Rule 6-4)	Community Concerns / CBOs
Refinery Fenceline Monitoring (Rule 12-15)	Community Concerns / CBOs
Indirect Source Rule ( <b>new</b> )	Community Concerns / CBOs

**Note:**

- **CERPs:** Community Emission Reduction Plan
- **CBO:** Community Based Organization
- **CAC:** Community Advisory Council
- **AB:** Assembly Bill

# Planned Community-Focused Rule Development

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Project	Community Impetus
Toxic Risk at Existing Facilities Phase II (Rule 11-18)	Community Concerns / CBOs / CAC Priority
Backup Generators / Data Centers <b>(new)</b>	Community Concerns / CBOs / CAC Priority
Toxic New Source Review / Cumulative Impacts (Rule 2-5)	Community Concerns
Health-Based Particulate Matter (PM) Rules <b>(new)</b>	Community Concerns / CBOs / CAC Priority
Permitting in Overburdened Communities (Rule 2-1 & 2-5)	Community Concerns / CBOs

# Minimize Flaring (Rules 12-11 & 12-12)

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Originally adopted in 2003 and 2004 respectively

- Refinery Community concerns about excessive flaring
- Formed Refinery Technical Working Group (RTWG)
- Workshops and meetings
- Community concerns remain [two decades later]
  - Path to Clean Air – Richmond-North Richmond-San Pablo
  - Strategic Plan Rule Development Schedule
  - CAC Priority

Rule Development initiated with RTWG formation

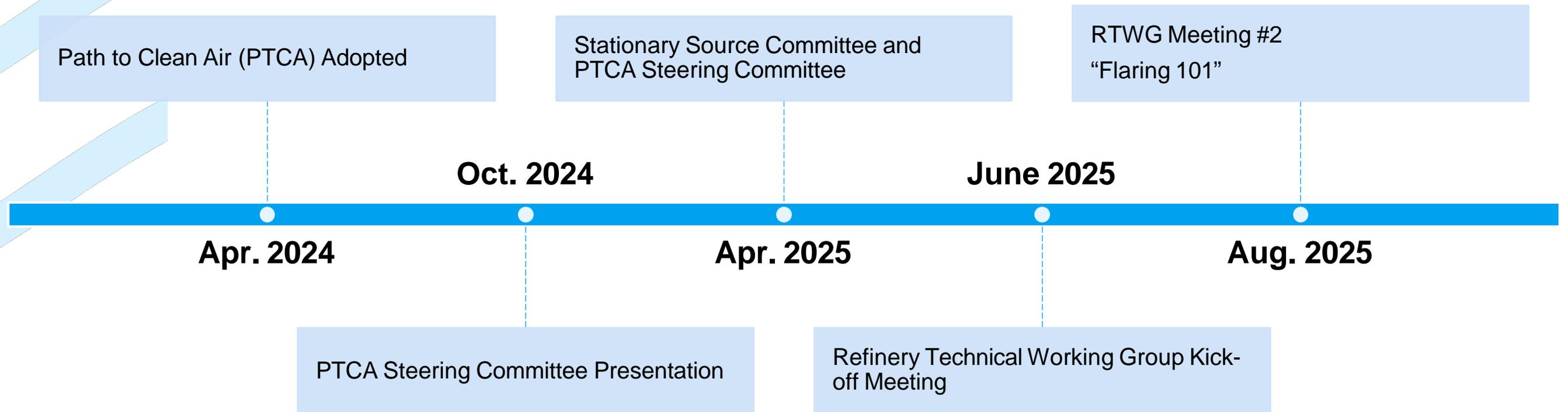
# Potential Flaring Amendment Concepts

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Goal: Reduce Flaring Emissions and Frequency

- Potential rule concepts include:
  - Sulfur dioxide limits for non-hydrogen flares
  - Nitrogen oxide limits for hydrogen flares
  - Incorporate key requirements from Federal Regulations
  - Improved monitoring of flare emissions
  - Streamlined process for reporting

# Current Flaring Public Engagement



**Note:**

- **PTCA:** Richmond-North Richmond-San Pablo Path to Clean Air

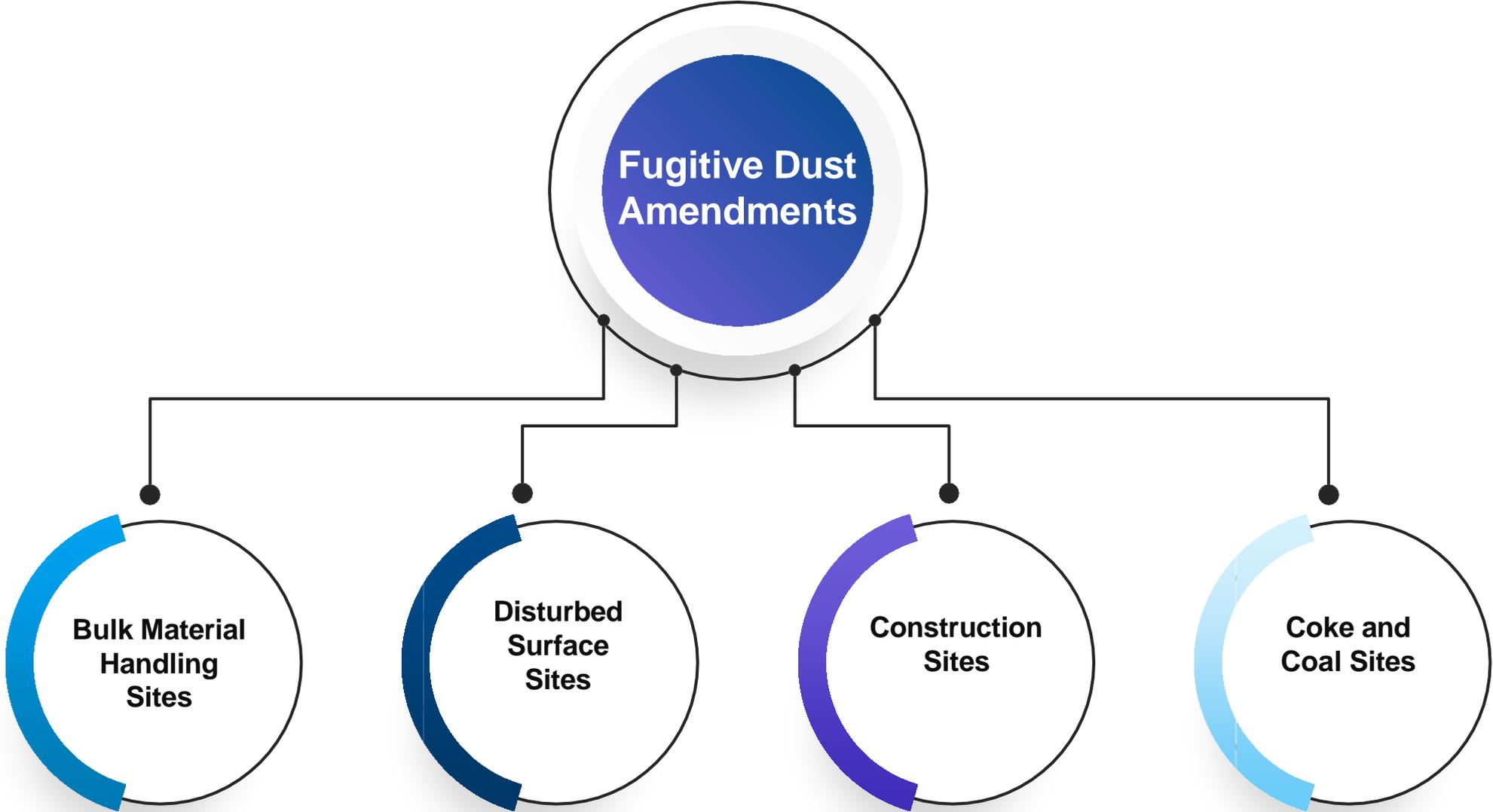
# Fugitive Dust (Rules 6-1 & 6-6)

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Current Rules were amended in 2018

- Bay Area Communities concerned with fugitive dust from many sources
- 2010 and 2017 Clean Air Plan commitments
- Workshops and meetings toward 2018 adoption
- Community Concerns remain
  - Owning Our Air – West Oakland Community Action Plan
  - Path to Clean Air – Richmond-North Richmond-San Pablo
  - Draft Right to Breathe: East Oakland Community Air Quality Justice Plan
  - Bayview Hunters Point/Southeast San Francisco CERP (under development)
  - Community Meetings – Crownhill Community and Vallejo
  - CAC Priority

# Fugitive Dust Targeted Sites



# Current Dust Effort Public Engagement



# Ensuring Rule Development Reflects Community Concerns and Input

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Soliciting input from:

- AB 617 Communities
- Targeted groups like the RTWG
- Community Based Organizations
- Responding to Community complaints and concerns

Utilizing CAC connections across the communities within the Air District as a pipeline for community concerns and priorities.

# Questions & Discussion

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**For more information:**

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# 2026 Legislative Platform and Consideration of State and Federal Legislation

Board of Directors

March 4, 2026

Alan Abbs  
Legislative Officer  
Legislative and Government Affairs Division



# Abbreviations

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- Assembly Bill (AB)
- Senate Bill (SB)
- House of Representatives Bill (H.R.)
- California Air Resources Board (CARB)
- National Ambient Air Quality Standards (NAAQS)
- United States Environmental Protection Agency (US EPA)
- Particulate Matter<sub>2.5</sub> (PM<sub>2.5</sub>)

# Recommended Actions

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1. Adopt the proposed 2026 Legislative Platform
2. Adopt positions on pending state and federal legislative bills where appropriate, including, but not limited to the following Air District staff recommendations:
  - State Legislation (See Slide 4)
  - Federal Legislation (See Slide 5)

# Recommended Action #2 (State Legislation)

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## SUPPORT

- **AB 1777 (Garcia)** – Air pollution: indirect sources

# Recommended Action #2 (Federal Legislation)

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## OPPOSE

- **H.R. 161 (Griffith-R-VA-9)** – New Source Review Permitting Improvement Act
- **H.R. 4214 (Allen-R-GA-12)** – Clean Air and Building Infrastructure Improvement Act
- **H.R. 4218 (Carter-R-GA-1)** – Clean Air and Economic Advancement Reform (CLEAR) Act
- **H.R. 6409 (Pfluger-R-TX-11)** – Foreign Emissions and Nonattainment Clarification for Economic Stability (FENCES) Act

# Proposed 2026 Legislative Platform

State Budget | State Legislation |  
Federal Legislation and Regulatory Activities

# State Budget

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1. State Funding for Clean Air Projects
2. Greenhouse Gas Reduction Fund
3. AB 617 Community Air Protection Program Implementation and Incentive Funding
4. Wildfire Mitigation and Public Health Response
5. Clean Tech Financing
6. Low-Carbon Transportation Incentives

# State Legislation

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1. Address Legal Barriers to Environmental Justice
2. AB 617 Community Air Protection Program
3. Vehicle Emissions and Reducing Vehicle Miles Traveled
4. Climate Change
5. Green and Healthy Buildings
6. Wildfire Smoke Public Health Response
7. Emergency Backup Generation
8. Toxic Air Emissions
9. Wildfire Smoke Mitigation/Prescribed Fire
10. Stationary Source Greenhouse Gas Authority
11. Land Use

# Federal Legislation and Regulatory Activity

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1. Federal Funding for Air District Clean Air Programs
2. Wildfire Smoke Public Health Response
3. Clean Transportation Programs
4. Clean Energy Programs
5. Particulate Matter Standards
6. Vehicle Emission Standards
7. Climate Change
8. Green and Healthy Buildings
9. Leaded Aviation Gas

# Consideration of State Legislation

# AB 1777 (Garcia)

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## **Air pollution: indirect sources**

This bill would clarify that CARB has authority to adopt indirect source. The bill does not require CARB to adopt specific measures, but it would give them another tool to reduce vehicle emissions at large magnet sources, which is important due to some of their regulatory authority being taken away at the federal level.

Status: Introduced on February 9, 2026

Committee Recommendation: Support

# Consideration of Federal Legislation

# H.R. 161 (Griffith-R-VA-9)

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## **New Source Review Permitting Improvement Act**

This bill would make changes to the Federal Clean Air Act related to what is defined as a modification for purposes of New Source Review permitting and potentially weakens requirements for such permitting.

The bill also includes language that seems to allow for emissions increases at facilities as long as there is a pollution decrease “per unit” of production.

Committee Recommendation: Oppose

# H.R. 4214 (Allen-R-GA-12)

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## **Clean Air and Building Infrastructure Improvement Act**

This bill singles out US EPA's annual NAAQS exposure limit for PM<sub>2.5</sub> that was tightened in 2024. The stricter standard's future is now in flux after the Trump Administration in November asked a federal appeals court to scrap it. This bill would meanwhile limit the stricter standard's use for permitting purposes.

Committee Recommendation: Oppose

# H.R. 4218 (Carter-R-GA-1)

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## **Clean Air and Economic Advancement Reform (CLEAR) Act**

The bill would lengthen the review cycle for ozone, PM<sub>2.5</sub>, and four other pollutants covered by US EPA's NAAQS from five years to 10. It would also let US EPA take "likely attainability" into account when weighing the possibility of strengthening any of those standards. Currently, the Agency can only consider public health needs.

Committee Recommendation: Oppose

# H.R. 6409 (Pfluger-R-TX-11)

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## **Foreign Emissions and Nonattainment Clarification for Economic Stability (FENCES) Act**

The bill would make it easier for state and local regulators to claim compliance waivers for air pollution from sources outside the United States' borders or otherwise deemed outside of their control, including mobile sources operating under federal emission standards.

Committee Recommendation: Oppose

# Recap: Recommended Actions

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1. Adopt the proposed 2026 Legislative Platform
2. Adopt positions on pending state and federal legislative bills where appropriate, including, but not limited to the following Air District staff recommendations:
  - State Legislation (See Slide 18)
  - Federal Legislation (See Slide 19)

# Recommended Action #2 (State Legislation)

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# Questions & Discussion

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