BOARD OF DIRECTORS
POLICY, GRANTS, AND TECHNOLOGY COMMITTEE
February 18, 2026

COMMITTEE MEMBERS

VICKI VEENKER – CHAIR
MARGARET ABE-KOGA
BRIAN COLBERT
JOELLE GALLAGHER
RAY MUELLER
LENA TAM

JUAN GONZÁLEZ III – VICE-CHAIR
KEN CARLSON
NOELIA CORZO
RICO MEDINA
MARK SALINAS

MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC

Bay Area Metro Center
1st Floor Board Room
375 Beale Street
San Francisco, CA 94105

Alameda County
Board of Supervisors District 3
101 Callan Ave., Suite 103
San Leandro, CA 94577

Office of Santa Clara County
70 W. Hedding St.
10th Floor Conference Room
San Jose, CA 95110

San Mateo County
Board of Supervisors' Office
5th Floor
500 County Center
Redwood City, CA 94063

City of San Bruno
567 El Camino Real, Room 138
San Bruno, CA 94066

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Policy, Grants, and Technology Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom athttps://bayareametro.zoom.us/j/84042066851, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 840 4206 6851

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 a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the Air District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The Air District is committed to maintaining a workplace free of unlawful harassment and is mindful that Air District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

POLICY, GRANTS, AND TECHNOLOGY COMMITTEE
MEETING AGENDA

WEDNESDAY, FEBRUARY 18, 2026
10:00 AM

Chairperson, Vicki Veenker

1. **Call to Order - Roll Call**

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

2. **Pledge of Allegiance**

CONSENT CALENDAR (Items 3 - 4)

The Consent Calendar consists of routine items that may be approved together as a group by one action of the Committee. Any Committee member or member of the public may request that an item be removed and considered separately.

3. Approval of the Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025

   The Committee will consider approving the Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025.

4. Authorization to Participate in the Climate Heat Impact Response Program

   The Committee will consider recommending that the Board of Directors (i) authorize the Air District's acceptance of Climate Heat Impact Response Program funds and participation in the program, and (ii) authorize the Executive Officer/APCO to enter into all necessary agreements to accept, obligate, and expend these funds.

ACTION ITEM(S)

5. 2026 Legislative Platform and State and Federal Legislative Updates

The Committee will consider recommending that the Board of Directors (i) adopt the proposed 2026 Legislative Platform, and (ii) adopt positions on pending state and federal legislative bills where appropriate, including, but not limited to the following Air District staff recommendations:

State Legislation:

- *Support Assembly Bill 1777 (Garcia)*

Federal Legislation:

- *Oppose House of Representatives Bill 161 (Griffith-R-VA-9)*
- *Oppose House of Representatives Bill 4214 (Allen-R-GA-12)*
- *Oppose House of Representatives Bill 4218 (Carter-R-GA-1)*
- *Oppose House of Representatives Bill 6387 (Evans-R-CO-8)*
- *Oppose House of Representatives Bill 6409 (Pfluger-R-TX-11)*

In addition, the Committee will discuss state legislative updates and recent events of significance on the federal level. This item will be presented by Alan Abbs, Legislative Officer in the Legislative and Government Affairs Division.

6. Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for Fiscal Year Ending 2025

The Committee will consider recommending to the Board of Directors that the Board adopt a determination that the Transportation Fund for Clean Air Projects 60% Fund expenditures were effective in improving air quality in Fiscal Year Ending 2025. This item will be presented by Minda Berbeco, Manager in the Strategic Incentives Division.

INFORMATIONAL ITEM(S)

7. Data Center Overview and Considerations

The Committee will discuss an overview of data centers, including key issues and emerging legislation. This item will be presented by Jamesine Rogers Gibson, Senior Advanced Projects Advisor in the Planning and Climate Protection Division, Alan Abbs, Legislative Officer in the Legislative and Government Affairs Division, and Dr. Joshua Lappen, Air District Consultant and Postdoctoral Research Associate in the Keough School of Global Affairs at the University of Notre Dame.

OTHER BUSINESS

8. 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 will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the Air District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The Air District is committed to maintaining a workplace free of unlawful harassment and is mindful that Air District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

9. Committee Member Comments

Any member of the Committee, or its staff, on their own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on their 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)

10. Time and Place of Next Meeting

Wednesday, March 18, 2026, at 10:00 a.m. The meeting will be held in-person at the Bay Area Metro Center and at satellite locations as may be specified on the meeting agenda using a remote teleconferencing link. Members of the Policy, Grants, and Technology Committee and the public may attend at any of those in-person locations, and members of the public may also attend virtually via webcast.

11. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:
MANAGER, EXECUTIVE OPERATIONS **(415) 749-4941**
375 BEALE STREET, SAN FRANCISCO, CA 94105 **FAX: (415) 928-8560**
vjohnson@baaqmd.gov **Air District 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 less than 72 hours before the meeting 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 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, Diana Ruiz, Acting Environmental Justice and Community Engagement Officer at (415) 749-8840 or by email at druiz@baaqmd.gov.

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

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

FEBRUARY 2026

TYPE OF MEETING	DAY	DATE	TIME	ROOM
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	10:00 a.m.	1st Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	18	1:00 p.m.	1st Floor Board Room

MARCH 2026

TYPE OF MEETING	DAY	DATE	TIME	ROOM
Board of Directors Meeting	Wednesday	4	10:00 a.m.	1st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	11	10:00 a.m.	1st Floor, Yerba Buena Room
Board of Directors Community Equity, Health, and Justice Committee	Wednesday	11	1:00 p.m.	1st Floor, Yerba Buena Room
Advisory Council Meeting	Monday	16	9:00 a.m.	1st Floor, Yerba Buena Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	10:00 a.m.	1st Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	18	1:00 p.m.	1st Floor Board Room
Community Advisory Council Meeting	Thursday	19	6:00 p.m.	Juntos Fruitvale 3357 International Boulevard Oakland, CA 94601

HL 2/11/26 – 1:55 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Vicki Veenker and Members of the Policy, Grants, and Technology Committee

From: Philip M. Fine
Executive Officer/APCO

Date: February 18, 2026

Re: Approval of the Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025

RECOMMENDED ACTION

Approve the attached Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENT(S):

1. Draft Minutes of the Policy, Grants, and Technology Committee Meeting of December 17, 2025

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

Policy, Grants, and Technology Committee Meeting
Wednesday, December 17, 2025

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at
www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Policy, Grants, and Technology Committee (Committee) Chairperson, Vicki Veenker, called the meeting to order at 10:02 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center (375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Committee Chairperson Vicki Veenker.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor Ken Carlson 2255 Contra Costa Blvd., Suite 202 Pleasant Hill, CA 94523): Director Ken Carlson.

Present, In-Person Satellite Location (Alameda County Board of Supervisors District 3, Office of Supervisor Lena Tam, 101 Callan Avenue, Suite #103, San Leandro, CA 94577): Director Lena Tam.

Present, In-Person Satellite Location (San Mateo County Board of Supervisors, 500 County Center, 5th Floor, Redwood City, CA 94063): Director Ray Mueller.

Present, In-Person Satellite Location (Office of Alameda County Supervisor David Haubert, Scott Haggerty House, 4501 Pleasanton Ave, Pleasanton, CA 94566): Director David Haubert.

Present, In-Person Satellite Location (Office of the Mayor, 2nd Floor, Room 201, 835 E.14th Street, San Leandro, CA 94577): Vice Chair González.

Absent: Directors Margaret Abe-Koga, Joelle Gallagher, Otto Lee, and Rico E. Medina.

2. PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

3. APPROVAL OF THE DRAFT MINUTES OF THE POLICY, GRANTS, AND TECHNOLOGY COMMITTEE MEETING OF NOVEMBER 19, 2025

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Vice Chair González made a motion, seconded by Director Carlson, to **approve** the Draft Minutes of the Policy, Grants, and Technology Committee Meeting of November 19, 2025; and the motion **carried** by the following vote of the Committee:

AYES:	Carlson, González, Haubert, Mueller, Tam, Veenker.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Abe-Koga, Gallagher, Lee, Medina.

ACTION ITEM

4. PROPOSED 2026 LEGISLATIVE ACTIVITIES

Alan Abbs, Legislative Officer, gave the staff presentation *Proposed 2026 Legislative Activities,* including: recommended action; abbreviations; key dates and deadlines – 2026 Legislative Session; proposed Legislative activities for 2026 – California Air Resources Board (CARB) Air District Board Members compensation, California Environmental Quality Act (CEQA) streamlining, Air District Advisory Council, Air District Board representation, heat pump permit streamlining, Air District permit streamlining, heat pump mitigation fee, housing/CEQA; indirect source regulation; and recommended action.

Public Comments

No requests received.

Committee Comments

The Committee and Air District staff discussed whether the Board may create a technical Advisory Council that includes members of industry; whether the Air District has any active ad hoc committees that involve members of industry; the desire for financial assistance for implementation costs for Rule 9-6 and 9-4, whether there are potential partners and advocates

with whom the Air District could form a coalition to raise funding, such as Senator Scott Wiener, who introduced Senate Bill 222, the Heat Pump Access Act; the need to consider cost recovery when developing policy around uniform pricing for permit applications; and the need to consider impacts to middle-income households from the Air District's gas appliance rules.

Committee Action

Vice Chair González made a motion, seconded by Director Carlson, to recommend the Board of Directors **approve** the proposed legislative activities for the 2026 Legislative Session; and the motion **carried** by the following vote of the Committee:

AYES:	Carlson, González, Haubert, Mueller, Tam, Veenker.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Abe-Koga, Gallagher, Lee, Medina.

INFORMATIONAL ITEM

5. TRANSPORTATION FUND FOR CLEAN AIR PROGRAM AUDIT #26 RESULTS

Joseph Moussa, from audit partner, Simpson & Simpson, LLP, gave the presentation *Presentation of the Transportation Fund for Clean Air Program Audit #26 Results,* including: agenda; Auditor's required communications - Statements on Auditing Standards 114; audit results and highlights of the schedule of expenditures; and other program compliance review.

Public Comments

No requests received.

Committee Comments

The Committee and Air District staff discussed whether the three cities that were involved in instances of a material weakness in internal control have committed to a corrective action plan; and whether there was any indication of fraud in these instances.

Committee Action

No action taken.

OTHER BUSINESS

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

7. COMMMITTEE MEMBER COMMENTS

Director Haubert asked for the date, time, and location of the upcoming Board Retreat in 2026.

Committee Chair Veenker thanked Greg Nudd, Deputy Executive Officer of Policy, for attending the City of Palo Alto's Climate Action Workshop on Residential Building Electrification, held on December 13, 2025.

8. TIME AND PLACE OF NEXT MEETING

Wednesday, February 18, 2026, at 10:00 a.m. The meeting will be held in-person at the Bay Area Metro Center and at satellite locations as may be specified on the meeting agenda using a remote teleconferencing link. Members of the Policy, Grants, and Technology Committee and the public may attend at any of those in-person locations, and members of the public may also attend virtually via webcast.

9. ADJOURNMENT

The meeting was adjourned at 11:16 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Vicki Veenker and Members
of the Policy, Grants, and Technology Committee

From: Philip M. Fine
Executive Officer/APCO

Date: February 18, 2026

Re: Authorization to Participate in the Climate Heat Impact Response Program

RECOMMENDED ACTION

Recommend to the Board of Directors that the Board:

1. Authorize the Air District's participation in the Climate Heat Impact Response Program and to accept fiscal year 2025-2026 program funds from the California Air Resources Board; and

2. Authorize the Executive Officer/APCO to enter into all agreements necessary to accept, obligate, and extend Climate Heat Impact Response Program funds.

BACKGROUND

The purpose of the state's Climate Heat Impact Response Program (CHIRP) incentives is to mitigate the emissions caused by the use of backup generators and other power sources that are allowed to operate beyond their permitted or regulated limits during extreme heat events, such as a heatwave. To increase power supply and reduce demand on the electrical grid to avoid power outages, the Governor issues a proclamation of a state of emergency that allows the increased emissions. A majority of the increased emissions occur in disadvantaged communities affecting the most vulnerable populations. The CHIRP incentive program was established to fund mitigation projects that offset the increased emissions allowed by the proclamation.

The CHIRP incentive program was created through the Proclamation of a State of Emergency signed by Governor Gavin Newsom on July 30, 2021 (2021 Proclamation), which directed the California Air Resources Board (CARB) to develop a State-funded mitigation plan. Assembly Bill (AB) 205 (Chapter 61, Statutes of 2021) designated the California Energy Commission (CEC) to fund CHIRP mitigation. Funds were transferred to CARB in September 2025.

CHIRP incentives may be used to fund any project eligible under either the Carl Moyer Program or the Community Air Protection (CAP) Incentives program. This includes the

full range of source categories and project types in both sets of program guidelines. In addition, CARB will consider alternative project proposals submitted by districts that fall outside of the Carl Moyer Program or CAP Incentives eligibility, provided they align with CHIRP objectives.

DISCUSSION

A total of approximately $22.7 million in 2022 CHIRP funding was tentatively allocated by CARB to 26 air districts. Using air district data, allocations were based on a weighting of 35% CHIRP emissions data, 35% air quality severity, and 30% District population. The Bay Area Air District was tentatively allocated $4,335,668.

On January 15, 2026, the Air District applied to CARB to accept the tentative allocation of 2022 CHIRP funding and any additional funding that may become available for fiscal year 2025-2026. This program does not require any local match requirement.

The Air District intends to meet CARB's requirements and CHIRP objectives by using these funds to develop and implement a program that reduces or mitigates emissions from diesel stationary backup generators with a focus on zero-emission alternatives. As required by CARB, the Air District will administer funds received through the CHIRP program in accordance with the administration requirements in Chapter 3, Program Administration, of the 2024 Carl Moyer Program Guidelines as required by CARB.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The revenue from CHIRP is expected to be at least $4,335,668 and may be more depending on future availability of the $22.7 million. Up to 12.5% of the funds received may be used by the Air District to pay administrative expenses related to the implementation of the program. These funds must be fully liquidated by June 30, 2033. If approved, the Air District would use existing staff and resources to administer these new monies.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alona Davis and Adam Shapiro
Reviewed by: Arsenio Mataka

ATTACHMENT(S):

None

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Vicki Veenker and Members
of the Policy, Grants, and Technology Committee

From: Philip M. Fine
Executive Officer/APCO

Date: February 18, 2026

Re: 2026 Legislative Platform and State and Federal Legislative Updates

RECOMMENDED ACTION

Recommend to the Board of Directors that the Board:

1. Adopt the proposed 2026 Legislative Platform

2. Adopt positions on pending state legislative bills where appropriate, including, but not limited to the following Air District staff recommendations:

   State Legislation:

   - Support Assembly Bill 1777 (Garcia)

   Federal Legislation:

   - Oppose House of Representatives Bill 161 (Griffith-R-VA-9)
   - Oppose House of Representatives Bill 4214 (Allen-R-GA-12)
   - Oppose House of Representatives Bill 4218 (Carter-R-GA-1)
   - Oppose House of Representatives Bill 6387 (Evans-R-CO-8)
   - Oppose House of Representatives Bill 6409 (Pfluger-R-TX-11)

BACKGROUND

Legislative Platform

The Legislative Platform provides overall advocacy principles to the Board of Directors and its Policy, Grants, and Technology Committee (Committee), and provides guidance to Air District staff for the upcoming year.

The Legislative Platform is divided into three sections – state budget, state legislation, and federal legislation and regulatory activity. The Legislative Platform does not commit the Air District to positions on every legislative proposal in the listed categories, but it

does provide a metric for use in bringing proposals to the Committee for discussion and recommendations to the Board for the Board's consideration.

The 2025 Committee discussed the proposed 2026 Legislative Platform at their meeting on November 17, 2025, and feedback from the Committee was to be incorporated into the document and presented at the Committee's first meeting in 2026 as an action item. Feedback from the November 17, 2025, Committee meeting did not include making any changes to the proposed 2026 Legislative Platform document.

State Legislative Updates

Attached are three bill reports:

1. Bills of Interest Matrix – all the bills that the Air District is currently tracking – arranged by category
2. Board-Approved-Position Bills – bills that are still moving through the legislative process as of February 1, 2026, the day after the January 31, 2026, deadline for each house to pass bills introduced in that house in the odd-numbered year
3. Bills for Discussion

Upcoming key bill dates and deadlines for Members are listed below, and the 2026 Tentative Legislative Calendar is attached.

February 20, 2026	Last day for bills to be introduced
May 29, 2026	Last day for each house to pass bills introduced in that house
August 31, 2026	Last day for each house to pass bills
September 30, 2026	Last day for the Governor to sign or veto bills passed by the Legislature before September 1 and in the Governor's possession on or after September 1
November 3, 2026	General Election
November 30, 2026	Adjournment *sine die* at midnight
December 7, 2026	12 Noon convening of the 2027-28 Regular Session
January 1, 2027	Statutes take effect

DISCUSSION

2026 Legislative Platform

The Committee will discuss and consider recommending that the Board approve the attached proposed 2026 Legislative Platform.

State Legislative Updates

Air District staff will provide a brief summary and status of active bills the Air District has taken a position on and may recommend additional bills to support, oppose and work with the author during the session. These bills include, but are not limited to the following:

Board-Approved-Position and/or Air District Staff Recommendation (if any):

Co-Sponsor:

- Senate Bill (SB) 222 (Wiener) – Heat Pump Access Act

Support:

- Assembly Bill (AB) 907 (Chen) – State Air Resources Board: board members: compensation

Propose Support:

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

Additional Bills of Interest for Discussion:

- AB 1553 (Connolly) – California Environmental Quality Act
- AB 1584 (Jackson) – State Air Resources Board: Office of Civil Rights
- AB 1600 (Arambula) – Disadvantaged communities: farmworker communities
- AB 1612 (Alanis) – Incineration of controlled substances: California Environmental Quality Act: law enforcement exemption
- AB 1684 (Ward) – Common interest developments: cooling systems
- SB 58 (Padilla) – Air quality: standard: hydrogen sulfide
- SB 811 (Caballero) – Hazardous materials: metal shredding facilities
- SB 885 (Strickland) – Major regulations
- SB 899 (Grove) – Fire prevention: Wildfire and Forest Resilience Task Force: wildfire smoke
- SB 954 (Blakespear) – California Environmental Quality Act: exemptions: natural and protected lands: advanced manufacturing: childcare facilities
- SB 973 (Becker) – Wildfire County Coordinator Program
- SB 982 (Wiener) – Climate disasters: civil actions

Additional bill information may be found on the California Legislative Information website.

Federal Legislative Updates

The Committee will discuss a brief summary on recent events of significance on the federal level, including pending Federal legislation. Air District staff-recommended positions are noted below.

- House of Representatives Bill (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. 6387 (Evans-R-CO-8) – Fire Improvement and Reforming Exceptional Events (FIRE) Act
- H.R. 6409 (Pfluger-R-TX-11) – Foreign Emissions and Nonattainment Clarification for Economic Stability (FENCES) Act

Additional Federal Bills of Interest for Discussion:

- H.R. 6373 (Palmer-R-AL-6) – Air Permitting Improvements to Protect National Security Act of 2025

- H.R. 6398 (Joyce-R-PA-13) – Reducing and Eliminating Duplicative Environmental Regulations Act (RED Tape Act)

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Viet Tran

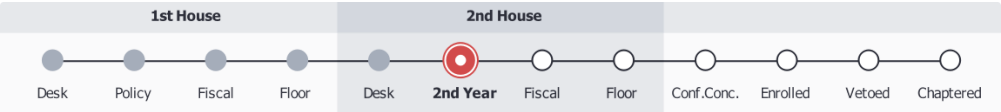
ATTACHMENT(S):

1. Bills of Interest Matrix - As of February 10, 2026 - By Category
2. CapitolTrack - Board-Approved-Position Bills - As of February 10, 2026
3. Additional Bills of Interest for Discussion - As of February 10, 2026
4. AB 1777 (Garcia) - Bill Text - As Introduced on February 9, 2026
5. H.R. 161 (Griffith-R-VA-9) - Bill Text
6. H.R. 4214 (Allen-R-GA-12) - Bill Text
7. H.R. 4218 (Carter-R-GA-1) - Bill Text
8. H.R. 6387 (Evans-R-CO-8) - Bill Text
9. H.R. 6409 (Pfluger-R-TX-11) - Bill Text
10. 2026 Legislative Platform and State and Federal Legislative Updates Presentation

Bill #	Author	Subject	Last Amended	Last Status - As of 2/10/2026	Location	Notes	Position	Priority (Low/Medium/High)	Category
SB 982	Wiener	Climate disasters: civil actions.		02/05/2026 - From printer. May be acted upon on or after March 7.	02/04/2026 - Senate Rules			Low	Climate Change
AB 306	Schultz	Building regulations: state building standards.	6/23/2025	06/23/2025 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.	04/23/2025 - Senate Housing			Low	Energy
AB 1016	Gonzalez, Jeff	Power facility and site certifications: thermal powerplants: geothermal resources.	6/19/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E. U., & C. on 6/4/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	Energy
AB 1677	Boerner	Public utilities: affordability.		02/03/2026 - From printer. May be heard in committee March 5.	02/02/2026 - Assembly PRINT			Low	Energy
AB 1745	Gonzalez, Jeff	Motor Vehicle Fuel Tax Law: suspension of tax.		02/09/2026 - Read first time. To print.	02/09/2026 - Assembly PRINT			Low	Energy
SB 222	Wiener	Residential heat pump systems: water heaters and HVAC: installations.	1/15/2026	01/26/2026 - Read third time. Passed. (Ayes 29. Noes 8.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/26/2026 - Assembly DESK	Board Approval 2/4/2026	Air District Co-Sponsor	High	Energy
SB 540	Becker	Independent System Operator: independent regional organization: California Renewables Portfolio Standard Program.	5/29/2025	09/09/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was U. & E. on 7/10/2025)(May be acted upon Jan 2026)	07/17/2025 - Assembly 2 YEAR			Low	Energy
SB 887	Padilla	California Environmental Quality Act: environmental leadership development projects: data centers.		01/14/2026 - From printer. May be acted upon on or after February 13.	01/13/2026 - Senate Rules			Low	Energy
SB 913	Becker	Alternative certification.		01/28/2026 - From printer. May be acted upon on or after February 27.	01/27/2026 - Senate Rules			Low	Energy
SB 943	Becker	Public utilities: electricity: transmission charge: industrial transition usage.		02/03/2026 - From printer. May be acted upon on or after March 5.	02/02/2026 - Senate Rules			Low	Energy
AB 1584	Jackson	State Air Resources Board: Office of Civil Rights.		01/14/2026 - From printer. May be heard in committee February 13.	01/13/2026 - Assembly PRINT			Low	Environmental Justice
AB 1600	Arambula	Disadvantaged communities: farmworker communities.		02/09/2026 - Referred to Com. on E.S & T.M.	02/09/2026 - Assembly Environmental Safety and Toxic Materials			Low	Environmental Justice
AB 259	Rubio, Blanca	Open meetings: local agencies: teleconferences.	4/21/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 5/14/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	General-Air District
AB 1338	Solache	Metal shredding facilities: regulations.	4/3/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/4/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	General-Air District
AB 1578	Jackson	State and local officials: antihate speech training.		01/13/2026 - From printer. May be heard in committee February 12.	01/12/2026 - Assembly PRINT			Low	General-Air District
SB 526	Menjivar	South Coast Air Quality Management District: air quality.	4/29/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 6/16/2025)(May be acted upon Jan 2026)	07/17/2025 - Assembly 2 YEAR			Low	General-Air District
SB 994	Cabaldon	Local government: nondisclosure agreements.		02/09/2026 - From printer. May be acted upon on or after March 8.	02/05/2026 - Senate Rules			Low	General-Air District
AB 272	Aguiar-Curry	Heavy-Duty Vehicle Inspection and Maintenance Program.	3/13/2025	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/2/2025)(May be acted upon Jan 2026)	09/11/2025 - Senate 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 605	Muratsuchi	Lower Emissions Cargo Handling Equipment Pilot program.	4/10/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/18/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 745	Irwin	Electricity: climate credits.	5/30/2025	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/10/2025)(May be acted upon Jan 2026)	09/11/2025 - Senate 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 1039	Hart	State-funded assistance grants and contracts: advance payments.	6/18/2025	08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/8/2025)(May be acted upon Jan 2026)	08/28/2025 - Senate 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 1777	Garcia	Air pollution: indirect sources.		02/09/2026 - Read first time. To print.	02/09/2026 - Assembly PRINT		Propose Support	Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
AB 28	Schiavo	Solid waste landfills: subsurface temperatures.	9/3/2025	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/8/2025)(May be acted upon Jan 2026)	09/11/2025 - Senate 2 YEAR			Low	Other
AB 34	Patterson	California Renewables Portfolio Standard Program: local publicly owned electric utilities: large hydroelectric generation.	1/5/2026	01/27/2026 - In Senate. Read first time. To Com. on RLS. for assignment.	01/27/2026 - Senate Rules			Low	Other
AB 40	Bryan	Redistricting: congressional districts.	8/21/2025	09/13/2025 - Ordered to inactive file at the request of Senator Grayson.	09/13/2025 - Senate INACTIVE FILE			Low	Other
AB 643	Wilson	Climate change: short-lived climate pollutants: organic waste reduction.	1/14/2026	01/27/2026 - In Senate. Read first time. To Com. on RLS. for assignment.	01/27/2026 - Senate Rules			Low	Other
AB 881	Petrie-Norris	Public resources: transportation of carbon dioxide.	8/28/2025	09/13/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/8/2025)(May be acted upon Jan 2026)	09/11/2025 - Assembly 2 YEAR			Low	Other
AB 907	Chen	State Air Resources Board: board members: compensation.		07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/18/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR	Board Approval 2/5/2025	Support	Medium	Other
AB 1337	Ward	Information Practices Act of 1977.	5/23/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 6/11/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	Other
AB 1553	Connolly	California Environmental Quality Act.		01/09/2026 - From printer. May be heard in committee February 8.	01/08/2026 - Assembly PRINT			Low	Other

Bill #	Author	Subject	Last Amended	Last Status - As of 2/10/2026	Location	Notes	Position	Priority (Low/Medium/High)	Category
AB 1563	Gabriel	Budget Act of 2026.		01/10/2026 - From printer.	01/09/2026 - Assembly PRINT			Medium	Other
AB 1577	Bauer-Kahan	Data centers: monthly reporting.		01/13/2026 - From printer. May be heard in committee February 12.	01/12/2026 - Assembly PRINT			Low	Other
AB 1612	Alanis	Incineration of controlled substances: California Environmental Quality Act: law enforcement exemption.		01/22/2026 - From printer. May be heard in committee February 21.	01/21/2026 - Assembly PRINT			Low	Other
AB 1684	Ward	Common interest developments: cooling systems.		02/03/2026 - From printer. May be heard in committee March 5.	02/02/2026 - Assembly PRINT			Medium	Other
AB 1725	Caloza	Residential buildings: methane mitigation systems.		02/06/2026 - From printer. May be heard in committee March 8.	02/05/2026 - Assembly PRINT			Low	Other
AB 1751	Quirk-Silva	Missing Middle Townhome Ownership Act.		02/09/2026 - Read first time. To print.	02/09/2026 - Assembly PRINT			Low	Other
SB 58	Padilla	Air quality: standard: hydrogen sulfide.	1/14/2026	01/26/2026 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/26/2026 - Assembly DESK			Low	Other
SB 239	Arreguín	Open meetings: teleconferencing: subsidiary body.	4/7/2025	01/27/2026 - Read third time. Passed. (Ayes 29. Noes 11.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/27/2026 - Assembly DESK			Low	Other
SB 299	Cabaldon	California Environmental Quality Act: exemption: day care center: family daycare home: zoning.	1/14/2026	01/26/2026 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/26/2026 - Assembly DESK			Medium	Other
SB 417	Cabaldon	The Affordable Housing Bond Act of 2026.	1/22/2026	01/27/2026 - Read third time. Urgency clause adopted. Passed. (Ayes 30. Noes 9.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/27/2026 - Assembly DESK			Low	Other
SB 522	Wahab	Housing: tenant protections.	9/3/2025	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/10/2025)(May be acted upon Jan 2026)	09/11/2025 - Assembly 2 YEAR			Low	Other
SB 811	Caballero	Hazardous materials: metal shredding facilities.	1/22/2026	01/27/2026 - Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	01/27/2026 - Assembly DESK			Low	Other
SB 879	Laird	Budget Act of 2026.		01/12/2026 - Read first time.	01/09/2026 - Senate Budget and Fiscal Review			Medium	Other
SB 885	Strickland	Major regulations.		01/14/2026 - From printer. May be acted upon on or after February 13.	01/13/2026 - Senate Rules			Low	Other
SB 954	Blakespear	California Environmental Quality Act: exemptions: natural and protected lands: advanced manufacturing: childcare facilities.		02/03/2026 - From printer. May be acted upon on or after March 5.	02/02/2026 - Senate Rules			Low	Other
SB 986	Seyarto	Major regulations.		02/09/2026 - From printer. May be acted upon on or after March 8.	02/05/2026 - Senate Rules			Low	Other
AB 35	Alvarez	Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Administrative Procedure Act: exemption: program guidelines and selection criteria.	1/14/2026	01/27/2026 - In Senate. Read first time. To Com. on RLS. for assignment.	01/27/2026 - Senate Rules			Low	Transportation
AB 735	Carrillo	Planning and zoning: logistics use developments: truck routes.	9/9/2025	09/13/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2025)(May be acted upon Jan 2026)	09/13/2025 - Senate 2 YEAR			Low	Transportation
AB 839	Rubio, Blanca	California Environmental Quality Act: expedited judicial review: sustainable aviation fuel projects.	6/24/2025	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/4/2025)(May be acted upon Jan 2026)	07/17/2025 - Senate 2 YEAR			Low	Transportation
SB 899	Grove	Fire prevention: Wildfire and Forest Resilience Task Force: wildfire smoke.		01/21/2026 - From printer. May be acted upon on or after February 20.	01/20/2026 - Senate Rules			Low	Wildfire/Smoke/PSPS
SB 973	Becker	Wildfire County Coordinator Program.		02/05/2026 - From printer. May be acted upon on or after March 7.	02/04/2026 - Senate Rules			Medium	Wildfire/Smoke/PSPS
Total Active Bills	51						Low: Medium: High:	43 7 1	

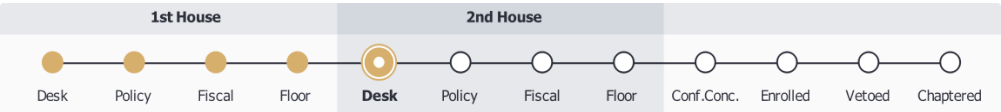
AB 907 **(Chen, R) State Air Resources Board: board members: compensation.**
Current Text: 02/19/2025 - Introduced **HTML** **PDF**
Introduced: 02/19/2025
Status: 07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/18/2025)(May be acted upon Jan 2026)



Location: 07/17/2025 - Senate 2 YEAR
Summary: Current law establishes the State Air Resources Board consisting of 14 members with 12 members appointed by the Governor, with the consent of the Senate. Current law provides that, of the 12 members appointed by the Governor, 6 of those members are to be from certain air quality management districts or air pollution control districts, as provided. In addition to the 14 members of the state board, current law provides that 2 Members of the Legislature serve on the state board as ex officio, nonvoting members of the state board. Current law provides that members appointed as members from the air districts serve on the state board without compensation. This bill would repeal the prohibition on compensation of the members of the state board from air districts and would specify that those members are to receive the annual salary provided to other members of the state board. The bill would repeal the per diem amount provided to elected official members of the state board. (Based on 02/19/2025 text)
Is Urgency: N
Is Fiscal: Y
Votes:
04/07/25 - **ASM. NAT. RES.** (Y:14 N:0 A:0) (P)
05/23/25 - **ASM. APPR.** (Y:14 N:0 A:1) (P)
06/03/25 - **ASM. THIRD READING** (Y:49 N:6 A:24) (P)
Text History:
02/19/25 - Introduced **htm** **pdf** **doc** **atl**
History:
06/18/2025 - Referred to Com. on E.Q.
06/04/2025 - In Senate. Read first time. To Com. on RLS. for assignment.
06/03/2025 - Read third time. Passed. Ordered to the Senate. (Ayes 49. Noes 6. Page 2032.)
05/27/2025 - Read second time. Ordered to third reading.
05/23/2025 - From committee: Do pass. (Ayes 14. Noes 0.) (May 23).
04/23/2025 - In committee: Set, first hearing. Referred to suspense file.
04/08/2025 - Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 7). Re-referred to Com. on APPR.
03/03/2025 - Referred to Com. on NAT. RES.
02/20/2025 - From printer. May be heard in committee March 22.
02/19/2025 - Read first time. To print.

Position: Support
Priority: Medium
Notes:
Board Approval
2/5/2025

SB 222 **(Wiener, D) Residential heat pump systems: water heaters and HVAC: installations.**
Current Text: 01/15/2026 - Amended **HTML** **PDF**
Introduced: 01/27/2025
Last Amended: 01/15/2026
Status: 01/26/2026 - Read third time. Passed. (Ayes 29. Noes 8.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.



Location: 01/26/2026 - Assembly DESK

Summary: Current law requires the State Energy Resources Conservation and Development Commission, on or before January 1, 2019, in consultation with the Contractors State License Board, local building officials, and other stakeholders, to approve a plan that promotes compliance with specified regulations relating to building energy efficiency standards in the installation of central air-conditioning and heat pumps, as specified. Current law authorizes the commission to adopt regulations to increase compliance with permitting and inspection requirements for central air-conditioning and heat pumps, and associated sales and installations, consistent with the above-described plan. The bill would require a city, county, or city and county, beginning July 1, 2027, to adopt and offer asynchronous inspections for installations of residential heat pump water heater or heat pump HVAC systems, as defined, that do not require a licensed contractor and building inspector to be simultaneously present during the inspection. The bill would authorize a building inspector to contact the licensed contractor who performed the installation by telephone call or real-time video conferencing during their inspection, and, if the building inspector determines during an asynchronous inspection that there is an issue with an installation of the heat pump water heater or heat pump HVAC system and that the licensed contractor who performed the installation must be present to perform tests or cure the installation, to require the licensed contractor who performed the installation to schedule an additional inspection in which the building inspector and the licensed contractor who performed the installation are required to be simultaneously present during the additional inspection. (Based on 01/15/2026 text)

Is Urgency: N

Is Fiscal: Y

Votes:
04/08/25 - **SEN. JUD.** (Y:10 N:0 A:3) (P)
04/08/25 - **SEN. JUD.** (Y:5 N:2 A:6) (F)
01/06/26 - **SEN. HOUSING** (Y:10 N:0 A:1) (P)
01/14/26 - **SEN. L. GOV.** (Y:4 N:1 A:2) (P)
01/26/26 - **SEN. Senate 3rd Reading** (Y:29 N:8 A:3) (P)

Text History:
01/15/26 - Amended (Published 01/15/26 9:00p.m.) **htm** **pdf** **doc** **atl**
01/05/26 - Amended (Published 01/05/26 2:00p.m.) **htm** **pdf** **doc** **atl**
03/28/25 - Amended **htm** **pdf** **doc** **atl**
01/27/25 - Introduced **htm** **pdf** **doc** **atl**

History:
01/26/2026 - Read third time. Passed. (Ayes 29. Noes 8.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
01/21/2026 - Read second time. Ordered to third reading.
01/20/2026 - From committee: Be ordered to second reading pursuant to Senate Rule 28.8.
01/15/2026 - Read second time and amended. Re-referred to Com. on APPR. Set for hearing January 20.
01/14/2026 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (January 14).
01/08/2026 - Set for hearing January 14.
01/07/2026 - From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 10. Noes 0. Page 3183.) (January 6). Re-referred to Com. on L. GOV.
01/05/2026 - Set for hearing January 6 in HOUSING pending receipt. From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD. Withdrawn from committee. Re-referred to Com. on RLS. Re-referred to Coms. on HOUSING and L. GOV.
04/08/2025 - April 8 set for first hearing. Failed passage in committee. (Ayes 5. Noes 2. Page 705.) Reconsideration granted.
03/28/2025 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.
03/25/2025 - Set for hearing April 8.
02/05/2025 - Referred to Coms. on JUD. and INS.
01/28/2025 - From printer. May be acted upon on or after February 27.
01/27/2025 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

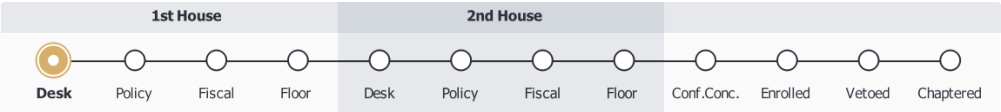
Position: Air District Co-Sponsor

Priority: High

Notes:
Board Approval 2/4/2026

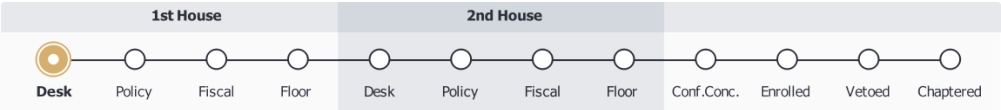
Total Measures: 2
Total Tracking Forms: 2

AB 1553 **(Connolly, D) California Environmental Quality Act.**
Current Text: 01/08/2026 - Introduced **HTML** **PDF**
Introduced: 01/08/2026
Status: 01/09/2026 - From printer. May be heard in committee February 8.



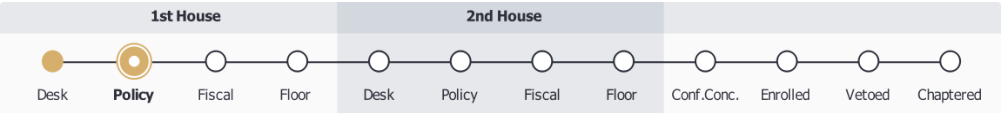
Location: 01/08/2026 - Assembly PRINT
Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law exempts from CEQA, except when located on natural and protected lands, as defined, a project that consists exclusively of a daycare center, as specified, a project that consists exclusively of a federally qualified health center or a rural health clinic, as specified, a project that consists exclusively of a nonprofit food bank or food pantry, as specified, and a project that consists exclusively of a facility for advanced manufacturing, as specified. This bill would state that it is the intent of the Legislature to enact subsequent legislation that would, among other things, provide that projects exempted from CEQA pursuant to the above-described provisions remain subject to, and in compliance with, all applicable state laws intended to protect public health, safety, and the environment. (Based on 01/08/2026 text)
Is Urgency: N
Is Fiscal: N
History:
01/09/2026 - From printer. May be heard in committee February 8.
01/08/2026 - Read first time. To print.

AB 1584 **(Jackson, D) State Air Resources Board: Office of Civil Rights.**
Current Text: 01/13/2026 - Introduced **HTML** **PDF**
Introduced: 01/13/2026
Status: 01/14/2026 - From printer. May be heard in committee February 13.



Location: 01/13/2026 - Assembly PRINT
Summary: Current law establishes within the California Environmental Protection Agency the State Air Resources Board. Current law provides for the establishment of air pollution control districts and air quality management districts. Current law generally vests regulatory jurisdiction over stationary sources of air pollution to the air pollution control districts and air quality management districts and regulatory jurisdiction over mobile sources of air pollution to the State Air Resources Board. This bill, contingent upon an appropriation by the Legislature in the annual Budget Act or another act for its purposes, would create the Office of Civil Rights within the state board. The bill would set forth the responsibilities of the office, including providing training on civil rights obligations to board staff, grantees, contractors, and subrecipients, and coordinating with air pollution control districts and air quality management districts and the California Environmental Protection Agency to align civil rights compliance efforts statewide. (Based on 01/13/2026 text)
Is Urgency: N
Is Fiscal: Y
History:
01/14/2026 - From printer. May be heard in committee February 13.
01/13/2026 - Read first time. To print.

AB 1600 **(Arambula, D) Disadvantaged communities: farmworker communities.**
Current Text: 01/16/2026 - Introduced **HTML** **PDF**
Introduced: 01/16/2026
Status: 02/09/2026 - Referred to Com. on E.S & T.M.



Location: 02/09/2026 - Assembly Environmental Safety and Toxic Materials

Summary: Current law defines “disadvantaged communities” and requires the California Environmental Protection Agency to identify disadvantaged communities for investment opportunities from the Greenhouse Gas Reduction Fund and for other purposes. This bill would expand the definition of “disadvantaged communities” by explicitly authorizing the inclusion of farmworker communities that meet certain requirements. The bill would require the agency, in consultation with the Department of Community Services and Development and the State Department of Public Health, to revise applicable screening tools and guidance documents to ensure the inclusion of farmworker communities as disadvantaged communities in all relevant program eligibility determinations and benefit calculations. (Based on 01/16/2026 text)

Is Urgency: N

Is Fiscal: Y

History:

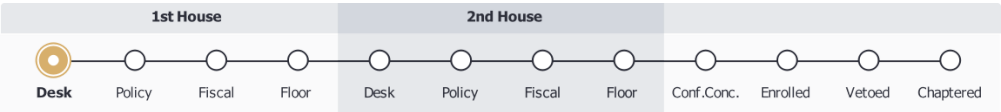
02/09/2026 - Referred to Com. on E.S & T.M.
01/17/2026 - From printer. May be heard in committee February 16.
01/16/2026 - Read first time. To print.

AB 1612 **(Alanis, R) Incineration of controlled substances: California Environmental Quality Act: law enforcement exemption.**

Current Text: 01/21/2026 - Introduced **HTML** **PDF**

Introduced: 01/21/2026

Status: 01/22/2026 - From printer. May be heard in committee February 21.



Location: 01/21/2026 - Assembly PRINT

Summary: The Uniform Controlled Substances Act authorizes the forfeiture and seizure of property involved in, or purchased with the proceeds from, a controlled substance offense. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. This bill would authorize a local police department, sheriff’s office, or state law enforcement agency to purchase and install an incinerator for the sole purpose of destroying seized controlled substances, as provided. The bill would require the local police department, sheriff’s office, or state law enforcement agency to follow specified federal regulations and to notify the State Air Resources Board and the local air quality management district or local air pollution control district of the project, as specified. The bill would authorize multiple law enforcement agencies to purchase and install an incinerator for these purposes through a memorandum of understanding that details cost sharing. The bill would exempt a project to purchase and install an incinerator that complies with these requirements from CEQA. (Based on 01/21/2026 text)

Is Urgency: N

Is Fiscal: Y

History:

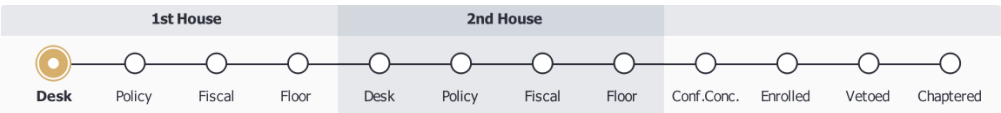
01/22/2026 - From printer. May be heard in committee February 21.
01/21/2026 - Read first time. To print.

AB 1684 **(Ward, D) Common interest developments: cooling systems.**

Current Text: 02/02/2026 - Introduced **HTML** **PDF**

Introduced: 02/02/2026

Status: 02/03/2026 - From printer. May be heard in committee March 5.



Location: 02/02/2026 - Assembly PRINT

Summary: The Mobilehome Residency Law governs tenancies in mobilehome parks and includes provisions that are applicable to those who have an ownership interest in a subdivision, cooperative, or condominium for mobilehomes, or a resident-owned mobilehome park, as specified. Current law makes any covenant, restriction, or condition contained in any rental agreement or other instrument affecting the tenancy of a homeowner or

resident that effectively prohibits or restricts the installation, upgrade, replacement, or use of a cooling system in a mobilehome void and unenforceable. Current law provides that a “cooling system” includes a portable air-conditioning unit, a window air-conditioning unit, a swamp cooler or any evaporative cooler, a cooling fan system, a heat pump, or any other technology that reasonably creates an internal temperature cooling benefit, and meets applicable health and safety standards and requirements imposed by law. This bill would, under the Davis-Stirling Common Interest Development Act, make any provision of the governing documents, architectural guidelines, or policies void and unenforceable if the provision prohibits or restricts the installation, upgrade, replacement, or use of a cooling system. The bill would also make any covenant, restriction, or condition contained in any, among other specified agreements, deed that effectively prohibits or restricts the installation, upgrade, replacement, or use of a cooling system, void and unenforceable. The bill would make it unlawful for an association to prohibit or restrict a member from installing, upgrading, replacing, or using a cooling system in the member’s separate interest, or to take other specified actions in connection with the installation, upgrade, replacement, or use of a cooling system, subject to specified exceptions. (Based on 02/02/2026 text)

Is Urgency: N

Is Fiscal: N

History:

02/03/2026 - From printer. May be heard in committee March 5.
02/02/2026 - Read first time. To print.

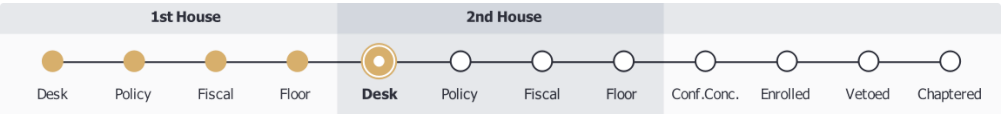
SB 58 **(Padilla, D) Air quality: standard: hydrogen sulfide.**

Current Text: 01/14/2026 - Amended **HTML** **PDF**

Introduced: 01/08/2025

Last Amended: 01/14/2026

Status: 01/26/2026 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.



Location: 01/26/2026 - Assembly DESK

Summary: Current law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and designates air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Current law requires the state board to inventory sources of air pollution within the air basins of the state, determine the kinds and quantity of air pollutants, and monitor air pollutants in cooperation with districts and other agencies. Current law requires the state board to adopt standards of ambient air quality for each air basin in consideration of the public health, safety, and welfare, including, but not limited to, health, illness, irritation to the senses, aesthetic value, interference with visibility, and effects on the economy. Current law authorizes these standards to vary from one air basin to another. Current law requires the standards relating to health effects to be based upon the recommendations of the Office of Environmental Health Hazard Assessment. This bill would require, on or before January 1, 2030, the office to develop health-based threshold levels for hydrogen sulfide. The bill would further authorize the office to develop threshold levels for additional air pollutants with the considerations specified for hydrogen sulfide upon an appropriation for this purpose from the Legislature. The bill would require the office to conduct at least 3 public workshops, including at least one located in the Tijuana River Valley region, at least one located in the Salton Sea region, and at least one selected in consultation with a community that has experienced significant hydrogen sulfide exposure. (Based on 01/14/2026 text)

Is Urgency: N

Is Fiscal: Y

Analysis:

01/23/26 **S Floor Analyses** (text 01/14/26)

Votes:

01/13/26 - **SEN. E.Q.** (Y:7 N:0 A:1) (P)
01/20/26 - **SEN. APPR.** (Y:7 N:0 A:0) (P)
01/22/26 - **SEN. APPR.** (Y:7 N:0 A:0) (P)
01/26/26 - **SEN. Senate 3rd Reading** (Y:39 N:0 A:1) (P)

History:

01/26/2026 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
01/22/2026 - From committee: Do pass. (Ayes 7. Noes 0.) (January 22). Read second time. Ordered to third reading.
01/21/2026 - Set for hearing January 22.
01/20/2026 - January 20 hearing: Placed on APPR. suspense file.
01/15/2026 - Set for hearing January 20.

01/14/2026 - Read second time and amended. Re-referred to Com. on APPR.
01/13/2026 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (January 13).
01/07/2026 - Set for hearing January 13.
01/05/2026 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on REV. & TAX. Withdrawn from committee. Re-referred to Com. on RLS. Re-referred to Com. on E.Q.
05/08/2025 - May 14 set for first hearing canceled at the request of author.
03/18/2025 - Set for hearing May 14.
03/04/2025 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on REV. & TAX.
01/29/2025 - Referred to Com. on REV. & TAX.
01/09/2025 - From printer. May be acted upon on or after February 8.
01/08/2025 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

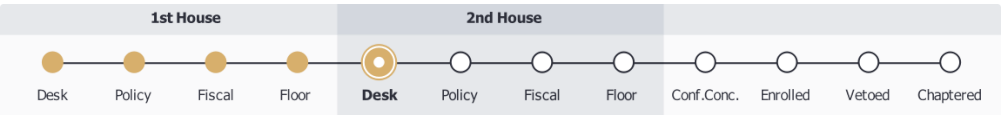
SB 811 **(Caballero, D) Hazardous materials: metal shredding facilities.**

Current Text: 01/22/2026 - Amended **HTML** **PDF**

Introduced: 02/21/2025

Last Amended: 01/22/2026

Status: 01/27/2026 - Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.



Location: 01/27/2026 - Assembly DESK

Summary: Current law authorizes the Department of Toxic Substances Control (DTSC), in consultation with the Department of Resources Recycling and Recovery, the State Water Resources Control Board, and affected local air quality management districts, to adopt regulations to establish management standards for metal shredding facilities for hazardous waste management activities within the DTSC's jurisdiction, as provided. Current law provides that treated metal shredder waste that is managed in accordance with those regulations is deemed to be solid waste, and not hazardous waste, as provided. This bill would repeal those provisions. The bill would establish a comprehensive scheme for the regulation of metal shredding facilities that would be administered by the DTSC pursuant to authority separate from laws governing the control of hazardous waste. The bill would prohibit an owner or operator from operating a metal shredding facility, as defined, in the state unless they have a permit from the DTSC or are deemed to have a permit. The bill would prescribe the requirements for obtaining a permit, for being deemed to have a permit, for operating a metal shredding facility, and for transporting certain materials related to metal shredding, as specified. The bill would require, before a decision is made to approve or deny the application, the DTSC to hold a public meeting, as provided. The bill would require the department to take final action on a permit application by an existing facility within 3 years, as provided. The bill would require the department to post on its internet website general information about each metal shredding facility that has applied for or obtained a permit, and to conduct at least one site visit to the applicant's facility after receipt of the permit application. The bill would provide that certain materials related to metal shredding are not hazardous waste if they meet specified requirements. The bill would require any report required to be submitted by a metal shredding facility pursuant to a permit issued to be signed by the owner or operator and certified under penalty of law, including criminal penalties, as specified. (Based on 01/22/2026 text)

Is Urgency: N

Is Fiscal: Y

Analysis:

01/26/26 **S Floor Analyses** (text 01/22/26)

Votes:

01/13/26 - **SEN. E.Q.** (Y:5 N:0 A:3) (P)
01/20/26 - **SEN. APPR.** (Y:7 N:0 A:0) (P)
01/22/26 - **SEN. APPR.** (Y:7 N:0 A:0) (P)
01/27/26 - **SEN. Senate 3rd Reading** (Y:40 N:0 A:0) (P)

History:

01/27/2026 - Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
01/26/2026 - Read second time. Ordered to third reading.
01/22/2026 - From committee: Do pass as amended. (Ayes 7. Noes 0.) (January 22). Read second time and amended. Ordered to second reading.
01/21/2026 - Set for hearing January 22.
01/20/2026 - January 20 hearing: Placed on APPR. suspense file.
01/15/2026 - Set for hearing January 20.
01/13/2026 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (January 13). Re-

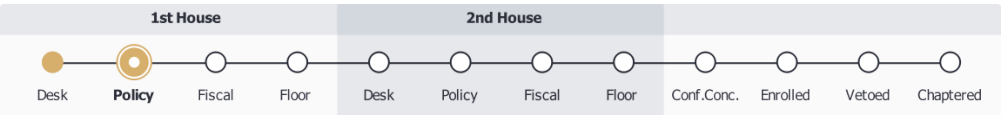
referred to Com. on APPR.
01/07/2026 - Set for hearing January 13.
01/05/2026 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS. Re-referred to Com. on E.Q.
03/12/2025 - Referred to Com. on RLS.
02/24/2025 - From printer. May be acted upon on or after March 24. Read first time.
02/21/2025 - Introduced. To Com. on RLS. for assignment. To print.

SB 885 **(Strickland, R) Major regulations.**

Current Text: 01/13/2026 - Introduced **HTML** **PDF**

Introduced: 01/13/2026

Status: 01/14/2026 - From printer. May be acted upon on or after February 13.



Location: 01/13/2026 - Senate Rules

Summary: The Administrative Procedure Act governs the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Current law requires a state agency proposing to adopt, amend, or repeal an administrative regulation to, among other things, assess the potential for adverse economic impact on California business enterprises and individuals, and requires a state agency proposing to adopt, amend, or repeal a major regulation on or after November 1, 2013, to prepare and submit to the Department of Finance for comment, a standardized regulatory impact analysis, as provided. Current law defines “major regulation” for purposes of the act to mean any proposed adoption, amendment, or repeal of a regulation subject to review by the office that will have an economic impact on California business enterprises and individuals in an amount exceeding $50,000,000, as provided. Current law establishes procedures for the adoption of emergency regulations, including requiring that the state agency make a finding that the adoption of a regulation or order of repeal is necessary to address an emergency, as defined. Under current law, a regulation, amendment, or order of repeal adopted as an emergency regulatory action may only remain in effect for up to 180 days, unless the adopting agency complies with specified requirements. This bill would prohibit a state agency from taking final action to adopt a major regulation until certain requirements are met, including that after the state agency prepares a standardized regulatory impact analysis and submits the analysis to the Department of Finance, as described above, the state agency submits a proposal to the Legislature recommending legislation to authorize the adoption of the major regulation and the Legislature enacts a law expressly authorizing the state agency to adopt that major regulation. The bill, notwithstanding that prohibition, would authorize a state agency to adopt an emergency regulation that is a major regulation if the state agency complies with specified requirements governing the adoption of emergency regulations. (Based on 01/13/2026 text)

Is Urgency: N

Is Fiscal: Y

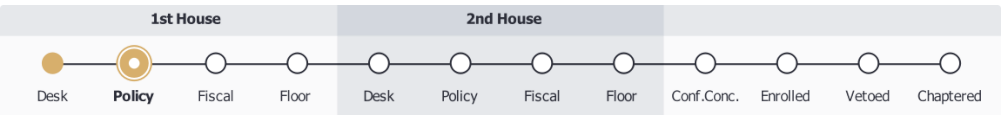
History:
01/14/2026 - From printer. May be acted upon on or after February 13.
01/13/2026 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB 899 **(Grove, R) Fire prevention: Wildfire and Forest Resilience Task Force: wildfire smoke.**

Current Text: 01/20/2026 - Introduced **HTML** **PDF**

Introduced: 01/20/2026

Status: 01/21/2026 - From printer. May be acted upon on or after February 20.



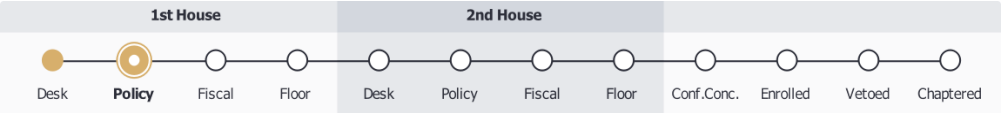
Location: 01/20/2026 - Senate Rules

Summary: Current law requires the Wildfire and Forest Resilience Task Force, established by former Governor Edmund G. Brown, Jr., to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the state’s “Wildfire and Forest Resilience Action Plan,” as provided. Current law requires, on or before March 1, 2026, and every 5 years thereafter, the task force to update the action plan. This bill would require the task force, on or before July 1, 2028, and in cooperation with the Office of Environmental Health Hazard Assessment and the State Department of Public Health, to assess the health costs and impacts of high-severity wildfire smoke using existing wildfire smoke and health data, as provided. The bill would require the task force, in developing this assessment, to, among other things, develop a model to determine the approximate health benefits of achieving the goals identified in the action plan and make recommendations on how the action plan can increase its health benefits. (Based on 01/20/2026 text)

Is Urgency: N
Is Fiscal: Y
History:
01/21/2026 - From printer. May be acted upon on or after February 20.
01/20/2026 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB 954 **(Blakespear, D) California Environmental Quality Act: exemptions: natural and protected lands: advanced manufacturing: childcare facilities.**

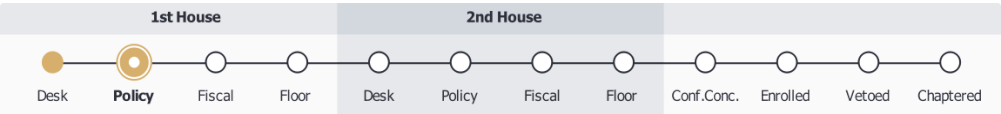
Current Text: 02/02/2026 - Introduced **HTML** **PDF**
Introduced: 02/02/2026
Status: 02/03/2026 - From printer. May be acted upon on or after March 5.



Location: 02/02/2026 - Senate Rules
Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified projects, including, among other things, projects for advanced manufacturing and childcare facilities, as provided, from its provisions. This bill would provide that it is the intent of the Legislature to enact subsequent legislation that would amend provisions of CEQA relating to natural and protected lands, childcare facilities, and advanced manufacturing, among other changes, as provided. (Based on 02/02/2026 text)
Is Urgency: N
Is Fiscal: N
History:
02/03/2026 - From printer. May be acted upon on or after March 5.
02/02/2026 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB 973 **(Becker, D) Wildfire County Coordinator Program.**

Current Text: 02/04/2026 - Introduced **HTML** **PDF**
Introduced: 02/04/2026
Status: 02/05/2026 - From printer. May be acted upon on or after March 7.



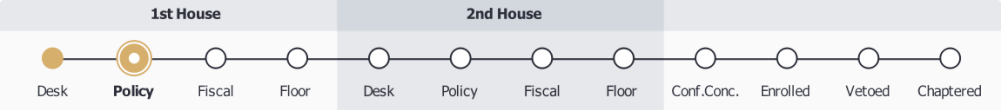
Location: 02/04/2026 - Senate Rules
Summary: Current law establishes the Wildfire and Forest Resilience Task Force and requires the task force to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the state's Wildfire and Forest Resilience Action Plan, as provided. Current law requires, on or before March 1, 2026, and every 5 years thereafter, the task force to update the action plan. The Budget Act of 2025 provided for a community hardening program in the Department of Forestry and Fire Protection that includes home hardening certification and a wildfire county coordinator program, appropriated $9,500,000 to the department to make available to the California Fire Safe Council for the Wildfire County Coordinator Program, and required the county coordinators to prioritize home hardening, defensible space, planning, and education for community-level wildfire mitigation efforts. This bill would require the Department of Forestry and Fire Protection to (1) establish recommended standards for wildfire risk modeling and analysis tools, (2) develop guidance and tools related to wildfire risk assessments, (3) support the development, updating, or procurement of county-level wildfire risk assessments, and (4) develop guidance and templates for the creation or revision of county-level wildfire resilience prioritization and implementation plans, and accompanying guidance for integrating these plans with related wildfire resilience programs, as provided. (Based on 02/04/2026 text)
Is Urgency: N
Is Fiscal: Y
History:
02/05/2026 - From printer. May be acted upon on or after March 7.
02/04/2026 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB 982 **(Wiener, D) Climate disasters: civil actions.**

Current Text: 02/04/2026 - Introduced **HTML** **PDF**

Introduced: 02/04/2026

Status: 02/05/2026 - From printer. May be acted upon on or after March 7.



Location: 02/04/2026 - Senate Rules

Summary: Current law gives a person the right of protection from bodily harm and the right to possess and use property. If a person suffers bodily harm or a loss of their property because of the unlawful act or omission of another, existing law authorizes them to recover compensation from the person at fault, which is known as damages. Current law authorizes the Attorney General to bring various civil actions due to damage or loss. This bill would authorize the Attorney General to bring a civil action against a party responsible for climate-attributable damage to recover losses suffered by the California FAIR Plan Association, funds borrowed from the California Infrastructure and Economic Development Bank, or costs to insurance policyholders arising from a past climate disaster. The bill would make responsible parties strictly liable for any relief granted. (Based on 02/04/2026 text)

Is Urgency: N

Is Fiscal: Y

History:

02/05/2026 - From printer. May be acted upon on or after March 7.

02/04/2026 - Introduced. Read first time. To Com. on RLS. for assignment. To print.

Total Measures: 12

Total Tracking Forms: 2

ASSEMBLY BILL No. 1777

Introduced by Assembly Member Garcia

February 9, 2026

An act to amend Section 39602.5 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1777, as introduced, Garcia. Air pollution: indirect sources.

Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law authorizes air districts to adopt and implement regulations to reduce or mitigate emissions from indirect sources of air pollution.

Existing law requires the state board to adopt rules and regulations relating to vehicular emissions standards, as specified, that will achieve the ambient air quality standards required by federal law in conjunction with other measures adopted by the state board, air districts, and the United States Environmental Protection Agency.

This bill would authorize the state board, if necessary to carry out that duty to achieve those ambient air quality standards, to adopt regulations to reduce or mitigate emissions from indirect sources of pollution.

Existing law makes any violation of a rule or regulation of the state board relating to nonvehicular air pollution control a misdemeanor.

Because a violation of these regulations of the state board with respect to nonvehicular sources subject to those regulations would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39602.5 of the Health and Safety Code
2 is amended to read:
3 39602.5. (a) The state board shall adopt rules and regulations
4 pursuant to Section 43013 that, in conjunction with other measures
5 adopted by the state board, the districts, and the United States
6 Environmental Protection Agency, will achieve ambient air quality
7 standards required by the federal Clean Air Act (42 U.S.C. Sec.
8 7401 et seq.) in all areas of the state by the applicable attainment
9 date, and to maintain these standards thereafter. The state board
10 shall adopt these measures if they are necessary, technologically
11 feasible, and cost effective, consistent with Section 43013.
12 (b) If necessary to carry out its duties under this section, the
13 state board shall adopt and enforce rules and regulations that
14 anticipate the development of new technologies or the improvement
15 of existing technologies. The rules and regulations shall require
16 standards that the state board finds and determines can likely be
17 achieved by the compliance date set forth in the rule.
18 *(c) (1) If necessary to carry out its duties under this section,*
19 *the state board may adopt regulations to reduce or mitigate*
20 *emissions from indirect sources of pollution.*
21 *(2) The Legislature finds and declares that paragraph (1) is*
22 *declaratory of, and does not constitute a change in, existing law.*
23 *(d) For purposes of this section, "indirect source" has the same*
24 *meaning as set forth in Section 7410(a)(5)(C) of Title 42 of the*
25 *United States Code.*
26 SEC. 2. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school
2 district will be incurred because this act creates a new crime or
3 infraction, eliminates a crime or infraction, or changes the penalty
4 for a crime or infraction, within the meaning of Section 17556 of
5 the Government Code, or changes the definition of a crime within
6 the meaning of Section 6 of Article XIII B of the California
7 Constitution.

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119TH CONGRESS
1ST SESSION

H. R. 161

To amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2025

Mr. GRIFFITH introduced the following bill; which was referred to the Committee on Energy and Commerce

---

A BILL

To amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "New Source Review Permitting Improvement Act".

SEC. 2. CLARIFICATION OF DEFINITION OF A MODIFICATION: EMISSION RATE INCREASES, POLLUTION CONTROL, EFFICIENCY, SAFETY, AND RELIABILITY PROJECTS.

Paragraph (4) of section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)) is amended—

(1) by inserting ''(A)'' before ''The term'';

(2) by inserting before the period at the end the following: ''. For purposes of the preceding sentence, a change increases the amount of any air pollutant emitted by such source only if the maximum hourly emission rate of an air pollutant that is achievable by such source after the change is higher than the maximum hourly emission rate of such air pollutant that was achievable by such source during any hour in the 10-year period immediately preceding the change''; and

(3) by adding at the end the following:

''(B) Notwithstanding subparagraph (A), the term 'modification' does not include a change at a stationary source that is designed—

''(i) to reduce the amount of any air pollutant emitted by the source per unit of production; or

"(ii) to restore, maintain, or improve the reliability of operations at, or the safety of, the source,

except, with respect to either clause (i) or (ii), when the change would be a modification as defined in subparagraph (A) and the Administrator determines that the increase in the maximum achievable hourly emission rate of a pollutant from such change would cause an adverse effect on human health or the environment.".

SEC. 3. CLARIFICATION OF DEFINITION OF CONSTRUCTION FOR PREVENTION OF SIGNIFICANT DETERIORATION.

Subparagraph (C) of section 169(2) of the Clean Air Act (42 U.S.C. 7479(2)) is amended to read as follows:

"(C) The term 'construction', when used in connection with a major emitting facility, includes a modification (as defined in section 111(a)) at such facility, except that for purposes of this subparagraph a modification does not include a change at a major emitting facility that does not result in a significant emissions increase, or a significant net emissions increase, in annual actual emissions at such facility.".

SEC. 4. CLARIFICATION OF DEFINITION OF MODIFICATIONS AND MODIFIED FOR NONATTAINMENT AREAS.

Paragraph (4) of section 171 of the Clean Air Act (42 U.S.C. 7501) is amended to read as follows:

"(4) The terms 'modifications' and 'modified' mean a modification as defined in section 111(a)(4), except that such terms do not include a change at a major emitting facility that does not result in a significant emissions increase, or a significant net emissions increase, in annual actual emissions at such facility.".

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed to treat any change as a modification for purposes of any provision of the Clean Air Act (42 U.S.C. 7401 et seq.) if such change would not have been so treated as of the day before the date of enactment of this Act.

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119TH CONGRESS
1ST SESSION

H. R. 4214

To require the Administrator of the Environmental Protection Agency to publish, concurrently with any final rule establishing or revising a national ambient air quality standard, regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2025

Mr. ALLEN (for himself, Mr. CARTER of Georgia, Mr. WEBER of Texas, Mr. BALDERSON, Mr. LATTA, Mr. NEWHOUSE, and Mr. GRIFFITH) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

A BILL

To require the Administrator of the Environmental Protection Agency to publish, concurrently with any final rule establishing or revising a national ambient air quality standard, regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Air and Building Infrastructure Improvement Act''.

SEC. 2. PRECONSTRUCTION PERMITS.

Section 109 of the Clean Air Act (42 U.S.C. 7409) is amended by adding at the end the following:

''(e) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—

''(1) IN GENERAL.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, to assist States, permitting authorities, and permit applicants, concurrently publish final regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

''(2) APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish final regulations and guidance under paragraph (1) that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with such standard, then such standard shall not apply to the review and disposition of a

preconstruction permit application until the Administrator has published such final regulations and guidance.

"(3) RULES OF CONSTRUCTION.—

"(A) Nothing in this subsection shall be construed to preclude the Administrator from issuing regulations and guidance to assist States, permitting authorities, and permit applicants in implementing a national ambient air quality standard subsequent to publishing regulations and guidance for such standard under paragraph (1).

"(B) Nothing in this subsection shall be construed to eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

"(C) Nothing in this subsection shall be construed to limit the authority of a State, local, or Tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

"(4) DEFINITIONS.—In this subsection:

"(A) The term 'best available control technology' has the meaning given to that term in section 169(3).

"(B) The term 'lowest achievable emission rate' has the meaning given to that term in section 171(3).

"(C) The term 'preconstruction permit'—

"(i) means a permit that is required under this title for the construction or modification of a stationary source; and

"(ii) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.".

SEC. 3. CERTAIN PRECONSTRUCTION PERMITS.

(a) IN GENERAL.—The 2024 Primary Annual Particulate $Matter_{2.5}$ Standard shall not apply to the review and disposition of a preconstruction permit application if—

(1) the Administrator or the State, local, or Tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of the final designation of the area involved under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) with respect to the

2024 Primary Annual Particulate Matter$_{2.5}$ Standard; or

(2) the Administrator or the State, local, or Tribal permitting authority, as applicable, publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of the final designation of the area involved under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) with respect to the 2024 Primary Annual Particulate Matter$_{2.5}$ Standard.

(b) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable; or

(2) limit the authority of a State, local, or Tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BEST AVAILABLE CONTROL TECHNOLOGY.—The term ''best available control technology'' has the meaning given to that term in section 169(3) of the Clean Air Act (42 U.S.C. 7479(3)).

(3) LOWEST ACHIEVABLE EMISSION RATE.—The term ''lowest achievable emission rate'' has the meaning given to that term in section 171(3) of the Clean Air Act (42 U.S.C. 7501(3)).

(4) NATIONAL AMBIENT AIR QUALITY STANDARD.—The term ''national ambient air quality standard'' means a national ambient air quality standard promulgated under section 109 of the Clean Air Act (42 U.S.C. 7409).

(5) PRECONSTRUCTION PERMIT.—The term ''preconstruction permit''—

(A) means a permit that is required under title I of the Clean Air Act (42 U.S.C. 7401 et seq.) for the construction or modification of a stationary source; and

(B) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.

(6) 2024 PRIMARY ANNUAL PARTICULATE MATTER$_{2.5}$ STANDARD.—The term ''2024 Primary Annual Particulate Matter$_{2.5}$ Standard'' means the final rule titled ''Reconsideration of the National Ambient Air Quality Standards for Particulate Matter'' published in the Federal Register on March 6, 2024 (89 Fed. Reg. 16202).

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119TH CONGRESS
1ST SESSION

H. R. 4218

To amend the Clean Air Act to facilitate State implementation of national ambient air quality standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2025

Mr. CARTER of Georgia (for himself, Mr. GRIFFITH, Mr. ALLEN, Mr. BALDERSON, Mr. LATTA, Mr. NEWHOUSE, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

A BILL

To amend the Clean Air Act to facilitate State implementation of national ambient air quality standards, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Air and Economic Advancement Reform Act'' or the ''CLEAR Act''.

SEC. 2. FACILITATING STATE IMPLEMENTATION OF NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS.—Paragraphs (1) and (2)(B)

of section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) are amended by striking ''five-year intervals'' each place it appears and inserting ''10-year intervals''.

(b) CONSIDERATION OF ATTAINABILITY.—Section 109(b)(1) of the Clean Air Act (42 U.S.C. 7409(b)(1)) is amended by inserting after the first sentence the following: ''If the Administrator, in consultation with the independent scientific review committee appointed under subsection (d), finds that a range of levels of air quality for an air pollutant are requisite to protect public health with an adequate margin of safety, as described in the preceding sentence, the Administrator may, as a secondary consideration in establishing and revising the national primary ambient air quality standard for such air pollutant, consider likely attainability of the standard.''.

(c) OPPORTUNITY FOR STATES TO CORRECT DEFICIENCY PRIOR TO PROMULGATION OF FEDERAL IMPLEMENTATION PLAN.—Section 110(c)(1) of the Clean Air Act (42 U.S.C. 7410(c)(1)) is amended—

(1) by striking ''at any time''; and

(2) by adding at the end the following: ''Before promulgating the Federal implementation plan, the Administrator shall give the State at least one year after such finding or disapproval to submit a plan or plan revision to correct the deficiency. If the State

submits a plan or plan revision to correct the deficiency, the Administrator may, notwithstanding the 2-year deadline under this paragraph to promulgate a Federal implementation plan, take up to 3 years after such finding or disapproval to promulgate a Federal implementation plan.''.

(d) CONTINGENCY MEASURES FOR EXTREME OZONE NONATTAINMENT AREAS.—Section 172(c)(9) of the Clean Air Act (42 U.S.C. 7502(c)(9)) is amended by adding at the end the following: ''Notwithstanding the preceding sentences and any other provision of this Act, such measures shall not be required for any nonattainment area for ozone classified as an Extreme Area.''.

(e) PLAN SUBMISSIONS AND REQUIREMENTS FOR OZONE NONATTAINMENT AREAS.—Section 182 of the Clean Air Act (42 U.S.C. 7511a) is amended—

(1) in subsection (b)(1)(A)(ii)(III), by inserting ''and economic feasibility'' after ''technological achievability'';

(2) in subsection (c)(2)(B)(ii), by inserting ''and economic feasibility'' after ''technological achievability'';

(3) in subsection (e), in the matter preceding paragraph (1)—

(A) by striking ''The provisions of clause (ii) of subsection (c)(2)(B) (relating to reductions of less than 3 percent), the provisions of paragaphs'' and inserting ''The provisions of paragraphs''; and

(B) by striking '', and the provisions of clause (ii) of subsection (b)(1)(A) (relating to reductions of less than 15 percent)''; and

(4) in paragraph (5) of subsection (e), by striking '', if the State demonstrates to the satisfaction of the Administrator that—'' and all that follows through the end of the paragraph and inserting a period.

(f) PLAN REVISIONS FOR MILESTONES FOR PARTICULATE MATTER NONATTAINMENT AREAS.—Section 189(c)(1) of the Clean Air Act (42 U.S.C. 7513a(c)(1)) is amended by inserting '', which take into account technological achievability and economic feasibility,'' before ''and which demonstrate reasonable further progress''.

SEC. 3. EMISSIONS BEYOND CONTROL.

(a) EXCEPTIONAL EVENTS.—Section 319(b) of the Clean Air Act (42 U.S.C. 7619(b)) is amended—

(1) in the subsection heading, by inserting ''OR ACTIONS TO MITIGATE WILDFIRE RISK'' after ''EVENTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking "DEFINITION OF EXCEPTIONAL EVENT" and inserting "DEFINITIONS";

(B) in subparagraph (A), by redesignating clauses (i) through (iv), as subclauses (I) through (IV), respectively;

(C) by striking "(A)" and all that follows through "an event that—" and inserting the following:

"(A) EXCEPTIONAL EVENT.—

"(i) IN GENERAL.—The term 'exceptional event' means an event that—";

(D) by amending subclause (III) of subparagraph (A)(i), as redesignated, to read as follows:

"(III) is an event that is—

"(aa) a natural event;

"(bb) caused by a human activity that is intended to mirror the occurrence or reoccurrence of a natural event; or

"(cc) caused by a human activity that is unlikely to recur; and";

(E) by striking subparagraph (B) and inserting the following:

"(ii) EXCLUSIONS.—In this subsection, the term 'exceptional event' does not include—

"(I) ordinarily occurring stagnation of air masses;

"(II) meteorological inversions; or

"(III) air pollution relating to source noncompliance."; and

(F) by adding at the end the following:

"(B) ACTION TO MITIGATE WILDFIRE RISK.—The term 'action to mitigate wildfire risk' means a prescribed fire or similar measure, undertaken in accordance with State approved practices, to reduce the risk and severity of wildfires.";

(3) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "March 1, 2006" and inserting "18 months after the date of enactment of the CLEAR Act";

(ii) by inserting "revisions to" before "regulations"; and

(iii) by adding ''or actions to mitigate wildfire risk'' before the period at the end;

(B) in subparagraph (B)—

(i) by inserting ''or action to mitigate wildfire risk'' after ''an exceptional event''; and

(ii) by striking ''paragraph (3)'' and inserting ''this section''; and

(C) by adding at the end the following:

''(C) REGIONAL ANALYSIS.—When more than one State notifies the Administrator of its intent to submit a petition for an exceptional event or an action to mitigate wildfire risk for the same air quality event, the Administrator shall conduct regional modeling and analysis, upon request by one or more States, to satisfy the analysis required for an exceptional event or an action to mitigate wildfire risk petition for such air quality event.

''(D) TRANSPARENCY.—Not later than 12 months after the date of enactment of the CLEAR Act, the Administrator shall establish and update monthly a public website describing the status of all submitted petitions for excep-

tional events and actions to mitigate wildfire risk.''; (4) in paragraph (3)(A)—

(A) by redesignating clauses (ii) through (v) as clauses (iii) through (vi), respectively; and

(B) by inserting after clause (i) the following:

''(ii) the principle that actions to mitigate wildfire risk can play an important role in reducing the magnitude and frequency of wildfires;'';

(5) in paragraph (3)(B)—

(A) in clause (i), by inserting ''or action to mitigate wildfire risk'' before ''must be'';

(B) by amending clause (ii) to read as follows:

''(ii) a clear causal relationship must exist, or be reasonably expected to exist, between the measured exceedances of a national ambient air quality standard and the exceptional event or action to mitigate wildfire risk to demonstrate that the exceptional event or action to mitigate wildfire risk caused a specific air pollution con-

centration at a particular air quality monitoring location;''; and

(C) by amending clause (iv) to read as follows:

''(iv) there are criteria and procedures for the Governor of a State to petition the Administrator to exclude air quality monitoring data that is directly due to exceptional events or actions to mitigate wildfire risk from use in determinations by the Administrator with respect to—

''(I) area or source exceedances or violations of the national ambient air quality standards;

''(II) the designation, redesignation, classification, or reclassification of an area;

''(III) the demonstration by a State of attainment of a national ambient air quality standard;

''(IV) attainment determinations;

''(V) attainment date extensions;

''(VI) finding a State implementation plan to be inadequate; or

"(VII) preconstruction demonstrations under section 165(a)(3)."; and

(6) by striking paragraph (4).

(b) APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.—The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by inserting after section 179B the following new section:

"SEC. 179C. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

"(a) IN GENERAL.—Notwithstanding any other provision of this Act, with respect to any nonattainment area that is classified under section 181 as a Severe Area or an Extreme Area for ozone or under section 188 as a Serious Area for particulate matter, no sanction or fee under section 179 or 185 shall apply with respect to a State (or an area or source therein) on the basis of a deficiency described in section 179(a), or the failure to attain a national ambient air quality standard for ozone or particulate matter by the applicable attainment date, if the State demonstrates that the State would have avoided such deficiency, or such standard would have been attained, but for one or more of the following:

"(1) Emissions emanating from outside the nonattainment area.

"(2) Emissions from an exceptional event (as defined in section 319(b)(1)).

"(3) Emissions from mobile sources to the extent the State demonstrates that—

"(A) such emissions are beyond the control of the State to reduce or eliminate; and

"(B) the State is fully implementing such measures as are within the authority of the State to control emissions from the mobile sources.

"(b) NO EFFECT ON UNDERLYING STANDARDS.—The inapplicability of sanctions or fees with respect to a State (or an area or source therein) pursuant to subsection (a) does not affect the obligation of a State, area, source, or other entity under other provisions of this Act to establish and implement measures to attain a national ambient air quality standard for ozone or particulate matter.

"(c) PERIODIC RENEWAL OF DEMONSTRATION.—For subsection (a) to continue to apply with respect to a State (or an area or source therein), the State involved shall renew the demonstration required by subsection (a) at least once every 5 years.".

SEC. 4. CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE.

(a) COMPOSITION OF INDEPENDENT SCIENTIFIC REVIEW COMMITTEE.—Section 109(d)(2)(A) of the Clean Air Act (42 U.S.C. 7409(d)(2)(A)) is amended—

(1) by striking ''one person representing State air pollution control agencies'' and inserting ''three persons representing State air pollution control agencies''; and

(2) by adding at the end the following: ''The persons representing State air pollution control agencies shall be from geographically diverse areas with at least one person representing a State located in Region 1, 2, 3, or 5 of the Environmental Protection Agency, one person representing a State located in Region 4, 6, or 7 of the Environmental Protection Agency, and one person representing a State located in Region 8, 9, or 10 of the Environmental Protection Agency.''.

(b) CONSIDERATION OF ADVERSE PUBLIC HEALTH, WELFARE, SOCIAL, ECONOMIC, OR ENERGY EFFECTS.—Section 109(d)(2) of the Clean Air Act (42 U.S.C. 7409(d)(2)) is amended by adding at the end the following:

''(D) Prior to establishing or revising a national ambient air quality standard, the Administrator shall request, and such committee, after receiving public com-

1 ments, shall assess and provide advice under subpara-
2 graph (C)(iv) regarding any adverse public health, welfare,
3 social, economic, or energy effects which may result from
4 various strategies for attainment and maintenance of such
5 national ambient air quality standard.''.

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119TH CONGRESS
1ST SESSION

H. R. 6387

To amend the Clean Air Act to require revisions to regulations governing the review and handling of air quality monitoring data influenced by exceptional events or actions to mitigate wildfire risk.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2025

Mr. EVANS of Colorado introduced the following bill; which was referred to the Committee on Energy and Commerce

---

A BILL

To amend the Clean Air Act to require revisions to regulations governing the review and handling of air quality monitoring data influenced by exceptional events or actions to mitigate wildfire risk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fire Improvement and Reforming Exceptional Events Act'' or the ''FIRE Act''.

SEC. 2. AIR QUALITY MONITORING DATA INFLUENCED BY EXCEPTIONAL EVENTS OR ACTIONS TO MITIGATE WILDFIRE RISK.

Section 319(b) of the Clean Air Act (42 U.S.C. 7619(b)) is amended—

(1) in the subsection heading, by inserting ''OR ACTIONS TO MITIGATE WILDFIRE RISK'' after ''EVENTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''DEFINITION OF EXCEPTIONAL EVENT'' and inserting ''DEFINITIONS'';

(B) in subparagraph (A), by redesignating clauses (i) through (iv), as subclauses (I) through (IV), respectively;

(C) by striking ''(A)'' and all that follows through ''an event that—'' and inserting the following:

''(A) EXCEPTIONAL EVENT.—

''(i) IN GENERAL.—The term 'exceptional event' means an event that—'';

(D) by amending subclause (III) of subparagraph (A)(i), as redesignated, to read as follows:

''(III) is an event that is—

''(aa) a natural event;

"(bb) caused by a human activity that is intended to mirror the occurrence or reoccurrence of a natural event; or

"(cc) caused by a human activity that is unlikely to recur; and";

(E) by striking subparagraph (B) and inserting the following:

"(ii) EXCLUSIONS.—In this subsection, the term 'exceptional event' does not include—

"(I) ordinarily occurring stagnation of air masses;

"(II) meteorological inversions; or

"(III) air pollution relating to source noncompliance."; and

(F) by adding at the end the following:

"(B) ACTION TO MITIGATE WILDFIRE RISK.—The term 'action to mitigate wildfire risk' means a prescribed fire or similar measure, undertaken in accordance with State approved practices, to reduce the risk and severity of wildfires.";

(3) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''March 1, 2006'' and inserting ''18 months after the date of enactment of the FIRE Act'';

(ii) by inserting ''revisions to'' before ''regulations''; and

(iii) by adding ''or actions to mitigate wildfire risk'' before the period at the end;

(B) in subparagraph (B)—

(i) by inserting ''including proposed revisions to regulations,'' after ''subparagraph (A),'';

(ii) by inserting ''or action to mitigate wildfire risk'' after ''an exceptional event''; and

(iii) by striking ''paragraph (3)'' and inserting ''this section''; and

(C) by adding at the end the following:

''(C) REGIONAL ANALYSIS.—When more than one State notifies the Administrator of its intent to submit a petition pursuant to this section for an exceptional event or an action to mitigate wildfire risk for the same air quality event, or, if the Administrator determines such

a multistate air quality event has occurred, the Administrator shall conduct regional modeling and analysis sufficient to satisfy the demonstration required for an exceptional event or an action to mitigate wildfire risk petition for such air quality event.

"(D) TRANSPARENCY.—Not later than 12 months after the date of enactment of the FIRE Act, the Administrator shall establish, and thereafter update monthly, a public website describing the status of all petitions submitted pursuant to this section for exceptional events and actions to mitigate wildfire risk.";

(4) in paragraph (3)(A)—

(A) by redesignating clauses (ii) through (v) as clauses (iii) through (vi), respectively; and

(B) by inserting after clause (i) the following:

"(ii) the principle that actions to mitigate wildfire risk can play an important role in reducing the magnitude and frequency of wildfires;";

(5) in paragraph (3)(B)—

(A) in clause (i), by inserting ''or action to mitigate wildfire risk'' before ''must be'';

(B) by amending clause (ii) to read as follows:

''(ii) a clear causal relationship must exist, or be reasonably expected to exist, between the measured exceedances of a national ambient air quality standard and the exceptional event or action to mitigate wildfire risk to demonstrate that the exceptional event or action to mitigate wildfire risk caused a specific air pollution concentration at a particular air quality monitoring location;''; and

(C) by amending clause (iv) to read as follows:

''(iv) there are criteria and procedures for the Governor of a State to petition the Administrator to exclude air quality monitoring data that is directly due to exceptional events or actions to mitigate wildfire risk from use in determinations by the Administrator with respect to—

"(I) area or source exceedances or violations of the national ambient air quality standards;

"(II) the designation, redesignation, classification, or reclassification of an area;

"(III) the demonstration by a State of attainment of a national ambient air quality standard;

"(IV) attainment determinations;

"(V) attainment date extensions;

"(VI) finding a State implementation plan to be inadequate; or

"(VII) preconstruction demonstrations under section 165(a)(3).";

and

(6) by striking paragraph (4).

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119TH CONGRESS
1ST SESSION

H. R. 6409

To amend the Clean Air Act to clarify standards for emissions emanating from outside of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2025

Mr. PFLUGER introduced the following bill; which was referred to the Committee on Energy and Commerce

---

A BILL

To amend the Clean Air Act to clarify standards for emissions emanating from outside of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Emissions and Nonattainment Clarification for Economic Stability Act'' or the ''FENCES Act''.

SEC. 2. EMISSIONS BEYOND CONTROL.

(a) CLARIFICATION OF EMISSIONS COVERED.—Section 179B of the Clean Air Act (42 U.S.C. 7509a) is amended—

(1) by inserting ''(regardless of whether such emissions result from human activity)'' after ''but for emissions emanating from outside of the United States'' each place it appears; and

(2) in subsection (d), by inserting ''(regardless of whether such emissions result from human activity)'' after ''but for emissions emanating from outside the United States''.

(b) DESIGNATIONS.—Section 179B of the Clean Air Act (42 U.S.C. 7509a) is further amended by adding at the end the following:

''(e) DESIGNATIONS.—Notwithstanding any other provision of law, an area within a State may not be designated as a nonattainment area with respect to any new or revised primary or secondary national ambient air quality standard for a pollutant if such State establishes to the satisfaction of the Administrator that such area would be in attainment with such national ambient air quality standard for such pollutant but for emissions emanating from outside of the United States (regardless of whether such emissions result from human activity).''.

(c) APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.—The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by inserting after section 179B the following new section:

"SEC. 179C. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

"(a) IN GENERAL.—Notwithstanding any other provision of this Act, with respect to any nonattainment area that is classified under section 181 as a Severe Area or an Extreme Area for ozone or under section 188 as a Serious Area for particulate matter, no sanction or fee under section 179 or 185 shall apply with respect to a State (or an area or source therein) on the basis of a deficiency described in section 179(a), or the failure to attain a national ambient air quality standard for ozone or particulate matter by the applicable attainment date, if the State demonstrates that the State would have avoided such deficiency, or such standard would have been attained, but for one or more of the following:

"(1) Emissions emanating from outside the nonattainment area.

"(2) Emissions from an exceptional event (as defined in section 319(b)(1)).

"(3) Emissions from mobile sources to the extent the State demonstrates that—

"(A) such emissions are beyond the control of the State to reduce or eliminate; and

"(B) the State is fully implementing such measures as are within the authority of the

State to control emissions from the mobile sources.

"(b) NO EFFECT ON UNDERLYING STANDARDS.—The inapplicability of sanctions or fees with respect to a State (or an area or source therein) pursuant to subsection (a) does not affect the obligation of a State, area, source, or other entity under other provisions of this Act to establish and implement measures to attain a national ambient air quality standard for ozone or particulate matter.

"(c) PERIODIC RENEWAL OF DEMONSTRATION.—For subsection (a) to continue to apply with respect to a State (or an area or source therein), the State involved shall renew the demonstration required by subsection (a) at least once every 5 years.".

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Bay Area Air District

2026 Legislative Platform and State and Federal Legislative Updates

Policy, Grants, and Technology Committee

February 18, 2026

Alan Abbs
Legislative Officer
Legislative and Government Affairs

Abbreviations

- Assembly Bill (AB)
- Senate Bill (SB)
- House of Representatives Bill (H.R.)
- California Environmental Quality Act (CEQA)
- Heating, Ventilation, and Air Conditioning (HVAC)

Recommended Actions

Recommend to the Board of Directors that the Board:

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)

Recommend to the Board of Directors that the Board:

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

Recommended Action #2 (Federal Legislation)

Recommend to the Board of Directors that the Board:

- Oppose H.R. 161 (Griffith-R-VA-9)
- Oppose H.R. 4214 (Allen-R-GA-12)
- Oppose H.R. 4218 (Carter-R-GA-1)
- Oppose H.R. 6387 (Evans-R-CO-8)
- Oppose H.R. 6409 (Pfluger-R-TX-11)

Bay Area Air District

Proposed 2026 Legislative Platform

State Budget | State Legislation |
Federal Legislation and Regulatory Activities

State Budget

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

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

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

Bay Area Air District

State Legislative Updates

2026 Legislative Session

Date/Deadline	Description
February 20, 2026	Last day for bills to be introduced
May 29, 2026	Last day for each house to pass bills introduced in that house
August 31, 2026	Last day for each house to pass bills
September 30, 2026	Last day for the Governor to sign or veto bills passed by the Legislature before September 1 and in the Governor's possession on or after September 1
November 3, 2026	General Election
November 30, 2026	Adjournment *sine die* at midnight
December 7, 2026	12 Noon convening of the 2027-28 Regular Session
January 1, 2027	Statutes take effect

Board-Approved-Position Bills

As of February 4, 2026

SB 222 (Wiener)

Heat Pump Access Act

This bill would make cost-saving, energy efficient heat pump water heater and HVAC installations faster, simpler and more affordable by streamlining the permitting process.

Status: Passed the Senate Floor on January 26, 2026. The bill has been ordered to the Assembly.

Position: Co-Sponsor (approved by the Board on February 4, 2026)

AB 907 (Chen)

State Air Resources Board: board members: compensation

The bill proposal would provide that the California Air Resources Board (CARB) board members representing air districts receive the same level of compensation as other Governor-appointed voting CARB board members. Per current statute, Health and Safety Code Section 39512.5, air district CARB Board members only receive $100 per meeting plus actual and necessary expenses.

Status: 2-Year Bill

Position: Support (approved by the Board on February 5, 2025)

Air District Staff Recommendations

AB 1777 (Garcia)

Air pollution: indirect sources

This bill would authorize the California Air Resources Board, if necessary to carry out that duty to achieve those ambient air quality standards, to adopt regulations to reduce or mitigate emissions from indirect sources of pollution.

Status: Introduced on February 9, 2026

Staff Recommendation: Support

Additional Bills for Discussion

Bills for Discussion

- **AB 1553 (Connolly)** – California Environmental Quality Act
- **AB 1584 (Jackson)** – State Air Resources Board: Office of Civil Rights
- **AB 1600 (Arambula)** – Disadvantaged communities: farmworker communities
- **AB 1612 (Alanis)** – Incineration of controlled substances: California Environmental Quality Act: law enforcement exemption

Bills for Discussion (cont.)

- **AB 1684 (Ward)** – Common interest developments: cooling systems
- **SB 58 (Padilla)** – Air quality: standard: hydrogen sulfide
- **SB 811 (Caballero)** – Hazardous materials: metal shredding facilities
- **SB 885 (Strickland)** – Major regulations
- **SB 899 (Grove)** – Fire prevention: Wildfire and Forest Resilience Task Force: wildfire smoke

Bills for Discussion (cont.)

- **SB 954 (Blakespear)** – California Environmental Quality Act: exemptions: natural and protected lands: advanced manufacturing: childcare facilities
- **SB 973 (Becker)** – Wildfire County Coordinator Program
- **SB 982 (Wiener)** – Climate disasters: civil actions

Bay Area Air District

Federal Legislative Updates

Air District Staff Recommendations

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

New Source Review Permitting Improvement Act

To amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes.

Staff Recommendation: Oppose

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

Clean Air and Building Infrastructure Improvement Act

To require the Administrator of the Environmental Protection Agency to publish, concurrently with any final rule establishing or revising a national ambient air quality standard, regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard, and for other purposes.

Staff Recommendation: Oppose

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

Clean Air and Economic Advancement Reform (CLEAR) Act

To amend the Clean Air Act to facilitate State implementation of national ambient air quality standards, and for other purposes.

Staff Recommendation: Oppose

H.R. 6387 (Evans-R-CO-8)

Fire Improvement and Reforming Exceptional Events (FIRE) Act

To amend the Clean Air Act to require revisions to regulations governing the review and handling of air quality monitoring data influenced by exceptional events or actions to mitigate wildfire risk.

Staff Recommendation: Oppose

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

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

To amend the Clean Air Act to clarify standards for emissions emanating from outside of the United States, and for other purposes.

Staff Recommendation: Oppose

Additional Bills for Discussion

Bills for Discussion

- **H.R. 6373 (Palmer-R-AL-6)** – Air Permitting Improvements to Protect National Security Act of 2025
- **H.R.6398 (Joyce-R-PA-13)** – Reducing and Eliminating Duplicative Environmental Regulations Act (RED Tape Act)

Recap: Recommended Actions

Recommend to the Board of Directors that the Board:

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 31)
   - Federal Legislation (See Slide 32)

Recap: Recommended Action #2 (State Legislation)

Recommend to the Board of Directors that the Board:

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

Recap: Recommended Action #2 (Federal Legislation)

Recommend to the Board of Directors that the Board:

- Oppose H.R. 161 (Griffith-R-VA-9)
- Oppose H.R. 4214 (Allen-R-GA-12)
- Oppose H.R. 4218 (Carter-R-GA-1)
- Oppose H.R. 6387 (Evans-R-CO-8)
- Oppose H.R. 6409 (Pfluger-R-TX-11)

Questions & Discussion

For more information:

Alan Abbs | Legislative Officer | aabbs@baaqmd.gov

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Vicki Veenker and Members
of the Policy, Grants, and Technology Committee

From: Philip M. Fine
Executive Officer/APCO

Date: February 18, 2026

Re: Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for Fiscal Year Ending 2025

RECOMMENDED ACTION

Recommend to the Board of Directors that the Board adopt a determination that the Fiscal Year Ending 2025 Transportation Fund for Clean Air 60% Fund expenditures were effective in improving air quality.

BACKGROUND

In 1991, the California State Legislature authorized the Bay Area Air District (Air District) to impose a $4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions. Since 1992, the Air District has allocated these funds to its Transportation Fund for Clean Air Program (TFCA) to fund eligible projects and programs. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 through 44242.

Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air and Commuter Benefits Program) and through a grant program known as the Regional Fund. The remaining 40% of TFCA funds are forwarded to a designated agency within each Bay Area county.

HSC Section 44241 requires that the Board of Directors (Board) hold a public hearing each year to review the Air District's expenditure of TFCA funds to determine their effectiveness in improving air quality. Additionally, the designated agencies are required to hold a public hearing each year to review their expenditure of TFCA funds.

DISCUSSION

The Fiscal Year Ending (FYE) 2025 Report on Expenditures and Effectiveness of Transportation Fund for Clean Air Regional Fund Projects and Air District-Sponsored Programs, found in Attachment 1, evaluated 15 TFCA Regional Fund projects and 5 Air District-sponsored programs that were completed prior to June 30, 2025. The key findings of this report are as follows:

- TFCA funds were allocated to eligible projects and programs, consistent with the legislation that authorizes the TFCA program
- TFCA expenditures totaled $14.04 million, including $8.61 million in Regional Fund projects, $4.44 million in Air District-sponsored programs, and $0.99 million in administrative and indirect costs
- About 72% of funds spent provided mobile source emissions reductions in Priority Areas [1]

[1] Priority Areas include communities that have been identified through the Assembly Bill (AB) 617 process (i.e., West Oakland and East Oakland in Alameda County, Richmond/San Pablo in Contra Costa County, and Bayview-Hunters Point in San Francisco), Senate Bill (SB) 535 disadvantaged communities (DAC), and AB 1550 low-income communities (LIC). Funds used for Administration and awarded to Air District-sponsored programs that reduce emissions region-wide (i.e., 24R01a, 24R01b, 24R02, and 24R03) were excluded from this calculation.

During their operational periods, the projects and programs reduced criteria pollutant emissions by an estimated 171.56 tons, which includes 65.59 tons of reactive organic gases (ROG), 49.47 tons of nitrogen oxides (NO_x), and 56.51 tons of particulate matter (PM_{10}) – and reduced carbon dioxide (CO_2) emissions by over 62,000 tons.

These projects and programs achieved a combined weighted average cost-effectiveness of $71,467 per ton of criteria pollutant emissions reduced.

TFCA Cost-Effectiveness

The TFCA authorizing legislation requires the Air District to adopt cost-effectiveness criteria to maximize emissions reductions and public health benefits. In addition to reducing pollutants, TFCA-funded projects provide other co-benefits such as reducing exposure to emissions of toxic diesel particulate matter, conserving energy, reducing greenhouse gas emissions, reducing traffic congestion, and improving physical fitness and public safety by facilitating active modes of transportation such as walking and biking.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None; the Air District distributes TFCA monies as “pass-through” funds to public and nonpublic entities. Administrative costs for project staff are provided by the Air District’s TFCA funding.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Jason Newman
Reviewed by: Kenneth Mak, Minda Berbeco, Alona Davis, Anthony Fournier

ATTACHMENT(S):

1. TFCA Report on Expenditures and Effectiveness FYE 2025
2. TFCA Expenditure and Cost Effectiveness FYE 2025 Report Presentation

Bay Area Air District

FISCAL YEAR ENDING (FYE) 2025
REPORT ON EXPENDITURES AND EFFECTIVENESS OF THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) 60% FUND

BAY AREA AIR DISTRICT

375 BEALE STREET, SUITE 600, SAN FRANCISCO, CA 94105
WWW.BAAQMD.GOV

FEBRUARY 2026

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The Bay Area Air District

The California State Legislature created the Bay Area Air District (Air District) in 1955 as the first regional air pollution control agency in the country, recognizing that air pollution transcends political boundaries. The San Francisco Bay Area forms a regional air basin, sharing common geographical features and weather patterns, and therefore similar air pollution burdens, which cannot be addressed by counties acting on their own. The Air District is the public agency entrusted with regulating stationary sources of air pollution in the nine counties that surround San Francisco Bay: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties.

The Air District improves air quality to protect public health, reduce historical and current environmental inequities, and mitigate climate change and its impacts.

Background

On-road motor vehicles, including cars, trucks, and buses, constitute the most significant source of air pollution in the San Francisco Bay Area. Vehicle emissions contribute to unhealthful levels of ozone (summertime "smog"), particulate matter, including toxic diesel emissions, and greenhouse gases. Because of this, emission reductions from the on-road transportation sector are essential to helping the region attain State and Federal ambient air quality standards and meet greenhouse gas reduction commitments.

To protect public health, the California State Legislature enacted the California Clean Air Act in 1988. As part of the requirements, the Air District prepared and adopted the *2017 Clean Air Plan,* which includes transportation control measures, defined as any strategy "to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for reducing motor vehicle emissions," and mobile source measures, which encourage the introduction of newer, cleaner motor vehicle technologies and the retirement of older, more polluting vehicles. Additionally, on September 4, 2024, the Air District's Board of Directors approved the *2024-2029 Strategic Plan,* which charts its priorities for the next five years, for implementation.

The Transportation Fund for Clean Air

In 1991, the California State Legislature authorized the Department of Motor Vehicles (DMV) to impose a $4 surcharge on motor vehicles registered within the San Francisco Bay Area to fund projects that reduce on-road motor vehicle emissions. The Air District has allocated these funds to its Transportation Fund for Clean Air (TFCA) to fund eligible projects. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 and 44242.

Sixty percent of TFCA funds (60% Fund) are awarded by the Air District's Board of Directors (Board) to eligible projects and programs implemented directly by the Air District (e.g., Commuter Benefits, Vehicle Buy-Back, and Spare the Air) and through a grant program known as the Regional Fund. The remaining forty percent of TFCA funds are pass-through funds to a designated agency within each Bay Area county. Each year, the Board adopts cost-effectiveness and other criteria for the evaluation and ranking of project applications for the TFCA Program.

In addition to reducing air pollution, including toxic diesel particulate matter, TFCA-funded projects have other benefits including the following:

- Conserving energy and helping to reduce emissions of carbon dioxide (CO_2);
- Reducing traffic congestion; and
- Improving physical fitness and public safety by facilitating active modes of transportation such as walking and biking.

State legislation restricts TFCA funding to the following <u>11 categories</u> of projects:

1. Implementation of ridesharing programs
2. Clean fuel school and transit bus purchases or leases
3. Last-mile commuter connection to rail/ferry stations and airports
4. Arterial traffic management
5. Rail-bus integration and regional transit information systems
6. Demonstration of telecommuting and congestion pricing of highways, bridges, and public transit
7. Low- or no-emission vehicle projects
8. A smoking-vehicle program
9. A vehicle buy-back scrappage program
10. Bicycle facility improvement projects
11. Physical improvements that support "smart growth" projects

California HSC Section 44241.5 requires the Board to hold a public hearing annually to review the expenditure of revenues received by the Air District pursuant to Section 44241 to determine their effectiveness in improving air quality. This report serves this purpose.

FYE 2025 Summary

This report summarizes the *expenditures* and *effectiveness* of 15 Regional Fund projects and 5 Air District-sponsored programs that were completed[1] by June 30, 2025 that were not reviewed in previous reports.

[1] For the purpose of this report, staff considers a project to be "completed" when the Air District accepts and approves the project sponsor's final invoice, which documents the project sponsor's expenditure of all eligible project funds and the completion of transportation services or all initial project milestones (e.g., having procured, installed and/or placed all project-related vehicles, equipment, and infrastructure into service). Projects that involve the procurement of equipment/vehicles and construction of infrastructure typically also require continued operation of the funded equipment, vehicles, or infrastructure. These projects may continue to operate for several years after the final invoice is accepted and approved – until the operational and usage requirements are met.

Appendix A lists each of the Regional Fund projects and Air District-sponsored programs that were summarized as part of this report.

Key Report Findings for Board Effectiveness Determination

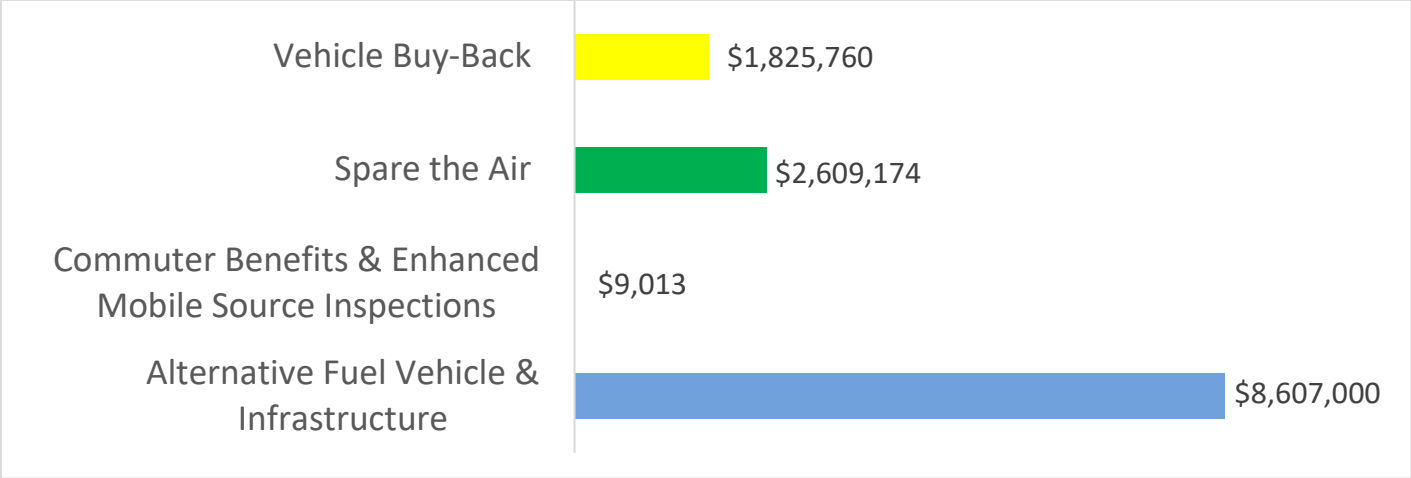
- TFCA funds were allocated to eligible projects and programs, consistent with the legislation that authorizes the TFCA program.
- The TFCA expenditures totaled $14.04 million, including $8.61 million in Regional Fund projects, $4.44 million in Air District-sponsored programs, and $0.99 million in administrative and indirect costs.
- About 72% of funds spent provided mobile source emissions reductions in Priority Areas.[2]
- During their operational periods, the projects and programs reduced criteria pollutant emissions by an estimated 171.56 tons, which includes 65.59 tons of reactive organic gases (ROG), 49.47 tons of nitrogen oxides (NO_X), and 56.51 tons of particulate matter (PM_{10}) – and reduced carbon dioxide (CO_2) emissions by over 62,000 tons.
- These projects and programs achieved a combined weighted average cost-effectiveness of $71,467 per ton of criteria pollutant emissions reduced.

EXPENDITURES

The expenditure of these projects and programs totals approximately $14.04 million, including $4.44 million for the programs administered directly by the Air District, $8.61 million in Regional Fund awarded to other organizations, and $0.99 million in associated administrative and audit costs in FYE 2025. About 72% of funds expended supported air quality improvements in Priority Areas.[2] A summary of the expenditures for these TFCA Regional Fund projects and Air District-sponsored programs is shown in **Figure 1**.

[2] Priority Areas include communities that have been identified through the AB617 process (i.e., West Oakland and East Oakland in Alameda County, Richmond/San Pablo in Contra Costa County, and Bayview-Hunters Point in San Francisco), SB 535 disadvantaged communities (DAC), and AB1550 low-income communities (LIC). Funds used for Administration and awarded to Air District-sponsored programs that reduce emissions region-wide (i.e., 24R01a, 24R01b, 24R02, and 24R03) were excluded from this calculation.

Figure 1. Summary of FYE 2025 Expenditures



EFFECTIVENESS

The cost-effectiveness of a project or program is calculated by dividing the amount of TFCA funds assigned to the project (awarded or expended) by the sum of criteria pollutant emissions (ROG, NO_X, and weighted PM_{10}) reduced by the project during its operational period. Projects with a lower value in cost-effectiveness require fewer TFCA funds to reduce one ton of criteria emissions. In other words, a lower numeric value means that the project is more cost-effective. Typically, cost-effective on-road projects are characterized by having relatively high usage and are supported with high percentages of matching funds.

The projects and programs discussed in this report are estimated to reduce criteria pollutant emissions over their operational periods by 171.56 tons. This total is the sum of ozone precursors (65.59 tons of ROG and 49.47 tons of NO_x) and particulate matter (56.51 tons of PM_{10}). These projects and programs will also reduce CO_2 emissions over their operational periods by an estimated 62,000 tons.[3]

The combined weighted-average cost-effectiveness of the projects and programs reported for FYE 2025 is $71,467 per ton of criteria pollutant emissions reduced. The Board-adopted cost-effectiveness limits for these projects and programs range from $250,000 to $1,500,000 per ton of criteria pollutant emissions reduced depending on the project category and the year it was funded. It should be noted that some individual EV Charging projects were not cost-effective. These were projects predominantly in multi-family housing units and had other benefits that were taken into account as part of the evaluation, including location. However, the resulting combined weighted-average cost effectiveness of these projects and programs is more cost-effective than the average approved limit. These estimated emissions reductions are also conservative in that many projects continue to operate and reduce emissions even after their operational periods ended, so these have

[3] Reported ROG, NO_X, PM_{10}, and CO_2 emissions reductions do not include those from the Enhanced Mobile Source Inspection, and co-funded school bus projects.

the potential to reduce more emissions and hence be more cost-effective in reducing emissions than what is presented in this report.

A summary of expenditures, emission reductions, and cost-effectiveness values by program category is provided in **Table 1**.

Table 1: Emission Reductions and Cost-Effectiveness by Program Category for Projects and Programs Completed by the End of FYE 2025

Category	# of Projects	TFCA $ Expended	% of TFCA $ Expended	Emissions Reduced (tons)[a]	% of Emissions Reduced	Weighted Cost-Effective-ness ($/ton)[b]
Bicycle Facilities	0	$0	0%	0.00	0%	N/A[c]
Alternative Fuel Vehicle & Infrastructure	15	$8,607,000	66%	0.99	1%	$2,359,675
Commuter Benefits & Enhanced Mobile Source Inspections	2	$9,013	1%	0.04	0%	not determined[d]
Spare the Air	1	$2,609,174	19%	91.43	55%	$26,127
Vehicle Buy-Back	2	$1,825,760	14%	79.10	44%	$23,080[e]
Total for Projects and Programs[f]	**20**	**$13,050,947**	**100%**	**171.56**	**100%**	**$71,467**
Administration		$988,321				

(a) Combined emission reductions of ROG, NO_x, and PM_{10} over project operational period.

(b) Consistent with the current California Air Resources Board methodology to calculate cost-effectiveness for the Carl Moyer Program, PM emissions were weighted by a factor of 20 to account for their harmful impacts on human health.

(c) No Bicycle Facilities projects reported for FYE 2025

(d) Cost-effectiveness cannot be determined

(e) Only Vehicle Buy-Back Project expenditures were used in this calculation (Admail was excluded)

(f) Totals may vary due to rounding.

The combined weighted-average cost-effectiveness of the projects and programs reported in FYE 2025 is 46% lower than FYE 2024, meaning that the projects closed out in FYE 2025 were more cost-effective than the previous year. The variation of combined weighted-average cost-effectiveness from year to year is also due to different types of projects that were completed and included in the report each year.

APPENDIX A: TFCA REGIONAL FUND PROJECTS AND AIR DISTRICT-SPONSORED PROGRAMS

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
23SBP51	St. Helena Unified School District Bus & Infrastructure	Co-funding for 2 EV School buses and associated infrastructure	N/A[a]	$90,000
23MOY152	US Foods, Inc	Co-Funding for 23 EV Trucks replacements and associated infrastructure	N/A[a]	$1,881,751
22SBP40	Franklin-McKinley School District	Co-Funding for 5 EV school bus units and associated infrastructure	N/A[a]	$1,075,605
22SBP203	Oak Grove School District	Co-funding for 9 EV school buses and associated infrastructure	N/A[a]	$3,474,877
2303-34378	Palo Alto Condominium Owners' Association	Install and operate 97 Level 2 (low) chargers at a multi-family housing facility in Palo Alto.	$5,411,916	$339,500
2303-34376	Green Water and Power	Install and operate 30 Level 2 (high) chargers at a multi-family housing facility in Oakland.	$528,363	$44,377
2302-33844	Grand Petroleum Inc	Install, and operate six DC Fast chargers at one Destination and two Transportation Corridor facilities in Campbell, Hayward, and Pleasant Hill.	$2,339,882	$190,000
2301-33229	Carmel Gardens Homeowners Association	Install and operate 18 Level 1 chargers at a multi-family housing facility in Burlingame.	$22,470,906	$31,390
2302-34214	1567 McAllister Street Homeowners Association	Install and operate 5 Level 2 (high) chargers at a multi-family housing facility in San Francisco.	$1,352,979	$17,500

2101-15735	EVgo Services LLC	Install and operate 36 DC Fast chargers at six Transportation Corridor facilities in Concord, Livermore, San Francisco, South San Francisco, and San Jose.	$436,039	$900,000
2103-17497	Ava Community Energy Authority	Install and operate 17 DCFC at a Transportation Corridor facility in Oakland.	$436,039	$425,000
2103-17345	City of San Ramon	Install and operate 2 Level 2 (high) dual port chargers and 2 DCFC at two Destination facilities in San Ramon.	$293,659	$44,000
2103-17359	The Shores at Marina Bay Association	Install and operate 2 Level 2 (high) single port chargers and 4 Level 2 (high) dual port chargers at a multi-family housing facility in Richmond.	$1,529,124	$48,000
18EV057	City of San Rafael	Install and operate 2 dual-port Level 2 (high) chargers and a 246,210 -watt solar array at a Destination facility in San Rafael.	$283,903	$13,000
17EV027	Santa Clara Valley Transportation Authority	Install and operate 8 dual-port Level 2 (high) chargers at a Transit Parking facility in San Jose.	$229,307	$32,000
15 Regional Fund Projects			**Subtotal of Regional Fund Projects:**	**$8,607,000**

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
25R01a	Bay Area Air District	FYE 2025 Commuter Benefits	N/A	$0
25R01b	Bay Area Air District	FYE 2025 Enhanced Mobile Source Inspections	Not determined[c]	$9,013
25R02a	Bay Area Air District	FYE2025 Admail for Vehicle Buy-Back	N/A	$6,535
25R02b	Bay Area Air District	FYE 2025 Vehicle Buy-Back Projects	$66,324	$1,819,225
25R03	Bay Area Air District	FYE 2025 Spare the Air	$26,127	$2,609,174
5 Air District-Sponsored Programs			**Subtotal of District Sponsored Projects:**	**$4,443,947**
23R00	Bay Area Air District	FYE 2025 Administration[c]	N/A	$988,321
			Subtotal of Administration Expenditures for Regional Fund Projects and Air District-Sponsored Programs:	**$988,321**
			Grand Total:	**$14,039,268**

(a) Emissions reduction benefits for co-funded projects are claimed by the Carl Moyer Program.
(b) Cost-effectiveness cannot be determined due to no survey responses.
(c) Sixty percent of the total administrative and audit costs expended in FYE 2025.

Bay Area Air District

Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for Fiscal Year Ending 2025

Policy, Grants, and Technology Committee

February 18, 2026

Minda Berbeco, PhD
Manager
Strategic Incentives Division

Recommended Action

Recommend to the Board of Directors that the Board adopt a determination that the Fiscal Year Ending (FYE) 2025 Transportation Fund for Clean Air (TFCA) 60% Fund expenditures were effective in improving air quality.

Transportation Fund for Clean Air

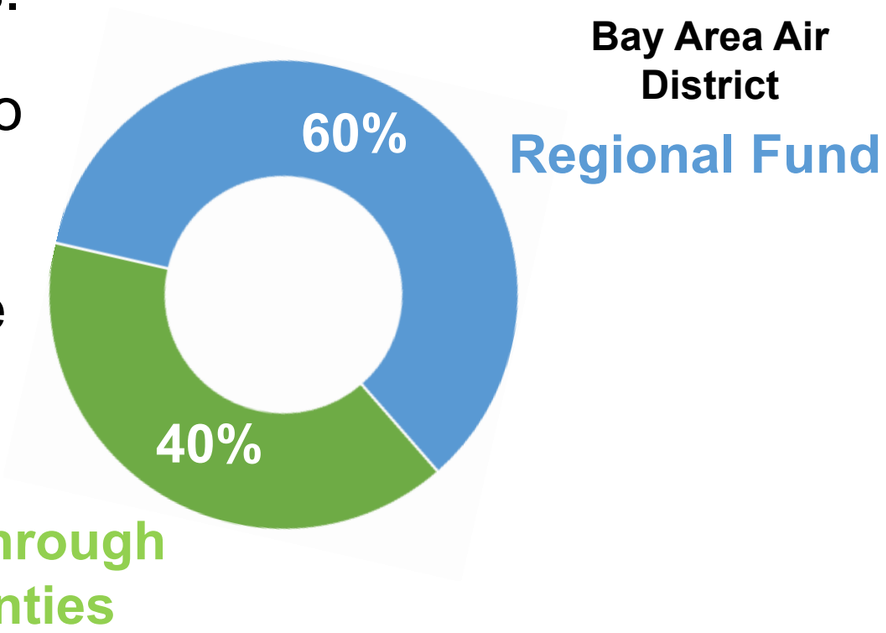
Funding provided by $4 surcharge on motor vehicles.

Air District's Board to annually review expenditures to determine their effectiveness in improving air quality.

The TFCA 60% is one of many funding programs the Air District oversees.

Completed by FYE 2025:

- ✓ 15 TFCA Regional Fund Projects
- ✓ 5 Air District-sponsored programs



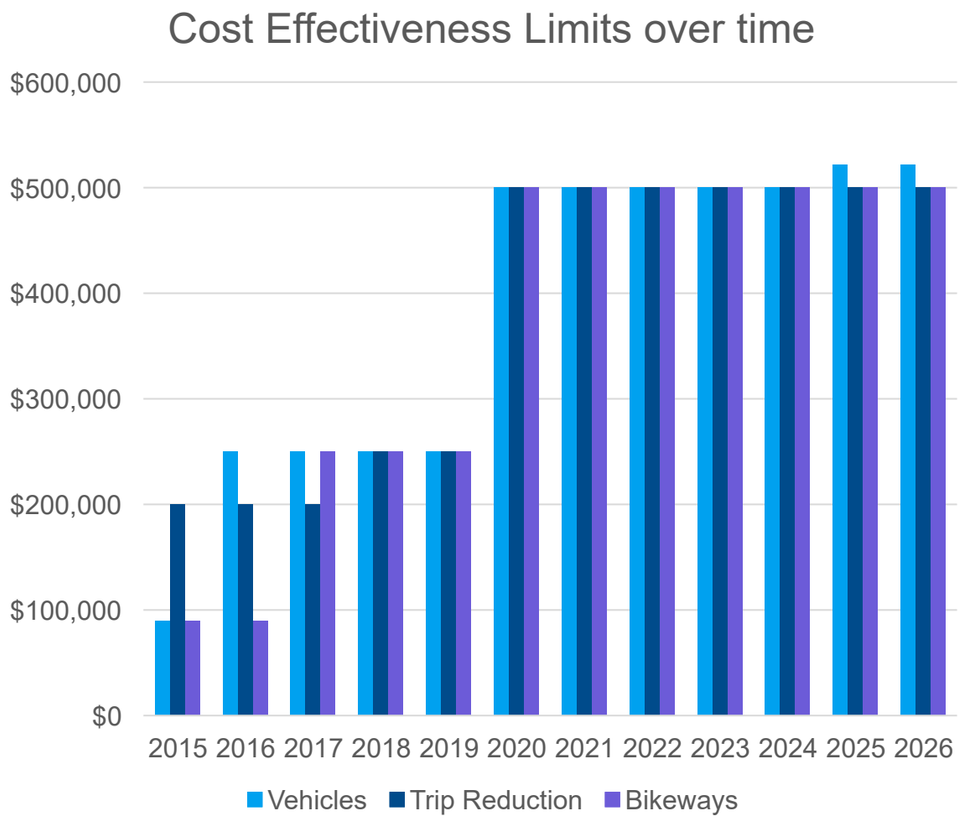
Cost Effectiveness

- Project Award Amounts are based on Cost-Effectiveness (CE)
- **CE informs the ton of emissions reduced per dollar spent**
- Projects are evaluated to calculate the tons of emissions reduced, considering factors such as: equipment emission rates, regulatory requirements, usage

CE limit for Conventional Fuel	CE limit for Zero-Emission
Up to **$34,000/ton**	Up to **$522,000/ton**

Considerations for Cost Effectiveness Limits

- Increasing costs
  - Inflation
  - Tariffs
  - Supply constraints
  - Shift to zero-emission technologies
- Diminishing emission benefits
  - Light duty fleet became cleaner
- Co-benefits
  - Greenhouse gas reductions
  - Congestion
  - Healthier lifestyle

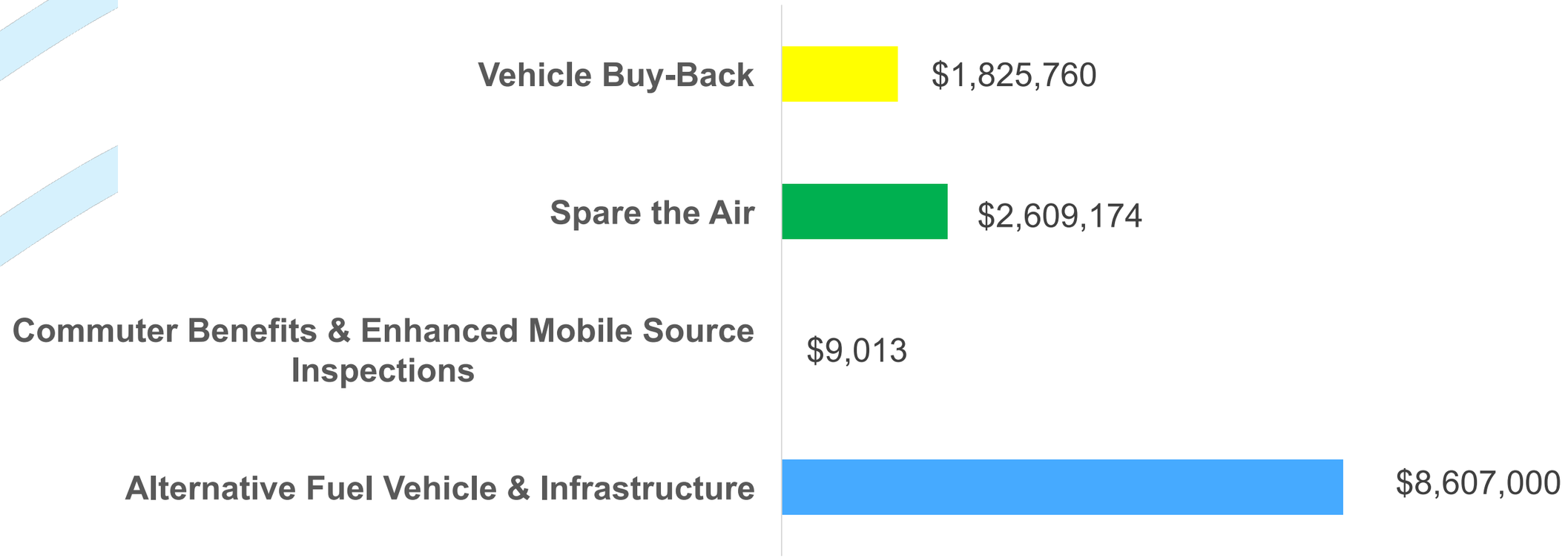


Summary of Project and Program Results

TFCA 60% Total expenditures: $14.04 million

- $8.61 million through Regional Fund for 15 projects
- $4.44 million for four Air District-sponsored programs
- $0.99 million for FYE 2025 administrative costs, including audit fees

Expenditures by Project Category



Effectiveness & Emissions Reductions

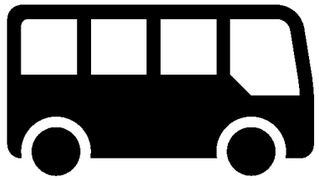
Lifetime criteria pollutants reduced: **171.56 tons**

- **Particulate Matter (PM_{10}): 56.51 tons**
- **Nitrogen Oxides (NO_x): 49.47 tons**
- **Reactive Organic Gases (ROG): 65.59 tons**

72% of funds were awarded to projects that will provide air quality benefits to Priority Communities.

Effectiveness & Emissions Reductions

- TFCA funds were allocated to eligible projects and programs
- Overall average cost-effectiveness: $71,467/ton criteria pollutant emissions reduced
- Funded projects also achieved public health benefits



Next Steps

Continue work to align TFCA to meet goals and objectives of the Board-approved Strategic Plan to focus funding on projects and programs that:

- Maximize emissions reductions and cost-effectiveness
- Maximize benefits for priority communities
- Have additional public health benefits

Recommended Action

Recommend to the Board of Directors that the Board adopt a determination that the FYE 2025 TFCA 60% Fund expenditures were effective in improving air quality.

Questions

For more information:

Minda Berbeco, PhD | Manager | mberbeco@baaqmd.gov

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Vicki Veenker and Members
of the Policy, Grants, and Technology Committee

From: Philip M. Fine
Executive Officer/APCO

Date: February 18, 2026

Re: Data Center Overview and Considerations

RECOMMENDED ACTION

None; the Committee will discuss this item, but no action is requested at this time.

BACKGROUND

Data centers are physical facilities that house centralized computing infrastructure, including servers, storage systems, and networking equipment, to manage massive amounts of data. They are essential components of the information system that store, process, and distribute data for websites, cloud services, and more recently, artificial intelligence (AI) applications. Larger data centers may contain thousands of servers and require significant amounts of electricity and water for operations and cooling. These facilities are also designed to use on-site back-up generation during power supply interruptions, which is often provided by diesel back-up generators. The number and size of data centers are growing, potentially doubling in global capacity by 2030. They are a major driver of projected energy demand in California and the Bay Area. This growth in data centers raises important questions related to energy system capacity and related costs, public health, and impacts to communities already burdened with significant exposure to diesel emissions.

DISCUSSION

The Committee will discuss two presentations related to data centers. Air District staff will provide a high-level overview of data centers. The presentation will cover the nature and types of data centers, key data center functions, growth and siting considerations. Air District staff will highlight key issues including back-up power generation and air pollution, electricity infrastructure and impacts on ratepayers, and permitting and California Environmental Quality Act (CEQA) processes. Air District staff will also provide a summary of current pending legislation as it relates to data centers. Air District staff will be joined by Dr. Joshua Lappen, who will share with the Committee how data centers interact with the grid and about backup power related to data centers. In addition, the Committee will discuss, at a high-level, potential impacts on electric rates

and electrification goals, and other grid impacts, along with backup power technologies and mitigation approaches.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Jamesine Rogers Gibson
Reviewed by: Wendy Goodfriend

ATTACHMENT(S):

1. Data Center Overview and Considerations Presentation
2. Data Center Power - Grid Interactions and Backup Power Presentation

Bay Area Air District

Data Center Overview and Considerations

Policy, Grants, and Technology Committee

February 18, 2026

Jamesine Rogers Gibson, Senior Advanced Projects Advisor, Planning and Climate Protection Division

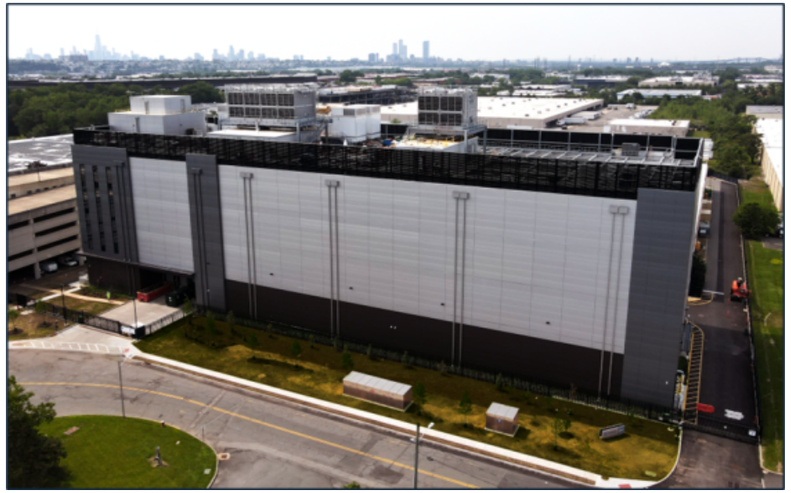
Alan Abbs, Legislative Officer, Legislative and Government Affairs Division

Overview of Data Centers

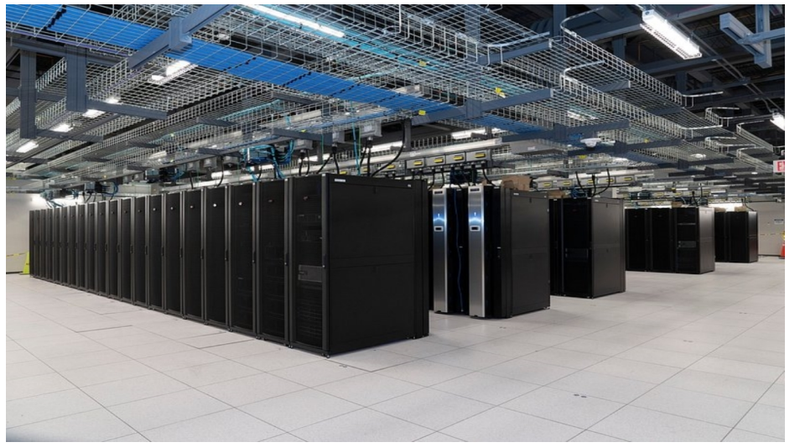
Data centers are physical facilities that house and run large networked computer systems and servers for the processing, storage, and distribution of large amounts of data

They support core applications like:

- *artificial intelligence (AI)*
- *autonomous vehicles*
- *e-commerce*
- *online communication*
- *cloud-based computing and storage*
- *content delivery and streaming*



Example of Exterior of a Data Center (Creative Commons)



Example of Interior of a Data Center (Creative Commons)

Types of Data Centers

Enterprise

Smaller, private facilities serving a single business (usually “on-premises”)

Hyperscale

Large-scale operators that deliver rapid computing power and cloud-based storage to support AI and other data-intensive applications

Colocation

Multi-tenant facilities owned/ leased by a data center provider serving many organizations and businesses

Edge

Small, decentralized computing facilities located close to end users who generate and consume data

Siting Considerations

Key considerations include:

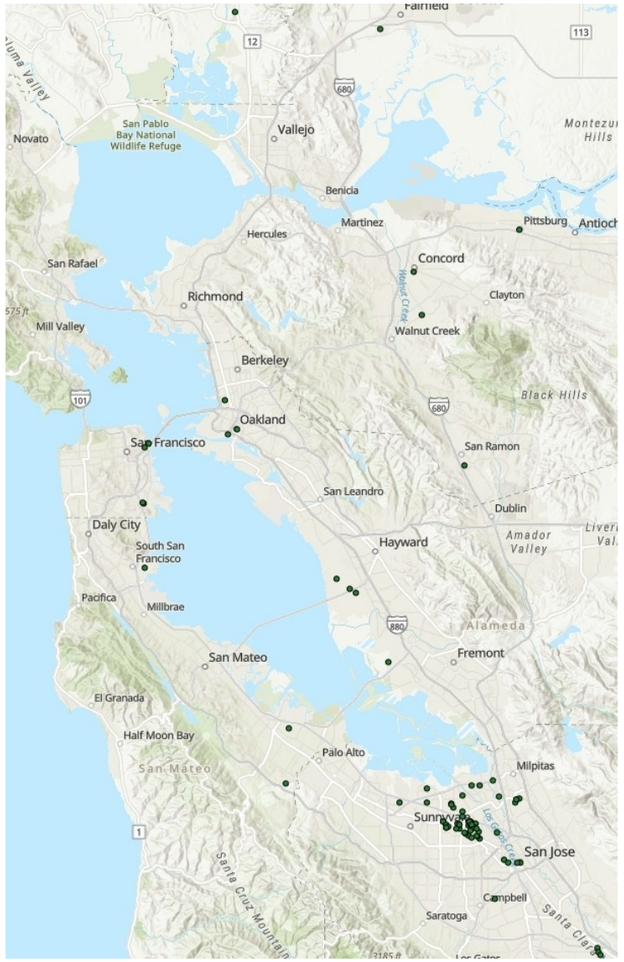
- Speed to secure reliable power
- Reliable fiber connectivity
- Availability of land and water
- Regulatory environment
- Proximity to major populations and industries

Google Earth Image of two Data Centers in San Francisco in Bayview Hunters Point

Data Centers in the Bay Area

Where are they located?

- Clustered in Santa Clara County (San Jose, Santa Clara)
- In some overburdened communities
- In communities already experiencing high diesel particulate matter emissions



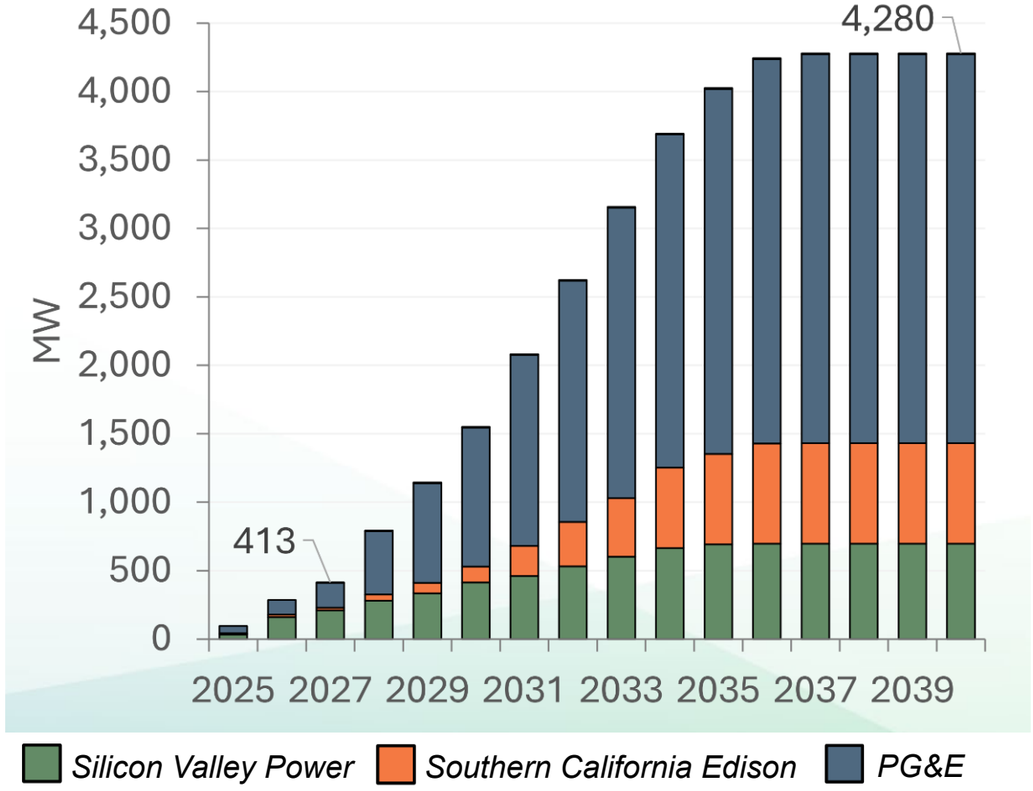
Data Centers in 2021 Permitted and Proposed for Future Permitting. Source: Air District

Rapid Growth in Data Center Power Demand

Projected energy demand for data centers shows significant increases:

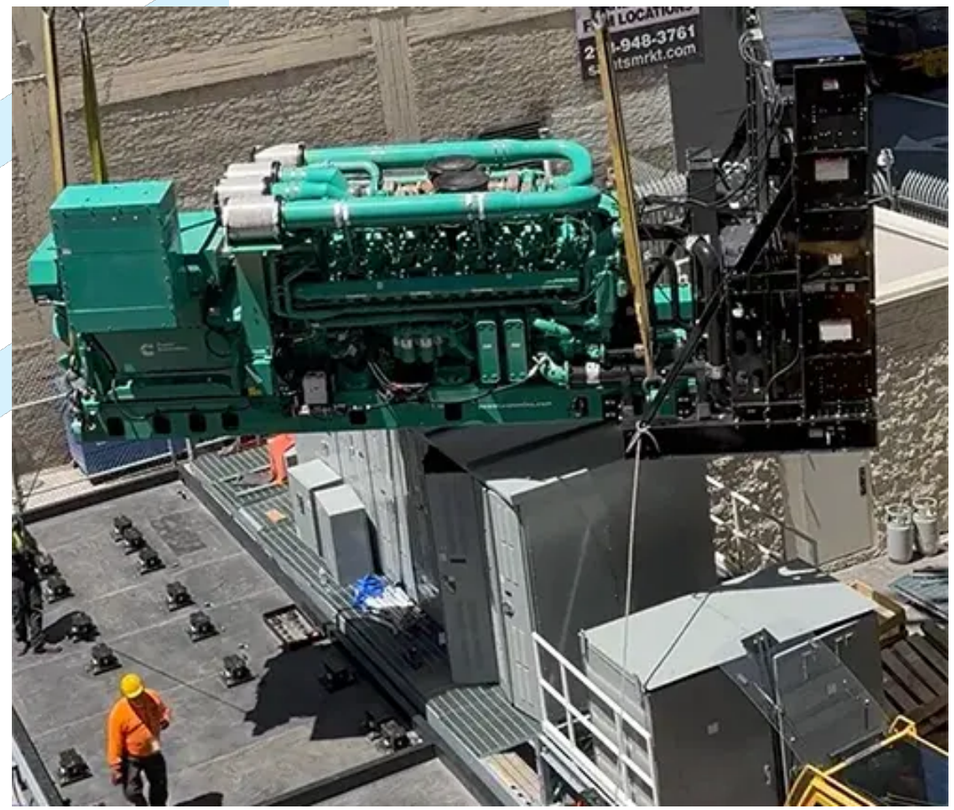
- Primarily in Bay Area and northern California
- Potential implications for air quality, greenhouse gas emissions, and ratepayers

California Energy Commission Mid Case Data Center Energy Forecast Results



Source: California Energy Commission

Air Pollution and Back-Up Generation



Diesel Generator at a Data Center in Los Angeles (Creative Commons)

- Reliability is a key design constraint
- Diesel back-up generators (BUGs) generate harmful air pollution
- Alternative back-up generation technologies are being explored

Infrastructure and Ratepayer Impacts

Speed to secure sufficient, reliable power is critical for where data centers locate

- *May require significant grid infrastructure investments*

Infrastructure upgrades have potential to impact electricity rates, including for residential ratepayers

Power Distribution Substation (Creative Commons)

Permitting and CEQA for Data Centers

Air District:

- Permits air pollution emissions sources at data centers
- Comments on California Environmental Quality Act (CEQA) projects

California Energy Commission:

- CEQA lead agency for facilities over 50 megawatt (MW)
- Small power plant exemption for 50-100 MW

City and County:

- CEQA lead agency for data center projects less than 50 MW

Recent Legislative Activities

Air District staff will provide a summary of current pending legislation as it relates to data centers

Staff Note: The deadline for bill introductions is February 20, 2026, so additional bills may be introduced after this staff presentation

Questions & Discussion

For more information:

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Data Center Power

Grid Interactions and Backup Power

February 18, 2026

Joshua Lappen, PhD

Presentation Outline

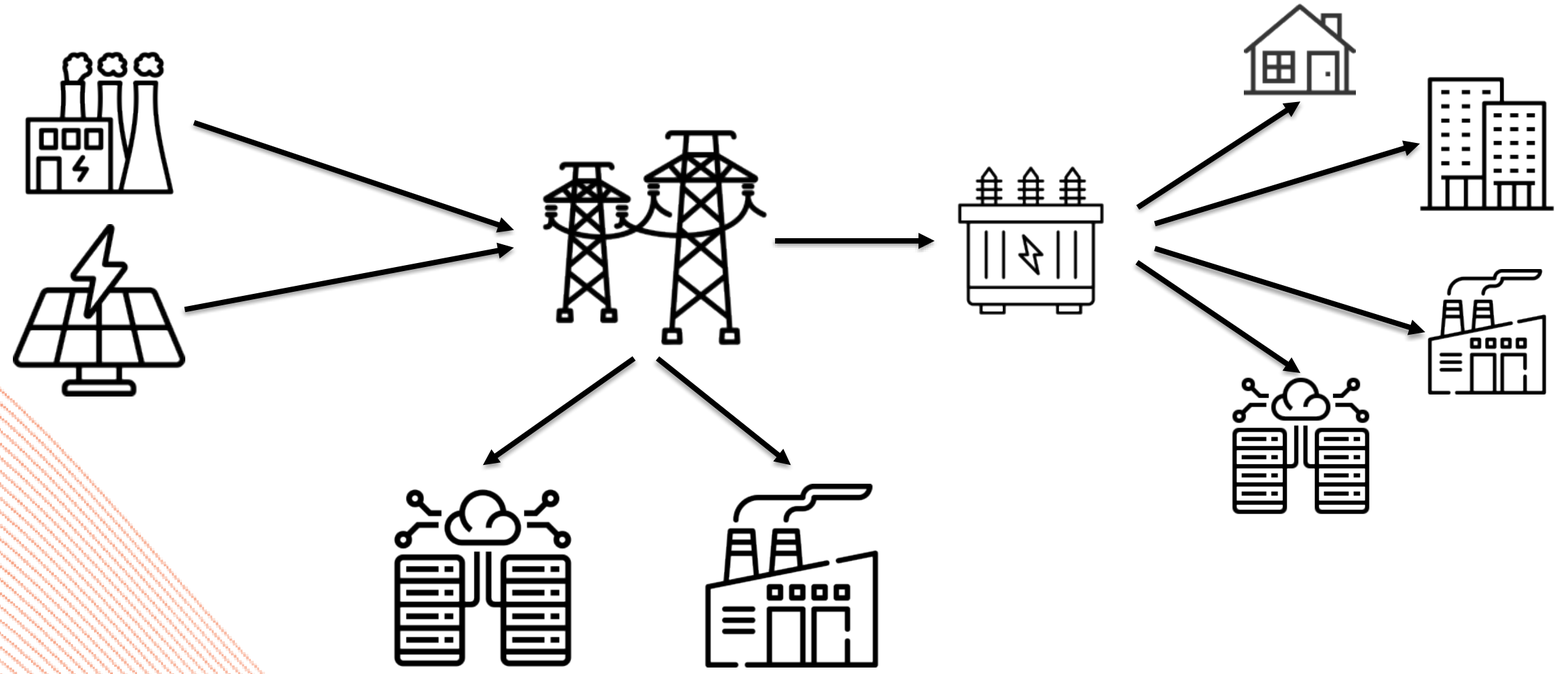
Data Centers and the Electric Grid

- Supply, Regulation, and Rates
- Potential Grid Impacts

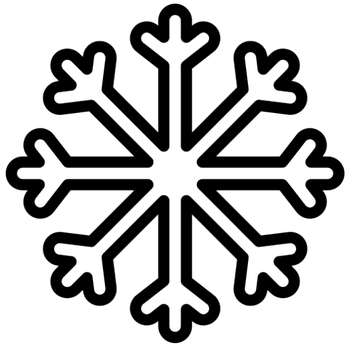
Backup Power

- Purpose and Function
- Mitigation Approaches

Data Centers and the Grid

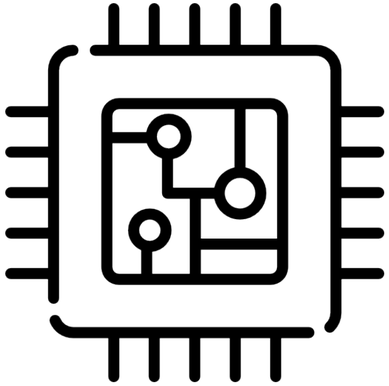


Data Center Power Usage



Cooling

Dependent on computing, building design, and weather



Computing

Dependent on hardware architecture and computational efficiency

Relevant Entities

Investor-Owned Utilities
Provide electric service under PUC oversight
Contract for electric generation

California Public Utilities Commission
Oversees investor-owned utilities, including by:

- Approving electric rates
- Approving capital expenditures

California Energy Commission
Permits thermal power plants over 50 MW

California Independent System Operator
Coordinates and manages the grid across BAAQMD territory

Municipally-Owned Utilities
Provide electric service under local oversight
Build or contract for electric generation

Electric Rate Impacts

Rate design is a policy process.
Data centers' impacts on electric rates will depend on choices by policymakers.

- Investor-owned utilities: proposed by the utility and approved by the Public Utilities Commission.
- Municipally-owned utilities: set by the utility, sometimes approved by local council.

Electrification Goal Impacts

Data center load growth has the potential to impact District electrification goals to the extent that:

- Electric rate design transfers some of the costs associated with supplying power to data centers to other electric customers
- Data center power demand is so great that electric supply is constrained
- Data center interconnection demands are so great that utilities' administrative capacity is constrained

Other Potential Grid Impacts

Grid Carbon Content

- Slower retirement of fossil-fueled power plants
- Higher utilization of fossil-fueled power plants
- New construction of fossil-fueled power plants

Power Quality and Grid Stability

- If large data centers vary their consumption rapidly, they could impact power quality for other users.
- In a worst-case scenario, data center demand variation could cause blackouts.
- Texas regulators have identified this problem.

Data Center Backup Power

Uninterruptible Power Supplies

- Most common source: Batteries
- Purpose: Very-short-term protection for electronics

Backup Generators

- Most common source: Diesel generators
- Purpose: Short- to medium-term replacement for grid power

Design determines both duration and capacity.

Diesel Backup Impacts

- Testing
- Blackouts and Disconnects
- Emergency Grid Dispatch

Data Center cooling systems and backup generators. Credit: Andrew Caballero-Reynolds/Getty Images via InsideClimateNews

Mitigation Approaches

Replace Backup Power Source

- Different alternatives to diesel have different pros, cons, and requirements.

Reduce Data Center Electricity Demand

- Lower peak demand means smaller backup power needs.
- When do data centers need *electricity* specifically?

Strengthen Data Center Flexibility and Redundancy

- Making data center operations flexible can reduce the need to use backup power.

Backup Power Technologies

Diesel Generators

- On-site fuel tank
- High GHG and air toxics emissions
- Highly familiar

Gas Generators

- Pipeline fuel supply
- High GHG emissions
- Lower air toxics emissions
- Significant backorders for highest-efficiency options

Batteries

- Store grid power
- Zero local emissions
- Higher up-front cost
- Possible revenue stream
- New to many local permitters

Fuel Cells

- Pipeline fuel supply
- GHG emissions
- Low air toxics emissions
- Higher up-front cost
- New to many local permitters

Backup Power Technologies

	Local Toxic Air Pollutant Emissions	**Local Greenhouse Gas Emissions**	**Energy Supply**	Upfront Capital Cost	**Familiarity to Developers and Regulators**	Possible Revenue Stream
Diesel Generators	High	High	Trucked to on-site tank	Low	Highest	No
Natural Gas Generators	Moderate	High	Pipeline	Low	High	No
Batteries	None	None	Grid	High	Low	Yes
Fuel Cells	Low	Moderate	Pipeline	High	Low	Unclear

Battery Backup

Advantages:

- Zero emissions
- Potential for grid benefits and revenue generation
- No District permitting involvement

Challenges:

- Higher capital requirement
- Less familiar to developers and local regulators
- Less well-proven for longer durations

Crafting Solutions

Bring Together Stakeholders:

- CAISO: Grid stabilization
- CPUC: Storage procurement
- Utilities: Local storage
- Developers: Additional revenue stream; permitting certainty

Improve Conditions for Battery Backup:

- Reduce cooling electricity demand
- Encourage data center redundancy and interconnections
- Encourage triage of data center services
- Provide resources for local permitting

Questions and Discussion