

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

## **APPROVED MINUTES**

Summary of Board of Directors  
Legislative Committee Meeting  
Monday, December 17, 2018

### **1. CALL TO ORDER – ROLL CALL**

Legislative Committee (Committee) Chairperson, Doug Kim, called the meeting to order at 10:30 a.m. Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Chairperson Doug Kim; Vice Chairperson Margaret Abe-Koga; and Directors John J. Bauters, Scott Haggerty, Karen Mitchoff, Brad Wagenknecht, and Shirlee Zane (remote).

Absent: Directors David Canepa, John Gioia, Liz Kniss, and Jim Spring.

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

### **2. PUBLIC COMMENT PERIOD**

No requests received.

### **3. APPROVAL OF THE MINUTES OF MARCH 22, 2018**

#### Public Comments

No requests received.

#### Committee Comments

None.

Committee Action

Director Haggerty made a motion, seconded by Director Hudson, to **approve** the minutes of March 22, 2018; and the motion **carried** by the following vote of the Committee:

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

**4. REVIEW OF THE 2018 LEGISLATIVE YEAR**

Thomas Addison, Senior Policy Advisor, reported on the outcome of key legislative proposals in 2018, particularly measures with Air District-adopted positions, including:

- The ongoing dispute between California air districts and the California Department of Finance regarding future Assembly Bill (AB) 617 implementation funding;
- Efforts of the California Air Pollution Control Officers Association which prevented the California Department of Finance from directing \$26 million from tire fee revenues that are allocated to the Carl Moyer Program to backfill a budget shortfall at the Department of Fish and Wildlife; and
- The status of various bills on which the District took positions:

<b>Bill No.</b>	<b>Author</b>	<b>Subject</b>	<b>Status</b>	<b>District's Position</b>
AB 1756	Brough	Repeals Senate Bill 1 (transportation funding measure of 2017)	Dead	Oppose
AB 1796	Muratsuchi	Addresses electric vehicle charging station installation in rent-controlled buildings	Chaptered	Support
AB 1975	Chu	Establishes South Bay Interagency Odor Taskforce	Dead	Support if Amended
AB 2008	Salas	Excludes Moyer grants from taxable income	Dead	Support
AB 2061	Frazier	Increases truck weight limits for electric, fuel cell, or natural gas trucks	Chaptered	Support
AB 2492	Salas	Directs Greenhouse Gas Reduction Fund funding to pilot program for medium-duty trucks, only in extreme ozone non-attainment areas	Dead	Oppose
AB 2940	Caballero	Exempts certain heavy-duty diesel low-use and agricultural vehicles from existing requirements that would prevent their registration	Dead	Oppose
AB 3059	Bloom	Authorizes congestion pricing demonstration projects	Dead	Support
SB 1144	Dodd	Increases civil stationary source air penalty ceilings for serious violations at powerplants, petrochemical facilities, and refineries	Dead	Support if Amended
SB 1427	Hill	State legislative intent to improve enforcement of high-occupancy toll and vehicle lanes; amended to unrelated subject matter	Dead	Support

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the Department of Finance’s belief that funding to implement AB 617 should come from fees imposed by local air districts on industry, the District’s rebuttal, stating that air districts cannot impose fees on an industry to pay for unrelated programs; legislative action the District plans to take to procure AB 617 implementation funds for future years; speculation on personnel changes to staff at the Department of Finance, due to the new gubernatorial administration; and the suggestion that the District expedites its timeline regarding the identification of authors for/development of bills, and proactively inform legislators of its desires, rather than waiting until the Governor’s Budget is publicized to take action.

Committee Action

None; receive and file.

**5. DISCUSSION OF POTENTIAL 2019 LEGISLATIVE AGENDA**

Mr. Addison presented to the Committee a potential legislative agenda for 2019 recommended by District staff. Issues include:

- **Wildfire Smoke Exposures in the Region** – the District will champion the development of legislation to procure funds from the Cap and Trade Program’s Greenhouse Gas Reduction Fund to create clean air centers throughout the Bay Area.

Committee Comments

The Committee and staff discussed record-breaking Air Quality Index levels in the Bay Area in 2018 from the Camp Fire in Butte County, and anticipated recurrences of wildfires in the future; which legislators are being considered as potential authors; whether the anticipated bill will pertain to just the Bay Area region or to the State of California; 2019 legislative deadlines and the reiterated suggestion that the District expedites its timeline regarding the identification of authors for/development of bills so that it may better coordinate with other organizations and agencies advocating for similar objectives; the suggestion that school districts and County Public Health Officers be involved in the development of this legislation; the suggestion that the Legislative Committee meets monthly and hosts a public workshop in February 2019 to educate new staff about legislative priorities for 2019; the consensus of the present Committee members that District staff pursue this process, and the request for the inclusion of fiscal impacts of wildfires when presented to the Board; and District staff’s plan to present this in detail at the 2019 Board of Directors’ Annual Retreat in January 2019 prior to creating a robust communication strategy for the public.

- **Funding Needs for Implementing AB 617** – The District will continue advocating to secure adequate funding from the California Air Resources Board (CARB) to implement AB 617, which passed in July 2017, and requires a wide variety of new obligations and substantial workload increase from the District.

Committee Comments

The Committee and staff discussed the anticipated increase in the District’s workload due to AB 617 implementation requirements; the estimated cost of AB 617 implementation in 2018, the source of funding that was used to pay for those costs, and the estimated cost for 2019; the nexus study conducted by the District (in collaboration with other air districts) about whether air district fees would be sufficient to cover AB 617 expenses; whether other air districts’ 2018 year-end expenditures for AB 617 implementation are available; and the Districts’ desire that AB 617 implementation become a new, individual California Climate Investments Program/Cap and Trade Program auction proceeds category.

- **Composition of the Board** – The District seeks direction from the Board on whether to adopt a position of opposition in response to potential legislation in 2019 that seeks to change the composition of the Board, but did not originate with the Board. (In 2017, the Board opposed similar potential legislative proposals.)

Committee Comments

The Committee and staff discussed the source of the resurfacing of this issue; the current size of the Board, and whether there is capacity to increase it; and the fact that one of the Board’s current members already represents the jurisdiction requesting the potential legislation.

Public Comments

No requests received.

Additional Committee Comments

Director Abe-Koga requested that the District monitor pushback against Community Choice Aggregation (CCA) agencies in the Bay Area, and support CCAs, should legislation that would jeopardize their existence be introduced.

Committee Action

None; receive and file.

**6. PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

**7. COMMITTEE MEMBERS' COMMENTS / OTHER BUSINESS**

Chair Kim thanked Mr. Addison for his service to the District and to the Legislative Committee, and invited Alan Abbs, who will assume the role of the District's Legislative Officer, effective January 7, 2019, to introduce himself to the Committee.

**8. TIME AND PLACE OF NEXT MEETING**

At the Call of the Chair.

**9. ADJOURNMENT**

The meeting adjourned at 11:48 a.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards