



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**AGENDA: 3**

# **Recap of 2020 Legislative Year**

**Legislative Committee Meeting  
September 30, 2020**

**Alan Abbs  
Legislative Officer**

# 2020 Legislative Session



- The 2020 Legislative Session ended on August 31, 2020.
- Most bills not involving a direct link to COVID-19, wildfires, or the state budget did not make it through the process.
- Only 384 bills were sent to the Governor for consideration.

# Air District-Sponsored Bills



Neither Air District-sponsored bills made it through:

- Assembly Bill (AB) 2882 (Chu) – Made it through the Assembly but did not receive a hearing in Senate Environmental Quality.
- AB 3211 (Bauer-Kahan) – It had been double-referred and was dropped by the author early on.

# AB 617 Funding



- Air District was successful in maintaining statewide AB 617 Implementation funding equivalent to last year's funding.
- Funding came entirely from the Air Pollution Control Fund (APCF) rather than being split with the Greenhouse Gas Reduction Fund (GGRF).
- California Legislature did not send GGRF budget to the Governor this year due to poor Cap and Trade auction results.



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# **Federal Legislative Update**

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# Clean Corridors (DeSaulnier)



- Language has been inserted into the next Transportation Bill called the INVEST in America Act.
- Currently, Section 1303 establishes a \$350 million annual competitive grant program to deploy electric vehicle charging and hydrogen fueling infrastructure.
- The program will prioritize projects that demonstrate the highest levels of carbon pollution reductions and that are installed on designated alternative fueling corridors.

# Smoke Planning and Research Act (Eshoo)



- The bill's language is being inserted into an Energy Bill package; however, authorizations are through 2025 instead of permanent.
- Establishes four Centers of Excellence for Wildfire Smoke at colleges or universities to research the risks communities face due to wildfire smoke.
- Directs the Environmental Protection Agency (EPA) to study this issue and provide grants to states, tribes, and local governments to plan and respond to wildfire smoke.

# Special Districts Provide Essential Services Act (Garamendi)



- Would allow special districts such as municipal utilities, fire protection districts, resource conservation districts, and health care districts access to the Coronavirus Relief Fund.
- Each state would be required to allocate no less than 5 percent of future Coronavirus Relief Fund disbursements received by the state to special districts.

# Energy Resilient Communities (Barragan)



- Will be introduced in October 2020, related to microgrids.
- This bill is anticipated to empower communities:
  - Technical Assistance - \$50 million
  - Clean Energy Microgrids - \$500 million in annual grants to support the critical infrastructure needed in the aftermath of an extreme weather event.
- Will prioritize grants for environmental justice communities.



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# **Consideration of Proposition 16**

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# Proposition 16



Proposition 16 (2020) is a constitutional amendment to repeal Proposition 209 (1996), which prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

**Will appear on the November 3, 2020 General Election Ballot.**



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**AGENDA: 6**

# **2021 Legislative Activities**

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# Previous Air District-Sponsored Bills



## Expansion of Indirect Source or Magnet Source Authority

- To include air toxics in addition to pollutants in excess of state ambient air quality standards.

## Private/Charter School Requirements for Air Quality Review Under the California Environmental Quality Act (CEQA)

- To require new private and charter schools to work with their local air district to identify nearby sources of air emissions that could have public health impacts to school students and employees.

# Other Legislative Ideas



- Air District Meeting Compensation
- Extension of Air District Intellectual Property Authority
  - Senate Bill (SB) 170 (*Pavley; Chapter 586, Statutes of 2011*)
- Amendments to Assembly Bill (AB) 617 (*C. Garcia; Chapter 136, Statutes of 2017*)

# Potential Other Bills



- Responses to Legislation Involving the Composition of the Board
- Wildfire/Climate Change
- Carl Moyer/AB 923 (*Firebaugh; Chapter 707, Statutes of 2004*)  
Reauthorization or Other Program Changes
- CalPERS Changes



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# **Overview of Governor's Executive Order N-79-20**

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# Executive Order N-79-20



## Targets

- Passenger cars and trucks - 100% zero-emission by 2035
- Medium- and Heavy-Duty trucks - 100% zero-emission by 2045
- Drayage trucks - 100% zero-emission by 2035
- Strategy for off road vehicles to achieve 100% zero-emission by 2035
- Will require California Air Resources Board (CARB) rulemaking.
- Must be consistent with technological feasibility and cost-effectiveness.
- Car and truck regulations may require United States Environmental Protection Agency (EPA) waiver.

# Executive Order N-79-20



## Other Actions

- Zero-Emission Vehicle (ZEV) Market Development Strategy to coordinate and implement strategies, policies, and implementation.
- Accelerated deployment of affordable fueling infrastructure, focusing on low-income and disadvantaged areas.
- Transportation agencies to speed work on multimodal transportation options, including bicycle, pedestrian, and microtransit.
- Development of a “Just Transition Roadmap.”

# Executive Order N-79-20



## Other Actions (Continued)

- Expedite regulatory process to repurpose and transition upstream and downstream oil production facilities.
- Strategies to continue to reduce carbon intensity of fuels beyond 2030.
- Strategies to responsibly close and remediate former oil extraction sites.
- Propose more protective oil extraction rule.