



BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

MARGARET ABE-KOGA – CO-CHAIR
BRAD WAGENKNECHT – VICE CHAIR
ERIN HANNIGAN
LYNDA HOPKINS
ROB RENNIE

PAULINE RUSSO CUTTER – CO-CHAIR
DAVID CANEPA
DAVID HAUBERT
DAVID HUDSON

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT’S AGENDA WEBPAGE
AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING
LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/89534567821>

(408) 638-0968 or (669) 900-6833

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- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT
CAN USE THE “RAISE HAND” FEATURE BY DIALING “*9”. IN ORDER TO
RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR
APPLICATION IS UP TO DATE**

WEDNESDAY
FEBRUARY 17, 2021
1:00 P.M.

AGENDA

1. **CALL TO ORDER - ROLL CALL**

PUBLIC MEETING PROCEDURE

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

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

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 matters on the agenda for the meeting, will have three minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

Staff/Phone (415) 749-

2. **APPROVAL OF THE MINUTES OF NOVEMBER 12, 2020**

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Legislative Committee meeting of November 12, 2020.

3. **STATE LEGISLATIVE BUDGET UPDATE**

A. Abbs/8437
aabbs@baaqmd.gov

The Committee will receive an update on recent events of significance in Sacramento including an update on the Fiscal Year (FY) 2021/22 Budget.

4. **AIR DISTRICT-SPONSORED BILLS**

A. Abbs/8437
aabbs@baaqmd.gov

Staff will provide an update to the Committee on the reintroduction of last year's Air District-sponsored school siting and indirect sources bills.

5. **CONSIDERATION OF NEW BILLS**

A. Abbs/8437
aabbs@baaqmd.gov

Staff will present bills of interest and recommend the Committee recommend that the Board of Directors take positions on high priority bills where appropriate.

6. **2021 LEGISLATIVE PLATFORM**

A. Abbs/8437
aabbs@baaqmd.gov

The Committee will review and discuss the draft legislative platform for 2021 and based on discussion and feedback, staff will provide a revised platform for the March 2021 meeting.

7. **FEDERAL LEGISLATIVE UPDATE**

A. Abbs/8437
aabbs@baaqmd.gov

The Committee will receive an update on recent events of significance on the federal level.

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

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Committee.

9. **COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, make a brief announcement or report on his or her 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 17, 2021, at 1:00 p.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

11. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD 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 to which this Agenda relates shall be made available at the 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 Quality Management 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, Terri Levels, at (415) 749-4667 or by email at tlevels@baaqmd.gov

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

FEBRUARY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Administration Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee – (Rescheduled for February 19, 2021 at 1:00 p.m.)	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Friday	19	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source & Climate Impacts Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

MARCH 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	3	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Thursday	4	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source & Climate Impacts Committee	Monday	15	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source & Climate Impacts Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: Approval of the Minutes of November 12, 2020

RECOMMENDED ACTION

Approve the attached draft minutes of the Legislative Committee (Committee) meeting of November 12, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of November 12, 2020.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Committee Meeting of November 12, 2020

AGENDA 2A – ATTACHMENT

Draft Minutes – Legislative Committee Meeting of November 12, 2020

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

DRAFT MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Thursday, November 12, 2020

This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Legislative Committee (Committee) Chairperson, Margaret Abe-Koga, called the meeting to order at 9:31 a.m.

Present: Chairperson Margaret Abe-Koga; Vice Chairperson Brad Wagenknecht; and Directors David Canepa, Pauline Russo Cutter, John Gioia, Scott Haggerty, Davina Hurt, Tyrone Jue, and Karen Mitchoff.

Absent: Director John Bauters.

Also Present: Board Chair Rod Sinks.

2. APPROVAL OF THE MINUTES OF SEPTEMBER 30, 2020

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Canepa made a motion, seconded by Director Mitchoff, to approve the Minutes of September 30, 2020; and the motion carried by the following vote of the Committee:

AYES: Abe-Koga, Canepa, Cutter, Haggerty, Hurt, Jue, Sinks.
NOES: None.
ABSTAIN: None.
ABSENT: Bauters, Gioia, Mitchoff, Wagenknecht.

3. 2021 LEGISLATIVE ACTIVITIES

Mr. Abbs stated that after the November 3, 2020 election, the California State Senate had moved to a super democratic majority, and the California State Assembly remains in a democratic majority. He added that Alex Lee won the 25th California Assembly seat, replacing Kansen Chu, and that on December 7, 2020, the Legislature will swear in its new members and start another session in January 2021.

Alan Abbs, Legislative Officer, described several of the Air District’s legislative priorities, which are currently being pursued and developed. These include:

- Identifying a new author and updating the language for failed Assembly Bill 3211 (Bauer-Kahan), which would allow air districts to adopt local rules related to toxic air contaminants at indirect sources of air pollution, and allow collection of data that will help air districts work with these sources and communities to reduce health impacts;
- Composition of Bay Area Air Quality Management District Board membership;
- Reauthorization of the Carl Moyer Program, which provides grant funding for cleaner-than-required vehicular engines and equipment. This program is scheduled to sunset in 2023, and program allocations to air districts specifically, have been reduced, due to a State budget cap;
- Maintaining *and* increasing multi-year, Assembly Bill 617 funding for implementation *and* incentives. This is contingent upon Cap and Trade auction revenues that are being impacted by the COVID-19 pandemic;
- Identifying a new author and updating the language for failed Assembly Bill 2882 (K. Chu), which would require that private schools and charter schools meet the same siting requirements as public schools; and
- Working with the California Air Resources Board to procure the funding promised for the Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program, derived from Assembly Bill 836 (Wicks), which the Governor passed in 2019. This bill provides funding to retrofit ventilation systems to create a network of clean air centers to mitigate adverse health impacts due to wildfires and other smoke events.
- Monitoring a new climate change and clean air bond that is under development and would be on the statewide ballot in 2022.

Public Comments

Public comments were given by Jed Holzman, 350 Bay Area; and Dr. Stephen Rosenblum, Palo Alto resident.

NOTED PRESENT: Vice Chair Wagenknecht was noted present at 10:00 a.m.

Committee Comments

The Committee and staff discussed actions that agencies are taking in other parts of the world to improve air quality, their interaction with the Air District, and the Air District’s monitoring of the UN Conference on Climate Change; the future of California’s Cap and Trade program auctions; challenges in pursuing indirect source authority; forecasted activities concerning the

Carl Moyer program reauthorization, and the California Energy Commission and CalRecycle’s anticipated involvement in the process; whether the Metropolitan Transportation Commission’s legislative priorities align with those of the Air District; the development of the Air District’s bill that would change the composition of its membership to include a member from the environmental justice community, and how the formation of the Air District’s first Community Advisory Council may help advise this undertaking; and the suggestion that the Air District holds virtual meetings with new and existing Legislators to apprise them of the Air District’s upcoming and ongoing legislative objectives.

Committee Action

None; receive and file.

4. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

5. COMMITTEE MEMBERS’ COMMENTS / OTHER BUSINESS

Director Mitchoff noted that global warming and climate change issues that were addressed in the television series, *The West Wing*, in the early 2000s, have yet to be remedied or took a long time to implement. She hopes that things move faster, moving forward.

6. TIME AND PLACE OF NEXT MEETING

At the conclusion of the meeting, the next meeting date was to be Thursday, December 3, 2020. After the meeting adjourned, the next meeting was scheduled for Wednesday, February 17, 2021, at 1:00 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

7. ADJOURNMENT

The meeting adjourned at 10:30 a.m.

Marcy Hirtzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: State Legislative Budget Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

On January 8, 2021, Governor Newsom released his initial Fiscal Year (FY) 2021-22 Budget.

DISCUSSION

Staff will provide an update to the Legislative Committee (Committee) on activities related to the budget.

On January 8, 2021, Governor Newsom released his draft budget proposal for FY 2021-22. Overall, the Administration assumes a one-time budget windfall of over \$20 billion, much of which goes to various forms of COVID relief. In addition, because the Administration and Legislature did not fund a Greenhouse Gas Reduction Fund (GGRF) Budget in FY 2020-21 due to low Cap and Trade Auction revenues, the Governor also proposed two phases of GGRF funding consisting of an early action budget and a regular fiscal year budget. The proposed budget is a significantly better starting point for the Air District than in previous budget cycles.

Attached is a table of programs significant to the Air District, along with budget data from previous years. The budgeting fulfills a promise made by the Governor last year to concentrate GGRF budgeting on several key areas – Assembly Bill (AB) 617, wildfire response, and clean transportation. It also demonstrates the Governor’s commitment to clean transportation from his recent Executive Order.

In addition, the Governor’s Budget also proposes to extend the sunset dates for the Carl Moyer Program, the Air District’s Mobile Source Incentive Fund Program (AB 923), and the California Energy Commission’s AB 118 from January 1, 2024 to January 1, 2046. Going forward on a statewide basis the Carl Moyer Program would be expected to be funded at approximately \$130 million per year, of which the Air District would likely receive over \$20 million per year. The budget also proposes to securitize a portion of future AB 118 revenues to create a fund of up to \$1

billion to expedite electric vehicle charging infrastructure and hydrogen fueling. The securitization component seems to have some early detractors, so this part of the reauthorization may be difficult. Securitization aside though, proposing to extend these programs through the budget process rather than through the normal legislative process is significant.

The Senate and Assembly have begun budget hearings that will continue for several months. Air District staff will participate and comment as appropriate. In May, the Governor will release a budget revision (the “May Revise”), and the remainder of May and most of June will be spent reconciling priorities and funding of the Administration, Senate, and Assembly. The budget must be signed by the Governor by July 1, 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 3A: Governor’s Proposed Budget FY 2021-22 vs Previous Years’ Budgets
Attachment 3B: Air District Budget Letter to Governor and Bay Area Caucus – December 2020
Attachment 3C: Air District Budget Letter to Governor and Budget Committees – February 2021

**Proposed 2021-22 State Budget
Current vs. Previous Years**

Program	FY 19/20 Budget	FY 20/21 Budget	FY 21/22 Proposed Budget Early Action	FY 21/22 Proposed Budget
AB 617 – Implementation	\$50M	\$50M	\$0	\$50M
AB 617 – Incentives	\$245M	\$0	\$125M	\$140M
AB 617 – Community Grants	\$10M	\$0	\$0	\$10M
Clean Vehicle Rebate	\$238M	\$0	\$0	\$0
Clean Truck & Bus	\$182M	\$0	\$165M	\$150M
Ag Diesel Engine Replacement	\$65M	\$0	\$90M	\$80M
Clean Cars For All/ School Bus/Equity	\$65M	\$0	\$74M	\$76M
AB 836 – Clean Air Centers	\$0	\$5M	\$0	\$0
Prescribed Fire	\$2M	\$0	\$0	\$2M
Carl Moyer Program	\$93.6M	\$93.6M	\$0	\$247M



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

December 2, 2020

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

Re: 2021-2022 State Budget Funding

Dear Governor Newsom:

The Bay Area Air Quality Management District (Bay Area AQMD) and other local air districts play a pivotal role in ensuring the State's air quality goals are met. These goals include attaining the health-protective national and state ambient air quality standards, working closely with the California Air Resources Board to implement the State's climate change programs, and ensuring community health is protected from the effects of air pollution. Many of California's disadvantaged communities are in areas impacted by localized air pollutants, making expedient emissions reductions a critical need if we are to protect human health in all communities. In addition, COVID-19 infection rates have correlated with areas of worse air pollution and in areas with greater disadvantaged populations, making many air district programs highly important in protecting public health during the COVID-19 pandemic.

Therefore, we respectfully request your support for funding in the 2021-2022 State budget for the following programs:

AB 617 Community Air Protection Program Local Air District Implementation Funding

The Bay Area AQMD has played a central role in implementing this important program that will provide significant public health benefits by identifying and reducing air pollution's impacts on communities disproportionately impacted by air pollution. AB 617 (C. Garcia; Chapter 136, Statutes of 2017) was signed into law with the Cap and Trade extension bill AB 398 (E. Garcia; Chapter 135, Statutes of 2017) to ensure our most burdened communities in the State received the health benefits promised by Cap and Trade. The Bay Area AQMD has been working aggressively to make the program a success in two communities, West Oakland and Richmond/San Pablo. If adequate funding is available, we plan early actions in East Oakland, Vallejo, and San Francisco. San Jose, the Tri-Valley area, and Eastern Contra Costa are also high on our priority list, pending available resources.

AB 617 envisions a long-term focus on air pollution reductions and improved community health, all of which require dedicated equipment and staffing over

- ALAMEDA COUNTY**
John J. Bauters
Pauline Russo Cutter
Scott Haggerty
Nate Miley
- CONTRA COSTA COUNTY**
John Gioia
David Hudson
Karen Mitchoff
(Secretary)
Mark Ross
- MARIN COUNTY**
Katie Rice
- NAPA COUNTY**
Brad Wagenknecht
- SAN FRANCISCO COUNTY**
VACANT
Shamann Walton
Tyrone Jue
(SF Mayor's Appointee)
- SAN MATEO COUNTY**
David J. Canepa
Carole Groom
Davina Hurt
- SANTA CLARA COUNTY**
Margaret Abe-Koga
Cindy Chavez
(Vice Chair)
Liz Kniss
Rod G. Sinks
(Chair)
- SOLANO COUNTY**
James Sperring
Lori Wilson
- SONOMA COUNTY**
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO



many years. This is especially true as new communities are identified for action alongside the existing 13 communities. If the Community Air Protection Program is to be successful as the Legislature intends, and perhaps serve as a model for a federal environmental justice program, then adequate ongoing statewide funding supporting the Bay Area AQMD and other air districts' efforts is essential. These communities have long suffered from government neglect and discriminatory policies. Establishing AB 617 and then failing to fund it would be a continuation of that pattern.

Recognizing the significant ongoing air district costs related to implementation of AB 617 mandates, the last three fiscal year budgets included \$50 million for local air district implementation costs. The Bay Area AQMD receives approximately \$9 million per year of this funding. While we appreciate the funding, our experience with the implementation of this program over the last three years is showing that statewide implementation costs are significantly higher than \$50 million, and the Bay Area AQMD's costs are significantly higher than \$9 million. Although the AB 617 activities are mandated, the uncertainty surrounding annual funding makes it extremely difficult to maintain staff levels and purchase equipment. We strongly urge the Legislature and Governor to identify long-term funding through a continuous appropriation for ongoing implementation and, as communities are added, future expansion of this important program.

AB 617 Incentive Funding and Other Mobile Source Incentive Funding

The Bay Area AQMD believes that incentive funding is the most cost-effective and expeditious way to bring emission reductions and public health benefits to our most impacted communities. Because transportation and goods movement air pollutant emissions continue to be the largest contributor to poor air quality and adverse human health effects, it is important to continue programs that accelerate the turnover and elimination of older diesel vehicles and diesel-powered equipment. In addition to immediate reductions in diesel exhaust, benefits include a reduction of ozone precursor gases such as oxides of nitrogen, a reduction of PM 2.5, and reductions of greenhouse gases. These are very positive outcomes for air quality, climate change, public health and our quality of life, and we respectfully request continued funding for these critical programs.

In the 2019-2020 budget, air districts were provided \$245 million from the Greenhouse Gas Reduction Fund (GGRF) for AB 617 Community Air Protection Program incentives. This funding allowed local air districts to fund early emissions reduction projects that cut both stationary and mobile source emissions of, and exposure to, criteria air pollutants and toxic air contaminant emissions in the communities disproportionately impacted by air pollution. The Bay Area AQMD received approximately \$35 million of that funding.

Unfortunately, reduced Cap and Trade Auction revenues due to COVID-19 resulted in no funding provided to ensure these critical air pollution reductions in the 2020-2021 budget, although AB 617 incentives were listed in the Governor's May Revision as a priority for funding from Cap and Trade.

The 2019-2020 budget also provided funding for several successful and cost-effective statewide emission reduction programs from the GGRF that were unfortunately unable to be funded in 2020-2021, including the Clean Vehicle Rebate Program (\$238 million); Clean Trucks, Buses & Offroad Freight Equipment (\$182 million); Enhanced Fleet Modernization Program, Clean Cars for All, and School Buses (\$65 million); and the FARMER Tractor Replacement Program (\$65 million). These programs reduce greenhouse gas, criteria pollutant, and toxic air contaminant emissions from light-duty vehicles, agricultural tractors and harvesting equipment, heavy-duty trucks, school and transit buses, and port equipment. Locally, these programs have contributed to our efforts to expand electric vehicle usage, clean local transit fleets, and reduce emissions in the freight sector. Because the goal of reducing the air quality impacts in these areas is a multiyear effort, it is important to ensure these programs are also well funded into the future.

Wildfire Smoke Public Health Response

The Bay Area AQMD is dedicating significant effort to improving wildfire smoke public health response capabilities in the Bay Area Region in the coming years. As in many parts of the State, wildfire smoke from several of the catastrophic fires in recent years blanketed the region with smoke for weeks at a time, erasing public health gains made over many years through district programs to reduce emissions from mobile and stationary sources. Recently, the New York Times published a story¹ about the health impacts to children in California from wildfire smoke that provide a warning about the potential long-term effects.

Pursuant to AB 836 (Wicks; Chapter 393, Statutes of 2019), the Bay Area AQMD is working with regional stakeholders to identify public locations that can serve as "clean air centers" during wildfire smoke or other times of high particulate exposure. These clean air centers would provide a healthy space for our vulnerable population during emergency events. While some of these potential locations such as schools, community centers, and libraries may be equipped with high-efficiency filtration to provide a clean indoor environment, some will require filtration system retrofitting and maintenance, or use of portable air filtration units. The Bay Area AQMD also seeks funding either as

¹ Sengupta, Somini, "Wildfire smoke is poisoning California's kids. Some pay a higher price.", *New York Times*, November 26, 2020, <https://www.nytimes.com/interactive/2020/11/26/climate/california-smoke-children-health.html>

part of AB 836, or separate, to assist low-income homeowners and renters in improving their indoor air quality with portable filtration units or HVAC filter upgrades.

The Bay Area AQMD appreciates the opportunity to provide our funding request for the upcoming fiscal year. We are committed to reducing air pollution in California and ensuring that every one of the region's 8 million residents can breathe clean, healthful air. We are also committed to ensuring that the State's most disproportionately affected populations realize emissions reductions as expeditiously as possible. If you should have any questions, please do not hesitate to contact me at (415) 749-5052, or our Legislative Officer, Mr. Alan Abbs at (916) 769-7769.

Sincerely,



Jack P. Broadbent
Executive Officer/APCO

JPB:AA

cc: The Honorable Toni Atkins, President Pro Tempore, California State Senate
The Honorable Anthony Rendon, Speaker, California State Assembly
Christine Hironaka, Deputy Cabinet Secretary, Office of Governor Newsom
Keely Martin Bosler, Director, Department of Finance
Kate Gordon, Director, Office of Planning and Research and Climate Advisor to Governor Newsom
Matt Almy, Program Budget Manager, Department of Finance



BAY AREA
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ALAMEDA COUNTY

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SAN FRANCISCO COUNTY

VACANT

Shalann Walton
Tyrone Jue
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SAN MATEO COUNTY

David J. Canepa
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SANTA CLARA COUNTY

Margaret Abe-Koga
Cindy Chavez
(Chair)
Rich Constantine
Rod G. Sinks

SOLANO COUNTY

Erin Hannigan
Lori Wilson

SONOMA COUNTY

Teresa Barrett
Lynda Hopkins

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



February 3, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

The Honorable Toni Atkins
President Pro Tempore of the California State Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, CA 95814

Re: 2021-2022 State Budget & Cap and Trade Expenditure Plan

Dear Governor Newsom, President Pro Tempore Atkins, and
Speaker Rendon:

On behalf of the Bay Area Air Quality Management District (Bay Area AQMD), I am writing to express support for providing funding in the introduced state budget for air quality and air quality-related public health programs. As you know, the local air districts play a pivotal role in ensuring the state's air quality goals are met. These goals include attaining the health-protective national and state ambient air quality standards, reducing air toxics, working closely with the California Air Resources Board (CARB) to implement the state's climate change programs, and ensuring community health is protected from the effects of air pollution.

AB 617 Community Air Protection Program Local Implementation Funding

The proposed budget provides critical local implementation funding for the AB 617 Community Air Protection Program. The 2021 – 2022 budget proposes \$50 million from from the Greenhouse Gas Reduction Fund (GGRF), which is the same amount as in the previous 3 budget cycles. The Bay Area AQMD has played a central role in implementing this ambitious and important new program to improve public health in historically underserved communities and has been working aggressively to make the program a success in two communities, West Oakland and Richmond-San Pablo. We plan future actions in East Oakland, Vallejo, San Jose, and eastern San Francisco. While we are grateful for the current proposal, we do note that the AB 617 Program has expanded to additional communities

while the amount of implementation funding has not changed, and that this funding does not fully cover the expenses of the current program. We respectfully request that you consider additional funding in future budget proposals to ensure the continued success of this program in the state's most burdened communities.

AB 617 Community Air Protection Program Clean Air Project Funding

The proposed state budget includes Cap and Trade funding for Community Air Protection Program clean air projects in the amount of \$125 million in early action and \$140 million in the 2021-2022 budget, for a total of \$265 million. Emissions reduction projects with this funding will immediately reduce air pollutants and exposure in disadvantaged communities, resulting in improved public health. Based on our extensive experience in successfully reducing air pollutant emissions via grants and incentives, the Bay Area AQMD believes that incentive funding is the most cost-effective and expeditious way to implement the requirements of AB 617 and bring emission reductions and public health benefits to our most impacted communities. Because transportation and goods movement air pollutant emissions continue to be the largest contributor to poor air quality and adverse human health effects, it is important to continue programs that accelerate the turnover and elimination of older diesel vehicles and diesel-powered equipment. In addition to immediate reductions in diesel exhaust, benefits include a reduction of ozone precursor gases such as oxides of nitrogen, a reduction of PM_{2.5}, and reductions of greenhouse gases. These are very positive outcomes for air quality, climate change, public health, and our quality of life, and we are pleased to see this funding in the budget proposal.

Other Low Carbon Transportation Programs

Greenhouse gas, criteria pollutant and toxic air contaminant emissions from the mobile source sector make up approximately two-thirds of air emissions in the state. To more quickly reduce these impacts, we are pleased to see proposals to support Clean Truck and Bus Replacements (\$165 million in early action and \$150 million in 2021-2022), Agricultural Diesel Engine Replacement (\$90 million and \$80 million, respectively), and Equity Programs including Clean Cars for All (\$74 million and \$76 million, respectively). These programs reduce greenhouse gas, criteria pollutant, and toxic air contaminant emissions from light duty vehicles, heavy duty trucks, agricultural equipment, and school and transit buses. Locally, these programs have contributed to our efforts to expand electric vehicle usage, clean local transit fleets, and reduce emissions in the freight sector. Reducing the air quality impacts in these areas is a multiyear effort, and a robust incentive program will be critical in meeting California's clean

transportation goals. We are pleased to see this funding in the budget proposal.

Carl Moyer/AB 923/AB 118 Reauthorization

The Bay Area AQMD has participated in the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program), in cooperation with the California Air Resources Board (CARB), since the program began in fiscal year 1998-1999. The Carl Moyer Program offers grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by replacing or retrofitting them with newer, cleaner engines including zero-emissions power systems. Eligible heavy-duty diesel engine projects include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines. Statewide, the Carl Moyer Program has been an incredibly successful clean air program that will continue to be important in supporting California's goal of a zero-emission transportation future. We were very happy the budget proposal includes reauthorization of the Carl Moyer and AB 923 programs as well as the AB 118 Alternative and Renewable Fuel and Vehicle Technology Program and look forward to providing any support necessary.

Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program Implementation

As in many parts of the State, wildfire smoke from several of the catastrophic fires in recent years blanketed the region with smoke for weeks at a time, erasing public health gains made over many years through district programs to reduce emissions from mobile and stationary sources. In response, the Bay Area AQMD is working with regional stakeholders to identify public locations that can serve as "clean air centers" during wildfire smoke or other times of high particulate exposure. Assembly Bill 836 in 2019 by Assemblymember Buffy Wicks created an incentive program to fund the retrofit of these facilities to be used by the public during air quality emergencies. In the 2020-2021 budget, \$5.5 million in funding was provided to start this vital public health program, but the 2021-2022 budget proposal does not provide any funding. The Bay Area AQMD has been proud to take the lead and sponsor this effort and requests statewide funding in the amount of \$10 million to continue this important statewide program to mitigate the public health impacts of wildfire smoke.

The Bay Area AQMD appreciates the opportunity to provide our input for the upcoming fiscal year. We are committed to reducing air pollution in California and ensuring that every one of the region's approximately 7.75 million residents can breathe clean, healthful air. We are also committed to ensuring

The Honorable Gavin Newsom
The Honorable Toni Atkins
The Honorable Anthony Rendon
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February 3, 2021

that the State's most disproportionately affected populations realize emissions reductions as expeditiously as possible. If you should have any questions, please do not hesitate to contact me at (415) 749-5052, or our Legislative Officer, Mr. Alan Abbs at (916) 769-7769.

Sincerely,



Jack P. Broadbent
Executive Officer/APCO

JPB:AA

Cc: The Honorable Nancy Skinner, Chair, Senate Committee on Budget & Fiscal Review
The Honorable Phil Ting, Chair, Assembly Committee on the Budget
The Honorable Bob Wieckowski, Chair, Senate Budget Subcommittee 2 on Resources, Environmental Protection and Energy
The Honorable Richard Bloom, Chair, Assembly Budget Subcommittee 3 on Climate Crisis, Resources, Energy, and Transportation
Members of Senate Budget Subcommittee 2
Members of Assembly Budget Subcommittee 3
Jared Blumenfeld, Secretary for Environmental Protection
Christine Hironaka, Deputy Cabinet Secretary, Office of Governor Newsom
Keely Bosler, Director, Department of Finance
Kate Gordon, Director, Office of Planning and Research and Climate Advisor to Governor Newsom
Liane M. Randolph, Chair, California Air Resources Board

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: Air District-Sponsored Bills

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Last year, the Air District sponsored two bills, Assembly Bill (AB) 2882 – *Hazardous emissions and substances: school sites: private and charter schools* – and AB 3211 – *Toxic Air Contaminants*.

Most bills that didn't have a direct link to COVID-19, wildfires, or the state budget did not make it through the legislative process. Both Air District-sponsored bills failed, with AB 2882 making it through the Assembly but getting stuck in Senate Environmental Quality, and AB 3211 being dropped early on by the author.

The deadline to introduce bills for this year is February 19, 2021.

DISCUSSION

Last year's AB 2882 was the Air District's bill in response to the Stratford School issue and was joint authored by Assembly members Chu and C. Garcia. This year's version will be authored by Assemblymember Lee. As of this writing it does not have a bill number.

Prior to constructing a new public school, a school district must go through a California Environmental Quality Act (CEQA) process that requires (in the Education Code and Public Resources Code) dialog with their local air district, identification of sources of air pollution nearby, and a thoughtful determination that the nearby sources of pollution do not pose a threat to the future students or employees. While private schools perform CEQA, they are not required to make a similar declaration prior to construction of a school. As we see more infill development in California, including development of old industrial sites, it will be important to ensure that our children have an opportunity to attend schools with a healthy learning environment.

AB 3211 was the Air District's response to the direction in the West Oakland Community Emissions Reduction Plan to expand Air District authority over indirect sources and was joint authored by Assembly Members Bauer-Kahan and Bonta. Assmemblymember Bauer-Kahan will again be the author of the bill, which was introduced on February 4, 2021 as AB 426.

Indirect sources include warehouses, distribution centers, ports, or places that may not be a "stationary source" of pollution, but nonetheless attract sources of air pollution to them, namely cars and trucks. Current state law allows air districts to develop local regulations on indirect sources if the air districts are in nonattainment of state air quality standards, ozone, and particulate matter. Significant medical research over the last decade, however, has informed us of the negative health effects of fine particulate matter (PM2.5) and toxic air contaminants, including diesel particulate, which current authority doesn't cover. And while we have made strides in cleaning up diesel engines over the years, large concentrations of diesel equipment in small areas can have huge health impacts in neighboring communities. The bill would expand statewide authority to include toxic air contaminants within current indirect source authority, which would provide tools to air districts to further identify local health impacts and to more effectively target scarce incentive funding.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 4A: AB 426 (Bauer-Kahan) – Toxic Air Contaminants – Bill Text

ASSEMBLY BILL**No. 426****Introduced by Assembly Member Bauer-Kahan**

February 4, 2021

An act to amend Section 40716 of the Health and Safety Code, relating to stationary air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 426, as introduced, Bauer-Kahan. Toxic air contaminants.

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district's jurisdiction from areawide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:

1 (a) Existing law imposes various limitations on emissions of
2 air contaminants for the control of air pollution from vehicular and
3 nonvehicular sources. Existing law generally designates the State
4 Air Resources Board as the state agency with the primary
5 responsibility for the control of vehicular air pollution, and the air
6 pollution control districts or the air quality management districts
7 with the primary responsibility for the control of air pollution from
8 all sources other than vehicular sources, including stationary
9 sources. Existing law allows air pollution control districts and air
10 quality management districts to adopt and implement regulations
11 to reduce or mitigate emissions from indirect and areawide sources
12 of air pollution to achieve attainment of state ambient air quality
13 standards.

14 (b) The people of California have a right to know when
15 industrial or commercial operations result in emission of toxic air
16 contaminants that may pose a significant health risk to the people
17 exposed to those emissions.

18 (c) Diesel-fueled trucks are responsible for 33 percent of
19 statewide oxides of nitrogen emissions annually. These same trucks
20 emit more particulate matter than all of the state's powerplants.

21 (d) People who live near stationary sources that attract truck
22 traffic are at high risk for exposure to these health-threatening air
23 pollutants emitted by these medium- and heavy-duty vehicles, and
24 communities near freeways and busy roadways have compounded
25 health risk due to near-constant exposure to criteria air pollutants.

26 (e) In 1998, the State Air Resources Board identified diesel
27 particulate matter as a toxic air contaminant based on published
28 evidence of a relationship between diesel exhaust exposure and
29 lung cancer.

30 (f) Diesel particulate matter also contributes to noncancer health
31 effects, such as premature death, hospitalizations, and emergency
32 department visits for exacerbated chronic heart and lung diseases,
33 including asthma, increased respiratory symptoms, and decreased
34 lung function in children.

35 (g) Children are particularly vulnerable to the negative effect
36 of diesel particulate matter because they have higher respiratory
37 rates than adults and this can increase their exposure to air
38 pollutants relative to their body weight.

1 (h) Increased respiratory symptoms, such as coughing, wheezing,
2 runny nose, and doctor-diagnosed asthma, have been linked to
3 traffic exposure.

4 (i) Reducing emissions of these pollutants can have an
5 immediate beneficial impact on air quality and public health.

6 (j) Existing law does not provide local air pollution control
7 districts and air quality management districts sufficient data
8 collection and enforcement authority to reduce health risks
9 associated with toxic air contaminants, such as diesel particulate
10 matter. This authority would also allow air pollution control
11 districts and air quality management districts to adopt and
12 implement regulations requiring local and areawide stationary
13 sources to provide data on vehicular traffic drawn by stationary
14 sources and other operational data to better calculate local health
15 risks created by the stationary sources.

16 (k) The state should therefore move swiftly to provide this
17 authority to local air pollution control districts and air quality
18 management districts to encourage air districts to provide incentives
19 to stationary sources to transition to cleaner vehicle fleets, change
20 operations, or take other actions that would reduce the health risk
21 to residents from toxic air contaminants.

22 SEC. 2. Section 40716 of the Health and Safety Code is
23 amended to read:

24 40716. (a) In carrying out its responsibilities pursuant to this
25 division with respect to the attainment of state ambient air quality
26 ~~standards~~, *standards or the reduction of health risks from toxic air*
27 *contaminants*, a district may adopt and implement regulations to
28 accomplish ~~both~~ *any* of the following:

29 (1) Reduce or mitigate emissions from *new and existing* indirect
30 and areawide sources of air pollution.

31 (2) Encourage or require the use of measures which reduce the
32 number or length of vehicle trips.

33 (3) *Require data regarding air pollution within the district's*
34 *jurisdiction from new and existing areawide stationary sources of*
35 *air pollution, including mobile sources drawn by those stationary*
36 *sources, to enable the calculation of health risks from toxic air*
37 *contaminants.*

38 (b) Nothing in this section constitutes an infringement on the
39 existing authority of counties and cities to plan or control land use,

- 1 and nothing in this section provides or transfers new authority over
- 2 such land use to a district.

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: Consideration of New Bills

RECOMMENDED ACTION

The Legislative Committee (Committee) will discuss and review bills and take positions where appropriate.

Staff recommends oppose positions on the following bills:

- Assembly Bill (AB) 220 (Voepel) – Smog check: exemption
- AB 467 (Grayson) – Smog check: exemption: historic vehicles
- AB 363 (Medina) – Carl Moyer Memorial Air Quality Standards Attainment Program

BACKGROUND

This is the first year of the two-year 2021-2022 Legislative Session. The last day for bills to be introduced this year is February 19, 2021. Bills can be heard in committee 31 days after being introduced, with most bills being heard in committee beginning in mid-March. The attached bill matrix is current as of the date of this agenda item. Staff may provide information on additional bills introduced closer to the time of the committee meeting.

DISCUSSION

Staff will provide the Committee a summary and status of bills on the attached list and will review other bills that may be of interest to the Committee. Specifically, staff will plan to discuss AB 220 (Voepel), AB 467 (Grayson), and AB 363 (Medina) and recommends the Committee take a position of “Oppose” on each.

AB 220 (Voepel) Smog check: exemption. Existing law exempts specified vehicles from being inspected biennially upon renewal of registration, including, among others, all motor vehicles manufactured prior to the 1976 model-year. This bill instead would exempt from the smog check program all motor vehicles manufactured prior to the 1983 model-year. As an example of the impact, a typical 1982 passenger vehicle emits roughly 84 times the amount of NOx as a 2017 vehicle. Without being subject to smog check, the typical 1982 vehicle emissions would rise to roughly 110 times. Bills attempting to roll back smog check requirements are perennial bills and the Air District typically opposes.

AB 467 (Grayson) Smog check: exemption: historic vehicles. This bill would exempt vehicles with historic license plates from the smog check program. Smog check already exempts pre-1976 vehicles from smog check, but an exemption expansion to vehicles with historic plates potentially adds thousands of vehicles to the exemption list of model year 1976 through 1995. The problem with this bill is that a person that wants a “historic” license plate only needs to submit an application to the Department of Motor Vehicles (DMV) stating that their vehicle has historic value and self-certifying that the vehicle is primarily used only in parades and historic car events and not primarily for personal travel.

AB 363 (Medina) Carl Moyer Memorial Air Quality Standards Attainment Program. This bill would require the California Air Resources Board (CARB), by January 1, 2023, to adopt an online application process for the submission of grant applications under the program. The bill would require CARB and local air districts administering the program to use the online application process. The bill would require the state board, by January 1, 2023, to review the program and to submit to the Legislature a report on the review containing certain information. The bill would prohibit the state board from amending or adopting regulations making changes to the program until it has submitted the report. The bill appears to be sponsored by natural gas interests.

All large air districts have district-specific online application processes that are tailored to the individual program and emission reduction needs of the district. Combined, these air districts represent well over 85% of the program funding in the Carl Moyer Program. Many smaller rural air districts do not use an online application process because the amount of funding they manage is very low (\$200,000 per year total) or because they have a pool of potential applicants in which hard copy or in person applications are easier. The premise of the bill is that CARB could develop a single online platform that could serve all 35 air districts, be responsive to the variations in programs between the districts and be overall more efficient. The reality is that it creates a redundant process that would be less efficient than current processes.

Building Decarbonization bills. Per the matrix, building decarbonization is a hot topic for 2021. Staff intends to spend time at the March Legislative Committee meeting reviewing these bills more in depth with potential recommendations of positions.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 5A: Current Bills of Interest Matrix
Attachment 5B: AB 220 (Voepel) – Bill Text
Attachment 5C: AB 467 (Grayson) – Bill Text
Attachment 5D: AB 363 (Medina) – Bill Text

Bill #	Author	Subject	Last Status - As of 2/11/2021	Location	Notes	Position	Priority (Low/Medium/High)
AB 5	Fong	Greenhouse Gas Reduction Fund: High Speed Rail Authority: K-12 education: transfer and loan.	1/11/2021-Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Low
AB 9	Wood	Wildfires.	12/8/2020-From printer. May be heard in committee January 7.	12/7/2020-A. PRINT	Spot bill. Maybe prescribed fire.		Medium
AB 11	Ward	Climate change: regional climate change authorities.	1/25/2021-Re-referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low
AB 28	Chau	Service stations: definition: alternative fuels.	1/11/2021-Referred to Com. on TRANS.	1/11/2021-A. TRANS.			Low
AB 33	Ting	Natural gas.	1/11/2021-Referred to Coms. on U. & E. and NAT. RES.	1/11/2021-A. U. & E.			Low
AB 39	Chau	California-China Climate Institute.	1/11/2021-Referred to Coms. on HIGHER ED. and NAT. RES.	1/11/2021-A. HIGHER ED.			Low
AB 51	Quirk	Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.	1/11/2021-Referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low
AB 52	Frazier	California Global Warming Solutions Act of 2006: scoping plan updates: wildfires.	1/11/2021-Referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low
AB 64	Quirk	Electricity: renewable energy and zero-carbon resources: state policy: strategy.	1/11/2021-Referred to Coms. on U. & E. and NAT. RES.	1/11/2021-A. U. & E.			Low
AB 73	Rivas, R.	Employment safety: agricultural workers: wildfire smoke.	2/3/2021-Re-referred to Com. on L. & E.	1/11/2021-A. L. & E.			Low
AB 96	O'Donnell	California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.	1/11/2021-Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Medium
AB 113	Boerner Horvath	Transportation electrification: electric vehicles: grid integration.	1/11/2021-Read first time.	12/17/2020-A. PRINT			Low
AB 117	Boerner Horvath	Air Quality Improvement Program: electric bicycles.	1/11/2021-Read first time. Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Low
AB 214	Ting	Budget Act of 2021.	1/28/2021-Referred to Com. on BUDGET.	1/28/2021-A. BUDGET			High
AB 220	Voepel	Smog check: exemption.	1/28/2021-Referred to Com. on TRANS.	1/28/2021-A. TRANS.		Propose Oppose	Medium
AB 284	Rivas, R.	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	1/28/2021-Referred to Com. on NAT. RES.	1/28/2021-A. NAT. RES.			Low
AB 297	Gallagher	Fire prevention.	1/26/2021-From printer. May be heard in committee February 25.	1/25/2021-A. PRINT			Low
AB 339	Lee	State and local government: open meetings.	1/29/2021-From printer. May be heard in committee February 28.	1/28/2021-A. PRINT			Low
AB 363	Medina	Carl Moyer Memorial Air Quality Standards Attainment Program.	2/2/2021-From printer. May be heard in committee March 4.	2/1/2021-A. PRINT		Propose Oppose	Medium
AB 365	O'Donnell	Sales and use taxes: exclusion: zero-emission and near-zero-emission drayage trucks.	2/2/2021-From printer. May be heard in committee March 4.	2/1/2021-A. PRINT			Low
AB 426	Bauer-Kahan	Toxic air contaminants.	2/5/2021-From printer. May be heard in committee March 7.	2/4/2021-A. PRINT		Air District-Sponsored	High
AB 467	Grayson	Smog check: exemption: historic vehicles.	2/9/2021-From printer. May be heard in committee March 11.	2/8/2021-A. PRINT		Propose Oppose	Medium
SB 7	Atkins	Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.	1/28/2021-Referred to Com. on EQ.	1/28/2021-S. E.Q.			Low
SB 18	Skinner	Green hydrogen.	1/28/2021-Referred to Coms. on E, U. & C. and EQ.	1/28/2021-S. E. U., & C.			Low
SB 27	Skinner	Carbon sequestration: state goals: natural and working lands: registry of projects.	1/28/2021-Referred to Coms. on EQ. and N.R. & W.	1/28/2021-S. E.Q.			Low
SB 30	Cortese	Building decarbonization.	1/28/2021-Referred to Com. on G.O.	1/28/2021-S. G.O.			Medium

Bill #	Author	Subject	Last Status - As of 2/11/2021	Location	Notes	Position	Priority (Low/Medium/High)
SB 31	Cortese	Building decarbonization.	1/28/2021-Referred to Com. on E., U. & C.	1/28/2021-S. E. U., & C.			Medium
SB 32	Cortese	Energy: general plan: building decarbonization requirements.	1/28/2021-Referred to Com. on GOV. & F.	1/28/2021-S. GOV. & F.			Medium
SB 33	Cortese	California Environmental Quality Act: lead agency.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.	Spot bill.		Low
SB 36	Skinner	Energy efficiency.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.	Spot bill.		Low
SB 45	Portantino	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	1/28/2021-Referred to Coms. on N.R. & W., GOV. & F., and EQ. Referral to Com. on E.Q. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	1/28/2021-S. N.R. & W.			Medium
SB 52	Dodd	State of emergency: local emergency: sudden and severe energy shortage: planned power outage.	1/28/2021-Referred to Com. on G.O.	1/28/2021-S. G.O.			Low
SB 63	Stern	Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones: forest management.	1/28/2021-Referred to Coms. on N.R. & W. and HOUSING.	1/28/2021-S. N.R. & W.			Low
SB 66	Allen	California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.			Low
SB 67	Becker	Clean Energy.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.			Low
SB 68	Becker	Building decarbonization.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.			Low
SB 99	Dodd	Community Energy Resilience Act of 2021.	1/28/2021-Referred to Com. on E., U. & C.	1/28/2021-S. E. U., & C.			Low
SB 112	Skinner	Budget Act of 2021.	1/11/2021-From printer. Read first time. Referred to Com. on B. & F.R.	1/11/2021-S. BUDGET & F.R.			High
SB 227	Jones	Off-highway vehicles.	1/28/2021-Referred to Coms. on TRANS, N.R. & W., and EQ. Referral to Com. on E.Q. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	1/28/2021-S. TRANS.			Medium
SB 260	Wiener	Climate Corporate Accountability Act.	2/3/2021-Referred to Coms. on EQ. and JUD.	2/3/2021-S. E.Q.			Medium
SB 261	Allen	Regional transportation plans: sustainable communities strategies.	2/4/2021-Referral to Com. on HOUSING rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	2/4/2021-S. HOUSING			Low
SB 342	Gonzalez	Environmental justice.	2/10/2021-From printer. May be acted upon on or after March 12.	2/9/2021-S. RLS.	Intent bill.		Medium
SB 372	Leyva	Medium- and heavy-duty fleet purchasing assistance program: zero-emission vehicles.	2/10/2021-Introduced. Read first time. To Com. on RLS. for assignment. To print.	2/10/2021-S. RLS.			Low
Total Active Bills	43						Low: 28 Medium: 12 High: 3

ASSEMBLY BILL**No. 220****Introduced by Assembly Member Voepel**

January 11, 2021

An act to amend Section 44011 of the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 220, as introduced, Voepel. Smog check: exemption.

Existing law establishes a motor vehicle inspection and maintenance (smog check) program that is administered by the Department of Consumer Affairs. The smog check program requires inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law exempts specified vehicles from being inspected biennially upon renewal of registration, including, among others, all motor vehicles manufactured prior to the 1976 model-year.

This bill instead would exempt from the smog check program all motor vehicles manufactured prior to the 1983 model-year.

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

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

- 1 SECTION 1. Section 44011 of the Health and Safety Code is
- 2 amended to read:
- 3 44011. (a) All motor vehicles powered by internal combustion
- 4 engines that are registered within an area designated for program

1 coverage shall be required biennially to obtain a certificate of
2 compliance or noncompliance, except for the following:

3 (1) All motorcycles until the department, pursuant to Section
4 44012, implements test procedures applicable to motorcycles.

5 (2) All motor vehicles that have been issued a certificate of
6 compliance or noncompliance or a repair cost waiver upon a change
7 of ownership or initial registration in this state during the preceding
8 six months.

9 (3) All motor vehicles manufactured prior to the ~~1976~~ 1983
10 model-year.

11 (4) (A) Except as provided in subparagraph (B), all motor
12 vehicles four or less model-years old.

13 (B) (i) Beginning January 1, 2005, all motor vehicles six or
14 less model-years old, unless the state board finds that providing
15 an exception for these vehicles will prohibit the state from meeting
16 the requirements of Section 176(c) of the federal Clean Air Act
17 (42 U.S.C. Sec. 7401 et seq.) or the state's commitments with
18 respect to the state implementation plan required by the federal
19 Clean Air Act.

20 (ii) Notwithstanding clause (i), beginning January 1, 2019, all
21 motor vehicles eight or less model-years old, unless the state board
22 finds that providing an exception for these vehicles will prohibit
23 the state from meeting the requirements of Section 176(c) of the
24 federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) or the state's
25 commitments with respect to the state implementation plan required
26 by the federal Clean Air Act.

27 (iii) Clause (ii) does not apply to a motor vehicle that is seven
28 model-years old in year 2018 for which a certificate of compliance
29 has been obtained.

30 (C) All motor vehicles excepted by this paragraph shall be
31 subject to testing and to certification requirements as determined
32 by the department, if any of the following apply:

33 (i) The department determines through remote sensing activities
34 or other means that there is a substantial probability that the vehicle
35 has a tampered emission control system or would fail for other
36 cause a smog check test as specified in Section 44012.

37 (ii) The vehicle was previously registered outside this state and
38 is undergoing initial registration in this state.

39 (iii) The vehicle is being registered as a specially constructed
40 vehicle.

1 (iv) The vehicle has been selected for testing pursuant to Section
2 44014.7 or any other provision of this chapter authorizing
3 out-of-cycle testing.

4 (D) This paragraph does not apply to diesel-powered vehicles.

5 (5) In addition to the vehicles exempted pursuant to paragraph
6 (4), any motor vehicle or class of motor vehicles exempted pursuant
7 to subdivision (c) of Section 44024.5. It is the intent of the
8 Legislature that the department, pursuant to the authority granted
9 by this paragraph, exempt at least 15 percent of the lowest emitting
10 motor vehicles from the biennial smog check inspection.

11 (6) All motor vehicles that the department determines would
12 present prohibitive inspection or repair problems.

13 (7) Any vehicle registered to the owner of a fleet licensed
14 pursuant to Section 44020 if the vehicle is garaged exclusively
15 outside the area included in program coverage, and is not primarily
16 operated inside the area included in program coverage.

17 (8) (A) All diesel-powered vehicles manufactured prior to the
18 1998 model-year.

19 (B) All diesel-powered vehicles that have a gross vehicle weight
20 rating of 8,501 to 10,000 pounds, inclusive, until the department,
21 in consultation with the state board, pursuant to Section 44012,
22 implements test procedures applicable to these vehicles.

23 (C) All diesel-powered vehicles that have a gross vehicle weight
24 rating from 10,001 pounds to 14,000 pounds, inclusive, until the
25 state board and the Department of Motor Vehicles determine the
26 best method for identifying these vehicles, and until the department,
27 in consultation with the state board, pursuant to Section 44012,
28 implements test procedures applicable to these vehicles.

29 (D) All diesel-powered vehicles that have a gross vehicle weight
30 rating of 14,001 pounds or greater.

31 (b) Vehicles designated for program coverage in enhanced areas
32 shall be required to obtain inspections from appropriate smog
33 check stations operating in enhanced areas.

34 (c) For purposes of subdivision (a), a collector motor vehicle,
35 as defined in Section 259 of the Vehicle Code, is exempt from
36 those portions of the test required by subdivision (f) of Section
37 44012 if the collector motor vehicle meets all of the following
38 criteria:

- 1 (1) Submission of proof that the motor vehicle is insured as a
- 2 collector motor vehicle, as shall be required by regulation of the
- 3 bureau.
- 4 (2) The motor vehicle is at least 35 model-years old.
- 5 (3) The motor vehicle complies with the exhaust emissions
- 6 standards for that motor vehicle's class and model-year as
- 7 prescribed by the department, and the motor vehicle passes a
- 8 functional inspection of the fuel cap and a visual inspection for
- 9 liquid fuel leaks.

ASSEMBLY BILL**No. 467****Introduced by Assembly Member Grayson**

February 8, 2021

An act to amend Section 44011 of the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 467, as introduced, Grayson. Smog check: exemption: historic vehicles.

Existing law establishes a motor vehicle inspection and maintenance (smog check) program that is administered by the Department of Consumer Affairs. The smog check program requires inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law, except as provided, exempts motor vehicles that meet certain requirements from being inspected biennially upon renewal of registration.

Existing law requires the Department of Motor Vehicles, upon application, to issue a specialty license plate to an owner of a motor vehicle that is operated primarily for purposes of historical exhibition or other similar purposes and the vehicle meets certain requirements.

This bill would exempt a motor vehicle for which a specialty plate described above has been issued from the requirement that it be inspected biennially upon registration.

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

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

1 SECTION 1. Section 44011 of the Health and Safety Code is
2 amended to read:

3 44011. (a) All motor vehicles powered by internal combustion
4 engines that are registered within an area designated for program
5 coverage shall be required biennially to obtain a certificate of
6 compliance or noncompliance, except for the following:

7 (1) All motorcycles until the department, pursuant to Section
8 44012, implements test procedures applicable to motorcycles.

9 (2) All motor vehicles that have been issued a certificate of
10 compliance or noncompliance or a repair cost waiver upon a change
11 of ownership or initial registration in this state during the preceding
12 six months.

13 (3) All motor vehicles manufactured prior to the 1976
14 model-year.

15 (4) (A) Except as provided in subparagraph (B), all motor
16 vehicles four or less model-years old.

17 (B) (i) Beginning January 1, 2005, all motor vehicles six or
18 less model-years old, unless the state board finds that providing
19 an exception for these vehicles will prohibit the state from meeting
20 the requirements of Section 176(c) of the federal Clean Air Act
21 (42 U.S.C. Sec. 7401 et seq.) or the state's commitments with
22 respect to the state implementation plan required by the federal
23 Clean Air Act.

24 (ii) Notwithstanding clause (i), beginning January 1, 2019, all
25 motor vehicles eight or less model-years old, unless the state board
26 finds that providing an exception for these vehicles will prohibit
27 the state from meeting the requirements of Section 176(c) of the
28 federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) or the state's
29 commitments with respect to the state implementation plan required
30 by the federal Clean Air Act.

31 (iii) Clause (ii) does not apply to a motor vehicle that is seven
32 model-years old in year 2018 for which a certificate of compliance
33 has been obtained.

34 (C) All motor vehicles excepted by this paragraph shall be
35 subject to testing and to certification requirements as determined
36 by the department, if any of the following apply:

37 (i) The department determines through remote sensing activities
38 or other means that there is a substantial probability that the vehicle

1 has a tampered emission control system or would fail for other
2 cause a smog check test as specified in Section 44012.

3 (ii) The vehicle was previously registered outside this state and
4 is undergoing initial registration in this state.

5 (iii) The vehicle is being registered as a specially constructed
6 vehicle.

7 (iv) The vehicle has been selected for testing pursuant to Section
8 44014.7 or any other provision of this chapter authorizing
9 out-of-cycle testing.

10 (D) This paragraph does not apply to diesel-powered vehicles.

11 (5) In addition to the vehicles exempted pursuant to paragraph
12 (4), any motor vehicle or class of motor vehicles exempted pursuant
13 to subdivision (c) of Section 44024.5. It is the intent of the
14 Legislature that the department, pursuant to the authority granted
15 by this paragraph, exempt at least 15 percent of the lowest emitting
16 motor vehicles from the biennial smog check inspection.

17 (6) All motor vehicles that the department determines would
18 present prohibitive inspection or repair problems.

19 (7) Any vehicle registered to the owner of a fleet licensed
20 pursuant to Section 44020 if the vehicle is garaged exclusively
21 outside the area included in program coverage, and is not primarily
22 operated inside the area included in program coverage.

23 (8) (A) All diesel-powered vehicles manufactured prior to the
24 1998 model-year.

25 (B) All diesel-powered vehicles that have a gross vehicle weight
26 rating of 8,501 to 10,000 pounds, inclusive, until the department,
27 in consultation with the state board, pursuant to Section 44012,
28 implements test procedures applicable to these vehicles.

29 (C) All diesel-powered vehicles that have a gross vehicle weight
30 rating from 10,001 pounds to 14,000 pounds, inclusive, until the
31 state board and the Department of Motor Vehicles determine the
32 best method for identifying these vehicles, and until the department,
33 in consultation with the state board, pursuant to Section 44012,
34 implements test procedures applicable to these vehicles.

35 (D) All diesel-powered vehicles that have a gross vehicle weight
36 rating of 14,001 pounds or greater.

37 (9) *All motor vehicles that have a license plate issued in*
38 *accordance with Section 5004 of the Vehicle Code.*

1 (b) Vehicles designated for program coverage in enhanced areas
2 shall be required to obtain inspections from appropriate smog
3 check stations operating in enhanced areas.

4 (c) For purposes of subdivision (a), a collector motor vehicle,
5 as defined in Section 259 of the Vehicle Code, is exempt from
6 those portions of the test required by subdivision (f) of Section
7 44012 if the collector motor vehicle meets all of the following
8 criteria:

9 (1) Submission of proof that the motor vehicle is insured as a
10 collector motor vehicle, as shall be required by regulation of the
11 bureau.

12 (2) The motor vehicle is at least 35 model-years old.

13 (3) The motor vehicle complies with the exhaust emissions
14 standards for that motor vehicle's class and model-year as
15 prescribed by the department, and the motor vehicle passes a
16 functional inspection of the fuel cap and a visual inspection for
17 liquid fuel leaks.

ASSEMBLY BILL**No. 363****Introduced by Assembly Member Medina**

February 1, 2021

An act to add Section 44289 to, and to add and repeal Section 44295.5 of, the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 363, as introduced, Medina. Carl Moyer Memorial Air Quality Standards Attainment Program.

Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which is administered by the State Air Resources Board. The program authorizes the state board to provide grants to offset the incremental cost of eligible projects that reduce emissions from covered vehicular sources. The program also authorizes funding for a fueling infrastructure demonstration program and for technology development efforts that are expected to result in commercially available technologies in the near-term that would improve the ability of the program to achieve its goals. Existing law authorizes the state board to delegate to an air quality management district or air pollution control district the administration of the program.

This bill would require the state board, by January 1, 2023, to adopt an online application process for the submission of grant applications under the program. The bill would require the state board and local air districts administering the program to use the online application process. The bill would require the state board, by January 1, 2023, to review the program and to submit to the Legislature a report on the review containing certain information. The bill would prohibit the state board

from amending or adopting regulations making changes to the program until it has submitted the report.

This bill would express the intent of the Legislature to enact subsequent legislation to modernize and reform the program, as provided.

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

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

1 SECTION 1. Section 44289 is added to the Health and Safety
2 Code, to read:

3 44289. (a) By January 1, 2023, the state board shall develop
4 an online application process for the submission of grant
5 applications under the program.

6 (b) The state board and administering district shall use the online
7 application process developed pursuant to subdivision (a) for the
8 submission of grant applications under the program.

9 SEC. 2. Section 44295.5 is added to the Health and Safety
10 Code, to read:

11 44295.5. (a) The state board shall conduct a review of the
12 program and, by January 1, 2023, submit to the Legislature a report
13 on the review that includes all of the following:

14 (1) The average wait time between the submission of an
15 application and the receipt of a grant by an applicant.

16 (2) The number of eligible applicants who were denied grants
17 due to a lack of available funding for the program.

18 (3) Recommendations on streamlining the application process
19 for the program.

20 (b) The state board shall submit to the Legislature the report
21 required pursuant to subdivision (a) in accordance with Section
22 9795 of the Government Code.

23 (c) The state board shall not amend or adopt regulations making
24 changes to the program before submitting the report to the
25 Legislature required pursuant to subdivision (a).

26 (d) Pursuant to Section 10231.5 of the Government Code, this
27 section is repealed on January 1, 2027.

28 SEC. 3. It is the intent of the Legislature to enact subsequent
29 legislation to modernize and reform the Carl Moyer Memorial Air
30 Quality Standards Attainment Program (Chapter 9 (commencing

1 with Section 44275) of Part 5 of Division 26 of the Health and
2 Safety Code) by requiring the State Air Resources Board to ensure,
3 at a minimum, all of the following:

4 (a) That there are no model year restrictions for projects eligible
5 for program funding.

6 (b) That the cost-effectiveness, as defined in paragraph (4) of
7 subdivision (a) of Section 44275 of the Health and Safety Code,
8 of a project is calculated uniformly regardless of vehicle or
9 equipment technology or fuel type.

10 (c) That incentive programs established or administered by the
11 state board and air quality management districts or air pollution
12 control districts, either jointly or individually, for projects eligible
13 for program funding are based on emission reductions and that
14 incentives are calculated uniformly, regardless of vehicle or
15 equipment technology or fuel type.

16 (d) That additional incentives are provided for projects eligible
17 for program funding that are deployed in disadvantaged
18 communities, as defined in Section 39711 of the Health and Safety
19 Code.

20 (e) That, upon confirmation of project eligibility by an air quality
21 management district or air pollution control district, a new truck
22 dealer be permitted to conduct a pre-inspection and certify that the
23 project complies with program funding requirements prior to
24 execution of a project contract by a district.

25 (f) That a vehicle or truck that is purchased out of state be
26 eligible for program funding if:

27 (1) The vehicle or truck is part of a fleet.

28 (2) The vehicle or truck is permanently based and operated in
29 the state.

30 (3) The vehicle or truck is registered in the state with the
31 Department of Motor Vehicles.

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: 2021 Legislative Platform

RECOMMENDED ACTION

The Legislative Committee (Committee) will review and discuss the draft legislative platform for 2021 and based on discussion and feedback, staff will provide a revised platform for the March 2021 meeting.

BACKGROUND

The legislative platform is an attempt to provide overall advocacy principles to the Committee and Board of Directors, as well as provide guidance to Air District staff for the upcoming year.

DISCUSSION

Below is the first draft of a legislative platform for 2021, the first year of a two-year state legislative session, a new Congress, and a new Presidential Administration. The platform is divided into three sections – state budget, state legislation, and federal legislation. The platform does not commit the Air District to positions on every legislative proposal in the listed categories but does provide a metric for use in bringing proposals to the Committee for discussion.

After feedback from the Committee, staff will bring a standalone document to the March Committee meeting for consideration.

State Budget

1. **State Funding for Clean Air Projects:** Advocate for new and continued funding for investment in projects that reduce air pollution and exposure in the Bay Area. The Air District will pursue funding to support programs in the Bay Area Region from all available sources, including Carl Moyer, the Greenhouse Gas Revenue Fund, Assembly Bill (AB) 118, and the Air Pollution Control Fund.

2. **AB 617 Community Air Protection Implementation and Incentive Funding:** Advocate for adequate and continuous funding to support the Air District's AB 617 Community Air Protection Program. The state should provide necessary resources to fund the emissions inventory, regulatory, administrative, air monitoring, and community outreach activities necessary to effectively implement AB 617 requirements. The 2021/22 budget includes \$50 million (M) and \$265M statewide for implementation and incentives, respectively. When possible, the Air District will advocate support for continued funding and/or increases to funding.
3. **Carl Moyer Program AB 1274 Funding:** While passed in 2017 to boost funding to the Carl Moyer Program, AB 1274 funding was collected from certain motor vehicle registrations but not dispersed to air districts due to unchanged state budget caps. The 2021/22 budget corrects this error by providing approximately \$150M in collected funds to the Carl Moyer Program, of which approximately \$25M would go to the Bay Area Air District. The Air District will strongly advocate for this line item.
4. **Carl Moyer/Mobile Source Incentive Fund/AB 118 Reauthorization:** The 2021/22 budget proposes a reauthorization of the Carl Moyer Memorial Air Quality Standards Program, the AB 923 Program (also known as the Air District's Mobile Source Incentive Fund [MSIF]), and the California Energy Commission's AB 118 Program through 2045. These programs currently sunset at the end of 2023. The Air District will strongly advocate for extension of Moyer and 923 as part of the state budget process.
5. **Wildfire Smoke Public Health Response:** The Air District sponsored AB 836 Wildfire Smoke Clean Air Centers Pilot Program by Assemblymember Wicks in 2019, which received funding in the state budget for 2020/21 for \$5M. The 2021/22 budget does not currently fund this program, and the Air District will strongly advocate for continued funding.
6. **Support for Air District Activities Related to Wildfire Mitigation:** The passage of Senate Bill (SB) 1260 in 2018 provided funding for air districts to support prescribed fire and other forest health activities by land managers. The 2021/22 budget includes a small amount of funding for this purpose, which the Air District will continue to advocate for.
7. **Clean Tech Financing:** Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District's Climate Tech Finance Program.

State Legislation

1. **Vehicle Emissions and Congestion Relief:** Support legislative proposals that encourage active transportation, reduce vehicle miles traveled, and reduce emissions in the transportation sector. Oppose legislative proposals that roll back existing smog check and vehicle maintenance requirements.

2. **Climate change:** Support legislative proposals that align with the Air District’s 2017 Bay Area Clean Air Plan, including limiting fossil fuel combustion, stopping methane leaks, advancing zero-emission vehicle usage, advancing clean fuel adoption, accelerate low carbon buildings, supporting Community Choice Aggregation programs, and building energy efficiency in both new and existing buildings.
3. **AB 617 Community Air Protection Program:** Support legislative proposals that seek to reduce emissions and exposure in overburdened communities within the parameters of the Federal Clean Air Act and California Clean Air Act.
4. **Wildfire Smoke Public Health Response:** Support legislative proposals that would improve indoor air quality in public and non-public spaces through improved filtration or weatherization, especially in vulnerable and disadvantaged communities.
5. **Emergency Backup Generation:** Support legislative proposals that seek to reduce diesel particulate emissions in backup generation through use of cleaner generation. Oppose legislative proposals that restrict air district regulatory authority of diesel backup generators.
6. **Toxic Air Emissions:** Support legislative proposals to reduce emissions and exposure of air toxics. Oppose legislation that would potentially result in increases of air toxic emissions in the Bay Area Region.
7. **Stationary Source Greenhouse Gas Authority:** Support legislative proposals to allow local air district the authority to establish stationary source greenhouse gas permit requirements.

Federal Legislation

1. **Federal Funding for Air District Clean Air Programs:** Advocate for continuous and increased funding for Air District programs that reduce emissions and exposure, or that support monitoring and planning efforts in the Bay Area Region, including federal 103 and 105 grants, Diesel Emission Reduction Act grants, and Targeted Airshed Grants.
2. **Wildfire Smoke Public Health Response:** Support federal level efforts, including legislative efforts, to improve wildfire smoke public health response and indoor air quality in the Bay Area Region.
3. **Clean Transportation Programs:** Support efforts to include funding for clean transportation infrastructure in future federal transportation bills and economic stimulus bills.
4. **Clean Energy Programs:** Support efforts to promote clean energy technology through incentive funding or tax credits, especially in disadvantaged communities in the Bay Area. Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District’s Climate Tech Finance Program.

5. **Particulate Matter Standards:** Support efforts to review EPA's 2020 decision to leave federal PM2.5 unchanged, per recommendations of Air District Board and Advisory Committee.

6. **Vehicle Emission Standards:** Support efforts to develop more stringent vehicle emission standards that align with current California standards for light duty, medium duty, and heavy-duty vehicles. Support efforts to retain California vehicle emission standard authority.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 11, 2021

Re: Federal Legislative Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Committee will receive an update on recent events of significance on the federal level.

DISCUSSION

As everyone is aware, COVID relief, appointee hearings, and impeachment have consumed a lot of attention at the federal level. Reintroductions of bills of interest to the Air District have been slow to date. Staff will provide a verbal update of any significant bill introductions.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent