

Bay Area Air Quality Management District
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APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Wednesday, October 6, 2021

This meeting was conducted under procedures in accordance with Government Code Section 54593. Members of the Committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Legislative Committee (Committee) Co-Chairperson, Pauline Russo Cutter, called the meeting to order at 1:01 p.m.

Present: Co-Chairpersons Margaret Abe-Koga and Pauline Russo Cutter; Vice Chairperson Brad Wagenknecht; and Directors David Canepa, Erin Hannigan, David Haubert, Lynda Hopkins, David Hudson, Rob Rennie.

Absent: None.

2. APPROVAL OF THE MINUTES OF MAY 19, 2021

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Co-Chair Abe-Koga to approve the Minutes of May 19, 2021; and the motion carried by the following vote of the Committee:

AYES: Abe-Koga, Canepa, Cutter, Hannigan, Haubert, Hopkins, Hudson, Rennie, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: None.

3. STATE LEGISLATIVE BUDGET UPDATE

Alan Abbs, Legislative Officer, gave the staff presentation *State Legislative Budget Update*, including: outcome; outline; requested action; 2021-2022 State Budget versus previous years; and 2021-2022 zero-emission vehicles package.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

4. AIR DISTRICT-SPONSORED BILL

Mr. Abbs provided an update on Assembly Bill (AB) 762 (Lee & C. Garcia) – Hazardous Emissions and Substances: Schoolsites; Private and Charter Schools. This bill would have prohibited an environmental impact report or negative declaration from being approved for a project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a private or charter school, unless those specified conditions are met. The bill was moving over the summer, but it did not pass the Senate Appropriations Committee, so it is now dead for this bill cycle.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the membership of California’s Senate Appropriations Committee (regarding Bay Area representation); why the bill failed and how to revive it; and the need for local jurisdictions to advocate for this issue.

Committee Action

None; receive and file.

5. STATE LEGISLATIVE UPDATE

Mr. Abbs provided an update on the following bills of interest to the Air District:

- **AB 1346 (Berman) – Air Pollution: Small Off-Road Engines.** This bill would require the California Air Resources Board, by July 1, 2022, to adopt cost-effective and

technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines. This bill has passed both houses and is waiting to be signed by the Governor.

- **AB 361 (Rivas) – Open meetings: state and local agencies: teleconferences.** This bill has been signed by the Governor and allows the Air District to continue to meet virtually and remotely through telephonic and internet means during a proclaimed state of emergency, until January 2024.
- **Senate Bill (SB) 596 (Becker) – Greenhouse gases: cement sector: net-zero emissions strategy.** This bill would require the state board, by July 1, 2023, to develop a comprehensive strategy for the state’s cement sector to achieve net-zero emissions of greenhouse gases associated with cement used within the state as soon as possible, but no later than December 31, 2045. This bill was signed by the Governor.

Mr. Abbs added that since this agenda packet was published, many bills that were originally being monitored by the Air District as bills of interest have failed. He reported that there was less of a focus on environmental bills this year.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

6. DISCUSSION OF 2022 LEGISLATIVE PRIORITIES

Mr. Abbs summarized failed bills that the Air District had been sponsoring, as well as new issues of interest that the Committee might consider prioritizing in 2022, including:

- **Hazardous emissions and substances at new private and charter schoolsites.** A bill that would prohibit an environmental impact report or negative declaration from being approved for a project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a private or charter school, unless those specified conditions are met.
- **Indirect source authority.** A bill that 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.
- **Continuation of the Carl Moyer Memorial Air Quality Standards Attainment.** This program, which provides grant funding for cleaner-than-required engines, equipment, and other sources of air pollution, sunsets at the end of 2023. It may not be extended through a budget trailer bill, but through a policy bill.

- **Wildfire smoke.** There are discussions of response bills that focus on health impacts of wildfire smoke on outdoor workers and students, and the standardization of when they should not be outdoors.
- **Health impacts of lead in aviation fuel.** The Board of Directors had had a presentation on this issue earlier in the day and expressed interest in exploring it.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed interest in pursuing legislation regarding the following topics: the ban of producing hydrogen with fossil fuels; further development of clean air centers; and the procurement of additional funding for the Air District’s Wood Smoke Reduction Incentive Program.

Committee Action

None; receive and file.

7. FEDERAL LEGISLATIVE UPDATE

Mr. Abbs gave the staff presentation Federal Legislative Update, including: outcome; outline; requested action; federal legislative update; infrastructure bill; reconciliation package. Mr. Abbs explained what the reconciliation package would hopefully fund, including: zero-emission heavy duty vehicles, zero-emission port equipment; the Greenhouse Gas Reduction Fund and zero-emission tech grants in disadvantaged communities, wildfire smoke mitigation and monitoring, the Diesel Emission Reduction Act, weatherization project assistance for low-income households, and other energy efficient home energy retrofits.

Public Comments

No requests received.

Committee Comments

None.

8. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

9. COMMITTEE MEMBERS’ COMMENTS / OTHER BUSINESS

None.

10. TIME AND PLACE OF NEXT MEETING

The time and date of the next meeting had been scheduled for Wednesday, December 15, 2021, at 1:00 p.m., but after the meeting concluded, the next meeting was scheduled for Thursday, December 9, 2021, at 2:00 p.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

11. ADJOURNMENT

The meeting adjourned at 1:54 p.m.

/s/ Marcy Hirtzka
Marcy Hirtzka
Clerk of the Boards