



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE

COMMITTEE MEMBERS

PAULINE RUSSO CUTTER – CHAIR
MARGARET ABE-KOGA
DAVID HAUBERT
DAVID HUDSON
BRAD WAGENKNECHT

ROB RENNIE – VICE-CHAIR
ERIN HANNIGAN
LYNDA HOPKINS
SERGIO LOPEZ

THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY ASSEMBLY BILL 361 (RIVAS 2021) ALLOWING REMOTE MEETINGS. THIS MEETING WILL BE ACCESSIBLE VIA WEBCAST, TELECONFERENCE, AND ZOOM. A ZOOM PANELIST LINK WILL BE SENT SEPARATELY TO COMMITTEE OR BOARD MEMBERS

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

www.baaqmd.gov/bodagendas

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

<https://bayareametro.zoom.us/j/81758989412>

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

WEBINAR ID: 817 5898 9412

- **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**

LEGISLATIVE COMMITTEE MEETING AGENDA

MONDAY, NOVEMBER 14, 2022

1:00 PM

1. **Call to Order - Roll Call**
2. **Pledge of Allegiance**
3. **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 two minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (Item 4)

4. Approval of the Minutes of October 3, 2022

The Committee will consider approving the draft minutes of the Legislative Committee meeting of October 3, 2022.

PRESENTATION(S)

5. Draft 2023 Legislative Platform

This is an informational item in which the Committee will consider and discuss the draft Legislative Platform for 2023. It will be presented by Alan Abbs, Legislative Officer.

ACTION ITEM(S)

6. Potential Legislative Activities for 2023

This is an action item for the Committee to consider recommending to the Board of Directors Legislative Activities for 2023, and will be presented by Alan Abbs, Legislative Officer.

OTHER BUSINESS

7. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3

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

8. Committee Member Comments

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)

9. Time and Place of Next Meeting

Monday, December 12, 2022, at 1:00 p.m., via webcast, teleconference, or Zoom, pursuant to procedures in accordance with Assembly Bill 361 (Rivas 2021).

10. Adjournment

The Committee meeting shall be adjourned by the 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 Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air 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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@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

NOVEMBER 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting – CANCELLED AND RESCHEDULED TO DECEMBER 15, 2022 AT 8:30 A.M.	Monday	14	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	14	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting - CANCELLED	Wednesday	16	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee - CANCELLED	Wednesday	16	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Community Advisory Council Meeting	Thursday	17	6:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	21	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee– CANCELLED AND RESCHEDULED TO NOVEMBER 28, 2022 AT 9:30 A.M.	Thursday	24	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Monday	28	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	28	5:30 p.m.	Webcast only pursuant to Assembly Bill 361

DECEMBER 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Community Equity, Health and Justice Committee	Thursday	1	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Advisory Council Meeting – CANCELLED & RESCHEDULED TO THURSDAY, DECEMBER 15, 2022 AT 8:30 A.M.	Monday	5	8:30 a.m.	Webcast only pursuant to Assembly Bill 361

DECEMBER 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	7	9:00 a.m.	1 st Floor, Board Room (In person option available) <u>and</u> REMOTE pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	12	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	12	5:30 p.m.	Webcast only pursuant to Assembly Bill 361
Advisory Council Meeting	Thursday	15	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	19	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	21	9:00 a.m.	1 st Floor, Board Room (In person option available) <u>and</u> REMOTE pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	21	11:00 a.m.	1 st Floor, Board Room (In person option available) <u>and</u> REMOTE pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Thursday	22	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	28	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

HL 11/7/22 – 12:50 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: November 14, 2022

Re: Approval of the Minutes of October 3, 2022

RECOMMENDED ACTION

Approve the attached draft minutes of the Legislative Committee meeting of October 3, 2022.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Legislative Committee meeting of October 3, 2022.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Legislative Committee Meeting of October 3, 2022

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
Monday, October 3, 2022

This meeting was conducted under procedures authorized by executive order Assembly Bill 361 (Rivas 2021). Members of the Committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Legislative Committee (Committee) Vice Chairperson, Rob Rennie, called the meeting to order at 1:01 p.m.

Roll Call:

Present: Vice Chairperson Rob Rennie; and Directors Margaret Abe-Koga, Erin Hannigan, David Haubert, Lynda Hopkins, David Hudson, Sergio Lopez, and Brad Wagenknecht.

Absent: Chairperson Pauline Russo Cutter.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC MEETING PROCEDURE

4. APPROVAL OF THE MINUTES OF JULY 11, 2022

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Director Haubert, to approve the Minutes of July 11, 2022; and the motion carried by the following vote of the Committee:

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

5. STATE LEGISLATIVE BUDGET UPDATE

Alan Abbs, Legislative Officer, gave the staff presentation *State Legislative Budget Update*, including: outcome; outline; requested action; and 2022-23 State Budget versus previous year. Mr. Abbs explained that various budget bills were signed by the Governor after an initial budget was approved in July.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the Air District’s average annual Carl Moyer Program allocation and why the amount was bigger for the 2021-22 State Budget; and whether grants for long-duration energy storage will be awarded to developers or load-serving entities.

Committee Action

None; receive and file.

6. AIR DISTRICT-SPONSORED BILLS

Mr. Abbs gave the staff presentation *Air District-Sponsored Bills*, providing updates on the following bills:

- **AB 1897 (Wicks): Nonvehicular air pollution control: civil penalties: refineries.** – Status: On August 25, 2022, this bill was gut and amended to become an entirely different bill with a new author.
- **AB 2214 (C. Garcia and Lee): California Environmental Quality Act: schoolsites: acquisition of property: school districts, charter schools, and private schools.** Status: Placed on suspense file in Senate Appropriations and held under submission on August 11, 2022.
- **AB 2721 (Lee) – Bay Area Air Quality Management District: district board: compensation.** Status: Signed by the Governor on September 23, 2022.
- **AB 2836 (E. Garcia): Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.** Status: Signed by the Governor on September 16, 2022.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; and Dr. Stephen Rosenblum, Climate Action California.

Committee Comments

The Committee and staff discussed whether a third attempt to require that private and charter schools advise their governing boards on environmental risks of newly-acquired schoolsites will be pursued; and whether non-elected officials who serve on Air District voting bodies other than the Board of Directors receive compensation for meeting attendance.

Committee Action

None; receive and file.

7. STATE LEGISLATIVE UPDATE

Mr. Abbs gave the staff presentation *State Legislative Update*, including: outcome; outline; requested action; Assembly bills; Senate bills; and Climate package deal. This presentation provided the status of bills that the Air District was tracking during the 2022 Legislative Session and bills that were amended late in the Legislative Session as a Climate Package deal between the Governor, Assembly, and Senate. These bills included:

- **Assembly Bill 1749 (C. Garcia)** - Community emissions reduction programs: toxic air contaminants and criteria air pollutants.
- **Assembly Bill 2206 (Lee)** – Nonattainment basins: employee parking: parking cash-out program.
- **Assembly Bill 2232 (McCarty)** – School facilities: heating, ventilation, and air conditioning systems.
- **Assembly Bill 2449 (Rubio)** – Open meetings: local agencies: teleconferences.
- **Assembly Bill 2550 (Arambula)** – State Air Resources Board: San Joaquin Valley Air Pollution Control District: nonattainment.
- **Assembly Bill 2910 (Santiago)** – Nonvehicular air pollution: civil penalties.
- **Senate Bill 45 (Portantino)** – Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.
- **Senate Bill 1382 (Gonzalez)** – Air pollution: Clean Cars 4 All Program: Sales and Use Tax Law: zero emissions vehicle exemption.
- **Climate Package Deal:** The following bills were amended late in the Legislative Session as a Climate Package deal between the Governor, Assembly, and Senate: Assembly Bills 1279, 1757, 2133, and Senate Bills 905, 846, 1020, 1137.

Public Comments

None; receive and file.

Committee Comments

None.

Committee Action

None; receive and file.

8. FEDERAL LEGISLATIVE UPDATE

Mr. Abbs gave the staff presentation *Federal Legislative Update*, including: outcome; outline; requested action; Inflation Reduction Act (IRA) of 2022; program funding in the IRA; and other ongoing federal activities.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

9. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

10. COMMITTEE MEMBERS' COMMENTS

None.

11. TIME AND PLACE OF NEXT MEETING

Monday, November 14, 2022, at 1:00 p.m., via webcast, teleconference, or Zoom, pursuant to procedures in accordance with Assembly Bill 361 (Rivas 2021).

12. ADJOURNMENT

The meeting adjourned at 2:21 p.m.

Marcy Hirtzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: November 14, 2022

Re: Draft 2023 Legislative Platform

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

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

DISCUSSION

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.

Based on discussion from the Committee, staff will provide an updated draft for review and approval at the February 2023 Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Sharon L. Landers

ATTACHMENTS:

1. Draft 2023 Legislative Platform



Legislative Platform (2023)

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 Program 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 2022-23 budget includes statewide funding in the amount of \$50 million (M) for implementation, \$250M for incentives, and \$10M for community grants.
3. **Wildfire Smoke Public Health Response:** The Air District sponsored AB 836 Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program by Assemblymember Wicks in 2019, which received funding in the state budget for 2020-21 for \$5M. Subsequent budgets have absorbed clean air center funding into a concept called "resilience centers." The Air District will strongly advocate for continued funding of resilience centers and clean air centers.
4. **Support for Air District Activities Related to Wildfire Mitigation:** The passage of Senate Bill (SB) 1260 in 2018 has provided funding for air districts to support prescribed fire and other forest health activities by land managers, which has been continuously funded since then. The Air District will continue to advocate for this funding.
5. **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.
6. **Low-Carbon Transportation Incentives:** Support proposals for mobile source incentive programs that accelerate the turnover of older and more polluting diesel engines with cleaner alternatives, including zero-emission alternatives, that reduce emissions of greenhouse gases, criteria pollutants and precursors, and toxic air contaminants.
7. **Commercial Harbor Craft Funding:** The 2022-23 budget includes \$60M to reduce emissions from commercial harbor craft subject to regulation by the California Air Resources Board (CARB). The Air District will continue to strongly advocate for additional funding for this program.



Legislative Platform (2023)

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 consistent with the framework 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 exposure to air toxic emissions in the Bay Area Region.
7. **Wildfire Smoke Mitigation/Prescribed Fire:** Support legislative proposals to proactively reduce smoke from catastrophic wildfires through responsible fuel management policies, including the use of prescribed fire.
8. **Stationary Source Greenhouse Gas Authority:** Support legislative proposals to allow local air district the authority to establish stationary source greenhouse gas limits.
9. **Land Use:** Monitor legislative proposals that have the potential to directly affect local and regional air quality goals.



Legislative Platform (2023)

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 secure funding for clean transportation infrastructure in the Bay Area in 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 PM_{2.5} unchanged, per recommendations of Air District Board and Advisory Committee.
6. **Vehicle Emission Standards:** Support efforts to retain stringent vehicle emission standards that align with current California standards for light-, medium-, and heavy-duty vehicles. Support efforts to retain California vehicle emission standard authority.
7. **Climate Change:** Support federal level efforts, including legislative efforts, 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.
8. **Leaded Aviation Gas:** Support efforts to cause EPA to adopt the proposed endangerment finding for leaded aviation gas. Support additional regulatory and incentive programs to promote use of lower lead and no-lead alternatives.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Pauline Russo Cutter and Members
of the Legislative Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: November 14, 2022

Re: Potential Legislative Activities for 2023

RECOMMENDED ACTION

The Legislative Committee (Committee) will discuss and consider recommending to the Board of Directors (Board) Legislative Activities for 2023.

BACKGROUND

The first year of the 2023-24 Legislative Session will officially begin on December 5, 2022, although little legislative activity is likely to occur until January. The exception being that Governor Newsom has stated a desire for an extraordinary session in December to discuss, among other things, an oil profits windfall tax. To do so, the Governor would likely wait until after the elections on November 8 to issue the proclamation, and even so, the Senate and Assembly could choose to respond in a very minimal fashion. Aside from that, key deadlines for Members are January 20, 2023, to submit potential bills to the Office of Legislative Counsel, and February 17, 2023, the deadline for bill introductions.

DISCUSSION

1. ***Refinery Penalty Bill***

Reintroduction/modification of the 2022 Air District-sponsored refinery penalty bill to raise penalty ceilings for some air quality regulatory and emissions violations at refineries. Aside from a modest annual Consumer Price Index (CPI) increase beginning in 2017, these penalties have not been changed since 2001.

Staff Notes/Recommendation: Sponsor

2. ***School Siting for Private and Charter Schools***

Reintroduction of the Air District-sponsored schools bill to address environmental review of new school siting for private and charter schools to ensure the public health and safety of all students and school employees in California by requiring that private schools and charter schools meet the same siting requirements as public schools.

Staff Notes/Recommendation: Will likely be taken up in 2023 by an L.A. area senator. Defer sponsorship to stakeholders in this senatorial district. Act as potential co-sponsor or major supporter.

3. ***Brown Act Teleconferencing Provisions***

Address concerns regarding Assembly Bill (AB) 2449 (Rubio, Chapter 285, Statutes of 2022) and the limitations that the teleconferencing provisions within the Brown Act have on the legislative bodies of regional agencies. Several regional agencies across the state have indicated a desire to relax some of the attendance limitations, targeting relaxation for regional agencies specifically.

Staff Notes/Recommendation: Support any legislative efforts to address these concerns.

4. ***Commuter Benefits***

AB 2206 (Lee, Chapter 866, Statutes of 2022) was originally introduced as a bill to identify parking benefits provided to employers in a way that exempted them from some parking cash out programs. Ultimately, the bill was amended to a different commuter benefits topic. District staff is interested in revisiting the original AB 2206 bill and has approached legislative staff about this idea.

Staff Notes/Recommendation: Potential sponsorship or co-sponsorship.

5. ***Vessel Speed Reduction – Ocean-Going Vessels***

Several coastal air districts have administered a voluntary vessel speed reduction program with ocean-going vessels that has documented significant cost-effective reductions in NO_x and particulate matter (PM), and anecdotally lowers the risk of “whale strikes” during migration periods. Unfortunately, funding for this program is intermittent from a variety of sources. A legislative effort could include direction to various state agencies to develop an official vessel speed reduction program that could make funding more reliable.

Staff Notes/Recommendation: Legislative effort currently led by Ventura County Air Pollution Control District (APCD). Potential co-sponsor or major supporter.

6. ***Air District Board Composition***

The Board and various committees have, on several occasions, discussed the possibility of changes to the Board’s composition, including the size and the types of appointees. Doing this would require a legislative change in the Health and Safety Code related to the authorities and responsibilities of the Air District. The Community Advisory Council may agendaize this topic for future discussion, the results of which will be presented to the Committee and the Board for potential future action.

Staff Notes/Recommendation: No recommendation at this time. Moving forward would require the Air District to be the sponsor.

7. *Goods Movement-Related Port Cargo Fee*

This is a Legislative idea proposed by the South Coast Air Quality Management District staff to their Legislative Committee. The proposed bill would create a goods movement-related port cargo fee that would generate funding for air quality related incentives for port and cargo equipment replacement with low emission and zero emission equipment. It is unknown if the concept will move forward.

Staff Notes/Recommendation: Legislative effort currently led by South Coast Air Quality Management District (AQMD). Potential co-sponsorship or major supporter.

8. *Installation of Heat Pumps in Neighborhoods with Homeowners' Associations*

The concept was proposed at the October 17, 2022, Air District Stationary Source and Climate Impacts Committee meeting. There is concern/anecdotal evidence of occasions in which property owners may desire to replace gas furnaces with heat pumps, yet be prevented by their homeowners' association (HOA) for various reasons. Heat pumps for space heating require outdoor compressors, which are sometimes disallowed by HOAs. These appliances eliminate harmful pollutants from gas combustion such as NO_x, CO₂, and formaldehyde. Proposed legislation could prevent HOAs from prohibiting the installation of these clean appliances. This concept has previously been used to fix similar issues associated with installation of water-efficient landscaping and electric vehicle (EV) infrastructure.

Staff Notes/Recommendation: Potential Air District sponsorship or co-sponsorship.

9. *Air District Advisory Council Meeting Stipend*

The Air District's Advisory Council is codified in the Health and Safety Code (HSC) Sections 40260-40268. Section 40266, passed into law in 1975, specifies that Advisory Council members shall receive no compensation other than actual and necessary expenses, usually defined as travel expenses. Given the importance of the Advisory Committee's work, a proposed bill could either specify compensation in statute, or allow compensation to be established in the Air District's Administrative Code.

Staff Notes/Recommendation: Sponsor.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Sharon L. Landers

ATTACHMENTS:

None