

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

Policy, Grants, and Technology Committee Meeting
Wednesday, February 21, 2024

APPROVED MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

Effective January 1, 2024, the Air District Board's Legislative Committee, Mobile Source and Climate Impacts Committee, and Technology Implementation Office Steering Committee were combined to form the new Policy, Grants, and Technology Committee. This is the first meeting of this new committee.

1. **Opening Comments:** Policy, Grants, and Technology Committee (Committee) Chairperson, Vicki Veenker, called the meeting to order at 1:02 p.m.

Roll Call:

Present, In-Person (Bay Area Metro Center (375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Committee Chairperson Vicki Veenker; Committee Vice Chairperson Sergio Lopez; and Directors Noelia Corzo and Juan Gonzalez.

Present, In-Person Satellite Location (Napa County Administration Building, 1195 Third St., Suite 310, Crystal Conference Room, Napa, CA 94559): Director Joelle Gallagher.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor Ken Carlson, 2255 Contra Costa Blvd., Suite 202, Pleasant Hill, CA 94523): Director Ken Carlson.

Absent: Directors Margaret Abe-Koga, Erin Hannigan, and Katie Rice.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR (Items 3 – 5)

3. **APPROVAL OF THE DRAFT MINUTES OF THE TECHNOLOGY IMPLEMENTATION OFFICE STEERING COMMITTEE MEETING OF OCTOBER 14, 2022**

4. **APPROVAL OF THE DRAFT MINUTES OF THE MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE MEETINGS OF OCTOBER 11, 2023 AND NOVEMBER 8, 2023**

5. **APPROVAL OF THE DRAFT MINUTES OF THE LEGISLATIVE COMMITTEE MEETING OF NOVEMBER 29, 2023**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Gonzalez made a motion, seconded by Director Carlson, to **approve** the Consent Calendar, Items 3 – 5, inclusive; and the motion **carried** by the following vote of the Committee:

AYES:	Carlson, Corzo, Gallagher, Gonzalez, Lopez, Veenker.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Abe-Koga, Hannigan, Rice.

ACTION ITEMS

6. **REPORT ON TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROJECTS EXPENDITURES AND EFFECTIVENESS FOR FISCAL YEAR ENDING (FYE) 2023**

Dr. Minda Berbeco, Manager in the Strategic Incentives Division, gave the staff presentation *Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for Fiscal Year Ending 2023*, including: requested action; outline; Transportation for Clean Air (TFCA); summary of project and program results – FYE TFCA expenditures; TFCA expenditures by project category; effectiveness and emissions reductions; key report findings for Board effectiveness determination; next steps; and recommendation.

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

Committee Comments

The Committee and staff discussed the manner in which the Air District evaluates a project's emissions reductions; a micro-transit shuttle project (awarded in 2020) that was deemed not cost-effective; the

Air District’s definition of “weighted average cost-effectiveness”; whether the Air District approaches potential project sponsors that are anticipated to have projects with high cost-effectiveness, and whether there is a lack of applicants in general; the accuracy of the numbers (costs) that project sponsors report back to the Air District; and whether Particulate Matter (PM) emissions are more important to reduce than those of reactive organic gases (ROGs).

Committee Action

Director Gonzalez made a motion, seconded by Vice Chair Lopez, to recommend the Board of Directors adopt a determination that the Fiscal Year Ending 2023 TFCA 60% Fund expenditures were effective in improving air quality, based on staff’s report and presentation; and the motion **carried** by the following vote of the Committee:

AYES: Carlson, Corzo, Gallagher, Gonzalez, Lopez, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Hannigan, Rice.

7. APPROVAL OF THE LEGISLATIVE PLATFORM FOR 2024

Alan Abbs, Legislative Officer, gave the staff presentation *2024 Legislative Platform*, including: outcome; outline; requested action; State Budget; State Legislation; and Federal Legislation and regulatory activity.

Public Comments

Public comments were given by Dr. Stephen Rosenblum, Palo Alto resident.

Committee Comments

The Committee and staff discussed whether the Air District can regulate cigarette smoke within confined spaces, and if not, whether the Air District advocates with the proper regulatory authority; whether the Air District is collaborating with peer agencies and advocates on various issues; whether the Air District is strategizing about how to advocate for program funding if the presidential administration changes in 2024; and whether the Air District is pursuing any grants.

Committee Action

Director Corzo made a motion, seconded by Director Gonzalez, to **approve** the proposed Legislative Platform for 2024:

Topic	State Budget	State Legislation	Federal Legislation & Regulatory Activity
State Funding for Clean Air Projects	X		
AB 617 Community Air Protection Program Implementation and Incentive Funding	X	X	
Wildfire Smoke Public Health Response	X	X	X
Support for Air District Activities Related to Wildfire Mitigation	X		
Wildfire Smoke Mitigation/Prescribed Fire		X	
Clean Tech Financing	X		
Low-Carbon Transportation Incentives	X		
Commercial Harbor Craft Funding	X		
Vehicle Emissions (Standards) and Congestion Relief		X	X
Climate Change		X	X
Green and Healthy Buildings		X	X
Emergency Backup Generation		X	
Toxic Air Emissions		X	
Stationary Source Greenhouse Gas Authority		X	
Land Use		X	
Federal Funding for Air District Clean Air Programs			X
Clean Transportation Programs			X
Clean Energy Programs			X
Particulate Matter Standards			X
Leaded Aviation Gas			X

The motion **carried** by the following vote of the Committee:

AYES: Carlson, Corzo, Gallagher, Gonzalez, Lopez, Veenker.
 NOES: None.
 ABSTAIN: None.
 ABSENT: Abe-Koga, Hannigan, Rice.

8. AIR DISTRICT SPONSORED/CO-SPONSORED BILLS

Mr. Abbs gave the staff presentation *Air District-Sponsored and Co-Sponsored Bills*, including: outcome; outline; requested action; action item for Senate Bill (SB) 382 (Becker); updated on AB 1465 (Wicks); updated on AB 2298 (Hart, et al.); and update on SB 1095 (Becker).

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

Committee Comments

The Committee and staff discussed why AB1465 was not passed by the Senate in 2023, and whether the bill will have to be heard by committees again in 2024; the widening of the scope of AB 1465 since 2023, despite pushback from the Western States Petroleum Association; penalty increases per AB 1465; how home warrantee programs may be affected by SB 382; and whether the language of SB 382 can be revised to not entirely disempower homeowners associations.

Committee Action

Director Corzo made a motion, seconded by Director Gonzalez, to recommend that the Board adopt the following positions for the following bills:

Bill	Proposed Action
SB 382 (Becker) – Single-family residential property: disclosures	Support and offer to sponsor/co-sponsor, if necessary.
AB 1465 (Wicks) – Nonvehicular air pollution: civil penalties	Sponsor (Board already voted to sponsor)
AB 2298 (Hart, et al.) – Coastal resources: voluntary vessel speed reduction and sustainable shipping program	Co-Sponsor (Board already voted to co-sponsor)
SB 1095 (Becker) – Cozy Homes Cleanup Act: building standards: gas-fuel-burning appliances	Sponsor (Board already voted to sponsor)

The motion **carried** by the following vote of the Committee:

AYES: Carlson, Corzo, Gallagher, Gonzalez, Lopez, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Hannigan, Rice.

9. **STATE LEGISLATIVE BILL REVIEW**

Mr. Abbs gave the staff presentation *State Legislative Bill Review*, including: outcome; outline; requested action; SB 1158 (Archuleta); SB 1193 (Menjivar); AB 1894 (Ta); AB 817 (Pacheco); SB 537 (Becker); and SB 674 (Gonzalez).

Mr. Abbs then recited a list of bills that were either introduced last week, or are in the process of becoming bills, and had not been included in his presentation:

- AB 1921 (Papan) – Energy: renewable electrical generation facilities: linear generators
- AB 2401 (Ting) – Clean Cars 4 All Program
- SB 1298 (Cortese) – Certification of thermal powerplants: data centers
- AB 2851 (Bonta) – Metal shredding facilities: fence-line monitoring
- Bills regarding organic waste diversion requirements and compost facilities

Public Comments

Public comments were given by Dr. Stephen Rosenblum, Palo Alto resident.

Committee Comments

The Committee and staff discussed concerns over language in SB 1158 that would extend the deadline for the period of liquidation to June 30 of the 6th calendar year (versus the 4th calendar year) following the date of disbursement and raises the administration levels to 12.5% for all local air districts regardless of population; the perception that there is a lack of transparency regarding the public’s ability to track and associate awarded funds to Carl Moyer projects; and concerns about airborne lead in aircraft fuel in Santa Clara County.

Committee Action

Director Carlson made a motion, seconded by Director Gallagher, to recommend the Board adopt the following positions for the following bills:

Bill	Proposed Action
SB 1158 (Archuleta) – Carl Moyer Memorial Air Quality Standards Attainment Program	Support
SB 1193 (Menjivar) – Airports: leaded aviation gasoline	Support
AB 1894 (Ta) – Nonvehicular air pollution: civil penalties	Oppose
AB 817 (Pacheco) – Open meetings: teleconferencing: subsidiary body	Support (Board is already in support)
SB 537 (Becker) – Open meetings: multijurisdictional, cross-county agencies: teleconferences	Support (Board is already in support)
SB 674 (Gonzalez) – Air pollution: refineries: community air monitoring systems: fence-line monitoring systems	Support (Board is already in support)

The motion **carried** by the following vote of the Committee:

- AYES: Carlson, Corzo, Gallagher, Lopez, Veenker.
- NOES: None.
- ABSTAIN: Gonzalez.
- ABSENT: Abe-Koga, Hannigan, Rice.

INFORMATIONAL ITEMS

10. STATE LEGISLATIVE BUDGET UPDATE

Mr. Abbs gave the staff presentation *State Legislative Budget Update*, including: information only; outline; State Budget process and deadlines; and 2024-2025 proposed State Budget versus previous year.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed anticipated budget cuts for program funding that are not yet published.

Committee Action

None; receive and file.

THE COMMITTEE RECESSED AT 3:02 P.M., AND RESUMED AT 3:07 P.M. *Note: At this time, Director Gonzalez left the meeting to attend another, but returned to this meeting during Item 12.*

11. FEDERAL LEGISLATIVE UPDATE

Mr. Abbs, Legislative Officer, gave the staff presentation *Federal Legislative Update*, including: information only; outline; Federal update; and Federal advocacy trip recap to Washington D.C.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed takeaways from Board members who attended the trip to Washington D.C., including building relationships with federal legislators and departments, and their reactions to Air District Rules 9-4 and 9-6.

Committee Action

None; receive and file.

12. STATUS OF ACTIONS TO ADDRESS LEAD FROM GENERAL AVIATION FUEL

Dr. Judith Cutino, Health Officer, gave the staff presentation *Status of Actions to Address Lead from General Aviation Fuel*, including: information only; outline; general aviation lead emissions; general aviation airports in the Bay Area; 2022 lead emissions from piston engine aircraft at ten largest Bay Area general aviation airports; health impacts of lead exposure; US Environmental Protection Agency (EPA) and Federal Aviation Administration (FAA) need to act; update of US EPA endangerment finding; advances in development of unleaded fuel; transition challenges; proposed California SB 1193 (Menjivar); federal grant for pollution prevention to advance environmental justice; and next steps.

Public Comments

Public comments were given by Dr. Stephen Rosenblum, Palo Alto resident.

Committee Comments

The Committee and staff discussed whether the airports in San Mateo County would be subject to SB 1193 and other pending actions by the US EPA and FAA; actions that jurisdictions (counties and cities) can take to advocate for the elimination of lead from general aviation fuel for small piston-engine aircrafts; blood lead levels of children and their proximity to airports; the request for studies that the Air District has on this issue; technical challenges with General Aviation Modifications Inc., and the FAA regarding the transition from leaded aviation fuel to unleaded; the anticipated timelines for rulemakings by the US EPA and FAA, and potential interplay between those two agencies; and whether cities and counties have the authority to regulate the sales of aviation within their jurisdictions.

NOTED PRESENT: Director Gonzalez returned to the meeting at 3:40 p.m.

Committee Action

None; receive and file.

OTHER BUSINESS

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

14. COMMITTEE MEMBER COMMENTS

None.

15. TIME AND PLACE OF NEXT MEETING

Wednesday, March 20, 2024, at 1:00 p.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Policy, Grants, and Technology Committee members and members of the public will be able to either join in-person or via webcast.

16. ADJOURNMENT

The meeting was adjourned at 3:51 p.m.

/s/ Marcy Hiratzka

Marcy Hiratzka
Clerk of the Boards