

BOARD MEETING DATE: November 5, 2021

AGENDA NO. 26

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting remotely on Friday, October 8, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Michael A. Cacciotti, Chair  
Legislative Committee

DJA:LTO:PFC:DPG:ar

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### **Committee Members**

Present: Mayor Pro Tem Michael A. Cacciotti, Chair  
Council Member Joe Buscaino, Vice Chair  
Board Member Veronica Padilla-Campos  
Supervisor V. Manuel Perez  
Supervisor Janice Rutherford

Absent: Senator Vanessa Delgado (Ret.)

### **Call to Order**

Chair Cacciotti called the meeting to order at 9:00 a.m.

### **DISCUSSION ITEMS:**

#### **1. End-of-Year Summary Report on State Legislature's and Governor's Actions during 2021 Legislative Session**

Philip Crabbe, Public Affairs Manager, Legislative, Public Affairs & Media, presented the state legislative end-of-year summary report for 2021. The Legislature adjourned the first year of a two-year legislative session on September 10. As part of

this year's budget, South Coast AQMD is expected to receive nearly \$200 million in state funding as a result of 2021 legislative efforts. Through work with our consultants, CAPCOA and other air districts, South Coast AQMD was able to help secure:

- \$50 million statewide for AB 617 implementation;
- \$260 million statewide for AB 617 incentive funding;
- \$45 million in Carl Moyer Program funding for air districts in severe or extreme nonattainment areas to replace diesel trucks with low NOx trucks;
- \$153 million statewide for Carl Moyer Program. These funds were previously undispersed due to a state budget authority issue; and
- Reclassification of South Coast AQMD from a dependent special district to an independent special district. This change makes South Coast AQMD eligible to apply for federal COVID-19 relief funding

South Coast AQMD also took positions on bills,

- Support on AB 361 (Rivas), which allows local agencies to use teleconferencing at public meetings during state emergencies without complying with certain Brown Act requirements. This bill was signed into law by the Governor.
- Support on AB 1346 (Berman), which requires CARB to adopt regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines (SORE), including lawn and garden equipment. This bill is on the Governor's desk awaiting action. The state budget also included \$30 million for incentives for professional landscaping services to purchase zero-emission (ZE) SORE.

South Coast AQMD took positions on 12 other bills one of which was signed into law, and one that was vetoed. The remaining 10 bills are now "2-year bills" and may be reconsidered in 2022.

Supervisor Perez inquired about some bills. Mr. Crabbe responded that AB 339 (Lee) was vetoed and it would have required large cities and counties to allow virtual public participation at their public meetings. SB 596 (Becker) was signed into law to require the state to develop a plan to reach zero-emissions for the cement industry.

Chair Cacciotti inquired how long it would take for the \$30 million for ZE SORE incentives to be made available to air districts. Executive Officer Wayne Nastri explained that it typically takes six months or more, but staff will work with CARB.

There was no public comment.

## **2. Update on Federal Legislative Issues**

South Coast AQMD's federal legislative consultants (Carmen Group, Cassidy & Associates, and Kadesh & Associates) provided written reports on key Washington, D.C. issues.

Gary Hoistma of Carmen Group reported that Congress is focused on Appropriations, Debt Limit, Infrastructure and Reconciliation. The continuing resolution for Fiscal Year 2022 Appropriations will expire December 3, 2021 which may coincide with the country exhausting the short-term \$480 billion increase in the debt ceiling.

Amelia Jenkins of Cassidy & Associates informed the committee that the Bipartisan Infrastructure bill passed the Senate and is awaiting passage in the House. Its passage is tied to whether or not the Reconciliation bill is passed in the House. The difference between the Bipartisan Infrastructure bill and the Reconciliation bill is direct versus indirect funding for various programs including charging infrastructure and the ports.

Mark Kadesh of Kadesh & Associates reported on the Reconciliation bill also known as the Administration's Build Back Better Plan, that would allocate \$3.5 trillion over 10 years. Negotiations have begun on the top line number for the Reconciliation bill ranging from \$1.5 trillion to \$3.5 trillion. The Reconciliation bill includes \$250 million for the Salton Sea, \$3 billion for Climate Smart Ports, and more than \$300 million for EPA Section 103/105 programs.

Supervisor Perez asked if South Coast AQMD's congressional delegation have been engaged and advocating on our behalf for these bills. Mark Kadesh responded that members of South Coast AQMD's congressional delegation have been involved and engaged on these bills for our priorities.

There was no public comment.

## **3. Update on State Legislative Issues**

South Coast AQMD's state legislative consultants (California Advisors LLC, Joe A. Gonsalves & Son, and Resolute) provided written reports on key issues in Sacramento.

Ross Buckley of California Advisors, LLC reported that the Governor has until October 10, 2021 to sign or veto bills sent to him by the Legislature.

Chair Cacciotti inquired about the continuing budget surplus. Mr. Buckley responded that the budget is an ongoing process and there is likely to be budget action early in 2022.

Paul Gonsalves of Joe A. Gonsalves & Son reported that CARB and state Attorney General sent comment letters in support of U.S. EPA's proposal to restore more stringent federal standards for GHG emissions from passenger vehicles and light-duty trucks.

David Quintana of Resolute informed the committee that California Public Utilities Commission President Marybel Batjer is resigning at the end of 2021.

Chair Cacciotti inquired about advocating for increased AB 617 funds. Mr. Nastri explained the significant challenges and the extensive efforts that continue to make changes for this program. Supervisor Perez and Chair Cacciotti expressed support for efforts to seek additional funding and changes to the AB 617 program. Mr. Nastri added that meetings with Assembly Member Cristina Garcia and legislative leadership are scheduled to discuss the need for additional AB 617 funding and possible changes to the program.

Harvey Eder, Public Solar Power Coalition, provided public comment about solar energy and other issues.

#### **OTHER MATTERS:**

##### **4. Other Business**

There was no other business to report.

##### **5. Public Comment Period**

There was no public comment to report.

##### **6. Next Meeting Date**

The next regular Legislative Committee meeting is scheduled for Friday, November 12, 2021 at 9:00 a.m.

#### **Adjournment**

The meeting adjourned at 9:44 a.m.

#### **Attachments**

1. Attendance Record
2. Update on Federal Legislative Issues – Written Reports
3. Update on State Legislative Issues – Written Reports

# ATTACHMENT 1

## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – October 10, 2021**

Board Member Veronica Padilla-Campos..... South Coast AQMD Board Member  
Council Member Joe Buscaino..... South Coast AQMD Board Member  
Mayor Pro Tem Michael Cacciotti..... South Coast AQMD Board Member  
Supervisor V. Manuel Perez..... South Coast AQMD Board Member  
Supervisor Janice Rutherford..... South Coast AQMD Board Member

Jacob Haik..... Board Consultant (Buscaino)  
William Kelly..... Board Consultant (Cacciotti)  
Mark Taylor..... Board Consultant (Rutherford)  
Amy J. Wong..... Board Consultant (Padilla-Campos)

Ross Buckley..... California Advisors, LLC  
Paul Gonsalves..... Joe A. Gonsalves & Son  
Gary Hoitsma..... Carmen Group, Inc.  
Amelia Jenkins..... Cassidy & Associates  
Mark Kadesh..... Kadesh & Associates  
Ben Miller..... Kadesh & Associates  
David Quintana..... Resolute

Mark Abramowitz  
Erin Berger..... SoCal Gas Company  
Frank Forbes  
Bill LaMarr..... California Small Business Alliance  
Dan McGivney..... SoCal Gas Company  
Amanda Meere  
David Rothbart..... LACSD  
Louis Vidaure  
Bianca Villanueva  
Peter Whittingham

Derrick Alatorre..... South Coast AQMD Staff  
Jason Aspell..... South Coast AQMD Staff  
Barbara Baird..... South Coast AQMD Staff  
Cindy Bustillos..... South Coast AQMD Staff  
Philip Crabbe..... South Coast AQMD Staff  
Stacy Day..... South Coast AQMD Staff  
Sindy Enriquez..... South Coast AQMD Staff  
Anissa Cessa Heard-Johnson..... South Coast AQMD Staff  
Sujata Jain..... South Coast AQMD Staff  
Aaron Katzenstein..... South Coast AQMD Staff  
Ricky Lai..... South Coast AQMD Staff  
Karin Manwaring..... South Coast AQMD Staff  
Matt Miyasato..... South Coast AQMD Staff

Ron Moskowitz ..... South Coast AQMD Staff  
Wayne Nastri ..... South Coast AQMD Staff  
Stacy Pruitt ..... South Coast AQMD Staff  
Sarah Rees ..... South Coast AQMD Staff  
Mary Reichert ..... South Coast AQMD Staff  
Aisha Reyes ..... South Coast AQMD Staff  
Lisa Tanaka O'Malley ..... South Coast AQMD Staff  
Anthony Tang ..... South Coast AQMD Staff  
Jill Whynot ..... South Coast AQMD Staff  
Paul Wright ..... South Coast AQMD Staff  
Victor Yip ..... South Coast AQMD Staff

# ATTACHMENT 2A



**Carmen Group**  
I N C O R P O R A T E D

**To:** South Coast AQMD Legislative Committee

**From:** Carmen Group

**Date:** September 23, 2021

**Re:** Federal Update -- Executive Branch

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**Infrastructure, Reconciliation, CR, and Debt Limit:** As the end of the federal fiscal year fast approached in September, Congressional leaders were juggling how to address major legislation and legislative deadlines on several different fronts, hoping for last-minute negotiated agreements to resolve both partisan and intra-party disagreements. A final House vote on the Senate-passed \$1.2 trillion bipartisan Infrastructure bill has been scheduled for September 27, but it was unclear if it would have enough votes to pass unless there was some form of separate agreement on the Democrats' \$3.5 trillion taxing and spending Reconciliation bill, where the necessary 51 votes in the Senate were still not locked in. Meantime, the usually routine Continuing Resolution (CR) to punt annual appropriations to December and avoid a government shutdown was in jeopardy over a partisan dispute regarding raising the national debt limit. The expected CR was also likely to have to include a short FAST Act (surface transportation) extension to keep the Highway Trust Fund solvent.

**Reconciliation Provision on Heavy Trucks:** One of the climate/clean air-related provisions in the unfinalized Reconciliation package of special interest to South Coast AQMD is the House Energy & Commerce Committee item to invest \$5 billion in a new EPA grant program to replace certain heavy-duty vehicles, such as refuse trucks and school buses, with zero-emission vehicles. South Coast's concern is that this provision is focused only on Class 6 and Class 7 trucks, while excluding the heaviest Class 8 trucks. Carmen Group reached out to members of our business coalition who shared the same concern and were in process of circulating an industry group letter to Congress on the matter. We forwarded the draft industry letter to South Coast staff enabling the agency to join in signing.

**Ports Roundtable Follow-up:** In follow-up to our recent contacts with the U.S Department of Transportation (DOT) after its July Roundtable with federal, state and local officials on supply chain issues at the Ports of Los Angeles and Long Beach, Carmen Group arranged for South Coast's executive management team to meet virtually in early September with Charles Small, DOT Deputy Assistant Secretary for Intergovernmental Affairs, to discuss port-related air quality issues and possible areas of future cooperation and collaboration. The meeting was an opportunity for South Coast to communicate first-hand to DOT about the depth of its expertise in air quality issues generally, as well as in its related work with the Ports of Los Angeles and Long Beach to advance technologies to help reduce the kind of heavy-duty truck emissions that present serious challenges at these ports and at others around the country. Next steps are expected

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to include similar meetings with other high-level officials at DOT and other federal agencies, including discussions on relevant legislative funding and emissions-reduction initiatives, and participation in possible future roundtables on port and other transportation-related air quality issues.

## **Department of Transportation**

**Port Envoy is Named to Address Port Congestion Issues:** In follow-up to the virtual Roundtable meeting (noted above) with federal, state, and local officials hosted by Secretary of Transportation Pete Buttigieg in July, DOT and the White House have named John Porcari, former Deputy Secretary of Transportation in the Obama Administration, to serve as Port Envoy to the Biden Administration's Supply Chain Disruptions Task Force, which is chaired by Buttigieg. Porcari is well known in infrastructure circles in Washington, DC, having previously served as the head of the Maryland DOT and the Maryland Port Commission overseeing the Port of Baltimore. From the White House announcement:

“Envoy Porcari will work closely with Secretary Buttigieg and his team at the Department of Transportation as well as the National Economic Council to address the congestion at U.S. ports. Disruptions in global shipping and rapid shifts in demand have led the cost of shipping containers between China and the West Coast to grow more than 90% compared to 2019. This congestion is being felt particularly acutely at the Ports of Los Angeles and Long Beach, which together handle the largest share of containerized cargo moving through U.S. ports. Port workers and terminals have handled containerized cargo volumes that rose 40% in the first half of this year compared to the same time last year. Envoy Porcari will work with these stakeholders and others at the ports to address the backlog and associated delivery delays and product shortages being experienced by American consumers and businesses.”

**FTA Announces Funds Available for Bus Grants:** In September, the Federal Transit Administration (FTA) announced the availability of up to \$409.6 million in competitive grant funds under its annual Bus and Bus Facilities grant program designed to help replace aging buses and facilities with newer and cleaner infrastructure. Project applicants that incorporate low- or no-emission technology are especially encouraged to apply. Applications are due November 19, 2021.

**FRA Announces Funds Available for Rail Infrastructure Grants:** In September, the Federal Railroad Administration (FRA) announced the availability of \$362 million under the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program. Eligible projects will foster improvements in rail transportation, which FRA emphasizes is “a low-emissions option for transporting people and goods.” Project selection criteria include addressing climate change and modernizing the nation's rail transportation infrastructure. An information webinar is scheduled for September 21. Applications are due November 29, 2021.

**FAA Awards \$100 Million for Sustainable Aircraft Technology:** In September as part of the President's larger government-wide initiative to advance sustainable fuels in

American aviation, the Federal Aviation Administration (FAA) awarded more than \$100 million for six companies to develop technologies that reduce fuel use, emissions and noise. The FAA awards are part of Phase III of the public-private partnership known as the Continuous Lower Energy, Emissions, and Noise (CLEEN) Program. It requires the companies receiving the contracts to match or exceed the FAA's investment, bringing the total here to at least \$200 million over a five-year period. These grants will focus on reducing CO<sub>2</sub>, NO<sub>x</sub> and PM emissions significantly below the standards set by the International Civil Aviation Organization (ICAO).

**FAA Airport Grants Increase Safety and Reduce Environmental Impacts:** In September, the FAA awarded \$431.8 million to 60 airports across the country covering projects focused on improving airport safety, capacity, and environmental sustainability. In California, for example, Sacramento International Airport received \$4.6 million to buy zero-emission passenger shuttle buses and associated charging equipment.

**DOT Selects 44 "INFRA Extra" Projects to Apply for TIFIA Loans:** In September, DOT designated 44 INFRA highway project grant applicants -- who did not receive grants -- as "INFRA Extra" projects, making them eligible instead for federal credit assistance for up to 49 percent of costs under the Department's TIFIA loan program. Among the 44 projects selected, ten are in California in the following areas: the cities of San Diego, San Jose, Coachella, Murrieta, Santee, Tracy, and Oxnard; the counties of Orange and Marin; and the California High Speed Rail Authority.

## **Environmental Protection Agency**

**EPA Ports Case Study Highlights NO<sub>x</sub> Reductions from Marine Vessels:** In September, the EPA released a new case study which highlights how coordination between federal, state, and local agencies led to lasting reductions in air pollution -- including a reduction of 2,000 tons of nitrogen oxide (NO<sub>x</sub>) emissions -- from marine vessels operating in one of America's busiest waterways. The study focused on how Clean Air Act compliance was maintained during a \$2.1 billion channel deepening project at the Port of New York and New Jersey, while at the same time providing lasting clean air benefits. <https://www.epa.gov/system/files/documents/2021-09/420f21055.pdf>

**EPA Report Shows Disproportionate Impacts of Climate Change:** A new EPA report, *Climate Change and Social Vulnerability in the United States*, says that the most severe harms of climate change fall disproportionately upon underserved communities who are least able to prepare for -- and recover from -- heat waves, poor air quality, flooding and other impacts. EPA describes the report as "one of the most advanced environmental justice studies to date." Chapter 3 specifically addresses "Air Quality and Health." [https://www.epa.gov/system/files/documents/2021-09/climate-vulnerability\\_september-2021\\_508.pdf](https://www.epa.gov/system/files/documents/2021-09/climate-vulnerability_september-2021_508.pdf)

**EPA-California MOU to Serve as Model EJ Initiative:** In September, the EPA and the California Environmental Protection Agency (CalEPA) signed a five-year first-of-its-kind Memorandum of Understanding (MOU) to help expand collaborative activities related to environmental enforcement, inspection, compliance assistance, communication, and training "to benefit public health and environment in overburdened communities."

EPA says the agreement will serve as a model for other EPA and state partnerships on environmental justice.

**International Group Establishes EPA-Supported EJ Grant Program:** Applications are now being accepted for grants and cooperative agreements under a new \$2 million program – EJ4Climate -- established by the North American Commission for Environmental Cooperation (CEC). The program is designed to support underserved and overburdened communities in Canada, Mexico and the United States. Eligible projects include those “transitioning to clean energy and/or transportation systems.” Proposals are due October 29, 2021.

**EPA and UNEP Sign Cooperation Agreement:** In September, the EPA and the United Nations Environment Programme (UNEP) signed a renewed five-year agreement addressing areas of environmental cooperation on such issues as air pollution, climate change and resource efficiency, while establishing new areas to advance shared priorities including “addressing the disproportionate impacts of environmental challenges on underserved and vulnerable communities.”

## **Department of Energy**

**DOE Launches “Communities LEAP” EJ Grant Program:** In September, the Department of Energy launched the Local Energy Action Program (Communities LEAP), an initiative “designed to help environmental justice communities and communities with historic ties to fossil fuel industries take direct control of their clean energy future.” The Communities LEAP pilot program provides supportive services valued at up to \$16 million to help communities develop locally driven energy plans to leverage public and private sector resources to reduce local air pollution, increase energy resilience, and to lower utility costs. The initial Opportunity Announcement coincides with a 30-day comment period that ends on October 12, and a final Opportunity Announcement will be issued on October 25 with applications due on December 17, 2021.

**DOE Announces Biofuels Research to Reduce Airplane and Ship Emissions:** In September, the Department of Energy announced \$64.7 million in funding for research projects focused on producing cost-effective low-carbon biofuels. DOE says these investments will advance technologies to create replacements for petroleum fuels used in heavy-duty forms of transportation, like airplanes and ships, and accelerate a path to a net-zero emissions economy by 2050.

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**Outreach:** Contacts included the virtual meeting in September between USDOT Deputy Assistant Secretary Charles Small and South Coast AQMD executive staff on air quality issues and opportunities for future collaborations. In addition, we discussed reconciliation funding initiatives affecting clean air and truck emissions incentives with multiple members of our business coalition, including Cummins, PACCAR, the American Trucking Associations, the Truck & Engine Manufacturers Association and the Alliance for Vehicle Efficiency.

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# ATTACHMENT 2B



To: South Coast Air Quality Management District  
From: Cassidy & Associates  
Date: September 23, 2021  
Re: September Report

## HOUSE/SENATE

### *Congress:*

This week the House will return for legislative business. They are expecting to move two bills this week, along with a Continuing Resolution (CR) for FY22 Appropriations. The CR may include disaster supplemental appropriations, Afghanistan supplemental appropriations, and it is possible House Democrats will include debt ceiling legislation with the CR or attach it to a rule.

The House Rules Committee met on Monday to consider a short-term CR through December 3. Government Funding for federal agencies runs out on September 30. There are several issues with the CR that have yet to be resolved, including the below White House requests:

- \$6 billion for resettling Afghan refugees
- \$20 billion for hurricane and wildfire aid
- \$1 billion to support Israel's Iron Dome defense system

### Possible bill considerations:

- [H.R. 3755](#) - Women's Health Protection Act of 2021
- [H.R. 5304](#) - An act making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes
- [H.R. 4350](#) - National Defense Authorization Act for Fiscal Year 2022
- [Legislation Considered Under Suspension of the Rules](#)

S.Con.Res 14 is the reconciliation budget resolution which provides instructions to 13 House committees and 12 Senate committees to report legislation that would potentially spend \$3.5 trillion over the next decade. Recommendations were to be reported by September 15 with a

vote in the House tentatively scheduled for September 27. The House Budget Committee will likely not mark up the reconciliation package this week which means it will not be ready for a floor vote next week as scheduled. This calls into question whether progressives in the House democratic caucus will agree to support infrastructure going to the floor next week ahead of reconciliation as agreed to with Speaker Pelosi.

The Senate returned from recess this week and will resume consideration of Margaret Strickland to be U.S. District Judge for New Mexico, and other nominations. On Monday, the Senate voted to confirm Veronica Rossman to be U.S. Circuit Judge for the 10<sup>th</sup> Circuit.

*EPA:*

On September 10, 2021, EPA Region 9 and the California Environmental Protection Agency (CalEPA) signed a five-year, first of its kind Memorandum of Understanding (MOU) to expand joint activities supporting the agencies' shared goals of reducing pollution burdens, increasing environmental compliance, and improving public health outcomes in overburdened California communities. The MOU creates a framework for a partnership between the two agencies and expands collaborative activities related to enforcement, inspections, compliance assistance, communication, community engagement, and training to benefit public health and the environment in overburdened communities. Under the MOU, the agencies intend to:

- Enhance existing collaborations by increasing joint inspections in overburdened communities; sharing or jointly developing metrics for determining pollution burdens and vulnerability; and collaborating on staff training.
- Promote coordination of enforcement responses, including joint judicial enforcement actions in overburdened communities.
- Expand engagement with overburdened communities to ensure that targeting of enforcement resources, and compliance-related activities are fully informed by the knowledge and lived experience of these communities.
- Improve communication and transparency by collaborating on an annual workplan and annual report to highlight achievements under the MOU.

Cassidy and Associates support in September:

- Tracked and advocated for key provisions in Energy and Commerce and Ways and Means reconciliation markups in the House.
  - Wins include funding for EV infrastructure, clean heavy duty vehicles, environmental justice block grants, and efficiency. Also, within some of these programs prioritization/set-asides for non-attainment areas and environmental justice communities.
- Tracked and advocated for key provisions in Senate Interior & Environment appropriations.
- Participated in weekly strategy sessions and kept South Coast AQMD apprised of relevant legislative and administrative developments.

## IMPORTANT LEGISLATIVE DATES

### September 30, 2021

Current government funding expires. Including:

- Surface transportation authorization (FAST Act)
- National Flood Insurance Program
- Transportation Security Administration
- Temporary Assistance for Needy Families
- Employer tax credits for emergency sick leave and family leave
- 15% supplemental Nutrition Assistance Program benefit hike
- COBRA premium subsidies and Department of Veterans Affairs cost-sharing waiver

### December 31, 2021

Expiration of:

- Expansions of earned income tax, child tax, and child and dependent care tax credits
- Employee retention credit
- Medicare sequestration
- Several tax extenders, including for energy and mortgage insurance premiums

## PANDEMIC RESPONSE PROGRAMS AND AUTHORITIES

On September 17, 2021, the FDA issued a [Letter to Health Care Providers](#) to alert clinical laboratory staff and health care providers about the potential for false positive results with Abbott Alinity m SARS-CoV-2 AMP and Alinity m Resp-4-Plex AMP Kits. The Letter to Health Care Providers includes important information about Abbott Alinity m SARS-CoV-2 AMP and Alinity m Resp-4-Plex AMP Kits including details on potential false positive results, recommendations for clinical laboratory staff and health care providers, actions the FDA is taking and instructions for reporting problems with the Alinity m SARS-CoV-2 AMP or Alinity m Resp-4-Plex AMP Kits.

On September 16, 2021, the FDA revised the [Emergency Use Authorization](#) (EUA) for bamlanivimab and etesevimab, administered together, to include an emergency use as post-exposure prophylaxis (prevention) for COVID-19 in adults and pediatric patients (12 years of age

and older weighing at least 40 kilograms) who are at high risk for progression to severe COVID-19, including hospitalization or death. Bamlanivimab and etesevimab, administered together, is not authorized for pre-exposure prophylaxis to prevent COVID-19 before being exposed to the SARS-CoV-2 virus -- only after exposure to the virus. Bamlanivimab and etesevimab, administered together, should only be used as post-exposure prophylaxis for [specific patient populations](#). Prophylaxis with bamlanivimab and etesevimab, administered together, is not a substitute for vaccination against COVID-19. FDA has [approved one vaccine](#) and authorized others to prevent COVID-19 and serious clinical outcomes caused by COVID-19, including hospitalization and death. FDA urges you to get vaccinated if you are eligible. Learn more about FDA-approved or -authorized [COVID-19 vaccines](#).

On September 15, 2021, the FDA issued a revised guidance, [Enforcement Policy for Face Masks, Barrier Face Coverings, Face Shields, Surgical Masks, and Respirators During the Coronavirus Disease \(COVID-19\) Public Health Emergency \(Revised\)](#), to help expand the availability of face masks, barrier face coverings and face shields for the general public, including health care personnel, as well as surgical masks and particulate filtering facepiece respirators (FFRs) (including N95 respirators) for health care personnel for the duration of the COVID-19 public health emergency.

On September 14, 2021, the [FDA authorized the use](#), under the emergency use authorization (EUA) for the Janssen COVID-19 vaccine, of two additional batches of vaccine drug substance manufactured at the Emergent facility. To date, a total of eight batches of Janssen drug substance that were manufactured at the Emergent facility have been authorized. The FDA conducted a thorough review of facility records and the results of quality testing performed by the manufacturer. Based on this review and considering the current COVID-19 public health emergency, the FDA has concluded that these batches are suitable for use. While the FDA is not yet ready to include the Emergent BioSolutions plant in the Janssen EUA as an authorized manufacturing facility, the agency continues to work through issues there with Janssen and Emergent BioSolutions management.

#### Reminders:

- FDA holds weekly Virtual Town Halls on COVID Diagnostics, every Wednesday – from 12:15 to 1:15 pm ET. For more information, click [here](#).
- FDA hosts regular webinars to share information and answer your questions about respirators and other personal protective equipment (PPE). The next webinar will be held on February 23 at 12:00 pm ET. For more information, click [here](#).
- [FDA's Coronavirus Disease 2019 \(COVID-19\) webpage](#) provides the latest news and information.
- FDA's COVID-19 Vaccines webpage at [www.fda.gov/covid19vaccines](http://www.fda.gov/covid19vaccines) highlights new information as it becomes available.

- For a Vaccine Development 101 click [here](#)
- Emergency Use Authorization for Vaccines Explained can be found [here](#)
- FDA Vaccine Facts - [The Path for a COVID-19 Vaccine from Research to Emergency Use Authorization](#)
- FDA's webpage - [A Closer Look at COVID-19 Diagnostic Testing](#) - provides health care providers and other public health professionals, including those who might purchase COVID-19 tests, with more technical information and resources.

### **End Date/Program**

**March 27, 2025**

Special inspector General for Pandemic Recovery

**Sept. 30, 2025**

Pandemic Response Accountability Committee, Congressional Oversight Commission

## *AGENCY RESOURCES*

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each Federal Agency has also established a dedicated coronavirus website, where you can find important information and guidance. They include: Health and Human Services ([HHS](#)), Centers of Medicare and Medicaid ([CMS](#)), Food and Drug Administration ([FDA](#)), Department of Education ([DoED](#)), Department of Agriculture ([USDA](#)), Small Business Administration ([SBA](#)), Department of Labor ([DOL](#)), Department of Homeland Security ([DHS](#)), Department of State ([DOS](#)), Department of Veterans Affairs ([VA](#)), Environmental Protection Agency ([EPA](#)), Department of the Interior ([DOI](#)), Department of Energy ([DOE](#)), Department of Commerce ([DOC](#)), Department of Justice ([DOJ](#)), Department of Housing and Urban Development ([HUD](#)), Department of the Treasury ([USDT](#)), Office of the Director of National Intelligence ([ODNI](#)), and U.S. Election Assistance Commission ([EAC](#)).

### Helpful Agency Contact Information:

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – [darcie.johnston@hhs.gov](mailto:darcie.johnston@hhs.gov))

U.S. Department of Homeland Security – Cherie Short (Office – 202-441-3103 / Cell – 202-893-2941 / Email – [Cherie.short@hq.dhs.gov](mailto:Cherie.short@hq.dhs.gov))

U.S. Department of State – Bill Killion (Office – 202-647-7595 / Cell – 202-294-2605 / Email – [killionw@state.gov](mailto:killionw@state.gov))

U.S. Department of Transportation – Sean Poole (Office – 202-597-5109 / Cell – 202-366-3132 / Email – [sean.poole@dot.gov](mailto:sean.poole@dot.gov))

# ATTACHMENT 2C

## KADESH & ASSOCIATES

South Coast AQMD Report for the October 2021  
Legislative Meeting covering September 2021  
Kadesh & Associates

The House and Senate returned to session in September with a very long to-do list and not much time to accomplish it all. Floor votes in the House began on September 20, and the Senate resumed September 13. Items on the docket include:

- The House and Senate must reach a funding agreement to avoid a potential government shutdown when the fiscal year ends September 30;
- Congress must also raise or suspend the debt ceiling before it is breached, which is likely to take place in October; and
- Several federal programs will expire at the end of September, including the surface transportation authorization, the flood insurance program, and several Covid-19 benefit increases and credits.

All of the House committees participating in the budget reconciliation process spent the first half of September writing, considering, and voting on their components of the reconciliation bill, which is now known as the Build Back Better Act. These legislative proposals have been submitted to the Budget Committee where they will be reviewed and assembled into a single bill that funds a variety of social safety net and climate programs. Significant funding for several high priority areas for South Coast AQMD are included:

The House Natural Resources Committee would provide \$250 million for the Bureau of Reclamation to restore and mitigate the air quality and environmental impacts from the exposed Salton Sea playa, based in large part on the Salton Sea Projects Improvements Act introduced by Rep. Ruiz that South Coast AQMD has previously supported. We have worked with the Committee staff and Rep. Ruiz's office to support this funding and will continue to track it through the legislative process.

The House Energy & Commerce Committee would spend \$3.5 billion to reduce emissions at the nation's ports, 40% of which is targeted to low-income and disadvantaged communities and 25% of which is set aside for ports in nonattainment areas. This has been a focus of Representative Barragán, through her Climate Smart Ports Act that the South Coast AQMD has supported. The E&C Committee's portion of the bill also includes \$170 million for DERA, more than \$300 million for air quality programs under Sec 102, 103, and 105, and \$5 billion for a new EPA grant program to convert Class 6 and Class 7 vehicles to zero emission with 40% dedicated for non-attainment areas. There is also a significant investment in EV vehicle charging, electrification of various aspects of the transportation system, and advanced vehicle research and manufacturing. Many of these provisions are modeled on sections of the CLEAN Future Act and other earlier legislative vehicles that South Coast AQMD has supported and discussed with California members of the Committee.

## KADESH & ASSOCIATES

The House Transportation & Infrastructure Committee's portion of the Build Back Better Act also includes funding for reducing emissions from the transportation sector, including \$100 million to reduce emissions in the maritime sector, \$1 billion for projects to reduce emissions from aviation sector, and \$2.5 million for ports infrastructure -- including to reduce port congestion and address the impact of ports on the environment. These, too, are priorities that we have discussed with the region's Congressional delegation.

As reported last month, House leadership broke an intra-caucus logjam by imposing a deadline of September 27 for the chamber to consider the bipartisan Senate Infrastructure Investment and Jobs Act (IIJA) bill. However, House Democrats in the progressive caucus have continued to signal that they will not support the IIJA until they see more progress on the reconciliation bill. This cross-pressure between moderates and progressives, along with the looming deadlines mentioned earlier, will help make this a very complicated month on the House floor.

### Kadesh & Associates Activity Summary-

- Worked with South Coast AQMD to request consideration of priority items to be included in reconciliation, including incentives for medium- and heavy-duty trucks, air monitoring, DERA, Salton Sea, and other issues.
- Monitored and reported on reconciliation process as committee drafts were released and during their consideration.
- Engaged congressional offices after committee votes were complete to acknowledge and support the air quality investments.
- Worked with South Coast AQMD staff on strategy to address nonattainment deadlines.

### Contacts:

Contacts included staff and House Members throughout the CA delegation, especially the authors of priority legislation, members of the South Coast House delegation, and members of key committees. We have also been in touch with administration staff.

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## South Coast Air Quality Management District Legislative and Regulatory Update – September 2021

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### ❖ Important Dates

- Sep 10. – Interim Recess begins upon adjournment of the Legislature.
- Oct. 10 – Last day for Governor to sign or veto bills passed by the Legislature before Sept. 10
- Jan. 1 – Statutes take effect.
- Jan. 3 – Legislature reconvenes.

### ❖ RESOLUTE Actions on Behalf of South Coast AQMD. RESOLUTE partners David Quintana and Jarrell Cook continued their representation of SCAQMD before the State’s Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Successfully negotiated with the California State Controller’s Office to classify South Coast as an independent special district to enable SCAQMD to secure a portion of state funding from the Federal American Rescue Plan intended to provide financial support for local governments and independent special districts impacted by COVID-19.

### ❖ Governor Newsom Defeats Recall Effort. On September 14, Governor Gavin Newsom successfully defeated a campaign to recall him, capturing over 60% of the vote and becoming the second governor in U.S. history to survive a recall election.

	Question	Yes Votes	%	No Votes	%
No	Shall Gavin Newsom Be Recalled (Removed) From the Office of Governor?	4,480,543	37.5%	7,474,047	62.5%

Newsom dramatically outperformed the polls conducted leading up to the election: in August several polls indicated that the number of likely voters supporting the campaign to recall the Governor were nearly even with those that would vote to keep him in office.

### Turnout in governor recall elections is usually high

Raw turnout and turnout rate (as a share of eligible voters) in the four gubernatorial recall elections in U.S. history, compared with the previous regularly scheduled gubernatorial election

STATE	YEAR	RECALL ELECTION		PREV. GOV. ELECTION	
		TURNOUT	RATE	TURNOUT	RATE
California	2021	13,072,035	50%	12,712,542	49%
Wisconsin	2012	2,516,371	60	2,185,017	52
California	2003	9,413,494	45	7,738,821	37
North Dakota	1921	218,766	–	229,606	–

North Dakota’s previous gubernatorial election coincided with the 1920 presidential election, which may have increased turnout. Estimates of the number of eligible voters in North Dakota in the 1920s are not available, so it is not possible to calculate turnout as a percentage.

Numbers for the California 2021 recall are unofficial. The data is current as of Sept. 22, 2021, at 5:15 p.m. Eastern.

SOURCES: STATE ELECTION OFFICIALS, UNITED STATES ELECTIONS PROJECT

Reporting indicates that voter turnout was high—comparable to the regularly scheduled 2018 gubernatorial election, with a little more than half of California’s eligible voters casting a ballot. In the months leading up to the recall, talk radio host Larry Elder emerged as the leading Republican candidate to challenge the Governor. Some analysts are speculating that Elder’s emergence as the frontrunner in late August gave Newsom’s campaign a boost by providing the Governor with a foil that motivated voters.

Democratic strategists have commented that Newsom’s victory in an election timed so closely to the regularly scheduled 2022 Gubernatorial election places him in a strong position for re-election. Newsom leads the leading Republican challengers by at least 20 points. The Governor is also well-positioned to fend off challenges from within his own party, as many of potential candidates will have to square their primary challenge with their support of the Governor during the recall.

- ❖ **Governor Signs \$15 Billion Climate Package.** On September 23, Governor Newsom hosted a press conference to [announce his signing of a \\$15 billion package](#) to address climate change, wildfires, and the re-emerging drought.

During the announcement, the Governor highlighted that the state would provide \$3.9 billion for Zero-Emission Vehicles—funding to deploy 1,000 zero-emission drayage trucks, 1,000 zero-emission school buses and 1,000 transit buses, build the necessary supporting infrastructure, and provide consumer rebates for new ZEV purchases and incentives for low-income Californians to replace their old car with an advanced technology car.

In addition to the ZEV funding, the climate package also includes spending from the Greenhouse Gas Reduction Fund to make investments in AB 617 implementation:

**Cap and Trade Expenditure Plan**  
(Dollars in Millions)

Investment Category	Department	Program	2021-22
Equity Programs	Air Resources Board	AB 617 - Community Air Protection	\$260
		AB 617 - Local Air District Implementation	\$50
		AB 617 - Technical Assistance to Community Groups	\$10
	Community Services and Development	Low-Income Weatherization Program	\$15
	Water Board	Safe and Affordable Drinking Water (\$130 million total)	\$44
Low Carbon Transportation & ZEV Strategy	Air Resources Board	Clean Trucks, Buses, & Off-Road Freight Equipment	\$315
		Agricultural Diesel Engine Replacement and Upgrades	\$170
		Clean Vehicle Rebate Program	\$100
		Clean Cars 4 All & Transportation Equity Projects	\$150

Additionally, the Governor highlighted that he signed the following bills as part of his announcement:

- SB 170 (Skinner, D-Berkeley) – Budget Act of 2021.
- AB 9 (Wood, D-Santa Rosa) – Fire safety and prevention: wildfires: fire adapted communities: Office of the State Fire Marshal: community wildfire preparedness and mitigation.
- AB 33 (Ting, D-San Francisco) – Energy Conservation Assistance Act of 1979: energy storage systems and electric vehicle charging infrastructure: Native American tribes.
- AB 39 (Chau, D-Arcadia) – California-China Climate Institute.
- AB 242 (Holden, D-Pasadena) – Public utilities.
- AB 322 (Salas, D-Bakersfield) – Energy: Electric Program Investment Charge program: biomass.
- AB 431 (Patterson, R-Fresno) – Forestry: timber harvesting plans: defensible space: exemptions.
- AB 525 (Chiu, D-San Francisco) – Energy: offshore wind generation.
- AB 697 (Chau, D-Arcadia) – Forest resources: national forest lands: Good Neighbor Authority Fund: ecological restoration and fire resiliency projects.
- AB 758 (Nazarian, D-North Hollywood) – Marks-Roos Local Bond Pooling Act of 1985: electric utilities: rate reduction bonds.
- AB 843 (Aguiar-Curry, D-Winters) – California Renewables Portfolio Standard Program: renewable feed-in tariff: Bioenergy Market Adjusting Tariff program: community choice aggregators.
- AB 1124 (Friedman, D-Glendale) – Solar energy systems.
- SB 1 (Atkins, D-San Diego) – Coastal resources: sea level rise.
- SB 27 (Skinner, D-Berkeley) – Carbon sequestration: state goals: natural and working lands: registry of projects.
- SB 47 (Limón, D-Santa Barbara) – Oil and gas: hazardous and idle-deserted wells and production facilities: expenditure limitations: updated reports.
- SB 109 (Dodd, D-Napa) – Department of Forestry and Fire Protection: Office of Wildfire Technology Research and Development.
- SB 273 (Hertzberg, D-Van Nuys) – Water quality: municipal wastewater agencies.
- SB 403 (Gonzalez, D-Long Beach) – Drinking water: consolidation.
- SB 423 (Stern, D-Los Angeles) – Energy: firm zero-carbon resources.
- SB 533 (Stern, D-Los Angeles) – Electrical corporations: wildfire mitigation plans: deenergization events.
- SB 552 (Hertzberg, D-Van Nuys) – Drought planning: small water suppliers: nontransient noncommunity water systems.
- SB 596 (Becker, D-Menlo Park) – Greenhouse gases: cement sector: net-zero emissions strategy.
- SB 626 (Dodd, D-Napa) – Department of Water Resources: Procurement Methods.
- SB 756 (Hueso, D-San Diego) – Home weatherization services for low-income customers.
- SB 757 (Limón, D-Santa Barbara) – Solar energy system improvements: consumer protection.

- ❖ **Cal/OSHA Proposes a Permanent COVID-19 Regulation.** Cal/OSHA has released draft [text](#) for a permanent COVID-19 regulation that would replace the existing [Prevention Emergency Temporary Standards](#) that have been in place since November 30, 2020.

Cal/OSHA's Advisory Committee is currently reviewing the proposed permanent regulations and is accepting written comments until October 4. The differences between the current Emergency Temporary Standards and the current proposal are:

- The current draft proposal would create a COVID-19 standard that would be subject to renewal or expiration after two years. It would replace the current Emergency Temporary Standards (ETS). The proposed language significantly streamlines the existing ETS.
- **Sunset date** added for all sections. The rule would expire in two years, subject to renewal and/or amendment based on conditions at the time.
- **Definitions**

- “Infectious period” used in lieu of “high risk exposure period” to conform to use in Labor Code and by CDPH.
  - The definitions of “Close contact” and “infectious period” are subject to change if CDPH adopts new definitions.
- **No separate written COVID-19 Prevention Program** – instead, employers must address COVID-19 through their Injury and Illness Prevention Program (IIPP). The proposal includes specific requirements about how employers must address COVID-19 hazards within the context of section 3203, the IIPP regulation.
  - Exclusion of COVID-19 cases would be governed by CDPH requirements if different from the periods in the rule.
  - Exclusion of people with close contacts would be governed by CDPH requirements or, if none, employers must develop an effective policy to exclude them while potentially infectious, looking to CDPH recommendations.
  - Specific training requirements removed; effective training would be required under section 3203 instead. Training documentation for COVID-19 would be required without exception for employers with fewer than 10 employees.
- **Testing of close contacts** – Employers must provide testing to all employees with a close contact, regardless of vaccination status, except for recently recovered COVID-19 cases without symptoms. Under the current ETS, employers do not have to provide testing to fully vaccinated employees.
- **Testing of symptomatic, unvaccinated employees removed.**
- **No provision for exclusion pay**, though excluded employees must still be given information about benefits. This would be left for the Legislature to address on a permanent basis.
- **Simplified notice requirements**, though employers must still comply with Labor Code section 6409.6 (AB 685) as applicable.
- **When employees are without face coverings indoors** because of the applicability of certain exceptions, employers must take effective action to address the potential hazard. The current ETS mandates a six-foot distance or specified testing.
- **Respirators** must be provided upon request to employees who have been identified by a physical or other health care professional as being at increased risk of severe illness. The current ETS required that respirators be provided upon request to employees who are not fully vaccinated.
- **Ventilation**
  - Indoors, employers must review guidance, evaluate whether ventilation is adequate to reduce transmission, and implement changes as necessary, with some specific options listed. In vehicles, employers shall maximize the supply of outside air unless doing so causes a hazard or exposes employees to inclement weather.
  - Reference to section 5142 and 5143 added. These standards generally require operation of mechanical ventilation during operating hours and use of ventilation to address hazards.
- **Handwashing, cleaning, and disinfection requirements removed.**
- **Order to Take Special Action** permitted to protect employees against COVID-19 hazards. This consolidates subsections in different portions of the current ETS.
- **Outbreaks.**
  - Face coverings required for all employees in outbreaks, regardless of vaccination status.
  - Testing exemption for the fully vaccinated removed.
  - “Major outbreaks” section included as a subsection of the general outbreak section, 5141.1.
  - If 20 or more employee COVID-cases in an “exposed group” occur within 30 days (a “major outbreak” under the current ETS), employers must provide respirators for voluntary use and train on their use.
- **Employee housing.**
  - Housing in which all residents are a part of the same usual household is exempted from the regulation.
  - If all residents are fully vaccinated, only the quarantine and isolation requirements apply.

- **Employee transportation.**
  - Applies to travel to and from work, in the course and scope of employment.
  - Regulation significantly simplified; the regulation only specifies that section 3205 applies and includes a requirement, similar to the current ETS, regarding assignment of transportation.
  - No exemption for vehicles in which everyone is fully vaccinated, although those people would still be exempt from certain requirements when specified by section 3205.

- ❖ **Ninth Circuit Panel Finds EPA Approved Air Quality Contingency Plan Deficient.** The U.S. Court of Appeals for the Ninth Circuit [granted a petition for review](#) of the Environmental Protection Agency's (EPA) final rule approving the California's plan for meeting the ozone air quality standard in the San Joaquin Valley and remanded the plan to EPA for further consideration.

The State's initial contingency plan included only one measure that would be activated if the plan did not achieve reasonable further progress toward meeting the air quality standard for ozone in the San Joaquin Valley. The plan was challenged by the Association of Irrigated Residents, arguing that the single contingency measure provided nominal emissions reductions and, thus, violated the provisions of the Clean Air Act. The court held that "The Clean Air Act requires a meaningful plan B when the primary strategy fails, and EPA failed to hold the state accountable to that standard."

- ❖ **Kern County Sues Newsom Alleging the Governor is Illegally Blocking Oil and Gas Permits.** Kern County has [filed a suit](#) alleging that Newsom's administration has "pursued an unmistakable pattern and practice of impeding, delaying and/or outright blocking the issuance of oil and gas permits in a manner that thwarts existing law and implements substitute policies never approved by the duly elected California State Legislature." Kern County is alleging that Newsom and the California Geologic Energy Management Division has improperly delayed the issuing of new oil and gas permits to combat climate change.



## CALIFORNIA ADVISORS, LLC

South Coast AQMD Report  
California Advisors, LLC  
October 8, 2021 Legislative Committee Hearing

### General Update

The 2021 Legislative Session officially ended on September 10<sup>th</sup>. The California State Legislature passed hundreds of measures over the closing week before gaveling down early around 9:30 PM on Friday. Notably, this was one of the earliest adjournments when compared to previous years. Legislators have traditionally worked late on the final day – often going well past midnight in the first year of a two-year session. However, this year, there were fewer measures with each lawmaker capped at a dozen bills given the pandemic.

Even in this quieter year, the end-of-session still consisted of last-minute negotiations being had up until the final deadlines. Discussions regarding the ongoing COVID-19 pandemic and vaccinations, along with historic wildfires and drought, dominated the session.

Going into the final day many of the most prominent items for the year had already been dispensed with. In fact, there were only about 100 bills still pending action on the the last day. A handful of those measures were subject to Proposition 54, which prohibits the Legislature from passing any bill unless published for 72 hours before the vote. Thus, these bills were not eligible to be taken up until the early evening hours.

On the budget side, the Department of Finance (DOF) published its September 2021 Finance Bulletin, which provides an economic update and cash report. The bulletin reported that general fund revenues are still running 18 percent above projections for July and August.

Specifically, preliminary General Fund agency cash receipts for the first two months of the 2021-22 fiscal year were \$3.527 billion above the 2021-22 Budget Act forecast of \$19.342 billion. Cash receipts for August were \$1.986 billion above the forecast of \$10.959 billion. Also, the DOF noted that preliminary General Fund agency cash receipts for the entire 2020-21 fiscal year were \$4.783 billion above the 2021-22 Budget Act forecast of \$201.775 billion, or 2.4 percent above forecast.

Additionally, the bulletin included the following findings as part of its Monthly Cash Report:

- Personal income tax cash receipts to the General Fund for the first two months of the fiscal year were \$2.563 billion above the forecast of \$12.602 billion.
- Sales and use tax cash receipts for the first two months of the fiscal year were \$670 million above the forecast of \$4.476 billion.
- Corporation tax cash receipts for the first two months of the fiscal year were \$329 million above the forecast of \$956 million.

This additional revenue which continues to pour into California is welcome news for the Governor and the Legislature. While they just wrapped up this year's budget, they have already turned their attention to the 2022-23 fiscal plan. We expect there will be budget related actions in early January and this additional revenue will be a topic of conversation.

### **Political Update**

California held its recall election on Tuesday, September 14<sup>th</sup>. As soon as the polls closed, the initial returns showed Governor Gavin Newsom had an insurmountable lead. Less than an hour after the polls closed the Associated Press (AP) called the race – California voters rejected the effort to remove Newsom from office.

As background, the recall ballot had two parts. In the first part, voters had the option to vote “Yes” or “No” to the question of whether to remove the Governor from office. In the second part, the voters had an opportunity to select a replacement candidate. A list of 46 replacement candidates appeared as choices for the second question.

The election results will officially be certified by October 22, 2021. The “No” on the recall has been hovering around 63% of the vote. As of September 23<sup>rd</sup>, almost 12 million ballots have already been counted with the final tallies still coming in from each county.

# ATTACHMENT 3C



## **Joe A. Gonsalves & Son**

**Anthony D. Gonsalves**

**Jason A. Gonsalves**

**Paul A. Gonsalves**

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**TO:** South Coast Air Quality Management District

**FROM:** Anthony, Jason & Paul Gonsalves

**SUBJECT:** Legislative Update – September 2021

**DATE:** Thursday, September 23, 2021

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California lawmakers wrapped up their legislative session on September 10, 2021, as the Legislature passed 1,002 bills to the Governor this year for his consideration, with 1,419 becoming 2-year bills. This year, the Legislature introduced 2,421 bills (1,593 in the Assembly and 828 in the Senate). The Governor has until October 10, 2021 to take action on all legislation that was passed to him. Thus far, he has signed 492, vetoed 2 and has 610 left to consider.

In a rare early finish, both chambers wrapped up session before 9 p.m., providing for an eerily quiet end of session. The constitutional amendment that requires all bills to be in print for 72-hours before a vote has lessened the number of late gutted-and-amended bills. In addition to the Legislature's end of session proposals, the Governor and Legislature acted on numerous Budget Trailer bills, totaling 66 budget trailer bills for this year's Budget as they struggled to find agreements on how to spend the State's \$100+ billion surplus.

If that wasn't enough on their plate, all of this was being overshadowed by the Governor's recall election on September 14, 2021. Although the Governor survived the recall with overwhelming support, the election caused a distraction from the day-to-day business that the Legislature is usually focused on this time of year.

The following will provide you with updates of interest to the District:

### **BUDGET UPDATE**

In the most recent wave of budget trailer bills passed by the Legislature and signed by the Governor, 2 bills, SB 155 and SB 170, provide funding to help California's most

underserved communities fight climate change. Earlier this summer, the Governor and state legislators passed a budget that included \$3.7 billion in spending for climate resilience programs. SB 155 and SB 170 provide the details of how that money will be spent.

Key priorities in the Budget Trailer Bills include:

Transformative Climate Communities. This program provides funds to local communities to develop integrated programs to cut carbon emissions and create more livable neighborhoods, linking elements like clean transportation and clean energy with affordable housing and more. The program received \$115 million for the 2021-22 fiscal year and a commitment to \$420 million over three years.

Capacity Building. The budget provides \$10 million this year and a commitment to \$10 million next year to launch the Regional Climate Collaboratives program, which builds the capacity of impacted communities to make critical investments in climate change mitigation and adaptation.

Low-Income Weatherization Program. This program helps low-income families weatherize their homes, save energy and preserve health and safety during extreme weather. The program received \$15 million in the new budget year targeted at multifamily housing.

Zero-Emission Vehicles. The budget provides \$150 million in the first year and a commitment to \$400 million over three years for programs like Clean Cars 4 All, which helps lower-income drivers replace their old, polluting cars with clean vehicles.

Urban Greening and Urban Forestry. These programs, which reduce carbon while bringing needed shade and cooling to communities lacking tree cover, receive \$60 million for 2021-22 and a commitment to a total of \$250 million over three years.

Community Resilience Hubs. The legislation also calls for a total of \$200 million from 2022-2024 to create a new grant program for community resilience hubs, which would provide integrated delivery of emergency response services in community institutions like libraries and health clinics.

## **EXECUTIVE ORDER ON PUBLIC MEETINGS**

On September 20, 2021, Governor Newsom signed an executive order waiving the application of AB 361 until October 1, 2021, when the provisions of a prior executive order that established certain exemptions for public agencies when meeting remotely during the COVID-19 emergency will expire.

AB 361 extends the flexibilities provided in the Governor's prior executive order to local and state agencies to hold public meetings electronically beyond the executive order's

September 30, 2021 expiration date. The order signed today specifies that for any meetings held to determine if remote meetings are justified beyond September 30, local legislative bodies must follow the statutory requirements established by AB 361.

This action provides clarity for local, legislative, and state bodies about the applicable requirements for holding remote meetings.

## **CERP**

On September 10, 2021, the California Air Resources Board (CARB) approved the Community Emissions Reduction Program (CERP) for the Eastern Coachella Valley. This is the second CERP approved by the board in the Salton Sea region and the fifth brought forward by the South Coast Air Quality Management District (SCAQMD). Across California, the board has approved 10 CERPs as mandated under Assembly Bill 617.

As required by the Community Air Protection Blueprint, SCAQMD convened a Community Steering Committee (CSC) made up of 38 members including local residents, representatives of community-based organizations and other stakeholders. The steering committee held 25 meetings between January 2020 and June 2021 to develop the plan.

Some of the key courses of action in the CERP include strategies to reduce emissions from traffic, identify funding opportunities to replace older diesel school buses and to incentivize the replacement of older high polluting on-road and off-road equipment.

For pollution related to the area surrounding the Salton Sea, the committee plans on expanding monitoring networks and improving notification systems for dust events. It will also pursue collaborative partnerships to support continued dust suppression projects and identify funding and collaboration opportunities for air filtration systems and weatherization projects for schools and residences.

In adopting the plan, the board directed SCAQMD and CARB staff to guide the implementation to help ensure the plan will achieve measurable emissions reductions in the Eastern Coachella Valley communities. The board also directed staff to implement recommendations based on feedback provided by community and committee members.

We will continue to keep you apprised as this issue progresses.

## **LEGISLATIVE DEADLINES**

August 30 – September 10: Floor session only.

September 3: Last day to amend bills on the floor.

September 10: End of session.

October 10: Deadline for Governor to take action on legislation.

January 1, 2022: Statutes take effect

January 3, 2022: Legislature reconvenes