



# South Coast Air Quality Management District



21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

**REVISED**

## LEGISLATIVE COMMITTEE MEETING

### Committee Members

Mayor Judith Mitchell, Chair  
Council Member Joe Buscaino, Vice Chair  
Dr. William A. Burke  
Senator Vanessa Delgado (Ret.)  
Supervisor V. Manuel Perez  
Supervisor Janice Rutherford

**October 11, 2019 ♦ 9:00 a.m. ♦ Conference Room CC-8  
21865 Copley Drive, Diamond Bar, CA 91765**

### TELECONFERENCE LOCATIONS

11461 West Sunset Boulevard  
Brentwood Room 1  
Los Angeles, CA 90049

200 N Spring Street  
Room 410  
Los Angeles, CA 90012

Rolling Hills Estates City Hall  
4045 Palos Verdes Dr. North  
Rolling Hills Estates, CA 90274

73-710 Fred Waring Drive  
Suite 222  
Palm Desert, CA 92260

8575 Haven Avenue  
Suite 110  
Rancho Cucamonga, CA 91730

6055 E Washington Blvd  
Suite 495  
Commerce, CA 90040

**(The public may attend at any location listed above.)**

*Call-in for listening purposes only is available by dialing:*

*Toll Free: 866-244-8528*

*Listen Only Passcode: 5821432*

*In addition, a webcast is available for viewing and listening at:*

<http://www.aqmd.gov/home/library/webcasts>

## AGENDA

*Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54854.3(a)). Please provide a Request to Address the Committee card to the Committee Secretary if you wish to address the Committee on an agenda item. If no cards are available, please notify South Coast AQMD staff or a Board Member of your desire to speak. All agendas for regular meetings are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.*

## CALL TO ORDER

### **DISCUSSION ITEMS (Items 1 through 4):**

1. Update and Discussion on Federal Legislative Issues  
***(No Motion Required)***  
*Consultants will provide a brief oral report of Federal legislative activities in Washington DC.*  
***[Attachment 1 - Written Reports]***  
  

	<i>Gary Hoitsma</i>	
	<i>Carmen Group</i>	pgs 4-5
	<i>Amelia Jenkins</i>	
	<i>Cassidy &amp; Associates</i>	pgs 6-7
	<i>Mark Kadesh</i>	
	<i>Kadesh &amp; Associates, LLC</i>	pg 8
  
2. Update and Discussion on State Legislative Issues  
***(No Motion Required)***  
*Consultants will provide a brief oral report on State legislative activities in Sacramento.*  
***[Attachment 2 - Written Reports]***  
  

	<i>David Quintana</i>	
	<i>Quintana, Watts and Hartmann</i>	pg 9
	<i>Will Gonzalez</i>	
	<i>California Advisors, LLC</i>	pgs 10-11
	<i>Jason Gonsalves</i>	
	<i>Paul Gonsalves</i>	
	<i>Joe A. Gonsalves &amp; Son</i>	pgs 12-15
  
3. Summary End-of-Year Report on State Legislature's and Governor's Actions on 2019 Legislation  
***(No Motion Required)***  
***[Attachment 3]***  
*Staff will provide an end-of-legislative-year update on the actions of the state legislature and Governor on South Coast AQMD sponsored bills and other key bills of interest.*  
  

	<i>Philip Crabbe/Denise Peralta Gailey</i>	
	<i>Public Affairs Managers</i>	
	<i>Legislative, Public Affairs &amp; Media</i>	
		pgs 16-21
  
4. Update on Legislation Regarding Voting District Authorization for Clean Air  
***(No Motion Required)***  
*Staff will provide an update regarding South Coast AQMD-sponsored legislation relating to a voting district authorization to allow for potential voter initiative ballot funding measures within the District.*  
  

	<i>Derrick J. Alatorre</i>	
	<i>Deputy Executive Officer</i>	
	<i>Legislative, Public Affairs &amp; Media</i>	

### **OTHER MATTERS:**

5. Other Business  
*Any member of this body, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may 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 may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2)*

6. **Public Comment Period**

*At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Legislative Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.*

7. **Next Meeting Date** – Friday, November 8, 2019 at 9:00 am.

**ADJOURNMENT**

**Document Availability**

*All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District, Public Information Center, 21865 Copley Drive, Diamond Bar, CA 91765.*

**Americans with Disabilities Act**

*The agenda and documents in the agenda packet will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). Disability-related accommodations will also be made available to allow participation in the Legislative Committee meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please contact Jeanette Short at (909) 396-2942 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [jshort1@aqmd.gov](mailto:jshort1@aqmd.gov).*



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

# ATTACHMENT 1

## MEMORANDUM

**To:** South Coast AQMD Legislative Committee

**From:** Carmen Group

**Date:** September 26, 2019

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

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**With Final CAFÉ Rule Imminent, Administration Targets California:** During September, key federal agencies took aggressive steps challenging California on greenhouse gas, air quality and environmental issues, provoking a determined backlash from the state and its supporters, including a flurry of the kind of litigation that has come to be expected in what is now largely seen as a protracted political and legal fight between the Trump Administration and the Golden State. The Administration's actions in September included the following:

**Revoked California Waiver:** The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (EPA) issued a final action entitled "One National Program Rule," which effectively withdraws the most recent Clean Air Act preemption waiver granted to the State of California in January 2013 as it relates to California's GHG and ZEV programs. (The action however does not affect California's ability to enforce its Low Emission Vehicle and other clean air standards to address harmful smog-forming vehicle emissions.) By revoking the waiver, NHTSA and EPA seek to ensure there will be one, and only one, set of national fuel economy and greenhouse gas emissions standards for vehicles.

**Rejected California's Call for New Talks on SAFE Rule:** EPA Administrator Andrew Wheeler, in an interview with McClatchy, made clear that the Administration was moving ahead to finalize the SAFE rule on fuel economy standards solely on the Administration's terms without further negotiations. He indicated that separating out the California waiver as a separate issue might be advantageous in terms of dealing more expeditiously with the inevitable litigation. He said he expects the waiver case will take longer and eventually reach the U.S. Supreme Court, setting up a landmark decision on states' rights and environmental policy. "Is time on our side?" Wheeler asked. "I'm assuming we're going to have second term, so I don't think that's going to matter. These issues will be decided by the courts over the course of (Trump's) presidency."

**Challenged Legal Basis for California's Deal with Four Automakers:** In a letter to the California Air Resources Board (CARB), EPA and DOT warned that California's July agreement with Ford, Volkswagen, Honda and BMW – in which

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the auto companies pledged to abide by California's stricter standards for tailpipe greenhouse gas emissions in defiance of the coming federal rulemaking – was on shaky legal ground, likely violating of the Energy Policy and Conservation Act of 1975.

Threatened California with Penalties for Non-Compliance with NAAQS

Standards: In a separate letter to CARB, EPA warned that California faces severe sanctions – including the possible loss of millions of dollars of federal highway funding – over the state's failure to properly comply with National Ambient Air Quality Standards for criteria pollutants. The letter says the state had the “worst air quality in the United States” and had “failed to carry out its most basic tasks” under the Clean Air Act by submitting implementation plans to the EPA outlining their efforts to cut emissions. The letter said the state would have until Oct. 10 to rescind their ‘incomplete’ plans and submit new reports addressing 82 municipalities facing noncompliance.

Called Out California for Environmental Protection Failures in Homelessness

Crisis: In a letter to the California Governor, EPA raised several issues with the state's purported failure to protect the public from degraded water and other health concerns stemming a growing homelessness crisis in the state.

**SCAQMD Hosts Business Roundtable Discussion in DC on Low NOx Rulemaking:**

On September 23, during a brief trip to Washington, DC, for selected Congressional and federal agency meetings, SCAQMD leadership hosted the latest in its series of periodic meetings with Washington, DC representatives of key companies and trade associations connected to the trucking industry for the purpose of sharing information on the Cleaner Trucks Initiative, EPA's deliberative effort to produce a national rule to set a new standard for lower NOx emissions from heavy duty trucks. Current expectations continue to be that a proposed rule will not be issued before early next year at the earliest, while some believe it could very likely be delayed until after the 2020 elections. Participants in the meeting included representatives from Cummins, Navistar, Volvo Trucks, EMA, MECA, MEMA, NACAA, NADA, NCVAmerica, the Alliance for Vehicle Efficiency, the Diesel Technology Forum, and the US Chamber of Commerce.

**EPA Announces More Actions Against Diesel Engine Defeat Devices:** In September, the EPA took further enforcement actions to address violations of the Clean Air Act associated with the manufacture, sale and installation of engines and aftermarket products to defeat the emissions control devices of diesel engines. In separate settlements with EPA and the Department of Justice, Performance Diesel, Inc. agreed to stop the sale of defeat devices and to pay a \$1.1 million civil penalty, and Hyundai Construction Equipment Americas and Hyundai Heavy Industries agreed to pay a \$47 million civil penalty for selling construction vehicles with diesel engines not certified to applicable emissions standards. Meanwhile, EPA and U.S. Customs and Border Patrol announced fines affecting seven companies involved in trying to illegally import more than 500 non-compliant vehicles and engines from China – including fork lifts, bicycle engine kits, loose engines and chainsaws -- through the ports of Los Angeles and Long Beach.

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To: South Coast Air Quality Management District

From: Cassidy & Associates

Date: September 27, 2019

Re: Federal Update

## Look Ahead

On Friday, September 27, the House and Senate left for a two-week recess. This past work period started with a push on approving spending bills and ended with a focus on impeachment. The House will return in mid-October for a six-week session ending just before Thanksgiving. We can anticipate the Senate continuing a slow march of spending bill approvals and the House filling the floor schedule with the last of individual committee bills that need approval prior to the year end.

## Summary of Congressional Activities in July

During the September session, House Democrats continued to highlight the impacts of climate change through a series of committee hearings.

### **The Select Hearing on the Climate Crisis**

In advance of the United Nations Meeting in New York, the Select Committee held three hearings. One focused on increasing manufacturing jobs through clean energy technologies. A second hearing featured youth climate leaders, and the third hearing highlighted innovations to decrease industrial climate emissions.

### **House Energy and Commerce Committee**

The House Energy and Commerce Committee also had a pulse of climate related hearings in mid-September. Members of the Committee examined how to reach a clean economy through improvements in the building sector and net zero industrial emissions.

## **Senate Energy and Natural Resources Committee**

Throughout September the Senate Energy and Natural Resources Committee and moved a package of energy related matters. Just prior to the October recess, on a bipartisan basis the Committee approved 21 bills related to energy storage, grid security and modernization, cleaner industrial technologies, and energy efficiency. Both Chairwoman Lisa Murkowski (R-AK) and Joe Manchin (D-WV) promoted this package as the potential core of a bipartisan energy package for the Senate. Of interest to SCAQMD is S. 2300, the Clean Industrial Technology Act, which seeks to incentivize the use of lower emission technologies in the industrial sector. The legislation specifically calls out for the development of industrial processes and technologies to reduce emissions in the shipping, aviation, and long-distance transportation sectors.

### **Summary of Outreach**

- ❖ Weekly calls with SCAQMD staff.
- ❖ Preparation for September visit including setting up key stakeholder meetings and meeting with the lead senate staff for EPA funding.
- ❖ Working with key Congressional staff on potential avenues for future federal funding as part of an infrastructure package.
- ❖ Monitoring Clean Trucks Initiative and ongoing Heavy Duty NOx rulemaking.
- ❖ Monitoring Congressional hearings related to the California waiver

South Coast AQMD Report for the October 2019 Legislative Meeting covering September 2019  
Kadesh & Associates

**September:** September was dominated with the Senate's rapid consideration of all 12 appropriations bill. For South Coast AQMD, September was focused on a Washington, DC trip for the South Coast AQMD leadership.

**Budget deal:** Congress, particularly the Senate, worked on spending bills in September adhering to the new \$1.3 trillion spending cap to avoid a government shutdown when the next fiscal year begins on October 1. Because the Senate had not written any of the 12 spending bills prior to the new budget deal being reached at the end of July, a Continuing Resolution – a short-term measure extending current funding – was passed keeping the government open through November 21.

**Appropriations Update:** Senate appropriators now want floor votes on spending bills and a bicameral deal on allocations for all 12 funding measures soon after they return to Washington from recess in mid-October. The Senate Appropriations Committee has now approved 10 of its 12 spending bills and eight of those measures were advanced by unanimous votes. The Defense, Labor-HHS-Education, Homeland Security and Military Construction-VA spending measures have been controversial, but Chairman Richard Shelby (R-Ala.) and Vice Chairman Patrick Leahy (D-Vt.) have urged Majority Leader Mitch McConnell (R-Ky.) to bring the others up for votes soon after lawmakers return on October 15.

The panel unanimously advanced its Commerce-Justice-Science, Interior-Environment, Legislative Branch and State and Foreign Operations bills by 31-0 votes. It approved the Homeland Security bill by a 17-14 vote, with Sen. Joe Manchin (D-W.Va.) joining Republicans to advance it.

Senate floor votes on those bills would only be one step toward a real spending deal for fiscal 2020, though. Before the House and Senate can agree on any final bills that can clear both chambers, negotiators will have to agree to a set of allocations for all 12 subcommittees. These are known as the 302-b allocations. The task is made difficult by the fact that the Senate has marked its bills to a total spending level that is \$3.5B higher than the House.

**DERA and Targeted Airshed Grants:** The current FY19 levels are \$87M for DERA and \$52M for TAG. The House Appropriations Committee in its FY20 Interior Appropriations bill initially funded DERA at only \$50M and \$30M for the Targeted Airshed Grant (TAG) program. Through an effort led by southern California House Appropriations Members, \$5M was added to DERA for a total of \$55M. The Senate Appropriations has marked their bill to \$85.166M for DERA and \$56.306M for TAG.

President Trump's budget requested \$10M for the DERA program. Legislatively, the DERA program has recently been reauthorized at \$100 million annually, through 2024.

Contacts included staff with the House and Senate Appropriations Committees and the AQMD House Members targeted for meetings to include Reps. Levin, Calvert, Lowenthal and the staff of Rep. Torres and Speaker Pelosi.

## ATTACHMENT 2



October 3, 2019

TO: South Coast Air Quality Management District  
FROM: Quintana, Watts & Hartmann  
RE: October 2019 Report

**General Update: Legislative Session Adjourned: September 14th at 3:00 A.M.  
The Governor has until midnight, October 13th, to sign or veto all bills.**

September 3-13, 2019 – Floor Session Only

September 6, 2019 – Deadline to Amend

September 13, 2019 – Legislature Adjourns

### **Legislative Update:**

SB 1 (Atkins) - Passed out of the legislature on September 13th. It was vetoed by the Governor. SB 1 came under heavy fire from water districts all across the state. The bill appeared to be dead. However, organized labor made a strong push in the assembly to get the bill passed out. The bill was vetoed on September 27th.

The veto message can be found here: [http://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill\\_id=201920200SB1](http://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200SB1)

SB 216 (Galgiani) - Ended up being a Two-Year Bill. The bill will be taken up in January 2020.

AB 1500 (Carrillo) Ended up being a Two-Year Bill. The bill will be taken up in January 2020.

### **Elected Officials Contacted on Behalf of SCAQMD:**

Senate President Pro Tem Toni Atkins

Assemblymember Eduardo Garcia

Assembly Speaker Anthony Rendon

Assemblymember Jim Cooper

Assemblymember Brian Maienschein

Senator Ben Allen

Senator Henry Stern

Assemblymember Heath Flora

Senator Tom Umberg

Senator Cathleen Galgiani

Assemblymember Wendy Carrillo

Assemblymember Miguel Santiago



# CALIFORNIA ADVISORS, LLC

SCAQMD Report  
California Advisors, LLC  
October 11, 2019 Legislative Committee Hearing

## **General Update**

This year’s legislative session officially ended in the early morning hours of September 14<sup>th</sup>. The Assembly and Senate both gaveled down around 3 AM which completed long days for both houses. The Senate alone was in session for nearly 17 hours on the last day.

One of the main reasons for the long session occurred when protesters who were upset over recently signed legislation interrupted the Senate. Over the course of the final week, protesters gathered outside of Governor’s office, in the hallways, and from the galleries overlooking the Senate and Assembly floors. Around 5 PM on Friday, one of the protesters caused a major disruption and the Senate was quickly brought to a break. The delay lasted over 2 hours and the Senate chambers became a crime scene for the rest of the night. The Senators were forced to gather in their largest committee room and were able to finish the rest of the business before them.

The 72-hour in print rule – which requires that before a bill can be voted on to become a statute, it must be in print and published on the internet for at least 72 hours – has also helped minimize the last-minute amendments of previous years. Late night deals or gut-and-amends can no longer pass through in the final hours of session. This rule provides a level of predictability during the last few days of session.

With the Legislature now adjourned and members returning to their districts, the focus shifts to the Governor’s office. Governor Newsom has until October 13<sup>th</sup> to sign or veto the bills that have reached his desk.

## **Elected Officials Contacted on Behalf of SCAQMD:**

California Advisors met with the following legislators or their offices on behalf of South Coast Air Quality Management District:

### Senate:

Toni Atkins (AB 1714, SB 732), Ben Allen (SB 732)

### Assembly:

Aguiar-Curry (AB 1714), Laura Friedman (AB 285, AB 1299), Anthony Rendon (AB 1299), Luz Rivas (AB 1578), and Buffy Wicks (AB 836).

## **2019 Legislative Update**

### **Voting District Authorization for Clean Air Legislation**

SB 732 (Allen) was pulled from Senate Appropriations Committee at the request of the author on May 13<sup>th</sup>.

AB 142 (Garcia, C) would increase the amount of the manufacturer battery fee from \$1 to \$2 and would provide that the fee would continue indefinitely. *This bill is pending before the Governor.*

AB 285 (Friedman) would require the Department of Transportation to address in the California Transportation Plan how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions of 40% below 1990 levels by the end of 2030 and attain the air quality goals required by the federal Clean Air Act. *This bill is pending before the Governor.*

AB 836 (Wicks) would establish the Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program to be administered by the California Air Resources Board to provide funding through a grant program to retrofit ventilation systems to create a network of clean air centers. *This bill is pending before the Governor.*

AB 1500 (Carrillo) would authorize a unified program agency to suspend, revoke, or withhold issuance of a unified program facility permit if conditions exist at the unified program facility that the unified program agency considers an imminent or substantial threat to public health, safety, or the environment. The bill would require the permittee to immediately discontinue operating that facility or function of the facility to which the permit or permit element applies until the threat is abated and the permit or permit element is issued, reinstated or reissued. *This bill was held in the Senate Appropriations Committee.*

SB 1 (Atkins) would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species. This bill is *pending before the Governor. The Governor has indicated he will veto the bill.*

SB 44 (Skinner) would require the Air Resources Board to update the state board's 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium- and heavy-duty vehicles in the state for the purpose of bringing the state into compliance with federal ambient air quality standards and reducing motor vehicle greenhouse gas emissions. *This bill was signed by the Governor.*

SB 210 (Leyva) would authorize the state board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles. *This bill was signed by the Governor.*



**Joe A. Gonsalves & Son**

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

925 L ST. · SUITE 250 · SACRAMENTO, CA 95814-3766

916 441-0597 · FAX 916 441-5081

Email: gonsalves@gonsalvi.com

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

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

**SUBJECT:** Legislative Update – September 2019

**DATE:** Thursday, September 26, 2019

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The month of September begins the countdown to the end of the Legislative Session. The Legislature had until September 13, 2019 to pass all remaining Legislation to Governor Newsom for his consideration. This year, the Legislature introduced 3033 bills. Of those 3033 bills, 1341 bills made it to the Governor for his consideration while the remaining 1692 bills became 2-year bills. Of the 1341 presented to the Governor, he has signed 690 and vetoed 6. The Governor has until October 13, 2019 to act on the remaining 645 bills.

We will continue to monitor the Governor’s actions on Legislation, and any other state interest to the District, and keep you apprised as they progress.

**GOVERNORS INVESTMENT TO STRENGTHEN CLIMATE RESILIENCY**

On September 20, 2019, just days before global leaders converged in New York City for Climate Week and months after California struck a major agreement with four automakers on vehicle emission standards, Governor Gavin Newsom signed an executive order to leverage the state’s \$700 billion pension investment portfolio and assets to advance California’s climate leadership. The executive order also directs multiple state agencies and departments to review and update overall operations, transportation investments, and use of the state’s purchasing power to advance groundbreaking climate goals.

The Governor also signed two important bills to strengthen emission standards for trucks, semis and other high-pollution vehicles. SB 210 (Leyva) requires the California Air Resources Board (CARB) to develop and implement a Heavy-Duty Inspection and Maintenance Program for non-gasoline, heavy-duty trucks, which is the first ‘smog check’ program of its kind in the nation. SB 44 (Skinner) requires CARB to create a comprehensive plan for reducing greenhouse gas emissions from medium and heavy-duty vehicles. Medium and heavy-duty diesel trucks make up only 4% of the 28.2 million<sub>12</sub> vehicles on the road in California but accounted for 20% of GHG emissions from the

transportation sector and 8% of statewide GHG emissions this year. Cars, trucks and other vehicles are responsible for more than 80% of smog-forming pollution.

This executive order continues the Governor's commitment to strengthening California's resilience while investing in new technologies, programs, and best practices to lower carbon emissions. The executive order will advance California's climate goals by leveraging:

#### State Investments:

California has an investment portfolio of over \$700 billion through CalPERS, CalSTRs, and the University of California Retirement System. The Governor's executive order directs the Department of Finance to create a Climate Investment Framework to measure and manage climate risk across the state's investment portfolio, with the goal of driving investment toward carbon-neutral and climate resilient technologies. The Framework will provide a timeline and criteria to shift investments to companies and industry sectors that have greater growth potential based on their focus of adapting to and mitigating the impacts of climate change, including investments in carbon-neutral, carbon-negative and clean energy technologies.

#### Transportation Systems:

The California State Transportation Agency (CalSTA) is directed to invest its annual portfolio of \$5 billion toward construction, operations and maintenance to help reverse the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector. CalSTA, in consultation with the Department of Finance, is also directed to align transportation spending, programming and mitigation with the state's climate goals to achieve the objectives of the state's Climate Change Scoping Plan, where feasible. Specifically, the Governor is ordering a focus for transportation investments near housing, and on managing congestion through innovative strategies that encourage alternatives to driving.

#### State Assets and Operations:

With this executive order, the Governor is directing DGS to identify opportunities to lower emissions and mitigate climate risk from the state's owned and leased assets, primarily buildings and vehicles, and to implement sustainable purchasing policies across state agencies that prioritize the purchase of environmentally preferable goods, consistent with state climate policies.

#### Vehicles and Electric Vehicle Infrastructure:

The Governor is directing CARB to push automakers to produce even more clean vehicles, and to find ways for more Californians to purchase these vehicles on the new and used markets. CARB is tasked with developing new grant criteria for clean vehicle programs to encourage manufacturers to produce clean, affordable cars and propose new strategies to increase demand in the primary and secondary markets for zero emission vehicles. Finally, CARB shall strengthen existing or adopt new regulations to achieve GHG reductions within the transportation sector.

## **GOVERNOR APPOINTMENTS**

Toks Omishakin, 43, of Nashville, TN, has been appointed director of the California Department of Transportation. Omishakin has been deputy commissioner for environment and planning at the Tennessee Department of Transportation since 2011.<sup>13</sup>

He was director of Healthy Living Initiatives in the Nashville Mayor's Office from 2008 to 2011. Omishakin earned a Master of Arts degree in urban and regional planning from Jackson State University. This position requires Senate confirmation.

James Davis, 54, of Davis, has been appointed chief deputy director of the California Department of Transportation. Davis has been special advisor to the director at the California Department of Transportation since 2019. He held multiple positions at the Department of Transportation, including Senate Bill 1 program manager from 2018 to 2019, Bay Area district director in 2018, division chief of project management from 2013 to 2018, division chief of transportation planning from 2016 to 2017, division chief and deputy division chief of engineering services from 2004 to 2013 and multiple transportation engineering positions from 1988 to 2004. This position does not require Senate confirmation.

Garin Casaleggio, 42, of Sacramento, has been appointed deputy secretary for communications and strategic planning at the California State Transportation Agency. Casaleggio has been deputy secretary of communications at the California Labor and Workforce Development Agency since 2015. He was deputy communications director at the State Controller's Office from 2003 to 2015 and special advisor to the chief of staff in the Office of Governor Gray Davis from 2000 to 2003. This position does not require Senate confirmation.

Chad Edison, 47, of Sacramento, has been reappointed chief deputy secretary for rail and transit at the California State Transportation Agency, where he has served since 2014. Edison was a transportation industry analyst at the Federal Railroad Administration from 2010 to 2014. He was a senior consulting manager, consulting manager and senior transportation consultant at AECOM from 2001 to 2010 and held several positions at the National Railroad Passenger Corporation (Amtrak) from 1996 to 2001, including senior manager of financial analysis. Edison earned a Master of Public Policy degree in international trade and finance from the University of Michigan. This position does not require Senate confirmation.

Arturo Delgado, 48, of Palm Desert, has been appointed assistant secretary for Salton Sea policy at the California Natural Resources Agency. Delgado has served as Salton Sea program manager at the California Department of Fish and Wildlife since 2018. He served in several positions for the U.S. Forest Service, including as district ranger at the San Bernardino National Forest from 2013 to 2018, acting deputy forest supervisor for Six Rivers National Forest in 2017, special assistant to the regional forester for the Pacific Southwest Region in 2015 and multiple positions at the Angeles National Forest from 2010 to 2013, including supervisory wildlife biologist and acting forest resource officer. Delgado held several positions at the California Department of Fish and Wildlife from 1997 to 2010, including senior environmental scientist, environmental scientist, principle investigator and fish and wildlife scientific assistant. Delgado earned a Master of Science degree in biological conservation from California State University, Sacramento. This position does not require Senate confirmation.

Tamika Butler, 34, of Los Angeles, has been appointed to the California Transportation Commission. Butler has been California director of planning and director of equity and inclusion at Toole Design Group since 2017. She has been principal and owner of Tamika L. Butler Consulting since 2017. She was executive director of the Los Angeles<sub>14</sub> Neighborhood Land Trust from 2017 to 2018, executive director of the Los Angeles

County Bicycle Coalition from 2014 to 2017, and director of social change strategies at the Liberty Hill Foundation in 2014. Butler was western regional director at Young Invincibles from 2012 to 2014 and an attorney for Legal Aid at Work from 2008 to 2012. She earned a Juris Doctor degree from Stanford Law School. This position requires Senate confirmation.

Hilary Norton, 51, of Los Angeles, has been appointed to the California Transportation Commission. Norton has been executive director of Fixing Angelenos Stuck in Traffic (FAST) since 2008, and operates the FAST Link DTLA Transportation Management Organization. She was vice president of legislative affairs at the Central City Association of Los Angeles from 2000 to 2008. Norton served as housing and transportation deputy for California State Assemblymember Gilbert Cedillo from 1999 to 2000, chief of staff to Los Angeles City Council member Richard Alatorre from 1995 to 1999, lead legislative deputy for Los Angeles City Council member Richard Alarcon from 1993 to 1995 and legislative deputy for Los Angeles City Council member Mark Ridley-Thomas from 1992 to 1993. Norton earned a Master of Public Policy degree from the Harvard University John F. Kennedy School of Government. This position requires Senate confirmation.

## **LEGISLATION**

The following will provide you with a status update on the bills our firm is taking the lead on for the SCAQMD:

- AB 142 (C. Garcia) Lead-Acid Batteries – Enrolled to the Governor on September 12, 2019.
- AB 1714 (Aguiar-Curry) Emissions limitations: wine fermentation – 2-year bill, Senate Environmental Quality Committee.
- SB 210 (Leyva) Heavy Duty Vehicle Inspection and Maintenance Program – Chaptered by the Governor on September 20, 2019
- SB 44 (Skinner) Medium and Heavy-Duty Vehicles: Comprehensive Strategy – Chaptered by the Governor on September 20, 2019
- SB 633 (Stern) Santa Susana Field Laboratory: Monitoring Program – 2-year bill, Assembly Floor

## **LEGISLATIVE CALENDAR**

- Sept. 13 Last day for any bill to be passed. Interim Recess begins upon adjournment
- October 13, 2019 Last day for Governor to take action on all legislation presented to him.
- January 6, 2020 Legislature Reconvenes.

# LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

## CHAPTERED BILLS

<u>Bill /Author/Title</u>	<u>Position</u>	<u>Proposed Amendments/Suggestions</u>	<u>Assigned Consultant/Lead Staff</u>	<u>Upcoming Hearings/Status</u>	<u>Date Last Amended</u>
<p><b>SB 44 (Skinner)</b>                      Medium- and heavy-duty vehicles: comprehensive strategy</p>	<p><b>SUPPORT W/ AMENDMENTS</b></p>	<p>South Coast AQMD requested the following amendments:</p> <ol style="list-style-type: none"> <li>Page 5, line 22: Specifically reference “local air districts” rather than just “districts”.</li> </ol> <p><u>*Requested amends no longer relevant:</u></p> <ul style="list-style-type: none"> <li>Bill watered down to only require plan, thus following amendment request no longer appropriate: “Page 6, line 3-12: Seek a 20% allocation of GGRF funds to fund the Program to support the commercialization and deployment of medium- and heavy-duty vehicles that reduce criteria pollutant and toxic emissions and GHG emissions”;</li> <li>Bill language South Coast AQMD requested to be amended was deleted out of bill, thus following amendment request no longer appropriate: “Page 6, line 12: Provide that any legislative appropriation to CARB for the Program support the commercialization and deployment of medium- and heavy-duty vehicles that reduce <b>criteria pollutant and toxic emissions</b>, in addition to GHG emissions.”</li> </ul>	<p>Gonsalves PC</p>	<p><b>9/20/19</b> Approved by the Governor. Chaptered by Secretary of State. Chapter 297, Statutes of 2019.  <b>9/18/19</b> S-CHAPTERED</p>	<p>8/12/19</p>

**ATTACHMENT 3**

## LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

<u>Bill /Author/Title</u>	<u>Position</u>	<u>Proposed Amendments/Suggestions</u>	<u>Assigned Consultant/ Lead Staff</u>	<u>Upcoming Hearings/Status</u>	<u>Date Last Amended</u>
<b>SB 210 (Leyva)</b> Heavy-Duty Vehicle Inspection and Maintenance Program	<b>SUPPORT</b>	* <u>Amends achieved</u> : Clarified that zero emission vehicles are exempt from the program. <u>South Coast AQMD Recommendation</u> : Recommended that penalty monies collected by CARB, as part of Program be designated as monies meant to assist local air districts in mitigating heavy-duty truck emissions. Further, penalty monies should be distributed to air districts based on where penalty originated.	Gonsalves PC	<b>9/20/19</b> Chaptered by Secretary of State- Chapter 298, Statutes of 2019 <b>9/20/19</b> S-CHAPTERED	9/6/19
<b>AB 836 (Wicks)</b> Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program	<b>SUPPORT</b>		CA Advisors DPG	<b>10/2/19</b> Signed by the Governor <b>10/2/19</b> A-CHAPTERED	8/30/19

# LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

## VETOED BILLS

<u>Bill /Author/Title</u>	<u>Position</u>	<u>Proposed Amendments/Suggestions</u>	<u>Assigned Consultant/Lead Staff</u>	<u>Upcoming Hearings/Status</u>	<u>Date Last Amended</u>
<p><b>SB 1 (Atkins)</b> California Environmental, Public Health, and Workers Defense Act of 2019</p>	<p><b>SUPPORT</b></p>	<p><u>Work with Author:</u> South Coast AQMD sought to work with author to determine appropriate roles of and interplay between CARB and local air districts that preserve existing local air district authority, with regard to adopting air quality regulations relating to stationary sources and their emissions when there is backsliding in relevant federal laws identified by CARB (see bill, page 9, lines 3-9). <u>South Coast AQMD Latest proposed amendment:</u> “Add to Section 120041(b)(2): A rule adopted pursuant to this provision shall not apply in any air district that has previously adopted a rule that is at least as protective as the baseline federal standards, as determined by the state board. Such determination shall be made within six months of adoption of the state board measure. If a district adopts such a rule after the adoption of the state board’s measure, the state board shall exempt such district from its measure if it determines that the district rule is at least as protective as the baseline federal standard. For district rules adopted after the state board measure, the determinations shall be made by the state board within six months of receiving a rule from a district.</p>	<p>Quintana PC</p>	<p><b>9/27/19</b> Vetoed by the Governor. In Senate. Consideration of Governor's veto pending. <b>9/27/19 S-VETOED</b></p>	<p>9/10/19</p>

# LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

## 2 YEAR BILLS

<u>Bill /Author/Title</u>	<u>Position</u>	<u>Proposed Amendments/Suggestions</u>	<u>Assigned Consultant/Lead Staff</u>	<u>Upcoming Hearings/Status</u>	<u>Date Last Amended</u>
<b>AB 210 (Voepel)</b> Smog check: exemption	<b>OPPOSE</b>		Quintana PC	<b>2 YR BILL: ASM - TRANS</b> <b>4/26/19</b> Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/4/2019)(May be acted upon Jan 2020) <b>4/26/19</b> A-2 YEAR	2/12/19
<b>AB 1500 (Carrillo)</b> Hazardous substances	<b>SUPPORT</b> (Previously SUPPORT WITH AMENDMENTS)	* <u>Amends achieved</u> : To ensure coordination among regulatory agencies, South Coast AQMD proposed amendment to Health & Safety Code Sect. 25404.1.1 subdivision (o), paragraph (3) on Page 9, lines 18-19: "(o) This section does not do any of the following: (3) Restrict or limit in any way the authority of an air district as defined in section 39025 of this code." – Slightly revised amendment language adopted.	Quintana DPG	<b>SENATE – 2 YEAR</b> <b>8/30/19</b> In committee: Held under submission. <b>8/12/19</b> S-APPR. SUSPENSE FILE	6/21/19
<b>SB 216 (Galgiani)</b> Carl Moyer Memorial Air Quality Standards Attainment Program: used heavy-duty truck exchange	<b>SUPPORT IF AMENDED</b>	* <u>Amends achieved</u> : To ensure that truck exchange resulted in actual emission reductions, South Coast AQMD recommended following amendment: "(5) Requires new vehicles purchased as part of the program to meet or emit less than at least one of the optional low-NOx engine standards, as adopted by the State Air Resources Board. – Similar language was adopted in bill: See Page 3, line 17-21:  FURTHER BILL AMENDMENTS WERE BEING NEGOTIATED. Bill requires vehicles purchased as part of truck exchange to	Quintana PC	<b>ASSEMBLY – 2 YEAR</b> <b>8/30/19</b> August 30 hearing: Held in committee and under submission.	7/11/19

## LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

		<p>remain in state for vehicles' entire project life. This is more stringent than Program's requirements, which require only 51% of project life. <u>South Coast AQMD recommends following amendment:</u></p> <p>"(4) Requires vehicles purchased to remain in the state during the vehicles' project life, consistent with the requirements of the program and existing state regulations."          To further ensure emission reductions, <u>following amendment was proposed:</u></p> <p>"(6) Requires owners of fleets purchasing a new vehicle as part of the program, to sell or otherwise provide its existing vehicle to the owner of a vehicle that is either higher emitting than the vehicle being transferred, or older, if the two vehicles are certified at the same emission standard. The higher emitting or older vehicle then shall either be scrapped or permanently moved out of state."</p>			
<p><b>SB 633 (Stern)</b>          Toxic substances:          cleanup standards</p>	<p><b>NO POSITION</b>          (Previously          SUPPORT)</p>	<p>*Bill language was completely replaced.</p>	<p>Gonsalves          PC</p>	<p><b>ASSEMBLY</b>  <b>9/15/19</b> Failed Deadline pursuant to Rule 61(a)(15). (Last location was E.S. &amp; T.M. on 9/6/2019)(May be acted upon Jan 2020) --<b>9/15/19</b> A-2 YEAR</p>	<p>9/6/19</p>
<p><b>AB 1299 (Salas)</b>          Petroleum refineries:          air monitoring systems</p>	<p><b>N/A</b></p>	<p>*Late session gut and amend bill.</p>	<p>CA Advisors          PC</p>	<p><b>SENATE</b>  <b>9/15/19</b> Failed Deadline pursuant to Rule 61(a)(15). (Last location was THIRD READING on 9/12/2019)(May be acted upon Jan 2020) -<b>9/15/19</b> S-2 YEAR</p>	<p>9/10/19</p>
<p><b>AB 1714 (Aguilar-Curry)</b>          Emissions limitations:          wine fermentation</p>	<p><b>N/A</b></p>	<p>*Late session gut and amend bill.</p>	<p>Gonsalves          PC</p>	<p><b>SENATE</b>  <b>9/15/19</b> Failed Deadline pursuant to Rule 61(a)(15). (Last location was E.Q. on 9/10/2019)(May be acted upon Jan 2020) -<b>9/15/19</b> S-2 YEAR</p>	<p>8/28/19</p>

# LEGISLATION 2019 – Position Bills & Technical Input/Key Tracked Bills

## PENDING GOVERNOR ACTION

<u>Bill /Author/Title</u>	<u>Position</u>	<u>Proposed Amendments/Suggestions</u>	<u>Assigned Consultant/Lead Staff</u>	<u>Upcoming Hearings/Status</u>	<u>Date Last Amended</u>
AB 142 (C. Garcia) Lead-acid batteries	<b>SUPPORT</b>		Gonsalves DPG	<b>ASSEMBLY</b> 9/12/19 Enrolled and presented to the Governor at 3:30 p.m. 9/12/19 A-ENROLLED	8/13/19
AB 285 (Friedman) California Transportation Plan	<b>SUPPORT</b> (Previously SUPPORT WITH AMENDMENTS)	* <u>Amends achieved</u> : Negotiated with the author's office, committee staff and stakeholders and ensured that the bill's new requirement that the California Transportation Plan state how it is consistent with and supports attaining air quality standards will be properly referenced in state law. See Page 4, lines 10-23.	CA Advisors PC	<b>ASSEMBLY</b> 9/12/19 Enrolled and presented to the Governor at 3:30 p.m. 9/12/19 A-ENROLLED	8/30/19
AB 1578 (Rivas) School Pavement to Parks Grant Program	<b>N/A</b>	* <u>Technical Input Resulted in Positive Outcome</u> : South Coast AQMD requested technical amendments to bill to clarify how air quality is being referenced with respect to program implementation. -- Author deleted problematic air quality reference in bill.	CA Advisors PC	<b>ASSEMBLY</b> 9/25/19 Enrolled and presented to the Governor at 3:30 p.m. 9/25/19 A-ENROLLED	8/30/19