

BOARD MEETING DATE: October 3, 2014

AGENDA NO. 23

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday, September 12, 2014. The next Legislative Committee meeting is scheduled for Friday, October 10, 2014 at 9 a.m. in Conference Room CC8.

RECOMMENDED ACTION:  
Receive and file this report.

Josie Gonzales  
Chair  
Legislative Committee

LBS:GS:PFC:jf

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**Attendance [Attachment 1]**

The Legislative Committee met on September 12, 2014. Committee Chair Supervisor Josie Gonzales was present at SCAQMD's Diamond Bar headquarters. Committee Members Councilmember Joe Buscaino and Dr. Clark E. Parker, Sr. attended via videoconference.

**Update on Federal Legislative Issues**

SCAQMD federal legislative consultant Mia O'Connell, of the Carmen Group, updated the Committee on key Washington D.C. issues.

Ms. O'Connell reported that Congress has returned from its August recess and the House plans to take up a stopgap funding bill to avoid a government shutdown on October 1. The House is expected to vote on this funding measure soon, which will last through December 11. The funding bill will essentially maintain the current level of government funding until after the elections, allowing the new Congress to decide how it would like to move forward with respect to spending bills for the new year.

Ms. O'Connell also reported that their office continues to work closely with Congress on funding for U.S. EPA Targeted Airshed Grants in the Interior Appropriations Bill, which is focused on reducing air pollution in non-attainment areas. This funding is beyond the current \$30 million provided in Diesel Emission Reduction Act (DERA) funds.

Additionally, Ms. O'Connell indicated that with the Highway Trust Fund patch allowing for immediate funding to the Trust Fund through May 2015, Congress is unlikely to take up a longer-term MAP-21 transportation reauthorization bill before then. Nevertheless, the House Transportation & Infrastructure (T&I) Committee is continuing its process of drafting a new transportation reauthorization bill.

Finally, the House T&I Committee leadership recently introduced a rail reauthorization bill, which will have a markup hearing soon. However, there is no indication that there are any plans or desire to pass this bill during the "lame duck" session in Congress after the November elections. SCAQMD representatives will work to try to include District policy priorities into this bill just in case.

SCAQMD federal legislative consultant Mark Kadesh, of Kadesh & Associates, also updated the Committee on key Washington D.C. issues.

Mr. Kadesh reminded the Committee that for the past few years, Senator Dianne Feinstein, who is the Chair of the Senate Appropriations Energy and Water Subcommittee, has created a program within the U.S. Department of Energy (DOE) to fund pilot projects for zero emissions goods movement. He reported that the DOE recently announced that SCAQMD will receive funding under this program.

Finally, the Senate is planning to adjourn next week and will probably return sometime in November following the elections.

Councilmember Buscaino asked how the zero emissions funds would be delivered and if they would be directed to the Ports of Los Angeles (L.A.) and Long Beach. Science and Technology Advancement Deputy Executive Officer Dr. Matt Miyasato responded that the application was submitted on behalf of the South Coast region in conjunction with the Ports of L.A. and Long Beach, the Southern California Association of Governments, and the L.A. County Metropolitan Transportation Authority, and the project will focus on demonstrating zero emissions goods movement around the two ports and related corridors. Dr. Miyasato added that fuel cell and plug-in hybrid truck technology will be demonstrated.

Councilmember Buscaino then asked how this pilot project would impact other parts of the South Coast region. Dr. Miyasato responded that it will demonstrate clean

technology for goods movement for the entire region and would be amenable to future partnerships in those areas.

Supervisor Gonzales commented that it is important to focus on creating more opportunities for partnerships in other parts of the region and to begin thinking of goods movement facilities in the Inland Empire as “dry ports.”

### **Report on 2013-14 State Legislative Session [Attachment 2]**

Legislative & Public Affairs Deputy Executive Officer Lisha B. Smith reported on results from the 2013-14 state legislative session in Sacramento, giving reference to the attached bill status summary list. Ms. Smith reported that the Governor has until September 30<sup>th</sup> to take action on all bills sent to his desk by the Legislature. In both 2013 and 2014, SCAQMD achieved its principle legislative priorities. In addition, all 10 bills opposed by SCAQMD did not pass the Legislature. Of the 21 bills SCAQMD supported, 13 passed the Legislature and even those that did not pass were amended to reflect the SCAQMD’s policy concerns. Year-end reports from the state legislative consultation complemented Ms. Smith’s report.

### **Update on Sacramento Legislative Issues**

SCAQMD state legislative consultant Paul Gonsalves, of Joe A. Gonsalves & Son, briefed the Committee on key Sacramento issues.

Mr. Gonsalves reported that the Legislature adjourned on August 29<sup>th</sup>. There were no last-minute gut-and-amend bills and this appears to be due in part to the leadership of new Assembly Speaker Toni Atkins.

Mr. Gonsalves reported that looking to next year there will likely be more continuity in the Legislature due to the new term limit law allowing 12 years in one legislative house. There will be 64 Assemblymembers with 10 years or more remaining (38 with 10 years, 26 with 12 years). Further, there will be 16 Senators with 10 years or more remaining. It was also reported that there will be a new Secretary of State, Treasurer and Controller in 2015.

Mr. Gonsalves reported that a new version of the water bond initiative will be on the November ballot due to a recent bill that was passed this year. Assemblymember Wesley Chesbro will be writing the opposition to the water bond on the ballot.

SCAQMD state legislative consultant Will Gonzalez, of Gonzalez, Quintana & Hunter, also briefed the Committee on key Sacramento issues.

Mr. Gonzalez reported on the following issues:

**AB 69 (Perea)** – This bill would delay transportation fuels from going under the cap and trade program created through AB 32 for two years. This bill was sponsored by the oil industry. Senate President pro Tem Darrell Steinberg declared that the bill would not be heard because the issue had already been debated extensively in Sacramento. However, the bill was successful in highlighting the issue that there may be a possible rise in gas prices due to the cap and trade program. It is very likely another bill like AB 69 will surface next year and as a possible ballot initiative in 2015.

**Demise of Geothermal Bill SB 1139 (Hueso)** – This bill would require the utilities in California to purchase 500 megawatts of geothermal energy, with much of that energy coming from Imperial County within Sen. Ben Hueso's district. The bill was a high priority for labor. There was extensive opposition to the bill from utilities and business groups, among others. This bill is likely to return next year. The bill was held in the Assembly.

**Defeat of AB 2145 (Bradford)** - AB 2145 by Assemblymember Steven Bradford was a top utility and labor bill meant to clamp down on the growth of Community Choice Aggregators (CCA's) but failed. The coalition opposing this bill showed the new strength of the anti-utility lobby and included environmentalists, local governments, and renewable energy companies.

**Solar permitting** - AB 2188 (Muratsuchi) which was sponsored by the solar industry creates a streamlined local permitting process for small rooftop solar systems. There were complaints that cities were taking up to 60 days to permit a solar system that takes one day to install. This bill was strongly opposed by local governments but was substantially narrowed so as not to mandate specific timelines for permitting. The bill is pending on the Governor's desk.

**Governor's Interest in the Renewable Portfolio Standard (RPS)** – It is expected that Governor Brown will roll out a "Clean Energy Standard" next year. This bill would address the next phase of renewable energy after the current RPS program expires in 2020. There are limited details available but it is expected that there will be a carbon-based technology-neutral program that establishes carbon reduction as a renewable driver rather than as a straight mandate (i.e., 33% by 2020). Several studies are underway by the Governor's office and industry related to this issue.

**Report from SCAQMD Home Rule Advisory Group [Attachment 3]**

Please refer to Attachment 3 for written report.

**Other Business:**

None

**Public Comment Period:**

No public comment.

**Attachments**

1. Attendance Record
2. Report on 2013-14 Legislative Session
3. SCAQMD Home Rule Advisory Group Report

## **ATTACHMENT 1**

### **ATTENDANCE RECORD –September 12, 2014**

#### **DISTRICT BOARD MEMBERS:**

Supervisor Josie Gonzales  
Councilmember Joe Buscaino (Videoconference)  
Dr. Clark E. Parker, Sr. (Videoconference)

#### **STAFF TO COMMITTEE:**

Lisha B. Smith, Deputy Executive Officer  
Derrick Alatorre, Assistant Deputy Executive Officer/Public Advisor  
Guillermo Sanchez, Senior Public Affairs Manager (teleconference)  
Julie Franco, Senior Administrative Secretary

#### **DISTRICT STAFF:**

Barry R. Wallerstein, Executive Officer  
Elaine Chang, Deputy Executive Officer  
Bay Gilchrist, Assistant Chief Deputy Council  
Mohsen Nazemi, Deputy Executive Officer  
Laki Tisopulos, Assistant Deputy Executive Officer  
Kurt Wiese, General Counsel  
Marc Carrel, Program Supervisor  
Tina Cox, Senior Public Information Specialist  
Philip Crabbe, Community Relations Manager  
Robert Paud, Telecommunications Technician II  
Danielle Soto, Senior Public Information Specialist  
Kim White, Public Affairs Specialist  
Patti Whiting, Staff Specialist

#### **OTHERS PRESENT:**

Mark Abramowitz, Governing Board Member Consultant (Lyou)  
Tricia Almiron, SANBAG  
Frank Cardenas, Governing Board Assistant (Cacciotti)  
Kris Flaig, City of Los Angeles/Sanitation  
Paul Gonsalves, Gonsalves & Son (teleconference)  
Will Gonzalez, Gonzalez, Quintana & Hunter (teleconference)  
Stewart Harris, Carmen Group (teleconference)  
Gary Hoitsma, Carmen Group (teleconference)  
Chris Kierig, Kadesh & Associates (teleconference)  
Rita Loof, RadTech  
Debra Mendelsohn, Governing Board Assistant (Antonovich)  
Mia O'Connell, Carmen Group (teleconference)  
David Rothbart, Los Angeles County Sanitation District  
Andy Silva, Governing Board Assistant (Gonzales)  
Susan Stark, Tesoro  
Warren Weinstein, Kadesh & Associates (teleconference)

## Attachment 2

### Status of Bills Tracked by SCAQMD in Legislative Cycle 2013/14 (As of 9/9/14)

#### Legend

Red background = Failed/Vetoed legislation (in regards to the version we took a position on)

Green background = Chaptered bills

White background = Pending Governor's action

Measure	Status	Select Notes
<a href="#">AB 7 Wieckowski</a> Oil and gas: hydraulic fracturing. Support with Amendments	1/31/2014-Failed	All fracking related legislation from 2013 failed except for Senator Pavley's SB 4 which was chaptered in September 2013. Provisions from AB 7 were incorporated into Senator Pavley's bill.  Would require the operator of a well prior to drilling, redrilling, or deepening operations to submit proof to the State Oil and Gas Supervisor that the applicable regional water quality control board has approved the disposal method and location of wastewater disposal for the well. This bill contains other related provisions and other existing laws.
<a href="#">AB 8 Perea</a> Alternative fuel and vehicle technologies: funding programs. Support	9/28/2013-Chaptered	2013 Priority Legislation to Support  Reauthorization of Carl Moyer Program, Advanced Clean Fuels Program and funding for the Hydrogen Fueling Infrastructure.
<a href="#">AB 14 Lowenthal</a> State freight plan. Support with Amendments	9/6/2013-Chaptered	Dr. Barry Wallerstein and representatives from other Air Districts are on the Advisory Committee  This bill would mandate the development of a state freight plan and the establishment of a state freight advisory committee (to help implement MAP 21).
<a href="#">AB 39 Skinner</a> Energy: conservation: financial assistance. Support	9/12/2013-Ordered to inactive file at the request of Senator Padilla.	The version SCAQMD supported is Dead. Gutted and amended in August of 2014 to an issue not germane to SCAQMD.  This bill would require the State Energy Resources Conservation and Development Commission (Energy Commission) to administer grants, no-interest loans, or other financial assistance to eligible public schools (K-12) for the purpose of projects that create jobs in California by reducing energy demand and consumption.

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<a href="#"><u>AB 122 Rendon</u></a> Energy improvements: financing. Support	1/24/2014-Failed	
Establishes the Nonresidential Building Energy Retrofit Financing Act (Act) and requires the California Energy Commission (CEC) to establish the Nonresidential Building Energy Retrofit Financing Program (Program) to provide financial assistance through revenue bonds for owners of eligible buildings to implement energy efficiency improvements and renewable energy generation.		
<a href="#"><u>AB 147 V. Manuel Pérez</u></a> Environment: Salton Sea: dust mitigation Support, if amended	6/27/2014-Failed	5/27/14: Gut & Amend; no longer relevant to SCAQMD.  Previously, were working closely and coordinating our efforts with the Imperial County Air Pollution Control District.
Requires the Air Resources Board (ARB) to evaluate and make recommendations regarding Salton Sea dust mitigation planning completed by the Quantification Settlement Agreement Joint Powers Authority (QSA-JPA) and authorizes use of the Salton Sea Restoration Fund (Fund) for this purpose		
<a href="#"><u>AB 148 V. Manuel Pérez</u></a> Salton Sea restoration. Watch	7/16/2014-Chaptered	
This bill requires the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to establish a Salton Sea Renewable Energy & Biofuel Research and Development Program to meet high-priority economic and environmental goals by providing grants to facilitate research and the commercial development of renewable energy and biofuel resources in the Salton Sea Basin.		
<a href="#"><u>AB 266 Blumenfield</u></a> Vehicles: high-occupancy vehicle lanes. Support	9/28/2013-Chaptered	
This bill would extend the current January 1, 2015 sunset for the Green Clean Air Vehicle Sticker program to January 1, 2018 and the White Clean Air Vehicle Sticker program to January 1, 2020.		



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#### AB 466 Quirk-Silva

Federal transportation funds.  
Work with Author

10/11/2013-Chaptered

Would require the Department of Transportation to allocate federal funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population **and** pollution in a given area, as specified.

#### AB 818 Blumenfield

Air pollution control: penalties.  
Oppose

1/24/2014-Failed

This bill would allow city prosecutors and district attorneys to file civil actions for violations of air quality rules and regulations without the consent of or any coordination with the local air district. This bill would also provide that any penalties assessed in an action brought by the city prosecutor be paid to the city, and penalties assessed in other actions be paid to the county or district, depending on whose behalf the judgment was entered.

#### AB 953 Ammiano

California Environmental Quality Act.  
Support

1/31/2014-Failed

Entire package of CEQA related reform legislation failed in 2013.

Overtuning the Ballona decision, this bill would require an Environmental Impact Report (EIR) to include a detailed statement on any significant effects that may result from locating a proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.

#### AB 1077 Muratsuchi

Sales and use taxes: vehicle license fee: alternative fuel motor vehicles.  
Support

1/31/2014-Failed

This bill would ensure that when a consumer purchases an alternative fuel vehicle the vehicle license fee and the state sales tax will be calculated based on the purchase price of the vehicle after deducting the received Federal tax credit and applicable State incentive.

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#### AB 1092 Levine

Building standards: electric vehicle charging infrastructure.

9/28/2013-Chaptered

Support with Amendments

This bill would require the California Building Standards Commission (CBSC), in coordination with the Department of Housing and Community Development (HCD), as a part of the next triennial edition of the California Building Standards Code adopted after January 1, 2014, to adopt mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development.

#### AB 1102 Allen

Beach fire rings: coastal development permit.

8/23/14 – Failed  
(Held in Suspense)

2014 Legislative Priority To Oppose

Oppose

Would require a city or county, including a charter city or charter county, to apply for a coastal development permit to remove or restrict the use of a beach fire ring, as defined, and would require that application to include specified information. In effect, it preempts SCAQMD Rule 444 - a local, balanced measure designed to better protect public health while preserving the availability of fire rings for recreation at Southland beaches.

#### AB 1330 John A. Pérez

Environmental justice.

9/13/2013-Failed

Problematic language regarding funding stricken. SCAQMD worked with Speaker's office (past and present), CAPCOA and other stakeholders on appropriate alternatives that could move forward.

Support, if amended

This bill would require the Secretary for Environmental Protection to ensure that the unit gives priority to enforcement actions for a violation occurring in those disadvantaged communities.

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#### [AB 1499 Skinner](#)

Electricity: self-generation incentive program.

5/23/2014-Failed

Support

This bill would extend the authority of the Public Utilities Commission (PUC) to authorize electrical corporations to annually collect funds for the Self-Generation Incentive Program (SGIP) by three years, through December 31, 2017. The bill would also extend the PUC's administration of the SGIP by three years, to January 1, 2019.

#### [AB 1624 Gordon](#)

Self-generation incentive program.

6/27/2014-Failed

Support

This bill would require the Public Utilities Commission to require electrical corporations to continue the revenue collection for the program for distributed energy resources and to administer the program through and including December 31, 2021.

#### [AB 1720 Bloom](#)

Vehicles: bus gross weight.

8/22/2013-Chaptered

Support

This bill will extend a temporary exemption from the 20,500 lb. per axle limit to transit buses through 2015 to allow time for completion of a federal study. Cleaner fuel systems, including compressed natural gas tanks, have been identified as a source of additional weight on the buses.

#### [AB 1857 Frazier](#)

Department of Transportation: vehicle and equipment procurement.

9/4/2014 - Enrolled

Support

Until January 1, 2019, this bill would authorize the Department of Transportation to purchase and equip heavy mobile fleet vehicles and special equipment by means of best value procurement, as defined, subject to an annual limitation of \$20,000,000. The bill would require the Department of General Services to prepare an evaluation with regard to this process, as specified.

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<a href="#">AB 2013 Muratsuchi</a> Vehicles: high-occupancy vehicle lanes.  <b>Support</b>	<b>8/25/2014 - Enrolled</b>	
Current federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). This bill would increase the number of those identifiers that the DMV is authorized to issue to 70,000. This bill contains other current laws. (In prior version of the bill, the limits were raised to 85,000.)		
<a href="#">AB 2208 Allen</a> California Environmental Quality Act: Southern California International Gateway Project.  <b>Oppose</b>	<b>5/9/2014-Failed</b>	
Would declare the intent of the Legislature to enact legislation that would facilitate the infrastructure development and implementation of the final environmental impact report, as described, which was prepared for the Southern California International Gateway Project, a proposed project for the construction and installation of various cargo handling and transfer facilities at the Port of Los Angeles.		
<a href="#">AB 2242 Perea</a> Air Quality Improvement Program.  <b>Support with Amendments</b>	<b>5/2/2014-Failed</b>	Bill problematic in its lack of specificity as to its implementation.
The goal of AB 2242 would be to clarify that Air Quality Improvement Program (AQIP) funding should be focused on areas where it can have the greatest positive impact on air quality.		

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<a href="#"><u>AB 2565 Muratsuchi</u></a> Rental property: electric vehicle charging stations.  Watch – No Position	8/27/2014 - Enrolled	
Would , for any lease executed, renewed, or extended on and after July 1, 2015, require a lessor of a dwelling to approve a written request of a lessee to install an electric vehicle charging station at the lessee's designated parking space in accordance with specified requirements and that complies with the lessor's approval process for modification to the property. The bill would except from its provisions specified residential property, including a residential rental property for fewer than 5 parking spaces and one subject to rent control. This bill contains other related provisions and other existing laws.		
<a href="#"><u>SB 4 Pavley</u></a> Oil and gas: well stimulation.  Support	9/20/2013-Chaptered	Signature fracking bill passed in 2013
Would define the terms well stimulation treatment, hydraulic fracturing, and hydraulic fracturing fluid. The bill would require the Secretary of the Natural Resources Agency, on or before January 1, 2015, to cause to be conducted, and completed, an independent scientific study on well stimulation treatments, including acid well stimulation and hydraulic fracturing treatments. The bill would require an owner or operator of a well to record and include all data on acid treatments and well stimulation treatments, as specified		
<a href="#"><u>SB 11 Pavley</u></a> Alternative fuel and vehicle technologies: funding programs.  Support	9/11/2013- Failed	Originally, virtually identical to AB 8 (Perea), the Carl Moyer and AB 118 reauthorization bill which was chaptered. Latter provisions adopted into SB 1275 (DeLeon) which was also chaptered.
Would require the state board, in consultation with the Bureau of Automotive Repair, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500 and would make this compensation available to an owner in addition to the compensation for a retired vehicle. This bill contains other related provisions and other existing laws.		

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#### SB 39 De León & Steinberg

Clean Energy Employment and Student Advancement Act of 2013

Bill version supported by SCAQMD failed.

Bill continued as vehicle reform bill directed at the City of Bell and outrageous pension claims it generated: SB 39 (DeLeon & J. Perez) Local agencies: public officers: claims and liability was chaptered.

#### Support

Senate Bill 39 – (De Leon-Steinberg) seeks to award energy efficiency upgrade grants to the most economically disadvantaged school communities in need of modernization to create long-term energy cost savings for schools, maximize job creation, direct more money to classroom needs, reduce the carbon footprint of academic institutions in the state, and provide a healthier learning environments for students and staff.

#### SB 221 Pavley

Sales and use taxes: vehicle license fee: exclusion: alternative fuel motor vehicles.

2/3/2014 - Failed

#### Support

This bill would reduce the upfront costs of purchasing alternative-fuel vehicles by better aligning the state portion of the sales tax and the vehicle license fee charged at purchase with that of conventionally-fueled vehicles.

#### SB 286 Yee

Vehicles: high-occupancy vehicle lanes.

Chaptered: 9/29/2013

9/28/2013-Chaptered

#### Support

The bill will extend by an additional three years the expiration of California's Clean Air Vehicle Sticker program, which allows zero and low-emission vehicles to access the High Occupancy Vehicle (HOV) lanes.

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#### SB 389 Wright

SCAQMD: electric generating facilities: emissions offsets.

1/17/2014-Failed

Priority Legislation to Oppose in 2013

Oppose

If enacted, this bill will preempt SCAQMD's Rule 1304.1 and any other similar actions by the Board which would require Electrical Generating Facilities (EGFs) which use the specific offset exemption described in Rule 1304(a)(2) [Electric Utility Steam Boiler Replacement] to pay fees for the amount of offsets provided by the SCAQMD. Under the proposed rule, those fees would be invested in air pollution improvement strategies for the pollutants for which the fee is paid, or their precursors or criteria pollutants to which they contribute.

#### SB 395 Jackson

Hazardous waste: wells.

1/31/2014-Failed

All fracking legislation died except for SB 4 (Pavley)

Support

This bill would remove the hazardous waste law exemption in the Toxic Well Injection Control Act (TWICA) of 1985 for injection wells regulated by DOGGR. Thus, it would authorize the DTSC to regulate fluids associated with oil and gas production that is to be injected into Class II wells and would prohibit the injection of state defined hazardous waste into Class II wells.

#### SB 454 Corbett

Public resources: electric vehicle charging stations.

9/28/2013-Chaptered

Watch

This bill prohibits the provider of an electric vehicle charging station from requiring a user to pay a subscription fee or obtain membership in order to use the station and requires the provider to accept payment via credit card or phone.

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#### [SB 459 Pavley](#)

Vehicle retirement: low-income motor vehicle owners.

9/30/2013-Chaptered

Support

The bill would authorize, rather than require, the department to permit vehicle retirement for any motor vehicle that has been registered without substantial lapse in the state for at least 2 years prior to vehicle retirement and that fails any type of smog check inspection lawfully performed in the state. Intended to help low-income households retire high polluting vehicles.

#### [SB 617 Evans](#)

California Environmental Quality Act.

1/31/2014-Failed

Entire package of CEQA related reform legislation failed in 2013.

Oppose, unless amended

Would require specified notices to be filed with both the Office of Planning and Research and the county clerk and be posted by the county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

#### [SB 621 Gaines](#)

Vehicular air pollution: in-use, diesel-fueled vehicles.

1/17/2014-Failed

Oppose

Would extend by 5 years various compliance dates applicable to a CARB regulation relating to the emissions restrictions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use, diesel-fueled vehicles.



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<a href="#">SB 691 Hancock</a> Nonvehicular air pollution <b>Support with Amendments</b>	<b>9/13/2013-Failed</b>	Sponsored by BAAQMD
This bill would increase the maximum amount of civil penalties that can be assessed against stationary sources of air pollution for single-day violations of air quality regulations affecting large amounts of individuals.		
<a href="#">SB 731 Steinberg</a> Environment: California Environmental Quality Act. <b>Work with Author</b>	<b>9/13/2013-Failed</b>	Entire package of CEQA related reform legislation failed in 2013.
Initial version on which SCAQMD took a position was intent language for the Legislature to engage in "comprehensive" CEQA reform. In its final form, it would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.		
<a href="#">SB 736 Wright</a> Electrical generation facility: <b>Oppose</b>	<b>1/17/2014-Failed</b>	Priority Legislation to Oppose in 2013
If enacted, this bill would prohibit air districts from assessing a permit modification fee on the operator or owner of an electrical generating facility when a modification results in increased thermal efficiency.		

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#### **SB 760 Wright**

**Oppose**

**6/27/2014-Failed**

Priority Legislation to Oppose in 2014. The bill was eventually gutted and amended to address the California Renewables Portfolio Standard Program.

If the version of the bill SCAQMD was opposed to were enacted, it would have prohibited SCAQMD from imposing any conditions to shut down or destroy existing equipment at a facility when the facility applies for emission reduction credits under Rule 1309 Emission Reduction Credits, or request to use offset exemptions under Rule 1304 (a)(1) Replacements, 1304(a)(2) Electric Utility Steam Boiler Replacement or 1304(c)(2) Concurrent Facility Modification.

#### **SB 787 Berryhill**

Environmental quality: the Sustainable Environmental Protection Act.

**Oppose**

**1/17/2014-Failed**

This bill would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to the California Environmental Quality Act (CEQA) for projects related to specified environmental topical areas. This is the same as the "standards-based approach" previously introduced by Senator Rubio. Under this approach, if a project were to be in compliance with existing laws then no CEQA analysis would be required

#### **SB 793 Lara**

Air pollution: oceangoing vessels

**Oppose**

**1/24/2014-Failed**

Would deem an oceangoing vessel, as defined, that meets specified requirements to have met the limitations on hours of operation of auxiliary diesel engines while at berth for that vessel visit. The bill would require an oceangoing vessel that is equipped to receive shore power to conduct the testing and inspection necessary to validate the safety of utilizing the shore power equipment during its current and future visits to that berth upon each initial visit by that vessel to specified marine terminals. The bill would require an oceangoing vessel that exceeds specified hours of service limitations because the testing and safety inspections of the equipment on the vessel that allows the use of electricity from the terminal have not validated the safety of the equipment to be subject to these provisions under specified circumstances

## Attachment 2

### **Status of Bills Tracked by SCAQMD in Legislative Cycle 2013/14 (As of 9/9/14)**

#### **Legend**

Red background = Failed/Vetoed legislation (in regards to the version we took a position on)

Green background = Chaptered bills

White background = Pending Governor's action

<a href="#">SB 804</a> <a href="#">Lara</a> Solid waste: energy.  <b>Support</b>	          <b>10/11/2013-Vetoed</b>	<b>Initial Legislative Committee Position:</b> Continue to inform author, sponsor, and legislative bodies regarding provisions negatively impacting public health, SCAQMD operations, and creating legal liability. Further direct staff to seek necessary amendments and only oppose the bill if major required amendments are not accepted. Support bill if major required amendments are accepted. Continue to support the development of conversion technology alternatives consistent with SCAQMD Governing Board clean air policies and programs.
This bill would include conversion technologies that use specified biomass feedstock in the definition of "biomass conversion" for purposes of the Integrated Waste Management Act (IWMA), and would define composting under the IWMA to include aerobic and anaerobic decomposition of organic waste. This bill would also set specific requirements and guidelines on how air districts approve, enforce, and revoke permits for biomass conversion technology facilities. AFTER NEGOTIATIONS WITH THE AUTHOR, THE BILL WAS SIGNIFICANTLY AMENDED, ADDRESSING THE AIR DISTRICTS' CONCERNS.		
<a href="#">SB 1204</a> <a href="#">Lara</a> California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.  <b>Support</b>	          <b>9/4/2014 - Enrolled</b>	
Would create the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, to be funded from cap and trade revenues, to fund zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies and related projects, as specified, with priority to be given to certain projects, including projects that benefit disadvantaged communities. The program would be administered by the State Air Resources Board, in conjunction with the State Energy Resources Conservation and Development Commission.		

## Attachment 2

### Status of Bills Tracked by SCAQMD in Legislative Cycle 2013/14 (As of 9/9/14)

#### Legend

Red background = Failed/Vetoed legislation (in regards to the version we took a position on)

Green background = Chaptered bills

White background = Pending Governor's action

<a href="#">SB 1265 Hueso</a> State vehicle fleet purchases  Support	9/4/2014 - Enrolled	
Would require the Department of General Services to include within the fuel economy standard passenger vehicles and light duty trucks that are powered by more than one source, such as hybrid vehicles, and would require new state vehicle fleet purchases of those vehicles to conform to that standard. These requirements would not apply to plug-in electric vehicles.		
<a href="#">SB 1275 De León</a> Vehicle retirement and replacement: Charge Ahead California Initiative.  Support and Work with the Author	9/4/2014 - Enrolled	
Current law creates an enhanced fleet modernization program for the retirement of high polluting vehicles to be administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the State Air Resources Board. Current law requires the updated guidelines to ensure vehicle replacement be an option for all motor vehicle owners and may be in addition to compensation for vehicles retired, as specified. <u>This bill</u> would require the updated guidelines to ensure there be a mobility option, as defined, and that the compensation for a mobility option be no less than \$2,500.		

## Attachment 3

### **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

#### **LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF JULY 23, 2014**

HRAG members present:

Dr. Joseph Lyou, Chairman

Dr. Elaine Chang, SCAQMD

Mike Carroll, Latham & Watkins on behalf of the Regulatory Flexibility Group

Enrique Chiock, Breathe L.A. (participated by phone)

Curt Coleman, Southern California Air Quality Alliance

Chris Gallenstein, CARB (participated by phone)

Jayne Joy, Eastern Municipal Water District

Bill LaMarr, California Small Business Alliance

Rongsheng Luo, SCAG (participated by phone)

Art Montez, AMA International

Bill Quinn, CCEEB (participated by phone)

Terry Roberts, American Lung Association of California

David Rothbart, Los Angeles County Sanitation Districts

Larry Rubio, Riverside Transit Agency (participated by phone)

Lee Wallace, So Cal Gas and SDG&E

Mike Wang, WSPA

SCAQMD staff: Naveen Berry, Philip Crabbe, Henry Hogo, Ian MacMillan, Susan Nakamura, Jill Whynot, Bill Wong, and Marilyn Traynor

#### **LEGISLATIVE UPDATE**

Philip Crabbe reported on items that were discussed at the Legislative Committee meeting on July 18, 2014.

#### **Federal**

The consultants provided the following report to the Legislative Committee on July 18, 2014. SCAQMD staff and key staff from the offices of various Senators, Congressmen, and Congresswomen met to discuss the MAP-21 transportation bill, the Diesel Emission Reduction Act (DERA) funding, and SCAQMD's legislative proposals and priorities which focus primarily on efficient freight transportation and air quality issues.

The House Appropriations Committee approved its version of the Interior, Environment Appropriations bill for FY 2015. The bill includes language on EPA targeted airshed grant DERA funding and adds \$10 million to the existing \$30 million of DERA funding already provided. The newly added \$10 million would be distributed on a competitive basis to the nation's top five most polluted areas with regard to ozone or PM<sub>2.5</sub> federal standards. The bill is expected to be approved by the full House before the August recess.

The Senate is likely to vote on the House highway transit fund bill soon. Senator Boxer and others are concerned that there are no policy fixes at this point. The funding patch for the highway trust fund will likely pass before the deadline, which will extend transportation funding through May 2015. Although the House has passed a number of appropriations bills, the Senate has not taken much action in this regard. The expectation is that, after the November elections, the Senate will pass a continuing resolution or some of the pending appropriations bills to help fund the government.

### **State**

The consultants discussed the following bills at the Legislative Committee meeting on July 18, 2014:

#### **AB 69 (Perea)**

This bill will delay the inclusion of motor vehicle fuels within the state cap and trade program for a three-year period. It is expected that after the state legislative recess ends on August 4, 2014, that the bill will be sent to a policy committee; however, it is unlikely that the bill will get passed into law.

#### **AB 2389 (Fox)**

This bill, which was passed and signed by the Governor, will provide tax incentives for the aerospace industry and property tax incentives for electric battery manufacturers. The bill is seen as a large benefit to Tesla.

#### **SB 1309 (Steinberg/Gaines)**

The bill is aimed at courting Tesla into building a battery factory in California. This bill is an intent bill only, but would provide financial incentives, such as tax credits, and/or regulatory and environmental streamlining for the creation of a factory.

#### **AB 1102 (Allen)**

This bill (beach fire rings) is scheduled to be heard in the Senate Appropriations Committee on August 4, 2014.

There are a number of existing bills that are focused on replacing the current \$11.1 billion water bond measure that is currently on the ballot. Negotiations between the Governor and the legislative leaders will continue until after the legislative recess ends.

### **Discussion**

There was no discussion.