SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
HOME RULE ADVISORY GROUP

MINUTES
September 17, 2014

CHAIR
Dr. Joseph Lyou, Governing Board member

MEMBERS

Present: The following members participated from Conference Room CC-8 at SCAQMD: Dr. Elaine Chang; Mike Carroll; Curt Coleman; Jaclyn Ferlita; Jayne Joy; Bill LaMarr; Art Montez; Bill Quinn; Terry Roberts; David Rothbart; and Dan McGivney on behalf of Lee Wallace. The following members participated by conference call: Chris Gallenstein and Patrick Au (CARB). Rongsheng Luo (SCAG) and Jessica Segovia (on behalf of Enrique Chiock, Breathe L.A.) participated from SCAG's L. A. office.

Absent: Elizabeth Adams, Joy Langford, Terry Roberts, Larry Rubio, Mike Wang

AQMD STAFF
Amir Dejbakhsh, Chris Marlia, Guillermo Sanchez, Bill Wong, and Marilyn Traynor

OTHER ATTENDEES
Mark Abramowitz (Board Consultant to Dr. Lyou); Barbara McBride (Calpine); Susan Stark (Tesoro); Leila Barker (LADWP).

WELCOME/INTRODUCTIONS
The meeting was called to order at 10:00 a.m. by Dr. Joseph Lyou, Chairman. Dr. Lyou announced that the briefing on International Climate Change Strategies and Activities has been moved to the October 22 HRAG meeting, when staff will be available to provide the update. Dr. Lyou welcomed Jaclyn Ferlita as a new member to the HRAG (Ms. Ferlita, Manager of California Emissions Markets at ClimeCo Corporation, is responsible for managing their California emissions brokerage and consulting business). Other participants at the meeting were: Dr. Elaine Chang (SCAQMD); Bill Wong (SCAQMD); Mike Carroll (Latham & Watkins on behalf of the Regulatory Flexibility Group); Curtis Coleman (Southern California Air Quality Alliance); Jayne Joy (Eastern Municipal Water District); Bill LaMarr (California Small Business Alliance); Art Montez (AMA International); David Rothbart (Los Angeles County Sanitation Districts); Dan McGivney on behalf of Lee Wallace (So Cal Gas & SDG&E), and Bill Quinn (CCEEB). The following members participated by conference call: Chris Gallenstein and Patrick Au (CARB); Rongsheng Luo (SCAG) and Jessica Segovia (on behalf of Enrique Chiock, Breathe L.A.) participated from SCAG's L. A. office.

APPROVAL OF MINUTES
On motion of Bill LaMarr, and seconded by David Rothbart, the minutes of the July 23, 2014, meeting were unanimously approved without objection.

LEGISLATIVE UPDATE

Guillermo Sanchez reported on items that were discussed at the Legislative Committee meeting on September 12, 2014.

State

The two-year Legislative session ended without last-minute gut-and-amend bills, due in part to a more experienced legislature and to the leadership of new Assembly Speaker Toni Atkins.

In 2013:

- SCAQMD defeated a variety of bills undermining its authority and helped lead the stakeholder group that secured passage of AB 8 (Perea) which extended the authorization for the Carl Moyer Program and the Alternative and Renewable Fuel and Vehicle Technology Program.

In 2014:

- SCAQMD defeated AB 1102 which, in effect, would have impaired the Agency's rulemaking authority. The bill's author has been vocal about his intent to reintroduce the bill and others that would challenge SCAQMD's authority.

All of the ten bills SCAQMD opposed failed. 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.

Mr. Sanchez noted that the Governor has until the end of the month to act on the list of bills that were included in the Legislative Committee meeting package (see Attachment 1). Next month staff will prepare a report listing the final outcome.

Discussion

Bill LaMarr asked about the status of the state-wide plastic bag ban. Mr. Sanchez responded that SB 405 (Padilla) was passed as amended and is before the Governor for signature. Dr. Lyou added that, during the gubernatorial debate, the Governor indicated that he would sign the bill. Bill Quinn asked about the status of AB 1330 (Pérez), the environmental justice bill intended to address serial and serious violators. Mr. Sanchez responded that the bill, which was last amended to address Brown act issues, was sent back to the Senate Rules Committee where it has stalled. The new Speaker and her staff have indicated their willingness to continue working with all the stakeholders to see if a consensus position can still be found.

UPDATE REGARDING LITIGATION ITEMS AND RELATED EPA ACTIONS

Bill Wong provided the following update on the litigation report:

Case No 11, Communities for a Better Environment, California Communities Against Toxics, Desert Citizens Against Pollution, Natural Resources Defense Council, Inc., and Physicians for Social Responsibility-Los Angeles v. U.S. EPA. Ninth Circuit Court of Appeals Case No. 12-71340. This lawsuit challenges on unspecified grounds EPA's final approval of the 8-hour ozone SIP applicable to the South Coast Air Basin. Given EPA's recent publication of its approval of the one-hour ozone plan, Petitioners have filed for a voluntary dismissal of the case as they had agreed to do

with EPA. Although the court has not entered its final order, SCAQMD anticipates that the case will be dismissed.

Case No. 17, Friedman Marketing v. SCAQMD. California Court of Appeal, Second Appellate District Case No. B249836.
The Court of Appeal upheld the trial court's granting of demurrer without leave to amend. SCAQMD doesn't anticipate an appeal of that decision. As a result, the appellate court decision is final.

Case No. 8, Natural Resources Defense Council, Inc., et al. v. U.S. EPA. Ninth Circuit Court of Appeals Case No. 13-70544.
The respondents-intervernors' briefs are due September 30, 2014 (SCAQMD plans to file a brief before the end of the month). The optional reply brief is due October 30, 2014. A number of amici briefs supporting EPA's action have been filed (briefs have been filed by Curt Coleman, on behalf of the Southern California Air Quality Alliance, et al., and by Latham and Watkins, on behalf of L.A. Chamber, City of Los Angeles, Small Business Alliance, and Bizfed among others).

Discussion
With regard to Case No. 8, David Rothbart asked if SCAQMD's case will be influenced if EPA determines that SJVAPCD is in attainment. Mr. Wong noted that he had not seen any paperwork asking for the court to dismiss the case on that ground.

With regard to Case No. 3 (National Association for Surface Finishing, et al. v. U.S. EPA), Dr. Lyou asked if Tenth Amendment/interstate commerce issues were raised because EPA excluded data from California chrome plating facilities when determining emissions standards, which could result in stricter standards for California as well as a competitive disadvantage compared to the other states. Mr. Wong responded that the Tenth Amendment was not referenced in Petitioner's brief.

EPA AND FEDERAL ACTIVITIES
Dr. Lyou reported that EPA's West Coast Collaborative meeting was held on September 4-5, 2014 (http://westcoastcollaborative.org/partners-mtg14-agenda.htm).

Curt Coleman announced that the following items were recently published in the Federal Register:

- Approval of portions of the SIP for the one-hour ozone standard https://www.federalregister.gov/articles/2014/09/03/2014-20790/approval-and-promulgation-of-implementation-plans-california-south-coast-1-hour-and-8-hour-ozone)
- Approval of state implementation plan revisions for VMT offsets (https://www.federalregister.gov/articles/2014/09/03/2014-20791/approval-of-air-quality-implementation-plan-revisions-state-of-california-south-coast-vmt-emissions).

Mr. Coleman reported that EPA presented a very thorough and compelling argument in their brief for the Rule 317 litigation.

Dr. Lyou asked if there was an update on the status of the railroad rules. Dr. Chang responded that she had nothing new to report.

Chris Gallenstein reported that EPA extended the public comment period on the Clean Power Plan—the agency's proposed rule to regulate power plant greenhouse gas (GHG) emissions under Clean Air Act § 111(d)—until December 1, 2014. The comment period was originally scheduled to end on October 16, 2014.

Dr. Lyou reported that EPA has extended the public comment period for the proposed ''Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards" to October 28, 2014 (http://www.gpo.gov/fdsys/pkg/FR-2014-08-15/pdf/2014-19281.pdf).

CARB REGUALTORY ACTIVITIES

Chris Gallenstein presented the following update on cap-and-trade auction activities:

The auction scheduled for September 29, 2014, was canceled. The first annual compliance surrender event is scheduled for November 3, 2014. A joint auction is scheduled for November 19, 2014. The 8th greenhouse gas auction was held on August 18, 2014. There were 22,473,043 '2014' allowances sold and 6,470,000 '2017' allowances sold, for a total amount sold of $331,809,795 (http://www.arb.ca.gov/cc/capandtrade/auction/august-2014/results.pdf).

Mr. Gallenstein discussed the following items that are scheduled to go before CARB's Board on September 18, 2014:

- Mammoth Lakes PM_{10} Maintenance Plan and Redesignation Request.
- Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms.
- Interim Guidance for Agencies Receiving Monies from the Greenhouse Gas Reduction Fund.

These items are tentatively scheduled to go before CARB's Board October through December 2014:

- Amendments to the LEV III and Hybrid Electric Test Procedures, Amendments to the Zero-Emission Vehicle Regulation, and Progress on the Advanced Clean Cars Program.
- 2014 Revisions to the San Joaquin Valley $PM_{2.5}$ SIP.
- Consider Approval of the Imperial $PM_{2.5}$ Plan.
- San Joaquin Valley 8-Hour Ozone Update.
- Proposed Adoption of a Rice Protocol for Cap and Trade Regulation (First Hearing of Two).

Discussion

Dr. Lyou asked if CARB staff is planning to go to their Board in December to provide an update on the sustainable freight strategy. Mr. Gallenstein responded that the date for the briefing has not been officially set. On October 23-24, 2014, CARB will be holding its Board meeting at SCAQMD in Diamond Bar.

CONSENSUS BUILDING

There was no report. Ms. Joy will contact stakeholders to discuss scheduling a future ad hoc consensus building working group meeting.

SUBCOMMITTEE STATUS REPORTS

A. *Freight Sustainability (Lee Wallace)*.

Dan McGivney provided the following update on behalf of Mr. Wallace:

CARB Sustainable Freight Strategy

CARB has scheduled a series of sustainable freight strategy workshops.
Upcoming meetings will be held in Wilmington (San Pedro) and San Diego (http://www.arb.ca.gov/gmp/sfti/sfti_meetings.htm; http://www.arb.ca.gov/gmp/sfti/sept_wrkshp_sfs_presentation.pdf).
CARB's goal is to have a final plan by the end of 2015. CARB held three technology assessment workshops that covered a large variety of equipment, including trucks, locomotives, fuels, harbor craft, etc. The last workshop was held at SCAQMD (http://www.arb.ca.gov/msprog/tech/tech-assess-notice.pdf). Presentations and workshop materials are available on CARB's website (http://www.arb.ca.gov/msprog/tech/tech.htm).

California Freight Mobility Plan (CFMP)

Caltrans is continuing to receive comments on the final draft California Freight Mobility Plan (http://dot.ca.gov/hq/tpp/offices/ogm/cfmp.html). Public comments are due by September 30, 2014 (The deadline for comments was subsequently extended to October 9, 2014). The draft will be circulated among the appropriate parties for signature by October 24, 2014, with the final plan scheduled for release by December 31, 2014. The plan contains strategies adopted by local planning agencies that were required to obtain federal funding.

2040 California Transportation Plan (CTP)

The preliminary first draft has been released (The preliminary draft and other documents can be found at http://www.dot.ca.gov/hq/tpp/offices/osp/ctp2040_pac.html).
A second draft will be released, and a public review draft is expected to be released in February/March 2015 timeframe (there will be a public comment period). The final plan is expected to be released in 2016.

Primary strategies identified so far include:

- Funding (strategies include pay as you go taxes and fees, tap into the cap and trade funds, apply additional sales tax, forming public/private partnerships)
- Environmental stewardship
- Retrofit or adopt facility designs to further reduce the impact on the environment
- Link transportation planning decisions with resources and environmental planning
- Incorporate mitigation and adaptation measures in transportation plans
- Pool mitigation funding for multiple projects
- Establish a multi-agency consultation process

- Support efforts that reduce greenhouse gases such as high-speed rails, zero and low emission vehicles

Caltrans will provide an update on the California Transportation Plan activity at the next HRAG Freight Sustainability Subcommittee meeting which is scheduled for September 24 at 1:00 p.m. at SCAQMD in Conference Room CC-8.

B. Small Business Considerations *(Bill LaMarr)*
Mr. LaMarr provided the following update:

On September 12, 2014, the first of three meetings of phase one of Clean Up, Green Up Initiative was held at L.A. City Hall. Approximately 15 to 17 people attended, including representatives from the City Planning Department, CCEEB, L.A. Chamber, Tesoro, CBE, and Councilmember Huizar's office, among others. The meeting participants raised a number of issues with respect to the proposal for more stringent enforcement of rules and regulations for stationary sources in the communities of Boyle Heights, Wilmington and Pacoima. The participants requested data from the Planning Department in order to prepare for the next meeting which has not yet been scheduled.

Mr. Montez asked what types of businesses are being targeted. Mr. LaMarr responded that all stationary source businesses in the three communities will be affected. Mr. LaMarr added that, at the first stakeholders meeting, Union de Vecinos wanted to focus on all businesses that may emit pollution and toxic air contaminants in these communities. Mr. LaMarr noted the difficulty in identifying all businesses, since some businesses do not pay taxes or have the required business licenses or permits and are not in the system. Mr. Montez asked how can you regulate and formulate public policy if you don't have an inventory and a plan. Mr. LaMarr responded that the City had an objective that they wanted to achieve and they spent approximately a year developing a comprehensive proposal. He explained that the L.A. City Council approved an ordinance in June 2013; Councilmember Huizar, the author, created a stakeholders working group; and the Planning Department selected the members of that working group. Mr. LaMarr added that valuable input provided at these stakeholders meetings will hopefully improve the plan.

Dr. Lyou asked if the stakeholders have considered collaborative efforts to reduce business costs and reduce pollution at the same time. Mr. LaMarr responded that this issue has been discussed. He added that Clean Up, Green Up is still in the planning stage so nothing is final yet.

C. *Environmental Justice (Curt Coleman)*
Curt Coleman reported that OEHHA held a series of workshops in late August and early September (http://oehha.ca.gov/ej/ces_sb535workshops.html) to discuss how to identify disadvantaged communities as specified under SB 535 (http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB535). OEHHA has published a report that outlines five methods for identifying disadvantaged communities (http://oehha.ca.gov/ej/pdf/IdentifyDisadvantagedCommunitiesAug2014.pdf). The methods include:

- Method 1 - Top Scores (Combined Pollution Burden and Population Characteristics)
- Method 2 – Top Scores for Pollution Burden Only
- Method 3 – Top Scores for Population Characteristics Only
- Method 4 – Top Scores Using Equal Cutpoints for Pollution Burden and Population Characteristics

- Method 5 – High and Medium-High Score Categories

The Bay Area AQMD also submitted a proposal that would allow communities that score very high in a subset of these pollution burdens to be considered a disadvantaged community (http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CARE%20Program/Documents/CES%20Method6%20BAAQMD.ashx). Bill Quinn noted that the BAAQMD, in particular, was quite concerned that their communities now ranked very low and would not be eligible to receive funds because CalEnviroScreen 2.0 excluded many of the disadvantaged Bay area communities that were included in the previous version.

Mr. Quinn added that CCEEB submitted very brief comments on the plan, and CCEEB's primary comment was that there seemed to be a very definite lack of focus on the primary goal of reducing GHG emissions—the focus was on how to spend the money, with little mention on reducing GHGs, which is the primary intent of SB 535 and AB 32.

Mr. Rothbart added that Santa Barbara APCD submitted a letter that questioned the validity of the CalEnviroScreen model noting that there are known EJ communities throughout the state that were not identified. Mr. Rothbart added that his SCAP group submitted a letter to OEHHA voicing concerns that policy may be made, based on a screening tool, rather than on actual direct impacts.

Dr. Lyou concluded that, although the tool has become fairly controversial, the Air Resources Board appears to be committed to use CalEnviroScreen to help make these decisions, with the ultimate goal to reduce greenhouse gas emissions. The deadline for submitting written comments through the ARB website was September 15, 2014.

D. ***New Source Review (Bill Quinn)***
Bill Quinn asked SCAQMD staff to provide an overview of the proposed amendments to Rule 1325. Dr. Chang responded that amendments to Rule 1325 are being made primarily to address EPA's SIP approvability concerns, but there will be no change to the threshold for $PM_{2.5}$ offsets. She added that the proposed amendments will demonstrate that major VOC and ammonia sources (i.e., greater than 100 tons per year) are not significant contributors to $PM_{2.5}$. Proposed amendments to Rule 1325 are scheduled to go before the SCAQMD Board in December.

E. ***Climate Change (David Rothbart)***
Mr. Rothbart reopened the discussion on SB 535. He felt that the primary focus on GHG reductions has been overshadowed by the debate on the use of funds, and he asked if SCAQMD could work with CARB on securing funds for programs in disadvantaged areas in the South Coast region and that would actually reduce greenhouse gas emissions. Dr. Chang responded that SCAQMD is working with other stakeholders to achieve co-benefits and to reduce criteria pollutant emissions; SCAQMD is also actively working with CAPCOA and collaborating with the other air districts to achieve emission reductions. David Rothbart asked if the plans for funding have already been set. Dr. Chang responded, no, that CARB purposely kept the interim guidelines general at this point.

Dr. Lyou commented that SB 1275 (de Leon) and SB 1204 (Lara), which are before the Governor for signature, will provide a framework on how the money should be spent. Mr. Sanchez added that staff expects the Governor to sign 1275 (Chaptered: http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_1251-1300/sb_1275_bill_20140921_chaptered.pdf); however, there were issues with

SB 1204 (Chaptered: http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_1201-1250/sb_1204_bill_20140921_chaptered.pdf). Mr. Sanchez explained that CARB had some concerns with last minute amendments to SB 1204 and recommended that the bill be vetoed. Mr. Sanchez added that the amendments to the bill will make the funds available for vehicles that some felt should not qualify. Dr. Lyou noted that there is $50 million that is going to be spent this year on advanced technologies for heavy-duty and medium- duty vehicles.

Mr. Montez asked if there is any post cost-benefit analysis done on any of the bills. He asked if there is a way to recommend this. Dr. Lyou responded that the issue is complicated by emissions that are not easily quantifiable, such as black carbon emissions and greenhouse gas emissions; further, for long-term programs such as land use planning, sustainable development, and public transit, it is difficult to quantify, over the short term, how the investment will pay off. Mr. Quinn noted that cost benefit analysis was included in AB 8, reauthorization of the Carl Moyer Program, which contributed to the successful passage of the bill. Mr. Montez asked why that option has not been carried over to other bills. Mr. Quinn responded that GHG emission reductions present some unique problems which are a little more challenging because GHG emissions are global. Dr. Lyou added that, with luck, the SB 535 funding process will be fairly rational with defendable decisions.

REPORT FROM AND TO THE STATIONARY SOURCE COMMITTEE

Elaine Chang reported that staff will present status updates on the following issues at the Stationary Source Committee meeting on September 19, 2014:

- Exide
- Allenco

No rules will go before the committee this month.

OTHER BUSINESS

Bill LaMarr asked about the status of the ABT Associates contract and their recommendations on SCAQMD's socioeconomic analysis. Dr. Lyou asked SCAQMD staff to provide a briefing on ABT Associates' recommendations at the next HRAG meeting (ABT's report can be found at: http://www.aqmd.gov/docs/default-source/Agendas/aqmp/scaqmd-report---review-socioeconomic-assessments.pdf?sfvrsn=4; a summary of ABT's recommendations and SCAQMD's response can be found at: http://www.aqmd.gov/docs/default-source/Agendas/aqmp/abt-response-matrix-final.pdf?sfvrsn=4).

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

The meeting was adjourned at 11:18 a.m. The next meeting of the Home Rule Advisory Group is scheduled for 10:00 a.m. October 22, 2014.

RETURN↑

Attachment 1

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
AB 7 Wieckowski 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.		
AB 8 Perea 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.		
AB 14 Lowenthal 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).		
AB 39 Skinner 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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AB 122 Rendon 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.		
AB 147 V. Manuel Pérez 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		
AB 148 V. Manuel Pérez 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.		
AB 266 Blumenfield 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.
Overturning 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. Support with Amendments	9/28/2013-Chaptered	
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. Oppose	8/23/14 – Failed (Held in Suspense)	2014 Legislative Priority To 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. Support, if amended	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.
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. Support	5/23/2014-Failed	
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. Support	6/27/2014-Failed	
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. Support	8/22/2013-Chaptered	
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. Support	9/4/2014 - Enrolled	
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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AB 2013 Muratsuchi Vehicles: high-occupancy vehicle lanes. Support	8/25/2014 - Enrolled	
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.)		
AB 2208 Allen California Environmental Quality Act: Southern California International Gateway Project. Oppose	5/9/2014-Failed	
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.		
AB 2242 Perea Air Quality Improvement Program. Support with Amendments	5/2/2014-Failed	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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AB 2565 Muratsuchi 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.		
SB 4 Pavley 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		
SB 11 Pavley 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 Support	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.
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. Support	2/3/2014 - Failed	
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 Support	9/28/2013-Chaptered	
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. Oppose	1/17/2014-Failed	Priority Legislation to Oppose in 2013
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. Support	1/31/2014-Failed	All fracking legislation died except for SB 4 (Pavley)
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. Watch	9/28/2013-Chaptered	
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. Support	9/30/2013-Chaptered	
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. Oppose, unless amended	1/31/2014-Failed	Entire package of CEQA related reform legislation failed in 2013.
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. Oppose	1/17/2014-Failed	
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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SB 691 Hancock Nonvehicular air pollution Support with Amendments	9/13/2013-Failed	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.		
SB 731 Steinberg Environment: California Environmental Quality Act. Work with Author	9/13/2013-Failed	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.		
SB 736 Wright Electrical generation facility: Oppose	1/17/2014-Failed	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 Rule1304 (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		

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SB 804 Lara Solid waste: energy. Support	10/11/2013-Vetoed	**Initial Legislative Committee Position:** 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 NEGOTATIONS WITH THE AUTHOR, THE BILL WAS SIGNIFICANTLY AMENDED, ADDRESSING THE AIR DISTRICTS' CONCERNS.		
SB 1204 Lara California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program. Support	9/4/2014 - Enrolled	
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.		

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SB 1265 Hueso 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.		
SB 1275 De León 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. This bill 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.		