

**Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 771-6000**

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
9:30 a.m., Wednesday, February 23, 2005

- 1. Call to Order - Roll Call:** Chairperson Brad Wagenknecht called the meeting to order at 9:30 a.m.

Present: Brad Wagenknecht, Chairperson, Dan Dunnigan, Erin Garner, Scott Haggerty, Mark Ross, John Silva.

Absent: Chris Daly, Liz Kniss, Pamela Torliatt.

Also Present: Julia Miller

- 2. Public Comment Period:** There were none.

- 3. Approval of Minutes of December 21, 2004:** Director Haggerty moved approval of the minutes; seconded by Director Silva; carried unanimously without objection.

- 4. Consideration of New Bills and Corresponding Agency Positions:**

- a) *SB 44 (Kehoe)-Incorporating air quality into local government general plans*
- b) *SF 109 (Ortiz)-Changes to air penalty language*
- c) *SB 153 (Chesbro et alia)-California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006*
- d) *Additional bills introduced after the agenda mail-out*

Thomas Addison, Advanced Projects Advisor, presented and discussed the following three bills with a recommendation for each one:

| Bill | Brief Description | Staff Recommendation |
|------------------|---|-----------------------------|
| SB 44 (Kehoe) | Extends statewide a San Joaquin Valley requirement that local governments incorporate air quality issues into general plans | Support |

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|-------------------------------------|---|-----------------------|
| SB 109 (Ortiz) | Extends sunset for program on minor air violations, and changes current air penalty language to allow civil and criminal penalties for a single violation | Oppose unless amended |
| SB 153 (Chesbro <i>et alia</i>) | Establishes California Clean Water, Clean Air, Safe Neighborhood Park, and Coastal Protection Act bond measure | Support |

After discussion of each of the above bills, the Committee took the following actions:

Committee Action: Director Haggerty moved that the Committee recommend the Board adopt the staff’s recommendation on SB 44 (Kehoe); seconded by Deputy Director Dunnigan; carried unanimously without objection.

Committee Action: Director Ross moved that the Committee recommend the Board adopt the staff’s recommendation on SB 109 (Ortiz); seconded by Director Haggerty; carried unanimously without objection.

Committee Action: Director Haggerty moved that the Committee recommend the Board adopt a “Watch” position on SB 153 (Chesbro *et alia*); seconded by Director Silva; carried unanimously without objection.

Mr. Addison discussed the four new bills listed below that were introduced after the agenda packet mail-out:

| Bill | Brief Description | Staff Recommendation |
|----------------------|---|----------------------|
| AB 694 (Chan) | Would authorize the BAAQMD to expand TFCA eligibility to private vehicles | Support |
| SB 225 (Soto) | Provides additional Carl Moyer funding for heavy-duty diesel vehicles | Support |
| SB 497 (Simitian) | Establishes a Low-Emissions Contractor Incentive Program | Support |
| AB 1101 (Oropeza) | Establishes notification requirement for the largest sources of diesel emissions with significant public health risks | Support |

After discussion of each of the above bills, the Committee took the following actions:

Committee Action: Director Haggerty moved that the Committee recommend the Board adopt the staff’s recommendation on AB 694 (Chan); seconded by Director Silva; carried unanimously without objection.

Committee Action: Director Ross moved that the Committee recommend the Board adopt the staff's recommendation on SB 225 (Soto); seconded by Director Haggerty; carried unanimously without objection.

Committee Action: Deputy Director Dunnigan moved that the Committee recommend the Board adopt the staff's recommendation on SB 497 (Simitian); seconded by Director Garner; carried unanimously without objection.

Committee Action: Director Silva moved that the Committee recommend the Board adopt a "Support in Concept" position on AB 1101 (Oropeza); seconded by Director Ross; carried unanimously without objection.

5. Update on District's 2005 Legislative Agenda: *Staff presented an oral update on the status of the District's 2005 Legislative Agenda.*

Mr. Addison stated that in addition to AB 694 (Chan) the other item on the legislative agenda is this Air District co-sponsoring a resolution with the South Coast AQMD encouraging good federal rule-making on new diesel locomotive standards. Mr. Addison noted that the legislation is anticipated to be introduced next month.

Committee Action: None. This report provided for information only.

6. Committee Members' Comments: Director Garner discussed the issue of indoor air quality and Jack Broadbent, Executive Officer/APCO stated that the District's Advisory Council will be discussing the issue this year.

7. Time and Place of Next Meeting: At the Call of the Chair.

8. Adjournment: The meeting was adjourned at 10:26 a.m.

/s/ Mary Romaidis
Mary Romaidis
Clerk of the Boards