

**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, April 9, 2003

- 1. Call to Order - Roll Call:** Chairperson Wagenknecht called the meeting to order at 9:50 a.m.

Present: Brad Wagenknecht, Chairperson, Maria Ayerdi, Chris Daly, Liz Kniss, Mark Ross.

Absent: Mark DeSaulnier, Dena Mossar, John Silva, Pam Torliatt.

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

- 3. Approval of Minutes of June 5 and October 16, 2002:** Director Kniss moved approval of both sets of minutes; seconded by Director Ross; carried unanimously by acclamation.

- 4. Consideration of new Legislation and Corresponding Agency Positions:** Staff presented the following bills with a recommendation for each one:

Bill	Brief Description	Staff Recommendation
AB 471 (Simitian)	<i>Requires cruise ships to cut air emissions</i>	Support
AB 698 (Lieber)	<i>Establishes "Perc" Cost Recovery Fund, and charges \$10 per gallon of perc used by dry cleaners</i>	Support
AB 720 (Matthews)	<i>Specifies statewide policy on woodburning and voids local or air district rules</i>	Oppose
AB 729 (Lieber)	<i>Requires BAAQMD to impose refinery controls and grants BAAQMD indirect source authority</i>	Oppose unless amended
AB 740 (Pavley)	<i>Clean Air, Clean Water, and Coastal Protection Bond Act of 2004</i>	Support and seek amendments
AB 788 (Chavez)	<i>Delays ARB ability to regulate disinfectants</i>	Oppose

AB 854 (Koretz)	<i>Eliminates perc use in dry cleaning and provides grants for less toxic alternatives</i>	Support and seek amendments
AB 925 (Richman)	<i>Extends and increases air district expedited powerplant permitting</i>	Oppose
AB 998 (Lowenthal)	<i>Establishes grant program for non-toxic alternatives to perc dry cleaning</i>	Support
AB 1468 (Pavley)	<i>Requires testing of negative air machines at asbestos abatement sites</i>	Support in concept
AB 1500 (Diaz)	<i>Establishes Petroleum Pollution Cleanup and Prevention Act with \$1 per barrel petroleum fee</i>	Support
AB 1624 (Benoit)	<i>Limits percentage of vehicles required to go to test-only smog check stations</i>	Oppose
AB 1637 (La Suer)	<i>Deletes ARB's administrative penalty authority</i>	Oppose
SB 207 (Ackerman)	<i>Removes district enforcement authority over vapor recovery equipment</i>	Oppose
SB 656 (Sher)	<i>Requires ARB and districts to reduce PM emissions</i>	Support
SB 700 (Florez)	<i>Eliminates exemption for agriculture from air quality regulation</i>	Support in concept
SB 702 (Florez)	<i>Exempts medium-weight farm equipment from Moyer cost-effectiveness</i>	Oppose
SB 705 (Florez)	<i>Eliminates agricultural burning and requires districts to develop alternative programs</i>	Support if amended
SB 706 (Florez)	<i>Specifies statewide policy on woodburning, and voids local or air district rules</i>	Oppose
SB 708 (Florez)	<i>Partially removes current smog check exemption for vehicles more than 30 years old</i>	Support
SB 825 (Torlakson)	<i>Creates Pedestrian and Bicyclist Safety and Mobility Fund</i>	Support
SB 916 (Perata)	<i>Calls for election on \$1 bridge toll surcharge for transit</i>	Support in concept
SB 981 (Soto)	<i>Establishes Petroleum Pollution Cleanup and Prevention Act with \$0.30 per barrel fee</i>	Support

Tom Addison, Advanced Projects Advisor, highlighted the following bills:

SB 656 (Sher), which focuses on strategies to reduce particulate emissions. The focus has been on ozone, but particulates are a greater public health issue. Mr. Addison stated that there might be opposition of the bill from industry. During discussion, Chairperson

Wagenknecht suggested that a Legislative Day in Sacramento could be set up to show support of the bill.

AB 1500 (Diaz and Pavley) would establish a \$1 per barrel fee on crude petroleum and the funds would be used for a variety of programs. The Western States Petroleum Association is opposed to this bill.

SB 981 (Soto) is being sponsored by the South Coast AQMD and is similar to AB 1500. This bill would impose a 30¢ per barrel fee on petroleum, and is titled the Children’s Health and Petroleum Pollution Remediation Act of 2003.

AB 740 (Pavley) would establish the Clean Air, Clean Water, and Coastal Protection Bond Act of 2004. Mr. Addison stated that the Board should support this bill with amendments that would clarify that local districts, rather than the Air Resources Board, are the implementing agencies.

Mr. Addison reviewed the three bills listed below that deal with dry cleaning and the use of perchlorethylene (perc), which is a toxic air contaminant.

AB 998 (Lowenthal) proposes a fee of \$3 per gallon of perc used and the fee would increase a dollar every year until 2013.

AB 854 (Koretz) would ban all use of perc by the year 2014 and establishes an incentive program to encourage cleaners to switch to non-toxic and less-toxic alternatives.

AB 698 (Lieber) would impose a \$10 per gallon fee on perc sold in California and it would establish a program to pay for cleanup of perc-contaminated water supplies.

During discussion of the list of bills, the Committee requested the staff recommendation for SB 916 (Perata) be changed from “Support in concept” to “Support and seek amendments.” Mr. Addison added that this bill is more of a transportation bill than an air quality bill. There was also discussion on SB 705 (Florez), which would eliminate agricultural burning and require air districts to develop alternative programs.

Committee Action: Director Kniss moved that the Committee recommend the Board adopt the staff’s recommendation on the list of bills presented, including changing the position on SB 916 (Perata) from “Support in concept” to “Support and seek amendments;” seconded by Director Daly; carried unanimously by acclamation.

5. Consideration of use of District Contract Lobbyist: *Staff discussed the current role of the District’s contract lobbyist, and provided information about the details of this contract and alternatives to the current arrangement.*

Mr. Addison discussed the role of the District’s contract lobbyist and how the District has significantly increased the legislative advocacy done by District staff.

Committee Action: Director Kniss moved that the Committee recommend the Board terminate the current contract and hire an outside lobbyist on an as-needed basis throughout the year; seconded by Director Daly; carried unanimously by acclamation.

6. **Committee Members' Comments:** Director Ross requested staff provide him with more information on SB 571 (Alarcon). Chairperson Wagenknecht requested staff set up a "Legislative Day" in Sacramento.
7. **Time and Place of Next Meeting:** At the Call of the Chair.
8. **Adjournment:** The meeting adjourned at 10:51 a.m.

Mary Romaidis

Mary Romaidis
Clerk of the Boards

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