

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
LEGISLATIVE REPORT**

**FROM HOME RULE ADVISORY GROUP
MEETING OF OCTOBER 20, 2010**

HRAG members present:

Dr. Laki Tisopulos on behalf of Dr. Elaine Chang (SCAQMD)
Greg Adams, L.A. County Sanitation Districts
Curtis Coleman, Southern California Air Quality Alliance
Chris Gallenstein on behalf of Richard Corey, CARB (participated by phone)
Jayne Joy, Eastern Municipal Water District
Bill LaMarr, California Small Business Alliance
Rongsheng Luo on behalf of Jonathan Nadler, SCAG (participated by phone)
Art Montez, AMA International
Bill Quinn, CCEEB (participated by phone)
Larry Rubio, Riverside Transit
Steve Schuyler on behalf of Mike Wang, WSPA
Lee Wallace, So Cal Gas and SDG&E

LEGISLATIVE UPDATE

Philip Crabbe provided a summary of what was discussed at the Legislative Committee meeting on October 8, 2010. The consultants provided an update on federal legislation which included the Section 185 fee issue. District and CARB staffs are working together to explore different options. District executive staff met last week with key players in D.C. to continue discussions on this issue. With respect to appropriations requests, current funding levels are expected to be maintained through a continuing resolution as a temporary only until the federal budget is approved.

Bills that were discussed at the Legislative Committee meeting on October 8, 2010, include:

HR 6291 (Richardson): Freight FOCUS Act of 2010

This bill would establish a national process for freight planning and prioritization of funding. The bill would establish a transportation trust fund that would be used for funding eligible projects based on certain criteria. Staff proposed amendments including language to provide for improvements in air quality, to reduce health-related impacts and costs, to allow local air pollution control agencies to provide input, and to prioritize projects involving zero or near zero emission technology. The Legislative Committee approved staff's recommendation to support the bill with proposed amendments.

S. 372 (Rockefeller) and H.R. 4753 (Rahall) – Stationary Source Regulations Delay Act

These two bills are identical companion bills. The bills would suspend for a two-year period any U.S. EPA action regarding greenhouse gas regulations under the Clean Air Act with respect to carbon dioxide or methane, except for motor vehicle emissions and reports or enforcement of reporting requirements. Staff recommended an oppose position. However, the Legislative Committee Chair stated that she would like to hear public testimony on AQMD's proposed rule related to this issue at the Board meeting in November. Therefore, the Legislative Committee directed staff to bring this issue back for discussion at the November Legislative Committee meeting.

Mr. Crabbe reported that Dr. Wallerstein discussed SB 375 implementation and the CARB establishment of greenhouse gas regional reduction targets. The committee approved for District staff to engage in future discussions on SB 375 with legislative representatives, government agencies, and other stakeholders. Mr. Crabbe concluded his report by stating that the state budget has finally been passed.

Discussion

Mr. Adams asked for more details on the Section 185 meeting in D.C. Mr. Crabbe responded that staff has not been briefed, and a more detailed report will be presented at the next Legislative Committee meeting. Dr. Tisopulos added that the District receives pass through monies from the state that are primarily invested in programs to reduce emissions from mobile sources. The District is checking if monies can be used to displace Section 185 fees.

Mr. Montez asked if the fees, in general, are collected to provide a remedy such as a program for mobile sources.

Mr. Crabbe responded that each bill is different. One bill may require a change in policy that does not necessarily require funding; another bill may require a fee that would be used to fund some part of the bill such as infrastructure.

With respect to the Rockefeller bill, Mr. Carroll stated that he felt there was really no point in debating the issue because he suspects that the District is bound by Clean Air Act requirements. Dr. Tisopulos stated that the Legislative Committee would like to hear comments on the proposed rule.