

Staff requests that the board authorize it to support the following bills: AB35, AB57, AB437, AB534, AB1077, AB1358, AB1488, SB494

Staff requests that the board authorize it to oppose the following bills: AB934, SB 587 (the final two bills on this list)

All information below comes directly from the state legislature except for the italicized "Staff comments."

AB 35(Ruskin) Environment: state buildings: sustainable building standards.

Summary: Would enact the Sustainable Building Act of 2007 and would require the California Integrated Waste Management Board, by July 1, 2009, to adopt regulations for sustainable building standards for the construction or renovation of state buildings, as defined. The bill would require the board, when adopting the regulations, to consider existing relevant information and guidelines, as specified, to consult with appropriate state agencies, and specified private and public sector organizations and the public, and to hold at least 2 public workshops. The bill would require, on and after July 1, 2010, that a state building for which development of capitol plans commences after that date, and a renovation commencing on or after that date, be built, designed, and operated in accordance with those regulations.

Staff comments: Building design is considered a major factor in global warming.

AB 57(Soto) Highways: Safe Routes to School construction program.

Summary: Would delete the January 1, 2008, repeal date for these provisions, thereby extending the provisions indefinitely, and would make related changes. This bill contains other existing laws.

Staff comments: The longstanding Safe Routes to School construction program funds sidewalks and other facilities intended to reduce school-related traffic (and resultant emissions) by encouraging kids to walk or bicycle to school.

AB 437(Jones) Local health officers.

Summary: Would authorize the county health officer to provide assistance to cities and counties with regard to public health issues as they relate to local land use planning and transportation planning processes.

Staff comments: Public health officials could be important allies in helping the District (and region) advance or defend smart growth strategies such as the Blueprint.

AB 534(Smyth) Bicycle Transportation Account: funding.

Summary: Would require a monthly transfer of \$1,000,000 to the Bicycle Transportation Account from the Highway Users Tax Account, until the later of January 31, 2012, or the date on which all moneys in the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 have been expended, and would thereafter reduce the monthly

transfer to \$416,667. Because this bill would increase the amount of revenue in the Bicycle Transportation Account, it would make an appropriation.

Staff comments: This bill partially remedies the fact that bicycling projects received nothing in Prop 1B. SACOG estimates that 100,000 trips per day are made by bicycling in the region. Since the 1970s, the Bicycle Transportation Account has used a miniscule portion of state gas tax dollars that would otherwise be subvented to localities for a competitive grant program that provides localities with grant funding to improve bicycle transportation.

AB 1077(Lieber) State Air Resources Board: plug-in hybrid electric vehicles.

Summary: Would enact the California Plug-In Hybrid Electric Vehicle Leadership Act of 2007. The bill would establish a 19-member California Plug-In Hybrid Electric Vehicle Coordinating Council to meet and be an ongoing focal point for coordination and collaboration between entities and organizations working on plug-in hybrid electric vehicle-related activities.

Staff comments: Staff believes that it is a good idea for the state to increase its support for plug-in hybrid electric vehicle technology.

AB 1358(Leno) Planning: circulation element: transportation.

Summary: Would require, commencing January 1, 2009, that the legislative body of a city or county, upon any revision of the circulation element of the general plan, modify the circulation element to specify how this element will provide for the routine accommodation of all users of the highway, defined to include motorists, pedestrians, bicyclists, individuals with disabilities, seniors, and users of public transportation. For this purpose, routine accommodation is defined to mean that, in the planning, design, construction, reconstruction, or operation of highways and other transportation infrastructure, local agencies fully consider and accommodate all users of the highway as needed to provide for reasonably safe and convenient travel. By requiring new duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff comments: 20% of traffic-related fatalities in CA are people walking or bicycling. The transportation sector is responsible for 40% of greenhouse gas emissions in California. Currently, state law permits localities to design or construct roads without considering the safety or convenience of people who are disabled or who walk or bicycle (although this is not common practice throughout much of Sacramento County). This bill represents an important evolution in state policy if the region is to shift a significant percentage of short auto trips to walking, bicycling or transit and gain the resultant greenhouse gas and criterion pollutant emissions reductions that the region needs to achieve federal attainment and tackle global warming.

AB 1488(Mendoza) Air pollution: smog check program: lightweight diesel vehicles.

Summary: Would require the state board, on or before January 1, 2009, in consultation with the Bureau of Automotive Repair, to develop and adopt, by regulation, a 2-year pilot program to integrate lightweight diesel vehicles into the smog check program. Under the bill, a set percentage of eligible vehicles would be tested, although vehicle owners would not be subject to disciplinary action based on the test results. A smog check station would be required to transmit test results to the bureau for collection and analyzing. An owner would pay a fee, not to exceed \$25, for each test of a vehicle under the program, and revenues from those fees would be deposited in the Vehicle Inspection and Repair Fund. The bill would establish the Diesel Vehicle Inspection and Repair Fund and would transfer \$5,000,000 from the Vehicle Inspection and Repair Fund to the Diesel Vehicle Inspection and Repair Fund to be available, upon appropriation, for the purposes of the program. The bill would require the bureau to prepare and submit to the Governor and the Legislature an annual report on the pilot program, and, at the end of the program, a final report.

Staff comments: Staff would appreciate the Board's authority to weigh-in on this bill at the appropriate time.

[SB 494\(Kehoe\)](#) Vehicular air pollution control: clean alternative fuels.

Summary: Would require the state board, by June 30, 2009, in partnership with the State Energy Resources Conservation and Development Commission, and in consultation with the State Water Resources Control Board, the Department of Food and Agriculture, and other relevant state agencies, to develop and adopt regulations that would become operative no later than January 1, 2010, that will ensure that commencing January 1, 2015, an unspecified percentage of new passenger vehicles and light-duty trucks sold in California each year are clean alternative vehicles, as defined, and that commencing January 1, 2020, 1/2 of new passenger vehicles and light-duty trucks sold in California each year are clean alternative vehicles. The bill would require the state board to submit a report to the Legislature on the progress passenger vehicle and light-duty truck manufacturers have made in meeting these requirements, the progress the state has made in increasing the use of alternative fuels and reducing the state's dependence on imported petroleum and petroleum fuels, and any improvements in public health and the environment attributable to the use of clean alternative fuels, as specified. This bill contains other related provisions and other existing laws.

Staff comments: The more the state addresses mobile source emissions, the greater the likelihood of our region's achieving attainment.

Staff urges board to authorize staff to oppose these two bills:

[AB 934\(Duval\)](#) State Air Resources Board: air districts: mobile nonvehicular regulations.

Summary: Would modify these provisions to authorize districts to adopt airborne toxic control measures only for nonvehicular stationary sources. This bill contains other related provisions and other existing laws.

Staff comments: This bill would significantly reduce District authority to regulate mobile source emissions.

SB 587(Runner) Air quality: permit requirement: exemptions

Summary: Would exempt printing, coating, adhesive application, or laminating equipment, as specified, from that permit requirement. The bill would limit this exemption to (1) equipment whose volatile organic compound emissions are no greater than 3 pounds per day or 66 pounds per calendar month, (2) equipment that employs ultraviolet (UV) or electric beam (EB) type materials and the total amount of inks, coatings, adhesives, or organic solvents used in this equipment, including in the cleanup, is no more than 6 gallons per day or 132 gallons per calendar month, and (3) equipment that employs UV or EB type materials that contain no more than 50 grams of volatile organic compounds per liter of material and use cleanup solvents containing no more than 50 grams of volatile organic compounds per liter of material. The bill would also correct an erroneous cross-reference.

Staff comments: This bill would make it more difficult for the region to achieve attainment.