



AIR AND CLIMATE PUBLIC ADVISORY COMMITTEE

March 2023
5:30 P.M. - 7:30 P.M.

DRAFT TELECONFERENCE MEETING SUMMARY

ACPAC ATTENDEES: Claire August, Stacey Garfinkle, Julie Kimmel, Peter Mecca, Jacqueline Norris, Audrey-Joy Nwaze, Era Pandya, Deborah Shprentz, Elizabeth Spike, James Wang, William Washburn, William Marsh, Mark Rodeffer, Herb Simmons

ADDITIONAL ATTENDEES: George Aburn

COG STAFF: Leah Boggs, Robert Christopher

1. CALL TO ORDER, INTRODUCTIONS, MEETING SUMMARY APPROVAL AND ANNOUNCEMENTS

Vice Chair, Era Pandya

The meeting was called to order, introductions were made by members and COG staff. The January 23, 2023 meeting summary was approved with no amendments. The Chair proposed an amendment to the agenda to allow Tad Aburn 5 minutes to speak during Member Time from 7:25-7:30 pm. A motion was made, seconded, and voted on for Tad Aburn to begin his 5 minutes at the beginning of Member Time to allow members for member discussion.

Announcements

Leah Boggs announced that the proposal to update the EJ Toolkit was presented to and approved by MWAQC at the February meeting. The proposal will be presented to CEEPC for approval at the March 20 meeting.

2. MEMBER ORIENTATION

Leah Boggs

Leah Boggs provided an overview of ACPAC's role, the policy boards the committee advises, and pressing climate and air quality issues that ACPAC will address in 2023.

ACPAC advises the Metropolitan Washington Air Quality Committee (MWAQC) and the Climate, Energy, and Environment Policy Committee (CEEPC) on air quality, climate, and energy issues. MWAQC helps guide and approve state implementation plans (SIP) for air quality standards. The MWAQC Executive Committee appoints individuals to represent elements of the community, seeking a balance among them and a geographic balance. MWAQC's role is to meet Clean Air Act requirements, which include reductions in criteria air pollutants (Ozone, Fine Particles, Carbon Monoxide, Sulfur Dioxide, Nitrogen Dioxide, Lead).

CEEPC's role is to provide leadership on climate change, energy, green building, alternative fuels, waste, and recycling issues. CEEPC is responsible for developing regional greenhouse gas (GHG) emission and resilience goals for 2030.

The Built Environment and Energy Advisory Committee (BEEAC) is a technical committee to CEEPC, comprised of the energy managers, sustainability, and green buildings staff of COG's 24 member governments. BEEAC meets bimonthly to aid in implementing energy and high-performance building goals members by providing a space for deep, technical discussion.

Clean Air Partners is a public-private partnership formed in 1995 and comprised of 30 organizations from including local governments, state transportation and environmental agencies, businesses, and advocacy groups. The program was founded by COG and the Baltimore Metropolitan Council (BMC) to improve the Baltimore-Washington region's air quality and reduce GHG emissions through voluntary actions and to increase public awareness about the health effects of air quality.

3. AIR QUALITY 101

Leah Boggs, COG Staff

Leah Boggs provided an overview of MWAQC and reviewed the fundamentals of air quality issues in the region. Ms. Boggs described the genesis of MWAQC and the committee's role in developing the State Implementation Plan (SIP) for the region. To help orient ACPAC members, Ms. Boggs reviewed how ozone is formed, ozone concentrations in the region, the region's ozone plan, ozone data and standards. She also discussed similar information for PM2.5, introduced transportation conformity and what's coming up for regional air quality planning for the coming year.

The Washington metropolitan region is currently has two Ozone planning efforts underway.

1. 2008 Ozone NAAQS Maintenance Plan Update
 - MVEBs (motor vehicle emissions budgets) are emissions limits set in an air quality plan and vehicle emissions are expected to be below those limits in the future. Current MVEBs in the above plan were developed using MOVES2014a model, which has since been replaced by EPA with a new MOVES3 model. MOVES3 emissions estimates are much higher compared to MOVES2014a. As a result, future mobile NOx emissions estimates could go above MVEBs resulting in a failure to demonstrate conformity with the 2008 ozone standard.
 - For this reason, motor vehicle emissions inventories and MVEBs are being updated for years 2025 and 2030. This will allow the Washington region to successfully demonstrate conformity in the upcoming analyses.
 - No changes are expected to be made to inventories for other sources (point, nonpoint, and marine, airport, and railroad). States and MWAQC staff are coordinating with EPA on this.
 - MWAQC will be requested to approve the updated draft maintenance plan document on its May 24th meeting for public hearing and comment purposes.
2. 2015 Ozone NAAQS Maintenance Plan
 - The Washington region's 2021 and 2022 data shows compliance with the 2015 ozone standard.
 - EPA proposed clean data determination (CDD) on February 1, 2023.
 - CDD allows the region to submit a redesignation request for attainment.
 - The region will begin developing a maintenance plan later this year.
 - The 2015 ozone standard maintenance plan will provide the region with a new set of MVEBs applicable to the above standard.

The region is in attainment of both daily and annual standards for particulate matter 2.5 (PM 2.5). EPA recently proposed to revise the primary annual standard for PM2.5 from 12 µg/m³ to within the range of 9 – 10 µg/m³. EPA is soliciting comment on revising the level as low as 8.0 µg/m³ and up to 11.0 µg/m³.

4. REGIONAL LEGISLATIVE UPDATE

Robert Christopher, COG Staff

Robert Christopher presented the 2023 legislative priorities that are put forth by CEEPC's legislative committee. The legislative committee is a small group of CEEPC members who periodically meet with staff to review legislative initiatives in D.C., Maryland, and Virginia. COG staff track various bills during the legislative session that fall within COG's legislative priorities. A series of ad hoc calls are held to determine specific bills to send comment letters. The committee primarily runs from January – April.

DC

- DC's legislative session is on a 2-year calendar and DC Council's 25th Council Period is 2023-24.
- Summary of DC legislative priorities:
 - Electric Bicycle Incentive Kickstarting the Environment ("E-BIKE") Act of 2023 (B250032) - To establish an electric bicycle instant rebate program for residents and certified business enterprises for the purchase and use of electric bicycles and cargo electric bicycles.
 - Healthy Homes and Residential Electrification Amendment Act of 2023 (B250119) - To amend the Clean and Affordable Energy Act of 2008 to create the Healthy Homes Program to install electric appliances for low- and moderate-income households; to amend the Green Building Act of 2006 to provide that the Green Building Advisory Council will advise the Mayor on implementation of this act; to amend the Construction Codes Approval and Amendments Act of 1986 to increase permit fees for installing appliances or other systems that combust fossil fuels on site; and to amend the District of Columbia Housing Authority Act of 1999 to prohibit the District of Columbia Housing Authority from installing appliances or other systems that combust fossil fuels on site when making a conversion through the Rental Assistance Demonstration program.

VA

- Session convened January 11, crossover was February 7 and adjourned on February 25
- Summary of VA legislative priorities:
 - Virginia Clean Economy Act (VCEA) - a series of bills attempt to roll back climate progress by either weakening the VCEA itself or increasing Virginia's dependence on fossil fuels. Bills aimed at rolling back VCEA:
 - HB 1430 - Exempting "energy-intensive trade-exposed industries" from paying for the transition to a clean energy economy
 - HB 1643 / SB 1121 - Classifying coal mine methane as renewable energy
 - HB 1783 / SB 1485 - Prevents all public entities from moving away from natural gas
 - HB 2026 / SB 1231 - Removing the requirement to retire biomass-fired facilities by December 31, 2028.

- Clean Car Standards Repeal - 5 bills to repeal the Clean Car Standards were defeated by the Senate Agriculture, Conservation and Natural Resources Committee. One House bill passed. This bill was passed by indefinitely by the Senate.
- Regional Greenhouse Gas Initiative (RGGI)
 - Dec. 7, 2022 State Air Board voted to withdraw from RGGI
 - Dec. 20, 2022 Joint Commission on Administrative Rules voted 5-4 objecting to RGGI withdrawal
 - Currently with Governor's Office, next will be a 60-day public comment period, back to Air Board
 - Objection will be filed with the Virginia Registrar and the State Air Pollution Control Board
 - Legislation: SB 1001 (Stuart): Clean Energy and Community Flood Preparedness Act; Repeal.
 - Directs the Director of the VA Department of Environmental Quality to take all steps necessary to suspend the Commonwealth's participation in the RGGI.

MD

- Session convened January 11, crossover was March 20, adjournment on April 10
- Summary of MD legislative priorities:
 - Clean Truck Act of 2023 (HB 230/SB 224) - passed Senate and moved to House; requires the Maryland Department of the Environment to adopt regulations on or before December 1, 2023 that establishes requirements for the sale of new zero-emission medium- and heavy-duty vehicles in the State of Maryland.
 - Electric Vehicle Infrastructure:
 - HB 7 - extends the duration of the Electric Vehicle Recharging Equipment Rebate Program through fiscal year 2027, increasing the total amount of rebates issued annually under the program to \$2,000,000.
 - HB 550/SB 548 - extends the duration of the Electric Vehicle Recharging Equipment Rebate Program through fiscal year 2026, repealing the limitation on the total amount of rebates that the Maryland Energy Administration may issue in each fiscal year.
 - HB 830/SB 477 - establishes and alters certain requirements related to the installation of equipment for the charging of electric vehicles during the construction or significant renovation of certain housing units; and clarifies that a county or municipal corporation may require a greater number of electric vehicle parking spaces under certain circumstances.
 - Community Solar (HB 908/SB 613) - makes permanent the Community Solar Energy Generating Systems Pilot Program; requires a community solar energy generating system to serve at least 40% of its kilowatt-hour output to low-income and moderate-income subscribers under certain circumstances; alters requirements related to the siting and size of certain community solar energy generating systems projects.

5. CLIMATE AND ENERGY LEADERSHIP AWARDS LAUNCH

Leah Boggs, COG Staff
All Members

Leah Boggs announced that the 2023 Climate and Energy Leadership Awards Program launches April 22 – June 30, 2023. Ms. Boggs presented proposed changes to the judging criteria. The proposed changes were:

- Engagement (engage underserved communities) – *from 40% to 45%*
- Results (results, achievements, measured outcomes like cost-effectiveness) – *from 20% to 15%*
- Creativity (innovative, resourceful, or unique aspects) - 20% (*no change*)
- Model (replicability to other communities/organizations) - 20% (*no change*)

The changes are meant to highlight the increased focus and importance on equity engagement. The changes were approved by general consensus and members were asked to support the campaign by publicizing the program through their networks to reach the campaign's goal to receive 3-4 applications per category this year.

6. MEMBER TIME

Tad Aburn was given 5 minutes to provide comments. Summary of comments:

- Set more aggressive regional climate goals, i.e. 60% by 2030, net zero emissions by 2045.
- Include climate change goals in the transportation conformity process.
- COG to develop a plan to address the inequitable exposures to air pollution in environmental justice communities.

Discussion

ACPAC members Deborah Shprentz, James Wang, Herb Simmens, and Mark Rodeffer expressed interests in Mr. Aburn's ideas and exploring ways to incorporate in the committee's work.

Member Jacqueline Norris expressed concern about the committee continuous recognition of issues brought by a public of the public that doesn't live and work in the region.

Leah Boggs advised that the committee's work and priorities must align with that of ACPAC and CEEPC. The committee's plan to update the environmental justice toolkit is relevant to the equity issue.

7. NEXT ACPAC MEETING AND ADJOURN

The next meeting is May 15, 2023. The meeting adjourned at 7:40 pm.

All March meeting materials including public comments can be found on the committee page [here](#).