



## Legislation Details (With Text)

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**File created:** 3/12/2024      **In control:** Board of Supervisors

**On agenda:** 4/9/2024      **Final action:** 4/9/2024

**Title:** El Dorado County Air Quality Management District recommending the Board, acting as the Board of Directors of the El Dorado County Air Quality Management District, adopt and authorize the Chair to sign Resolution 056-2024 authorizing the acceptance of funding from the California Air Resources Board to implement the Carl Moyer Memorial Air Quality Standards Attainment Program and authorizing the Air Pollution Control Officer to execute and submit all documents necessary for the administration of the Carl Moyer grant program in El Dorado County through December 31, 2029. The Moyer Year 24 El Dorado County tentative allotment is \$801,901, Year 25 is \$493,862, and Year 26 is \$569,545; future years are to be determined.

**FUNDING:** Carl Moyer state grant program funding.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Moyer Resolution 2024-2029 - 4-9-24, 2. B - Counsel Resolution Review - 4-9-24, 3. Executed Resolution 056-2024

Date	Ver.	Action By	Action	Result
4/9/2024	1	Board of Supervisors	Approved	Pass

El Dorado County Air Quality Management District recommending the Board, acting as the Board of Directors of the El Dorado County Air Quality Management District, adopt and authorize the Chair to sign Resolution **056-2024** authorizing the acceptance of funding from the California Air Resources Board to implement the Carl Moyer Memorial Air Quality Standards Attainment Program and authorizing the Air Pollution Control Officer to execute and submit all documents necessary for the administration of the Carl Moyer grant program in El Dorado County through December 31, 2029. The Moyer Year 24 El Dorado County tentative allotment is \$801,901, Year 25 is \$493,862, and Year 26 is \$569,545; future years are to be determined.

**FUNDING:** Carl Moyer state grant program funding.

### DISCUSSION / BACKGROUND

Western EDC is located within the Sacramento Federal Ozone Nonattainment Area (SFNA), for the 1979 1-hour and 1997, 2008, and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS). Ozone formation primarily occurs through the reaction of nitrogen oxides (NOx) with volatile organic compounds (VOCs) in the presence of sunlight. According to California Air Resources Board (CARB) emissions inventory data for the SFNA, mobile sources produce 88% of NOx emissions, while stationary sources contribute only 9%.

The Carl Moyer Program is a voluntary grant program that reduces air pollution from vehicles and equipment by providing incentive funds to private companies and public agencies to purchase cleaner-than-required engines, equipment, and emission reduction technologies. The program has been implemented since 1998 through a partnership between the CARB and California's 35 local air

pollution control and air quality management districts. By funding emission reductions that are surplus -- earlier and/or beyond what is required by regulation -- the Moyer Program complements California's regulations. One of the first voluntary emission reduction programs implemented by CARB, it is named after the late Dr. Carl Moyer, a key figure in developing creative solutions to California's air quality challenges. The Carl Moyer Program was established by the California Legislature in 1998 and was modified in 2001 (AB1390), 2004 (AB923 and AB1394), 2005 (SB467), 2006 (SB225), 2009 (SBX2-3), 2010 (AB1507), 2013 (AB8), 2015 (SB513), 2017 (AB 1274), and 2022 (AB2836). With the passage of AB2836 in 2022, the California Legislature extended the program's ending date from January 1, 2024 to January 1, 2034.

Currently, the program is designed to reduce the emissions of NOx, VOCs and particulate matter (PM) from combustion engines. Program criteria are established in statute and by detailed program guidelines developed by CARB. Each air district is eligible for a minimum annual allotment of \$200,000, plus additional funds based on population and air quality. The program is funded by a portion of the smog abatement fee in the annual registration of newer vehicles (\$6) and through a fee on the sale of new tires (\$1.75).

Funds can be used for a variety of purchase, re-power, or retrofit projects including those for agriculture pumps, locomotives, marine vessels, off-road construction/ agriculture vehicles and on road heavy duty vehicles. Funds may also be used for voluntary accelerated vehicle retirement (car scrap) programs. Projects must be cost effective. Projects must be "surplus" meaning that they must not be undertaken to comply with any federal, State or local regulation or other legal mandate.

For the first 16 years of the Carl Moyer program, EDC allotments were administered by the Sacramento Air Quality Management District (SMAQMD). SMAQMD utilized these funds for numerous projects in EDC and upwind of EDC in the Sacramento Federal Non-Attainment Area (Sacramento County, Yolo County and portions of Placer, Sutter, Solano and El Dorado counties). Since bringing the El Dorado Carl Moyer administration "in house", AQMD has helped to fund the replacement of nine school buses and the repower of one school bus for County school districts, and eleven agricultural tractors and one drilling rig for County businesses. AQMD currently has one approved project in process and several applications have been recently received and are being reviewed for compliance with Carl Moyer requirements.

To maintain transparency of Carl Moyer fund expenditures, AQMD publishes a list of awarded grants on its website.

## **ALTERNATIVES**

The Board may choose to not authorize the resolution, requiring AQMD to bring each annual application, grant agreement with CARB, and disbursement request to the Board, in addition to each funding agreement for eligible grant awards, any amendments to such agreements, and any Moyer grant associated agreements such as the disposal agreements for the Clean Lawn Equipment Incentive Program. This would create inefficiencies and increased use of limited Carl Moyer administrative funds.

## **PRIOR BOARD ACTION**

On February 10, 2015, the Board approved Resolution 027-2015, authorizing the APCO to "submit all documents necessary for the receipt of Moyer funds and execute on behalf of the AQMD grant agreements with CARB, and all other necessary documents to implement and carry out the purposes of the resolution" (administration of the Moyer program), "with approval of County Counsel and Risk

Management, until 2024." (CARB Management has determined that this resolution has expired and we need a new Board resolution to submit the current Moyer fund disbursement request and the Year 27 application in the Fall of this year)

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

No General Fund impact - The program will fund financial incentives for projects that reduce emissions from internal combustion engines. Allotments to administering air districts are provided on an annual basis. The Moyer Year 24 El Dorado County allotment is \$801,901, Year 25 is \$493,862, and Year 26 is \$569,545. Up to twelve and a half percent (12.5%) of the annual allotments can be used to fund the cost of program administration. Revenue from the Year 24 cycle will be requisitioned after approval of this item, and Year 25 and 26 are expected to be requisitioned and received after the current fiscal year is completed; therefore revenues and expenditures associated with the program will be budgeted in the FY 24/25 budget and/or in future years.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk to provide AQMD with a signed copy of the Resolution and a copy of the minute order.

#### **STRATEGIC PLAN COMPONENT**

Safe and Healthy Communities

#### **CONTACT**

Rania Serieh, Interim Air Pollution Control Officer