

BOARD MEETING DATE: June 3, 2022

AGENDA NO. 3

**PROPOSAL:** Adopt Resolution Recognizing Funds and Accepting Terms and Conditions for FY 2021-22 Carl Moyer State Reserve Program, Reimburse General Fund for Administrative Costs, and Amend Carl Moyer Program Award

**SYNOPSIS:** In March 2022, CARB approved allocations for the FY 2021-22 Carl Moyer “Year 24” State Reserve Program to include \$5,000,000 to South Coast AQMD for commercial lawn and garden equipment projects eligible under the Carl Moyer Program. This action is to: 1) Adopt a Resolution recognizing \$5,000,000 in FY 2021-22 Carl Moyer State Reserve funds from CARB into the Carl Moyer Program Fund (32) and accept terms and conditions of the grant award for the implementation of commercial lawn and garden equipment projects within South Coast AQMD, and to reimburse the General Fund for administrative costs up to \$312,500 from the Carl Moyer Program Fund (32); and 2) Amend a Year 23 Carl Moyer award approved in January 2022 to ToursX, LLC for the repower of a marine vessel.

**COMMITTEE:** Technology, May 20, 2022; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Adopt the attached Resolution recognizing, upon receipt, \$5,000,000 in FY 2021-22 Carl Moyer State Reserve funds from CARB into the Carl Moyer Program Fund (32) and authorize the Executive Officer to accept terms and conditions of the State Reserve grant award;
2. Reimburse the General Fund from the Carl Moyer Program Fund (32) for administrative costs related to the FY 2021-22 Carl Moyer State Reserve Program in an amount up to \$312,500; and
3. Amend a Carl Moyer award for ToursX, LLC to include the repower of two instead of three marine engines, as originally proposed, at no additional cost.

Wayne Nastri  
Executive Officer

**Background**

Pursuant to Health and Safety Section 44286(d), CARB may withhold up to ten percent of the available Carl Moyer Program funds for the Carl Moyer State Reserve Program. Each year CARB distributes these funds into a Moyer funding category of its choosing. For FY 2021-22, approximately \$24.7 million in State Reserve funds are available and, in April 2022, CARB approved allocations for the FY 2021-22 (Year 24) Carl Moyer Program State Reserve funds to seven air districts. This year CARB has allocated the State Reserve funds towards offsetting the cost of commercial grade zero-emission lawn and garden equipment. The allocation for the South Coast AQMD is \$5,000,000, which includes 6.25 percent in administrative funds. Currently CARB is working with the Air Districts through California Air Pollution Control Officers Association (CAPCOA) to modify the Carl Moyer Guidelines for zero-emission commercial grade lawn and garden equipment, and it is anticipated the updated guidelines will be finalized this summer.

In addition, under the “Year 23” Carl Moyer Program and the Surplus Off-Road Opt-In for NOx (SOON) Provision Program Announcements released in March 2021, ToursX, LLC submitted a proposal for the repower of three marine engines. Staff determined that only two of the three engine repower projects were eligible for funding. In January 2022, the Board approved ToursX, LLC for an award which staff erroneously identified as the repower of three marine engines, instead of two, in the amount of \$115,801.

**Proposal**

This action is to adopt the attached Resolution recognizing, upon receipt, up to \$5,000,000 in FY 2021-22 Carl Moyer Program State Reserve funds from CARB into the Carl Moyer Program Fund (32), authorize the Executive Officer to accept the terms and conditions of the State Reserve grant award, and reimburse the General Fund for administrative costs in an amount not to exceed \$312,500 from the Carl Moyer Program Fund (32). The State Reserve funds will be used for commercial grade zero-emission lawn and garden equipment projects eligible pursuant to the Carl Moyer Program. Staff anticipates the release of a Program Announcement in the fall of 2022 once the program details have been established by CARB within the Carl Moyer guidelines for zero emission commercial grade lawn and garden equipment.

This action is to also amend a Carl Moyer award approved by the Board in January 2022 with ToursX, LLC to make a correction to reflect the repower of two instead of three marine engines, approved by the Board in January 2022.

**Benefits to SCAQMD**

The State Reserve funds will be utilized to fund replacement of high polluting gasoline- or diesel powered commercial zero-emission lawn and garden equipment projects. This will reduce VOC, NOx, and PM emissions. In addition, replacement of diesel powered equipment will reduce diesel particulate emissions which is a carcinogen.

Also, the successful implementation of the Carl Moyer Program and SOON Provision Program will provide direct emissions reductions for both NO<sub>x</sub> and PM as required by the programs. Since the vehicles and equipment funded under these programs will operate for the life of the contract and beyond, the emissions reductions will provide long-term benefits.

**Resource Impacts**

There are no resource impacts anticipated from implementation of this program since the program allows for 6.25 percent of the \$5,000,000 to be allocated to for administrative costs. The amendment to the “Year 23” Carl Moyer award to ToursX, LLC is at no additional cost.

**Attachment**

Resolution

**RESOLUTION NO. 22-**

**A Resolution of the South Coast Air Quality Management District Governing  
Board Recognizing Funds and Accepting Terms and Conditions of the FY 2021-22  
(Year 24) Carl Moyer Program State Reserve Program**

WHEREAS, under Health & Safety Code § 40400 et seq., the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures;

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code §§ 40402, 40440, and 40448.5 as well as the Carl Moyer Memorial Air Quality Standards Attainment Program (§§ 44275, et seq.) to implement programs to reduce transportation emissions, including programs to encourage the use of alternative fuels and low-emission vehicles, and to develop and implement other strategies and measures to reduce air contaminants and achieve the state and federal air quality standards;

WHEREAS, the Governing Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, including the Carl Moyer Program; and

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on June 3, 2022, does hereby authorize the Executive Officer to accept terms and conditions of the FY 2021-22 (Year 24) Carl Moyer Program State Reserve grant award and recognize up to \$5 million in State Reserve funds from the California Air Resources Board for eligible commercial grade lawn and garden equipment projects; and

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

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Date

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Faye Thomas, Clerk of the Board