

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION No. 2023 - 22**

**Resolution Accepting Year 26 Carl Moyer Program Funds  
From the California Air Resources Board**

WHEREAS, California Health and Safety Code Division 26, Part 5, Chapter 9, empowers the California Air Resources Board (CARB) to allocate Carl Moyer Program funds to local air quality districts to provide financial incentives to both the public and private sectors to implement eligible projects to reduce emissions of oxides of nitrogen (NO<sub>x</sub>), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them;

WHEREAS, California Health and Safety Code section 44287, authorizes CARB to provide an air district with funds if that district provides matching funds in an amount established by ARB;

WHEREAS, the Bay Area Air Quality Management District (District) has successfully implemented the Carl Moyer Program since its inception in 1998;

WHEREAS, the District will be submitting applications to CARB requesting up to \$22 million in Carl Moyer Program funds and up to \$2.4 million in Carl Moyer Program State Reserve funds to implement the Carl Moyer Program within the District for the fiscal year (FY) 2023-2024 (Year 26) cycle;

WHEREAS, the District proposes to commit up to \$3.3 million in matching funds from the District's Mobile Source Incentive Fund (MSIF) as part of the Year 26 Carl Moyer Program cycle, in accordance with the requirements of California Health and Safety Code section 44287;

WHEREAS, eligible projects include vehicle and equipment replacements or retrofits from on-road, marine, locomotive, agricultural, and off-road engines, and infrastructure to support zero-emission equipment;

WHEREAS, the District may consider projects that qualify for grant funds under the requirements for the State Reserve portion of Carl Moyer Program funds;

WHEREAS, the District will follow the most recent version of the Carl Moyer Program Guidelines for the Year 26 CMP cycle, in the implementation of Carl Moyer Year 26 and MSIF funds;

WHEREAS, the District may use up to 6.25 percent of the funds it receives to pay the reasonable costs of implementing the incentive program.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District’s acceptance of FY 2023-2024 CMP funds, including the State Reserve portion thereof, to be awarded to eligible District projects in accordance with legislative and applicable program requirements.

BE IT FURTHER RESOLVED, the District will provide the required matching funds for District projects by allocating local MSIF revenues to eligible emission reduction projects that qualify for Carl Moyer Program matching purposes.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District grant agreements with CARB and all other necessary documents to implement and carry out the purposes of this resolution.

The foregoing resolution was duly and regularly introduced, passed, and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of CHAIR BAUTERS, seconded by DIRECTOR CORZO, on the 15th day of NOVEMBER, 2023, by the following vote of the Board:

AYES: JOHN J. BAUTERS, NOELIA CORZO, JOHN GIOIA, DAVID HAUBERT, LYNDA HOPKINS, DAVID HUDSON, DAVINA HURT, OTTO LEE, SERGIO LOPEZ, MYRNA MELGAR, RAY MUELLER, MARK ROSS, VICKI VEENKER, SHAMANN WALTON, STEVE YOUNG.

NOES: NONE.

ABSTAIN: NONE.

ABSENT: MARGARET ABE-KOGA, BRIAN BARNACLE, KEN CARLSON, JOELLE GALLAGHER, JUAN GONZALEZ, ERIN HANNIGAN, TYRONE JUE, NATE MILEY, KATIE RICE.

DocuSigned by:

*John Bauters*

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John J. Bauters  
Chairperson of the Board of Directors

ATTEST:

DocuSigned by:

*Lynda Hopkins*

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Lynda Hopkins  
Secretary of the Board of Directors