

**North Coast Unified
Air Quality Management District**
707 L Street, Eureka, CA 95501
(707) 443-3093
www.ncuaqmd.org



**Special Meeting of the
North Coast Unified Air Quality Management District
Governing Board of Directors**

Thursday, January 19, 2023 at 10:00 a.m.,
NCUAQMD District Office
707 L Street, Eureka, CA 95501

AGENDA

- | | | |
|----|---------------------------------------|--------------------|
| 1. | 10:00 A.M. Call to Order | Board Chair |
| 2. | Roll Call | Clerk |
| 3. | Changes or Deletions to Agenda | Board Chair |

CONSENT AGENDA

- | | | |
|-----|--|--------------------|
| 4. | Consider Approving the Consent Agenda, Items for action, 4.1 through 4.3: The Board may approve the Consent Agenda by single motion in whole or in part with or without further discussion.
<u>Action Requested:</u> Approve Consent Agenda Items 4.1 through 4.3. | Board Chair |
| 4.1 | By Consent, Approve Minutes of July 21, 2022 Board Meeting | |
| 4.2 | By Consent, Accept and File District Activity Report | |
| 4.3 | By Consent, Approve Account Transfers | |

REGULAR AGENDA

- | | | |
|-----|---|-------------|
| 5. | Public Comment Period (pursuant to Government Code section 54954.3(a)) | Board Chair |
| 6. | Calendar of Meetings for 2023
<u>Action Requested</u> : Adopt Calendar of Meetings for 2023 | APCO |
| 7. | FPPC Conflict of Interest Code
<u>Action Requested</u> : Approve Filing of “No Change” for District Conflict of Interest Code | APCO |
| 8. | Appoint District Hearing Board Members
<u>Action Requested</u> : Reappoint District Hearing Board Members and Corresponding Alternate Members | APCO |
| 9. | APCO Report | APCO |
| 10. | Board Member Reports | Board Chair |
| 11. | Adjournment | Board Chair |

The meeting rooms are ADA accessible. Accommodations and access to NCUAQMD meetings for people with special needs must be requested of the Clerk in advance of the meeting.

Agenda Item: 1

Call to Order

Agenda Item: 2

Roll Call

Agenda Item: 3
Changes & Deletions
to the Agenda

Agenda Item: 4

Consent Agenda

Agenda Item: 4.1

**North Coast Unified
Air Quality Management District**
707 L Street, Eureka, CA 95501
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**Minutes of the Regular Meeting of the North Coast
Unified Air Quality Management District Governing
Board of Directors Meeting of
July 21, 2022**

The meeting was called to order by Chair Chris Howard at 10:01 AM at the NCUAQMD
District Office: 707 L Street, Eureka, CA

The meeting location was made available to the public.

MEMBERS PRESENT:

Dan Frasier	Trinity County Supervisor
Chris Howard	Del Norte County Supervisor
Mike Wilson	Humboldt County Supervisor

MEMBERS ABSENT:

Rex Bohn	Humboldt County Supervisor
Vacant	Mayor/City Council Representative

STAFF PRESENT:

Brian Wilson	APCO
Jason Davis	Deputy APCO
Erin Squire	Clerk of the Board

OTHERS PRESENT:

None

Agenda Item 1: Call to Order

Agenda Item 2: Roll Call

Agenda Item 3: Changes or Deletions to the Agenda

There were no changes or deletions to the agenda.

Agenda Item 4: Consider Approving the Consent Agenda

4.1: Approve Minutes of the May 19, 2022, Board Meeting

4.2: By Consent, Accept and File District Activity Report

A motion offered by Supervisor Wilson, duly seconded by Supervisor Frasier, to Adopt Consent Agenda Items 4.1-4.2 is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 21 st day of July, 2022, by the following votes:

UNANMIOUS PASS by the following vote:

Ayes: Supervisor Frasier, Supervisor Howard, and Supervisor Wilson (3)
Nays: None (0)
Abstain: None (0)
Absent: Supervisor Bohn (1)

There was no public comment.

Agenda Item 5: Public Comment

There was no public comment.

Agenda Item 6: Request for City Select Committee Appointment to District Governing Board

Staff requested authorization to reach out to the City Select Committee to fill the vacant seat on our Board. There were no recommendations or nominations for the vacant seat put forth by the Board.

The Board agreed by consensus that the APCO may move forward with making the request.

There was no public comment.

Agenda Item 7: Accept FARMER Incentive Funding From CARB

A motion offered by Supervisor Wilson, duly seconded by Supervisor Frasier to Approve Resolution 2022-3: Accept FARMER Grant Incentive Funding from CARB and Comply with FARMER Program Requirements and Guidelines, is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 21 st day of July, 2022, by the following votes:

UNANMIOUS PASS by the following vote:

Ayes: Supervisor Frasier, Supervisor Howard, and Supervisor Wilson (3)
Nays: None (0)
Abstain: None (0)
Absent: Supervisor Bohn (1)

There was no public comment.

Agenda Item 8: APCO Report

The APCO reported out on the following:

- IRS increases mileage rate for remainder of 2022
- Wildfire season meeting with NOAA
- EPA Grant Funding for Clean School Buses
- Update on AB 2550 – Air Quality Attainment (Assemblymember Arambula)

There was no public comment.

Agenda Item 9: Board Member Reports

There were no Board Member reports.

Agenda Item 10: Adjournment

The Governing Board Meeting was adjourned at 10:22 AM.

Clerk of the Board Certification:

I hereby certify the foregoing to be a full, true, and correct original record of the above-entitled meeting of the North Coast Unified Air Quality Management District Board of Directors held at the above date and time.

DocuSigned by:
Erin Squire
ERIN SQUIRE
Clerk of the Board

8/3/2022 | 2:38 PM PDT
Date

The meeting rooms are ADA accessible. Accommodations and access to NCUAQMD meetings for people with special needs must be requested of the Clerk in advance of the meeting

Agenda Item: 4.2

**North Coast Unified
Air Quality Management District**

707 L Street, Eureka, CA 95501
(707) 443-3093

www.ncuagmd.org



TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: District Activity Report

DATE: January 19, 2023

ACTION REQUESTED: By Consent, Accept and File District Activity Reports

SUMMARY:

Attached is a summary of the major District activities logged during the reporting period.

2022 Activity Report

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD Totals	2021 Totals
Complaint Responses - General	0	3	3	3	1	7	2	1	6	8	2	1	37	32
Complaint Responses - Open Burning	8	23	21	26	23	11	12	13	15	12	23	8	195	105
Permissive Burn Days	31	28	31	30	31	30	24	31	20	31	30	29	346	264
Non-Permissive Burn Days ("No Burn Day")	0	0	0	0	0	0	7	0	10	0	0	2	19	98
Permissive Burn Days (%)	100%	100%	100%	100%	100%	100%	77%	100%	67%	100%	100%	94%		
Standard (Residential) Burn Permits Issued	778	397	271	136	103	47	25	10	6	37	93	TBD	1,903	3,606
Non-Standard Burn Permits Issued	690	639	291	177	147	32	25	6	12	44	83	TBD	2,146	3,038
No Burn Day Permits Issued	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Smoke Management Plans (SMP) Reviewed	11	10	22	15	3	0	1	4	8	14	16	7	111	109
SMP Burn Authorizations Issued	138	159	150	98	50	12	7	0	8	64	196	232	1,114	1,032
Stationary Source Permits Issued (new)	1	0	3	5	10	3	11	5	4	10	15	0	67	19
Stationary Source Permits Issued (amended)	4	2	6	0	0	1	0	0	0	0	0	0	13	9
Stationary Source Permit Apps. Received	5	2	7	3	6	5	3	6	7	5	8	5	62	24
Stationary Source De minimus Determination	0	0	0	4	1	0	0	0	1	0	0	0	6	0
Inspections - Major Sources	1	0	0	2	3	0	0	0	5	1	1	2	15	25
Inspections - Minor Sources	16	4	19	53	56	62	63	59	52	61	26	24	495	127
Inspections - Mobile Sources	0	0	0	0	0	0	0	0	0	1	0	0	1	2
Inspections - Asbestos	0	0	0	0	0	0	0	1	0	0	0	1	2	3
Asbestos Notifications Processed	2	3	6	7	3	10	2	6	4	10	10	10	73	60
Notice(s) of Violation (NOVs) Issued	1	3	3	10	15	4	6	12	37	4	16	11	122	12
Environmental Documents Reviewed	3	4	2	1	4	6	3	2	0	2	3	4	34	40
Grants Paid: Woodstove	0	0	0	0	0	2	0	0	0	0	0	0	2	2
Grants Paid: Moyer	0	0	0	1	0	1	0	0	0	0	0	0	2	5
Grants Paid: FARMER	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grants Paid: Rural School Bus	2	4	6	0	1	0	2	4	2	0	0	0	21	42

Air Monitoring Report for January 2023

Air Monitoring Data Summary:

The purpose of this status report is to summarize the ambient air quality data available for the period of April-September 2022.

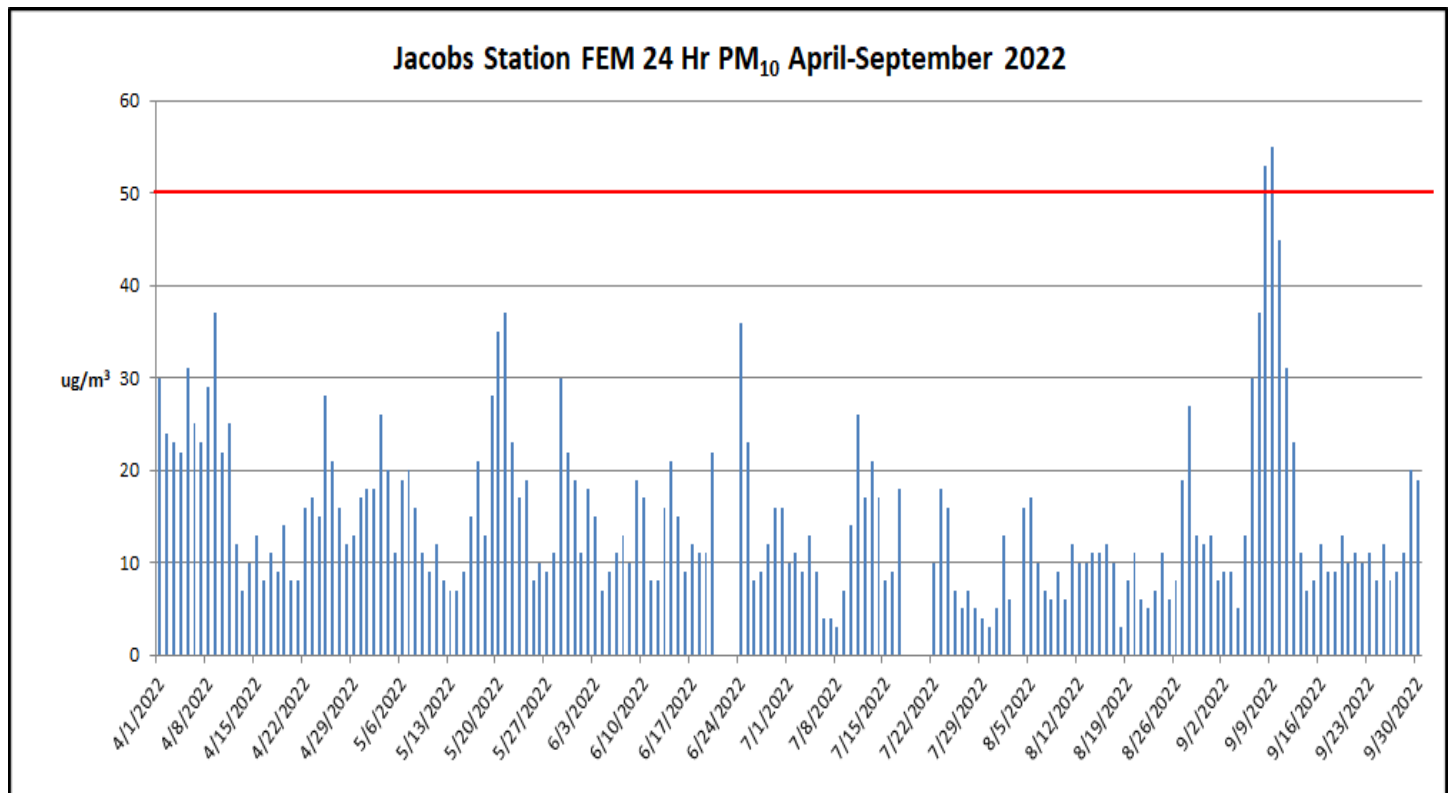
- There were two Equivalent Method (FEM) PM₁₀ exceedances of the State Ambient Air Quality Standard recorded during the reported period. These are attributable to a runaway prescribed burn on September 8th and 9th.
- There were no Federal Reference Method (FRM) PM_{2.5} 24 Hour exceedances of the State and Federal Ambient Air Quality Standard recorded during the period.
- There were 17 non-FEM PM_{2.5} 24 Hour exceedances of the State and Federal Ambient Air Quality Standard recorded during the period. These occurred in Weaverville during August and September and are attributable to wildfire activity.
- There were no O₃, SO₂, NO₂, or CO exceedances of the State or Federal Ambient Air Quality Standard recorded during the period.

Particulate Levels in Relation to CA Ambient Air Quality Standards, Excluding Exceptional Event Data

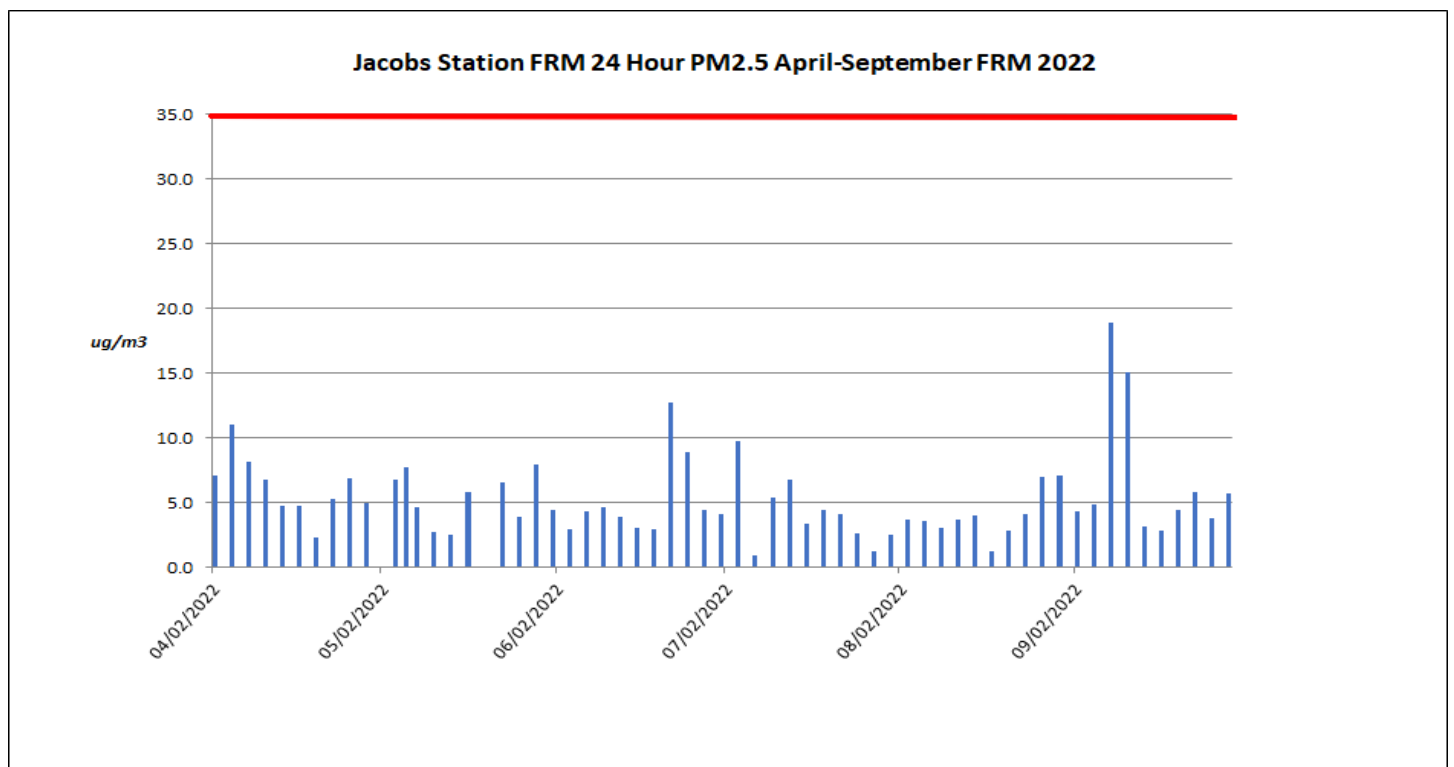
	Jacobs	Crescent City	Weaverville
Max FEM 24-hour PM₁₀ (April- September 2022)	90%	NA	NA
FEM PM₁₀ Rolling Arithmetic Mean (October 2021- September 2022)	90%	NA	NA
Max FRM 24-hour PM_{2.5} (April-September 2022)	54%	NA	NA
FRM PM_{2.5} Rolling Arithmetic Mean (October 2021-September 2022)	55%	NA	NA
Max non-FEM 24-hour PM_{2.5} (April-September 2022)	NA	60%*	29%*
Non-FEM PM_{2.5} Rolling Arithmetic Mean (October 2021- September 2022)	NA	46%*	63%*

* Instrument not used for Federal Attainment Designation

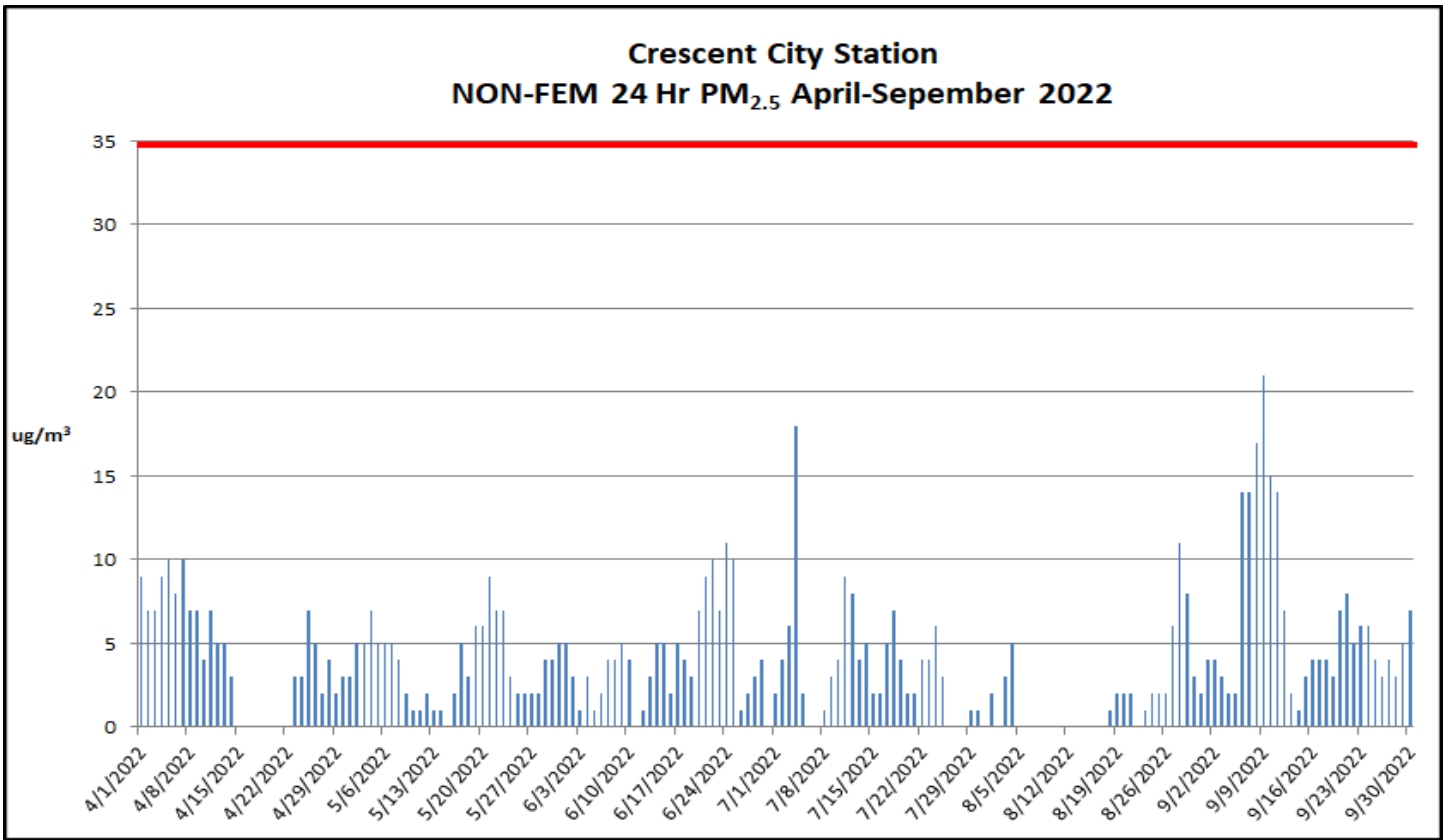
Detailed Graphs:



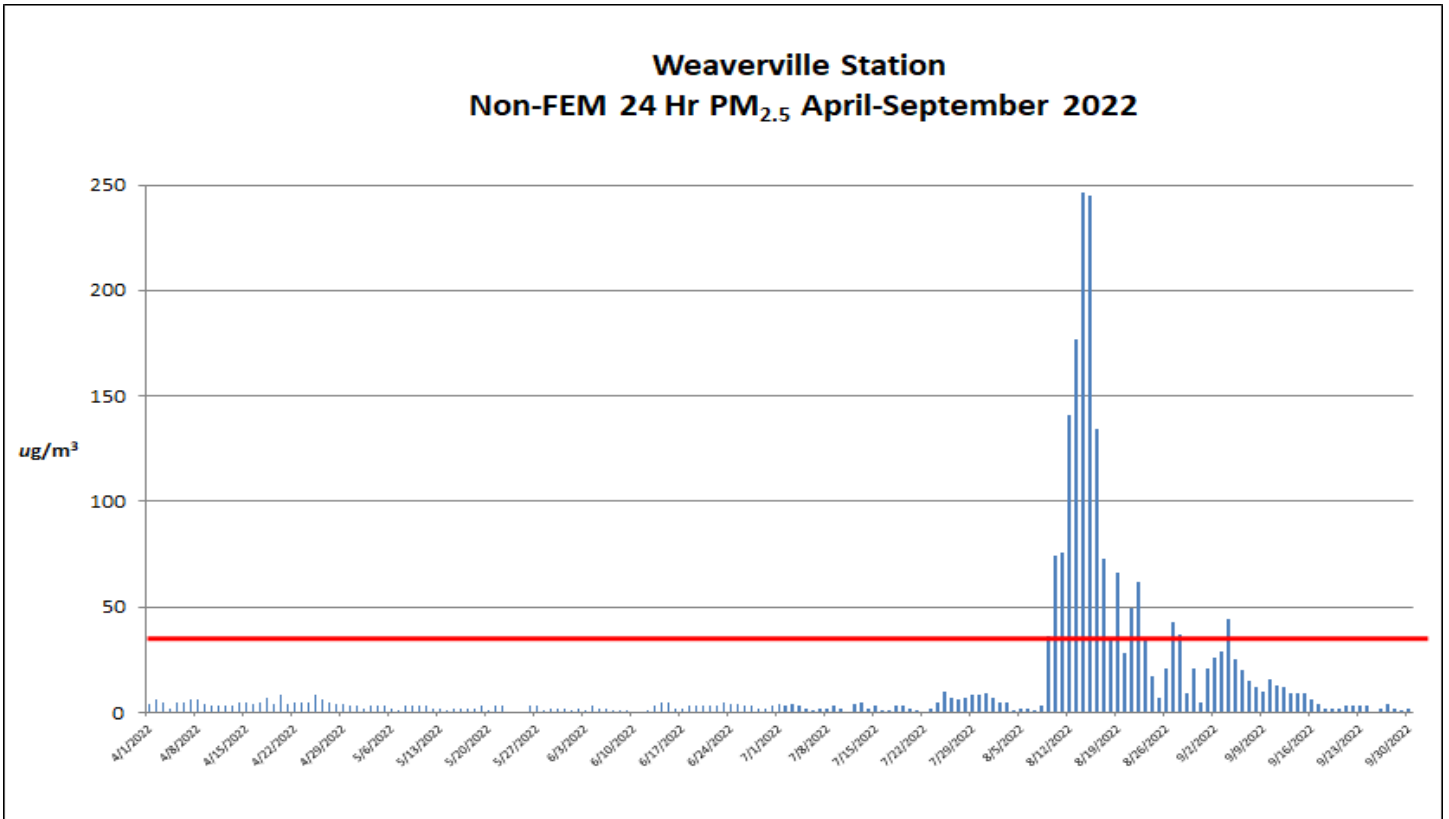
- 24 Hour California AAQS is 50 ug/m³, Federal AAQS is 150 ug/m³.
- California Annual Arithmetic Mean AAQS is 20 ug/m³.
- Humboldt County is classified as non-attainment for this pollutant.



- Federal AAQS is 35 ug/m³. There is no separate state standard.



- Federal AAQS is 35 ug/m³. There is no separate state standard. This instrument is not used for attainment decisions.



- Federal AAQS is 35 ug/m³. There is no separate state standard. This instrument is not used for attainment decisions.

Agenda Item: 4.3

**North Coast Unified
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707 L Street, Eureka, CA 95501
(707) 443-3093
www.ncuaqmd.org



TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Authorize Funds for Expenditure in FY2022-23 Budget

DATE: January 19, 2023

ACTION REQUESTED: By Consent, Authorize Account Transfer

BACKGROUND:

In 2019, the District began accepting funding from CARB for the Prescribed Fire Program Grant under SB 1260. SB 1260 required CAL FIRE and CARB, in coordination with local air districts, to develop and fund a program, upon appropriation by the Legislature, to enhance air quality and smoke monitoring, and to provide a public awareness campaign regarding prescribed burns.

The District has been using these funds to offset Non-Standard burn permits and Smoke Management Plans for prescribed burning, improvements to the online burn permit program, and outreach efforts (radio spots). In the District FY2022-23 Budget, the Budget Account #67630 was \$25,000 for the CARB Prescribed Grant Program Expense. The District has already received \$143,565 in Year 1 funding that is held in reserve, part of which was brought in as income for FY2022-23 to offset expenses for the program.

SUMMARY:

Staff recommends that the Board authorize a transfer of \$30,000 from the Prescribed Fire Grant Program Funds held in reserve for expenditure under Budget Account #67630, CARB Prescribed Burn Grant Program Expense in the FY2022-23 Budget. These additional funds will be spent primarily on prescribed fire outreach efforts (radio spots) but also to support minor modifications to the District's online burn permit program. CARB staff has agreed that this use of the funds in this manner continues to be an acceptable expenditure.

Agenda Item: 5

Public Comment Period

Agenda Item: 6

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TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Calendar of Meetings for 2023

DATE: January 19, 2023

ACTION REQUESTED: Adopt Calendar of Meetings for 2023

SUMMARY:

The calendar of meetings for the Board of Directors needs to be adopted for 2023. Attached for your consideration is the proposed Calendar of Meetings for 2023 which continues with meetings scheduled for every other month on the third Thursday of the month, with an additional meeting in April to accommodate the annual budget process.

Prior to COVID impacts in 2020, the Board had held one meeting in Trinity County and Del Norte County in the Spring and Fall. The current proposal is that the calendar be approved with the meetings to be held at the District office in Humboldt County until such time as the District has the ability to accommodate hybrid teleconference meetings to best serve the three county jurisdictions. If necessary, remote attendance by a Board member can still be accommodated and publicly noticed as necessary.



2023 Governing Board Meeting Calendar

January 19, 2023 (Special Meeting)

March 16, 2023

April 20, 2023

May 18, 2023

July 20, 2023

September 21, 2023

November 16, 2023

Board meetings begin at 10:00 am unless otherwise noted.

When applicable and in accordance with current State and Local Government Regulations, Board meetings may be conducted via Zoom Teleconference due to COVID-19 or other health and safety concerns. Public comments will be accepted by the Board Clerk via email during a remote meeting and may also be made virtually, at the meeting. There will be no in-person participation for meetings conducted via teleconference.

Please refer to the published agenda for details on how to attend the meeting, either in-person or virtually as applicable.

In-Person Meeting Location

NCUAQMD Office
707 L Street
Eureka, CA 95501

The meeting rooms are ADA accessible. Accommodations and access to NCUAQMD meetings for people with special needs must be requested of the Clerk in advance of the meeting.

Agenda Item: 7

**North Coast Unified
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707 L Street, Eureka, CA 95501
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www.ncuaqmd.org



TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: FPPC Conflict of Interest Code

DATE: January 19, 2023

ACTION REQUESTED: Approve Filing of “No Change” for District Conflict of Interest Code

DISCUSSION:

Every two years the District is required to review its Conflict of Interest Code to determine whether updates are required, and thereafter to file a status report with the Fair Political Practices Commission (FPPC). Staff recommends a “no change” report be submitted to the FPPC as there have been no significant changes in the District or with District staff duties that would warrant a Code update.

Designated employees, Governing Boards members, Hearing Board members, and their alternates are required to file their statements with the District, who makes these statements available for public inspection and reproduction (Government Code Section 81008). Each year, the District forwards a memorandum to the FPPC attesting to the timely filing of the statements.

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt conflict-of-interest codes. The District’s Conflict of Interest Code incorporates by reference the FPPC conflict of interest regulation (2 Cal. Code of Regs. Sec. 18730) together with a list of District officials and employees “designated” by the District as required to annually file financial disclosure statements. “Designated” employees are those who materially participate in District decision making and/or are conferred with job duties in which they are called upon to routinely exercise judgment. State law separately requires Governing Board members and the APCO to annually file financial disclosure statements. A copy of the District’s Code is attached.

2022 Multi-County Agency Biennial Notice

Name of Agency: North Coast Unified Air Quality Management District

Mailing Address: 707 L Street, Eureka, CA 95501

Contact Person: Erin Squire Phone No. 707-443-3093 x 111

Email: esquire@ncuaqmd.org Alternate Email: support@ncuaqmd.org

Counties within Jurisdiction, or for Charter Schools, Counties in which the School is Chartered:
(if more space is needed, include an attachment):

Del Norte, Humboldt and Trinity Counties

No. of Employees* 32 No. of Form 700 Filers* 23

**Including board and committee members*

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

Please identify which statement accurately describes your agency's status.

- This agency has reviewed its conflict of interest code. The current code designates all positions which make or participate in making governmental decisions. The designated positions are assigned accurate disclosure categories that relate to the job duties of the respective positions. The code incorporates FPPC regulation 18730 so that all relevant Government Code Sections are referenced.
- This agency has reviewed its conflict of interest code and has determined that an amendment is necessary. An amendment may include the following:
- New positions which involve the making or participating in the making of decisions which may foreseeably have a material impact on a financial interest
 - Current designated positions need renaming or deletion
 - Statutorily required provisions of the code need to be addressed
 - Disclosure categories need revision

Verification (to be completed if no amendment is required)

This multi-county agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/28/2022

Date

All multi-county agencies must complete and return this notice, including those agencies whose codes are currently under review. Please return this notice no later than **October 3, 2022** to the FPPC at biennialnotice@fppc.ca.gov or 1102 Q Street, Suite 3000, Sacramento, CA 95811.

FPPC Advice: advice@fppc.ca.gov (866.275.3772)

www.fppc.ca.gov
Page 1 of 1

2020 Multi-County Agency Biennial Notice

North Coast Unified Air Quality Management District

Name of Agency: _____

707 L St. Eureka, CA 95501

Mailing Address: _____

Heather Bitner

707-443-3093 x110

Contact Person: _____ Phone No. _____

support@ncuaqmd.org

hbitner@ncuaqmd.org

Email: _____ Alternate Email: _____

Counties within Jurisdiction, or for Charter Schools, Counties in which the School is Chartered:

(if more space is needed, include an attachment):

Del Norte, Humboldt and Trinity Counties

32

24

No. of Employees* _____ No. of Form 700 Filers* _____

*Including board and committee members

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

Please identify which statement accurately describes your agency's status.

- This agency has reviewed its conflict of interest code. The current code designates all positions which make or participate in making governmental decisions. The designated positions are assigned accurate disclosure categories that relate to the job duties of the respective positions. The code incorporates FPPC regulation 18730 so that all relevant Government Code Sections are referenced.
- This agency has reviewed its conflict of interest code and has determined that an amendment is necessary. An amendment may include the following:
 - New positions which involve the making or participating in the making of decisions which may foreseeably have a material impact on a financial interest
 - Current designated positions need renaming or deletion
 - Statutorily required provisions of the code need to be addressed
 - Disclosure categories need revision

Verification (to be completed if no amendment is required)

This multi-county agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Brian Wilson

12/13/2020

Signature of Chief Executive Officer

Date

All multi-county agencies must complete and return this notice, including those agencies whose codes are currently under review. Please return this notice no later than **October 1, 2020** to the FPPC at biennialnotice@fppc.ca.gov or 1102 Q Street, Suite 3000, Sacramento, CA 95811.

FPPC Advice: www.fppc.ca.gov (866.275.3772)

Certificate Of Completion

Envelope Id: DF1AC30D41C24420BAB7CD789D72CFE9	Status: Completed
Subject: Please DocuSign: MC_Agency_Biennial_Notice 2020.pdf	
Source Envelope:	
Document Pages: 1	Signatures: 1
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Heather Bitner
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	707 L Street
	Eureka, CA 95501
	hbitner@ncuaqmd.org
	IP Address: 208.180.18.59

Record Tracking

Status: Original	Holder: Heather Bitner	Location: DocuSign
12/11/2020 4:19:08 PM	hbitner@ncuaqmd.org	

Signer Events

Signature	Timestamp
Completed Using IP Address: 208.180.18.59	Sent: 12/11/2020 4:24:50 PM Viewed: 12/11/2020 4:24:58 PM Signed: 12/11/2020 4:26:29 PM

Heather Bitner
hbitner@ncuaqmd.org
Executive Assistant / Clerk of the Boards
NCUAQMD
Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Brian Wilson bwilson@ncuaqmd.org APCO / Executive Director NCUAQMD Security Level: Email, Account Authentication (None)		Sent: 12/11/2020 4:26:30 PM Viewed: 12/13/2020 11:07:23 AM Signed: 12/13/2020 11:07:55 AM
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Signature Adoption: Pre-selected Style
Using IP Address: 47.208.11.206

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

Signature	Timestamp
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Editor Delivery Events

Status	Timestamp
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Agent Delivery Events

Status	Timestamp
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Intermediary Delivery Events

Status	Timestamp
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Certified Delivery Events

Status	Timestamp
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Carbon Copy Events

Status	Timestamp
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Witness Events

Signature	Timestamp
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Notary Events

Signature	Timestamp
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Envelope Summary Events

Status	Timestamps
Envelope Sent	12/11/2020 4:24:50 PM
Certified Delivered	12/13/2020 11:07:23 AM
Signing Complete	12/13/2020 11:07:55 AM
Completed	12/13/2020 11:07:55 AM

Payment Events

Status

Timestamps

**CONFLICT-OF-INTEREST CODE FOR THE
NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the **North Coast Unified Air Quality Management District (District)**.

Individuals holding designated positions shall file their statements with the **District**, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) All statements will be retained by the **District**.

**CONFLICT-OF-INTEREST CODE FOR THE
NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT
APPENDIX A-DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Category</u>
Deputy Air Pollution Control Officer	1, 3
Permits & Planning Division Manager	1, 3
Compliance & Enforcement Division Manager	1
Controller	2
Hearing Board Members	1
District Counsel	1
Consultants	*

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Executive Director may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)

Public Officials Who Manage Public Investments

The following positions are NOT covered by the conflict-of-interest code because they must file under Gov. Code Section 87200 and, therefore, are listed for informational purposes only:

- Governing Board Members
- Air Pollution Control Officer – Executive Director

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by section 87200.

**CONFLICT-OF-INTEREST CODE FOR THE
NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT
APPENDIX B-DISLCOSURE CATEGORIES**

Disclosure Categories

Category 1

Designated positions in Category 1 must report:

- (a) Investments and business positions in any business entity and sources of income, including gifts, loans and travel payments, from sources that provide services, supplies, materials, machinery or equipment of the type utilized by the District;
- (b) Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from all business entities, governmental entities, and non-profits that are regulated, as well as any homeowner/renter that is fined or cited by, the District including sources subject to permits and enforcement;
- (c) Investments and business positions in any business entity and sources of income, including gifts, loans and travel payments, from sources of the type that engage in the acquisition, disposal or development of real property within the District;
- (d) Investments and business positions in any business entity and sources of income, including gifts, loans and travel payments, from sources of the type that engages in the preparation of environmental impact report or statements; and
- (e) All interest in real property.

Category 2

Designated positions in Category 2 must report:

- (a) Investments and business positions in any business entity and sources of income, including gifts, loans and travel payments, from sources that provide services, supplies, materials machinery or equipment of the type utilized by the designated position's department.

Category 3

Designated positions in Category 3 must report:

Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that receive financial or technical assistance from the District.

How to Amend a Multi-County Agency's Conflict of Interest Code

The law requires that every multi-county agency have a conflict of interest code which identifies all agency officials and employees who make or participate in making governmental decisions. Conflict of interest codes are a fundamental tool in ensuring the public's trust in government officials.

It is essential and legally-required that an agency's conflict of interest code reflect the current structure of its organization and properly identify officials who should be filing Statements of Economic Interests (Form 700).

One of the FPPC's primary goals is to streamline the process for amending conflict of interest codes so the process is more efficient.

Elements of a Conflict of Interest Code:

A conflict of interest code must:

- Provide reasonable assurance that all financial interests that pose a foreseeable conflict of interest will be disclosed;
- Provide to each affected person a clear and specific statement of his or her disclosure requirements; and
- Adequately differentiate between designated employees with different powers and responsibilities.

A Conflict of Interest Code Consists of Three Components:

1) Incorporation Page (Terms of the Code)

This section designates where the Form 700s are filed. Generally, statements are maintained at each agency. However, the FPPC receives certain statements from over 150 agencies including those that contract all administrative functions to a private third party.

Each agency's conflict of interest code references Regulation 18730. This regulation, among other things, provides rules for disqualification procedures, reporting financial interests, and lists the current gift limit.

2) List of Designated Positions

The conflict of interest code must list all agency positions that involve making or participation in making decisions that "may foreseeably have a material effect on any financial interest." This covers agency members, officers and employees who are in positions where it is reasonably foreseeable that the decisions they make or participate in making will have financial impacts.

- Have there been any substantial changes in duties or responsibilities for any positions since the current conflict of interest code was approved by FPPC?

If you answered yes to any of the above questions, your agency's conflict of interest code will likely need to be amended.

Process for Amending a Multi-County Agency's Conflict of Interest Code:

There are generally six main steps in amending an agency's conflict of interest code.

1. Gather the Tools You Will Need and Attend FPPC Training

- Last approved conflict of interest code from FPPC
- Current organizational chart
- Job descriptions
- Agency information (e.g., website link, annual report, budget, press releases)
- FPPC's Multi-County Agency Code Internal Checklist

2. Complete Your Tasks

- Review the agency's programs and organizational chart and compare to the current conflict of interest code.
- Identify necessary changes and create a draft conflict of interest code. Changes include:
 - Deleting positions that have been eliminated since the last conflict of interest code was adopted or amended
 - Adding new positions to the conflict of interest code as needed
 - Reviewing and revising disclosure categories; and
 - Assigning appropriate disclosure categories to designated positions.

3. Submit the Required Documents to FPPC via email to advice@fppc.ca.gov

- Proposed conflict of interest code in Word in a strikeout/underline format (using last approved conflict of interest code as basis)
- Current organizational chart
- Written description of changes
- Job descriptions/duty statements will be requested on an as-needed basis
- Brief justification when an official is designated to report all financial interests.

4. Complete Agency and FPPC Review and Discussion

Once a draft conflict of interest code and the required documents are received, the FPPC will conduct an initial review. FPPC staff will follow up with you on any questions or concerns regarding the draft conflict of interest code, and may meet with you to clarify any questions.

- This consultation process may result in changes to the draft conflict of interest code. Once the FPPC and the agency agree on the draft conflict of interest code, it is ready for public notice.
- Note: An agency that requires its board to approve the conflict of interest code should obtain that approval at this stage.

Agenda Item: 8

**North Coast Unified
Air Quality Management District**
707 L Street, Eureka, CA 95501
(707) 443-3093
www.ncuagmd.org



TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Appoint District Hearing Board Members

DATE: January 19, 2023

ACTION REQUESTED: Reappoint District Hearing Board Members and Corresponding Alternate Members

BACKGROUND:

The current Hearing Board members and the corresponding alternates are as follows:

Professional Engineer:	Mr. Charles Rocklein	Appointment expires 12/31/22
Alternate:	- <i>currently vacant</i> -	
Attorney:	Mr. John Corbett	Appointment expires 12/31/22
Alternate:	Mr. Jeffrey Slack	Appointment expires 12/31/22
Medical Professional:	- <i>currently vacant</i> -	
Alternate:	- <i>currently vacant</i> -	
Public Member #1:	Ms. Sarah Sampels	Appointment expires 12/31/22
Public Member #2:	Mr. Ken Mierzwa	Appointment expires 01/15/23
Alternate:	Ms. Joanna Hawley-Jones	Appointment expires 03/18/23

In accordance with Health & Safety Code (H&SC) § 40800, an Alternate member may serve only in the absence of the Hearing Board member with whom they are associated, and are also limited for the same term as the Hearing Board member with whom they are associated.

The Medical Professional position is still unfilled and its alternate is also still vacant. In addition, there is still a vacancy for an alternate to the Professional Engineer position. Staff has run several public notices in the Times Standard, Trinity Journal and Del Norte Triplicate, as well as the District website and Facebook postings. Governing Board members can also suggest individuals which can be discussed by the Board.

The H&SC § 40801 gives the following guidance on the background of these two member positions as follows:

Professional Engineer Member/Alternate - *“...member who is a professional engineer registered as such pursuant to the Professional Engineers Act...”*

Medical Professional Member/Alternate - *“...member from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxicologic medicine.”*

District staff has performed the following outreach:

- Advertisement in the Times Standard, for all open positions.
- Posting on the District website for all open positions.
- Posting on the Districts Facebook page
- Email and phone outreach to the Humboldt Independent Practice Association, Humboldt Del Norte Medical Society, and the Providence Hospital System for the open medical professional position.
- Email outreach to the Humboldt Builders Exchange for inclusion in their newsletter to all members for the open engineer alternate position.
- Direct mailings to all Civil Engineers found through a Google search in Humboldt, Del Norte & Trinity Counties, with approximately 40 mailings sent for the open engineer alternate position.

There still have not been any responses to the above recruitment outreach activities for the Medical Professional (Member and Alternate) and Professional Engineer (Alternate), however District staff will endeavor to continue to engage in outreach activities and also reach out to appropriate organizations.

The H&SC § 40802 states: *“if the district board, in the case of a district with population of less than 750,000, is unable to appoint a person with the qualifications specified in section 40801 who is willing and able to serve, and for that reason a vacancy exists on the hearing board, the county district board may, in order to fill that vacancy, appoint any person to the hearing board.”* Therefore, if appropriate individuals meeting the Medical Professional and/or the Professional Engineer cannot be found, it is at the discretion of the Governing Board to appoint other individuals as necessary to the Hearing Board.

SUMMARY:

At this time, the District Hearing Board Member position appointments have expired or will be expiring in the coming months. There is a need to either reappoint the member positions and/or make changes. To help ensure a quorum when necessary, Staff recommends changing the appointment for the Public Member #1 position where Ms. Joanna Hawley-Jones would become the appointed primary public member and Ms. Sarah Samples would become the alternate member for this position. Staff will be

conducting outreach to the current Hearing Board members in the coming month for completion of FPPC Form 700. The Board will be updated should there be any other changes to appointments that is necessary after this outreach.

It is therefore recommended that the Board reappoint the current Hearing Board members to their respective positions above, with Ms. Joanna Hawley-Jones reappointed as the Public Member #1 position and Ms. Sarah Samples reappointed as the alternate Public Member.

Agenda Item: 9

**North Coast Unified
Air Quality Management District**
707 L Street, Eureka, CA 95501
(707) 443-3093
www.ncuaqmd.org



TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: APCO Report

DATE: January 19, 2023

ACTION REQUESTED: Accept and File

The following information is provided as a summary of items of interest to the Board and District. Staff solicits and appreciates any feedback concerning these items or other items of interest from the Board.

1. District Staffing Changes

Over the last year, there have been several staffing changes at the District. Two employees have retired (Compliance & Enforcement Manager, Inspector III) and two employees (Air Quality Specialists, AQS) have left for other employment with CalStart. Given these and other changes at least half of the District staff has changed. As a result the District has hired several new staff members. Here is a summary of the changes with the new staff:

- Compliance & Enforcement Manager – Mr. Winslow Condon
- Air Quality Engineer – Ms. Cameron Purchio
- Inspector II – Mr. David Huffman
- Air Quality Specialist – Ms. Keala Roberts
- Administrative Support – Ms. Alexandra Winkler

The District welcomes these individuals to their new roles and is already benefitting from their skills and expertise.

2. Recent Storm Damage to District Air Monitoring Station

The NCUAQMD operates three stationary air monitoring stations, one in each of the counties within the jurisdiction. Wind from one of the recent storms damaged the PM₁₀ monitor (MetOne BAM 1020) that was located on roof of the station located at Alice Birney Elementary School (also referred to as the Jacobs station) in Eureka. The District's Air Monitoring Specialist has made preliminary repairs and tested the unit, and it appears to now be working correctly. This PM₁₀ monitor is a regulatory

Federal Regulator Method (FRM) device (filter based rather than real time) that is utilized for determining attainment with the State and federal PM₁₀ standards. The District is once again very close to coming into attainment with state PM₁₀ standards, and although some data was lost during the device outage it appears it will only have a minor impact on the data set.

3. EPA Looking to Lower the PM_{2.5} NAAQS

The EPA is proposing to revise the primary annual PM_{2.5} National Ambient Air Quality Standard (NAAQS) but presently no changes to the 24-hour standard. The agency proposes to revise the current 12-micrograms-per-cubic-meter (µg/m³) primary annual PM_{2.5} standard to a level within the range of 9-10 µg/m³, and is seeking comment on an annual standard as low as 8 µg/m³ and as high as 11 µg/m³. For the moment, the primary 24-hour PM_{2.5} standard of 35-µg/m³ standard will be retained but the EPA is seeking comment on lowering this short-term standard to as low as 25 µg/m³. The EPA also proposes updates to the Air Quality Index for PM_{2.5}. Although very close, the District believes it will be in attainment of the proposed range of standards based on current data. Once the proposal is published in the Federal Register there will be a 60-day public comment period, including a public hearing. The EPA anticipates finalizing a PM NAAQS rule by early 2024.

California air districts believe EPA should review its policies regarding prescribed fire and the new PM_{2.5} NAAQS. Many feel the EPA should establish funding for rural air districts to implement the federal clean air act core programs such as implementing the revised NAAQS. The issue is that the change in the annual PM_{2.5} NAAQS will likely push many areas of the state into non-attainment areas, requiring Districts to take on work such as the development of exceptional event determinations, exceptional event attainment plans, and potentially the development of new rules to regulate PM_{2.5} and its precursors. In addition, rural areas are significantly impacted by catastrophic wildfires and the state has been tasked to significantly increase prescribed and cultural burning practices as a means to reduce the risk of ongoing catastrophic wildfire. The lower PM_{2.5} standard has the potential to limit the use of prescribed fire of sufficient scale to reach the state's goals.

PM from wildfires and open burning counts toward the determination of compliance with the NAAQS. The pending revision of the PM_{2.5} NAAQS to a more stringent standard will be at odds with the need for increased opening burning to prevent catastrophic wildfire and will increase the frequency by which air districts must compose resource intensive "exceptional events" packages from wildfire events. In recent years climate change has accelerated the aggregation of hazardous forest fuel loads and increased the occurrence of catastrophic wildfires, which are events beyond District control. With this potential increase in exceptional events and non-compliance with a revised more stringent NAAQS will come more mandatory SIP work and rule development for Districts to attain the standard. District Staff supports the streamlining of EPA exceptional events and to provide flexibility for open burning to help prevent catastrophic wildfires, and providing local federal funding for SIP development and program support. Several CAPCOA Board members are traveling

to Washington DC this month to discuss this and other California air district issues with congressional members.

4. Update on Prescribed Burning

The District continues to remain as one of the top air districts that approves the most prescribed burning (acreage and number of burns) in California. It is also the reason why the District receives the most Prescribed Fire Grant funding. Typically, the District issues about 900-1,000 Burn Authorizations for about 15-20,000 acres burned. It is anticipated that the District will probably again approve about 15-20,000 acres before the burn ban in May.

In recent months, there have been several large prescribed burns that have occurred that received some media coverage. In late October 2022, crews for the Humboldt Redwoods State Parks in Southern Humboldt performed a prescribed burn west of Dyerville near Weott to reduce fuel loads that lead to wildfire and to keep the prairies in the area healthy. The prescribed fire escaped past the initial acreage, however with CAL FIRE's support they were able to stop the spread of the fire(s). The smoke from this burn heavily impacted Southern Humboldt and the impacts were captured by numerous sensors and monitors, including the District's PM₁₀ monitor in Eureka. Although there were no exceedances for the District, the burn did result in PM exceedances for both Mendocino and Lake County. The District will be working with these air districts to provide them with the approved Smoke Management Plan, Burn Authorizations, NOAA wind/weather data, and other documentation so they can submit an exceptional events package to CARB and the EPA.

On November 18, 2022, a prescribed burn occurred from a logging slash fire up in the Elk River. Despite a test burn and favorable winds spot-forecast from NOAA, the weather did not cooperate as anticipated. The smoke from this burn impacted the Elk River, Humboldt Hill, and southern Eureka. The smoke impacts were captured by numerous sensors and monitors, including the PM₁₀ monitor in Eureka. The burn did increase PM levels but did not result in any exceedances, so preparation of an exceptional events package will not be necessary.

5. Possible Exclusions for Air Curtain Incinerators (ACIs) under Federal Law

Air Curtain Incinerators, also known as Air Curtain Burners, are machines designed as an environmentally friendly alternative to open burning or grinding of wood and other vegetative waste. They are a tool that could be safely used to reduce large volumes of flammable vegetation in many rural communities, but currently are practicably unavailable due to 40 CFR Subpart 604E that designates them as a major source for Title V permitting. ACIs utilize a mechanical air stream to create a more controlled and hotter burn which emits less smoke compared to open-burning and can also facilitate production of bio char with a quench circuit. ACIs physically contain the burn in either a ditch or steel chamber which also prevents accidental fire spread.

With the current EPA requirements to permit all ACI units as a Federal Title V source, this valuable tool to reduce fire risk is challenging to permit and utilize. The EPA has recognized this issue and allowed temporary exclusion from Title V permitting requirements for a very limited amount of ACI's operated by CAL FIRE. Communities within the rural parts of California will benefit from this exclusion becoming permanent and applicable over a wider range than CAL FIRE equipment. Greater use of ACIs would allow greater opportunities for land managers to remove excess wood fuels from the landscape in a way that minimizes smoke impacts to adjacent communities. The use of ACIs would also enable land managers to perform fuels reduction in areas where prescribed fire is not feasible such as within the wildland urban interface.

The EPA allows a temporary exemption for units that is limited only to 10 units by serial number operated or contracted by CAL FIRE. California air districts argue that continuing to limit this exclusion only to units operated or contracted by CAL FIRE unnecessarily and significantly increases the health and safety risk to rural residents from wildfires and prescribed fire emissions. The California Air Pollution Control Officers Association (CAPCOA) is requesting the EPA to modify its rule or develop a guidance document that makes a determination that ACI's owned by any entity and used for biomass removal for forest fuels management to not be considered incinerators for the purpose of the federal NESHAP and thus would not require a Title V permit. Several CAPCOA Board members are traveling to Washington DC this month to discuss this and other California rural air district issues with congressional members.

6. Air Curtain Incinerators (ACIs) Activity by CAL FIRE

Several ACIs are currently under permit with the District: Steve Morris Logging, Wes Green Company, and CAL FIRE. CAL FIRE has both an EPA exempted unit and one non-exempted unit under permit. CAL FIRE ACIs have been used along Hwy 199 in Del Norte County for destruction of material affected by Sudden Oak death tree mortality, and are also currently in use near Ruth Lake cleaning up debris from the previous wildfire(s). More recently, CAL FIRE has again used an ACI at an advertised community debris (storm and wildfire) elimination location held at the Mercer-Fraser property next to the river and Hwy 96 in Hoopa. District Staff has met with Chief McCray with CAL FIRE several times to discuss the permit and to ensure successful usage of the device(s). CAL FIRE has plans to utilize ACIs in a clean up opportunity in Samoa and also to remove recent storm damaged tree debris at Patrick's Point (Sue-meg State Park).

7. Stanford Researchers Modeling on Wildfire Smoke

Stanford researchers provided research findings to a recent CAPCOA meeting, that indicated that wildfire smoke is unraveling decades of air quality gains, exposing millions of Americans to extreme pollution levels (<https://news.stanford.edu/2022/09/22/wildfire-smoke-unraveling-decades-air-quality-gains/>). Stanford researchers have developed an AI model for predicting dangerous particle pollution to help track the American West's rapidly worsening wildfire smoke. The detailed results show millions of Americans are routinely exposed to pollution at

levels rarely seen just a decade ago. Wildfire smoke now exposes millions of Americans each year to dangerous levels of fine particulate matter, lofting enough soot across parts of the West in recent years to erase much of the air quality gains made over the last two decades. One chart in particular (attached) shows the share of total PM in each county from fires outside that county – note that Trinity County and those counties around Trinity County are some of the most affected in the United States.

8. California Moves to Accelerate 100% New Zero-Emission Vehicle Sales by 2035

Please see attached announcement from the CARB on approval of the Advanced Clean Cars 2 regulation which will require all new car sales be zero-emission by 2035.

9. EPA Increases Grant Funding for Clean School Buses

The EPA has announced (see attachment) that it will nearly double the funding awarded for clean school buses last year following increased demand, with school districts from all 50 states applying for the 2022 Clean School Bus Rebates. Earlier last year the EPA had announced that \$500 million would be available, but they will now be awarding nearly \$1 Billion in funding to the program. This funding represents the first round of funding out of the \$5 billion Congressional investment in low and zero-emission school buses over the next five years, secured through the Bipartisan Infrastructure Law. The Bipartisan Infrastructure Law allows EPA to prioritize applications that will replace buses serving high-need schools, tribal schools, and rural and low-income area.

10. Staff Training

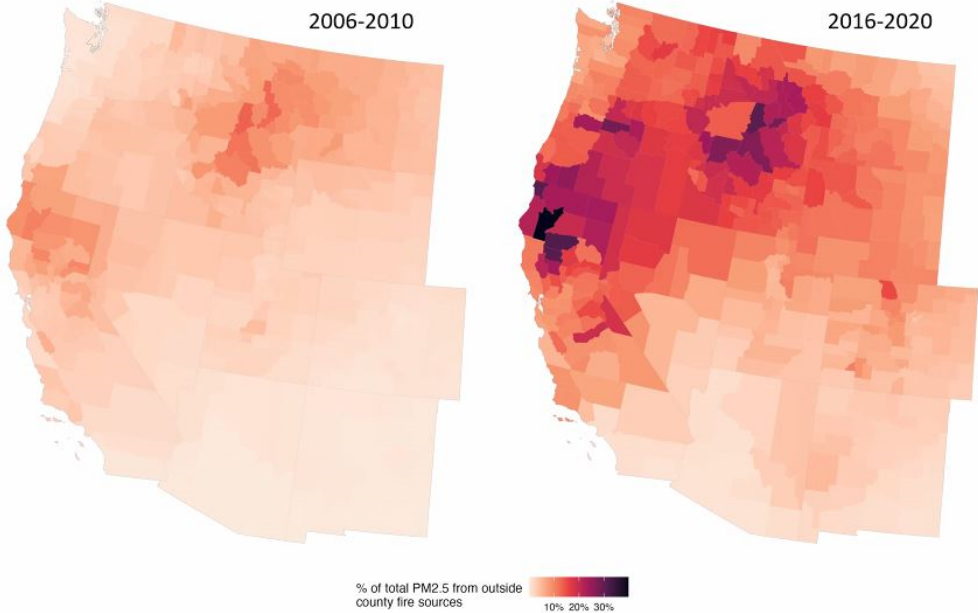
Here is a brief list of the main training staff has participated since the last Board Meeting:

- CSDA - *Effective Management in a Hybrid Work Environment* - Jason Davis
- CSDA - *CSDA Annual Conference* - Jason Davis
- CSDA - *Addressing Cybersecurity Risks* - Jason Davis
- CSDA - *Public Administration* - Jason Davis
- CSDA - *Public Personnel Management* - Jason Davis
- CSDA - *HR Bootcamp* - Penny Costa & Erin Squire
- CalPERS - *2022 Educational Forum* - Penny Costa & Erin Squire
- Shaw Law Group & CRD - *Conducting Workplace Investigations* - Penny Costa
- Shaw Law Group & CRD - *Workplace Investigations* - Penny Costa
- GovInvest - *Pension Module user Group: Building Scenarios* - Penny Costa
- GovInvest - *115 Trusts and the 2022 Market Down-Turn* - Penny Costa
- GovInvest - *Strategies for Sustainability in Labor Negotiations and Budgeting Personnel Costs* - Penny Costa
- CARB - *MM106: Visible Emissions Evaluation* - David Huffman & Lloyd Green

- WESTAR - *Principles & Practices of Air Pollution Control* - Cameron Purchio
- CAPCOA - *EM TARMAC Symposium* – Cameron Purchio
- CARB - *AP101: Air Academy Online Training* - Keala Roberts & Alexandra Winkler

Stanford University Research

Share of total PM in each county from fires outside that county



California moves to accelerate to 100% new zero-emission vehicle sales by 2035

CARB approves first-in-nation ZEV regulation that will clean the air, slash climate pollution, and save consumers money

DATE August 25, 2022

RELEASE NUMBER 22-30

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SACRAMENTO – The California Air Resources Board today approved the trailblazing Advanced Clean Cars II rule that sets California on a path to rapidly growing the zero-emission car, pickup truck and SUV market and deliver cleaner air and massive reductions in climate-warming pollution.

The rule establishes a year-by-year roadmap so that by 2035 100% of new cars and light trucks sold in California will be zero-emission vehicles, including plug-in hybrid electric vehicles. The regulation realizes and codifies the light-duty vehicle goals set out in Governor Newsom’s Executive Order N-79-20.

“Once again California is leading the nation and the world with a regulation that sets ambitious but achievable targets for ZEV sales. Rapidly accelerating the number of ZEVs on our roads and highways will deliver substantial emission and pollution reductions to all Californians, especially for those who live near roadways and suffer

from persistent air pollution,” said CARB Chair Liane Randolph. “The regulation includes ground-breaking strategies to bring ZEVs to more communities and is supported by the Governor’s ZEV budget which provides incentives to make ZEVs available to the widest number of economic groups in California, including low- and moderate-income consumers.”

Many states and nations have set targets and goals to phase out the sale of internal combustion cars. California’s is the most aggressive regulation to establish a definitive mechanism to meet required zero-emission vehicle (ZEV) sales that ramp up year over year, culminating in 100% ZEV sales in 2035. The timeline is ambitious but achievable: by the time a child born this year is ready to enter middle school, only zero-emission vehicles or a limited number of plug-in hybrids (PHEVs) will be offered for sale new in California. The regulation also includes provisions that enhance equity in the transition to zero-emission vehicles and provides consumers certainty about the long-term emission benefits, quality, and durability of these clean cars and trucks and the batteries they run on.

Clean Air and Climate Benefits

Transportation is the single largest source of global warming emissions and air pollution in the state. This nation-leading regulation slashes emissions from cars and light trucks.

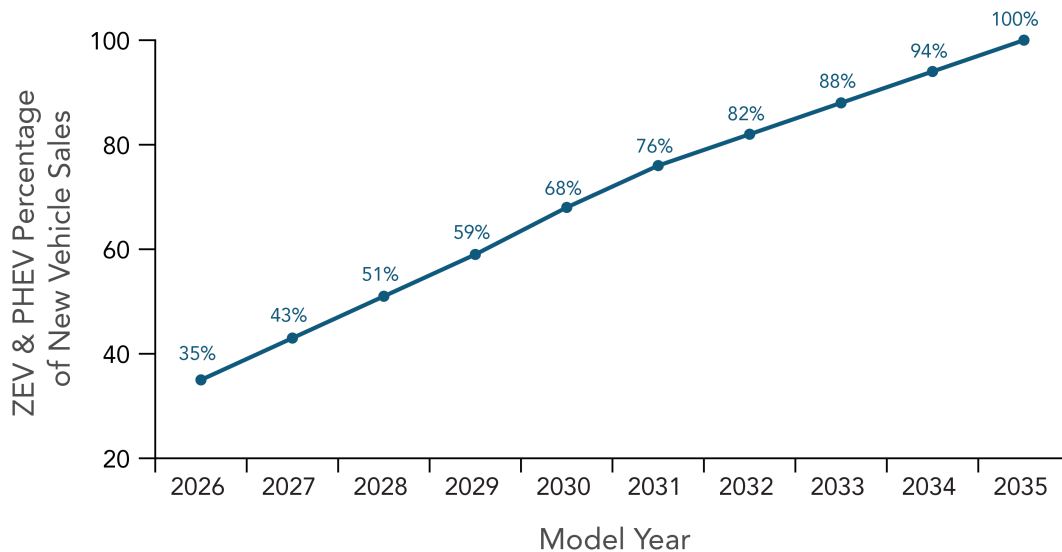
By 2037, the regulation delivers a 25% reduction in smog-causing pollution from light-duty vehicles to meet federal air quality standards. This benefits all Californians but especially the state’s most environmentally and economically burdened communities along freeways and other heavily traveled thoroughfares. From 2026 through 2040 the regulation will result in cumulative avoided health impacts worth nearly \$13 billion including 1,290 fewer cardiopulmonary deaths, 460 fewer hospital admissions for cardiovascular or respiratory illness, and 650 fewer emergency room visits for asthma.

The regulation delivers multiple benefits that grow year by year. By 2030, there will be 2.9 million fewer new gas-powered vehicles sold, rising to 9.5 million fewer conventional vehicles by 2035. In 2040, greenhouse gas emissions from cars, pickups, and SUVs are cut in half, and from 2026 through 2040 the regulation cuts

climate warming pollution from those vehicles a cumulative total of 395 million metric tons. That is equivalent to avoiding the greenhouse gases produced from the combustion of 915 million barrels of petroleum.

General requirements

The new regulation accelerates requirements that automakers deliver an increasing number of zero-emission light-duty vehicles each year beginning in model year 2026. Sales of new ZEVs and PHEVs will start with 35% that year, build to 68% in 2030, and reach 100% in 2035.



Eligibility and Credits

The regulation applies to automakers (not dealers) and covers only new vehicle sales. It does not impact existing vehicles on the road today, which will still be legal to own and drive.

Plug-in hybrid, full battery-electric and hydrogen fuel cell vehicles count toward an automaker's requirement. PHEVs must have an all-electric range of at least 50 miles under real-world driving conditions. In addition, automakers will be allowed to meet no more than 20% of their overall ZEV requirement with PHEVs.

Battery-electric and fuel cell vehicles will need a minimum range of 150 miles to qualify under the program, include fast-charging ability and come equipped with a charging cord to facilitate charging, and meet new warranty and durability requirements.

Enhanced Durability and Warranty Requirements

The new regulation also takes regulatory steps to assure that ZEVs can be full replacements to gasoline vehicles, hold their market value for owners, and that used car buyers are getting a quality vehicle that will not pollute.

By model year 2030, the rules require the vehicle to maintain at least 80% of electric range for 10 years or 150,000 miles. (Phased in from 70% for 2026 through 2029 model year vehicles.) By model year 2031, individual vehicle battery packs are warranted to maintain 75% of their energy for eight years or 100,000 miles. (Phased in from 70% for 2026 through 2030 model years.) ZEV powertrain components are warranted for at least three years or 50,000 miles.

Environmental Justice

As noted, the regulation delivers substantial emission reductions to all Californians, with particular benefits to those who live near roadways and suffer from persistent air pollution. The durability and warranty requirements in the regulation will help establish a viable and dependable used ZEV market to ensure the emission benefits are permanent, and the regulation includes an approach that provides credits to automakers for certain actions that increase access to ZEVs by low-income households and people living in disadvantaged communities.

Increasing Access to Zero-Emission Vehicles for all Californians

Governor Newsom proposed, and the Legislature has approved, \$2.7 billion in fiscal year 2022-23, and \$3.9 billion over three years, for investment in ZEV adoption, as well as clean mobility options for California's most environmentally and economically burdened communities. These programs support the new regulation by increasing access to ZEVs for all Californians, including moderate- and low-income consumers. They include:

- Clean Cars 4 All provides up to \$9,500 to low-income drivers who scrap their older vehicles and want to purchase something that runs cleaner.
- The Clean Vehicle Rebate Project (CVRP) provides up to \$7,000 for income-qualified drivers to buy or lease a ZEV.
- The Clean Vehicle Assistance Program provides low-income car buyers with special financing and up to \$5,000 in down-payment assistance.

The Governor's ZEV budget includes \$400 million over three years for the statewide expansion of Clean Cars 4 All and for a suite of clean transportation equity projects. The budget also includes \$525 million for the Clean Vehicles Rebate Project (CVRP). In addition, there is \$300 million for more charging infrastructure, especially for those consumers who may not have a garage where they can charge their EV.

Consumer Savings

Drivers of full battery-electric vehicles already save money on operation and maintenance compared to cars with internal combustion engines. That's the result of cheaper fuel — charging at home costs about half as much as gasoline for the same number of miles driven — and battery-electric vehicles can save drivers 40% in maintenance costs.

CARB analysis indicates that battery-electric vehicles are likely to reach cost parity with conventional vehicles by 2030. By 2035, consumers are likely to realize as much as \$7,900 in maintenance and operational savings over the first 10 years of ownership. Owners will also see 10-year savings from 2026 model year battery-electric vehicles, though not quite as much.

Stringent Standards for Conventional Cars

As with the original Advanced Clean Cars rules, ACC II includes updated regulations for light- and medium-duty internal combustion engine vehicles as well, to mitigate the air quality impacts from conventional vehicles. These low-emission vehicle standards help deliver real-world emission benefits that complement more significant emission reductions gained by wider ZEV deployment. This will prevent potential emission backsliding by removing ZEVs from the emissions baseline used to calculate new vehicle fleet-average emissions. The regulation also reduces the allowable exhaust emissions under more real-world driving conditions and emissions caused by evaporation.

Search EPA.gov

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CONTACT US <<https://epa.gov/newsreleases/forms/contact-us>>

Biden-Harris Administration Announces Nearly \$1 Billion from EPA's Clean School Bus Program for 389 School Districts

Historic investment from President Biden's Bipartisan Infrastructure Law headed to all 50 states in effort to transform America's school bus fleet

October 26, 2022

Contact Information

EPA Press Office (press@epa.gov)

WASHINGTON (October 26, 2022) — Today, the Biden-Harris Administration announced the Fiscal Year 2022 recipients of the U.S. Environmental Protection Agency's (EPA) Clean School Bus Program rebate competition, awarding nearly \$1

billion from President Biden’s Bipartisan Infrastructure Law to 389 school districts spanning 50 states, Washington, DC, and several Tribes and U.S. territories. The grants will help school districts purchase over 2,400 clean school buses that will accelerate the transition to zero emission vehicles and produce cleaner air in and around schools and communities.

Vice President Kamala Harris and EPA Administrator Michael S. Regan will join schoolchildren, district leaders and community members in Seattle, Washington, later today to make the announcement and highlight how it will reduce greenhouse gas emissions, save schools money, and better protect children’s health. The investment will also drive demand for American-made batteries and vehicles, boost domestic manufacturing, and create good-paying jobs.

“President Biden’s historic Bipartisan Infrastructure Law is accelerating our nation’s transition to electric and low-emission school buses while ensuring a brighter, healthier future for our children,” **said EPA Administrator Michael S. Regan.** “As many as 25 million children rely on the bus to get to school each day. Thanks to the Biden-Harris Administration, we are making an unprecedented investment in our children’s health, especially those in communities overburdened by air pollution. This is just the beginning of our work to build a healthier future, reduce climate pollution, and ensure the clean, breathable air that all our children deserve.”

In May, EPA announced <https://epa.gov/newsreleases/biden-harris-administration-makes-500-million-available-clean-school-buses-through-epa> the availability of \$500 million for its Clean School Bus Program. Given overwhelming demand from school districts across the country, including in low-income communities, Tribal nations, and territories, EPA nearly doubled <https://epa.gov/newsreleases/biden-harris-administration-will-double-clean-school-bus-rebate-awards-nearly-1> the amount of funding that will be awarded to \$965 million. The rebate application period closed in August with an outstanding response from school districts seeking to purchase electric and low-emission school buses across the country.

At this time, through a lottery system, the agency has selected 389 applications totaling \$913 million to support the purchase of 2,463 buses, 95% of which will be electric. EPA will distribute awards to school districts in all 50 states and Washington D.C., along with several federally recognized Tribes and U.S. territories. School districts identified as

priority areas serving low-income, rural, and, or Tribal students make up 99% of the projects that were selected. More applications are under review, and the agency plans to select more to reach the full \$965 million in the coming weeks.

Those school districts who received an award can now proceed with purchasing new buses and eligible infrastructure. Selectees will need to submit Payment Request Forms with purchase orders demonstrating they have ordered new buses and eligible infrastructure. EPA is also partnering with the U.S. Department of Energy and Department of Transportation to provide school districts with robust technical assistance to ensure effective implementation.

These awards are the first \$1 billion of a five-year, \$5 billion program created by President Biden's Bipartisan Infrastructure Law. EPA is also designing the next rounds of program funding to launch in the coming months, which will include an ambitious grant competition. Through future rounds of funding, EPA will make available another \$1 billion for clean school buses in Fiscal Year 2023. EPA encourages school districts not selected in the first round of rebates – and those that did not apply this funding cycle – to participate in future rounds.

About the Clean School Bus Rebate Program

The Clean School Bus Program will reduce greenhouse gas emissions, save money for school districts and produce cleaner air. Diesel air pollution is linked to asthma and other conditions that harm students' health and cause them to miss school, particularly in communities of color and Tribal communities. Phasing out these diesel engines will ensure cleaner air for students, bus drivers, and school staff working near the bus loading areas, and the communities through which the buses drive each day. The reduction in greenhouse gas emissions from these bus replacements will also help to address the outsized role of the transportation sector in fueling the climate crisis. The program will also save school districts money as they upgrade school bus fleets, replacing older, heavily polluting buses with brand new clean school buses, while freeing up needed resources for schools.

The 2022 Clean School Bus Rebates prioritize low-income, rural, and Tribal communities. The vast majority of applicants met the priority definition under the 2022 Clean School Bus Rebates criteria, resulting in access to more funds for buses and electric vehicle infrastructure for schools in areas that need them the most. The

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Adjournment