



NORTHERN SONOMA COUNTY

Air Pollution Control District

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# Policies and Procedures

## Carl Moyer Grant Program

**Updated September 2024**

Compliant with 2017 Carl Moyer Guidelines.

# Table of Contents

**Section I: Background**

**Section II: NSCAPCD Moyer Program: Local Structure and Implementation**

- (A) Roles and Responsibilities
- (B) NSCAPCD Moyer Project Source Categories
- (C) Procedures for Project Selection
- (D) Notification to Grantees
- (E) Priority Communities
- (F) Selection of Project Funds
- (G) Interest Calculations
- (H) Grantee Requests for Payment
- (I) Verification of Destruction
- (J) Digital Photographs
- (K) Grantee Annual Reports
- (L) Historical Annual Usage
- (M) Non-performing Grantees
- (N) More Stringent District Elements
- (O) ARB Approvals of District Elements

**Section III: Program Timeline**

**Section IV: ARB Carl Moyer Program Award Process**

**Section V: Match Funding**

**Section VI: Administration and Outreach Funds**

**Section VII: Project Solicitation**

**Section VIII: Project Selection**

**Section IX: Obligation of Funds to Projects**

**Section X: Contract Development**

**Section XI: Payment of Projects (Expenditure)**

**Section XII: Project Monitoring**

**Section XIII: Reporting**

**Section XIV: Project File Set-Up and Maintenance**

**Section XV: Coordination with ARB**

**Section XVI: ARB Oversight**

**Appendices**

- A. Project Funding Agreement Template
- B. Equipment Application Forms
- C. Annual Reporting Form
- D. Dealer and Dismantler Participation Agreement Template
- E. Example Project Checklist
- F. Additional Program Documents

## Section I

### Background

The Carl Moyer Program (Moyer) was established in 1998, as a grant program to fund the incremental cost of cleaner-than-required heavy-duty engines. Originally targeted to reducing oxides of nitrogen (NOx) emissions, the program now includes reduction of particulate matter (PM) emissions and reduction of reactive organic gases (ROG). Legislative modifications enacted in 2004 expanded the program to include projects that reduce emissions from agricultural sources, light-duty vehicles, and on-road fleet modernization eligible for Carl Moyer Program funding. These legislative modifications also created a new incentive program aimed at previously unregulated agricultural sources, the Agricultural Assistance Program.

The Carl Moyer Program is implemented as a partnership between the California Air Resources Board (ARB) and local air districts. ARB provides overall administration and guidance for the program, with funding and implementation of projects conducted by the districts. The Carl Moyer Program Guidelines, Approved Revision 2017, provide the minimum requirements under which the Carl Moyer Program is administered by ARB and the districts. The Carl Moyer Program Guidelines are based on requirements specified in the state Health and Safety Code, Chapter 9. The Guidelines are updated, when necessary, to reflect significant additions or changes to the program. In addition, ARB staff issues Technical Advisories and Mail-Outs to provide further clarification on specific areas, and to reflect changes in regulations.

This document contains Policies and Procedures of the Northern Sonoma County Air Pollution Control District (NSCAPCD, or District) and is intended to provide an explanation of District policies with regard to local implementation of the Carl Moyer Program. It also contains procedures for the District's day-to-day operation of the Program in order to meet the requirements of the Health and Safety Code, Carl Moyer Program Guidelines, ARB Technical Advisories, and District policies and procedures.

The District's policies and procedures do not replace the Carl Moyer Program Guidelines, but are intended to provide direction and procedures for the District's implementation of the Carl Moyer Program. The appendix to these policies and procedures includes equipment application forms and other important Program support documents. District staff refers to the ARB's Carl Moyer Program Guidelines for detailed descriptions of procedures and requirements established by the ARB for the Carl Moyer Program, and, when necessary, consult with ARB Carl Moyer Program staff.

The NSCAPCD has implemented the Carl Moyer Program since its first program year, in 1999. The District was one of the first rural air districts to offer Carl Moyer Grant funding. Prior to the program revisions in 2004, only very limited funding was available to rural air

districts. Notwithstanding, as of 2022, the District has awarded over several million dollars for projects that reduce emissions from heavy duty diesel engines, including projects to retrofit or repower engines in buses, trucks, marine vessels, construction equipment, mobile agricultural equipment, and agricultural engines.

Carl Moyer Program requirements have evolved considerably since 1998 and continue to do so. The ARB Guidelines established in Year 17 have over 420 pages of specific requirements, including their technical appendices. The District's Policies and Procedures do not attempt to incorporate each of those requirements as such; however, they are incorporated by reference.

## **Section II**

### **NSCAPCD Moyer Program: Local Structure and Implementation**

This section is created specifically in concert with the Moyer 2017 Guidelines, Chapter 3: Program Administration, for ease of use in determining the District's compliance with Moyer Guidelines Policy and Procedure manual requirements. This section is organized in the same order as the Guidelines' required elements for air district policy & procedure manuals, as listed in Chapter 3 Paragraph C.4. Sub-paragraphs A through O. Other related elements and details about the District's Moyer Program are expanded upon in subsequent sections of this Policy and Procedure Manual.

#### **(A) Roles and Responsibilities**

The District is comprised of (7) staff members: (1) Administrative Assistant, (1) Grant Manager, (1) District Analyst, (1) Air Quality Engineer, (1) Assistant Air Quality Engineer, (1) Air Quality Specialist, and (1) Air Pollution Control Officer/Executive Officer.

The responsibility for implementation of the Moyer Program falls mainly on the Grant Manager, District Analyst, Administrative Assistant, and APCO. The Grants Manager is the primary point of contact for the District grant programs, including the Moyer and FARMER programs. The Grants Manager works under the direction of the APCO regarding Moyer and FARMER Programs Implementation, including but not limited to: responding to ARB funding solicitations; evaluating, selecting, and inspecting projects; and obtaining governing board approval for program participation and projects to be funded.

In order to ensure that the Moyer and FARMER Programs are covered in the event of the Grants Manager's absence, the District Analyst is the secondary contact and the Administrative Assistant and APCO are cross-trained in Moyer and FARMER

implementation. The remaining District staff are also capable of taking over some of the Program duties in the Grants Manager's absence.

It is the policy of the Grants Manager to have procedures documented in checklists, spreadsheets, online on the District's Local Area Network, and in electronic project file folders. This, in addition to input and guidance provided by the District's ARB liaison, ensures that the Moyer and FARMER Programs can be successfully implemented in such case that the Grants Manager is not available.

## **(B) NSCAPCD Moyer Project Source Categories**

The District supports the following types of projects:

- Off Road Equipment Replacement, including Zero emissions equipment
- On Road Vehicle Replacements administered through the FARMER Program<sup>1</sup>, or in limited instances, through Moyer

The following program categories can be offered but are not available for the 2024/2025 Program Year:

- Infrastructure Companion Project
- Marine

## **(C) Procedures for Project Selection**

Prior to Calendar Year (CY) 2022, the District accepted and selected projects throughout the year on a first-come, first-served basis. This was in a large part due to the District's limited grant funding and participation; the District could not reliably expect enough applications to be submitted all at once to be able to effectively conduct a cost-effectiveness ranking program. In practice, this established a pattern where the District accepted the eligible applications that were submitted, and rarely had to turn anyone away.

Starting in CY 2022, the District's Board directed the development of a project selection system to implement principles of equity to support underserved persons/communities with enhanced public outreach and transparency. In addition, the District now receives its own FARMER funding allocation where previously it participated in a shared allocation pool managed by another air district. The new FARMER funding allocation provides the

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<sup>1</sup> The Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program is a completely separate but similar grant program. FARMER funds are from a separate funding pool, and because FARMER gives the opportunity for District residents to have access to a greater amount of funds, the District has elected to participate. In order for applicants to be able to fully utilize FARMER, the District has once again taken up the reimbursement of On Road vehicles as a project type

District approximately 1.165 million dollars, or 3-4 times more funding for clean diesel agricultural projects. This substantive increase in project funding necessitates the establishment of project selection procedures.

Furthermore, the FARMER program is funded in part by state GHG cap and trade proceeds under the California Climate Investments. Assembly Bill (AB) 1550 (Gomez, Statutes of 2016) prioritizes the investment of funds, including those supporting FARMER, for disadvantaged communities where applicable.

The District project selection procedure begins by prioritizing projects for principles of equity by utilizing a point system, followed by use of project cost effectiveness if there are more projects than available funding.

1. The District begins by reviewing each application for a preponderance of administrative completeness for processing and compliance with Carl Moyer and/or FARMER eligibilities. Complete applications are assigned **+1** point by the District. Applications will receive an email verifying completeness or incompleteness. Ranking status will be determined after the application period closes.
  - **The District strongly encourages prospective applicants to ask questions of their dealership and the District as early as possible in support of developing a complete application for submittal.**
2. After completeness reviews of all the applications, District staff assign points to rank the applications for fund allocation as follows:
  - a. **+1** point is assigned by the District for an application deemed administratively complete for processing.
  - b. **+1** point for an applicant that has not previously received funds from NSCAPCD for a Moyer or FARMER project.
  - c. **+2** point for being a limited resource Farmer / Rancher as defined by USDA-NRCS: <https://lrftool.sc.egov.usda.gov/>. (a property management service with this client under contract can claim **+5** point if the client does not own or operate the equipment type.)
  - d. **+2** point for disadvantaged communities and/or low-income households or communities, as defined by AB 1550 and SB 535: <https://webmaps.arb.ca.gov/PriorityPopulations/>. (a property management service with this client under contract can claim **+5** point if the client does not own or operate the equipment type.)

- e. **+1** point for a small farm or ranch (<30 acres each) project. (a property management service with this client under contract can claim **+1.5** point if the client does not own or operate the equipment type.)
  - f. **+1** point for an electric equipment project (Zero Emissions Vehicle/Equipment).
  - g. **+1** point for replacement of a low use Ag truck, registered and in compliance with ARB TRUCERS systems. This is the final year/opportunity for FARMER to fund Ag trucks, which are high-emitting units. The Carl Moyer Program no longer funds diesel-to diesel truck replacements.
3. After assigning points to each application, the applications will be ranked in groups by their point value (high to low).
  4. Cost effectiveness will be determined for each proposed project using the ARB-required Carl Moyer or FARMER program tool, as applicable. Cost effectiveness values include emissions reductions over the project life.
  5. If all projects in the ranked point groups can be allocated funds, the fund allocation is done. If at this point there are more projects than funding, the applications in the lowest “point” group will be ranked by their cost effectiveness. The lowest cost effectiveness score projects, in the “1” point project group, will be removed in order of their cost effectiveness, until funds cover the remaining, more cost effective and higher ranked projects.
  6. Applicants may submit applications for multiple projects, but the project selection will begin with one project per applicant / company until all applicants have one project selected. After each applicant / company has 1 project, if funds are still available, the ranking and selection process will begin again. If submitting more than one project application, applicants should note their preference/prioritize for funding.
    - An infrastructure application submitted with an equipment application may count as one project for the purpose of ranking if the infrastructure project is intended to support the equipment.
  7. The District may switch applications between Carl Moyer and FARMER program for funding allocations, as applicable, to best utilize overall Moyer and FARMER funds. For off-road equipment, and other project types, the FARMER program adopts the Carl Moyer Program by reference.

8. Decisions on points and processing order are the sole discretion of the District and are performed by the District to align as best as practicable with the principles of this section; District policies for the FARMER and Carl Moyer Programs; and the state guidelines of the FARMER and Carl Moyer Programs.

#### **(D) Notification to Grantees**

All correspondence to grantees is submitted over email, or postal mail. When an application is approved, the District submits an electronic funding offer letter to the grantee, followed by a hard copy in the postal mail during instances when the applicant prefers communication via hard copy. When an application is rejected, the District communicates this over email.

#### **(E) Priority Communities**

Where applicable, Moyer Guidelines direct that funding priority include the communities with the most significant exposure to air pollution. The District is in attainment for state and federal ambient air quality standards and does not have a AB617 designated community. The District does not have disadvantaged communities, but it does have some low-income households or communities, as defined by AB 1550 and SB 535. The District's project selection procedures prioritizes low income and under-served projects and high-emitting units.

#### **(F) Selection of Project Funds**

The District selects the funding for its projects based on the available funds in various categories, according to a set of priorities. The order of priority of funds is as follows:

1. Previous Moyer Year(s) Funding, Interest, and Match funding, if available;
2. Current Moyer Year Moyer Funding, Interest, and Match funding, if available;
3. Next Moyer Year Funding, Interest, and Match funding, if available; and
4. AB 923 Funds "optional Moyer match," as allowed per District Budget.

#### **(G) Interest Calculations**

Within the District's framework, Moyer funds are maintained in the County of Sonoma treasury in their own specific Funds. While in county treasury, these Funds are not

accessible by the county; only the District. Interest is apportioned quarterly, on the existing cash flow in the entire Fund, regardless of what Moyer Year the existing cash came from. The County Treasure Investment Policy states that the amount of interest apportioned shall be determined using the accrual method of accounting, whereby interest will be apportioned for the quarter in which it was actually earned. The total interest earned on the entire contents of the Moyer Fund is tracked for the fiscal year (July 1 to June 30) and logged in the CARL database as Moyer Interest. "TCA" or tracking codes are assigned to funds to assist with tracking and interest calculations.

## **(H) Grantee Requests for Payment**

Grantees are required to submit a note requesting payment according to the terms of their funding agreements. This may be done via email. In addition, in order for a request for payment to be complete, the dealership must submit to the District the final receipt, purchase agreement, or other documentation of the purchase with signature. This receipt or purchase agreement must be itemized to show eligible costs and must separate out ineligible costs, such as options above and beyond a like-for-like replacement.

The District does not conduct partial payments. Because of the small scope of the District's Moyer Program, and limited staff availability, the administrative burden of conducting multiple payments per project is not reasonable for the District. Accordingly, the District issues one payment of 100% of the grant amount at the time of Request for Payment, after the District has conducted the appropriate salvage inspection. Of note, the final payment may take the form of more than one check if more than one funding source is used, as noted in Section (F) above: "Selection of Project Funds."

## **(I) Verification of Destruction**

The District or its designated representative conducts an in-person salvage inspection to verify destruction of the equipment or engines in any given project. The Grants Program Manager, or other District staff, conducts a visual investigation and verifies that destruction is consistent with at least the minimum standards specified in the Moyer Guidelines. The salvage inspection also has the purpose of verifying that the destroyed equipment matches the original existing equipment inspected at the beginning of the project. Engine tags or identifying stamps or marks on the engine and equipment are used to verify identity. As with all inspections, salvage inspections are documented with photographs and kept in digital files on the District network.

## **(J) Digital Photographs**

The District has an electronic file set up for each individual project; within each file is a subfolder specifically for inspection photographs and reports. Most of the photographs taken in an inspection are inserted into the inspection report and stored on the District's local area network for the contract life of the project, along with any videos the District might have taken during the inspection. In some cases, the District may request that an applicant, dealership, or salvage yard take photos and/or video on behalf of the District. In these scenarios, the District will provide a list of necessary photos and provide instruction.

## **(K) Grantee Annual Reports**

After the end of a calendar year, the District solicits grantee annual reports via a courtesy email and/or postal mail. The District sends a cover letter, along with a reporting form that contains fields for the grantee to input all information required by the guidelines. The District gives a deadline of 30 days from the date of mailing. The District keeps track of which grantees are required to report, and for how long, using an Excel spreadsheet. When reports are received, the District logs them and tracks them on an Excel spreadsheet. This data is later entered into ARB's CARL database.

## **(L) Historical Annual Usage**

The District prioritizes forms of documentation for historical annual usage based on the preferred forms of documentation listed in the guidelines. If none of the information listed as acceptable forms of documentation in the guidelines is available to the applicant, the District will consider alternate forms of documentation of historical annual usage, such as reasonable written estimates of usage signed by the applicant. Written estimates must contain: an explanation from the applicant as to why other forms of documentation are not available; estimated hours of usage for the equipment for the past 2 years; and the applicant's methodology on how they were able to provide this estimate. If the District finds a written estimate to be reasonable and acceptable, the written estimate will be put on file with the rest of the application, and the applicant's estimated usage will be used in calculation of the grant amounts. Special consideration is given to the usage of the new equipment for these types of projects, meaning these types of projects are more often selected to be inspected over the duration of the project life.

## **(M) Nonperforming Grantees**

When a grantee is found to be non-performing, the first sign of this is typically that they do not respond to the request for annual reporting, or the request for a random audit inspection. The District then follows up via email and phone, and schedules an inspection of the equipment. If the grantee cannot be reached, the District conducts an unannounced inspection of the equipment.

If the equipment is found to be in violation of contract terms (for example, if the equipment is not operational, has been sold, or has violated the contract in some other way), the District will first work with the grantee to come up with a creative way to meet the grant requirements; for example, if the equipment was sold, the District would pursue a transfer and assignment agreement with the new equipment owner. If no other solution could be reached to bring the grantee into compliance with the contract terms, the District would proceed with recovery of funds from the grantee pursuant to the contract, with the help of District Counsel.

### **(N) More Stringent District Elements**

The District follows the Moyer Program Guidelines to the letter and does not have any Moyer Program elements that are more stringent than Moyer Program Guidelines allow. The District does have its own project selection criteria; however, Moyer Program Guidelines leave this to District design.

### **(O) ARB Approvals of District Elements**

There are no ARB approvals of District program elements that vary from those required by the Moyer Program Guidelines and Mail-Outs.

## **Section III Program Timeline**

The ARB has established a timeline for each year's funding and reporting cycle. This timeline allows for award, obligation and expenditure of state funds to meet state fiscal requirements. State fiscal policy requires one year for ARB to encumber funds and four years for the District to liquidate those funds. The timeline for each year of funds is typically as follows:

**By end of January:** ARB solicits applications from all districts based on allocations cited in Health and Safety Code section 44299.2(a). The District determines if local interest in the Moyer program justifies applying for the full ("tentative allocation") grant amount or

if only the minimum \$200,000 grant award will be applied for. The District has the option of requesting more funds beyond the ARB's tentative allocation, which it reserves for years in which a higher-than-normal volume is being experienced. If the full, or maximum, grant amount is applied for, match funding is required, and the District will use AB 923 funds, or very rarely AB 2766 funds, as a matching source.

**By end of March:** The District submits a Carl Moyer Grant application with commitment of Matching Funds.

**By end of April:** ARB notifies Districts of final awards.

**June 30 of the following year:** Target date for contracts to be executed. Should the District have any problems getting contracts executed in time, the District will work with ARB to keep them informed and make a plan to get the executed contracts done.

**June 30 of Second Year:** Deadline for District to receive all fund disbursements. If the District has accepted the minimum allocation of \$200,000, it will be accepted in one lump sum and this deadline is automatically met. If the District has accepted any amount over the minimum allocation, it will receive disbursements in two or more parts. In order to receive the second disbursement, the District will be required to have executed contracts for enough projects to expend its first disbursement of Moyer funds. Therefore, this deadline is tied to the District having sufficient projects approved to expend at least \$200,000.

**June 30 of Fourth Year:** Deadline for the District to liquidate funds. For example, Year 20 funds must be liquidated no later than June 30, 2024. The District usually incorporates a two-year deadline in funding agreement language, in order to avoid coming up against this deadline. So, for example, a project funded with Year 20 funds is typically required by the District to request funding no later than June 30, 2020. The District typically liquidates the funds immediately after the funding request is received, with no funds held in reserve.

**Table 1: Timeline for Each Year of Funds**

<b>Date</b>	<b>Action</b>
By end of January	ARB sends application packet to air districts.
By end of March	Air districts apply to ARB for funds
By end of April	ARB notifies districts of final awards
By end of May	Air district return signed grant agreements
June 30 of Following Year	Target date for contracts to be executed
June 30 of Second Year	Deadline for air districts to receive fund disbursements
June 30 of Fourth Year	Deadline for air districts to liquidate funds

## **Section IV**

### **ARB Carl Moyer Program Award Process**

The ARB determines the tentative awards to each district for each year in accordance with the formula identified in Health & Safety Code Section 44299.2(a). The formula provides a minimum allocation of \$200,000 to participating districts. With the exception of the South Coast Air Quality Management District, awards that exceed the minimum allocation of \$200,000 are calculated based on district population, severity of the air quality problems and the historical funding awards under the Carl Moyer Program.

The ARB solicits district applications for the local programs by sending solicitation packets to the Air Pollution Control Officer (APCO) and District Grant Manager by the end of January. The application packet must be completed and submitted by the posted deadline, which is by the end of March. The application packet must include the completed application with original signature, documentation for the match commitment, Board resolution, an implementation plan for obligating the grant award, and documentation of obligation and expenditure of previous grant awards. Detailed requirements for each of these items are included in the Carl Moyer Program Guidelines, in the Program Administration section.

At the time of receipt of the application, the District evaluates demand for Moyer projects and determines whether it will request the minimum allocation, the ARB's tentative maximum allocation, or whether it will ask for more than the ARB's tentative allocation offer.

The NSCAPCD designated personnel shall complete the Carl Moyer application and any additional accompanying documentation required including updating CARL as required. The District submits complete applications to ARB as soon as possible after receipt, so as to facilitate the expeditious disbursement of funds. The resolution allowing the District to apply for and administer the funds is a blanket resolution approved in 2014, and valid through the sunset of the Moyer Program. This resolution is on file at the District and is re-submitted to ARB each year with the Moyer application.

ARB determines the final awards for each district. These awards are incorporated into a Grant Award and Authorization Cover Sheet, which specifies the amount of the award for projects, required match, and admin funding. ARB sends two original copies of the Cover Sheet to the District, along with the grant agreement business terms. The APCO signs both cover sheets and returns them to ARB; the copy of grant agreement terms is retained

in District files. Once ARB signs the cover sheets, they return one fully signed cover sheet to the District.

Following execution of the Grant Award and Authorization, the District must submit a Grant Disbursement Request to ARB to obtain funding. If the District is requesting the \$200,000 minimum allocation for the year, the District may request the entire allocation. If the District is requesting more than the minimum allocation, for its initial disbursement the District may request up to \$200,000<sup>2</sup> in project funds, plus all of its administrative funds. Prior to receiving the initial disbursement, the District must have submitted in its previous Yearly Report to ARB documentation of the obligation and expenditure of previous years' Carl Moyer Program funding and match funding.

Grant awards and disbursements are further described in the Carl Moyer Program Guidelines, Program Administration chapter. Carl Moyer Program funds received by the District are deposited in a segregated interest bearing account. All accumulated interest is reported to ARB on an annual basis using CARL. The interest income must be used to fund projects that meet the current Carl Moyer Program Guidelines.

## **Section V**

### **Match Funding**

Districts participating in the Carl Moyer Program are required to provide \$1 in match funding for every \$2 of state Carl Moyer Program funding awarded by ARB. Rural Districts, including the Northern Sonoma County Air Pollution Control District, may apply for a minimum grant award of \$200,000 without providing match funding. The District is classified as a rural district and will determine yearly which amount to apply for based on local funding interest.

When the District is required to provide matching funds, these funds will come from revenues collected through surcharges on motor vehicle registration. Eligible matching funds include funds from local DMV fees collected under the authority of AB 923, and funds in the District's Vehicle Pollution Mitigation Program (VPMP) collected under the authority of AB 2766.

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<sup>2</sup> For disbursements greater than the minimum allocation, ARB Guidelines allow for a request of up to 10 percent of the total allocation, or \$200,000, whichever is greater; allocations to the Northern Sonoma district have not exceeded \$250,000, so \$200,000 is the maximum initial disbursement allowed. To receive the remainder of the Grant Award, the District must demonstrate that initial disbursement funds have been committed.

The District Board included the collection of an additional \$2 per vehicle registered within the District boundaries, under the authority of AB 923 (Statutes, 2004). These funds may be used for specific purposes, including for Carl Moyer type projects, Agricultural Assistance programs, Low Emission School Buses, and specified light-duty vehicle programs. AB 923 money is the District’s primary source of funding for required Moyer match or optional supplemental funding for the Moyer Program.

The District Board established the VPMP funds under the authority of AB 2766 (statutes of 1990 and subsequent amendments), which allows the District to collect up to \$4 per vehicle registered within the District boundaries. These funds may be used to fund District implementation of the California Clean Air Act, and to reduce or mitigate the impacts of motor vehicle use. The District considers AB 2766 funds as a backup, to be used as Moyer match in the case that AB 923 funds are not available or are earmarked for some other use.

## Section VI Administration and Outreach Funds

### Administration

Administrative, or Admin, funds may be used for program costs associated with the tasks outlined in the Program Administration chapter of the Carl Moyer Program Guidelines. As a rural district with under 1 million inhabitants, the NSCAPCD gets 12.5% of its Moyer funds for use as Admin funds. Admin funds have limited allowable use, and must be documented and kept on record by District staff.

Allowable use and required documentation are as follows:

Allowable Cost	Required Documentation
Air district staff time	Personnel documentation that may include timesheets or output of labor tracking software; duty statements or job descriptions indicating percentage of staff time; or written summaries of Moyer Program staff activities with time estimates by activity or task.
Consultant fees	Consultant contracts and invoices
Printing and mailing costs	Receipts and invoices. Copies of solicitations and outreach materials indicating availability of grants

Allowable Cost	Required Documentation
Travel expenses	Receipts and invoices. Travel cost criteria must be consistent with written air district travel policies for other air district programs, cited in the Policies and Procedures Manual or local administrative manual.
Indirect costs	Indirect cost calculation methodologies must be described or cited in the Policies and Procedures Manual or local administrative manual, and calculated costs must be documented.

In addition to the costs of District Carl Moyer Program staff and management review, the District incurs the following types of program costs through the mandatory involvement of its contracted assistance from its District Counsel, and County of Sonoma departments and staff:

- Program budget preparation, tracking, analysis, and reports;
- Fiscal review and auditing by the County Auditor Controller;
- Legal review of Board actions and Contract language; and
- Accounts payable and receivable.

The District's only use of Admin funds consists of reimbursement for Air District staff time. District staff involved in administration and implementation of the Program includes the Grants Program Manager, APCO, Office Administrator, and county treasury support staff. The weighted salary and benefit rates of these persons for their time spent exceeds the 12.5% provided by ARB grant funding. Due to District's proximity to the Bay Area, staff pay scales are substantially higher than most rural districts. Accordingly, District staff time is more than enough to spend down the Admin funds without excessive tracking and recordkeeping. If need be, records of District staff time are available on the District's payroll tracking system and Program time tracking spreadsheet. This paragraph serves as the duty statement to satisfy the Moyer Guidelines requirement for documentation of District Staff time for use of Admin funds.

## Section VII

### Project Solicitation

The District will announce an application period of at least 60 days for participants to apply for funding and not fund first-come first-served outside of this application period.

All applications must include a disclosure statement, identifying if the applicant has applied to other entities for funding and identification of the potential funding source(s). In addition, the applicant must certify that no other funding has been received for the project. Finally, the application must include a regulatory compliance statement certifying that the applicant is currently in compliance with all federal, State, and local air quality rules and regulations at the time of application submittal, and is not aware of any outstanding or pending enforcement actions. Equipment application forms for each funding category are included in the appendix to this manual.

The District maintains a series of email lists that interested parties can join via the District web site. These lists are used to provide program updates and to announce application periods. The District web site has a Moyer and FARMER program section with brief updates and materials. In addition, the District may mail flyers advertising the Moyer and FARMER Programs to its burn permit holders throughout the district, which provides for the District's largest mail list (over 3,000 recipients). Furthermore, the District may spread the word about the Moyer and FARMER Programs at trade meetings or workshops and conduct Zoom meetings for workshops and announcements.

The District may provide presentations at meetings that are held by trade associations and other groups, including local engineering, contractors, and construction associations, the Sonoma County Farm Bureau, the Sonoma County Wine Grape Commission, and city, county, and regional governments. The most common form of outreach, however, is communication with the dealerships themselves. Individual dealers who have been working under the Moyer and FARMER Programs for several years are key partners in communicating with potential applicants about the benefits of the Programs.

Applications are available on the District website, by individual request, by pick up from the District office, email or US postal delivery. Applications are accepted by hand delivery to the District office, by email, or by US or private mail delivery.

## **Section VIII**

### **Project Selection**

Applications are reviewed and ranked during a District announced application period. Ranking is performed as described in Section II(C), above. The District reviews applications for administrative completeness to ensure there is enough information to assess eligibility and to calculate the proposed project's funding amount. This application completeness is crucial to help the District successfully implement the Program with its

small team. When an application is received during a time funds are not available, or if an application is not allocated funds during an application submission period, the District will advise the applicant to resubmit the application at the next application submission period.

Upon review, an application is assigned a temporary project number and logged into the District's Carl Moyer application log spreadsheet. The log includes the date the application was received, applicant's name, project type, project name and date completeness letter is sent. If there are more applications for funding than funding available, those applications are not held in a funding queue. Applications must be re-submitted and re-ranked per each subsequent application period.

All applications received are entered into the District's application log; therefore, the District has elected not to enter applications into the ARB's CARL Database unless they are selected for funding. However, for applications that end up receiving funding, the District must utilize the CARL Database to calculate emission reductions and cost effectiveness for the purposes of helping to verify eligibility for funding.

Applications that require some action from the applicant (i.e. additional information, response to agreement offer, etc.) will be sent a request for information with a respond-by date. If no response is received by the respond-by date, the applications are deemed inactive and lose their place in queue for funding. Information requests cannot be open-ended due to the demand for project funds; however, respond-by dates can be extended if a project is actively working with the District and demonstrates good faith.

Regardless of whether applications end up being funded, all applications received are kept on file for a minimum of three years, as required by the Guidelines.

All projects must meet the minimum requirements as stated in the Carl Moyer Program Guidelines and ARB Technical Advisories and Mail-Outs.

## **Section IX**

### **Obligation of Funds to Projects**

Once final selection of a project to receive an award has been completed and approved by District management, the applicant will be notified in writing or via email that their project has been selected for funding. The maximum grant funding amount will be cited in the letter and the applicant will be requested to notify the District by a date certain if they wish to proceed with the grant process and enter into a funding agreement. Upon

receipt of notification from the applicant, the District will draft a contract with the applicant/grantee. More information regarding the contract is in Section X, below.

Pursuant to Carl Moyer and FARMER guidelines, replacements are funded for the baseline equipment only (no accessories) to be replaced with new similar equipment without additional upgrades. For trucks and tractors the replacement equipment engine must have horsepower rated within 25% of the old equipment engine.

After the contract is fully signed, the District ensures that those funds are identified as committed on the District's fiscal tracking worksheet for Carl Moyer funds. District Carl Moyer Program Staff work with the County Auditor Controller's staff to reconcile program and fiscal accounting on an ongoing basis.

## **Section X**

### **Contract Development**

District Carl Moyer Program staff prepare the initial grant contract (also referred to as the Funding Agreement), in accordance with guidance provided by ARB.

ARB requires that all Carl Moyer Program project contracts contain the following provisions: party names and date; contract term, including project completion and projection implementation/life; payment provisions, including maximum contract amount, the requirement for itemized invoices, funding disclosure and noncompliance terms; Carl Moyer Program compliance requirements; requirement for maintenance of engine/vehicle; project specifications and performance expectations, repercussions for nonperformance, on-site inspections; records retention, reporting and auditing; notices; and signature blocks for both parties.

A draft contract is provided to the project proponent for review; they may choose to have their counsel review the contract. Upon approval of the draft, the final document may take the form of a PDF document that is routed via email for electronic signatures.

If there are changes to the boilerplate terms of a contract, it must be reviewed and approved by District Counsel prior to signing. Contracts that remain identical to the template need not be reviewed and approved by District Counsel.

## **Section XI**

### **Payment of Projects (Expenditure)**

At the appropriate time throughout the application review and contract approval process, District staff conducts necessary inspections as described Section XI below. Upon completion of all inspections the District requires the Grantee to state in writing or via email that the project has been completed and request payment under the terms of the Funding Agreement. The Grantee must submit any additional documentation such as invoices, certificate of destruction of replaced engine and any other documentation required by the Funding Agreement with the letter requesting payment. District staff uses a checklist to ensure all of the Grantee's requirements are met before requesting payments. This checklist may be shared with the applicant and equipment dealer to assist with project management.

When District staff has verified that all requirements are met, staff sends an email memo requesting payment under the terms of the Funding Agreement to the District's administrative support. Included with the memo are:

1. Copy of the grantee's letter or email requesting payment,
2. Fully Signed Funding Agreement
3. Signed invoice from equipment dealership
4. Grantee tax form (W-9)
5. District Board resolution authorizing the Agreement.

The District's fiscal support staff review and verify the contract payment package. The claim is then sent to the Auditor's office for payment processing. Payment is made directly to the responsible parties or corporations named in the contract. Payment is made in the form of a single or two-party check, depending on how the grantee is funding the equipment. This should be verified with the dealer and the grantee. The memo should also state the name(s) the check should be written to, and the address the check should be mailed to (and should match the grant agreement).

## **Section XII**

### **Project Monitoring**

Pre- and post-inspections must be completed for all funded projects. The exception to the required inspections is for public fleets. Public fleets are discussed below in the pre- and post-inspection paragraphs.

### **Pre-Inspection**

Pre-inspections occur prior to the execution of contracts, in order for the District to verify that the information on the submitted application is accurate. The pre-inspection process includes, at a minimum, collecting the serial number of the baseline engine and verifying the information in the application about the baseline engine (make, model, model year, horsepower). The pre-inspection shall also verify the engine is operational (with a start up) and that the engine is working as described in the application (document function and use). "Operational" means that the engine must start and be able to perform its intended purpose. Photos and a video of operation shall be taken for the file. Where possible the photos should show the engine in the vehicle/vessel/equipment and show a close up of the engine plate. An electronic pre-inspection report shall be included in the project file and be maintained on the District server. Reports are prepared with the use of an electronic template.

### **Post-Inspection**

Post-inspection occurs after the contract has been executed, and after the grantee notifies the District that the new equipment or engine has been installed or received. The post-inspection verifies that the equipment listed in the contract was installed or received, and matches the information submitted in the application. Information to be recorded includes serial number, make, model, model year, and horsepower. The engine must be operational in the equipment or vehicle as stated in the contract. "Operational" means that the engine must start and be able to perform its intended purpose. Inspecting district staff shall visually witness all engines start-up and mobile projects operating as intended. The vehicle/engine information shall be documented with photos and operation shall be documented with a video. An inspection report shall be used to document the post-inspection and be included in the project file and be maintained on the District server. Reports are prepared with the use of an electronic template.

### **Destroyed Equipment Inspection**

If applicable, the destroyed equipment inspection shall verify that the baseline engine, equipment, or vehicle is destroyed or otherwise rendered nonoperational. Depending on the method of destruction, District staff must inspect in person the destroyed engine and equipment and take photos of the destroyed engine and equipment. The photos shall include the name of the owner and date of inspection. For engines with a complete, fully visible and legible engine serial number, district staff must see the destroyed engine or the receipt from the qualified vehicle salvage yard. A destroyed equipment report shall be used to document the destroyed equipment inspection. The destroyed equipment report including photos shall be included in each project file and be maintained on the District server. Reports are prepared with the use of an electronic template.

### **Post Project Reporting**

Courtesy reminders and reporting forms for all projects under contract shall be mailed to all grantees as close as possible to the beginning of each year. Project grantees will be requested to complete and return the forms to the District. Grantees who do not return the forms in the allotted time will be contacted by phone or email or in person to request the form be completed. Forms will be reviewed by District staff for completeness and to determine whether the project is in compliance with contract requirements. If the project is not in compliance with contract requirements, staff will contact the grantee, request additional information and determine if further action under the terms of the contract shall be taken. Reporting forms will be placed in the electronic project file.

### **Reassignment**

The project life for replacement equipment ranges from 2-10 years and is noted in the funding agreement. If an applicant wishes to sell their equipment before the end of the project life the unit may be re-assigned to another party, as approved by the District, to assume the remaining life of the project under the terms of the original funding agreement. If the new party defaults on the terms of the funding agreement the obligation may fall back on to the original party.

## **Section XIII Reporting**

All project awardees are required by their funding agreement to produce an annual report for their equipment use and status. The District will provide a courtesy reminder of the annual reporting requirement. The District is required to collect this information and then report it to ARB on the status of each year of Carl Moyer Program funding.

### **Yearly Report (District Report to ARB)**

(a) Each year by June 30, ARB sends districts a copy of the appropriate certification form with instructions for completion of the Yearly Report.

(b) Following ARB instructions, the District submits the Yearly Report on or before August 29 of each year following each funding cycle's allocation from ARB (See Table 6). This report shall provide information regarding projects associated with funds received during the previous calendar year that are under executed contract as of June 30 of that year. At a minimum, the District updates all of its project information in the CARL Database and specifies the date of each contract execution.

(c) The Annual Report must include the following information for projects associated with funds received one year prior:

- (1) Project type, emission reductions, number of engines funded, and funds under executed contract for each Carl Moyer Program project, including match fund projects.
- (2) Projects from previous funding cycles that were reported as “under contract” but which are no longer under contract must be updated as such.
- (3) The District will provide a form signed by the APCO, Fiscal Manager, and Grants Program Manager certifying the amount of funds under contract.

(d) The District may demonstrate progress in executing contracts cumulatively by substituting executed contracts for current year State Carl Moyer Program funding (i.e. early contract execution) for funds not yet under contract from a previous year.

(e) If in any given year, the District has not executed contracts to cover all project funds received during the previous calendar year, the District will work with its ARB Carl Moyer Program liaison to ensure the District is on target to liquidate all required program funds within four years. At a minimum, the District will provide an e-mail or other written documentation briefly describing:

- (1) The reason for the delay in executing contracts, and
- (2) Their schedule for executing the remaining contracts, returning funds to ARB, contributing the funds to the Rural District Assistance Program, or other actions as needed to ensure project funds are expended within two years. Should the District choose to contribute funds to the Rural District Assistance Program, it must meet all applicable deadlines set forth in the Moyer Guidelines. Should the District either: 1) return funds awarded by ARB the previous calendar year or 2) contribute funds received the previous calendar year to the Rural District Assistant Program after that year’s application deadline, the District would not be considered in good standing. Funds contributed to the Rural District Assistance Program prior to that year’s November application deadline would not impact the District’s good standing status.

## **Section XIV**

### **Project File Set-Up and Maintenance**

The District maintains documentation of solicitation and project selection by fiscal year, as well as program project and fiscal files. Project files remain active during the entire term of their funding agreement.

Files are maintained in accordance with the District's record retention policy. The primary and preferred method of Carl Moyer and FARMER Program file management is electronic file records. The District stores electronic files on the District's Local Area Network (LAN) that is maintained under contract by the County of Sonoma IT services. These services include continuous back-ups and offsite servers and archival for safety. The District LAN is only available to District staff and implements strict industry standard security protocols.

Hard copy materials may be scanned and placed into the electronic file system at which point the hard copy materials may be disposed of.

Fiscal records are maintained in accordance with policies established by the County of Sonoma Auditor-Controller and are subject to review in the District's third-party biennial audits.

## **Section XV**

### **Coordination with ARB**

The ARB holds Carl Moyer Program Incentive Program Implementation (IPI) team meetings once a quarter, or as needed. These meetings give the District the opportunity to be involved in the formation of Technical Advisories, Mail-Outs, and guideline modifications, to keep informed about other local district Carl Moyer Program activities, and to be informed on related ARB activities. The District attends or calls in to these meetings as often as possible, and takes notes on the contents, which it then stores in the Moyer Administrative file.

ARB has developed and maintains a centralized internet based database (CARL) for all CMP projects. The District uses and updates the contents of this database for project evaluation and reporting purposes.

## **Section XVI**

### **ARB Oversight**

As part of their oversight responsibilities, ARB staff performs desk reviews of district Carl Moyer Programs with on-site monitoring and audits. Audit of a district's program may involve other state agencies, such as the Department of Finance and State Bureau of Audits. Audits may be fiscal, programmatic, or both.

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## Appendices

- A. Project Funding Agreement Template
- B. Equipment Application Forms
- C. Annual Reporting Form
- D. Dealer and Dismantler Participation Agreement Template
- E. Example Project Checklist
- F. Additional Program Documents

## **Appendix A: Project Funding Agreement Template**

This is the funding agreement template for the Agreement between the applicant, dealership, and the District to provide a funding incentive for the purchase of new(er) equipment or vehicle under the Carl Moyer or FARMER grant programs.

The intent of providing this template here, among other purposes, is to help the applicant understand the program requirements for the purchase of new equipment; the destruction of old equipment; and the ongoing Agreement requirements, including annual reporting.

Forms are available on the District website at [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

## Appendix B: Equipment Application Forms

To apply to the Carl Moyer or FARMER programs you must use the current version of the District-supplied application form. Forms are available on the District website at [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

For additional assistance contact [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org) or call our front office at (707) 433-5911.

## Appendix C: Annual Report Form

The Carl Moyer and FARMER programs require annual reporting. Forms are available on the District website at [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

For additional assistance contact [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org) or call our front office at (707) 433-5911.

## Appendix D: Dealer and Dismantler Participation Agreement Template

Dealerships and dismantlers wishing to participate in the Carl Moyer Program and/or FARMER Program need to have a valid participation agreement with the District.

Interested parties may download an example copy of the agreement from the District web site at: [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

For more information, or to request an agreement for signature, please contact [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org) or call our front office at (707) 433-5911. .

## Appendix E: Example Project Checklist

The example project checklist is a detailed procedural list of important program steps from start to finish for a Carl Moyer or FARMER program project. The District utilizes a version of the checklist for all projects.

The checklist is a useful tool for applicants and dealerships to get an in-depth understanding of the start-to-finish process and to follow the progress of their project. The checklist is available on the District web site at: [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

For additional assistance contact [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org) or call our front office at (707) 433-5911.

## **Appendix F: Additional Program Documents**

Additional Carl Moyer and FARMER program documents are available on the District web site at: [www.nosocoair.org/incentives](http://www.nosocoair.org/incentives) in the Carl Moyer / FARMER section.

For additional assistance contact [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org) or call our front office at (707) 433-5911.