

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



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

Thursday, March 17, 2022 at 10:00 a.m.,
Via Internet Teleconference – Zoom Video Conferencing

Join Zoom Meeting
<https://us02web.zoom.us/j/81279724664>

Meeting ID: 812 7972 4664
Call in option: (669) 900-6833

PUBLIC ADVISORY: In accordance with recently enacted legislation, Assembly Bill 361 with Brown Act section 54953(e) and Humboldt County Health and Human Services Recommendation Regarding Physical Distancing for Legislative Bodies, the March 17, 2022 Board Meeting will not have a physical location open to the public. Board Members and members of the public will be teleconferencing into the meeting via Zoom Video Teleconference.

How to Observe the Meeting: To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting at www.zoom.us – Meeting Code **812 7972 4664**

How to Submit Public Comment: Members of the public may provide public comment before and during the meeting by sending comments to the Clerk of the Board by email at esquire@ncuaqmd.org. Such email comments must identify the agenda item number in the subject line of the email. The comments will be read into the record, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Board Chair's discretion. If a comment is received after the agenda item is heard, but before the close of the meeting, the comment will still be included as a part of the written record of the meeting but will not be read into the record during the meeting.

Americans with Disabilities Act Accommodations: Any member of the public who needs accommodations should email the Clerk of the Board at support@ncuaqmd.org or by calling (707) 443-3093. The Clerk will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while maintaining public safety.

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 January 20, 2022 Board Meeting | |
| 4.2 | By Consent, Accept and File District Activity Report | |
| 4.3 | By Consent, Authorization for Continuation of District Board Meetings via Teleconferencing | |

REGULAR AGENDA

- | | | |
|----|--|-------------|
| 5. | Public Comment Period (pursuant to Government Code section 54954.3(a)) | Board Chair |
| 6. | Discussion of Continuation of District Board Meetings via Teleconferencing
<u>Action Requested:</u> Review and Provide Direction | APCO |
| 7. | Increase District X-Factor by Consumer Price Index
<u>Action Requested:</u> Approve Resolution 2022-2: Increase District X-Factor by Consumer Price Index (CPI) | APCO |
| 8. | Closed Session: Conference for Labor Negotiations
a. Personnel Performance Evaluation, APCO - Pursuant to Gov't. Code sec. 54957, and
b. Labor Negotiations, Unrepresented Employee, APCO - Pursuant to Gov't Code sec. 54957.6 | Board Chair |

- | | | |
|------------|-----------------------------|--------------------|
| 9. | APCO Report | APCO |
| 10. | Board Member Reports | Board Chair |
| 11. | Adjournment | Board Chair |

*The next Board of Directors meeting is scheduled for Thursday, April 21, 2022 at 10:00 a.m.
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
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**Minutes of the Regular Meeting of the North Coast
Unified Air Quality Management District Governing
Board of Directors Meeting of
January 20, 2022**

The meeting was called to order by Chair Brett Watson at 10:03 AM via teleconference on Zoom: <https://us02web.zoom.us/j/81279724664>

Meeting ID: 812 7972 4664, Call in option: (669) 900-6833

The meeting location was made available to the public.

MEMBERS PRESENT:

Rex Bohn	Humboldt County Supervisor
Dan Frasier	Trinity County Supervisor
Chris Howard	Del Norte County Supervisor
Brett Watson	City of Arcata Councilmember
Mike Wilson	Humboldt County Supervisor

MEMBERS ABSENT:

None

STAFF PRESENT:

Winslow Condon	Compliance & Enforcement Manager
Erin Squire	Clerk of the Board

OTHERS PRESENT:

Nancy Diamond	District Counsel
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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 from the agenda.

Agenda Item 4: Consider Approving the Consent Agenda

4.1: Approve Minutes of the November 18, 2021, Board Meeting

4.2: By Consent, Accept and File District Activity Report

4.3: By Consent, Authorization for Continuation of District Board Meetings via Teleconferencing

A motion offered by Supervisor Howard, duly seconded by Supervisor Bohn to Adopt Consent Agenda Items 4.1-4.3 is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 20th day of January, 2022 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

Supervisor Bohn	Aye
Supervisor Frasier	Aye
Supervisor Howard	Aye
Councilmember Watson	Aye
Supervisor Wilson	Aye

There was no public comment.

Agenda Item 5: Public Comment

There was no public comment.

Agenda Item 6: Election of Officers

The Board members selected the new Chair and Vice-Chair for the 2022 Calendar Year. The update will take effect at the next Governing Board meeting.

A motion offered by Supervisor Bohn, duly seconded by Supervisor Watson to Elect Supervisor Howard as Governing Board Chair, and Supervisor Frasier as Vice-Chair for the 2022 Calendar Year, is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 20th day of January, 2022 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

Supervisor Bohn	Aye
Supervisor Frasier	Aye
Supervisor Howard	Aye
Councilmember Watson	Aye

Supervisor Wilson Aye

There was no public comment.

Agenda Item 7: Update on Hearing Board Vacancies

Staff provided information on our ongoing Hearing Board Vacancies. Supervisor Bohn requested we forward the recruiting information to the board members to push out. Supervisor Wilson requested we continue to share this information on our Facebook page and provide that information to the Board to be shared across their social media platforms. Supervisor Frasier requested we run advertising for the open positions in the Trinity Journal. Staff will look into running ads in both the Trinity Journal and Del Norte Triplicate.

There was no public comment.

Agenda Item 8: CARB Oil & Gas Grant Agreement

A motion offered by Supervisor Bohn, duly seconded by Supervisor Howard to Adopt Resolution 2022-1: Authorize APCO to: a) Sign the CARB Grant Agreement Cover Sheet and Grant Agreement and exhibits for the “Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities – Implementation and Enforcement”, b) Authorize APCO to Accept and Receive any Grant Funding is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 20th day of January, 2022 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

Supervisor Bohn	Aye
Supervisor Frasier	Aye
Supervisor Howard	Aye
Councilmember Watson	Aye
Supervisor Wilson	Aye

There was no public comment.

Agenda Item 9: APCO Report

Winslow Condon provided information from the APCO Report on the following:

- COVID-19 Update
- EPA Approval of District’s Annual Air Quality Network Plan
- New Employee, Cameron Purchio

There was no public comment.

Agenda Item 10: Board Member Reports

Supervisor Wilson provided information on a letter of support requested by North Fork Lumber from RCEA & Humboldt County Supervisor Madrone to support funding for a biomass generator system in Blue Lake.

Agenda Item 11: Adjournment

The Governing Board Meeting was adjourned at 10:16 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 via teleconference on Zoom at the above date and time.

DocuSigned by: <i>Erin Squire</i>	2/4/2022 9:54 AM PST
ERIN SQUIRE	Date
Clerk of the Board	

The next Board Meeting is scheduled for Thursday, March 17, 2022, at 10:00 AM. Location will be dependent on current COVID restrictions and Executive Orders issued by the Executive Office of California. Details to be listed in the Agenda.

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
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TO: North Coast Unified Air Quality Management District Board

FROM: Brain Wilson, APCO

SUBJECT: District Activity Report

DATE: March 17, 2022

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	32
Complaint Responses - Open Burning	8	23											31	105
Permissive Burn Days	31	28											59	264
Non-Permissive Burn Days ("No Burn Day")	0	0											0	98
Permissive Burn Days (%)	100%	100%												
Standard (Residential) Burn Permits Issued	2276	2673											4,949	3,606
Non-Standard Burn Permits Issued	1736	2132											3,868	3,038
"No Burn Day" Permits Issued	0	0											0	6
Smoke Management Plans (SMP) Reviewed	11	10											21	109
SMP Burn Authorizations Issued	138	159											297	1,032
Stationary Source Permit Apps. Received	1	0											1	24
Stationary Source Permits Issued (new)	4	2											6	19
Stationary Source Permits Issued (amended)	5	2											7	9
Inspections - Major Sources	1	0											1	25
Inspections - Minor Sources	16	4											20	127
Inspections - Mobile Sources	0	0											0	2
Inspections - Asbestos	0	0											0	3
Asbestos Notifications Processed	2	3											5	60
Notice(s) of Violation (NOVs) Issued	1	3											4	12
Environmental Documents Reviewed	3	4											7	40
Grants Paid: Woodstove	0	0											0	2
Grants Paid: Moyer	0	0											0	5
Grants Paid: FARMER	0	0											0	0
Grants Paid: Rural School Bus	2	4											6	42

Air Monitoring Report for March 2022

Air Monitoring Data Summary:

The purpose of this status report is to summarize the ambient air quality data available for the period of December 2021.

- There were no Equivalent Method (FEM) PM₁₀ exceedances of the State Ambient Air Quality Standard recorded during the reported period.
- 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 of November-December 2021.
- There was 1 non-FEM PM_{2.5} 24 Hour exceedance of the State and Federal Ambient Air Quality Standard recorded during the period. This exceedance occurred in Weaverville and was due to a change in the weather at an authorized prescribed burn.
- 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

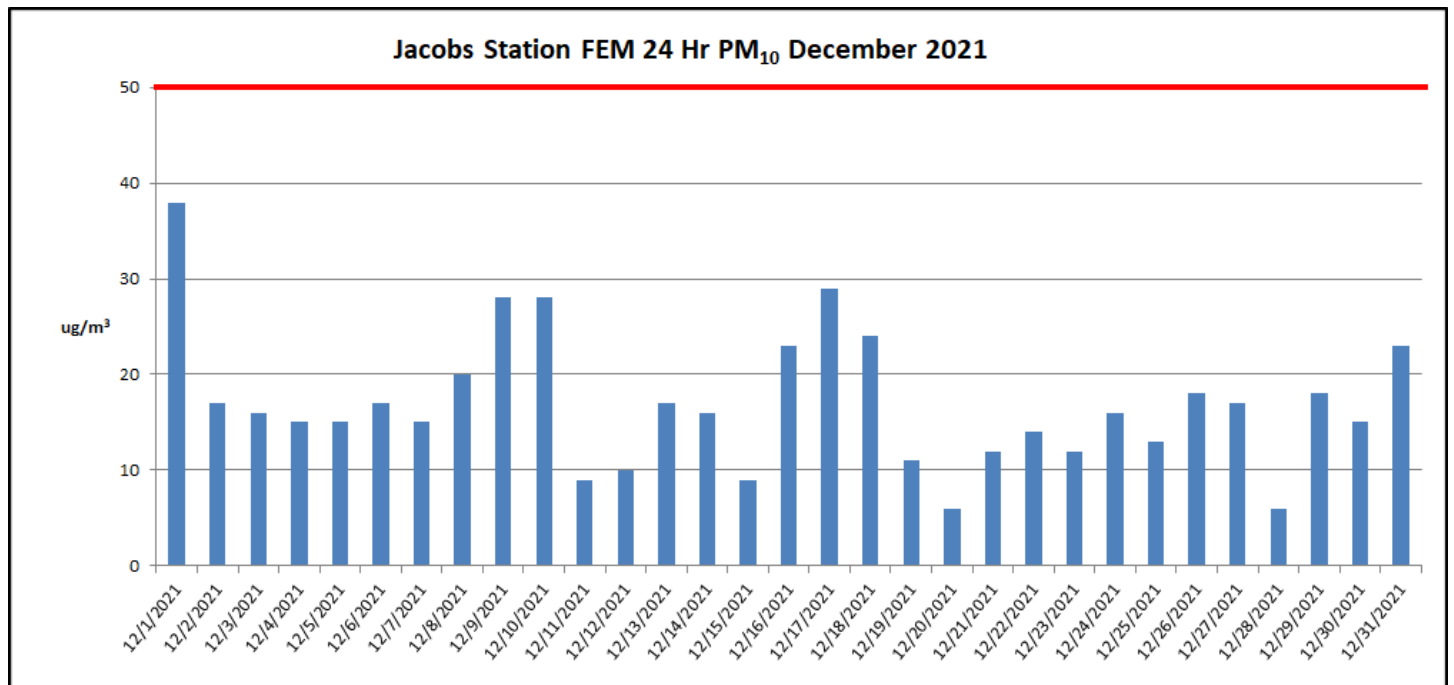
	Jacobs	Crescent City	Weaverville
Max FEM 24-hour PM₁₀ (December 2021)	76%	NA	NA
FEM PM₁₀ Rolling Arithmetic Mean (January- December 2021)	106%**	NA	NA
Max FRM 24-hour PM_{2.5} (November-December 2021)	46%	NA	NA
FRM PM_{2.5} Rolling Arithmetic Mean (January-December 2021)	58%	NA	NA
Max non-FEM 24-hour PM_{2.5} (December 2021)	NA	29%*	177%*
Non-FEM PM_{2.5} Rolling Arithmetic Mean (January- December 2021)	NA	52%*	316%**

- Data unavailable

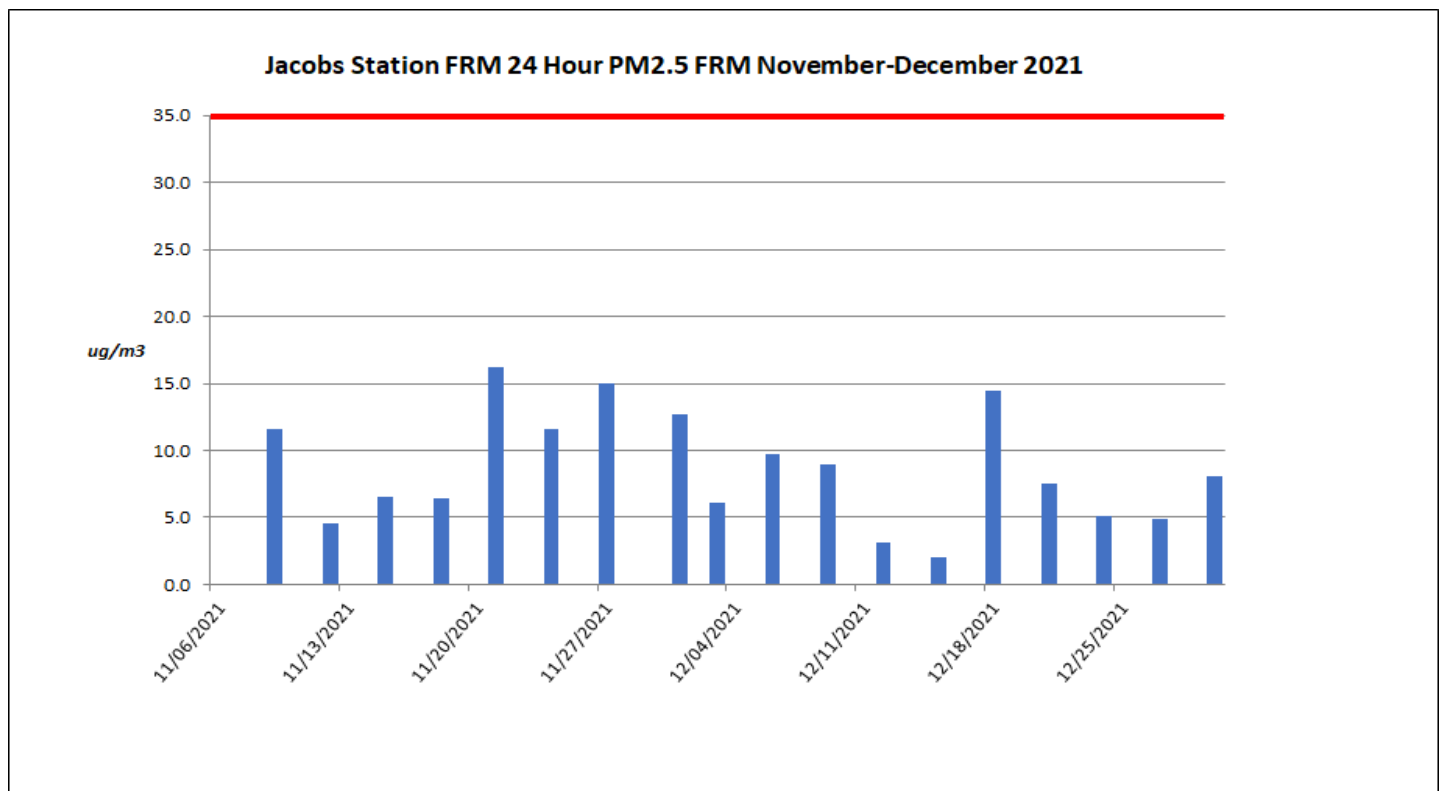
* Instrument not used for Federal Attainment Designation

** Includes wildfire data which is excluded from attainment designation decisions

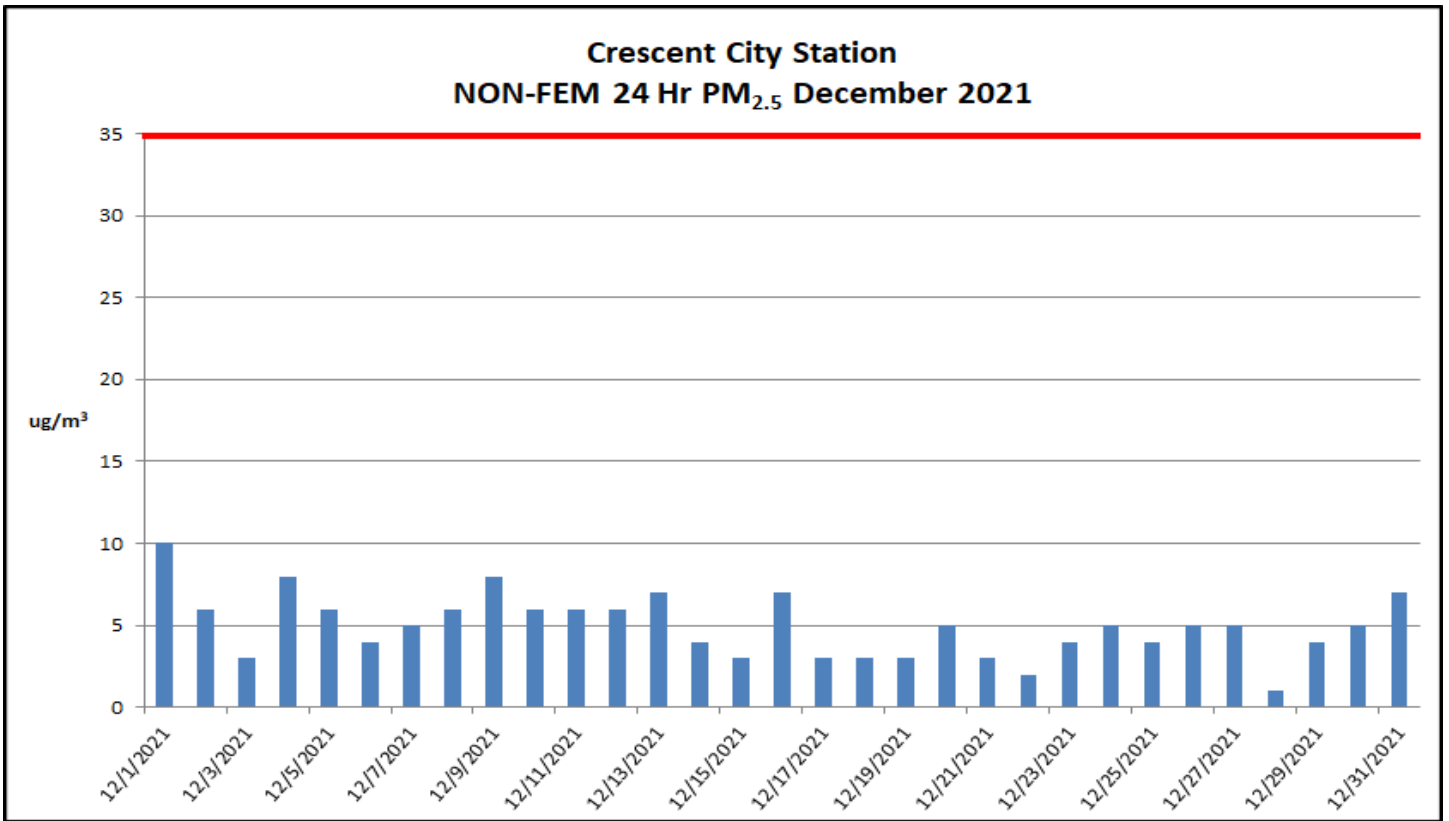
Detailed Graphs:



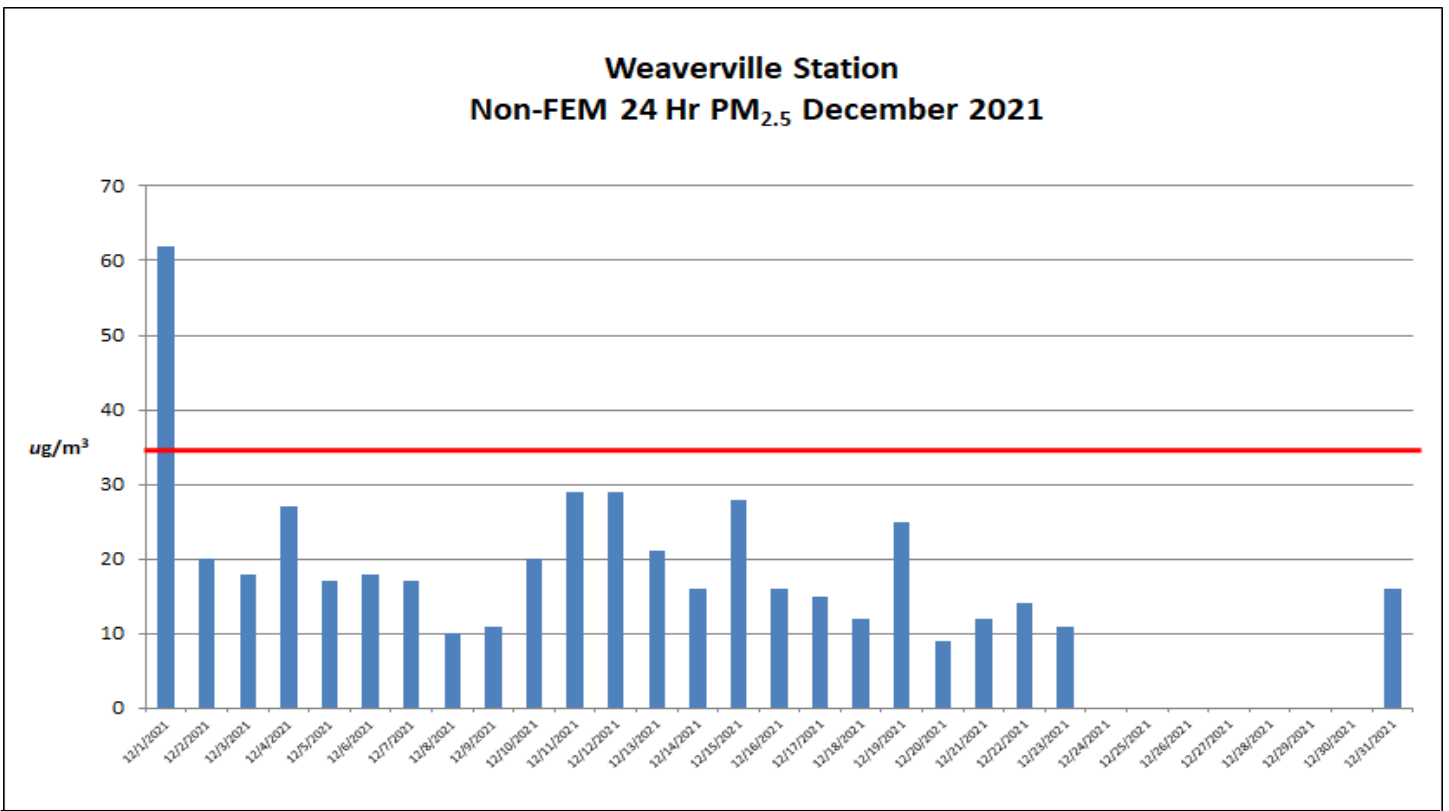
- 24 Hour California AAQS is 50 ug/m³, Federal AAQS is 150 ug/m³.
- California Annual Arithmetic Mean AAQS is 20 ug/m³.
- Humboldt County is classified as non-attainment for this pollutant.



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

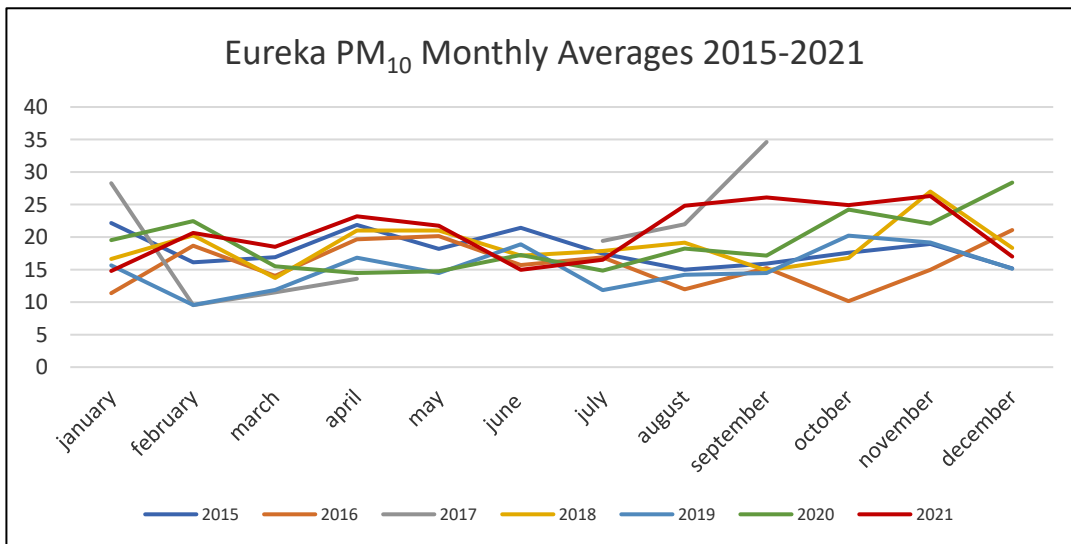
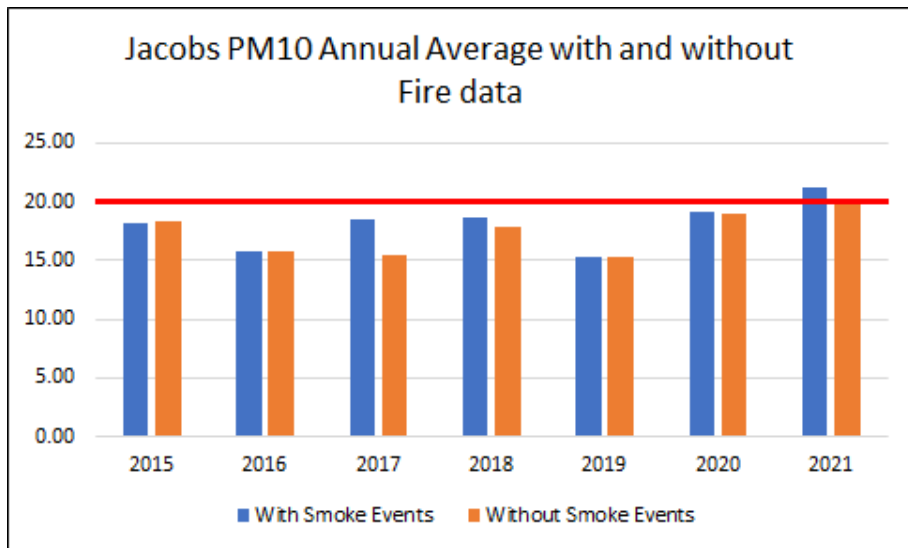
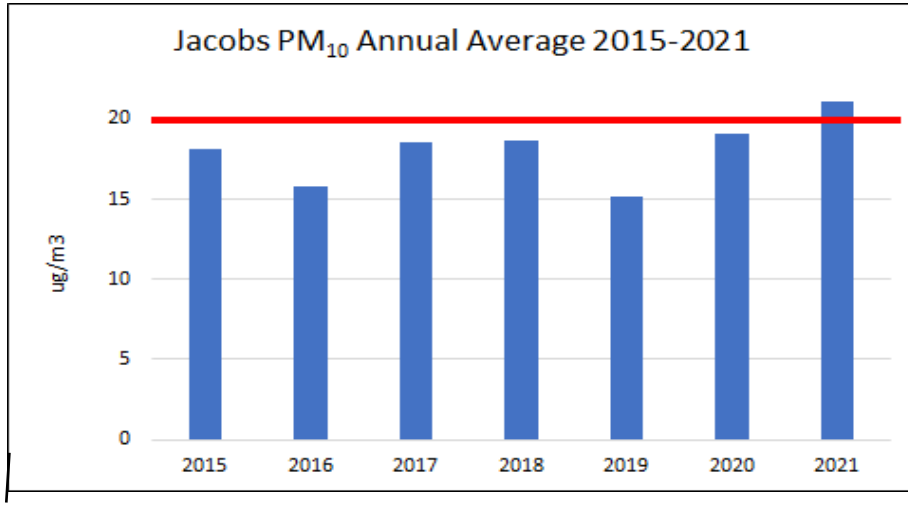


- Federal AAQS is 35 ug/m3. There is no separate state standard.



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

Eureka PM₁₀ Trends



Agenda Item: 4.3

**North Coast Unified
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TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Authorization for Continuation of District Board Meetings via Teleconferencing

DATE: March 17, 2022

ACTION REQUESTED: By Consent, ratify **1(a)** the continued existence of the Governor's March 4, 2020, state of emergency proclamation due to the COVID-19 pandemic; and, (b) the Humboldt County Department of Health & Human Services recommendation to practice physical distancing including conducting virtual meetings of legislative bodies in order to reduce the risk of exposure to COVID-19; and **2)** Authorize the Board Clerk and the APCO to take all actions necessary to conduct open and public meetings remotely consistent with Section 54953(e) of the Brown Act

SUMMARY:

In September 2021, the Brown Act was amended to allow legislative bodies to conduct public meetings through teleconferencing, provided that (1) a proclaimed state of emergency exists; and, (2) state or local officials have imposed or recommended measures to promote social distancing, **or** the legislative body is meeting to determine whether, or has determined that, meeting in person would present imminent risks to health and safety of attendees. The Governor's proclaimed state of emergency remains in effect, and on September 29, the Humboldt County Department of Health & Human Services issued a recommendation that physical distancing strategies continue to be practiced, including meetings of legislative bodies.

At the November 18, 2021 meeting, the Board's decided to satisfy the requirements of the new Brown Act provision (Government Code Section 54953(e)) allowing for remote meetings by consent, as long as the findings can continue to be made. Given the low amount of public input, the Board felt this a prudent balance of public access and protection of public health.

The Board will make the emergency health findings for each meeting in order to continue to meet remotely. This is different from the remote attendance provisions that already existed in the Brown Act (Section 54953(a)), in which the video participation information has to be on the meeting agenda and the Board member participating remotely is required

to post the agenda at his/her location, that location must be ADA accessible, and members of the public must be allowed to attend at that location as well. The new Brown Act requirements are in addition to the existing remote attendance provisions, and are effective until January 1, 2024, when they will automatically sunset.

The Board will have to make the following findings (by motion) until one of the two threshold conditions ceases to exist (both have to exist):

- 1) The Board has considered the circumstances of the state of emergency (defined as a state-level proclaimed emergency), and
- 2) The state of emergency continues to directly impact the ability of the members to meet safely in person, or that state or local officials continue to impose or recommend measures to promote social distancing.

Attached is copy of the most recent Humboldt County order.

Therefore, it is recommended that the Board authorize and direct the Board Clerk and APCO to take all actions necessary to conduct open and public meetings remotely consistent Brown Act section 54953(e) and other applicable provisions because: 1) the Governor's March 4, 2020 State of Emergency proclamation due to the COVID-19 epidemic remains in effect, and 2) the Humboldt County Public Health Department continues to recommend that physical distancing strategies be practiced in Humboldt County to the extent possible at gatherings and events, which includes meetings of legislative bodies of local agencies.

Agenda Item: 5

Public Comment Period

Agenda Item: 6

**North Coast Unified
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TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Discussion of Continuation of District Board Meetings via Teleconferencing

DATE: March 17, 2022

ACTION REQUESTED: Review and Provide Direction

SUMMARY:

In September 2021, the Brown Act was amended to allow legislative bodies to conduct public meetings through teleconferencing, provided that (1) a proclaimed state of emergency exists; and, (2) state or local officials have imposed or recommended measures to promote social distancing, **or** the legislative body is meeting to determine whether, or has determined that, meeting in person would present imminent risks to health and safety of attendees. The Governor's proclaimed state of emergency remains in effect, and on September 29, the Humboldt County Department of Health & Human Services issued a recommendation that physical distancing strategies continue to be practiced, including meetings of legislative bodies.

At the November 18, 2021 meeting, the Board's decided to satisfy the requirements of the new Brown Act provision (Government Code Section 54953(e)) allowing for remote meetings by consent, as long as the findings can continue to be made. Given the low amount of public input, the Board felt this a prudent balance of public access and protection of public health.

The Board will make the emergency health findings for each meeting in order to continue to meet remotely. This is different from the remote attendance provisions that already existed in the Brown Act (Section 54953(a)), in which the video participation information has to be on the meeting agenda and the Board member participating remotely is required to post the agenda at his/her location, that location must be ADA accessible, and members of the public must be allowed to attend at that location as well. The new Brown Act requirements are in addition to the existing remote attendance provisions, and are effective until January 1, 2024, when they will automatically sunset.

The Board will have to make the following findings (by motion) until one of the two threshold conditions ceases to exist (both have to exist):

- 1) The Board has considered the circumstances of the state of emergency (defined as a state-level proclaimed emergency), and
- 2) The state of emergency continues to directly impact the ability of the members to meet safely in person, or that state or local officials continue to impose or recommend measures to promote social distancing.

As part of the consent agenda for this Board meeting (March 17, 2022), the Board was requested to authorize and direct the Board Clerk and APCO to take all actions necessary to conduct open and public meetings remotely consistent Brown Act section 54953(e) and other applicable provisions because: 1) the Governor's March 4, 2020 State of Emergency proclamation due to the COVID-19 epidemic remains in effect, and 2) the Humboldt County Public Health Department continues to recommend that physical distancing strategies be practiced in Humboldt County to the extent possible at gatherings and events, which includes meetings of legislative bodies of local agencies.

This agenda item is to provide opportunity for the Board Members and District staff to discuss continuation of District Board meetings via teleconferencing due to the recent changes in mask restrictions and other requirements.

Agenda Item: 7

**North Coast Unified
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TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: Increase District X-Factor by Consumer Price Index

DATE: March 17, 2022

ACTION REQUESTED: Adopt Resolution 2022-2: Increase District X-Factor by Consumer Price Index (CPI)

SUMMARY:

The District has adopted a permit fee schedule in its Regulation IV, with the purpose of allowing the District to fully recover all costs associated with implementation, inspection, and enforcement of the air quality programs under the District's jurisdiction. Regulation IV allows for an annual adjustment of the hourly cost of operations portion of all fees (the "X-Factor"). As costs fluctuate over time, the District is able to recover the costs of implementing the programs by simply adjusting the X-Factor rather than proceeding through a rule making action to amend all the fee tables.

Each year as part of the budget preparation process, the Governing Board adopts a dollar value for the value of "X" in the fee tables). Typically an increase in the X-Factor by the Consumer Price Index (CPI) is found to be necessary to keep pace with program costs. Increases to the X-Factor by CPI are established by Resolution as determined by Rule 400(2.3) as pursuant to Section 2212 of the Revenue and Taxation Code.

The last time the Governing Board approved general programmatic increases (aside from CPI increases to the X-Factor) was in 2015 in order to better align fees charged with costs incurred with operation of District programs. Part of that discussion included the understanding that it would be prudent to include any future annual CPI increases to the X-Factor as CPI was part of the forecasted calculations.

The draft Proposed District FY 2022-23 Budget will be publicly noticed on March 22, 2022 and then discussed at the Board Meeting at April. Presently, the draft proposed budget has budget deficit of about \$100,000 primarily due to sudden increases in active and retiree health care insurance, and additionally from the revenue loss of a major source. Given these increases, it is evident that at minimum a CPI increase would be needed in order keep pace with program costs. The Board can then have additional discussion about options or strategies to close the remaining budget gap. It is desirable to include the CPI in the draft proposed budget, so any remaining deficit in the budget can then be identified, and any general or programmatic increase to the X-Factor (beyond CPI) is clearer.

In accordance with District Rule 400, it is recommended that the X-Factor be increased by 2.97% (California 2021 Annual Average CPI). This would only affect fees or revenue items that have a X-Factor component in the fee regulations. The proposed Resolution 2022-2 is attached for consideration and approval.

**North Coast Unified
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Resolution 2022-2:

Increase District X-Factor by Consumer Price Index

WHEREAS, the District has adopted a permit fee schedule in its Regulation IV, with the stated purpose of allowing the District to fully recover all costs associated with implementation, inspection, and enforcement of the air quality programs under the District’s jurisdiction;

WHEREAS, Rule 400(B)(1) of Regulation IV allows for an annual adjustment of the hourly cost of operations portion of all fees (the “X-Factor”); and

WHEREAS, Rule 400(B)(1)(a) states that the value of “X” shall be rounded to the nearest whole dollar, and shall be assigned by the District Board of Directors each budget year through resolution, based on two components, either:

- 1) The actual program costs for the immediately preceding year; or
- 2) An adjustment in amount not greater than the change in the Consumer Price Index, as determined pursuant to Section 2212 of the Revenue and Taxation Code; and

WHEREAS, the fees charged pursuant to Regulation IV are imposed to recover the reasonable regulatory costs to the District for issuing licenses and permits, performing investigations, inspections, and audits, and the administrative enforcement and adjudication thereof are not taxes as defined in Section 1(e)(3) of Article XIII C of the California Constitution (Proposition 26); and

WHEREAS, the annual average percentage change from January 1, 2021 to December 31, 2021 in the Consumer Price Index: All Urban Consumers, California, all items (1982-84=100)] was 2.97371%.

THEREFORE, BE IT RESOLVED, that the North Coast Unified Air Quality Management District Board hereby increases the Regulation IV, Rule 400 X-Factor by 2.97%, and rounded to the nearest whole dollar.

Board Chair

Date:

Clerk of the Board

Date:

Agenda Item: 8

Closed Session

Agenda Item: 9

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TO: North Coast Unified Air Quality Management District Board

FROM: Brian Wilson, APCO

SUBJECT: APCO Report

DATE: March 17, 2022

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. New District Website

The District has updated its website to a new format using Streamline. The Streamline software was designed specifically for Special Districts and government entities as an easy-to-use website platform that helps agencies stay connected with the public and maintain ADA compliance. District staff can provide a quick overview at the Board meeting.

2. School Bus Grants

The EPA has recently released an Initial Clean School Bus Program Report to Congress which is available at www.epa.gov/cleanschoolbus (see attached brief). The Clean School Bus Program was signed into law last November, as part of the Bipartisan Infrastructure Law. The Clean School Bus Program provides \$5 billion over five years (FY 2022-2026) for the replacement of existing school buses with clean school buses and zero-emission school buses.

The California Legislative Analyst's Office (LAO) has also released its analytical brief on Green School Bus Grants (see attached brief). Recently, the Governor proposed \$1.5 Billion for Electric School Buses. The proposal would provide grants to replace existing school buses with electric buses. Districts that are small, rural, enroll high shares of disadvantaged students, or propose to replace the oldest buses would receive priority. Grant awards would begin at \$500,000 and assume districts would use about \$450,000 for each bus and its charging station. The \$1.5 billion Proposition 98 General Fund proposed for this program would fund approximately

3,000 electric buses. The proposal is in addition to similar state programs (RSBPP, CEC, etc.) and the larger federal program mentioned above.

3. Update on Prescribed Burning

The District remains as one of the main air districts that approves the most prescribed burning (acreage and number of burns) in California. The District has issued 961 Burn Authorizations just in the last six months (September 2021 to present) for about 13,547 acres burned during that period. It is anticipated that the District will probably approve about 15-20,000 acres before the burn ban.

There are many other grants and agency activities that are increasing prescribed burning beyond the trends seen in previous years. For example, the Six Rivers National Forest has indicated that a total of about \$2.2 million was awarded to the National Resource Conservation Service (NRCS), the Smith River Collaborative and the Smith River NRA through the FY22 Joint Chiefs' Landscape Restoration Partnership (see attached article). This grant will fund one of the main projects to re-treat a network of fuel breaks on the ridges and roads around Big Flat, which is expected to begin as early as this spring. The District will continue to work with the USFS to achieve their prescribed burning goals.

4. Update on Financial Audits and Pension/OPEB Liabilities

Last April, the District entered into a Professional Service Contract with Brown-Armstrong from Bakersfield for Financial Auditing Services for the fiscal years ending June 30, 2018, 2019, & 2020. However, due to COVID-19 impacts and timing, these audits have not yet been completed, but they are anticipated to be completed this year.

The District also continues to move forward with determining and managing its pension liability and Other Post Employment (OPEB) liabilities as previously discussed. Total Compensation Services has provided actuarial services and has calculate these liabilities up to 2021. GovInvest Inc. was also contracted by the District to provide actuarial review of District Pension and OPEB Liabilities and to advise how to best manage these liabilities. Despite delays due to COVID-19 impacts and timing, District staff still intends to continue to engage the Board to discuss these liabilities and to suggest options that will involve use of the Reserve funding to mitigate these liabilities. It is anticipated that further information will be provided to the Board this year.

5. Draft Proposed FY 2022-23 Budget

The District's Draft Proposed Budget for FY 2022-23 will be publicly noticed on March 22, 2022. It will then be discussed at the Board Meeting at April and potentially approved at the Board Meeting in May. Presently, the draft proposed budget has a budget deficit of about \$100,000 primarily due to sudden increases in active and retiree health care insurance, and additionally from the revenue loss of a major source. It is anticipated that the Board will have discussion with District Staff about options or strategies to close the remaining budget gap. As previously

discussed, addressing the District's OPEB and Pension liabilities will also have a significant effect on balancing the budget.

6. Carl Moyer Funding

The District was awarded \$577,848 for Carl Moyer Grants for Moyer Year 24. This was an unexpected increase from the more typical funding of \$250-325,000 per year.

7. Update on PG&E Regular Variance Activity

On February 3, 2020, the District's Hearing Board initially approved the Regular Variance for PG&E as proposed, and the Regular Variance Order 2020-01 was subsequently signed on February 28, 2020. Then on July 26, 2021, the Regular Variance Order 2021-01 was approved that extended the final compliance date so that PG&E could essentially have enough time to obtain modification of the Operating Permit.

The regular variance granted to PG&E provided relief from permit conditions and permit emission limitations for a period of up to one year, while allowing the HBGS to potentially operate in island mode during upcoming emergencies such as Public Safety Power Shutdown (PSPS) events and to conduct engine tuning at loads less than 50%. HBGS will also be submitting an application to modify its Title V Operating Permit. The proposed variance will be in effect for a period of up to one year or until a modified Operating Permit and other applicable modified licensing is effective, whichever date is sooner.

The District received PG&E's application for a significant modification to their existing Prevention of Significant Deterioration (PSD) and Title V Permit to Operate and on February 11, 2022 issued the Public Notice to take final action after a 30-day public comment period that concludes on March 14, 2022. Any comments will then be provided to EPA for a final 45-day review period.

8. 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. The District has also hired a new Administrative Support staff person in the front office, and a new Air Quality Engineer. Here is a summary of the changes with the new staff:

- Compliance & Enforcement Manager – Winslow Condon
- Air Quality Engineer – Cameron Purchio
- Inspector II – David Huffman
- Air Quality Specialist – Tianna Nourot

The District welcomes these individuals and looks forward to benefitting from their expertise.

Clean School Bus Program Initial Funding Opportunity

Clean School Bus Program Newsletter <cleanschoolbus@epa.gov>
Reply-To: cleanschoolbus@epa.gov
To: bwilson@ncuaqmd.org

Mon, Feb 7, 2022 at 1:45 PM

February 7, 2022



EPA Releases Initial Clean School Bus Program Report to Congress

Initial Funding will be for a Rebate Program

The initial Report to Congress on the Clean School Bus Program was completed on January 31 and has been published at www.epa.gov/cleanschoolbus. The Clean School Bus Program was signed into law on November 15, 2021, as part of the Bipartisan Infrastructure Law. The Clean School Bus Program provides \$5 billion over five years (FY 2022-2026) for the replacement of existing school buses with clean school buses and zero-emission school buses.



Eligible recipients for this funding include:

- State and local governments,
- Certain contractors,
- Nonprofit school transportation associations, and
- Tribes, Tribal organizations or Tribally-controlled schools.

Under the BIL, EPA may award competitive grants and rebates, and contracts for rebates. For this first cycle of funding, **EPA intends to open a rebate program as early as**

April 2022.

EPA has created a new listserv dedicated exclusively for the Clean School Bus Program. Please **sign up for this email listserv by clicking the button below to receive future emails** with information about upcoming funding opportunities, how to apply, eligible technologies and their benefits, and best practices and lessons learned. Please continue to check the Clean School Bus Program website to receive the latest information on this funding opportunity.

Sign Up for Clean School Bus Program Newsletter

[Click Here to Go to the EPA Clean School Bus Program Website](#)

Clean School Bus Program | U.S. EPA | cleanschoolbus@epa.gov

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The 2022-23 Budget: Green School Bus Grants

Summary

School Districts Own Many Older Diesel Buses. Districts own nearly 16,000 school buses, nearly two-thirds of which operate on diesel fuel. More than 5,000 of the diesel buses were manufactured prior to 2007, when the latest federal emission standards took effect.

Governor Proposes \$1.5 Billion for Electric School Buses. The proposal would provide grants to replace existing school buses with electric buses. Districts that are small, rural, enroll high shares of disadvantaged students, or propose to replace the oldest buses would receive priority. Grant awards would begin at \$500,000 and assume districts would use about \$450,000 for each bus and its charging station. Districts could use the remaining \$50,000 for any other school transportation expenditure. The \$1.5 billion Proposition 98 General Fund proposed for this program would fund approximately 3,000 electric buses. The proposal is in addition to a similar state program created in 2021-22 and a large federal program created last November.

Electric Buses Have Several Advantages but a Few Limitations. Districts currently own a couple hundred electric buses statewide. Districts generally describe them as smooth, quiet, and clean. Electric buses release no local pollutants like nitrogen oxides and particulate matter, and they reduce greenhouse gas emissions. Electric buses also reduce fuel costs for districts. The main drawback is their limited range, which can make them unsuitable for long routes and certain strenuous conditions. An electric bus also costs more than twice as much as a diesel bus.

Recommend Adopting Modified Version of Governor's Proposal. The proposal would allow the state to obtain emission reductions and lower operational costs that would benefit students and districts for many years. We recommend adopting it with several modifications:

- **Prioritize Replacement of the Oldest Buses.** Focusing grants on replacing the oldest buses (rather than using age as one of several factors) would maximize potential air quality improvements because older buses emit more pollution.
- **Allow Funding for Other Types of Buses When Electric Buses Are Not Feasible.** For rural and other districts in which electric buses are not feasible, providing funding to purchase nonelectric buses could achieve notable reductions in air pollution.
- **Eliminate Proposed Allowance for Other Transportation Expenditures.** This portion of the proposal does not seem well connected with underlying costs and could discourage districts from pursuing bus replacement funding from other programs.
- **Provide Smaller Amount Initially and Adjust Future Funding Based on Demand.** If the state allocated funding over several years, it could adjust future allocations based on district interest and progress toward replacing older buses and reducing pollution.

BACKGROUND

In this section, we provide background on school transportation in California, various types of school buses, state efforts to reduce greenhouse gas (GHG) emissions, funding for school bus replacement, and the state appropriations limit.

School Transportation

State Law Authorizes School Transportation Programs. State law allows school districts and other local educational agencies to provide home-to-school transportation for their students. (Throughout this post, we refer to all of these agencies as “districts.”) Districts generally have the discretion to decide which students qualify for transportation and the organization of their bus routes. State and federal laws require districts to provide transportation in only three cases:

- The federal Individuals with Disabilities Education Act requires a district to transport students with disabilities who require transportation to access their education (such as students with orthopedic impairments).
- The federal McKinney-Vento Homeless Assistance Act requires a district to transport homeless students in certain circumstances, generally related to avoiding disruptions in their education.
- State law requires a district to provide transportation assistance to low-income students who have transferred into the district on interdistrict permits (if requested by their parents/guardians).

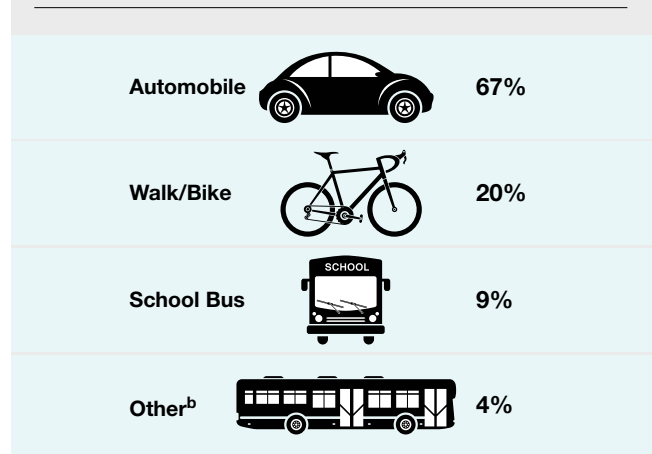
Many districts in California provide home-to-school transportation only for the students in one of the above groups. Districts providing transportation to other students generally condition eligibility on the distance students live from school. A few districts provide transportation to encourage participation in specialized programs (such as magnet schools). In addition to home-to-school transportation, districts regularly transport students for field trips and extracurricular activities.

Districts Can Operate Their Own Programs or Contract for Service. Districts can provide school transportation in various ways. Many districts operate their own transportation departments in which employees work for the district. Some districts contract with other local educational agencies, such as their county offices of education, neighboring districts, or transportation joint powers authorities. Other districts contract with private companies. Districts also can rely upon a mix of these options (operating some services themselves and contracting for the rest).

Approximately One in Ten Students in California Receives Home-to-School Transportation. The federal government periodically collects information about school transportation and other travel information through the National Household Travel Survey. According to the 2017 version of the survey, most students in California travel to school in private automobiles (Figure 1). Only about 9 percent of students receive transportation on school buses. A comparison with the previous version of the survey indicates that school bus ridership has declined over time. In 2009, for example, the survey found that nearly 14 percent of California students received school bus transportation.

Figure 1

How California Students Get to School^a



^a Data based on most recent U.S. Federal Highway Administration Survey (2017).

^b Primarily includes public transit.

Districts Spend About \$1.8 Billion Annually on Home-to-School Transportation. Districts reported spending \$1.8 billion on home-to-school transportation in 2019-20. Salaries and benefits for transportation personnel, including bus drivers, dispatchers, and mechanics account for most of these expenditures. The next largest cost is fuel, which typically accounts for 10 percent to 20 percent of a district’s transportation budget. Other expenses include parts, supplies, insurance, and training materials. Districts pay for most of these costs using their local general purpose funding. A few districts charge fees for home-to-school transportation, but fee revenue generally covers a relatively small share of total transportation costs. (The \$1.8 billion includes spending on home-to-school transportation provided by districts or private contractors, but excludes spending related to field trips and extracurricular activities.)

School Buses

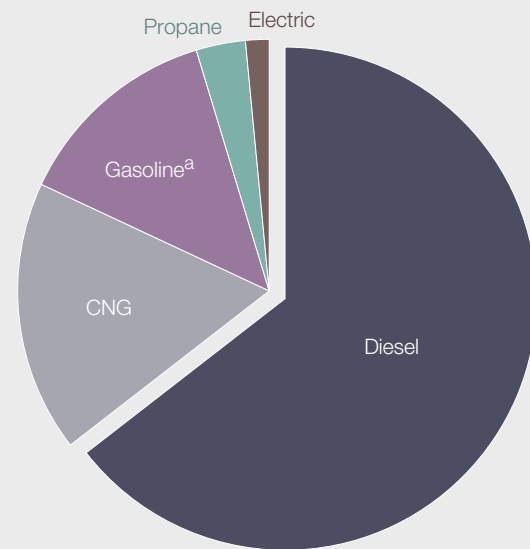
School Districts Own Approximately 15,800 School Buses. Districts operating their own transportation programs are responsible for purchasing and maintaining school buses. State law requires districts to ensure their buses are registered and inspected on an annual basis. The available data indicate districts currently own approximately 15,800 school buses. This total includes full-size buses designed to carry more than 50 students as well as smaller buses designed for as few as 10 students. Many of these buses operate on a daily basis, but some are used as spares or in other limited roles. (The total excludes approximately 9,000 school buses owned by contractors.)

Several Types of School Buses Available. School buses can operate using various types of fuel. For full-size buses, four main options are available: (1) diesel, (2) compressed natural gas (CNG), (3) propane, and (4) electricity stored in batteries on the bus. Smaller buses can use one of these options or regular gasoline. **Figure 2** shows the approximate breakdown of district fleets by fuel type. Districts currently own approximately 10,200 diesel buses, which constitute nearly two-thirds of their fleets. Electric buses are the least common, currently accounting for only a few hundred buses statewide. Below, we provide more information about each of the options available for full-size buses:

- **Diesel.** Diesel is produced through the refinement of crude oil, a common fossil fuel extracted from natural underground reservoirs. Diesel buses have provided the primary form of school transportation in California and other states since the 1950s. A full-size diesel bus typically costs up to \$200,000.
- **CNG.** CNG consists primarily of methane, compressed to less than 1 percent of the volume it occupies at standard atmospheric pressure. Districts began adding CNG buses to their fleets in the late 1990s. A full-size CNG bus typically costs up to \$250,000.
- **Propane.** Propane is a byproduct of processing natural gas that is compressed and stored as a liquid. Districts began adding propane buses to their fleets in the late 2000s. A full-size propane bus typically costs slightly more than \$200,000.

Figure 2

Diesel Buses Account for Nearly Two-Thirds of School District Fleets
Approximately 15,800 School Buses



^a Includes flexible fuel buses, which can operate on gasoline or a blend of gasoline and ethanol.

CNG = compressed natural gas.



- **Electric.** An electric bus relies on the power stored in its batteries, which are charged before the bus begins its route. Districts began adding electric buses to their fleets approximately five years ago. A full-size electric bus typically costs around \$400,000.

Diesel Bus Emissions Can Have Harmful Health

Effects. Diesel buses emit several pollutants that can have negative effects on human health and the environment. The most concerning pollutants are nitrogen oxides and particulate matter. Nitrogen oxides are a key contributor to smog, which can irritate the human respiratory tract. Prolonged exposure can increase the risk of asthma and other respiratory diseases. Particulate matter refers to tiny solid particles and liquid droplets that can become embedded in the lungs or bloodstream. Sustained exposure can cause breathing problems and lung damage. Research also suggests that particulate matter emitted by diesel engines—known as diesel particulate matter—can increase the risk of cancer. Children are more likely than adults to experience negative health effects from these pollutants because their bodies are still developing. (Nitrogen oxides and particulate matter are known as local pollutants because they mainly affect the areas in which they are emitted. School buses also emit GHGs—described in the next section—which have broader climate effects.)

Newer Diesel Buses Required to Meet Stringent Requirements.

Prior to 1977, emissions from school buses and other heavy-duty vehicles were largely unregulated. Since that time, the U.S. Environmental Protection Agency (U.S. EPA) has phased in strict emission requirements. The current emission standards apply to buses with engines built in 2007 or later. As **Figure 3** shows, the emissions allowed for newer engines are a small percentage of earlier limits. The California Air Resources Board (CARB) also has adopted regulations that will require school buses and other heavy-duty vehicles to meet

even stricter requirements in the coming years. In addition, many school bus manufacturers already sell diesel buses that emit less pollution than the 2007 standards allow.

Filters for Older Diesel Buses Address Some Emission Concerns. Regulations adopted by CARB require districts to retrofit older diesel school buses with high-quality filters that trap certain emissions. The requirement applies to all school buses with engines manufactured before 2007 and driven at least 1,000 miles per year. The filters are at least 85 percent effective at reducing particulate matter, provided the engine is well maintained. These filters, however, do not control the higher levels of nitrogen oxide emitted by older buses. In addition, filters degrade over time and must be replaced periodically.

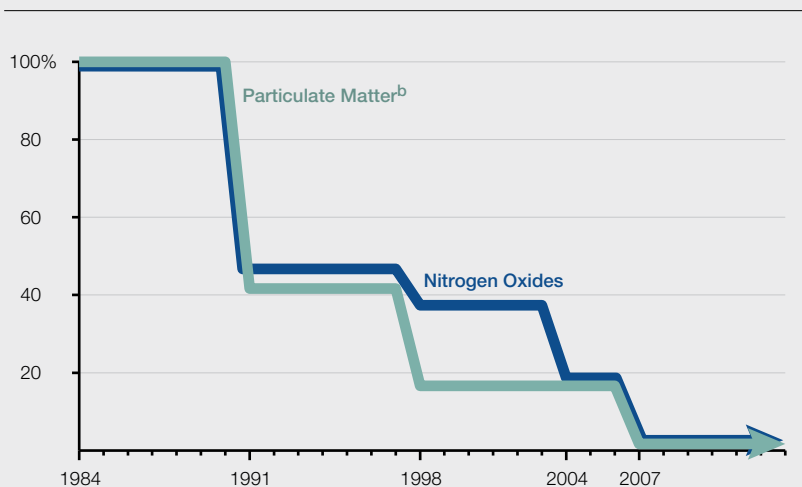
Propane and CNG Buses Have Low Emissions.

Propane and CNG naturally combust more cleanly than diesel. Newer buses powered by these fuels tend to have emission levels significantly below the U.S. EPA standards, and older buses also have relatively low emissions. Largely due to these lower emissions, the state historically has encouraged districts to replace diesel buses with CNG and propane buses.

Figure 3

Emission Requirements for Heavy-Duty Vehicles Have Become Much Stricter

U.S. EPA Emission Limits as a Percent of 1984 Limits^a



^a Reflects emission requirements for school buses and other heavy-duty vehicles.

^b Reflects requirements for particulate matter smaller than 2.5 microns in width.

U.S. EPA = United States Environmental Protection Agency.

Notable Differences in Fuel Cost and Price Volatility. Different types of fuel vary in their cost. **Figure 4** illustrates these variations by showing the average retail price for diesel, propane, CNG, and electricity in the United States over the past ten years. Diesel and propane exhibited the highest prices and the greatest volatility. By contrast, CNG and electricity exhibited lower and more stable prices. (The prices in the figure reflect calculations by the U.S. Department of Energy, which adjusts for differences in the energy content of each fuel and the greater efficiency of electric engines. The prices paid by large organizations like districts can vary from retail prices. Prices in California also tend to exceed the national average.)

State Law Requires Seat Belts for All School Buses by 2035. In the late 1990s, the state enacted legislation to implement seat belt requirements for school buses. Specifically, the law required seat belts for small school buses manufactured after July 1, 2004 and large buses manufactured after July 1, 2005. The seat belt requirement did not apply to buses manufactured prior to these years. Chapter 206 of 2018 (AB 1798, Chu) ends the exception for older school buses on July 1, 2035. After this date, all school buses transporting students must have seat belts.

State Goals for GHG Reduction

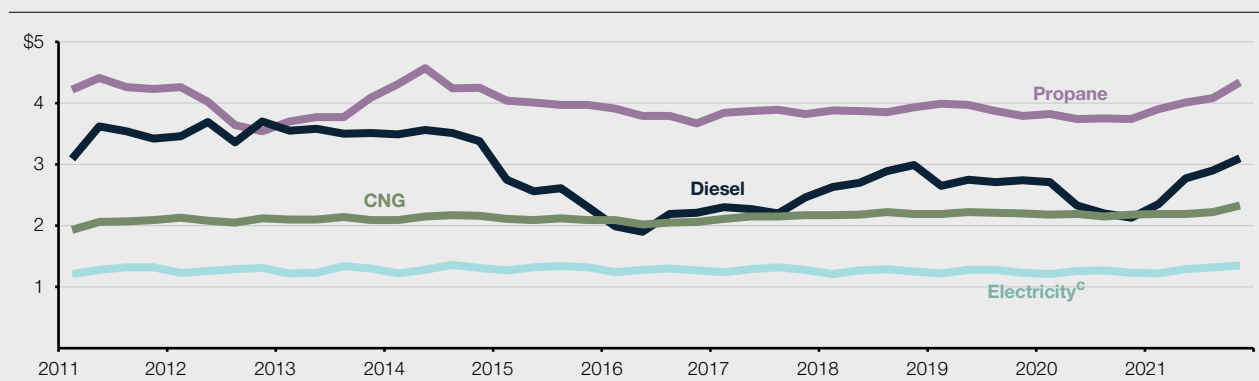
Transportation Is a Key Source of GHG Emissions.

GHGs are gases that trap heat from the sun within the atmosphere, thereby increasing the earth’s temperature. Both natural phenomena (mainly the evaporation of water) and human activities (principally burning fossil fuels) produce GHGs. The primary GHG emitted through human activities is carbon dioxide. Carbon dioxide is a relatively stable gas and can remain in the atmosphere for hundreds of years. The state’s official statewide GHG inventory shows that human activities in California produce just over 400 million metric tons of GHG emissions per year. The **transportation sector** is responsible for nearly 40 percent of these emissions (not including emissions related to extracting and refining crude oil). Heavy-duty vehicles, including trucks, buses, and delivery vans, are responsible for about 20 percent of the GHG emissions within the transportation sector. School buses contribute to the GHG emission totals for heavy-duty vehicles, although they account for a relatively small share. Specifically, the latest available data indicate that the school buses owned by districts constitute approximately 2 percent of the heavy-duty vehicles in California.

Figure 4

Average Retail Price of Fuel in the United States^a

Cost Per Gasoline Gallon Equivalent^b



^a Reflects estimates prepared by the U.S. Department of Energy Alternative Fuels Data Center (AFDC).

^b A gasoline gallon equivalent is the amount of fuel required to match the energy content of a gallon of gasoline.

^c The AFDC reduces electricity prices by a factor of 3.54 based on its analysis indicating electric motors are 3.54 times more efficient than internal combustion engines.

CNG = compressed natural gas.



State Goals for Reducing GHG Emissions.

The Legislature has adopted laws intended to reduce GHG emissions over time. Chapter 488 of 2006 (AB 32, Núñez) initially set a goal of reducing overall GHG emissions in California to 1990 levels by 2020. Chapter 249 of 2016 (SB 32, Pavley) established a statewide GHG limit of 40 percent below 1990 levels by 2030. Although the state met its initial goal ahead of schedule, the newer target is substantially more ambitious. (The Governor also has an executive order establishing a goal of statewide carbon neutrality by 2045, but this target is not in state law.) The state has established a number of regulations to meet these goals. One significant component is a cap-and-trade program that places an aggregate limit on GHG emissions from large emitters. As part of the program, the state auctions the right to emit certain amounts of GHGs. The state generally uses the proceeds of these auctions for activities to reduce GHG emissions. In addition to broader regulations like cap-and-trade, the state has many other requirements, standards, grants, and incentives intended to reduce GHG emissions specifically in the transportation sector.

Funding for School Bus Replacement

Several Programs Have Provided Funding for Bus Replacement. At least 14 programs have provided funding for school bus replacement over the past two decades (Figure 5). Some of the programs also provided funding for infrastructure or retrofitting older buses. Together, they have awarded grants totaling more than \$1 billion. (Several of the programs also provide funding for other types of vehicles, but the amounts in the table reflect the portion for school buses.) The main sources of funding for these programs include state General Fund, cap-and-trade revenue, and local air district revenue (including vehicle registration fees). Some of these programs received funding on a one-time basis, and others are ongoing. Below, we profile the three programs that have provided the largest amounts of funding for school bus replacement within the past five years:

- **School Bus Replacement Program.** This one-time program provided grants to districts to cover the cost of replacing diesel

buses with electric buses. The program prioritized the replacement of the oldest buses, with additional consideration for disadvantaged communities and low-income schools. The state provided \$75 million in Proposition 39 (2012) funds for the program.

- **Volkswagen Environmental Mitigation Trust.** This one-time program provides grants to cover the full cost (districts) or most of the cost (contractors) to replace existing school buses with electric buses. The program awards funding primarily on a first-come, first-serve basis. The program has \$130 million available, and the state has allocated the first \$65 million already. Program funding comes from a settlement with Volkswagen over allegations that it sold vehicles designed to circumvent emissions testing.
- **Rural School Bus Pilot Project.** This program provided funding for districts to replace buses more than 20 years old with electric and other low-emission buses. Grants generally covered the full cost for electric buses and most of the cost for other types of buses. The program prioritized applicants located in small air districts. The state provided nearly \$62 million for the program from cap-and-trade revenues between 2016 and 2018.

2021-22 Budget Plan Created New Program to Fund Electric School Buses.

The new program has two components. The first component is administered by CARB and will provide \$400 million for districts to replace 1,000 older buses with electric buses. The second component is administered by the California Energy Commission and will provide \$50 million for charging infrastructure to support these buses. The 2021-22 budget plan provided an initial allocation of \$150 million from non-Proposition 98 General Fund (\$130 million for buses and nearly \$20 million for infrastructure). The state is planning to provide the remaining \$300 million (non-Proposition 98 General Fund) over the next two years. This program supersedes the Rural School Bus Pilot Project but will retain some elements of that program, including priority for small and rural areas and the requirement to scrap the buses being replaced.

CARB and the California Energy Commission are currently developing the application procedures and other program guidelines. (The authorizing legislation allows the program to fund any type of zero-emission school bus, but battery powered electric buses are the only technology currently available to meet this requirement.)

Federal Infrastructure Bill Included School Bus Replacement Funding. The federal Infrastructure Investment and Jobs Act, enacted in November 2021, contains \$5 billion for school bus replacement grants. The U.S. EPA will allocate the funding in installments of \$1 billion per year for the next five years. The law sets aside half of the annual amount for electric school buses. The other

Figure 5

Previous Funding for School Bus Replacement in California

Amounts Through August 2021 (In Millions)

Program ^a	Administrator	Amount Allocated ^b	Period	Projects Funded			
				Electric Buses	Other Buses	Infrastructure	Retrofits
Lower-Emission School Bus Program	Various ^c	\$310	Since 2001		X		X
AB 923 (vehicle registration surcharge for emission reductions)	Local air districts	237	Since 2008	X	X	X	X
Clean Truck and Bus Vouchers (HVIP)	CALSTART ^d	89	Since 2010	X	X		
School Bus Replacement Program	CEC	75	Since 2019 ^e	X			
Volkswagen Environmental Mitigation Trust	SJVAPCD	65	Since 2018	X			
Small School District and County Office of Education Bus Replacement Program	CDE	64	Since 2000 ^f		X		X
Rural School Bus Pilot Project	NCUAQMD	62	Since 2016 ^e	X	X	X	
Community Air Protection Incentives	Local air districts	56	Since 2017	X	X	X	
Clean Mobility in Schools Pilot Project	CARB	25	Since 2018	X		X	
Clean Transportation Program	CEC	21	Since 2012		X	X	
Carl Moyer Program and State Reserve	Local air districts	16	Since 1998	X	X	X	
Federal Diesel Emissions Reduction Act	U.S. EPA	15	Since 2008	X	X		X
Sacramento Regional Zero-Emission School Bus Deployment Project	SMAQMD	15	Since 2017 ^e	X		X	
Supplemental Environmental Projects for School Buses	CARB	5	Since 2012		X		X
Totals		\$1,054					

^a Excludes new state program established by the June 2021 budget plan and new federal program established in November 2021. These programs have not yet allocated any funding.

^b Amounts reflect estimates by CARB except for Small School District and County Office of Education Bus Replacement Program.

^c Various iterations of this program have been managed by CARB, local air districts, and SJVAPCD.

^d CALSTART is a national nonprofit organization focused on clean transportation.

^e Program funds fully allocated and additional allocations not expected.

^f Reflects funding allocated from 2000-01 through the end of the program in 2012-13.

HVIP = Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project; CEC = California Energy Commission; SJVAPCD = San Joaquin Valley Air Pollution Control District; CDE = California Department of Education; NCUAQMD = North Coast Unified Air Quality Management District; CARB = California Air Resources Board; U.S. EPA = United States Environmental Protection Agency; and SMAQMD = Sacramento Metropolitan Air Quality Management District.

half is available for any type of bus powered by alternative fuels, including electric, CNG, and propane buses. The U.S. EPA must award grants on a competitive basis, but no state may receive more than 10 percent of the available funding in any year. Districts and contractors are both eligible to apply. The U.S. EPA is still developing the details of the program, including application procedures and the methodology for ranking applications.

Districts Sometimes Use Local Funds to Purchase School Buses. When state grants are unavailable or provide less than the full cost of a school bus, districts turn to local funding sources. Districts can use their local general funds to cover the cost of school buses, including reserves they build up over time. Some districts have been able to work with other local governments to obtain additional revenue. For example, Fresno County has a sales tax for transportation, and the county reserves a small portion of this revenue for school bus replacement. Some districts are able to obtain small grants for bus replacement from their local utilities. The availability of these local revenue sources varies across the state.

State Appropriations Limit

California Constitution Contains Limit on State Spending. Proposition 4 (1979) established the state appropriations limit. Under the measure, the state must compare its limit to the appropriations subject to the limit each year.

Appropriations subject to the limit consist of total state tax revenues after subtracting excluded spending, including capital outlay, certain spending on emergencies, and certain subventions to local governments. For the purpose of the limit, capital outlay means spending on assets that cost at least \$100,000 and are expected to last at least ten years. If the state exceeds the appropriations limit over any two-year period, it has excess revenues. The Legislature can respond to excess revenues by (1) lowering tax revenues, (2) splitting the excess revenues between taxpayer rebates and one-time payments to schools and community colleges, or (3) spending more money on activities excluded from the limit.

Under Governor's Budget, State Is \$2.6 Billion Above the Limit. The Governor's budget reflects revenue estimates that are significantly above the June 2021 estimates. The Governor proposes to spend a large amount of the additional revenue on activities excluded from the limit, including capital outlay. Even accounting for these proposals, however, the administration estimates the state is \$2.6 billion above the limit across 2020-21 and 2021-22. If the Legislature were to spend less on capital outlay or other excluded purposes than the Governor proposes, the state would exceed the limit by a larger amount. Prior to finalizing the upcoming budget, the Legislature will need to adopt a plan for responding to the excess revenues.

GOVERNOR'S PROPOSAL

Proposes \$1.5 Billion Grant Program to Fund Electric School Buses. The proposal would establish a competitive grant program for districts to replace nonelectric school buses with electric buses. Applicants would receive priority if they (1) have high concentrations of low-income students and English learners, (2) propose replacing the oldest buses, (3) have 2,500 or fewer students, or (4) are located in rural areas. The individual grants would start at \$500,000 for the replacement of one bus. The proposal would require recipients to use at least 90 percent of their grant for purchasing the electric bus and related infrastructure (such as

charging stations). The remaining 10 percent would be an allowance for any school transportation expenditure, including supplies, hiring incentives, training, administrative costs, infrastructure, and spending on other buses. The proposal also would require recipients to scrap their old buses within a year of receiving their new buses. The California Department of Education (CDE) would administer the program and develop the application procedures, maximum grant amounts, and other details. The Governor's budget proposes \$1.5 billion in one-time Proposition 98 General Fund for the program, with the funding attributable

to 2021-22. The administration estimates this funding would allow districts to replace 3,000 older buses with electric buses.

Scores Most of the Proposal as a State Appropriations Limit Exclusion. The budget identifies the amount reserved for purchasing electric school buses and related infrastructure as excludable capital outlay under the state

appropriations limit. (Each electric bus and charging station together costs more than \$100,000 and has a useful life of more than ten years.) This scoring allows the state to reduce its appropriations subject to the limit by \$1.35 billion (90 percent of the proposed grant amount). The budget identifies the remaining \$150 million (the portion available for any transportation expenditure) as spending that counts toward the appropriations limit.

ASSESSMENT

In this section, we review the benefits and limitations of electric buses, assess the demand for bus replacement funding, and identify a few fiscal considerations for the state and districts.

Benefits and Limitations of Electric Buses

Districts Generally Report Positive Experience With Electric School Buses.

We spoke with a handful of districts that purchased electric buses and asked them about their experiences. Districts indicated the buses provided smooth, clean, and quiet transportation for their students. Districts also appreciated that electric buses reduced their fuel costs. In a few cases, districts were exploring the possibility of obtaining additional financial benefits through “vehicle-to-grid” arrangements with their local utilities. (Under these arrangements, the buses remain connected to the grid when not in use and the utility uses the batteries on the bus to help manage demand for electricity.) Electric bus engines also contain significantly fewer moving parts than traditional engines, potentially allowing districts to obtain savings on maintenance. However, districts expressed less agreement about maintenance savings. Most reported lower maintenance costs, but a few said that a few costly repairs had negated the expected savings. Other districts said their electric buses were so new that they were unsure about future maintenance savings.

Electric Buses Would Reduce Air Pollution, Especially if Replacing Older Buses.

Electric buses produce no tailpipe emissions while transporting students because they rely on the power stored in their batteries instead of internal combustion. Replacing another type of bus with an electric bus would eliminate the emission of nitrogen oxides and particulate matter. The lower emissions could benefit students and drivers, as well as people and natural environments located near bus routes. The greatest potential improvements would involve replacing older diesel buses manufactured under the pre-2007 emission standards. Available data suggest that districts own more than 5,000 diesel buses manufactured before these standards took effect, including a couple hundred buses manufactured prior to 1991 (when emission standards were substantially less stringent). Replacing these buses could reduce the emission of nitrogen oxides significantly, as existing filter requirements do not mitigate these emissions.

Electric Buses Would Reduce GHG Emissions. **Figure 6** on the next page displays the estimated annual GHG emissions for various types of school buses. The amounts reflect estimates by the Argonne National Laboratory using default assumptions about fuel and other factors for school buses driven 12,000 miles per year in California. The GHG emissions reflect estimates on a “well-to-wheel” basis, meaning they account for emissions produced indirectly. For example, the estimate for electric buses includes GHG emissions attributable to the electricity required to charge the batteries on the bus. As the figure shows, GHG emissions for an electric school bus are

approximately one-third of the amount attributable to a diesel bus. Research by CARB, which accounts for additional California-specific factors (such as state emission standards), suggests an even larger difference. Specifically, CARB estimates that GHG emissions for an electric bus are about 15 percent of the emissions generated by a diesel bus.

Electric Buses Have Limited Range. The main limitation for electric school buses is the limited range they can operate between charges. Early models often had a maximum range between 70 and 90 miles. Recent models have longer ranges, often between 120 and 150 miles. These ranges, however, assume relatively favorable driving conditions. Strenuous conditions—such as driving in mountainous terrain—can reduce the range. Weather conditions are another factor because the heat and air conditioning systems draw additional power from the batteries. Other factors affecting the range include the number of stops along the route and the behavior of the driver. Buses powered by diesel, CNG, or propane all have significantly longer ranges than electric buses.

Costs for Charging Stations and Electrical Connections. In addition to the cost of buses, districts incur a few other costs when they add electric buses to their fleets. Most notably, districts must purchase charging stations. Relatively expensive stations can cost around \$50,000, but have the ability to charge a bus completely in a few hours. Other stations cost less, but require six to eight hours to charge a bus. In addition, districts typically must upgrade their connection to the electrical grid. The cost of an upgrade varies depending on the condition of existing infrastructure and the amount of construction and trenching involved. In some cases, utilities may contribute to the cost of the upgrade. Other costs, such as training for drivers and mechanics, tend to be modest compared with the infrastructure costs.

Demand for Electric Buses and Bus Replacement

District Will Need to Replace a Significant Number of Buses in Coming Years. Districts own a significant number of buses that they will need to replace in coming years. Available data suggest that more than 4,000 buses (almost one-quarter of

all district buses) are more than 20 years old. These buses are already operating beyond the typical lifespan of a school bus. (Industry sources often assume a lifespan of 12 to 15 years for school buses operated on a regular basis.) Even if these older buses are well maintained and used only as spares, districts generally will have to replace them before 2035 to meet the seat belt requirement. Retrofitting an older bus with seat belts generally is not possible because it involves working on the frame of the bus. Bus frames are designed to dissipate strong forces and modifications potentially could affect their performance in a collision.

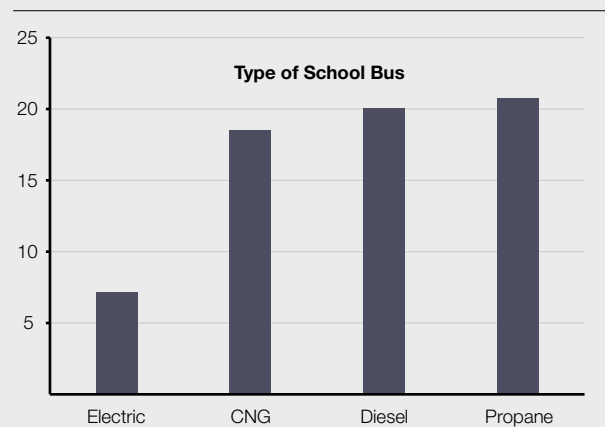
Recent Programs Funding School Bus Replacement Have Been Oversubscribed...

Recent school bus replacement programs have received more applications than they could fund. The School Bus Replacement Program administered by the California Energy Commission received requests for 1,549 electric buses from 196 districts. The \$75 million available for the program funded 236 buses for 63 districts. The Volkswagen Environmental Mitigation Trust received requests for nearly 500 electric buses and the \$65 million available

Figure 6

Annual GHG Emissions Much Lower for Electric School Buses^a

Short Tons Per Year



^a Reflects estimates developed by the Argonne National Laboratory for the Alternative Fuel Life-Cycle Environmental and Economic Transportation Tool for school buses driven 12,000 miles per year in California.

GHG = greenhouse gas and CNG = compressed natural gas.



for the first round of applications allowed it to fund approximately 80 buses. The Rural School Bus Pilot Project received requests for nearly 600 electric and nonelectric buses and the \$62 million available allowed it to fund approximately 180 buses.

...But Interest Specifically in Electric Buses Seems to Vary Notably Across Districts. Although districts will need to replace a significant number of buses in coming years, their interest in electric buses varied. A few urban and suburban districts indicated that electric buses could replace significant portions of their fleets. Rural districts, however, generally indicated that their interest would be limited to obtaining a few electric buses for shorter routes. These districts cited concerns about the length of their routes and strenuous operating conditions as reasons for not adopting electric buses. These districts indicated they likely would retain the diesel buses in their fleets even if the state offered to cover the cost for electric buses.

Governor's Proposal Assumes Very High Demand for Electric Buses. The Governor's proposal is in addition to several other funding sources available to fund electric school buses, including (1) the state program created in the 2021-22 budget plan, which will provide \$450 million over the next three years; (2) the new federal program, which potentially could provide a few hundred million dollars for California districts over the next five years; and (3) a few smaller existing programs, which potentially could provide tens of millions of dollars to a more than a hundred million dollars over the next several years. Across all of these programs, the total amount available for electric buses over the next several years likely would range from \$2 billion to \$2.5 billion—roughly double the amount for all school bus replacement programs combined over the past two decades. It would represent enough funding to cover the full cost of 4,500 to 5,500 full-size electric school buses, including their charging stations. Implicitly, the Governor's proposal assumes that within a few years, the average district would replace roughly one-third of its existing fleet with electric buses.

Fiscal Considerations

Proposal Could Provide Benefits for Students and Districts Over Multiple Years. Using one-time funds for capital outlay and other infrastructure often allows the state to obtain benefits that last

for many years after it allocates the funding. The potential benefits from electric buses, including lower pollution, reduced GHG emissions, and decreased operating costs, would last for the lifespan of those buses. Some other potential uses of one-time Proposition 98 funding, by contrast, might produce short-term benefits that would last only until the funds expire. The proposed grants also would provide near-term cost relief for districts by covering bus replacement costs they might otherwise pay from their local operating budgets. For the state, the proposed grants qualify as excluded expenditures under the state appropriations limit.

Assumptions About Buses and Charging Stations Generally Reflect Current Prices.

The administration developed its proposal assuming districts could purchase an electric bus for about \$400,000. Based on our review of other school bus replacement programs and our interviews with districts that recently purchased electric buses, we think this assumption reasonably reflects the current price of a full-size electric bus. Smaller electric buses typically cost less, but we assume CDE could make some allowance for these differences when it implements the program. The administration also assumes districts would purchase a charging station for each bus at a cost of approximately \$50,000. This amount seems to correspond with current prices, assuming districts purchase relatively expensive stations that can charge their buses in a few hours.

Concerns With Proposed Allowance for Other Transportation Expenditures. The 10 percent allowance for other transportation expenditures does not seem well connected with underlying costs. The main costs for an electric bus consist of the bus itself and related electrical infrastructure. Given that the proposed grants generally would cover these costs, we think the state could expect districts to cover other expenses with their local funds. Districts do sometimes express concern about the high ongoing cost of providing home-to-school transportation, but additional one-time funding seems unlikely to address this issue. In addition, the allowance could discourage districts from applying for federal funding and the state program created in the 2021-22 budget plan. Neither of these programs contains an additional allowance, and districts might forego these programs if they believed they would qualify for the grants the Governor proposes.

RECOMMENDATIONS

Adopt Modified Version of Governor's

Proposal. The Governor's proposal would allow the state to use one-time funding to support school transportation service that many students and districts find beneficial. The potential benefits of electric buses, including lower levels of pollution, reduced GHG emissions, and decreased operating costs, could last for many years. The up-front costs for an electric bus and its charging station are more than twice the cost of a diesel bus, and state grants likely would accelerate the adoption of electric buses. Some aspects of the proposal, however, could be improved. In the remainder of this section, we recommend several modifications to (1) achieve greater reductions in pollution, (2) allow more districts to use the program, (3) improve fiscal incentives, and (4) adjust funding based on district interest.

Prioritize Replacement of the Oldest Buses.

Whereas the Governor proposes four criteria that would give districts priority for funding, we recommend modifying the proposal so that it prioritizes replacing the oldest buses first. This modification would increase the potential reductions in air pollution by focusing the program on replacing buses manufactured under less stringent emission standards. Under this approach, the state could retain other considerations (such as preference for rural schools or schools with high numbers of low-income students) as secondary factors.

Allow Funding for Other Types of Buses

When Electric Buses Are Not Feasible. Under the Governor's proposal, some districts might continue to operate older buses emitting higher levels of pollution because electric buses are not viable replacements. We recommend modifying the Governor's proposal to allow funding for nonelectric buses in some cases. One option would be to allow rural districts to receive funding to replace a specified percentage of their fleets with nonelectric school buses. The state could allow additional nonelectric buses for these districts (or urban districts) based on their individual circumstances. One previous program, for example,

allowed districts to purchase nonelectric buses if they could provide information about their routes and a consultation with an electric bus dealer demonstrating that electric buses would be infeasible. Funding a nonelectric bus might not reduce GHG emissions significantly, but could provide significant reductions in local pollutants like nitrogen oxides and particulate matter.

Eliminate Proposed Allowance for Other Transportation Expenditures.

We recommend the Legislature eliminate the portion of the grant providing funding for costs not directly related to the bus or its infrastructure. Eliminating this allowance would create parity with other bus replacement programs and avoid creating incentives for districts to forego those programs. Given that the proposed grants would cover the entire cost of the bus and charging station, we think the state could expect districts to pay for other costs out of their local budgets.

Provide Smaller Amount Initially and Adjust Future Funding Based on Demand.

Whereas the Governor proposes to provide \$1.5 billion for the program immediately, we recommend the Legislature plan to allocate funding over multiple years and begin with a smaller amount. This approach would allow the state to adjust future funding based on district interest and the progress the state makes toward its goals for replacing older buses and reducing emissions. One way to implement this recommendation would be to plan for a three-year program and provide an initial allocation of \$500 million in year one. To help determine funding amounts for the subsequent two years, the Legislature could require CDE to track and report data on the number of applications received and funded, as well as data on the age of the buses being replaced. Alternatively, if the Legislature decides to provide an immediate allocation closer to the \$1.5 billion proposed by the Governor, it might want to expand the program to ensure it can allocate the full amount to interested districts. The nearby box outlines a potential option, focusing on grants for expanding district fleets. To the extent the Legislature makes changes to

the timing or amounts for the Governor's proposal, it would need to account for the changes in capital outlay spending as part of its plan for addressing the state appropriations limit.

Consider Most Appropriate Agency to Administer the Program. CDE has an existing unit dedicated to school transportation, previously administered a bus replacement program for small districts, and regularly distributes other school funding. Based on these factors, CDE likely has the ability to implement the proposed program. On the

other hand, CARB is already administering the bus replacement program created in the 2021-22 budget plan. Assigning the new program to CDE would result in different agencies administering two similar programs. Many districts likely would submit funding applications with each agency, and both agencies likely would incur additional workload to coordinate their grant awards and ensure districts receive one grant per bus. If the Legislature wanted to streamline the allocation of funding, it could assign the new program to CARB.

An Option for Fleet Expansion Funding

Some Districts Might Be Interested in Expanding Their Fleets. The Governor's proposal would provide funding specifically for districts to replace buses they already own. Some districts, however, might be interested in expanding the size of their fleets. The federal survey data, for example, suggest many districts in California previously operated larger transportation programs. Some of these districts might be interested in obtaining additional school buses to increase their current home-to-school transportation service, particularly if electric school buses allow for somewhat less costly operations.

Reasons the State Could Consider Funding Fleet Expansion. The Legislature might want to provide funding for fleet expansion if it decides to provide an initial allocation for the program that is closer to the \$1.5 billion proposed by the Governor. For example, the Legislature might decide to allocate funding at this level as part of its plan to meet the state appropriations limit. Making funding available for fleet expansion would increase the likelihood the state is able to allocate the entire amount to interested districts. Another reason could be to obtain additional reductions in pollution and greenhouse gas emissions beyond the amounts associated with replacing existing buses. According to the most recent survey data, trips to school in private automobiles—typically powered by gasoline—are the main alternative to district-provided transportation. A full-size school bus can carry more than 50 students, potentially eliminating several dozen trips in private vehicles and the associated emissions.

Structuring a Fleet Expansion Grant. If the Legislature decides to provide funding for fleet expansion, we recommend structuring it as a separate component from the main program. Under this approach, districts could apply for grants to replace their existing buses, grants to expand their fleets, or both types of grants, depending on their local priorities. The fleet expansion grants would not require districts to scrap older buses, but would cover a smaller share of costs. For example, the state could structure the grants to cover half the cost of an electric bus (this proportion roughly corresponds to the additional cost of an electric bus relative to a diesel bus). A cost-sharing approach would increase the likelihood districts apply for fleet expansion grants only for buses they intend to use regularly. The Legislature also could target the fleet expansion grants toward areas where it believes expanded transportation service would be most beneficial. For example, if the Legislature wanted to promote transportation for low-income students, it could prioritize funding for districts with relatively high shares of these students.

LAO PUBLICATIONS

This report was prepared by Kenneth Kappahn with the assistance of Ross Brown, and reviewed by Edgar Cabral and Anthony Simbol. The Legislative Analyst's Office (LAO) is a nonpartisan office that provides fiscal and policy information and advice to the Legislature.

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JESSICA CEJNAR ANDREWS / THURSDAY, FEB. 24 @ 12:47 P.M. / COMMUNITY, FIRE, TRIBAL AFFAIRS

Smith River NRA, Community Partners Receive \$2 Million Federal Grant for Wildfire Preparedness Work Near Big Flat



This prescription burning on the Smith River National Recreation Area is similar to what Big Flat residents will see this spring and summer. Photo courtesy of the U.S. Forest Service

A project to re-treat a network of fuel breaks on the ridges and roads around Big Flat is expected to begin as early as this spring, National Forest Service officials say.

The Big Flat Community Protection Project will cover more than 11,000 acres within the Smith River watershed. The project will be conducted in partnership with the Six Rivers National Forest, the Natural Resource Conservation Service and the Smith River Collaborative.

The Six Rivers National Forest will use \$838,000 in federal grant dollars for fuels reduction on federal lands within the Smith River National Recreation Area, according to Sheila Balent, the Smith River NRA's fuels planner.

The Natural Resource Conservation Service will use approximately \$1.36 million for similar work on private land near Big Flat, Balent told the *Wild Rivers Outpost* on Thursday.

“On the federal lands, fuel breaks were created on the main ridges and road systems around the community of Big Flat in 2009-2012,” she said. “This project will retreat or maintain those strategically placed fuel breaks by thinning small diameter trees and brush, piling the debris and then burning the materials when conditions are right.”

Those grant dollars, a total of about \$2.2 million was awarded to the NRCS, the Smith River Collaborative and the Smith River NRA through the FY22 Joint Chiefs’ Landscape Restoration Partnership, which comes “straight from the Biden-Harris administration,” according to a Six Rivers National Forest news release.

According to Balent, the project on the federal side of things will consist of 600 acres of reestablishing fuel breaks. Those federal lands are currently dominated by dense Douglas fir and tan oak. NRCS and the Smith River Collaborative will focus on fuel breaks along private land and access roads for the community.



Aerial photo of the Big Flat Community Protection Project. Photo courtesy of the U.S. Forest Service

Created in 2016, the Smith River Collaborative includes Del Norte County elected officials, environmental groups including the Smith River Alliance, Friends of Del Norte and EPIC, the Elk Valley Rancheria and the Tolowa Dee-ni’ Nation, the Del Norte Fire Safe Council, the American Forest Resource Council and the Six Rivers National Forest.

The Big Flat community, located on Tolowa Dee-ni’ Nation ancestral lands, sits alongside the South Fork Smith River about 16 miles from U.S. 199. It’s off the grid, has no official fire department and limited water availability, according to the Six Rivers National Forest’s grant application. There’s only one primary road in and out and response times for CalFire, Forest Service and local fire agencies is “long and largely inadequate to protect public safety.”

Big Flat also has a long history with wildfires ranging from the Haines fire back in 1960 to the Coon Fire in 2015. In 2017, the 78,698 acre Eclipse Fire “put the entire community on alert for evacuation,” Six Rivers’ grant application states.

“One of the highest fire threat areas in the county sits northeast of Big Flat, in the headwaters area of Jones and Hurdygurdy creeks,” the application states, citing CalFire’s 2020 Del Norte County Community Wildfire Protection Plan.

The Big Flat Community Project also includes funding for the Smith River Alliance to conduct outreach and education. According to the organization’s co-executive director, Grant Werschull, that education and outreach will focus on the steps individual homeowners can take to make their properties more resilient.

“Home hardening is the phrase that’s used,” he told the *Outpost*. “What they find in these really extreme catastrophic fires is homes are better prepared in terms of the vegetation around them, how they’re vented, how they’re screened, where do they pile their wood — all these things are things you can do to give you a better chance of keeping your house.”

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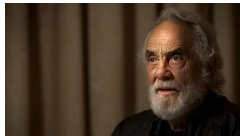
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PUBLIC NOTICE

Issue Date: February 11, 2022

Proposal:

Modifications to Prevention of Significant Deterioration Permit and Title V Permit to Operate NCU 059-12 for PG&E Humboldt Bay Generating Station

The North Coast Unified Air Quality Management District (District) is the local agency that regulates stationary sources of air pollution within the California counties of Humboldt, Del Norte, and Trinity. This public notice is issued by the District's Air Pollution Control Officer (APCO) in accordance with District Regulation V, Rule 503(E).

The Pacific Gas & Electric Company (PG&E) has applied for a significant modification to their existing Prevention of Significant Deterioration (PSD) Permit and Title V Permit to Operate (PTO) for equipment located at the PG&E Humboldt Bay Generating Station (HBGS), 1000 King Salmon Avenue, Eureka, CA 95503.

Approval of the significant modification would allow PG&E the flexibility to operate at engine loads less than 50 percent, down to three (3) megawatts. Granting this flexibility of operation would allow the HBGS to provide local power during emergency events that impact local electric power transmission lines, such as, but not limited to Public Safety Power Shutdown (PSPS) events, storms, and other localized emergency conditions.

In addition, PG&E has re-evaluated the potential emissions of Hazardous Air Pollutants (HAP) at the HBGS, and is seeking reclassification of the facility down from a Major Source of HAP emissions to an Area Source of HAP emissions.

No increases to the daily, hourly, and annual emission limits are proposed.

The District hereby gives notice of intent to take final action on the proposed PSD Permit and Title V PTO, after a 30-day public comment period beginning on the date of this notice. This public comment period allows interested members of the public to review the proposed permits and provide written comments. Members of the public may request that the District hold a public hearing to receive comments. Written comments and hearing requests must be received prior to 4:00 p.m. on Monday, March 14, 2022. The APCO will review and consider all comments prior to taking final action on the application.

The application, proposed permits, and District analysis are available for inspection at the District offices during normal business hours - Monday through Friday 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. Information is also posted on the District website at www.ncuaqmd.org.

Should you have a question or require additional information contact Winslow Condon at (707) 443-3093. Public comments concerning this permit should be submitted to:

North Coast Unified Air Quality Management District
ATTN: PG&E HBGS Significant Modification
707 L Street
Eureka, CA 95501

Agenda Item: 10

Board Member Reports

Agenda Item: 11

Adjournment