

## SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

**AQMD Resolution No.** \_\_\_\_\_

**WHEREAS**, pursuant to Health and Safety Code Section 40961, the District is the local agency within the boundaries of the Sacramento district with the primary responsibility for the development, implementation, monitoring, and enforcement of air pollution control strategies, clean fuel programs, and motor vehicle use reduction measures; and

**WHEREAS**, Health and Safety Code Section 41062 directs the District to implement a clean fuels program designed to introduce cleaner burning alternative fuels, low emission motor vehicles, or other control strategies resulting in equivalent emission reductions within the District including the establishment of fueling infrastructure, demonstration programs, and incentive programs to encourage the purchase of low emission equipment; and

**WHEREAS**, Health and Safety Code Section 41081 authorizes the District to provide incentives for mobile source emission reduction projects using funds received from the District's surcharge on vehicle registration fees; and

**WHEREAS**, Health and Safety Code Section 44286 authorizes the District to administer funds from the Carl Moyer Memorial Air Quality Standards Attainment Program in accordance with the requirements of Sections 44275, 44280-44288, 44290, and 44295-44296; and

**WHEREAS**, Health and Safety Code Section 44297 permits the District to fund projects involving the replacement of an old vehicle with a vehicle certified to a more stringent emission standard including the destruction of the old vehicle, commonly known as heavy-duty Fleet Modernization, using funds either received or used as matching funds under the Carl Moyer Memorial Air Quality Standards Attainment Program; and

**WHEREAS**, on February 5, 1998, this Board approved Resolution No. 98-0007, which authorized the creations of the Heavy-Duty Low Emission Vehicle Incentive Program for the purpose of reducing emissions from heavy-duty mobile sources in within the Sacramento Federal Nonattainment Area; and

**WHEREAS**, on April 26, 2001, this Board approved Resolution No. 2001-020, which authorized the APCO to make minor modifications to the Heavy-Duty Low Emission Vehicle Incentive Program as needed to maintain consistency with the Carl Moyer Program guidelines; and

**WHEREAS**, on January 24, 2002, this Board approved Resolution No. 2002-003, which first established the Fleet Modernization program under the Sacramento Emergency Clean Air and Transportation program, designed to fund the destruction of old heavy-duty diesel vehicles and subsequent replacement with a newer, cleaner heavy-duty diesel vehicle, creating the groundwork for its successful integration across California; and

**WHEREAS**, on October 28, 2004, this Board approved Resolution No. 2004-033, which increased the surcharge on motor vehicles registered in the District for the purpose of funding mobile source emission reduction projects under the Heavy-Duty Low Emission Vehicle Incentive Program; and

**WHEREAS**, the Fleet Modernization program is defined as the transaction in which an older on-road motor vehicle or piece of off-road mobile equipment is destroyed and replaced with a similar on-road motor vehicle or piece of off-road mobile equipment certified to a lower emission standard; and

**WHEREAS**, the integration of the successful Fleet Modernization program into the Heavy-Duty Low Emission Vehicle Incentive Program will expand the ability of District staff to pursue additional emission reductions needed for attainment of the new federal 8-hour ozone standard; and

**WHEREAS**, a new funding agreement will increase the effectiveness and enforceability of District projects while streamlining the process for all applications, including engine repowers and retrofits, Fleet Modernization projects, and future low emission mobile source projects.

**BE IT RESOLVED AND ORDERED** by the Board of Directors of the Sacramento Metropolitan Air Quality Management District that the Fleet Modernization program be incorporated into the Heavy-Duty Low Emission Vehicle Incentive Program covering all eligible mobile sources to increase the potential for emission reductions within the Sacramento region.

**BE IT FURTHER RESOLVED AND ORDERED** by the Board of Directors of the Sacramento Metropolitan Air Quality Management District that the sample agreements previously approved by this Board in Resolutions No. 98-0007 and 2001-020 shall be replaced for all projects approved after July 28, 2005 by the sample agreement attached to this Resolution in Attachment A, and that the Air Pollution Control Officer, in consultation with the District Counsel, is authorized to make such minor modifications in the sample agreement as may be necessary from time to time to ensure the smooth and efficient operation of the Heavy-Duty Low Emission Vehicle Incentive Program.

**BE IT FURTHER RESOLVED AND ORDERED** by the Board of Directors of the Sacramento Metropolitan Air Quality Management District that the Air Pollution Control Officer, in consultation with the District Counsel, is authorized to enter into funding agreements in a form substantially similar to the sample agreement in Attachment A for all projects under the Heavy-Duty Low Emission Vehicle Incentive Program.

**BE IT FURTHER RESOLVED AND ORDERED** by the Board of Directors of the Sacramento Metropolitan Air Quality Management District that the Air Pollution Control Officer, in consultation with the District Counsel, is authorized to enter into the sample memorandum of understanding attached to this Resolution in Attachment B with companies providing loans to Fleet Modernization participants and is authorized to make such minor modifications in the sample memorandum of understanding as may be necessary from time to time to ensure the smooth and efficient operation of the Heavy-Duty Low Emission Vehicle Incentive Program.

**ON A MOTION** by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, the 28<sup>th</sup> day of July, 2005.

**AYES**            Directors

**NOES**            Directors

**ABSTAIN**        Directors

**ABSENT**         Directors

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Chair, Board of Directors  
Sacramento Metropolitan Air  
Quality Management District

SEAL

ATTEST: \_\_\_\_\_  
Clerk, Board of Directors  
Sacramento Metropolitan Air  
Quality Management District