



# Monterey Bay Air Resources District

## BOARD OF DIRECTORS MEETING

WEDNESDAY, DECEMBER 16, 2020 – 1:30 P.M.

### REMOTE MEETING ONLY

*On March 12, 2020, Governor Newsom issued Executive Order N-29-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health. In light of this, the December 16, 2020 meeting of the MBARD Board of Directors was held via Zoom webinar.*

### Summary of Actions

1. CALL TO ORDER – **The meeting was called to order by Chair McShane at 1:30 pm.**
2. PLEDGE OF ALLEGIANCE
3. **Present:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Ryan Coonerty, Steve McShane, Zach Friend. **Absent:** Anthony Botelho, Fred Ledesma, Jane Parker.
4. PRESENTATIONS
  - a. RECOGNITION OF OUTGOING MEMBERS OF THE BOARD OF DIRECTORS
    - Jane Parker
    - Fred Ledesma
    - Honor Spencer
  - b. RECOGNITION OF DISTRICT STAFF LONGEVITY MILESTONES
    - Isabel Navoa, Senior Administrative Assistant, 30 years
    - Scott Norton, Air Monitoring Specialist, 30 years
    - Lynn Kievlan, Administrative and Fiscal Specialist, 5 years
    - Armando Jimenez, Air Quality Engineer, 5 years
    - Seong Kim, Air Quality Engineer, 5 years
5. PUBLIC COMMENT PERIOD – **None.**
6. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS
  - a. Budget, Personnel, and Nominating Committee
  - b. Advisory Committee

7. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS

8. REPORT FROM AIR POLLUTION CONTROL OFFICER

**Richard Stedman, APCO, reported on the following:**

District General Business

- Ransomware Attack - MBARD suffered a ransomware attack. Most data was encrypted by a hacker. They wanted MBARD to comply with their demands in order to unlock files and maintain data privacy. All systems have been restored, however, the hack threatened to sell MBARD data. It is not known if they copied the data or not. To be on the safe side, MBARD is offering current employees and board members a year-long subscription to a credit protection service. Staff is in the process of identifying individuals and businesses that may have had private data in MBARD's electronic files. They will be notified as is required by state law. MBARD has retained the services of a local attorney's office to assist in this process. MBARD Board of Directors' counsel has been kept in the loop. MBARD has also contacted the FBI, County Sheriff, and Northern California Regional Intelligence Center.
- On December 2, MBARD offered a Mindfulness in Stress Management presentation for all staff. The remote presentation was facilitated through CHOMP's speaker program and included tips for handling stress.

Engineering

- Compliance is responding to an increased number of chimney smoke complaints. Staff sends letters reminding residents to only burn dry, seasoned wood and refers the public to MBARD's Woodstove Change-Out program. These smoke complaints have come from many areas such as, Salinas, Pacific Grove, Marina, Carmel, and Santa Cruz.
- CARB plans to make changes to the emission reporting regulation which is anticipated to improve implementation of reporting for air districts.

Planning and Air Monitoring

- The Monterey Bay Electric Vehicle Incentive Program, which provides residents with an incentive to purchase new and used all-electric or plug-in electric vehicles now has received 175 applications with \$318,100 obligated and \$132,250, or 29%, of funds remaining.
- The Woodstove Change Out Program, which incentivizes the replacement of non-EPA Certified woodstoves with cleaner burning alternatives such as natural gas and propane, opened to all residents in the District on December 7. MBARD has received 34 applications, 6 of which are from low-income applicants. Currently \$49,500 is obligated, with \$109,000, or 69%, of funds remaining.
- Staff continues to observe weather conditions and air quality in San Lorenzo Valley to forecast when a Spare the Air alert will be declared. During a Spare the Air Alert, residents are asked to voluntarily choose devices that use fuels other than wood to heat their homes. The program will run through Spring when conditions for smoke dispersion improve. No Spare the Air Alerts have been called since the program opened in November due to favorable meteorological conditions.
- The Backyard Burn season opened on December 1, however, all backyard and agricultural burning has been suspended in State Responsibility Areas by CAL FIRE due to the dry conditions in many areas of the Air Basin. MBARD's burn permit system will be available on the website when burn suspensions are lifted.

- Chualar Union School District is expected to receive an E-Lion electric school bus this month. The electric school bus and EV charging infrastructure are provided to Chualar School through MBARD's Zero Emission School Bus Program using AB923 and East Garrison Mitigation funds.

## CONSENT AGENDA

**Motion:** Approve items 9, 10, 11, 12, 14, and 15 on the Consent Agenda and move item 13 to the Regular Agenda for separate consideration. **Moved by** John Phillips; **Seconded by** Jack Dilles.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Ryan Coonerty, Steve McShane, Zach Friend.

9. **Accepted and Filed** Summary of Actions for the November 18, 2020 Board of Directors Meeting

10. **Approved** a Fiscal Year 20-21 Budget Adjustment of \$9,000 to Cover Costs for Reopener of Article 21.5 Cafeteria Allowance in the Memorandum of Understanding Between the District and Service Employees International Union Local 521 for the Period July 1, 2020 through June 30, 2021

11. **Accepted and Filed** Report of Summary of Mutual Settlement Program Actions for November 2020

12. **RESOLUTION NO. 20-019: Adopted** a Resolution Authorizing the Air Pollution Control Officer to Enter into a Grant Agreement with the California Air Resources Board and Accept \$60,000 in Funding

**The item below was pulled from the Consent Agenda and placed on the Regular Agenda as Item No. 15.a.**

13. Adopt a Resolution Approving the 2020 MBARD Diesel Engine and Equipment Replacement Program (DEERP) Policies and Procedures Manual Update

14. **RESOLUTION NO. 20-020: Adopted** a Resolution Approving Fiscal Year 2020-21 Budget Revisions Increasing Grant Expenses for the FARMER, CAPP and MOYER Grant Programs

15. **Approved** the Lease Extension between the District and the Association of Monterey Bay Area Governments (AMBAG) for Office Space at District's Monterey Office for an Additional Five Years

## REGULAR AGENDA

15.a. **The item below was pulled from the Consent Agenda and placed on the Regular Agenda as Item No. 15.a.**

**RESOLUTION NO. 20-021: Adopted** a Resolution Approving the 2020 MBARD Diesel Engine and Equipment Replacement Program (DEERP) Policies and Procedures Manual Update

**Motion:** Adopt the resolution. **Moved by** Chris Lopez; **Seconded by** Ryan Coonerty.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Ryan Coonerty, Steve McShane, Zach Friend.

16. **Received and Accepted** Draft Financial Statements and Independent Audit Report for the Year Ended June 30, 2020 Prepared by Badawi & Associates

**Motion:** Receive the report. **Moved by** Jack Dilles; **Seconded by** Honor Spencer.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Ryan Coonerty, Steve McShane, Zach Friend.

17. **Received** a Presentation on the California Air Resources Board's (CARB) Proposal to Re-designate the North Central Coast Air Basin to Attainment of the State Ozone Standard

**Motion:** Receive the presentation. **Moved by** Honor Spencer; **Seconded by** Zach Friend.

**Vote:** Motion carried by roll call vote (**summary:** Yes = 7).

**Yes:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Steve McShane, Zach Friend. **Absent:** Ryan Coonerty.

- 17.a. **RESOLUTION NO. 20-022: Adopted** a Resolution Authorizing the Air Pollution Control Officer to Execute a Five-Year Agreement with the California Department of Parks and Recreation to Provide Assistance with an Air Quality Monitoring Program for the Hollister Hills State Vehicular Area

**Motion:** Adopt the resolution. **Moved by** Jack Dilles; **Seconded by** Honor Spencer.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Chris Lopez, Honor Spencer, Jack Dilles, John Phillips, Mary Ann Carbone, Ryan Coonerty, Steve McShane, Zach Friend.

<b>CLOSED SESSION</b>
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18. The Board **met** in Closed Session pursuant to Government Code section 54950, relating to the following:

- a. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators. Designated representatives: Richard Stedman, APCO, Rosa Rosales, District Administrative Services Manager, and Lynn Kievlan, District Admin & Fiscal Specialist  
Employee Organization: SEIU Local 521.
- b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Air Pollution Control Officer.

**No reportable action.**

19. Adjournment – **The meeting was adjourned at 3:00 p.m.**

*Ann O'Rourke*  
Executive Assistant

# DEERP Guidelines Update +

BOARD OF DIRECTORS MEETING, DECEMBER 16, 2020  
PLANNING DIVISION, MBARD

1

## DEERP Guideline Changes

<b>2020</b>	<b>2021</b>
<p>ALL DEERP Projects (CAPP, FARMER, MOYER, etc.)</p> <p><b>Priority Ranking:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Disadvantaged Communities (DACs)</li> <li><input type="checkbox"/> Low-Income Communities (LICs)</li> <li><input type="checkbox"/> 1/2 Mile Buffer Areas</li> <li><input type="checkbox"/> Zero-Emission Replacement Projects</li> <li><input type="checkbox"/> Annual Emissions Reduced</li> <li><input type="checkbox"/> Maximum funding <b>\$300,000</b> or 65%</li> </ul>	<p><b>Carl Moyer &amp; FARMER:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rank by Cost-Effectiveness (\$/tons of emissions)</li> <li><input type="checkbox"/> Zero-emission projects</li> <li><input type="checkbox"/> Maximum funding <b>\$150,000</b> or 50%</li> <li><input type="checkbox"/> CAPP projects will focus on electrifying Class 6 - Class 8 fleets in DACs and LICs</li> </ul>


4

## Carl Moyer Program (CMP)


- Funds **cleaner-than-required** engines and equipment
- Emission reductions - NOx, ROG, and PM
- Program funding sources:
  - Smog Abatement Fee (SB 1107)** - \$6 from the DMV per newly registered vehicle
  - Tire Fee (AB 923)** - \$0.75 per tire, received from the Board of Equalization
  - AB 923 (Match Funds)** additional surcharge of \$2 to pay for specific clean air incentives

2


## Carl Moyer Program (CMP)



Established 1998 -- MBARD has participated since 2001




Cost-Effectively reducing smog-forming and toxic emissions




Statewide: \$1 billion to date, \$60 million per year

5

## Outline



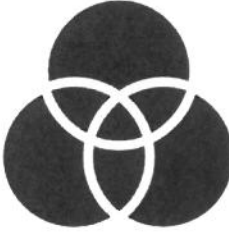
**Program Changes for a Cost-Effective & Innovative Future**



**Community Air Protection Program (CAPP)**

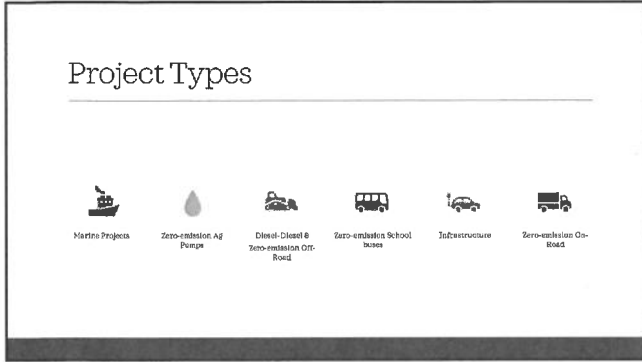
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## CMP & Other Funding Sources



- Ability to co-fund Moyer Projects with other public funds
- Must meet the requirements of each funding source
- FARMER & CAPP - Cap & Trade dollars

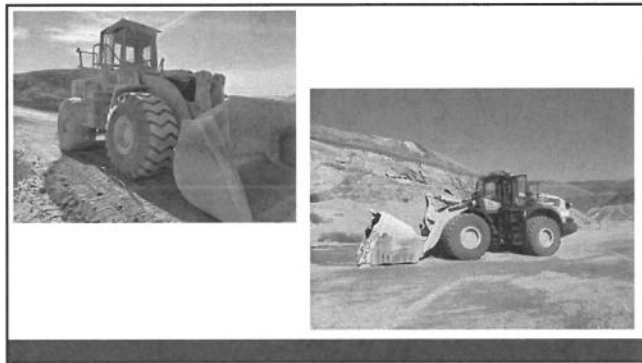
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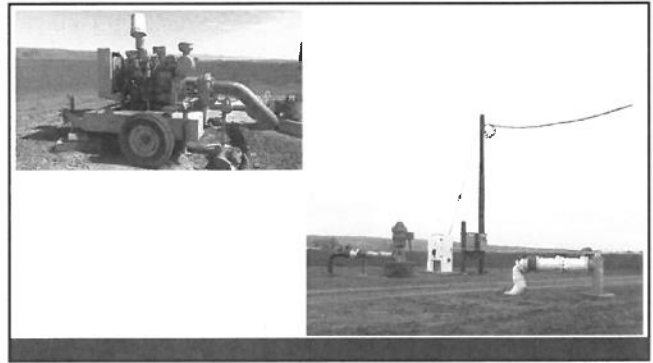
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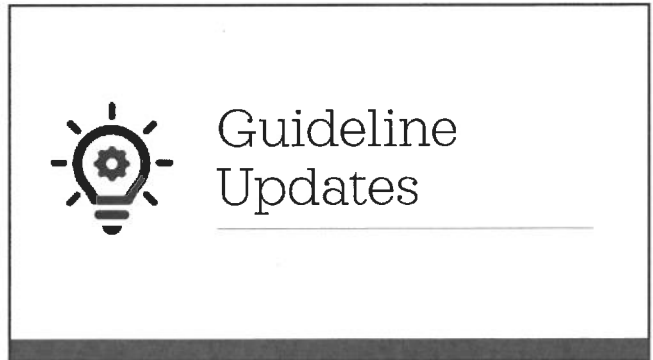
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### 2020 DEERP RANKING LIST

RANK	APPLICANT	POTENTIAL CARS	CON. EFFECTIVENESS (\$/ton)	ANNUAL EMISSIONS (tons/yr) reduced	DA	LI	Y1	Y2
1	Al Farms	526,233	126.00	2,077	N	N	N	N
2	Merced Learning	519,789	121.75	1,275	N	N	N	N
3	Salinas Learning	518,489	123.89	1,366	N	N	N	N
4	Mariposa Farms	515,181	121.00	1,302	N	N	N	N
5	Shasta/Redwood Forest CO	504,242	124.84	2,708	N	N	N	N
6	Henry & Sons Farms	504,078	128.23	2,028	N	N	N	N
7	Al Farms Organic CO	504,048	122.54	1,818	N	N	N	N
8	Stanislaus County Produce	503,888	131.28	1,720	N	N	N	N
9	Wells Research Farms	502,219	124.24	1,761	N	N	N	N
10	Stanislaus County Produce	502,076	133.83	1,411	N	N	N	N
11	Yuba River Management	501,108	116.82	1,408	N	N	N	N
12	Chico/Stanislaus SO	500,787	128.84	2,206	N	N	N	N
13	Chico/Stanislaus SO	500,612	148.88	1,408	N	N	N	N
14	Al Farms Organic CO	500,448	122.60	1,408	N	N	N	N
15	Wells Pure Ranch	500,381	126.76	1,408	N	N	N	N
16	Yuba River Management	500,176	113.00	1,111	N	N	N	N
17	Franklin Farms CO	500,076	125.00	1,344	N	N	N	N
18	Fuji - Brumans	500,019	121.91	1,847	N	N	N	N
19	Briggs Farms CO	500,012	122.88	1,344	N	N	N	N
20	Baron Farms CO	500,001	120.82	2,108	N	N	N	N
21	Franklin Farms	500,000	120.78	1,344	N	N	N	N
22	Wells Pure Ranch	500,000	113.88	1,344	N	N	N	N
23	Yuba River Management	500,000	120.66	1,344	N	N	N	N
24	Willingburg Bergmans Group	500,000	128.61	1,220	N	N	N	N
25	Queen Victoria Farms	500,000	122.57	1,221	N	N	N	N
26	Queen Victoria Farms	500,000	120.19	1,221	N	N	N	N
27	Briggs Farms	500,000	121.43	1,221	N	N	N	N
28	Queen Victoria Farms	500,000	121.97	1,221	N	N	N	N
29	Delaware Farm Management	500,000	120.00	1,221	N	N	N	N
30	Franklin Farms	500,000	121.11	1,221	N	N	N	N

Ranked by Annual Emissions (tons/yr) and 2020 CAPP's

Cancelled due to funding limit

Funding limit

- 14 projects funded
- 86.52 tons/year of emissions reduced
- Total Funds Disbursed: \$3,296,419.00

13

## Priority Areas

### DISADVANTAGED COMMUNITIES (DACs)

- Top 25 % most impacted census tracts in the CalEnviroScreen 3.0

### LOW-INCOME AREAS (LIAs)

- Census tracts 8 households
- At or below 80% of the statewide median income
- At or below the threshold designated as low-income by the CA Dept. of Housing and Community Development 2016 State Income Limits

16

### 2020 DEERP RANKING LIST

RANK	APPLICANT	POTENTIAL CARS	CON. EFFECTIVENESS (\$/ton)	ANNUAL EMISSIONS (tons/yr) reduced	DA	LI	Y1	Y2
31	Franklin Farms	500,000	121.11	1,221	N	N	N	N
32	Queen Victoria Farms	500,000	121.97	1,221	N	N	N	N
33	Briggs Farms	500,000	121.43	1,221	N	N	N	N
34	Queen Victoria Farms	500,000	122.57	1,221	N	N	N	N
35	Willingburg Bergmans Group	500,000	128.61	1,220	N	N	N	N
36	Stanislaus County Produce	500,000	131.28	1,720	N	N	N	N
37	Henry & Sons Farms	500,000	128.23	2,028	N	N	N	N
38	Al Farms Organic CO	500,000	122.60	1,408	N	N	N	N
39	Chico/Stanislaus SO	500,000	128.84	2,206	N	N	N	N
40	Chico/Stanislaus SO	500,000	148.88	1,408	N	N	N	N
41	Wells Pure Ranch	500,000	126.76	1,408	N	N	N	N
42	Stanislaus County Produce	500,000	133.83	1,411	N	N	N	N
43	Wells Research Farms	500,000	124.24	1,761	N	N	N	N
44	Yuba River Management	500,000	116.82	1,408	N	N	N	N
45	Merced Learning	500,000	121.75	1,275	N	N	N	N
46	Salinas Learning	500,000	123.89	1,366	N	N	N	N
47	Al Farms	500,000	126.00	2,077	N	N	N	N
48	Mariposa Farms	500,000	121.00	1,302	N	N	N	N
49	Shasta/Redwood Forest CO	500,000	124.84	2,708	N	N	N	N
50	Stanislaus County Produce	500,000	131.28	1,720	N	N	N	N
51	Wells Pure Ranch	500,000	126.76	1,408	N	N	N	N
52	Al Farms Organic CO	500,000	122.54	1,818	N	N	N	N
53	Stanislaus County Produce	500,000	133.83	1,411	N	N	N	N
54	Yuba River Management	500,000	116.82	1,408	N	N	N	N
55	Chico/Stanislaus SO	500,000	128.84	2,206	N	N	N	N
56	Chico/Stanislaus SO	500,000	148.88	1,408	N	N	N	N
57	Al Farms Organic CO	500,000	122.60	1,408	N	N	N	N
58	Wells Pure Ranch	500,000	126.76	1,408	N	N	N	N
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60	Franklin Farms CO	500,000	125.00	1,344	N	N	N	N
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63	Baron Farms CO	500,000	120.82	2,108	N	N	N	N
64	Franklin Farms	500,000	120.78	1,344	N	N	N	N
65	Wells Pure Ranch	500,000	113.88	1,344	N	N	N	N
66	Yuba River Management	500,000	120.66	1,344	N	N	N	N
67	Willingburg Bergmans Group	500,000	128.61	1,220	N	N	N	N
68	Queen Victoria Farms	500,000	122.57	1,221	N	N	N	N
69	Queen Victoria Farms	500,000	120.19	1,221	N	N	N	N
70	Briggs Farms	500,000	121.43	1,221	N	N	N	N
71	Queen Victoria Farms	500,000	121.97	1,221	N	N	N	N
72	Delaware Farm Management	500,000	120.00	1,221	N	N	N	N
73	Franklin Farms	500,000	121.11	1,221	N	N	N	N

Ranked by Cost-Effectiveness (\$/ton)

Applying the ranking based on CE & funding cap of \$150K on this year's eligible applications.

Potential Projects funded: 29

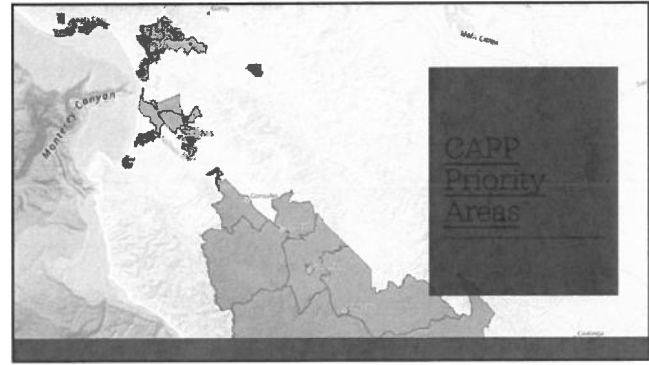
Potential Emissions reduced: 122.49 ton/year

Total Funds Needed: \$3,286,683.00

+15 extra projects with less \$

Similar funding limit

14

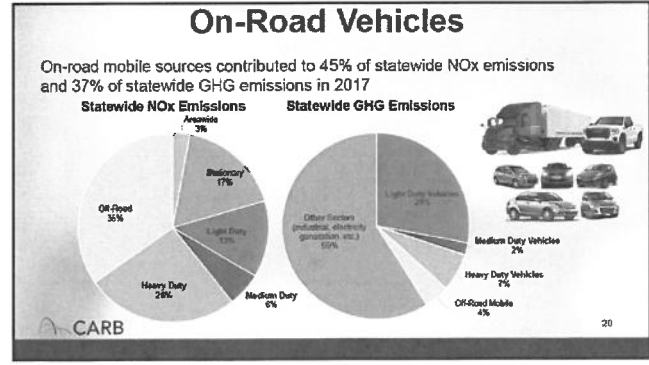


17

## Community Air Protection Program (CAPP)

- Focus on Disadvantaged Communities (DAC) and Low-Income areas (LI)
- Engage DAC and LI areas through outreach and support
- Prioritize Zero-Emission Technology and Infrastructure
  - Replace diesel medium to heavy duty vehicles with all electric
  - Install fleet electric charging stations
- CAPP funding caps will be based on the default CMP Guidelines

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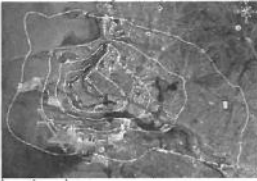
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### Health Cost of Pollution

Annually, PM<sub>2.5</sub> exposure results in:

- 5,400 premature deaths due to cardiopulmonary causes\*
- 2,800 hospitalizations for cardiovascular and respiratory diseases\*
- 6,700 emergency room visits for asthma\*

Oakland Railyard Cancer Risk



Diesel PM also increases cancer risk

CARB, 2008

CARB \*Based on California 2014-2016 air quality data 12

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22

### Product Offerings - compatible with the Ford E Series

Shuttle Bus      Flatbed Truck      Utility Truck



Box Truck      Walk-In Cargo Truck



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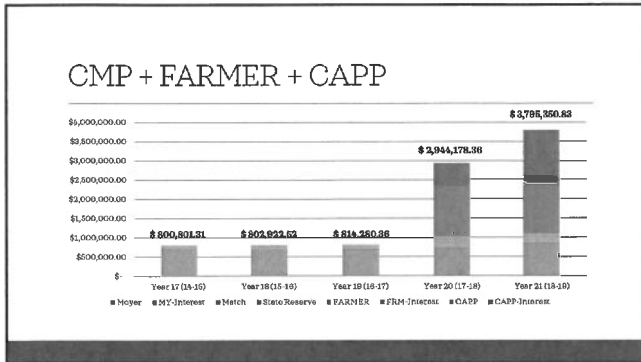
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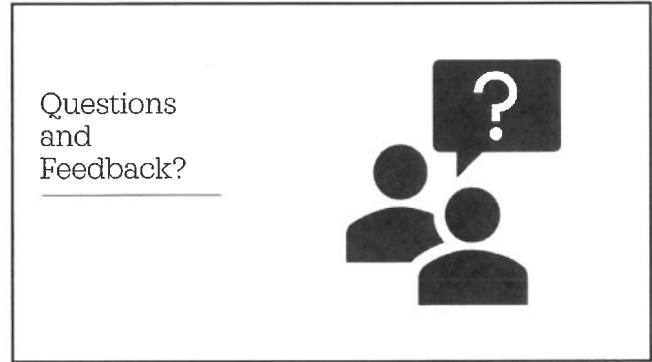
## Program Performance & Statistics

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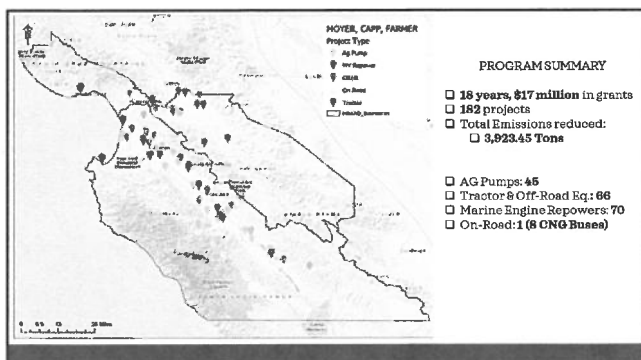


28

### CMP + FARMER + CAPP


Funding Source	Fiscal Year				
	2014-15	2015-16	2016-17	2017-18	2018-19
Moyer	\$ 684,044.00	\$ 683,863.00	\$ 684,218.00	\$ 711,861.00	\$ 832,777.00
MY-Interest	\$ 2,750.31	\$ 1,825.52	\$ 12,767.38	\$ 8,151.48	\$ 13,988.77
Match	\$ 114,007.00	\$ 117,284.00	\$ 117,285.00	\$ 122,033.00	\$ 142,762.00
State Reserve				\$ 181,933.00	\$ 114,989.73
FARMER				\$ 1,298,300.00	\$ 1,253,735.00
FM-Interest				\$ 7,898.88	
CAPP				\$ 614,063.00	\$ 1,433,304.25
CAPP-Interest					\$ 3,794.08
<b>TOTAL FUNDING:</b>	<b>\$ 800,801.31</b>	<b>\$ 802,822.52</b>	<b>\$ 814,280.36</b>	<b>\$ 2,944,178.36</b>	<b>\$ 3,795,350.53</b>

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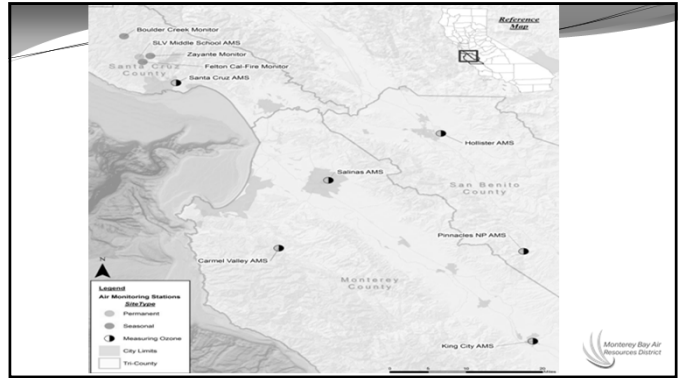
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# Proposed Attainment Designation for the State Ozone Standard

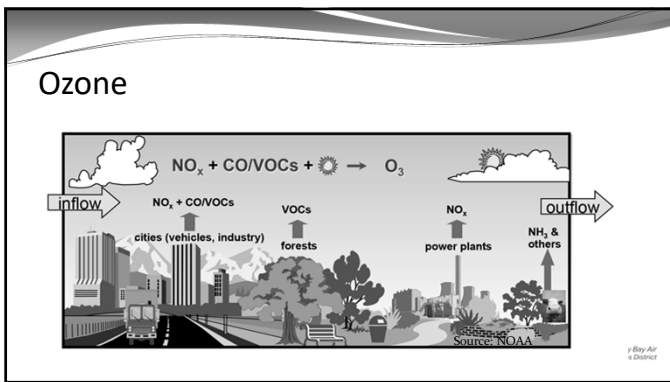


David Frisbey  
Planning and Air Monitoring Manager  
December 16, 2020

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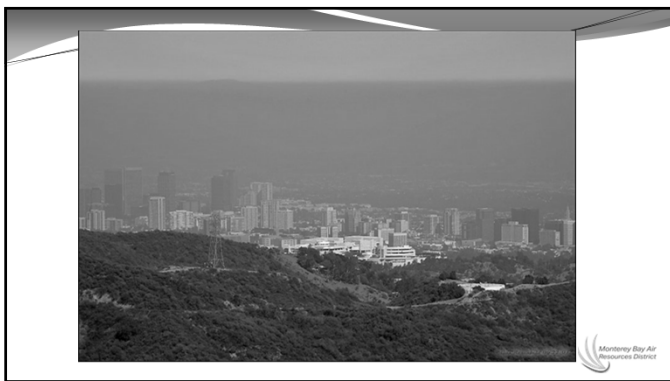


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## Ambient Air Quality (Daily) Standards

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration	Primary Concentration <sup>3</sup>	Secondary Concentration <sup>4</sup>
Ozone	1 hour	0.090 ppm	--	--
	8 hour	0.070 ppm	0.070 ppm	0.070 ppm

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- ## Designation Categories
- Nonattainment = 1 or more violations in last 3 years
  - Attainment = No violations in last 3 years
  - Unclassified = Insufficient data, but not expected to be nonattainment

6


### Exceedance vs. Violation

**Exceedance**

- Concentration higher than standard
- Qualifying exceedances are excluded as Highly Irregular or Infrequent Events
  - Exceptional events. (e.g. Wildfires)

**Violation**


- Exceedance not excluded as a Highly Irregular or Infrequent Event
- Not all exceedances are violations



7

### Proposed Designation Change to Attainment


- Highest site is Pinnacles National Monument
- 8-hour designation value (highest value excluding extreme concentration events)= 0.070 ppm
- 1-hour designation value = 0.080 ppm
- No violations of the standards for 3 year period: 2017-2019



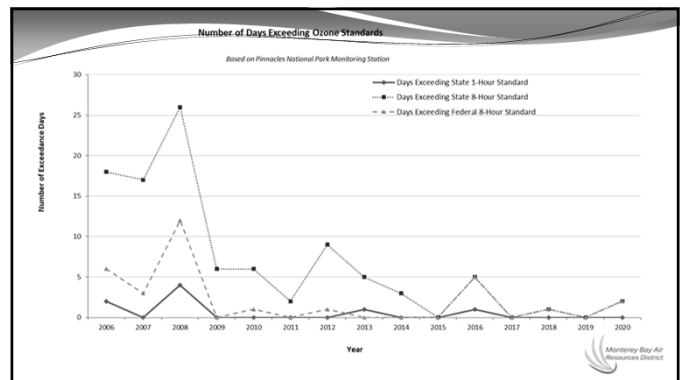
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### Current Designation: Nonattainment-Transitional

- Subcategory of Nonattainment
- By operation of law
- 3 or fewer exceedances in last year
- Highly irregular or infrequent events are not excluded




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### Attainment Designation


- 8-hour = 0.070 ppm
- 1-hour = 0.090 ppm
- Both standards are not to be exceeded
- Most recent 3 calendar years
- Current review: 2017-2019



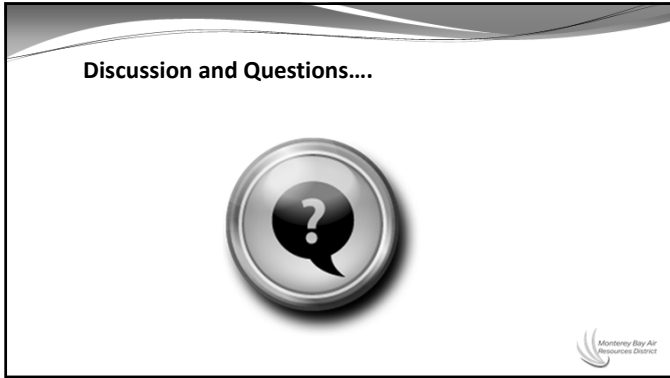
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### What's Next?

- CARB posts staff report on January 5, 2021
- 45-day public comment period opens on January 8, 2021
- California Air Resources Board Hearing is on February 25 and 26, 2021
- If Adopted
  - District grant programs will continue to be funded
  - Requirement for Air Quality Management Plans is suspended



12



13