



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
MOBILE SOURCE COMMITTEE

COMMITTEE MEMBERS

SCOTT HAGGERTY - CHAIR
TOM BATES
CAROL KLATT
MARK ROSS
BRAD WAGENKNECHT

GAYLE B. UILKEMA – VICE CHAIR
YORIKO KISHIMOTO
ERIC MAR
MICHAEL SHIMANSKY

THURSDAY
June 25, 2009
9:30 a.m.

4TH FLOOR CONFERENCE ROOM
939 ELLIS STREET
SAN FRANCISCO, CA 94109

AGENDA

1. **CALL TO ORDER - ROLL CALL**

2. **PUBLIC COMMENT PERIOD**

(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

3. **APPROVAL OF MINUTES OF MAY 28, 2009**

4. **CONSIDERATION OF IMPLEMENTATION OF A CARL MOYER PROGRAM OFF-ROAD EQUIPMENT REPLACEMENT PROGRAM**

J. Broadbent/5052

jbroadbent@BAAQMD.gov

The Committee will consider recommending the Board of Directors approval of a Carl Moyer Program to replace off-road equipment (including agricultural tractors and construction equipment) and authorization for the Executive Officer/ APCO to execute all necessary contracts with vendors and dismantlers to implement the program.

5. **CONSIDERATION OF APPROVAL FOR CARL MOYER PROGRAM YEAR 11 PROJECTS WITH PROPOSED GRANT AWARDS OVER \$100,000**

J. Colbourn/5192

jcolbourn@baaqmd.gov

The Committee will consider recommending the Board of Directors approval of Carl Moyer Program Year 11 projects with proposed grant awards over \$100,000 and authorization for the Executive Officer/ APCO to execute all necessary agreements for the recommended Carl Moyer Program Year 11 projects.

6. **CONSIDERATION OF FY 2009/2010 BICYCLE FACILITY PROGRAM: ANNUAL REPORT FOR FY 2008/2009; AND PROPOSED REVISIONS TO POLICIES AND ADOPTION OF PROGRAM FOR FY 2009/2010**
J. Colbourn/5192
jcolbourn@baaqmd.gov

The Committee will receive the FY 2008/2009 annual report on the Bicycle Facility Program (BFP) and will consider recommending Board of Directors approval of 1) BFP Policies to govern allocation of FY 2009/2010 funds; 2) an allocation of \$600,000 in TFCA Regional Funds to the BFP; and 3) authorization of the Executive Officer to enter into BFP funding agreements with project sponsors.

7. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2).

8. **TIME AND PLACE OF NEXT MEETING:** 9:30 a.m., Thursday, July 23, 2009 at 939 Ellis Street, 4th Floor Conference Room.

9. **ADJOURNMENT**

**CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

**(415) 749-5127
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Executive Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the District's website (www.baaqmd.gov) at that time.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS

JUNE 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Mobile Source Committee – (Meets 4 th Thursday of each Month)	Thursday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Executive Committee – (At the Call of the Chair))	Monday	29	9:30 a.m.	4 th Floor Conf. Room

JULY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesday of each Month)	Wednesday	1	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	8	9:00 a.m.	Board Room
Board of Directors Climate Protection Committee (Meets 2 nd Thursday each Month) - CANCELLED / TO BE RESCHEDULED	Thursday	9	9:30 a.m.	4th Floor Conf. Room
Board of Directors Stationary Source Committee (Meets 3 rd Monday Quarterly)	Monday	13	9:30 a.m.	Board Room
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesday of each Month)	Wednesday	15	9:45 a.m.	Board Room
Board of Directors Ad Hoc Cme. on Port Emissions (At the Call of the Chair)	Thursday	16	9:30 a.m.	4 th Floor Conf. Room
Joint Policy Committee	Friday	17	10:00 a.m.	MTC Auditorium 101 8 th Street Oakland, CA 94607
Board of Directors Stationary Source Committee (Meets 3 rd Monday Quarterly) - CANCELLED AND RESCHEDULED TO MONDAY, JULY 13, 2009	Monday	20	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee – (Meets 4 th Thursday of each Month)	Thursday	23	9:30 a.m.	4 th Floor Conf. Room

AUGUST 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	5	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 2nd Thursday each Month)</i>	Thursday	13	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	19	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee – <i>(Meets 4th Thursday of each Month)</i>	Thursday	27	9:30 a.m.	4 th Floor Conf. Room

HL – 6/18/09 (11:40 a.m.)

P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 18, 2009

Re: Mobile Source Committee Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Mobile Source Committee meeting of May 28, 2009.

DISCUSSION

Attached for your review and approval are the draft minutes of the May 28, 2009 Mobile Source Committee meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000

DRAFT MINUTES

Summary of Board of Directors
Mobile Source Committee Meeting
Thursday, May 28, 2009
9:30 a.m.

CALL TO ORDER: Vice Chairperson Gayle B. Uilkema called the meeting to order at 9:30 a.m.

Roll Call: Scott Haggerty, Chairperson; Gayle B. Uilkema, Vice Chairperson; Tom Bates, Carol Klatt, and Michael Shimansky

Absent: Yoriko Kishimoto, Eric Mar, Mark Ross, and Brad Wagenknecht

Also Present: Chairperson Pamela Torliatt

PUBLIC COMMENTS: There were no public comments

APPROVAL OF MINUTES: Director Shimansky moved approval of the April 30, 2009 minutes; seconded by Director Klatt; carried unanimously without objection.

Consideration of Approval for Carl Moyer Program Year 11 Projects with Proposed Grant Awards over \$100,000 – Staff Presentation by Supervising Environmental Planner Anthony Fournier

Overview:

Carl Moyer Program (CMP):

- Created in 1998 to reduce emissions from heavy-duty engines
- Voluntary program that funds surplus emission reductions
- Jointly administered by CARB and local Air Districts

Mobile Source Incentive Fund (MSIF):

- AB 923 allowed for additional \$2 motor vehicle registration fee surcharge (December 2004)
- Eligible Project Types:
 - Purchase of new school buses
 - Eligible CMP projects
 - Vehicle Scrap Program
 - Agricultural Assistance Program

Carl Moyer Program Year 11:

- February 4, 2009 – Board of Directors approved participation in CMP Year 11 and authorized the Executive Officer/APCO to execute contracts and amendments with grant awards up to \$100,000.
- April 15, 2009 – Applications available
- Applications being evaluated on a first come-first served basis until all funds have been allocated
- Up to \$20 million available from a combination of CMP and MSIF

Project Summary:

- 41 applications received as of May 11, 2009;
- Applications received for on-road, off-road, marine, locomotive and agricultural projects;
- CMP Year 11 Project Recommendations (over \$100,000) include:
 - 13 projects for a total of 84 engines
 - \$5,789,626 in total awards
 - Over 430 tons of lifetime reductions
 - 95% of projects reduce emission in impacted areas

Recommendation:

1. Request the Committee recommend the Air District Board of Directors approve Carl Moyer Program Year 11 projects with proposed grant awards over \$100,000.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program Year 11 projects.

Committee Comments/Discussion:

- A total of \$5,789,626 (Attachment 1) is recommended to be awarded and comprises of 84 engines;
- Committee members requested staff return with a breakdown of all projects, both above and below \$100,000, awarded by type (especially agriculture), amount and by county at the Board of Directors meeting;
- Confirmed the “off-road” category includes agriculture, grading and construction-related equipment;
- Discussed risk of CMP take-away by the State;
- Discussed cost effectiveness of projects - the higher dollar amounts equal less value for projects;
- Confirmed private companies are required to dedicate at least 20% of their own funds and typically fund up to 85% for on-road truck retrofits.

Public Comments: Tom Kelly, Kyoto USA, questioned and confirmed applications were received from the six communities with high emissions, those below the poverty line, and sensitive receptors and are funded on a first-come, first-served basis if they meet cost effectiveness guidelines.

Committee Action: Director Bates made a motion to recommend Board of Directors’ approval of Carl Moyer Program Year 11 projects with proposed grant awards over \$100,000; and authorizing the Executive Officer/ APCO to enter into agreements for the recommended Carl Moyer Program Year 11 projects; seconded by Director Shimansky; unanimously approved without objection.

Consideration of Approval for Air District Participation in the 2009 California Air Resources Board (ARB) Lower Emission School Bus Retrofit Program Funded By the State Diesel Emission Reduction Act (DERA) – Staff Presentation by Grants Manager Damien Breen

Overview:

Lower-Emission School Bus Program (LESPB):

- Provides financial incentives to replace older public school buses with new clean buses, and retrofit diesel school buses with particulate matter retrofit devices.
- Established by State in FY 2000/2001 – Air District has been involved since its inception and over \$12 million has been allocated to replace over 100 pre-1987 school buses.

LESBP Funding Update:

- \$8.4 million in Proposition 1B funds allocated to LESBP (May 2008) – Replaces pre-1977, then 1977-1986 buses, purchase and installation of retrofit devices
- Proposition 1B funding currently on-hold from ARB (December 2008)
- \$6.875 million in MSIF funds allocated by the Board (July 2008 and February 2009) for school bus replacements
- Air District received over \$11 million in eligible project applications in the 1st year of the current program

2009 ARB Retrofit Funds:

- New ARB Funding:
 - \$1.73 million for school bus retrofit projects from the United States EPA
 - American Recovery and Reinvestment Act of 2009 Funding for State Clean Diesel Grant Programs
- ARB solicited participation from air districts:
 - Air District applied for up to \$503,855 in funding
 - ARB has allocated \$382,000 to the Air District
- Project eligibility:
 - Retrofit projects that meet the ARB 2008 LESBP guidelines
 - Projects must be complete & paid by 9/30/09
 - Operation in areas with high exposure to diesel pollution

Recommendation:

1. Adopt a resolution authorizing Air District participation in the 2009 California Air Resources Board (ARB) Lower Emission School Bus Retrofit Program and acceptance of 2009 State DERA grant funds.
2. Authorize the Executive Officer/APCO to execute the necessary agreements with ARB relating to the Air District's receipt of the 2009 Lower Emission School Bus Program Retrofit Funds.

Committee Discussion/Comments:

- Confirmed that program requirements mandate funds to go to public, and not private, school district buses;
- As a condition of the grant, retrofits of public school buses are focused in the 6 highly impacted communities;
- \$5 million in retrofit applications have been received; it is expected that the ARB Board will act to provide \$1.2 million in additional funding for these projects;

- Confirmed participating school district awardees for current funding to be: Berkeley (\$160,000 to retrofit 8 buses), San Lorenzo (\$180,000 to retrofit 9 buses) and San Jose (\$20,000 to retrofit 1 bus).

Committee Action: Director Bates moved to recommend Board of Directors' adoption of a resolution to authorize Air District participation in the 2009 California Air Resources Board (ARB) Lower Emission School Bus Retrofit Program; and authorizing the Executive Officer/ APCO to execute the necessary paperwork with ARB relating to the Air District's receipt of the 2009 Lower Emission School Bus Program Retrofit Funds; seconded by Director Shimansky; unanimously approved without objection.

Committee Member Comments: None

Next Meeting: 9:30 AM, Thursday, June 25, 2009
939 Ellis Street, 4th Floor Conference Room

Adjournment: Meeting adjourned at 9:58 a.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 18, 2009

Re: Consideration of Implementation of a Carl Moyer Program Off-Road
Equipment Replacement Program

RECOMMENDED ACTION

Staff requests the Committee recommend the Board of Directors:

1. Approve District implementation of an off-road equipment replacement program component of the Carl Moyer Program.
2. Authorize the Executive Officer/ APCO to execute contracts with vendors and dismantlers to implement the Carl Moyer Program off-road equipment replacement program.

BACKGROUND

The Bay Area Air Quality Management District (District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (ARB), since the program began in fiscal year 1998/1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and airport ground support equipment.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for any of the four programs listed below:

- Projects eligible for grants under the CMP;
- New purchase of clean school buses;
- Accelerated vehicle retirement or repair program; and
- Projects to reduce emissions from previously unregulated agricultural sources.

On February 4, 2009 the District Board of Directors authorized District participation in Year 11 of the CMP, and authorized the Executive Office/ APCO to execute Grant Agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant award amounts up to \$100,000.

DISCUSSION

The off-road equipment replacement program will reduce emissions by funding the replacement of old, high polluting equipment with newer, cleaner equipment earlier than would have been expected through normal attrition. The off-road equipment replacement component to the CMP was established by ARB in their 2008 CMP Guidelines, because traditionally-funded repower projects are not feasible for some equipment types and for others, the diminished value of the old equipment does not justify investing significant funds for engine replacement. The District plans to fund off-road equipment replacement projects with CMP and MSIF funds, and will evaluate projects in the same manner as the other CMP equipment categories.

Funds may be used to fund up to 80% of the cost of the replacement equipment and potentially 100% of a verified diesel retrofit. Eligible projects must meet all of the requirements of the ARB CMP guidelines, including cost-effectiveness. Some of the requirements for eligible equipment include, but are not limited to:

- The equipment being owned and operated by the applicant for the previous two years.
- The equipment being powered by an uncontrolled diesel engine greater than or equal to 25 hp.
- The project not being required by any local, state, and/or federal rule, regulation, or other legally binding requirement to reduce emissions.
- The replaced equipment being destroyed by a District-approved party once the new equipment enters service.

On April 22, 2009 staff submitted an initial implementation plan to ARB to establish the off-road equipment replacement program with the District. Staff is currently addressing ARB comments in an attempt to finalize the plan. As was the case with the recently-approved CMP Voucher Incentive Program, the off-road equipment replacement program requires the District to enter into agreements with equipment dealers and dismantlers in order to implement this program. Staff requests the committee: (1) Approve District implementation of an off-road equipment replacement program component to the Carl Moyer Program, and (2) Authorize the Executive Officer/ APCO to execute contracts with vendors and dismantlers to implement the Carl Moyer Program off-road equipment replacement program.

BUDGET CONSIDERATION / FINANCIAL IMPACT

The CMP distributes “pass-through” funds from CARB to private companies and public agencies on an invoice basis.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Anthony Fournier
Reviewed by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 18, 2009

Re: Consideration of Approval for Carl Moyer Program Year 11 Projects with
Proposed Grant Awards Over \$100,000

RECOMMENDATION

Request the Committee recommend the Air District Board of Directors:

1. Approve Carl Moyer Program Year 11 projects with proposed grant awards over \$100,000.
2. Authorize the Executive Officer/ APCO to enter into agreements for the recommended Carl Moyer Program Year 11 projects.

BACKGROUND

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (ARB), since the program began in fiscal year 1998/1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and airport ground support equipment.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for any of the four programs listed below:

- Projects eligible for grants under the CMP;
- New purchase of clean school buses;
- Accelerated vehicle retirement or repair program; and
- Projects to reduce emissions from previously unregulated agricultural sources.

On February 4, 2009 the Air District Board of Directors authorized Air District participation in Year 11 of the CMP, and authorized the Executive Office/ APCO to execute Grant Agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant

award amounts up to \$100,000. Projects with grant award amounts over \$100,000 will be brought to the Committee for consideration at least on a quarterly basis.

Air District staff began soliciting Year 11 CMP/ MSIF grant applications on April 15, 2009. The Air District expects to have approximately \$20 million available from a combination of CMP funds and MSIF revenues for eligible projects under this solicitation. Staff has developed and executed an extensive outreach campaign and has been working with equipment vendors to assist Air District staff in outreach to their customers to encourage the submittal of project applications. Project applications for this round of funding are being evaluated, and selected for funding on a first-come, first-served basis. Staff reviews and evaluates the Year 11 CMP grant applications based upon:

- The 2008 CMP guidelines issued by ARB on April 21, 2008
- The Air District’s CMP Year 11 procedures approved by ARB
- Applicable regulations
- The Air District’s AB 1390 methodology

On June 3, 2009 the Air District Board of Directors approved 13 CMP eligible projects which had individual grant awards over \$100,000. Approximately 95% of the \$5,789,626.00 allocated by the Board of Directors will be for projects that reduce emissions in impacted communities.

DISCUSSION

As of June 12, 2009 the Air District had received 59 CMP grant applications requesting incentive funds for potential emission reduction projects. Of the applications that have been evaluated between May 11, 2009 and June 12, 2009, 14 eligible projects have individual grant awards over \$100,000. Approximately 93% of the funds recommended for allocation will be for projects that reduce emissions in impacted communities, as summarized in Table 1. Attachment 1 lists 40 engines that staff recommends be awarded grants for an aggregate of \$6,844,216.00 in funding, using a combination of CMP funds and MSIF revenues. All of the applicants listed in Attachment 1 have projects with proposed individual grant awards greater than \$100,000.

Table 1: Recommended CMP Yr 11 grant awards by AB1390 designation *

Designation	Number of engines	Total grant awards	Lifetime emissions reduction (tons)		
			NO _x	ROG	PM
AB1390 **	30	\$6,385,675.00	338.44	10.43	54.26
Not AB1390	10	\$458,541.00	27.92	3.44	0.99
Totals	40	\$6,844,216.00	366.36	13.87	55.25

* Eligible CMP grant awards greater than \$100,000 between 5/11/09 and 6/12/09

** Projects reducing emissions in the six most highly impacted communities: Concord, Richmond/ San Pablo, Western Alameda County, San Jose, Redwood City/ East Palo Alto, and Eastern San Francisco.

Attachment 2 to this staff report lists all of the eligible projects (Table 2) that have been received by the Air District as of June 12, 2009, and summarizes the allocation of funding by equipment category (Figure 1), and county (Table 2). Staff requests the Committee recommend the Air District’s Board of Directors approve CMP Year 11 projects with proposed grant awards over

\$100,000 as listed in Attachment 1, and authorize the Executive Officer/ APCO to enter into agreements for these projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. The Air District distributes “pass-through” funds from ARB to public agencies and private entities on a reimbursement basis. Therefore, the grant funds awarded do not directly impact the Air District’s budget.

Respectfully submitted,

Jack P. Broadbent
Executive Director/APCO

Prepared by: Anthony Fournier
Reviewed by: Jack M. Colbourn

Attachment 1: Projects with individual grant awards greater than \$100,000

Attachment 2: Summary of all eligible projects as of June 12, 2009

Attachment 1: BAAQMD Year 11 Carl Moyer Program/ MSIF projects with grant awards greater than \$100k (Evaluated between 5/11/09 and 6/12/09)

1 *Project #: 11MOY3* *Applicant Name: Gallo Family Vineyards* *6 engines*

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
Hoppman 2	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Nicholini 2	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Hoppman 1	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Nicholini 1	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Gilson 2	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Gilson 1	Agriculture	Repower	\$7,222.42	\$30,510.00	0.859	0.103	0.028	Not AB1390
Project Totals				\$183,060.00	5.151	0.620	0.168	

2 *Project #: 11MOY13* *Applicant Name: Fly Rose Marine, Inc.* *3 engines*

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
Madeline-aux-1	Marine	Repower	\$13,845.40	\$36,380.00	0.322	0.020	0.012	AB1390
Madeline-aux-2	Marine	Repower	\$15,999.42	\$20,162.00	0.053	0.042	0.009	AB1390
Madeline-main-1	Marine	Repower	\$15,050.13	\$170,919.00	2.543	0.024	0.076	AB1390
Project Totals				\$227,461.00	2.918	0.085	0.098	

3 *Project #: 11MOY17* *Applicant Name: David Underwood* *2 engines*

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
PF-65-main-1	Marine	Repower	\$12,714.17	\$115,301.00	1.137	0.037	0.043	AB1390
Suzi D-main-1	Marine	Repower	\$14,609.69	\$66,859.00	0.420	0.018	0.016	AB1390
Project Totals				\$182,160.00	1.557	0.055	0.059	

4 Project #: 11MOY26 Applicant Name: State of California, State Parks Department 2 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
Ayala-main-1	Marine	Repower	\$15,700.57	\$82,949.00	0.521	0.012	0.018	AB1390
Ayala-main-2	Marine	Repower	\$15,700.57	\$82,949.00	0.521	0.012	0.018	AB1390
Project Totals				\$165,898.00	1.041	0.023	0.035	

5 Project #: 11MOY27 Applicant Name: City and County of San Francisco, San Francisco Police Department 2 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
SF Marine 1-main-2	Marine	Repower	\$12,922.57	\$89,481.00	1.127	-0.017	0.040	AB1390
SF Marine 1-main-1	Marine	Repower	\$12,922.57	\$89,481.00	1.127	-0.017	0.040	AB1390
Project Totals				\$178,962.00	2.253	-0.034	0.079	

6 Project #: 11MOY33 Applicant Name: Brian Guiles 2 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
Flying Fish-main-1	Marine	Repower	\$14,544.29	\$72,252.00	0.664	-0.004	0.023	AB1390
Flying Fish-main-2	Marine	Repower	\$14,544.29	\$72,252.00	0.664	-0.004	0.023	AB1390
Project Totals				\$144,504.00	1.329	-0.007	0.046	

7 Project #: 11MOY34 Applicant Name: Bodega Bay Sportfishers, Inc. 2 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
New Sea Angler-main-1	Marine	Repower	\$13,177.00	\$104,528.00	1.322	0.020	0.042	AB1390
New Sea Angler-main-2	Marine	Repower	\$13,177.00	\$104,528.00	1.322	0.020	0.042	AB1390
Project Totals				\$209,056.00	2.644	0.040	0.084	

8	Project #: 11MOY36	Applicant Name: Geoff and David Bettencourt	2 engines
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Unit #	Equipment category	Project type	Cost-effectiveness	Proposed award	NOx (TPY)	ROG (TPY)	PM (TPY)	AB1390 Designation
Mariah Lee-main-1	Marine	Repower	\$7,456.68	\$87,458.00	2.511	0.085	0.081	AB1390
Mariah Lee-aux-1	Marine	Repower	\$15,537.60	\$18,936.00	0.159	0.031	0.012	AB1390
Project Totals				\$106,394.00	2.670	0.116	0.094	

9	Project #: 11MOY40	Applicant Name: James Gregory Smith	1 engine
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Unit #	Equipment category	Project type	Cost-effectiveness	Proposed award	NOx (TPY)	ROG (TPY)	PM (TPY)	AB1390 Designation
Happy Hooker-main-1	Marine	Repower	\$13,106.83	\$102,984.00	1.685	-0.001	0.057	AB1390
Project Totals				\$102,984.00	1.685	-0.001	0.057	

10	Project #: 11MOY41	Applicant Name: Bay Marine Services, Inc.	2 engines
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Unit #	Equipment category	Project type	Cost-effectiveness	Proposed award	NOx (TPY)	ROG (TPY)	PM (TPY)	AB1390 Designation
Eaglet-main-1	Marine	Repower	\$6,431.67	\$99,733.00	3.434	0.098	0.103	AB1390
Eaglet-main-2	Marine	Repower	\$6,431.67	\$99,733.00	3.434	0.098	0.103	AB1390
Project Totals				\$199,466.00	6.868	0.196	0.206	

11	Project #: 11MOY44	Applicant Name: California Department of Transportation	5 engines
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Unit #	Equipment category	Project type	Cost-effectiveness	Proposed award	NOx (TPY)	ROG (TPY)	PM (TPY)	AB1390 Designation
CDTX 2007	Locomotive	Remanufacture kit	\$12,367.03	\$521,802.00	9.818	0.232	0.079	AB1390
CDTX 2003	Locomotive	Remanufacture kit	\$12,367.03	\$521,802.00	9.818	0.232	0.079	AB1390
CDTX 2006	Locomotive	Remanufacture kit	\$12,367.03	\$521,802.00	9.818	0.232	0.079	AB1390
CDTX 2013	Locomotive	Remanufacture kit	\$12,367.03	\$521,802.00	9.818	0.232	0.079	AB1390
CDTX 2004	Locomotive	Remanufacture kit	\$12,367.03	\$521,802.00	9.818	0.232	0.079	AB1390

Project Totals \$2,609,010.00 49.088 1.158 0.394

12 Project #: 11MOY46 Applicant Name: APL Maritime Services, Ltd. 3 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
Vessel-3	Marine	Retrofit only	\$15,998.00	\$1,003,377.00	7.570	0.270	4.140	AB1390
Vessel-2	Marine	Retrofit only	\$15,998.00	\$532,347.00	7.570	0.270	4.140	AB1390
Vessel-1	Marine	Retrofit only	\$15,998.00	\$532,347.00	7.570	0.270	4.140	AB1390
Project Totals				\$2,068,071.00	22.710	0.810	12.420	

13 Project #: 11MOY51 Applicant Name: Stroer & Graff, Inc. 4 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
C-7	Off-Road	Repower only	\$7,273.24	\$49,150.00	1.383	0.171	0.044	AB1390
C-9	Off-Road	Repower only	\$5,875.61	\$49,150.00	1.534	0.211	0.063	AB1390
C-11	Off-Road	Repower only	\$10,980.42	\$44,475.00	0.742	0.102	0.031	AB1390
C-12	Off-Road	Repower only	\$7,421.19	\$48,934.00	1.348	0.166	0.043	AB1390
Project Totals				\$191,709.00	5.007	0.650	0.181	

14 Project #: 11MOY52 Applicant Name: Salt River Construction Corp. 4 engines

<i>Unit #</i>	<i>Equipment category</i>	<i>Project type</i>	<i>Cost-effectiveness</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>	<i>AB1390 Designation</i>
8OR	Off-Road	Repower only	\$13,782.94	\$45,655.00	0.294	0.056	0.020	Not AB1390
7OR	Off-Road	Repower+ retrofit	\$15,998.86	\$66,915.00	0.591	0.043	0.015	Not AB1390
6OR	Off-Road	Repower only	\$11,005.33	\$78,855.00	1.477	0.196	0.045	Not AB1390
5OR	Off-Road	Repower+ retrofit	\$11,597.99	\$84,056.00	1.206	0.166	0.062	Not AB1390
Project Totals				\$275,481.00	3.568	0.461	0.142	

<i>Summary:</i>	<i>Projects</i>	<i>Engines</i>	<i>Proposed award</i>	<i>NOx (TPY)</i>	<i>ROG (TPY)</i>	<i>PM (TPY)</i>
	14	40	\$6,844,216.00	108.490	4.172	14.063

**Attachment 2: Summary of all CMP Yr 11/ MSIF approved/ eligible projects
(4/15/09 to 6/12/09)**

Table 2: List of all eligible/ approved projects

Project #	Equipment category	# of engines	Proposed contract award	Applicant name	NOx (TPY)	ROG (TPY)	PM (TPY)	Board approval date	County
11MOY1	Marine	2	\$ 274,156.00	Robert S. Tuckey	3.435	0.065	0.101	03-Jun-09	San Mateo
11MOY2	Marine	2	\$ 149,358.00	Blue and Gold Fleet LP	5.368	0.148	0.178	03-Jun-09	San Francisco
11MOY3	Agriculture	6	\$ 183,060.00	Gallo Family Vineyards	5.151	0.620	0.168	01-Jul-09	Sonoma, Napa
11MOY5	Marine	2	\$ 165,950.00	Kelli Dickinson	3.306	0.042	0.114	03-Jun-09	Solano
11MOY6	Marine	2	\$ 152,092.00	Jaqueline G. Douglas	1.296	-0.014	0.045	03-Jun-09	San Francisco
11MOY7	Marine	1	\$ 72,300.00	Frank A. Rescino	2.295	0.038	0.079	APCO	San Francisco
11MOY8	Marine	2	\$ 137,500.00	Chuck Louie	1.883	0.033	0.064	03-Jun-09	San Francisco
11MOY9	Marine	1	\$ 103,830.00	Erik Anfinson	0.562	-0.004	0.019	03-Jun-09	Marin
11MOY10	Marine	2	\$ 91,004.00	Golden Gate Bridge Highway and Transportation Dist	0.828	0.003	0.022	APCO	San Francisco
11MOY11	Marine	2	\$ 137,640.00	New Salmon Queen Sportfishing, LLC	4.110	0.000	0.139	03-Jun-09	Alameda
11MOY12	Agriculture	1	\$ 23,194.00	Ricoli Brothers	0.486	0.059	0.016	APCO	Sonoma
11MOY13	Marine	3	\$ 227,461.00	Fly Rose Marine, Inc.	2.918	0.085	0.098	01-Jul-09	Santa Clara
11MOY14	Off-road	5	\$ 264,398.00	Fremont Paving	1.622	0.247	0.117	03-Jun-09	Alameda
11MOY17	Marine	2	\$ 182,160.00	David Underwood	1.557	0.055	0.059	01-Jul-09	Solano
11MOY18	Marine	1	\$ 51,440.00	Shon Harbarth	1.430	0.036	0.042	APCO	Contra Costa
11MOY19	Marine	2	\$ 217,544.00	City of Alameda	15.069	-0.083	0.447	03-Jun-09	Alameda
11MOY20	Marine	8	\$ 3,791,855.00	City of Vallejo	94.079	1.495	2.793	03-Jun-09	Solano
11MOY22	Marine	1	\$ 41,488.00	Bay Marine Services, Inc.	0.975	0.028	0.032	APCO	Marin
11MOY23	Marine	1	\$ 65,240.00	Andy Guiliano	0.455	0.000	0.015	APCO	Contra Costa
11MOY24	Locomotive	1	\$ 101,400.00	Richmond Pacific Railroad	1.052	0.020	0.007	03-Jun-09	Contra Costa
11MOY25	On-road	49	\$ 153,560.00	Cemex Construction Materials Pacific LLC	0.000	0.000	0.173	03-Jun-09	Alameda, Contra Costa, San Mateo, Sonoma, San Francisco
11MOY26	Marine	2	\$ 165,898.00	State of California, State Parks Department	1.041	0.023	0.035	01-Jul-09	Marin
11MOY27	Marine	2	\$ 178,962.00	City and County of San Francisco, San Francisco Police Department	2.253	-0.034	0.079	01-Jul-09	San Francisco
11MOY30	Off-road	6	\$ 140,343.00	J. Flores Construction Company	0.589	0.097	0.073	03-Jun-09	San Francisco
11MOY33	Marine	2	\$ 144,504.00	Brian Guiles	1.329	-0.007	0.046	01-Jul-09	Marin
11MOY34	Marine	2	\$ 209,056.00	Bodega Bay Sportfishers, Inc.	2.644	0.040	0.084	01-Jul-09	Sonoma
11MOY35	Marine	2	\$ 49,830.00	Matt Butler	1.148	0.030	0.042	APCO	Marin
11MOY36	Marine	2	\$ 106,394.00	Geoff and David Bettencourt	2.670	0.116	0.094	01-Jul-09	San Mateo
11MOY37	Off-Road	1	\$ 58,384.00	Trucrew, Inc.	0.663	0.081	0.028	APCO	Contra Costa
11MOY39	Marine	2	\$ 61,616.00	Harry Vogal	0.423	0.002	0.015	APCO	San Francisco
11MOY40	Marine	1	\$ 102,984.00	James Gregory Smith	1.685	-0.001	0.057	01-Jul-09	Contra Costa
11MOY41	Marine	2	\$ 199,466.00	Bay Marine Services, Inc.	6.868	0.196	0.206	01-Jul-09	Marin
11MOY44	Locomotive	5	\$ 2,609,010.00	California Department of Transportation	49.080	1.150	0.390	01-Jul-09	Solano, Contra Costa, Alameda, Santa Clara
11MOY46	Marine	3	\$ 2,068,071.00	APL Maritime Services, Ltd.	22.710	0.810	12.420	01-Jul-09	Alameda
11MOY48	Off-Road	1	\$ 80,950.00	Contra Costa Topsoil, Inc	0.536	0.072	0.027	APCO	Contra Costa
11MOY51	Off-Road	4	\$ 191,709.00	Stroer & Graff, Inc.	5.007	0.650	0.181	01-Jul-09	Contra Costa
11MOY52	Off-Road	4	\$ 275,481.00	Salt River Construction Corp.	3.568	0.461	0.142	01-Jul-09	Marin
11MOY55	Agriculture	2	\$ 42,180.00	Huneus Vintners, LLC	0.614	0.080	0.020	APCO	Napa
38	Projects	139	\$ 13,271,468.00		250.704	6.638	18.667		

Figure 1: CMP/ MSIF Funding Distribution by Equipment Category as of 6/12/09

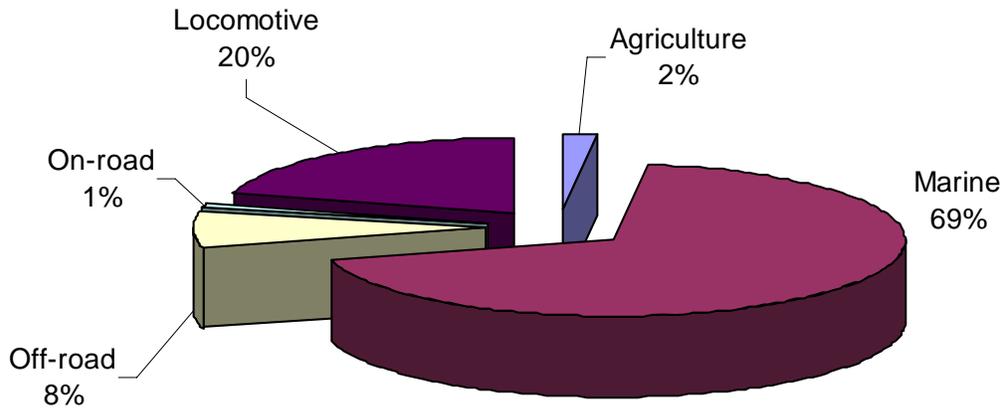
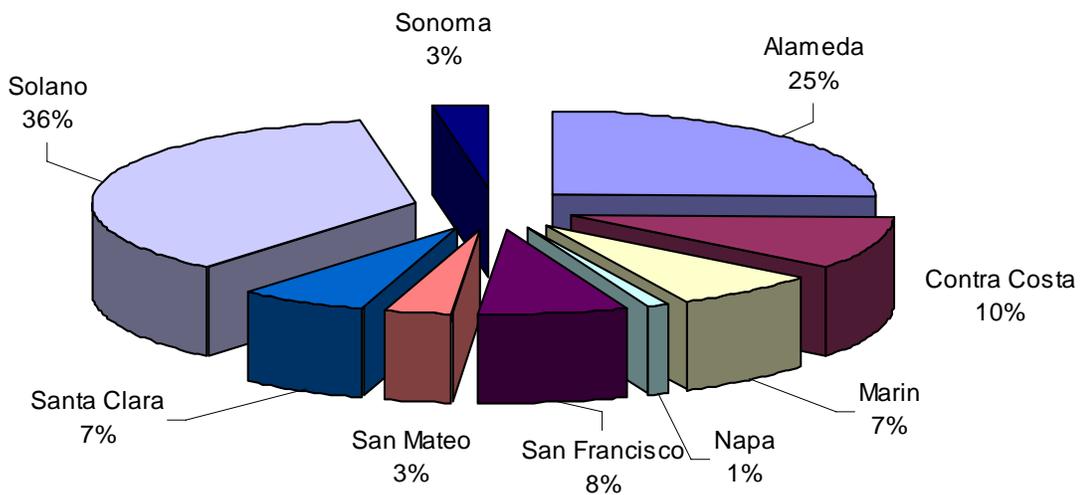


Figure 2: CMP/ MSIF Funding Distribution by County as of 6/12/09



BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 18, 2009

Re: Consideration of FY 2009/2010 Bicycle Facility Program: Annual
Report for FY 2008/2009; and Proposed Revisions to Policies and
Adoption of Program for FY 2009/2010

RECOMMENDED ACTIONS

Consider recommending Board of Directors:

- 1) Receive and file the Annual Report for the Bicycle Facility Program for Fiscal Year 2008/2009,
- 2) Approve the proposed Bicycle Facility Program Policies, presented in Attachment B, for use in Fiscal Year 2009/2010 and in subsequent years, and
- 3) Approve the allocation of \$600,000 in TFCA Regional Funds to the Bicycle Facility Program for Fiscal Year 2009/2010, and the authorization for the Executive Officer/APCO to execute funding agreements in accordance with the Board-approved Bicycle Facility Program Policies.

BACKGROUND/DISCUSSION

The Bicycle Facility Program (BFP) is funded through the Transportation Fund for Clean Air (TFCA); supported by a \$4 surcharge on motor vehicle registration in the Bay Area. The goal of the program is to reduce motor vehicle emissions through the implementation of new bicycle facilities in the Bay Area. The BFP was established in 2007 to streamline the administration of grants to fund bicycle facility projects including: class I, II, and III bikeways, and the capital costs of bicycle parking.

FY 2008/2009 Annual Report

The total allocation of funds for FY 2008/2009 was \$600,000. On April 2, 2008, the Board of Directors approved BFP Guidelines for FY 2008/2009, and the Air District began reviewing BFP applications on June 16, 2008. Twenty six applications were received in the amount of \$1,214,867.

Twenty two applications met the approved guidelines, and were entered into a lottery held on July 30, 2008. With \$600,000 in FY 2008/2009 funds, combined with \$50,288 in returned funds from FY 2007/2008, nine projects were selected for award in the amount of \$650,288; details are listed in Attachment A. The program was oversubscribed by \$614,867.

Proposed Revisions to BFP Policies for FY 2009/2010

On April 21, 2009, Air District staff issued a request for comments on proposed BFP Policies for FY 2009/2010. The deadline for interested parties to submit comments was May 7, 2009. A table summarizing the comments received and Air District staff responses is provided in Attachment C.

The proposed BFP Policies for FY 2009/2010 are provided in Attachment B. Proposed changes to the BFP Policies include:

- Policy #2, *Eligible Projects*, would be revised to clarify that letters of intent may not substitute for a project's inclusion in a countywide or regional bicycle plan or congestion management program.
- Policy #5, *Maximum Grant Amount*, would be decreased from \$210,000 (35% of the total allocation) to \$120,000 (20%), in order to maximize the distribution of funds.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None. Approval of the recommended policies and allocation will have no impact on the Air District's budget. TFCA revenues come from a dedicated external funding source. TFCA allocations do not impact the Air District's general fund or operating budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Avra Goldman
Reviewed by: Jack M. Colbourn

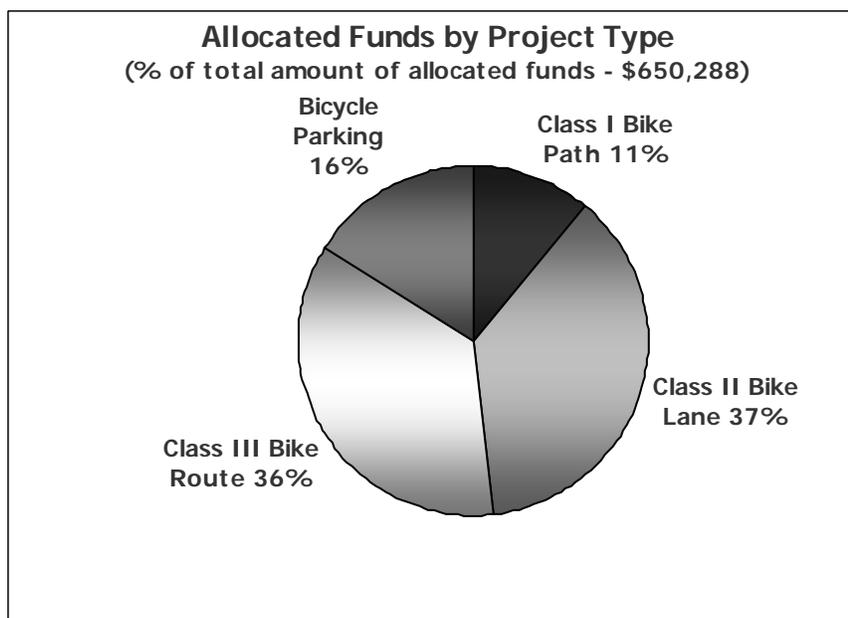
Attachments

ATTACHMENT A

FY 2008/2009 BICYCLE FACILITY PROGRAM AWARDED PROJECTS

Project #	County	Sponsor	Project Title	Grant Award
08BFP01	SM	City of Daly City	King Drive Bicycle Lanes	\$ 38,000
08BFP02	SC	Santa Clara VTA	E-Locker Retrofit Program	\$ 22,750
08BFP03	SON	City of Santa Rosa, Department of Transit and Parking	City of Santa Rosa Electronic Bicycle Locker Program	\$ 71,080
08BFP04	CC	Richmond Community Redevelopment Agency	Barrett Avenue Bicycle Lane	\$ 75,000
08BFP05	ALA	Alameda County Public Works	Stanley Boulevard Bicycle Lanes Project	\$ 127,500
08BFP06	MAR	Marin County DPW	Build-Out of Marin County Bicycle Network	\$ 210,000
08BFP07	SF	San Francisco General Hospital	SFGH Bicycle Lockers Project	\$ 10,800
08BFP08	SM	City of Belmont	U.S. Highway 101 Bicycle/Pedestrian Overcrossing & Alameda de las Pulgas Bicycle Lane Project	\$ 72,500
08BFP09	ALA	City of Hayward	Bikeways Class II and III	\$ 22,658

TOTAL: \$650,288*



*Total amount combines \$600,000 for FY2008/2009 and \$50,288 in unallocated funds from FY2007/2008.

ATTACHMENT B

PROPOSED BICYCLE FACILITY PROGRAM POLICIES FOR FY 2009/2010

The following policies apply only to the **Bicycle Facility Program**.

BICYCLE FACILITY PROGRAM DEFINITIONS

- “Bikeways” refers to Class-1 bicycle paths, Class-2 bicycle lanes, and Class-3 bicycle routes.
- “Racks/Lockers” refers to bicycle racks (including those on vehicles and vessels), and bicycle lockers.
- “Secure bicycle parking” refers to bicycle cages and bicycle parking stations.

GENERAL

1. **Purpose:** The Bicycle Facility Program (BFP) provides incentive funds to help offset the cost of implementing bicycle facility projects in the Bay Area. The BFP is a streamlined program of the Transportation Fund for Clean Air.

ELIGIBILITY

2. **Eligible Projects:** Only projects that result in the cost-effective reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of California Health and Safety Code (HSC) sections 44220 et seq. and Air District Board of Directors adopted BFP Policies for FY 2009/2010.

Projects must achieve surplus emission reductions, which means reductions that are beyond what is currently required through federal and state regulations both at the time the Air District approves a grant award and at the time of the execution of a funding agreement.

Projects must be new bicycle facilities, and included in an adopted countywide bicycle plan, Congestion Management Program (CMP), or the Metropolitan Transportation Commission's Regional Bicycle Plan.

3. **Eligible Recipients and Authority to Apply:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing.
 - A. **Eligible Recipients:** Public entities only.
 - B. **Authority to Apply:** Applications must include either: 1) a signed letter of commitment from an individual with authority to enter into a funding agreement and carry out the project (e.g., Executive Director, Chief Financial Officer, City Manager, etc.), or 2) a signed resolution from the governing body (e.g., City Council, Board of Supervisors, Board of Directors, etc.) authorizing the submittal of the application and identifying the individual authorized to submit and carry out the project.
4. **Minimum Grant Amount:** \$10,000 per project.

5. **Maximum Grant Amount:** \$120,000 per project.
6. **Readiness:** Projects must commence in calendar year 2010 or sooner. For purposes of this policy, “commence” means to receive delivery of the Project’s product provided by the project, or to award a contract to construct or install the Project.

APPLICANT IN GOOD STANDING

7. **In Compliance with Agreement Requirements:** Project sponsors who have failed to meet project implementation milestones or who have failed to fulfill monitoring and reporting requirements for any project funded by the Air District may not be considered eligible for new funding until such time as all of the unfulfilled obligations are met.
8. **Failed Audit:** Project sponsors who have failed either a fiscal audit or a performance audit conducted by or on behalf of the Air District for a prior Air District-funded project will be excluded from future funding for five (5) years. Additionally, project sponsors with open Air District projects will not be reimbursed for those projects until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of funds. A failed performance audit means that a project was not implemented as set forth in the project funding agreement.
9. **Signed Funding Agreement:** Only a fully executed funding agreement (i.e., signed by both the project sponsor and the Air District) constitutes the Air District’s award of funds for a project.

Project sponsors must sign a funding agreement within 60 days from the date it has been transmitted to them in order to remain eligible for award of BFP funds. The Air District may authorize an extension of up to a total period of 120 days from the transmittal because of circumstances beyond the project sponsor’s reasonable control and at the Air District’s discretion.

Project sponsors who failed to return a funding agreement from a previous funding cycle, or forfeit the grant, are not eligible to apply for a 12-month period.

10. **Insurance:** Each project sponsor must maintain general liability insurance, and such additional insurance that is appropriate for specific projects, with coverage amounts specified in the respective funding agreements.

INELIGIBLE PROJECTS AND COSTS

11. **Duplication:** Projects that have previously received BFP or TFCA funds and therefore do not achieve additional emission reductions are not eligible for BFP funding.
12. **Costs for Maintenance, Repairs, and Operations:** Costs for maintenance, repairs, rehabilitation, and operations (e.g., for a bike station), are not eligible for BFP funding.
13. **Cost for Planning Activities:** Feasibility studies are not eligible for BFP funding, nor are planning activities that are not directly related to the implementation of a specific BFP project.
14. **Cost of Developing Proposals and Grant Applications:** The costs to develop proposals or prepare applications are not eligible for BFP funding.

- 15. **Administrative Costs:** Administrative costs are not eligible for BFP funding. Administrative costs include accounting for BFP funds, and fulfilling reporting and record-keeping requirements specified in a BFP funding agreement.

USE OF BFP FUNDS

- 16. **Eligible Costs:** Costs for design, engineering, installation, and preparation for required environmental review documents that directly support implementation of a project are eligible for BFP funding.
- 17. **Expend Funds within Two Years:** Project sponsors must expend the awarded funds within two (2) years of the effective date of the funding agreement, unless a longer period is formally (i.e., in writing) approved in advance by the Air District in a funding agreement or as an amendment to the funding agreement.

PROJECT TYPES & GRANT AMOUNTS

- 18. **Maximum Grant Award Amounts:**

Eligible project types and corresponding grant amounts

Project Type	Grant Amount
Class-1 Bicycle Path	\$115,000 per mile of path
Class-2 Bicycle Lane – Continuous Construction	\$ 85,000 per mile of roadway
Class-2 Bicycle Lane – Standard	\$ 30,000 per mile of roadway
Class-3 Bicycle Route	\$ 15,000 per mile of route
Bicycle Locker(s) – Electronic	\$ 2,500 per locker
Bicycle Locker(s) – Retrofit mechanical to electronic	\$ 650 per retrofit kit
Bicycle Locker(s) – Mechanical	\$ 900 per locker
Bicycle Rack(s)	\$ 60 per bicycle accommodated
Bicycle Rack(s) on Vehicles	\$ 750 per rack
Secure Bicycle Parking	\$ 130 per bicycle accommodated

The project types and funding levels set forth above meet the TFCA cost-effectiveness (i.e., funding effectiveness) of \$90,000 of BFP funds per ton (\$/ton) of total reactive organic gases (ROG), oxides of nitrogen (NO_x), and weighted particulate matter less than 10 microns in diameter (PM₁₀) emissions reduced.

PROJECT REQUIREMENTS

- 19. **Project Requirements:**
 - A. **General Project Requirements:** Projects must, where applicable, be consistent with design standards published in Chapter 1000 of the California Highway Design Manual.
 - B. **Project-Specific Requirements:**
 - i) Bikeway grant amounts are for bikeways going in two directions on a roadway; a bikeway going in a single direction would qualify for only one-half the amount listed in Paragraph 18 above.

- ii) Bikeway projects must:
 - a. reduce vehicle trips made for utilitarian purposes (e.g., work or school commuting), and
 - b. be one of the following:
 - located within one-half mile of at least three major activity centers (e.g., transit stations, office complexes, schools), or
 - provide a gap closure (e.g., a bridge over a roadway) in, or an extension to, an existing bicycle network that already services three major activity centers. The new segment must be within three contiguous bikeway miles of the requisite activity centers. Gap Closure Projects may be eligible for TFCA funding under the Smart Growth Project type as well as BFP funding.
- iii) Bicycle Racks/Lockers Projects must serve a major activity center (e.g., transit station, office building, or school).
- iv) Secure Bicycle Parking Projects include bicycle cages and the capital costs of bicycle parking at bike stations.
- v) Class-2 Bicycle Lane – Continuous Construction Projects must entail physical improvements (e.g., non-maintenance paving or the widening of a roadway shoulder) continuously over the length of the segment.
- vi) Class-2 Bicycle Lane – Standard Projects include projects other than Continuous Construction, such as striping, marking and loop detectors.
- vii) Grant amounts for Continuous Construction and Standard Class-2 Bicycle Lane Projects cannot be combined for the same segment.

ATTACHMENT C

COMMENTS RECEIVED AND STAFF RESPONSES: DRAFT FY 2009/2010 BICYCLE FACILITY PROGRAM POLICIES

Number Name, Title Agency or Entity	Comments	Staff Response
<p>#1 Matt Nichols Principal Transportation Planner City of Berkeley</p>	<p>Definitions: It's not clear to me what is meant by "and secure bicycle parking." How is this different from racks and lockers? If it's meant to refer to bicycle cages and bike stations, it should say so explicitly. (This is defined below in Project Requirements – but should be moved up into definitions.)</p> <p>Eligibility: Projects in adopted local Bicycle Plans <u>must</u> be eligible for BFP funding. The Alameda Countywide Bicycle plan, for example, does not include many [of] the bicycle facilities included in Berkeley's Bicycle Plan. This is not a failing of either plan – countywide or regional plans are rightly focused on cross-county facilities, or other regional significance criteria.</p> <p>Please add the following: Projects must be new bicycle facilities, and included in an <u>adopted local bicycle plan</u>, adopted countywide bicycle plan, Congestion Management Program (CMP), or the Metropolitan Transportation Commission's Regional Bicycle Plan.</p> <p>Readiness: I think defining it by calendar year is a mistake for two reasons, the time to execute a funding agreement with BAAQMD, and the fact that Berkeley operates on a July 1- June 30 fiscal year.</p> <p>Consider:...Projects must commence within 1 year of execution of Funding Agreement with BAAQMD.</p> <p>When would the BFP funding agreements be released, and when would they be due back for execution?</p> <p>Signed Funding Agreement: I don't think it's fair to bar a city from applying for BFP for 12 months if they failed to return a funding agreement. Sometimes cities can't execute a funding agreement for</p>	<p>Air District staff revised this section in the proposed policies to incorporate this comment.</p> <p>State law does not allow funding facilities that are only listed in local bicycle plans. Health and Safety Code 44241(b)(10) specifies that funding of bicycle facility improvement projects go toward projects that are included in an "adopted countywide bicycle plan or congestion management program."</p> <p>Projects will need to commence during the calendar year 2010 regardless of when the funding agreement is executed because the emissions reductions for each project must be achieved within a timely manner.</p> <p>Staff intends to issue all funding agreements by December 31, 2009; project sponsors have 60 days to sign and return them, and the Air District typically executes them within two weeks.</p> <p>Air District staff revised this section in the proposed policies to incorporate</p>

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	<p>reasonable cause – insurance, changes to the project conditions, etc. What’s critical is that they are responsive and meet their obligations – they should formally forfeit the grant and provide reasons within the same 60 day period.</p> <p>Consider: Project sponsors who failed to return a funding agreement, or failed to respond with a forfeiture of the grant...</p> <p>Grant amounts: The \$60 per bike rack amount is far too low. A single inverted-U rack costs \$250-\$300, meaning \$60 is 20%-25% of the total costs. In many cases, it wouldn’t be worth it to apply, given the staff time involved in the application, funding agreement, invoicing and reporting.</p> <p>At a minimum, the grant amounts should be set to fund similar fractions of total project costs. I’m not sure, but I don’t think that \$115,000 per mile of a Class 3 facility (which requires bike route signage only!) is 20-[25]% of the total project cost.</p> <p>Project Requirements:</p> <p>a. Bikeway grant amounts are for bikeways going in two directions on a roadway; a bikeway going in a single direction would qualify for only one-half the stated amount. What about bikeway on a one-way street? The amount should be based on a percentage of legitimate total project costs, and inclusion in an adopted bicycle plan.</p> <p>b. Does major activity center include commercial areas?</p> <p>c. Class II – what about video detection?</p>	<p>this comment.</p> <p>The funding amounts are based on a maximum cost-effectiveness value of \$90,000 per ton; increasing the funding amounts would worsen the cost effectiveness. In addition, the amounts are meant to cover a portion of the total cost, not to cover the entire cost of a project.</p> <p>a. Emissions reductions are considered to double for two-way streets as it is assumed that the to and from commutes are accounted for. If the street is only one way, there is only one leg of a trip accounted for, and subsequently only half of the emissions reductions are achieved.</p> <p>b. Yes.</p> <p>c. Video detection equipment would be eligible under Class II Bicycle Lane Standard projects.</p>

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<p>#2 Kenneth Tam Park Planner II</p> <p>Sonoma County Regional Parks Department</p>	<p>We have concerns with BAAQMD proposal to limit grant amounts to \$120,000 maximum. The funding cap will limit the length of the facility we can construct per funding cycle.</p> <p>Reasons for increasing the maximum grant limit:</p> <ol style="list-style-type: none"> 1) The Draft Sonoma County wide Bicycle and Pedestrian Master Plan has over 25 proposed Class I projects that are over 2 miles long. 2) The length of a Class I to connect two destination centers/arterials can exceed one mile. For instance, the Hunter Creek Trail we received over \$209,000 from TFCA for constructing 1.5 miles of Class I to connect two major arterials. <p>The \$115 [K] per mile of Class I path is okay but it should not be capped at \$120,000. If the length of a Class I is longer than 1 miles, then we should be eligible to receive more funds to complete the project. The proposed cap would mean that we could only construct one mile of Class I per funding cycle regardless of the length of the project. If a cap is needed, how about a cap of \$500,000?</p>	<p>The BFP is meant to contribute towards bicycle facility projects in the Bay Area. The cap is intended to allow multiple projects to be funded in multiple counties.</p>
<p>#3 Gail Payne Transportation Coordinator</p> <p>City of Alameda Public Works Dept.</p>	<p>It would be helpful if the amount for bicycle racks were increased. A standard U shaped bicycle rack, which fits two bicycles, costs about \$145 to \$150. The current reimbursement rate is only at \$120.</p> <p>Another idea is to include skateboard and scooter racks as an option. Many kids ride skateboards and scooters to parks and schools.</p> <p>For clarification, does the below mean that additional line items are allowed for design, engineering and installation above and beyond the cost of purchasing a bike rack? Ideally, a jurisdiction would request to be reimbursed for the cost of the bike rack purchase and the cost of the staff time to install it.</p> <p>"Eligible Costs: costs for design, engineering, installation, and preparation for required environmental review documents that directly support implementation of a project are eligible for BFP funding."</p>	<p>Please see response to comment #2.</p> <p>BFP funds are limited by State law to bicycle-related projects.</p> <p>Yes, if the activity directly relates to the project.</p>