

Butte County Air Quality Management District
 Carl Moyer Program Policies and Procedures
INFRASTRUCTURE PROGRAM

This chapter provides project criteria for selecting and funding infrastructure projects that enable emission reductions in meeting State and local air quality goals. All infrastructure projects must be used to fuel or power a covered source as defined by Health and Safety Code section 44275(a)(7). These covered sources include but are not limited to on-road, off-road, and agricultural sources. Statute does not require infrastructure projects to meet a cost-effectiveness threshold. This document expands upon the minimum requirements of Chapter 10 (Infrastructure) of the state CMP Guidelines and the District’s CMP Policies and Procedures Manual.

A. Project Eligible for Funding

The following infrastructure projects may be eligible for funding.

1. **Battery Charging Station.** New, conversion of existing, and expansion to existing non-residential battery charging stations. (e.g. workplace charging, direct current fast chargers along freeway roadway corridors, long-term charging at destination areas such as airports and shopping centers, and charging at distribution centers and warehouses). For battery charging stations for electric school buses, please see the District’s On-Road Equipment Replacement Program.
2. **Alternative Fueling Station.** New, conversion of existing, and expansion to existing hydrogen and natural gas fueling stations.
3. **Stationary Agricultural Pump.** Pump electrification. This project category is part of the District’s Off-Road Equipment Replacement Program.

B. Maximum Eligible Funding Amounts

1. Table 1 summarizes the maximum eligible funding for each project type as a percentage. The maximum grant amount per project is \$100,000 unless a higher grant amount is approved by the Governing Board. Projects funded with Community Air Protection Incentives are eligible for an additional 10% in funding levels.

Table 1
Maximum Percentage Eligible for
Moyer Program Infrastructure Projects

Infrastructure Project	Maximum Percentage Eligible (not to exceed \$100,000 per project)
All Eligible Projects	50%
Publicly Accessible Projects	60%
Projects with Solar/Wind Power Systems (>50% powered)	65%

Publicly Accessible Projects with Solar/Wind Power Systems (>50% powered)	75%
Public School Buses - Battery Charging and Alternative Fueling	100%

C. Project Life

- (A) Table 2 summarizes the maximum project life.

Table 2
Maximum Project Life

Type	Project Life
Stationary Agricultural Pump Electrification Projects	10 years
All Other Infrastructure Projects	15 years

- (B) The maximum project life does not consider regulatory requirements that may shorten the eligible project life. Regulatory requirements may reduce actual project lives below these maximum values.
- (C) The minimum project life allowed is three years.

D. Project Criteria

The qualifications for infrastructure projects are listed below. All projects must also conform to the District’s Policies and Procedures Manual and the state CMP Guidelines.

1. General Criteria:

- (A) The project must be installed and located in California.
- (B) The project must comply with all applicable federal, State, local laws and requirements including environmental laws, and State building, environmental and fire codes. For instance, air districts may need to perform CEQA review and obtain approval prior to funding a project.
- (C) Publicly accessible infrastructure projects must be solicited and selected through a competitive bidding process. State and local public agencies may piggyback from state public contract awards that have been selected through a competitive bidding process.
- (D) Work must be performed by a licensed contractor.
- (E) Publicly accessible station must at a minimum be accessible to the public daily during regular business hours.
- (F) Equipment and parts must be new. Remanufactured or refurbished equipment and parts are not eligible.

- (G) Except for stationary agricultural pump projects, a completed Uniform Commercial Code-1 Financing Statement Form must be submitted by the air district to the California Secretary of State for infrastructure projects with a grant funding amount of \$50K or greater. The financing statement must list the air district as the secured party.
- (H) The applicant must be able to demonstrate to the air district that the applicant can obtain all required land use permits from agencies needed to install and operate the station.
- (I) For a publicly accessible station, the applicant must provide a description of the geographic location, including an aerial map (i.e. satellite view from an internet based map or city/county map) and specific street address of the proposed station.
- (J) Applicants must demonstrate that they either own the land on which the project will be located, or control it through a long-term lease, easement or other legal arrangement, for the duration of the project life. For a proposed project where the land is not owned by the applicant, an executed lease agreement or letters of commitment lasting for the duration of the project life must be signed by property owners/authorized representatives and must be submitted with the application.
- (K) Applicants must be able to provide documentation that power or fuel is being provided to the site (e.g. application, payment to the local utility company for power installation, or contract).

2. Eligible Costs:

- (A) Cost of design and engineering, (i.e., labor, site preparation, Americans with Disabilities Act accessibility, signage).
- (B) Cost of equipment (e.g., charging/fueling units, electrical parts, energy storage equipment, materials).
- (C) Cost of installation directly related to the construction of the station.
- (D) Meter/data loggers.
- (E) On-site power generation system that fuels or powers covered sources (i.e., solar and wind power generation equipment).
- (F) Federal, sales, and other taxes.
- (G) Shipping and delivery costs.

2. Battery Charging Stations:

- (A) Chargers must be a level 2 and higher to support non-residential stations.
- (B) Publicly accessible light-duty charging stations must use a valid and universally accepted charge connector protocol (e.g. Society of Automotive Engineers (SAE), CHAdeMO).
- (C) Charger must be certified by a Nationally Recognized Testing Laboratory (e.g., Underwriter's Laboratories, Intertek) located at <https://www.osha.gov/dts/otpca/nrtl/nrtllist.html>.
- (D) Equipment must have at least a one year warranty.

- (E) Grantee must report all battery charging station installations to the Department of Energy Alternative Fuel Data Center located at <http://www.afdc.energy.gov/locator/stations/>.
- (F) Assembly Bill 841 (Ting, 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install electric vehicle charging infrastructure and equipment for work performed on or after January 1, 2022, subject to certain exceptions. Therefore, all electric vehicle charging infrastructure and equipment funded by this grant located on the customer side of the electrical meter shall be installed by a contractor with the appropriate license classification, as determined by the Contractors' State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification. Projects that include installation of a charging port supplying 25 kilowatts or more to a vehicle must have at least 25 percent of the total electricians working on the crew for the project, at any given time, who hold EVITP certification. One member of each crew may be both the contractor and an EVITP certified electrician.

3. Alternative Fueling Stations:

- (A) For hydrogen fueling stations, grantee must register and report to the Station Online Status System (SOSS) maintained by the California Fuel Cell Partnership (www.caafcp.org). In addition, grantee must abide by the requirements of the reporting system.

E. District Administrative Requirements

The District staff will implement the Infrastructure Program using the following administrative procedures:

1. The District releases Request for Proposals (RFPs) for the Carl Moyer Program annually per the District's Policies and Procedures Manual, however projects are generally ranked based on cost-effectiveness which precludes infrastructure projects. The District may release an infrastructure-specific RFP depending on available funding sources or direction from the District's Governing Board. Infrastructure projects are also eligible to apply during the RFP period for Community Air Protection (CAP) Incentives.
2. The District staff will work with applicants to complete the infrastructure application and may develop additional forms if necessary to collect all information, records, and price quotes necessary to evaluate the proposal and to populate the data fields in the CARB's Clean Air Reporting Log (CARL) database.
3. The District staff will evaluate each proposal to verify the eligibility in accordance with the CMP Guidelines. As part of the evaluation, staff will conduct a pre-inspection of the proposed location.
4. A Grant Contract will be executed for each infrastructure project that is approved by the District Air Pollution Control Officer. A sample Grant Contract is included in the District's Policy and Procedures Manual. An infrastructure-specific Grant Contract is under development and will include the contract requirements found in Chapter 10, Section I of the State Guidelines. Financing terms (if applicable) must be approved prior to the contract being signed.

5. The District will verify and document that each infrastructure project is operational. Inspections will include verification of operation by connecting a vehicle or equipment to the charging or fueling station, or in the case of an agricultural pump or shore power project, by connecting to the electrical grid. For projects that incorporate solar or wind power, the inspection will verify that infrastructure has been installed and connected to the power generation equipment (i.e. solar panels or wind turbines). The District will take photos of the equipment and keep photos in the project file. At the minimum, the photos must include equipment manufacturers, model number, and serial number. For Battery Charging Stations – the District will document the name of manufacturer, serial number and date of manufacture, amperage/voltage, and equipment recharge rate.
6. Payment will be processed once the District confirms the following:
 - a. Approved pre-inspection
 - b. Approved post-inspection – equipment installed and operational
 - c. Approved invoices with warranty information
 - f. Confirmed submittal of a W-9
 - g. District listed as additional insured

All payments will be issued to the Program Participant. Two-party checks may be issued to both the Program Participant and Dealership if requested by the parties.

7. The District will require annual reporting from the Program Participant through the contract life.
8. Specific information about the District’s administrative process can be found in the District’s Policies and Procedures Manual.

J. Additional Infrastructure Program Documents

1. Infrastructure Sample Contract Infrastructure Application
2. Infrastructure Application