

# MINUTES

## REGIONAL AIR QUALITY COUNCIL

Thursday, February 1, 2001

City of Littleton

### MEMBERS PRESENT:

Jim Scherer, *CHAIRMAN*  
Theresa Donahue, *City & County of Denver*  
Jane Norton, *Colo. Dept. Public Health & Environment*  
Don Parsons, *City of Northglenn / DRCOG*  
Dave Sladek, *The Clayton Group*

### MEMBERS NOT IN ATTENDANCE:

Dennis Arfmann, *Holme Roberts & Owen*  
Tom Norton, *Colo. Dept. of Transportation*  
Sharon Votruba, *City of Thornton*  
Melanie Worley, *Douglas County*

### OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Annmarie Jensen, RAQC; Margy Christiansen; Shirleen Tucker, APCD; Jim Ives, City of Aurora; Carol MacLennan, Tri-County Health Dept.; Mike Silverstein, APCD; Jim Grant, Arapahoe County; Doug Lempke, AQCC; Shauna Hickman, Littleton Independent; Monty Sedlak, Arapahoe County; Kerri Feidler, EPA; Sue Conaway, Arapahoe County; Jim Pankonin, Arapahoe County; Susan Thornton, City of Littleton; Jim Brandon, ESP; George Gerstle, CDOT; Steve Sherman, CDOT; Lauri Dannemitter, City of Englewood; Denise Naegle, City of Littleton; and Charlie Bolsten, City of Littleton.

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The meeting was called to order by Chairman Jim Scherer at 3:15 p.m. A quorum was not present.

Council and the audience introduced themselves.

### Approval of the Agenda

**Jim Scherer indicated the agenda would be approved by the Chairman's edict since a quorum was not present.**

## **Approval of the Minutes**

**Postponed until March 1, 2001 meeting.**

## **Informational Items**

*Chairman:*

No Report.

*Executive Director:*

No Report.

*Members:*

No Reports.

*Committees:*

No Reports.

## **Local Community Presentations**

*City of Littleton - Transit & Pedestrian Oriented Design around the Downtown Littleton Light Rail Station*

Mayor Susan Thornton welcomed Council to Littleton.

Mayor Thornton gave Council an overview of Littleton's transit and pedestrian oriented design around the downtown Littleton Light Rail station. She explained that Littleton wanted to preserve its historic character while creating the transit hub. She said that Littleton purchased the easement around the old train tracks in anticipation of future development. Because Littleton owned the easement, the Light Rail line could be built away from automobile traffic. Initially there were a few rail/auto conflict points, however, the last one was eliminated in 1999. The sidewalks in downtown Littleton were widened to make it more pedestrian friendly. To accomplish this, Littleton had to take responsibility for Littleton Boulevard, which had to be taken out of the State highway system. The Mineral Light Rail station is close to residences and development is underway for lifestyle centers. The City is looking at parking options for this station because it is already at capacity.

Mayor Thornton indicated that in 2001 the City of Littleton is planning to improve Little's Creek Trail, to conduct a study on the redevelopment of Littleton Boulevard corridor, and to beautify Littleton Boulevard. The City also is working with the Historic Preservation Board to preserve Littleton's character. There was concern that someone

would buy buildings then tear them down to build parking lots. To prevent this from happening the City removed parking as a use-by-right and now requires the use of a plan development overlay process. The City also has a transit impact zone (TIZ) around each light rail station. Any demolition of buildings in this TIZ area is also required to go through the plan development overlay process. This precaution was taken to preserve the neighborhoods around the light rail.

There was discussion on what transit oriented design (TOD) encompasses. Ken Lloyd suggested if Council wanted more information on TOD, he could schedule a presentation from RTD at a future meeting.

#### *City of Englewood - Transit & Pedestrian Oriented Design around the Englewood City Center Light Rail Station*

Lauri Dannemitter, Community Development Senior Manager, City of Englewood, reviewed the CityCenter Englewood development project. She gave Council a brief history of the site location from a city park to Cinderella City mall to CityCenter Englewood. The objectives of the project include: reinvigorate the community, look at long term financial viability, create an Englewood identity, make a prudent City investment, and build on light rail /bus connections. Elements of the CityCenter include a light rail station hub, Civic and Cultural Center, retail and entertainment outlets, 500+ residential units, park/open space, general merchandise shopping (Wal-Mart) and shared parking. The City believes this development is special because it has a mix of residential, office, retail, and civic uses. The shared parking will save land and money. There are transit users clustered within 1/4 mile of the site. Ms. Dannemitter summarized the lessons the City of Englewood learned during this project.

#### *Arapahoe County - Land Use and Air Quality Issues*

Sue Conaway, Comprehensive Plan Coordinator for Arapahoe County, explained that the County is 76 miles long and 12 miles wide. She indicated most of the eastern portion of the County is rural. One of the issues facing Arapahoe County is the low tax base to generate funding for road improvements. There is considerable through traffic using the roads to get north or south of Arapahoe County.

She stated the County is working to update its comprehensive plan. The Board of Commissioners is looking to keep urban density in the urban areas where there are services. There has been an increase in development along the I-70 corridor, which has been influenced by DIA. The County is identifying existing services and working with towns to keep the development urban.

Ms. Conaway also indicated that the County is working with the State Land Board regarding the development of the old Lowry bombing range. There are some issues with development of this area because DRCOG shows it as open space and it is outside the Metro Vision 2020 growth boundary. She compared the size of this site to Highlands Ranch.

## *Arapahoe County - Street Sanding and Sweeping Practices*

Jim Pankonin, Engineering Division Manager for Arapahoe County Road and Bridge, gave Council an overview of some of the components of their program to reduce sanding and sweeping. The County has upgraded some of the sanding trucks to cover greater distances. Sweeping has been reduced by 10% per year by using of alternative de-icers. Mr. Pankonin indicated that networking with other local governments to discuss alternative options has helped the County make some changes to their practices, which has increased their efficiency.

### **Public Comment and Discussion**

None.

### **Discussion of Proposed Legislation**

Ken Lloyd gave Council an overview of HB 01-1091, concerning the Clean Screen Program. Ken indicated the bill implements several of the RAQC's recommendations provided to the Governor, the General Assembly and the AQCC in August of 2000, but does not necessarily address all of the recommendations.

The bill authorizes the clean screen program as part of the region's enhanced inspection and maintenance program. It allows for a phased-in program to clean screen cars using remote sensing and allows clean cars to forego the inspection at emission testing facilities. This bill creates an enterprise, consistent with the provisions of TABOR, to pay for the clean screen program. The bill also allows a county clerk to issue a registration for a vehicle that has passed a clean screen upon notification by the Department of Revenue and payment of the clean screen inspection fee.

HB 1091 allows a contract for inspection services to be renewed for a term of no more than four years. The bill stipulates that the same contractor shall provide both clean screen and stationary (IM240) inspection services.

The bill authorizes high-emitter identification through the remote sensing program and allows for confirmatory tests at emission testing facilities. Current statute permits the AQCC to require off-cycle repairs as a result of high-emitter identification, but no enforcement mechanism is provided.

While the bill generally allows for high-emitter identification, it does not provide recommended enforcement, funding, or consumer assistance mechanisms for the program. Likewise, the bill provides a registration fee for funding the clean screen program, it does not include a fee to cover all inspection services, including high-emitter identification. The bill does not address funding for periodic evaluations of program effectiveness.

Jane Norton stated CDPHE has developed a fact sheet on this bill and invited members to provide her with comments.

Dennis Arfmann, who could not attend the meeting, provided written comments on the bill. Council discussed his concerns regarding the exclusion of the funding and enforcement of a high-emitter program.

Ken Lloyd indicated the periodic evaluations could be included as provisions in the contract between the State and the contractor. Shirleen Tucker stated the current bill allows for the collection of data, which is needed before a high-emitter program could be instituted. She said that currently, there is software coordination with Envirotest and the APCD to allow for successful sophisticated sorting of data.

George Gerstle conveyed that Tom Norton thought it was premature to address Dennis Arfmann's concerns, that the high emitter identification portion of the recommendation could be addressed next year.

Jim Brandon informed Council that a RSD van is scheduled to be set-up on Monday, February 5, 2001 in front of the Capitol.

Ken further stated that staff would continue tracking the bill and report any changes or inconsistencies to the Council.

Annmarie Jensen informed Council that two additional bills were introduced on February 1. HB 01-1270, regarding emissions credit banking, and HB 01-1248, creating a tax incentive for telecommuting. Staff will keep Council updated on these bills.

### **Status of Ozone and PM-10 Maintenance Plans**

Ken Lloyd informed Council that the Ozone Maintenance Plan was considered and approved by the AQCC on January 11, 2001 then forwarded to the General Assembly for review before being submitted to EPA for final approval. Ken said their were minor revisions made to the emission inventory numbers to make them more consistent with DIA's future projections. This consistency will make it easier for DIA to comply with general conformity requirements.

Ken reminded Council the plan was sent to EPA for parallel processing. EPA has indicated they are prepared to propose approval of the plan. However, it might be held up by President Bush's moratorium on new Federal Register notices.

Ken further explained that the PM 10 Maintenance Plan was proposed to the AQCC on December 14, 2000 and is scheduled for public hearing on March 15, 2001. Ken indicated that staff, along with APCD staff, is currently reviewing and refining the stationary source numbers. Any changes will be brought before the Council at the March meeting for consideration before being presented at the hearing. Ken said CDOT and Xcel Energy are parties to the hearing.

Staff met with EPA staff on January 31, 2000 to answer questions on the plan. EPA's concerns have been narrowed and staff is working toward resolution of these issues.

Sue Conaway, Arapahoe County, asked how these plans affect local governments. Ken Lloyd responded that there are no additional requirements for local governments in either plan. However, the PM-10 plan does make street sanding requirements federally-enforceable. He further indicated that staff had a meeting to discuss this issue with local street sanding maintenance officials. Staff from at least 20 jurisdiction attended. There will be positive effects for the region once attainment status is reached.

There being no further business before the Council, the meeting was adjourned at 4:55 p.m.