

MINUTES

REGIONAL AIR QUALITY COUNCIL

Thursday, April 5, 2001

City of Longmont

MEMBERS PRESENT:

Jim Scherer, *CHAIRMAN*
Jane Norton, *Colo. Dept. Public Health & Environment*
Tom Norton, *Colo. Dept. of Transportation*
Don Parsons, *City of Northglenn / DRCOG*
Dave Sladek, *The Clayton Group*
Sharon Votruba, *City of Thornton*
Melanie Worley, *Douglas County*

MEMBERS NOT IN ATTENDANCE:

Dennis Arfmann, *Holme Roberts & Owen*
Theresa Donahue, *City & County of Denver*

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Laura Hagg Nelson, RAQC; Annmarie Jensen, RAQC; Shirleen Tucker, APCD; Mike Silverstein, APCD; George Gerstle, CDOT; Bob Farmer; Bob Lowdermilk, AQCC; Roger Lange, City of Longmont; Doug Brown, City of Longmont; Scott Robson, Boulder County; Phil Greenwald, City of Longmont; Leona Stoecker, City of Longmont; Brad Schol, City of Longmont; Jim Brandon, ESP; and Margy Christiansen.

The meeting was called to order by Chairman Jim Scherer at 3:10 p.m. A quorum was present.

Mayor Leona Stoecker welcomed Council to Longmont. Council and the audience introduced themselves.

Approval of the Agenda

Don Parsons moved to approve the agenda. Seconded by Sharon Votruba. Motion passed without objection.

Approval of the Minutes

Jane Norton moved to approve the minutes. Seconded by Don Parsons. Melanie Worley indicated she would abstain from voting since she was not at the March meeting. The motion passed with noted abstention and without objection.

Informational Items

Chairman:

Jim Scherer informed Council that he would be sending a letter to EPA supporting the RVP waiver and asking for quick action from EPA.

Executive Director:

No Report.

Members:

No Reports.

Committees:

No Reports.

Local Community Presentations

City of Longmont - Community Development and Land Use Issues

Phil Greenwald, Transportation Planner for Longmont's Department of Community Development, presented, "New Urbanism" and Longmont's Prospect Neighborhood. The concepts of New Urbanism include walkable neighborhoods, mixed use developments, the ability to work and live in the same neighborhood, lots of green spaces, and having more people and less cars in front of houses.

The Prospect Neighborhood development was submitted to the City of Longmont in 1994 and won a Governor's Smart Growth Award in 1996. The neighborhood is located west of US 287 and south of Pike Road. It features narrow streets, alley-loaded garages, central squares and parks, and different housing styles. The neighborhood also features rental spaces above garages. There are some parking constraints in the neighborhood and the access to transit is poor. The design of the neighborhood also dissuades transit from entering. However, the City and others are working to get better access to transit and better parking. Brad Schol, Longmont's Planning Director, indicated an emergency access plan has been developed to address the issue of narrow streets and emergency vehicle access. Longmont has other New Urbanism developments in the works and will learn from the successes and challenges of the Prospect neighborhood.

Boulder County - Transit Planning

Scott Robson, Alternative Transportation Coordinator with the Boulder County Department of Transportation, updated Council on the transit initiatives in the County. Mr. Robson said that the

County's priorities are to build a regional trail system and to update the on-street bikeway system. Another important effort of the department is their community-designed transit network.

The first community-designed transit systems were the Hop, Skip, and Jump bus routes. These routes have almost tripled their riderships. This was achieved by taking an existing RTD route and convening a community panel to find ideas and ways to make it work better, be more convenient and increase ridership. By creating "ownership" of the transit routes and increasing the frequency of service, these community-designed transit systems have been a success for Boulder County. Other community-designed systems include the Leap and Bound. Boulder County is currently working on securing funding for the DASH. Mr. Robson stated that Boulder County would also like to see a community-designed system between Boulder and Longmont.

Mr. Robson also remarked that the new call-and-ride systems are popular and successful in Superior, Longmont, Broomfield, Louisville, Interlocken and Westmoor development. These systems provide service to areas that are currently not served or that would not support a fixed- bus route.

Proposed Revisions of PM-10 Maintenance Plan

Ken Lloyd informed Council that RAQC staff, APCD staff, and other parties have met with EPA to resolve the remaining stationary sources issues. As a result of the meetings, EPA's issues with stationary sources have been resolved. He also indicated the AQCC hearing was postponed until April 19, 2001. Ken reviewed the new changes with Council.

There are now no permits included in the SIP because sources were either modeled at their maximum potential to emit or the permit limits are supported by underlying state or federal regulations.

To resolve the remaining issues, Xcel Energy agreed to the following changes:

- Retirement of the coal-fired power plant units of Arapahoe 1 and 2, which already are part of Xcel's voluntary metro area emissions reduction plan, will be included in the State Implementation Plan (SIP)
- A limit of 0.88 lb/mmbtu SO₂ at Cherokee 1 & 4 and Arapahoe 4 will be included in the SIP
- A limit of 0.60 lb/mmbtu NO_x at Cherokee 1 will be included in the SIP

Xcel Energy's power plants currently are below these limits; however, these limits become federally enforceable since they are included in the SIP.

As a result of the revisions to the emissions inventory, the motor vehicle emission budgets for purposes of transportation conformity for the PM-10 Plan changed slightly.

Since the maintenance plan includes credit for EPA's new Tier II motor vehicle standards based on MOBILE5b, current EPA policy requires a commitment to submit a SIP revision within one year after the release of MOBILE 6. The maintenance plan currently contains a commitment to submit a schedule within 6 months for implementing MOBILE 6 and submitting SIP revisions. Council discussed this issue and decided to keep the current language in the plan and work with EPA as the model is released. Council also expressed interest in having a workgroup of technical staff review MOBILE 6 before making further commitments.

Ken told Council the next Prehearing Conference is scheduled for Friday, April 6 and the AQCC Hearing is scheduled for April 19. He indicated that Margy Christiansen and Pat Teegarden have spoken with the legislative leadership and have gotten approval to introduce a late bill so the plan can be approved by the Legislature this session. Once the legislature approves the plan, Governor Owens can submit the PM-10 Plan to EPA by June, 2001. Ken said that EPA has indicated this plan is a priority and anticipate approval as soon as 6 to 9 months. However, they have 18 months to approve the plan.

Sharon Votruba moved to approve the PM-10 Maintenance Plan and Redesignation Request as outlined in the April 5 revision. Seconded by Melanie Worley. Motion passed without objection.

Status of Legislation

Annmarie Jensen gave Council an update on **HB 1270**, concerning the authorization to create entities that facilitate the exchange of emission credits. The bill was postponed indefinitely in the House Transportation and Energy on 2/22/01. After discussions with interested parties, the sponsor decided not to move forward with the bill. Colorado Department of Public Health and Environment staff committed to the sponsor to bring interested parties together after the session to work on the issues addressed by the bill.

Margy Christiansen briefed Council on **HB 1091**, which implements the clean screen program contained in the Carbon Monoxide Maintenance Plan developed by the RAQC and adopted by the AQCC. She indicated that the bill has hit a stumbling block with the County Clerks. The County Clerks have indicated that they believe under this proposal, they will be doing the work of the private sector contractor who will be providing remote sensing. They are seeking to be sufficiently compensated (3.3% of I/M fees collected) by the contractor for providing this service. The County Clerks have been asked to isolate the impacts of the Inspection and Maintenance program from the rest of the motor vehicle-related services which they administer. At this time, no information has been provided.

Council discussed the ramifications to the State and Denver region if the bill fails to pass, including:

- There would be no authority for CDPHE to extend the current contract, which means the program will stop as of 12/31/01.
- EPA could impose transportation sanctions for failure to implement a required measure in a SIP.
- Federal funding for transportation projects could be jeopardized.
- If the I/M program expires, DRCOG would not be able to show conformity with federal air quality requirements.
- The region's redesignation request cannot move forward without the clean screen program.

Council also discussed the implications if the bill passes with the current amendment, including:

- Funding scheme violates the state's current contract with Envirotest.
- If the contract is re-bid, the cost to consumers would increase.
- The revenue provided to the county clerks for their role in the program approaches the level of funding shared by CDPHE and the Department of Revenue for administration of the entire program.
- The additional funding for county clerks replaces funding reserved for upgrades to make the Clean Screen Program possible.
- The 3.3% fee would also decrease the revenue for the independent contractors.

Jim Brandon, ESP, gave Council his perspective on the County Clerk issue. He explained that if the bill passes with the current amendment, which includes the 3.3% of emission tests fees collected, there will be no clean screen program. The contractor will not be willing to purchase the clean screen equipment and decrease its revenue.

Through their discussion, Council decided that the issues need to be re-framed for legislators. It was suggested that a fact sheet outlining the implications of the bill prepared and distributed in committee.

Tom Norton moved to have staff prepare a fact sheet from the RAQC outlining the implications of the bill with and without the amendments and to distribute the fact sheet to the appropriate legislative committees. Seconded by Jane Norton. Passed without objection.

Public Comment

None.

There being no further business before the Council, the meeting was adjourned at 4:30 p.m.