



## MINUTES

Friday, December 3, 2010

### **RAQC MEMBERS PRESENT:**

Andy Spielman, *Chairman, Hogan Lovells*  
Melissa Chalona, *CTL/Thompson Inc.*  
Eric Doering, *Town of Frederick*  
Rick Garcia, *Department of Urban Housing and Development (advisory)*  
Russell George, *Colorado. Department of Transportation*  
Darryl Jones, *Coventry Development*  
Elise Jones, *Colorado Environmental Coalition*  
Richard Long, *Citizen*  
Ben Manvel, *City of Fort Collins*  
Paul Natale, *City of Commerce City*  
Martha Rudolph, *Colorado Department of Public Health and Environment*  
Jennifer Schaufele, *Denver Regional Council of Governments*  
Jep Seman, *Corporate Advocates*  
Nancy Severson, *Denver Department of Environmental Health*  
Skip Spensley, *Environmental Consultant*  
Will Toor, *Boulder County*  
Elena Wilken, *Colorado Association of Transit Agencies*

### **RAQC MEMBERS NOT PRESENT:**

Debra Baskett, *City and County of Broomfield*  
Bob Fitzgerald, *City of Aurora*  
Susan Kirkpatrick, *Colorado Department of Local Affairs*  
Linda Morton, *Morton Consulting Co.*  
Bob Murphy, *City of Lakewood*  
John Putnam, *Kaplan, Kirsch, & Rockwell, LLP*  
Nancy Sharpe, *City of Greenwood Village*  
David Stewart, *EnCana Oil & Gas (USA)*

### **RAQC ALTERNATES PRESENT:**

Jennifer Finch, *Colorado. Department of Transportation*  
Kate Fay, *Colorado Department of Public Health and Environment*  
Andy Hill, *Colorado Department of Local Affairs*

### **RAQC STAFF PRESENT:**

Ken Lloyd; Sarah Anderson; Jerry Dilley; Misty Howell; Stephanie Lind; Steve McCannon; Aneka Patel; Kate Riegler

### **OTHERS PRESENT:**

Rod Bockenfeld, DRCOG; Kris Bohling, Wagner Equipment; Usha Burnett, Suncor Energy; Margy Christiansen, RAQC; Cindy Cody, EPA; Steve Cook, DRCOG; Dennis Creamer; John Gallagher, Suncor Energy; Audrea Gelfuso, Citizen; Karen Hancock, City of Aurora; Randy Harrison, Move Colorado; Gail Hoffman, CDOT; Curt Huber, American Lung Association; Deb Lebow-Aal, EPA; Rich McClintock, Transportation Solutions; Rich Muzzy, Pikes Peak Area Council of Governments; Jessica Osborne, CDPHE; Mike Salisbury, SWEEP; Barbara Stinson, Meridian Institute; Jason Vahling, CDPHE; and Bill Van Meter, RTD;

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The meeting was called to order at 9:40 a.m. by Chair Andy Spielman. A quorum was present.

### **Approval of Agenda**

**Nancy Severson moved to approve the minutes. Seconded by Darryl Jones and Elise Jones. Motion passed without objection.**

### **Approval of Minutes**

**Elise Jones moved to approve the minutes. Seconded by Nancy Severson. Motion passed without objection.**

### **Informational Items**

#### *Chair*

None.

#### *Executive Director*

None.

#### *Members*

Jennifer Schaufele introduced Rod Bockenfeld, DRCOG's Board Chair and Arapahoe County Commissioner. She noted that other DRCOG Board members may come later, but most are attending the National League of Cities conference.

Will Toor informed Council that the members of the National Governors Policy group attended a meeting in Seattle, Washington to hear from other states regarding strategies being implemented or considered to reduce ozone. He said the economist working with the project, Joe Cortright from Impresa Consulting, is working to understand the affect of compact development patterns on the economy in the Denver area. The group worked to fine tune the analysis with him. He suggested that Mr. Cortright come and talk to the Board.

Martha Rudolph said that CDPHE met with EPA regarding an initiative to look at how states can use energy efficiency measures to get SIP credit. She said this is an innovative concept and a number of states have been successful with using the measures in SIPs. Martha indicated the major issue to be worked out is whether the measures should be included in the baseline or as SIP credit. She said that EPA is working on guidance. Draft guidance is expected in February with final guidance expected by mid-summer 2011. Martha informed Council that CDPHE staff is looking at how much work would be involved to use get SIP credit for these energy efficiency measures to determine if it is worth pursuing. She will bring back information to Council at its January or February meeting. In response to questions, Martha indicated that enforceability is the big issue. She said there is some hesitance to include the measures in a SIP because of the federal enforceability. They need to look at whether it makes a difference whether the measures are included in the baseline or in the SIP.

Skip Spensley indicated he is still confused about the difference with measures included in the baseline or in the SIP. He asked if Martha could provide some general slides on quantifications, baseline and SIP credit. He said it would help with the strategy discussions.

Nancy Severson requested that staff provide Council with a handout indicating the difference between SIP credit measures and state-only actions similar to what was used during the 2008 SIP process.

### **Public Comment**

None.

### **Facilitated Discussion of Motor Vehicle and Fuels Subcommittee Report-out, and Recommendations (Remaining Measures)**

Jep Seman reviewed the motor vehicle and fuels subcommittee chart with Council.

Dick Long said the committee considered the EPA and CDPHE's review of an OBD program and noted there is a general disagreement about how well an OBD program worked. Nancy Severson also told Council that during the last SIP when the RAQC met with decision makers and citizens from the North Front Range, many advocated for an OBD program and encouraged the RAQC to keep the option on the table and look at it in more detail.

In response to questions, Ken Lloyd indicated that remote sensing was a pilot project under HB1302. He also said that it has been determined that remote sensing cannot be used as a substitute for IM240 testing because not all cars are detected. It does however have merit as a supplement to the current IM 240 testing. Martha Rudolph clarified that the remote sensing is a voluntary program,

Jep Seman noted that the subcommittee recommended tabling diesel retrofits as a mandatory measure due to program costs, but thought the measure has merit as a voluntary measure. In response to Will Toor's inquiry regarding cost and benefit, Steve McCannon indicated the subcommittee discussed the difficulty of funding a mandatory program. He told Council that the RAQC has been successful in getting funding and creating partnerships with school districts, municipalities and private companies to implement a voluntary diesel retrofit program.

Jep Seman also said the subcommittee recommended tabling a mandatory truck stop electrification program at this time because there are cheaper alternatives that get the same benefits.

The subcommittee recommended pursuing information on Phoenix's use of signal time and coordination in its SIP. Jerry Dilley informed Council that since the subcommittee's last meeting he has spoken with an engineer from Phoenix who pointed out a three year time frame and that Phoenix only included the measure in the short-term because of the five year life cycle of signalization. The engineer indicated that they would not include the measure in a 10-year maintenance plan because of the life cycle timing. Jerry is waiting for additional response regarding how the measure was included and accepted into the SIP. He noted that DRCOG is also evaluating this measure and more information may be available.

The Council concurred with the subcommittee recommendations as outlined in the handout.

## **Facilitated Discussion of Alternative Transportation and Land Use Subcommittee Report-out, Recommendations**

Elise Jones gave a general overview and explained the methodology used by the Alternative Transportation and Land Use subcommittee to evaluate the built environment to reduce air quality impacts.

Martha Rudolph indicated that she has had some conversations with Jessica Osborne and Jason Vahling from CDPHE's Prevention Services Department, which deals with public health issues. She said Prevention Services has a goal to promote healthy lifestyles and it may be possible to combine some resources to help with Council efforts. She also said there may be funding opportunities to look at healthy lifestyle choices and land use decisions. Jason said it might be possible to create strategic partnerships with Live Well Colorado and provide outreach regarding built environments.

Skip Spensley said the subcommittee and Council may want to reference a 1997 Land Use Handbook and Workbook that was created during the RAQC's Blueprint for Clean Air comprehensive planning process. Anyone interested in obtaining a copy should contact Misty Howell.

Elise Jones reviewed the recommendations of the Alternative Transportation and Land Use subcommittee as outlined in the handout.

During the discussion Russ George pointed out that the subcommittee recognized the discussion of these land use issues as a local issue and not a jurisdictional conversation. He said local conversations will lead to state conversations. As an example, he noted that the 2009 adoption of the FASTER bill, which reached into planning and listed specific criteria to consider, was a trigger for transportation planning to conduct broader analysis. The Departments of Transportation (DOTs) have reached discussions which now include air quality planning.

Council discussed the land use tools strategy. It was noted that the strategy should be used to encourage local governments to include a build metric for land use around transit ridership. A major challenge for land use is the perception that farther out is a better lifestyle. It was noted that there needs to be a big change in thinking. Discussion also included the differences in transit opportunities for different municipalities and how the economic situation affects the built environment. Elise said that the idea behind grouping the tools is that communities can use the tools that best fit their circumstances.

Barbara Stinson summarized that the land use tools are a range of tools to reduce VMT that included options for diverse communities.

During the discussion of the financial and economic tools strategy, Jennifer Schaufele said that DRCOG is conducting some economic analysis, but has limited data. It was noted that is important for local governments to have conversations about cost sharing and sales tax. Council decided to list Revenue Sharing as a separate measure on the table.

Council discussed the Community Land Trusts strategy. It was noted that the metro area has some successful models of how this can work. It was suggested that this could be a regional rather than local strategy.

Council concurred with the subcommittee's recommendations.

### *Public Comment*

Rich McClintock, Transportation Solutions, said it was good to get the insight into the focus of the subcommittee work. He said the biggest benefit of land use strategies is the change in live, work and play patterns. Mr. McClintock also said that DRCOG's goals support sustainability and urban centers. He suggested the subcommittee focus its economic strategies on urban centers.

### **Discussion of RAQC "Next Steps"**

Kate Fay outlined the next steps as follows:

- Draft report to Governor, as outlined in the Executive Order for discussion in January
- Determine how the analytical work will be done and by whom; discussion with DRCOG, CDPHE and other agencies as necessary
- Collaboration meetings with EPA/RAQC/CDPHE
- Circling back with stakeholders for perspective
  - Industry provide perspective on Fuels Study
  - Other business, industries, local governments, etc., as identified

Elise Jones suggested it might be a good opportunity to invite the Governor and/or Governor-Elect to a meeting to discuss the report and brief the Governor-Elect.

Council reviewed the potential 2011 meeting dates, which keep the meetings on the first Friday of each month from 9:30 a.m. – 12:30 p.m. Council decided that the meeting dates that fall near holidays will be moved to the following Friday. Staff will work to lay out work plan objectives and a timeline for the meeting dates.

### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 11:55 p.m.