



MINUTES

Friday, January 27, 2012

RAQC MEMBERS PRESENT:

Andy Spielman, *Chairman, Hogan Lovells*
Melissa Chalona, *CTL|Thompson Inc.*
Eric Doering, *Town of Frederick*
Darryl Jones, *Coventry Development*
Elise Jones, *Colorado Environmental Coalition*
Doug Linkhart, *Denver Department of Environmental Health*
Jackie Millet, *City of Lone Tree*
Bob Murphy, *City of Lakewood*
Jep Seman, *Corporate Advocates*
Skip Spensley, *Environmental Consultant*
Will Toor, *Boulder County*

RAQC MEMBERS NOT PRESENT:

Reeves Brown, *Colorado Department of Local Affairs*
Bob Fitzgerald, *City of Aurora*
Rick Garcia, *Department of Urban Housing and Development (advisory)*
Don Hunt, *Colorado. Department of Transportation*
Ben Manvel, *City of Fort Collins*
Paul Natale, *City of Commerce City*
John Putnam, *Kaplan, Kirsch, & Rockwell, LLP*
Jennifer Schaufele, *Denver Regional Council of Governments*
David Stewart, *EnCana Oil & Gas (USA)*
Chris Urbina, *Colorado Department of Public Health and Environment*
Phil Washington, *Regional Transportation District*
Elena Wilken, *Colorado Association of Transit Agencies*
Tracy Winfree, *City of Boulder*

RAQC ALTERNATES PRESENT:

Debra Perkins-Smith, *Colorado. Department of Transportation*
Martha Rudolph, *Colorado Department of Public Health and Environment*

RAQC STAFF PRESENT:

Ken Lloyd, Sarah Anderson, Kate Cooke, Jerry Dilley, Misty Howell, Steve McCannon, and Kate Riegler.

OTHERS PRESENT:

Eric Anderson, SE2; Lizzy Bunker, University of Denver student; Margy Christiansen, RAQC; Nhat Do, University of Denver student; Andrew Dougherty, University of Denver student; Andrea Gelfuso Goetz, AG's Office; Karen Hancock, City of Aurora; Randy Harrison, RW Harrison and Associates; Lyn Heinricy, CDPHE; Scott Jackson, EPA, Region 8; Tim Jackson, Colorado Auto Dealers Association; Evelyn King, Citizen; April Maestas, Suncor Energy; Brian Marsli, Envirotest; Mim Mirsky, Denver Environmental Health; Ryan McCann, Transportation Solutions; Lee Payne, Planet Honda, Golden; Anne Ritter, University of Denver student; Jill Unfried, Clear the Air Foundation; and Erik Williams, University of Denver student.

The meeting was called to order at 9:45 a.m. by Chairman Andy Spielman. A quorum was present.

Approval of Agenda

Andy suggested that the discussion on legislation be moved to an earlier time in the agenda.

Jep Seman moved to approve the agenda with the suggested change. Seconded by Elise Jones. Motion passed without objection.

Approval of Minutes

Jep Seman moved to approve the minutes. Seconded by Skip Spensley. Motion passed without objection.

Informational Items

Chair

Andy Spielman indicated that the new executive order continues the RAQC's work through 2015, reappointed members and appointed three new members to the Council.

Andy also asked members to consider volunteering to be Vice Chair.

Executive Director

Ken Lloyd announced that Sarah Anderson is leaving the RAQC to relocate to Iowa and pursue her master's degree. He said she will be missed.

Members

None.

Public Comment

Rich McClintock, Transportation Solutions, indicated that some of the TMAs have partnered with DRCOG for a multi-year campaign to create new messaging for Ride-arrangers, employer outreach, bike-to-work outreach as well as other programs. He also noted that there are emerging TMAs in North Thornton and at Fitzsimmons.

Andrea Gelfuso Goetz, University of Denver, introduced the environmental law undergraduate students that she brought with her to the meeting.

Introduction of New Members

Ken Lloyd introduced Jackie Millet, Lone Tree Council Member, and Doug Linkhart, Manager of Denver Environmental Health. The new members provided an overview of their background. Council members introduced themselves as well.

Andy Spielman noted that Tracy Winfree from the City of Boulder was also appointed but she was unable to make the January meeting.

Legislative Update and Discussion of Legislation of Interest

Margy Christiansen, Christiansen Corporate Resources, provided Council with an overview of what is happening at the Capitol.

Senate Bill 12-034, concerning the repeal of the rapid screen program to identify high-emitting motor vehicles, and House Bill 12-1103, concerning an authorization for a Board of County Commissioners to exclude its county from the enhanced automobile inspection and readjustment emissions program area were introduced and are waiting to be put on the calendar.

Ken Lloyd clarified that SB 12-034 repeals language in HB 09-1302 implementing procedures for a mandatory remote sensing high-emitter program. HB 09-1302 also established a pilot program which was conducted over the last three years. The conclusion of the pilot program was that while the dirty screen program may possibly have promise as a supplement to the current program, it is not feasible as a replacement program for the current I/M240 program. As a result, there is currently no intent to implement a mandatory remote sensing high emitter program, so the bill merely removes language in HB 09-1302 implementing the high emitter program. Martha Rudolph noted that the recommendation from the Legislative Audit Committee was that the dirty screen pilot program not be used as a replacement for the current I/M240 program. She said that through the dirty screen pilot program cars that failed the screening often passed the traditional I/M240 test, causing the program to be less effective. In response to the reliability of the technology, Ken Lloyd relied that the system is much better at identifying clean cars. He noted that the original bill established pay-upon-registration, which is one of the provisions being removed through the current bill. Martha also said that the clean screen program will continue and indicated that CDPHE is in support of this bill.

Council requested the data from the report on the pilot program. Doug Linkhart said it might be of interest to the Council to see the Legislative Audit Report and suggested a link be provided.

Andy Spielman reminded Council that it is at Council's discretion to determine whether to take positions on legislation.

Will Toor moved to remain neutral on SB 12-034 and to oppose HB 12-1103. Seconded by Eric Doering.

Skip suggested that the data on the clean screen/dirty screen programs be included in a future presentation to Council.

Jep Seman made a friendly amendment that Council monitor SB 12-034. This was acceptable to Will Toor and Eric Doering. Motion passed without objection.

Margy Christiansen requested direction from Council regarding how they want to oppose HB 12-1103. Andy Spielman asked Council if they wanted to show their opposition by submitting a letter or in another way. Martha Rudolph indicated there would be technical issues with the state plan if a county were to remove itself from the program. The State would need to substitute emission reductions associated with the removed area. Andy Spielman suggested Ken Lloyd provide talking points for Margy to use during discussions. Council agreed.

Update on Ozone Planning Activities and Actions

Ken Lloyd informed Council that in December EPA reaffirmed the Governor's recommendations for nonattainment area boundaries submitted in 2009. The next step is that EPA will issue a rule on how areas will be classified. Ken said the Denver region is expecting to be classified "marginal". EPA is expected to make the official designations at the end of May 2012. EPA will issue an implementation rule which will be proposed this summer and finalized by the end of 2012.

Discussion and Approval of RAQC 2012-13 Work Program and 2012 Budget

Ken Lloyd reviewed the tasks and substance of the work plan with Council. He said that due to timing issues associated with the new contract for CMAQ funding, the OzoneAware program will be the same in 2012 and any major changes will be done during the 2013 program. He noted several new programs for 2012, including development a local government land use tools handbook with the assistance of EPA. Ken also informed Council that the RAQC received new funds through a Supplemental Environmental Program (SEP) to purchase an infrared camera, which will be made available to local government staff and private companies to identify leaks in oil and gas equipment.

There was discussion on oil and gas drilling and its effects on future year modeling. Ken indicated that staff is working with APCD staff to understand the issues. The new Colorado rules will be another base to be factored into future growth. Skip Spensley asked if the State is considering adding monitors to Weld County. Martha Rudolph said they are always evaluating monitor sites.

Ken Lloyd provided an overview of the budget to Council. He said local government funding is down 17%. He noted that additional DRCOG funding recently became available and the RAQC received another \$2 million to fully fund the alternative vehicle technology program.

Ken informed Council that the proposed salary number did not include any salary increases for staff, but indicated Council could consider an increase for 2012 since staff has not received an increase in two years. Council discussed what local governments were doing and decided it made sense to consider increases at this time. Several members said it is important for staff retention and morale to consider increases.

Skip Spensley moved to provide a 3% increase to staff salaries. Seconded by Eric Doering. Motion passed without objection.

Eric Doering moved to approve the work plan and budget with the salary increase. Seconded by Jep Seman. Motion passed without objection.

Discussion of Future Meeting Agendas and Potential Conversations with Other Organizations

Andy Spielman asked Council if the current schedule of alternate monthly meetings still worked for everyone. Council concurred that they wanted to continue with the every other month schedule.

Ken Lloyd outlined some groups for Council to consider scheduling discussions with at future meetings:

- CDOT (Don Hunt scheduled for 4/6 meeting)
- Insurance industry
- State Land Board
- Clean Cities Coalition – FEVER project (electric vehicles) update
- DRCOG (specifically re: 2040 plan).

Council reaffirmed that they wanted to schedule meetings with the groups mentioned. Andy Spielman indicated that reports on subcommittee work with continue to be part of the future meetings as well.

Next Meeting

Ken Lloyd outlined the tentative agenda items for the April meeting, which included:

- Don Hunt, overview of CDOT work, including:
 - CDOT/RTD tax initiative
 - Mileage based user fees
 - TBD Colorado update
 - Quantifying GHG emissions
- OzoneAware update
- High Emitter presentation

Public Comment

Evelyn King from Larimer County asked what when wrong with the planning since the I/M program was implemented in the North Front Range and the region still exceeded the standard. She asked for similar follow up with the Clean Air Clean Jobs Act (HB 1365). Ken Lloyd indicated the area is already in violation of the standard. The higher ozone levels seen throughout the region last year were mostly due to meteorology. He said that emissions are going down, but there is year-to-year fluctuation due to the nature of ozone. He noted that the bulk of HB 1365 control measures have not been implemented yet. Some of the measures will be implemented in 2013 and others not until 2018. It will be several years before the benefits of those measures will be seen.

Tim Jackson, Colorado Auto Dealers Association (CADA), informed Council that his organization has created the Clear the Air Foundation to help take old high emitting vehicles off the road. He said there are 250 dealer members and each dealer has been asked to recycle four cars per year instead of selling them. He noted that 84% of a car is recyclable and to-date 150 cars have been taken off the road.

Lee Payne, owner of Planet Honda in Golden, said that it is a small way for dealers to make a difference and often the turn-over of old cars offsets the emissions benefits from new cars.

Jill Unfried, Program Coordinator for the Clear the Air Foundation, stated it is her job to convince dealers to participate in the program. Under their program, the engines have to be crushed. Tim Jackson said the Foundation is working to be self-sustainable. The salvage yards bid on the cars and the money goes to the Foundation.

There was discussion regarding how vehicles are selected for the program.

Eric Anderson, a consultant for CADA, asked Council to endorse their program, including assisting with promoting the program. Andy Spielman indicated Council is not in a position to commit to action today, but can consider the request. Martha Rudolph noted that CDPHE has an Environmental Leadership program and this work might be a fit into that program. She directed them to contact Lynette Myers.

Adjournment

There being no further business before the Council, the meeting was adjourned at 11:45 a.m.