



Volkswagen and Audi Settlement Stakeholder Meeting Agenda

Monday, November 7, 2016
9:00 am - 11:30 am (CDPHE's Sabin-Cleere Room)

Please register [here](#) to attend and to present verbal comments

DESCRIPTION

Colorado anticipates receiving about \$61 million from an Environmental Mitigation trust established through a partial settlement of lawsuits against Volkswagen and Audi for installing emissions "defeat devices" on certain vehicles in violation of the federal Clean Air Act. The Air Pollution Control Division invites you to a public meeting about Colorado's implementation of the settlement and the state's use of the settlement funds. Comments, questions, and concerns will be considered during the meeting and the Division's ongoing planning.

PURPOSE

- Inform the public about the settlement
- Solicit and listen to stakeholder comments to guide Colorado's implementation of the settlement

DESIRED OUTCOMES

- Understand background and timeline of the settlement
- Understand how the settlement funds may be used to improve air quality
- Receive public comment on how Colorado should implement the settlement and spend the funds

AGENDA

- Introduction
- Summary of settlement - background and status of consent decree
- Timeline
- Colorado's implementation of the settlement
- Process of allocating funds and potential issues
- Questions and answers
- Public comment (advance registration recommended)
- Meeting wrap-up

MEETING DETAILS

Intended Audience: Members of the public and potential recipients of the Volkswagen settlement funds

When: Monday, November 7, 2016

Time: 9:00 am - 11:30 am

Where: Colorado Department of Public Health and Environment

4300 Cherry Creek Drive South, Sabin-Cleere Room (in building A)
Denver, CO 80246

Adobe Connect Webcast: <https://cdphe.adobeconnect.com/vw/>

We look forward to your participation. Please extend this invitation to your organization and others who may be interested. Space is limited, so please limit attendance to two people from each organization.

For more information, please visit - <https://www.colorado.gov/pacific/cdphe/VW>

You can submit questions or comments to - cdphe.commentsapcd@state.co.us



September 30, 2016

REQUEST FOR PUBLIC COMMENT REGARDING THE VOLKSWAGEN AND AUDI PARTIAL SETTLEMENT

The Colorado Department of Public Health and Environment (CDPHE) requests public comment on all aspects of Colorado's implementation of the proposed VW and Audi partial settlement. Among other things, the settlement would establish an Environmental Mitigation Trust that allocates about \$61 million to Colorado for certain emission reduction projects. Public organizations, private entities, and individuals may receive funding for eligible projects. CDPHE is the state's lead agency to implement the trust. Depending on when the court approves the settlement and the trust is finalized, CDPHE anticipates that Colorado could begin soliciting project applications in mid-2017 and funds would be available by the end of 2017. More information about the settlement can be found at www.colorado.gov/CDPHE/VW.

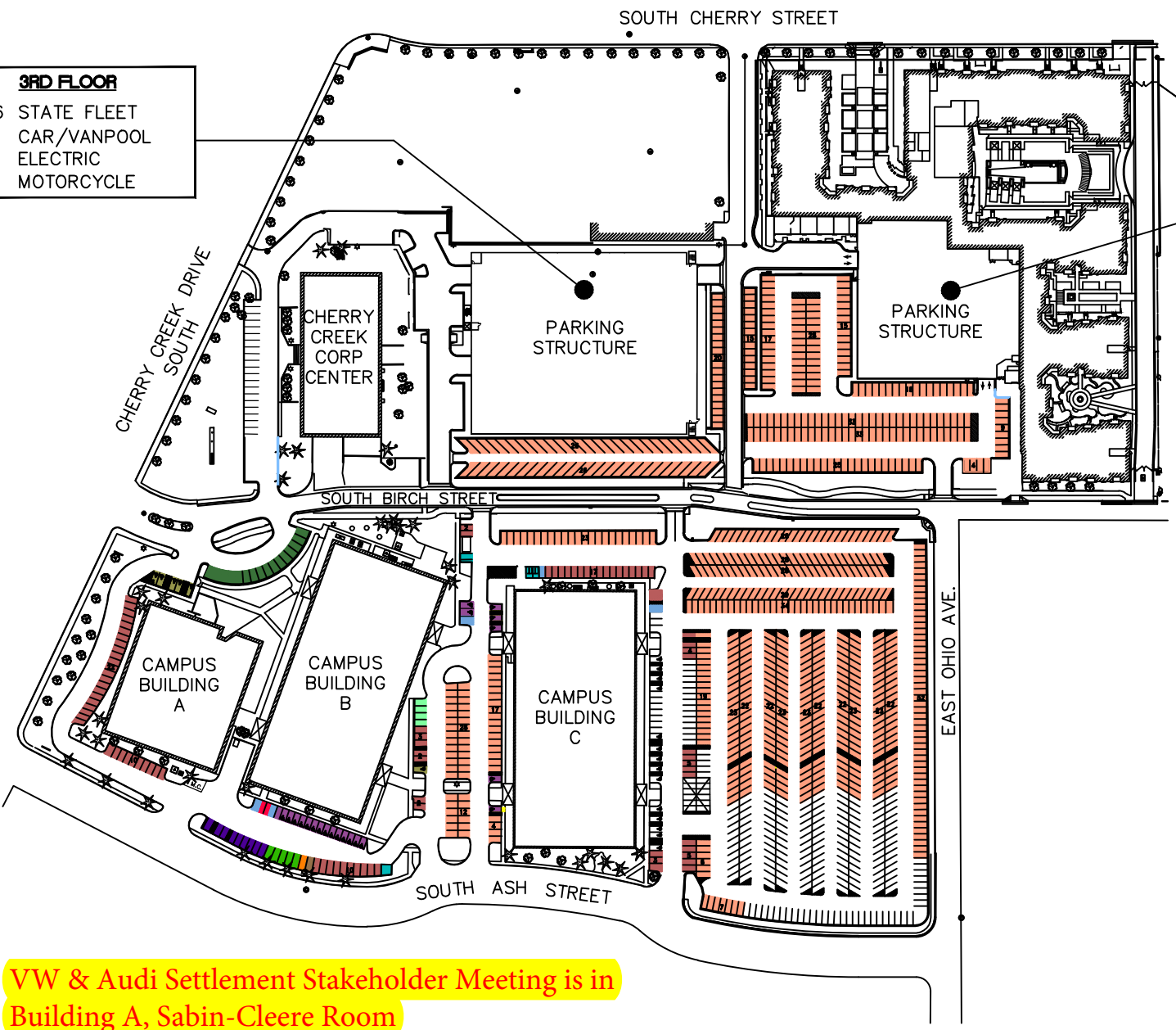
Please submit any comments and information by November 7, 2016 to cdphe.commentsapcd@state.co.us or in person at the November 7, 2016 public meeting. CDPHE particularly seeks comment on the following issues regarding the Environmental Mitigation Trust:

1. How the settlement money should be distributed, spent, and accounted for
2. How to maximize the air quality benefits resulting from the trust
3. Whether projects should be fully funded or partially funded (the trust allows reimbursement of 25%-100% of eligible costs, depending on the project category)
4. What process should Colorado use to solicit, review, and approve or disapprove applications for funds?
5. Whether to set aside funds for particular categories of projects or applicants
6. Whether to give preferences to certain fuels, such as diesel, compressed natural gas, propane, hydrogen fuel cell or battery electric
7. The emission reductions achievable from each eligible mitigation measure
8. The costs and benefits of replacing or repowering vehicles with "Alternate Fueled" or "All-Electric" engine technologies, as defined by Appendix D-2.
9. The percentage of trust funds, if any, that Colorado should devote to Light Duty Zero Emission Vehicle Supply Equipment
10. Whether to expend trust funds on the "DERA Option"
11. How to determine whether a proposed project will benefit areas that have been disproportionately impacted by emissions of nitrogen oxides (NOx) or other pollutants, and information about such impacts in particular areas of Colorado
12. The criteria for evaluating applications for funds. How should Colorado consider the following factors, and what other factors should it consider?
 - a. Reductions in emissions of NOx and other pollutants

- b. Ozone, particulate matter, visibility, climate change, public health and other environmental values
 - c. Project costs and benefits
 - d. The economic impacts of proposed projects
 - e. The geographic distribution of funds
 - f. The division of funds between the categories of eligible projects
 - g. An applicant's status as a government agency, large business, small business, individual person, or other category
 - h. Whether a project applicant is low income, minority, or disadvantaged or operates vehicles in these communities
 - i. Benefits to areas that have been disproportionately impacted by NOx and other pollutants
 - j. The number of affected vehicles registered in the county where the project is proposed or predominantly operated in those counties
 - k. The project's potential to accelerate a broader transition to Alternate Fueled or All-Electric vehicles
13. How should Colorado account for existing programs, such as ALT Fuels Colorado or Charge Ahead Colorado, when implementing the settlement?
14. What are the pros and cons of awarding funds through the processes currently used for ALT Fuels Colorado and Charge Ahead Colorado? What changes, if any, would be needed to adapt the ALT Fuels and Charge Ahead Colorado award processes to the VW settlement?
15. Should Colorado consider the possibility that some projects might occur in the absence of trust funding, or that equipment purchased with trust funds might be quickly sold or moved out of state?
16. CDPHE will conduct public outreach through in-person and online public meetings, presentations to stakeholder groups, Facebook posts, tweets, written comments and traditional media. What additional factors, if any, should CDPHE consider in its public outreach?

3RD FLOOR
 106 STATE FLEET
 24 CAR/VANPOOL
 2 ELECTRIC
 1 MOTORCYCLE

GARDEN LEVEL + 1ST FLOOR
 133 CDPHE EMPLOYEE
 PARKING SPACES



2	[Red]	DELIVERY TRUCK
6	[Light Green]	ELECTRIC CAR
117	[Purple]	STATE FLEET
958	[Orange]	CDPHE EMPLOYEE
5	[Light Blue]	15 MINUTE
6	[Cyan]	MOTORCYCLE
86	[Brown]	CDPHE VISITOR
16	[Dark Green]	CDPHE 2 HOUR VISITOR
21	[Purple]	CDPHE EMPLOYEE HANDICAP
6	[Olive Green]	CDPHE VISITOR HANDICAP
1	[Brown]	DCEED ON CALL
1	[Orange]	DIVISION DIRECTORS
5	[Light Green]	CDPHE ASSIGNED
24	[Light Green]	CAR/VANPOOL
1175		TOTAL

VW & Audi Settlement Stakeholder Meeting is in Building A, Sabin-Cleere Room

CHERRY CREEK CORPORATE CENTER - CDPHE
 Parking Lot Plan
 Not to Scale



October 2016 Director's Report Addendum

CDOT Transportation Summit 2016

- November 1 - 10:00 am to 6:00 pm
- NFRMPO has purchased a table of 10
- Open to Planning Council Members
- Please let Terri or Renae know if you would like to attend by October 21.

Council/Board Presentations

- *I have made presentations to the Severance, Milliken and Berthoud boards*
- *Please let me know if you would like me to make a presentation on the MPO to your board or council*

Electric Driving Experience

- An electric driving experience is scheduled for 4:30 to 5:30 pm prior to the Planning Council meeting in Johnstown
- *The electric drive and ride event has been extended to 6:30 pm for the public*

Air Quality Outreach

- The Transfort buses still have the Air Quality bus tails on them reminding drivers to take care of the Air
- The Greeley buses bus backs debuted in August and run through the end of September
- Staff have attended local events in Milliken, Severance, Loveland, Windsor and Fort Collins handing out the bags and balloons
- *Staff attended the Taste in Timnath Fall Festival on September 24*
- *Staff also delivered one of the Air Quality Banners to Windsor for the Grand Opening of the Recreation Center*

VW Proposed Partial Consent Decree

- The Department of Justice has published a notice of a Partial Consent Decree for 2.0 liter engines that operate with the emission defeat software
- The Governor has designated the CDPHE as the agency to manage the VW program in Colorado
- There will be public outreach to obtain comments on how the funds should be spent
- VW is required to establish \$2.7B to mitigate excess emissions with funds distributed based on vehicles in that state
- VW must set aside up to \$10.33 to recall at least 85% of the vehicles with the defeat software
- VW must set aside \$2B for Zero Emission charging stations, zero emission education, and to improve access to Zero Emission Vehicles (ZEV) through Car share and rideshare programs
- Trustee expected to be selected by mid-2017
- More information available at <http://bit.ly/2aswWj9>
- *Comments may be provided in person on November 7 from 9:00 - 11:30 am in the CDPHE's Sabin-Cleere Room at 4300 Cherry Creek Drive in Denver or CDPHE has requested written public comment be sent to cdphe.commentsapcd@state.co.us by November 7*
- *An Adobe Connect Webcast is also available to listen to the meeting at the*

same time at <https://cdphe.adobeconnect.com/vw/>

Fix N I-25

- The next N I-25 Funding Subcommittee meeting is scheduled for October 7 from 11:30 to 1:00 pm at Perkins at Crossroads
- The N I-25 Coalition plans to hold a meeting with the State Legislators on December 7

NFRMPO Non-motorized Plan

- Staff presented to the Loveland Transportation Advisory Board on August 1, Fort Collins Transportation Board on August 17 and the Greeley Citizen Transportation Advisory Board on August 22.

HOV 3

- HOV three will be initiated in January 2017
- *HPTE staff will present the change at the I-25 Funding Subcommittee on October 7*

NFRMPO Staff Changes

- The NFRMPO will be conducting in person interviews with four candidates on September 28 and hopes to have an additional planner on board by mid-November if not sooner.
- *NFRMPO hired Ryan Dusil and he will start on October 11.*

VanGo™

- VanGo™ staff made a presentation to Estes Park employers on the ability to travel up the canyon with VanGo™ using a permit provided by CDOT
- CU has initiated a \$15 incentive for Vanpoolers using VanGo™
- MPO/VanGo™ staff are working with FTA and Transfort to identify a process that allows the sale of FTA funded vans without having to return 80% of the funding
- The MPO/VanGo Bids for the 2016 FASTER Van purchases closed on September 21 and 3 bids were received but none were completely responsive - VanGo is analyzing
- The MPO/VanGo received a FY 2017 FASTER award of \$186K for vehicle acquisition
- The MPO is working to update an IGA with the City of Fort Collins for the maintenance of the VanGo™ vehicles
- The MPO is reviewing an IGA to establish VanGo maintenance in Loveland
- VanGo™ will be sending out an RFP for a fare study and an app for NTD reporting.
- *VanGo™ staff attended US-34 Closure meetings on September 29 and October 4 to offer VanGo™ services*

NFRMPO and VanGo™ Websites

- The NFRMPO Staff with Greystone assistance has updated the website and the URL will remain the same
- *The new NFRMPO website is live*
- The VanGo™ website has been updated by Tripspark and will use a new URL of Vangovanpools.org

- *The VanGo™ website is expected to go live using the new URL in the next two weeks*

Bike/Pedestrian Counters

- The MPO loaned the three mobile counters to Loveland for counts for July 18-26 and again for September 27-October 5
- *The counters are available*
- For more information on the training or to reserve the counters, contact Aaron Buckley at 970-416-2309 or by email abuckley@nfrmpo.org

Mobility Committees

- *The Larimer and Weld County Mobility Committee will meet jointly on October 21 from 10:00 am to 12:00pm at the Windsor Community Recreation Center to kick off the update of the Coordinated Human Services Plan*

NFRMPO Documents available electronically or as printed copies

- To assist with public outreach, staff has designed and printed the following documents:
 - NFRMPO and VanGo™ Brochures
 - 2015 Annual Report
 - 2040 RTP Brochure
 - Mobility Postcards
 - Mobility Rider's Guide
 - Quarterly Newsletter

Any Planning Council member who would like extra copies of any of the documents can contact me at tblackmore@nfrmpo.org



North Front Range MPO Area - Project Status Updates (6 Oct 2016)

<u>Roadway / Segment</u>	<u>Status</u>
SH14	
US287 PR at Ted's Place	<i>In Design</i>
US287 to I-25 Surface Treatment	<i>In Design</i>
I-25	
Crossroads Blvd Interchange / Bridges	<i>Construction underway</i>
Truck Climbing Lane	<i>Construction underway.</i>
Ramp Metering- Harmony Rd SB SH392 NB/SB	<i>Under Advertisement</i>
US34	
Big Thompson Canyon Flood Repair	<i>Construction is underway</i>
PEL Study	<i>Bids opening</i>
SH56	
Berthoud East Surface Treatment	<i>Construction is finished</i>
SH60	
SH257 PR	<i>Construction is underway</i>
US85	
Ault to Wyoming	<i>Construction is underway</i>
O St to Ault- ADA ramps & Resurfacing	<i>Advertise Fall 2016</i>
US287	
Harmony to Mulberry Resurfacing	<i>Construction is underway</i>
SH1 to LaPorte Bypass	<i>Construction is underway</i>
Road damage near Larimer CR 17	<i>Advertise Fall 2016</i>
SH392	
US85 Intersection	<i>Construction commencing</i>
SH402	
Larimer CR 9E	<i>Ad estimated Fall 2016</i>



STAC Summary – September 23rd, 2016

- 1) **Introductions & July Minutes** – *Vince Rogalski (STAC Chair)*
 - a) August STAC Minutes approved without changes.
- 2) **Transportation Commission Report** – *Vince Rogalski (STAC Chair)*
 - a) CDOT DTR provided an overview of proposed changes to the 5311 funding program.
 - b) Budget reconciliation for FY15/16 yielded a surplus of \$85 million, while federal redistribution produced an additional \$48 million.
 - c) RoadX presented on its recent activities and will brief the STAC at a future meeting.
 - d) Approval was granted to move forward on the construction of a new Region 2 headquarters building in Pueblo.
 - e) STAC Chair Vince Rogalski is serving on the Legislature’s Efficiency & Accountability Committee, currently focused on evaluating the collection and documentation of FASTER vehicle fees.
- 3) **TPR Reports** – *TPR Representatives*
- 4) **Policy Directive 14 Current Performance & Strategies** – *Debra Perkins-Smith (CDOT Division of Transportation Development)*
 - a) CDOT staff reviewed PD14 performance measures with the TC this month and will use this information as part of the budget-setting process.
 - b) Some proposed changes to performance measures include:
 - i) Employing a Planning Time Index (PTI) to measure mobility, with a goal of 90% of state highways achieving a 1.05 PTI (currently at 85%).
 - ii) Adopting a statewide (rather than regional) transit infrastructure goal of having 65% of rural transit vehicles be in fair, good, or excellent condition (currently at 81%).
 - c) Additional funds are being requested to address deficiencies in surface treatment, preventative bridge maintenance, and other assets failing to meet current targets.
 - d) The TC will be asked to approve these goals, targets, and metrics via resolution in October.
 - e) STAC Discussion: STAC members note that growing population and VMT may skew perceptions of safety data such as crash rates and also that marijuana and electronic distractions present unique and emerging challenges to improving transportation safety.
- 5) **Revenue & Contingency Reconciliation** – *Maria Sobota (CDOT Division of Accounting & Finance)*
 - a) CDOT has successfully reduced its cash balance by \$800 million over the past 2.5 years and maintains policies to identify areas of risk to upcoming projects, including the erratic schedule of federal funding resolutions. Currently their model identifies a 1 in 1,000 chance of such a project delay.
 - b) Updated SB 228 forecasts indicate yearly transfers as follows:
 - i) FY15/16 – \$199 million (completed)
 - ii) FY16/17 – \$158 million (approved by the Legislature)
 - iii) FY17/18 – \$100-\$200 million (forecast by OSPB and Legislative Council)
 - iv) FY18/19 – \$100 million (forecast by OSPB and Legislative Council)
 - c) Annual debt service payments of \$167 million will expire in December of 2016 and have already been redirected to support asset management goals.
 - d) The Transportation Commission Contingency Reserve Fund (TCCRF) has approximately \$108 million available from increased revenues, federal redistribution, roll-forwards, etc. and are being requested to fund programs and projects including:



- i) \$15 million for Bridge Enterprise
 - ii) \$1 million for striping
 - iii) \$11.5 million for TSMO bottleneck improvements, safety patrol expansion, and operations enhancements
 - iv) \$13.7 million for RoadX connected vehicle pilot on I-70, Big Data platform, and statewide broadband collaboration
 - v) \$12 million for risk & resiliency efforts, including flood repair matches
 - e) The Transportation Commission will be asked to approve these budgetary changes in October.
- 6) **Break**
- 7) **National Highway Freight Program – Jeff Sudmeier (CDOT Multimodal Planning Branch)**
- a) The new FAST Act freight programs are prompting several new corridor designations, including critical urban, critical rural, and national multimodal freight corridors. Annual funding for the formula freight program will be roughly \$15 million annually.
 - b) CDOT is kicking off the Multimodal Freight Plan (MFP) and State Freight & Passenger Rail Plan (SFPRP) to identify the long-term process for targeting freight investments for FY18/19 and beyond.
 - c) A working group of region planners and environmental staff have formed to help identify freight project selection criteria that are robust, straightforward, transparent, and easily understood. Five basic eligibility requirements (3 federal and 2 state) have been established, plus additional criteria from the State Highway Freight Plan and Statewide Transportation Plan goal areas (including safety, mobility, maintenance, and economic vitality), and resiliency and funding leverage.
 - d) STAC Discussion: STAC members urge caution with a funding leverage criteria that could lead to a “pay-to-play” system.
- 8) **10-Year Development Program – Jeff Sudmeier (CDOT Multimodal Planning Branch)**
- a) The 10-Year Development Program consists of higher priority, unfunded projects that could be addressed within a 10-year window.
 - b) The Tier 1 list totals \$2.5 billion and the Tier 2 list totals an additional \$5 billion.
 - c) CDOT staff is requesting STAC input on the 10-Year Development Program list as it is finalized. Transit, bike/ped, and operations projects are under development but will be added before the list is finalized.
 - d) STAC Discussion: STAC members would like to see geographic equity and Tier 1 / Tier 2 dollar totals reflected on the final document.
- 9) **Rest Area Study – Joshua Laipply (CDOT Chief Engineer)**
- a) CDPHE recently closed the rest area at Deer Trail, spurring a broader evaluation of CDOT’s rest areas throughout the state.
 - b) There are 27 rest areas in the state that would require roughly \$15 million to upgrade to B+ condition and \$5-\$6 million per year to maintain.
 - c) Currently staff is developing rest area assessment criteria that will eventually be used to develop a CDOT policy for rest areas.
 - d) Next steps include development of a draft policy, integrate CDOT truck parking study findings, finalizing evaluation, and developing strategies for each site.
 - e) STAC Discussion: STAC members clarify that not all rest areas are currently ADA compliant, confirm that CDOT is not allowed to develop concessions on rest areas within the public ROW, and are informed that CDOT is working to develop a multi-state truck parking locator pilot as a part of RoadX.
- 10) **STAC Workshop & Elections – Vince Rogalski (STAC Chair)**
- a) STAC members discussed various approaches to improving the efficiency of STAC meetings, such as providing meeting materials further in advance and with clearer indication of the type of input requested by CDOT staff. An annual schedule indicating key points of STAC input would help members



COLORADO

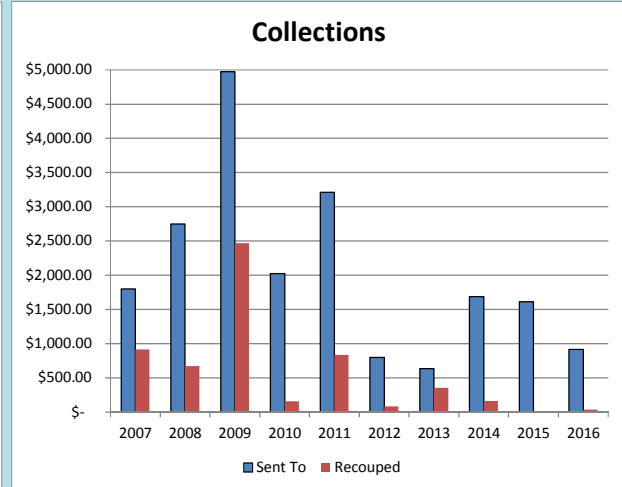
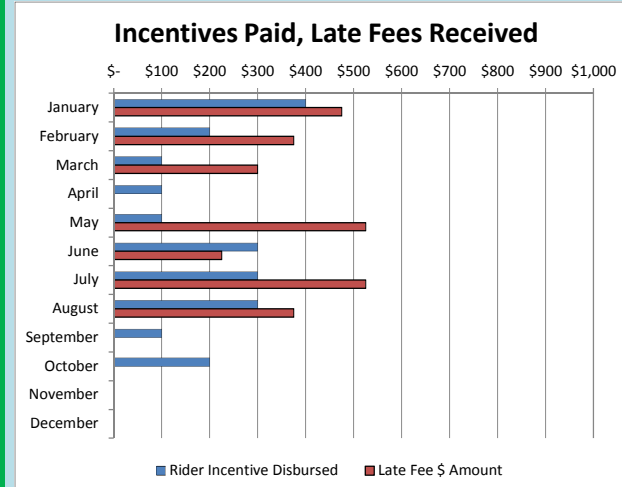
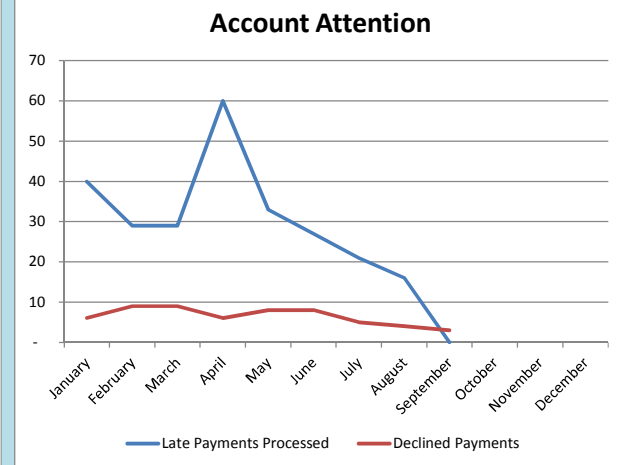
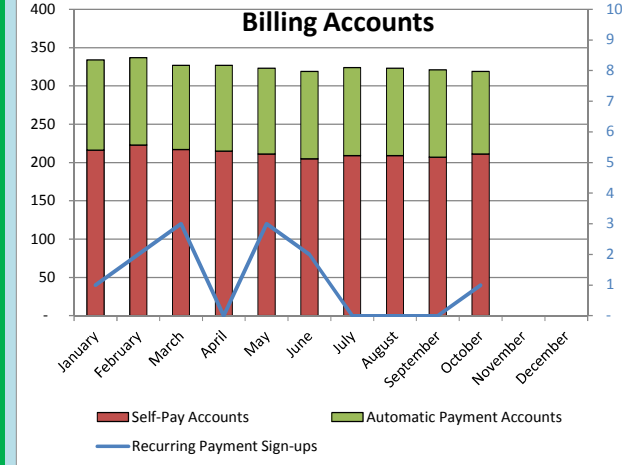
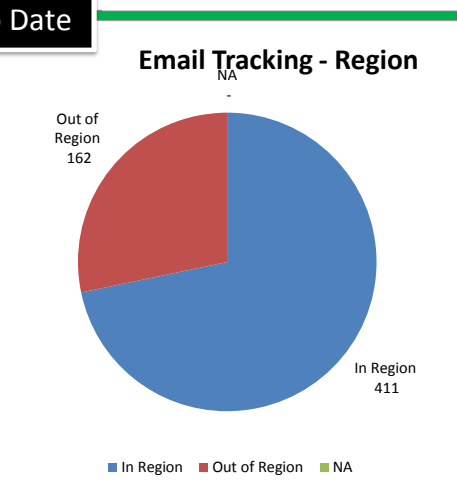
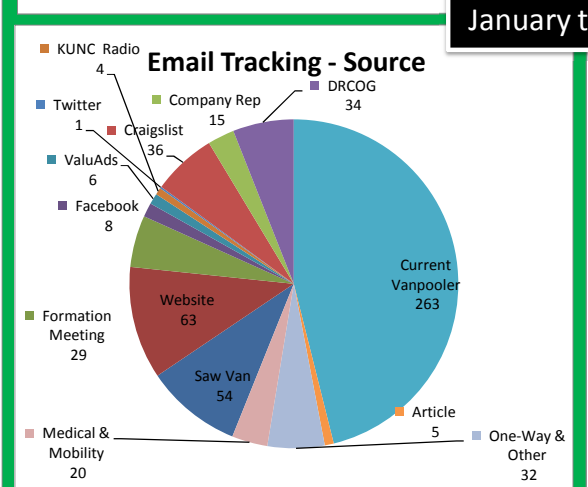
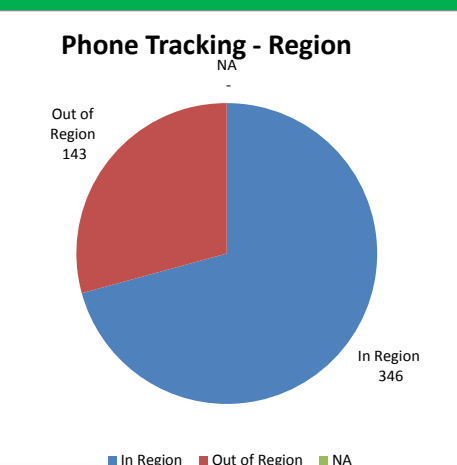
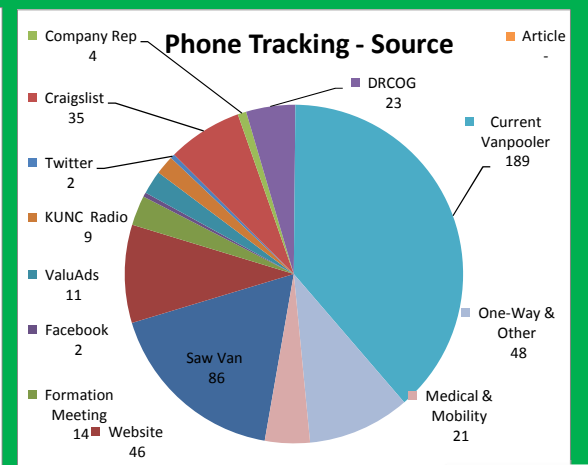
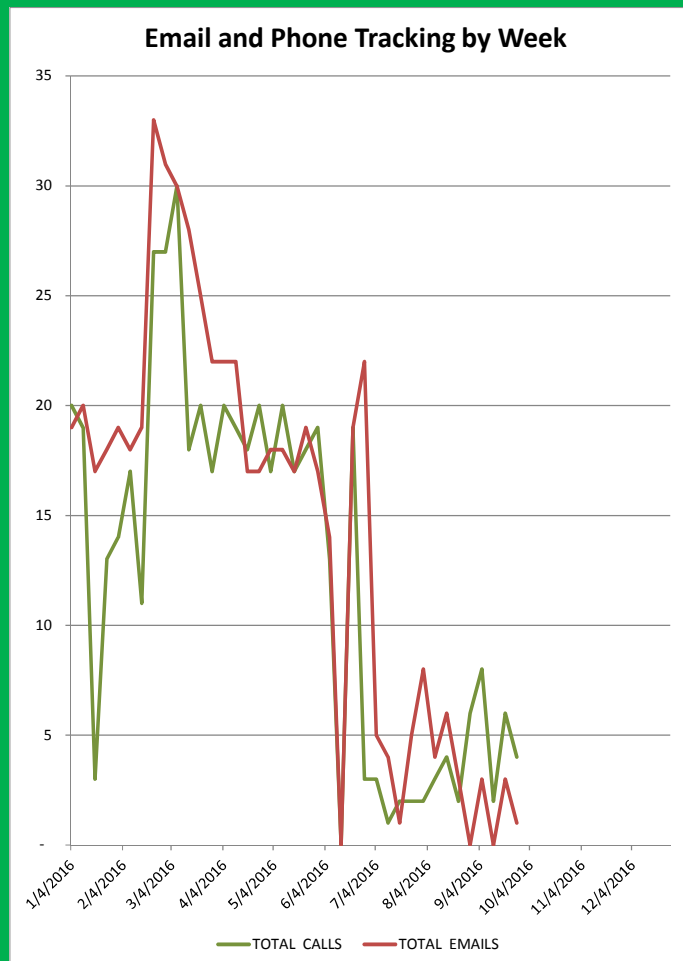
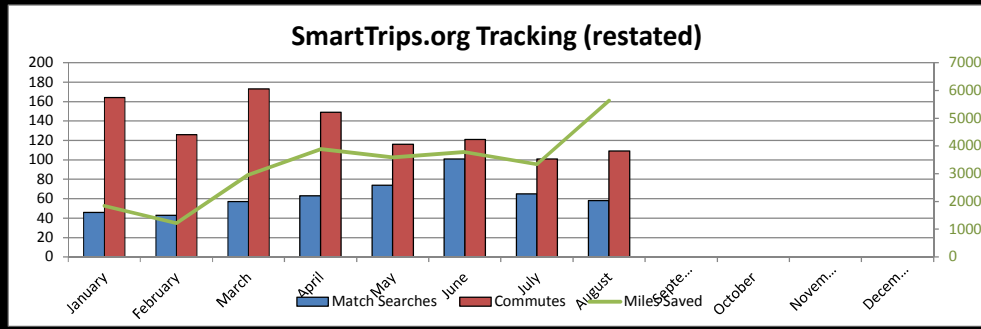
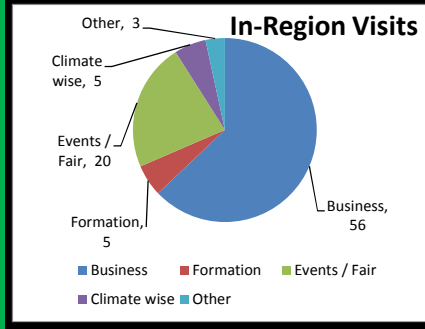
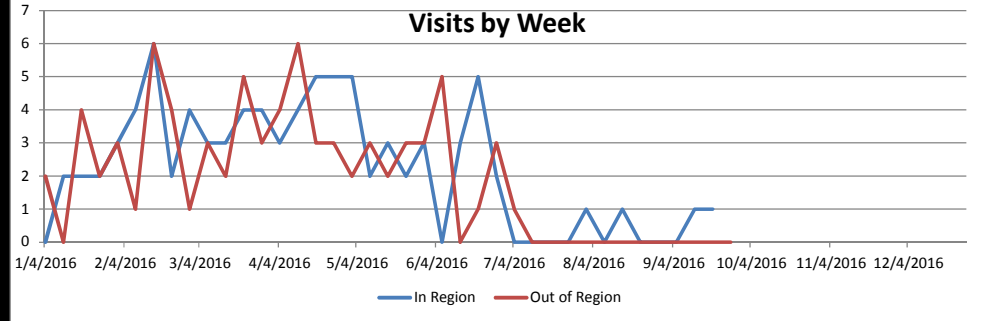
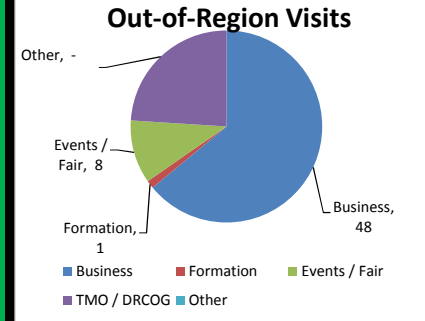
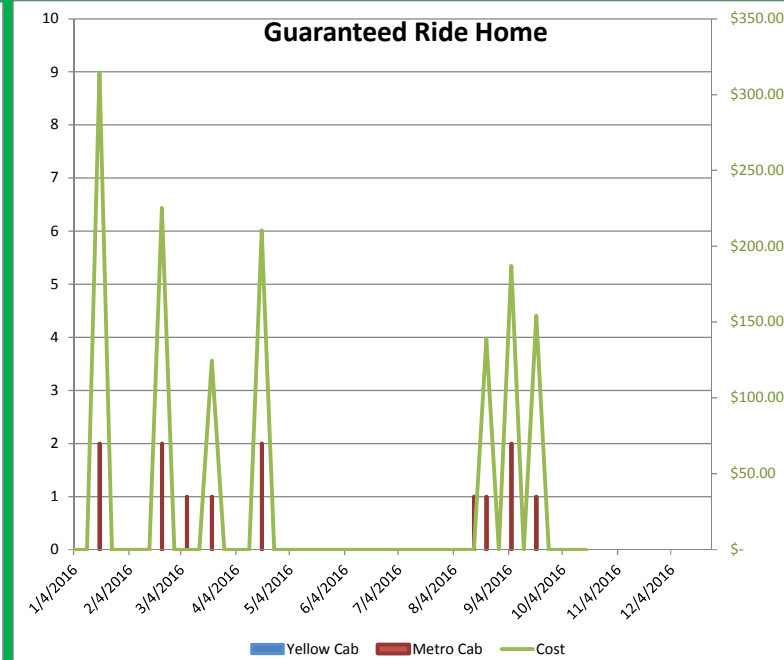
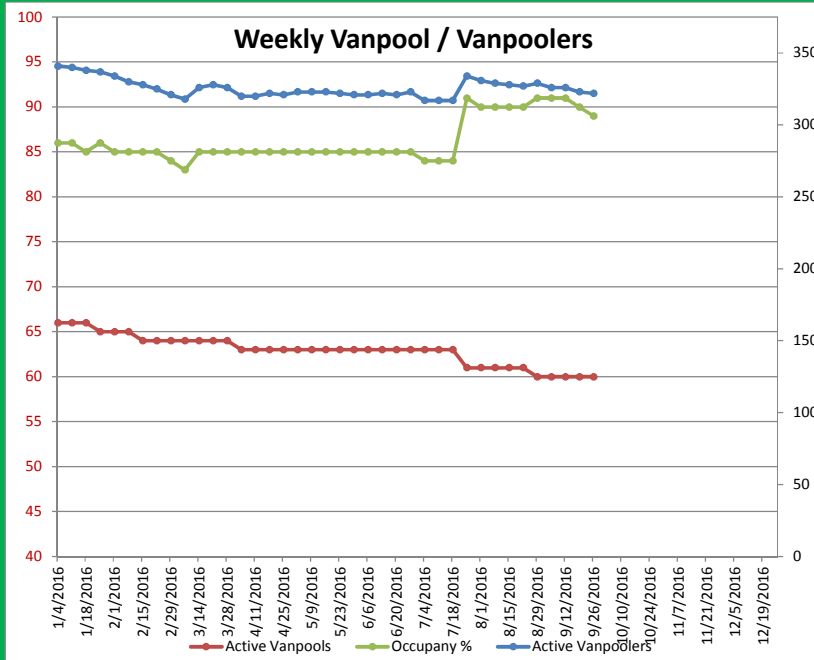
Department of Transportation

prepare for meetings and consult with their local colleagues beforehand. Establishing a minimum timeframe for sharing materials would also be helpful in preventing rushed decision-making.

- b) During the October meeting, STAC will meet with Transportation Commissioners Gary Reiff (Chair) and Sidney Zink (Vice Chair) to discuss the enhanced advisory relationship between the STAC and TC created by HB16-1018. The bill's sponsor, Representative Terri Carver, will also be in attendance.
 - c) STAC Discussion: STAC members feel that the intent of the Legislature was to foster a closer working relationship between the STAC and TC, akin to that of a Planning Commission. STAC members feel that they will offer the TC a valuable window on the needs and desires of the traveling public.
- 11) **Other Business** – *Vince Rogalski (STAC Chair)*
- a) The next STAC meeting will be held on Friday, October 28th.
- 12) **STAC Adjourns**

VanGo Metrics 2016

VanGo is the nationally-recognized vanpool program of the North Front Range Metropolitan Planning Organization (NFRMPO). This dashboard (VanGo Metrics) provides a snapshot of the program "vitals"--1) Sales and Marketing, 2) Operations, and 3) Billing. The document will be updated online monthly to provide transparency regarding the operating efficiency of the program to the hundreds of vanpoolers it serves.



Last Updated: 10/6/2016



North Front Range Transportation & Air Quality Planning Council

Member & Alternate Roster- 2016

Revised 10/04/2016

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