

## Monthly Report from CDPHE to the North Front Range Transportation and Air Quality Planning Council

December 2016

### The Air Quality Control Commission:

- The Air Commission adopted revisions to the ozone state implementation plan (SIP) on November 17.
  - The SIP includes photochemical modeling that projects the Denver Metro and North Front Range area will meet the 75 ppb ozone standard in 2017 with very little cushion. Attainment is based on three-year average concentrations and the region must meet the standard for 2017, 2018, and 2019 to be redesignated as an attainment/maintenance area.
  - The SIP also includes a demonstration of reasonable further progress, transportation conformity budgets, contingency measures, and other required elements. The Commission incorporated certain state-only regulations into the SIP. No new emission control requirements were adopted.
- The Commission will consider the conformity determination for the NFRMPO's 2040 Regional Transportation Plan (RTP) Amendment on December 15, 2016.

### The Air Pollution Control Division:

- Raw ozone monitoring data for January - October 2016 indicates that seven monitors in the Denver Metro/North Front Range nonattainment area recorded 4<sup>th</sup>-maximum values above 70 ppb, with four monitors above 75 ppb. The NREL monitoring site had the highest 4<sup>th</sup>-maximum value at 83 ppb. Within the NFR MPO area, the Fort Collins West site had the highest 4<sup>th</sup>-maximum value at 76 ppb.
- Ozone attainment is based on three year average concentrations. For 2014 - 2016, five monitors fail to attain the 70 ppb standard and three of these monitors fail to attain the 75 ppb standard.
- The Division continues to evaluate whether monitored data within the NFR MPO area may have been influenced by exceptional events (wildfires or

stratospheric ozone) on nine days in 2016. However, excluding the data from these nine days would not bring any monitoring site into attainment.

- The Division and the Regional Air Quality Council have already begun to explore additional emission reductions necessary to assure attainment of the old 75 ppb ozone standard and the new 70 ppb standard.
- On November 17, 2016, EPA published its proposed implementation rule for the 2015 ozone standard of 70 ppb. Among other things, EPA proposed two alternative approaches for revoking the 2008 ozone standard. One approach would revoke the 2008 standard at essentially the same time for all areas of the country. Under the second approach, the 2008 standard would continue to apply in any area designated nonattainment for the 2008 standard until that area is redesignated to attainment/maintenance. Under the second approach, Colorado would be subject to both the 75 ppb and 70 ppb standards at once and would need to conduct parallel ozone planning efforts for each standard. The Division expects to submit comments on the administrative burdens of this approach. Comments are due to EPA January 17, 2017.
- In response to EPA's publication of "Control Techniques Guidelines" for the oil and natural gas industry, Colorado must adopt oil and gas Reasonably Available Control Technology (RACT) requirements as a SIP revision in 2017, for submittal to EPA in 2018. The Division will commence a stakeholder process with interested parties in early 2017.
- The Division will brief the Council on the Volkswagen and Audi settlement on December 1.



# Volkswagen and Audi Settlement

## NFR MPO Council Presentation

December 1, 2016

# Emission Testing Defeat Devices

- VW and Audi installed defeat devices on 2.0 liter diesel vehicles from model year 2009 to 2015
- 482,000 affected vehicles in U.S.
- 9,350 in Colorado (0.27% of state vehicle fleet)
- Excess statewide NO<sub>x</sub> emissions = 0.22 to 0.65 tons per day
- 6,065 in the Ozone Non-Attainment Area
- Increased Non-Attainment Area passenger vehicle NO<sub>x</sub> emissions 0.3-0.8%

# Partial Settlement

- EPA and California sued VW, Audi, Porsche
- VW & Audi signed partial Consent Decree
  - Admitted to using defeat devices
- Settles mitigation claims for 2.0L vehicles
  - Covers Jetta, Golf, Passat, Beetle, Audi A3
  - Does not resolve penalties or 3.0L vehicles
  - Other lawsuits are pending
- Partial Consent Decree signed by federal judge on October 25, 2016



**COLORADO**

Air Pollution Control Division

Department of Public Health & Environment

# Settlement Terms

- \$10.3 billion to buy back or terminate leases
  - Vehicle modification option
  - Minimum 85% recall rate
- \$2 billion investment for zero emission vehicles
- \$2.7 billion environmental mitigation trust fund
  - \$61.3 million initial allocation for CO
  - Spend only on eligible actions
  - Receive funds over 3-10 years
  - Return unused funds after 15 years

# Purpose of Environmental Mitigation Trust

- Reduce NOx emissions where the covered vehicles were, are, or will be operated
- Colorado must describe how each project “mitigates the impacts of NOx emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions”

# Mitigation Projects Eligible for Trust Funding

- Class 8 (large) local freight and port drayage trucks
- Class 4-8 school, shuttle, or transit buses
- Railroad freight switchers
- Class 4-7 (medium) local freight trucks
- Forklifts
- Airport ground support equipment
- Up to 15% for light duty zero emission vehicle supply equipment
- Certain boats & port equipment
- Diesel emission reduction act (DERA) option
- Admin costs



# Estimated Settlement Timeline

Event	Approximate Time Frame
Court approved the partial settlement	October 25, 2016
Trust takes effect	Spring 2017
States elect to become beneficiaries States notified of beneficiary designation	Summer - Fall 2017
Colorado solicits applications	Summer 2017
Colorado files a Beneficiary Mitigation Plan	Fall 2017
Colorado may request funds	Fall 2017
Colorado begins to receive funds	End of 2017

# How do I apply for funding?

- Funding process is to be determined
- No funding decisions have been made
- CDPHE, CDOT & CEO public outreach
- State agencies will set funding priorities and selection criteria
- Public application plan
  - Anticipated in Spring 2017

# How do I learn more?

## Questions?

- More information at:  
[www.colorado.gov/cdphe/VW](http://www.colorado.gov/cdphe/VW)

# 2016 Non-Motorized Plan

December NFRMPO Planning Council Meeting



- **2016 Non-Motorized Plan (NMP)**
  - **Six chapters & nine Appendices**
  - **Updates 2013 Regional Bicycle Plan**
  - **Adds pedestrian component**
  - **Reports on 2040 Regional Transportation Plan performance measure**
  - **NFRMPO region sidewalks, trails, and bike lanes mapped**

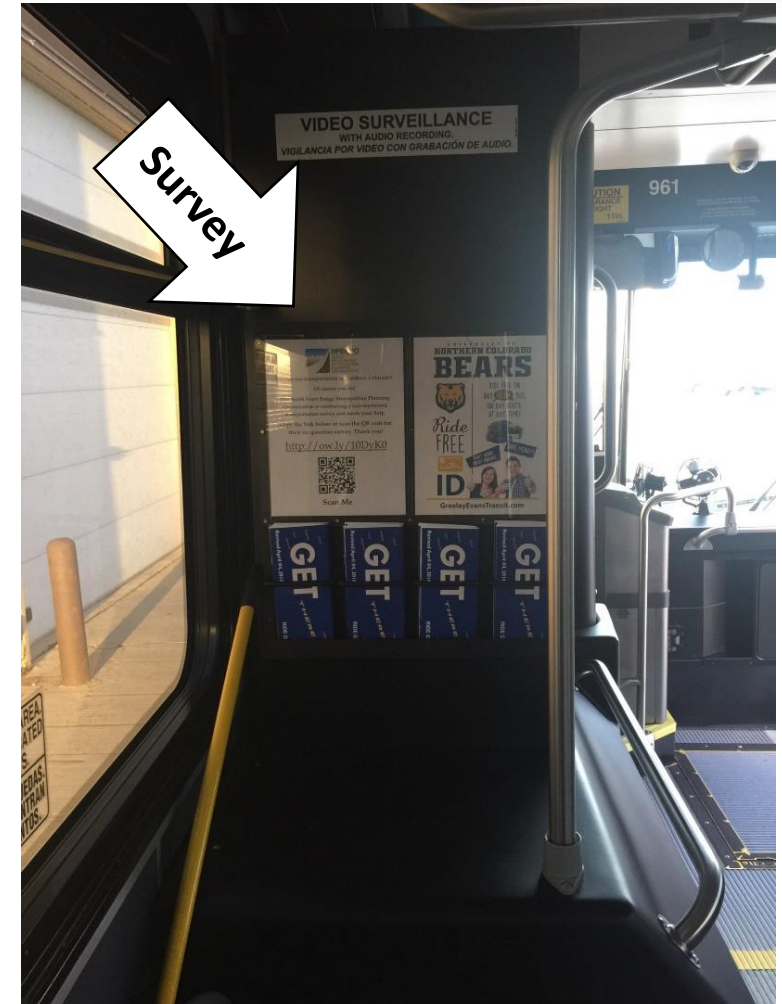


- NMP Survey
- Reviewed NFRMPO member community non-motorized plans
- Complete inventory & mapping of regional non-motorized facilities
- Regional non-motorized count inventory effort
- Non-motorized crash & safety data





- **Survey distributed at:**
  - **14 public events**
  - **3 Transportation Boards**
  - **2 Mobility Coalitions**
  - **NMP Steering Committee**
  - **Posted online**
  - **Emailed to NFRMPO lists**
  - **Posted on GET buses**
- **265 responses received**



- **Federal Highway Administration (FHWA)**
- **Federal Transit Administration (FTA)**
- **Federal Railroad Administration (FRA)**
- **State funding opportunities**
- **Other funding opportunities**
- **NFRMPO Call for Projects process**





- **Bicycle Share**
- **Complete Streets**
- **Driverless Vehicles**
- *Health in All Policies*
- **Low-Stress Bicycle Networks**
- **Pilot Projects**
- **Moving Towards Zero Deaths**
- **Vehicle Miles Traveled Reduction**
- **Wayfinding**



- **Intermodal Connections**
- **Colorado the Beautiful's "16 in 16 Initiative"**
- **Non-Motorized Connections to Parks and Green Space**
- **Equity in Non-Motorized Transportation**



- **Non-motorized survey information**
- **NMP outreach meeting log**
- **USDOT Pedestrian & Bicycle Funding Opportunities**
- **Sidewalk audit resources**
- **Bicycle parking resources**
- **Non-motorized count location guidance**
- **Bike share location criteria**
- **Wayfinding template**





- **Incorporate suggested changes, as appropriate**
- **Incorporate crash data & mapped facilities**
- **Public comment open December 2 - December 31, 2016**
- **Submit mapping information to CDOT and Google**



## For more information:

**Aaron Buckley**  
Transportation Planner  
[abuckley@nfrmpo.org](mailto:abuckley@nfrmpo.org)  
(970) 416-2309





## North Front Range MPO Area - Project Status Updates (28 Nov 2016)

<b><u>Roadway / Segment</u></b>	<b><u>Status</u></b>
<b>SH14</b>	
US287 PR at Ted's Place	<i>In Design</i>
US287 to I-25 Surface Treatment	<i>In Design</i>
<b>I-25</b>	
Crossroads Blvd Interchange / Bridges	<i>Construction underway</i>
Truck Climbing Lane	<i>Est. Opening 9 Dec 2016. Still some Spring work</i>
Ramp Metering- Harmony Rd SB SH392 NB/SB	<i>Contract Awarded. Spring 2017 start time.</i>
<b>US34</b>	
Big Thompson Canyon Flood Repair	<i>Construction is underway</i>
PEL Study	<i>Awarded. CH2M Hill is consultant</i>
Traffic Signal at 83 <sup>rd</sup> Ave in Greeley	<i>In design</i>
<b>SH56</b>	
Berthoud East	<i>Water Line work in wrapping up</i>
<b>SH60</b>	
SH257 PR	<i>Construction is underway</i>
<b>US85</b>	
Ault to Wyoming	<i>Wrapping project up</i>
O St to Ault- ADA ramps & Resurfacing	<i>Advertise Dec 2016</i>
<b>US287</b>	
Harmony to Mulberry Resurfacing	<i>Construction complete</i>
SH1 to LaPorte Bypass	<i>Construction is underway</i>
Road damage near Larimer CR 17	<i>Advertise Dec 2016</i>
<b>SH392</b>	
US85 Intersection	<i>Construction is underway</i>
<b>SH402</b>	
Larimer CR 9E	<i>Contract Awarded. Spring 2017 start time</i>