

NATA Board Meeting Minutes

January 26, 2023

7:30-9:00am

In-Person Only

Adams County Human Services Center
11860 N Pecos St, Westminster, CO 80234
Apple A/B Conference Room

NATA Members (who signed in)

Lisa Hough	AC-REP	Ben Ortiz	Longmont Staff
Lynn Baca	AdCo Commissioner	Carson Priest	Smart Commute
Chris Chovan	Adams County Staff	Tammy Herreid	Smart Commute
Brian Staley	Adams County Staff	Julia Marvin	Thornton Council
Guyleen Castriotta	Broomfield Mayor	Kent Moorman	Thornton Staff
Shawn Poe	Commerce City Staff	Nancy McNally	Westminster Mayor
Emily Baer	Erie Trustee	Debra Baskett	Westminster Staff
Sara Dusenberry	Northglenn Staff	Andrew Spurgin	Westminster Staff

SC Members (who signed in)

Jessica Sandgren	Smart Commute Board	Nathan Batchelder	CRL and Associates
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Agency Partners (who signed in)

Danny Hermann	CDOT	Troy Whitmore	RTD Board Chair
Stephen Henry	CDOT	Michael Davies	RTD

Guests (who signed in)

Colleen Roberts	Peak Consulting Group	Jason Pock	Westside Invest. Partners
Mike Silverstein	RAQC		

Welcome and Introductions – Chair Greg Mills (Vice Chair Nancy McNally)

Vice-Chair Nancy McNally welcomed participants and attendees. Smart Commute staff reminded those in attendance to please sign in.

Approval of December Meeting Minutes

A motion to approve the minutes was made by Mayor ProTem Jessica Sandgren seconded by Trustee Emily Baer and approved unanimously.

2023 SPC Ratification

Carson Priest – We are going to run through our standard January ratifications process. Our slate of Executive Officers for 2023 are: Chair, Brighton Mayor Greg Mills; Vice-Chair, Westminster Mayor Nancy McNally; and Treasurer, Erie Trustee Emily Baer. All three of these sit on SPC as well as few other folks according to our bylaws. The SPC of Appointments for 2023, are the Executive Officers, plus our immediate past chair which is Adams County Commissioner Lynn Baca, and we have two at large member seats open. These are fairly flexible, however we just don't like to see duplicative jurisdictions represented on the SPC. We would like to have some volunteers for these 2 seats at the meeting today. It is the Friday morning before each NATA meeting, and it serves as the agenda-setting body & the direction of NATA. Once we have these 2 seats filled, we can ratify the SPC Board. *Broomfield Mayor, Guyleen Castriotta and Thornton Councilmember, Julia Marvin both volunteered for the At Large seats.*

A motion to approve & ratify the 2023 SPC Board was made by Mayor Pro Tem Jessica Sandgren seconded by Mayor Guyleen Castriotta and approved unanimously.

2022 NATA Year in Review

Carson – We do a year-in-review every year for NATA so we can look back at everything we did last year and refocus us heading into the next year. Remember you can always go on the website and pull up an of the past presentation if you are interested in looking at them again. We wrote 3 letters of support last year. I would like us to get back on writing more letters this year and I look to each of you to look at our Project List and contact me to write letters and get them sent off the appropriate people. Our 2022 Presentations are shown here and listed month-by-month. You will notice that each month we had the CDOT Commissioner and RTD Directors reports. I want to publicly thank the RTD Directors and our CDOT Commissioner, Karen Stuart, for coming to every single meeting and giving us an update. This is not something NATA did a few years ago and I think this is something that is a nice addition to our agenda to have regularly and have them here in person to ask questions to. For the NATA retreat, we will probably look to do another one of those next year for all the new NATA members. In terms of our accomplishments as a group from last year, a large one for us was just returning to in-person meetings regularly. As you can see, the attendance here is light, so we would like to continue to push that this year increasing attendance and do what we need to do to get people here. I look for discussion around the focus for the group heading in to the rest of the year. These focus areas I included are a renewed focus on position letters, we need write more this year, especially those that are on our Priority Projects list; focus on positioning the region for federal funding opportunities; and update NATA leave behind for lobbying efforts. We usually do a Smart Commute update at this point, but we will hold off that today since we have a full agenda today. I did want to review the 2023 Smart Commute Board of Directors that was ratified yesterday at our first meeting of the year. We have Thornton Mayor ProTem, Jessica

Sandgren as our Chair, our Vice-Chair is Wady Burgos with the City of Westminster, and this year our Treasurer is Nathan Batchelder with CRL Associates. We also have a host of other members for various businesses around our region. We only have one available seat left on our board which has not happened for several years.

Mayor McNally – I know you need names & emails for representatives so we can do a survey with the members about what time we want to meet.

Carson – Yes, thank you for that reminder, by end of February we should have all the name selected for your NATA representatives. Please send me those names and emails so that when we have the updated list, we can send out a survey for meetings times, etc.

Regional Air Quality Council (RAQC) Presentation: Air Quality Issues & Perspectives

Mike Silverstein (RAQC) - Thank you for having me today to provide an overview of air quality in our region with a focus on transportation that affects your part of town.

RAQC is a private non-profit, with a board appointed by the governor, that works closely with the state on air quality. We are the lead planning agency for the Ozone non-attainment area. Our primary responsibilities are: (1) Planning to meet air quality standards and improve climate conditions; (2) Conduct public education and awareness programs; (3) Implement public/private projects to reduce emissions; and (4) Represent and assist local governments in the air quality planning process. We have a very large region, more than 80 local government organizations that are in the non-attainment area, which is the area of our state that is out of compliance with the national ozone compliance standards.

In terms of RAQC Programs, we have a number of them but our three primary ones are: (1) Simple Steps, Better Air – put out the alerts in the summer on high-ozone days; designed to help people protect themselves during high ozone days or help decrease ozone levels; (2) Mow Down Pollution – a recycle gas powered lawn & garden equipment program and help promote electric power through a grant-based program; and (3) Air Quality Planning – we develop emission control strategy options, and then make recommendations to the state agencies to bring us into compliance with federal standards. We have a problem in our area a lot due to our topography leading to our bad air quality.

Denver Metro/Front Range Air Quality Status – We have been out of compliance with most standards in the past, but we have achieved compliance with air quality standards set by the EPA, so it can be done with work. We are currently out of compliance with two standards: the 2008 8-hour standard of 75ppb and the 2015 8-hour standard of 70ppb (ppb = parts per billion). The EPA might lower fine particulate measure of PM_{2.5} which could cause us to come out of compliance with that standard as well over the next year.

Colorado's ozone status – we are not meeting the federal ozone standards BUT we are decreasing our human-caused emissions with accounts for almost 1/3 of ozone formation. So,

we are doing a good job at decreasing our ozone but not enough and we still have a lot to do as a community. How is the air quality in the Denver Metro area? We exceed the air quality 30-50 days a summer, the standard allows 3-4 days of exceedance.

Basically, we get 3 “freebees” of exceedance per monitoring site, but then 4th one counts against us for nonattainment. Almost all sites are out of compliance with the Tougher 70 Standard, with the data showing the three-year average of 99% of the station being over 70, with most being over the old standard of 75. How many days over the years we have exceed the ozone standards? The worst year we have ever had was 2021, which a large contributor to that was the worst meteorological conditions we have ever seen. The entire west of the US was out of compliance that summer, a lot of this was due to the extreme fires that year. The typical summer for the Denver Metro is about 1/3 of the days we exceed the ozone standard, putting us out of compliance.

Emissions Control Programs already in place consist of numerous requirements established for vehicles, fuel standards, industrial source permitting, commercial solvents, oil and gas, electrification, and public education and outreach. These are making a difference, but it is not enough and needs to be tougher and more stringent programs. We have tens of thousands of sources out there and each one has federal standards of emissions they are allotted and several of these are in exceedance of their standards, so refinement needs to be done. All the MPOs & COGs are working on programs that help improve urban air quality and reduce emissions.

Next Steps: 2023 Scheduled Rulemakings are being developed by the Air Quality Control Council (AQCC) for approval by the state which includes emissions standards for buildings over 50,000 sq.ft., clean car and truck standards and additional strategies for summer ozone. Additional Strategy Evaluations being led by RAQC consist of: prohibitions on gasoline-powered lawn and garden equipment use and sales, and further incentives for the conversion of gas-powered equipment to electric; appliance efficiency standards; residential auto maintenance incentives; commercial diesel best practices initiatives; mobile source credits as part of nonattainment new source review; additional/permanent funding for VMT reducing strategies such as zero-fare transit, increased transit services, and bicycle and walking infrastructure; and emission reduction approaches for indirect sources. Additional Strategy Evaluations being led by State consist of: emission limitations on <1,000 horsepower (hp) natural gas- and diesel-powered stationary engines; limitations on pre-production/drilling emissions in summer ozone season; adoption of standards to limit emissions from non-road engines; strengthening the vehicle inspection and maintenance program; and other oil and gas and industrial source controls.

Mow Down Pollution is RAQC grant funded program to encourage the community to trade in their gas-powered lawn and garden equipment for electric-powered equipment which in turn lowers the ozone. All the program details can be found at www.mowdownpollution.com.

Mayor Pro Tem Jessica Sandgren – This is a great presentation, thank you. Do you know how much on the Mow Down Pollution program is specific to Adams County?

Mike Silverstein - The parking lot charging station grants were started by RAQC ,but the State took it over and the same with the electric school bus effort. We have a database that we can filter by county down to the zip code to get you that information.

Commissioner Lynn Baca – Does the RAQC have information on post Oil & Gas production sites? Adams County leads the state in orphan wells, we estimate it as \$190,000 to cap each well. Do you have the data to what that contribution is to the ozone?

Mike Silverstein – We don't have the specific points of data on that, however, orphan wells is a small contributor in comparison to other Oil & Gas contributors.

Mayor Castriotta – Can we get a copy of this presentation to send out?

Carson Priest - Yes, I will send it out and put it on the website.

Mayor Castriotta – I'm encouraged that you understand that voluntary compliance during our ozone alert days isn't going to work and won't change industry behaviors. Are you going to be looking at requiring certain industry pauses during those days?

Mike – The state is going to be announcing what their plan is and what their requirements are soon. They are focused primarily, at first, on drilling and in the pre-production stage. This is considered the highest emitting stage in the drilling process. Whether it's season restrictions around how many can come online or how they do that work in a cleaner way, we will have to see what the state says. For the RAQC, we are going to focus in on the commercial lawn equipment sector especially heavily this year.

Director Troy Whitmore – As an employee of an electric utility, the lawn & garden equipment bill resurfaced yesterday at the capitol by Senator Hanson. It did pass plus 3 or 4 additional requirements. I really encourage people to convert their lawn equipment to electric, it really does make a difference. I do have concerns for the Parks & Recs Department for their larger need for large lawn equipment.

Mike Silverstein - The Hanson bill is just 1 piece of a larger bill. It is really a 30% discount at the retailer. You get the discount, and the retailer takes the tax deduction. It does mirror our residential mower program. If this bill passes, we may need to refine ours to focus more on the recycling of the gas-powered equipment instead of selling them on Craigslist. Maybe sponsor a buy-back program is a possibility. There is no requirement for landscapers to go electric just an encouragement to refine them to electric. We need to focus on replacing the batteries as well and fund the replacements. It will be hard to put that into law that you must recycle first before replacing.

Lisa Hough (AC-REP) – Have you ever worked with water usage, for example reducing the size of lawn?

Mike Silverstein – We have in a very minimal context at this point. We don't have a specific program for it. For example, Blue Spruce and Aspen trees are the worst 2 trees you can plant for ozone emissions, our two most common trees.

Trustee Emily Baer – In regard to plugging abandoned wells, what about the super emitters (like leaking wells & pipes) and those events that are not accounted for? This data is something we could use to support on getting these issues accounted for. Also, an advanced clean trucks bill is something that a lot of municipalities should investigate and send letters to support this.

Mike Silverstein – This bill only addresses new trucks; nothing addresses the existing fleets. We are trying to include addressing this in our suggested regulations to the state. The super emitters are also considered in our normal inventory process.

Mayor Pro Tem Sandgren – I recently bought a car that is a hybrid because an all-electric car is not available. Are we seeing this same issue with electric lawn equipment?

Mike Silverstein – We check in with the suppliers and we are not seeing the lack of inventory right now like we are seeing with vehicles. Most handheld equipment is already 100% electric whereas only about 50% of mowers are electric.

Mayor McNally – Do you have a list of products that can be planted for landscaping that is recommended and native to our area, that is also lower on ozone emissions. I know that CSU is working on a list.

Mike Silverstein – There has only been one study about 12 years ago that does address trees ranked by ozone emitting. We don't currently have a list, but it is a good idea.

CDOT Commissioner Update

Carson Priest – Commissioner Stuart is not here today, so she gave me some slides for her update. The stakeholders for Crash Corridor have met with CDOT to review the Safety Analysis recommendations. The project goal for this segment is to maximize overall transit benefit and safety improvements. The analysis considers measuring safety impacts of the alternatives; methodology using the Highway Safety Manual; traffic impacts of transit alternatives using the previous Transmodler Model; and the Final Report for the Traffic and Safety Metrics by Alternative and Recommendations. Level 1 Analysis included 17 initial alternatives were developed and deployed into the model. After going through evaluation criteria and alternatives screening, seven alternatives, including a “no-build” scenario, have advanced to Level 2 which is currently in progress. Level 2 Analysis & Evaluation Criteria consist of stakeholder support; bus safety/ease of operations; safety of passenger access; transit travel time/reliability; safety benefit to vehicles; relative capital cost; magnitude of construction impacts; and community/environmental impact. All alternatives will be we scored at Low, Medium or High for each criterion, and at the most three alternatives will advance. Level 3

analysis is projected to take place in February, with conceptual design and cost estimate happening in March to early April with the final White Paper being completed the end of April.

RTD Directors Report

Director Whitmore – The new officers and committee chairs were announced with Lynn Guissinger as Chair, Peggy Catlin as 1st Vice-chair and Erik Davidson as 2nd Vice-Chair. Three major committees: Finance & Planning with Doug Tidsdale as Chair and Erik Davidson as Vice-chair; Operations & Safety with Kate Williams as Chair and Troy Whitmore as Vice-Chair; the Performance committee whose officers are still to be appointed; and Government Relations led by Lynn Guissinger and Troy Whitmore. We are looking forward to the conclusion of the Fare & Equity study in the next few weeks. We are going to see some fares drop a bit, depending on the selected alternative. We have one new board member for the north, Ian Harwick who replaced Shelly Cook, the rest stayed the same. Two highlights from 2022 was the Zero Fare for Better Air campaign in August which was great, and that bill will also fund the program for August again this year. We did see an uptick in ridership, and we are hopeful to see more. Another one that floats under the radar is the return of our Credit Risk Funds from the Federal Government. Over \$30M was returned on the Eagle P3 program, we finally got that.

Michael Davies (RTD) – Director Lynn Guissinger reported on RTD's Partnership Program a couple weeks ago before the General Assembly. This is one of the things that came out of the Accountability Committee. We are trying to serve in the regional role and local role as the transit service provider. We are working to set up a program for later this spring/early summer to put out a call for projects (similar to DRCOGs TIP process) that would focus more on localized projects. As our work force increases and we have enough of operators we plan to bring back services and increase frequencies. In 2021 we were losing hundreds of employees and in 2022 it flipped and we are now gaining hundreds of employees and hope to be able to bring back some of those services that were cut.

Director Whitmore - Just a reminder, our transit funding through Colorado is woefully underfunded by the state. The average local transit contribution per state is about 22% and we are fortunate if we get 1% from the state. Until we get our arms around that, how do we make the changes we need to make? When you talk to people at the capitol, remind of this in inadequacy of funding by the state.

Michael Davies – On average across the states, the state contributes 23% of the transit agencies operating budgets.

Mayor Pro Tem Sandgren – This is the year that our 144th FlexRide pilot project ends, I would like to have some conversation in this group on what can what we do to keep it. The numbers we are still showing good numbers and high ridership.

Carson Priest – I would be happy to come before the group to talk about this. Our funding ends September 30th on both the 144th FlexRide & eBike programs. We need to have a hard conversation about this.

Kent Moorman (Thornton) – To remind everyone this was a pilot program to show that this was a need and that if it proved it was a need, which we have proved, RTD said they would take it over.

Tammy Herreid (Smart Commute) – Also, we have it 7 days a week now, Sunday service too.

Carson Priest – We are working with RTD staff to see if it has met the requirements for them to pick up the service.

Other

Mayor McNally – thank you everyone for staying a little past, it was an informative day!

Meeting Adjourned at 9:04 am.