



# Air Improvement Resources Committee

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**Hon. Ron Nirenberg**  
*Chair,*  
*AIR Executive Committee*  
*City of San Antonio,*  
*Councilman*

February 22, 2017

The Honorable Greg Abbott, Governor of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

**Hon. Chris Riley**  
*Vice-Chair,*  
*AIR Executive Committee*  
*Alamo Area MPO,*  
*City of Leon Valley,*  
*Mayor*

Dear Governor Abbott,

Hon. Richard L. Jackson  
*Wilson County,*  
*Judge*

We, the Air Improvement Resources (AIR) Executive Committee, believe there is great benefit in taking advantage of the \$209 million in funding available to Texas as part of the mitigation trust fund being established as part of Volkswagen's settlement of a class-action lawsuit. We encourage you to accept the settlement on behalf of the state. Texas can use this funding to modernize its fleets and expand the alternative infrastructure within the state. This funding could mean increased capital investment in the state, more jobs, better vehicles and equipment in service, and cleaner, healthier air for all Texans.

Hon. Sherman Krause  
*Comal County,*  
*Judge*

We ask that consideration be given to designate TCEQ as the lead agency (known as the "beneficiary" in the settlement) which must occur no later than 60 days after the Environmental Mitigation Trust Effective Date. This is expected to take place in between January 23-February 22, 2017. Submitting a beneficiary certification by the 60-day deadline will ensure Texas is not excluded from this funding.

Hon. Nelson Wolff  
*Bexar County,*  
*Judge*

Hon. Robert L. Hurley  
*Atascosa County,*  
*Judge*

TCEQ's expertise administering grants under the Texas Emission Reduction Plan (TERP) and the similarity of TERP projects to the types of projects eligible for funding under this mitigation fund would ensure that the money is spent efficiently and effectively for the intended purpose. Once the trustee for the mitigation fund accepts the state's designated beneficiary (120 days after the Trust Effective Date), the state will need to submit a mitigation plan within 90 days. We have three suggestions for the mitigation plan:

Hon. John H. Williams  
*Greater Bexar County*  
*Council of Cities,*  
*Universal City,*  
*Mayor*

Hon. Darrel L. Lux  
*Kendall County,*  
*Judge*

Hon. Jim Wolverson  
*Guadalupe County*  
*Commissioner*

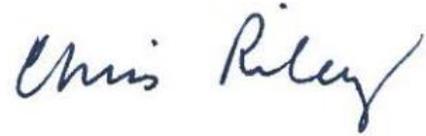
1. Direct that the mitigation plan allocate funding to each state planning region based on that region's total number of registered VW and Audi vehicles that were the subject of this lawsuit;
2. Direct that the mitigation plan target public-sector fleets, which are eligible to receive 100% of the cost of reporting or replacing diesel-powered vehicles or non-road equipment, as opposed to a smaller percentages available for private sector or non-profit sector projects; and
3. Direct that the mitigation plan include delegation of administrative functions and funding to any Council of Government that desires to administer funding within their region in order to make maximum use of the funding available without needing to increase TCEQ's staffing levels.

Hon. Wayne Peters  
*City of New Braunfels,*  
*Councilman*

Signed,

A handwritten signature in blue ink, appearing to be 'RN', enclosed within a large, loopy oval shape.

Councilman Ron Nirenberg, City of San Antonio, Chair, AIR Executive Committee

A handwritten signature in blue ink that reads 'Chris Riley' in a cursive style.

Mayor Chris Riley, City of Leon Valley  
Vice-Chair, AIR Executive Committee