



January 29, 2018

Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants Section, MC-204
P.O. Box 13087
Austin, TX 78711-3087
Via Email: VWsettle@tceq.texas.gov

Re: City of Dallas' Comments on Volkswagen Consent Decree and Mitigation Trust

Commissioner Niermann:

The City of Dallas greatly appreciated the opportunity to provide comments to you on January 17, 2018, regarding the \$209 million that will be available to Texas under the *Volkswagen* settlement over the next 10 years. The City was pleased to see the State of Texas filed as a beneficiary, and the Texas Commission on Environmental Quality (TCEQ) was selected as the lead agency to administer the funds.

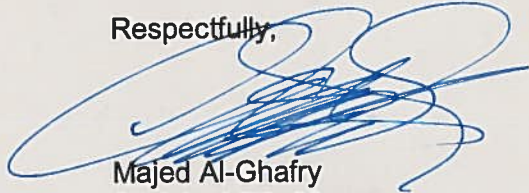
The City of Dallas has identified vehicles that would be eligible for replacement under the categories outlined in the Consent Decree, including **Class 4-7 Local Freight Trucks** and **Class 8 Local Freight Trucks**. As you develop the Beneficiary Mitigation Plan for Texas, we urge you to draft a plan that would allow for the replacement of those vehicles. We also urge you to consider the following:

- **Mitigate in areas that suffered most harm from VW vehicles.** Funds should be directed toward populous communities where most of the affected vehicles are used and that have the most acute air quality issues. Data presented at the January 17, 2018, event showed the Dallas-Fort Worth region had the highest percentage of affected vehicles in the state.
- **Minimize administrative and other barriers.** There should be minimal barriers to using the funds over and above the restrictions outlined in the Consent Decree, especially rules that would further restrict vehicle eligibility based on age or replacement schedule. Moreover, this would allow for flexibility at the local level, ensuring the most effective projects can be funded. This is also consistent with your stated goal of keeping TCEQ administrative costs well below the 15% authorized by the Consent Decree.
- **Fuel neutrality.** The funds should be applied in a balanced and fuel-neutral manner that maximizes the use of existing solutions to improve emissions performance of public and private fleets.

Our air quality has been harmed by VW vehicles that emitted as much as 40 times the allowable limit. We look forward to your proposal to prudently use the funds in a manner that will mitigate the air quality issues present in Texas' most populous regions.

If you have questions or would like to discuss further, please do not hesitate to contact James McGuire, Director of the Office of Environmental Quality at (214) 670-1200.

Respectfully,

A handwritten signature in blue ink, consisting of several overlapping loops and strokes, positioned above the printed name.

Majed Al-Ghafry
Assistant City Manager