



OFFICE OF TRAVIS COUNTY JUDGE SARAH ECKHARDT

June 26, 2018

Texas Commission on Environmental Quality, Air Quality Division
Implementation Grants Section, MC-204
P.O. Box 13087
Austin, TX 78711-3087

ATTN: Volkswagen Settlement I Recommendations

To Whom It May Concern,

Travis County appreciates the opportunity to provide comments to the Texas Commission on Environmental Quality (TCEQ) on projects to be funded by the Volkswagen Environmental Mitigation Fund.

Travis County is on the cusp of being declared a nonattainment county for ozone. Travis County has been a key player in reducing harmful air pollution in Central Texas in conjunction with other government entities and businesses. We have voluntarily adopted policies and programs to improve air quality in our area at an expense to our residents. Volkswagen knowingly misled consumers by marketing and selling diesel vehicles that would emit 40 times more pollutants than they should have. As a result, the sale and use of these hyper-polluting vehicles in our region has contributed to poor air quality in our area.

The purpose of the VW Mitigation Trust, as outlined in court documents, is to, "...reduce emissions of nitrogen oxides where the Subject Vehicles were, are, or will be operated." Based on the National Renewable Energy Laboratory numbers, which were used to determine the apportionment of funds for each state, the Austin Metropolitan Statistical Area (AMSA) percentage of registered Volkswagen vehicles is 11.66%. Based on this data, we request that the AMSA (Bastrop, Caldwell, Hays, Travis and Williamson Counties) receive a fair portion (11.66%) of the funds allocated to Texas in order to mitigate the harm caused by the use of these vehicles in our region.

The funds should be divided among both near-nonattainment and nonattainment areas as these are the areas that struggle the most with meeting the standard for ozone and improving air quality. Near-nonattainment areas should not be excluded from receiving their fair portion of the funds as these areas not only struggle for funding to improve air quality, but if they are designated as nonattainment it will be costly to the State of Texas. A study by the Capital Area Council of Government concluded that a nonattainment designation by the U.S. Environmental Protection Agency's could cost the Central Texas economy \$24 - \$41 billion between 2018 and 2046.

Furthermore, we request that the funds are directed to be spent on public fleets, which are eligible to receive up to 100% of the cost for repowering or replacing diesel-powered or non-road vehicles.

Travis County appreciates the opportunity to provide comments to TCEQ on the proposed plan for spending Texas' Volkswagen Environmental Mitigation Trust Funds. This funding provides a unique opportunity to reverse the harmful effects the polluting vehicles created.

If you have any questions, please contact our Air Quality Project Manager, Adele Noel at [REDACTED].



Sarah Eckhardt
Travis County Judge

JUN 26 2018

Date