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Texas Judicial Council
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Judith Zaffirini
State Senator, District 21
President Pro Tempore, 1997

Committees
Administration
Business and Commerce
State Affairs

October 8, 2018

Jon Niermann, Chair
Texas Commission on Environmental Quality
MC 100, P.O. Box 13087
Austin, TX 78711-3087

Dear Chair Niermann:

Thank you for your dedication to protecting public health and the environment. This is to provide comments regarding the Texas Commission on Environmental Quality's (TCEQ) draft Volkswagen Beneficiary Mitigation Plan for Texas.

TCEQ's draft plan provides a significant allocation to the San Antonio region, which includes Bexar, Comal, Guadalupe, and Wilson counties. This allocation is particularly important because Bexar County recently was declared in nonattainment of the 2015 National Ambient Air Quality Standards for ozone. This region, however, is closer to achieving attainment than any other nonattainment area in the state. What's more, it must meet the federal standard by 2020 or face stricter regulations, which would impact the area's economy significantly, including the risk of billions of dollars in potential losses. Accordingly, the mitigation funds provide a unique opportunity to help the region meet federal standards expeditiously before the looming deadline, thereby providing an incredible return on investment for the state.

While I fully support prioritizing the San Antonio region, the remaining distribution does not, but should, specifically assist other areas that are near nonattainment and also would benefit from funding. These include Austin, the Coastal Bend region, and my hometown, Laredo. In fact, the fourth largest metropolitan area, Austin-Round Rock, has the most vehicles affected by Volkswagen's malfeasance per capita of any metropolitan area in the state. If TCEQ is to effectuate the primary purpose of the plan—to mitigate harm to public health that Volkswagen's actions already have inflicted—it also should include Austin-Round Rock in the plan.

My prayer is that the Lord will bless you and inspire you to agree with my perspective. Feel free to contact my staff or me regarding this issue or whenever we may be of assistance.

Very truly yours,

A handwritten signature in black ink that reads "Judith Zaffirini".

Judith Zaffirini

Z/kk