

**AIR QUALITY ADVISORY BOARD  
REGULAR MEETING  
MONDAY, NOVEMBER 17, 2014**

**DATE:** MONDAY, NOVEMBER 17, 2014  
**LOCATION:** Community Room, 215 N. Mason Street  
**TIME:** 5:30–8:00 pm

**For Reference:** Tom Moore, Chair 970-988-4055  
Ross Cunniff, Council Liaison 970-420-7398  
Melissa Hovey, Staff Liaison 970-221-6813

**Present:**  
Tom Moore, Chair  
Dave Dietrich  
Gregory Miller  
Tom Griggs  
Jim Dennison  
Rich Fisher

**Absent:**  
John Shenot

**Staff Present:**  
Melissa Hovey, Staff Liaison  
Lucinda Smith, Environmental Services Director  
Dianne Tjalkens, Admin/Board Support

**Councilmembers Present:**  
Ross Cunniff

**Guests:**  
Gary Thomas, Transportation Board/citizen  
Mark Houdashelt, citizen

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**Call meeting to order:** Tom Moore called to order at 5:39pm.

**Public Comments:**

Gary Thomas, Transportation Board member/Executive Director of Saint: He was recently appointed to the Regional Air Council (RAC). He is representing transit on that council. This summer was good for ozone, but there is evidence that the standard is too high and will most likely be lowered. The data is preliminary. Vehicle emission regulations are going to change. New cars will be able to go longer without emissions testing and be tested via the onboard computer. Carbon regulations are coming. The RAC had a presentation from Xcel and they are concerned about not getting credit for the good work already done. RAC would like to do more education and outreach and can present to this board, perhaps jointly with the Transportation Board.

**Member Comments:**  
None

**Review and Approval of September 15, 2014 and October 20, 2014 minutes**

Greg moved and Dave seconded a motion to approve the September 15, 2014 AQAB minutes as presented.

Motion passed unanimously, 6-0-0.

Dave moved and Tom Griggs seconded a motion to approve the October 20, 2014 AQAB minutes as presented.

Motion passed unanimously, 6-0-0.

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## **AGENDA ITEM 1: 2015 Work Plan**

*Tom Moore, AQAB Chair, led a discussion to develop the Board's work plan.*

Members were provided with the 2014 work plan and ideas for the 2015 work plan. This year's plan must be linked to strategic objectives in the seven key outcome areas. Melissa passed around a copy of the Energy Board's work plan as an example. Tom asked the board whether the Climate Action Plan (CAP) and Energy Policy should be included in the work plan.

### **Comments/Q&A**

- Ross said he would like to hear whether the board agrees with the recommendations coming from the Citizen Advisory Committee (CAC).
- Rich said Lucinda and the contractors are doing a great job.
- Ross clarified that if the board would like any ratifications, clarifications, or different focuses, to send a memo to him.
- Rich said there needs to be focus on the major emission sources and quick progress in those areas. The CAC would like to see these get immediate movement.
- Lucinda said the citizen committee's direction from staff is to make a strategic plan, but there is interest in identifying next steps. Some members want to focus on the big chunks and identify what to do next year and the budget cycle after.
- Tom Moore asked if there were tactical and operational plans in the CAP.
- Lucinda said it is a strategic plan. Many tactics can go into each strategy. Near term steps could be developed more fully.
- Rich clarified that the strategic plan does not include implementation steps.
- Tom Moore said he shared with Ross and members that the board recommended an integrated planning with energy and that is bearing out in this process. The board had specific actions that were requested. Should the board read the CAP and discuss board recommendations for implementation actions?
- Rich said those things have been posted on the Brendle Group webpage.
- Lucinda said she hopes the board will consider the draft plan in January.
- Rich wondered if the board could add value to the document, and thinks this is to be determined.
- Rich said Rocky Mountain Institute (RMI) has identified places around the world that are making specific changes. Our document is far more general. He would like to put forward more implementation ideas. Technology may not be the big issue; it is getting citizens to buy into what needs to be accomplished and motivating them to make different choices.
- Lucinda said that the RMI research on the tactics will be posted on the CAC base camp website. The CAC will look at the Brendle Group model of tactics aggregated into strategies.

- Dave suggested leaving the CAP in the work plan as it is critical, even if it is complete in the next few months.
- Lucinda said the Energy Policy is being worked on by the Energy Board, and they are waiting for the CAP to be completed. She thinks it is wise to keep Energy Policy on the board's work plan.
- Tom Moore suggested adding an item of collaborating with the Energy Board. Rich agreed. Melissa suggested language for the item.
- Dave gave suggested edits to the second major focus item. Melissa recorded changes.
- The board discussed item three, regarding the transportation air quality impact assessment tool that is currently under development. Melissa recorded edits.
- Rich asked Ross to give Council's priorities for the board.
- Ross said the Council is driven by the seven key outcome areas and does not want to restrict the work plan; however, he appreciates boards stretching their goals and providing feedback proactively per member expertise. A frequent complaint he hears from boards is that there is not enough time to give input when items are on the calendar. Once an item is on the agenda, it is kind of too late. If the board can be proactive, offer strategies to focus on, and push the envelope, it will have more weight.
- Rich asked Council's opinion of the process of the Martin Marietta Materials (MMM) Air Permit.
- Ross said the report was very welcome and the board's work with the County is appreciated.
- Rich asked about West Nile.
- Ross said it will be on this board's agenda until there is a vaccine.
- Rich asked if additional guidance is welcomed by Council.
- Ross said if the board is aware of new research as it comes up, to please let Council know. During work sessions and other planning meetings, Council will decide on other items they would like board input on and those items will trump the work plan. MMM is an example of this process.
- The board discussed whether or not to make item four more general or add potential tank car derailment in town.
- Ross added that the list in item four are topics brought up by citizens. Council is working toward getting additional tank car regulations and being let know what is on the tank cars in case of spill.
- Jim asked if we have reason to believe the railroad can give us the content information on a timely basis.
- Ross said Poudre Fire Authority (PFA) has done training and has asked for more specifics, but the railway has much of this information classified as proprietary.
- Rich said there are companies that model real time emergency response. Once you know the source type, you can determine areas to evacuate.
- Ross said the board can help Council decide what questions to ask.
- Lucinda said it might make sense to invite Mike Gavin, emergency manager, to the board to determine if there are gaps in planning.
- Melissa added that the areas listed in item four are on her own work plan and she will be bringing these topics before the board.
- Dave asked if there are indoor air quality issues that should be added to this focus item.
- Melissa said there are indoor air quality issues this board can engage in. She added this to item four.
- Rich said motivation, education, and training are the soft aspects of implementation. He asked how Ross envisions getting citizens ready to pay with money or time for a change in how we live.

- Ross said there has been some discussion at Council, but so far they have only decided there will be a large public outreach initiative. It is necessary for voluntary initiatives such as on-bill financing, solar, electric vehicles, etc.
- Lucinda said one of the CAP strategies is to recognize and call out the need for engagement programs and how resources and outreach initiatives are critical.
- Rich said much can be moved forward when community leaders are on board. It is important to reach out to those people.
- Dave said to reach out to organizations as well, such as Drive Electric Northern Colorado.
- Rich suggested other organizations such as Kiwanis.
- Tom Moore suggested modifying item five to integrate community engagement.
- Lucinda mentioned that community engagement is in the board's bylaws.
- Rich said that air does not respect political boundaries. The board has talked about getting more regional groups talking to each other so that implementation tools begin to link. The board should be aware of what others are doing and be able to facilitate each other's work.
- Tom Moore said about a year ago the board brought together representatives from other boards and it was later decided that was out of the purview of the board to do this.
- Ross said when discussing working relationships with other organizations, it is important to remember that the board's mission is to advise Council, so that relationship must be used to better inform and advise.
- Tom Moore asked how the collective information from boards working together gets back to Council in a way to show the collaboration.
- Ross said Council is still working through how to manage board collaboration.

Rich moved and Tom seconded a motion to adopt the 2015 Work Plan, with final edits to be completed by Tom Moore and circulated via email.

Motion passed unanimously, 6-0-0.

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## **AGENDA ITEM 2: Climate Action Plan Strategies**

*Lucinda Smith, Director of Environmental Services presented an update on the Climate Action Plan (CAP) and proposed strategies and tactics for inclusion in the plan.*

Lucinda gave a presentation on the progress of CAP. The next Citizen Advisory Committee (CAC) will look at the first scenario and make suggestions. The adjusted business as usual forecast graph shows projected growth of GHG in the absence of action. Climate change brings the line up, but Café standards for vehicles and Platte Rivers integrated resource plan bring the line down. However, there remains a large gap between the adjusted forecast and the goal. The biggest emission sources are electricity, ground travel and natural gas. There are 14 strategies in six areas: curbing future emissions growth, reducing energy use in existing buildings, reducing transportation emissions, increasing renewables, reducing emissions from waste, and community engagement. One strategy for curbing future emissions is Green building for new construction and redevelopment. Some tactics could be building codes, incentives, etc. Shifting land use patterns to reduce demand for travel is another strategy for curbing future emissions growth. Tactics include complete streets, infill and redevelopment, and reduced requirements for on- and off-street parking. Increasing energy efficiency must happen in commercial, industrial, institutional, and residential, and some tactics include working with upstream vendors, an integrated utility service model that bundles energy efficiency initiatives,

ClimateWise, and targeting the biggest users. Fuel Efficiencies tactics include rebates, incentives, and utility pricing to encourage electric vehicles. Reducing transportation demand includes driving adoption of multi-modal transportation. Tactics include making data and apps available, expanding infrastructure and services, and working with employers to change behaviors. One strategy to increase renewables is adding utility scale renewables, which requires coordination with Platte River. Other strategies are to increase solar adoption and move toward electrification or geo-thermal for heating. The Road to Zero Waste plan will be included in the CAP, and includes building a community recycling center, requiring universal recycling, composting and addressing construction and demolition recycling. The implement sequestration/adaptation section recognizes the interrelationship between energy, water and food supply. Community engagement and financing are two key elements. RMI and City staff are investigating a variety of approaches to financing, including outside investments and alternative financing. There are three public forums planned, as well as presentations to advisory boards.

### **Comments/Q&A**

- Dave asked whether working with the schools on transportation is in the plan. Many people drive their kids to school.
- Lucinda said it is in the complete list of tactics.
- Tom Moore said utility scale renewables, when compared to local initiatives, is apples and oranges. Platte River might not want too much energy generated on our houses because it cuts into their profits, but that is where we can really take action locally.
- Lucinda said there is discussion around baseload and grid stabilization. The plan is looking at both on-grid and district-scale renewables. However, there may not be enough space in Fort Collins with all solar to meet our needs.
- Tom Moore said the fundamental problem is that the lines to the energy source are far away and the balancing has to be done by other people. If it is local, you can energize people around this. Who will do the analysis on the grid in Fort Collins?
- Lucinda said Platte River is doing this. They are modelling as low as the 15 minute level for various mixes. We have a contract with them, and they have consultants and in-house expertise looking at various scenarios to get them to 80% reduction.
- Tom Moore said they need to look at the wires.
- Lucinda said she believes that is included in the capital costs. She will make sure.
- Tom Moore said the Western Interstate Energy Board is completing a report on methane and leak rates of natural gas. He will send the information to Lucinda.
- Lucinda said Platte River is completing a study with CSU to determine lifecycle of natural gas including emissions and leaks.
- Tom Moore said he cannot figure out why ClimateWise is only for businesses and not residential. As a way to energize the community, it could be restructured to do that.
- Melissa said staff is interested in doing a ClimateWise-type program for residential.
- Tom Moore said new buildings are a relatively small part of the building fleet. Retrofitting existing buildings creates a big leap forward.
- Lucinda said there is a concept to engage citizens in reducing their own emissions, which would be app oriented. Staff recognizes that behavior and retrofits must be addressed in residential as well.
- Melissa said there are no BFO offers in this cycle to work with residential. There is currently a capacity issue at ClimateWise to add residential.
- Tom Moore said perhaps ClimateWise needs to change its focus toward this inventory.

- Melissa said this will be a major focus if and when the Green Building Coordinator position is funded.
- Tom Moore suggested linking incentives with enrollment in the Green Building initiative. It could pay for itself with savings going toward ClimateWise.

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### **AGENDA ITEM 3: Draft Dust Manual**

*Melissa Hovey, Sr. Environmental Planner led a discussion on the first draft of the Dust Manual and the City's overall approach for controlling fugitive dust. Board members provided feedback and suggestions for clarity and improvement.*

Melissa reminded the board that fugitive dust is solid particles suspended in the wind which includes other materials than soil, which are potentially harmful. Fugitive dust can affect health, water, and vegetation. It is a nuisance and aesthetically displeasing, and affects visibility. Environmental Services is addressing this issue as a result of a memo from the board. Staff members in six departments are responding to citizen complaints and concerns, which number approximately 100 per year. The City does not currently have a consistent or consolidated plan for response. Particulate matter is a regulated air pollutant. Colorado has fugitive dust regulations which pertain to land development greater than 25 acres or lasting longer than 6 months. General permits include shut down with wind speeds over 30MPH, no off-vehicle transport, equipment to get dust off vehicles, and water use to control dust. Staff is addressing the issue with code changes, a dust control manual, administrative policy, training and support, and public outreach. Staff will take code changes and adoption of the manual to Council in February, and the remainder of the plan will take the rest of 2015. Staff requests feedback from the board on their perception of citizen acceptance, whether there is overlap or conflict with other requirements, whether there are activities that have been missed or need exemption, and if the controls are practical and reasonable. The manual has identified 14 control measures, which will become mandatory when the code is adopted. The code includes complying with the manual, using all reasonable methods to prevent off-property transport, and the prohibition of dry sweeping.

### **Comments/Q&A**

- Jim said he is not comfortable with fugitive dust only being that produced by mechanical or natural forces. He is uncomfortable with natural forces. And does mechanical process cover everything else? Do these cover feedlot emissions? Is this comprehensive enough? He noted an inconsistency between having to shut down operations with winds over 30MPH and another section that states no violation will be issued if control measures are taken when winds are over 30MPH.
- Melissa said that section is being removed.
- Jim asked if this applies to sites over five acres. How many are over five acres? Can you get a lot of dust out of a 1 acre site and is that covered somehow?
- Melissa showed a photo of a new housing site on West Elizabeth that is less than 1 acre that had many complaints.
- Jim asked how the smaller sites are covered.
- Melissa said the earth moving activities cover smaller sites. Sites over 5 acres must submit a dust plan, but no site is exempt from using the control measures.
- Greg asked about the attorney's office work and their concerns about the ordinance.
- Melissa said the attorneys are still reviewing the document and she is pulling together a stakeholder group for input as well. The attorney's office now understands the reasoning behind having a manual separate from the code.

- Jim wondered why some things were only applicable to sites near schools, etc.
- Melissa said that was a compromise. For example, if there is a site that is not near other buildings, do we really care? We are moving from a nuisance issue to public health.
- Jim said if you are creating particulate mass, it will leave the boundary.
- Melissa said if it can settle out before it reaches the property boundary, what can we do?
- Jim said it sets up an argument over loopholes, and the particulates won't all settle.
- Melissa said we could take out off-property transport, so long as any place is doing all the control measures.
- Tom Moore said the applicability needs a clause about a reasonable observer. Anyone should be able to report offsite transport. Tom suggested language for clarification. Melissa took notes.
- Tom Moore said if the manual needs change at a later date, does it require Council approval?
- Melissa said staff can initiate updates, which is why the manual is separate from the code. The Stormwater manual set precedent for this method.
- Members agreed to send additional edits and changes to Melissa within the next week.
- Melissa requested a member volunteer for the external stakeholder group. She will send an email closer to the meeting date.
- Rich asked if the manual would essentially prohibit leaf blowers.
- Melissa said there are other communities that have banned leaf blowing, but this manual would not prevent people from using them.
- Greg asked Melissa to explain the composition of the external stakeholder group and the process they will go through.
- Melissa said Council likes to see that staff has convened an external group of those affected by the regulation for input. It will be a group of 12 to 15 stakeholders that will meet once or twice. She will present the draft and ordinance in the January or February meeting for formal board response.

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## **AGENDA ITEM 4: Updates and Announcements**

### **Radon Follow Up**

- Letter from Mary Pat Aardrup answering question about radon fans is included in the meeting materials.

### **MMM Air Permit**

- Will be issuing a new final air permit in the next few weeks with two changes based on comments received.
- The Citizens Against Asphalt Toxins are gathering signatures to request the City not purchase asphalt from any plant less than one mile from a school, hospital, or recreation area.
- There is a new bill about state MAC (maximum achievable control). Citizens have been proactive with state legislature about why CDPHE cannot be more active in addressing these issues.
- The City is examining its contract with Martin Marietta as a result of the air quality issue, as the City is 52% of the plant's business.

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## **AGENDA ITEM 5: Other Business**

### **Review of City Council 6 Month Agenda Planning Calendar/Future Agenda Items**

- Josh Birks can attend December meeting to learn about ozone non-attainment which may impact the Economic Health Strategic Plan.

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**Adjournment**

Meeting adjourned at 8:19pm.

Approved by the Board on January 26, 2015

Signed



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Dianne Tjalkens, Administrative Clerk II

2/4/2015

Date