

## VW Settlement Fund Comments, TCEQ HEARING 17 Sept 2018

My name is Dr. Terry Burns, retired pathologist and Chair of the Alamo Group of the Sierra Club. The Sierra Club accepts the science describing deleterious effects of ozone on plants and human health, and we support the new non-attainment designation of Bexar County because we have failed to improve our air quality sufficiently and rapidly. We also accept the science indicating global climate change is occurring as a result of massive fossil fuel emissions into our atmosphere. We thank the State of California and the Obama EPA for discovering and convicting Volkswagen of its corporate malfeasance in producing diesel vehicles with higher than allowed NOx emissions, and covering up that fact.

VW Settlement funds will help Texas improve air quality. We are in strong support of general TCEQ plans for the handling of this “windfall”:

1) We agree with plans to administer the funds directly through TCEQ rather than using MPO or COG intermediaries. We agree this would create another layer of bureaucracy and delay.

2) We strongly support spending the full maximum 15% on EV infrastructure. Expanding charging infrastructure will be a huge help for EV adoption. We agree this needs to be done statewide. And rapid EV adoption is one of the most important steps we need to take to address Climate Change. We are doubtful of the readiness of hydrogen fuel cell technology for this participation at this time.

3) We urge TCEQ to make a specific minimum commitment to electric school buses and transit buses by setting aside at least \$30 million of the total for all-electric buses so that those most impacted by air pollution will receive a greater benefit. In addition, the TCEQ should consider raising the 60% reimbursement for these types of public vehicles to at least 80%. We do NOT support use of these funds for so called “advanced diesel” or other “alternative fuels” such as propane, due to their carbon emissions. Any proposals for such purposes to be considered by TCEQ in its “fuel-neutral approach” should apply complete life cycle analysis in their evaluation.

4) We support the separate category inclusions of refuse vehicles, freight trucks and airport equipment.

5) No mention of environmental justice is found in the Draft Mitigation Plan. We urge TCEQ to commit 25% of the VW Settlement Charging Funds (the 15% of the total) for support of multi-family and public facilities in low-income communities.

6) TCEQ for our area will prioritize comments from AACOG, but also should prioritize comments from AAMPO, Bexar County and most importantly COSA. Only COSA is in the midst of developing a Climate Action Plan for which EV infrastructure, in current planning with CPS Energy, will be a critical component. COSA already is moving aggressively to improve air quality, limit idling, upgrade government vehicle fleets, reduce CPS emissions etc.

7) We agree with TCEQ that these funds should NOT be used for business economic development, but rather “ to implement the grant projects quickly and efficiently to hasten the air quality benefits”

We look forward to rapid and substantial air quality improvements in Texas thanks to this EPA agreement resulting from the culpability of a large international corporation. Our system works best when people, corporations and governments all work honestly in a level playing field, and when they don't, prosecution and maximum penalties are assessed to send a clear message that malfeasance will not be tolerated.

Thank you.