

**BEFORE THE AIR QUALITY CONTROL COMMISSION  
OF THE STATE OF COLORADO**

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IN THE MATTER REGARDING  
PROPOSED AMENDMENTS TO REGULATION NUMBER 20

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**PREHEARING STATEMENT OF  
THE LOCAL GOVERNMENT COALITION OF  
THE CITY OF ASPEN, BOULDER COUNTY PUBLIC HEALTH,  
THE CITY AND COUNTY OF DENVER, EAGLE COUNTY PUBLIC HEALTH, THE CITY OF  
FORT COLLINS, JEFFERSON COUNTY PUBLIC HEALTH, THE CITY OF LAKEWOOD  
SUSTAINABILITY DIVISION, PITKIN COUNTY, AND SUMMIT COUNTY**

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**I. Executive Summary**

The Local Government Coalition (“LGC”) of the City of Aspen, Boulder County Public Health, the City and County of Denver, Eagle County Public Health, the City of Fort Collins, Jefferson County Public Health, the City of Lakewood Sustainability Division, Pitkin County, and Summit County, supports the Colorado Air Pollution Control Division’s (“APCD”) proposed amendments to Regulation Number 20: Colorado Low Emission Automobile Regulations to adopt California’s zero emission vehicle standard for passenger cars and light-duty trucks for model years 2023 and beyond (the “ZEV Standard”). Adoption of the ZEV Standard is a necessary action in light of increasing air pollution levels and adverse public health and climate impacts in the state of Colorado related to internal combustion engine vehicles.

Many local governments across Colorado have specific climate goals in place and are already taking action to support increased electric vehicle (“EV”) adoption in their communities by promoting EV infrastructure and use. Adopting the ZEV Standard will further these local government efforts. Because the ZEV Standard will reduce emissions from the transportation sector and therefore improve public health and ongoing local government efforts towards carbon reduction, the LGC supports APCD’s proposal to amend Regulation 20 to adopt the ZEV Standard.

**II. Statement of Factual and Legal Issues & LGC’s Position**

**A. The Commission is Authorized to Adopt the ZEV Standard by Executive Order and State and Federal Law**

Adopting the ZEV Standard fulfills one of the main directives of Governor Polis’ January 17, 2019 Executive Order B 2019 002, “Supporting a Transition to Zero Emission Vehicles” (the “2019 EO”). Among other things, the 2019 EO directed APCD to develop a rule to establish a Colorado Zero Emissions Vehicle program and to propose that rule to the Colorado Air Quality Control Commission (“Commission”) for possible adoption before October 2019. The 2019 EO cited the transportation sector as one of the

primary emissions sources of ozone precursors and greenhouse gases and identified adoption of more Zero Emissions Vehicles as an approach to reduce these emissions and improve public health.

Additionally, the ZEV directive in the 2019 EO is authorized by the Colorado Air Pollution Prevention and Control Act (the “Colorado Act”), C.R.S. § 25-7-101 *et seq.* Specifically, the Colorado Act: provides that the Commission shall adopt rules and regulations that are consistent with the state’s policy “to achieve the maximum practical degree of air purity in every portion of the state, [and] to maintain the national ambient air quality standards,” C.R.S. § 25-7-102; 25-7-105; provides the Commission with “maximum flexibility in developing an effective air quality control program” C.R.S. § 25-7-106(1); and allows the Commission to “promulgate such combination of regulations as may be necessary or desirable to carry out the program,” *id.*, including “emission control regulations that are applicable to the entire state . . . or that are applicable only when a specified class of pollutant is present,” C.R.S. § 25-7-106(1)(c).

The Federal Clean Air Act also authorizes Colorado to adopt standards, such as the ZEV Standard, that have been adopted by the state of California. Section 177 of the federal Clean Air Act allows states to require compliance with either California’s standards or federal standards for vehicles sold within the state. *See* 42 U.S.C. § 7507. In this rulemaking, as directed by the 2019 EO and in compliance with state and federal statute, APCD proposes to adopt California’s ZEV Standard to apply in Colorado. *See* May 10, 2019 Notice of Rulemaking Hearing and Proposed Revisions to Regulation 20. For the reasons discussed herein, the LGC supports APCD’s legally-grounded proposal.

## **B. Adopting the ZEV Standard Will Reduce Vehicle Emissions in Colorado**

If Colorado adopts California’s ZEV Standard via revisions to Regulation 20, the state will increase the health and climate benefits it is striving for by reducing vehicle emissions of carbon dioxide equivalent (“CO<sub>2e</sub>”) while also achieving reductions in ozone-forming pollutants (such as VOCs and NO<sub>x</sub>) and reductions in fine particulates (“PM<sub>2.5</sub>”) and sulfur oxides (“SO<sub>x</sub>”). The ZEV Standard will require more EVs in the Colorado sales fleets, thus increasing the number of EVs on the roads and reducing vehicle emissions.

The increased use of EVs is a clear way to reduce vehicle emissions from the transportation sector. *See* LGC EX A at 3, Table 1. A well-to-wheels emissions analysis shows that, within Xcel Energy’s service territory, electric vehicles reduce emissions of pollutants significantly compared to a similar gasoline-fueled vehicle. LGC EX A at 3–5. This analysis uses the average power mix in the Denver metropolitan area. Based on this analysis, an EV driven today already provides significant emissions benefits compared to a gasoline-powered vehicle. *Id.* In 2018, an EV reduced NO<sub>x</sub> emissions by 71%, VOC emissions by 99% and greenhouse gas (“GHG”) emissions by 34% compared to a new gasoline vehicle. *Id.* Due to Xcel Energy’s plans to decrease utilization of coal and natural gas and increase renewable electricity generation, the fuel source for EVs (electricity) will become much cleaner, causing even greater emissions reduction benefits in future years.<sup>1</sup> By 2026, an electric vehicle is estimated to reduce NO<sub>x</sub> emissions by 83%, VOC emissions by 98%, and GHG emissions by 59% compared to a new gasoline-powered vehicle in that year. LGC EX A at 5, Table 2. Based on a de-carbonizing power supply, an EV purchased today will get cleaner

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<sup>1</sup> Xcel Energy. 2018. CO Energy Plan Fact Sheet. <https://www.xcelenergy.com/staticfiles/xcelresponsive/Company/Rates%20&%20Regulations/Resource%20Plans/CO-Energy-Plan-Fact-Sheet.pdf>

every year it is on the road. Emissions associated with an EV driven in 2018 are the equivalent of a gasoline vehicle with a fuel economy of 52 miles per gallon (mpg). LGC EX A at 4. By 2026, emissions associated with the same EV will be equivalent to 105 mpg and by 2030 equivalent to 150 mpg. LGC EX A at 6.

In addition to Xcel Energy’s plans, a number of local governments in Colorado, including the City and County of Denver, have committed to 100% renewable electricity community-wide by 2030. Along the Northern Front Range, the Poudre Valley Rural Electric Association, Inc. (PVREA) has adopted an 80% by 2030 renewable goal, and the City of Fort Collins and Platte River Power Authority (PRPA) are working towards 100% renewable electricity by 2030 goals. The City of Aspen has already achieved a 100% renewable electricity mix. This additional renewable generation (beyond what Xcel Energy is already planning) from local governments will make EVs even cleaner than the emissions estimates set forth in the Exhibit A analysis.

**Table 1. Lifecycle Emissions in Xcel Service Territory (Exhibit A)**

Table 1. Lifecycle Emissions in Xcel Energy Service Territory – Battery Electric Vehicle compared to a Gasoline Vehicle in 2026, mg/mile			
	Gasoline	Electric	% Reduction
NO <sub>x</sub>	69	11	83%
VOC	95	1	98%
GHG	256,420	106,240	59%

**C. Adopting the ZEV Standard Will Improve Public Health in Colorado**

The adverse effects of vehicle pollution impact everyone who breathes—especially the old, the young, and those disadvantaged by health or socioeconomic conditions. Near-roadway air pollution disproportionately impacts low-income communities and communities of color, children, older adults, people with preexisting cardiopulmonary disease, and children whose homes or schools are located near highways.<sup>2</sup> The EPA states that “[p]eople who live, work, or attend school near major roads appear to have an increased incidence and severity of health problems associated with air pollution exposures related to roadway traffic.”<sup>3</sup>

Adopting the ZEV Standard will reduce these adverse effects, including higher rates of illness and premature mortality due to cardiovascular and respiratory disease. Research by the Health Effects Institute concludes that sufficient evidence exists to support a relationship between exposure to internal-combustion-engine traffic-related air pollution and the exacerbation of asthma.<sup>4</sup> This research also finds “suggestive evidence of a causal relationship with onset of childhood asthma, nonasthma respiratory symptoms, impaired lung function, total and cardiovascular mortality, and cardiovascular morbidity...”<sup>5</sup>

<sup>2</sup> Environmental Protection Agency. 2016. How Mobile Source Pollution Affects Your Health. <https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>

<sup>3</sup> *Id.*

<sup>4</sup> Health Effects Institute. 2010. Special Report 17, Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. Executive Summary at 10, [https://www.healtheffects.org/system/files/SR17TrafficReview\\_Exec\\_Summary.pdf](https://www.healtheffects.org/system/files/SR17TrafficReview_Exec_Summary.pdf)

<sup>5</sup> *Id.*

#### **D. Adopting the ZEV Standard Will Help to Mitigate the Impacts of Climate Change in Colorado**

Conclusive and increasing scientific evidence demonstrates that carbon dioxide and other greenhouse gases released into the atmosphere are exerting a profound effect on the earth's climate, increasing extreme weather events, changing rainfall and crop productivity patterns, and fueling the migration of infectious diseases. Many Colorado communities are already experiencing the impacts of a warming climate in the form of reduced snowpack, earlier snowmelt, increased risk of high-intensity wildfires and their associated air pollution, extreme weather events, and an increased number of "high heat" days.

Both at the local and state level, Colorado communities have adopted aggressive climate goals. Adopting the ZEV Standard will help to meet the directives set forth in Colorado's recently adopted Climate Action Plan, which calls for a 50% reduction in GHG by 2030 and a 90% reduction by 2050.<sup>6</sup> The ZEV Standard will also help local governments meet their individual climate goals.

Several members of the LGC have made commitments to reduce greenhouse gas emissions in their own communities by 2050. Lakewood has committed to a 50% reduction while Aspen, Denver, Eagle County, and Summit County have all committed to 80% reductions, Boulder County has committed to a 90% reduction, and Fort Collins plans to be carbon neutral by 2050. Adoption of the ZEV Standard will increase the number of EVs on the road and assist these local governments in meeting their respective goals.

#### **E. Adopting the ZEV Standard Will Provide Economic Benefits to Colorado**

As the upfront cost of electric vehicles falls over time, the lifetime economic benefits from these vehicles will increase. Electric vehicles already have lower fuel and maintenance costs than gasoline vehicles. Between 2023 and 2030, the electric vehicles sold under the ZEV Standard will generate \$734 million in fuel savings and \$699 million in maintenance savings.<sup>7</sup> This \$1.4 billion in savings more than offsets the initial incremental cost of \$310 million of these vehicles.<sup>8</sup>

Money saved from the reduced fuel costs of EVs compared to gasoline-powered vehicles will partly be shifted into spending in the retail sector. Shifting consumer spending from the gasoline sector to retail sector will increase local spending and jobs. Producing and supplying energy is one of the least employment-intensive sectors of the economy, so shifting expenditures away from this sector and towards local goods and services will create more local jobs.<sup>9</sup> An additional dollar of household spending will create 16 times more jobs than if that dollar is spent on fossil fuels.<sup>10</sup> The jobs created by this additional spending are spread throughout the economy, not focused in the vehicle or alternative fuel sectors; therefore, all income levels will benefit from the fuel savings benefits of EVs.<sup>11</sup>

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<sup>6</sup> Colorado General Assembly. 2019. HB19-1261, Climate Action Plan to Reduce Pollution. <https://leg.colorado.gov/bills/hb19-1261>

<sup>7</sup> Colorado Department of Public Health and Environment. 2019. Initial Economic Impact Analysis for Proposed Amendments to Regulation Number 20, at 10–11.

<sup>8</sup> *Id.* at 9.

<sup>9</sup> Roland-Holst, David. Plug-in Electric Vehicle Deployment in California: An Economic Assessment. Technical paper. September 2012, at 34. [https://are.berkeley.edu/~dwrh/CERES\\_Web/Docs/ETC\\_PEV\\_RH\\_Final120920.pdf](https://are.berkeley.edu/~dwrh/CERES_Web/Docs/ETC_PEV_RH_Final120920.pdf).

<sup>10</sup> *Id.* at iii.

<sup>11</sup> *Id.* at 20.

## F. Local Governments Across the State Are Already Acting to Support the EV Market

Local governments across the state are already poised to assist with the transition to the ZEV Standard through their promotion of EVs and infrastructure. Many metropolitan and rural Colorado communities want more EVs and charging stations and are eager to partner with the state to make this happen, and many local governments are already supporting greater adoption of EVs. The State has also provided support for EV uptake in Colorado's communities. For example, the Charge Ahead Colorado program operated by the Colorado Energy Office and the Regional Air Quality Council has awarded grants to 50 communities across the state as of April 2019, which provides financial support for EVs and EV charging stations.<sup>12</sup> Additionally, municipalities and non-governmental organizations have recently worked together to host EV sales events to increase EV uptake in Colorado.<sup>13</sup> Specifically, in both 2017 and 2018, Glenwood Springs, Aspen, Vail, and Eagle County joined with several non-governmental organizations to hold sales events in an effort to increase the number of EVs in Garfield, Eagle, and Pitkin Counties. During the 2018 event, where participating dealers offered discounts, 38 EVs were sold.<sup>14</sup> During 2017 and 2018, the three-county region has also increased the number of public charging stations from 34 to 93.

A study conducted by the Colorado Energy Office analyzing plug-in electric vehicle sales by county shows that 70% of statewide EV sales are in the Denver metro region.<sup>15</sup> Because the ZEV sales percentage contained in the ZEV Standard applies across the state rather than in individual municipalities, this should help to alleviate concerns associated with selling a set number of EVs in rural areas.

### a. LGC Actions to Support Electric Vehicles

Communities in each of the nine LGC member government jurisdictions are taking a variety of actions to support electric vehicle adoption including: electrifying fleet vehicles, installing charging stations, awarding grants for charging stations, educating residents about EVs, hosting EV ride and drive events, and adopting building codes to make it easy to install charging stations. The following section highlights actions taken by LGC communities that will assist Colorado in complying with the ZEV Standard. *See Exhibit B* for a more comprehensive list of those actions.

#### *Aspen*

The City of Aspen developed its "Aspen Community EV Readiness Plan" in 2017, with the goals of increasing the availability of charging infrastructure, creating robust electric corridors, expanding common understanding and visibility of EVs through education, and increasing the number of EVs in the community and region.<sup>16</sup> Other goals in the EV readiness plan include enhancing EV readiness for city operations, supporting EV uptake for multi-unit housing, incentivizing shared use of electric vehicles over single-occupancy vehicles, and encouraging increased use of renewable electricity sources. Additionally, Aspen

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<sup>12</sup> <https://www.colorado.gov/pacific/energyoffice/charge-ahead-colorado>

<sup>13</sup> See for example Drive Electric Northern Colorado, <http://driveelectricnoco.org/ride-and-drives/>

<sup>14</sup> Garfield Clean Energy.2019. <http://garfieldcleanenergy.org/>

<sup>15</sup> Colorado Energy Office. 2015. Electric Vehicle Market Implementation Study.

<https://www.colorado.gov/pacific/energyoffice/atom/14086>

<sup>16</sup> City of Aspen. 2017. Aspen Community Electric Vehicle Readiness Plan.

<https://www.cityofaspen.com/DocumentCenter/View/977/Aspen-Electric-Vehicle-Readiness-Plan-PDF>

is working to improve infrastructure in the city, with ten public charging spaces installed, and creating a neighborhood electric vehicle parking and charging program. Neighborhood electric vehicles are all electric vehicles designed for low speed use and are not highway ready. Aspen also provides free parking in residential zones for all-electric vehicles, offers an EV group purchase program, and regularly engages in community EV education. In the summer of 2019, Aspen plans to receive eight electric buses from New Flyer, which will be operationalized on City bus routes.

### *Boulder County*

Boulder County's 2018 Sustainability Plan details a transition of the county's fleet to plug-in hybrid electric vehicles (PHEVs) and battery-electric vehicles (BEV).<sup>17</sup> Under the plan, the county will also support public adoption of EVs as well as EV adoption and charging station access for low-income and multifamily residences, including plans to work with city governments to adopt EV ready building codes so that new or remodeled multifamily buildings are set up for easy and inexpensive charging station installation. Boulder County is a GoEV community and now has goals for fleet purchasing and infrastructure under that program. GoEV is a joint project by the Southwest Energy Efficiency Project, the Sierra Club, Conservation Colorado, Clean Energy Economy for the Region, and Colorado Public Interest Research Group that encourages local governments in Colorado to make pledges to develop EV action plans. Under the GoEV campaign, Boulder County has pledged that 100% of new, light duty vehicles purchased by the county will be EVs whenever possible.

The county is also supporting the electric vehicle charging station infrastructure needed to accommodate the transition to electric fleet vehicles and working with the community on programs, policies, incentives, and regulatory approaches to transition 30% of all residential, business, and municipal vehicles within the county to zero emissions by 2030, and 100% of all vehicles by 2050.<sup>18</sup> Boulder County has installed 32 commercial EV charging station throughout the county and awarded grants to businesses to install charging stations.

### *City and County of Denver*

In 2018, Denver released its 80x50 Climate Action Plan which laid out a number of goals related to EV adoption. By 2020, Denver plans to have 200 EVs in the City's fleet.<sup>19</sup> Citywide, Denver aims for 15% of all light duty vehicles to be EVs by 2025, 30% by 2030, and 100% by 2050.<sup>20</sup> Also by 2050, Denver plans for 100% of taxi and rideshare vehicles to be electric. Denver currently provides workplace charging for employees at the Wellington Webb Municipal Building and owns and operates 23 publicly available Level 2 charging stations, 41 Level 1 charging stations, and 1 DC fast charging station. Denver also plans to

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<sup>17</sup> Boulder County. 2018. Boulder County Environmental Sustainability Plan. Chapter 7 Transportation. <https://assets.bouldercounty.org/wp-content/uploads/2018/08/2018-sustainability-plan-chapter-7.pdf>

<sup>18</sup> Boulder County. 2018. Boulder County Commissioners adopt a clean energy transportation electrification plan. <https://www.bouldercounty.org/news/boulder-county-commissioners-approve-resolution-making-boulder-county-the-first-county-to-commit-to-being-a-goev-community/>

<sup>19</sup> Department of Public Health and Environment. 2016. Denver Joins White House in Commitment to Significantly Boost Electric Vehicle Fleet by 2020. <https://www.denvergov.org/content/denvergov/en/environmental-health/about-us/news-room/2016/EVrelease.html>

<sup>20</sup> City and County of Denver. 2018. 80x50 Climate Action Plan. [https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/80x50/DDPHE\\_80x50\\_ClimateActionPlan.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/80x50/DDPHE_80x50_ClimateActionPlan.pdf)

install fourteen more Level 2 charging stations and one more DC fast charging station by the end of 2019. Denver is working with EVgo to install six fast charging stations to support rideshare vehicles as part of a grant from the US Department of Energy to electrify shared mobility. Further, Denver launched its “Pass Gas” campaign to provide education and outreach about EVs. Part of this campaign includes hosting multiple EV Ride and Drive events each year.

Denver is also committed to increasing equity of access to EVs and charging stations. In 2019, Denver launched the first electrified carshare in a mixed income community in Colorado and plans to expand these efforts in 2019 and 2020.<sup>21</sup> Denver adopted EV Ready building codes for single-and two-family homes in 2016<sup>22</sup> and plans to update commercial and multi-family codes in 2019 to include EV Ready provisions.

### *Eagle County*

Eagle County’s Climate Action Plan, finalized in 2016, includes plans to expand the use of EVs and charging stations, and the county has already installed 12 public charging stations.<sup>23</sup> Analysis conducted for the purposes of the Climate Action Plan shows that if 1% of the Eagle County population annually purchases ZEVs, emissions could be reduced by about 34,100 metric tons CO<sub>2</sub>e by 2025 and about 179,500 metric tons CO<sub>2</sub>e by 2050. This is a 20% decrease from projected business as usual emissions in the mobile source sector. Also, during 2018, Eagle County hosted the Local Government Energy Academy, which was directed in part towards assisting local government officials understand, prioritize, and implement cost-effective opportunities for electric vehicles.<sup>24</sup>

### *Fort Collins*

Fort Collins finalized its EV Readiness Roadmap in 2018 and began implementation of the Roadmap in January 2019 with the formation of an EVRR Implementation Working Group.<sup>25</sup> Under this plan, the City commits to continued investment in charging infrastructure needed to support EVs in the City fleet and provide adequate workplace charging for employees and community members. The city owns and manages several public charging stations. The plan also commits to increasing electrical vehicles in the City fleet and plans for 100% of light duty vehicle purchases to be plug-in electric by 2025. Additionally, the City partners with Drive Electric Northern Colorado, a regional non-profit dedicated to widespread deployment of EVs. One such partnership is an EV Group Buy Program to incentivize the purchase of EVs that the City is launching during the summer of 2019. The City is also updating Building Code and Land Use Code to require EV conduit installation for new developments, is establishing and enforcing EV parking rules, and has received grant funding for seven electric buses, two of which should be operational in 2021, with the other five ready in 2024.

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<sup>21</sup> Denver Department of Public Health and Environment. 2019. New Electric CarShare Location coming to the Mariposa District. <https://www.denvergov.org/content/denvergov/en/environmental-health/about-us/newsroom/newsroom/2019/mariposa-carshare-location.html>

<sup>22</sup> Denver Post. 2016. Denver’s new building code requires garages to support electric vehicles. <https://www.denverpost.com/2016/03/09/denvers-new-building-code-requires-garages-to-support-electric-vehicles/>

<sup>23</sup> Eagle County. 2016. Climate Action Plan for the Eagle County Community. [https://www.walkingmountains.org/wp-content/uploads/2017/05/Climate-Action-Plan-for-the-Eagle-County-Community\\_FINAL\\_December-V3-2016\\_WEB.pdf](https://www.walkingmountains.org/wp-content/uploads/2017/05/Climate-Action-Plan-for-the-Eagle-County-Community_FINAL_December-V3-2016_WEB.pdf)

<sup>24</sup> Colorado State University. 2019. Local Government Energy Academy. <http://lgea.colostate.edu/>

<sup>25</sup> City of Fort Collins and ICF. 2018. Electric Vehicle Readiness Roadmap. <https://www.fcgov.com/transportationplanning/files/cofc-ev-readiness-roadmap.pdf?1540496524>

### *Jefferson County Public Health*

Jefferson County was awarded \$18,000 in grant funds through Charge Ahead Colorado for the installation of two dual-port EV charging stations at county facilities for both staff and public use. The county also has an administrative policy encouraging the use of alternative fuel vehicles in the community and the reduction of the use of fossil fuels within county facilities.

### *Lakewood*

The City of Lakewood has a public level 2 dual-port station located at the Lakewood Civic Center, which was partially funded through a state grant several years ago.<sup>26</sup> The city's 2018 building code update included amendments requiring EV ready garages for single family dwelling units.<sup>27</sup> On July 8, 2019, the city approved new electric vehicle parking standards that include requirements for a combination of installed EV charging stations and EV ready infrastructure for select land-uses (primarily those with long-duration visits).<sup>28</sup> The requirements are triggered for any of these sites with more than 10 required parking spaces. The Lakewood City Council also adopted new performance-based requirements for developments larger than 20,000 square feet in March 2019. Providing publicly accessible EV infrastructure above the required level under the new parking standards is one option for these larger developments to achieve higher performance standards.

### *Pitkin County*

Pitkin County added two EVs to its fleet in 2018 and 2019 and has installed two charging stations which are open to the public. In 2016, the county added one level 3 fast charger to its Public Works location for charging fleet vehicles.<sup>29</sup>

### *Summit County*

Under Summit County's Climate Action Plan, the community has set a goal of reducing emissions from transportation 25% by 2030 and 91% by 2050 through a system that discourages fossil fuel consumption.<sup>30</sup> Key plan objectives are to transition to electrification of the transportation sector, reduce the number of single occupancy vehicles, and increase the use of public transit, walking and bicycling. The plan includes a strategy of switching government fleets to electric whenever possible and partnering with electric utilities to ensure there is grid capacity for increased electric vehicle charging.

Development of a regional EV Readiness Plan for the Summit County community is currently underway, with participation from the County and towns, utilities, ski areas, and other key community stakeholders. Identified local government priorities include: conversion of fleet and transit vehicles to EVs, installing EV

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<sup>26</sup> Personal communication with Jonathan Wachtel, Sustainability Manager, City of Lakewood on June 21, 2019 and July 8, 2019.

<sup>27</sup> City of Lakewood Sustainability, Electric Vehicle Parking Standards, Lakewood Development Dialogue – Recommendations for Electric Vehicle Parking Standards in the Zoning Ordinance, May 20, 2019 update.

<sup>28</sup> City of Lakewood, Agenda: Regular Meeting of the City Council, City of Lakewood, Colorado, July 8, 2019, p. 77; and Personal communication with Jonathan Wachtel, Sustainability Manager, City of Lakewood on June 21, 2019 and July 8, 2019.

<sup>29</sup> Personal communication with Ellen Sassano, Senior Long Range Planner, Pitkin County, June 28, 2019.

<sup>30</sup> Summit County. 2019. Summit Climate Action Collaborative, Summit Community Climate Action Plan: Strategies for a Sustainable Future, at 7 & 27. [https://www.highcountryconservation.org/wp-content/uploads/sites/16/2019/03/hc3-climateactionplan\\_final.pdf](https://www.highcountryconservation.org/wp-content/uploads/sites/16/2019/03/hc3-climateactionplan_final.pdf)



charging infrastructure at county and municipal buildings, partnering with utilities to identify priority areas and opportunities for charging infrastructure, and facilitating development of utility-owned charging infrastructure. Other priority projects Summit County is currently working on, in collaboration with their Summit Climate Action Collaborative partners, include:

- Developing and implementing a fleet policy to guide decision-making on EV conversions during annual vehicle purchases;
- Partnering with Xcel Energy on a make-ready infrastructure pilot program focused on government fleet and transit vehicle charging infrastructure and working with partner entities to pursue group buy programs and apply for state and federal grant funding for identified vehicle purchases and build-out of the necessary EV charging infrastructure; and
- Working collaboratively with the towns and building community to develop recommended land use and development code amendments to increase EV charging infrastructure and connectivity.

Summit County has also purchased three EV transit buses scheduled to arrive in December 2019 and is working to install the necessary EV charging infrastructure at the County bus barn to serve these new buses. Further, the County has submitted Charge Ahead Colorado grant applications to install EV charging stations at the Frisco Transit Center and County Commons Campus in Frisco to provide public charging at regional transit and library facilities.

*b. Non-LGC Actions to Support Electric Vehicles*

Many other communities across the state who are not participating as members of the LGC are also working towards increasing electric vehicle infrastructure and incentives and have made commitments to promote EVs. The following are highlights of actions taken by non-LGC communities in Colorado that will assist with ZEV compliance. *See Exhibit B* for a more comprehensive list of those actions and additional communities. Please note that the following information and Exhibit B are not meant to be an exhaustive list of actions taken by communities in Colorado, but rather a broad look at examples from across the state.

In 2017, Adams County was awarded \$54,080 for the purchase and deployment of new electric vehicles and charging stations. Five new charging stations and two new fleet vehicles were added as a result.<sup>31</sup> Colorado Springs has installed four charging stations and one supercharger and worked with Nissan to offer \$3,500 off the Nissan LEAF to residents during 2019.<sup>32</sup> In Erie, one charger has already been added and the town will pursue grant funding for more EV charging stations. The St. Vrain School District (in the Longmont, Lyons, and Erie area) installed seven EV charging stations and is working to transition the school district's fleet to include more EVs.<sup>33</sup> In 2018, one new level 3 fast charger was installed in

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<sup>31</sup> Adams County. 2017. Adams County Awarded Funding for New Electric Vehicles and Charging Stations. <http://www.adcogov.org/news/adams-county-awarded-funding-new-electric-vehicles-and-charging-stations>

<sup>32</sup> Colorado Springs. 2019. Electric Vehicle Incentives. <https://coloradosprings.gov/EV>

<sup>33</sup> Town of Erie. 2018. An Energy Action Plan for Town of Erie, Colorado. [https://www.erieco.gov/DocumentCenter/View/10412/Erie\\_Energy-Action-Plan\\_-FINAL-4-5-18?bidId=](https://www.erieco.gov/DocumentCenter/View/10412/Erie_Energy-Action-Plan_-FINAL-4-5-18?bidId=)

downtown Grand Junction, which was the first publicly available level 3 charger in Mesa County.<sup>34</sup> Also, Pueblo County received a grant from the Colorado Energy Office's Charge Ahead program to install public charging stations in 2018.<sup>35</sup>

Finally, many other communities across the state such as Aurora<sup>36</sup>, Broomfield, Durango<sup>37</sup>, Golden<sup>38</sup>, Louisville<sup>39</sup>, Lyons, Montrose, Mountain Village<sup>40</sup>, San Miguel County<sup>41</sup>, Silverthorne<sup>42</sup>, Steamboat Springs<sup>43</sup>, Superior, Telluride<sup>44</sup>, and Westminster<sup>45</sup> already have EV charging stations and many have plans to expand the use of EVs and install new charging stations.

### III. Exhibits

The LGC has attached the following exhibits to its Prehearing Statement and reserves the right to identify additional exhibits based upon information presented in the prehearing statements of the APCD or other parties:

- Exhibit A: Electric Vehicle Emissions Analysis
- Exhibit B: Local Government Electric Vehicle Support in Colorado

### IV. Witnesses and Written Testimony

While the LGC does not intend to offer any written testimony beyond what is contained in the prehearing, rebuttal, and associated filings, the LGC intends to call the following witnesses at the rulemaking hearing:

- A. Mike Salisbury, Transportation Energy Lead, Denver Department of Public Health and Environment: Testimony in support of the LGC prehearing statement
- B. Lindsay Carder, Assistant City Attorney, Denver City Attorney's Office: facts and legal argument in support of the proposed regulation.
- C. Cindy Copeland, Air Quality Specialist, Boulder County Public Health: testimony in support of the LGC prehearing statement.
- D. Olivia Lucas, Assistant County Attorney, Boulder County: facts and legal argument in support of

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<sup>34</sup> Amy Hamilton, The Daily Sentinel, June 13, 2018. [https://www.gjsentinel.com/news/western\\_colorado/library-hosts-public-electric-vehicle-charger-as-sales-trend-ticks/article\\_0b82b37a-6ec8-11e8-b566-10604b9f6eda.html](https://www.gjsentinel.com/news/western_colorado/library-hosts-public-electric-vehicle-charger-as-sales-trend-ticks/article_0b82b37a-6ec8-11e8-b566-10604b9f6eda.html)

<sup>35</sup> Colorado Energy Office, Charge Ahead Colorado Grant Recipients Announced, April 4, 2018.

<https://www.colorado.gov/pacific/energyoffice/news/charge-ahead-colorado-grant-recipients-announced>

<sup>36</sup> [https://www.auroragov.org/residents/park\\_aurora/aurora\\_parking\\_facilities](https://www.auroragov.org/residents/park_aurora/aurora_parking_facilities)

<sup>37</sup> <http://www.durangogov.org/900/Sustainability-Action-Plan>

<sup>38</sup> Personal communication with Tom Easley, Colorado Communities for Climate Action, May 13, 2019.

<sup>39</sup> [https://www-static.bouldercolorado.gov/docs/2017\\_05\\_02\\_IP-1-201705041032.pdf](https://www-static.bouldercolorado.gov/docs/2017_05_02_IP-1-201705041032.pdf)

<sup>40</sup> Personal communication with Tom Easley, Colorado Communities for Climate Action, May 13, 2019.

<sup>41</sup> Personal communication with Tom Easley, Colorado Communities for Climate Action, May 13, 2019.

<sup>42</sup> <https://www.silverthorne.org/town-services/newsletter-summer-2013/colorado-s-first-tesla-supercharging-station-coming-to-outlets-at-silverthorne>

<sup>43</sup> Eleanor Hasenbeck, Steamboat Pilot & Today, December 8, 2018. <https://www.steamboatpilot.com/news/state-funds-4-new-electric-vehicle-charging-stations-in-yampa-valley/>

<sup>44</sup> Personal communication with Tom Easley, Colorado Communities for Climate Action, May 13, 2019.

<sup>45</sup> Personal communication with Tom Easley, Colorado Communities for Climate Action, May 13, 2019.

the proposed regulation.

- E. Chuck Leyden, Boulder County Fleet Manager, Boulder County Transportation Department: testimony on Boulder County's fleet turnover to increase EVs.
- F. Cassie Archuleta, Air Quality Program Manager, City of Fort Collins: testimony in support of the LGC prehearing statement.
- G. Chris Menges, Climate and Sustainability Programs Administrator, City of Aspen: Testimony in support of the LGC prehearing statement.
- H. Any other witnesses that may be needed for rebuttal purposes.

**V. Time Requested**

The LGC requests a time allocation of 60 minutes for direct testimony, rebuttal testimony, and cross-examination of other parties' witnesses.

**VI. Conclusion**

The LGC member governments appreciate the opportunity to participate in this proceeding, as well as the Commission's consideration of the issues the LGC has raised. For the reasons discussed above, the LGC urges the Commission to adopt the ZEV Standard as proposed in the May 10, 2019 Notice of Rulemaking.

Submitted this 10<sup>th</sup> day of July, 2019,

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## CERTIFICATE OF SERVICE

I hereby certify that on this 10<sup>th</sup> day of July, 2019, an electronic copy of this **PREHEARING STATEMENT OF THE LOCAL GOVERNMENT COALITION** was delivered to the Air Quality Control Commission Office, VIA EMAIL ADDRESS to [cdphe.aqcc-comments@state.co.us](mailto:cdphe.aqcc-comments@state.co.us) and via email to the following:

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