

June 30, 2006

Commissioner Kathleen Hartnett White  
Chairman  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC 100  
Austin, Texas 78711-3087

Dear Chairman White:

Please find attached a resolution passed by the Texas Clean Air Working Group (TCAWG) addressing the state appropriations process relative to the Texas Commission on Environmental Quality (TCEQ) and air quality funds. As you may be aware, TCAWG is a statewide organization representing business, governmental and environmental interests located in the nonattainment and near-nonattainment areas of Texas. We ask for your strong consideration of our requests.

We realize that all agencies have been asked to make a 10% budget cut in preparing Legislative Appropriations Requests (LAR) for the 80th Texas Legislature. However, the membership of TCAWG believes that these air quality funds and programs are vital and necessary to assist our regions in addressing our state's air quality concerns. In order to ensure the legislature is fully informed, we request that the TCEQ quantify the impact such a budget cut would have on the effectiveness of the clean air programs.

Our citizens are paying the fees to fund these programs and do not realize that substantial amounts of their tax dollars go unspent. Also, at a time when many of our regions are struggling to develop sufficient control strategies to incorporate into our State Implementation Plans (SIPs), it is crucial that every available air quality dollar be integrated to solve our state's air quality issues.

I thank you in advance for your attention to this matter. Please contact me if I may be of additional assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Harris".

Ron Harris, Collin County Judge  
Chairman, Texas Clean Air Working Group

cc: Commissioner Larry Soward  
Executive Director Glenn Shankle



# Texas Clean Air Working Group

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June 30, 2006

A project of the  
Texas Conference of Urban Counties

## RESOLUTION OF

## BUDGET PRIORITIES

## FOR THE 80<sup>TH</sup> TEXAS LEGISLATURE

Chairman:

Honorable Ron Harris,  
Collin County Judge

Participating Entities:

Alamo Area COG  
American Lung Association of Texas  
Bexar County  
Business Coalition for Clean Air  
Capitol Area COG  
Chambers County  
City of Austin  
City of Dallas  
City of Fort Worth  
City of Houston  
City of Longview  
City of Lubbock  
City of Plano  
City of Richardson  
City of San Antonio  
City of Victoria  
Clean Air Force of Central Texas  
Collin County  
Conference of Urban Counties  
Corpus Christi COC  
Dallas County  
Dallas Regional Mobility Coalition  
El Paso COG  
El Paso County  
El Paso MPO  
Ellis County  
Environmental Defense  
Fort Bend County  
Fort Worth COC  
Good Company Associates  
Greater Austin COC  
Greater Dallas Chamber  
Greater Houston Partnership  
Greater San Antonio COC  
Gregg County  
Harris County  
Houston-Galveston Area Council  
Lower Colorado River Authority  
Mobile Emissions Reduction Coalition  
North Central Texas COG  
North East Texas Air Care  
North Texas Commission  
Paso del Norte Clean Cities Coalition  
Port of Houston Authority  
Public Citizen  
Southeast Texas Regional  
Planning Commission  
Tarrant County  
Texas Air Research Center  
Texas Association of Counties  
Texas Association of School Boards  
Texas Campaign for Clean Transportation  
Travis County  
Victoria County  
Webb County  
West Houston Association  
Williamson County

Nonvoting participating entities:

Capitol Area MPO  
House Committee on  
Environmental Regulations  
House Committee on Transportation  
Senate Committee on Natural Resources  
Senate Committee on State Affairs  
State Energy Conservation Office  
Texas Commission on  
Environmental Quality  
Texas Department of Transportation  
Texas A&M Energy Systems Laboratory  
Texas General Land Office  
Texas Railroad Commission  
Texas Sunset Commission  
U.S. Environmental Protection Agency

**WHEREAS**, air quality impacts the public health as well as the economic health of our entire state, making compliance with the federal Clean Air Act essential to Texas' long-term growth and prosperity, given the integrated nature of the Texas economy; and

**WHEREAS**, federally designated Clean Air Act nonattainment areas and near-nonattainment areas of Texas include forty-one counties, the cities of Arlington, Austin, Beaumont, Corpus Christi, Dallas, El Paso, Fort Worth, Galveston, Houston, Longview, Port Arthur, San Antonio, Tyler, and Victoria; and represent 70% of the state's population; and

**WHEREAS**, failure of clean air plans in these affected areas will trigger sanctions that will negatively impact the entire Texas economy; and

**WHEREAS**, the Texas Clean Air Working Group is an alliance of local governments, business groups and environmental organizations committed to serve as a resource and as an advocate for prudent and effectively stated policies that will assist affected nonattainment and near-nonattainment communities in meeting their clean air goals; and

**WHEREAS**, reductions in mobile source emissions are some of the most effective mechanisms in reducing ozone; and

**WHEREAS**, the Texas Emissions Reduction Plan (TERP) program has been a cost-effective, successful program in reducing on-road and off-road mobile source emissions; and

**WHEREAS**, in order to achieve attainment, federally preempted sources must be reduced, and TERP has been a successful incentive program in addressing emissions reductions from those preempted sources; and

**WHEREAS**, the Low Income Repair and Assistance Program (LIRAP) is a valuable program that reduces emissions from high emitting vehicles by offering financial assistance for qualified owners of vehicles who fail the emissions test; and

**WHEREAS**, the total amount of funds collected for TERP and LIRAP far exceeds the amount appropriated by the Legislature to each of these programs; and

**WHEREAS**, air quality research and new technology programs are critical to solving air quality challenges;

**NOW THEREFORE BE IT RESOLVED** by the Texas Clean Air Working Group that the Texas Commission for Environmental Quality (TCEQ) is hereby urged to adopt the following budget strategies to preserve Texas air quality, enhance public health, and promote economic prosperity:

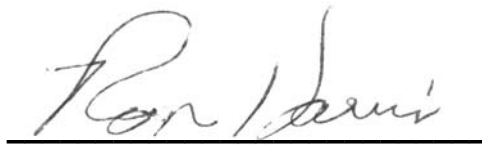
1. Include in the agency's Legislative Appropriations Request (LAR) for the 2008-09 biennium the appropriation of all funds collected for the Texas Emission Reduction Plan (TERP) program and include these funds in relevant clean air plans, including plans for near nonattainment areas;
2. Include in the agency's LAR for the 2008-09 biennium the appropriation of all funds collected for the Low Income Repair and Assistance Program (LIRAP), including the expanded purposes as defined in HB 1611 (79th Texas Legislature);
3. Include in the agency's LAR for the 2008-09 biennium \$5,075,000 for air quality planning activities to reduce ozone in the state's near nonattainment and Early Action Compact areas as reflected in Rider 8 of the current appropriations act;
4. Include in the agency's LAR for the 2008-09 biennium \$1.5 million for research to refine and enhance models used to demonstrate attainment with the National Ambient Air Quality Standard for ozone and other pollutants under the federal Clean Air Act; and
5. Include in the agency's LAR for the 2008-09 biennium \$5 million for the Texas Air Quality Study II (TexAQS II) to continue critical air quality research for the entire state.

**BE IT FURTHER RESOLVED** by the Texas Clean Air Working Group that the 80th Legislature is urged, pursuant to the budget strategies outlined above, to adopt the following:

1. Appropriate to the Texas Emissions Reduction Plan (TERP) Program (Account 5071) all funds collected for TERP, including those funds designated for program administration, air quality research and technology development and verification that are directed to the nonprofit organization based in Houston, Texas, and authorize their use for improving air quality in nonattainment and Affected Counties;
2. Appropriate to the Low Income Repair and Assistance Program (LIRAP) all funds collected for this purpose and utilize such funds for emission reductions pursuant to HB 1611 (79th Texas Legislature) and for other programs that can reduce mobile source air pollution;

3. Appropriate funds to support the agency's LAR for the 2008-09 biennium as recommended above for air quality planning activities to reduce ozone in the state's near nonattainment and Early Action Compact areas, research to refine and enhance models used to demonstrate attainment, and for the Texas Air Quality Study II (TexAQS II);
4. The Texas Clean Air Working Group will work with the TCEQ, Texas Legislature, and state leadership to implement these recommendations.

ADOPTED THIS 29<sup>th</sup> DAY OF JUNE BY THE TEXAS CLEAN AIR WORKING GROUP.

A handwritten signature in cursive script, reading "Ron Harris", is written above a solid horizontal line.

**Collin County Judge Ron Harris**  
Chairman, Texas Clean Air Working Group