

MINUTES

HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

DATE: Thursday, February 22, 2018

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Raybould, Vice Chairman Thompson, Representatives Hartgen, Vander Woude, Anderson, Anderst, Mendive, Chaney, Nate, Cheatham, Horman, Malek, Moon, Scott, Ehardt, Smith, Rubel

**ABSENT/
EXCUSED:** Representative(s) Vander Woude, Anderst, Malek, Rubel

GUESTS: John Chatburn, Governor's Office of Energy and Mineral Resources (OEMR); Paula Wilson, Department of Environmental Quality (DEQ); Tiffany Floyd, DEQ; Lisa Carlson, Office of the Attorney General-DEQ; Jess Byrne, DEQ; Austin Hopkins, Idaho Conservation League; Neil Colwell, Avista Corp.

Chairman Raybould called the meeting to order at 1:31 p.m.

John Chatburn, Administrator, OEMR, introduced **Tiffany Floyd**, DEQ to give an overview of the Volkswagen Settlement.

Tiffany Floyd, Division Administrator, Air Quality Division, DEQ, stated in January 2016, the United States and the state of California filed a lawsuit against Volkswagen because they circumvented emission control systems, and after negotiations, Volkswagen agreed to pay \$14.9 billion to offset air quality damage. The settlement funds are broken down with \$2.9 billion to the states in the Environment Mitigation Trust (EMT), \$2 billion for the Zero Emission Vehicle Investment, and \$10 billion to consumers for vehicle buyback and modification. Idaho's portion of the EMT is \$17.3 million to spend over the next 10 years. The EMT identified very specifically that funds can be spent on replacement or repower with new diesel, alternate fuel, or all-electric vehicles as long as they result in NOx reduction. Fund eligibility categories are class 8 local freight trucks and port drayage trucks; class 4-8 school buses, shuttle buses or transit buses; pre-tier 4 diesel switcher locomotives; ferries and tugs; ocean going vessel shore power; class 4-7 local freight trucks; airport ground support equipment; forklifts and port cargo handling equipment; light duty zero emission vehicle supply equipment, and matching funds for projects eligible under the Diesel Emission Reduction Act (DERA). **Mr. Warner** of Warner Hydrogen presented a request to this committee on February 12, 2018, to use funds to do a preliminary review of reducing technologies; however, DEQ review and certification of technologies is not allowed nor does DEQ have the ability to do that. DEQ is making arrangements to get Mr. Warner with the Center for Advance Research Studies for help. The EMT court appointed Wilmington Trust Bank to administer the trust fund, and the Governor appointed DEQ as Idaho's designated beneficiary to develop a mitigation plan, which is a high-level, nonbinding plan to submit to the Trustee by May 1. Information about the settlement, submission of informal plans, posting of the revised plan for comments, the project selection application packet, final plan submission and other important dates are on the DEQ's website. Anyone can submit a project utilizing the information on the website, and the projects submitted will be evaluated by the DEQ working group.

Austin Hopkins, Idaho Conservation League, informed the committee that they were one of the stakeholders involved in hearings on the proposed mitigation plan, and they wholeheartedly support it.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:57 p.m.

Representative Raybould
Chair

Lorrie Byerly
Secretary