

Resolution Number #TC-3120
Approved December 19, 2013

Use of CMAQ Funds in FY'14-17 for CNG Station and Vehicles and Alternative Fuel Advancement

WHEREAS, the Congestion Mitigation and Air Quality (CMAQ) improvement program was established under the Intermodal Surface Transportation Efficiency Act (ISTEA), continued under the Transportation Equity Act for the 21st Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and has been further continued under Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the purpose of the CMAQ program is to provide a flexible funding source for transportation projects and programs that assist non-attainment and attainment/maintenance areas in meeting National Ambient Air Quality Standards (NAAQS); and

WHEREAS, MAP-21 included "Special Rules" for the CMAQ program including eligibility for Electric Vehicle (EV) and Natural Gas Vehicle (NGV) infrastructure at any location in the state; and

WHEREAS, purchase of alternative fuel vehicles continue to be eligible pursuant to CMAQ program guidelines; and

WHEREAS, federal regulations provide guidance on how to administer the CMAQ program, while allowing the state to determine how funds will be allocated; and

WHEREAS, TC-1832, approved February 18, 2010, provided for the allocation of CMAQ funds for Federal Fiscal Year (FFY) 2012 through FFY 2017 and established a CMAQ fund reserve; and

WHEREAS, the Colorado Energy Office (CEO) has proposed using CMAQ funds for a statewide CNG program to support the development of fueling stations on key corridors and the purchase of vehicles as allowed with CMAQ funds and the inclusion of EV stations and vehicles as appropriate; and

WHEREAS, CEO staff and CDOT staff have collaborated with the transportation planning partners that are primary recipients of CMAQ funds, and CEO has presented to STAC concerning this program and STAC has recommended funding with CMAQ in an amount of \$30 million over four years; and

WHEREAS, there are sufficient CMAQ funds within the planned CMAQ reserve for years 2014-2017 for this statewide program to be funded in an amount not to exceed \$30 million over those four years, which is approximately 20 percent of projected CMAQ funds for that time period, in the amounts of \$10 million in 2014, \$7 million in 2015, \$7 million in 2016, and \$6 million in 2017;

NOW THEREFORE BE IT RESOLVED, that the Transportation Commission approves the use of CMAQ funds in an amount not to exceed \$30 million over the years 2014-2017 for the support of a statewide Compressed Natural Gas (CNG) program in Colorado including development of CNG fueling stations along key corridors and purchase of vehicles pursuant to Federal guidelines for use of CMAQ funds, and also funding of EV stations and vehicles as deemed appropriate by CEO.

FURTHER, BE IT RESOLVED, that CMAQ fund recipients will continue to report annually in writing to the CDOT staff on the effectiveness of their projects and CDOT staff will compile results into reports for the Commission and the FHWA. If review of the CMAQ program indicates concern about the effectiveness of the use of CMAQ funds, the Commission reserves the option to review and alter the allocation of funds.

FURTHER, BE IT RESOLVED, that this resolution supersedes the portion of TC Resolution 1832 that pertains to the allocation of the CMAQ reserve funds by allocating planned reserve funds first to this CEO statewide program as outlined above and then distributing remaining reserve funds to eligible recipients.

Norman J. Stockinger III
Transportation Secretary

1-4-14
Date