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February 2023 Report from the Air Pollution Control Division to the North Front Range Transportation and Air Quality Planning Council Thursday, March 2, 2022

Air Quality Control Commission (Commission) Updates:

February 16, 2023 Commission Meeting

- The Commission set a hearing to consider the Division's proposal to revise Regulation Number 6, Part A (NSPS) to incorporate by reference changes the EPA made to its New Source Performance Standards and/or Emission Guidelines.
- The Commission set a hearing to consider revisions to Regulation Number 8, Parts A and E (MACT Standards) to incorporate by reference changes the EPA made to its National Emission Standards for Hazardous Air Pollutants rules.
- The Division, Bureau of Land Management, and the USDA Forest Service presented to the Commission its significant user prescribed fire planning renewal document.
- The Division briefed the Commission regarding the implementation of the Commission's oil and gas preproduction monitoring program.
- Per Regulation Number 22, Part B, Section II.D.3., the Division briefed the Commission regarding its final determination concerning greenhouse gas Best Available Emission Control Technology, Energy Best Management Practices and associated analyses for all emission units included in the audit scope with respect to GCC's Regulation Number 22, Part B, Section II.C. audit report.
- Per Regulation Number 22, Part B, Section II.D.3., the Division briefed the Commission regarding its final determination concerning greenhouse gas Best Available Emission Control Technology, Energy Best Management Practices and associated analyses for all emission units included in the audit scope with respect to EVRAZ, CEMEX, and Holcim's Regulation Number 22, Part B, Section II.C. audit reports.

The Commission does not plan to meet in March 2023.

Air Pollution Control Division Updates

• Division staff continue to prepare for a range of upcoming rulemakings:







Date:	February 28, 2023
From:	Mike Silverstein Executive Director
To:	North Front Range Metropolitan Planning Organization
Subject:	Monthly Meeting Briefing Memo

RAQC Program Updates

- The public entity Electrify Lawn and Garden grant program has kicked off, and government entities are beginning to submit applications for over \$1 million in available funding.
 - Program Goal: To aid in the expedited adoption of zero-emission lawn and garden equipment, the RAQC has funding available, through the Colorado Department of Public Health and Environment to help local/state public entities, schools, universities, and parks and recreation special districts in the Denver Metro/North Front Range ozone nonattainment area replace gasoline-powered equipment.
 - Funding: Approximately \$1,200,000 is available for funding the replacement of gasolinepowered commercial lawn and garden equipment with electric powered equipment. Applicants must apply for and be awarded funding before purchasing eligible equipment. Funding applications will be reviewed by our selection committee with awards up to \$50,000 for each round.
 - Eligible Entities: Public agencies within the Denver Metro/North Front Range 9-county ozone nonattainment area.
 - Local governments: cities, towns, and counties
 - Public schools and universities
 - State agencies
 - Special districts
 - Private contractors who are contracted to provide services for the above-mentioned public entities

Requests for funding can be submitted to: https://www.mowdownpollution.org/grant/

- The Control Strategy Committee and associated work groups are evaluating numerous emission reduction approaches with the goal of advancing effective proposals to the RAQC Board for consideration as soon as this summer 2023. Discussions of gasoline-powered lawn and garden equipment sales and use restrictions as well as oil and gas emission reduction approaches are the initial focus, addressing:
 - Gasoline-powered lawn & garden equipment sales prohibitions push mowers and hand-held equipment;
 - Gasoline-powered lawn & garden equipment seasonal use restrictions government and commercial operators – push mowers and hand-held equipment;
 - O&G flaring minimization requirements;
 - Episodic emissions from oil and gas industry operations;
 - Requiring emission offsets or aggregation of wellhead and production facility equipment when permitting oil and gas sector minor sources; and
 - Zero-emitting retrofits for existing pneumatic devices

Meeting schedules and work products can be found on the RAQC's website at: <u>https://raqc.org/control-strategy-committee-information/</u>

• Revisions to the "severe" ozone SIP are underway, with efforts to improve the oil and gas emission inventories and to begin revised photochemical dispersion modeling. The revised plan is scheduled for consideration by the RAQC Board and the Colorado Air Quality Control Commission in the second half of 2023.



MEMORANDUM

To: NFRMPO Planning Council

From: Medora Bornhoft

Date: March 2, 2023

Re: NFRMPO Air Quality Program Updates

Background

With the planned adoption of the NFRMPO's <u>2050 Regional Transportation Plan</u> (RTP) on September 7, 2023, NFRMPO staff are working on developing a Greenhouse Gas (GHG) Transportation Report to demonstrate compliance of the <u>2050 RTP</u> with Colorado's GHG Transportation Planning Standard. The report will carry forward strategies from the GHG Transportation Report adopted by the NFRMPO Planning Council on October 6, 2022 and will be revised and updated as necessary. Additional detail on the GHG Transportation Report will be brought to Planning Council for discussion at future meetings.

The schedule for the GHG Transportation Report includes:

- Gather and review transportation projects for inclusion in the 2050 RTP underway
- Finalize the 2019 base year Land Use Model and Travel Model April 2023
- Conduct travel model scenarios to assess compliance with GHG reduction targets April-June 2023
- TAC Discussion of Draft GHG Transportation Report May 17, 2023
- Council Discussion of Draft GHG Transportation Report June 1, 2023
- TAC Action on GHG Transportation Report June 21, 2023
- Council Action on GHG Transportation Report July 6, 2023
- Submit GHG Transportation Report to APCD and CDOT July 18, 2023
- Transportation Commission Action on GHG Transportation Report August 17, 2023

Action

NFRMPO staff invites Planning Council member feedback on the proposed schedule for the NFRMPO's GHG Transportation Report.

Legislative Report

March 2023

Title	HB23-1014: Yield To Larger Vehicles In Roundabouts
Description	Concerning yielding to larger vehicles in roundabouts.
Summary	 Requires a driver to yield the right-of-way to a driver of a vehicle having a total length of at least 40 feet or a total width of at least 10 feet (large vehicle) when driving through a roundabout Requires that when 2 drivers of large vehicles approach or drive through a roundabout at the same time, the driver on the right must yield the right-of-way to the driver on the left
Changes since February 2023	 Clarify vehicles as trucks, buses, emergency vehicles, or recreational vehicles that generally have a total length of more than 40 feet Clarify yield to vehicles entering, exiting, or driving in the circulatory lanes in a roundabout
Status	 2/7/2023 – House Third Reading Passed – No Amendments 2/22/2023 – 2/28/2023 – Senate discussion and Passed with Amendments 3/1/2023 – House Considered Senate Amendments – Result was to Concur
NFRMPO Impact	• Safety improvements, reducing risks in roundabouts and being clearer on right-of-way

Title	HB23-1101: Ozone Season Transit Grant Program Flexibility
Description	Concerning support for transit, and, in connection therewith, increasing the flexibility of the ozone season transit grant program and increasing opportunities for transit agency participation in regional transportation planning.
Summary	 Increases the flexibility of the ozone season transit grant program Requires the governing body of the transportation planning organization for each transportation planning region to include at least one voting representative of a transit agency that provides transit service in the transportation planning region. The representative must be appointed by the transit agency or, if multiple transit agencies provide service in the transportation planning region, by agreement of the transit agencies.
Changes since February 2023	 Colorado Energy Office (CEO) can increase amount of funding in subsequent year by amount underused in previous year Section added that increases the maximum rate of sales or use tax, or both, that a regional transportation authority (RTA) may impose, with voter approval, from one percent to 2% Makes permanent the existing power of a RTA to impose, with voter approval, a uniform mill levy of up to 5 mills, which power would otherwise expire at the end of the 2028 property tax year Transportation Commission will update 2CCR601-22 to adjust the boundaries of the Transportation Planning Regions (TPRs) in a proportional and equitable manner
Status	 2/27/2023 – Senate Committee on Transportation & Energy Refer Amended to Senate Committee of the Whole 3/2/2023 – Floor Work
NFRMPO Impact	 Greeley Evans Transit (GET) and City of Loveland Transit (COLT) provided free rides in August 2022 and are considering applying again in 2023. Transfort has been fare free since 2020. Potential changes to Planning Council make-up with transit representation requirement. TPR boundaries are updated every decade by statute. The NFRMPO boundary is set by federal regulation, but CDOT controls TPR boundaries

Title	HB23-1123: Move Over or Slow Down Stationary Vehicle
Description	Concerning a requirement that motor vehicle drivers take certain actions to mitigate the risk their vehicles present to stationary vehicles on the road
Summary	 Adds requirement to move one lane apart for stationary motor vehicles that are displaying flashing hazard lights or warning lights Clarifies that the law applies to public utility service vehicles operated by the public utility or by an authorized contractor of the public utility.
Changes since February 2023	No major changes
Status	 2/14/2023 - 2/22/2023 - Discussions in House 3/1/2023 - Transportation & Energy discussion
NFRMPO Impact	 Potential safety improvements Informational – no recommended Planning Council action

Title	HB23-1154: Ballot Issue Greenhouse Gas Emissions Report
Description	Concerning requirements for initiatives with a projected environmental impact that are properly submitted to the title board, and, in connection therewith, requiring the director of research of the legislative council to prepare a preliminary report for such initiatives, requiring the title of such initiatives to reflect the findings of the preliminary report, and requiring that the findings are referenced in the ballot information booklet entry for such initiatives.
Summary	 Requires the Director of Research of the Legislative Council to prepare a preliminary report that requires an analysis on whether a properly submitted initiative has a net change in greenhouse gas emissions that directly impacts the following sectors: Electric power; Natural gas and oil systems; Transportation; Residential, commercial, or industrial fuel use; Industrial processes; Coal mining and abandoned mines; Waste management; Land use, land use change, or forestry; and Agriculture. Requires Director to provide proponents of the proposed initiative, or their representatives, and the secretary of state with the preliminary report no later than the time of the title board meeting at which the proposed initiated measure is to be considered. Requires changes to ballot measure language depending on whether the ballot initiative will increase or decrease greenhouse gas emissions
Changes since February 2023	No action taken.
Status	• 3/9/2023 – Discussion at State, Civic, Military, & Veterans Affairs
NFRMPO Impact	• Requires additional effort for funding initiatives to reflect impact to GHG emissions reductions

Title	SB23-016: Greenhouse Gas Emission Reduction Measures
Description	Concerning measures to promote reductions in greenhouse gas emissions in Colorado.
Summary	 Updates the statewide GHG emission reduction goals to add a 65% reduction goal for 2035, an 80% reduction goal for 2040, and a 90% reduction goal for 2045 when compared to 2005 GHG pollution levels. Increases the 2050 GHG emission reduction goal from 90% of 2005 GHG pollution levels to 100%. Establishes a state income tax credit in an amount equal to 30% of the purchase price for new, electric-powered lawn equipment for purchases made in income tax years 2024 through 2026.
Changes since February 2023	No transportation impacts.
Status	 2/21/2023 – Senate Committee on Finance Refer Amended to Appropriations
NFRMPO Impact	 Strengthens GHG emissions reduction targets. Future planning processes and rulemakings would determine which additional strategies and actions from GHG emission sources will be required to achieve those targets. Supports communities and utilities to upgrade transmission lines.

Title	SB23-059: State Parks And Wildlife Area Local Access Funding
Description	Concerning providing funding to local governments to support access to state- owned outdoor recreational areas.
Summary	 Creates the State Park and Wildlife Area Access Grant Program, which reimburses local governments for access route maintenance, construction, service, and operational work resulting from people visiting state parks and wildlife areas Authorizes a local government to request that the state park or wildlife area charge an additional per vehicle fee, not to exceed \$2, to visit. Upon the request, the commission may establish the fee, which will be transferred to the local government to maintain and operate access routes. The fee will be adjusted every 5 years for inflation or deflation.
Changes since February 2023	 No major changes.
Status	 2/9/2023 - Senate Committee on Agriculture & Natural Resources Witness Testimony and/or Committee Discussion Only 3/9/2023 - Agriculture & Natural Resources
NFRMPO Impact	• Provides funding to maintain access to state parks and wildlife areas

Title	SB23-059: Retail Delivery Fees
Description	Concerning the administration of the existing retail delivery fees collected by the Department of Revenue (DOR)
Summary	 Creates an exemption from the fees for businesses with retail sales less than or equal to \$500,000 in the prior year Allows sellers to pay the fee on the purchaser's behalf, such that the fee does not need to be separately itemized for each delivery Requires DOR to waive processing costs if the processing costs would exceed the amount of retail delivery fees the retailer is remitting and the payment is remitted by automated clearing house debit
Changes since February 2023	Introduced 2/8/2023
Status	 2/21/2023 – Senate Committee on Finance Refer Unamended to Appropriations 3/3/2023 – Appropriations discussion
NFRMPO Impact	• Bill decreases state revenue, impacting how much funding is available for State Enterprises and the Highway Users Tax Fund (HUTF), and Multimodal Transportation & Mitigation Options Funds (MMOF)

Postponed Ind	efinitely
<u>HB23-1166</u>	Effective July 1, 2023, the bill eliminates the retail delivery fees by specifying that they may only be collected for the 2022-23 state fiscal year.
<u>HB23-1173</u>	Replace the current membership of the Transportation Commission with 9 members elected at the November 2026 general election, one from each congressional district of the state and one from the state at large.
<u>HB23-1175</u>	Requires CDOT to include personnel costs, facilities costs, and other expenses in the proposed budget allocation plan. CDOT would not be allowed to use an indirect or construction engineering rate for the expenses listed.



Front Range Passenger Rail *Project Overview*

Key Points

Front Range Rail Project Update

- \cdot Goals and Vision
- Service Development Plan (SDP) Process
- Corridor Identification Program
 - \cdot And other Federal Grants

Partnerships

- Amtrak
- New Mexico and Wyoming





Front Range Rail – Goals and Vision

- Build an interconnected transportation backbone for the Front Range
- Provide service that is safe, efficient, reliable, and competitive (affordable)
- Design today for:
 - Phased implementation as soon as possible
 - o Upgrades in the future (including: more service, expanded limits, faster, electrified)



Service Development Planning



- 1. Define system goals and vision (substantially complete)
- 2. Identify route (in progress)
- 3. Identify key markets for station locations
- 4. Identify service options that best match customer needs
- 5. Evaluate passenger rail service impact on the rail network
- 6. Design infrastructure to mitigate impacts and deliver service goals
- 7. Complete financial planning and cost estimates
- 8. Define specific projects and implementation steps
- 9. Execute implementation plan

On Track for a mid-2024 completion of the formal Service Development Plan document with the FRA

Risks: FRA review timelines, host railroad reviews and approvals



Corridor Identification Program - CIDP

Part of the funding opportunities from the Federal Government Intended to streamline the process for corridors to start passenger service

- Colorado meets or exceeds eligibility requirements
- Colorado is ahead of the pack
 - o Partnerships already established with Amtrak, host railroads, RTD
 - o Rail District formed
 - o Service planning in progress
- Next steps include
 - o Application
 - o Appropriation of funds
 - o Preparation for next funding requests and availabilities



Partnerships - Amtrak



- Amtrak holds unique advantages for partnering and operating our system
 - o Statutory access rights
 - o Statutory priority over freight traffic
 - o Funding and cost formula
- Amtrak has expressed interest in partnering with Colorado
 - o Both in early development and operations



Partnerships – Wyoming and New Mexico

- Interregional connection is a goal of system implementation
- Connection to New Mexico and Wyoming is contemplated
 o Amtrak has expressed interest and suggested a Cheyenne terminus
- MOU between Colorado, Wyoming and New Mexico
 - o Circulated with support of Colorado and Wyoming
 - o Waiting on approval by New Mexico



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Northern Colorado Regional Mobility Meeting —MINUTES February 28, 2023 1:00 p.m. – 3:30 p.m.

1. Call Meeting to Order, Welcome and Introductions

In Person:

- Cory Schmitt, NFRMPO
- Alex Gordon, NFRMPO
- AnnaRose Cunningham, NFRMPO
- Celeste Ewert, Envision
- Janet Bedingfield, 60+ Ride
- Amy Threewitt, 60+ ride
- Nichole Seward, Weld County AAA
- Steve Teets, WAND
- Shana Cundall, Weld RE-4 School District
- Kimberly Baker, Larimer County Department of Health & Environment

Virtual:

- Hanna Johnson, NFRMPO
- Kimberly Johnson, IntelliRide
- Courtney Sedon, HCPF
- Chris Montoya, Adeo
- Kelli Wood, Cheyenne VA

- Katlyn Kelly, Transfort
- Dana Klein, Town of Estes Park
- Kimberly Aguilar-Pauli, Arc of Larimer County
- Ruth Fletcher-Carter, RAFT
- Steve Conaway, RAFT
- Olga Gonzalez, Weld County Department of Public Health & Environment
- Ari Edgley, Foothills Gateway
- Angela Woodall, Foothills Gateway
- Robyn Upton, WAND
- Megan Kaliczak, zTrip
- Connie Nelson-Cleverley, SAINT
- Kathi Sargent, Arc of Weld County
- Nicole Limoges, Larimer County Office on Aging
- Angelo Corbin, Cheyenne VA

2. Group Introductions and Review of Agenda

Both virtual and in person attendees introduced themselves and their organizations. The in-person group did a speed networking exercise to get to know one another and learn more about each other's respective organizations and services.

Presentations & Activity

1) NFRMPO 2050 Regional Transportation Plan – Gordon/Cunningham

Cunningham and Gordon presented about the North Front Range Metropolitan Planning Organization's (NFRMPO) <u>2050 Regional Transportation Plan</u> (RTP). Slides from their presentation are attached. The RTP looks at all aspects of the multimodal transportation system (roadways, bike/ped,



transit, etc.), and it is fiscally constrained. The RTP is required to be updated every 4 years. Gordon outlined the various regionally significant transportation corridors including roadways, transit, and active transportation corridors. Cunningham discussed the outreach for the 2050 RTP. <u>A Story Map</u> has been developed to get comments from the community about the regionally significant corridors. The NFRMPO will be getting comments from the public through March 31st, 2023. The In-Person group gave comments on maps while the online group was directed to the online activity.

2) IntelliRide/Non-Emergency Medical Transportation – Sedon/Johnson

K. Johnson shared the <u>IntelliRide website</u> and walked through IntelliRide's services. IntelliRide is contracted with the State of Colorado to provide the non-emergency medical transportation (NEMT) for Health First Colorado (Medicaid) members residing in the 9 County Denver Metro Area (Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Weld).

The trip has to be to a covered medical service, and the facility needs to be enrolled in the Medicaid program. The "Find a Doctor" tool can verify if that facility and provider are enrolled. IntelliRide also verifies that the caller is a Medicaid member. IntelliRide needs the actual physical address to ensure the member is being dropped off at the correct location. When people do not have a permanent address, they just need a pickup location (shelter, etc.); IntelliRide can still schedule a ride. There is a local and toll-free phone number. IntelliRide also facilitates a mileage reimbursement program for the entire state of Colorado. IntelliRide can also provide discharge transportation for patients, but that patient must be cleared for discharge by the medical facility. IntelliRide's system can identify public transportation options for members if they are able to ride; members unable to use public transit must provide paperwork showing that is the case.

Business hours are 8 am to 5 pm on weekdays excluding federal holidays; IntelliRide requires at least two business days' notice. The Mileage Reimbursement Program (\$0.46 per mile) applies to members able to drive themselves or receive a ride from a family member or friend to and from their approved medical appointments. There is an after-hours phone line and service available for dialysis patients and hospital discharges and some urgent trips (chemo, radiation, oncology, and dialysis; all are life-sustaining services).

Teets with the Weld Advocacy Network for Disabilities notes that they have heard of many issues with IntelliRide; how does a person put in a complaint with IntelliRide? K. Johnson notes that grievances can be filed by contacting the team and leaving a formal grievance. People filing the grievance can request a call-back.

Fletcher-Carter asked where drivers are located for Larimer and Weld County members. K. Johnson noted that drivers are all over; transportation providers give IntelliRide an address of where vehicles are being pulled out of the lot from. Fletcher-Carter asked if individuals can sign up to be a driver like Uber/Lyft. K. Johnson noted that all providers are companies, but some are small and only have a few vehicles. K. Johnson discussed recruiting and enrolling new providers to meet gaps in their service hours; currently there are no non-profit transportation providers for IntelliRide. K. Johnson noted that providers can apply to provide transportation through the state.



Teets asked that if they can't find someone in Weld County to pick up the member, will someone come from a different county like Denver or Larimer? K. Johnson said yes; any provider that is approved (through Medicaid) to give a ride in that county, IntelliRide may reach out to them. Teets asked if a member calls you saying that a doctor is switching their appointment time in less than 48 hours, can IntelliRide provide that? K. Johnson said that yes, they can provide that transportation as urgent transportation.

Klein asked why a mileage reimbursement ride should call ahead of time? K. Johnson stated that it is to ensure the ride will meet Medicaid requirements to be reimbursed.

Fletcher-Carter notes that RAFT drivers have often heard issues with IntelliRide; often complaint calls are dropped. K. Johnson notes that if calls are dropped, they can identify how the call was dropped. Teets asked if there are complaints that members can't talk to someone. K. Johnson stated that they receive complaints on long wait times, especially on Monday and Tuesdays.

Aguilar-Pauli asked if members can receive assistance with their paperwork and what that looked like. K. Johnson stated that they can help or recommending that facilities help the member in person. The paperwork can be filled out online or by printing it; it can be faxed or emailed.

Conaway asked if the mileage reimbursement process vets the drivers? K. Johnson said that IntelliRide does not regulate those rides currently; the member is responsible for finding a driver they are comfortable with.

Kelly asked what software is used to schedule trips? K. Johnson stated that they use the Ecolane system.

Teets asked if any Medicare rides are covered or how they are expected to get to appointments? K. Johnson noted that they can only transport Medicaid recipients, but they will refer people to local resources such as United Way 211.

Fletcher-Carter asked if people are aware they have this benefit when enrolled in Medicaid? K. Johnson noted the HealthFirst Colorado welcome letter provides information about IntelliRide.

Schmitt asked how to recruit more drivers in Larimer and Weld Counties? Can the Northern Colorado Mobility Committees help? K. Johnson stated that they work with the current providers and word of mouth.

Conaway asks if there is a list of providers? K. Johnson said yes, there is a list for the 9 counties.

Fletcher-Carter asked if we could just review a list of Weld and Larimer County-only providers? K. Johnson noted that providers note which counties are covered by that provider.

3) RideNoCo, Mobility Action Plan 2023 Updates – Schmitt

RideNoCo updates are provided as written slides below. Schmitt will provide more details in a followup email.



Wrap Up + Next Steps

Bedingfield – Excited to announce that CDOT is giving a wheelchair-accessible van to 60+ Ride for rural Weld County. Additionally, the long-term strategic plan is to serve adults over 18 with disabilities. Greeley-Evans Transit may be supporting 60+ Ride more in the future, too. It is still under development.

Aguilar-Pauli – Arc of Larimer County has created a Travel Training for Transfort. They are working with Loveland to expand their training, too. There is a Train-the-Trainer event in March 30, 2023 in Fort Collins. The current program is just Transfort, but they hope to expand.

Kelly – The plan for North College MAX got adopted by Fort Collins City Council. It is a phased approach. The Transfort Fare Study update: they should have a decision by the end of the year. Paratransit is also currently free. They are not sure if they bring fares back, what they will be.

Fletcher-Carter – RAFT has a new office with an assistant (Steven Conaway). The Berthoud Life Center will eventually host RAFT once it is open in about 2.5 years. RAFT Board has approved "Gap Service" – if they receive calls adjacent to RAFT's service area and do not have a wheelchair accessible option, RAFT can help provide service for medical reasons only.

Powell – Greeley-Evans Transit has selected a Mobility Coordinator. Information will be released once details are finalized. GET finished 2022 with 531,676 riders. That is up 33.36% from last year and 65.81% of pre-COVID ridership. The Poudre Express had 18,703 riders in 2022, which is about 4.64 riders per hour. GET is putting together a stakeholder meeting to discuss these detail and what the future holds. GET is beginning to put together the RFP for consultants and for software, and they hope to have those our for bid by late spring/early summer. Three of our supervisors, including Powell, have become certified Defensive Driver instructors.

Cundall – the School to Work Alliance Program is having a Job Fair March 7th from 1 to 3 pm. If agencies have entry level, part-time, and full-time positions available in or around the Windsor area, you are encouraged to reach out to Cundell at 970-541-1047. A flier with complete details are attached below.

Upcoming Meetings:

- a. Weld County Mobility Committee (WCMC) Meeting: March 28th
- b. Larimer County Mobility Committee (LCMC) Meeting: April 25th
- c. Northern Colorado Mobility Committee: May 23rd