

Ashley Stolzmann, Chair
Kevin Flynn, Vice Chair
Steve Conklin, Secretary
Wynne Shaw, Treasurer
John Diak, Immediate Past Chair
Douglas W. Rex, Executive Director

AGENDA
DRCOG Board Work Session
Wednesday, September 1, 2021
4 p.m.
VIDEO/WEB CONFERENCE
Denver, CO

1. Call to Order
2. Public Comment
The chair requests that there be no public comment on issues for which a prior public hearing has been held before the Board of Directors.
3. Summary of August 4, 2021 Board Work Session
(Attachment A)
4. Continued discussion on the Greenhouse Gas (GHG) transportation planning rulemaking
(Attachment B) Ron Papsdorf, Director, Transportation Planning and Operations
5. Adjourn

Persons in need of auxiliary aids or services, such as interpretation services or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 480-6701.



We make life better!

1001 17th St. • Suite 700 • Denver, CO 80202 • main: 303-455-1000 • fax: 303-480-6790 • email: drcog@drcog.org • web: drcog.org



ATTACH A

BOARD WORK SESSION SUMMARY

August 4, 2021

Note: Meeting held virtually via Zoom

Directors present:

Kevin Flynn, Vice Chair	City and County of Denver
Jeff Baker	Arapahoe County
Claire Levy	Boulder County
Nicholas Williams	City and County of Denver
George Teal	Douglas County
Alison Coombs	Aurora
Aaron Brockett	Boulder
William Lindstedt	Broomfield
Deborah Mulvey	Castle Pines
Tim Dietz	Castle Rock
Tammy Maurer	Centennial
Randy Weil	Cherry Hills Village
Randy Wheelock	Clear Creek County
Steve Conklin	Edgewater
Linda Olson	Englewood
Celeste Arner	Federal Heights
Lynette Kelsey	Georgetown
Jim Dale	Golden
David Kerber	Greenwood Village
Tracy Kraft-Tharp	Jefferson County
Wynne Shaw	Lone Tree
Joan Peck	Longmont
Ashley Stolzmann	Louisville
Collen Whitlow	Mead
Julie Duran Mullica	Northglenn
John Diak	Parker
Tim Howard	Superior
Anita Seitz	Westminster
Rebecca White	CDOT

Others present: Doug Rex, Executive Director; Bryan Weimer, Arapahoe County; Mac Callison, Aurora; Cindy Copeland, Boulder County; Lauren Pulver, Art Griffith, Douglas County; Kent Moorman, Thornton; Debra Baskett, Westminster; Danny Herrman, Don Stanton, Karen Stuart, Theresa Takushi, CDOT; Chris Rork, Associated Students of Colorado; Bill Oberman, Becky English, Susan Nedell, Ean Thomas Tafoya, Matt Frommer, Jenny Gaeng, Marie Venner, Citizen; and DRCOG staff.

Board Vice Chair Kevin Flynn called the session to order at 4:00 p.m.

Public Comment

Ean Thomas Tafoya encouraged the directors to do everything in their power to follow the Greenhouse Gas Pollution Reduction Roadmap to equally improve the lives of

individuals in their communities, by cleaning the air and reducing the risk for climate impact.

Matt Frommer commented on the Greenhouse Gas Pollution Reduction Roadmap, that with collaboration between state, regional, and local governments and agencies, directors can lead the way towards a strong rulemaking to reduce emissions and help combat climate change.

Becky English stated Colorado is suffering direct climate change consequences that are already very environmentally harmful and deadly greenhouse gas concentrations are the cause, with transportation being the largest contributor. She believes DRCOG can provide the leadership necessary for the current transportation rulemaking to be highly effective.

Jenny Gaeng asked the directors and DRCOG to work with CDOT on an equitable, enforceable, and verifiable Greenhouse Gas rulemaking at the Transportation Commission.

Discussion on the Greenhouse Gas (GHG) transportation planning rulemaking

Ron Papsdorf provided an overview of the rulemaking to the directors. HB-1261 is focused on the reducing greenhouse gas pollution and establishing statewide GHG reduction goals. The GHG Pollution Reduction Roadmap is a pathway to meet the bill's climate targets. SB-260 established new requirements for CDOT and procedures for the department and MPOs related to transportation planning and projects, which CDOT will establish and propose to the Transportation Commission by July 1, 2022. These will account for the impacts on the amount of statewide GHG pollution and statewide vehicle miles traveled that are expected to result from such projects. The guidelines and procedures will apply to the adoption of the next 10-Year Plan and subsequent planning cycles and shall fully evaluate the potential environmental and health impacts on disproportionately impacted communities. Minimum requirements for CDOT and MPOs are as follows:

- Implement relevant rules and regulations issued by Air Quality Control Commission.
- Reduce GHG emissions to help achieve the statewide GHG pollution reduction targets.
- Modify guidance documents to ensure same level of analytical scrutiny is given to GHG pollutants as given to other air pollutants, including consideration of impacts on GHG emissions of induced demand resulting from regionally significant transportation capacity projects
- Consider the role of land use in the transportation planning process and develop strategies to encourage land use decisions that reduce VMT and GHG emissions

Rebecca White provided more details to CDOT's focus on achieving specific targets. One of the transportation targets for the GHG Roadmap is a reduction in pollution of 12.7 million metric tons (MMT) by 2030. Current modeling is centered around the following:

- 6 MMT reduction: Low and Zero emission Vehicle rules
- 2 MMT reduction: Utility and public investment in fleet turnover and infrastructure for light-duty zero emission vehicles.
- 4.7 MMT:
 - o GHG pollution standards for transportation plans
 - o Incentivize land use to increase housing near jobs and reduce VMT and pollution
 - o Clean trucking strategy – infrastructure, fleet incentives, consider regulatory tools such as advanced clean trucks and fleet rules
 - o Participate in developing post 2025 vehicle standards (state and federal)
 - o AQCC evaluation of indirect source rules
 - o Expansion of public transit, including setting the stage for Front Range Rail

There was a robust discussion amongst the directors and there will be continued discussion on this topic at the August Board of Directors meeting.

Discussion of the Regional Complete Streets Toolkit project

Jacob Riger presented the project to the Board. Complete Streets provide pedestrians, bicyclists, transit riders and other multimodal travelers the same access to safe comfortable streets as motorists. DRCOG is developing a Regional Complete Streets Toolkit for the Denver region that will provide guidance for local governments to plan, design, and implement Complete Streets. It will also offer strategies and give support to decision makers, planners, and designers to ensure that multimodal elements are appropriately and effectively incorporated into transportation projects. The Complete Streets Toolkit is also integrated with the 2050 Regional Transportation Plan (2050 RTP) and the 2024-2027 Transportation Improvement Program (2024-2027 TIP). The draft Toolkit will be reviewed by the project's steering committee in late July, with a public comment period planned in mid-August to mid-September.

The work session ended at 5:42 p.m.

ATTACH B

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303-480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
September 1, 2021	Informational Briefing	4

SUBJECT

Discussion of Greenhouse Gas (GHG) transportation planning rulemaking.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

House Bill 19-1261 was signed into law on May 30, 2019. The bill concerns the reduction of greenhouse gas pollution and establishing statewide greenhouse gas pollution reduction goals. The law sets statewide goals to reduce greenhouse gas emissions from 2005 levels by at least 26% by 2025, at least 50% by 2030, and at least 90% by 2050.

On January 14, 2021, Colorado released its [Greenhouse Gas Pollution Reduction Roadmap](#). The Roadmap establishes a pathway to meet the state's HB19-1261 climate targets. An executive summary of the Roadmap (also included in the full report) is available in [English](#) and in [Spanish](#).

The Roadmap shows Colorado's largest sources of GHG emissions, in order, are **transportation, electricity generation, oil and gas development and fuel use in homes, business, and industrial applications**. Findings show that meeting the 2025 and 2030 goals is achievable with existing cost-effective technologies but progressing toward these goals will require additional policies beyond the actions the state has taken already.

SB21-260 includes new requirements for CDOT guidelines and procedures for the Department and the state's MPOs related to transportation planning and projects. CDOT is embarking on a rulemaking process to develop a new pollution reduction planning framework for the transportation sector. On July 15, 2021 the Colorado Transportation Commission adopted a resolution authorizing CDOT to commence the rulemaking process to establish a greenhouse gas (GHG) pollution-reduction standard, including compliance and enforcement requirements in accordance with HB19-1261 and SB21-260.

At the August 4, 2021 Board Work Session, staff provided background and information related to CDOT's rulemaking and schedule. At the August 18, 2021 Board Meeting, staff provided an overview of the proposed GHG Transportation Planning Rule that was introduced August 13, 2021.

Based on that discussion, staff will provide additional analysis of the proposed rule and seek Board feedback on issues and options aimed at improving the rule.

Anticipated next steps/upcoming calendar:

- September 1, 2021 Board Work Session: Board review and discussion of proposed rule, issues and options for improvements
- September 15, 2021 Board Meeting: Board discussion and possible position and direction to staff?
- October 6, 2021 Board Work Session: Possible special Board meeting for further discussion and possible position and direction to staff?
- August 13 – October 15: written comment period
- September 14 – October 4: eight Transportation Commission rulemaking hearings (9/23 – Swansea Recreation Center (Denver), 9/27 – South Suburban Sports Complex (Littleton))

PREVIOUS DISCUSSIONS/ACTIONS

[August 4, 2021](#) - Board Work Session discussion

[August 18, 2021](#) – Board discussion of proposed rule

PROPOSED MOTION

N/A

ATTACHMENT

Staff Presentation

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at 303-480-4701 or Ron Papsdorf, Division Director, Transportation Planning & Operations, at 303-480-6747 or rpapsdorf@drcog.org or Robert Spotts, Mobility Analytics Program Manager, at 303-480-5626 or rspotts@drcog.org.

Greenhouse Gas Transportation Planning Rulemaking

**Board of Directors – Work Session
September 1, 2021**

**Ron Papsdorf
Division Director, Transportation
Planning & Operations**

GOALS FOR TONIGHT



- Rule context
- Modeling
- Questions and staff perspectives
- Board discussion and direction

RULEMAKING SCHEDULE



DRAFT Rulemaking Timeline

subject to change and refinement due to TC action and rulemaking development

Authorize Rulemaking

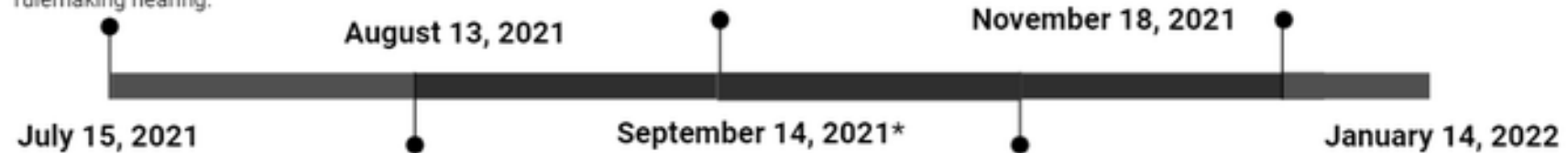
Transportation Commission authorize staff to commence rulemaking and delegates a Hearing Officer to conduct rulemaking hearing.

Rulemaking Hearings

Opportunity for Public Testimony

Rule Effective

Rule becomes effective.



Notice Rulemaking

Notice the rulemaking with Secretary of State and public comment period begins.

Adopt Rule

The Transportation Commission considers Proposed Rule for Adoption.



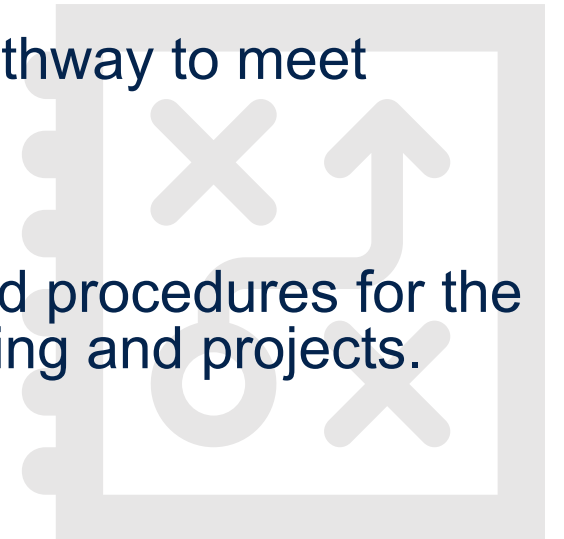
60 Day Written Comment Period
Starts 8/13 and Ends 10/12

**Hearings may be held on or after September 14, 2021.
Hearings to be a mix of virtual/in-person and held in multiple locations around the state.*

RULE CONTEXT



- **Metro Vision and RTP:** the region meets or exceeds applicable federal, state and local requirements and regional targets for air quality.
- **HB19-1261:** reduce greenhouse gas pollution and establish statewide GHG reduction goals.
- **GHG Pollution Reduction Roadmap:** establishes pathway to meet HB19-1261 climate targets.
- **SB21-260:** new requirements for CDOT guidelines and procedures for the department and MPOs related to transportation planning and projects.



ADDITIONAL CONTEXT



- **Applicable Planning Document:** RTP adoption and amendments, CDOT 10-Year Plan adoption and amendments, CDOT Four-Year Prioritized Plan adoption and amendments, TIP adoption in DRCOG/NFRMPO
- **Regionally Significant Project** for the purposes of the proposed rule (and federal air quality conformity) – DRCOG
 - **New** regional roadway segment
 - Road **widening** of one or more lanes on regional system
 - **New** or converted managed lane
 - **New** interchanges or other interchange **capacity improvements**
 - **New** dedicated rapid transit lanes, rail lines, or rail line extensions
 - **New** rail rapid transit stations
- **Not the same as a "regional" TIP project for regional share**

At least 1 mile long

ADDITIONAL CONTEXT



- **DRCOG's MPO Role** – federal law and regulations
 - Responsible for transportation planning in urban areas – **setting for effective decision-making**
 - **Identify and evaluate alternatives** to meet future needs and to provide a safe and efficient transportation system that meets mobility while not creating adverse impacts to the environment
 - MPOs prepare and adopt a long-range, multimodal **Regional Transportation Plan (RTP)** covering at least 20 years (update every 4 years)
 - Congress included 10 planning factors the process must consider
 - Prepare and adopt a **Transportation Improvement Program (TIP)** covering four years
 - Involve the **public** and other **stakeholders**



MODELS

ESTIMATING SYSTEM TRAVEL



- Large, complex, and mature transportation system
 - 16,000 miles streets and highways
 - 18,000 miles sidewalks; 2,500 miles multiuse paths
 - Light rail, commuter rails, bus, paratransit, and intercity bus services
 - 10 million vehicle trips, 2 million ped, scooter, bike trips per day
- The DRCOG Focus model is used to estimate weekday trips by travel mode
- Inputs
 - Transportation system characteristics
 - Travel costs/prices
 - Population, households, jobs, visitors, commercial vehicles
 - Decision making factors
- Outputs
 - Trips by mode
 - Vehicle and person trips by segments
 - Vehicle miles traveled (VMT)
 - Delays and travel speeds

Model is calibrated to base year and used to forecast future years

ESTIMATING EMISSIONS

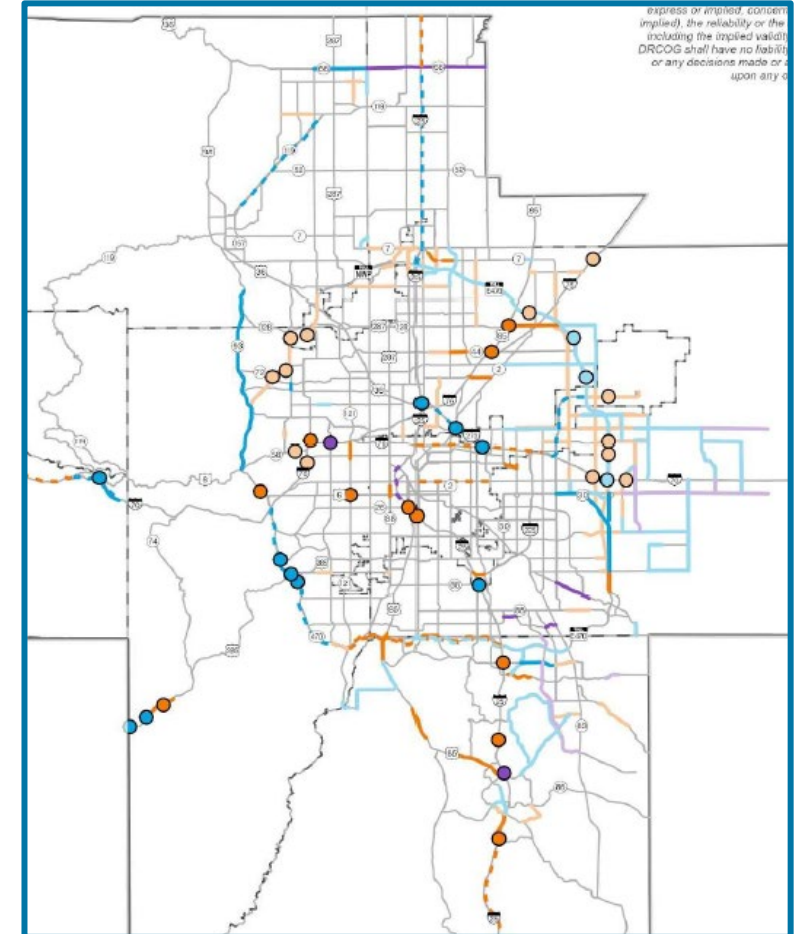


- CDPHE runs the Motor Vehicle Emission Simulator (MOVES) model to estimate total vehicle emissions
- Inputs
 - Roadway segment VMT and average travel speeds from DRCOG's Focus model
 - Vehicle fleet characteristics: vehicle type, fuel efficiency, etc.
 - Fuel types
 - Idling, in-motion, parked vehicles
- Outputs
 - Total daily emissions by type, including NOx, VOC, Particulates, CO2, etc.

MODEL ACCURACY AND USES



- Individual small projects: **No** - cannot reasonably estimate fuel/GHG changes
- Individual major projects: **Maybe** - can produce rough or less reliable estimates
 - Change of regional values will be very small
- Suite of major projects (i.e., 2050 RTP): **Yes** - can produce reasonable estimates
 - e.g., 2050 RTP roadway projects change total VMT by <1%
- Entire RTP transportation/ household/ socioeconomic multimodal travel demand system (e.g., 2050 MVRTP): **Yes** – can produce solid estimates





PROPOSED GHG RULE DISCUSSION

RULE COMPONENTS



- **Amends 2 CCR 601-22:** Rules governing statewide transportation planning process and transportation planning regions
 - Preamble
 - Definitions (1.00)
 - Statewide Transportation Plan (4.06)
 - Amendments to the Regional and Statewide Transportation Plans (6.00)



RULE COMPONENTS



- New § 8.00 – GHG Emission Requirements
 - 8.01 – Establishment of Regional GHG Transportation Planning Reduction Levels
 - 8.02 – Process for Determining Compliance
 - 8.03 – GHG Mitigation Measures
 - 8.04 – Air Pollution Control Division (APCD) Confirmation and Verification
 - 8.05 – Enforcement
 - 8.06 - Reporting



GHG REDUCTION LEVELS (§ 8.01)



Regional Areas	2025 Baseline Projections (MMT)	2025 Reduction Level (MMT)	2030 Baseline Projections (MMT)	2030 Reduction Level (MMT)	2040 Baseline Projections (MMT)	2040 Reduction Level (MMT)	2050 Baseline Projections (MMT)	2050 Reduction Level (MMT)
DRCOG	14.9	0.27	11.8	0.82	10.9	0.63	12.8	0.37
NFRMPO	2.3	0.04	1.8	0.12	1.9	0.11	2.2	0.07
PPACG	2.7	N/A	2.2	0.15	2.0	0.12	2.3	0.07
GVMPO	0.38	N/A	0.30	0.02	0.30	0.02	0.36	0.01
PACOG	0.50	N/A	0.40	0.03	0.30	0.02	0.4	0.01
CDOT/Non-MPO	6.7	0.12	5.3	0.37	5.2	0.30	6.1	0.18
TOTAL	27.4	0.5	21.8	1.5	20.6	1.2	24.2	0.7

QUESTIONS & FURTHER DISCUSSION



- Will the Baseline change over time?

This is not specifically addressed in the Rule. Changes to the baseline projections after adoption would require new rulemaking.

Discussion: The baseline projections have been developed using the CDOT statewide travel model and “allocating” GHG emissions to areas based on share of statewide VMT.

MPOs are required to adopt a new RTP every four or five years. Population and employment forecasts are updated at least that frequently.

Option: Set baselines in a TC policy directive and reference them in the Rule to allow refinement based on MPO modeling and more frequent updates.

QUESTIONS & FURTHER DISCUSSION



- Are the reduction levels “reasonable” or appropriate?

Discussion: The reduction levels were developed based on CDOT scenarios that included the following assumptions:

Travel choices: commuter trip reduction, non-work trip reduction, sidewalk and bike improvements, arterial speed reductions, 50% transit fares

Travel choices + transit: 6% annual service increase, 2022-2030; double service by 2050; bus fleet electrification

Travel choices + transit + land use: 75% growth of urban mixed-use areas ($\geq 2,000$ people per square mile and ≥ 500 retail/service jobs per square mile) in DRCOG; 50% growth in other MPOs

The proposed reduction levels are roughly based on the “maximum” reduction scenario: Travel Choices + Transit + Land Use

The DRCOG base model does not fully capture the impacts of all the 2050 RTP’s non-regionally significant projects (active transportation, operations, etc.).

COMPLIANCE (§ 8.02)



- When **adopting or amending** an Applicable Planning Document, each MPO and CDOT conduct a GHG emissions analysis.
- Analysis shall include existing transportation network and implementation of **Regionally Significant Projects**.
- Must **estimate total CO2e emissions** for each year in Table 1 and compare to the Baseline.
- Agreement between MPO, CDOT, CDPHE on **modeling assumptions**.
- Does not apply to MPO **TIP amendments**.

QUESTIONS & FURTHER DISCUSSION



- How can TIPs, which are near term, be analyzed against the GHG reduction level horizon years?

Discussion: The FY2024-2027 TIP does not align with any of the Rule's horizon years. That will generally be true of each four-year TIP cycle.

Option: Assess the TIP against the nearest horizon year, not all horizon years

- Should the GHG reduction levels apply to TIPs?

Discussion: TIPs shall “reflect the investment priorities established in the current metropolitan plan...” (CFR 450.326(a)) and “each project or project phase included in the TIP shall be consistent with the approved metropolitan transportation plan.” (CFR 450.325(i))

Option: So long as the RTP has demonstrated compliance with the Rule's reduction targets, only require documentation that the TIP is consistent with the investment priorities established in the RTP.

COMPLIANCE (§ 8.02)



- By **April 1, 2022** – CDOT shall establish an ongoing administrative process for selecting, measuring, confirming, and verifying GHG Mitigation Measures.
 - So that CDOT and MPOs can incorporate mitigation measures into each plan to reach GHG reduction levels.
 - Determine the relative impacts of mitigation measures.
 - Measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities.
 - Mitigation credit awarded to a specific solution shall consider aggregate and community impact.

COMPLIANCE (§ 8.02)



- By **October 1, 2022** – CDOT update 10-Year Plan and DRCOG and NFRMPO update their RTPs and meet GHG reduction levels.
- **After October 1, 2022** – for each Applicable Planning Document, meet the corresponding GHG reduction levels.
- ≥ 30 days prior to adopting any Applicable Planning Document, provide the TC a GHG Transportation Report.

COMPLIANCE (§ 8.02)



- **GHG Transportation Report**

- Analysis demonstrating compliance with GHG reduction levels for each compliance year, **or**
 - (for DRCOG) the MPO utilizes CMAQ and STBG funds on projects or approved GHG mitigation measures that reduce GHG emissions, and CDOT utilizes 10-Year Plan funds anticipated to be expended on regionally significant projects in the MPO area on projects that reduce GHG emissions.
 - Mitigation Action Plan that identifies GHG mitigation measures needed to meet the GHG reduction levels.
- **Annually**, by April 1, must provide a **status report** to the TC documenting implementation timeline, current status, quantification of benefit or impact, and delays, cancellations, substitutions for **each GHG mitigation measure**.

QUESTIONS & FURTHER DISCUSSION



- Is calling planned bike, pedestrian, complete street, or other non-regionally significant project a GHG Mitigation Measure subject them to annual reporting?

Answer: Yes, if they are called out by the MPO as mitigation measures in the required GHG Transportation Report to meet the reduction levels in Table 1.

QUESTIONS & FURTHER DISCUSSION



- Should non-regionally significant projects included in the RTP be used to demonstrate compliance with the reduction targets?

Discussion: §8.02.5.1 states that the required GHG Transportation Report contain a “GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO₂e for each compliance year in Table 1...”

§8.02.1 states that when adopting or amending an Applicable Planning Document, each MPO and CDOT “shall conduct a GHG emissions analysis...to estimate total CO₂e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects.”

Option: Amend §8.02.1 to state “Such analysis shall include the existing transportation network, implementation of regionally significant projects, and other non-regionally significant transportation system improvements included in the Plan.”

MITIGATION MEASURES (§ 8.03)



- Allows CDOT and MPOs to utilize **approved** GHG Mitigation Measures to offset emissions and demonstrate progress toward compliance.
 - Addition of **transit** resources to displace VMT.
 - Improve **ped and bike** access.
 - Encourage local adoption of more effective forms of vertical **development and zoning** plans (mixed use) in a way that rewards transportation project investments.
 - Improve **first- and final-mile access** to transit.
 - Changes to **parking and other policies** that encourage walking/transit.
 - Medium/heavy duty vehicle electric charging and hydrogen refueling.
 - Establishing **clean construction** policies.
 - Adopting **TDM practices** that reduce VMT.

QUESTIONS & FURTHER DISCUSSION



- How and by whom are mitigation measures “approved”?

Discussion: §8.02.3 states that CDOT shall establish an ongoing administrative process...for selecting...GHG Mitigation Measures...” A statewide process may not reflect that some measures may be more appropriate in one area or another and their relative impact will likely differ depending on the context.

Option: §8.02.3 and §8.03 should be revised to clarify that MPOs select mitigation measures (as necessary).

- Many of what the Rule calls GHG Mitigation Measures are planned investments in the DRCOG RTP.

Discussion: In the context of a 30-year RTP, these investments are not “mitigations” and should not be reported annually. Mitigations are actions that are taken to avoid, minimize, or eliminate the impacts of a specific action (project).

Option: Require sponsors of regionally significant roadway capacity projects to identify and include GHG Mitigation Measures when including the project in a TIP or STIP.

ENFORCEMENT (§ 8.05)



- Transportation Commission reviews GHG Transportation Report and determines compliance and sufficiency of any GHG mitigation measures.
- If TC determines requirements have not been met, TC shall restrict the use of CMAQ and STBG funds and CDOT 10-Year Plan funds in the MPO area, on projects and approved GHG mitigation measures **that reduce GHG emissions**.
- MPO, CDOT or a non-MPO TPR may request a **waiver** or ask for reconsideration.
 - Request a waiver on specific **projects not expected to reduce GHG emissions** on the following basis:
 - GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and
 - In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in the Rule.

QUESTIONS & ISSUES FOR FURTHER DISCUSSION



- Should the Rule restrict the use of all CMAQ and STBG funds if the requirements of §8.02.5 have not been met?

Discussion: Specific federal requirements and regulations for the use of CMAQ funds. Restricting the use of CMAQ funds as proposed in the Rule may limit nonattainment areas from meeting federal air quality standards.

Restricting the use of STBG funds on projects that reduce GHG emissions may limit the ability of DRCOG to invest in important safety, operations, reconstruction, and other non-regionally significant projects necessary for the RTP to address all federal planning considerations.

Language in §8.02.5.1.2 and §8.05.2 is not clear about whether all CMAQ and STBG funds would be restricted or only some.

Option: Clarify language so that only those funds specified by the MPO for specific projects according to §8.02.5.1.2 are restricted by §8.05.2

QUESTIONS & ISSUES FOR FURTHER DISCUSSION



- Is CDOT permitted to seek a waiver for a 10-Year Plan project in an MPO area?

Discussion: The language in §8.05.2 is unclear about whether CDOT can seek a waiver for a project within an MPO area. We believe the intent is that project waiver requests in MPO areas of the state are only sought by and through the MPO.

Option: Revise the language to clearly state that only the MPO may seek a waiver within an MPO area.

QUESTIONS & ISSUES FOR FURTHER DISCUSSION



- Does the Rule require MPOs to get a waiver from the Transportation Commission to invest federal transportation funds on non-regionally significant projects?

Discussion: The Rule appears to require a waiver for any “specific project not expected to reduce GHG emissions.” (e.g., safety, operations, reconstruction, multimodal corridor planning, TDM, etc.)

Option: Revise §8.05.2.1 to state : “...imposing restrictions on specific Regionally Significant Projects not expected to reduce GHG emissions.”

SUMMARY – SUCCESSFUL CDOT-MPO PARTNERSHIP



- Set baselines in a TC policy directive and reference them in the Rule to allow refinement based on MPO modeling and more frequent updates
- Remove TIPs from Applicable Planning Document; require MPOs and CDOT to document that each adopted TIP and STIP are consistent with the investment priorities in the applicable complying RTP/10-Year Plan
- Amend §8.02.1 to state “Such analysis shall include the existing transportation network, implementation of regionally significant projects, and other non-regionally significant transportation system improvements included in the Plan.”
- Revise §8.02.3 and §8.03 to clarify that MPOs select mitigation measures (as necessary)

SUMMARY – SUCCESSFUL CDOT-MPO PARTNERSHIP (CONT.)



- Require sponsors of regionally significant roadway capacity projects to identify and include GHG Mitigation Measures when including the project in a TIP or STIP
- Clarify language so that only those funds specified by the MPO for specific projects according to §8.02.5.1.2 are restricted by §8.05.2
- Revise the language in §8.05.2 to clearly state that only the MPO may seek a waiver within an MPO area
- Revise §8.05.2.1 to state : “...imposing restrictions on specific regionally significant projects not expected to reduce GHG emissions.”

QUESTIONS/DISCUSSION



- What additional questions do you have?
- What additional information do you want?
- How would you like to approach the discussion at the September 15 Board meeting?

NEXT STEPS



- **September 15 Board Meeting:** direction to staff and/or comments on rule?
- **October 6 Board Work Session:** Special Board meeting to provide direction to staff and/or comments on the rule?
- **August 13 – October 15:** written comment period
- **September 14 – October 4:** eight Transportation Commission rulemaking hearings (9/23 – Swansea Recreation Center (Denver), 9/27 – South Suburban Sports Complex (Littleton))



THANK YOU!
QUESTIONS?

Ron Papsdorf | rpapsdorf@drcog.org