



SOUTHWEST CHIEF & FRONT RANGE
PASSENGER RAIL COMMISSION

*SOUTHWEST CHIEF AND FRONT RANGE
PASSENGER RAIL COMMISSION CHARTER*

Version <1.3.0
December 13th 2019

VERSION HISTORY

Version #	Implemented By	Revision Date	Approved By	Approval Date	Reason
1.0	Jim Souby	8/23/2017			First draft
1.1	Pete Rickershauser	8/25/17			Comments
1.2	Souby	10/1/2017			Second draft
1.2.1	Souby	10/3/2017			Review draft
1.2.2	Souby	10/23/2017			Review draft
1.2.3	Terry Hart	10/31/17			Corrections
1.2.4	Rickershauser	11/18/17			Corrections
1.2.5	Souby	11/30/2017		11/30/2017	Final draft
1.2.6	Souby	1/1/2018			CDOT Rep change
1.2.7	Grauberger	3/25/2019			
1.2.8	Dodge	7/26/19			
1.2.9	Dodge	8/26/19			
1.3.0	Dodges	12/06/19			

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1 Introduction

1.1 Purpose of Program Charter

The Southwest Chief & Front Range Passenger Rail Commission (Commission) Charter documents the information and procedures necessary for the Commissioners, Commission support staff and Colorado Department of Transportation (CDOT) support personnel to carry out the legislatively directed mission set forth in Senate Bill 17-153. (Appendix A) The intended audience includes the Commissioners, Commission support staff and CDOT support personnel, as well as to provide information to the public. The Charter is a public document.

1.2 Project and Program Overview

The Commission was established July 1, 2017 and is charged with two mission elements:

- Continuation of the existing efforts to improve and expand Amtrak's existing Southwest Chief route across southeastern Colorado, including track and signal upgrades on the existing route, extending service to Pueblo, and assessing possible service to Walsenburg as part of a reroute of the Chief between La Junta and Trinidad; and,
- Facilitating the development of Front Range passenger rail in and along the I-25 corridor.

Eleven voting members and three non-voting advisors comprise the Commission, along with a Project Director and Liaison. CDOT supporting personnel include a dedicated Project Director and Commission Liaison. The Commissioners represent Front Range Councils of Governments/Metropolitan Planning Organizations; national freight and passenger railroad companies operating in the corridors (BNSF Railway, Union Pacific Railroad and Amtrak); a representative for Huerfano, Otero, Prowers and Las Animas Counties; CDOT; Denver Regional Transportation District (RTD); two advocates for passenger rail in Colorado, and Cheyenne, Wyoming. Representation is expected to change over time. Of the eleven voting members, five Commissioners are appointed to terms by the Governor, and six are appointed by the regional planning organizations they represent. The three non-voting advisors are CDOT, Amtrak, and a Cheyenne, Wyoming representative. See Appendix D for the current members and advisors of the Commission.

The Commission's Project Director provides executive leadership for the promotion, planning direction and implementation of the Commission's mission for both the Southwest Chief and Front Range Passenger Rail elements. The Project Director manages Passenger Rail Commission activities and operations and oversees the work of Commission consultants. The Project Director also interacts regularly with CDOT's Executive Director, the Director of the Division of Transit and Rail as well as other divisions of CDOT as required and appropriate, and the numerous stakeholders interested in the Commission's mission. Reporting to the Project Director is the Commission Liaison. The Liaison provides support in the areas of research, stakeholder and public involvement, special projects and administrative functions. The Project

Director, while being a CDOT employee, reports directly to the Commission through February 2021.

The Commission legislation has no statutory sunset date, which exemplifies the long-range nature of the Commission's mission. In addition to the roll over funding from the prior Southwest Chief Commission, the Commission received \$2.5 million from the 2018 State Legislature. The Commission has the authority to raise and expend additional funds from any legal source to carry out its mission.

2 Scope

2.1 Commission Objectives and High Level Requirements

2.1.a The objectives and requirements of the Commission, as prescribed in SB 17-153, for the long-term viable operation of the Southwest Chief include:

- Continuing the mission of the Southwest Chief Rail Line Economic Development, Rural Tourism, and Infrastructure Repair and Maintenance Commission (established in 2014) to coordinate and oversee efforts by the State and local governments and cooperate with the states of Kansas and New Mexico, Amtrak and the BNSF Railway to ensure that the line-of-road repairs and upgrades required by Amtrak for the continuation of the existing Southwest Chief rail service in Colorado are completed,
- That Southwest Chief service is extended to Pueblo from La Junta, and
- That the benefits of extending such service to Walsenburg are fully explored, potentially by a reroute of the Southwest Chief to a route between La Junta and Trinidad, CO through both Pueblo and Walsenburg.

2.1.b The objectives and requirements of the Commission, prescribed in SB 17-153, for Front Range Passenger Rail include:

- To facilitate the future of Front Range Passenger Rail and, in doing so, to specifically develop draft legislation to facilitate the development of a Front Range passenger rail system that provides passenger rail service in and along the Interstate 25 corridor that is a component of a well-integrated, modern, efficient, and cost-effective multimodal transportation system for Colorado;
- Determine need and prerequisites for Front Range passenger rail, create a plan to establish such a service or services and timeline for its achievement
- Obtain support from the public and from concerned local, state and federal agencies to establish a system along the Front Range as part of an integrated passenger transportation network providing the public with effective mobility options
- Develop a longer-range service concept for the long-term growth and development of a Front Range passenger rail system
- Obtain a federally approved Tier 1 EIS for the Fort Collins to Pueblo segment

Southwest Chief and Front Range Passenger Rail Commission Charter

- Obtain a federally approved Service Development Plan for Front Range Passenger Rail
- Develop a conceptualized governance and optimal operating plan for Front Range passenger rail, including:
 - Determine suitable right of way and appropriate stations for the system
 - Determine suitable initial service and equipment requirements to commence Front Range passenger rail service
 - Determine suitable governance structure and district boundaries
 - Determine suitable funding and financing options
- Position the future Front Range rail governance entity as qualified and favorably supported for local, state and federal funding
- Obtain legislation to create the actual Front Range rail governance entity (note: this objective could be undertaken earlier or later, after a timeline for the objectives has been set)
- Senate Bill 18-001 signed by Governor on May 31, 2018 with \$2.5 million for the Commission providing support funding for the Commission to undertake necessary Front Range passenger rail studies, secure full-time support staffing, and provide for needed matching funds to secure Federal grant funds to advance the Commission's Mission and Objectives.

2.2 Boundaries

The geographic jurisdiction of the Commission was not defined in the legislation establishing the Commission beyond the present and proposed Amtrak Southwest Chief route and I-25 Corridor and Front Range communities named in the legislation.

The Commission will need to determine if any specific boundaries related to developing and managing future passenger rail service in the Front Range and the Southwest Chief route are necessary. If so, the Commission will have to propose that a special district or districts be created.

3 Duration

Because public and private rail transportation projects are of long duration, it is expected the commission will remain active for the foreseeable future.

4 Program Organization

4.1 Governance Philosophy

At the first meeting of the Commission, it was agreed that the deliberations of the Commission shall be conducted by consensus whenever possible. In this regard, the governance philosophy of the Commission will be one of trust, goodwill and civic mindedness between Commissioners and with stakeholders. Only when a disagreement arises, when an amendment to this charter is proposed, when a financial matter is decided or when the chair deems a formal record of a decision should be made shall a voice or roll call vote be taken. Any Commissioner may call for a voice or roll call vote.

A quorum shall consist of a majority of the members of the Commission. The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Commission. A majority constitutes 6 voting members.

Deliberations of the Commission shall be conducted in compliance with the State of Colorado Sunshine and Ethics in Government requirements. Meetings shall be open to the public and public comments shall be accepted.

4.2 Roles and responsibilities

See Appendix D for Commission members, roles, and representatives.

The Commission will elect both a Chair and Vice Chair annually at the January Commission meeting. The Chair of the Commission will convene meetings, facilitate meetings in a way that encourages decisions, and adhere to established agendas.

4.3 Electronic Communications

The Commission may rely on electronic communications to conduct its deliberations between meetings. In this regard, the Chair may first seek a consensus decision on matters by email communications with the Commissioners. If no clear consensus is reached, a standard “yes” or “no” vote will be taken. While not preferred, participation in meetings of the Commission by telephone will be available to Commissioners who cannot attend meetings in person.

4.4 Amendments to the Charter

Amendments to the Charter may be proposed by any Commissioner at a regularly scheduled meeting. Amendments must be adopted by a majority of the Commissioners (6 or more voting members).

4.5 Stakeholders (Internal and External)

Communications with civic leaders and the general public will be important to the success of the Commission. In that regard, meetings of the Commission will be open to the public and public comments will be accepted. An ongoing outreach effort to stakeholders will be undertaken including to and through the following:

- Internal Stakeholders
 - Local Government Organizations/representatives named in the legislation or appointed by the Governor
 - UP Railroad
 - BNSF Railway
 - RTD
 - Amtrak
 - State government organizations named in legislation (CDOT)
 - Advocates appointed by the Governor
- External Stakeholders
 - Concerned local governments and civic organizations
 - Chambers of Commerce
 - Transit and Rail advocates
 - Tourism organizations
 - Colorado economic development organizations
 - The business community
 - Labor organizations
 - Action 22 and Pro 15
 - Military installations
 - Universities and Colleges
 - Media
 - Concerned and impacted short line freight railroads
 - Public Interest Groups
 - Environmental Organizations
 - Disability advocacy groups

5 Charter approval

The undersigned acknowledge they have reviewed the project charter for the Southwest Chief & Front Range Passenger Rail Commission. Changes to this program/project charter will be coordinated with and approved by the undersigned or their designated representatives.

Signature		Signature	
Print Name		Date	Date
Signature		Signature	
Print Name		Date	Date
Signature		Signature	
Print Name		Date	Date
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Print Name		Date	Date

Appendix A: Senate Bill 17-153



SENATE BILL 17-153

BY SENATOR(S) Garcia and Crowder, Kefalas, Aguilar, Donovan, Fenberg, Fields, Guzman, Hill, Jones, Kagan, Kerr, Merrifield, Moreno, Priola, Todd, Williams A., Grantham;
also REPRESENTATIVE(S) Esgar, Bridges, Rosenthal, Danielson, Garnett, Hansen, Herod, Jackson, Kennedy, Kraft-Tharp, Michaelson Jenet, Mitsch Bush, Navarro, Salazar, Winter, Young, Duran.

CONCERNING ESTABLISHMENT OF THE SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION TO OVERSEE THE PRESERVATION AND EXPANSION OF AMTRAK SOUTHWEST CHIEF RAIL SERVICE IN COLORADO AND FACILITATE THE DEVELOPMENT AND OPERATION OF A FRONT RANGE PASSENGER RAIL SYSTEM THAT PROVIDES PASSENGER RAIL SERVICE IN AND ALONG THE INTERSTATE 25 CORRIDOR.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-1-128.7, **add** (8) as follows:

24-1-128.7. Department of transportation - creation - repeal.
(8) (a) THE SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION CREATED IN SECTION 43-4-1001 (2)(a) SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME WERE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

TRANSFERRED BY A **TYPE 1** TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE DEPARTMENT OF TRANSPORTATION.

(b) THE SOUTHWEST CHIEF RAIL LINE ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND MAINTENANCE COMMISSION CREATED IN SECTION 43-4-1001 (4) PRIOR TO THE REPEAL AND REENACTMENT OF SAID SECTION BY SENATE BILL 17-153, ENACTED IN 2017, AND ITS POWERS, DUTIES, AND FUNCTIONS ARE TRANSFERRED BY A **TYPE 3** TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION CREATED IN SECTION 43-4-1001 (2)(a) AND THE SOUTHWEST CHIEF RAIL LINE ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND MAINTENANCE COMMISSION IS ABOLISHED.

SECTION 2. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 43-4-1001 as follows:

43-4-1001. Southwest chief and front range passenger rail service in Colorado - commission - membership and powers - definitions. (1) AS USED IN THIS PART 10, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COMMISSION" MEANS THE SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION CREATED IN SUBSECTION (2)(a) OF THIS SECTION.

(b) "FRONT RANGE PASSENGER RAIL SYSTEM" MEANS A RAIL SYSTEM THAT TRANSPORTS PASSENGERS ALONG THE FRONT RANGE AND THAT MAY INCLUDE STOPS AT THE CITIES OF FORT COLLINS, LOVELAND, LONGMONT, BOULDER, DENVER, CASTLE ROCK, COLORADO SPRINGS, AND PUEBLO, AND INCLUDES ANY APPURTENANT EQUIPMENT, BUILDINGS, OR FACILITIES.

(c) "FUND" MEANS THE SOUTHWEST CHIEF RAIL LINE ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND MAINTENANCE FUND CREATED IN SECTION 43-4-1002.

(2) (a) THE SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION IS CREATED IN THE DEPARTMENT OF TRANSPORTATION. THE COMMISSION SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 1** TRANSFER,

AS DEFINED IN SECTION 24-1-105. THE COMMISSION CONSISTS OF THE FOLLOWING ELEVEN COMMISSIONERS:

(I) FIVE COMMISSIONERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

(A) TWO PUBLIC RAIL TRANSPORTATION ADVOCATES;

(B) TWO REPRESENTATIVES OF CLASS I FREIGHT RAILROADS THAT SERVE COLORADO; AND

(C) ONE RESIDENT OF HUERFANO, LAS ANIMAS, OTERO, PROWERS, OR PUEBLO COUNTY WHO HAS PUBLICLY ADVOCATED FOR PUBLIC RAIL;

(II) ONE COMMISSIONER FROM EACH OF THE FOLLOWING METROPOLITAN PLANNING ORGANIZATIONS, AS DEFINED IN SECTION 43-1-1102 (4), AND REGIONAL PLANNING COMMISSIONS, AS DEFINED IN SECTION 43-4-1102 (5), APPOINTED BY THE GOVERNING BODY OF EACH ORGANIZATION OR COMMISSION:

(A) THE NORTH FRONT RANGE METROPOLITAN PLANNING ORGANIZATION;

(B) THE DENVER REGIONAL COUNCIL OF GOVERNMENTS;

(C) THE PIKES PEAK AREA COUNCIL OF GOVERNMENTS;

(D) THE PUEBLO AREA COUNCIL OF GOVERNMENTS; AND

(E) THE SOUTH CENTRAL COUNCIL OF GOVERNMENTS; AND

(III) ONE COMMISSIONER WHO IS A REPRESENTATIVE OF THE REGIONAL TRANSPORTATION DISTRICT CREATED AND EXISTING PURSUANT TO ARTICLE 9 OF TITLE 32, APPOINTED BY THE BOARD OF THE DISTRICT.

(b) IN ADDITION TO THE ELEVEN COMMISSIONERS, THE COMMISSION INCLUDES THE FOLLOWING TWO APPOINTED ADVISORS, WHO SHALL ATTEND COMMISSION MEETINGS AND ADVISE THE COMMISSION BUT ARE NOT VOTING MEMBERS OF THE COMMISSION:

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(I) AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; AND

(II) AN EMPLOYEE OF AMTRAK, APPOINTED BY THE PRESIDENT OF AMTRAK.

(c)(I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c)(II) OF THIS SECTION, APPOINTING AUTHORITIES SHALL APPOINT THE INITIAL COMMISSIONERS AND APPOINTED ADVISORS OF THE COMMISSION NO LATER THAN JULY 1, 2017, FOR TERMS COMMENCING ON THAT DATE. COMMISSIONERS APPOINTED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL SERVE FOR TERMS OF FOUR YEARS; EXCEPT THAT THE INITIAL TERMS OF ONE OF THE COMMISSIONERS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I)(A) OF THIS SECTION, ONE OF THE COMMISSIONERS APPOINTED PURSUANT TO SECTION (2)(a)(I)(B) OF THIS SECTION, AND THE COMMISSIONERS APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II)(A), (2)(a)(II)(C), AND (2)(a)(II)(E) OF THIS SECTION ARE TWO YEARS. THE COMMISSION SHALL ELECT A CHAIR FROM ITS MEMBERS AT ITS FIRST MEETING.

(II) COMMISSIONERS APPOINTED PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION SHALL BE APPOINTED NO LATER THAN MAY 15, 2017, FOR TERMS COMMENCING ON JULY 1, 2017.

(d) COMMISSIONERS SERVE WITHOUT COMPENSATION BUT RECEIVE REIMBURSEMENT FOR EXPENSES.

(3) (a) THE MISSION OF THE COMMISSION IS:

(I) TO ASSUME AND COMPLETE THE MISSION OF THE SOUTHWEST CHIEF RAIL LINE ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND MAINTENANCE COMMISSION, AS IT EXISTED PRIOR TO JULY 1, 2017, BY CONTINUING TO COORDINATE AND OVERSEE EFFORTS BY THE STATE AND LOCAL GOVERNMENTS AND COOPERATE WITH THE STATES OF KANSAS AND NEW MEXICO, AMTRAK, AND THE BNSF RAILWAY TO ENSURE THAT THE TRACK REPAIRS AND UPGRADES REQUIRED FOR THE CONTINUATION OF EXISTING SOUTHWEST CHIEF RAIL SERVICE IN COLORADO ARE COMPLETED, THAT SUCH SERVICE IS EXTENDED TO PUEBLO, AND THAT THE BENEFITS OF EXTENDING SUCH SERVICE TO WALSENBURG ARE FULLY EXPLORED; AND

(II) TO FACILITATE THE FUTURE OF FRONT RANGE PASSENGER RAIL AND, IN SO DOING, TO SPECIFICALLY DEVELOP DRAFT LEGISLATION TO FACILITATE THE DEVELOPMENT OF A FRONT RANGE PASSENGER RAIL SYSTEM THAT PROVIDES PASSENGER RAIL SERVICE IN AND ALONG THE INTERSTATE 25 CORRIDOR AND THAT IS A WELL-INTEGRATED COMPONENT OF A MODERN, EFFICIENT, AND COST-EFFECTIVE MULTIMODAL TRANSPORTATION SYSTEM.

(b) IN FURTHERANCE OF ITS MISSION, AND IN ADDITION TO ITS SPECIFIC OBLIGATION TO PREPARE DRAFT LEGISLATION AS SET FORTH IN SUBSECTION (3)(c) OF THIS SECTION AND ITS AUTHORITY TO EXERCISE ANY OTHER POWERS AND PERFORM ANY OTHER DUTIES SPECIFIED IN THIS PART 10, THE COMMISSION HAS THE FOLLOWING POWERS:

(I) TO ADOPT BYLAWS FOR THE REGULATION OF ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS;

(II) TO ACCEPT CONTRIBUTIONS TO AND EXPEND MONEY FROM THE FUND AS AUTHORIZED BY SECTION 43-4-1002;

(III) TO ENTER INTO MEMORANDUMS OF UNDERSTANDING AND INTERGOVERNMENTAL AGREEMENTS WITH AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE;

(IV) TO CONTRACT FOR NECESSARY SERVICES;

(V) TO ENTER INTO MULTISTAGE AGREEMENTS;

(VI) TO FACILITATE THE FUTURE OF FRONT RANGE PASSENGER RAIL;
AND

(VII) TO HAVE AND EXERCISE ALL POWERS NECESSARY OR INCIDENTAL TO OR IMPLIED FROM THE SPECIFIC POWERS AND DUTIES GRANTED IN THIS PART 10.

(c) THE COMMISSION SHALL PREPARE DRAFT LEGISLATION TO FACILITATE THE DEVELOPMENT OF A FRONT RANGE PASSENGER RAIL SYSTEM THAT PROVIDES PASSENGER RAIL SERVICE IN AND ALONG THE INTERSTATE 25 CORRIDOR AND THAT IS A WELL-INTEGRATED COMPONENT OF A MODERN, EFFICIENT, AND COST-EFFECTIVE MULTIMODAL TRANSPORTATION SYSTEM. THE COMMISSION SHALL PRESENT THE DRAFT LEGISLATION TO THE LOCAL

GOVERNMENT COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE NO LATER THAN DECEMBER 1, 2017. THE DRAFT LEGISLATION MAY INCLUDE ANY PROVISIONS THAT THE COMMISSION DEEMS NECESSARY TO FACILITATE THE DEVELOPMENT OF A FRONT RANGE PASSENGER RAIL SYSTEM.

SECTION 3. In Colorado Revised Statutes, 43-4-1002, **amend (1); and repeal (2)** as follows:

43-4-1002. Southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance fund - creation - use of fund. (1) The southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance fund is created in the state treasury. The fund consists of any moneys including but not limited to any gifts, grants, or donations, received by the state from the federal government, local governments, public-private partnerships, or any other person, or as a result of any voter-approved ballot measure, that are dedicated for the purposes of ensuring that the Amtrak southwest chief rail line continues to pass through Colorado and that an additional stop in Pueblo is added to the line, and any other moneys that the general assembly may appropriate or transfer to the fund. Interest and income earned on the deposit and investment of moneys in the fund and all unencumbered and unexpended moneys in the fund at the end of any fiscal year remain in the fund. Subject to annual appropriation by the general assembly, the commission may expend moneys from the fund for its ~~administrative and staffing;~~ ADMINISTRATIVE, STAFFING, AND ANY OTHER OPERATING expenses and for the costs of any necessary studies. Subject to annual appropriation, ~~and the limitations set forth in subsection (2) of this section;~~ the commission may also expend moneys from the fund for rail replacement or other improvements to the portion of the Burlington Northern and Santa Fe BNSF railway line used to provide existing Amtrak southwest chief rail line service in Colorado and to pay costs associated with the expansion of southwest chief rail line service to include a stop in Pueblo.

(2) ~~The commission may only expend moneys from the fund for the purposes of rail replacement or other improvements or for costs associated with the expansion of southwest chief rail line service to include a stop in Pueblo if:~~

(a) ~~Amtrak confirms in writing that the southwest chief rail line will continue to stop in Lamar, La Junta, and Trinidad, that the southwest chief~~

~~rail line will add a regular stop in Pueblo within five years from the date the commission first expends moneys for those purposes from the fund, and that Amtrak will explore the potential benefits, including but not limited to benefits of increased tourism and other economic benefits, of also adding a regular stop in Walsenburg, and~~

~~(b) The states of Kansas and New Mexico, Amtrak, and the Burlington Northern and Santa Fe railway commit in writing to expend an average aggregate amount of at least fifteen million two hundred thousand dollars per year for each of the ten years beginning with the year in which the commission first expends moneys for those purposes from the fund:~~

SECTION 4. In Colorado Revised Statutes, **repeal** 43-4-1003 as follows:

43-4-1003. Repeal of part. This part 10 is repealed, effective July 1, 2017.

SECTION 5. Effective date. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect upon passage.

(2) Sections 1 and 2 of this act take effect July 1, 2017; except that section 43-4-1001 (2)(c), Colorado Revised Statutes, as enacted in section 2 of this act, takes effect upon passage.

SECTION 6. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.



Kevin J. Grantham
PRESIDENT OF
THE SENATE



Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Effie Ameen
SECRETARY OF
THE SENATE



Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED 3:18945/22/17



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

Appendix B: References

State Guidance and Resources:

Ethics Handbook, 3rd ed., 2016, Colorado Independent Ethics Commission

(This reference was provided to each commissioner upon appointment)

Sunshine Laws, Guide to Colorado's Open Meetings & Open Records Law, Colorado Freedom of Information Coalition, et.al. Revised, May 2015

(This reference was provided to each commissioner upon appointment)

Advanced Guideway System Feasibility Study (AGS) (I-70 Mountain Corridor, DIA to Eagle County Airport) (2012-2014)

General: <https://www.codot.gov/projects/AGSstudy>

Final Report: <https://www.codot.gov/projects/AGSstudy/final-ags-feasibility-study>

Interregional Connectivity Study (ICS) (I-25 Front Range Corridor, Fort Collins to Pueblo) (2012-2014 and 2016-2017)

General: <https://www.codot.gov/projects/ICS>

Final Report: <https://www.codot.gov/projects/ICS/ics-draft-report-january-2014>

(It says draft because there is one final piece of work to be posted for the 2016-2017 work.)

North I-25 EIS Commuter Rail Update:

General: <https://www.codot.gov/projects/north-i-25-eis/north-i25-commuter-rail-update>

Final Report: <https://www.codot.gov/projects/north-i-25-eis/north-i25-commuter-rail-update/north-i-25-commuter-rail-update-final-report>

State Freight & Passenger Rail Plan (2012 and 2017 when issued)

General: <https://www.codot.gov/projects/PassengerFreightRailPlan>

Final Report: <https://www.codot.gov/projects/PassengerFreightRailPlan/SPRP-Final>

Rocky Mountain Rail Authority (RMRA) (Precursor Study to ICS) (2007-2010)

General: <http://rockymountainrail.org/>

Final Report: http://rockymountainrail.org/RMRA_Final_Report.html

State of Ohio Commuter Rail Checklist

<https://www.dot.state.oh.us/Divisions/Rail/Programs/StatewideRailPlan/Documents/Appendix%20B%20-%20Commuter%20Rail%20Checklist.pdf>

Federal Guidance and Resources:

FRA Railroad Corridor Transportation Plans, a Guidance Manual,

<https://www.fra.dot.gov/eLib/Details/L04161>

Note: The National Environmental Policy Act (42 U.S.C. 4321-4347) is the "mother" of all the subsequent links and how NEPA is carried out by the FHWA, FRA, FTA under the USDOT.

Tiered EIS legal structure. Although this is a bit more FHWA centric, it is a decent explanation of the structure for any "tiered" EIS

[http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP25-25\(38\)_FR.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP25-25(38)_FR.pdf)

FRA Final Rule...This is more complex language, but is FRA specific.

<https://www.fra.dot.gov/eLib/details/L02561>

Further examples of actual EIS's under FRA jurisdiction

<https://www.fra.dot.gov/Page/P0720> Tuscon-Phoneix Tier 1 EIS

<https://www.fra.dot.gov/Page/P0624> Minneapolis-Duluth EA-EIS process

<https://www.fra.dot.gov/Page/P0657> Atlanta-Charlotte Tier 1 EIS

FTA Environmental Review Process...depending on what is proposed to be built, this might be the agency with jurisdiction

<https://www.fra.dot.gov/eLib/details/L02561>

Front Range Regional Transportation Plans:

Metro Vision (regional vision plan): <https://metrovision.drcog.org/>

2040 Metro Vision Regional Transportation Plan (fed-required financially constrained long range transportation plan): <https://drcog.org/programs/transportation-planning/regional-transportation-plan>

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2018-2021 Transportation Improvement Program (fed-required listing of funded projects, like a city's capital improvement program): <https://drcog.org/programs/transportation-planning/transportation-improvement-program>

NFRMPO 2040 RTP: <http://nfrmpo.org/rtp/>

NFRMPO 2045 RTE: <https://nfrmpo.org/transit/rte/>

RTD Northwest Area Mobility Study (NAMS) (2013-2014)

General: http://www.rtd-fastracks.com/nams_1

Final Report:

<https://www.dropbox.com/s/1uj1mt3z1h80ya4/Final%20Report%20508%5B1%5D.pdf?dl=0>

RTD North Metro or N Line (2006-2011)

General: http://www.rtd-fastracks.com/nm_2

EIS Documents: http://www.rtd-fastracks.com/nm_116

Construction Information (2011-present): http://www.rtd-fastracks.com/nm_267

RTD 2015-2020 Strategic Plan".

<https://www.rtd-denver.com/documents/2015-2020-strategic-plan.pdf>

PPACG's 2040 Long Range Transportation Plan.

<http://www.ppacg.org/file/2017/08/Combined-Chapters.pdf>

Private Guidance and Resources:

BNSF Railway Commuter /Passenger Principles. Handout

Appendix C: Key Terms

The following table provides definitions for terms relevant to this document.

Term	Definition
Commission	"Commission" means the Southwest Chief and Front Range Passenger Rail Commission created in subsection (2)(a) of SB 17-153. <i>From SB 17-153</i>
TIGER	<i>Transportation Infrastructure Generating Economic Recovery</i> Grant program administered by US DOT
Environmental Impact Statement (EIS) reviews	Unless excluded by the concerned federal agency, an Environmental Assessment or EIS is required in order to identify and provide mitigation strategies for a wide array of potential environmental impacts that exceed federal standards or may harm federal protection and recovery programs (e.g. endangered species). See Appendix A references.
Front Range Passenger Rail System	"Front Range Passenger Rail System" means a rail system that transports passengers along the Front Range and that may include stops at the cities of Fort Collins, Loveland, Longmont, Boulder, Denver, Castle Rock, Colorado Springs, and Pueblo, and includes any appurtenant equipment, buildings, or facilities. <i>From SB 17-153.</i>
Fund	"Fund" means the Southwest Chief Rail Line economic development, rural tourism, and infrastructure repair and maintenance fund created in section 43-4-1002. <i>From SB 17-153.</i>
Service Development Plan	The Service Development Plan is required by the Federal Railroad Administration before federal funding applications will be considered. The Plan presents and justifies the need for the proposed rail service. The specific requirements are contained in <i>FRA Railroad Corridor Transportation Plans, A Guidance Manual</i> . See Appendix A references.

Appendix D: Commission Members

Project Role	Current Commissioner	Organization	Notes
Public Rail Transportation Advocate	Salvatore Pace	Resident of Pueblo County	Appointment expires 7/1/2021
Public Rail Transportation Advocate	Jim Souby	ColoRail	Appointment expires 7/1/2020
Colorado Class I Freight Railroad Representative	Nathan Anderson	Union Pacific Railroad	Appointment expires 7/1/2021
Colorado Class I Freight Railroad Representative	Peter Rickershauser	BNSF Railway	Appointment expires 7/1/2020
Resident of Huerfano, Las Animas, Otero, Prowers, or Pueblo County	Richard Klein	City of La Junta	Appointment expires 7/1/2020
North Front Range Metropolitan Planning Organization (NFRMPO) Representative	Becky Karasko	NFRMPO	
Denver Regional Council of Governments (DRCOG) Representative	Jacob Riger	DRCOG	
Pikes Peak Area Council of Governments Representative	Jill Gaebler	Colorado Springs City Council	
Pueblo Area Council of Governments Representative	Terry Hart	Pueblo County	
South Central Area Council of Governments Representative	Phil Rico	City of Trinidad	
Denver Regional Transportation District (RTD) Representative	Bill Van Meter	RTD	
Colorado Department of Transportation (CDOT) Representative	David Krutsinger	CDOT Division of Transit and Rail	Non-voting Advisor
Amtrak Representative	Robert Eaton	Amtrak	Non-voting Advisor
Cheyenne, Wyoming Representative	Dale Steenbergen	Cheyenne Chamber of Commerce	Non-voting Advisor

