



***DRAFT -SOUTHWEST CHIEF AND FRONT RANGE
PASSENGER RAIL COMMISSION CHARTER***

Version <1.42.2>

OctoberAugust 2017

[Insert appropriate Disclaimer(s)]

VERSION HISTORY

Version #	Implemented By	Revision Date	Approved By	Approval Date	Reason
1.0	Jim Souby	mm/dd/yy 9/23/2017	<name>	mm/dd/yy	First draft
1.1	Pete Rickershauser	8/25/17			Comments
1.2	Jim Souby	10/11/2017			Second draft
1.2.1	Jim Souby	10/3/2017			Review draft
1.2.2	Jim Souby	10/23/2017			Final draft

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TABLE OF CONTENTS

1 INTRODUCTION.....	54
1.1.....	Purpose of Project Charter
5.....	
1.2.....	Project and Program
Overview.....	4
2 SCOPE	5
2.1 Objectives	5
2.2 High-Level Requirements.....	6
2.3 Major Deliverables	7
2.4 Boundaries.....	7
3 DURATION	8
3.1 Timeline	
4.1 Timeline.....	8
4.2 Executive Milestones.....	Error! Bookmark not defined.
4 PROGRAM ORGANIZATION	8
4.1 Governance Philosophy.....	6
4.2 Roles and Responsibilities.....	6
4.3 Electronic Communications.....	9
4.4 Amendments to the Charter.....	8
4.5 Stakeholders (Internal and External).....	8
5 PROGRAM CHARTER APPROVAL	11
APPENDIX A: REFERENCES	13
APPENDIX B: KEY TERMS	15
APPENDIX C: COMMISSION MEMBERS	15

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1 Introduction

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1 Introduction

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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 and Colorado Department of Transportation (CDOT) support personnel to carry out the legislatively directed mission set forth in Senate Bill 17-153. The intended audience includes the Commissioners and CDOT support personnel. The Charter is a public document.

1.2 Project and Program Overview

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The Commission is charged with two mission elements:

- Continuation of the existing efforts to improve and expand Amtrak's Southwest Chief route in Colorado, including upgrades to rail on the existing route and extending service to Pueblo and assessing possible service to Walsenburg; and,
- Facilitating the development of Front Range passenger rail in the I-25 corridor

Eleven voting members and two non-voting members comprise the Commission. CDOT supporting personnel include staff of the Division of Transit and Rail. The Commissioners represent Front Range Councils of Governments/Metropolitan Planning Organizations, national freight and passenger railroad companies operating in the corridor (BNSF Railway, Union Pacific Railroad and Amtrak), a person representing Huerfano, Otero, Prowers and Las Animas Counties, CDOT, Denver Regional Transportation District (RTD), and two advocates for passenger rail in Colorado. (including a representative from ColoRail/National Association of Rail Passengers (NARP)). –R-epresentation is expected to change over time. Six Commissioners are appointed by the regional planning organizations they represent. Five are appointed to terms by the Governors. See Appendix C for the members of the Commission

The Commission legislation has no statutory sunset date which exemplifies the long-range, multi-year nature of its mission. Other than roll over funding from the prior Southwest Chief Commission, the Commission has no immediate funding, but does have the authority to raise and expend funds from any legal source to carry out its mission.

2 Scope

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2.1 Objectives

2.1.a The objectives of the Commission 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 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 the existing Southwest Chief rail service in Colorado are completed,
- That such service is extended to Pueblo, and –

Southwest Chief and Front Range Passenger Rail Commission

- That the benefits of extending such service to Walsenburg are fully explored. ~~and;~~

2.1.b The objectives of the Commission 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 and that is ~~a well-integrated component of a modern, efficient, and cost-effective multimodal transportation system~~ a component of a well-integrated, modern, efficient, and cost-effective multimodal transportation system
- Determine need and prerequisites for ~~F~~front ~~r~~ange passenger rail and create a plan and timeline for their achievement
- ~~Enlist the support of the public and elected leaders~~
- Develop a conceptualized governance and operating plan
 - Determine suitable right of way and appropriate stations for the system
 - Determine suitable initial service and equipment requirements
 - Determine suitable governance structure and district boundaries
 - Determine suitable funding and financing options
- Draft and submit proposed interim legislation by December 1, 2017
- ~~Obtain support from~~ Consult with concerned local, state and federal ~~the Federal Railroad Administration~~ agencies and the public
- ~~Develop a longer range~~ Further define the service concept
- ~~Obtain a federally approved~~ Oversee Tier 1 EIS (Southern segment) for the Fort Collins to Pueblo segment
- ~~Obtain a federally approved~~ and service development plan
- ~~Obtain~~ Seek ~~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)~~
- ~~Position the future Front Range rail governance entity as qualified and favorably supported for local, state and federal funding~~

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2.2 High-Level Requirements

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The following list presents the requirements that the Commission must meet in order for the project objectives to be satisfied.

- Southwest Chief
 - In conjunction with other stakeholders, complete required track repairs and other upgrades to ensure continuation of Southwest Chief rail service in Colorado;

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- o Extend Southwest Chief rail service to Pueblo; and –
- o Fully explore the benefits of extending Southwest Chief rail service to Walsenburg.
- Front Range Passenger Rail System In and along the I-25 Corridor
 - o Develop draft legislation to facilitate development of a Front Range passenger rail system, to be presented to the Local Government Committee of the House of Representatives and the Senate no later than December 1, 2017.
 - o Elements of developing legislation to facilitate development of a Front Range passenger rail system include, but are not limited to,
 - o Publicly supported plan for front range passenger rail
 - o Federal, State, Local and private funds to support objectives
 - o ~~Federal Railway Administration (FRA) accepted funding application(s)~~
 - o ~~Federally~~RA accepted Tier I EIS for the ~~southern~~ front range segment
 - o ~~Federally~~RA accepted Service Development Plan for front range passenger rail
 - o Federal Railway Administration (FRA) accepted funding application(s)

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2.3 Major Deliverables in the First Year

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- Southwest Chief
 - o Grant funding application for a TIGER grant for track repairs and upgrades to the existing Southwest Chief route across Colorado and neighboring states.
 - o Implementation plan including funding sources to implement extension of Southwest Chief service to Pueblo.
 - o Completion of a feasibility study to extend Southwest Chief service to Walsenburg.
- Front Range Passenger Rail
 - o Required legislation for the Colorado General Assembly by December 1, 2017
 - o ~~Initial Project Plan~~ Conceptualized governance and operating plan

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2.4 Boundaries

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The geographic jurisdiction of the Commission was not defined in the legislation establishing the Commission beyond the 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 ~~possibly~~ the Southwest Chief

Southwest Chief and Front Range Passenger Rail Commission

route are necessary. If so, the Commission will have to propose that a special district be created.

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3 Duration

The Commission has no specific legislative deadline beyond the requirement for draft legislation December 1, 2017. Because public and private rail transportation projects are of long duration it is expected the commission will remain active for the foreseeable future.

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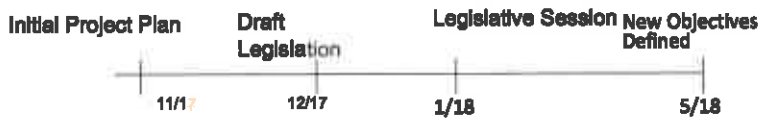
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3.1

Timeline



4 Program Organization

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4.1 Governance Philosophy

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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.

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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.

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4.2 Roles and responsibilities

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Name & Organization	Project Role	Project Responsibilities
Sal Pace, Pueblo County	Interim Chairperson	Person who has the authority to lead the decision-making process and ensures the Commission performs the work request by the State Legislature as directed in SB 17-153 and further is responsible to direct the work of the Commission to result in a Commission Report to the State Legislature.

Southwest Chief and Front Range Passenger Rail Commission

Name & Organization	Project Role	Project Responsibilities
Jacob Riger, DRCOG	Vice Chairperson	Person who supports the work of the Chairperson and performs the duties in the absence of the Chairperson.
Mark Imhoff, CDOT	CDOT Support	Maintains the administrative record of the Commission, provides technical support.
Rick Klein, City of La Junta	Committee Chair – Southwest Chief	Chairperson of a technical committee responsible for the development and execution of a work plan(s) regarding the committee assignment in support of the overall objectives of the Commission.
Jacob Riger, DRCOG	Committee Chair – Front-Range Passenger Rail	Chairperson of a technical committee responsible for the development and execution of a work plan(s) regarding the committee assignment in support of the overall objectives of the Commission.
Jim Souby, ColoRail	Governance rep	Draft a Charter for review and approval of the Commission
<Name> <Org>	Program Manager Sponsor CDOT staff ????	Anticipated paid staff. Person responsible for management of the Commission's activities, acting as the program's champion and providing direction and support to the technical team. In the context of this document, this person approves the request for funding, approves the program scope represented in this document, and focuses on implementation of this program relative to the priorities of other projects in his/her area of responsibility.
<Name> <Org>	Government Monitor FRA?? Amtrak?? Others??	Government employee who provides the interface between the project team and the project sponsor. Additionally, they could serve as the sponsor for the program within their agencies as the program moves forward with implementation.
<Name> <Org>		
<Name> <Org>		

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4.3 Electronic Communications

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The Commission may rely on electronic communications to ~~conduct~~^{have} its deliberations between meetings. In this regard, the Chair may seek decisions by email votes of the Commissioners. 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

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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)

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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 the following:

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- Internal Stakeholders
 - Local Government Organizations/representatives named in the legislation or appointed by the Governor
 - Freight Rail Companies named (UP, BNSF)
 - Amtrak
 - State government organizations named in legislation (CDOT)
 - Advocates appointed by the Governor
- External Stakeholders
 - Concerned local governments and civic organizations
 - Rail advocates
 - Tourism organizations
 - Colorado economic development organizations
 - The business community
 - Concerned and impacted short line freight railroads
 - Media

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: _____ Date: _____
 Print Name: _____
 Title: _____
 Role: _____

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Southwest Chief and Front Range Passenger Rail Commission

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Signature: _____ **Date:** _____
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APPENDIX A: 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 just about 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)

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)

Southwest Chief and Front Range Passenger Rail Commission

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>

Rail Governance Study, CDOT 2008_ www:

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-Phoenix 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:

Southwest Chief and Front Range Passenger Rail Commission

Metro Vision (regional vision plan):

https://drcoq.org/sites/drcoq/files/resources/Metro_Vision_Jan_18_2017_FINAL.pdf

2040 Metro Vision Regional Transportation Plan (fed-required financially constrained long range transportation plan): <https://drcoq.org/sites/drcoq/files/resources/FINAL%20-%202040%20MVRTP%20w%20APPENDICES%20-%20April%202017.pdf>

2018-2021 Transportation Improvement Program (fed-required listing of funded projects, like a city's capital improvement program): <https://drcoq.org/sites/drcoq/files/resources/2018-2021%20Transportation%20Improvement%20Program%20-%20Adopted%20April%202017.pdf>

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

NFRMPO 2040 RTE: <http://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/1u1f1mt3z1h80va4/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_118

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:

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BNSF Railway Commuter /Passenger Principles. [Handout](#)

[http://](#)

APPENDIX B: KEY TERMS

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

Term	Definition
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.
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.

From SB 17-153

(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.

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APPENDIX C: COMMISSION MEMBERS (as of October 1, 2017)

Saj Pace, Pueblo, Pueblo County Commission
rep. public rail transportation advocate, appt. expires 7-1-2019

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Sara Rae Thompson Cassidy, Edgewater, Union Pacific Railroad
rep. Class I freight railroads that serve Colorado, appt. expires 7-1-2019

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James Martin Souby, Denver, Colorado Rail Passenger Association (ColoRail)
rep. public rail transportation advocate, appt. expires 7-1-2020

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Peter James Rickershauser, Denver, BNSF Railway
rep. Class I freight railroads that serve Colorado, appt. expires 7-1-2020

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Richard Guy Klein, La Junta, City of La Junta
rep. resident of Huerfano, Las Animas, Otero, Prowers
or Pueblo counties, appt. expires 7-1-2020

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Jill Gaebler, Colorado Springs, City Councilor
rep. Pikes Peak Area Council of Governments

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Jacob Rieger, AICP, Sr Long Range Transportation Planner
rep. Denver Regional Council of Governments

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Phil Rico, Trinidad, Mayor, City of Trinidad
rep. South Central Council of Governments

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Terry Hart, Pueblo, Pueblo County Commission
rep. Pueblo Area Council of Governments

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Bill Van Meter, Asst. GM, Denver RTD
rep. Regional Transportation District

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Becky Karasko, Fort Collins, Director Transportation Planning
rep. North Front Range MPO

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Mark Imhoff, CDOT, Division of Transit and Rail
rep. Dept. of Transportation, ex-officio, non-voting

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Rav Lang, Amtrak Sr. Dir., Govt. Affairs
rep. Amtrak, ex-officio, non-voting

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