

Resolution #TC-2023-07-07

Adoption of the Commission's determination that the DRCOG GHG Transportation Report is sufficient and meets the reduction levels required in Rule 2 CCR 601-22 (Planning Rules).

Approved by the Transportation Commission on July 19, 2023.

WHEREAS, Senate Bill 21-260 directed the Transportation Commission of Colorado ("the Commission") to adopt procedures and guidelines requiring CDOT and MPOs to take additional steps in the planning process for regionally significant transportation projects to account for the impacts on the amount of statewide GHG pollution and statewide vehicle miles traveled that are expected to result from those projects; and

WHEREAS, Senate Bill 21-260 also specified implementing relevant measures pursuant to § 25-7-105, C.R.S.; reducing GHG emissions to help achieve statewide GHG pollution reduction targets established in House Bill 19-1261 (now codified in § 25-7-102(2)(g) and 105(1)(e), C.R.S.); and considering the role of land use in the transportation planning process; and

WHEREAS, Senate Bill 21-260 further required, under § 43-4-1103, that CDOT shall update their 10-Year Plan and the Denver Regional Council of Governments (DRCOG) and the North Front Range Metropolitan Planning Organization (NFRMPO) shall update their Regional Transportation Plans and meet the reduction levels in Table 1 by October 1, 2022; and

WHEREAS, on December 16, 2021 the Commission adopted updated Planning Rules, which included greenhouse gas reduction levels for CDOT in non-MPO areas, DRCOG, and NFRMPO; and

WHEREAS, the Commission adopted Policy Directive No. 1610 on May 19, 2022, with minor amendments thereafter (as amended, the "Policy Directive") which guides implementation of the Planning Rules and use of GHG Mitigation Measures; and

WHEREAS, the Commission established the Agency Coordination Committee ("ACC") chaired by Commissioner Hickey to act as liaison for the Commission throughout the rulemaking and compliance process, and that group has met frequently with department staff during the current compliance effort; and

WHEREAS, DRCOG is nearing completion of their Transportation Improvement Program update and the Planning Rules require DRCOG to provide to the Commission "at least 30 days prior to adoption" of their Transportation Improvement Program a GHG Transportation Report (Report) containing a GHG emissions analysis, and if applicable, a GHG Mitigation Action Plan demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in Table 1 of the Planning Rules; and

WHEREAS, Under Rule 8.05 of the Planning Rules, the Commission, within thirty days of receipt of the GHG Transportation Report or at the next regularly scheduled Commission meeting, whichever is later, shall determine whether the applicable GHG Reduction Levels in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance."

WHEREAS, on July 6, 2023, the Commission received DRCOG's Report reflecting the results of modeling of the updated Transportation Improvement Program for the DRCOG area and application of associated Mitigation Measures pursuant to the Rules and the Policy Directive; and

WHEREAS, the Report concludes that DRCOG will achieve the required reduction levels under the Planning Rules; and

NOW THEREFORE BE IT RESOLVED, after review and consideration of the DRCOG Report, the Commission finds the Report and DRCOG to be in compliance with the Planning Rules and to have achieved the required reduction levels.

Herman
Stockinger

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Herman Stockinger
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date