

Colorado Transportation Commission

Schedule & Agenda

July 15-16, 2026

Transportation Commission Workshops

Wednesday, July 15, 2026

Time	Topic	Speaker
12:00 p.m.	TC Retreat and Lunch	Chair Ridder, Vice Chair Parsons
3:00 p.m.	Budget Workshop <ul style="list-style-type: none">1st Budget Amendment of FY 2026-27	Jeff Sudmeier, Bethany Nicholas
3:20 p.m.	Scenic and Historic Byways Program	Garrett Seddon, Lenore Bates
3:40 p.m.	Adjournment	

Transportation Commission Meeting

Thursday, July 16, 2026

Time	Topic	Speaker
8:00 a.m.	TC Breakfast	None
9:00 a.m.	Call to Order, Roll Call	Herman Stockinger
9:05 a.m.	Public Comments	Herman Stockinger
9:20 a.m.	Comments of the Chair and Commissioners	Commissioners
9:35 a.m.	Executive Director's Report	Shoshana Lew
9:40 a.m.	Chief Engineer's Report	Keith Stefanik
9:45 a.m.	CTIO Director's Report	Piper Darlington
9:50 a.m.	FHWA Report	John Cater
9:55 a.m.	STAC Report	Gary Beedy
10:00 a.m.	Act on Consent Agenda: Proposed Resolution #1: Approve the Regular Meeting Minutes of June 18, 2026 Proposed Resolution #2: IGA Approval >\$750,000 Proposed Resolution #3: Shaw Creek Rest Area- Granting Electrical Easement to San Luis Valley Electric Proposed Resolution #4: US 34 Access Permit Appeal	Herman Stockinger Lauren Cabot Hope Wright Tim Bilobran, Melodie Clayton
10:05 a.m.	Discuss and Act on Proposed Resolution #5: 1st Budget Amendment of FY 2026-27	Jeff Sudmeier, Bethany Nicholas
10:10 a.m.	Discuss and Act on Proposed Resolution #6: 1st Budget Supplement of FY 2026-27	Jeff Sudmeier, Bethany Nicholas
10:15 a.m.	Recognitions and Other Matters <ul style="list-style-type: none">Aspen Acres Fire- Region 2 Maintenance	Shane Ferguson

10:20 a.m.	Adjournment	None
------------	-------------	------

Information Only

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- Quarterly Revenue Forecast Update (Jeff Sudmeier)
- TC Statewide Plan and GHG Coordination Committee- Meeting Notes for June 11 (Darius Pakbaz)
- June 2026 TC Grants Memo (Anna Dunn & Leslie Welch)



Transportation Commission Memorandum

To: The Transportation Commission

From: Jeff Sudmeier, Chief Financial Officer

Bethany Nicholas, Deputy Chief Financial Officer

Date: July 15, 2026

Subject: Fiscal Year (FY) 2026-27 Budget Amendment

Purpose

To review the first budget amendment to the FY 2026-27 Annual Budget in accordance with Policy Directive (PD) 703.0.

Action

The Division of Accounting and Finance (DAF) is requesting the Transportation Commission (TC) to review and adopt the first budget amendment to the FY 2026-27 Annual Budget, which consists of one item that requires TC approval. The first budget amendment reallocates \$2.2 million from the Congestion Mitigation and Air Quality line (Line 54) to the Bustang line (Line 48) to maintain expanded Bustang service levels.

Budget Amendments

The first budget amendment contains one item that requires TC approval. These items reallocate funding between lines and do not impact the TC Program Reserve.

Bustang Funding Gap

The Division of Transit and Rail is requesting to reallocate \$2.2 million in Congestion Mitigation and Air Quality (CMAQ) program funds to address a projected funding shortfall within the Bustang Family of Services. Statewide CMAQ funds had typically been used for electric vehicle charging stations. However, the availability of funds from other sources in recent years, including the Community Access Enterprise (CAE) at the Colorado Energy Office and the FHWA National Electric Vehicle Infrastructure (NEVI) program, has reduced the need to utilize CMAQ funds for this purpose, allowing these funds to be reallocated.

While the Bustang network has seen record ridership and successful expansion since 2015, the exhaustion of one-time ARPA and expansion pilot funds, combined with inflationary pressures, has created a significant long-term funding gap. This reallocation serves as a critical bridge to maintain current expanded service levels



COLORADO

Department of Transportation

during FY 2025-26 and FY 2026-27 while permanent, sustainable funding mechanisms are finalized.

The first budget amendment reallocates \$2,173,355 from the Congestion Mitigation and Air Quality line (Line 54) to the Bustang line (Line 48) to maintain expanded Bustang service levels.

Information Only - Budget Impacts from 2026 Legislative Session

Several bills enacted during the 2026 Legislative Session affect CDOT's revenue and budget beginning in FY 2026-27. Because the resulting budget adjustments are required to implement legislatively enacted changes, they are provided to the TC for informational purposes only and do not require approval under PD 703.0.

HB 26-1398 Retail Delivery Fee Revenue Allocation

Under current law, of the total revenue credited to the Multimodal Transportation and Mitigation Options Fund (MMOF), 85% is allocated for local multimodal projects, and 15% is allocated for state multimodal projects. Beginning in FY 2022-23, the Transportation Commission directed the 15% state share to Bustang operations. Beginning in FY 2026-27, this bill revises the allocation to 70% for local multimodal projects and 30% to state multimodal projects, i.e. Bustang.

HB 26-1399 Eliminate General Fund Transfer to Multimodal Transportation Fund

Senate Bill 21-260 established annual transfers of \$10.5 million from the General Fund to the MMOF beginning in FY 2024-25. This bill temporarily eliminates the annual transfer beginning in FY 2026-27, and also reduces FY 2026-27 spending authority by \$10.5 million. Remaining revenue to the MMOF for FY 2026-27 is retail delivery fee revenue plus any forecasted interest earnings to the Fund.

HB 26-1398 and HB 26-1399 Budget Adjustments

The FY 2026-27 Final Budget adopted by the TC in March 2026 reflected \$55.6 million total for MMOF, which includes \$4.0 million for Bustang (Line 48) and \$51.7 million for the MMOF - Local Program (Line 62). These allocations were based on forecasted revenue from the retail delivery fee, \$10.5 million General Fund transfer, and forecasted interest earnings. Total forecasted revenue of \$26.4 million was allocated 85% to the local program and 15% to Bustang. The budget also included a decision item for \$29.2 million ([R-01 Multimodal Options Fund Spending Authority](#)) that was approved by the Joint Budget Committee to align spending authority for the Local program with the forecasted fund balance of the MMOF in FY 2026-27.



COLORADO

Department of Transportation

FY27 MMOF Budget	Total MMOF	MMOF Local - 85%	MMOF State (Bustang) - 15%
MMOF - Retail Delivery Fee	\$11.6 M	\$9.8 M	\$1.7 M
MMOF - General Fund	\$10.5 M	\$8.9 M	\$1.6 M
MMOF - Interest Earnings	\$4.3 M	\$3.6 M	\$0.6 M
MMOF - FY27 Forecasted Revenue	\$26.4 M	\$22.4 M	\$4.0 M
FY27 Decision Item Increase - Local only	\$29.2 M	\$29.2 M	\$0.0 M
Total FY27 Final Budget for MMOF	\$55.6 M	\$51.7 M	\$4.0 M

Based on HB 26-1399, the budget was reduced by \$10.5 million, leaving \$15.9 million in remaining revenue for FY 2026-27.

FY27 Budget Adjustment	Total MMOF	MMOF Local	MMOF State (Bustang)
FY27 Beginning Revenue	\$26.4 M	\$22.4 M	\$4.0 M
Current law splits	100%	85%	15%
HB26-1399 General Fund Reduction	-\$10.5 M	-\$8.9 M	-\$1.6 M
Remaining FY27 Revenue	\$15.9 M	\$13.5 M	\$2.4 M

Based on HB 26-1398, FY 2026-27 revenue will be split 70% to the MMOF - Local program and 30% to Bustang. The \$29.2 million decision item for the Local program is still allocated 100% to the Local program. The revised FY 2026-27 total budget is \$45.1 million, with \$40.3 million allocated to the MMOF - Local program, and \$4.8 million allocated to Bustang.

FY27 Budget Adjustment	Total MMOF	MMOF Local	MMOF State (Bustang)
Remaining FY27 Revenue (above)	\$15.9 M	\$13.5 M	\$2.4 M
HB26-1398 Revised Program Split	100%	70%	30%
HB26-1398 Revised Revenue Split	\$15.9 M	\$11.1 M	\$4.8 M
FY27 Decision Item Increase - Local only	\$29.2 M	\$29.2 M	\$0.0 M
Revised Total FY27 MMOF Budget	\$45.1 M	\$40.3 M	\$4.8 M



COLORADO

Department of Transportation

Reductions of \$11.3 million to the MMOF - Local program (Line 62) and an increase of \$0.8 million to Bustang (Line 48) are reflected as staff adjustments in the Amended FY 2026-27 Revenue Allocation Plan (Attachment A).

FY27 Budget Adjustment	Total MMOF	MMOF Local	MMOF State (Bustang)
FY27 Initial Approved MMOF Budget	\$55.6 M	\$51.7 M	\$4.0 M
Revised Total FY27 MMOF Budget (above)	\$45.1 M	\$40.3 M	\$4.8 M
Total Budget Adjustment	-\$10.5 M	-\$11.3 M	\$0.8 M

Staff will reconcile the MMOF budget to align with legal spending authority for FY 2026-27 after FY 2025-26 closes, and further adjustments to the MMOF budget may be made at that time.

HB 26-1410 FY 2026-27 Long Bill - Administration

The Administration line (Line 67) requires a reduction of \$1.2 million to align with HB 26-1410, which is the FY 2026-27 Long Bill. This reduction results from final Joint Budget Committee (JBC) actions on statewide common policies after the FY 2026-27 Final Budget was adopted by the TC in March 2026. The primary reduction relates to the JBC's decision to not fund a planned 3.1% across the board increase to state employee salaries in FY 2026-27. This action reduced the Administration budget by \$0.7 million. The JBC also adopted a 1.5% personal services reduction for all state agencies, which totals \$0.3 million for CDOT's Administration line. The remaining \$0.2 million is the net impact of decisions on remaining operating common policies.

The \$1.2 million reduction from the Administration line was removed from the overall budget. Typically these funds would be returned to the TC Program Reserve for future allocation decisions; however, the funds were removed from the total CDOT budget to address the impacts from the bills in the following section.

Bills that impacted HUTF Revenue

Three bills enacted during the session impact CDOT's State Highway Fund revenue beginning in FY 2026-27:

- **HB 26-1102 Funding for Colorado DRIVES Account:** This bill redirects \$2 of each late vehicle registration fee and certain personalized license plate fees away from the HUTF and into the DRIVES vehicle services account, resulting in a decrease in total HUTF revenue available for CDOT and local governments.
- **HB 26-1289 Modification of Certain Tax Expenditures:** This bill alters fuel tax transit loss and collection allowance, which is expected to increase statewide



COLORADO

Department of Transportation

HUTF revenue from fuel taxes. It is explicitly designed to offset the revenue losses CDOT and local governments face from HB 26-1102.

- **HB26-1430 Transportation Funding Adjustments:** This bill makes several transportation funding changes, including a reduction in gasoline and special fuel excise taxes contingent on voter approval of Initiative 175 in November 2026. Since the tax reductions are designed to offset the revenue increases generated by Initiative 175, the net revenue impact is expected to be neutral. The bill also redirects oversize/overweight (OSOW) permit fee revenue from the State Highway Fund to the newly created ROAD Enterprise for highway surface maintenance. The revenue impact reflected in the table below is attributable to this diversion of OSOW permit fee revenue.

The combined total impact for these three bills is a reduction of \$5.7 million in forecasted HUTF revenue to the State Highway Fund for FY 2026-27. These are flexible state funds that were allocated primarily to Administration and Agency Operations, and Maintenance and Operations. The ongoing annual impact is an estimated reduction of \$9.4 million in state revenue.

House Bill (HB)	FY 27	FY 28
HB 26-1102 - Regular HUTF	-\$2.9 M	-\$2.9 M
HB 26-1102 - FASTER	\$0.0 M	-\$1.1 M
HB 26-1289	\$1.0 M	\$2.0 M
HB 26-1430	-\$3.7 M	-\$7.4 M
Total	-\$5.7 M	-\$9.4 M

To address the \$5.7 million reduction in FY 2026-27 State Highway Fund revenue resulting from HB 26-1102, HB 26-1289, and HB 26-1430, staff identified corresponding reductions within State Highway Fund-supported budgets to maintain a balanced budget.

As discussed above, the final FY 2026-27 Long Bill appropriation was \$1.2 million lower than the Final Budget adopted by the Transportation Commission (TC) in March 2026 due to Joint Budget Committee (JBC) decisions related to statewide common policies. Because the Administration line is funded with State Highway Fund revenue, this \$1.2 million reduction was incorporated into the overall budget solution.

To address the remaining \$4.5 million revenue shortfall, staff reduced budgets within Agency Operations and the Maintenance Levels of Service (MLOS) program. The Final Budget adopted by the TC in March 2026 included funding for a planned 3.1 percent statewide salary increase; however, the JBC ultimately did not fund this increase. As



COLORADO

Department of Transportation

a result, staff removed the portion of State Highway Fund-supported budgets that had been set aside for the salary increase, reducing Agency Operations by \$0.5 million and MLOS by \$4.0 million.

In total, the FY 2026-27 budget is reduced by \$5.7 million to offset the forecasted State Highway Fund revenue loss associated with these legislative changes. The budget reductions consist of \$1.2 million from the Administration line and \$4.5 million from other State Highway Fund-supported budgets, ensuring expenditures remain aligned with available revenue.

SB 26-141 Wildlife Collision Prevention

This bill creates an optional \$5 fee at the time of motor vehicle registration, with 75% of the revenue going to a newly created Collision Prevention Fund administered by the Bridge and Tunnel Enterprise (BTE) to complete wildlife safe passages projects. To defray expenses incurred prior to receiving this revenue, such as the upfront costs BTE will likely face to conduct a public outreach campaign promoting the fee, the BTE is authorized to accept a loan from the State Highway Fund if approved by the TC. Moving forward, a future loan request will be formally brought to the TC as a budget amendment once staff has the necessary coding infrastructure in place to accept and track the loan.

Next Steps

July 2026 - Staff will complete any actions for approved budget amendments.

Attachments

Attachment A - Amended FY 2026-27 Revenue Allocation Plan

Attachment B - Budget Amendment Presentation

Attachment A: Fiscal Year (FY) 2026-27 CDOT Amended Annual Budget (July 2027)

Line	Budget Category / Program	Estimated Rollforward from FY 2025-26*	FY 2026-27 Final Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EIT and Staff Approved Adjustments	Total FY27 Program Budget Available Including Changes	Directed By	Funding Source
1	Colorado Department of Transportation (CDOT)								
2	Capital Construction	\$845.6 M	\$612.0 M	\$0.0 M	\$0.0 M	\$2.5 M	\$1,460.1 M	-	-
3	Asset Management	\$191.3 M	\$398.3 M	\$0.0 M	\$0.0 M	\$5.0 M	\$594.7 M	-	-
4	Surface Treatment	\$100.0 M	\$229.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$329.7 M	TC	FHWA / SH / SB 09-108
5	Structures	\$50.0 M	\$60.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$110.9 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$6.8 M	\$25.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$32.8 M	TC	FHWA / SH
7	Geohazards Mitigation	\$4.0 M	\$8.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.1 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$0.5 M	\$6.5 M	\$0.0 M	\$0.0 M	\$5.0 M	\$12.0 M	TC	FHWA / SH
9	Emergency Relief	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	FR	FHWA
10	10 Year Plan Projects - Capital Asset Management	\$30.0 M	\$67.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$97.2 M	TC / FR	FHWA
11	Safety	\$137.6 M	\$121.8 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$259.0 M	-	-
12	Highway Safety Improvement Program	\$55.0 M	\$41.0 M	\$0.0 M	\$0.0 M	\$0.1 M	\$96.1 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$0.5 M	\$3.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.0 M	FR	FHWA / SH
14	Hot Spots	\$2.0 M	\$2.7 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$4.3 M	TC	FHWA / SH
15	FASTER Safety	\$70.0 M	\$67.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$137.4 M	TC	SB 09-108
16	Americans with Disabilities Act Compliance	\$10.0 M	\$7.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$17.2 M	TC	FHWA / SH
17	Mobility	\$516.8 M	\$91.9 M	\$0.0 M	\$0.0 M	-\$2.2 M	\$606.5 M	-	-
18	Regional Priority Program	\$55.5 M	\$50.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$105.5 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$432.3 M	\$19.3 M	\$0.0 M	\$0.0 M	-\$2.2 M	\$449.4 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$28.9 M	\$22.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$51.6 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$42.8 M	\$419.9 M	\$0.0 M	\$0.0 M	-\$4.0 M	\$457.8 M	-	-
22	Asset Management	\$35.4 M	\$384.2 M	\$0.0 M	\$0.0 M	-\$3.9 M	\$414.8 M	-	-
23	Maintenance Program Areas	\$0.8 M	\$312.8 M	\$0.0 M	\$0.0 M	-\$3.9 M	\$308.8 M	-	-
24	Roadway Surface	\$0.0 M	\$41.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$41.7 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$24.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$24.3 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$8.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$8.6 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$6.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.3 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$4.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.8 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$103.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$103.8 M	TC	SH
30	Traffic Services	\$0.0 M	\$81.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$81.8 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$21.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$21.4 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$20.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$20.0 M	TC	SH
33	Express Lane Corridor Maintenance and Operations	\$3.0 M	\$13.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.1 M	TC	SH
34	Property	\$0.0 M	\$22.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$22.8 M	TC	SH
35	Capital Equipment	\$31.6 M	\$23.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$55.0 M	TC	SH
36	Maintenance Reserve Fund	\$0.0 M	\$12.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.0 M	TC	SH
37	Safety	\$2.2 M	\$11.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$13.5 M	-	-
38	Strategic Safety Program	\$2.2 M	\$11.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$13.5 M	TC	FHWA / SH
39	Mobility	\$5.2 M	\$24.4 M	\$0.0 M	\$0.0 M	-\$0.1 M	\$29.5 M	-	-
40	Real-Time Traffic Operations	\$0.2 M	\$14.4 M	\$0.0 M	\$0.0 M	-\$0.1 M	\$14.5 M	TC	SH
41	Intelligent Transportation System Investments	\$5.0 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$15.0 M	TC	FHWA / SH
42	Multimodal and Mobility Programs	\$87.2 M	\$56.9 M	\$2.2 M	\$0.0 M	\$2.0 M	\$148.3 M	-	-
43	Mobility	\$87.2 M	\$56.9 M	\$2.2 M	\$0.0 M	\$2.0 M	\$148.3 M	-	-
44	Innovative Mobility Programs	\$18.4 M	\$9.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$27.8 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$0.0 M	\$14.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.5 M	FR	FHWA
46	10 Year Plan Projects - Multimodal	\$20.0 M	\$9.6 M	\$0.0 M	\$0.0 M	\$1.3 M	\$30.9 M	TC	FHWA / SB 17-267, SB 21-260
47	Rail Program	\$10.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.6 M	SL	SL
48	Bustang	\$38.3 M	\$23.3 M	\$2.2 M	\$0.0 M	\$0.8 M	\$64.6 M	TC	SB 09-108 / Fare Rev. / SB 21-260
49	Suballocated Programs	\$447.2 M	\$358.8 M	-\$2.2 M	\$0.0 M	-\$11.6 M	\$792.2 M	-	-
50	Aeronautics	\$34.2 M	\$56.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$90.3 M	-	-
51	Aviation System Program	\$34.2 M	\$56.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$90.3 M	AB	SA
52	Highway	\$184.7 M	\$148.6 M	-\$2.2 M	\$0.0 M	\$0.0 M	\$331.1 M	-	-
53	Surface Transportation Block Grant - Urban	\$100.0 M	\$63.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$163.8 M	FR	FHWA / LOC
54	Congestion Mitigation and Air Quality	\$45.0 M	\$51.4 M	-\$2.2 M	\$0.0 M	\$0.0 M	\$94.2 M	FR	FHWA / LOC
55	Metropolitan Planning	\$1.0 M	\$11.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.4 M	FR	FHWA / FTA / LOC
56	Off-System Bridge Program	\$38.7 M	\$22.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$60.7 M	TC / FR	FHWA / SH / LOC
57	Transit and Multimodal	\$228.2 M	\$154.2 M	\$0.0 M	\$0.0 M	-\$11.6 M	\$370.8 M	-	-
58	Recreational Trails	\$1.2 M	\$1.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$2.8 M	FR	FHWA
59	Safe Routes to School	\$9.7 M	\$3.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.8 M	TC	FHWA / LOC
60	Transportation Alternatives Program	\$43.8 M	\$21.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$65.7 M	FR	FHWA / LOC
61	Transit Grant Programs	\$120.0 M	\$43.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$163.1 M	FR/SL/TC	FTA / LOC / SB 09-108
62	Multimodal Options Program - Local	\$30.0 M	\$68.2 M	\$0.0 M	\$0.0 M	-\$11.3 M	\$86.9 M	SL	SB 21-260
63	Carbon Reduction Program - Local	\$15.0 M	\$9.4 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$24.0 M	FR	FHWA / LOC
64	Revitalizing Main Streets Program	\$8.5 M	\$7.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$15.5 M	SL / TC	SB 21-260
65	Administration & Agency Operations	\$6.1 M	\$138.8 M	\$0.0 M	\$0.0 M	-\$1.7 M	\$143.2 M	-	-
66	Agency Operations	\$4.7 M	\$83.8 M	\$0.0 M	\$0.0 M	-\$0.5 M	\$88.0 M	TC / AB	FHWA / SH / SA / SB 09-108
67	Administration	\$0.0 M	\$53.3 M	\$0.0 M	\$0.0 M	-\$1.2 M	\$52.1 M	SL	SH
68	Project Initiatives	\$1.4 M	\$1.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$3.0 M	TC	SH
69	Debt Service	\$110.6 M	\$44.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$155.1 M	-	-
70	Debt Service	\$110.6 M	\$44.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$155.1 M	DS	SH
71	Contingency Reserve	\$61.3 M	\$18.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$80.2 M	-	-
72	Contingency Fund	\$21.1 M	\$15.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$36.1 M	TC	FHWA / SH
73	Commission Reserve Funds	\$40.2 M	\$3.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$44.1 M	TC	FHWA / SH
74	Other Programs	\$42.2 M	\$38.9 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$80.7 M	-	-
75	Safety Education and Enforcement	\$31.0 M	\$19.5 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$50.1 M	TC/FR	NHTSA / SSE
76	Planning and Research	\$1.5 M	\$18.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$19.7 M	FR	FHWA / SH
77	State Infrastructure Bank	\$9.7 M	\$1.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.9 M	TC	SIB
78	Total - CDOT	\$1,643.0 M	\$1,688.7 M	\$0.0 M	\$0.0 M	-\$13.2 M	\$3,318.5 M	-	-
79	Colorado Bridge & Tunnel Enterprise (BTE)								
80	Capital Construction	\$31.8 M	\$110.6 M	\$0.0 M	\$0.0 M	\$0.4 M	\$142.8 M	-	-
81	Asset Management	\$31.8 M	\$110.6 M	\$0.0 M	\$0.0 M	\$0.4 M	\$142.8 M	-	-
82	Funding for Bridge and Tunnel Enterprise Projects	\$31.8 M	\$110.6 M	\$0.0 M	\$0.0 M	\$0.4 M	\$142.8 M	BTEB	SB 09-108, SB 21-260
83	Maintenance and Operations	\$0.8 M	\$2.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$3.1 M	-	-
84	Asset Management	\$0.8 M	\$2.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$3.1 M	-	-
85	Maintenance and Preservation	\$0.8 M	\$2.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$3.1 M	BTEB	SB 09-108
86	Administration & Agency Operations	\$2.0 M	\$2.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.1 M	-	-
87	Agency Operations-BTE	\$2.0 M	\$2.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.1 M	BTEB	SB 09-108, SB 21-260
88	Debt Service	\$0.7 M	\$66.2 M	\$0.0 M	\$0.0 M	-\$25.5 M	\$41.5 M	-	-
89	Debt Service-BTE	\$0.7 M	\$66.2 M	\$0.0 M	\$0.0 M	-\$25.5 M	\$41.5 M	BTEB	FHWA / SH
90	Total - Bridge & Tunnel Enterprise (BTE)	\$35.2 M	\$181.4 M	\$0.0 M	\$0.0 M	-\$25.1 M	\$191.5 M	-	-

91 Colorado Transportation Investment Office (CTIO)									
92	Capital Construction	\$143.1 M	\$77.8 M	\$0.0 M	\$109.0 M	\$0.0 M	\$329.9 M	-	-
93	Mobility	\$143.1 M	\$77.8 M	\$0.0 M	\$109.0 M	\$0.0 M	\$329.9 M	-	-
94	Capital Construction-CTIO	\$143.1 M	\$77.8 M	\$0.0 M	\$109.0 M	\$0.0 M	\$329.9 M	HPTEB	Tolls / Managed Lanes Revenue
95	Maintenance and Operations	\$11.9 M	\$39.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$51.8 M	-	-
96	Asset Management	\$11.9 M	\$39.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$51.8 M	-	-
97	Express Lanes Operations	\$11.9 M	\$39.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$51.8 M	HPTEB	Tolls / Managed Lanes Revenue
98	Multimodal Services and Mobility Programs	\$63.9 M	\$55.6 M	\$0.0 M	-\$109.2 M	\$0.0 M	\$10.3 M	-	-
99	Rail Projects	\$63.9 M	\$55.6 M	\$0.0 M	-\$109.2 M	\$0.0 M	\$10.3 M	HPTEB	SB 24-230
100	Administration & Agency Operations-CTIO	\$14.6 M	\$26.4 M	\$0.0 M	\$0.5 M	\$0.0 M	\$41.4 M	-	-
101	Agency Operations-CTIO	\$14.6 M	\$26.4 M	\$0.0 M	\$0.5 M	\$0.0 M	\$41.4 M	HPTEB	Tolls / Fee for Service / SB 24-230
102	Debt Service-CTIO	\$3.8 M	\$53.1 M	\$0.0 M	-\$0.3 M	\$0.0 M	\$56.6 M	-	-
103	Debt Service-CTIO	\$3.8 M	\$53.1 M	\$0.0 M	-\$0.3 M	\$0.0 M	\$56.6 M	HPTEB	Tolls / Managed Lanes Revenue
104	Total - Colorado Transportation Investment Office (CTIO)	\$237.2 M	\$252.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$490.0 M	-	-

105 Clean Transit Enterprise (CTE)									
106	Suballocated Programs	\$58.0 M	\$27.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$85.7 M	-	-
107	Transit and Multimodal	\$58.0 M	\$27.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$85.7 M	-	-
108	Zero Emissions Transit Grant Programs	\$48.2 M	\$11.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$59.5 M	CTB	SB 21-260
109	Local Transit Operations Formula Program	\$4.3 M	\$11.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$15.3 M	CTB	SB 24-230
110	Local Transit Grant Program	\$5.4 M	\$5.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.9 M	CTB	SB 24-230
111	Multimodal and Mobility Programs	\$10.3 M	\$38.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$48.7 M	-	-
112	Mobility	\$10.3 M	\$38.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$48.7 M	-	-
113	Rail Grant Program	\$10.3 M	\$38.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$48.7 M	CTB	SB 24-230
114	Administration & Agency Operations	\$0.0 M	\$1.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.1 M	-	-
115	Agency Operations-CTE	\$0.0 M	\$1.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.1 M	CTB	SB 21-260/SB 24-230
116	Contingency Reserve	\$0.0 M	\$1.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M	-	-
117	Contingency Reserve-CTE	\$0.0 M	\$1.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M	CTB	SB 21-260
118	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	-	-
119	Debt Service-CTE	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	CTB	SB 21-260
120	Total - Clean Transit Enterprise (CTE)	\$68.3 M	\$68.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$136.7 M	-	-

121 Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME)									
122	Suballocated Programs	\$26.0 M	\$13.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$39.2 M	-	-
123	Mobility	\$26.0 M	\$13.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$39.2 M	-	-
124	NAAPME Projects	\$26.0 M	\$13.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$39.2 M	NAAPMEB	SB 21-260
125	Administration & Agency Operations	\$0.0 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M	-	-
126	Agency Operations-NAAPME	\$0.0 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M	NAAPMEB	SB 21-260
127	Contingency Reserve	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M	-	-
128	Contingency Reserve-NAAPME	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M	NAAPMEB	SB 21-260
129	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	-	-
130	Debt Service-NAAPME	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	NAAPMEB	SB 21-260
131	Total - Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME)	\$26.2 M	\$13.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$39.6 M	-	-

132 Fuels Impact Enterprise (FIE)									
133	Suballocated Programs	\$3.3 M	\$14.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.2 M	-	-
134	Highway	\$3.3 M	\$14.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.2 M	-	-
135	Fuels Impact Grants	\$3.3 M	\$14.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.2 M	FIEB	SB 23-280
136	Administration & Agency Operations	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	-	-
137	Agency Operations-FIE	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	FIEB	SB 23-280
138	Contingency Reserve	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	-	-
139	Contingency Reserve-FIE	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	FIEB	SB 23-280
140	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	-	-
141	Debt Service-FIE	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	FIEB	SB 23-280
142	Total - Fuels Impact Enterprise (FIE)	\$3.4 M	\$15.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.4 M	-	-
143	Total - CDOT and Enterprises	\$2,013.3 M	\$2,219.7 M	\$0.0 M	\$0.0 M	-\$38.3 M	\$4,194.7 M	-	-

* Roll forward budget is budget from a prior year that hasn't been committed to a project or expended from a cost center prior to the close of the fiscal year.

Key to Acronyms:
 - = Empty Cell With No Applicable Data or Description
 AB = Aeronautics Board
 BTEB = Bridge and Tunnel Enterprise Board
 CTB = Clean Transit Board
 DS = Debt Service
 FR = Federal
 FIEB = Fuel Impact Enterprise Board
 HPTEB = High Performance Transportation Enterprise Board
 LOC = Local
 M = millions in dollar amount
 NAAPMEB = Nonattainment Area Air Pollution Mitigation Enterprise Board
 SA = State Aviation
 SB = Senate Bill
 SH = State Highway
 SIB = State Infrastructure Bank
 SL = State Legislature
 TC = Transportation Commission



COLORADO

Department of Transportation

July 2026 Budget Workshop FY 2026-27 Budget Amendment



Agenda

Agenda:

- FY27 Budget Amendment Summary
 - Reallocating Congestion Mitigation and Air Quality (CMAQ) funds to Bustang Congestion Mitigation and Air Quality (CMAQ)
- Information Only Items - Budget Impacts from 2026 Legislative Session
- Next Steps



Colorado Mountains



FY27 Budget Amendment Summary

The following transfers require TC Approval per PD 703.0*

From Budget Line	to Budget Line:	FY27 Budget Amendment Summary	Amount
Congestion Mitigation and Air Quality (Line 54)	Bustang (Line 48)	Bustang Funding Gap	\$2.2M

*Transportation Commission Policy Directive 703.0 establishes the policy by which CDOT will determine and submit the annual budget, project budgets, or any other relevant budgetary matters to the Colorado Transportation Commission. The Commission will focus on substantive budget matters, i.e. those budget matters that involve material change or significant risk, and will exercise oversight on routine budget matters by deferring lesser decisions to Executive Management or Staff according to risk.



Bustang Funding Gap

Request: Transfer \$2.2 million from the Congestion Mitigation and Air Quality (CMAQ) line to Bustang to address a projected funding shortfall and maintain expanded service levels within the Bustang Family of Services.

The TC previously approved a transfer of \$4.4 million from CMAQ to Bustang for FY26 via the April 2026 Budget Amendment.



Bustang at I-70 Stop, 2024



Information Items - Bills with Budget Impacts

Bills that impact the Multimodal Transportation Mitigation Options (MMOF):

- HB26-1398 Retail Delivery Fee Allocation
- HB26-1399 Eliminate GF Transfer to MMOF

Bills that Impact CDOT's State Highway Fund:

- HB 26-1102 Funding for DRIVES Account
- HB 26-11289 Modification of Certain Tax Expenditures
- HB 26-1430 Transportation Funding Adjustments

Bills Impacting Enterprises

- HB 26-1430 Transportation Funding Adjustments
- SB 26-141 Wildlife Collision Prevention



HB26-1398 Retail Delivery Fee Allocation

HB26-1399 Eliminate GF Transfer to MMOF

HB26-1398 Retail Delivery Fee Allocation

- Beginning July 1, 2026, adjusts the allocation to a 70/30 split.
 - 70% goes to TC for local multimodal projects
 - 30% goes to TC for state multimodal projects
- Previously the split was 85/15

HB26-1399 Eliminate GF Transfer to MMOF

- The annual GF transfer of \$10.5 million is eliminated for FY27, FY28 and FY29.

FY27 Budget Adjustment	Total MMOF	MMOF Local	MMOF State (Bustang)
FY27 Initial Approved MMOF Budget	\$55.6 M	\$51.7 M	\$4.0 M
Revised Total FY27 MMOF Budget (above)	\$45.1 M	\$40.3 M	\$4.8 M
Total Budget Adjustment*	-\$10.5 M	-\$11.3 M	\$0.8 M

*Please refer to the accompanying packet memo for comprehensive calculations.



HB26-1102 Funding for CO DRIVES Account

First Stream	FY27	FY 28
CDOT	-\$2.9 M	-\$2.9 M
Counties	-\$1.2 M	-\$1.2 M
Municipalities	-\$0.4 M	-\$0.4 M
Total	-\$4.5 M	-\$4.5 M
FASTER	FY27	FY 28
CDOT	\$0.0 M	-\$1.1 M
Counties	\$0.0 M	-\$0.4 M
Municipalities	\$0.0 M	-\$0.3 M
Total	\$0.0 M	-\$1.8 M
Total CDOT Revenue Impact	-\$2.9 M	-\$4.0 M

HB 26-1102 diverts HUTF revenue to the Colorado DRIVES account within the HUTF for use by the Department of Revenue.

- July 1, 2026 redirects fees for personalized license plates from HUTF to DRIVES
- July 1, 2027 redirects \$2 of each late vehicle registration fee from the HUTF to the DRIVES account; remaining fee amounts go to HUTF

The revenue impact to CDOT is a reduction of \$2.9 M in FY27 and \$4.0 M ongoing.



HB26-1289 Modification of Certain Tax Expenditures

HB 26-1289 reduces the fuel loss allowance that gasoline and special fuel distributors are permitted to retain from 2% to 1.5% per month.

Second Stream	FY27	FY 28
CDOT	\$1.0 M	\$2.0 M
Counties	\$0.4 M	\$0.7 M
Municipalities	\$0.3 M	\$0.6 M
Total	\$1.6 M	\$3.3 M

The revenue impact to CDOT is an increase of \$1.0 M in FY27 and \$2.0 M ongoing.





HB26-1430 Transportation Funding Adjustments

HB 26-1430 makes several transportation funding changes:

- Reduces gasoline and special fuel excise taxes contingent on voter approval of Initiative 175 in November 2026. Because the tax reductions are designed to offset the revenue increases generated by Initiative 175, the net revenue impact is expected to be neutral.
- Redirects oversize/overweight (OSOW) permit fee revenue from the State Highway Fund (SHF) to the newly created Road Enterprise for highway surface maintenance.

The business purpose of the Enterprise is to complete preventative maintenance, repair, rehabilitation, and reconstruction of roadways.

House Bill (HB)	FY 27	FY 28
OSOW Revenue Diverted from SHF	-\$3.7 M	-\$7.4 M



Summary of Impacts to CDOT's State Highway Fund

In FY27, legislative bills affecting CDOT's State Highway Fund(SHF) will result in a net revenue reduction of \$5.7 M.

House Bill (HB)	FY 27	FY 28
HB 26-1102 - Regular HUTF	-\$2.9 M	-\$2.9 M
HB 26-1102 - FASTER	\$0.0 M	-\$1.1 M
HB 26-1289	\$1.0 M	\$2.0 M
HB 26-1430	-\$3.7 M	-\$7.4 M
Total	-\$5.7 M	-\$9.4 M

Staff made the following adjustments to the FY27 Budget to address this reduction:

- The Administration line (Line 67) was reduced by \$1.2 M to align with HB 26-1410 (the Long Bill).
- Agency Operations (Line 68) and Maintenance Program Area lines (Lines 23-32) were reduced by \$0.5 M and \$4.0 M, respectively, to remove the portion of SHF budget that was allocated for salary increases that were ultimately not funded by the legislature for FY27.

Total reductions of \$5.7 M ensure the budget is balanced to forecasted revenue for FY27.



SB26-141 Wildlife Collision Prevention



Wildlife Crossing

- Creates optional \$5 fee at time of motor vehicle registration. Drivers can opt out when they register each year.
 - 75% (\$3.50) goes to new Collision Prevention Fund; administered by the Bridge and Tunnel Enterprise
 - 25% (\$1.50) goes to Wildlife Cash Fund; administered by Colorado Parks and Wildlife.
- New revenue to BTE is estimated at approx. \$1.5 M in FY27 (\$3.0 M annually).
- BTE will request a loan from the SHF to defray expenses incurred prior to receiving the revenue in FY27.



Next Steps



Interstate through the Mountains

Next Steps:

- July 2026 - Staff will complete any actions for approved budget amendments.



COLORADO
Department of Transportation

Transportation Commission Memorandum

To: Transportation Commission.

From: Darius Pakbaz and Lenore Bates.

Date: July 1, 2026.

Subject: Colorado Scenic and Historic Byways.

Purpose

Information only updates on the Colorado Scenic and Historic Byways program.

Action

No action required.

Background

Program Overview: Established in 1989 by Executive Order (Gov. Romer) and managed by Lenore Bates, the program encompasses 26 state routes recognized for one or more exceptional scenic, historic, recreational, cultural, archaeological, or natural intrinsic qualities.

Economic Impact: Byway tourism is a vital economic driver for rural communities as well as for our great state, contributing \$4.92 billion annually (2014/2019 data) fueled primarily by the attraction to Colorado's natural beauty.

Management and Protection: Current efforts focus on elevating these routes as state assets through a Statewide Strategic Plan, 26 corridor management plans, and newly developed design guidelines to ensure system-wide functionality.

Promotions: To harness the momentum of the upcoming Colorado 150 and America 250 anniversaries, the program is rolling out robust promotional campaigns. Several of these initiatives include strategic partnerships, traveling photo exhibits, the TravelStorys App and itineraries, and media coverage including two articles in *Travel + Leisure* this past June.

Next Steps

Not applicable.

Attachments

[Attach PDF].



Transportation Commission Workshop Colorado Scenic and Historic Byways July 15, 2026



Colorado Byways - Agenda

- Byways 101
- Economic Impacts
- Protection
- Agency Updates
- Promotion
- Partners





Colorado Byways - Trivia!!



- How many designated Scenic and Historic Byways are there in Colorado?
- How many nationally designated Scenic Byways are there in Colorado?
- Which state has the most National Scenic Byways and/or All-American Roads in the United States?
- How many federally designated Byways, BLM Backcountry and National Forest, are in Colorado?
- Where is the best place to find information on Colorado's Scenic and Historic Byways?





Colorado Byways - 101

Scenic Byway



- Established in March 1989 by an Executive Order signed by Governor Roy Romer.
- Created a Colorado Scenic and Historic Byways Commission - 15 Members.
- Consists of roads that exhibit exceptional values to benefit recreation and tourism.
- Integrates the USFS National Forest Scenic Byways.
- Approved the first five byways on September 22, 1989 including: San Juan Skyway, Peak to Peak, Highway of Legends, Gold Belt Tour, and Alpine Loop
- [Colorado Scenic and Historic Byways Program Website](#)



America's Byways® - 101



- Federal Program Established under 23 USC 162, in 1991 ISTEA act.
- The National Scenic Byways Program is part of the U.S. Department of Transportation, Federal Highway Administration.
- A grass-roots collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States.
- The U.S. Secretary of Transportation recognizes certain roads as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, recreational and scenic qualities.
- [National Scenic Byways Program Website](#)



Economic Impacts

- Benefit local communities and the overall state economy.
- Google Analytics:
 - #1 Attractions;
 - #2 Scenic Drives Near Me
- Tourism Spending in Colorado (2022): \$27.7 Billion
- Economic Impacts of the Byways (2014-2019)
 - Direct Impacts: \$2.64 Billion
 - Indirect Impacts: \$2.28 Billion
- Total Economic Impact: (2014-2019) \$4.92 Billion

VISITORS

In 2022, 68% of out-of-town visitors came to Colorado in their own car or truck.**



“Interest in sightseeing

was second on the list of specific draws among Colorado visitors in 2022 followed closely by an interest in cultural activities and attractions.”**

\$27.7 BILLION

Total spending by domestic visitors to Colorado *

** Statistics from: Longwoods International, Colorado Travel Year 2022 Report
* Dean Runyan, Colorado Travel Impacts 2022



Colorado Scenic Byways Economic data analysis report 2016



Economic Impacts

- 53% (Day) and 55% (Overnight) Traveled on Byways (2024)
- Top 10
 - Colorado River Headwaters
 - San Juan Skyway
 - Flat Tops Trail
 - Alpine Loop
 - Grand Mesa
 - Dinosaur Diamond
 - Trail of the Ancients
 - Unaweeep Tabeguache
 - Tracks Across Borders
 - Top of the Rockies





Economic Impacts

- Overnight
 - Primary Reason - 29% Beauty, 24% Direct Route, 21% Learn about CO
 - Participation - 35% Scenic pullouts, 32% Services (food, gas, retail), 27% Driving, 21% Hiked
 - Vehicle - 61% Gas, 14% Hybrid, 11% Diesel, 9% EV, 5% Motorcycle
- Day
 - Primary Reason - 39% Beauty, 22% Learn about CO
 - Participation - 35% Scenic pullouts, 32% Driving, 29% Services (food, gas, retail), 25% Hiked
 - Vehicle - 62% Gas, 13% Hybrid, 10% EV, 10% Diesel, 4% Motorcycle

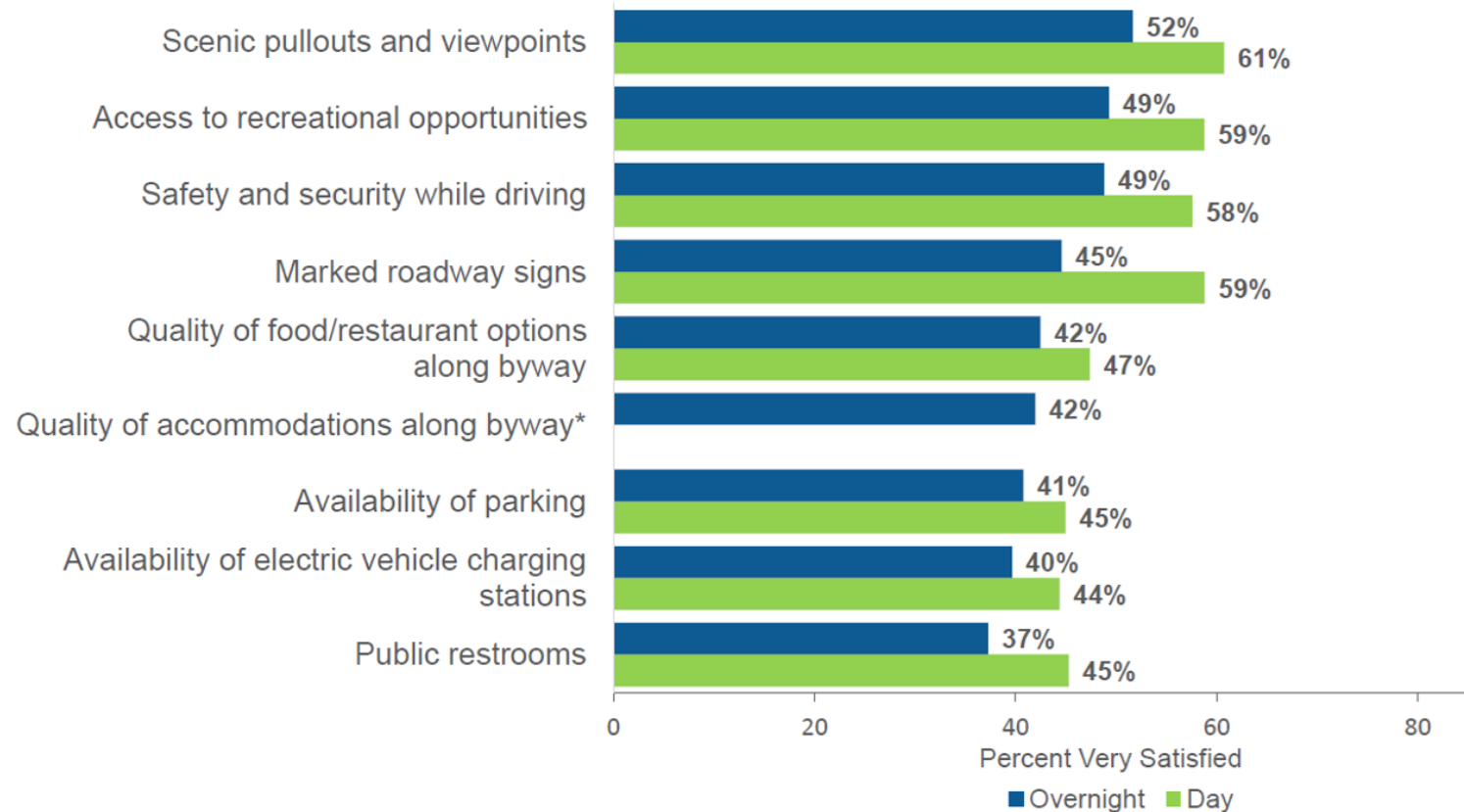




Economic Impacts

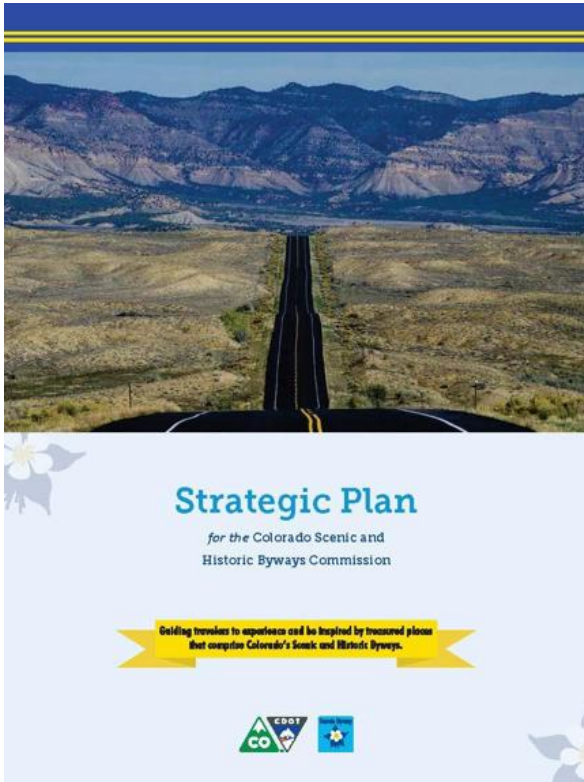
Colorado Scenic & Historic Byways - Satisfaction

Thinking about any scenic or historic byways you traveled on, please indicate how satisfied with you were with the following:
Percent Very Satisfied





Protection



Strategic Plan for the Colorado Scenic and Historic Byways Commission

1. Maintain a state byways system that is second to none.
2. Elevate the Colorado Byways system to become an important state asset for economic development and livability.
3. Ensure that each local byway is a fully functioning part of an excellent statewide system.





Protection



Colorado Byways Design Guidelines

- Introduction - When to Use These Guidelines
- Working and Planning within the Byway Corridor
- Design Considerations
- Appropriate Treatments
- Compatible Enhancements





Protection



Colorado River Headwaters National Scenic & Historic Byway

Corridor Management Plan
and
Business Plan

- Planning
- Corridor Management Plans
- 10 Year Updates
- Federal Requirements
- Organization
- Conservation
- Succession Planning
- Maintenance
- Local Resource





Agency Updates



- 20 Colorado Electric Byways
 - Pending DCFC Plazas Naturita, Unaweep Tabeguache
 - CDOT, CEO, OEDIT/CTO
- I-70 Geological-Hogback Trail Rehabilitation Project (Lariat Loop)
 - Enhance Visitor Experience, Safety, Preserve Historic Pylons
- Press and Tourism
 - Gazette Telegraph (Gold Belt)
 - Westword (June)
 - Travel + Leisure (2 articles in June)
 - Colorado Digital Passports - Scenic Rides (July)



Colorado 150 | America 250

- Colorado Byways CO150 Proclamation May 2025
- Colorado-Hokkaido Sister Byways
- Colorado's Great American Road Trip Campaign
- HeidiTown Road Trip
- American Road Magazine
- Veteran's Life Magazine
- Colorado Byways Traveling Photo Exhibit
- TravelStorys Audio Tours
- Outreach and Partners





Promotion



Colorado-Hokkaido Sister Byways

- June 16, 2025 - MOU & 20th Anniversary in Sapporo, Japan
- July 21, 2025 - Celebration & Proclamation in Golden (Lariat Loop)
- Regular Meetings





Promotion

HEIDITOWN.COM

HOME TRAVEL CO BYWAYS FESTIVALS ABOUT ADVERTISE

CO Byways

May 27, 2026 Colorado Scenic & Historic Byway

Birding Festivals & Wildlife Celebrations Along Colorado Byways

May 25, 2026 Colorado Scenic & Historic Byway

South Platte River Trail Scenic & Historic Byway Itinerary

HeidiTown.com
February 12 · 🌐

NEW POST: I hope my CO150 Byway Project inspires you to explore one of our [Colorado Scenic and Historic Byways](#) this year.

"The CO150 Byway Project: Colorado Scenic & Historic Byways"

Here is a detailed explanation of this exciting new project!

Read it: <https://www.heiditown.com/.../the-co150-byway-project.../> 📄

#ClassicColoradoRoadTrip #COBywayProject #CO150





Promotion

Advertorial

SCENIC AND HISTORIC BYWAYS

Byways unite communities and the stories of their collective past. Highways and backroads unveil myriad tales of Ute Indians, silver-tobious entrepreneurs and crafty engineers. They also reveal the their remarkable creation, and how today, much of this wild humankind.

As these byways are a catalyst for the preservation of Colorado's r. Uniting communities under a common project, the byways (both locals and travelers) and connect them with the land are designated as America's Byways, meaning they are nationally scenic and historic attributes. In fact, no other state has as many Colorado.

EV-Friendly Byway

GREAT AMERICAN ROAD TRIP

Thirty+ Years of Scenic Vistas & History One Mile at a Time

- 1. CACHE LA POUDE-NORTH PARK**
- Photo Credit: Jamie Brown
Travel alongside one of America's few Wild and Scenic Rivers and watch for grazing moose, granite canyon walls and historic landmarks.
- 2. PAWNEE PIONEER TRAILS**
- Photo Credit: Denis Lednic
Gain perspectives on the Plains as you navigate what was once a path for ambitious settlers, entrepreneurs and migrating bison.
- 3. SOUTH PLATTE RIVER TRAIL**
- Photo Credit: Gail Meyer
Imagine the sounds of the galloping Pony Express horses and Overland Trail settlers who rode along this South Platte River-guided course.
- 4. PEAK TO PEAK**
- Photo Credit: Cathy Edwards
Get up close and personal with the Continental Divide, mining ghost towns, Victorian opulence and stunning views of Longs Peak.
- 5. MOUNT BLUE SKY**
- Photo Credit: Cassandra Patton
Travel the highest paved road in North America on a serpentine ride to the summit of Mount Blue Sky.
- 6. GUNNELL PASS**
- Photo Credit: Cassandra Patton
Tour the preserved silver-mining town of Georgetown before rising in elevation to raw alpine wilderness.
- 7. TRAIL RIDGE ROAD**
- Photo Credit: Von Schorlitz NPS
Go above treeline inside Rocky Mountain National Park, along North America's highest continuous paved road.

COME EXPLORE COLORADOBYWAYS.ORG!
To get real-time road information, visit cotrip.org.
#ColoradoByways #GreatAmericanRoadTrip #Am2000150

American Road Magazine

- 4 full page ads and advertorial in each issue
- Virtual Visitor Guide
- Dedicated Podcast
- Digital Bundle
- Itineraries
- 623 clicks to Byway Visitor Guide



Promotion

Veterans Life Magazine

- ¼ Page Magazine Ads
- Features different photos NE, SE, SW, NW
- Colorado stories, looking for local veteran stories

WOUNDED HEALER

Therapy for Colorado Veterans & Their Families

No Matter Your Discharge Status

We offer trauma-informed therapy to all Colorado veterans and their dependents — in person (Denver Metro) or via telehealth statewide.

- **We accept:** Anthem BCBS, Aetna, Cigna, Medicaid, Medicare, United Healthcare, UMR, Tricare, TriWest
- **No insurance?** We offer **FREE** intern-based therapy or sliding scale rates (\$45-\$150/session)

You don't have to do this alone. We're here when you're ready. woundedhealerproject.org contact@thewhp.org

didn't waste Don's death," she says through tears. That impact is not just national, it's being felt here in Colorado. Colorado's 988 line was the fourth most-used in the nation in 2024, with a total of 94,000 calls, 16,000 texts and about 9,000 live chats, representing a 15 percent increase over the prior year. The average speed to answer in Colorado was 15.2 seconds, significantly faster than the national average of 36 seconds. Once connected, calls last an average of 17 to 18 minutes, reflecting the time counselors spend listening, supporting and helping callers stabilize during a crisis — notably longer than the national benchmark of about 10 minutes.

The Work Continues

Kristen believes resilience is built before a crisis ever happens. Today she works extensively with service members, spouses, veterans, schools, corporations and high-risk industries. She teaches the power of reframing perspective, shifting from "I have to" to "I get to", along with simple breathing and grounding techniques and encourages everyone to practice simple community discipline: be noticed.

"Life is a tough teacher; we get the tests first and then the lessons"

During many of her presentations, she plays a recording of her son's voicemail, raw with feelings of abandonment and longing, to help audiences understand the depth of despair people can experience during a crisis. "Life is a tough teacher; we get the tests first and then the lessons," Kristen says. "We can't always be there for the people we love during their tests, but we can support and mentor each other through the lessons."

"When we're in crisis, that's the least likely time we'll ask for help," she says. "We need people who will say, 'You haven't been yourself. Can we talk?'"

Her daily routine reflects that philosophy. Each day she texts two people at random simply to tell them they crossed her mind. "If someone is on your heart, there's a reason. Reach out."

Her language is memorable because it grows out of real life. She jokes about the "itty-bitty-shitty committee" in everyone's minds and offers tools to quiet negative self-talk. One of her favorite reminders is the acronym HOPE: Hold On, Pain Eases or Help One Person Every day.

"Some days, that one person is you. Other days, it's the stranger who becomes a friend because you decide to notice," she says. "People don't necessarily want to die. They want to live. 988 gives them time and company while that wait returns."

What keeps her going? Connection. "Every time I share our story and get to be a hope dealer, it sets my soul on fire," she says.

Then she adds quietly: "Hope is not canceled. And it cannot be canceled." ★

GREAT AMERICAN ROAD TRIP

150 Years

Thirty+ Years of Scenic Vistas & History One Mile at a Time

Come explore ColoradoByways.org.

Photos credited to: © iStockphoto.com: Cheryl Chandler, Brent Lewis/istockphoto.com, Michael O'Donnell, Christine Bink, Steve Acker, Roddy, Peter Adkins, Cathy Edwards.





Promotion



Colorado Byways Traveling Photo Exhibit

- DIA, State Capitol, History Colorado, State Fair
- Traveling across the state
- Durango Welcome Center
 - July 5 to August 3, 2026
 - San Juan Skyway
 - Tracks Across Borders
- Next Creative Districts Partnership



Promotion



The Trusted Platform to Build, Share,
& Explore Mobile Audio Tours

Download



Silver Thread Scenic Byway

Rugged Peaks, Rivers & Silver Towns

📍 COLORADO, USA



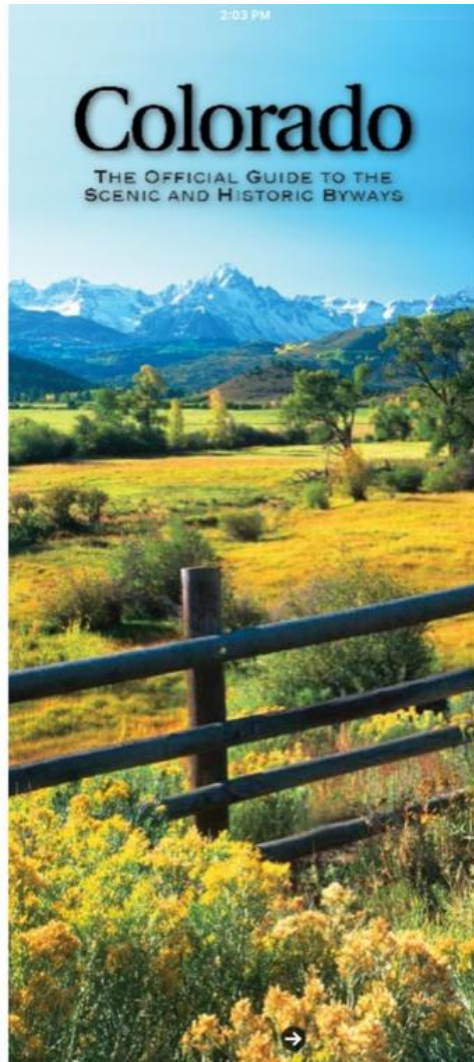
TravelStorys App

- Collegiate Peaks
- Grand Mesa
- Guanella Pass
- Mount Blue Sky
- Pawnee Pioneer Trails
- Santa Fe Trail
- Silver Thread
- South Platte River Trail
- Top of the Rockies
- West Elk Loop





Promotion



CDOT Colorado Byways

- Brochure (print & virtual)
- Byways Map
- Byways Rack Card
- Bookmarks
- Stickers
- Conference Outreach





Partners



- Showcase Winners
- May - West Elk Loop
- October - Los Caminos Antiguos
- National Conference Oct 6-8, Great River Road
- National Scenic Byway Day - September 22*
- TravelByways.com





Partners

Quick Guide to Colorado's Scenic & Historic Byways

The 26 scenic byways of Colorado connect the dots between historic sites and acres of majestic scenery that span from red-rock canyons to the peaks of the Rocky Mountains to sun-kissed prairie.

By: Colorado.com Staff Writer
Updated: May 4, 2020



Top of the Rockies, a Colorado Scenic Byway



- Colorado Tourism Office
 - ColoradoByways.com
- Tour Colorado
 - Motorcoach
 - Group Travel
 - Association (ABA)
 - National Tour Association (NTA)



Thank You!



Lenore Bates, MBA
Colorado Byways Program Manager
Colorado Department of Transportation
Lenore.Bates@state.co.us

Barb Bowman
Transportation Commission, District 7

Transportation Commission Meetings

June 17-18, 2026

Transportation Commission Workshop (TC) Notes

Wednesday, June 17, 2026 - 12:30 PM - 4:00 PM Workshops

12:30 - 4:15 PM Attendance:

All 11 Transportation Commissioners were present: Chair: Shelley Cook, Vice Chair: Barbara Bowman, Carl Castillo, Cecil Gutierrez, Hannah Parsons, Juan Marcano, Rick Ridder, Terry Hart, Diane Barrett, Barbara McLachlan, and Todd Masters.

Incident Response Workshop - Bob Fifer

Purpose and Action: CDOT is addressing a critical overnight traffic safety vulnerability (7:00 PM - 6:00 AM) on Denver Metro interstates by launching the 24/7 Crash Protection Team (CPT). While our standard daytime Safety Patrol excels at peak-commuter motorist assistance, a rise in high-speed nighttime secondary crashes requires round-the-clock physical shielding. The CPT will deploy heavy-duty trucks equipped with Truck-Mounted Attenuators (TMAs) to provide immediate kinetic protection at crash scenes. This new unit will seamlessly integrate with our established Incident Management Team (IMT) to form a comprehensive, three-pillar response ecosystem (Safety Patrol, IMT, and CPT).

For more details regarding this workshop please see the [June 2026 TC Packet](#) (Pages 4 - 22).

Discussion

- Commissioner Parson's daughter was in a sideswipe crash and CDOT was the first entity to arrive at the scene, and helped her daughter make the right calls for help. CDOT is often the first to arrive at the scene of crashes.
- Commissioner Ridder noted along I-70, that a 20% increase in traffic produces a 30% increase in traffic incidents. It would be good to know what the impact of offering transit and other alternative modes would be, and if they would reduce crashes.
- Commissioner Marcano asked what is the cost for the CPT vehicles. An Attenuator truck is \$240,000, and is cheaper than other similar sized trucks

that can cost \$350,000 - \$500,000. The program for CPT is \$4 million a year. Not much is known regarding the insurance coverage and payment impacts at this time. The pad on the attenuator, that is the portion of the vehicle damaged when another vehicle crashes into it, is \$30,000.

- This program extends safety responses at nighttime hours. This is a pilot of six months to a year to test the effectiveness of this program.

NFRMPO GHG Transportation Report for their FY2026-29 Transportation Improvement Program (TIP) and 2050 Regional Transportation Plan (RTP) - Darius Pakbaz, and NFRMPO Staff

Purpose and Action: This workshop provided an overview of the compliance strategy for the NFRMPO to meet the Greenhouse Gas (GHG) Transportation Planning Standard. As required in the GHG Transportation Planning Standard, the North Front Range Metropolitan Planning Organization (NFRMPO) submitted their Draft GHG Transportation Report to the Transportation Commission (TC) and to the Air Pollution Control Division (APCD) of the Colorado Department of Public Health and the Environment (CDPHE) on May 21, 2026. The NFRMPO is no longer required to conduct an emissions analysis for the 2025 compliance year per Section 8.02.1 of the Standard as that year is now in the past. The NFRMPO Staff requests the TC review and accept that the NFRMPO's GHG Transportation Report, submitted on May 21, 2026, is in compliance with the GHG Planning Standard and with the requirements set forth in SB21-260. CDOT staff has prepared a memo for TC action this month, finding NFRMPO and its GHG Transportation Report to be in compliance with 2 CCR 601-22.

For more details regarding this workshop please see the [June 2026 TC Packet](#) (Pages 23 -124).

Discussion

- Commissioner Marcano asked about the transition of the bulk of work being work from home. NFRMPO has three distinct cities - Fort Collins, Loveland and Greeley, not just one like Denver. Up to a 25% increase from the baseline out to 2050 is in the analysis. This is for the Region as a whole.
- Commissioner Gutierrez thanked NFRMPO and CDOT staff for the work on this important study.
- Chair Cook asked about the mitigation action plan. It was noted that the Mitigation Action Plan report requires annual reporting, and that the next NFRMPO RTP needs adoption in 2027. Another question surrounding Bustang was If NFRMPO was assuming Bustang funding in the analysis - how does

NFRMPO and CDOT account for funding changes for that? The response was that CDOT and MPOs do re-evaluate the information every 4-5 years and things are reassessed then.

Budget Workshop - Jeff Sudmeier and Bethany Nicholas

Purpose and Action:

- SIB Account Transfer (See the [June 2026 TC Packet](#) pages 270 - 278)
 - To request approval of a transfer from the Statewide Infrastructure Bank (SIB) Highway account to the SIB Aviation account. The Division of Accounting and Finance (DAF) is requesting that the TC approve a temporary transfer of highway SIB account funds to the aviation SIB account in the amount of \$1,800,000 to provide enough funds in the aviation account to accommodate a \$5,500,000 loan for improvement projects at the Grand Junction Regional Airport.
- CO 119 TC Reserve Request - Budget Supplement - (See the [June 2026 TC Packet](#) pages 255 - 269)
 - The CO119 Safety, Mobility and Bikeway Project (SMBP) was awarded a \$25M RAISE grant in June 2023 and the grant agreement was signed/approved in June 2024. The original grant scope included \$10M for intersection improvements at CO119/CO52 and \$15M for improvements at CO119/Hover Street in Longmont. The grant required an amendment for the remaining \$15M and was in route for signature. It is our understanding that it was routed to the Office of the Secretary of Transportation (OST) Policy Council and to our knowledge it was on the “Not Approved to Proceed” list. Recent communication with the FHWA Colorado Division office suggested that it is still “Under Department Review” along with more than 250 projects nationwide. The final construction package for the CO 119 SMBP at the Hover Street intersection (CP3), including the last \$15M of RAISE is scheduled to have the construction acceptance package (CAP) negotiation on June 30, 2026 and start construction in August 2026. Due to this grant agreement being on hold, the project team needs to identify an additional \$15M to budget and award the final construction package and is requesting \$7M in transportation contingency funds. The requested action of the TC is to review and discuss the funding alternatives proposed. Approval of the recommended funding strategy would be requested at the June TC Board meeting.

Discussion

- Commissioner Ridder asked about interest being a portion of the SIB \$1.8 million loan to go to the Aeronautics Division. It was explained no interest is involved in these loans. The term loan is not really an accurate term, but the transaction is an internal accounting process.
- SIB loans are much more frequently used by the Aeronautics Division than they are for highway projects.
- Commissioner Castillo asked if there was a need to get the vote from TC tomorrow to keep the project moving. The answer was yes. CDOT is waiting for a signed grant agreement in the meantime.
- This request for CO 119 is also not a formal loan, no interest is involved as funding is anticipated by a RAISE grant for the CO 119 project.

Policy Directive 1601.0 Interchange Access Request for I-25 Happy Canyon - Jessica Myklebust and Joshua Breedlove

Purpose and Action: To present the 1601 Interchange Access for the I-25 Happy Canyon interchange which includes details from 1601 Policy and Procedural Directives, including the System Level Study (SLS) and Transportation Demand Management (TDM) strategies that will be utilized on the Happy Canyon Interchange project. CDOT Region 1 is requesting approval of the System Level Study report to advance the I-25 Happy Canyon Interchange project.

For more details regarding this workshop please see the [June 2026 TC Packet](#) (Pages 125 - 254).

Discussion

- Commissioner Marcano asked about signalization at the interchange and if roundabouts to keep traffic moving now and in the future was considered. The response that the analysis of the interchange determined the Diverging Diamond Interchange (DDI) design is the best option.
- Commissioner Ridder noted the design looked like a twister or pretzel design that appears confusing. Region 1 Transportation Director, Jessica Myklebust explained that the DDI design includes a major safety benefit due to the removal of the need for left turns, with a continuous free flow of traffic. This interchange design is becoming more common and a few more are planned.
- Commissioner Castillo noted this DDI design once inside is more intuitive than may first appear. The role of Commissioners seems to be more aligned with

expenditure and policy vs. design decisions for interchanges presented by expert engineers.

- Commissioner Cook noted yes, but these design questions also help explain questions that may arise from constituents, if the questions on design are not excessive.
- Darius Pakbaz, CDOT Division of Transportation Development Director, noted there is detailed technical information available related to the interchange analysis.
- Herman Stockinger, CDOT Deputy Executive Director, noted that yes, funding contributing to this project makes it a necessity to go to the TC for approval. The TC member responsibility is to determine if CDOT staff did their due diligence on the design for this project.
- Director Myklebust also noted it is the funding from the Bridge and Tunnel Enterprise (BTE) for this interchange that necessitated the need for the TC approval.

Innovative Mobility Committee - E-Bike Safety Initiative - Kay Kelly and Lily Lizarraga

Purpose and Action: To provide an overview of the CDOT Office of Innovative Mobility's efforts to create a safety culture around e-bikes through the "Go Safe, Go Far" E-Bike Safety Campaign. No action was requested, this agenda item was for information only.

For more details regarding this workshop please see the [June 2026 TC Packet](#) (Pages 279 - 288).

Discussion

- STAC Chair Beedy noted the need to also spread the E-Bike Safety message to other road users as well.
- Kay Kelly noted cyclists need to know the rules of the road, and then follow them.
- Commission Ridder asked if there was data on how many people use bike lanes. Ridder was not sure the level of usage warrants the provision of extending these facilities.
- Darius Pakbaz noted CDOT is continually working to improve data of bike lane usage, but it is still not where it needs to be, to capture information

meaningful enough to determine the best locations to allocate resources for the best utility.

- Vice Chair Commissioner Bowman noted she works with stewardship messaging for the Colorado Tourism Office (CTO) for the Do Colorado Right Coalition, and that just yesterday on a call with Avon, the E-bikes were noted as a key issue. Bowman requested a link to the E-Bike Safety powerpoint. Also noted that she will notify the CTO of this safety initiative.
- Commissioner Hart is fascinated with the evolution of bicycles. E-Bikes are a new modality and there is a need to determine where they belong - they are too fast for pedestrian areas and too slow for roadway use. How do they help get people out of their cars. More E-bikes means more potential safety concerns. E-motos require a license and insurance.
- Commissioner Masters noted this is a problem and a safety concern, but also E-Motos are affordable, quiet, and fun to ride.
- CDOT is committed to establish a safety culture around E-Bikes and E-Motos.
- Commissioner Marcano asked what is the word from users of this technology, with less protective infrastructure in Colorado. Also, how does CDOT support these modes without protective infrastructure? The CDOT Office of Innovative Mobility Chief, Kay Kelly, noted that these questions apply to all types of bicycles, and recommended deferral to the CDOT Bike/Ped Section for answers to these questions.

Region 3 Update - Jason Smith

Purpose and Action: To present a Region 3 update to the TC. No action was requested, the update was for information only.

For more details regarding this workshop please see the [June 2026 TC Packet](#) (Pages 289 - 307).

Discussion

- Commissioner Ridder noted the CO9 wildlife crossings are considered by wildlife experts as the gold standard in this country, reducing wildlife crashes by 92%. Ridder would like insurance companies to participate. The recent passage of the \$5 add on, is something that CDOT could bond, and more good work like this could be accomplished in 2028.
- Commissioner Bowman appreciated the passing lane projects along US 50 in her area, and also appreciated the presentation.

- Chair Cook congratulated Jason for the good work accomplished in Region 3.

Transportation Commission (TC) Board Meeting

Thursday, June 18, 2026 - 9:00 AM

Call to Order, Roll Call

Ten Transportation Commissioners were present: Chair: Shelley Cook, Vice Chair: Barbara Bowman, Carl Castillo, Hannah Parsons, Juan Marcano, Rick Ridder, Terry Hart, Diane Barrett, Barbara McLachlan, and Todd Masters. Commissioner Cecil Gutierrez was excused.

Public Comments

Public Commenters YouTube Video <https://www.youtube.com/live/usAzQZVABbE>
Timestamp 1:00 - 4:26.

Rick Pelton, Cheyenne County Commissioner, thanked Commissioners Cook and Masters for coming out to the meeting in Limon. Many walked away from the meeting feeling voices were not heard. CDOT released a new formula figuring what roads need to be addressed and it is based on population and not vehicle loads or other things. Not taking that into consideration vs. population, no roads in our area will be treated. There is too much emphasis on GHG and this does not help us, and also the mass transit services and bike services are a concern. In the Greeley area, the average miles driven per day is 22 miles and in Cheyenne County it is 60 miles per day. Our roads can't handle the truck loads of traffic in terms of the pavement condition. Commissioner Pelton would like to see the new formula. Chair Cook also noted that the TC has Commissioner Pelton's letter.

For more details on public commenters who signed up and any written comments that may have been submitted to the TC, please reach out to the TC Secretary, Herman Stockinger at herman.stockinger@state.co.us.

Comments of the Chair and Commissioners

- Commissioner Bowman: Thanks to Darius Pakbaz for attending the Grand Lake Economic Summit on June 4th, and Lenore Bates of the Scenic Byways program, who attended a Creative Industries Trade Show at the Colorado River Headwaters Scenic Byway, and Bowman recommended folks to visit this byway, if they haven't yet. The Commissioner worked with stakeholders on creative ideas on how to encourage more visitation. Attended the annual Garfield

County meeting with Jason Smith and team, and discussed capacity issues on CO 82. The TC appreciates the written comments on this received today.

Recognized CDOT Region 3 staff for help with the South Canyon fire and the response to keep drivers safe. Thanked Kay Kelly and Lily Lizaragga for the E-Bike Safety presentation, and for the Region 3 presentation by Jason Smith.

- Commissioner Masters: Attended the Eastern TPR meeting last week. Darius attended also. Took a field trip with Director Paddock and Chair Cook in Region 4. Great job and work was completed with limited resources. Surprised by the level of effort used to stretch the dollars that is amazing. Neighbors to the north had incident command services, and Masters believes the CDOT pilot will be highly successful.
- Commissioner Hart: Enjoyed the Bob Fifer presentation. The other two presentations that were enjoyed were the E-Bike safety campaign presentation, and Region 3 presentation, by Jason Smith, that was impressive, especially the wildlife crossing data. Seems on the roads the public is speeding up vs. slowing down. We need to figure out ways to effectively get folks to slow down.
- Commissioner Marcano: It is warm out, and a message to roadway users was to slow down near work zones and pay attention. More important to get there safe than be first. A field trip on Monday is going on a tour of the KOA facility. Looking forward to working on the Gun Club Working Group that is kicking off later this month, and working with the Director of the Public Works team to schedule regular meetings.
- Commissioner Castillo: Attending lots of meetings in his area; had a field trip with Region 4 Director Paddock - along I-25 and also visited the mobility hubs and also the Region 4 Headquarters. Was introduced to laser technology for removing snow that is relatively new. Saves CDOT Costs for snow removal supplies, identifying the level of traction on the roads.
- Commissioner Parsons: Recognized and thanked Bob Fifer for this presentation yesterday on Incident Management and safety protocols. Also having the vehicles out front to view was interesting, and noted that CDOT is usually the first on the scene of a crash. The stats of population correlation to the increase of crashes was surprising.
- Commissioner McLachlan: Was in Oklahoma City last month. Participated in a tractor rodeo in Cortez. McLachlan has a great working relationship with Directors Julie Constan and Jason Smith. Trying to get things done in Pagosa Springs. Appreciated Region 3 presentation and experienced a wildlife crash so has personal experience with that type of crash. Lots of good work is occurring in her area.
- Commissioner Ridder: Last week met with Rio Blanco and Moffat County Commissioners. There are challenges facing rural road users. In both cases they

brought up the road cameras that were dysfunctional and wanted them replaced along with the time table and locations for replacement. Met with individuals regarding the Regional Transportation Authority (RTA) in Yampa Valley, who are beginning to plan for their program in the fall. Gained lots of good input regarding the need for rapid transit, and the needs of road users.

- Commissioner Barrett: Also intrigued by presentations at the workshops. Was surprised by after hours crashes being more prevalent.
- Chair Cook: Echoed several points made previously. Appreciated the field trip to Region 4. Also attended the Eastern TPR meeting. Took a road trip and enjoyed it. Did not hear any change in the roadway maintenance formula, and saw a wind turbine being transported and the results of a wildlife crash that had just occurred. Attended the Section 9 Rodeo at Loveland Valley Ski Area competition on CDOT maintenance machinery, thanked Director Myklebust for the invitation. Will be heading out to Region 1 for another tour.
- Chair Cook also announced a long list of names of folks who submitted written comments to the TC for the month of June. For more details on public commenters who submitted written comments please reach out to the TC Secretary, Herman Stockinger at herman.stockinger@state.co.us.

Colorado Transportation Investment Office (CTIO) Director's Report - Piper Darlington

- CTIO held their Board meeting yesterday and our communications efforts for safety and toll enforcement program was overviewed.
- Tim Hoover gave a great presentation.
- Last year's partnerships were overviewed and included partnerships with airports and rental car agencies, driving schools, social media influencers, facebook groups, and text alert campaigns, CTIO produced five videos on how to use the express lanes. A Colorado State University collaboration occurred for messages to students, who are new to Colorado. Colorado Ski County and Colorado Relocation Guide teams were also involved, and this resulted in 74 million people receiving outreach. Also toll lane violations are down by 91% in daily violations, as of the end of March this year, compared to the previous year.

FHWA Report - John Cater

- Close to 4th of July - the 250th Anniversary. Freedom to Drive Initiative is a focus of FHWA right now to reduce congestion for the betterment of the economy and the well-being of drivers and passengers. The emphasis is addressing congestion of bottle neck areas - identify bottlenecks and solutions to them. FHWA is getting a list together now, and will eventually have a national list of projects to address congestion.

STAC Report - STAC Chair, Gary Beedy

- STAC met on June 4th. TRAC presented on 5311 program funds. Some funds going to operations vs. capital, which is a concern for local transit agencies. Need to balance expansion and keeping capital updated.
- A FY 27-30 STIP presentation was provided and the STAC recommended approval to the TC.
- MMOF discussion - how to keep projects moving by taking future dollars to move forward with projects that are ready now.
- A Household Travel Study Update was provided.
- An Asset Management Program update on how CDOT intends to maintain the system for the various asset categories.
- No July STAC meeting, and next meeting will be Thursday, August 6, 2026 and will be virtual.

Discuss and Act on Consent Agenda - Herman Stockinger

- Proposed Resolution #1: Approve the Regular Meeting Minutes of May 21, 2026
- Proposed Resolution #2: IGA Approval >\$750,000
- Proposed Resolution #3: Approval of \$150-300K Maintenance Projects for FY27
- Proposed Resolution #4: Repeal Policy Directive (PD)11.0: Expressing the DOT Position on Policy Matters
- Proposed Resolution #5: Repeal PD 1004.0: Rockfall Management Policy
- Proposed Resolution #6: Disposal of Parcel 7B Rev-EX, Northeast of the City of Sterling, Logan County
- Proposed Resolution #7: Relinquishment of I-25 Frontage Road to Johnstown
- Proposed Resolution #8: 2026 Legislative Highway Designations
- Proposed Resolution #9: Accept NFRMPO GHG Transportation Report

A motion by Commissioner Parsons was raised to approve, and seconded by Commissioner Barrett, and passed unanimously.

Discuss and Act on Proposed Resolution#10: State Infrastructure Bank (SIB) Rate Update - Jeff Sudmeier

A motion by Commissioner Masters was raised to approve, and seconded by Commissioner Marciano, and passed unanimously.

Discuss and Act on Proposed Resolution #11: Accept Happy Canyon Interchange Access Request and System Level Study (SLS) - Jessica Myklebust and Josh Breedlove

A motion by Commissioner Barrett was raised to approve, and seconded by Commissioner Masters, and passed unanimously.

Discuss and Act on Proposed Resolution #12: Authorize Opening of Rules and Assignment of a Hearing Officer for 2 CCR 602-14: Chain Law and Passenger Vehicle Traction Law Requirements on the State Hwy System - Amber Paoloemilio

A motion by Commissioner Marcano was raised to approve, and seconded by Commissioner Masters, and passed unanimously.

Discuss and Act on Proposed Resolution #13: Authorize Opening of Rules and Assignment of a Hearing Officer for 2 CCR 601-17: Use of Waste Tires for Noise Mitigation Purposes Along Colorado State Highways (Repeal) - Amber Paoloemilio

A motion by Commissioner Hart was raised to approve, and seconded by Commissioner Barrett, and passed unanimously.

Discuss and Act on Proposed Resolution #14: Authorize Opening of Rules and Assignment of a Hearing Officer for 2 CCR 601-18: State Highway Utility Accommodation Code (Transmission Lines) - Amber Paoloemilio

A motion by Commissioner Masters was raised to approve, and seconded by Commissioner Ridder, and passed unanimously.

Discuss and Act on Proposed Resolution #15: Adoption of the FY 2027-FY 2030 State Transportation Improvement Program (STIP) - Darius Pakbaz

A motion by Commissioner Barrett was raised to approve, and seconded by Commissioner Masters, and passed unanimously. Resolution to be edited to reflect alignment with the 2050 Statewide Transportation Plan (not the 2045 Plan).

Discuss and Act on Proposed Resolution #16: Approve SIB Loan Transfer of Funds - Jeff Sudmeier and Bethany Nicholas

A motion by Commissioner Marcano was raised to approve, and seconded by Commissioner Parsons, and passed unanimously.

Discuss and Act on Proposed Resolution #17: Discuss and Act on Proposed Resolution #17: 9th Budget Supplement of FY 2025-26 - Jeff Sudmeier and Bethany Nicholas

A motion by Commissioner Masters was raised to approve, and seconded by Commissioner Castillo, and passed unanimously.

Other Matters

- Report of the Nominating Committee for FY 2026- 27 TC Officers (Chair, Vice-Chair, Secretary) - Commissioner Diane Barrett and Commission Chair Shelley Cook
 - The nominating Committee is comprised of Commissioner Barrett as Chair, and Commissioners Hart and Masters
 - Diversity was a focus, and with a new governor coming soon, the desire was for Commissioners with more experience - Commissioner Ridder to serve as Chair and Commissioner Parsons as Vice Chair.
 - Secretary Herman Stockinger is soon to retire, but will serve as Secretary until his retirement, which is anticipated to be at the end of this year.
- Election of Officers for FY 2026-27 - Election results honored the slate presented by the nominating committee -
 - Commission Chair is Commissioner Ridder
 - Commission Vice-Chair is Commissioner Parsons
 - TC Secretary is Herman Stockinger

Adjournment

- The TC Board Meeting was adjourned at approximately 10:30 am.
- **The next Transportation Commission Workshops and Board Meeting are scheduled for Wednesday - Thursday, July 15-16, 2026.**



COLORADO

Department of Transportation

Transportation Commission Memorandum

To: Transportation Commission

From: Lauren Cabot

Date: July 1, 2026

Subject: Intergovernmental Agreements over \$750,000.00

Purpose

Compliance with CRS §43-1-110(4) which requires intergovernmental agreements involving more than \$750,000 must have approval of the Commission to become effective. In order stay in compliance with Colorado laws, approval is being sought for all intergovernmental agencies agreements over \$750,000 going forward.

Action

CDOT seeks Commission approval for all IGAs contracts identified in the attached IGA Approved Projects List each of which are greater than \$750,000. CDOT seeks to have this approval extend to all contributing agencies, all contracts, amendments, and option letters that stem from the original project except where there are substantial changes to the project and/or funding of the project.

Background

CRS §43-1-110(4) was enacted in 1991 giving the Chief Engineer the authority to negotiate with local governmental entities for intergovernmental agreements conditional on agreements over \$750,000 are only effective with the approval of the commission.

Most contracts entered into with intergovernmental agencies involve pass through funds from the federal government often with matching local funds and infrequently state money. Currently, CDOT seeks to comply with the Colorado Revised Statutes and develop a process to streamline the process.

Next Steps

Commission approval of the projects identified on the IGA Project List including all documents necessary to further these projects except where there are substantial changes to the project and/or funding which will need re-approval. Additionally, CDOT will present to the Commission on the Consent Agenda every month listing all the known projects identifying the region, owner of the project, project number, total cost of the project, including a breakdown of the funding source and a brief description of the project for their approval. CDOT will also present any IGA Contracts which have already been executed if there has been any substantial changes to the project and/or funding.

Attachments

IGA Approved Project List



COLORADO
Department of Transportation

Transportation Commission Memorandum

To: The Transportation Commission
From: Hope Wright, Real Estate Asset Manager
Date: July 16th, 2026

Subject: Nonexclusive Permanent Utility Easements to San Luis Valley Rural Electric Cooperative, Inc, at the Shaw Creek Rest Area, South Fork, Rio Grande County

Purpose

The purpose of this memorandum is to provide the Transportation Commission with the necessary supporting documents including legal descriptions and maps to grant two non-exclusive permanent utility easements to San Luis Valley Rural Electric Cooperative, Inc, (SLVREC).

Action

In accordance with Colorado Revised Statute (C.R.S) 24-82-201 and 202, CDOT is authorized, subject to approving resolution of the Transportation Commission, to grant easements across land owned by CDOT for the purposes of construction and maintenance of public utilities. CDOT Property Management is requesting the Transportation Commission adopt a resolution to allow CDOT to grant two non-exclusive permanent utility easements to SLVREC in exchange for providing 3-phase electrical power to the reconstructed Shaw Creek Rest Area.

Background

CDOT acquired Parcel A Rev in 1967 for the construction of the Shaw Creek Rest Area under CDOT Project No FAP LSF 022-2(2). Parcel A Rev contains 9.347 acres (+/-) and is located east of South Fork on US 160 near mile post 191.4. The Shaw Creek Rest Area reached the end of its useful life and as a result, the rest area was reconstructed in 2026.

The reconstruction required upgrading the electrical service from single phase power to 3-phase power and SLVREC agreed to upgrade the electrical service in exchange for two easements across Parcel A Rev, which would allow SLVREC to construct and maintain their buried 3-phase power and the associated transformer.

Details

Both non-exclusive permanent utility easements are 20 ft wide with the first extending

210 ft from the southern boundary of Parcel A Rev to the northern edge of the transformer and the second extending 342 ft from the northern edge of the transformer to the northern boundary of Parcel A Rev. CDOT would like to grant the non-exclusive permanent easements to SLVREC across Parcel A Rev for the purposes of construction and maintenance of the buried 3-phase power and the associated transformer.

Next Steps

Upon approval of the Transportation Commission, pursuant to C.R.S. 24-82-201, CDOT will grant two non-exclusive permanent utility easements across Parcel A Rev to SLVREC for the purposes of construction and maintenance of the buried 3-phase power and associated transformer to serve the Shaw Creek Rest Area

Attachments

Legal Description with Exhibit

EXHIBIT A

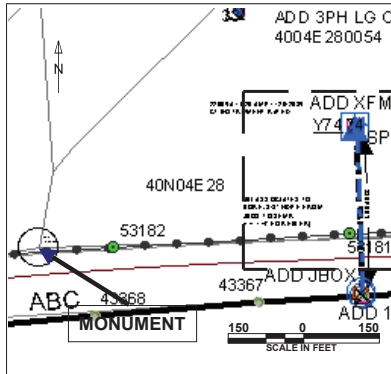
SAN LUIS VALLEY

REC

Page 1 of 2
By and Between SAN LUIS
VALLEY REC and
COLORADO DEPT OF
HIGHWAYS
Initials _____
WO#: 225151

T40N, R4E, Rio Grande County, CO, Section 28: Southwest

Bearing and distances are approximated based
on GPS data gathered and projected into
NAD_1983_StatePlane_Colorado_South_FIPS_0503_Feet



A strip of land 10.00 Feet on either side of a line with a POINT OF BEGINNING in the Southwest Quarter of Section 28, Township 40N, Range 04E which lies N87°17'36.506"E a distance of 641 Feet from LS 23894 monument located at 37°40'46.269"N, 106°32'51.610"W in the Southwest Quarter of Section 28, Township 40N, Range 04E; thence N2°4'0.402"W a distance of 210 Feet to the POINT OF TERMINATION located in the Southwest Quarter of Section 28, Township 40N, Range 04E.

EXHIBIT A

SAN LUIS VALLEY

REC

Page 2 of 2
By and Between SAN LUIS
VALLEY REC and
COLORADO DEPT OF
HIGHWAYS
Initials _____
WO#: 225151

T40N, R4E, Rio Grande County, CO, Section 28: Southwest

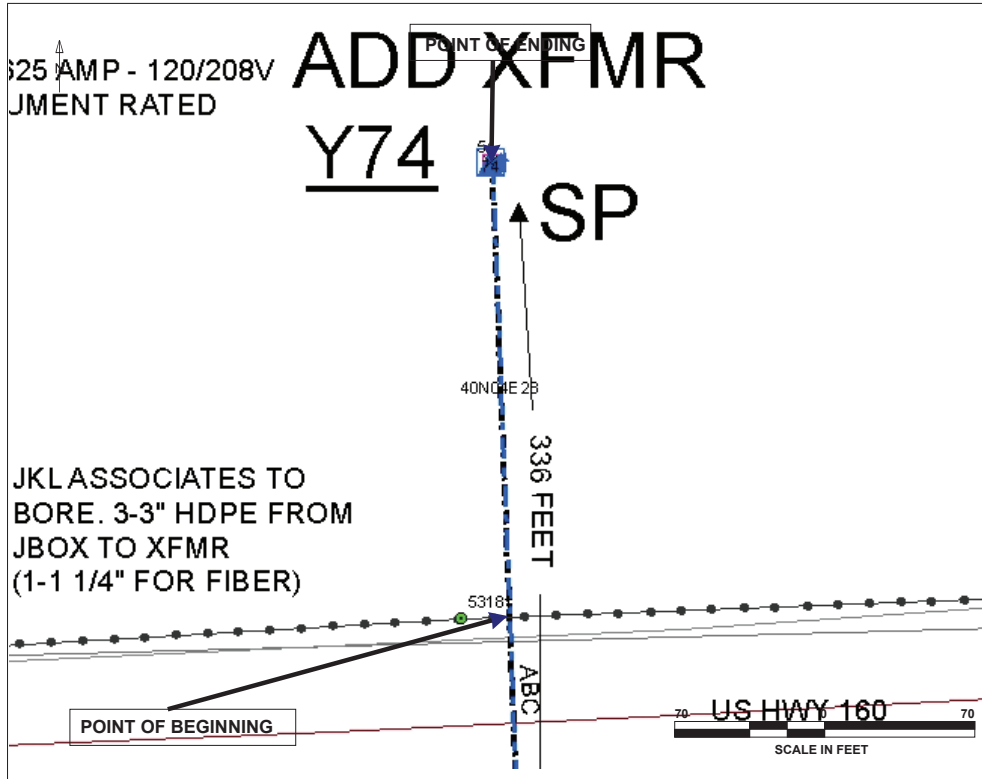


EXHIBIT B

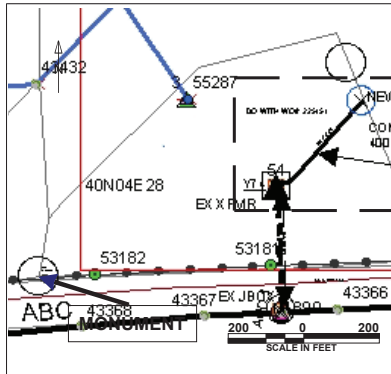
SAN LUIS VALLEY

REC

Page 1 of 2
By and Between SAN LUIS
VALLEY REC and
COLORADO DEPT OF
HIGHWAYS
Initials _____
WO#: 226112

T40N, R4E, Rio Grande County, CO, Section 28: Southwest

Bearing and distances are approximated based
on GPS data gathered and projected into
NAD_1983_StatePlane_Colorado_South_FIPS_0503_Feet



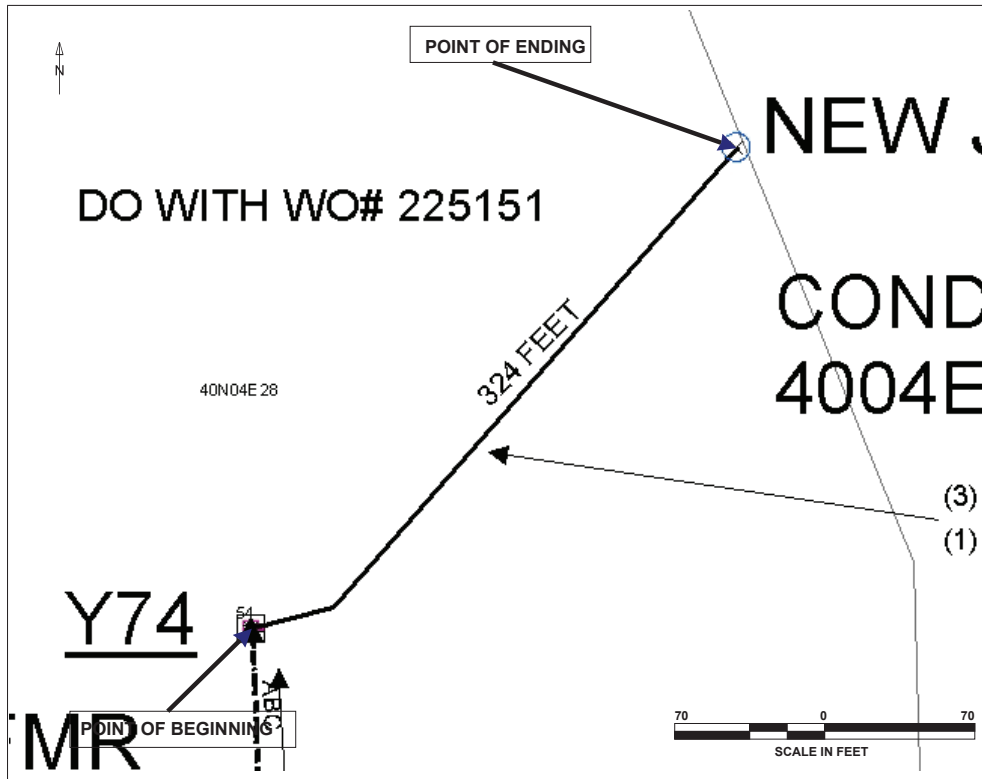
A strip of land 10.00 Feet on either side of a line with a POINT OF BEGINNING in the Southwest Quarter of Section 28, Township 40N, Range 04E which lies N69°12'4.352"E a distance of 677 Feet from LS 23894 monument located at 37°40'46.269"N, 106°32'51.610"W in the Southwest Quarter of Section 28, Township 40N, Range 04E;
thence N75°47'51.835"E a distance of 39 Feet;
thence N41°18'35.515"E a distance of 285 Feet to the POINT OF TERMINATION located in the Southwest Quarter of Section 28, Township 40N, Range 04E.

EXHIBIT B

SAN LUIS VALLEY REC

Page 2 of 2
By and Between SAN LUIS
VALLEY REC and
COLORADO DEPT OF
HIGHWAYS
Initials _____
WO#: 226112

T40N, R4E, Rio Grande County, CO, Section 28: Southwest



MEMORANDUM

DATE: June 16, 2026
TO: Transportation Commission of Colorado
FROM: Tim Bilobran, Region 4 Permits Program Manager

SUBJECT: Access Appeal of Permit #426062, appeals by Wishco 1 LLC and Ouro Loveland LLC regarding shared accesses on US Highway 34A

Purpose

The purpose of this memorandum is to summarize and inform the Transportation Commission of two Access Permit Appeals in Region 4 regarding the proposed closure of a shared access on US Highway 34A, also known as E. Eisenhower Boulevard, (US 34) in Loveland, Colorado, and the 138 appeal process outlined in the State Highway Access Code (2 CCR 601-1, 2.9).

Action Requested

Region 4 recently received an appeal of a Form 138 permit on US 34. The fee owner Wishco 1 LLC and the easement holder Ouru Loveland LLC have both objected to this 138 permit. In accordance with the Colorado State Highway Access Code (Access Code), the landowner has requested an administrative hearing before the Transportation Commission (TC). Both appeals also reference the Internal Administrative Review Committee process set forth in 2 CCR 601-1, 2.10; however, that process is not available for Form 138 appeals which arise out of Section 2.6(7) of the Access Code..

Pursuant to C.R.S. § 43-2-147(6)(c), the Transportation Commission will make the determination if the appeal will be heard by the Transportation Commission, or referred to the Department of Administration, Division of Administrative Appeals where it would be heard by an Administrative Law Judge. CDOT staff request that the appeals be heard by the Department of Personnel and Administration, Office of Administrative Courts. Although received as separate appeals, CDOT staff request that the two appeals be consolidated into one matter to be heard in the Office of Administrative Courts, as both concern the proposed closure of a shared access to US 34 and raise the same or related issues to be addressed in the appeal, and will therefore are expected to include the same witnesses and evidence.

Background

CDOT controls highway access through the Access Code, 2 CCR 601-1 (2002). On March 26th, 2026, the City of Loveland requested CDOT close the eastern access into the circular drive serving both a Conoco Gas Station (Wishco 1 LLC) and a Best Western hotel (Ouru Loveland LLC). Loveland requested this closure for two reasons: to improve the safety and operational efficiency of US 34 as it meets the southbound I-25 on-ramp and as a required condition of a 2026 Loveland-sponsored Access Control Plan amendment allowing for an additional right in / right out access into an upcoming King Soopers anchored development on the south side of the US 34. Region 4 concurred with Loveland's request that this access closure improves the safety and operations on US 34 and is in accordance with CDOT values and strategic goals. On April 20th, 2026 Region 4 issued the 138 permit to these landowners, allowing Loveland to close the access point in question with a planned Loveland 2027 project.

CDOT received the appeals from landowner Wishco 1 LLC on May 19th, and from easement holder Ouro Loveland LLC on May 20th.

Next Steps

Staff recommends to the Transportation Commission that it delegate the appeals to the Department of Administration, Division of Administrative Appeals for a consolidated hearing. As set forth in C.R.S. § 43-1-147(6)(c), if the hearing is held before the Transportation Commission, the Transportation Commission is required to conduct the proceedings and the hearing in accordance with the same rules, regulations and procedures set forth in Article 4 of Title 24 of C.R.S., that apply to administrative court proceedings. Because of the time sensitivity of the current situation, the legal issues involved, and the nature of the dispute regarding the permit denial, staff believe that referral of the appeals as a consolidated action to the Department of Administration, Division of Administrative Appeals will provide the most efficient and effective appeal process for all parties involved

Attachments

- Appendix A: 138 Permit #426062
- Appendix B: Wishco 1, LLC Appeal
- Appendix C: Ouro Loveland LLC Appeal
- Appendix D: City of Loveland Formal Request
- Appendix E: Location Map depicting current accesses and proposed closures



Appendix A

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT				CDOT Permit No. 426062
				State Highway/MP/Side 034A / 96.070 / Right
				Local Jurisdiction CDOT
Project Number City of Loveland Project	Parcel Reference	Station Reference	Region / Section / Patrol / Name 4 / 01 / 04	Date of Transmittal 04/20/2026
Issuing Authority CDOT				Reference Number: REF-160426-207305
Property Owner: Wishco 1 LLC 1045 Linden Gate Court Fort Collins, 80524				
Notification to the Property Owner: In accordance with the State Highway Access Code and in the course of the reconstruction of State Highway 034A , it is necessary to close your existing access to the State Highway in the interests of the public health, safety and welfare; and to bring it into conformance, to the extent feasible, with the State Highway Access Code. Such closure is necessitated by changes in road or traffic conditions. You shall be provided with access to Highway 034A Mile Marker 96.07 at the expense of the Department of Transportation at the location(s) noted under special condition one (1), for the purpose of obtaining access for the use(s) noted under special condition number two (2). Any additional restrictions in the use of the access are noted under special condition three (3). The access shall be used in accordance with the state highway access statute, the State Highway Access Code, the terms and conditions of this permit including those on page 2 of this form and those special conditions as follows:				
Special Conditions: 1. This access known as #360 in the Hwy 34 Access Control Plan will be closed with sufficient curbing per the City of Loveland's request stamped Exhibit A to facilitate safer ingress movements onto neighboring I-25. Asphalt aprons will be removed. See City request letter as Exhibit A and Vicinity Map as Exhibit B. The City's construction project will complete by April 20 th , 2029. 2. Access into the Conoco and Best Western businesses will be obtained from the western access point known as 359.5 on the Access Control Plan.				
You are invited to submit any written data, views, arguments and objections in regards to this action. You may also request a hearing. Should you choose to object to this permit or any of the terms and conditions of this permit or request a hearing on such objection, you must do so in writing on or before May 20 th , 2026. If you have any questions regarding this permit, please contact Tim Bilobran at (970) 350-2163. If you wish to submit anything in writing, please mail it to the following person and address:				
Tim Bilobran CDOT Region 4 Traffic Section 10601 W. 10 th Street Greeley, CO 80634,				

MUNICIPAL OR COUNTY APPROVAL

By (x) NOT APPLICABLE	Title	Date (of issue)
---------------------------------	-------	-----------------

STATE OF COLORADO, DEPARTMENT OF TRANSPORTATION

By (x)	Title Permits Manager	Date (of issue) April 20 th , 2026
-----------	--------------------------	--

Required Copies:

- 1. Region Access Unit
- 2. Applicant
- 3. Staff Access Section

Make copies as necessary for:

- Local Authority
- Region ROW
- Resident Engineer
- Traffic Engineer

Previous Editions are obsolete and may not be used

Appendix A

STATE HIGHWAY ACCESS PERMIT FORM 138 (PAGE TWO)

The following paragraphs are additional terms and conditions of this permit. These are provided for your convenience but do not alleviate compliance with all sections of the State Highway Access Code (Access Code). A copy of the Access Code is available from the Colorado Department of Transportation (Department) at the address noted on page one this permit. When this permit was issued, the Department made its decision based in part on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, current use of the access, and safety and design standards.

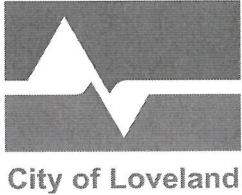
I. OBJECTIONS AND REQUEST FOR A HEARING

1. The permittee may file an objection to the Department's action described herein and request a hearing on such objection. The objection and request for hearing must be received by the Department on or before the date noted on the front of this permit. The objection must include all written data, views and arguments related to the Department's action. The objection and request for hearing must be submitted in writing. If the objection does **not** include a request for a hearing, a hearing will **not** be scheduled. The Department will consider the information provided and respond to the submittal.
2. If a hearing is requested, it will be heard by: (i) the Transportation Commission, (ii) an administrative law judge, or (iii) a district court judge in the county in which the access is located. The Department shall determine the tribunal for the hearing.
3. If no objections and request for hearing are received in the time allowed, the Department will proceed with the access modifications and the Department or local authority may record the permit with the County Clerk and Recorder

II. FURTHER INFORMATION

1. This permit is issued based upon current conditions and knowledge. If there are future changes in the use of the access after the issuance of this permit, the access permit-issuing authority must be notified of the change. A change in property use which makes the existing access design or use in non-conformance with the Access Code or the terms and conditions of the permit, may require the reconstruction or relocation of the access. Upon notice that there has been or will be a change in use of the access, the issuing authority will review the original permit; it may decide it is adequate or it may require that the permittee apply for a new permit, which may require reconstruction or relocation of the access.
2. All terms and conditions of the permit are binding upon all assigns, successors-in-interest and heirs. Over time, the responsibilities of the permittee and conditions represented herein may change due to changes in the state legislation and regulations.
3. When a permitted driveway is used in violation of the Access Code or the terms and conditions of the permit, the local government or Department may obtain a court order to halt the violation and or revoke the access permit.
4. The permittee, his heirs, successors-in-interest, and assigns, of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. The Department will maintain the highway drainage system in unincorporated areas, including those culverts under the access which are part of that system within the right-of-way.
5. The issue date of the permit is the date the Department representative has signed the permit.
6. Parking on State Highway right-of-way is prohibited except where posted.

Note: "Act" means the highway access statute, section 43-2-147, Colorado Revised Statutes.
"Access Code", or "Code" means the State Highway Access Code, 2 CCR 601-1, as adopted and amended by the Transportation Commission of Colorado.
"Department" means the Department of Transportation, State of Colorado.



Subject: CDOT US34 - 138 Construction Permit Request

March 26, 2026

Dear Mr. Bilobran,

The City of Loveland, Public Works Engineering Division is requesting a 138 Construction Permit to permanently close access 357, 359, and 360 shown on the attached CDOT US34 Access Control Plan. Access 359.5 is proposed to be reconstructed as a conditional, shared right-in/right out to serve the existing Conoco fueling station and Best Western Hotel businesses. This request is directly associated with the proposed Schmer development and a recent approval by CDOT for an Access Control Plan amendment which permits a new right-in/right-out access on US34 located approximately 1000 feet East of Rocky Mountain Avenue.

The intent of this work is to construct US34 improvements that comply with the amended US34 Access Control Plan, which the City has determined will support the safe and efficient operation of US34.

Respectfully,

Matt Ruder, P.E., PTOE
Interim City Engineer
City Traffic Engineer

ACCESS PERMIT

426062

EXHIBIT "A"

ACCESS PERMIT

#430062

EXHIBIT "B"

County Rd 7

United States Highway 34

United States Highway 34



Legend

- Access Point Info**
 - Close Existing Access Point
 - Signalized Full-Movement (Existing)
 - Full-Movement with Potential for Signalization (When Warranted)
 - Unsignalized Full-Movement (Maintain Existing)
 - Unsignalized Full-Movement (Proposed)
- Movements**
 - 3/4 Movement (Convert/Maintain Existing)
 - 3/4 Movement (Proposed)
 - Right-in/Right-out (Convert/Maintain Existing)
 - Right-in/Right-out (Proposed)
 - Left-in/Right-out (Convert Existing)
 - Left-in/Right-out (Proposed)
- Right-of-Way**
 - Right-in only (Convert/Maintain Existing)
 - Right-in only (Proposed)
 - Right-out only (Convert Existing)
- Cross Access**
 - Proposed Cross Access
 - Existing Cross Access
 - Parcel Lines
 - Future Potential Roadway
- Other**
 - "C" Conditional Access
 - "D" Ditch Access
 - "E" Emergency Access
 - "M" Major Intersector

Appendix B



PRESCOTT, RODRIGUEZ, OSTRANDER,
WALLSHEIN & TAYLOR, P.C.
ATTORNEYS & COUNSELORS

Richard F. Rodriguez
Shareholder
(Englewood Office)

188 Inverness Dr. West, Suite 430, Englewood, CO 80112
Parker Office: 19590 E. Mainstreet, Suite 107, Parker, CO 80138
rrodriguez@prowtlaw.com
www.prowtlaw.com

May 19, 2026

Tim Bilobran
CDOT Region 4 Traffic Section
10601 W. 10th Street
Greeley, CO 80634
(timothy.bilobran@state.co.us)
VIA FEDERAL EXPRESS AND EMAIL

Transportation Commission of Colorado
4201 East Arkansas Avenue
Denver, Colorado 80222-3400
VIA FEDERAL EXPRESS

RE: Objection/Appeal to Issuance of CDOT Construction Permit No. 426062

Dear Sir(s) or Madam(s):

On behalf of Wishco 1, LLC (the “Appellant”), I write to formally object to CDOT’s issuance of State Highway Access Permit No. 426062 (the “Construction Access Permit”). As part of this objection, the Appellant requests a hearing.

I. Background.

Appellant owns approximately $\frac{3}{4}$ of an acre of property in the vicinity of State Highway 034A (“US34”) and I-25 in unincorporated Weld County (the “Property”). Appellant uses the Property to operate a gas convenience store.

Historically, the Property has had ingress and egress at three specific access points. The first access point is known as #359, the second access point is known as #359.5, and the third access point is known as #360 (collectively, the “Existing Access Points”). An illustrative depiction of the Existing Access Points is attached as **Exhibit 1**.

Also historically, Appellant has shared access point #359 with its neighbor to the west and shared access point #360 with its neighbor to the east, the Best Western Motel, owned by Ouro Loveland, LLC. Over the years, the above shared access points have provided the various property owners reasonable access to their properties and, as far as I understand, have never caused any unsafe conditions to US34.

Appendix B

May 19, 2026

Page 2

On or about January 23, 2026, the City of Loveland requested CDOT amend its US24 Access Control Plan (“ACP”) to allow for a new access point (to the west of the Property) (the “Application”) to serve a proposed Schmer/King Soopers Development (the “Adjacent Development”). A copy of the Loveland’s request is attached as **Exhibit 2**.

As part of its Application, Loveland proposed the closure of the first access point (#359) and the third access point (#360).¹ As to the second access point (#359.5), Loveland requested that access point be converted to a “conditional” access point designed to serve Appellant’s and Best Western’s properties. Loveland proposed the “conditional” access point be closed “with any future redevelopment or changes of use associated with the Conoco and Best Western hotel sites, further consolidating all access to one shared location on US34.”

While the Application indicated it was including a traffic impact study to support the request, as far as I understand, no traffic study was submitted or considered by CDOT as part of the Application. As far as I know, the Application’s sole attachments included a conceptual sketch drawing of the Adjacent Development and a map that identifies the Property generally and the Existing Access Points, among other information.²

Finally, Loveland states if the Application was approved, “final details of the engineering design of US34 and the proposed access will be coordinated, reviewed, and approved by CDOT prior to the final approval of any civil construction plans and the issuance of any required CDOT Access Permits. As explained elsewhere, as far as I know, no civil construction plans for improvements to US34 were provided by Loveland to CDOT before CDOT issued the “required” Construction Access Permit (and none have been provided since).

On March 10, 2026, CDOT advised certain “US34 Loveland ACP Committee Members” of the Application’s formal acceptance of the Application (the “Advisement Letter”). A copy of the Advisement Letter is attached as **Exhibit 3**.

In the Advisement Letter, CDOT explains a new right in/right out (“RIRO”) restricted access point will be added to the south side of US34, approximately 1,000 feet east of Rocky Mountain Avenue. CDOT further explains access points #359 and #360 will be closed “to mitigate safety and operation concerns related to the new RIRO location.” CDOT further explains that access point #359.5 will remain as a “shared” access to serve Appellant’s and Best Western’s properties, but notes “[t]his access is proposed for closure upon any future redevelopment or significant change of use for those specific sites.”

Also in the Advisement Letter, CDOT notes Loveland and the development group are engaged with the affected parcel owners but, if a private agreement is not reached, CDOT will issue a construction access permit to those businesses. “This will allow the City of Loveland to

¹ The Application also proposed closure of another existing access point #357 that lies west of the Existing Access Points.

² If Loveland submitted a traffic impact study with the Application, it never provided a copy to the Appellant.

Appendix B

May 19, 2026

Page 3

close the access points during their next Highway 34 corridor construction project, while preserving the property owners' rights to appeal through the appropriate judicial body."³

As far as I understand, Loveland has no current engineering plans to construct improvements or alterations to US34. In fact, Loveland apparently does not even have any conceptual or preliminary drawings for a US34 improvement project in the immediate vicinity of the Property. As best as I can tell, Loveland merely has an idea for a construction project in the future, but according to the Construction Access Permit, that project is not anticipated to be completed until April 20, 2029.⁴

On March 11, 2026, Loveland sent a letter to the Appellant noting its prior submittal of the Application to CDOT (the "Notification Letter"). A copy of the Notification Letter is attached as **Exhibit 4**.

In the Notification Letter, Loveland advises that it, CDOT, and the owner of the Adjacent Development "considered and evaluated" multiple access configurations. Loveland nowhere explains precisely what specific multiple access configurations were "considered and evaluated." Loveland nevertheless elaborated that [e]ach option that was evaluated presented its own unique challenges and concerns related to highway safety, operation, business access and on-site circulation." Loveland also nowhere explains what specific "unique challenges and concerns" existed and further failed to explain how such "challenges and concerns" could not be accommodated, or how they interfered with highway safety, operation, business access, or on-site circulation.

On March 26, 2026, Loveland submitted to CDOT a "138 construction permit request" (the "Construction Permit Request") A copy of the Construction Permit Request is attached as **Exhibit 5**.

In the Permit Request, Loveland requests CDOT issue a permit to "permanently close" access points #359 and #360 of the Existing Access Points and to allow a new "reconstructed" conditional access point #359.5. Loveland notes the request is directly associated with the Adjacent Development and CDOT's recent approval for an Access Control Plan amendment to permit the new RIRO access point on the Adjacent Development property. As far as I can tell, Loveland did not submit any engineering or construction plans for any proposed improvements to US34 as part of its Construction Permit Request.

On April 20, 2026, CDOT issued to Loveland the Construction Access Permit. A copy of the Construction Access Permit is attached as **Exhibit 6**. In the Permit's notification to the

³ Finally, the Advisement Letter notes the "Scher development is required to construct a new roadway connection to the south edge of the Best Western property to provide cross-lot connectivity to the new RIRO access and future Rocky Mountain Avenue."

⁴ If Loveland has obtained engineering drawings for any current or proposed US34 project in the immediate vicinity of the Property, it has not shared them with the Appellant.

Appendix B

May 19, 2026

Page 4

Appellant, CDOT states the Permit is being issued “[i]n accordance with the State Highway Code and in the course of the reconstruction of State Highway 034A, it is necessary to close your existing access to the State Highway in the interests of the public health, safety, and welfare; and to bring it into conformance, to the extent feasible, with the State Highway Access Code. Such closure is necessity by in road or traffic conditions.” Notably, CDOT cites no specific State Highway Access Code provision and provides no explanation as to the specific Code provisions CDOT considered or evaluated as part of its determination to approve and issue the Construction Access Permit.

This appeal followed.

II. Objections.

Appellant objects to issuance of the Construction Access Permit for several reasons.⁵

First, while the Construction Access Permit states closure of the above access points is “necessitated by changes in road or traffic conditions,” CDOT nowhere explains the specific roadway changes or traffic conditions that necessitate the change or how and why the closure is consistent with or warranted under any particular State Highway Code provisions. As noted above, there apparently has been no traffic study submitted to justify closure of several of the Existing Access Points. And, as noted above, there are currently no roadway improvement project on US34 in the immediate vicinity, no current engineering or construction drawings showing any future proposed road changes, and any improvements to US34 in the vicinity apparently are expected to occur sometime in 2029. Thus, the very premises and rationale upon which CDOT purports to justify and explain its issuance of the Construction Access Permit are unfounded.

Second, closure of several of the Existing Access Points will have a severe negative impact upon the Property.⁶ As noted above, Appellant needs to maintain its Existing Access Points to ensure the Property can continue to be feasibly and reasonably used as a gas convenience store. As CDOT is, or should be aware, access and on-site circulation for a gas

⁵ Appellant’s objections stated in this letter are not intended to be exhaustive or inclusive of all objections Appellant intends to raise related to CDOT’s issuance of the Construction Access Permit. The objections stated in this letter are based on Appellant’s current knowledge, information, or belief. As noted above, it appears numerous information or documents were never submitted by Loveland as part of its application(s) (or, at a minimum, such information and documentation was never provided to Appellant and has not been provided to the Appellant to date). Appellant reserves the right to consider and present any additional information and documentation discovered or obtained during the course of the appeal to support any of the objections stated in this letter (or to raise additional objections). Nothing in this letter shall be construed by CDOT as a waiver or admission by, or limitation upon, Appellant, as to any of Appellant’s objections, rights, or positions that it may wish to take on this matter in any future proceeding or action.

⁶ I understand Best Western also maintains the Construction Access Permit will have a severe negative impact on its property and that Best Western also will appeal, or has appealed, CDOT’S issuance of the Construction Access Permit.

Appendix B

May 19, 2026

Page 5

convenience store is critical, especially on a smaller site such as the Property, and particularly on a property where there are existing shared access points, and proposed future shared access points.

Based on the limited information that Appellant has been provided to date, it appears CDOT failed to fully and appropriately consider and evaluate the impacts that will likely result from the approved closures and changes to the Existing Access Points. For example, I understand that, during the process a conceptual “traffic circulation study” was prepared that purported to show future access and internal circulation on the Property and adjacent US34. A copy of the “traffic circulation study” is attached as **Exhibit 7**.

As shown on the traffic circulation study, large-semi trucks necessary to deliver fuel to the Property are unable to do so under CDOT’s approved change in access under the Construction Access Permit. As the study plainly shows, trucks entering the Property apparently have to cross over into Best Western’s parking lot to make certain maneuvers. The drawing also shows certain trucks leaving the Property to the south over Best Western’s property. The drawings also shows trucks exiting the sole remaining shared access point have to veer off in a direction against oncoming traffic and then loop across several lanes of traffic to travel in the appropriate direction.

The traffic circulation study on its face shows internal circulation on the Property is not possible for large-semi trucks (and unsafe). It also shows Appellant must use Best Western’s property at several locations, which Appellant has no legal right to do. Additionally, the traffic circulation study (and the Construction Access Permit) nowhere acknowledge the other resulting impacts to the Property’s access or on site circulation. For instance, CDOT apparently gave no or little consideration of likely vehicle stacking on the Property, no analysis, consideration, or explanation how internal vehicular movements will be coordinated or managed, and no analysis, consideration, or explanation how the shared access with Best Western⁷ will be coordinated or managed, and other similar issues.

Third, without any explanation, CDOT approved making access point #359.5 a “conditional” access point only. According to the Construction Access Permit, that access point goes away if Appellant or Best Western make any changes to the uses of their properties. If the Construction Permit stands, however, the Property likely will no longer be able to be used as gas convenience store. Instead, the Property will have to be converted to some different use. Because access point #359.5 is a “conditional” access point only, if Appellant is required to change its use of the Property, access point #359.5 will be closed, and Appellant will be left with a Property that is landlocked.

As CDOT knows, or should know, the government’s police power or other power to control or change a property owner’s access to public highways does not allow the government leave private property landlocked. See also *Boxberger v. State Hwy Comm’n*, 251 P.2d 920

⁷ Historically, Appellant and Best Western have shared access point #360, not access points #359 and #359.5.

Appendix B

May 19, 2026

Page 6

(Colo. 1920) (landowner entitled to diminution in market value of property caused by total loss of access to state highway). Even if the Property was not landlocked as a result of issuance of the Construction Access Permit, the proposed access point closures are still unreasonable and unacceptable. A landowner whose property abuts a street or state highway has the right to reasonable access to and from the property. See, e.g., State Dep't of Hwys v. Davis, 626 P.2d 661, 663 (Colo. 1981). Where a limitation or loss of access substantially interferes with the landowner's means of ingress and egress to his or her property, the landowner is entitled to compensation. Id. at 664 (“[w]hile property may be regulated to a certain extent, if regulation goes too far, it will be recognized as a taking.”); accord Troiano v. Colorado Dep't of Hwys, 463 P.2d 448, 491 (Colo. 1969).

By issuing the Construction Access Permit, CDOT and Loveland have, at best, substantially interfered with Appellant's reasonable means of ingress and egress to the Property. At worst, CDOT and Loveland have left the Property landlocked. Either way, if the Construction Access Permit stands, CDOT and Loveland must compensate Appellant for taking or damaging its property rights.

III. Request for Hearing and Alternate Procedure.

Appellant requests CDOT set this matter for a hearing at a date, time, and location convenient to all interested parties. Appellant also requests CDOT confer with Appellant requiring the appropriate tribunal for the hearing in advance of selecting the tribunal and scheduling it for hearing.

Additionally, subject to my understandings identified below, Appellant conditionally requests Internal Administrative Committee review of CDOT's issuance of the Construction Access Permit. Under the State Highway Access Code, I understand Appellant may request the Committee's review of Mr. Bilobran's decision. Section 2.10 of the Code. I understand the purpose of the Committee is to review Mr. Bilobran's decision to help ensure uniform administration of the Code and to seek resolution of disagreements as an optional alternative to conducting a formal administrative hearing. Section 2.10(1) of the Code.

I also understand that internal Committee review is considered “optional” and that such review is not in lieu of the formal administrative hearing. Section 2.9(3) of the Code. Rather, the Committee review is scheduled first to see if the matter can be resolved simply upon the Committee's determination. Id. (“The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.”). If the Appellant is unhappy with the Committee's determination, the matter is then scheduled for the requested hearing. Id. (“When such committee review is requested, processing of the appeal for formal administrative hearing . . . shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing...”).

If CDOT's position is the Internal Administrative Committee review, once requested, replaces or limits the requested formal administrative hearing, then the Appellant withdraws its

Appendix B

May 19, 2026

Page 7

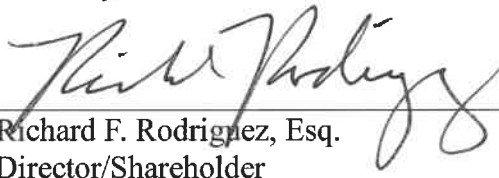
request for Internal Administrative Committee review and elects to proceed to the formal administrative hearing.

IV. Conclusion and Reservation of Rights.

For the above reasons, after hearing, the Appellant requests CDOT reconsider its issuance of the Construction Access Permit and, after reconsideration, deny the Permit. In the alternative, Appellant requests CDOT modify the Construction Access Permit's terms and conditions to ensure the Appellant maintains reasonable means of ingress and egress to its Property and the Appellant is otherwise fully compensated for any and all damage caused to or loss of its property rights.

I look forward to hearing back from you as to the next steps.

Sincerely,



Richard F. Rodriguez, Esq.
Director/Shareholder

cc: Client





Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject – CDOT US34 Access Control Plan Amendment Request - Schmer

Dear Mr. Bilobran,

The City of Loveland is requesting an amendment to the US34 Access Control Plan (ACP) to add a new right-in/right-out restricted access on the South side of US34, approximately 1000 feet East of Rocky Mountain Avenue, to serve the proposed Schmer/King Soopers development as shown on the attached Exhibit A. This request also includes the proposed closure of existing accesses 357, 359 and 360 as identified in the current ACP and as shown in Exhibit B attached to this letter. The City proposes that access 359.5 remains as a conditionally permitted right-in/right-out access to serve the existing Conoco fueling station and Best Western Hotel.

As part of this request, the City will also require the Schmer development to design and construct a new roadway connection to the South edge of the Best Western Hotel property that will provide cross lot access and connectivity through the Schmer development to the new, future right-in/right-out access on US34 and future Rocky Mountain Avenue South of US34. A Traffic Impact Study (TIS) has been prepared providing analysis to support this request and is also included with this letter.

The City views this request for the right-in/right-out access in the proposed location as being beneficial toward mitigating the projected short and long range impacts at the intersection of US34/Rocky Mountain Avenue without compromising the safety and operation of US34. Conditional access 359.5 is proposed to be closed with any future redevelopment or changes of use associated with the Conoco and Best Western hotel sites, further consolidating all access to one shared location on US34.

If this ACP amendment request is approved, final details for the engineering design of US34 and the proposed access will be coordinated, reviewed and approved by CDOT prior to the final approval of any civil construction plans and the issuance of any required CDOT Access Permits.

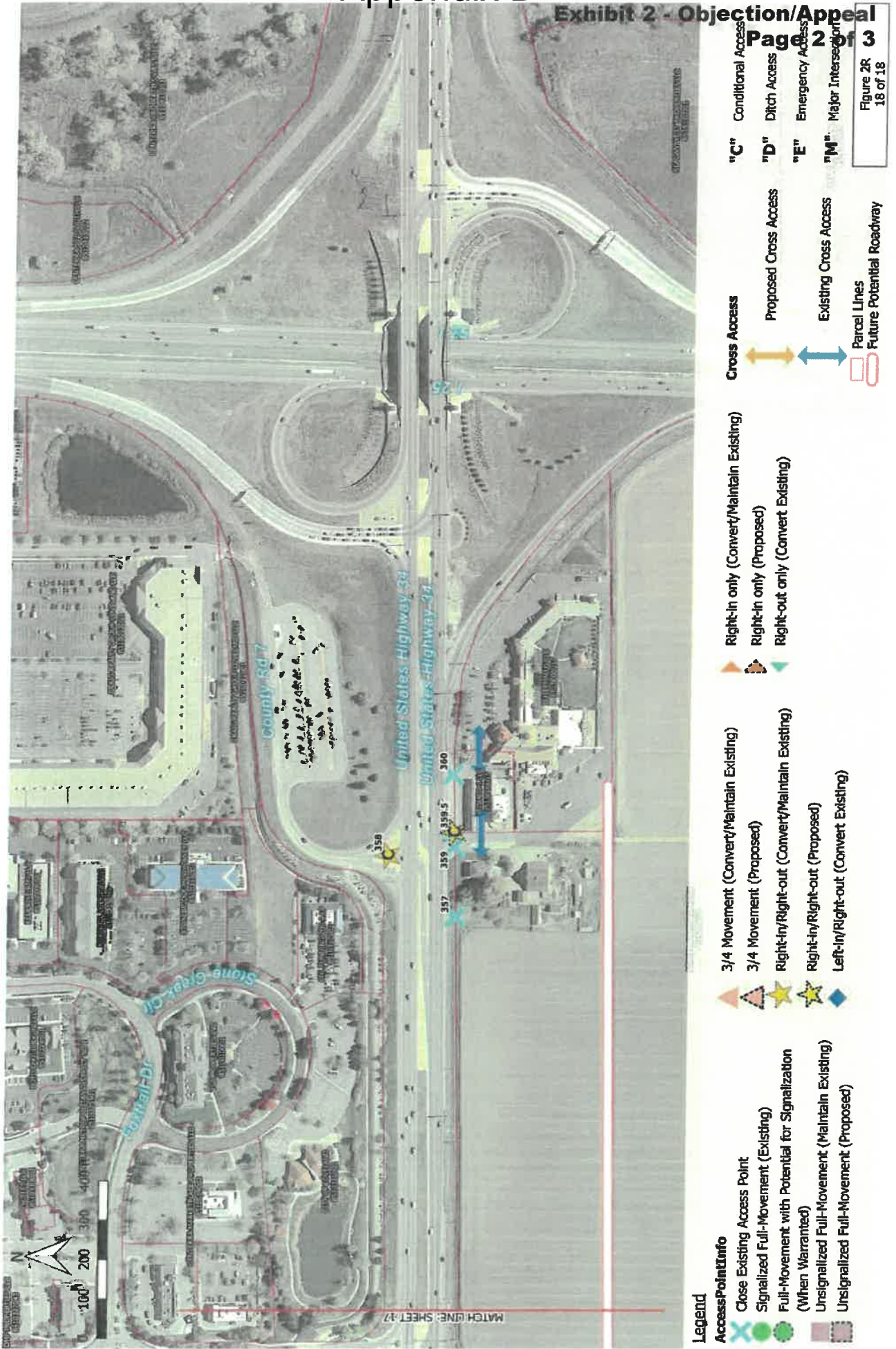
Please let me know if you need any additional information for your consideration.

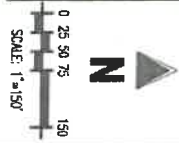
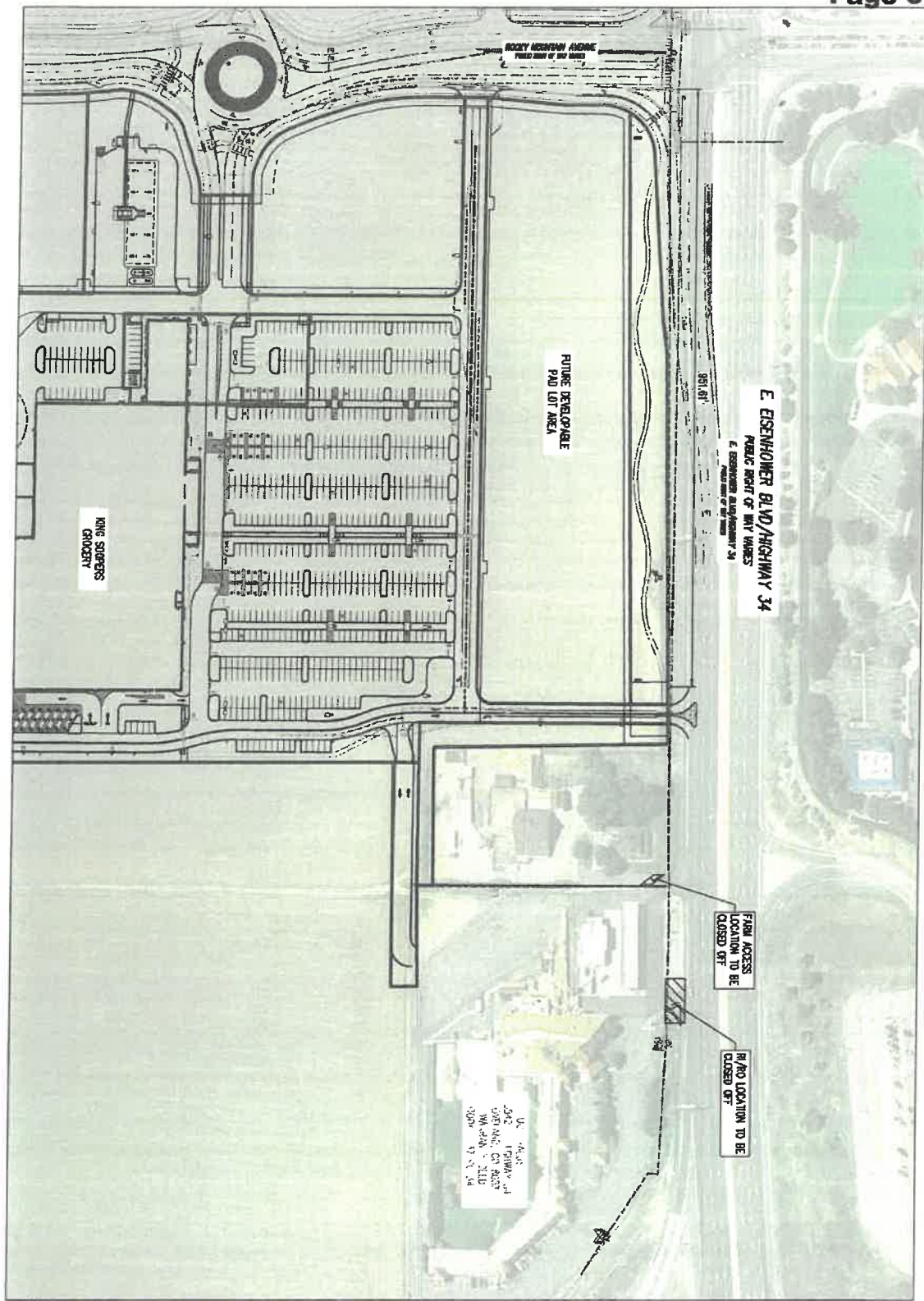
Respectfully,



Randy Maizland
Civil Engineer II
Public Works Department
Transportation Development Review
410 E. 5th Street
Loveland, CO 80537
Office: 970-962-2618

Appendix B





SCHMER FARM MARKETPLACE
ACCESS EXHIBIT FOR R/O WEST OF THE FARM
INTERSTATE 25 AND HWY 34
LOVELAND, COLORADO

Project No:	EDH00089
Drawn By:	JDM
Checked By:	TDK
Date:	11/19/2025

Galloway
590 Greenwood Plaza Blvd., Suite 200
Greenwood Village, CO 80111
303.770.7404
galloway.com



COLORADO

Department of Transportation

Region 4
Region 4 Permits
10601 West 10th Street
Greeley, CO 80634

March 10, 2026

RE: U.S. 34 Access Control Plan (ACP) Amendment Request Acceptance - Schmer Farms

Dear US 34 Loveland ACP Committee Members,

The Colorado Department of Transportation (CDOT) is pleased to announce that the amendment proposal for a new access point on US 34 to serve the Schmer Farms development has been formally accepted. This amendment, requested by the City of Loveland, modifies the current Access Control Plan to facilitate the following changes:

- **New Access Point:** A new right-in/right-out (RIRO) restricted access will be added on the south side of US 34, located approximately 1,000 feet east of Rocky Mountain Avenue.
- **Access Consolidations:** Existing accesses #357 and #360 will be closed as part of this project. Access #359 will also be eliminated to mitigate safety and operational concerns related to the new RIRO location. See map labeled "Exhibit A"
- **Conditional Access 359.5:** Access #359.5 will remain as a single, shared RIRO conditionally permitted access to serve the existing Conoco fueling station and Best Western Hotel. This access is proposed for closure upon any future redevelopment or significant change of use for those specific sites.
- **Highway Improvements:** The City of Loveland will design and construct all associated improvements on US 34, including a third eastbound travel lane and required acceleration/deceleration lanes.

Coordination and Compliance

The City of Loveland and the development group are currently engaged in discussions with the affected parcel owners (Conoco and Best Western). If a private agreement is not reached, Region 4 Traffic will issue a 138 Construction Access Permit to those businesses. This will allow the City of Loveland to close the access points during their next Highway 34 corridor construction project, while preserving the property owners' rights to appeal through the appropriate judicial body.

Furthermore, the Schmer development is required to construct a new roadway connection to the south edge of the Best Western property to provide cross-lot connectivity to the new RIRO access and future Rocky Mountain Avenue.

The official amendment packet and voting record will be maintained by the Region 4 Permits Unit. Final engineering designs for the proposed access must be reviewed and approved by CDOT prior to the issuance of any required Notice to Proceed with Constructions for the Highway 34 improvements.

Sincerely,

Tim Bilobran
CDOT Region 4 Permits Manager
Copy: US 34 ACP Voting Members CDOT HQ Regional Files

copy: CO 34 ACP voting members
Regional Files





Public Works Department

105 W. 5th Street | Loveland, CO 80537

970-962-2524 | TDD: 970-962-2620

publicworksinfo@cityofloveland.org

Subject: CDOT US34 Access Control Plan Amendment

March 11, 2026

Dear Mr. Shaddeau,

The City of Loveland submitted a request to Colorado Department of Transportation (CDOT) to amend the US34 Access Control Plan (ACP) on January 23, 2026. A copy of that request which provides details about the proposed changes to access on CDOT Highway US34. is attached to this letter. The request was unanimously supported by a vote of the US34 ACP stakeholders, and the amendment request was formally approved by CDOT on March 10, 2026. A copy of the CDOT approval letter is also attached.

Through several coordination meetings with you, CDOT and the Schmer/Evergreen development team, multiple access configurations were considered and evaluated. Each option that was evaluated presented its own unique challenges and concerns related to highway safety, operation, business access and on-site circulation. It was ultimately determined by the City and CDOT that the preferred long-term access configuration on US34 is a single shared right-in/right-out access located roughly midway between Rocky Mountain Avenue and the Interstate 25 southbound on-ramp with a single shared right-in/right-out conditional access maintained to serve the Conoco fueling station and Best Western Hotel located as far west of the Interstate 25 southbound on-ramp as reasonably possible.

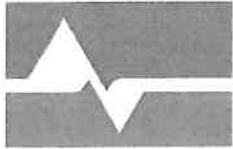
The City understands that this decision may impact your site circulation. We would like an opportunity to meet with you during the US34 widening design and construction process to best meet your needs. The City also welcomes the discussion of other possibilities related to annexation, inclusion into the Schmer Metropolitan District and future utility obligations as well as any long-term redevelopment planning.

Respectfully,

Randy Maizland

Development Review Engineering Manager

(970) 218-5658



City of Loveland

Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject: CDOT US34 - 138 Construction Permit Request

March 26, 2026

Dear Mr. Bilobran,

The City of Loveland, Public Works Engineering Division is requesting a 138 Construction Permit to permanently close access 357, 359, and 360 shown on the attached CDOT US34 Access Control Plan. Access 359.5 is proposed to be reconstructed as a conditional, shared right-in/right out to serve the existing Conoco fueling station and Best Western Hotel businesses. This request is directly associated with the proposed Schmer development and a recent approval by CDOT for an Access Control Plan amendment which permits a new right-in/right-out access on US34 located approximately 1000 feet East of Rocky Mountain Avenue.

The intent of this work is to construct US34 improvements that comply with the amended US34 Access Control Plan, which the City has determined will support the safe and efficient operation of US34.

Respectfully,

A handwritten signature in black ink that reads "Matt Ruder".

Matt Ruder, P.E., PTOE
Interim City Engineer
City Traffic Engineer

ACCESS PERMIT

426062

EXHIBIT "A"

ACCESS PERMIT #426062

EXHIBIT "B"

County Rd 7

United States Highway 34

United States Highway 34

MATCH LINE: SHEET 17



- Legend**
- Access Point Info**
 - Close Existing Access Point
 - Signalized Full-Movement (Existing)
 - Full-Movement with Potential for Signalization (When Warranted)
 - Unsignalized Full-Movement (Maintain Existing)
 - Unsignalized Full-Movement (Proposed)
 - Movement**
 - 3/4 Movement (Convert/Maintain Existing)
 - 3/4 Movement (Proposed)
 - Right-In/Right-out (Convert/Maintain Existing)
 - Right-In/Right-out (Proposed)
 - Left-In/Right-out (Convert Existing)
 - Right-of-Way**
 - Right-in only (Convert/Maintain Existing)
 - Right-in only (Proposed)
 - Right-out only (Convert Existing)
 - Cross Access**
 - Proposed Cross Access
 - Existing Cross Access
 - Parcel Lines
 - Future Potential Roadway
 - Other**
 - "C" Conditional Access
 - "D" Ditch Access
 - "E" Emergency Access
 - "M" Major Intersection

Appendix B Exhibit 6 - Objection/Appeal

Page 1 of 2

COLORADO DEPARTMENT OF TRANSPORTATION				CDOT Permit No. 426062
STATE HIGHWAY ACCESS PERMIT				State Highway/MP/Side 034A / 96.070 / Right
				Local Jurisdiction CDOT
Project Number City of Loveland Project	Parcel Reference	Station Reference	Region / Section / Patrol / Name 4 / 01 / 04	Date of Transmittal 04/20/2026
Issuing Authority CDOT				Reference Number: REF-160426-207305

Property Owner:
 Wishco 1 LLC
 1045 Linden Gate Court
 Fort Collins, 80524

Notification to the Property Owner:
 In accordance with the State Highway Access Code and in the course of the reconstruction of State Highway **034A**, it is necessary to **close** your existing access to the State Highway in the interests of the public health, safety and welfare; and to bring it into conformance, to the extent feasible, with the State Highway Access Code. Such **closure** is necessitated by changes in road or traffic conditions. You shall be provided with access to Highway **034A Mile Marker 96.07** at the expense of the Department of Transportation at the location(s) noted under special condition one (1), for the purpose of obtaining access for the use(s) noted under special condition number two (2). Any additional restrictions in the use of the access are noted under special condition three (3). The access shall be used in accordance with the state highway access statute, the State Highway Access Code, the terms and conditions of this permit including those on page 2 of this form and those special conditions as follows:

- Special Conditions:**
1. This access known as #360 in the Hwy 34 Access Control Plan will be closed with sufficient curbing per the City of Loveland's request stamped Exhibit A to facilitate safer ingress movements onto neighboring I-25. Asphalt aprons will be removed. See City request letter as Exhibit A and Vicinity Map as Exhibit B. The City's construction project will complete by April 20th, 2029.
 2. Access into the Conoco and Best Western businesses will be obtained from the western access point known as 359.5 on the Access Control Plan.

You are invited to submit any written data, views, arguments and objections in regards to this action. You may also request a hearing. Should you choose to object to this permit or any of the terms and conditions of this permit or request a hearing on such objection, you must do so in writing on or before May 20th, 2026. If you have any questions regarding this permit, please contact **Tim Bilobran** at (970) 350-2163. If you wish to submit anything in writing, please mail it to the following person and address:

Tim Bilobran
 CDOT Region 4 Traffic Section
 10601 W. 10th Street
 Greeley, CO 80634,

MUNICIPAL OR COUNTY APPROVAL

By NOT APPLICABLE (x)	Title	Date (of issue)
------------------------------------	-------	-----------------

STATE OF COLORADO, DEPARTMENT OF TRANSPORTATION

By (x)	Title Permits Manager	Date (of issue) April 20 th , 2026
-----------	--------------------------	--

Required Copies: 1. Region Access Unit 2. Applicant
Make copies as necessary for: 3. Staff Access Section Local Authority Resident Engineer Traffic Engineer
Previous Editions are obsolete and may not be used CDOT Form #138 page 1
 12/99, 7/00, 01/03, 12/06, 11/08

STATE HIGHWAY ACCESS PERMIT FORM 138 (PAGE TWO)

The following paragraphs are additional terms and conditions of this permit. These are provided for your convenience but do not alleviate compliance with all sections of the State Highway Access Code (Access Code). A copy of the Access Code is available from the Colorado Department of Transportation (Department) at the address noted on page one this permit. When this permit was issued, the Department made its decision based in part on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, current use of the access, and safety and design standards.

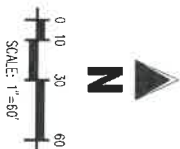
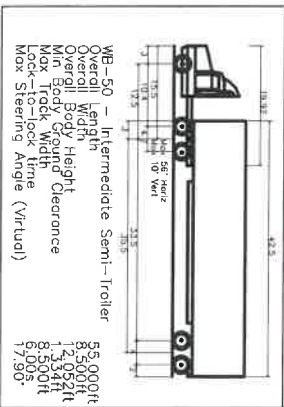
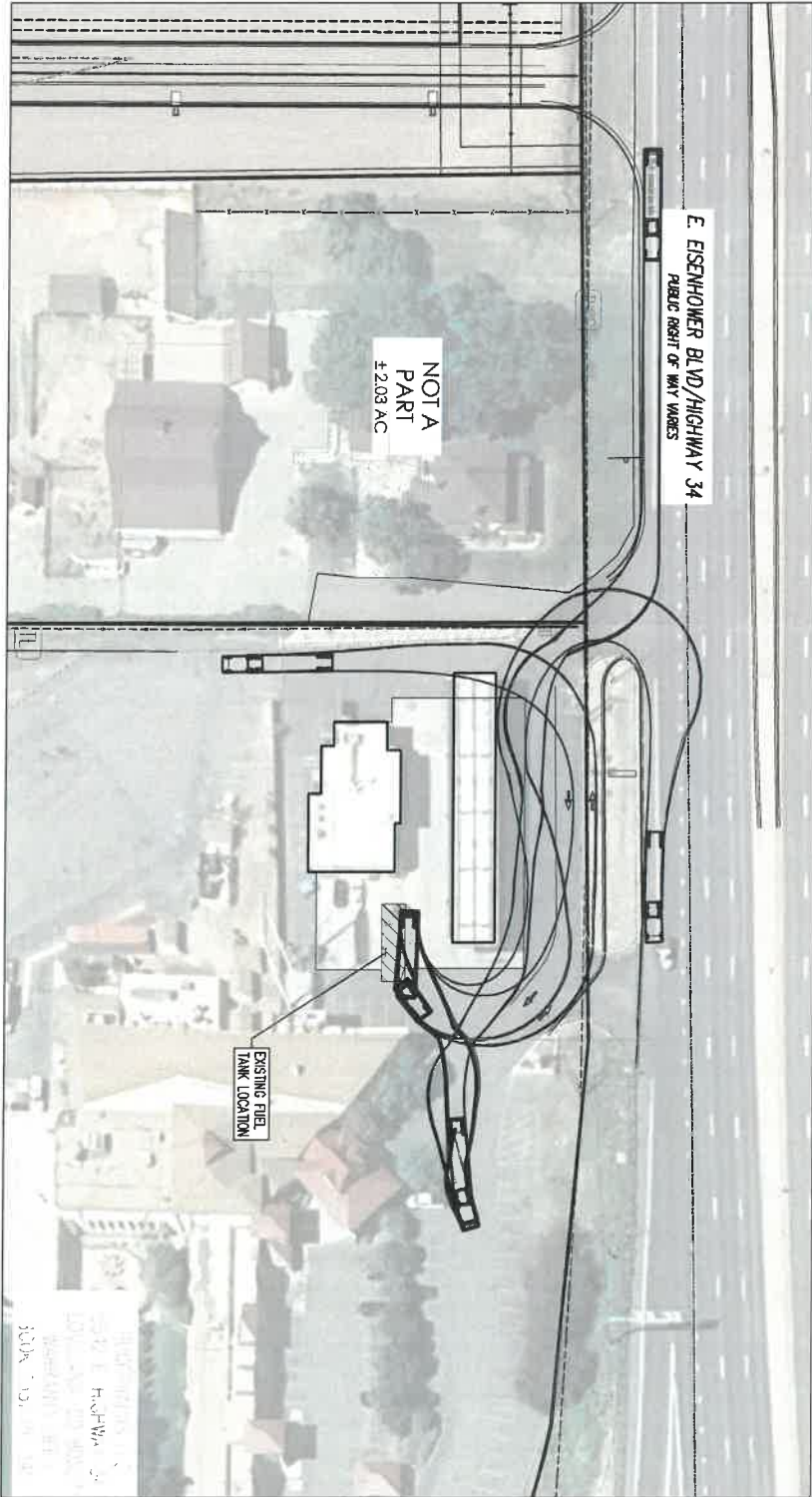
I. OBJECTIONS AND REQUEST FOR A HEARING

1. The permittee may file an objection to the Department's action described herein and request a hearing on such objection. The objection and request for hearing must be received by the Department on or before the date noted on the front of this permit. The objection must include all written data, views and arguments related to the Department's action. The objection and request for hearing must be submitted in writing. If the objection does **not** include a request for a hearing, a hearing will **not** be scheduled. The Department will consider the information provided and respond to the submittal.
2. If a hearing is requested, it will be heard by: (i) the Transportation Commission, (ii) an administrative law judge, or (iii) a district court judge in the county in which the access is located. The Department shall determine the tribunal for the hearing.
3. If no objections and request for hearing are received in the time allowed, the Department will proceed with the access modifications and the Department or local authority may record the permit with the County Clerk and Recorder

II. FURTHER INFORMATION

1. This permit is issued based upon current conditions and knowledge. If there are future changes in the use of the access after the issuance of this permit, the access permit-issuing authority must be notified of the change. A change in property use which makes the existing access design or use in non-conformance with the Access Code or the terms and conditions of the permit, may require the reconstruction or relocation of the access. Upon notice that there has been or will be a change in use of the access, the issuing authority will review the original permit; it may decide it is adequate or it may require that the permittee apply for a new permit, which may require reconstruction or relocation of the access.
2. All terms and conditions of the permit are binding upon all assigns, successors-in-interest and heirs. Over time, the responsibilities of the permittee and conditions represented herein may change due to changes in the state legislation and regulations.
3. When a permitted driveway is used in violation of the Access Code or the terms and conditions of the permit, the local government or Department may obtain a court order to halt the violation and or revoke the access permit.
4. The permittee, his heirs, successors-in-interest, and assigns, of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. The Department will maintain the highway drainage system in unincorporated areas, including those culverts under the access which are part of that system within the right-of-way.
5. The issue date of the permit is the date the Department representative has signed the permit.
6. Parking on State Highway right-of-way is prohibited except where posted.

Note: "Act" means the highway access statute, section 43-2-147, Colorado Revised Statutes.
"Access Code", or "Code" means the State Highway Access Code, 2 CCR 601-1, as adopted and amended by the Transportation Commission of Colorado.
"Department" means the Department of Transportation, State of Colorado.



SCHMER FARM MARKETPLACE
 GAS STATION VEHICLE TURN
 INTERSTATE 25 AND HWY 34
 LOVELAND, COLORADO

Project No:	EDIC00090
Drawn By:	JDM
Checked By:	TDK
Date:	04/23/2026

Galloway
 5500 Greenwood Plaza Blvd., Suite 200
 Greenwood Village, CO 80111
 303.770.8484
 GallowayUS.com

Appendix C



May 20, 2026

Tim Bilobran
CDOT Region 4 Traffic Section
10601 W. 10th Street
Greeley, CO 80634

Transportation Commission of Colorado
c/o Colorado Department of Transportation
2829 W. Howard Pl.
Denver, CO 80204

VIA UPS Express and Email (Timothy.Bilobran@state.co.us and Herman.Stockinger@state.co.us)

RE: Objection and Appeal of State Highway Access Permit No. 426062 and Request for Hearing

Dear Mr. Bilobran and Transportation Commission of Colorado:

We represent Ouro Loveland LLC (“Ouro”). Pursuant to C.R.S. § 43-2-147(6)(c) (the “Act”) and the State Highway Access Code, 2 CCR 601-1, Reg. 2.9 (the “Code”), Ouro objects to and appeals the Colorado Department of Transportation’s (the “Department”) approval of State Highway Access Permit No. 426062 issued April 20, 2026 (the “Permit”). *See also* Code Reg. 2.3(7)(c) (“Any appeals of Department action shall be made pursuant to the subsection 2.9.”). A copy of the Permit is attached hereto as *Exhibit A*.

Ouro explicitly requests (1) review by the Department’s internal administrative review committee pursuant to Code Regs. 2.9(3) and 2.10; and (2) a formal administrative hearing pursuant to Code Reg. 2.9(5) and (6).

Factual Background

Ouro owns the property with a street address of 5542 East U.S. Highway 34, Loveland, CO 80537, Parcel No. 85150-00-017 (the “Ouro Property”), upon which it operates the Best Western Plus Loveland Inn (“Best Western”). The Best Western is an active operating hotel at the southwest corner of the intersection of Interstate 25 (“I-25”) and U.S. Highway 34 (“Hwy 34”).

The property to the west of the Ouro Property has a street address of 5518 East U.S. Highway 34, Loveland, CO 80537, Parcel No. 85150-00-015 (the “Wishco Property”), which is owned by Wishco 1 LLC (“Wishco”). A Conoco gas station and convenience store (“Conoco”) is located on the Wishco Property.

The sole access to the Ouro Property is via Hwy 34 through three recorded, perpetual, non-exclusive rights of way for ingress/egress (the “Access Easements”) over the Wishco. The Access Easements are the only access the Ouro Property has to Hwy 34 or the general street system. Currently, Best Western guests, visitors, employees and vendors access the hotel from access points 359 or 360 as described in the Permit. The Best Western sign and lobby entrance is east and south of access point 360.

Appendix C

ACP Amendment and Permit Timeline

On or about October 23, 2025, representatives from Ouro attended a meeting between the City of Loveland (the “City”), Ouro, Wishco, and the Schmer/Evergreen development team (“Schmer”). It is our understanding that Schmer plans to develop the Schmer Farm Marketplace on a large parcel west of the Ouro and Wishco properties (“Schmer Property”) into commercial property that will include a King Soopers grocery store, gas station, restaurants, and retail stores (“Schmer Development”). To accomplish the Schmer Development, Schmer is attempting to annex and rezone the Schmer Property into the City.

On December 9, 2025, the same attendees attended a second meeting.

On January 22, 2026, Ouro received an email from Tyler Carlson, CEO & Managing Principal of Evergreen, the developer of the Schmer Development, requesting a meeting to discuss the “access situation on Highway 34” and finding a “win-win, safe solution for all parties involved.” This meeting did not occur.

The following day, January 23, the City formally submitted an amendment to the Access Control Plan (“ACP Amendment”) to the Department, a copy of which is attached as *Exhibit B*. Neither the City nor Schmer provided notice to Ouro prior to filing the request to amend the ACP. The City requested that the Department: (1) add a new right-in/right-out restricted access on the south side of U.S. Highway 34 that is 1,000 feet east of Rocky Mountain Avenue to serve the Schmer Development; (2) close access points 357, 359, and 360; and (3) construct access point 359.5 as a conditionally permitted right-in/right-out access to serve the Best Western and the Conoco. *Id.* at p. 2, Letter from R. Maizland to T. Bilobran. Not only are access points 359 and 360 the precise access points through which the Ouro Property’s Access Easements connect to Hwy 34, but closing access point 360 eliminates the access point directly in front of the Best Western entrance and signage, causing immediate guest confusion, revenue loss and traffic and site circulation concerns.

Additionally, in the ACP Amendment, the City proposed a requirement that Schmer design and construct a new road that will connect to the southeastern corner of the Ouro Property to “provide cross lot access and connectivity through the Schmer [D]evelopment to the new, future right-in/right-out access on US34 and future Rocky Mountain Avenue South of US34.” *Id.* We are lacking information on this proposed road and how it will connect to Rocky Mountain Avenue or the proposed access point described in (1) above, which appears to serve as the sole direct access point on Hwy 34 for the Schmer Development. This proposed road does not yet exist and has not been recorded as an easement benefiting the Ouro Property, is not a condition of any recorded plat, and is not secured in any development agreement. It is not even clear whether that “proposed road” is a public road or a private drive aisle. There is very limited information about the “proposed road” that apparently is supposed to replace access to the Best Western and Conoco.

The Department approved the amendment on March 10. *Id.* at p. 5, Letter from T. Bilobran to U.S. 34 Access Control Plan (ACP) Amendment Request Acceptance – Schmer Farms, Mar. 10, 2026. Despite the fact that Ouro had not met with the City or Schmer since the December meeting, the Department mistakenly represented that the City and Schmer were currently engaged in discussions with Ouro and Wishco and stated that “[i]f a private agreement is not reached, Region 4 Traffic will issue a 138 Construction Access Permit to those businesses,” to allow the City to close those access points during the next Hwy 34 corridor construction project. *Id.* The letter noted that access point 359.5 would be closed “upon any future development or significant change of use” for the Ouro or Wishco properties, with access to those parcels solely through “a new roadway connection” through the Schmer Development to the southeast edge of the Ouro Property. *Id.* at pp. 4-5.

Appendix C

On March 11, the City sent its first formal written communication to Ouro, which included a copy of the City's January 23 request to amend the ACP and the Department's March 10 approval of the ACP amendment. *Id.* at p. 1, Letter from R. Maizland to N. Parekh, Mar. 11, 2026. This letter recognized that the proposed access changes to Hwy 34 presented "unique challenges and concerns related to highway safety, operation, business access and on-site circulation." *Id.*

On March 26, the City submitted Department Form 138, Construction Access Permit, requesting that the Department permanently close access points 357, 359, and 360. Ex. A, at pp. 3-4, Letter from M. Ruder to T. Bilobran, Mar. 26, 2026.

On April 20, 2026, the Department approved the Permit, without any input by Ouro. *Id.*

The Permit

In the Permit, the Department approved the City's request to close three access points along U.S. Highway 34, due to "the reconstruction of State Highway 034A" and "changes in road or traffic conditions." *Id.* Specifically, the Permit permanently closes access points 357 and 359; adds a conditional, right-in, right-out access point 359.5; and permanently closes access point 360 with curbing. *Id.* This results in the Best Western and Conoco employees, customers and vendors, which include gas tank deliveries and semi-trucks among other large vehicles, sharing one access point to the general street system "conditionally."

While not explained in the Permit, the City proposed in the ACP Amendment that access point 359.5 be "closed with any future redevelopment or changes of use associated with the Conoco and Best Western hotel sites, further consolidating all access to one shared location on US 34." Ex. B, at p. 2. The Permit and ACP Amendment are silent as to any details surrounding this condition.

The ACP Amendment is also silent as to the contemplated access through the Schmer Development.

Importantly, the ACP recommended closing access points 359 and 360 only upon redevelopment of the Ouro or Wishco properties—not any neighboring property such as the Schmer Property. *Exhibit C*, Excerpt from ACP, Stolfus & Assocs. Report, Mar. 2019, p. 367. Thus, the Permit, which incorporates the ACP Amendment, contradicts the ACP.

The Permit Violates the Act and the Code

Ouro has numerous concerns with the Permit and its conditions. First, by combining three access points into one conditional use access point slated for future closure, the Permit violates Code requirements that guarantee a "right of reasonable access to the general street system." *See* Code Reg. 1.2(3). Second, the Permit improperly discourages "beneficial modifications to [Ouro's] existing development property" while encouraging and prioritizing development of the Schmer Property. *See* Code Reg. 2.6(2). Third, the Permit fails to "consider[] the access needs of the various elements of the general street system" and does not represent "the best overall solution to access and circulation patterns." *See* Code Reg. 1.2(6). Finally, the Permit insufficiently addresses all access conditions as required by Reg. 2.3(10).

Among other concerns, Ouro has the following objections to the Permit:

- **The Department failed to work with Ouro as required under the Code thereby violating Ouro's due process rights.**
 - The Department did not follow Code guidance that the Department will "work closely with property owners and local governments to provide reasonable and safe access to the

Appendix C

general street system” that is safe, enhances traffic movement, and considers local community vision and values. Code Reg. 1.2(7). Neither the City nor Schmer nor the Department notified Ouro, an impacted property owner, prior to the Department approving the Permit or the ACP Amendment, which is incorporated into the Permit. Further, the Department did not seek input from Ouro prior to approving the Permit or the ACP amendment—even though these decisions impact Ouro’s Access Easements.

- The Code requires that

If the applicant is other than the fee surface rights owner of the property to be served, then the applicant must include sufficient evidence of concurrence or knowledge in the application by the fee rights owner and proof of development rights, (ie. option to buy, federal use permit). Complete names, addresses and telephone numbers of the property owner(s), the applicant(s), and primary contact person, shall be given on the application along with the expected dates of construction and commencement of use of the access.

Id. at Reg. 2.3(3)(b). Upon information and belief, the Permit application did not provide any evidence of concurrence or knowledge by Ouro or Wishco, the owners of the properties to be served.

- **Lack of jurisdiction**

- Because the access points impacted by the Permit are located in unincorporated Larimer County, the “appropriate local authority” is the Larimer County Board of County Commissioners (“BOCC”) rather than the City. C.R.S. § 43-2-147(8)(b); *see also* Code Reg. 1.5(50).
- While the Department may require driveways “to be reconstructed or relocated to conform to the access code,” it must do so only “with written concurrence of the appropriate local authority.” C.R.S. § 43-2-147(6)(b).
- Upon information and belief, the BOCC has not provided written concurrence of the Department’s decision to relocate and reconstruct the access points or close conditional access point 359.5 in the future. It is unclear whether the City or Department consulted the BOCC in approving the ACP Amendment or Permit.

- **Traffic safety and access concerns**

- Combining multiple access points into one conditional access point violates the Act and Code requirements that the Department and local governments protect the public health, safety, and welfare; maintain smooth traffic flow; and protect the functional level of Hwy 34. *See* C.R.S. § 43-2-147(1)(a) & Code Reg. 1.1(1).
- Diverting vehicles from two access points that service a busy Best Western hotel and Conoco to one conditional access point will increase traffic volume through that access point, thereby causing traffic congestion and increasing the probability of accidents. *See Exhibit D*, Conoco Gas Station Exhibit – Galloway, at p. 1.
- Having only access point 359.5 will result in vehicles to and from the Conoco and Best Western to travel both east and west in front of gas pumps where cars will be pulling out

Appendix C

after getting gas and moving between gas pumps, thereby ensnaring traffic flow and causing frequent conflicts. *Id.*

- As shown on *Exhibit D*, tanker trucks delivering gas, semi-trailers and other large trucks, and large emergency vehicles must maneuver through one access point while avoiding vehicles exiting and entering Hwy 34 as well as around gas pump traffic, thereby creating logjams and impeding smooth traffic flow. *Id.* at p. 2.
- Ouro is in the process of hiring a traffic and transportation engineer to fully evaluate the Permit and the ACP Amendment and reserves the right to assert additional traffic issues, if any.
- **Taking**
 - The Permit is an unconstitutional and statutory taking of Ouro’s property rights, including but not limited to, the Access Easements, without just compensation. *See Boxberger v. State Hwy. Comm’n*, 251 P.2d920 (Colo. 1920); *see also State Dept. of Hwy v. Davis*, 626 P.2d 661, 663-64 (Colo. 1981)(a landowner whose property abuts a street or state highway has the right to reasonable access to and from the property and where a limitation or loss of access substantially interferes with the landowner’s means of ingress and egress, the landowner is entitled to compensation); *Troiano v. Colorado Dept. of Hwy*, 463 P.2d 448, 491 (Colo. 1969).
 - The proposed traffic pattern utilizing the conditional access 359.5 requires semi-trailers using the Wishco Property to turn around on the Ouro Property, which necessarily will require Ouro to grant Wishco an access easement. Ex. D, at p. 2. Neither Ouro or Wishco can force the other to enter into an access easement agreement with each other. And, neither party has the right of eminent domain.
 - Ouro currently has two access points to the general street system; if the Department eliminates its current access, Ouro has only one conditional access point thereby eliminating its right of access, contrary to Colorado law.
- **Conditional use of access point 359.5**
 - Code Reg. 1.2(2) requires the Department to “consider its impacts on public and private land use decisions.” The anticipated closure of the newly created sole access point 359.5 to the Ouro Property to a separate access point located hundreds of feet west of the Ouro Property presents numerous business, traffic, and safety concerns. Ouro cannot make decisions regarding its property due to the vague nature of conditional access 359.5 and limited information about a supposed alternative access.
 - The Permit and ACP amendment are silent or vague about what events will qualify as “future development” or “change of use” to the Ouro and Wishco properties, who will determine whether the Ouro or Wishco properties have undergone a “future development” or “change of use” that results in closure of access point 359.5, and what happens if only one property undergoes a “future development” or “change of use.”
 - When applying for access to a highway, the Code requires that “one access shall be granted per parcel of land if reasonable access cannot be obtained from the local street or road system.” Code Regs. 3.8(2) and 3.10(2). The Ouro Property only has access to the public road system through access points 359 and 360. “A determination of reasonable

Appendix C

access from a local street or road includes consideration of the local street or road function, purpose, capacity, operational and safety conditions, and opportunities to improve the local street or road.” *Id.* Importantly, highway access should not be denied if the alternative access creates significant safety or operational problems. *Id.*

- The vague, future access point on and through the Schmer Development will be hundreds of feet from the Ouro Property and seems to require vehicles to enter the Ouro Property hundreds of feet west of the Ouro Property, prior to seeing the Ouro Property’s building or signage, and behind the property far from the front entrance of the Best Western, resulting in loss of income, confusion concerning where to enter the property, possible change in highest and best use, and decreased property value. The Department did not consider these impacts to the Ouro Property when granting the Permit and ACP Amendment.

Conclusion and Request to Deny Permit

As detailed above, Ouro requests that the Department reconsider its issuance of the Permit and deny the Permit, either (1) upon review of this objection letter; (2) upon review by the Department’s internal administrative review committee pursuant to Code Regs. 2.9(3) and 2.10; or (3) after the formal administrative hearing process pursuant to Code Reg. 2.9(5) and (6).

Currently, Ouro is in the process of retaining experts, including a traffic and transportation engineer and eminent domain appraiser, to examine these and other concerns about the effects of the Permit on the Ouro Property. We look forward to hearing from the Department, discussing next steps, concerns, and presenting Ouro’s position before the Department’s internal administrative review committee. Ouro’s objections identified in this letter are not meant to be an exhaustive list; Ouro reserves its right to raise other specific objections as this appeal process proceeds.

Very truly yours,

ALDERMAN BERNSTEIN LLC



Carrie S. Bernstein

cc: Ouro Loveland LLC (via email)
Randy Maizland, Development Review Engineering Manager, City of Loveland (via email)
Wishco 1, LLC (via email)

Appendix C



COLORADO

Department of Transportation

Region 4

Region 4 Permits
10601 West 10th Street
Greeley, CO 80634

April 20, 2026

Ouro Loveland LLC
5542 E. Highway 34
Loveland, CO 80537

Subject: Rights of Objection Regarding Construction Access Permit #138

Dear Ouro Loveland LLC,

I am writing to you today regarding the attached State Highway Construction Access Permit #426062, which involves closure work across the neighboring property where you currently hold an easement. I want to ensure you are fully aware of your standing in this process. As the easement holder, Ouro Loveland LLC is granted the same appeal and objection rights that are prescribed to the original landowner under CDOT regulations, despite the fact that the #426062 is written to Wishco 1 LLC. CDOT wants to make sure your objection rights are clearly stated and honored.

If you wish to exercise these rights, the process is straightforward. Your methods for objection are identical to those of the property owner, beginning with a formal written objection request submitted directly to my office at:

CDOT Region 4 Traffic Section
Attn: Tim Bilobran
10601 W. 10th Street
Greeley, CO 80634

If you have any questions about this enclosed permit or the next steps in the process, please don't hesitate to reach out. You can call me directly at 970-350-2163 with any questions.

Sincerely,
Tim Bilobran
CDOT Region 4 Permits Manager



Appendix C EXHIBIT A

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT				CDOT Permit No. 426062
				State Highway/MP/Side 034A / 96.070 / Right
				Local Jurisdiction CDOT
Project Number City of Loveland Project	Parcel Reference	Station Reference	Region / Section / Patrol / Name 4 / 01 / 04	Date of Transmittal 04/20/2026
Issuing Authority CDOT				Reference Number: REF-160426-207305

Property Owner:
 Wishco 1 LLC
 1045 Linden Gate Court
 Fort Collins, 80524

Notification to the Property Owner:
 In accordance with the State Highway Access Code and in the course of the reconstruction of State Highway **034A**, it is necessary to **close** your existing access to the State Highway in the interests of the public health, safety and welfare; and to bring it into conformance, to the extent feasible, with the State Highway Access Code. Such **closure** is necessitated by changes in road or traffic conditions. You shall be provided with access to Highway **034A Mile Marker 96.07** at the expense of the Department of Transportation at the location(s) noted under special condition one (1), for the purpose of obtaining access for the use(s) noted under special condition number two (2). Any additional restrictions in the use of the access are noted under special condition three (3). The access shall be used in accordance with the state highway access statute, the State Highway Access Code, the terms and conditions of this permit including those on page 2 of this form and those special conditions as follows:

- Special Conditions:**
1. This access known as #360 in the Hwy 34 Access Control Plan will be closed with sufficient curbing per the City of Loveland's request stamped Exhibit A to facilitate safer ingress movements onto neighboring I-25. Asphalt aprons will be removed. See City request letter as Exhibit A and Vicinity Map as Exhibit B. The City's construction project will complete by April 20th, 2029.
 2. Access into the Conoco and Best Western businesses will be obtained from the western access point known as 359.5 on the Access Control Plan.

You are invited to submit any written data, views, arguments and objections in regards to this action. You may also request a hearing. Should you choose to object to this permit or any of the terms and conditions of this permit or request a hearing on such objection, you must do so in writing on or before May 20th, 2026. If you have any questions regarding this permit, please contact **Tim Bilobran** at (970) 350-2163. If you wish to submit anything in writing, please mail it to the following person and address:

Tim Bilobran
 CDOT Region 4 Traffic Section
 10601 W. 10th Street
 Greeley, CO 80634,

MUNICIPAL OR COUNTY APPROVAL

By (x) NOT APPLICABLE	Title	Date (of issue)
---------------------------------	-------	-----------------

STATE OF COLORADO, DEPARTMENT OF TRANSPORTATION

By (x)	Title Permits Manager	Date (of issue) April 20 th , 2026
-----------	--------------------------	--

STATE HIGHWAY ACCESS PERMIT FORM 138 (PAGE TWO)

The following paragraphs are additional terms and conditions of this permit. These are provided for your convenience but do not alleviate compliance with all sections of the State Highway Access Code (Access Code). A copy of the Access Code is available from the Colorado Department of Transportation (Department) at the address noted on page one this permit. When this permit was issued, the Department made its decision based in part on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, current use of the access, and safety and design standards.

I. OBJECTIONS AND REQUEST FOR A HEARING

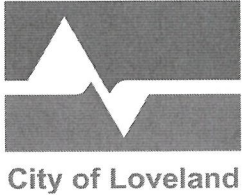
1. The permittee may file an objection to the Department's action described herein and request a hearing on such objection. The objection and request for hearing must be received by the Department on or before the date noted on the front of this permit. The objection must include all written data, views and arguments related to the Department's action. The objection and request for hearing must be submitted in writing. If the objection does **not** include a request for a hearing, a hearing will **not** be scheduled. The Department will consider the information provided and respond to the submittal.
2. If a hearing is requested, it will be heard by: (i) the Transportation Commission, (ii) an administrative law judge, or (iii) a district court judge in the county in which the access is located. The Department shall determine the tribunal for the hearing.
3. If no objections and request for hearing are received in the time allowed, the Department will proceed with the access modifications and the Department or local authority may record the permit with the County Clerk and Recorder

II. FURTHER INFORMATION

1. This permit is issued based upon current conditions and knowledge. If there are future changes in the use of the access after the issuance of this permit, the access permit-issuing authority must be notified of the change. A change in property use which makes the existing access design or use in non-conformance with the Access Code or the terms and conditions of the permit, may require the reconstruction or relocation of the access. Upon notice that there has been or will be a change in use of the access, the issuing authority will review the original permit; it may decide it is adequate or it may require that the permittee apply for a new permit, which may require reconstruction or relocation of the access.
2. All terms and conditions of the permit are binding upon all assigns, successors-in-interest and heirs. Over time, the responsibilities of the permittee and conditions represented herein may change due to changes in the state legislation and regulations.
3. When a permitted driveway is used in violation of the Access Code or the terms and conditions of the permit, the local government or Department may obtain a court order to halt the violation and or revoke the access permit.
4. The permittee, his heirs, successors-in-interest, and assigns, of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. The Department will maintain the highway drainage system in unincorporated areas, including those culverts under the access which are part of that system within the right-of-way.
5. The issue date of the permit is the date the Department representative has signed the permit.
6. Parking on State Highway right-of-way is prohibited except where posted.

Note: "Act" means the highway access statute, section 43-2-147, Colorado Revised Statutes.
"Access Code", or "Code" means the State Highway Access Code, 2 CCR 601-1, as adopted and amended by the Transportation Commission of Colorado.
"Department" means the Department of Transportation, State of Colorado.

Appendix C EXHIBIT A



Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject: CDOT US34 - 138 Construction Permit Request

March 26, 2026

Dear Mr. Bilobran,

The City of Loveland, Public Works Engineering Division is requesting a 138 Construction Permit to permanently close access 357, 359, and 360 shown on the attached CDOT US34 Access Control Plan. Access 359.5 is proposed to be reconstructed as a conditional, shared right-in/right out to serve the existing Conoco fueling station and Best Western Hotel businesses. This request is directly associated with the proposed Schmer development and a recent approval by CDOT for an Access Control Plan amendment which permits a new right-in/right-out access on US34 located approximately 1000 feet East of Rocky Mountain Avenue.

The intent of this work is to construct US34 improvements that comply with the amended US34 Access Control Plan, which the City has determined will support the safe and efficient operation of US34.

Respectfully,

Matt Ruder, P.E., PTOE
Interim City Engineer
City Traffic Engineer

ACCESS PERMIT

426062

EXHIBIT "A"

ACCESS PERMIT

#430062

EXHIBIT "B"



Legend:

- Access Point Types:**
 - Close Existing Access Point (Green circle)
 - Signalized Full-Movement (Existing) (Green circle with 'X')
 - Full-Movement with Potential for Signalization (When Warranted) (Green circle with 'X')
 - Unsignalized Full-Movement (Maintain Existing) (Purple circle)
 - Unsignalized Full-Movement (Proposed) (Purple circle with 'X')
- Movement Types:**
 - 3/4 Movement (Convert/Maintain Existing) (Red triangle)
 - 3/4 Movement (Proposed) (Red triangle with 'X')
 - Right-in/Right-out (Convert/Maintain Existing) (Yellow star)
 - Right-in/Right-out (Proposed) (Yellow star with 'X')
 - Left-in/Right-out (Convert Existing) (Blue diamond)
 - Left-in/Right-out (Proposed) (Blue diamond with 'X')
- Right-of-Way Changes:**
 - Right-in only (Convert/Maintain Existing) (Orange triangle)
 - Right-in only (Proposed) (Orange triangle with 'X')
 - Right-out only (Convert Existing) (Green triangle)
- Cross Access:**
 - Proposed Cross Access (Yellow double-headed arrow)
 - Existing Cross Access (Blue double-headed arrow)
- Other Features:**
 - Parcel Lines (Red outline)
 - Future Potential Roadway (Red outline)
- Conditional Access:**
 - "C" Conditional Access (Red outline)
 - "D" Ditch Access (Red outline)
 - "E" Emergency Access (Red outline)
 - "M" Major Intersector (Red outline)

Figure 2R
18 of 18

Appendix C **EXHIBIT B**



Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject: CDOT US34 Access Control Plan Amendment

March 11, 2026

Dear Mr. Parekh,

The City of Loveland submitted a request to the Colorado Department of Transportation (CDOT) to amend the US34 Access Control Plan (ACP) on January 23, 2026. A copy of that request which provides details about the proposed changes to access on CDOT Highway US34 is attached to this letter. The request was unanimously supported by a vote of the US34 ACP stakeholders, and the amendment request was formally approved by CDOT on March 10, 2026. A copy of the CDOT approval letter is also attached.

Through several coordination meetings with you, CDOT and the Schmer/Evergreen development team, multiple access configurations were considered and evaluated. Each option that was evaluated presented its own unique challenges and concerns related to highway safety, operation, business access and on-site circulation. It was ultimately determined by the City and CDOT that the preferred long-term access configuration on US34 is a single shared right-in/right-out access located roughly midway between Rocky Mountain Avenue and the Interstate 25 southbound on-ramp with a single shared right-in/right-out conditional access maintained to serve the Conoco fueling station and Best Western Hotel located as far west of the Interstate 25 southbound on-ramp as reasonably possible.

The City understands that this decision may impact your site circulation. We would like an opportunity to meet with you during the US34 widening design and construction process to best meet your needs. The City also welcomes the discussion of other possibilities related to annexation, inclusion into the Schmer Metropolitan District and future utility obligations as well as any long-term redevelopment planning.

Respectfully,

Randy Maizland

Development Review Engineering Manager

(970) 218-5658



Appendix C **EXHIBIT B**

Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject – CDOT US34 Access Control Plan Amendment Request - Schmer

Dear Mr. Bilobran,

The City of Loveland is requesting an amendment to the US34 Access Control Plan (ACP) to add a new right-in/right-out restricted access on the South side of US34, approximately 1000 feet East of Rocky Mountain Avenue, to serve the proposed Schmer/King Soopers development as shown on the attached Exhibit A. This request also includes the proposed closure of existing accesses 357, 359 and 360 as identified in the current ACP and as shown in Exhibit B attached to this letter. The City proposes that access 359.5 remains as a conditionally permitted right-in/right-out access to serve the existing Conoco fueling station and Best Western Hotel.

As part of this request, the City will also require the Schmer development to design and construct a new roadway connection to the South edge of the Best Western Hotel property that will provide cross lot access and connectivity through the Schmer development to the new, future right-in/right-out access on US34 and future Rocky Mountain Avenue South of US34. A Traffic Impact Study (TIS) has been prepared providing analysis to support this request and is also included with this letter.

The City views this request for the right-in/right-out access in the proposed location as being beneficial toward mitigating the projected short and long range impacts at the intersection of US34/Rocky Mountain Avenue without compromising the safety and operation of US34. Conditional access 359.5 is proposed to be closed with any future redevelopment or changes of use associated with the Conoco and Best Western hotel sites, further consolidating all access to one shared location on US34.

If this ACP amendment request is approved, final details for the engineering design of US34 and the proposed access will be coordinated, reviewed and approved by CDOT prior to the final approval of any civil construction plans and the issuance of any required CDOT Access Permits.

Please let me know if you need any additional information for your consideration.

Respectfully,



Randy Maizland

Civil Engineer II

Public Works Department

Transportation Development Review

410 E. 5th Street

Loveland, CO 80537

Office: 970-962-2618

Appendix C EXHIBIT B



Legend

AccessPointInfo

- Close Existing Access Point
- Signalized Full-Movement (Existing)
- Full-Movement with Potential for Signalization (When Warranted)
- Unsignalized Full-Movement (Maintain Existing)
- Unsignalized Full-Movement (Proposed)

- 3/4 Movement (Convert/Maintain Existing)
- 3/4 Movement (Proposed)
- Right-in/Right-out (Convert/Maintain Existing)
- Right-in/Right-out (Proposed)
- Left-in/Right-out (Convert Existing)

- Right-in only (Convert/Maintain Existing)
- Right-in only (Proposed)
- Right-out only (Convert Existing)

Cross Access

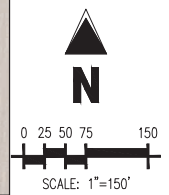
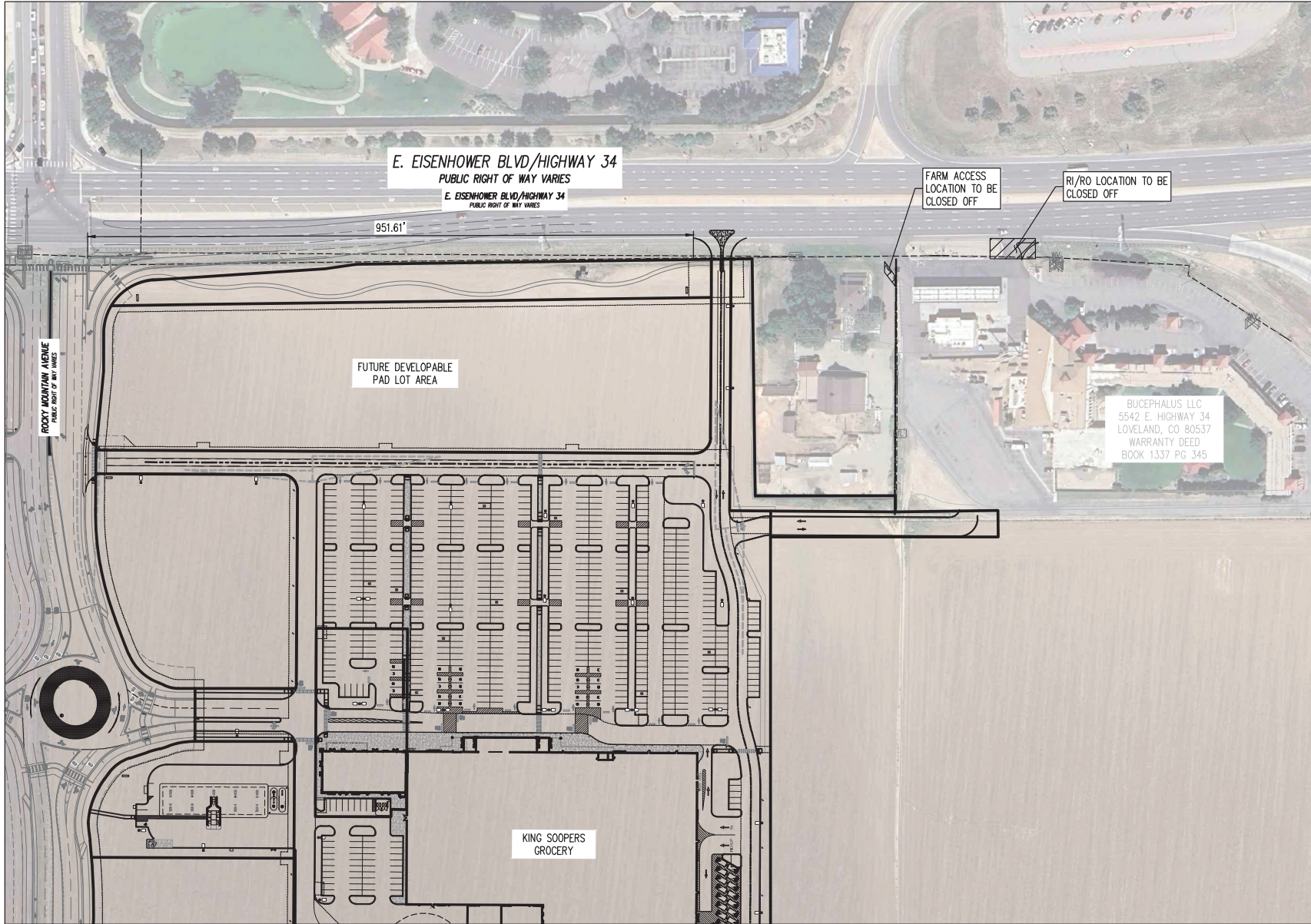
- Proposed Cross Access
- Existing Cross Access
- Parcel Lines
- Future Potential Roadway

Access Types

- "C" Conditional Access
- "D" Ditch Access
- "E" Emergency Access
- "M" Major Intersection

Figure 2R
18 of 18

Appendix C EXHIBIT B



SCHMER FARM MARKETPLACE
 ACCESS EXHIBIT FOR RL/RO WEST OF THE FARM
 INTERSTATE 25 AND HWY 34
 LOVELAND, COLORADO

Project No: EDJ000090
 Drawn By: JDM
 Checked By: TDK
 Date: 11/19/2025

Galloway
 5500 Greenwood Plaza Blvd., Suite 200
 Greenwood Village, CO 80111
 303.770.8844
 GallowayUS.com

Appendix C EXHIBIT B



COLORADO

Department of Transportation

Region 4

Region 4 Permits
10601 West 10th Street
Greeley, CO 80634

March 10, 2026

RE: U.S. 34 Access Control Plan (ACP) Amendment Request Acceptance - Schmer Farms

Dear US 34 Loveland ACP Committee Members,

The Colorado Department of Transportation (CDOT) is pleased to announce that the amendment proposal for a new access point on US 34 to serve the Schmer Farms development has been formally accepted. This amendment, requested by the City of Loveland, modifies the current Access Control Plan to facilitate the following changes:

- **New Access Point:** A new right-in/right-out (RIRO) restricted access will be added on the south side of US 34, located approximately 1,000 feet east of Rocky Mountain Avenue.
- **Access Consolidations:** Existing accesses #357 and #360 will be closed as part of this project. Access #359 will also be eliminated to mitigate safety and operational concerns related to the new RIRO location. See map labeled "Exhibit A"
- **Conditional Access 359.5:** Access #359.5 will remain as a single, shared RIRO conditionally permitted access to serve the existing Conoco fueling station and Best Western Hotel. This access is proposed for closure upon any future redevelopment or significant change of use for those specific sites.
- **Highway Improvements:** The City of Loveland will design and construct all associated improvements on US 34, including a third eastbound travel lane and required acceleration/deceleration lanes.

Coordination and Compliance

The City of Loveland and the development group are currently engaged in discussions with the affected parcel owners (Conoco and Best Western). If a private agreement is not reached, Region 4 Traffic will issue a 138 Construction Access Permit to those businesses. This will allow the City of Loveland to close the access points during their next Highway 34 corridor construction project, while preserving the property owners' rights to appeal through the appropriate judicial body.

Furthermore, the Schmer development is required to construct a new roadway connection to the south edge of the Best Western property to provide cross-lot connectivity to the new RIRO access and future Rocky Mountain Avenue.

The official amendment packet and voting record will be maintained by the Region 4 Permits Unit. Final engineering designs for the proposed access must be reviewed and approved by CDOT prior to the issuance of any required Notice to Proceed with Constructions for the Highway 34 improvements.

Sincerely,

Tim Bilobran

CDOT Region 4 Permits Manager

Copy: US 34 ACP Voting Members CDOT HQ Regional Files

copy: CO 34 ACP voting members
Regional Files



EXHIBIT C

Appendix C

**ACCESS CONTROL PLAN
UNITED STATES HIGHWAY 34
MP 85.50 to MP 96.03
(CR 27 to I-25)
March 11, 2019**

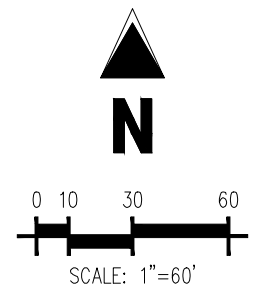
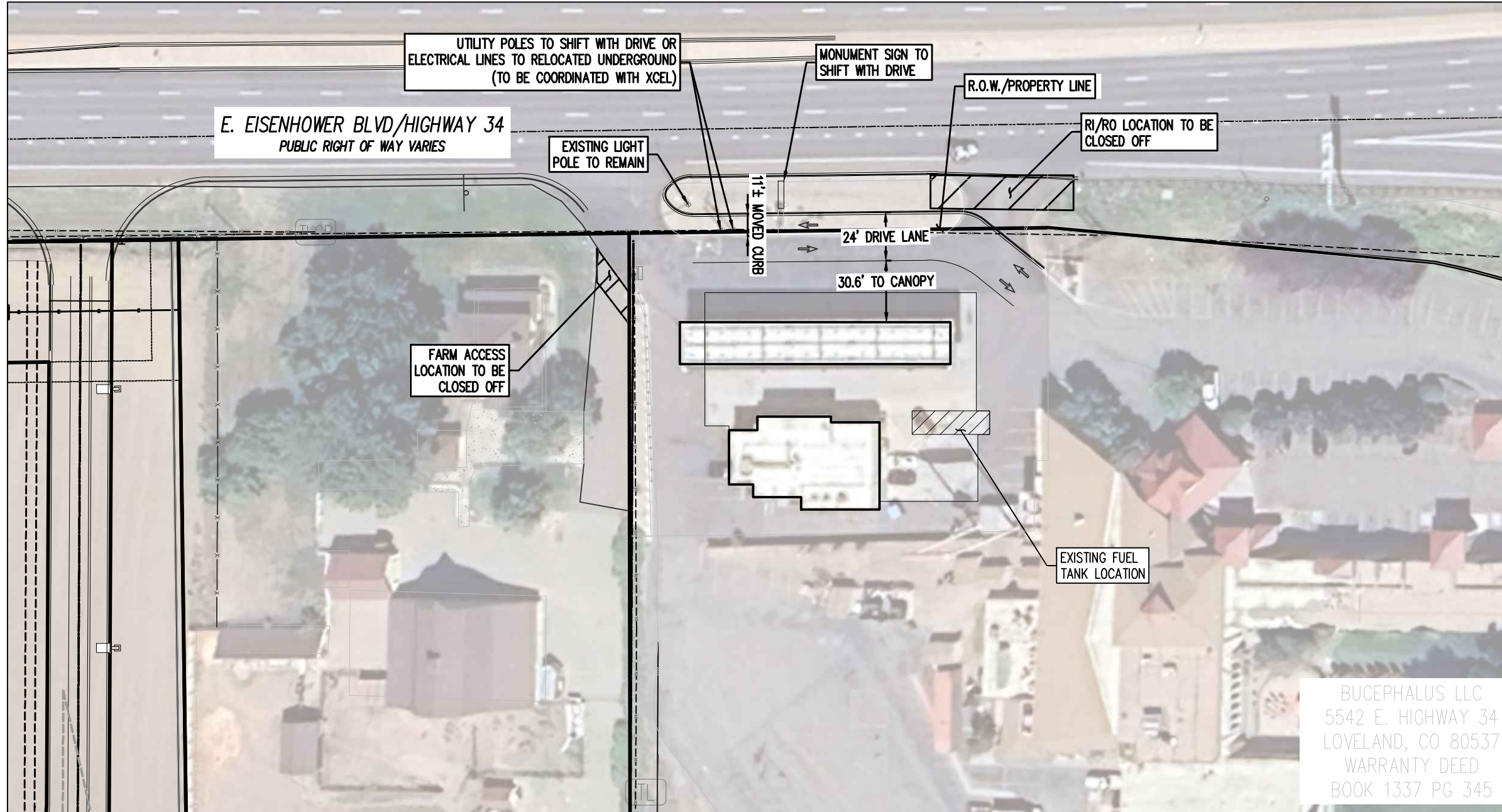
* Mile Posts defined per CDOT Highway Segment Description for US 34 at US 287C (Lincoln Avenue) MP 92.01

Access ID No.	Mile Post *	Side ¹	Description/Current Business	Existing Configuration	Proposed Configuration ^{4,7}	Conditions for Implementation ^{2,3,4,5,6}
359	96.00	RT	Conoco/adjacent business	Unsignalized 3/4 Movement	Close access - share access at Access No. 359.5	When property redevelops. Cross access agreements required between property no. 8515000004, property no. 8515000015, property no. 8515000017, and any other properties of interest upon redevelopment. Existing access may be restricted or modified if safety or operational issues occur or when a public project is funded.
359.5	96.00	RT	New business access	None	Conditional Right-in, Right-out at property line	Implement right-in, right-out at the property line when either property redevelops. Cross access agreements required between property no. 8515000004, property no. 8515000015, property no. 8515000017, and any other properties of interest upon redevelopment. Access shall close when alternative local street access is available.
360	96.03	RT	Conoco/Best Western	Right-in, Right-out	Close access - share access at Access No. 359.5	When property redevelops. Cross access agreements required between property no. 8515000004, property no. 8515000015, property no. 8515000017, and any other properties of interest upon redevelopment.

1 Oriented from direction of reference point (W-E)
 2 If City, County or CDOT improves US 34 or if safety or operational issues develop, access restrictions or modifications may be implemented.
 3 Implement with development, redevelopment or use change
 4 MUTCD - Manual on Uniform Traffic Control Devices
 5 Unless otherwise specified, conditions listed refer to proposed configuration.

6 Access closures are conditional upon alternative access to the highway or local street system. Refer to alternative access listed in proposed configuration.
 7 Conditional proposed configurations may be further restricted under certain circumstances. Refer to conditions for implementation.

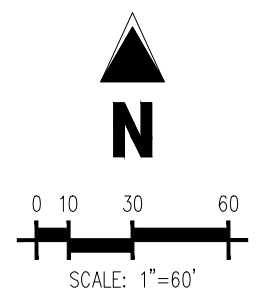
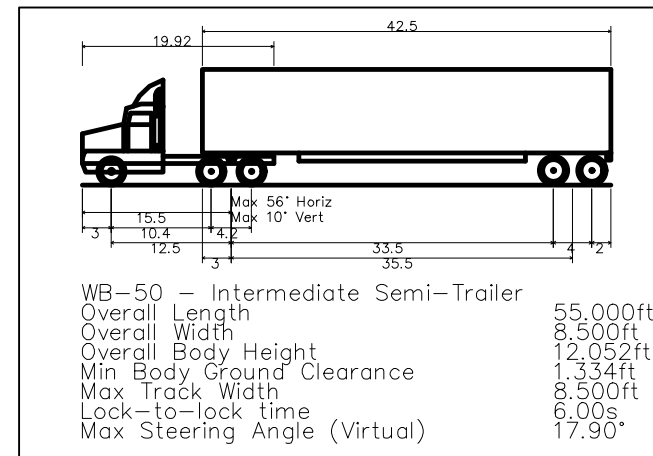
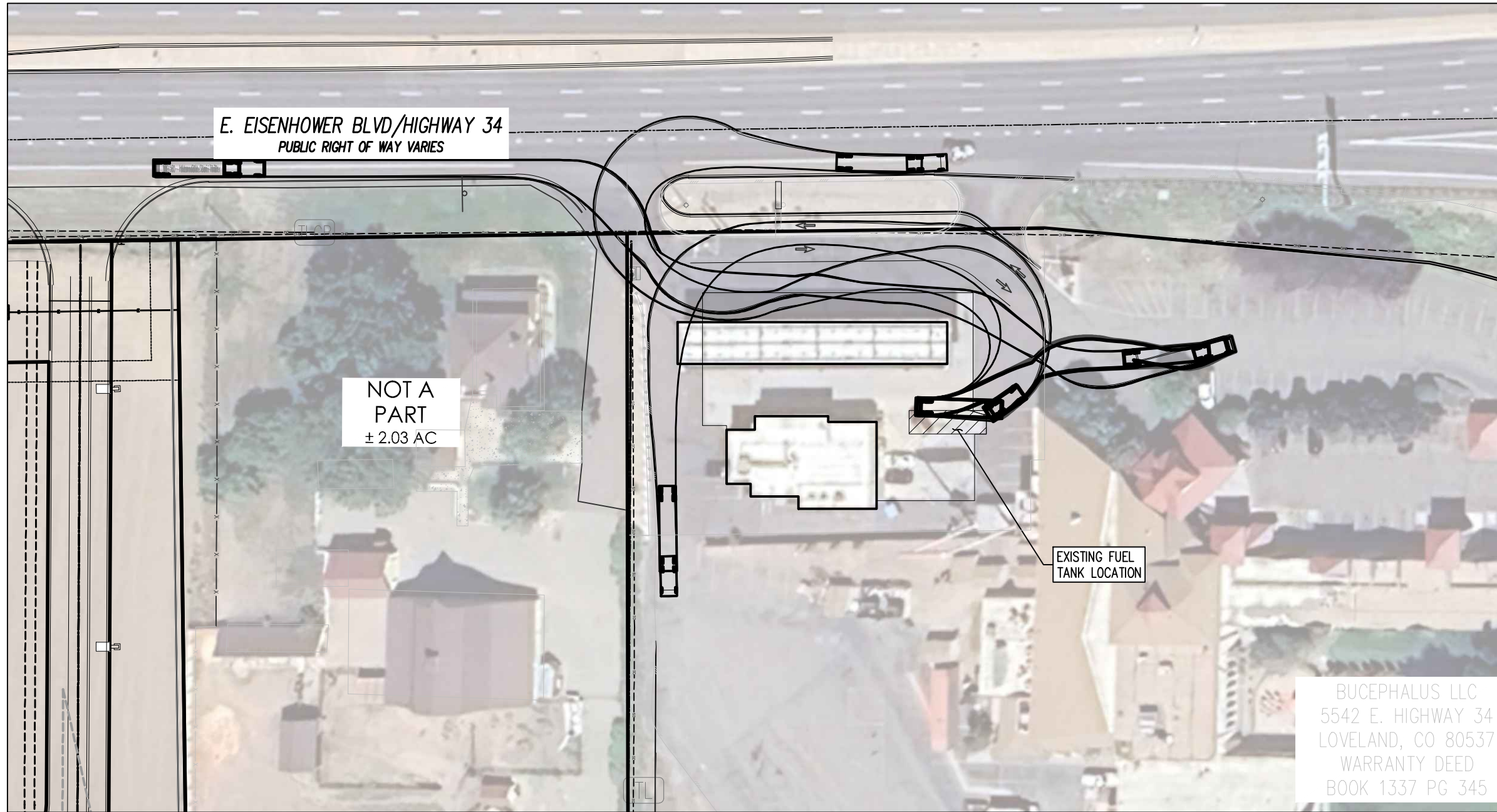
Appendix C



SCHMER FARM MARKETPLACE
GAS STATION VEHICLE TURN
INTERSTATE 25 AND HWY 34
LOVELAND, COLORADO

Project No: EDI000090
Drawn By: JDM
Checked By: TDK
Date: 04/23/2026

Appendix C



SCHMER FARM MARKETPLACE
 GAS STATION VEHICLE TURN
 INTERSTATE 25 AND HWY 34
 LOVELAND, COLORADO

Project No: EDI000090
 Drawn By: JDM
 Checked By: TDK
 Date: 04/23/2026

Appendix D



Public Works Department
105 W. 5th Street | Loveland, CO 80537
970-962-2524 | TDD: 970-962-2620
publicworksinfo@cityofloveland.org

Subject: CDOT US34 - 138 Construction Permit Request

March 26, 2026

Dear Mr. Bilobran,

The City of Loveland, Public Works Engineering Division is requesting a 138 Construction Permit to permanently close access 357, 359, and 360 shown on the attached CDOT US34 Access Control Plan. Access 359.5 is proposed to be reconstructed as a conditional, shared right-in/right out to serve the existing Conoco fueling station and Best Western Hotel businesses. This request is directly associated with the proposed Schmer development and a recent approval by CDOT for an Access Control Plan amendment which permits a new right-in/right-out access on US34 located approximately 1000 feet East of Rocky Mountain Avenue.

The intent of this work is to construct US34 improvements that comply with the amended US34 Access Control Plan, which the City has determined will support the safe and efficient operation of US34.

Respectfully,



Matt Ruder, P.E., PTOE
Interim City Engineer
City Traffic Engineer

Appendix D

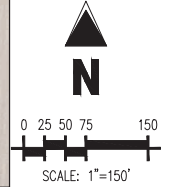
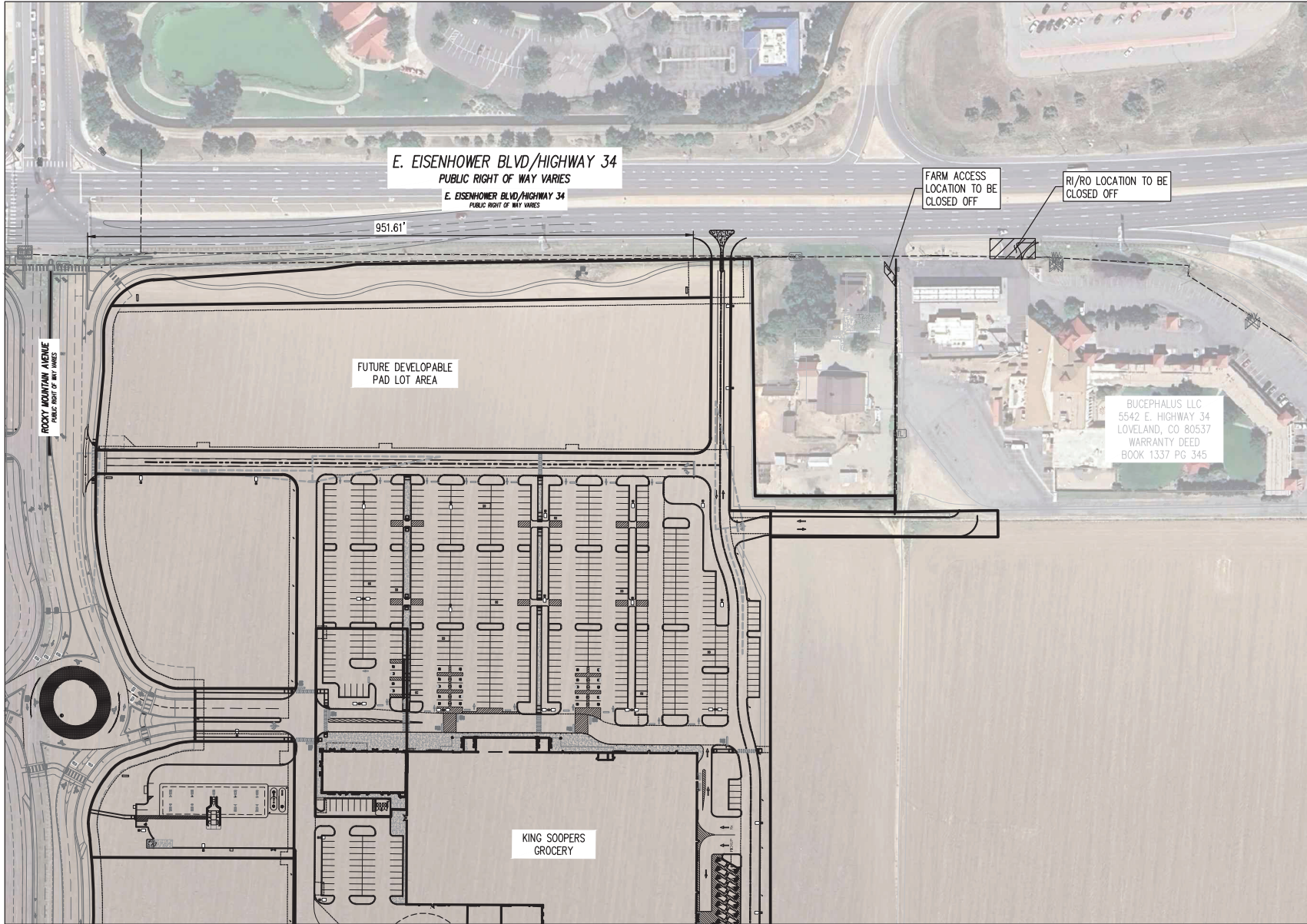


MATCH LINE: SHEET 17

Legend

AccessPointInfo	3/4 Movement (Convert/Maintain Existing)	Right-in only (Convert/Maintain Existing)	Cross Access	"C" Conditional Access
Close Existing Access Point	3/4 Movement (Proposed)	Right-in only (Proposed)	Proposed Cross Access	"D" Ditch Access
Signalized Full-Movement (Existing)	Right-in/Right-out (Convert/Maintain Existing)	Right-out only (Convert Existing)	Existing Cross Access	"E" Emergency Access
Full-Movement with Potential for Signalization (When Warranted)	Right-in/Right-out (Proposed)			"M" Major Intersection
Unsignalized Full-Movement (Maintain Existing)	Left-in/Right-out (Convert Existing)		Parcel Lines	
Unsignalized Full-Movement (Proposed)			Future Potential Roadway	

Appendix E



E. EISENHOWER BLVD/HIGHWAY 34
PUBLIC RIGHT OF WAY VARIES
E. EISENHOWER BLVD/HIGHWAY 34
PUBLIC RIGHT OF WAY VARIES

FARM ACCESS
LOCATION TO BE
CLOSED OFF

Rt/RO LOCATION TO BE
CLOSED OFF

FUTURE DEVELOPABLE
PAD LOT AREA

KING SOOPERS
GROCERY

BUCEPHALUS LLC
5542 E. HIGHWAY 34
LOVELAND, CO 80537
WARRANTY DEED
BOOK 1337 PG 345

ROCKY MOUNTAIN AVENUE
PUBLIC RIGHT OF WAY VARIES

951.61'



COLORADO
Department of Transportation

Transportation Commission Memorandum

To: The Transportation Commission
From: Jeff Sudmeier, Chief Financial Officer
Bethany Nicholas, Deputy Chief Financial Officer
Date: July 16, 2026
Subject: July Budget Supplement

Project Budget Increase

Region 1

Region 1 requests a project budget increase of \$6,112,553 in FASTER Safety (FSA) and Vulnerable Road User (VRU) funds to award project 26942-COMBO (US 6 & Wadsworth Interchange Construction). This represents a 5.6% increase over the original construction budget. The project was advertised in May and let on June 25, 2026. Six competitive bids were received, with the lowest at \$2.3M (3%) over the Engineer's Estimate. Because the deficit originates from non-BTE funded scope, since the BTE funded scope came in under budget, the total supplement of non-BTE funds needed is \$6.1M. Increased costs were primarily driven by complex drainage phasing and concrete costs for culverts, barriers, and walls. This project remains critical for improving safety and efficiency at this interchange.

EMT Approved Transfer

Region 2

The EMT approved a transfer of \$999,000 from the Transportation Commission Contingency Reserve to Region 2 to address the Aspen Creek Fire. This initial transfer covers temporary repairs and the design for permanent repairs of structure L-16-AE. This funding has been transferred to the region to begin repairs.

Request from the Transportation Commission Contingency Reserve

Aspen Creek Fire

Region 2 requests \$4,151,000 from the Transportation Commission Contingency Reserve (TCC) to cover temporary and permanent repairs for the timber bridge L-16-AE, lost in the Aspen Acres Fire, along with associated CDOT maintenance costs. Additionally, staff requests \$15,000,000 from the TCC to address potential impacts to four at-risk structures near the Aspen Acres and Willow fires, plus another \$5,000,000 for other potential CDOT infrastructure damage. This preemptive funding request aims to expedite future Commission approvals and enable an immediate emergency response.

Balances of TC Funds are as follows:

*Balances are reflecting the FY26 pools as these have not been rolled into FY27 yet.

Transportation Commission Contingency Reserve Fund Reconciliation

Date	Transaction Description	Amount	Balance
July-25	Balance 1S25		\$35,029,753
August-25	Balance 2S25		\$35,029,753
September-25	Balance 2S25		\$35,188,319
October-25	Balance 3S25		\$36,442,757
November-25	Balance 5S26		\$38,744,095
November-25	Balance 4S25		\$31,487,915
December-25	Balance 5S25		\$31,487,915
January-26	Balance 5S26		\$31,487,915
February-26	Balance 5S26		35188119.65
March-26	Balance 6S26		35188119.65
April-26	Balance 7S26		\$36,088,120
May-26	Balance 8S26		\$36,088,120
June-26	Balance 9S26		\$36,208,536
	Aspen Creek Fire EMT Request	-\$999,000	
	Replacement of Timber Bridge L-16-AE	-\$4,151,000	
	Funding for Other at-Risk Structures	-\$20,000,000	
July-26	Pending Balance 1S27		\$11,058,536

Cost Escalation Fund Reconciliation

Date	Transaction Description	Amount	Balance
July-25	Balance 1S25		\$1,811,571
August-25	Balance 2S25		\$3,997,457
September-25	Balance 2S25		\$3,997,457
October-25	Balance 3S25		\$4,090,752
November-25	Balance 4S25		\$4,090,752
December-25	Balance 5S25		\$4,090,752
January-26	Balance 5S26		\$3,181,767
February-26	Balance 5S26		\$1,352,960
March-26	Balance 6S26		\$1,352,960
April-26	Balance 7S26		\$1,352,960
May-26	Balance 8S26		\$92,335
June-26	Balance 9S26		\$92,335
July-26	Pending Balance 1S27		\$92,335

Transportation Commission Program Reserve Fund Reconciliation

Date	Transaction Description	Amount	Balance
July-25	Balance 1S25		\$56,915,262
August-25	Balance 2S25		\$56,915,262
September-25	Balance 2S25		\$147,101,951
October-25	Balance 3S25		\$144,753,872
November-25	Balance 4S25		\$145,753,872
December-25	Balance 5S25		\$48,450,185
January-26	Balance 5S26		\$48,450,185
February-26	Balance 5S26		\$49,826,329
March-26	Balance 6S26		\$50,363,521
April-26	Balance 7S26		\$53,105,015
May-26	Balance 8S26		\$53,397,887
June-26	Balance 9S26		\$46,397,887
	BA#1 Reimbursement #8 Hail Damage KAO	\$37,333	
July-26	Pending Balance 1S27		\$46,435,220

Transportation Commission Maintenance Reserve Fund Reconciliation

Date	Transaction Description	Amount	Balance
June-25	Balance 12S25		\$3,719,556
July-25	Balance 1S25		\$15,719,556
August-25	Balance 2S25		\$15,719,556
September-25	Balance 2S25		\$12,000,000
October-25	Balance 3S25		\$12,000,000
November-25	Balance 4S25		\$12,000,000
December-25	Balance 5S25		\$26,200,000
January-26	Balance 5S26		\$24,711,218
February-26	Balance 5S26		\$22,493,941
March-26	Balance 6S26		\$20,176,566
April-26	Balance 7S26		\$18,171,384
May-26	Balance 8S26		\$6,221,149
June-26	Balance 9S26		\$3,949,280
	FY26 Special Pay Distribution #7	-\$1,585,392	
	Property Acquisition Steamboat	-\$950,000	
	Address OPER shortfall in R19MS	-\$250,000	
July-26	Pending Balance 1S27		\$1,163,887



Memorandum

To: Transportation Commission
From: Jessica Myklebust, Region 1 Transportation Director
Date: July 7, 2026

Subject: Budget supplement for 26942-COMBO US 6 & Wadsworth Interchange Construction

Purpose

Region 1 requests to add an additional \$6,112,553 to the Us 6 & Wadsworth Interchange Construction project.

Action

Per CDOT Procedural Directive 703, Transportation Commission Approval is needed when additional funds are added to a project which exceeds \$5,000,000 above the original approved funding. Six competitive bids were received on June 25, 2026 and the lowest bid came in at \$2.3M (3%) over the Engineers Estimate. However, the BTE funded scope bid came in approximately \$3M under the estimated budget and the non-BTE funded scope came in \$6.1M over the estimated budget. The Region has identified \$3M of FASTER Safety (FSA) and \$3.1M of Vulnerable Road User (VRU) funding to add to the project.

Background

This Project represents the fourth and final phase of a multiyear project to improve Wadsworth Boulevard (Wadsworth) and the US 6 and Wadsworth interchange. Once completed, the reconstructed interchange and multimodal improvements will provide critical multimodal connections to nearby transit locations for the regional light rail; improve multimodal safety for pedestrians, bicyclists, and vehicles; and improve future traffic operations, resulting in decreased emissions to the surrounding environmental justice communities.

The US 6 and Wadsworth Interchange project will:

- Replace an existing cloverleaf interchange with a tight diamond interchange with a loop ramp in the northwest quadrant, where all entrance and exit ramps will be lengthened.
- Replace both a structurally deficient US 6 bridge over Wadsworth and a deficient culvert under US 6 at McIntyre Gulch.
- Connect the existing six-lane roadway section, located north of 8th Avenue and south of 4th Avenue, in each direction, while adding a 10-foot, multi-use path on both sides of Wadsworth, with a raised median to be added to the center of the roadway to direct left turns and U-turns.



- Frontage road access will be rerouted from where it currently divides a neighborhood, allowing the community to reconnect.

Recommendation

Upon approval, CDOT Region 1 will add the funding and proceed with award of the project.



COLORADO
Department of Transportation

Memorandum

To: Colorado Transportation Commission

From: Keith Stefanik, Chief Engineer

Shane Ferguson, Region 2 Transportation Director

Jason Smith, Region 3 Transportation Director

Date: July 8, 2026

Subject: CDOT Supplemental Funding Request Associated with the Aspen Acres Fire (Pueblo & Custer Counties), Willow Fire (Lake County), and Overall Statewide Fire Threat

Purpose

This memorandum provides information regarding CDOT's response to the several wildfires across Colorado. CDOT staff is seeking supplemental contingency funding authorization from the Transportation Commission related to the known and potential infrastructure damage as a result of statewide wildfires.

One timber bridge in Custer County was destroyed by fire, though an innovative temporary repair implemented by Region 2 Section 4 Maintenance crews quickly rendered the area passable for emergency access. Three other timber bridges near Leadville (CO 300) and one other timber bridge in Pueblo County (CO 96) have been identified as possible fire risks. While we are confident in firefighting teams and hopeful that damage can be avoided, we want to plan for a quick response in the event of damage.

Action

For the first request, Staff is requesting the Transportation Commission (TC) approve \$4,151,000 from the Commission Contingency Reserve Fund as part of the 1st Budget Supplement of FY 2026-27 to fund the temporary and permanent replacement of one timber bridge structure (L-16-AE) located in Custer County that is a complete loss as a result of the Aspen Creek Fire.

For the second request, Staff is requesting the TC to approve an additional \$15,000,000 from the Commission Contingency Reserve Fund as part of the 1st Budget Supplement of FY 2026-27 to fund the potential impacts to any of the four structures deemed to be in danger due to the Aspen Acres Fire and Willow Fire. These additional funds will grant CDOT the flexibility to respond quickly to other emergency repairs.

This authority would only allow CDOT to expend funds in the event that any of the four at-risk bridges are impacted by fire.

For the third request, Staff is requesting the TC to approve an additional \$5,000,000 from the Commission Contingency Reserve Fund as part of the 1st Budget Supplement of FY 2026-27 to fund the potential impacts to other CDOT infrastructure that could be damaged by the various wildfires across the state. These additional funds will grant CDOT the flexibility to respond quickly to other emergency repairs.

The authority would only allow CDOT to expend funds in the event that the CDOT Executive Management Team authorizes use of these funds and any unauthorized funds would otherwise revert to the Fund unless TC provides other direction. The purpose of this advance authorization is to avoid delay in the event of fire damage, given the urgent nature of repairs.

Any CDOT infrastructure damaged by fires would be submitted to the FHWA emergency relief program with a request for reimbursement. Staff will provide details on any use of the fund in each month's budget supplement memorandum. Any unused funds will be returned to the Contingency Reserve. Any funds ultimately reimbursed will also be returned to the Contingency Reserve.

Background

Part 1: Aspen Acres Fire - Known Impacts

Region 2 is requesting supplemental funding for the temporary and permanent repairs associated with the complete loss of the timber bridge structure L-16-AE as a result of the Aspen Acres Fire and supplemental funding for the CDOT Maintenance response efforts costs due to the Aspen Acres Fire. The Aspen Acres Fire is currently burning in the mountains and rolling hills southwest of Pueblo and has quickly become one of the largest wildfires in state history.

A verbal emergency declaration was issued by Governor Polis on June 28, 2026, for the Aspen Acres Fire. Region 2 requested and received Chief Engineer concurrence on June 30, 2026 for an emergency declaration to replace a 2-lane timber bridge structure (L-16-AE) on CO 165 north of San Isabel at milepost 16.35 in Custer County that was determined to be a complete loss as a result of the Aspen Acres Fire.

The timber bridge structure allowed watershed flow from Greenhorn Mountain and surrounding areas under the highway, and the loss of the timber bridge structure has required the highway to be closed at the structure location, preventing CO 165 from being used as a viable state route. CO 165 is a north to south highway from CO 96 (McKenzie Junction) to I-25 (Colorado City) with an AADT of 330 and 8% truck traffic. Current closure of CO-165 is from MP 10 to MP 31.4. Detour length is approximately 100 miles.



The short-term goal was to construct a temporary solution to restore emergency response and an evacuation route at the location of the lost timber bridge structure. This short-term goal was accomplished at 1:00am on July 1, 2026 by internal CDOT Region 2 Section 4 Maintenance crews. These crews removed the remnants of the existing structure, placed two 72-inch corrugated metal steel pipes and backfilled the pipes up to the roadway surface elevation to restore one-lane emergency response traffic.

In a secondary sequence, Region 2 Section 4 Maintenance crews completed additional temporary work to extend the corrugated metal steep pipes to safely accommodate 2-lane non-emergency traffic once the emergency event ends. This secondary sequence was completed on July 7, 2026 at approximately 5:00pm. Region 2 will continue to assess safe-to-open procedures to ensure that this portion of CO 165 can be re-opened to public traffic once emergency personnel deem the area safe to public travel.

The current cost estimate for this temporary work is approximately \$150,000 due to the large structure diameter, equipment rental, backfill and roadway material, and traffic control for the closure and detour. This amount also includes CDOT staff time charges.

A concurrent effort will be taken to design the permanent replacement structure, which a contractor will construct. The initial cost estimate for the permanent replacement structure, including measures for resilience features (burn-scar ash and debris flow mitigation), design and construction staffing, and CE & Indirect charges is approximately \$5,000,000. The total estimated costs for the temporary and permanent repairs related to this structure is \$5,150,000.

Part 2: Other Potential CDOT Owned Infrastructure Impacts due to Wildfires

Staff is requesting supplemental funding for other potential CDOT infrastructure impacts resulting from current and potential statewide wildfires this season. This is a preemptive measure to minimize time for requests and approval from the Transportation Commission to allow for an immediate response, if needed, for temporary and permanent repairs associated with the possible loss of CDOT infrastructure assets.

Colorado is currently experiencing a historical drought which significantly increases the wildfire risk. Beyond the current loss of the timber bridge structure resulting from the Aspen Creek Fire, other CDOT assets are at risk due to the wildfires. As an example, there is an additional timber bridge structure (L-17-E) located on CO 96 north of the current limits of the Aspen Creek Fire. If CDOT did experience the loss of this structure, the estimate for the temporary and permanent repairs is \$14,500,000.

Another second example of potential CDOT infrastructure risk is related to the Willow Fire which is directly west of CO 300 and Leadville, roughly ½ mile from timber bridge structure H-11-U and 1.5 miles from timber bridge structures H-11-AA and H-11-AB. Region 2 Section 2 crews continue to monitor and are prepared to respond as requested. If CDOT did experience the loss of these structures, the estimate for the temporary and permanent repairs is approximately \$25,800,000.

Recommendation

CDOT staff recommends approval of \$4,151,000 of supplemental funding to assist Region 2 in accomplishing the known temporary and permanent repair needs of structure L-16-AE due to the complete loss associated with the Aspen Acres Fire. The recommended approval amount was reduced to account for the previously authorized amount of \$999,000 by the CDOT Executive Management Team as discussed above.

CDOT staff also recommends approval of an additional \$15,000,000 of supplemental funding to be available to fund the potential impacts to any of the four structures deemed to be in danger due to the Aspen Acres Fire and Willow Fire.

CDOT staff also recommends approval of an additional \$5,000,000 of supplemental funding to be available to fund the potential impacts to other CDOT infrastructure that could be damaged by the various wildfires across the state.



Transportation Commission Memorandum

To: The Transportation Commission

From: Jeff Sudmeier, Chief Financial Officer

Date: July 15, 2026

Subject: Monthly Cash Balance Update

Purpose

To provide an update on cash management, including forecasts of monthly revenues, expenditures, and cash balances for the State Highway Fund, SB 17-267 Trustee Account, and American Rescue Plan Act funds.

Action

No action is requested at this time.

Summary

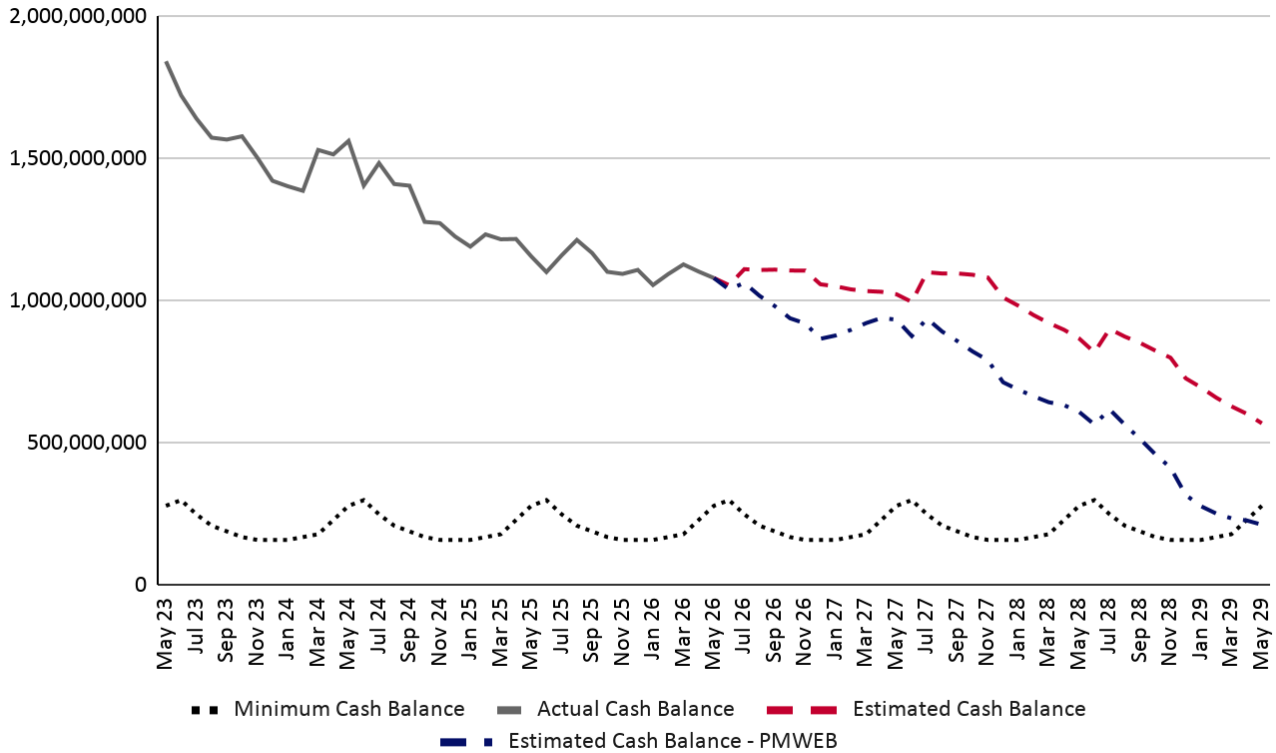
The actual cash balance for May 2026 was \$1.08 billion; \$801.00 million above that month's minimum cash balance target of \$280.00 million. May's cash balance includes \$680.31 million in the State Highway Fund, \$28.30 million in ARPA Refinance funding, and \$372.35 million in the Senate Bill 267 trustee account.

Figure 1 below outlines the Department's 36-month cash forecast. The primary drivers in this forecast include revenue from the state Highway Users Tax Fund (HUTF), federal reimbursements, payments to contractors, and General Fund transfers made pursuant to SB 21-260.

The Fund 400 Cash Balance is expected to gradually decrease over the forecast period as projects funded with SB 17-267 and other legislative sources progress through construction. The sections below provide additional information on the revenues and expenditures forecasted for this memo.



Figure 1 - Fund 400 Cash Forecast



This forecast provides a range based on forecasted contractor expenditures. The low-expenditure forecast uses historical contractor payments as the basis and assumes the Department’s overall rate of spending will remain consistent throughout the forecast period. The high-expenditure forecast factors in additional expenditures for specific projects over the next 3 years, including expenditures related to I-70 Floyd Hill and I 270. The actual cash balance will depend on the timing of the project and the overall expenditure rate on specific projects.

Cash Balance Overview

The Transportation Commission’s directive (Policy Directive 703.0) outlines targeted minimum cash balances to limit the risk of a cash overdraft at the end of a month to, at most, a probability of 1/1,000 (1 month of 1,000 months ending with a cash overdraft). The forecasted cash balance is expected to remain above the targeted minimum cash balance through the forecast period.

The cash balance forecast is limited to the State Highway Fund (Fund 400 and affiliated funds and trustee accounts). This forecast does not include other statutory Funds, including the Multimodal Mitigation and Transportation Options Fund and funds associated with CDOT enterprises.



Revenue Sources Forecasted

The State Highway Fund revenues forecasted in this cash balance include:

- Highway Users Tax Fund - This primarily includes Motor Fuel Taxes, Vehicle Registration Fees, Road Usage Fees, and Retail Delivery fees.
- Miscellaneous State Highway Fund Revenue - This revenue includes proceeds from the sale of state property, interest earned on balances in the cash fund, the issuance of oversize/overweight permits, and revenue from various smaller sources.
- SB 17-267 - This bill directed the State Treasurer to execute lease-purchase agreements on existing state facilities to generate revenue for priority transportation projects.
- General Fund Transfers- Pursuant to SB 21-260, annual General Fund transfers will be made to the State Highway Fund between FY 2024-25 to FY 2031-32. This cash forecast assumes these transfers will be made in July of each year.

Expenditure Sources Forecasted

The State Highway Fund expenditures forecasted in this cash balance include:

- Payments to construction contractors (described in more detail in the section below)
- Staffing expenses and program-related professional services
- Right of Way Acquisition
- Debt Service
- Transfers between CDOT and other state entities
- Maintenance and facilities expenditures
- Grant expenditures
- Other expenditures related to services and equipment.

Cash Payments to Construction Contractors

The current forecast of payments to construction contractors under state contracts (grants paid out under inter-government agreements for construction are accounted for elsewhere in the expenditure forecast) from Fund 400 is shown in Figure 2 below.

Figure 2 - Cash Payments to Construction Contractors (millions)

CY 2019 (actual)	CY 2020 (actual)	CY 2021 (actual)	CY 2022 (actual)	CY 2023 (actual)	CY 2024 (actual)	CY 2025 (actual)	CY 2026 (forecast)
\$669	\$774	\$615	\$841	\$860	\$882	\$962	\$960 *



COLORADO

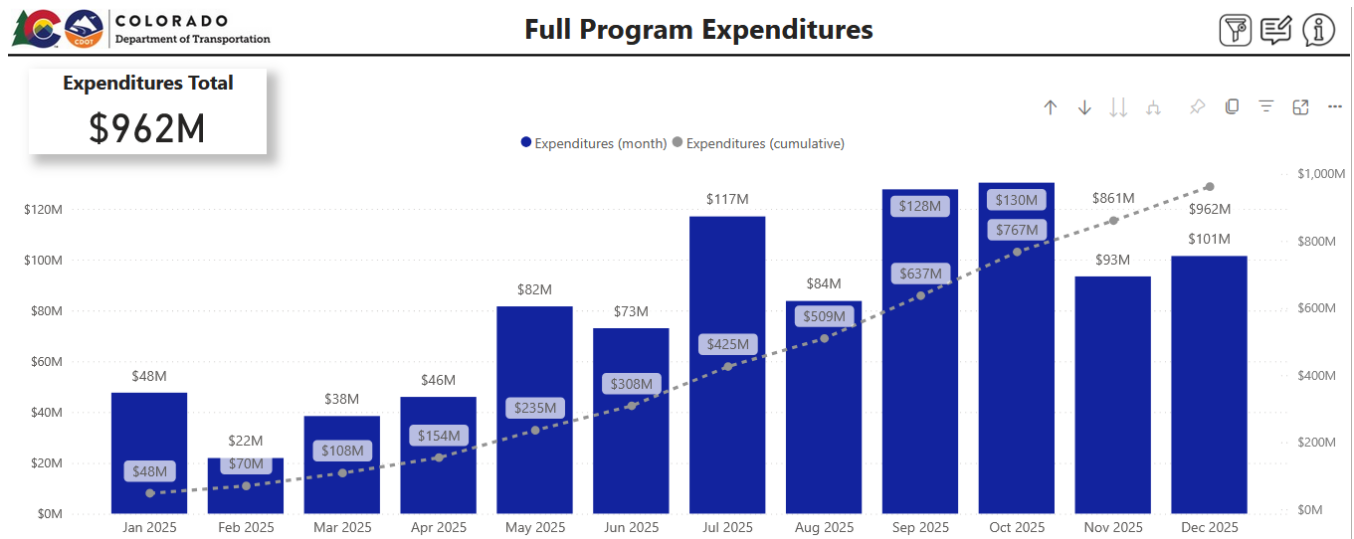
Department of Transportation

*This is a preliminary baseline that will be updated as additional project schedule detail becomes available.

Figure 3 details the final CY25 actual expenditures for the State Highway Fund (see Figure 2 above) as well as Bridge and Tunnel Enterprise. CDOT sets the CY baseline in January each year, using the best estimates, forecast, and schedule information available at the time.

Including Bridge Enterprise, May 2026 month end expenditures were corresponding to an Expenditure Performance Index (XPI) of 0.70 (actual expenditures vs. baseline). There were \$219.2M actual expenditures YTD vs. the baseline of \$312.6M. The CY 25 baseline included expenditures from 219 projects, while the CY 26 baseline includes expenditures from 205 projects. Figure 4 details the CY26 baseline and forecasted expenditures.

Figure 3 - Dashboard View, CY 25 Year End

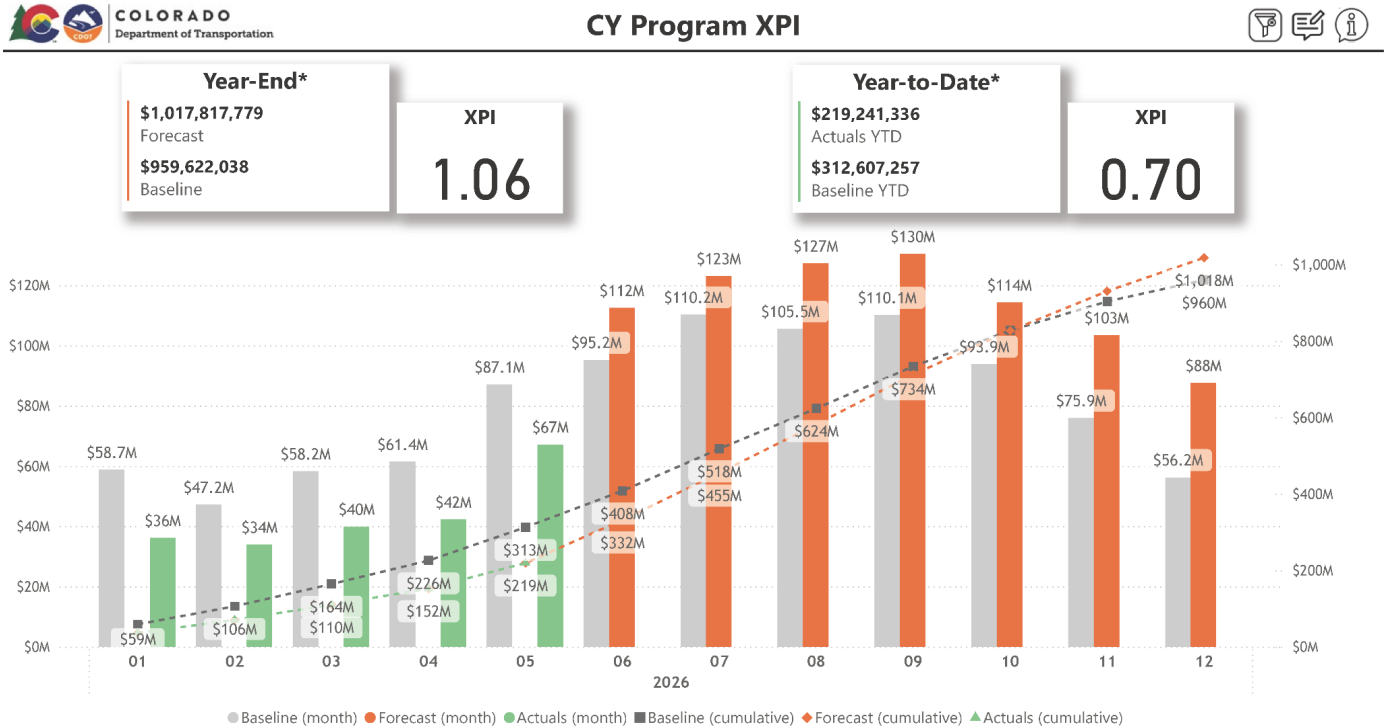




COLORADO

Department of Transportation

Figure 4 - Dashboard View, CY 26



* Defaulted to current year but will adjust based on dates selected in the filter pane.



COLORADO

Department of Transportation

Transportation Commission Memorandum

To: The Transportation Commission

From: Jeff Sudmeier, Chief Financial Officer

Ryan Long, OFMB Revenue and Policy Director

Date: July 15, 2026

Subject: FY 2025-26 Q4 Highway Users Tax Fund Forecast

Purpose

To provide a quarterly update to the annual Highway User Tax Fund (HUTF) revenue forecast.

Action

This is for information purposes only. No action is requested from the Transportation Commission at this time.

Background

The Office of Financial Management and Budget (OFMB) maintains an annual revenue model to inform the budget-setting process. The OFMB updates this model quarterly to monitor the current fiscal year's performance and project revenue for future fiscal years. The data inputs for this model include, but are not limited to, the following:

- Historical performance of fee revenues
- National economic performance indicators, such as the year-over-year percent change in real U.S. GDP growth
- Inflation estimates based on data from Moody's and the National Highway Cost Construction Index (NHCCI)
- State population and demographic data from the Department of Local Affairs
- Data on annual vehicle miles traveled (VMT) in Colorado from the CDOT Division of Transportation Development
- Estimated vehicle costs, including federal or state rebates for certain vehicles
- Vehicle sales and energy consumption data from the Energy Information Administration
- State fleet data from the Colorado Department of Revenue
- Colorado Clean Cars standard as baseline for estimation of electric vehicle adoption

The Department develops the Annual Revenue Allocation Plan using outputs from this model. During the annual budget development process, CDOT staff reconcile annual

projected revenues with approved requests for expenditures. Staff provides draft and final versions of the Revenue Allocation Plan for formal review and approval by the Transportation Commission. The final plan becomes CDOT’s official budget for the next fiscal year.

Current Forecast Compared to FY 2025-26 Budget

The table below compares this forecast with the forecast used to set the FY 2025-26 budget. Compared to the FY 2025-26 budget, the projected revenue from fuel taxes and motor fuel registrations has decreased.

Changes to CDOT HUTF Revenue (millions)

Revenue Source	CDOT FY 2025-26 Budget	FY 26 Q4 Forecast	Variance
CDOT First Stream	\$112,369,862	\$116,933,800	\$4,563,938
CDOT Second Stream	\$415,820,341	\$396,926,900	(\$18,893,441)
CDOT FASTER	\$122,359,750	\$122,995,200	\$635,450
CDOT Retail Delivery Fee	\$10,267,421	\$10,194,500	(\$72,921)
FASTER Transit and Rail	\$5,000,000	\$5,000,000	\$0
CDOT Other Distribution	\$61,200	\$61,200	\$0
CDOT HUTF Revenue Total	\$665,878,574	\$652,111,600	(\$13,766,974)

Compared to the FY 2025-26 budgeted amounts for HUTF revenue:

- The combined revenues from first and second stream distributions are lagging behind expectations. This is largely being driven by lower than expected motor fuel revenue.
- The increase to first stream revenue is related to a structural change to better account for vehicle registration revenue between first and second stream. There was a corresponding decrease to second stream revenue.
- The forecast for electric vehicle registration fees was updated to better account for the timing of electric vehicle adoption throughout the fiscal year. This slightly decreased estimated revenue from EV registration fee revenue.
- Projected revenue from the FASTER Road Safety Surcharge was increased based on actuals through May.

Statewide HUTF Revenue

The tables below summarize CDOT’s FY 2025-26 Q4 statewide HUTF forecast. A more detailed forecast narrative can be found on CDOT’s website.

Revenue increases in future years are primarily attributed to increased revenue from FASTER fees, the Road Usage Fee, Electric Vehicle fees, and the Retail Delivery Fee.

Revenues from fuel taxes are forecasted to continue declining through the forecast period. While overall fuel revenue is expected to keep increasing, this increase is entirely attributable to the increasing Road Usage Fee rate in future years.

Statewide HUTF Forecasted Revenue (millions)

Revenue Source	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Motor Fuel Taxes	\$644.30	\$637.20	\$634.10	\$630.10
Vehicle Registration Fees	\$244.40	\$250.60	\$255.30	\$269.00
FASTER Collections	\$232.50	\$217.00	\$217.40	\$237.30
General Fund Transfers	\$0.00	\$0.00	\$0.00	\$0.00
Road Usage Fee	\$120.10	\$147.10	\$175.70	\$203.70
Miscellaneous Collections	\$26.50	\$32.30	\$32.30	\$32.30
Retail Delivery Fee	\$22.60	\$25.50	\$28.40	\$31.70
Statewide HUTF Revenue	\$1,290.50	\$1,309.80	\$1,343.30	\$1,404.10

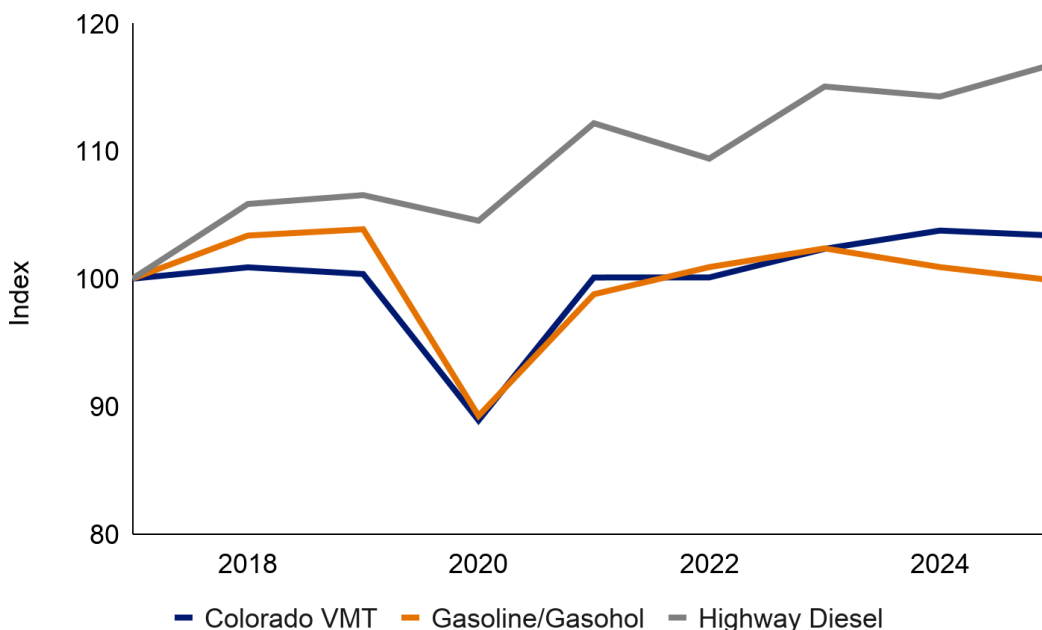
Statewide HUTF Forecasted Distributions (millions)

Recipient	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Off-the-Top Appropriations	\$212.70	\$225.30	\$238.60	\$252.60
CDOT	\$656.20	\$652.10	\$661.30	\$694.40
DNR Capital Construction	\$0.30	\$0.30	\$0.30	\$0.30
Counties	\$244.30	\$249.40	\$254.20	\$261.20
Municipalities	\$176.90	\$182.60	\$188.90	\$195.70
Total HUTF Distributions	\$1,290.50	\$1,309.80	\$1,343.30	\$1,404.10

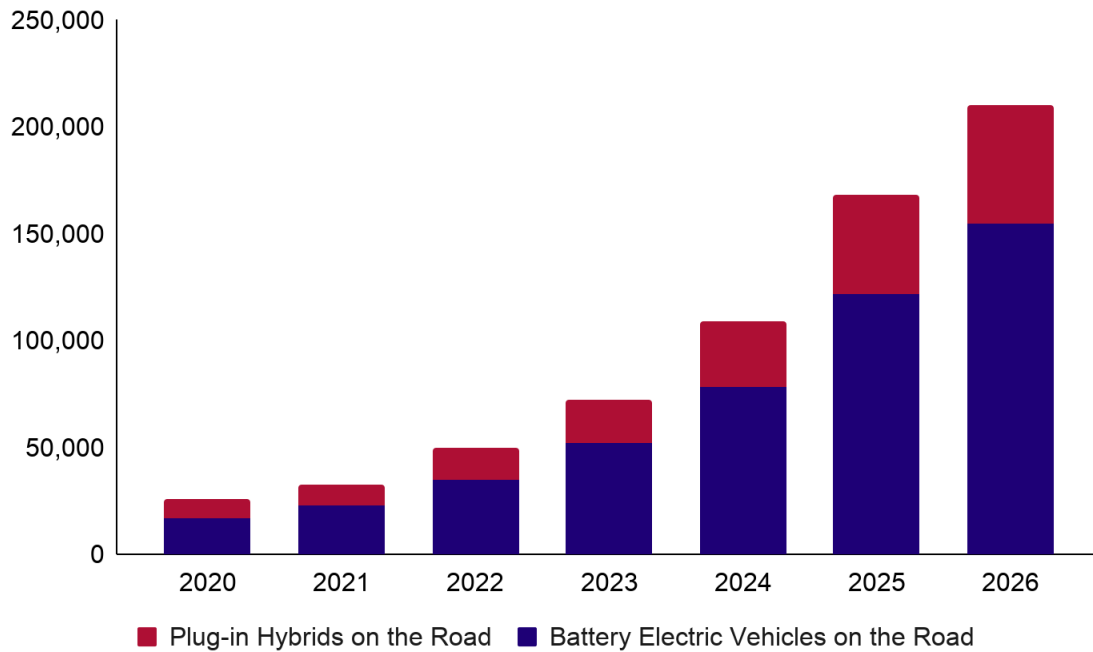
Economic and Transportation Trends Impacting the Forecast

There are several economic trends that could impact CDOT's overall revenue forecast. Some of the trends the Department is tracking include:

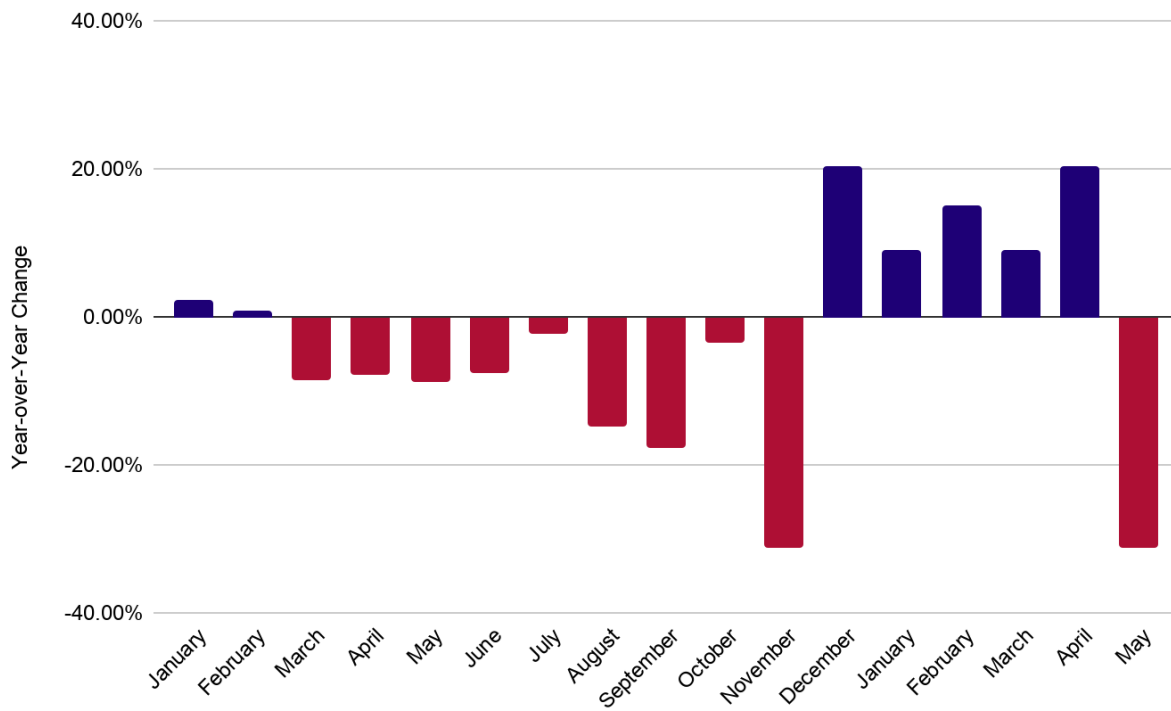
- **Consumer Price Index (CPI) and National Highway Construction Cost Index (NHCCI):** Several CDOT fees are adjusted annually based on either the CPI or the NHCCI. CDOT's current forecast expects baseline inflation to be higher than average over the next several months, which could impact future rate adjustments. While higher inflation could lead to an increase in overall fee revenue, it is expected that construction costs will continue to outpace any revenue adjustments made to existing fees.
- **Motor fuel revenue:** The combined revenues from first and second stream distributions are lagging behind expectations. This is largely being driven by lower than expected motor fuel revenue. Overall, gasoline consumption has been decreasing despite overall increases in vehicle miles traveled (VMT). OFMB attributes this to increasing fuel efficiency and the increasing adoption of electric vehicles in the state. The chart below shows changes to VMT and fuel consumption, using 2017 as the baseline year.



- **Electric vehicle adoption:** Electric vehicle registrations in Colorado have been growing at a fast pace over the last several years. While growth has remained robust, the Department has observed a notable drop-off in growth rate of electric vehicles on the road in recent months. OFMB will continue to monitor trends to see how federal policy changes and economic conditions impact electric vehicle adoption over the long-term. The chart below shows the growth in the number of electric vehicles on the road.



- Vehicle rentals:** The state has seen year over year decreases in vehicle rentals in several months over the last year. As a result, the department reduced forecast expectations for the FASTER Daily Rental Fee and the Congestion Impact Fee relative to the budget. The chart below shows year-over-year changes to motor vehicle rentals since January 2025.



Legislative Actions Impacting HUTF Revenue

SB 25-258

Senate Bill 25-258 temporarily reduces the Road Safety Surcharge by \$3.70 for all weight classes. This is expected to reduce statewide revenue by approximately \$17.8 million in FY 2025-26 and \$21.6 million FY 2026-27. This bill adjusted the FASTER distribution formula to minimize the revenue impact on counties and municipalities. The table below outlines the expected changes to CDOT's FASTER revenue for FY 2025-26.

CDOT Road Safety Surcharge Reduction

FASTER Fee	FY 26	FY 27	FY 28
CDOT Road Safety Surcharge Reduction	-\$17,840,000	-\$21,580,000	-\$5,630,000

HB 26-1102

This bill redirects \$2 of each late vehicle registration fee and certain personalized license plate fees away from the HUTF and into the DRIVES vehicle services account, resulting in a decrease in total HUTF revenue available for CDOT and local governments. This bill is expected to decrease statewide HUTF revenue by \$4.5 million in FY 2026-27 and \$6.3 million in FY 2027-28 and future years.

HB 26-1289

This bill alters fuel tax transit loss and collection allowance, which is expected to increase statewide HUTF revenue from fuel taxes. It is explicitly designed to offset the revenue losses CDOT and local governments face from HB 26-1102. This bill is expected to increase statewide HUTF revenue by \$1.6 million in FY 2026-27 and \$3.3 million in FY 2027-28 and future years.

HB 26-1430

This bill makes several transportation funding changes, including a reduction in gasoline and special fuel excise taxes contingent on voter approval of Initiative 175 in November 2026.

Initiative 175 is a constitutional measure that requires that state revenue collected to support road transportation only be used for road transportation. This would require that all state sales and use tax, excise taxes and fees on motor vehicles and motor vehicle fuels, as well as two-thirds of state sales and use tax revenue collected from vehicle parts and accessories to be spent on road construction and maintenance projects.

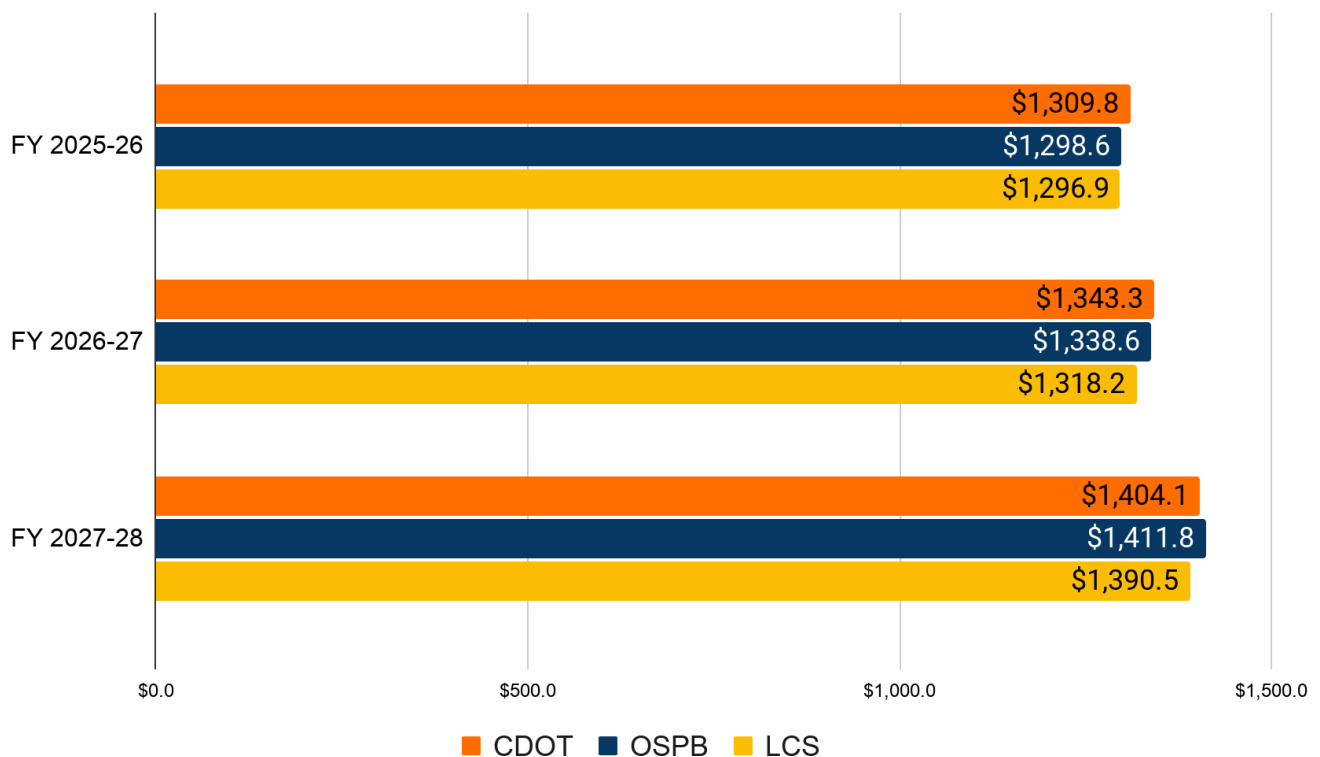
The tax reductions in HB 26-1430 are designed to offset the revenue increases generated by Initiative 175 in the first three years after its passage. Any forecast changes will depend on the passage of Initiative 175 and any requirements passed through implementing legislation.

Statewide Forecast Comparison

The forecasts prepared by the Governor’s Office of State Planning and Budgeting (OSPB) and Legislative Council Staff (LCS) are used as the basis for statewide budget planning, and both forecasts estimate statewide transportation revenue.

CDOT’s budget is primarily driven by the Revenue Allocation Plan approved by the Transportation Commission, which is developed using CDOT’s independent quarterly forecast. The chart below provides a comparison of CDOT’s forecast to the other statewide forecasts.

Statewide HUTF Forecast Comparison (millions)



Transportation Revenue and TABOR

The Taxpayer’s Bill of Rights (TABOR), approved by voters in 1992, imposes a constraint on the amount of revenue that the state may retain and spend. Each year, the total revenue collected by the state can only grow by the combined increase of population growth and inflation. The statewide revenue forecasts provided by the Office of State Planning and Budgeting (OSPB) and the Legislative Council Staff (LCS) project that state revenue will exceed the TABOR cap in FY 2026-27.

The state’s General Fund is currently constrained by two factors: increasing cash fund revenue and expenditures that increase faster than inflation. Since TABOR refunds are paid out of the General fund, increasing cash fund revenue can constrain the amount of General Fund revenue that is available within the TABOR limit. Additionally,

several state expenses related to health care and education have been growing at a rate that is faster than inflation. Since the state's revenue growth is largely constrained by inflation, these growing expenses are taking up an increasingly larger portion of the budget.

While surpassing the TABOR cap does not directly impact CDOT's revenue, which is primarily funded through cash fund revenue, there is a risk that the decreasing availability of General Funds may impact future General Fund transfers to State Highway Fund.

Transportation Commission Statewide Plan and GHG Coordination Committee

Date: 11 June 2026

Time: 12:00 PM

Location: Virtual

Attendees:

TC Members: Commissioner Cook, Commissioner Parsons, Commissioner Gutierrez
CDOT HQ: Herman Stockinger, Deputy Executive Director & TC Secretary; Darius Pakbaz, Division of Transportation Development (DTD) Director; Heather Paddock, Region 4 RTD; Chris LaPlante, Air and Climate Section Manager; Taylor Bartlett, Climate and Air Quality Specialist

Meeting Purpose:

To inform the committee that the North Front Range MPO's plan update successfully met the Commission's GHG reduction requirements per the rule, and discuss the issue of off model emissions reduction calculations.

Agenda Item 1: Provide an Overview of the NFRMPO GHG Transportation Report

- Herman Stockinger provided an overview of the content of the NFR Report
- The North Front Range MPO plans to bring its GHG Transportation Report to TC for approval this month.
- We have received confirmation from APCD that they agree with NFRMPO's emissions modeling results.
- Brought attention to a "Whereas" in the Resolution that speaks to off model calculations. The Planning Rule allows two ways to show GHG reduction benefits for projects/programs. They can be plugged directly into the regional travel model, which then outputs the results- that's the preferred method. However, our travel models are still not sophisticated enough to capture all projects. For example, an MPO may assume dozens of short bike paths will be constructed all over the region, but each path is too small to fit into or show up in the travel model. That's why the Planning Rule includes the Mitigation Action Plans (MAP). These plans allow us to calculate benefits from smaller projects that don't show up in the model but still provide GHG reduction benefits. We've adopted Policy Directive 1610.0, which provides GHG benefit calculations for many, many smaller projects.
- There is some disagreement on whether these off model calculations should be included in a MAP, or whether, because the funding for the projects are included in the Regional Plan, they do not need to be in a MAP.
- Staff are now working with the Interagency Consultation Team (IACT) to discuss the issue of off model calculations in hopes of providing clarity before the next Regional Plan comes to the TC for review of their GHG Transportation Report.

Questions/Recommendations

- Commissioner Parsons expressed appreciation for working through the rule but also for seeking ways to ease the administrative burden associated with reporting requirements. Other Commissioners expressed similar support.
- Commissioners expressed appreciation for the "heads-up" and want to stay engaged on the issue.
- No other substantial questions or comments were raised by the TC members present.

Next Steps

- Staff will continue working with the IACT and report back on progress to the Statewide Plan and GHG Coordination Committee in a few months.



COLORADO
Department of Transportation

Transportation Commission Memorandum

To: Colorado Transportation Commission

From: Leslie Welch and Anna Dunn, Grants Coordinators

Date: July 15, 2026

Subject: Update to the Transportation Commission on CDOT's submitted, in progress, and forthcoming grant applications

Purpose

To share progress on submitted applications, as well as current and future coordination of proposals to anticipated federal discretionary programs, primarily under the Infrastructure Investment Jobs Act (IIJA).

Action

Per PD 703.0, when the department intends to apply for grants with a match consisting of previously approved funding, no action is necessary by the Commission, but we provide the Commission with the projects we intend to pursue. If the match requires an additional commitment of funds not already approved by the Commission, or Bridge & Tunnel Enterprise (BTE), staff brings the projects to the Commission as an action item, with the additional funding being made contingent on a successful application and grant award.

As always, Commissioners and CDOT staff are encouraged to contact CDOT's in-house grant team with questions, comments, and suggestions.

Background

For information on closed 2022, 2023, 2024, and 2025 grant programs and awarded proposals, please refer to archived TC Grants Memos from December 2025 or prior.

The following discretionary grant programs have closed, but applications are still being reviewed:

1. BRIDGE INVESTMENT PROGRAM (BIP) - OTHER than LARGE BRIDGE (>\$100M), FY25
 - US50 Blue Mesa Bridges Emergency Repairs, R3
2. BRIDGE INVESTMENT PROGRAM (BIP) - PLANNING, FY25
 - I-70 West Applewood to Lakewood Critical Bridges Planning, R1
3. National Scenic Byways Program
 - Mount Blue Sky Scenic Byway: Interpretation Corridor Management Plan, R1
 - Roadside Markers Improvements on Colorado Byways, Statewide
4. BRIDGE INVESTMENT PROGRAM (BIP) - LARGE BRIDGE FY26
 - I-270 Critical Bridges, R1
5. National Railroad Partnership Program (formerly known as Federal State Partnership Program) - Response expected August 2026

- Denver Union Station Improvements- Track and equipment improvements to reduce passenger rail delays at Union Station, Region 1
- SAFER Travel- Rockfall mitigation, grade crossing improvements, hazmat caching along key passenger rail routes (e.g., California Zephyr), Region 3.
- 6. Better Utilizing Investments to Leverage Development (BUILD) (formerly known as RAISE) - Response expected August 2026
 - 23rd Avenue Bridge Improvements Project - Replacement of the 23rd Avenue bridge and corresponding multimodal improvements, Region 1
 - US Highway 50 Safety Improvements West of Cañon City (aka the '8 Mile Grant' - Installation of median and other safety improvements along US 50 west of Cañon City, Region 2
 - I-70 Tourism/Recreation Access and Interstate Longevity (TRAIL) - Replacement of the Mt. Garfield Trailhead access culvert, Region 3
 - Morgan County Building Opportunities for Optimized Safety and Transportation (BOOST) - Reconstruction of I-76 near Fort Morgan and elimination of dangerous interchange, Region 4
- 7. Railroad Crossing Elimination (RCE) - Response expected December 2026
 - CDOT has applied for funding to remediate 3 at-grade crossings in R1, adjacent to Burnham Yard
- 8. BRIDGE INVESTMENT PROGRAM (BIP) - OTHER than LARGE BRIDGE (>\$100M), FY26
 - US 85 Fountain Creek Critical Bridge Replacement for Community Connectivity and Safety, R2
- 9. BRIDGE INVESTMENT PROGRAM (BIP) - PLANNING, FY25
 - I-70 West Applewood to Lakewood Critical Bridges Planning, R1
 - Colorado Eastern Plains Timber Bridge Replacement Planning Project
- 10. CRISI
 - Increasing Rail Capacity by Implementing Siding in Henderson, Colorado, R1
 - York Street Bridge Replacement Project, R1
- 11. Nationally Significant Multimodal Freight and Highways Projects (INFRA)
 - US Highway 50 Safety Improvements West of Cañon City (aka the '8 Mile Grant' - Installation of median and other safety improvements along US 50 west of Cañon City, Region 2
 - I-270 Critical Corridor Improvements: Bridges Bundle Replacement Project, R1

IN PROGRESS

CDOT is actively pursuing the following discretionary grant program(s):

1. PROTECT
 - CDOT is pursuing grants for State-Wide Avalanche Mitigation (SWAP) in Regions 3 and 5 and a Culvert package in Region 3
2. Wildlife Crossings Pilot Program
 - CDOT intends to pursue resubmissions for the R2 I-25 Raton Pass project, R1 US 40 Empire Overpass, as well as a new submission for US 160 East of Cortez.
3. FLAP (Federal Lands Access Program)
 - CDOT is exploring multiple options for grants in all regions.

CDOT DISCRETIONARY GRANT SUCCESS BY THE NUMBERS

Since the IIJA was signed into law in November 2021...

- CDOT has been awarded \$612M*, including both direct and indirect via local agency partnerships

- 19 priority projects featured in our 10 Year Plan have won a federal discretionary grant
- The Floyd Hill to Veterans Memorial Tunnels Improvements Project received CDOT's largest award to date at \$100M

Next Steps

Grants Team is expecting updated NOFOs to drop soon for the following programs:

- Wildlife Crossings Pilot Program. Expected Spring 2026

*Amount includes now rescinded EVCRAA and CRISI grants