



COLORADO
Department of
Transportation

DATE: December 1, 2021

TO: Transportation Commission

FROM: Herman Stockinger, Deputy Director
Rebecca White, Director, Division of Transportation Development
Theresa Takushi, Greenhouse Gas Climate Action Specialist

SUBJECT: GHG Pollution Reduction Standard for Transportation Planning Rulemaking

Purpose

This Special Workshop of the Transportation Commission will be an opportunity for the Commission to discuss the Draft GHG Pollution Reduction Standard prior to a Resolution requesting adoption of the overall Transportation Planning rule on December 16.

Action

No requested action at this time. Action requested on December 16.

Background

The first version of the draft rule was noticed by the Secretary of State on August 13, 2021, followed by a 60-day written comment period and nine public hearings held across the state. On October 14, CDOT, on behalf of the Transportation Commission, extended the public comment period by another 30+ days to November 18, 2021, and a tenth public hearing was held on November 10.

With all public comment in, the Agency Coordinating Committee of the TC and CDOT staff are now working together to finalize language so that the TC may adopt final rules at its December 16 Regular Meeting.

Details and Attachment List

The Ad Hoc Committee would like the full TC to receive a presentation and material on the following three items:

Attachment #1. A report from staff detailing the key recommended revisions expected from the second draft issued on October 19th, and the final rule expected to be adopted on December 16.

Attachment #2. Review of all comments and recommended changes from Transportation Commissioners.

Attachment #3. A summary/matrix of all written comments from the entire rulemaking.



COLORADO

Department of Transportation

**Transportation Commission
Special Meeting
Proposed GHG Rule
December 1, 2021**



- 1. Comments Received--In Summary**
- 2. Primary Proposed Changes**
 - Preamble language on capacity projects and operational measures
 - Annual Report
 - Compliance and Funding Restrictions
 - Addressing of Equity/DI
- 3. Comments from Commissioners**



Comment Statistics

- Total of 337 comments across all 10 hearings/3 months
- 117 Comments in the last month
- 3 letters with multiple signatures:
 - NRDC: 1,913
 - Sierra Club:119
- 199 Written Comments
- 132 Oral Comments
- **Several commenters said that the hybrid format made the process accessible to them. A few comments even said that the Proposed GHG Rule was the first time they have ever provided public testimony.**



PRIMARY PROPOSED RULE ADJUSTMENTS



Preamble Language on Capacity and Operational Measures

Proposal

Holistic Air Quality Planning: CDOT and MPOs should be able to demonstrate how they have supported the GHG Mitigation Measures included in a Mitigation Action Plan, through funding, technical assistance, or other forms of support. Traffic improvements that focus on improving traffic flow through either capacity expansion or technology measures that primarily benefit the flow of vehicular traffic without improving alternatives to driving single occupancy vehicles are likely not to demonstrate the air quality benefits that would warrant their use as mitigation due to the expected induced demand resulting from such measures.

Oct 19 Version (Page 6)

Holistic Air Quality Planning: CDOT and MPOs should be able to demonstrate how they have supported the GHG Mitigation Measures included in a Mitigation Action Plan, through funding, technical assistance, or other forms of support. Traffic improvements that focus on improving traffic flow through either capacity expansion or technology measures that primarily benefit the flow of vehicular traffic without improving alternatives to driving single occupancy vehicles are not allowable for the purposes of approved mitigation.



Proposal

8.06.2 Beginning October 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a report which shall include relevant factors such as economic conditions, population growth, latest available data on the number of electric vehicles registered in Colorado, transit ridership, bicycle use data, and total estimated VMT per capita within the MPO areas and statewide for the past calendar year. The Commission shall review annually the report during a publicly noticed meeting and shall assess whether the directional change in any of the metrics warrant consideration of policy changes.

October 19 Version (Page 31)

8.06.2 Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a VMT report. The report shall provide total VMT per capita within the MPO areas and statewide for the past calendar year.

8.06.2.1 If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider revisions to these rules in order to achieve reductions in VMT consistent with the intent of this rule.



Compliance and Funding Restrictions

Proposed New Section (Page 28)

8.02.6.1.4 The restrictions in 8.02.6.1.1 and 8.02.6.1.2 do not apply to funding sources where adherence to those restrictions would violate federal or state statutory requirements for those funding sources.

Issue Addressed

- The MPOs have specific funding sources- STBG and CMAQ restricted if they fail to meet Table 1. But CDOT has “the 10 Year Plan Funds” which could be a dozen different funding sources, including those that have federal or state statutory restrictions.
 - For example, FASTER Bridge can only be spent on repairing and replacing poor bridges, but if those funds are included in the 10 Year plan, and become restricted, they MUST be used to reduce GHG, but the statutory requirements and rule requirements are in conflict (as the repair and replacement of poor bridges does not reduce GHG).
- As we consider “adding” enterprise and other funds to the funding pot of the 10 Year Plan, we need to make sure we are not restricting funds in a way that violate federal or state law.



Addressing Equity

Proposed New References to Equity and DI Communities

- New subsection in preamble “Consideration of DI Communities” summarizing the importance of this topic across the entire rule (Section 4 included, which details rules for overall planning process). (Page 3)
- Preamble, Overview Section: Commitment for an equity multiplier (or similar) in the mitigation policy directive. (Page 3)
- 8.02.6.3.4 Require the Mitigation Action Plan include an accounting of the amount of mitigation dollars spent in DI communities. (Page 28)
- 8.02.7.4 Require an explanation on how canceled/delayed mitigations in DI communities can still be achieved (or their equivalent). (Page 28)

Issue Addressed

- Staff have worked to further strengthen numerous provisions in the rule that address equity/disproportionately impacted communities.



Discussion of Transportation Commissioner Comments and Proposed Edits

Please see spreadsheet of Commissioner comments included as part of the TC Workshop Packet.

Spreadsheet includes:

- Summarized Commissioner Comments
- Specific proposed edits (if any)
- Staff's response and recommendation (if applicable) to comments and suggested edits



Other Issues

Are there additional topics you would like staff to consider?



Next Steps

- TC Workshop - December 15 - 1 hour
- TC Resolution - December 16 - 30 min
- Submit Rule to Secretary of State

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|-----------------------------|--|---|---|---|--|
| Don Stanton- 11/22/21 | Preamble 2021 Overview- 8/13 Reg | 2nd Paragraph of section | Add reductions in bus and vehicle ideling somewhere | | Recommend Accepting Suggestion. |
| Don Stanton- 11/22/21 | Preamble 2021 Overview- 8/13 Reg | 2nd paragraph of section-The process of identifying and approving mitigations will be established by a policy process that allows for ongoing innovations from MPOs, local governments and other partners to be considered on an iterative basis... | After this section add: "CDOT will provide assistance to MPOs when requested." | It is important to show that CDOT is working with MPOs throughout the process. | Recommend Accepting Suggestion. |
| Don Stanton- 11/22/21 | Preamble 2021 Overview- 8/13 Reg | 3rd paragraph- If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures... | If compliance in coordination with CDOT still cannot be demonstrated, even after committing to GHG Mitigation Measures... | Needs to be clear up front that it is not just the Commission that is doing the compliance piece | Recommend Declining Suggestion. It is important to remember that CDOT is a regulated entity in this rule. We can't participate in the compliance piece. |
| Don Stanton- 11/22/21 | Preamble 2021 "Why the Commission is taking this action"- 8/13 Reg | Title- Why the Commission is Taking This Action | Why the Transportation Commission is Taking This Action | Add full title at the beginning and important section | Recommend Accepting Suggestion. |
| Don Stanton- 11/22/21 | Section 8.02.7 | Reporting on Compliance- Following the submission of a GHG Transportation Report containing a Mitigation Action Plan, Annually by April 1, CDOT and MPOs must provide a status report to the Commission annually by April 1 on an approved form with the following items for each GHG Mitigation Measure identified in their most recent GHG Transportation Report: | Transportation Report. CDOT will provide support to MPOs when requested | Important to show that CDOT is working with MPOs throughout the process | Recommend Accepting Suggestion. |
| Don Stanton- 11/22/21 | Section 8.03.10 | | Insert a new section '8.03.11'- Encourage adoption of programs to reduce bus or vehicle idling | | Recommend Accepting Suggestion. This would become 8.03.12. |
| Don Stanton- 11/22/21 | Section 8.05 | Compliance- The Commission, within thirty (30) days of receipt of a GHG Transportation Report or at the next regularly scheduled Commission Meeting, whichever is later, shall determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance. | Compliance- The Commission, within thirty (30) days of receipt of a GHG Transportation Report or at the next regularly scheduled Commission Meeting, whichever is later, shall determine in consultation with CDOT whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance. | To show close TC coordination with CDOT | Recommend Declining Suggestion. While the reality is that CDOT will work to prepare the information for the Transportation Commission, and staff, along with APCD will assist in providing enough information for the TC to make a decision, I would discourage building the staff consultation process into the actual rule, as CDOT is a regulated entity under the rule. |
| Don Stanton- 11/22/21 | Add 8.07 | | In the future, if CDOT or the Transportation Commission finds parts of the Rule which should be improved or revised, the Commission will consider opening the Rule to such revisions. | | Recommend Accepting Suggestion with the following proposed language: "8.07 In the future, the Transportation Commission may identify parts of this Rule that need to be updated or revised. To adapt the Rule to changing information and conditions, the Commission may consider opening the Rule to such revisions." |
| Don Stanton- 11/23/21 | Preamble and 8.03 | | Please Add "Roundabouts to reduce idling and emissions,... and other reductions in bus and vehicle idling" to: p 3 Examples of...mitigations and p28 to section 8.03 | Attached) Reference is the Indiana University Environmental Resiliency Institute City of Carmel Indiana's experience Carmel Indiana Roundabouts: Case Studies: ERIT: Environmental Resilience Institute Part of the Prepared for Environmental Change Grand Challenge: Indiana University (iu.edu) "Carmel has determined that due to the elimination of traffic jams and associated engine idling, *each roundabout achieves approximately 24,000 gallons of gas per year in savings. With more than 120 roundabouts at an average of \$2.50 per gallon, this equates to more than \$7,200,000 in savings per year. **Large climate change and local air quality emissions savings are also realized—transportation emissions are one of the largest sources of nitrogen dioxide, which is linked to airway inflammation and respiratory symptoms in asthmatics..." | Recommend Declining Suggestion. Because roundabouts are likely considered operational improvements, and there is some discussion about whether operational improvements will reduce GHG emissions when the potential for induced demand is factored in, staff suggests rejecting adding this example directly into the rule, but supports continued analysis of the potential for roundabouts being included as Mitigation Measures in the policy document that will follow this rule. |
| Kathleen Bracke- 11/24/2021 | Preamble | | | Preamble to the rule is excellent, want to make sure that the statements included within the preamble are represented in the body of the rule as well so that these points are applicable and guide CDOT and MPOs implementation of the rule and compliance requirements. Is it clearly stated that the preamble is part of the rule itself? or is it just consider a non-binding intro statement? | Answer: The preamble is a non-binding "plain language" introductory statement that provides important directional guidance to the rule and corresponding processes, such as the development of the Mitigation Measures policy directive. |

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|----------------------------|--|---------------|----------------|---|--|
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures/ Body | | | Per public comments received, the rule should include annual VMT/capita tracking and reporting requirements along with specific reduction targets – for example, the 10% reduction that is in alignment with the state’s ghg Roadmap. The rule should include tangible measures that people can understand and relate to in order to track progress toward our required goals. Only using million metric tons of ghg emissions as the sole guide post of success will not help policy makers, transportation planning technicians, and the general public understand the magnitude of need for change and be able to effectively gauge for themselves what is needed to achieve the required results. VMT/capita is something that everyone can relate to and understand and it can be used to guide agency policies as well as individual decision making and travel choices. | Recommend Declining Suggestion. Much consideration was given on how, or whether to, incorporate specific VMT language into this rule. The staff recommendation incorporates into the rule a reporting requirement to the TC that includes an assessment of VMT per-capita. Staff recognizes that many stakeholders would prefer the language go further, while many others are concerned with even the potential implications of the study language proposed in revised draft rule published in October. |
| Kathleen Bracke-11/24/2021 | | | | Activation and implementation of the rule for CDOT and the two initial MPOs is urgent and critical. The rule must be crafted in a way that ensures its immediate applicability to the upcoming MPO TIP cycles (both for DRCOG and the NFRMPO) beginning in 2022. Colorado and our non-attainment areas cannot afford to miss these imminent transportation funding and investment cycles. The hole we are in collectively based on decades of harmful air pollution and ghg emissions from the transportation sector is immense. We (large, collective “we”) need to stop digging it deeper and immediate begin climbing our way out of it by requiring investment in more sustainable transportation solutions. We cannot afford to keep building the past – that price tag is too high socially, economically, and environmentally. | Staff appreciates the urgency and agree. In part, that is why staff is requesting the TC adopt the rule in December- to provide as much certainty as possible for the MPOs (and CDOT) as we update plans so MPOs and CDOT may begin taking action now. Staff believes the timing of implementation in the rule is appropriate. |
| Kathleen Bracke-11/24/2021 | | | | The theme we’ve heard in the public comments regarding the philosophy to “do no harm” resonates with me. The rule should be explicitly written to both fix the harms of the past as well as be proactive to prevent further harm in the future. Rule should state the need to not cause further degradation of our environment and public health, and ensure public investment in transportation planning, projects, programs and services (locally, regionally, state, and federally) contribute to enhancing communities, achieving social equity goals and creating access to opportunities for people of all ages and stages of life, and positively benefitting Colorado’s interconnected economic and environmental ecosystems. Currently the rule language seems to focus more on the reactive part, with emphasis on the mitigation strategies. Is there a way that the frame of the rule can also more clearly state the proactive intent of the rule? | These are the “Rules Governing the Statewide Planning Process and Transportation Planning Regions.” An important part of the planning process is the proactive need, during the beginning stages of the planning process for projects, to focus on Greenhouse Gas emissions, particularly in Disproportionately Impacted Communities. The rule addresses that overriding goal and the legislative intent contained in SB 21-260. |
| Kathleen Bracke-11/24/2021 | | | | Building off of this theme, the rule should explicitly articulate the intent to restore and repair the negative disproportionate impacts to vulnerable populations from transportation investments of the past as well as emphasize positive investments needed in communities to increase affordable multimodal choices for vulnerable populations and their travel needs within these designated communities as well as where people need to travel for work, education, healthcare and all types of trip purposes. For example, often lower-income workers have to commute the longest distances to their jobs. Fewer people living within the metro area and along the Front Range have the luxury of living and working within their communities. Sustainable transportation solutions are needed to link people with access to regional opportunities – again, an opportunity to repair and restore, and do more effectively going forward. | These are the “Rules Governing the Statewide Planning Process and Transportation Planning Regions.” An important part of the planning process is the proactive need, during the beginning stages of the planning process for projects, to focus on Greenhouse Gas emissions, particularly in Disproportionately Impacted Communities. The rule addresses that overriding goal and the legislative intent contained in SB 21-260. |
| Kathleen Bracke-11/24/2021 | | | | A suggestion that I received from a member of the public who works for a private sector company that pushes innovation is to have the rule language include a provision that incentivizes agencies (CDOT and MPOs) to more quickly achieve results. The idea being to incentivize excellence and speed of transition/innovation. For example, if CDOT or MPO achieves emissions reductions sooner than required or has a greater reduction level than required, provide some type of financial incentive/reward. This could be a “bump up” in their next cycle of MPOF funding over and above of their normal allocation. There could even be a statewide MPOF innovation fund set aside for local, regional, state, non-profit, universities/colleges, etc. to compete for funding for innovative initiatives beyond the standard CDOT and MPO processes. | Answer: With limited funding and with an eye toward the equitable distribution of funds statewide, staff’s recommendation would not be to provide financial incentives for CDOT or an MPO to meet or exceed the required reduction levels. Rewarding one area of the state with additional funding results in another area of the state receiving less funding. |

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|----------------------------|------------------------------------|---|---|--|---|
| Kathleen Bracke-11/24/2021 | Preamble | | | Please make sure that the statements, intent and goals in the preamble are applicable to the rule requirements (concerned that the preamble is only a non-binding intro statement). | The preamble is a non-binding "plain language" introductory statement that provides important directional guidance to the rule and corresponding processes, such as the development of the Mitigation Measures policy directive. |
| Kathleen Bracke-11/24/2021 | Preamble | DOT and MPOs have the option... | CDOT and MPOs have the option responsibility ... | Page 3, first paragraph, line 12, suggest changing the word "option" to "responsibility" to be more clear that compliance with the rule isn't optional | Recommend Declining Suggestion: The "option" wording there does not speak to overall compliance with the rule itself, but the "option" of utilizing Mitigation Measures to achieve the required reductions versus having funds restricted. The rule articulates that as an option and not a requirement, so changing the word to "responsibility" would put the language in conflict with the rule. The provisions of the GHG Emissions Requirements contained in the Rule (8.00) make it clear that compliance with the rule is not an "option" but is required. |
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures | will include but not be limited to: adding bus rapid transit facilities and services, enhancing first-and-last mile connections to transit, adding bike-sharing services including electric bikes | "...connections to transit, bicycle transportation infrastructure as well as bike-sharing services..." | Examples listed in paragraph 2 should also include bicycle transportation infrastructure (not just bike-sharing). Bicycling is the most sustainable form of transportation (besides walking) and facilities to support biking as transportation should be noted as one of these examples. Specific wording suggestion is "...connections to transit, bicycle transportation infrastructure as well as bike-sharing services..." | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures | All told, a reduction in VMT has numerous societal co-benefits including reduced vehicle fatalities, wildlife mortality, and traffic congestion and improvements to public health, worker productivity and Colorado's economy. | All told, a reduction in VMT has numerous societal co-benefits including reduced vehicle fatalities fatal and serious injury crashes , wildlife mortality, and traffic congestion and improvements to public health, worker productivity and Colorado's economy. | page 6, top paragraph, change the wording in the sentence regarding co-benefits from "vehicle fatalities" to "fatal and serious injury crashes" (intent isn't about vehicles dying, it is about reducing severe crashes involving people using all modes of travel) | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures | Valuing Benefits to Disproportionately Impacted Communities: Historically, communities have been impacted unequally by transportation project construction. Negative impacts -- both to air quality by virtue of proximity to highways as well as limited non-driving options in neighborhoods proximate to highways -- have often concentrated in disproportionately impacted communities, often minority neighborhoods in urban and industrial areas. To that end, mitigation investments are an important opportunity to provide localized benefit to disproportionately impacted communities. | Valuing Benefits to Disproportionately Impacted Communities: Historically, communities have been impacted unequally by transportation project construction. Negative impacts -- both to air quality by virtue of proximity to highways as well as limited non-driving options in neighborhoods proximate to highways -- have often concentrated in disproportionately impacted communities, often minority neighborhoods in urban and industrial areas. To that end, mitigation investments are an important opportunity to provide localized benefit to disproportionately impacted communities and connecting vulnerable populations with jobs, education, and community services to ensure access to opportunity. | Section regarding "Valuing Benefits to Disproportionately Impacted Communities", at the end of the paragraph add the wording "...communities and connecting vulnerable populations with jobs, education, and community services to ensure access to opportunity". (intent is that people need to get where they need to go which is often beyond their localized community boundary) | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures | Holistic Air Quality Planning: CDOT and MPOs should be able to demonstrate how they have supported the GHG Mitigation Measures included in a Mitigation Action Plan, through funding, technical assistance, or other forms of support. Traffic improvements that focus on improving traffic flow through either capacity expansion or technology measures that primarily benefit the flow of vehicular traffic without improving alternatives to driving single occupancy vehicles are not allowable for the purposes of approved mitigation. | | Section regarding "Holistic Air Quality Planning", this paragraph could include more information about how air quality modeling needs to include both proactive strategies (like is the state's ozone implementation plan) as well as reactive in terms of how to mitigate missing the target after an attempt. In addition, based on comments that I have received from the NFRMPO and others, there seems to be confusion about whether or not the proposed mitigation measures within the rule will allow any types of roadway operational improvements. My suggestion is that this section be clarified to include examples of the types of operational enhancement that are and are not allowed -- for example, the rule allows and encourages investment in operational improvements to advantage transit travel times (queue jumps, by-pass lanes, traffic signal priority, etc.) as well as enhance travel flow and safety for bicyclists and pedestrians. Allow operational improvements that have co-benefits of emission reductions, encouraging multimodal travel, and improving safety. Not allow other types of operational improvements (ramp metering, etc.). Recommend clarifying the wording so that it doesn't come across as an all or nothing approach. | Recommend Accepting Suggestion. Staff has worked with the TC Agency Coordinating Committee to develop revised language for this section. |

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|----------------------------|--|--|--|---|---|
| Kathleen Bracke-11/24/2021 | Purpose of GHG Mitigation Measures | Verification: The mitigations should be able to be tracked and verified to ensure real reductions in greenhouse gas emissions. | Verification: The mitigations should be able to be tracked and verified reported publicly to ensure real reductions in greenhouse gas emissions. | Section regarding "Verification", add the words "and reported publicly" to the sentence after the word "verified" | Recommend Accepting Suggestion. Rule 8.02.6 describes the Mitigation Action Plan being included in the GHG Transportation Report that is submitted to the Transportation Commission, thus making it a "public" document. 8.07 further requires annual reporting of Mitigation Measures to the Transportation Commission, thus making those annual reports public as well. |
| Kathleen Bracke-11/24/2021 | 8.01 Establishment of Regional GHG Transportation Planning Reduction Levels | | | Page 25, Is the anticipated "effective date of these Rules" February 14, 2022? | Yes, February 14, 2022 is the anticipated effective date. However, there are timelines related to TC adoption and filing requirements with the Secretary of State that make the "effective date" somewhat variable. |
| Kathleen Bracke-11/24/2021 | 8.02.01 Process for Determining Compliance – Emissions Analysis Requirements | | | page 26, why does the rule language read that this provision shall not apply to MPO TIP amendments? This seems like a very large loop hole to me and MPOs could use this provision to do a lot of TIP amendments to skirt the requirements of the rule. Would it be possible to clarify that the provision shall not apply to "minor" TIP amendments? Somehow confine the type and scope of the TIP amendments to be more about timelines, minor scope revisions, clarifications, etc.. | Answer: The definition of an Applicable Planning Document is contained in Rule 1.02. TIP amendments were specifically excluded from the definition of an Applicable Planning Document. Projects amended into the TIP must be contained in a duly adopted RTP. Full modeling of TIP amendments would be costly and time consuming, increasing the regulatory burden on MPOs. Further, any projects that are TIPed and built become part of the modeling for the next plan. If care is not given to moving a balanced set of projects forward in a TIP amendment process, meeting the requirements in Table 1 will become more difficult during the next update to the RTP. |
| Kathleen Bracke-11/24/2021 | 8.02.3 | | | page 27, what is the State Interagency Consultation Team and who are the members? How is CDOT and the TC represented or not on this group? | Rule 1.44 currently defines the State Interagency Consultation Team as consisting of: "... the Division Director or the Division Director's designee, the Colorado Department of Public Health and Environment (CDPHE) Director of Air Pollution Control Division or the Director's designee, and the Director of each MPO or their designee." Division Director is defined in Rule 1.14 as the Director of CDOT's Division of Transportation Development. As the Transportation Commission is the regulatory body for the rule, it is not recommended that the Commission have a representative on a body that assists with the implementation of the Rule. |
| Kathleen Bracke-11/24/2021 | 8.02.4 | process for selecting, measuring, confirming, and verifying GHG measures... | process for selecting, measuring, confirming, verifying and reporting GHG measures..." | page 27, add the words "and reporting" to the first sentence so that it reads "process for selecting, measuring, confirming, verifying and reporting GHG measures..." | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | 8.03.1 GHG Mitigation Measures | The addition of transit resources in a manner that can displace VMT including in rural areas where the public may travel to a community for work but live outside that area due to affordability of housing. | The addition of transit resources in a manner that can displace VMT including in rural areas and other parts of the state where the public may travel to a community for work but live outside that area due to affordability of housing. | page 29, 8.0.3.1 – this example is not just applicable to rural areas, it is a very real issue for many living along the Front Range and metro area. Suggest changing the wording to "... including in rural areas and other parts of the state where the public may travel..." | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | 8.03.2 GHG Mitigation Measures | Improving pedestrian and bike access, particularly in areas that allow individuals to reduce multiple daily trips. | Improving pedestrian and bike access, particularly in areas that allow individuals to reduce multiple daily trips and access transit. | 8.0.3.2 – add the words "and access transit." to the end of the sentence | Recommend Accepting Suggestion. |

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|----------------------------|--|---|---|---|--|
| Kathleen Bracke-11/24/2021 | 8.0.3.3 | Encouraging local adoption of more effective forms of vertical development and zoning plans that integrate mixed use and in a way that links and rewards transportation project investments with the city making these changes. | Encouraging local adoption of more effective forms of vertical development and zoning plans and transportation impact fees that integrate mixed use and in a way that links and rewards transportation project investments with the city making these changes. | <u>8.0.3.3 – change the wording to read "... zoning plans and transportation impact fees that integrate mixed use"... and rewards transportation efficient project investment..."</u> | No Recommendation. Staff will integrate these changes into 8.03.3.3 if the Commission supports, but staff is not in the position to advocate for increases in fees imposed by local governments. |
| Kathleen Bracke-11/24/2021 | 8.03.5 | Improving the safety and efficiency of crosswalks for pedestrians, bicyclists, and other non-motorized vehicles, including to advance compliance with the ADA. | Improving the safety and efficiency of crosswalks and multiuse paths for pedestrians, bicyclists, and other non-motorized vehicles, including to advance compliance with the ADA. | 8.03.5 – add the words "multiuse paths" after "crosswalks" so that it reads: "Improving the safety and efficiency of crosswalks and multiuse paths for pedestrians..." | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | 8.03.6 | Adopting or encouraging the adoption of locally driven changes to parking policies and physical configuration that encourage more walking and transit trips. | Adopting or encouraging the adoption of locally driven changes to parking policies and physical configuration that encourage more walking, bicycling and transit trips. | 8.03.6 – add the word "bicycling" after "walking" so that it reads "... encourage more walking, bicycling, and transit trips." | Recommend Accepting Suggestion. |
| Kathleen Bracke-11/24/2021 | 8.05.2.1.4 Waivers | | | page 30, what does 'substantial' mean? Seems too broad to me. Recommend "de minimis" instead. | Recommend Declining Suggestion. Though some stakeholders have requested the term "substantial" be defined, staff prefers to give the Transportation Commission flexibility to adapt to potentially changing circumstances and prefers not to define the term substantial. |
| Kathleen Bracke-11/24/2021 | 8.06.2 Reporting | | | page 31, CDOT VMT report and the MPO VMT reports should be linked together so they are consistent and complementary with each other. | The is no requirement for an MPO report in 8.06. Since CDOT is producing the report for the entire state, including MPO areas, consistency is assured. |
| Kathy Hall- 11/24/2021 | | 8.07 | | Insert language that makes it clear that the TC can open rulemaking up if provisions of the rule are not working | Recommend Accepting Suggestion with the following proposed language: "8.07 In the future, the Transportation Commission may identify parts of this Rule that need to be updated or revised. To adapt the Rule to changing information and conditions, the Commission may consider opening the Rule to such revisions." |
| Kathy Hall- 11/24/2021 | Mitigation Measures | | | We talked about bus and vehicles idling. Roundabouts are really effective in that area. But, they are only useful when not several lanes. | Currently there is a suggestion to add a reference to roundabouts in the examples of Mitigation Measures. Staff is not supportive of that addition. |
| Gary Beedy- 11/24/2021 | STATEMENT OF BASIS AND PURPOSE, STATUTORY AUTHORITY AND PREAMBLE | The result of the statewide transportation planning process shall be a long-range, financially feasible, environmentally sound, Multimodal transportation system plan for Colorado that will reduce traffic, air pollution, and smog. | The result of the statewide transportation planning process shall be a long-range, financially feasible, environmentally sound, Multimodal transportation system plan for Colorado that will reduce traffic, air pollution, and smog while providing for efficient, resilient and safe movement of people, goods and services. | First is to add to the end of the first opening paragraph a statement : While providing for efficient, resilient and safe movement of people, goods and services. | Recommend Accepting Suggestion |
| Gary Beedy- 11/24/2021 | page 6 Holistic Air Quality Planning | | | I can not support, not including improvements in traffic flow by expansion or technology entirely. It should have consideration as it serves everyone's quality of life and economic ability. | Recommend Accepting Suggestion. The language in this section has been revised to potentially allow for expansion or technology as mitigation measures. |

| Commenter | Section | Relevant Text | Specific Edits | Suggested Change | Staff Recommendation |
|--|---------|---------------|----------------|---|---|
| <p>Yessica Holquin- 11/24/2021</p> | | | | <p>It is no secret that we must collectively take bold action to address climate change. Just this last summer, Colorado was on track for the worst air quality in over a decade. While disproportionately impacted communities generally bear the burden, at the end of the day, poor air quality impacts everyone. With the transportation sector being the leading source of GHG emissions and a significant contributor to air pollution that disproportionately impacts communities of color and low-income communities, it is critical that CDOT continues to intentionally identify ways to ensure that disproportionately impacted communities no longer bear the burden of the cost of our transportation system. The revised Proposed Rule relies on broad electric vehicle (EV) adoption to reduce GHG emissions. While that might be an option for some, I worry that this is simply not a realistic option for low-income communities given the cost of acquisition and lack of infrastructure in our communities. It is critical that we identify ways for low income communities to see EVs as a viable option for them. The revised Proposed Rule looks to increase sustainable, efficient forms of transportation and promote healthy lifestyles for all. To achieve this, I believe that more investment in multimodal transportation that centers disproportionately impacted communities will be critical. In order to reduce vehicle miles traveled, we must ensure that multimodal transportation options are affordable and convenient for everyone, especially disproportionately impacted communities. This is an imperative not only for our communities, but also for our economy. There is a sense of urgency to take bold action to put in place rules to reduce emissions by investing in sustainable mobility options that center disproportionately impacted communities, support healthy communities and thriving economies while cutting traffic and air pollution. The revised Proposed Rules are a step in the right direction.</p> | <p>Staff appreciates these comments. New edits to the draft rule include more emphasis on DI communities. And while the GHG Roadmap certainly does rely on broad EV adoption, the planning rule is more about specific projects and programs that can <i>also</i> bring down GHG emissions.</p> |

Summary of All Public Comments Received for Transportation Planning Rule

| 0 | Date | Commenter | Written / In-person | Full comment | Summary of key points |
|----|-----------|---|---------------------|---|--|
| 1 | 8/12/2021 | Sierra Club Colorado | Written | https://drive.google.com/file/d/190EIXzVwUKIWFpjrN7VLxd-JhC2xBfX/view?usp=sharing | <ul style="list-style-type: none"> + Support for "clear, enforceable GHG emission reduction targets" + Support for strong enforcement mechanisms + Support for pursuing a 10% VMT reduction goal by 2030 and modeling VMT impacts of projects + Support for centering equity and applying "strong scrutiny to large transportation projects" that impact DI communities + Signed onto by 119 Sierra Club supporters |
| 2 | 8/23/2021 | Alma Sekulic, Private Citizen | Written | https://drive.google.com/file/d/1DML0clfc3YR2UempEtLRzoYKeTQtRd7c/view?usp=sharing | *Employers that have past behaviors of carpooling, etc. should be given credit for those behaviors, rather than just required to improve |
| 3 | 8/30/2021 | Melanie Ward | Written | https://drive.google.com/file/d/1weIHfU12PFPSbWnCso1Dw8q_4w_3S4Sn/view?usp=sharing | *Concerned about the impacts of climate change on Colorado's natural disasters, climate, and airquality |
| 4 | 8/31/2021 | CC4CA | Written | https://drive.google.com/file/d/1SFuc6ZYsHy3ADkBXGGt18ORnhzPhnOkt/view?usp=sharing | <ul style="list-style-type: none"> *Herman has prepared a doc with recommendations and sent to Rebecca and Theresa on 9/13 *Equity must be a primary focus *The rule must stipulate VMT reductions and specific local benefits in the Applicable Planning Documents as well as in Mitigation Measures *The technical documentation and the modeling analysis and inputs should be available for the public to review now that the rulemaking process has begun *Under the proposed rule, if compliance is not demonstrated after committing to GHG mitigation measures, the Commission will restrict the use of certain funds, requiring that money be focused on projects that reduce GHGs |
| 5 | 9/2/2021 | Kristen Taddonio, Senior Climate and Energy Advisor, Institute for Governance and Sustainable Development | Written | https://drive.google.com/file/d/1zoQ-5qiaR7ZNLgT6yV3IDKcAOHuPjg4L/view?usp=sharing | <ul style="list-style-type: none"> *Some areas might be further along in reductions and improvements than the rule assumes *CDOT should consider working with Colorado's rural electric co-ops and local governments |
| 6 | 9/6/2021 | Edward Laurson, Private Citizen | Written | https://drive.google.com/file/d/17zAvyCURjiAIKUUKigPZRQIEEB-OwFP/view?usp=sharing | <ul style="list-style-type: none"> *Recommends strict standards to ensure environmental justice *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 7 | 9/6/2021 | Leland Long, Private Citizen | Written | https://drive.google.com/file/d/1zpeEugiv3hD-8f10Haanp7L_oCRIRc0Fg/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 8 | 9/6/2021 | Evelyn Hutt, Private Citizen | Written | https://drive.google.com/file/d/1w3cGot22qmqkTmeLQXbYIUiSCi-ztxBe/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 9 | 9/6/2021 | Chris Moore, Private Citizen | Written | https://drive.google.com/file/d/1EmJhdVpr9PIJ08oPeBkc4Wixs0E-Kd4c/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 10 | 9/6/2021 | Patricia Baker, Private Citizen | Written | https://drive.google.com/file/d/14t5xdwqjDBflmByzKx1GFTJWJVMWkth6/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 11 | 9/6/2021 | Carol Emrick, Private Citizen | Written | https://drive.google.com/file/d/1iuHdmvesyeSl-IzP288mEOdVvVZkHYwJ/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 12 | 9/6/2021 | Sue Dean, Private Citizen | Written | https://drive.google.com/file/d/1t2GkyhcU-sfb-CwbyiZUtShyxrPz5Vd/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 13 | 9/7/2021 | Jake Austin, Private Citizen | Written | https://drive.google.com/file/d/1EL2fsmdNLIUJAorRBHh2kMhbf6lQJjCR/view?usp=sharing | <ul style="list-style-type: none"> *Equity/EJ Representation, Health of Coloradans *Increase greenhouse gas reduction targets |

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| 14 | 9/7/2021 | Lynne Glaeske, Private Citizen | Written | https://drive.google.com/file/d/11dfolXoazrByODjBDiaRASCrvtAaVwMC/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 15 | 9/8/2021 | Medora Bornhoft, NFRMPO | Written | https://drive.google.com/file/d/1wktbP0pFsl4IK3bafIBnv88n7WQXWDf5/view?usp=sharing | *Specific edits relating to how to calculate CO2, how to measure emissions for regionally significant projects and EPA *Herman has prepared a doc with recommendations and sent to Rebecca and Theresa on 9/13 |
| 16 | 9/9/2021 | Kate Inskeep, Private Citizen | Written | https://drive.google.com/file/d/1VHpnOCOC4GJqh9b-Qh3suoVs1HvVz7n/view?usp=sharing | *Recommends CDOT partner with rural electric cooperatives |
| 17 | 9/13/2021 | Medora Bornhoft, NFRMPO | Written | https://drive.google.com/file/d/115mEKy3b6BkMJBwtMOk0asSXPRKHxb6m/view?usp=sharing | *Specific concerns |
| 18 | 9/15/2021 | Aaron Hoffman, Private Citizen | Written | https://drive.google.com/file/d/1Lt2L2etU55TnrMJRb5rKFxD73-wLWqASs/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans, Electric Vehicle Charging |
| 19 | 9/15/2021 | Miriam Rosenblum, Private Citizen | Written | https://drive.google.com/file/d/1zKNLW3g_VUuo-aaX-JMAWZCikz5nvLiV/view?usp=sharing | *Equity/EJ Representation, Multi Modal Focus, Health of Coloradans |
| 20 | 9/16/2021 | Tom Phillips, Private Citizen | Written | https://drive.google.com/file/d/1q53WK79bk2uVGJkIIOYuaQaWYEsqe_XV/view?usp=sharing | *Equity/EJ Representation, Health of Coloradans, Multi Modal Focus, Emission Testing, Specific Concern |
| 21 | 9/16/2021 | Sherie Gould, Private Citizen | Written | https://drive.google.com/file/d/1yGQVBb3Gj43dBfoZykmCzqrCHOo4NBuH/view?usp=sharing | *Emission Testing, Multi Modal, Health of Coloradans, Dense Housing |
| 22 | 9/17/2021 | Jeremy Horne, Weld County consultant | Written | https://drive.google.com/file/d/1Ykb72EshzX3QMzjw4DXxtpHQDiCYrSVU/view?usp=sharing | + Rule allows for different models to be used to demonstrate compliance than those to establish reduction levels. Approved air quality model will change over time - may result in greater requirements for MPOs. Require same models be used across the board. + Time frames are problematic - no time frame for TC to reach compliance decision on transportation reports; also concerned with review by APCD + Issues with table - some columns don't add up. |
| 23 | 9/17/2021 | Gary Moyer, Rio Blanco County Commissioner | In-person - GJT hearing | | + Look at where GHG reduction is a problem, not rural counties. Non-attainment counties are all on the I-25 corridor. + Concern that funding would be focused on non-attainment / urban counties. + One-size does not fit all. |
| 24 | 9/17/2021 | Tony Milo, Colorado Contractors Association | In-person - GJT hearing | | + Complimented CDOT staff on their communication, education and outreach on the new rule. + CCA was one of first and most vocal supporters of SB260, with understanding that it would fund 10-year plan; much already dedicated to non-highway uses; understood all of that is important. Opens potential for more of road-use fees to non-highway uses. + Would like to ask TC maintain high-touch involvement in this process; so new; haven't had time to test modeling's impact on highway expansion projects. + Waiver process is very important; thinks TC should vote on each waiver. + Thinks rule should have regular reevaluation of reduction levels and baseline |
| 25 | 9/17/2021 | Steve Carter, citizen | In-person - GJT hearing | | + Support for goals and mitigation measures + Enforcement - doesn't think this says anything. + Agrees that waivers should be voted on by TC; also should have public notice. |
| 26 | 9/17/2021 | Karen Sjoberg, Citizens for Clean Air, Grand Junction | In-person - GJT hearing | | + Would like to see addition of a transportation equity framework, with inclusion from marginalized communities. + No vehicle emissions testing sites on the western slope, would support that. + Need more public transit and bike paths in Grand Junction; need affordable options. |

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| 27 | 9/17/2021 | Diane Schwenke, CEO of Grand Junction Chamber of Commerce | In-person - GJT hearing | | <ul style="list-style-type: none"> + "Rush to rule" - lack of data to properly consider pros and cons/impacts this will have on future transportation planning. First rule using social cost of carbon. Lack of business representatives in advisory committee, rule development. This could have a big impact on business' decision-making to locate there. + Asking for delay of rule. + Mitigation measures applicable for Denver not applicable to Grand Junction + Need alternate route for Glenwood Canyon - regionally significant project - how can we mitigate that? Rural areas are different and need to be treated differently. + Can mitigation measures be claimed that are e.g. funded by new enterprises? |
| 28 | 9/17/2021 | John Clark, Mayor of Ridgway | In-person - GJT hearing | | <ul style="list-style-type: none"> + We need CO to be a leader in reducing emissions from vehicles. + Roadmap envisions 10% reduction in VMT; should be an explicit goal for this rule. Essential now when there aren't enough EVs on the road. + Equity should be a major priority in this rulemaking. VMT reduction will benefit DI communities who need more transportation options. + GHG emission reductions must be measurable, and enforcement measures must be strong. |
| 29 | 9/17/2021 | Christopher Campbell, Atlasta Solar and a GJ clean transit group | In-person - GJT hearing | | <ul style="list-style-type: none"> + Comments about EV charging installations, outreach, and mapping to help travelers locate them (nothing specific to rule) |
| 30 | 9/17/2021 | Jeremy Horne, Ramboll for Weld County | In-person - GJT hearing | | <ul style="list-style-type: none"> + Rule allows for different models to be used to demonstrate compliance than those to establish reduction levels. Approved air quality model will change over time - may result in greater requirements for MPOs. Require same models be used across the board. + Time frames are problematic - no time frame for TC to reach compliance decision on transportation reports; also concerned with review by APCD + Issues with table - some columns don't add up. |
| 31 | 9/17/2021 | Greg Poschman, Pitkin County | In-person - GJT hearing | | <ul style="list-style-type: none"> + Support - this is CDOT's first major response to an ongoing climate crisis. + Reduction range - 0.5 - 1.5 MMT - other strategies to address 4.7 MMT yet to be developed. 0.5 would be too small - increase GHG reduction levels. + Economy reliant on climate for recreation, agriculture, etc.; some of biggest climate impacts being felt in their region. + Consider their region metropolitan? Have congestion. Need guidance and direction at the state level. |
| 32 | 9/17/2021 | Scott James, Weld County; Chairman of NFRMPO | In-person - GJT hearing | | <ul style="list-style-type: none"> + Reduction of GHG not in CDOT's statutorily defined mission - "irresponsible mission creep" + CDPHE role only cursory + "first rule that evaluates using the social cost of carbon" + "transportation infrastructure, not environmental activism" |
| 33 | 9/17/2021 | Tim Constadine, President of Natural Resources Inc; University of Wyoming | In-person - GJT hearing | | <ul style="list-style-type: none"> + Pandemic has changed travel behavior - may be difficult to get people back on transit. EPA has long struggled to get people out of cars. Cars have gotten more fuel efficient. + People working from home - no clear rush hours. + CDOT study doesn't capture the diversity of Colorado. Complete streets may be impractical for remote areas. + CDOT study should consider how GHG mitigation measures affect "transport surge" capacities - in face of natural disasters (cites road diet affecting people being able to evacuate from Camp Fire in CA) + Transit won't work well in decentralized areas. |
| 34 | 9/17/2021 | Elizabeth Relford, Weld County | In-person - GJT hearing | | <ul style="list-style-type: none"> + Asking for delay for 30 days after receiving modeling data and documentation to be able to evaluate reasonableness and effectiveness. Concerned it may present compliance challenges. + How will CDOT comply in rural areas? Asks to present examples. + Assumes no capacity projects in rural areas; not sure that is realistic. + Doesn't address post-pandemic realities around transit, working from home. + Doesn't address role of enterprises - if projects funded by them could be used as mitigation. Need guidance document. |
| 35 | 9/17/2021 | Jim Baldwin, Otero County Commissioner | In-person - GJT hearing | | <ul style="list-style-type: none"> + Echos Rio Blanco County and Weld County points + Don't have emissions/smog problem; asking the state not enforce rules/regulations that would require rural areas the same as urban areas. |
| 36 | 9/17/2021 | Marie Venner, Small Business Alliance | In-person - GJT hearing | | <ul style="list-style-type: none"> + Critical that CDOT comply with the law - to deliver 26% GHG pollution reduction by 2025. Have to re-open STIPs and TIPs, not just wait for the long range transportation plans. + Widenings increase air pollution in the long run. Should put on hold any capacity projects, and invest in other options. + Concerned about 20-40% of people who can't drive. |
| 37 | 9/19/2021 | Isis Osborne, Private Citizen | Written | https://drive.google.com/file/d/1hy9bWCsyK7VUFVGyNo84jzALZdbg5lMk/view?usp=sharing | *Health of Coloradans, Multi Modal Focus |

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| 38 | 9/20/2021 | Mary Olson, Private Citizen | Written | https://drive.google.com/file/d/1rgi8b0ru_0u0STiriQsGaPip558v_jkY/vi/w?usp=sharing | *Dense House, Multi Modal Options, Equity/EJ Representation, Widening Highways, Enforceable Rule |
| 39 | 9/20/2021 | Ida Cossitt, Private Citizen | Written | https://drive.google.com/file/d/1H9nHPfVXS1D7IOOymgQxXYoVxDjFXLhI/view?usp=sharing | *Health of Coloradans |
| 40 | 9/20/2021 | Matthew Feier, Private Citizen | Written | https://drive.google.com/file/d/1stDBlbcD95CglFUwaKjh1RrrT56icJ5T/vi/ew?usp=sharing | *Multi Modal Focus, Electric Vehicle Charging, Highway Widening |
| 41 | 9/21/2021 | Katherine Delaney, Private Citizen | Written | https://drive.google.com/file/d/1lHDz9UC-xMH8ipPkE-8RE0ha4eTILpxl/view?usp=sharing | *Multi Modal Focus, Highway Widening, Specific Concern |
| 42 | 9/21/2021 | Elana Katz, Private Citizen | Written | https://drive.google.com/file/d/18iOWXbGcd7PvIleY65O3Mz9Ou0_3TbDw/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 43 | 9/21/2021 | Naomi Klass, Private Citizen | Written | https://drive.google.com/file/d/1AG44U6akSde7i54xY05ttfb8yiHBRAem/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 44 | 9/21/2021 | David Klass, Private Citizen | Written | https://drive.google.com/file/d/1W33UCKBMyMtxFDHw4G1q03FMK4uE7Zac/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 45 | 9/21/2021 | JoLynn Jarboe, Private Citizen | Written | https://drive.google.com/file/d/1_d2UNKqBUuY1Mt-lIiqb1XNdtJO_UiW/view?usp=sharing | *Highway widening, concern about EV reliance |
| 46 | 9/21/2021 | L. Dill, Private Citizen | Written | https://drive.google.com/file/d/1_B0lVEQqc_kwxOvcoWxk_Amb9dBBxCGX/view?usp=sharing | *Health of Coloradans |
| 47 | 9/21/2021 | David & Donna Rogers, Private Citizens | Written | https://drive.google.com/file/d/1-y1j4jY8iPdzfJKk865rxG1BwNEj_1b/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 48 | 9/21/2021 | Hazel McCoy, Private Citizen | Written | https://drive.google.com/file/d/1WqKr6Y9mbwdD4UBpmaDXIMEhrHoEt84w/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 49 | 9/21/2021 | Toni Olivieri-Barton, Private Citizen | Written | https://drive.google.com/file/d/1KqIWdbq9qB5F78pdyirbfu8yxkUvD8uM/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation |
| 50 | 9/22/2021 | Margarita Kovshun, Private Citizen | Written | https://drive.google.com/file/d/1VyblPPhUFhL7WCz0N1oL8vxS4pGRH6j/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 51 | 9/22/2021 | Kim Frederick-Law, Private Citizen | Written | https://drive.google.com/file/d/1TgGqCpvoYQcd0plPJPZFneGpF37DsI7Y/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 52 | 9/22/2021 | Jean Bevsek, Private Citizen | Written | https://drive.google.com/file/d/1WYnxP9azy13Fc1bZ3fzbW-Gl9r7KosIT/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 53 | 9/22/2021 | Katherine Olson, Private Citizen | Written | https://drive.google.com/file/d/1z71z7DrdCPVUnkF5NbiHfcz3E8j5k8S/view?usp=sharing | *Health of Colorados, Multi Modal Focus, Highway Widening |
| 54 | 9/23/2021 | Karina Branson, Private Citizen | Written | https://drive.google.com/file/d/1FNmPcM1w520kIjekB9Ay6ZyqT5OPx1IK/view?usp=sharing | *Supports efforts to reduce GHG emissions |
| 55 | 9/23/2021 | Laura Dravenstott, Private Citizen | Written | https://drive.google.com/file/d/1dRnwYh7EI2Vg36YDHtjNk3quiw_MN4b/view?usp=sharing | *Health of Coloradans, More Ambition |
| 56 | 9/23/2021 | Jessica Sherwood, Private Citizen | Written | https://drive.google.com/file/d/11426O-VIhfTlvacyku0yoeNu-D8S5ziS/view?usp=sharing | *Equity/EJ Representation, More Ambition |

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| 57 | 9/23/2021 | Deya Zavala, Mile High Connects | Written | https://drive.google.com/file/d/1LEWV2sHxftR2fX3mDlG0tqgyZ1F7Beso/view?usp=sharing | *Equity/EJ Representation, Land Use |
| 58 | 9/23/2021 | Karuna Eberl, Private Citizen | Written | https://drive.google.com/file/d/19KgDfkXdfAaru4U5kED6jr0dqk0qGY-/view?usp=sharing | *Thank You, More Ambition |
| 59 | 9/23/2021 | Andreia Shotwell, Private Citizen | Written | https://drive.google.com/file/d/1AdN6AMbksJ0gijbhg7nc_Q0iFFTjBRlv/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 60 | 9/23/2021 | Randy Wheelock, Clear Creek County | Swansea hearing | 60:41:00 | <ul style="list-style-type: none"> + Vehicle emissions are biggest source of emissions. Need Colorado to be a leader. + Roadmap assumes 10% VMT reduction; should be included as a target in the rule. Should be a primary emphasis of the rule - encouraging multimodal options. Early action in the next 5 years is critical. + Equity and engaging DI communities is key; VMT reduction will support these communities who need transit options. + GHG reductions must be measurable, must have strong enforcement provisions. |
| 61 | 9/23/2021 | Piep van Heuven, Bicycle Colorado | Swansea hearing | 65:27:00 | <ul style="list-style-type: none"> + Specific project-level modeling that's transparent. + Explicitly prioritize and expedite projects that maximize GHG reductions, even for small projects. + Need to codify VMT reduction goal. + Need to create new bus, shared ride options that can reduce need for car trips. |
| 62 | 9/23/2021 | Claire Levy, Boulder County | Swansea hearing | 68:00:00 | <ul style="list-style-type: none"> + Include quantified VMT reduction targets. Says this is included in SB260. Would result in greater clarity and ease of implementation. Would also avoid double counting. + Need individual project modeling to be able to better prioritize. + DI communities must directly benefit. + 3 other MPOs should be required to meet targets too; early action is important for addressing climate. |
| 63 | 9/23/2021 | Jenny Gaeng, Conservation Colorado | Swansea hearing | 73:02 Good afternoon, my name is Jenny Gaeng, and I am the transportation advocate for Conservation | <ul style="list-style-type: none"> *Will be submitting a formal alternative *Testifying in support of a revised greenhouse gas pollution standard which we will be detailing in a joint written comment with SWEEP and NRDC, alongside a formal alternative proposal submitted by attorney. *Concerned about |

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| 64 | 9/23/2021 | Grace Rink, City and County of Denver - multiple agencies and Office of Mayor | Swansea hearing | <p>77:22</p> <p>My name is Grace Rink I am the Chief Climate Officer for the City and County of Denver. My testimony today combines the input and insight of not only our climate office, but also the Department of Transportation and Infrastructure, Denver Public Health and Environment, community planning and development, and the Office of the Mayor Denver supports ambitious economy-wide GHG reductions to to achieve the science-based climate goals for transportation and Governor Polis' greenhouse gas pollution reduction road map. We are optimistic that this rule will result in more transit and more bicycle and pedestrian infrastructure throughout the city, region, and state, especially in our communities historically burdened by construction of highways and other transportation infrastructure through their neighborhoods. The rule could go further in requiring a set percentage or minimum level of investment by MPOs into these disproportionately impacted communities. We agree the regional MPOs should determine the exact measures, but this commission can steer substantial and very needed investment into these communities. The standard provides other benefits that the commission should weigh as it considers adopting this rule, increasing investment in transit bike and ped infrastructure and travel demand management will improve local air quality from reductions in pollutants like pm 2.5 voc and knox. These benefits have a significant multiplier and move us in the right direction. Denver as a large local government expresses our support for this rule, the overall structure is appropriate to reflect the diversity of Colorado's regions urban suburban and rural. We agree it is most appropriate for regional MPOs to determine the mitigation measures through the administrative process and achieve those measures at the regional level. An outstanding question is how the administrative process will assign GHG reductions for similar mitigation measures in the DRCOG region which has a wide spectrum of development densities and land uses. One way to address these concerns is to set a future rule making date in this role now so those reductions can be reconsidered if necessary. We agree the modeling today may show different results than actual future conditions. Finally, the cost-benefit analysis showed that we will not achieve these GHG reductions without significant changes to local land use policy, we must shift new growth into mixed-use development that can reduce dependency on single occupant vehicles just like other local governments, those changes are challenging to make in Denver. However, with our blueprint, Denver plans adopted in 2019 we are working to achieve 80 of all new housing in Denver in our high growth areas in 2020. 74% of all new housing went into our high growth areas which are not perfectly analogous with the mixed use areas, but we will do our fair share to achieve the ambitious goal of 75% of all new housing in mixed use areas. We encourage the commission to stand strong and establish bold policy that pushes local government to adapt its land use regulations to our climate reality. Thank you for your time and we look forward to working with the commission and cdot staff throughout the remainder of the rulemaking thank you</p> | <p>* Testimony combines the input and insight of the Denver climate office, the Denver Department of Transportation and Infrastructure, Denver Public Health and Environment, community planning and development, and the Office of the Mayor Denver.</p> <p>*Optimistic that this rule will result in more transit and more bicycle and pedestrian infrastructure throughout the city, region, and state, especially in our communities historically burdened by construction of highways and other transportation infrastructure through their neighborhoods</p> <p>*The rule could go further in requiring a set percentage or minimum level of investment by MPOs into these disproportionately impacted communities. We agree the regional MPOs should determine the exact measures, but this commission can steer substantial and very needed investment into these communities.</p> <p>*How the administrative process will assign GHG reductions for similar mitigation measures in the DRCOG region which has a wide spectrum of development densities and land uses. One way to address these concerns is to set a future rule making date in this role now so those reductions can be reconsidered if necessary.</p> <p>*Beleives that the Denver region could acheive GHG reduction goals with their existing blueprint that they created in 2019.</p> |

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| 65 | 9/23/2021 | Cincy Copeland, Boulder County | Swansea hearing | 81:19:00 | <ul style="list-style-type: none"> *Member of CDOT's GHG rulemaking advisory group *Supports the rule, but would like to see changes made: too modest in relation to the amount of GHG emissions coming from the transportation sector in the state, CC4A comment letter further explains some of their ideas, MPOs should have earlier targets (2025) *CDPHE have developed equity goals, and CDOT and CDPHE should partner to achieve those goals through this rule *Would like to see the technical report that goes along with the modeling |
| 66 | 9/23/2021 | Marlene Andrade, Chato's Concrete | Swansea hearing | 84:42:00 | <ul style="list-style-type: none"> + More data from the modeling + Need more time, more stakeholder involvement + Waiver process - thinks there should be an approval process/public comment |
| 67 | 9/23/2021 | Kevin Matthews, YIMBY Denver and 350 Denver | Swansea hearing | 86:58:00 | <ul style="list-style-type: none"> *Building new highway lanes and cutting emissions doesn't work *Disappointed that CDOT views the GHG reduction roadmap 10% VMT reduction as a suggestion rather than requirement *California's air resource board recommends at least 15% VMT reduction to make a difference in GHG emissions coupled with electrification, and cleaner planning *The rule makes too many assumptions about EV adoption in the future *The rule should have restrictions on specific projects such as highway expansion |
| 68 | 9/23/2021 | Jan Rose | Swansea hearing | 90:13:00 | <ul style="list-style-type: none"> *Requirement to factor in embedded carbon, construction emissions. *HB 21-1303 which says climate change should be considered with all projects *Hopes to see a planning process that notifies intra-state traffic *Should front end emission reductions because 2040-2050 will be too late |
| 69 | 9/23/2021 | Patricia Ferrero, community educator | Swansea hearing | 92:53:00 | <ul style="list-style-type: none"> *Is supportive of rulemaking process being offered virtually with translation, but still sees many opportunities to make the process more inclusive- Working class folks can't take time off of work and sit through a 4-hour hearing, difficult for someone without any ability to speak english to navigate the process *Thinks CDOT needs to work to build a relationship with communities that have been disproportionately impacted by planning decisions *Shared stories from her students that have experienced difficulties such as no bike lanes, unreliable transit, and impacts of gentrification in their communities |
| 70 | 9/23/2021 | Anita Seitz, Mayor of Westminster | Swansea hearing | 97:34:00 | <ul style="list-style-type: none"> *Important to take the rule seriously and reduce GHG *Keep a focus on social and environmental equity *It can't be done through electric vehicles alone *Needs to be done ASAP and not be delayed any longer |
| 71 | 9/23/2021 | Julia Marvin, Thornton City Councilor | Swansea hearing | 100:47:00 | <ul style="list-style-type: none"> *VMT reduction should be included in this rule *Should match reduction roadmap vmt reduction goal *Equity should be a priority *Measurable and enforceable |
| 72 | 9/23/2021 | Samuel Murray, South Denver | Swansea hearing | 103:19:00 | <ul style="list-style-type: none"> *Would like to see the rule align with the GHG reduction roadmap- 10% VMT reduction *Feels that the rule is not equitable to POC- Needs to prioritize neighborhoods defined in HB 21-1266 *Need to prevent loopholes |
| 73 | 9/23/2021 | Steve Douglas, Commerce City- Former city council member and RAC member | Swansea hearing | 106:10:00 | <ul style="list-style-type: none"> *Hopes to see more ambitious goals *Funding should be distributed to reduce inequitable infrastructure and reconnect neighborhoods *Racial equity needs to be prioritized |
| 74 | 9/23/2021 | Allen Cowgill, Denver resident | Swansea hearing | 109:54:00 | <ul style="list-style-type: none"> *Underground IPCC recommends a reduction of 2010-2045 & net 0 by 2050 *Wants to see 10% VMT reduction *Wants to see an equity focus |
| 75 | 9/23/2021 | Layton Hill, Denver resident | Swansea hearing | 111:51:00 | <ul style="list-style-type: none"> *Not having a car is not an option in Denver due to lack of choice *Concerned about the health impacts of climate change and transportation |
| 76 | 9/23/2021 | Chris Miller | Swansea hearing | 114:04:00 | <ul style="list-style-type: none"> *Concerned that the modeling first approach is expensive and prone to failure *Thinks the rule requires action only when in non-attainment, and fails to consider the variance in bias & empirical history of modeling *ED Lew has said modeling has improved, but has not shared reviewable material to prove this *Must consider using a principles first approach- As seen in Paris and the Netherlands *CDOT's self-auditing creates a conflict of interest- thinks an NGO should have this responsibility |
| 77 | 9/23/2021 | Gary Sprung, Boulder resident | Swansea hearing | 116:58:00 | <ul style="list-style-type: none"> *CDOT should focus on reducing induced demand *Continuing to fund projects that make it easier to drive will not reduce VMT or GHG emissions *Use funding that we would use to induced demand projects in the front range for rural roads because public transit and walking is not an option there |

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| 78 | 9/23/2021 | David Mintzer, doctor in Denver | Swansea hearing | 127:00:00 | <ul style="list-style-type: none"> *Concerned about the health impacts of air pollution- especially on most vulnerable communities *Highway expansion is increasing GHG pollution *Fund projects that increase equity and improve mobility options- specifically Sun Valley and Commerce City *Wants to see 10% VMT reduction |
| 79 | 9/23/2021 | Abram Hander | Swansea hearing | 130:00:00 | <ul style="list-style-type: none"> + Ensure rule reduces VMT 10% + Establish specific goals for reducing emissions with clear deadlines, accountability procedures built in. + Use transparent modeling |
| 80 | 9/23/2021 | Marie Venner | Swansea hearing | 136:42:00 | <ul style="list-style-type: none"> + Urge CDOT to reopen TIPs and STIPs to not make air pollution worse. We were promised 26% pollution reduction by 2025. + Need access to broadband + Need to pause widenings for 5 years and build out other modes to support those who can't drive; much less cost. |
| 81 | 9/23/2021 | Shaina Oliver, northeast Denver resident | Swansea hearing | 143:03:00 | <ul style="list-style-type: none"> + Don't need to invest in capacity increases, need to invest in maintenance, free transit + Don't sell roads off to tolls +Transportation equity- should be the first to see improvement projects, including schools +Should establish free public transit +Wants to see improved transportation options from Denver to Native reservations |
| 82 | 9/23/2021 | Brent Goodlet, climate and EJ advocate | Swansea hearing | 148:44:00 | <ul style="list-style-type: none"> + Reduction levels not ambitious enough; not in line with 1261; not enough to limit warming to 1.5C + Don't add up to 12.7 MMT reduction needed in GHG roadmap (seems to be adding up things incorrectly...) |
| 83 | 9/23/2021 | Kristi Douglas, Commerce City | Swansea hearing | 152:18:00 | <ul style="list-style-type: none"> + Widening roads is not the answer. 270 cuts through Commerce City; no matter how much you cut into our community, it would just fill up again and impact the people there. + Need to quit operating in silos; work with CDPHE and AQCC, RTD, COGCC - all connected. |
| 84 | 9/23/2021 | Becky English, Sierra Club | Swansea hearing | 177:53:00 | <ul style="list-style-type: none"> + Was part of Central 70 lawsuit + Reduce VMT per capita, increase biking and walking infrastructure, increase EV adoption + Don't focus on highway widening |
| 85 | 9/23/2021 | Nam Henderson, Private Citizen | Written | https://drive.google.com/file/d/1nf8nQCQaWQ-EVtnf435UQjHjTXKmMrqP/view?usp=sharing | *Equity, multimodal, more ambitious, Include HCFs in the proposed rule |
| 86 | 9/24/2021 | Scott Sanderson, Private Citizen | Written | https://drive.google.com/file/d/1O98tBwAil975l_9W272Oei0xhHigCUR4/view?usp=sharing | *Highway widening, more ambitious, equity, include HCFs |
| 87 | 9/24/2021 | Bruce Barker, Weld County | Written | https://drive.google.com/file/d/1ZPjmBsw84CS8vCfUp8FR_HegXGGk_GQ/view?usp=sharing | <ul style="list-style-type: none"> *Concerned that the rule is being rushed, wants more times to evaluate data and comment *Other specific concerns |
| 88 | 9/24/2021 | Jenny Gaeng, Conservation Colorado | Written | https://drive.google.com/file/d/1WnHgYZP2g7XCpUilVnK79AglenHENMN9/view?usp=sharing | *Advocacy workshop jamboard comments |
| 89 | 9/24/2021 | Gary Sprung, Private Citizen | Written | https://drive.google.com/file/d/1srNeTZKoff9p4Sj7Kuslhp2iTzUGmC9R/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about highway widening/induced demand *Wants to see plans to reduce VMT |
| 90 | 9/24/2021 | Randy Helm, CO Springs Councilman, Member of PPRTA Comments Start @42:40 | CO Springs hearing, In-person | | <ul style="list-style-type: none"> + Implementation of the proposed rules should be delayed to no earlier than Jan 1, 2023; allow for additional time for review, revisions, assessment of impact, feasibility assessments of various mitigation measures, planning, budgeting, and implementation. + Without a proposed draft of the administrative process for GHG mitigation measures - which have not been released - there is no way to meaningfully consider if or how these regional GHG planning reduction levels, set forth in table 1, can be achieved. + The proposed definition of regionally significant projects, to be revised to clarify if it applies only to transportation projects that are facilitated by CDOT, or an MPO, thereby removing ambiguity related to the projects facilitated by other entities. + The labor requirements appear to only be available to projects that won't substantially increase GHG emissions, but there are no definition of what constitutes a substantial increase. Waiver could result in it not being a meaningful option for important projects. + Proposed rules do not, but should, account for regions that have continued to remain in attainment with federally regulated air quality standards. <p>[end]</p> |

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| 91 | 9/24/2021 | Paul Culman, Comments start @46:00 | CO Springs hearing, Virtual | | <ul style="list-style-type: none"> + New rules are step in the right direction; We need to be going full speed, not just taking tentative steps in the right direction. Climate change is worsening. + Please consider the roadmap rules from the CEO for GHG emission reductions as a bare minimum, a floor we should be well above. + We need to get people to stop driving cars; We need to prohibit the sale of internal-combustion engines (ICE) by 2025. + Establish No-ICE zones in our downtown cities, and expanding until be cover the whole state by 2035. <p>[/end]</p> |
| 92 | 9/24/2021 | Andrew Gunning, <i>Executive Director, PPACOG</i> Comments start @48:30 | CO Springs hearing, In-person | | <ul style="list-style-type: none"> + We can work effectively within draft framework, still working on comments and will submit by the end of comment period + In regards to mitigation measures: Concern about how this will be measured; hope that there is ample credit given for non-auto investments, but do not know; We agree that methods do not need to be embedded within this rulemaking process, simply not know what is behind "door no. 2", cannot say how this can be reasonably achieved + Concern about over-reliance on modeling; Concerns from the very beginning with this approach; Models are built on assumptions and are imperfect tools for uncertain future. + Waivers should be exception, not rule; Ought to be reasonably available when needed; Will provide concerns about the waiver process in writing. + Air Quality: Do not want to be lumped into a one-size-fits-all approach with the other MPOs, especially those within nonattainment |
| 93 | 9/24/2021 | Cory Sutela <i>Volunteer, Bike Colorado Springs</i> Comments start @55:45 | CO Springs hearing | | <ul style="list-style-type: none"> + Excited about the new rule, wonderful for CO to be a leader; + Would like to encourage that we meet our state goals for emissions reduction; Proposed rule ought to be stronger. + ought to do more to encourage multi-modal transportation as opposed to just focus on automobile travel; + Being from Manitou gives speaker a firsthand view of adverse effects of climate change; Always seeking to provide people with opportunities with a mode of transportation that is not a car – not preventing people from driving but offering safe and effective alternatives for commute and travel; + large-scale projects ought to prioritize multi-modal/micro-modal options for transportation |
| 94 | 9/24/2021 | Mark Sehenberger – <i>Not representing any specific organization</i> Comments start @58:34 | CO Springs hearing | | <ul style="list-style-type: none"> + + Economic/Safety/GHG reduction are not separate issues + This rule ought to give a measure of priority to economic and safety concerns as well, not just emission reductions as it relates to transit and modes of transportation; + Most measures taken to reduce GHG emissions tend to also support more safer access to multi-modal options – more transit options, fewer people driving; more bike lanes on the street drives economic engine |
| 95 | 9/24/2021 | Greg Fulton <i>President, Colorado Motor Carrier Association</i> Comments start @1:01:22 | CO Springs hearing | | <ul style="list-style-type: none"> +Recognize the importance of GHG reduction +Targets are very ambitious; recognize the limitatuons of technology and challenges associated with cost elements when pursuing these targets; + suggests that we speerate on/off highway for both inventory and mitigations efforts + State and local governs ought to look at how they are dling contracting; oldest highest emitting vehicles are on public work projects currently; + Pre-2007 vehicles emit 10-60X what a newer truck me emit, these are largely minority-owned carriers; states ought to provide grant funding to these carriers to allow replacing these high polluting trucks; + Important to start looking at roadside emissions – looking for smoking truck, tag those vehicles, and have them tested and repairs; + any actions taken ought not delay critical projects, include key safety and congestion relief projects |
| 96 | 9/24/2021 | Judith Rice-Jones <i>Leage Of Women's Voters of the Pike's Peak Region</i> Comments @1:08:40 | CO Springs hearing | | <ul style="list-style-type: none"> + comments will be submitted in writing by the October deadline + 150th aniversary of the founding of CO Springs, known as a healthy destination, which, given the amojnt of air pollution, it is no longer; + Cycling and walking are incredibly important for health; CO's obesity rates are increasing; increasing multi-modal options is critical for mitigating this + Does not know what the total VMT nor total number of vehicles, nor age of vehicles in her region from the DMV; system needs to be improved; + CA has a program to buy back vehicles older than 10 years, CO ought to look into the same; |

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| 97 | 9/24/2021 | Elizabeth Relford <i>Deputy Director, Weld County</i> Comments start @1:12:07 | CO Springs hearing | | + Weld county did submit initial written comments today; + requesting CDOT share modeling data used in developing this rule; CDOT is sharing only partial data; Weld county did submit a CORA request; please upload modeling data to official rule-making website; + Ought to be done prior to the written rule deadline; |
| 98 | 9/24/2021 | Aiden Gates Comments start @2:36:00 | CO Springs hearing | | + This rule would set a precedent for other states; this would advance equity concerns by providing cleaner and safer air for communities throughout CO Springs and by improving access to public services and workspaces to new and improved public transit infrastructure options + the draft rule provides a great policy framework to mitigate transportation pollution, which needs to be followed up with additional goals for pollution reduction to meet existing targets; + CO is experiencing an air quality crisis; residents tolerate unhealthy air quality due to ozone, transportation pollution and wild fire smoke; + This rule-making would further advance the interest of environmental justice; must center around the people most adversely affected by transportation pollution; Currently, this draft rule lacks adequate equity framework; + Need more affordable and reliable multi-modal options; focus less on road expansion, shift focus to public transportation options; |
| 99 | 9/24/2021 | Kate Lawrie Comments start @2:40:50 | CO Springs hearing | | + CO is in crisis; CDOT is in a position to affect real change; Please take bold action and commit to enforceable, equitable, and verifiable goals to reduce transportation vehicle emission by 2M metric tons by 2030; + CDOT ought to develop an equity framework to ensure state is properly serving black, indigenous, Latinx, and other adversely affected communities of color; |
| 100 | 9/26/2021 | Mara Kraenzlin, Private Citizen | Written | https://drive.google.com/file/d/10_JNqp49BeU9n5kUWEjpLvzbN84vmuA3/view?usp=sharing | *Thinks improved multimodal options will improve tourism industry |
| 101 | 9/27/2021 | John Watkiz, Private Citizen | Written | https://drive.google.com/file/d/1i9ITMf-f7KpuETOIYcfxY8QWsGd8fWpP/view?usp=sharing | *Reduce VMT, incentivize multimodal |
| 102 | 9/27/2021 | Ginger Barrett, Private Citizen | Written | https://drive.google.com/file/d/1m4cO1zsk5LBUUfR2DoZVBf7SdQ18f19J/view?usp=sharing | *Wants the rule to align with the GHG reduction roadmap |
| 103 | 9/27/2021 | Rick Sonnenburg, Pikes Peak RTD Chair | Written | https://drive.google.com/file/d/1x1yn2v0A8R9Fm8CB7rkSg5yKwtbojPqJ/view?usp=sharing | *Wants to delay rule adoption until 2023 *Concerned with unclear definition of "regionally significant project" *Should consider regions that are in attainment *Wants specific examples of how reductions can be achieved |
| 104 | 9/27/2021 | Eric Johnson, Private Citizen | Written | https://drive.google.com/file/d/1OOo3akagMuZJLDasDVkKkFon8hDzv-ipz/view?usp=sharing | *Concerned about highway widening and would like to see more ambitious goals |
| 105 | 9/27/2021 | Paul Zwiebel, Private Citizen | Written | https://drive.google.com/file/d/1zqiD9WzpskoRBDS3rCeAHGFxnYnfDc_b/view?usp=sharing | 1. Explicitly prioritize projects that focus on reducing VMT. 2. Make the 10% reduction in VMT statutory. 3. Rather than overseeing regionally significant projects, create specific project level modeling maximizing GHG and VMT reduction. Concerned about public health |
| 106 | 9/27/2021 | Art Hirsch, Private Citizen | Written | https://drive.google.com/file/d/13eU8Y6cPVuRrRFTDjQIRk3YYLH3eGIA/view?usp=sharing | *Environmental justice, EVs alone will not solve the problem, more ambitious VMT reduction, waivers need to be the extreme exception not the rule, specific concerns |
| 107 | 9/27/2021 | Maydean Worley, Private Citizen | Written | https://drive.google.com/file/d/1jdayQGZ08T2GEiDso43zqLEdNt1BpkNF/view?usp=sharing | *Specific policy ideas on how to incentivize multimodal |
| 108 | 9/27/2021 | John Stephens, cyclist and resident | Littleton hearing | | + Asphalt and concrete dangerous for cyclists - advocating for macadam construction; hopes CDOT will test as part of their GHG reduction strategies |

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| 109 | 9/27/21 | Paul Zwiebel, medical doctor, lives in Centennial | Littleton hearing | | + Current draft doesn't go far enough + Quality of life and health indices have declined in Colorado due to growth in population, congestion, air pollution + WHO revised air quality guidelines last week; no amount of air pollution is safe. + Urges CDOT to prioritize projects that focus on reducing VMT; make 10% reduction in VMT statutory; include project-specific modeling. |
| 110 | 9/29/2021 | Tom Stumpf, Private Citizen | Written | https://drive.google.com/file/d/1MpCupeJ4SjCCXBNZyD7OLPDAmjtrTaF9/view?usp=sharing | *Health of Coloradans, Equity/EJ Representation, Highway Widening, Multi Modal Focus, Specific Concern |
| 111 | 9/29/2021 | Deb Fletcher, Private Citizen | Written | https://drive.google.com/file/d/1XbXyV1QmRncnOR3RFAzWjBKpcq2Q1mkK/view?usp=sharing | *Concerned about the rule's impact on rural Coloradans |
| 112 | 9/29/2021 | Julie McCaleb, Private Citizen-Rural Eastern CO | Written | https://drive.google.com/file/d/1nJ5um921oiaKcZfHHp4mLeQAC0kZPZt1/view?usp=sharing | *Concerned about how the rule will impact rural road priority and impact farmers and ranchers |
| 113 | 9/29/2021 | Amy Mitchell, Park County Commissioner | Limon Hearing (YouTube link) | 58:03:00 | *PPACG- Many areas in that district that are low density *Density is important when applying measurements, performing measurements, and applying measurements to reduce emissions in the whole district *We do not and cannot utilize alternative transportation *Tree coverage should be a component used in measurements and requirements *Multimodal being a part of our funding is not a viable use of money for Park County *Dense metro areas are where efforts should lie |
| 114 | 9/29/2021 | Tom Peterson, Colorado Asphalt and Pavement Association | Limon Hearing (YouTube link) | 88:38:00 | *Partner with CDOT with respect to engineering projects, maintenance for highways, and working on the legislation that has recently been passed- in relation to GHG and potential construction materials for public projects *Does the level of emission reduction assume the phase out or elimination of fossil fuels and if so, how would we meet that requirement or how is that to be done with respect to the current construction practice *Asphalt is a fossil fuel, cement's primary ingredient is coal *If the goals or the plan is to be met with or without phasing out/eliminating fossil fuels, I think it is important for the industry to understand the direction/approach that is being taken *Would be helpful to understand how the timeline (2030,40,50) compares with other ideas- scholars who say the reduction targets are too aggressive/scholars who say targets are behind-Where does our industry stand with respect to the timeframe *Important to recognize or prioritize the location of the rules |
| 115 | 9/30/2021 | Nick Stevens, Private Citizen | Written | https://drive.google.com/file/d/1h_Eqe7clivod1Q_qOje0nT6rQ4EYrsxf/view?usp=sharing | *Wants more ambitious goals, rely less on EV adoption, highway expansion concerns, wants the rule to include HFC reductions |
| 116 | 9/30/2021 | Marlo Alston, Centennial City Council, CC4CA | Fort Collins hearing (YouTube link) | | + Seeing climate impacts already + Need CO to be a leader in emissions reduction + Should prioritize multimodal transportation + Should include a transportation equity framework to guide implementation of the rule |
| 117 | 9/30/2021 | Deven Shaff, Councilmember from Broomfield | Fort Collins hearing (YouTube link) | | + Climate is a big priority for Broomfield; has joined CC4CA. Big priority for their residents. + Need stronger emission reduction targets as well as VMT reduction targets. + 144 Dylan Rd project - not just capacity project, improved safety for walking and biking, critical projects for reducing VMT |
| 118 | 9/30/2021 | Bill Becker, Loveland Chamber of Commerce | Fort Collins hearing (YouTube link) | | + Have been involved with other chambers in I-25 project to eliminate congestion; notes center lane for Bustang + Interesting to watch changes in behavior from COVID - Zoom meetings, things still changing. + Lot of assumptions in the modeling, urges to slow down to understand the assumptions and opinions behind them. |
| 119 | 9/30/2021 | Jenny Willford, Northglenn Mayor Protem; CC4CA | Fort Collins hearing (YouTube link) | | + Working on EV readiness plan, fleet EVs, looking at EV readiness code, adding bike lanes + Ability to reduce emissions is limited, but will continue to try and lead - also need state to lead + Roadmap HB1261 scenario includes 10% VMT reduction assumption; should be primary focus of this rule to reduce VMT through multimodal transportation. Won't be enough EVs on the road in the near term. + Need to ensure equity is a big focus; DI communities should be engaged throughout implementation + GHG reductions should be measurable, and enforcement provisions should be strong |

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| 120 | 9/30/2021 | NFRMPO | Fort Collins hearing (YouTube link) | | (can't really hear) + Support efforts to reduce GHG; supports data-driven rule that is feasible and effective; supports the rule. + One of 7 strategies being pursued to reach 4.7 MMT gap + Timeline - encourage time to get rule right + Requested a lot of data - reviewing that now, but are still waiting on some things + Enforcement - CMAQ funding not be restricted through this rule to be able to also focus on ozone; SBTG - non-regionally significant projects should be able to proceed. + GHG baselines - baselines were assigned based on VMT not GHG emissions; baselines should be updated using MPOs own models and should include EV adoption rates. Or baselines could be removed from rule and placed in a policy document. + GHG reduction levels - established based on assumptions not under control of MPOs, e.g. land use, teleworking, expanding broadband, telehealth visits. Should be set on a per capita basis to address changing boundaries and population growth. Should be based on strategies under MPO control. Should require levels be reassessed every 4 years to ensure still relevant and feasible. + Processes and roles - Should clarify that APCD has to provide verification to TC; should clarify timing for TC action; should also clarify process around waiver. |
| 121 | 9/30/2021 | Tim Howard, Board of Trustees in town of Superior; liaison to sustainability advisory committee. own comments. | Fort Collins hearing (YouTube link) | | + Pursuing a lot of action on EVs, sustainability at town of Superior, members of CC4CA. + As a small community, often challenging for our multimodal projects that don't have significant regional impact to achieve adequate scoring to receive funding, even if would have substantial GHG benefits on a per dollar basis. + Hold fast to targets, minimize waivers - could change that dynamic that would encourage bundling of small projects that don't otherwise score well. + Need to move quickly, could adjust models for a decade. |
| 122 | 9/30/2021 | Stephen Hoemke; Northern Colorado Association of Local Gov; operates transit services | Fort Collins hearing (YouTube link) | | + Not realistic for most rural transit organizations to transition to ZEV; fleet spread out over 6 counties; 9,300 sq miles. Many vehicles parked at employees' homes - problem with charging. Also have challenges with range. Often vehicles travel 200-300 miles on a single trip. Vehicle would need to charge on a trip, would take too long. + NECALG supports efforts to improve air quality; but not feasible in NE Colorado till they have the infrastructure and technology in place. |
| 123 | 9/30/2021 | Ryan Fertig, head of construction for renewable energy company | Fort Collins hearing (YouTube link) | | + Well established research in cost-benefit analysis and mobility forecasting. Ridership forecasts often overestimated. Same is true of CBAs - tend to be systematically biased. Need to be "de-biased". + Suggests taking steps to "de-bias" CBA based on actual data |
| 124 | 9/30/2021 | Erica Benti, Colorado State University | Fort Collins hearing (YouTube link) | | + Encourages CDOT to include TDM as part of regional plans and list of mitigation measures + (couldn't hear everything) + |
| 125 | 9/30/2021 | Senator Winter and Rep. Gray | Fort Collins hearing (YouTube link) | | + Will be first rule of its kind in the country. Know transportation is #1 contributor to GHG, big contributor to air pollution. + Can't rely on electrification alone, need to focus on VMT + Need to make sure measurable and enforceable, limit off-ramps for mitigation + Not enough \$ in 260 to afford 1950s way of getting around of building more and bigger roads as we grow, not to mention social costs. + Reduced accidents is a major benefit of reducing VMT + Need to take a look at how we model each project as it occurs |
| 126 | 9/30/2021 | Mark (?) | Fort Collins hearing (YouTube link) | | (couldn't hear - hopefully can get from transcript?) |
| 127 | 9/30/2021 | Crystal Murillo, Aurora City Councilmember | Fort Collins hearing (YouTube link) | | + Community is underserved in a lot of ways; need more robust transit options + Are doing what they can on sustainability, but limit to what they can do alone. + Should include VMT reduction goal through multimodal strategies + Need to include communities in the process + GHG reductions must be measurable, must have strong enforcement provisions. |
| 128 | 9/30/2021 | Chase Thomas | Fort Collins hearing (YouTube link) | | + Speaks on behalf of daughter and other kids who have right to quality of life we've had + Transportation is biggest sector + Shouldn't allow electrification projects to be double counted, mitigation measures have no deadline and could be delayed or canceled; rule should also include restrictions for permitting of interchanges and infrastructure that enable sprawling development. |

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| 129 | 9/30/2021 | Maria Gonzalez | Fort Collins hearing (YouTube link) | | + Need to think of the future, need to consider our current air pollution levels. |
| 130 | 9/30/2021 | Jody Shadduck-McNally, Larimer County Commissioner, testifying as individual commissioner | Fort Collins hearing (YouTube link) | | + Not proud of our air quality, but proud of our region + About the size of Delaware, lots of open space. Need to contain GHGs from all the travelers to RMNP. + Just voted in new oil and gas regulations; took into account marginalized communities; created climate smart framework; implemented remote worker program + Climate change is happening now as seen by Cameron Peak fire |
| 131 | 10/1/2021 | Patrick Hunter, Private Citizen | Written | https://drive.google.com/file/d/1hgHGzdGeDcVMWQShzo4JINyUuWGrQPE/view?usp=sharing | *Concerned about highway expansion, tax fuel and vehicles and allow options for people with low-incomes, policy examples to encourage multimodal use |
| 132 | 10/2/2021 | Adam Quinton, Private Citizen | Written | https://drive.google.com/file/d/1biUs12nSPwwRh4wvPliJYXBQLNAzGXl/view?usp=sharing | *Health of Colorado, reduce VMT as priority, more ambitious |
| 133 | 10/2/2021 | Rebecca Davies, Private Citizen | Written | https://drive.google.com/file/d/15KDRnLvOFDG6_R3wloIdcuAWiCEOB2kn/view?usp=sharing | *Bike and ped safety, more multimodal options |
| 134 | 10/4/2021 | Aaryn Kay, Kay-Linn Enterprises (NGO) | Written | https://drive.google.com/file/d/1DUWaSQ1-uFskhmQ8RWGbhG-t6n4GbUm/view?usp=sharing | *In support for an equitable, ambitious rule signed by community members |
| 135 | 10/4/2021 | Matt Scherr, Eagle County Commissioner | Written | https://drive.google.com/file/d/1eQiqXACiLl9ZePi7Io9hkGNcWJvc8bOP/view?usp=sharing | *More ambitious, concerned about GHG emission's impact on the tourist economy |
| 136 | 10/4/2021 | David Peckler, Transportation Director, Town of Snowmass | Written | https://drive.google.com/file/d/1_eKiNaoDESsrwScVpPGP5I8KJcFIHA/view?usp=sharing | *Specific ideas about transportation technology |
| 137 | 10/4/2021 | Johnathan Esty, Private Citizen | Written | https://drive.google.com/file/d/1TFNonl3z3jMjcnMcUQZ4w0ly2BApB-bE/view?usp=sharing | *Multimodal improvement with possible federal money |
| 138 | 10/4/2021 | Evan Ravitz, Strengthen Direct Democracy | Written | https://drive.google.com/file/d/16uZo5976Ei_0y2IPsQ9vCCcvPv2RANf/view?usp=sharing | *Subsidizing e-bikes |
| 139 | 10/4/2021 | Benedict Wright, Private Citizen | Written | https://drive.google.com/file/d/1VbB3A7133nd2bPNd2D37i7OWWkC8-NGj/view?usp=sharing | *Specific concerns with section 8.05.02, wants the rule to be strong and enforceable |
| 140 | 10/4/2021 | Beatriz Soto, Conservation Colorado | Written | https://drive.google.com/file/d/1w1wFQYOmHalhuWb5Xk_3APc7dknMYSVP/view?usp=sharing | *Environmental justice, improving transit |
| 141 | 10/4/2021 | Jonathan Godes, Mayor of Glenwood Springs | Glenwood Springs Hearing | 17:23 | *Representing Glenwood Springs and CC4CA *Glenwood Springs experiencing impacts from climate change: Grizzly Creek fire, 500-year flood event, many other fires and floods *Glenwood Springs has made it a priority to reduce GHG- 100% renewable grid by 2019 *Member of RAFTA which is the largest rural transit agency in the US, and 2nd in Colorado, have own transit (Ride Glenwood), installed EV charging stations throughout the community, and need help to keep going *Want to improve bus trail connection- Glenwood Springs and New Castle, and is the last of a trail system that would connect Grand Junction to the Front Range *We need additional charging stations, a plan to connect Glenwood to Highway 82 (would reduce VMT from southern route by making the connection more direct route to where the economy takes them in Aspen and in the valley), more funding for Raft and Ride, and we want to continue investments in carpool bus lanes, sidewalks, bike paths, bike and ride share programs, and more direct connections with the goal of reducing single occupancy vehicles and VMT *A rail town- support Amtrak and other passenger rail as the central focus would be great for Glenwood Springs as we have seen with Bustang's success |

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|-----|-----------|--|--------------------------|--------------|--|
| 142 | 10/4/2021 | Steve Child, Previous Pitken County Commissioner, school bus driver, public transit driver for the town of Snowmass, served on the Elected Officials Transportation Committee in the Upper Roaring Fork Valley for entire time as Commissioner | Glenwood Springs Hearing | 20:08 | <ul style="list-style-type: none"> *Encouraged CDOT to take strong action to reduce GHG in the transportation sector as well as come up with a solid plan for monitoring GHG reductions to verify that goals have been met *The Roaring Fork's multimodal system could be used as an example across the state- buses go from Rifle to Aspen, transition to electric buses, strong interface with bicycle sharing system (has stations at various bus stops), expands every year into new markets and new towns, interfaces with affordable housing, also ties into many places with a 40 mile long Rio Grande bike trail (former corridor from Glenwood Springs to Aspen) *To reduce GHG emissions, CDOT could: improve broadband across the state (build along all major road projects), could encourage the development of renewable energy sources, keep an eye on Hydrogen technology (will need hydrogen fueling stations) |
| 143 | 10/4/2021 | Matt Scherr, Eagle County Commissioner | Glenwood Springs Hearing | 28:31:00 | <ul style="list-style-type: none"> *Commissioned a study to determine the community's baseline greenhouse gas emissions and created a community-wide climate action plan- also worked with Rocky Mountain Climate Organization for the mountain resort region and the findings were dire *Need stronger reduction targets than are in the plan, specifically for reducing VMT *Need a transportation equity framework to be included in the rule- to ensure marginalized communities benefit and are eager to participate *Remove potential loopholes *Project level modeling must be improved *Says a strong rule will benefit Eagle County in many ways, but specifically the future economy and current economy |
| 144 | 10/4/2021 | Ben Tisdale, Ouray County Board of Commissioners, GVTTPR | Glenwood Springs Hearing | 32:20:00 | <ul style="list-style-type: none"> *Economy relies on healthy climate, good airquality, healthy forests, clean water, etc. *Very rural, most transportation is on state and federal highways *Have been implementing policies at the county level to reduce emissions- Multiple transit partners, new Bustang route from Telluride to Grand Junction, could use some increased integration for ease of travel planning in the whole system *Participates in Gunnison Valley TPR- still doesn't understand the definition of 'regionally significant project' *Would like to see more EV charging infrastructure in rural areas, not adequate for the projected increase in EV-Ouray County to Denver would be too far for an EV to travel without charging *Might want to look at VMT for specific type of vehicles (specific vehicles that help improve forest health and reduce fires) could be helping to benefit GHG reduction in a different sector |
| 145 | 10/4/2021 | Devorah Lily Ramos, private citizen | Glenwood Springs Hearing | 37:34:00 | <ul style="list-style-type: none"> *Was previously homeless for a couple of years, also has a disability- Wanted to discuss a project she witnessed while camping outside of the refineries at Comcece City (about 6 months) (I-270 project) *Saw land demolished near the refineries and was a cause of concern for them. (I-270 project) *Is concerned about the community's health from this project as well as future projects |
| 146 | 10/4/2021 | Arthur (Art) Hirsch, Represents the Climate Reality Project, former Enviromental Consultant to CDOT, and was with the Federal Highway Association | Glenwood Springs Hearing | 39:32:00 | <ul style="list-style-type: none"> *Wants to see stronger GHG reduction targets and plans (mainly reduced expansion) *Thinks the rule should include environmental justice populations in the planning process *Urges CDOT to follow the EJ policy and integrate these populations, contact Chief Equity Officer for environmental justice and community partnerships *Wants more transparency around mitigation options when targets are not acheived, and the planning that goes into those decisions *says CDOT manages roads and bridges not reduced GHG *EV prediction over-estimates, and should not be heavily relied upon *Transportation plans that reduce GHG need to be made for public review and comment |
| 147 | 10/4/2021 | Steve Smith, Representing the Glenwood Springs Bicylce Advocates | Glenwood Springs Hearing | 44:28:00 | <ul style="list-style-type: none"> *New infrastructure accommodating motor travel should be designed to include and encourage safe travel by bicycle and to avoid any new hazards or disruptions to existing bicycle routes *Preamble overview, 2nd paragraph lists examples of GHG emission mitigation- reference to bicycles in this paragraph should also include accommodations for general purpose bicycling in many communities including Glenwood Springs, structured bike share infrastructure may prove to be too expensive and ineffective, people riding their own bicycles can be more productive and should be included in the list of options |
| 148 | 10/4/2021 | Christian Reece, Executive Director of Club-20 | Glenwood Springs Hearing | 47:58:00 | <ul style="list-style-type: none"> *Supports the implementation of innovative technologies to foster reduced GHG *View rulemaking as being overly restrictive- might have compliance issues in Western CO *Mitigation measures are unavaliable or impossible in rural areas *Want to see mitigation examples for rural areas that are attainable *Concerned about the timeline- want to have more time to process data *Concerned about the overlapping authority between agencies and enterprises and local gov land use discretion *Limited inclusion of the business community- would like to see more of an effort to include them in the rulemaking process *Concerned about unintended consequences and want to get it right the first time |

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| 149 | 10/4/2021 | Stefan Johnson, Transportation Program Manager for Clear or Clean Energy Economy | Glenwood Springs Hearing | 51:32:00 | <ul style="list-style-type: none"> *Clear is a non-profit energy consultancy based in Garfield County- one of the designated recharge organizations for the COE, working to accelerate EV adoption and charging infrastructure deployment, and under contract with CDPHE *Discussed the benefits of having a transportation system that includes pedestrians, cyclists, carpooling, ride sharing, and transit in addition to single occupancy vehicles in a rural location |
| 150 | 10/4/2021 | Ryan Baggett, Private citizen and member of the Colorado Renewable Energy Society in the metro Denver area, and Sierra Club | Glenwood Springs Hearing | 54:56:00 | <ul style="list-style-type: none"> *Boulder County resident *Rule does not make commitment to GHG reduction roadmap- wants more reductions *Sees possible loopholes in the rule- If electrification projects are included on the mitigation list, they might be double counted against GHG reduction goals. Mitigation measures have no deadline and can be delayed or cancelled without enforcement *Thinks the rule should include specific restrictions for project permitting, especially for highway interchanges that enable sprawling development *The rule should explicitly prioritize individual products that maximize vmt and reduce ghg even if they are small projects *Vehicle registration fees- reduce punitive registration fees to encourage EV adoption |
| 151 | 10/5/2021 | Cory Gaines, Private Citizen | Written | https://drive.google.com/file/d/1O7edCA3Y6S5jZFi_TUFbDcxwg51CCLa6/view?usp=sharing | *Concerned that the rule will only benefit Denver and the Front Range, rural equity |
| 152 | 10/5/2021 | Maureen Barrett, Private Citizen-CO licensed engineer | Written | https://drive.google.com/file/d/1hbrr7rDbpShxKJIWQiEpgj9rh3zvOptN/vi ew?usp=sharing | *Specific concerns and suggestions about analysis |
| 153 | 10/5/2021 | Scott James, Weld County Commissioner, Chairman of UFRTPR | Weld County Hearing | 26:00:00 | <ul style="list-style-type: none"> *Says CDOT is exceeding statutory defined mission by working to reduce GHG- might cause CDOT and MPOs to prioritize emissions over statutorily defined mission, Marginalizes other state agencies tasked with environmental protection such as CDPHE and creates confusion *Request data-driven analysis using unflawed models not activism *1st time TC has a quasi-enforcement responsibility (legislature as source of funding and dictating how CDOT spends the money) *Says the rule is unclear where the responsibility falls in terms of ozone attainment area that is not inside of an MPO boundary *Should become CDOT's responsibility if the location is not within MPO boundaries (within TPRs) |
| 154 | 10/5/2021 | Aaron Brockett, Boulder City Council | Weld County Hearing | 30:34:00 | <ul style="list-style-type: none"> *Committed to working with regional and state partners to ensure that the rule is adopted *Would like to see that the rule include VMT reduction targets to support the state's roadmap to GHG reduction of 10% by 2030 *Ask that the rule include provisions that ensure that the GHG emissions modeling is performed with transparency *Ask that the modeling adequately includes induced demand to the system created by any capacity building projects *Ask that all MPOs meet the 2025 reduction targets (rather than just those out of compliance with federal air quality standards) flexibility for MPOs to enact mitigation measures *Would like to see more specific efforts to target funding and mitigation efforts at EJ communities *Allow |
| 155 | 10/5/2021 | Abram Herman, Grand Junction City Council (does not speak on behalf of the whole council) | Weld County Hearing | 33:51:00 | <ul style="list-style-type: none"> *Has seen 2 degrees C (more than double the national average), largest climate hotspot in the 48 of the lower United States *Thinks equity needs to be foremost consideration on the rule's implementation (Ex. the roadmap sets very ambitious goals for EV ownership and adoption, but in some areas with low AMI like Grand Junction, it is not realistic for many of the community to own or purchase an EV) *Need programs to reduce VMT and trip reduction *Thinks rural areas have been historically disadvantaged and sees that the gap could worsen if equity is not the highest consideration *Hopes that the effect of regulation on industries is taken into account (specifically freight for Western Slope) |
| 156 | 10/5/2021 | Tom Martin- NCLA member, previous Mayor for the City of Greeley and legislator | Weld County Hearing | 37:44:00 | <ul style="list-style-type: none"> *Concerned that CDOT is being controlling of people and when they can drive and how they can drive-restricting individual drivers *Thinks CDOT is taking land use planning away from localities *Concerned about doing this from the "top-down" |
| 157 | 10/5/2021 | Val Nosler Beck, Wheatridge City Council | Weld County Hearing | 44:34:00 | <ul style="list-style-type: none"> *Multiple interstates and highways run through city *Want CO to be a leader in transportation GHG reductions *Wants to include VMT reductions in the rule *Won't be enough EV on the road to meet CO's goals without VMT reduction targets |

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| 158 | 10/5/2021 | Terri Binder, Co-chair for the Transportation Committee with Club 20 | Weld County Hearing | 46:45:00 | <ul style="list-style-type: none"> *Any employer with 100+ employees will have to work with employees on how they get to work- when has the gov ever told people on how they get to work? *What authority will the TC have going forward?- The transportation planning process has worked well in her opinion *Adding too many people in the decision making process *Concerned about how many people have ability to make decisions who were not elected *Concerned about Front Range problems imposing rest of state *Rural areas need improved roads first *How will the 10-year plan be effected? *Concerned about how farmers and ranchers will be impacted financially *Would like to see financial analysis to know how this rule is being paid for *Concerned about the timeline- thinks CDOT is rushing the rule |
| 159 | 10/5/2021 | Sandra Higgins Solon, Northern Colorado Legislative Alliance | Weld County Hearing | 53:30:00 | <ul style="list-style-type: none"> *Concur with many of the concerns and questions NFRMPO has brought forward *Organizations that she represents have advocated for increased funding for transportation across CO, especially along the I-25 corridor *Wants to ensure CDOT completes the North I-25 express lanes from seg. 5 through the safety improvements in seg. 2 *Concerned about about the balance of completeion of North I-25 project under the rule, increased costs that will accrue due to additional mitigation requirements *Concerned about the rule's provisions and lack of specificity, leagal avenues for challege to regionally significant projects at the magnitude of i-25, legal delays *Unclear how population growth will be factored into the planning and mitigation requirements *Ask for additional time for data and these questions to be considered |
| 160 | 10/5/2021 | Jeremy Horne, Ramble | Weld County Hearing | 57:14:00 | <ul style="list-style-type: none"> *Concerned about the timeline, feels that the rule is being rushed *Doesn't feel that time data from CORA request was received and Oct. 15th deadline is adequate to review and provide comments, and not clear that other stakeholders have access to this information *Providing all stakeholders access to the same information is critical to ensure an equitable and transparent process *In addition to model files, documentation detailing modeling methods |
| 161 | 10/5/2021 | Eric Hodek, Ramble, Air Quality and Environmental Consultant | Weld County Hearing | 59:55:00 | <ul style="list-style-type: none"> *Data has not been made available for adequate analysis for stakeholders *The state needs to provide sensitivity analysis *Thinks that local governments and public should be able to review the model and assumptions prior to any proceedings |
| 162 | 10/5/2021 | Maureen Barrett, Private Citizen-CO licensed engineer | Weld County Hearing | 62:27:00 | <ul style="list-style-type: none"> *Thinks it is too short of a time to put such an important rule together *Thinks that the entire state of CO should be deemed a non-attainment area, the Clean Air Act has many of the same elements taht we need to make this rule successful-particularly stationary source modeling *In order to acheive reductions going forward- require that sources evaluate their emissions and then in order to go forward they take offsets for their emissions-If we deemed all of CO non-attainment, any new emissions project if it is deemed regionally significant would need to find offsets for their new emissions. not just 1-1 but 1.15-1 *Create pathways that have already been successful in the CAA to create whole states which were previously non-attainment to be in attainment through the same process *The existing DOT regulations should define all parking lots as regionally significant projects if over a certain threshold in size-unenforced aspect of our CAA a huge GHG contributor that is ignored *Force those who benefit frm the emissions of the induced traffic due to huge parking lots to look for ways to reduce or offset GHG emissions from-rather than benefitting while the community takes the burden |
| 163 | 10/5/2021 | Eric Hodek, Ramble, Air Quality and Environmental Consultant | Weld County Hearing | 68:45:00 | <ul style="list-style-type: none"> *Need to ensure we don't have things like leakage where we disincentivize emission reductions within our boarders and drive emissions to other areas where the state and local governments don't have control of the issue- keep GHG and toxins seperate |
| 164 | 10/5/2021 | Maureen Barrett, Private Citizen-CO licensed engineer | Weld County Hearing | 70:31:00 | <ul style="list-style-type: none"> *Wanted to clarify that when she talked about non-attainment pollutants she is very aware of teh different types of pollutants *General point is that the framework that we have employed to become attainment in non-attainment areas should be employed with GHGs as well *Basically non-attainment in all of CO. and all of the world bc of the way that GHG transport and migrate |
| 165 | 10/5/2021 | Julie McCaleb, Private Citizen-Rural Eastern CO | Weld County Hearing | 71:29:00 | <ul style="list-style-type: none"> *Commute 130 miles a day to work *Doesn't have broadband so it is hard for her to work from home *80 mile commute for her neighbors and her just to buy groceries *Sees the worst roads in the state to drive on *Concerned that she will be paying for improvements on 8 counties that rural CO is not apart of |

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| 166 | 10/6/2021 | John Stephens, Private Citizen | Written | https://drive.google.com/file/d/1J0ubWbPekhBXnFjWT5wgRhtcPbPNjgAG/view?usp=sharing | *Bike safety; Suggests the use of Macadam Bike Roads as opposed to concrete/asphalt/crusher fines |
| 167 | 10/6/2021 | David Mintzer, Private Citizen | Written | https://drive.google.com/file/d/1mLMhxyVHWJVCuKPMz2nXuZhbme5v-uz/view?usp=sharing | *Public health, equity, environmental justice, highway expansion concerns, wants a more ambitious rule to reduce VMT |
| 168 | 10/6/2021 | Judy Lubrow, Private Citizen | Written | https://drive.google.com/file/d/1sl_24PkFYHnHiQyMKYvtjISxrar4gxo8/view?usp=sharing | *wants more enforcement and a more ambitious rule |
| 169 | 10/7/2021 | Lilianna Moon, Private Citizen | Written | https://drive.google.com/file/d/1AABSagjZzfr9V3yr-OjkbOYuJY4N_2/view?usp=sharing | *Wants more multimodal options to the mountains |
| 170 | 10/7/2021 | Todd Brown, Mayor Pro Temp- Telluride | Durango Hearing | 28:22:00 | *Telluride working to achieve carbon neutrality by 2030 *Economy and lifestyle heavily impacted by climate change *20% of Telluride's total emissions from transportation *Wants the rule to have clear, measurable steps with reduction to VMT and specific steps on how to do so *Wants more attention to rural areas- workers that have to travel long distances, want help to reduce single passenger vehicles to and within Telluride *Primary emphasis should be to reduce VMT by multimodal options *Need EV infrastructure in rural areas |
| 171 | 10/7/2021 | Greg Levine, County Commissioner, Hinsdale County | Durango Hearing | 33:50:00 | *Hinsdale county most remote area in lower states- under 800 population *Recreation primary economy- emission impact of off highway vehicles *Working to install EV infrastructure and educate visitors, but need the state's help to provide incentives and requirements *Attended tourism stakeholder meeting hosted by the Colorado Tourism Office- clear that to sustain economy that we have to mitigate GHG emissions, no disagreement between participants *Better transit funding, better access to EV, and walkable communities best to impact change *Has to equitable, communities like Hinsdale have much less income than Front Range, important to keep rural communities engaged in the process *Reductions must be measurable and reductions must be enforced |
| 172 | 10/7/2021 | Robert Stryker, Private Citizen, Retired Family Physician & Engineer | Durango Hearing | 38:02:00 | *Biked the Northern Tier (Across the state) need improved shoulders *Keeping shoulders clean- simple things to keep bike safety and get more people to bike *Having dedicated bicycle and pedestrian roads- makes it easier for people to commute |
| 173 | 10/7/2021 | Alexis Schwartz, on behalf of Jan Goodwin-Silverthorne CO | Durango Hearing | 41:56:00 | *Concerned about climate change's impact on Silverthorne's outdoor economy *Wants to see clear and strong GHG reduction targets *Create opportunities for more people to take public transportation |
| 174 | 10/7/2021 | Sharla Benjamin, Private Citizen, resident of Longmont, works as Engineer in local gov | Durango Hearing | 44:40:00 | *Supportive of stronger GHG reduction targets and transparent models *Need a more diverse set of ideas and more decision makers with different ideas and backgrounds *Add urban agriculture along the transportation system- carbon sequestration *GHG roadmap not being met in this rule |
| 175 | 10/7/2021 | Douglas Tooley, Private Citizen-Mountain Village CO | Durango Hearing | 50:00:00 | *2nd previous commentor's remarks- Todd Brown, Dr. Stryker's comment on bicycle safety *Washington state has policy on only certain % of funding from gas tax spent on roads- must be used on multimodal |
| 176 | 10/7/2021 | Joel Berdie, Private Citizen-Behavioral Health professional | Durango Hearing | 60:20:00 | *10% VMT reduction by 2030 *Reducing people using their cars will be a logistical and cultural challenge in rural towns like Durango *Pretty diverse community, segregated in terms of who have access to transportation and pushed outside of public transit lines *Need transit to dramatically update to achieve goals |
| 177 | 10/7/2021 | Lauren Taylor, Private Citizen | Durango Hearing | 60:28:00 | *Concerned about poor airquality in Colorado *Stronger GHG reduction targets and VMT *Gap of 2MMT of GHG between VMT reductions and electric vehicles *Target alternative transportation options and projects that enable sprawling development |
| 178 | 10/7/2021 | Tristan Kraatz, Private Citizen-Wildland Firefighter | Durango Hearing | 60:31:00 | *Anything we can do to tackle climate change should be done *Grew up in Crested Butte, public transportation was robust within Gunnison Valley *Lack of public transit in the Durango area |

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| 179 | 10/7/2021 | Marta Sola-Pfeffer, Private Citizen-Bayfield CO | Durango Hearing | 60:33:00 | <ul style="list-style-type: none"> *Concerned about GHG emissions *Lives in a community with no access to public transportation *Supports strong GHG emission reductions and equitable implementation *Transportation plays a role in hurting public health of low income communities that are most impacted by climate change and poor air quality |
| 180 | 10/7/2021 | David Taft, Private Citizen-Durango | Durango Hearing | 60:36:00 | <ul style="list-style-type: none"> *Lack of transportation in the 4 corner community *Transportation system as it is now contributes to a further gap in socioeconomic status and climate change *Thinks economy depends on clean air and delay of climate change *VMT reduction should be priority- Invest in transit and other multimodal options *Equity framework needed in the rule |
| 181 | 10/7/2021 | JoJo Matson, Private Citizen | Durango Hearing | 120:10:00 | <ul style="list-style-type: none"> *Lives in 4 corners-watching change of ecosystems and use of ecosystems *Indigenous communities need transit access to their lands that they live on *Concerned about the airquality *Those who are impacted by damages are not the ones inflicting the decisions/benefiting from climate change *Thousands of people a week to San Juans driving their own vehicles and towing trailers and RVs |
| 182 | 10/7/2021 | Ann Sutton, Private Citizen | Written | https://drive.google.com/file/d/1axSUwM22cXQrrVR4MbJUqx99S11GAUDG/view?usp=sharing | *Incentive ideas for EV adoption |
| 183 | 10/8/2021 | Matt Sura, Environmental Coalition | Written | https://drive.google.com/file/d/1ppz2xKD9iBEXbOzrC5pK-n1FM6jhWsC/view?usp=sharing | *Specific comments on rule and analysis, research attached |
| 184 | 10/8/21 | poggisworld@aol.com (name not given) | Written | https://drive.google.com/file/d/1WxF3Ejx4GTO38bmdr8ibD0ty4z268WjW/view?usp=sharing | *Wants multimodal investment |
| 185 | 10/10/2021 | Dave and Michele Harris | Written | https://drive.google.com/file/d/1Fd4h13Ld8i0DweT6myBMd5JfKlfx8Axf/view?usp=sharing | *Stricter Emissions testing, better transit in rural communities, incentivise EVs and retiring old cars, bike safety |
| 186 | 10/11/2021 | Ron Papsdorf, DRCOG | Written | https://drive.google.com/file/d/1prMTM-27mUO7j2K6spbonmq-TaC74aUN/view?usp=sharing | *Specific comments on the rule language |
| 187 | 10/11/2021 | Jessica Turner, Private Citizen | Written | https://drive.google.com/file/d/1jHzGg3OZjNKyDyxjnnWnVuRBj5Vp7oos/view?usp=sharing | *Equity, highway expansion, too much reliance on EVs, wants HCFs included in the rule, wants a more ambitious rule |
| 188 | 10/11/2021 | Medora Bornhoft, NFRMPO | Written | https://drive.google.com/file/d/1K8N91gDxJsKG2h_v_FIChfUNpmiSf6/view?usp=sharing | *Specific comments on the rule language |
| 189 | 10/12/2021 | Duncan Gilchrist, 350 Colorado | Written | https://drive.google.com/file/d/1viODN7Cf3zAhPMcte2D2M3e_vn5IL8Dv/view?usp=sharing | *Want a more ambitious rule, VMT reductions as priority, equity, Reopen the TIPS and STIPS to ensure that investments made over the next several years are aligned with emissions reduction targets. Close loophole by tightening the conditions upon which waivers are granted, Require Transparent Modeling, Put an end to highway expansions in urban areas |
| 190 | 10/12/2021 | Matt Muir, Cyclists 4 Community | Written | https://drive.google.com/file/d/1YKH-BT1Okm9f8RfX3EuqWfZwKqNY9vm/view?usp=sharing | *Waiver process should be rare, safety projects for roads |
| 191 | 10/12/21 | Casey Costley, Private Citizen | Written | https://drive.google.com/file/d/1cSEtwC1C8A14aHHXspekp-oZ0pdr5B_/view?usp=sharing | *In support of, EV adoption might be over estimated |
| 192 | 10/12/21 | John DiMattia, Private Citizen | Written | https://drive.google.com/file/d/1-EqUIXihViDoR09ohQqoHjZW09gvUUGf/view?usp=sharing | *Wants a more ambitious rule, equity, highway expansion, should align with GHG reduction roadmap 10% VMT reduction by 2030 |
| 193 | 10/12/2021 | Rob Hale, Private Citizen | Written | https://drive.google.com/file/d/1Sk2KniX16IAFv0HK8FNp8SeEDGV-RfX/view?usp=sharing | *In support of the rule, Thinks CDOT should better engineer traffic lights so people are spending less time at them |

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| 194 | 10/13/2021 | Tony Milo, Colorado Contractors Association | Written | https://drive.google.com/file/d/1leRcoi87zMMgOQiw9EMBjXGKQwz7HL4A/view?usp=sharing | <ul style="list-style-type: none"> *Want to extend comment period *state of good repair, questions about regionally significant project and how it will impact state of good repair projects *questions about the accuracy of the baseline and reduction targets within the rule *Ideas to strengthen waiver process language |
| 195 | 10/13/2021 | Chad Glang, Private Citizen | Written | https://drive.google.com/file/d/1d33eVoymfkYG2z61iz6GXjt_22K_bxkH/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule |
| 196 | 10/13/2021 | Dana Brosig, GVMPO | Written | https://drive.google.com/file/d/1aNo5x-jQydbAL2CzCe8uTHUco6Jjbfpx/view?usp=sharing | <ul style="list-style-type: none"> *Want to be included in the discussion on how compliance and mitigation will be determined *Concerned that funding being shifted from capacity projects will not help them because they have little capacity projects in their plan *Want funding for additional staff necessary for additional travel modeling expertise *Want to see the specific inputs and outputs for the rule *Specific language changes |
| 197 | 10/13/2021 | Evelyn Hutt, Private Citizen | Written | https://drive.google.com/file/d/1XGXAv64hkyj1PsuBzSEM6LeWxYdGNPy/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule, wants more multimodal options in all parts of CO |
| 198 | 10/13/2021 | Kelly Blynn, CEO | Written | https://drive.google.com/file/d/11W7VAdNH89diCIDR4vYAMQCqokKPTexAp/view?usp=sharing | <ul style="list-style-type: none"> *The reduction levels should be adopted as proposed to maximize benefits *The Cost-Benefit Analysis, which meets statutory requirements and utilizes reasonable methods and assumptions, demonstrates the substantial benefits of the Rules *Specific edits to the rule |
| 199 | 10/13/2021 | Tamara Ward, MOVE CO | Written | https://drive.google.com/file/d/1UVjWkZC16f9-veByFLp8oG41Nm9qpWX3/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule *Clarity around compliance, how the rule will work with NEPA, some definitions, and emission requirements *What will be mitigation measures and how will the rule be enforced |
| 200 | 10/13/2021 | Conor Merrigan, Spirit Env | Written | https://drive.google.com/file/d/12TwSHbgTn9xwQzQEUsYFuPP5fSrZg_q/view?usp=sharing | <ul style="list-style-type: none"> *Thinks CDOT should consider using Google's Environmental Insights Explore |
| 201 | 10/13/2021 | Katherine Labombarde, Private Citizen | Written | https://drive.google.com/file/d/1TQNfNNDHQshw31hQbbhUfYcbD64Y2e8/view?usp=sharing | <ul style="list-style-type: none"> *Wants a more ambitious rule, equity, highway expansion, should align with GHG reduction roadmap 10% VMT reduction by 2030 |
| 202 | 10/14/2021 | Jennifer Ivey, PPRTA | Written | https://drive.google.com/file/d/11C95QSBHjY1l67eol8sy8MoH55EP_U-z/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about not having clarity about the effect the rule will have on planned transportation projects that have been approved by voters *Wants the rule to be delayed until Jan. 2023 *By Not Including a Proposed Draft of the Administrative Process for GHG Mitigation Measures, Transportation Systems Cannot Meaningfully Respond to the Proposed Regionally Transportation Planning Reduction Levels. *Unclear about "regionally significant" definition *Specific edits to the language |
| 203 | 10/14/2021 | John Liosatos, PPACG | Written | https://drive.google.com/file/d/16NSsFNBNcmIA2bQ7xlGHNDQ71aBaDf5/view?usp=sharing | <ul style="list-style-type: none"> *Specific language edits/ideas on how to clear up confusion on certain definitions *Thinks that the rule should be less focused on VMT and more on idling *Concerned about federal funding and project priority with the rule *Issues with the waiver portion |
| 204 | 10/14/2021 | Melanie Bollig, Gunnison Valley | Written | https://drive.google.com/file/d/1R2MaE7g5ZRzSMKH3a63rag00DRcHN0Wl/view?usp=sharing | <ul style="list-style-type: none"> *Wants transit prioritized in rural areas, multimodal, affordable housing over highways and expansion *Supports the rule |
| 205 | 10/14/2021 | Jessica Sherwood, Private Citizen | Written | https://drive.google.com/file/d/1YeXM_3Z4xpkI7M6Z0mZC-9wC3RIXDhzD/view?usp=sharing | <ul style="list-style-type: none"> *Wants a more ambitious rule, equity, highway expansion, should align with GHG reduction roadmap 10% VMT reduction by 2030 |
| 206 | 10/14/2021 | Elizabeth Relford, Upper Front Range TPR | Written | https://drive.google.com/file/d/1tCZHlPO_8kQfR5BQFLf5mg1AQnzZZ8y/view?usp=sharing | <ul style="list-style-type: none"> *Rural designation within the ozone non-attainment *Management of non-MPO non-attainment areas *Mitigation measures for rural areas *Capacity project waivers *Would like language to be more clear |
| 207 | 10/14/2021 | Morgan Turner, Denver-based Land Use Work Group | Written | https://drive.google.com/file/d/1P73vyZKQwYPBi-rH4Lu_hfgkthGWdY-_ /view?usp=sharing | <ul style="list-style-type: none"> *multimodal improvements must be coupled with smart land-use *Strengthen and review travel demand modeling *Equity *Examples of how to utilize smart land-use strategies |

Summary of All Public Comments Received for Transportation Planning Rule

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|-----|------------|--|---------------------|---|---|
| 208 | 10/14/2021 | Bruce Barker, Weld County | Written | https://drive.google.com/file/d/1BbxIHwFipmRxRwj9rHsYmBM9UyhNU1B-/view?usp=sharing | *Concerned that the rule is being rushed, wants more times to evaluate data and comment *Other specific concerns |
| 209 | 10/14/2021 | Kelsey Whetsell, Private Citizen | Written | https://drive.google.com/file/d/1rL7JgU6vz6qkQx0Uof9v5jJ4o2mbFINX/view?usp=sharing | *Is curious about how CDOT will implement sustainable materials into transportation projects |
| 210 | 10/14/2021 | Alexy Davies, Community Cycles | Written | https://drive.google.com/file/d/1DT03q8JbLTWBerv6qF0ySHRY9NWwrxzc/view?usp=sharing | <ul style="list-style-type: none"> ● reducing the negative impacts of driving on historically impacted communities ● improved safety ● decreased local air pollution ● reduced noise ● decreased traffic congestion. |
| 211 | 10/15/2021 | Sandy LaBaugh, Private Citizen | Written | https://drive.google.com/file/d/1uzSoZQrUYXTEUHTvpGB63u-r9GNMCUeU/view?usp=sharing | *Supports the rule, wants more multimodal options in all parts of CO, All projects should have to model VMT impacts, wants transit to be affordable and equitable |
| 212 | 10/15/2021 | Guy, Private Citizen | Written | https://drive.google.com/file/d/1iikbhvybWvh3KywEpH9sV_HovPwWkKc/view?usp=sharing | *Telework should be a major component of the rule, please do not raise taxes |
| 213 | 10/15/2021 | Barbara Pualani, Private Citizen | Written | https://drive.google.com/file/d/12-n4T25nhmVUHjw4Fh3LEcA1o2lmougC/view?usp=sharing | *Equity, highway expansion, too much reliance on EVs, wants HCFs included in the rule, wants a more ambitious rule |
| 214 | 10/15/2021 | Kim Schlaepfer, Climate Action Collaborative | Written | https://drive.google.com/file/d/1ZoDblyWseMI8ECBxYHNpoy26atAmORQZ/view?usp=sharing | *Supports a strong, robust rule *Can't rely on EVs, reduce VMTs, need a creative multimodal system |
| 215 | 10/15/2021 | Alexis Schwartz, Sierra Club | Written | https://drive.google.com/file/d/1hhVeKqNnom8Mt11HJYAb6UhnERs-FOS9/view?usp=sharing | *119 individual comments *In support of a strong rule, air quality, equity, safe and reliable public transportation, want a more ambitious rule |
| 216 | 10/16/2021 | Alexandra Shluntz, Earth Justice | Written | https://drive.google.com/file/d/1FuExCuYFzebygODRQmqRnMQ08PS PJXA/view?usp=sharing | *Background and proposal/steps to improve equity and environmental justice on the rule *Specific comments |
| 217 | 10/18/2021 | Mike Silverstein, Regional Air Quality Council | Written | https://drive.google.com/file/d/1sF6oEHxfodWwez7ejUi2kM6x64Ihu8SD/view?usp=sharing | *Supports the rule, thinks that the rule will help improve non-attainment and promote innovative technologies, suggests prioritizing multimodal options |
| 218 | 10/18/2021 | Megan Friend, NRDC | Written | https://drive.google.com/file/d/1V7QKdinuRe4o7dUeh4OePq4ec3ONOlri/view?usp=sharing | <p>*Over 1,000 commentors/signatures</p> <p>*Specially, we're calling on the Colorado Department of Transportation to ensure this new rule:</p> <ul style="list-style-type: none"> * Requires regional transportation plans to cut emissions to meet Colorado's climate goals * Requires investments in climate-friendly transportation and mobility options like electric vehicles, passenger rail trains, buses, bike-sharing programs, and safe walking and biking paths, that support healthy communities while cutting air pollution and traffic * Ensures that these new investments happen in low-income communities and communities of color that often live near freeways, ports, and freight-hubs and disproportionately feel the impacts of pollution * Is developed in coordinate with communities most impacted by the burdens of pollution * Stops the widening of freeways which just adds more cars to the road and pollution into the air * Can be enforced to ensure these emissions reductions aren't just lost in the complicated planning processes of local transportation districts. |
| 219 | 10/18/2021 | Lauren Masias, Colorado Competitive Council | Written | https://drive.google.com/file/d/1DrhJ9BfrU6lq6nLosTiwYhaodDQ_St_v/view?usp=sharing | <p>*Believes that CDOT doesn't have authority under the Notice of Proposed Rulemaking (NOPR) references § 25-7-102 (2)(g), C.R.S. and § 43-1 1103(5), C.R.S. as the statutory drivers for the NOPR</p> <p>*The Chamber and C3, on behalf of their members, are concerned that this NOPR advancing ahead of other rulemaking affecting other sectors of the economy could result in misalignment and inefficient regulation of a sector that is fundamental to the economic climate of Colorado.</p> <p>*Want to delay adoption of the rule to have more time to analyze data and how the rule will impact the economy</p> |

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|-----|------------|---|----------------------|---|---|
| 220 | 10/20/21 | Michael Davies, RTD | Written | https://drive.google.com/file/d/1N-ztUMb4viDDEStTtCnrux-1o11Fhotu/view?usp=sharing | <ul style="list-style-type: none"> *Transit modeling (do not overestimate ridership) *Funding in relation to service and frequency that RTD could provide, what the funding needs are to meet rule's goals |
| 221 | 10/21/2021 | Jenny Gaeng, Conservation Colorado | Written/Spoken at TC | https://drive.google.com/file/d/1NtElE9nOP0Zht_Cx249f977m1NY4Y2oL/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule *Want to see a stronger rule *Sees the changes to VMT reduction, but thinks the provisions in the current draft are not enough to address the disproportionate impacts of transportation pollution on low-income, Latinx, Black, Indigenous, and other people of color. *We were also happy to see yearly VMT reports added to the rule. However, the rule does not quantify a "VMT decrease" or define what revisions the Commission may consider if such a decrease does not occur. *Urges commission to create an end time for Nov. 10th hearing |
| 222 | 10/22/2021 | Danny Katz, COPIRG | Written | https://drive.google.com/file/d/1XRE1KbvPKhOB-CVKDmaJisAuqHq8cjq/view?usp=sharing | <ul style="list-style-type: none"> *Support the rule *Thinks that the rule should be in line with the GHG reduction roadmap *believe this rulemaking should focus on ways to reduce pollution from our transportation system by increasing the travel options all Coloradans have through substantial investments in bicycle, pedestrian and transit infrastructure and expanded operational support for transit service. *Specific edits to text |
| 223 | 10/28/2021 | Grant Miller, Private Citizen | Written | https://drive.google.com/file/d/1Xc2C_r8dfimeBrtoZj_s8GgVDgQBW6qx/view?usp=sharing | I hope that the proposed rule changes address this totally wasteful and unnecessary vehicle modification ("rolling coal") by encouraging enforcement of environmental rules/laws and prohibiting the sale of devices for said purpose. |
| 224 | 11/2/2021 | Brandon Wilson, El Paso County | Written | https://drive.google.com/file/d/1AKpv559YHlfcKUUUVkHu5spoEwm7Jv7O/view?usp=sharing | <ul style="list-style-type: none"> *Do not think that the proposed revisions to the rules governing the statewide transportation planning process, in its current form, is the right approach for El Paso County or Colorado (specifically VMT provisions) *Think model data is incorrect *Compliance with the assumptions in the rulemaking will make it difficult to plan and execute transportation projects that can both handle increased volume of people, as well as comply with the state's climate goals laid out in the GHG reduction roadmap. *Planned projects should be "grandfathered" in *applying this rule to each MPO and region across the state does not convey equitable application of the rule (especially to areas with good air quality) *Ask for a delay in implementation *Specific edits |
| 225 | 11/4/2021 | Kelsey Whetsell, Private Citizen | Written | https://drive.google.com/file/d/1AArT4-cid47VxeRjGfQxkoHfer6TqxOP/view?usp=sharing | <ul style="list-style-type: none"> *Sustainable transportation construction materials |
| 226 | 11/9/21 | Jan Douglas, Sierra Club Co-Chair | Written | https://drive.google.com/file/d/1jUAV_zWgqN8Rkx3N0fNPlIi3_n0TOK3/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule *Concerned about airquality impacts on public health *VMT reductions *Environmental Justice (rule should benefit disproportionately impacted communities) |
| 227 | 11/9/2021 | Medora Bornhoft, NFRMPO | Written | https://drive.google.com/file/d/1pMnfrFXkfz1Dqc-FpNpVcRzQ7AvMudtB/view?usp=sharing | <ul style="list-style-type: none"> *Supports the development of a data-driven, feasible, and effective rule to reduce GHG emissions *Specific edits |
| 228 | 11/9/2021 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair | Written | https://drive.google.com/file/d/1BQgKJKT-aglSFOP52sYPTfE2dYzQSnF/view?usp=sharing | <ul style="list-style-type: none"> *It is unclear how mitigation measures will be selected, measured, and managed overall by CDOT *Unclear what role DRCOG will have in establishing these mitigation measures and how these measures will influence DRCOG's TIP *Support the goal of reducing GHG emissions, but the rule causes concern for DC Transportation Forum members. *Specific edits/concerns |
| 229 | 11/10/2021 | Isabele Cruz, Private Citizen | Written | https://drive.google.com/file/d/1QjVmmA-iHTKqHxDc4LW89C7qfTtYhi/view?usp=sharing | <ul style="list-style-type: none"> *Equity for people of color- believes these communities should have a dedicated portion of funding in the rule |
| 230 | 11/10/21 | Kate Young, CMCA | Written | https://drive.google.com/file/d/1rvCdkz0p0dJpnmO26lFIAErXtHbm3H5T/view?usp=sharing | |
| 231 | 11/10/2021 | Judith Beshel, Private Citizen | Written | https://drive.google.com/file/d/1319sD8t8nLIBsTg4FjkDsVoP6R5o2luM/view?usp=sharing | |
| 232 | 11/10/21 | Shaina Oliver, Moms Clean Air Force & EcoMadres | Written | https://drive.google.com/file/d/1NrB3zn888ms-8ioxjelmHhQyL_G0SjdN/view?usp=sharing | |

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| 233 | 11/11/2021 | Jacob Smith, CC4CA | Written | https://drive.google.com/file/d/1LpKKNQx18juzEzEWWzBihS8GWxmSM7NU/view?usp=sharing | |
| | 11/11/2021 | Alice Ramsey, Private Citizen | Written | https://drive.google.com/file/d/1b27UEA635c542CSOGM2dW2v2oagAv-x0/view?usp=sharing | |
| 234 | 11/11/2021 | Maria Gonzalez, Private Citizen | Virtual Hearing | 32:09:00 | YouTube was not on the English channel, testimony only could be heard in Spanish |
| 235 | 11/11/2021 | Tim Considine, Weld County | Virtual Hearing | 35:10:00 | <ul style="list-style-type: none"> *CBA uses false assumptions of adoption of transportation alternatives *Reduced road capacity might not lead to less traffic, traffic patterns will not change due to decreasing road capacity *Wildfires create a need for increased road capacity- Having limited road capacity could undermine public safety in the case of an emergency *The pandemic has put people off to public transportation- and people are working from home *Demographics *The pandemic has accelerated decentralization for both jobs and residences *One of the best policies to lift people out of poverty is to give them access to a vehicle *Policies encouraging population density are more expensive to reduce emissions than carpooling or van-sharing *The pandemic has accelerated decentralization for both jobs and residences *One of the best policies to lift people out of poverty is to give them access to a vehicle |
| 235 | 11/11/2021 | Barbara Kessler, Regional Governmental Affairs Director for Information and Real Estate Services for Northern Colorado | Virtual Hearing | 39:12:00 | <ul style="list-style-type: none"> *Support the development of a data driven, feasible, and effective rule *Concerned that the rule will reduce real estate in Northern Colorado *Concerned that the rule shifts highway funds from road construction including safety and improvements to programs to reduce GHG *The growing populations of CO must be addressed *The rule proposes to make transportation more time consuming *Support NFRMPO adoptions to the rule |
| 236 | 11/11/2021 | Mike Foote, Environmental attorney, RAC chair | Virtual Hearing | 42:18:00 | <ul style="list-style-type: none"> *Supports the adoption of the rule *Concerned about climate change, air quality *Support proposal that establishes quantitative GHG pollution reductions beyond what is projected *Prioritize funding for innovative transit and multimodal |
| 237 | 11/11/2021 | Scott James, Weld County Commissioner, Chairman of UFRTPR | Virtual Hearing | 45:12:00 | <ul style="list-style-type: none"> *Weld County is in support of protecting its air quality, economic prosperity, citizens, and resident businesses *Concerned that the proposed rule is more about greenhouse gas emotion and that the rule is fundamentally flawed and based on subjective models *Rule assumes projects that increase induced demand, but studies show that for capacity projects to be successful, there must be successful alternative options in rural areas *Studies show that natural demand growth is independent of induced demand *Weld County residents should not have to struggle with limited capacity projects that reduce safety, increase traffic, and make life harder for workers *Disproportionately impacted communities would be better served by having affordable access to a personal vehicle and a reliable, predictable roadway system *No agency rule is going to change consumer behavior |
| 238 | 11/11/2021 | Beatriz Soto, Director of Protegete | Virtual Hearing | 48:35:00 | <ul style="list-style-type: none"> *Support the revised GHG Pollution Reduction Standard *Wants to see a rule that advances the needs of people bearing the most impact of polluted air and climate change *Central mountains-needs look different than front range-majority Latino populations-30% work in resort communities and have to commute long distances for work and long hours for lower wages-The affordable housing crisis has displaced many of these workers (up to 50 miles or more) *Much of the community is underserved-need affordable options to commute long distances or live in communities where employed-walk and bike paths are not enough *Prioritize land-use decisions that build affordable housing with easy access to transit-transit systems that connect where the community needs to go-Example: better connection between Parachute, Glenwood Springs, and Vail and it should be affordable and reliable for workers |
| 239 | 11/11/2021 | Marie Venner, Colorado Business Alliance and Colorado Businesses for a Livable Climate | Virtual Hearing | 51:10:00 | <ul style="list-style-type: none"> *Supports the rule *Induced travel research is clear *Transit and car sharing are wiser and more cost-effective than expanding highways *Good CBA shows that funding for road expansion should be paused and evaluation for road expansion should be every 5-10 years *Further investments in this category should be paused until more affordable and cost-effective transportation systems are built out serving all people *Supports a stronger rule- concerned about climate change *Equity and environmental justice *Concerned about air quality impact on public health |

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| 240 | 11/11/2021 | Elizabeth Relford, Weld County | Virtual Hearing | 55:06:00 | <ul style="list-style-type: none"> *VMT provisions will add confusion on purpose of the rule *The rule should establish GHG reduction targets alone, not focus on VMT reduction targets *GHG reductions do not require VMT reductions *GHG Mitigation Policy Overview-CDOT highlights focus on providing benefits to DI communities by establishing a requirement that any project which yields a net GHG emission increase can offset its emissions by mitigation measures within the geographic project limit-also several sections mention "Close Proximity"-Recommends a new definition be added for the term "close proximity" *Define other terms *referencing spatial extent of project impacts *Comments from October 14th not addressed-Mitigation Policy Overview-ambiguous language around projects taken up by statutory enterprises under SB260 *The rule should ensure accurate accounting of GHG reduction projects to avoid double counting and foster collaboration among MPOs *CDOT has still not provided technical documentation of the rule- this information is needed for Weld County to review |
| 241 | 11/11/2021 | Cindy Copeland, Boulder County | Virtual Hearing | 59:50:00 | <ul style="list-style-type: none"> *Supports rule *Cost-savings from rule are enormous *Appreciates transparency and involvement of stakeholders *Asks TC to adopt rule *Needs to effectively direct funding to DI communities and minimum investment threshold for improving airquality *Waiver should not be allowed *Rule needs to be more aggressive |
| 242 | 11/11/2021 | Greg Fulton President, Colorado Motor Carrier Association | Virtual Hearing | 63:06:00 | <ul style="list-style-type: none"> *Supply chain shortages-trucker shortage *Major factor has been our infrastructure on a national and state level-bottlenecks, bad condition of highways and bridges, excessive congestion *Funding will only improve infrastructure if necessary projects move forward-don't make additional hurdles *Tracking and Reporting section- Concerned about VMT provision, GHG rule not VMT rule *No direct correlation between VMT and GHG emissions |
| 243 | 11/11/2021 | Duncan Gilchrist, 350 Colorado | Virtual Hearing | 68:48:00 | <ul style="list-style-type: none"> *Supports the adoption of the rule *Concerned about climate change *Concerned about air quality impact on public health- specifically communities of color and low income communities *Want the rule to go further to make sure DI communities benefit *Rule should require certain amount of funding in mitigation action plan go to DI communities (specific mechanism) *Eliminate highway expansion projects through the Denver Metro areas (impacting EJ communities) |
| 244 | 11/11/2021 | Jeremy Horne, Ramble | Virtual Hearing | 71:32:00 | <ul style="list-style-type: none"> *On behalf of Weld County *Not sure if all stakeholders have had access to modeling data *Several concerns not addressed: Absence of detailed technical support document along with modeling data needs to be created so stakeholders can fully understand *Modeling on proposed rule is inconsistent with the rules' expectations for entities that would be regulated under the rule *Want more documentation from CDOT *Draft GHG modeling companion document provides only a high level overview and is following the old draft of the rule (not Oct. 19th draft), scoring system/rubric is not consistent with the state's GHG goals and could be used to greenlight projects that do not actually reduce GHG *GHG measures and targets need to be quantified |
| 245 | 11/11/2021 | Tony Milo, Colorado Contractors Association | Virtual Hearing | 75:38:00 | <ul style="list-style-type: none"> *Appreciate the removal of GHG baseline projections from the rule and changing the waiver process *Concerned about the VMT provisions and requirement that TC will make provisions to the rule if VMT is not reduced *Big picture is about reducing GHG not VMT *If VMT is going to be reported- all pieces of puzzle should be included (electrification, transit ridership, etc.) |
| 246 | 11/11/2021 | Matthew Frommer, SW Energy Efficiency Project (SWEET) | Virtual Hearing | 77:48:00 | <ul style="list-style-type: none"> *Supports speedy adoption of the rule *Align spending with social and environmental goals *State pop to grow by 2 million *Car ownership and driving are expensive- the rule will save families money on transportation *CBA shows proportional relationship with GHG reductions and economic benefit and growth *1/6th of budget is not enough to mitigate GHG and multimodal options-we need large scale transit/multimodal prioritized over highway expansion projects *Equity- Achieve EJ by avoiding and mitigating harm *The rule should direct a percentage of funding into DI communities *Projects should avoid causing additional harm to communities that are already hurting from past transportation projects |

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| 247 | 11/11/2021 | Danny Katz, COPIRG | Virtual Hearing | 82:11:00 | <ul style="list-style-type: none"> *Support the rule *Want a strong multimodal system without reliance on EVs *Concerned about climate change, air pollution, and public health |
| 248 | 11/11/2021 | Molly Mckinley, Denver Streets Partnership | Virtual Hearing | 86:38:00 | <ul style="list-style-type: none"> *Want to see a percentage of the mitigation action plan directed to DI communities *Support the rule |
| 249 | 11/11/2021 | Jenny Gaeng, Conservation Colorado | Virtual Hearing | 88:49:00 | <ul style="list-style-type: none"> *Support the rule *Asking for revisions that offer tangible benefits for DIC in the policy language itself *Must ensure projects take place where they are most needed *Highway expansion should stay out of DIC neighborhoods *Required target investments-guarantee a % of investments in DIC |
| 250 | 11/11/2021 | Martha Roskowski, NRDC | Virtual Hearing | 91:56:00 | <ul style="list-style-type: none"> *Concerned about climate change, air quality impacts on public health *Support the rule *Dedicated investments in DIC and no net impacts from road expansion and highway projects *Need strong reliable measures and models to be shared with stakeholders- ask for a commitment from CDOT to regularly update the measures and models and be transparent, looking at the real-world impacts of projects, comparing them to predictions, and improving models and measures accordingly *Interested in measurements of induced demand and mitigations to highway expansion- will raise a level of trust for the process and policy |
| 251 | 11/11/2021 | Becky English, Sierra Club | Virtual Hearing | 94:51:00 | <ul style="list-style-type: none"> *Support the rule *Want a more aggressive rule *Center social and environmental equity as core values *MPOs and TC be prohibited from including any project in the STIP that would have any CAA violation *Want to see DICs benefit from the rule-add % of funding dedicated to DIC neighborhoods *VMT tracking is important to meeting GHG reduction goals *VMT management creates stronger multimodal options |
| 252 | 11/11/2021 | David Roy, Private Citizen | Virtual Hearing | 98:31:00 | <ul style="list-style-type: none"> *Supports the rule *Air quality concerns *Wants to see dedicated funding for DICs *Supports management of VMT *Concerned about climate change and public health impacts |
| 254 | 11/11/2021 | Lucy Molina, Private Citizen | Virtual Hearing | 104:00:00 | <ul style="list-style-type: none"> *I-270 expansion is impacting DICs in a negative way *Supports the rule, but would like to see more effort to promote equity over equality *Concerned about climate change *Would like to see more outreach for Spanish speakers *Need more time to involve DICs who have not heard of this rule *Commerce City has limited multimodal-what exists is unsafe |
| 255 | 11/11/2021 | Lisa Allee, Private Citizen | Virtual Hearing | 107:08:00 | <ul style="list-style-type: none"> *Concerned about climate change *Change "compliance" back to "enforcement" be strong with the language *Public health impacts of poor air quality *Would like CDOT to speed up the reductions in the rule *Supports managing VMT *Improve mass transit *Stop highway expansion *CDOT should get into renewable energy production with highway walls |
| 256 | 11/11/2021 | Mike Kopp, Colorado Concern | Virtual Hearing | 111:26:00 | <ul style="list-style-type: none"> *Want CDOT to keep roads safe and ensure roads can still handle capacity with a growing population *Wants the legislature to utilize general funds for road improvement and bridge improvement projects *VMT reduction will remove valuable time from people's life *VMT reduction will raise costs for goods *As traffic gets worse, quality of life is reduced |
| 257 | 11/11/2021 | Morgan Turner, Mille High Connect | Virtual Hearing | 118:17:00 | <ul style="list-style-type: none"> *Need for GHG rule to be centered around people and EJ *Want to see tangible efforts to see DIC community benefits *Supports the rule *Create a transportation equity framework *Require a % of funds from the Mitigation Action Plan to directly benefit DICs *Increase opportunities for community engagement among DICs |

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| 258 | 11/11/2021 | Renee Millard-Chacon, Private Citizen | Virtual Hearing | 133:03:00 | <ul style="list-style-type: none"> *Need to acknowledge the indigenous communities that live and travel on Colorado land to actually have equity context *Impacts to DICs from climate change, poor airquality, and racism *Support the rule, but need urgent stronger protections *Access to affordable housing and equity programs *DICs should have better access to EVs, true community monitoring modeling true enforceable protections to prevent predatory behaviors from different sectors on DICs, equity analysis |
| 259 | 11/11/2021 | David Mintzer, Private Citizen | Virtual Hearing | 101:30:00 | <ul style="list-style-type: none"> *Commenting off of what Executive Director Lew said in the Denver Post- the GHG rule will not prevent highway expansion projects in 2021 with moving forward *Thinks that highway expansion projects through urban neighborhoods (specifically the Sun Valley neighborhood) should no longer happen if we would like to see equity in air quality *Mitigation measures will only help so much with the amount of damage this project will inflict on urban neighborhoods already struggling with air quality issues *Should be halting projects that negatively impact environmental justice communities *The rule relies on inadequate traffic modeling- example of Floyd Hill project being claimed to reduce VMT, but promoting induced demand |
| 260 | 11/11/2021 | Annabella Sherman, Private Citizen | Virtual Hearing | 137:15:00 | <ul style="list-style-type: none"> *Lives in Telluride which is facing a large housing crisis *Many commuters to Telluride, causes massive congestion into the small mountain town, not a lot of options for people working in Telluride and living elsewhere-Should provide more options to reduce VMT *Benefits to DICs would look like adding more transit routes and times to get people where they need to go at the weird hours that service workers need |
| 261 | 11/11/2021 | Julia Osborne, Private Citizen | Virtual Hearing | 141:04:00 | <ul style="list-style-type: none"> *Supports the rule *Concerned about climate change and air quality *More transit, especially in rural Colorado *Want to see a dedicated portion of funding dedicated to DICs *Want a clear, enforceable rule |
| 262 | 11/11/2021 | Sandra Higgins Solon, Northern Colorado Legislative Alliance | Virtual Hearing | 142:29:00 | <ul style="list-style-type: none"> *Comments aligned with NFRMPO *Disappointed with the rule *Despite the billion dollar investment to north I-25, no funding has been identified for segment 5, creating a significant gap in the express lane between Mead and Longmont, creating safety concerns *The rule follows a one sized fits all approach, coupled with the desires of many environmental groups threatens the completion of the north I-25 corridor because it will require ongoing investment and counts as a "regionally significant project" *Testimony today and who supports this rule conveys that the goal is to dramatically reduce VMT and roadway investments *Under the rule revisions, roadway capacity improvement projects that improve the flow of traffic are specifically disallowed despite no technical basis provided in the rule- capacity improvement projects and operational strategies should be an allowed mitigation measure for regionally significant projects *Pay close attention to the NFRMPO comments on the CBA- the assumed cost is too low (4.5 billion compared to 18.8 billion)- this is a significant calculation and needs to be considered in decision making *The rule as it is will negatively impact businesses and put more burden on DICs |
| 263 | 11/11/2021 | Kendra Sandoval | Virtual Hearing | 146:36:00 | <ul style="list-style-type: none"> *Concerned about the highway expansion of I-25 into the Sun Valley neighborhood-worried it will impact quality of life for residents in this neighborhood-experienced this kind of impact when I-70 went through her neighborhood when she was growing up *Support the rule- but want time to ensure that it will be effective and prevent projects that will negatively impact for generations |
| 264 | 11/11/2021 | Piep Van Heuven, Bicycle Colorado | Virtual Hearing | 149:35:00 | <ul style="list-style-type: none"> *Advocating for safer bike paths that encourage Coloradans to bike *Air quality prevents people from getting out and riding their bikes *Support the rule *Like the addition of case studies showing how to develop and measure mitigation options- specifically mentioning bicycle and pedestrian paths and safety improvement *Capacity improvement projects cannot be considered mitigation projects- should focus on reducing VMT *Need to ensure a portion of funding goes towards DICs *Need to clarify and strengthen the rulemaking to better ensure that projects do more than just mitigate GHGs, but also provide a space for people that counteract regionally significant projects with bike lanes, transit and more |

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| 265 | 11/11/2021 | North Front Range MPO, William Karspeck, Suzette Malette, Medora Bornhoft | Virtual Hearing | 153:11:00 | <ul style="list-style-type: none"> *Supportive of the effort, but would like to see some adjustments made to the proposal *2/13 of their original comments were actually implemented into the revised rule or were partially implemented *14-16 are new comments and NFRMPO still stands by their original comments that were not considered *NFRMPO 4 top priorities- 1) Develop practice GHG reduction levels 2) Expand implementers of GHG measures 3) Include operations strategies in the GHG Mitigation Measures 4) Remove requirement for TC to consider revising the rule based on changes in VMT per capita *4) Remove requirement for TC to consider revising the rule based on changes in VMT per capita- Rule should be focused on GHG not VMT, SB260 requires CDOT to establish procedures and guidelines to reduce GHG emissions;not VMT * 1) Develop practice GHG reduction levels- should be based on strategies within the control of CDOT and MPOs, reduction levels in the rule that are out of CDOT and MPO control: land use, broadband expansion, tripling telework, revising state healthcare regulations, expanding transit service, reducing transit fares by 50%, the expansion of transit service could have been modeled on a per capita basis, transit expansion strategy should consider COVID-19 impacts *2) Expand implementers of GHG measures- Rule should restrict implementers of GHG mitigation levels to just CDOT and MPOs, no implementer restrictions for regionally significant projects * 3) Include operations strategies in the GHG Mitigation Measures- Illustrative examples should include representative examples from full range of strategies available to CDOT and MPOs to reduce GHG emissions from transportation, including operations strategies, the CAA should serve as a template, only operations measures that reduce GHGs would be counted as mitigations, no technical basis is provided for excluding roadway capacity projects and technology projects that improve flow of traffic as mitigations |
| 266 | 11/11/2021 | Matt Sura, Private Citizen | Virtual Hearing | 165:01:00 | <ul style="list-style-type: none"> *Reducing VMT would reduce GHG and improve safety for young drivers *Support the rule *Specific language should be included to ensure that DICs do not suffer more negative impacts from future transportation projects unless they can be fully mitigated, and DICs should see measureable benefits in the rule *Supports the change in 8.06 that requires reporting of VMT- would like to see regular reporting of the MOVES model and how modeling will drive any unnecessary changes |
| 267 | 11/11/2021 | Paul Culman, Private Citizen | Virtual Hearing | 168:22:00 | <ul style="list-style-type: none"> *Concerned about climate change *We need to take internal combustion engines off the road *multimodal options and promoting EVs/fuel efficient cars are the way to do this *Reduce VMT |
| 268 | 11/11/2021 | Susan Nedell, Environmental Entrepreneurs, Mountain West Chapter | Virtual Hearing | 173:16:00 | <ul style="list-style-type: none"> *Support the changes to include more provisions supporting equity *Current rule has too many loopholes *A certain percentage of funds should be dedicated from the mitigation action plan to DICs *Support VMT reductions, electrification, multimodal |
| 269 | 11/11/2021 | Jan Douglas, Sierra Club Co-Chair | Virtual Hearing | 176:40:00 | <ul style="list-style-type: none"> *Support the rule *Concerned about public health impacts of poor air quality *Targets must achieve reducing VMTs around DICs *multimodal options must be expanded-especially to DICs |
| 270 | 11/12/2021 | John Liosatos, PPACG | Written | https://drive.google.com/file/d/1sqpx9NjdfPfdKsxoNuRChFbJ1rQ_vkzu/view?usp=sharing | <ul style="list-style-type: none"> *Land use, built environment, VMT- Changing the built environment across a region takes time, so measuring changes caused by land use policy and zoning changes likely won't show real effects for a number of years, VMT, land use, and built environment all connected *Specific comments to VMT annual reporting, induced demand/mitigation measure |
| 271 | 11/14/2021 | David Mintzer, Private Citizen | Written | https://drive.google.com/file/d/12cNsdY1k4A4ZhY-Jq2SBclza1Y5xl6wr/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about public health issues from poor air quality *Don't want to see highway expansion through Sun Valley neighborhood *inadequate traffic modeling- modeling at Flyod Hill predicts a decrease in VMT |
| 272 | 11/15/2021 | Sheela Mahnke, Private Citizen | Written | https://drive.google.com/file/d/1nmX2fm15A-qFjIF9NPWV-8hhKXeRuuCq/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about air quality impact on public health *More EVs, and multimodal options with a focus on low income communities who are DICs in terms of air pollution |
| 273 | 11/15/2021 | Tony Milo, Colorado Contractors Association | Written | https://drive.google.com/file/d/1VOWf9ozt2DnXDqNbgYAEsEC_SksTqBL/view?usp=sharing | <ul style="list-style-type: none"> *Timeline of rulemaking *Removal of baseline GHG projections from rule *Changes to waiver process *VMT |
| 274 | 11/15/2021 | Nathan Thompson, Aggregate Industries | Written | https://drive.google.com/file/d/1H1SdhOxg4cy8V83_q6jQDpZ8-0cinc3k/view?usp=sharing | <ul style="list-style-type: none"> *Concerned that the rule is too drastic *VMT *This will negatively impact the \$9 billion in backlog projects *CDOT assuming that public comment aligns with public opinion |

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| 275 | 11/16/2021 | Janice Brown, Private Citizen | Written | https://drive.google.com/file/d/10Jbme0to-EgRaGRpHHpSG6JvCb0WJV1k/view?usp=sharing | *Supports rule *VMT *More EV infrastructure *Air quality and public health |
| 276 | 11/16/2021 | Margaret Bowes, I-70 Coalition | Written | https://drive.google.com/file/d/1-AaSn0JzxNykBbSA9fEmR8RTQseEQkaw/view?usp=sharing | *The Statewide Travel model only includes weekday travel, but a majority of travel occurs at the point of regionally sig. projects (Floyd Hill and Vail Pass) on the weekends *Urges CDOT to expedite the plan to extend to include weekends in the model |
| 277 | 11/16/2021 | Jim Stewart, Schmidt Construction Company | Written | https://drive.google.com/file/d/1HraSkCRk3JhRQaLTI5KIP8foXX7CMxh7/view?usp=sharing | *Concerned that the rule is too drastic *VMT *This will negatively impact the \$9 billion in backlog projects *CDOT assuming that public comment aligns with public opinion |
| 278 | 11/16/21 | Greg Fulton, CMCA | Written | https://drive.google.com/file/d/11UumzS5iPH8SSXXrPWd4Xrzn5k1aq7I/view?usp=sharing | *Tracking and reporting of VMT *GHG Mitigation measures *Last Mile Strategies *Concerns for impacts on supply chain |
| 279 | 11/16 | Matt Miklovic, Private Citizen | Written | https://drive.google.com/file/d/1tFbxvwydykzHOubHDjn8g_l_opZh9IBYB/view?usp=sharing | *Concerned that the rule is too drastic *VMT *This will negatively impact the \$9 billion in backlog projects *CDOT assuming that public comment aligns with public opinion |
| 280 | 11/16/2021 | Marlene Andrade, Chato's Concrete | Written | https://drive.google.com/file/d/1254HpU3KXe4C7E52jNR2L7_h8PzSIXJX/view?usp=sharing | *Concerned that the rule is too drastic *VMT *This will negatively impact the \$9 billion in backlog projects *CDOT assuming that public comment aligns with public opinion |
| 281 | 11/16/2021 | Ted Ott, Colorado Barricade | Written | https://drive.google.com/file/d/1YAKJv-AnQqsirgloC3Ybie0zphSskeCo/view?usp=sharing | *Concerned that the rule is too drastic *VMT *This will negatively impact the \$9 billion in backlog projects *CDOT assuming that public comment aligns with public opinion |
| 282 | 11/16/2021 | Phillip Doe, Be the Change, Colorado | Written | https://drive.google.com/file/d/1iZ7uLbyL1uXQyNLfzpQP5ri-evDe8s4O/view?usp=sharing | *Concerned about climate change, wants funding to go towards multimodal options |
| 283 | 11/16/2021 | Fran Aguirre, Private Citizen | Written | https://drive.google.com/file/d/1nvyVNmWjZ2iBBI7R6_9vDVhftkjr7fviwew?usp=sharing | *Public transit, concerned about climate change |
| 284 | 11/16/2021 | Phillip Beck, Private Citizen | Written | https://drive.google.com/file/d/1DMZCdum7egJdKlez_8wN4myT4AresxuF/view?usp=sharing | *Want a more aggressive rule, multimodal, Concerned about climate change and air quality impacts to public health |
| 285 | 11/16/2021 | Jan Goodwin, Private Citizen | Written | https://drive.google.com/file/d/1mcDki6FJThLwnRdhXH6z7KctUII5bKEb/view?usp=sharing | *Concerned about climate change, would like to see more multimodal options |
| 286 | 11/16/2021 | Fran Aguirre, Unite North Metro Denver | Written | https://drive.google.com/file/d/1kiSdhr2kZZiayC7A4qaDFMEg6PIb8LYd/view?usp=sharing | *Want a more aggressive rule, multimodal, Concerned about climate change and air quality impacts to public health |
| 287 | 11/17/2021 | Barbara Donachy, Private Citizen | Written | https://drive.google.com/file/d/1ydKUuxcJu0v2yz4wajVxptklvptqSLIviefw?usp=sharing | *Concerned about public health impacts from poor air quality |
| 288 | 11/17/2021 | Mason Shamis, Private Citizen | Written | https://drive.google.com/file/d/1kTaTAc1rJxujO7Acx8cjjK8wHhKn74Xh/view?usp=sharing | *Concerned about public health impacts from poor air quality *EV |
| 289 | 11/17/2021 | Marsha Porter-Norton, La Plata County Commissioner | Written | https://drive.google.com/file/d/1drF2yonknQ06pFeMPQXmnaTMT_DRV6O2/view?usp=sharing | *Support the rule *Concerned about climate change *Equity |

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| 290 | 11/17/2021 | Dana Brosig, GVMPO | Written | https://drive.google.com/file/d/13ZvKWxmSkSFzuQnQeQK0_9zZ8ThT-9k3/view?usp=sharing | <ul style="list-style-type: none"> *Specific Edits *Modeling Process *Funding and technical assistance *Compliance and timeline *Grand Valley Transit |
| 291 | 11/17/2021 | Patricia Mesec, Private Citizen | Written | https://drive.google.com/file/d/1p-6j85c7kl89yakVMxbO0_Y0r2NvkLUe/view?usp=sharing | <ul style="list-style-type: none"> *Support the rule |
| 292 | 11/17/2021 | Tamara Ward, MOVE CO | Written | https://drive.google.com/file/d/1FShRBNYrDVAIpRz7soZjQehNkm7eHxpZ/view?usp=sharing | <ul style="list-style-type: none"> *Equity *Mitigation Policy Overview Comments *Mitigation Funding *Federal Investments |
| 293 | 11/17/2021 | Greg Levine, County Commissioner, Hinsdale County | Written | https://drive.google.com/file/d/1c12XeHpANet8F77d4Ce0Z4zcYkPT3wb4/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about climate change, rural needs |
| 294 | 11/17/2021 | Audrey DeBarros, Commuting Solutions | Written | https://drive.google.com/file/d/1OHZDS4Y9DFfMV-Xg33y8pgrPOQSu-taA/view?usp=sharing | <ul style="list-style-type: none"> *Support VMT provisions *Mitigation strategies |
| 295 | 11/17/2021 | Bill Obermann, DPHE City and County of Denver | Written | https://drive.google.com/file/d/1aVLmZLkb1lwaLfWkuX1KbZ7xc2pIL4D/view?usp=sharing | <ul style="list-style-type: none"> *Sustainable Transportation Investment in Disproportionately Impacted Communities Should be a Priority *Mitigation Measures Have Co-Pollutant and Cost Benefits |
| 296 | 11/17/2021 | Shaun McGrath, CDPHE | Written | https://drive.google.com/file/d/1fATrqWtHD3al3WgTX-lqqyIkTsl-ehmf/view?usp=sharing | <ul style="list-style-type: none"> *Supports the rule *requests that CDOT staff be directed to provide annual updates to the Air Quality Control Commission on the status of GHG reduction accomplishments. |
| 297 | 11/17/2021 | Guyleen Castriotta, Mayor of Broomfield | Written | https://drive.google.com/file/d/1l1XoOSwR1pX4rJgvHsJ8X7LBUI3A9oES/view?usp=sharing | <p>Some other key concerns include:</p> <ul style="list-style-type: none"> ● The overall pollution reduction target (up to 1.5MMT) is too small. That isn't adequate because it still leaves a sizable gap that CDOT must figure out how to fill. This proposal would be stronger if a target is set at a level closer to the actual gap. ● The addition of VMT tracking and reporting is great, but there should be actual VMT targets. ● The provisions intended to protect at-risk communities (which CDOT refers to as "disproportionately impacted communities") need strengthening. In order for the rule to meet the equity intent of HB21-1266, it needs to specify how benefits and investments will be prioritized for Colorado's most impacted communities. ● CDOT may need to clarify that you can't double-count emissions reductions from EVs, which is a potential loophole that needs to be addressed. ● GHG mitigation measures should be required if a plan fails to meet GHG reduction targets. These measures absolutely should not be optional. ● The proposed waiver process should be limited to safety projects. |
| 298 | 11/17/2021 | Albert Melcher, Private Citizen | Written | https://drive.google.com/file/d/1g2edZfTwM3D2AgeGrYimacaNXK3q228O/view?usp=sharing | <ul style="list-style-type: none"> *Environmental justice *Need strong effective GHG reductions *Analysis and quantification |
| 299 | 11/17/2021 | Maggie Lewis, Private Citizen | Written | https://drive.google.com/file/d/13zOK0WGi1Me-JFmA0OyeMFofcplPVsdc/view?usp=sharing | <ul style="list-style-type: none"> -I believe the STAC should also include at least one representative of someone with limited mobility and someone who does not use a car as a primary mode of transportation. -I think section 4.02.5.2 should specify that an online comment platform be used for public comment to make less cumbersome. -I think section 4.02.5.5 should also include consulting on cultural resources. I did not see much in regards to housing and think this document should directly address an effort to prevent displacement of disproportionately impacted communities due to gentrification, highway expansion projects, and rising housing costs. Commute times for many workers in Colorado are over an hour due to lack of affordable housing which is likely one of the largest contributors to individual GHG emissions. |
| 300 | 11/17/2021 | Kristin Stephens, Larimer County | Written | https://drive.google.com/file/d/1xhb7rw89q6vDHChrc4CKDNk4V_Ia48z6/view?usp=sharing | <ul style="list-style-type: none"> *Support the rule *NFRMPO has expressed concerns about several provisions in the rule and has recommended several improvements including, developing practicable GHG reduction levels, expanding the implementers of GHG mitigation measures, setting per capita GHG reduction levels, and requiring the assessment of GHG reduction levels. |

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| 301 | 11/18/2021 | Aaryn Kay, Kay-Linn Enterprises (NGO) | Written | https://drive.google.com/file/d/1Phm0UQyigjOeu5VqN4glUYwKmpuqMkdl/view?usp=sharing | <ol style="list-style-type: none"> 1. Center EQUITY in all decision-making processes, 2. Elevate COMMUNITY VOICES through robust public participation processes that include language translation, targeted outreach, and early publication of hearings, 3. Set MORE AMBITIOUS pollution reduction targets. |
| 302 | 11/18/2021 | Tom Brook, Denver South | Written | https://drive.google.com/file/d/1RqpdnYmfshR2DFNyNISyKAjHMpr7u_i/view?usp=sharing | <ol style="list-style-type: none"> 1. Mitigation efforts governed by the State should recognize the value of existing efforts and projects by local jurisdictions. 2. Funding for mitigation projects must be adequate and appropriate. 3. Targets must be developed with local jurisdictions and in line with accurate projections, current experience, and realistic assumptions. |
| 303 | 11/18/2021 | Eric Bergman, CCI | Written | https://drive.google.com/file/d/1JHzmzUVIbCbCRuQM5bvL5wdkXuOtaCQo/view?usp=sharing | <ul style="list-style-type: none"> *Transparency, efficiency, flexibility *Timeline |
| 304 | 11/18/2021 | Elaine Rideout, Private Citizen | Written | https://drive.google.com/file/d/1CcDq3ohwy9HATHEKHQHs0u7OhRoBS7_F/view?usp=sharing | <p>I support the following:</p> <ul style="list-style-type: none"> -expanding mobility options that help improve mobility and quality of life for all residents including equity in prioritization criteria for evaluation of all transportation planning and programs and progress -indicators that track equitable implementation of the plan requiring that the rule (and associated PDs on mitigations) mitigate significant projects within the same region and community as the project, but also that project mitigation prioritize benefits to Disproportionately Impacted Communities |
| 305 | 11/18/2021 | Nicholas Stevens, Private Citizen | Written | https://drive.google.com/file/d/1GEnvQMBWbrlyep2_WqViqKxEMTAJ4TT/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about climate change, multimodal |
| 306 | 11/18/2021 | Jeni Arndt and Tricia Canonico, Fort Collins | Written/Spoken at TC | https://drive.google.com/file/d/1dMM8ylcy0ubPoQJLq1MQE0CSvOIH1D_Wx/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about climate change, public health, equity, support VMT provisions *There are a few areas of the proposed rule that could still use strengthening, such as how it will work to support disproportionately impacted communities and making sure the waiver process is limited to safety projects. In addition, we would support CDOT adopting a clear overall transportation sector GHG target that goes further than what this rule proposes – which recognizes transportation emissions are our largest source of emissions and that, as a result, reducing transportation emissions are a critical area of action for us all. |
| 307 | 11/18/2021 | Josue Aguilar, NRDC | Written | https://drive.google.com/file/d/19R71fZozFAH-pCijOVavwSelze7Wxgub/view?usp=sharing | <ul style="list-style-type: none"> * Increasing climate-friendly transportation and mobility options like passenger rail, buses, and bike-sharing programs for all * Investing in safe walking and biking paths that support healthy communities while cutting air pollution and traffic * Expanding access to clean electric vehicles * Acknowledging that disproportionately impacted communities — like communities of color and low-income communities — have been harmed by transportation project construction in the past and vehicle pollution from highways * In addition, we urge you to go even further to prioritize projects that invest in disproportionately impacted communities to relieve the burden of pollution. |
| 308 | 11/18/2021 | Marilen Reimer, ACEC | Written | https://drive.google.com/file/d/1pp4n782d9C3eeLis7BGGAH8dCw_hlv2i/view?usp=sharing | <ul style="list-style-type: none"> *Specific Edits |
| 309 | 11/18/2021 | Bruce Barker, Weld County | Written | https://drive.google.com/file/d/1VG_PNy-Z_Ur-CZg_3RZxrP1bHbeLHfuk/view?usp=sharing | <ul style="list-style-type: none"> *The rule should not be adopted as proposed *CBA is flawed *Induced demand *Specific edits |
| 310 | 11/18/2021 | Heidi Leathwood, Private Citizen | Written | https://drive.google.com/file/d/1fJZEg9zsp61gQqT4BZK3VU8y6mrEc2Vq/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about equity, multimodal |
| 311 | 11/18/2021 | Kelly Blynn, CEO | Written | https://drive.google.com/file/d/1hXEkCpvf7yZ430QyHbbP_zijCMLBaXyr/view?usp=sharing | <ul style="list-style-type: none"> *CDOT has both the authority and the obligation to adopt the Rules *The reduction levels should be adopted as proposed to maximize benefits *The Cost-Benefit Analysis, which meets statutory requirements and utilizes reasonable methods and assumptions, demonstrates the substantial benefits of the Rules *We support the Rules establishing a process for GHG Mitigation Measures *Induced travel *Clarifying the baseline and EV adoption assumptions *Traffic operations measures should not be eligible mitigation measures *Project-specific mitigation requirements *Additional equity provisions |

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| 312 | 11/18/2021 | George Marlin, CC4A | Written | https://drive.google.com/file/d/1eD66bKytTd4rcxSfMyGkfMsbJ-nq9mFU/view?usp=sharing | *Support the rule, want the rule to go further, concerned about climate change |
| 313 | 11/18/2021 | Melinda Stevens, DRCOG | Written | https://drive.google.com/file/d/1qlvTzwmthYKv145Gn_XskAQzg4OiFKuf/view?usp=sharing | *Specific edits |
| 314 | 11/18/2021 | Jody Shaddock-McNally, Larimer County Commissioner | Written | https://drive.google.com/file/d/1dOx3spon7ROe_8-N_AmdfQ8Yz9z83nPn/view?usp=sharing | *Concerned about climate change, rule will bring more choices |
| 315 | 11/18/2021 | Barbara Donachy and David Mintzer, Physicians for Social Responsibility | Written | https://drive.google.com/file/d/1m27XtGFNShaHdjL4dBpEQKVDHbPN47Bo/view?usp=sharing | *Concerned about public health |
| 316 | 11/18/2021 | Janet Lundquits, Adams County | Written | https://drive.google.com/file/d/1ADWVVUk9D1y15pPMVZdEwLpwXFfBTea/view?usp=sharing | *Supports the rule, clarify modeling standards, establish project categories |
| 317 | 11/18/2021 | Kim Mitchell, Lyons Colorado | Written | https://drive.google.com/file/d/1ow27jQDHadxl20aSeNrglab9VnHYx1Qy/view?usp=sharing | *Support the strongest rule possible, support VMT provisions, specific edits to definitions |
| 318 | 11/18/2021 | Julia Scanlan, CCAT | Written | https://drive.google.com/file/d/1Pn_ULCKn_3jYE9RfDnajHsG17oJh0eSs/view?usp=sharing | *MPO modeling, rural project funding and long-term planning |
| 319 | 11/18/2021 | Matt Sura, Environmental Coalition | Written | https://drive.google.com/file/d/1EpCslCjwTJqSvk8O0QTyYCSDefem4fW/view?usp=sharing | *Specific edits *Establish a minimum GHG mitigation investment in DI Communities that is proportionate to the percentage of residents living in DI Communities. *Require regionally significant projects in DI Communities to, at the very least, "do no harm" |
| 320 | 11/18/2021 | Alex Hyde-Wright, Private Citizen | Written | https://drive.google.com/file/d/1SH-roXq4S_NDU5vdp-vpHFdZb8zRbon/view?usp=sharing | *Support the rule, concerned about climate change, highway expansion, waiver process |
| 321 | 11/18/2021 | Barney Strobel, CMHO Consulting | Written | https://drive.google.com/file/d/1TOJw5cdLvnFn4tcRN3wQQTcaM9cdOBt3/view?usp=sharing | <ul style="list-style-type: none"> · The rule will do nothing to reduce global warming or climate change. · The rule will do nothing to reduce ozone levels in Colorado. · The rule will provide no benefit whatsoever to Disproportionately Impacted (DI) Communities. |
| 322 | 11/18/2021 | Alyssa Landin, Private Citizen | Written | https://drive.google.com/file/d/1VX8f6E8pAPDviEhyCCp1YmCXqcaifTSr/view?usp=sharing | <ul style="list-style-type: none"> · The rule will do nothing to reduce global warming or climate change. · The rule will do nothing to reduce ozone levels in Colorado. · The rule will provide no benefit whatsoever to Disproportionately Impacted (DI) Communities. |
| 323 | 11/18/2021 | Susan Nedell, Environmental Entrepreneurs, Mountain West Chapter | Written | https://drive.google.com/file/d/1LikaZKYDYsDh5tVYjZ_i56LRw9dhu1ZV/view?usp=sharing | <p>We suggest the following additions:</p> <ul style="list-style-type: none"> • The rule should be further amended to require a certain percentage of funds in a Mitigation Action Plan to directly benefit Disproportionately Impacted Communities, that includes offsetting any new emissions from highway projects within the same community and insure no net increase in emissions. • Require at least 30% of the dollars invested in projects that reduce climate and air pollutants be in the areas of the state where the communities are considered Disproportionately Impacted Communities (estimate 30% of the state). • The new draft requires each planning region to produce a yearly VMT report to make sure we're on track for reductions, but it does not quantify what kind of decrease we need to meet our state's climate goals. We ask the Commission to clarify. |
| 324 | 11/18/2021 | Michelle Halstead, Arapahoe County | Written | https://drive.google.com/file/d/1x2-ZJyXCOj5MT_JhsWQnc9UaiYY4z87L/view?usp=sharing | *GHG mitigation measures *the rulemaking process *Worried backlogged projects are going to be put off for GHG reduction projects *VMT |
| 325 | 11/18/2021 | Ben Stein, Common Sense Institute | Written | https://drive.google.com/file/d/1Plobb9_4aXbNmBY5wvpxYFwov_12dOo/view?usp=sharing | *Worried about impact on economy *CBA *Worried that the rule is too extreme |

Summary of All Public Comments Received for Transportation Planning Rule

| 0 | Date | Commenter | Written / In-person | Full comment | Summary of key points |
|-----|--|--|---------------------|---|--|
| 326 | 11/18/2021 | Morgan Turner, the Denver-based Land Use Working Group | Written | https://drive.google.com/file/d/1XbtKaXdf4GHm7xF37bUhotDWp9nbCUK/view?usp=sharing | <p>We suggest the following additions:</p> <ul style="list-style-type: none"> • The rule should be further amended to require a certain percentage of funds in a Mitigation Action Plan to directly benefit Disproportionately Impacted Communities, that includes offsetting any new emissions from highway projects within the same community and insure no net increase in emissions. • Require at least 30% of the dollars invested in projects that reduce climate and air pollutants be in the areas of the state where the communities are considered Disproportionately Impacted Communities (estimate 30% of the state). • The new draft requires each planning region to produce a yearly VMT report to make sure we're on track for reductions, but it does not quantify what kind of decrease we need to meet our state's climate goals. We ask the Commission to clarify. |
| 327 | 11/18/2021 | Julie Mullica, Northglenn City Councilmember | Written | https://drive.google.com/file/d/1Pk1KMbut42FT67p-vfLZsz06Hll_1kQO/view?usp=sharing | <p>Some other key concerns include:</p> <ul style="list-style-type: none"> -The overall pollution reduction target (up to 1.5MMT) is too small. That isn't adequate because it still leaves a sizable gap that CDOT must figure out how to fill. This proposal would be stronger if a target is set at a level closer to the actual gap. The addition of VMT tracking and reporting is great, but there should be actual VMT targets. -The provisions intended to protect at-risk communities (which CDOT refers to as "disproportionately impacted communities") need strengthening. In order for the rule to meet the equity intent of HB21-1266, it needs to specify how benefits and investments will be prioritized for Colorado's most impacted communities. -CDOT may need to clarify that you can't double-count emissions reductions from EVs, which is a potential loophole that needs to be addressed. -GHG mitigation measures should be required if a plan fails to meet GHG reduction targets. These measures absolutely should not be optional. -The proposed waiver process should be limited to safety projects. |
| 328 | 11/18/2021 | Sandra Solin, Capitol Solutions | Written | https://drive.google.com/file/d/1EiCLpOZus9OX3K79qXgSLbUxP2gbuxy/view?usp=sharing | <ul style="list-style-type: none"> *Include Capacity Improvements and Operations Strategies in the GHG Mitigation Measures *Remove the requirement to require CDOT to measure Vehicle Miles Traveled (VMT)4 *Overall Costs in Cost Benefit Analysis are too low by \$14 Billion *Rule will have Negative Economic Impacts upon Disproportionately Impacted Communities (DICs) *Women, Quality of Life and Equal Job Opportunities Impacted by Proposed Rule *Induced Demand Theory Inconclusive and Misapplied *Lack of Clarity Throughout Rule Ripe for Litigation *The rules fail to consider the impacts of COVID on Commuting and Workforce. *One-Size Fits All Approach Creates Greater Challenges for Rural Colorado |
| 329 | 11/18/2021 | Teddy Wilkinson, Town of Breckenridge | Written | https://drive.google.com/file/d/1_uKvD8txCYAIVS7eAG7ZcM18SzKdZ8/view?usp=sharing | <p>The only way we can reach these goals is with support from the State, by having CDOT include Greenhouse Gas Emissions Reductions baked into their transportation planning standard. This will help our community improve quality of life and air quality, provide opportunities for improving active transportation options, and provide a necessary positive impact on how Coloradans are able to travel.</p> |
| 330 | 11/18/2021 1- Submitted after 12:00 PM Deadline | Anneliese Steel, Colorado Concern | Written | https://drive.google.com/file/d/1OtOGhTinojJjclEswZrt61Vv2THDGDd1/view?usp=sharing | <ul style="list-style-type: none"> *Concerned about VMT provision |
| 331 | 11/18/2021 1- Submitted after 12:00 PM Deadline | Sheryl Decker, Teller County | Written | https://drive.google.com/file/d/1IFAehPGYwGh_czu275ikkBHge6KYK0xm/view?usp=sharing | <ul style="list-style-type: none"> *Need to be able to access waivers because Teller County is very rural and has limited ability to achieve GHG reductions. Most traffic is from people outside of Teller County trying to access the mountains |
| 332 | 11/18/2021 1- Submitted after 12:00 PM Deadline | Kendra Sandoval, Private Citizen | Written | https://drive.google.com/file/d/1o65lMFn10Rrdmj77LlVzqJELOp97xwp3/view?usp=sharing | <ol style="list-style-type: none"> 1. Include the voices of those communities that are most impacted by poor air quality. 2. Include those community voices in the decision making process. Be mindful of what the community needs are, in order to participate at this level. 3. Providing information about the public hearings directly to these communities. 4. Language translation and targeted outreach a must. |
| 333 | 11/18/2021 1- Submitted after 12:00 PM Deadline | Richard Stevens, Private Citizen | Written | https://drive.google.com/file/d/1u0423PdN9V0o1ApUGvb-CM9li8Khsygp/view?usp=sharing | <ul style="list-style-type: none"> *Worries that the rule will make driving and road improvements even more bureaucratic and annoying |

Summary of All Public Comments Received for Transportation Planning Rule

| 0 | Date | Commenter | Written / In-person | Full comment | Summary of key points |
|-----|---|--|---------------------|---|---|
| 334 | 11/18/2021- Submitted after 12:00 PM Deadline | Ashley Seaward, People for Bikes Coalition | Written | https://drive.google.com/file/d/1CQ8Z4eGq3tY5Bmj0sFbupQIMcaOzq9J7/view?usp=sharing | <ul style="list-style-type: none"> *Support the rule *Want strong action to reduce GHG emissions *Two final ways in which the proposed rule could be strengthened is by outlining a requirement to directly target efforts and set aside funds to benefit disproportionately impacted communities and further clarify the timeline and details for compliance by Metropolitan Planning Organizations. |
| 335 | 11/18/2021- Submitted after 12:00 PM Deadline | Ann Rajewski, CASTA | Written | https://drive.google.com/file/d/1vppEuLmneOSPqu3eMPPeuCZgSCbleFqf/view?usp=sharing | <ul style="list-style-type: none"> *baselines and parameters in the current GHG rule set up many agencies to fail *Realistic assumptions about service and ridership will position transit agencies and communities to be successful in reaching the GHG reduction targets *Funding and incentive ideas |
| 336 | 11/18/2021- Submitted after 12:00 PM Deadline | Mark Wilding, Private Citizen | Written | https://drive.google.com/file/d/15ZWXB2HNNH5qYMVrC94nkEiqcATHsmnUn/view?usp=sharing | <ol style="list-style-type: none"> 1. Center EQUITY in all decision-making processes, 2. Elevate COMMUNITY VOICES through robust public participation processes that include language translation, targeted outreach, and early publication of hearings, 3. Set MORE AMBITIOUS pollution reduction targets. |
| 337 | 11/18/2021- Submitted after 12:00 PM Deadline | Patrick Duffy, Private Citizen | Written | https://drive.google.com/file/d/1ZS0ADdGPw4wKJcs2lcAGKtftvmqE_Vk/view?usp=sharing | <p>The rule would be more effective if it:</p> <ul style="list-style-type: none"> • Included specific and measurable targets for reducing vehicle miles traveled (VMT) • Provided strict enforcement mechanisms to ensure emissions reductions targets are met • Frontloads emissions reductions targets and includes a margin of error in the targets <p>Should frontload emissions reductions set with a margin of error to make sure that even some other categories of emissions reductions miss their original targets, the statewide emissions reductions are significant enough to achieve the goal established in HB 1261.</p> |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---|-------------------------------|--|----------------|---|
| Mitigation Action Plan Development Guidelines | Danny Katz, COPIRG-10/22/21 | | | Models are estimates based on a set of assumptions and formulas. Once a project is completed, real data can be collected and should be used to test the accuracy of the initial model. If pollution exceeded what was expected, additional reductions should be required and the modeling should be updated. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | Generally speaking, these RTPs are inclusive of capital investments but do not include maintenance budgets, which are typically paid for separately by the state and local governments respectively, without engagement by the MPOs. | | This is not accurate. RTPs are required to account for anticipated expenditures on operations and maintenance activities carried out by all transportation agencies in the region, including CDOT and local governments. The DRCOG 2050 RTP estimates some \$11.4 billion in operations and maintenance expenditures by CDOT. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | As these plans are not fully fiscally constrained, meaning that in actuality they contain more projects than can be paid for with resource constraints, they typically fluctuate significantly before projects are transferred to nearer term, fiscally constrained plans | | This is not accurate. MPOs are required to adopt RTPs that are fiscally constrained. MPOs, CDOT, transit agencies, and USDOT agree on the fiscal resources that are reasonably expected to be available to invest in projects, programs, and operations & maintenance. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | The current sum of the long range RTPs for all five MPO areas is approximately \$28 billion of projects, many of which are not fully funded or planned. | | CDOT should provide details on how this has been calculated. The DRCOG Financially Constrained 2050 RTP includes transportation investments totaling \$131.6 billion by CDOT (\$18.2b), DRCOG (\$3.8 b), RTD (\$34.4b), and local governments/toll authorities (\$75.2b). Total 2050 RTP financially constrained capital investments is \$66 billion. This includes CDOT major roadway capital projects totaling \$5.25 billion, DRCOG-directed funding of regional multimodal roadway capital projects totaling \$1.9 billion, DRCOG-directed funding of regional freight projects totaling \$0.2 billion, and locally funded regionally significant roadway capital projects totaling \$4.0 billion. So, total planned major roadway capital investments in the 2050 RTP is about \$11.4 billion. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | Using the sum of the RTPs as the baseline for the size of the transportation capital program that could be subject to mode shift, the analysis below assumes that, over several periods of performance, it is estimated that between a quarter and a third of resources would need to be shifted towards transportation project types that have air quality mitigation benefits -- as well as many societal co-benefits -- in order to achieve the targets set in the rule | | --To provide clarity, the analysis should split this information out by MPO. "Shifting" 1/3 to 1/4 of 2050 RTP roadway capital project funding to projects that have air quality benefits would represent \$2.1 to \$2.8 billion. -- CMAQ funding cannot be used for projects that add general purpose roadway capacity. Much of DRCOG-directed STBG funds are allocated to multimodal improvements and programs. CMAQ and STBG funds cannot be used to fund transit services long term. Therefore, there are fewer opportunities to shift these resources than the analysis assumes and using these resources for one of the larger assumed expenses (transit service increases) is extremely limited by the eligibility limitations of key regional funding sources. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | However, while the modeling assumes that about 20% of transit costs are paid back by farebox revenue, it does not factor in other revenue sources that often become available as a transit system grows. | | Financial modeling? Travel demand "modeling" does not make assumptions about farebox revenue. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | Table 1 Net Neutral Investment Levels and Dollars Shifted to Multimodal Transportation and other Environmentally Beneficial Transportation Investments | | As noted above, RTPs include investments other than just roadway capacity projects. The totals of this table are \$27.9 billion total RTPs + 10-Year Plan and \$6.7 billion total "shift" to mitigation projects. Since the DRCOG region GHG reduction target in Table 1 of the proposed rule is 53% of the statewide total, we might assume that DRCOG would be responsible for 53% of this "shift". This would mean a "shift" of \$3.6 billion from 2050 RTP RTP roadway capital project funding to projects that have air quality benefits. Please clarify. |
| Analysis Background | Ron Papsdorf, DRCOG- 10/11/21 | The projected cost of these policy choice packages is assumed to be absorbed into current transportation plan budgets (a net neutral approach). | | Funding sources are not fully flexible; they have specific eligible uses and restrictions. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------------------|-----------------------------------|--|----------------|---|
| Analysis Background | Dana Brosig, GVMPO- 10/13/21 | all dollars shifted away from certain capacity projects are assumed to fund worthy transportation investments that improve competitiveness, quality of place and life, safety, economic vitality, public health, air quality, and more. A breakdown of these specific benefits is tabulated below. | | While the GVMPO supports all of these types of projects, historically there has been insufficient funding for them, and with few capacity projects in our transportation plan, it is unclear where these funds will come from in an amount that will make the meaningful impact to the modelling described in the Rule and CBA. We understand that the Multimodal Transportation and Mitigation Options Fund (MMOF) is intended to fund these measures. However, the GVMPO feels that this amount is insufficient to make the meaningful impact needed to drive change in mode-choice and reach the reduction levels shown in the Rule. Additionally, there has never been sustained funding for multimodal projects at the state or local level and because of this, there are many gaps in the multimodal system that must now be addressed. With this, we request additional, sustained funding to implement these mitigation measures at a scale that will reduce GHG emissions across the state. Indeed the funding should be sufficient not just for mitigation measures but for the eventual completion of a true multimodal system. |
| Analysis Background | Dana Brosig, GVMPO- 10/13/21 | Virtually none of these rural projects would trigger the need for GHG Mitigation Measures under this rule because, with rare exception, they do not add capacity or change land use patterns. Rather, they are generally focused on state of good repair (e.g. repaving projects), safety and resiliency improvements like adding shoulders and passing lanes, and increasingly, supporting the economic vitality of communities by investing in revitalizing main streets across the state. | | While this is true in many cases, this is not the case for large interstate projects such as those needed on I-25 and I-70 which travel through rural areas. With this, in order to meet GHG goals, we are concerned that funds may be pulled from one part of the state to be used for mitigation measures in another part of the state. We request text in the rule that speaks to the equity of funds for mitigations measures across the state and CDOT regions and acknowledgement that mitigation measures in rural areas may look different from mitigation measures in more urban areas, as rural areas do not have the same access to transportation alternatives as urban areas. |
| Analysis Background | Medora Bornhoft, NFRMPO- 10/11/21 | <p>""CDOT developed illustrative policy choice packages that assume implementation of three broad categories of VMT reduction measures"</p> <p>""costs and benefits of bus electrification are not considered here, since bus electrification is not a VMT reduction measure."</p> | | As required by SB21-260, the proposed rule establishes targets for GH emissions reductions. The proposed rule does not establish targets for VMT reductions, nor should it. However, the CBA inaccurately portrays the proposed rule as a VMT-reduction rule instead of as a GHG-reduction rule. The CBA states "CDOT developed illustrative policy choice packages that assume implementation of three broad categories of VMT reduction measures." However, included in those measures is the electrification of buses, which is not a VMT-reduction measure. The CBA states the "costs and benefits of bus electrification are not considered here, since bus electrification is not a VMT reduction measure." In fact, the benefits of bus electrification are incorporated into the scenario used to set the GHG Reduction Levels, as evidenced by the GHG emissions reductions reported in the CDOT presentation dated July 13, 2021. Even though the benefits of bus electrification are included, the additional cost of purchasing electric buses are not considered, resulting in an incomplete assessment of the costs of the proposed rule. |
| Analysis Background | Medora Bornhoft, NFRMPO- 10/11/21 | The current sum of the long range RTPs for all five MPO areas is approximately \$28 billion of projects, many of which are not fully funded or planned. Notably, this baseline does not include the state's many planned projects in rural Colorado, outside of the boundaries of the MPO areas and represented by rural transportation planning regions (TPRs) | | The CBA identifies the total cost of projects in the 5 MPOs long-range plans and CDOTS 10-year plan for 2022 through 2050 as \$28B in 2021 dollars. This value is well below the sum of expenditures identified in the NFRMPO's 2045 RTP and DRCOG's 2050 RTP, which exceeds \$100B. The CVA should clarify which project types were used to calculate the \$28B cost. The CVA should also be updated to clarify that long-range plans are federally required to be fiscally constrained and to account for the cost of operations and maintenance. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---|--------------------------------|--|----------------|---|
| Analysis Background | Dana Brosig, GMVPO- 11/17/2021 | "...all dollars shifted away from certain capacity projects are assumed to fund worthy transportation investments that improve competitiveness, quality of place and life, safety, economic vitality, public health, air quality, and more...The projected cost of these policy choice packages is assumed to be absorbed into current transportation plan budgets (a net neutral approach)." | | While the GVMPO supports all of these types of projects, historically there has been insufficient funding for them, and with few capacity projects in our transportation plan, it is unclear where these funds will come from in an amount that will make the meaningful impact to the modelling described in the Rule and CBA. We understand that the Multimodal Transportation and Mitigation Options Fund (MMOF) is intended to fund these measures. However, the GVMPO still feels that this amount is insufficient to make the meaningful impact needed to drive change in mode-choice and reach the reduction levels shown in the Rule. Additionally, there has never been sustained funding for multimodal projects at the state or local level and because of this, there are many gaps in the multimodal system that must now be addressed. With this, we request additional, sustained funding to implement these mitigation measures at a scale that will reduce GHG emissions across the state. Indeed the funding should be sufficient not just for mitigation measures but for the eventual completion of a true multimodal system. |
| Analysis Background | Dana Brosig, GVMPO- 11/17/21 | "Virtually none of these rural projects would trigger the need for GHG Mitigation Measures under this rule because, with rare exception, they do not add capacity or change land use patterns. Rather, they are generally focused on state of good repair (e.g. repaving projects), safety and resiliency improvements like adding shoulders and passing lanes, and increasingly, supporting the economic vitality of communities by investing in revitalizing main streets across the state." | | While this is true in many cases, this is not the case for large interstate projects such as those needed on I-25 and I-70 which travel through rural areas. With this, in order to meet GHG goals, we are concerned that funds may be pulled from one part of the state to be used for mitigation measures in another part of the state. We acknowledge that rural examples of GHG Mitigation Measures have been added to section 8.03 of the updated Rule but continue to request text in the Rule that speaks to the equity of funds for mitigations measures across the state and CDOT regions. |
| Analysis Background- Net Neutral Investment Levels and Dollars Shifted to Multimodal Transportation and other Environmentally Beneficial Transportation Investments | Dana Brosig, GVMPO- 10/13/21 | | | GVT operations is funded by FTA 5307 funds matched with local funds from our funding partners. Federal funding for our system is based on population and population density, not on service or ridership. The CBA clearly speaks of moving funds from capacity projects to transit in order to increase transit services across Colorado which will require additional funds from the federal, state and/or local government for capital and operating expenses. It will also require additional buses, mechanics, maintenance facilities, and drivers to support this service, all of which can be difficult to find. Additional staff support from CDOT's Division of Transit and Rail, Procurement and Contracting and additional local staff will be needed to support expanded services. As mentioned above, we request funding in addition to currently proposed MMOF funding to expand transit services. Commensurate with that, additional CDOT staff will be needed to assist in expansion of transit services, particularly as funds will be flowing through CDOT to local transit agencies such as GVT. |
| Public Sector Costs | Ron Papsdorf, DRCOG- 10/11/21 | Basis for cost estimates: -1,900 new or improved miles of sidewalk are added by 2030 and 4,700 new or improved miles of sidewalk | | 2,500 miles of new bike lanes @ \$25k per mile = \$62.5 million and 2,500 miles of new shared-use paths @ \$250k per mile = \$625 million, for a total of \$687.5 million. Table A.3 total bicycle infrastructure costs are \$195 million |
| Public Sector Costs | Ron Papsdorf, DRCOG- 10/11/21 | Transit – Expansion of Service Coverage, Frequency, and/or Hours: -Table A.5 Costs for Transit Service Expansion (millions of 2021 dollars): "New Transit fare revenue" | | Is this "unlinked passenger trip" (boarding) or origin-destination trip? Many origin-destination trips involve more than one unlinked passenger trip in form of transfers, etc. but involve only one fare payment. Calculating a fare per unlinked passenger trip is problematic. |
| Public Sector Costs | Ron Papsdorf, DRCOG- 10/11/21 | Transit – Expansion of Service Coverage, Frequency, and/or Hours: -Table A.5 Costs for Transit Service Expansion (millions of 2021 dollars): "New Transit fare revenue" -Basis for Cost Estimates | | New transit fare revenue/expenses – Public agencies recoup some of their operating costs through increased fare revenue. The estimate is based on an average fare per trip of \$0.75 based on 2019 NTD data for all Colorado operators. Transit ridership is assumed to increase in proportion to service levels, meaning that higher quality and frequency service results in more individuals choosing to use transit. |
| Public Sector Costs | Ron Papsdorf, DRCOG- 10/11/21 | Transit- Expansion of Service Coverage, Frequency, and/or Hours: -Table A.6 Costs for Land Use Measures (millions of 2021 dollars) | | Please provide a source. This seems like a very low amount for local planning/zoning code review and revisions. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---|----------------------------------|--|----------------|---|
| Public Sector Costs | Ron Papsdorf, DRCOG- 10/11/21 | Reduced Investment in Adding Additional Roadway Capacity -Table A.7 shows the estimated annual public sector implementation costs saved as a result of implementing fewer highway capacity expansion projects. | | The analysis should clarify if these are cost savings in total affecting the Cost-Benefit analysis or just cost reduction for roadway capacity expansion. These figures from Table 1 represent shifting existing resources from one project category to another, which would not make them net cost reductions. |
| GHG Emission Reductions and Social Cost of Carbon Savings | Medora Bornhoft, NFRMPO-10/11/21 | Table A.14 shows projected total GHG emissions from on-road sources for the rule and alternatives, while Table A.15 shows the expected GHG reductions in 2025, 2030, 2040, and 2050 respectively, for the rule and alternatives. As noted above, the results assume a high level of electrification of the future vehicle fleet. As a result, the absolute GHG reductions from VMT measures are substantially lower in 2050 than in 2030, even though the cumulative effects of the measures on VMT will increase over time and be greatest in 2050. | | As explained in the CBA, the GHG Reduction Levels in the proposed rule "assume a high level of electrification in the future vehicle fleet" which results in "absolute GHG reductions from VMT measures [that] are substantially lower in 2050 than in 2030. According to the proposed rule, the light duty fleet is assumed to be 97 percent electric by 2050 (See 8.01.1) With only 3% of light duty vehicles emitting at the tailpipe in 2050, and with the scenario informing the GHG Reduction Levels primarily relying on reductions to light duty VMT, the GHG Reduction Levels sum to 0.7 MMT, a reduction value which would require no more than 32% of high-duty vehicles to be electric given a light duty VMT reduction of 12%. The unreasonably high GHG Reduction Levels in 2050 and other out years are likely caused, at least in part, by inadvertently applying the reductions in light duty VMT to all vehicle types when transferring the outputs of the travel model into the air quality model. The NFRMPO recommends recalculating the GHG Reduction Levels to ensure they accurately represent emissions reductions given the high % of light duty EVs assumed in the future. |
| Appendix A | Medora Bornhoft, NFRMPO-10/11/21 | | | Several of the tables in Appendix A: Detailed Analysis of Economic Benefits and Costs, appear to have sufficient explanations in the associated "basis for cost estimates" section to calculate the costs displayed in the associated table; however, NFRMPO staff using the information in the "basis for cost estimates" and/or correct any errors in the identified costs. |
| Appendix A- Public Sector Costs | Medora Bornhoft, NFRMPO-10/11/21 | | | Several of the unit costs appear to be too low and rely on out-of-state or nationwide sources that may not apply to Colorado. For example, the CBA uses a unit cost of \$170,000 per mile for new or replaced sidewalk sourced from Florida Department of Transportation. For Colorado, a report from CoPIRG Foundation and Southwest Energy Efficiency Project (SWEEP) identifies costs of \$282,691 per mile of new sidewalk and \$192,931 per mile of replaced sidewalk. |
| Appendix A- Public Sector Costs | Medora Bornhoft, NFRMPO-10/11/21 | | | The CBA does not account for the costs of transit electrification or the costs of reducing transit fares but still references these strategies as included in the scenarios and therefore in the GHG Reduction Levels. It appears the benefits of transit electrification and reducing transit fares are included in the rule and CVA without accounting for their costs. |
| Other Social Benefits- Safety | Medora Bornhoft, NFRMPO-10/11/21 | Safety costs represent costs associated with crashes resulting in fatalities or injuries. To estimate safety benefits, fatality and injury motor vehicle crashes are assumed to be reduced in proportion to VMT reduced | | The CBA estimates cost savings from improved safety by assuming fatality and injury motor vehicle crashes are "reduced in proportion to VMT reduced". This assumption fails to consider the alarming increase in traffic fatalities that occurred concurrently with substantial reductions in VMT in 2020. According to the National Highway Traffic Safety Administration, early data indicate traffic fatalities increased 7.2 percent from 2019 to 2020 in the U.S even as VMT decreased by an estimated 13.2 percent nationwide over the same time period. The increase in fatalities is suspected to be due in part to speeding occurring when fewer vehicles are on the road. The CBA should be updated to provide a more realistic estimate of the impacts of reduced VMT on safety and/or consider the costs of the necessary street calming efforts to ensure improved safety can be delivered concurrently with reduced VMT. |

Summary of All Public Comments Received for Transportation Planning Rule

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|---------|--------------------------------------|--|----------------|--|
| Pg. 20 | Bruce Barker, Weld County-11/18/2021 | | | <ul style="list-style-type: none"> • Table 1 shows that Travel scenario bus VMT decreases in all calendar years with respect to the Base scenario due to implementation of the illustrative policy choices considered in the development of the proposed rule. However, the CBA describes substantial increases in transit, including both fixed-route and demand-responsive buses, and states that VMT effects of transit expansion are modeled in EERPAT. <ul style="list-style-type: none"> o Specifically, the CBA assumes that “transit revenue-miles will increase by 6.0 percent per year between 2022 and 2030 (69 percent total growth between 2019 and 2030), and by 2.0 percent a year between 2030 and 2050 (151 percent total growth between 2019 and 2050) compared to base year (2019) service levels.” o Thus, it’s not clear how bus VMT can decrease concurrent with significant expansion of fixed-route and demand-responsive bus services and increases in transit revenue-miles. |
| | Bruce Barker, Weld County-11/18/2021 | The CBA, regulatory analysis, FAQ, and other rulemaking documents describe the electric vehicle market penetration estimates assumed in future years. For example, the regulatory analysis states “[t]his includes 940,000 LDV EVs in 2030 (20% of LD fleet), 3.38 million EVs (60% of LD fleet) in 2040, and 97% of Light Duty Vehicles being EVs in 2050.” | | Additional information is provided in Table A.13 of the CBA, although as noted in Weld County’s October 14, 2021 comments, Table A.13 shows incorrect EV Stock and EV% of Stock values for 2050. The analysis described in this section utilized the value for 2050 from the regulatory analysis, consistent other rulemaking documents and presentation from CDOT. |
| | Bruce Barker, Weld County-11/18/2021 | The CBA describes, at a high level, the assumptions for EV penetration in light duty vehicles (LDVs) in Table A.13. This includes the percentage of EV Sales for all LDVs, that is, the combination of passenger cars, passenger trucks and light commercial trucks (HPMSids 21 31, and 32). | | When comparing the AVFT files used for statewide runs (as suggested by the input database name), the EV penetration in 2030 and 2040 do not match or appear close to what the CBA had described as the assumed penetration. For example, in 2030 the AVFT files show 97% EV sales for passenger cars and 13% EV sales for passenger trucks, while the CBA indicates an EV sales percentage of 50% for all light duty vehicles. No EV penetration is assumed for light commercial trucks. There is no explanation or data provide to explain how the assumed EV Sales % in the CBA is applied to the different light duty vehicle classes used in the modeling or why the values in the CBA would differ from the values used in the analysis. |

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| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|----------------------------|--------------------------------------|--------------|----------------|--|
| Mitigation memo | Marilen Reimer, ACEC-11/18/2021 | | | Clarification regarding intersect between regional level modeling and project specific modeling. We are appreciative Rules will create a Statewide Model Coordination Group (SMCG) and provide minimum guidelines for conducting air and travel modeling for transportation plans. Since at this time it is expected that the SMCG will consist of CDOT, CDPHE and all MPOs, there are a few considerations we would like to bring up since there is discussion in the mitigation and technical documents regarding individual projects that do not result in the MPO meeting the GHG reduction limits identified in Table 1 of the Rules. We recommend some guidelines be included for project-level evaluations, whether that be under this or as an additional task of SMCG. |
| Mitigation memo | Marilen Reimer, ACEC-11/18/2021 | | | Project offsetting- We are pleased to learn those projects generally outside the scope of emissions modeling can be included to take credit for additional efforts CDOT and MPOs make to reduce vehicle miles traveled (VMT) and GHGs. To be comprehensive, we recommend there be some guidelines as to what could qualify as an offset project. Things we ask CDOT to consider are the timing and location of projects. Namely, will an offset project need to be implemented within a specified time of the project it is offsetting? Also, does an offset project need to be a certain distance from the project it is offsetting? This last question may especially have implications on evaluations for disproportionately impacted communities under the Rules and SB21 260. |
| Pg. 3 | Bruce Barker, Weld County-11/18/2021 | | | A scoring or point system is inconsistent with the Proposed Rule in several respects. For example, the proposed rule includes the following sections that indicate the GHG emission reductions associated with mitigation measures must be quantified to assess the sufficiency of the mitigation measures and compare with the reduction levels in Table 1: For the aforementioned reasons, Weld County recommends CDOT require quantification of GHG emission reductions from mitigation measures included in a Mitigation Action Plan. The Mitigation Policy Overview companion document should be revised consistent with this requirement and any discussion of a GHG effectiveness score or point system should be removed. Similarly, the Policy Directive and a Procedural Directive to be established by CDOT should be developed based on required quantification of GHG emissions. Finally, the Proposed Rule language should be modified as shown in Exhibit 001, such as by striking "where feasible" from Section 8.02.6.3.2, to clearly express quantification is required. |
| Mitigation Policy Overview | Bruce Barker, Weld County-11/18/2021 | | | In the Mitigation Policy Overview, CDOT presents various resources to estimate GHG emissions for each of the identified mitigation measure categories. In the Mitigation Policy Overview, CDOT states that they "will be developing specific guidance for each measure prior to the finalization of this policy" and that "[t]he guidance for quantifying GHG emissions reductions (TBD) from measures is meant to clarify expectations around the level of detail and types of data sources to be used, and to ensure consistency in approaches." Weld County appreciates CDOT's efforts to develop guidance to quantify GHG emission reductions from mitigation measures as quantification is critical for the numerous reasons previously discussed. Additionally, Weld County emphasizes the importance of developing a specific methodology for each mitigation measure. While numerous options are presented in Table 2 and the Appendix, a single, uniform methodology for each measure must be developed to ensure emission reductions are quantified using a consistent approach. Such methodology should include standardized assumptions and sufficient detail to ensure reproducibility of results among emissions estimates from CDOT and MPOs. |

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| Pg. 8 | Bruce Barker, Weld County-11/18/2021 | CDOT also presents the option for alternative quantification methods, such that CDOT and MPOs may use their own quantification methods for GHG mitigation measures, provided certain criteria are met (i.e., appropriate data sources and documentation on the method). Additionally, the GHG Mitigation Policy Overview states that “[a]ny alternative approach must be reviewed by the GHG Mitigation Advisory Group and approved by CDOT.” While Weld County is not opposed to allowing alternative quantification methods, these alternative approaches should be approved by an independent entity. As currently proposed, CDOT would be responsible for approving its own alternative quantification methods. | | Weld County recommends alternative approaches require written verification from APCD in order to be considered acceptable, consistent with APCD’s role in providing review and verification of technical data in GHG Transportation Reports per Section 8.04 of the Proposed Rule. This requirement could be incorporated into the Mitigation Action Plan review and approval procedure described on Page 8 of the GHG Mitigation Policy Overview. |
| GHG Mitigation Policy Overview | Bruce Barker, Weld County-11/18/2021 | In the GHG Mitigation Policy Overview, CDOT highlights its focus on providing benefits to DI communities in part by establishing a requirement that any project which yields a net GHG emission increase offset its emissions by mitigation measures “within the geographic projects limits as defined in project planning documents. | | Throughout the same document, CDOT makes several references to “close proximity” and the geographic extent of project or mitigation measure impacts which seems to differ from this requirement. Because no concrete definition is provided in the Proposed Rule or elsewhere, it is unclear how one would determine whether or not a project or mitigation measure affects or provides benefits to a particular community or geographic area. |
| GHG Mitigation Policy Overview | Bruce Barker, Weld County-11/18/2021 | Given the focus on localized GHG mitigation and requirements for GHG mitigation measures that includes a “[d]escription of benefits to Disproportionately Impacted Communities, particularly those in close proximity to any capacity expansion projects being mitigated[.]” it is critical that CDOT defines “close proximity” and the criterion used to evaluate whether or not a mitigation measure provides benefits to a DI community. | | Weld County therefore recommends that a new definition be added to the Proposed Rule to explicitly define “close proximity” and any other terms needed to assess the spatial extent of project impacts and determine whether or not a project provides benefits to DI communities. Additional guidance should be added to the GHG Mitigation Policy Overview to clarify the procedure and expectations for assessing project and mitigation measure impacts. |
| Pg. 9 | Bruce Barker, Weld County-11/18/2021 | On Page 9, CDOT describes the required documentation for alternative quantification methodologies: “[CDOT or MPOs] must document the step-by-step process, input data, sources, and calculations for each measure. They must use appropriate data sources for their area, and indicate how they determined their alternative method (e.g. if adapted from another academic, federal, or other rigorous source).” | | |
| Pg. 7 and 9 | Bruce Barker, Weld County-11/18/2021 | It is not clear if criteria air pollutant co-benefits must be estimated due to differing language in the Proposed Rule and Mitigation Policy Overview. For example, page 9 of the Mitigation Policy Overview implies estimation of criteria air pollutant co-benefits is optional, while page 7 of the same document and Section 8.02.6.3.3 suggest it is required “where feasible”. | | -On Page 7, the Mitigation Policy Overview states “Each measure shall include the following details:” including “Co-benefits: Quantification, where possible, of specific co-benefits including reduction of co-pollutants (PM2.5, NOX, etc.).[.]” -On Page 9, the Mitigation Policy Overview states “If applicants wish to include estimated criteria pollutant co-benefits, they may utilize MOVES NOX and PM2.5 per mile emission rates to estimate reduced air pollution based on calculated VMT reduction.” -Weld County recommends CDOT clarify if estimating criteria air pollutant co- benefits is required or optional. |
| Pg. 8 | Bruce Barker, Weld County-11/18/2021 | “For measures that are in progress or completed, quantification of the benefit or impact of such measures[.]” | | While Weld County believes quantification of GHG emissions impacts from mitigation measures is a necessary component of GHG Transportation reports, it’s not clear from this statement what benefits or impacts need to be quantified. GHG Mitigation Measures may provide impacts to a variety of quantitative metrics such as VMT, GHG emissions, or criteria air pollutant emissions. Therefore, Weld County recommends CDOT clarify what benefits or impacts need to be quantified. |

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| Pg. 4- GHG reduction level analysis | Marilen Reimer, ACEC-11/18/2021 | | Rather than stating, "One run using the above baseline travel model run but including the best-estimate EV market penetration," we suggest, "One run using the above baseline travel model run but including forecasted EVs on the road based on defensible assumptions, current trends and on-the-books legislation that may provide insight to forecasts." | |
| Entire Document | Bruce Barker, Weld County-11/18/2021 | | | The section references and quotations throughout the document are based on the August 13 version of the rule, and therefore do not reflect the current Proposed Rule language. These errors occur throughout the GHG Modeling Process Draft and lead to confusion. Therefore, Weld County recommend revising the document to provide the missing information and correctly refer to the most recent version of the Proposed Rule. |
| Pg. 2 | Bruce Barker, Weld County-11/18/2021 | | On Page 2, CDOT states that the GHG Modeling Guidelines Technical Memo will include "Appropriate sensitivity to induced demand". o First, "appropriate sensitivity" is vague and should be quantified, with supporting references. As noted previously, the impact of induced demand varies between urban and rural contexts. o Second, declaring the modeling must have appropriate sensitivity to induced demand is myopic toward VMT reduction as the sole factor in mitigating GHG emissions and biases the results to be sensitive to induced demand without substantiation that induced demand occurs or the extent to which it is occurring. Furthermore, in addition to induced demand considerations, CDOT should ensure there is "appropriate sensitivity" to congestion relief, improved traffic flow, and other factors that tend to reduce GHG emissions. | |
| Pg. 2 | Bruce Barker, Weld County-11/18/2021 | | On Page 2, the GHG Modeling Guidelines Technical Memo is stated to include "[a]greed- upon depiction in the MOVES model of travel model and mitigation measure outcomes and measures and other necessary assumption (such as EV market penetration)." This statement is confusing and should be clarified. | |
| Pg. 4 | Bruce Barker, Weld County-11/18/2021 | | On Page 4, the GHG reduction level analysis refers to a "best-estimate EV market penetration" to be included in the modeling. o First, the term "best-estimate" is vague and should be clarified, with supporting documentation. It is not clear if the "best-estimate" refers to estimates from existing studies, projections made as a part of the analysis conducted for the proposed rule, or a combination thereof. o Second, it is not clear if these estimates will remain fixed over time or change should new information become available throughout the time horizon of the proposed rule (i.e., through 2050). If CDOT intends for these estimates to remain fixed over time, specific values to be used in the modeling should be provided with supporting documentation. If these values are intended to change over time, CDOT should clarify the process through which the values are updated and the implications for the modeling conducted for the Proposed Rule. □ For example, if EV market penetration estimates were increased in future years, tailpipe GHG emission factors per VMT would be lower. In turn, CDOT and MPOs would have to achieve greater VMT reductions to meet the reduction targets in the Proposed Rule, which may present compliance challenges. | |
| Pages 3 and 5 | Bruce Barker, Weld County-11/18/2021 | | On Pages 3 and 5, CDOT states: "Model development and GHG model runs by all regulated entities will be conducted, confirmed and approved through a cooperative, interagency process." o As described in Section II.A. above, Weld County recommends CDOT clarify the interaction among and relationship between the groups, teams, interagency processes, and intergovernmental agreements described in the proposed rule and companion documents. | |
| | Kelly Blyn, CEO- 11/18/2021 | | | We also suggest including additional language either in the Rules or the Greenhouse Gas Modeling Support Memo to require regular comparison of modeled with actual measured results, particularly for VMT of Regionally Significant Projects, to enable continuous improvement of the travel models. |

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| 4th Paragraph | Marilen Reimer, ACEC-11/18/2021 | "Section 8 of these Rules establishes an ongoing administrative process for identifying, measuring, confirming and verifying those best practices and their impacts, so that CDOT and Metropolitan Planning Organizations (MPOs) can easily apply them to their m plans in order to achieve the pollution-reduction levels required by these Rules." | | Although an administrative process is clearly laid out in the Rules, it is not clear how the impacts of best practices being implemented in a plan can be measured and confirmed. We recommend limiting this statement to identifying and verifying through an administrative process. |
| | Marilen Reimer, ACEC-11/18/2021 | "CDOT and MPOs will be required to demonstrate through travel demand modeling and the Environmental Protection Agency Motor Vehicle Emission Simulator (MOVES) approved air quality modeling that statewide and regional aggregate emissions resulting from its state or regional plans do not exceed a specified emissions level in total." | | |
| STATEMENT OF BASIS AND PURPOSE, STATUTORY AUTHORITY AND PREAMBLE | Alexandra Shluntz, Earth Justice-10/16/2021 | The purpose of the Rules Governing the Statewide Transportation Planning Process and Transportation Planning Regions (Rules) is to prescribe the statewide transportation planning process through which a long-range Multimodal, comprehensive Statewide Transportation Plan will be developed, integrated, updated, and amended by the Colorado Department of Transportation (Department or CDOT), in cooperation with local governments, Metropolitan Planning Organizations (MPOs) , Regional Planning Commissions, Indian tribal governments, relevant state and federal agencies, the private sector, transit and freight operators, and the general public. | The purpose of the Rules Governing the Statewide Transportation Planning Process and Transportation Planning Regions (Rules) is to prescribe the statewide transportation planning process through which a long-range Multimodal, comprehensive Statewide Transportation Plan will be developed, integrated, updated, and amended by the Colorado Department of Transportation (Department or CDOT), in cooperation with local governments, Metropolitan Planning Organizations (MPOs) , Regional Planning Commissions, Indian tribal governments, relevant state and federal agencies, the private sector, transit and freight operators, Disproportionately Impacted Communities, Additionally Impacted Communities, and the general public. | |
| STATEMENT OF BASIS AND PURPOSE, STATUTORY AUTHORITY AND PREAMBLE | Alexandra Shluntz, Earth Justice-10/16/2021 | The result of the statewide transportation planning process shall be a long-range, financially feasible, environmentally sound, Multimodal transportation system plan for Colorado that will reduce traffic and smog. | The result of the statewide transportation planning process shall be a long-range, financially feasible, environmentally sound, Multimodal transportation system plan for Colorado that will reduce traffic and smog. reduce Colorado's Greenhouse Gas (GHG) emissions, and reduce inequities in Colorado's transportation system. | |
| STATEMENT OF BASIS AND PURPOSE, STATUTORY AUTHORITY AND PREAMBLE | Alexandra Shluntz, Earth Justice-10/16/2021 | Section 8 of these Rules establishes an ongoing administrative process for identifying, measuring, confirming, and verifying those best practices and their impacts, so that CDOT and MPOs can easily apply them to their plans in order to achieve the pollution reduction levels required by these Rules. | Section 8 of these Rules establishes an ongoing administrative process for identifying, measuring, confirming, and verifying those best practices and their impacts, so that CDOT and MPOs can easily apply them to their plans in order to achieve the pollution and Vehicle Miles Traveled reduction levels required by these Rules. | |

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| Preamble 2021-Overview | Danny Katz, COPIRG-10/22/21 | This is accomplished by requiring CDOT and MPOs to establish plans that meet GHG reduction levels through a mix of projects that limit and mitigate air pollution and improve quality of life and Multimodal options. CDOT and MPOs will be required to demonstrate through travel demand modeling and the Environmental Protection Agency Motor Vehicle Emission Simulator (MOVES) approved air quality modeling that statewide and regional aggregate emissions resulting from its state or regional plans do not exceed a specified emissions level in total. In the event that a plan fails to comply, CDOT and MPOs have the option to implement GHG Mitigation Measures that provide travelers with cleaner and more equitable transportation options. | | Because greenhouse gas emissions are considered a global pollutant, it would be possible to meet an overall pollution target by allowing pollution increases in one region but then reduce pollution by an equal or greater amount in another region. This matters because when a vehicle is emitting greenhouse gases it is also emitting more localized pollutants. Therefore, without considering local pollutant impacts, a GHG reduction strategy could result in communities that have a disproportionate pollution impact to see that impact stay the same or increase. Ensuring every project has pollution reduction measures ensures that we are not only meeting regional greenhouse gas targets but cleaning up the air in those communities that are more negatively impacted by our transportation system. Taking into account these other pollutants when reducing greenhouse gas emissions was specifically identified as a valuable benefit in § 25-7-102(2)(d), C.R.S. |
| Preamble 2021- Overview | Medora Bornhoft, NFRMPO- 9/8/2021 | If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions and are recognized as approved mitigations. | If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions and or are recognized as approved mitigations. | |
| Preamble 2021- Overview | Medora Bornhoft, NFRMPO- 10/11/2021 | If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions and are recognized as approved mitigations. | If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions and and or are recognized as approved mitigations. | |
| Preamble 2021- Overview | Alexandra Shluntz, Earth Justice-10/16/2021 | Section 8 of these Rules establishes Greenhouse Gas (GHG) pollution reduction planning levels for transportation that will improve air quality, reduce smog, and provide more sustainable options for travelers across Colorado. | Section 8 of these Rules establishes Greenhouse Gas (GHG) pollution reduction planning levels for transportation that will improve air quality, reduce smog, start to address inequities in our transportation system, and provide more sustainable options for travelers across Colorado. | |
| Preamble 2021- Overview | Alexandra Shluntz, Earth Justice-10/16/2021 | The purpose of these requirements is to limit the GHG pollution which would result from the transportation system if the plan was implemented, consistent with the state greenhouse gas pollution reduction roadmap. This is accomplished by requiring CDOT and MPOs to establish plans that meet targets through a mix of projects that limit and mitigate air pollution and improve quality of life and Multimodal options. CDOT and MPOs will be required to demonstrate through travel demand modeling and approved air quality modeling that statewide and regional aggregate emissions resulting from its state or regional plans do not exceed a specified levels. In the event that a plan fails to comply, CDOT and MPOs have the option to commit to implementing GHG Mitigation Measures that provide travelers with cleaner and more equitable transportation options such as safer pedestrian crossings and sidewalks, better transit and transit- access, or infrastructure that supports access to housing, jobs, and retail. | The purpose of these requirements is to limit the GHG pollution which would result from the transportation system if the plan was implemented by providing more transportation options, consistent with the state greenhouse gas pollution reduction roadmap. This is accomplished by requiring CDOT and MPOs to establish plans that meet targets through a mix of long-range and short-term projects that limit and mitigate air pollution and improve quality of life and Multimodal options. CDOT and MPOs will be required to demonstrate through travel demand modeling and approved air quality modeling that statewide and regional aggregate emissions and net Vehicle Miles Traveled resulting from its state or regional plans do not exceed a specified levels. In the event that a plan fails to comply, CDOT and MPOs have the option to commit to implementing GHG Mitigation Measures that provide travelers with cleaner and more equitable transportation options such as safer pedestrian crossings and sidewalks, better transit and transit- access, or infrastructure that supports access to housing, jobs, and retail. | |
| Preamble 2021- Overview | Alexandra Shluntz, Earth Justice-10/16/2021 | The process of identifying and approving mitigations will be established by a policy process that allows for ongoing innovations from local governments, and other partners to be considered on an iterative basis. | The process of identifying and approving mitigations will be established by a policy process that allows for ongoing innovations from MPOs, local governments, impacted communities, and other partners to be considered on an iterative basis. The process of identifying and approving mitigations will also be conducted in conjunction with Disproportionately Impacted Communities and Additionally Impacted Communities to ensure that approved mitigations are equitable. The process of identifying and approving mitigations will also be conducted in conjunction with Disproportionately Impacted Communities to ensure that approved mitigations are equitable. This process will be facilitated by the adoption, by rule or policy, of a Transportation Equity Framework. In order to address past inequities, and to prevent perpetuating inequitable practices, no projects will be allowed that add additional highway capacity. Further, no projects will be allowed that will cause adverse environmental or public health impacts to a Disproportionately Impacted Community that is already experiencing degraded environmental conditions relative to the state population unless those environmental or public health impacts are entirely mitigated. Additionally, 40% of funds expended on mitigation measures to decrease GHG pollution and VMT must directly benefit populations in Disproportionately Impacted Communities and Additionally Impacted Communities. | |

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| Preamble 2021- Overview | Alexandra Shluntz, Earth Justice-10/16/2021 | If compliance still cannot be demonstrated, even after committing to GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions, and are recognized as approved mitigations. These requirements address the Colorado General Assembly's directive to reduce statewide GHG pollution in § 25-7- 102(2)(g), C.R.S., as well as the directive for transportation planning to consider environmental stewardship and reducing GHG emissions, § 43-1-1103(5), C.R.S. | If compliance still cannot be demonstrated, even after committing to with the inclusion of GHG Mitigation Measures, the Commission shall restrict the use of certain funds, requiring that dollars be focused on projects that help reduce transportation emissions, reduce Vehicle Miles Traveled , and are recognized as approved mitigations. These requirements address the Colorado General Assembly's directive to reduce statewide GHG pollution in § 25-7- 102(2)(g), C.R.S., while reducing vehicle miles traveled, § 43-1- 128(3), C.R.S. , as well as the directive for transportation planning to consider environmental stewardship and reducing GHG emissions, § 43-1-1103(5), C.R. S., in a manner that addresses the inequities of our current transportation system inflicted on Disproportionately Impacted Communities and Additionally Impacted Communities. § 43-1-128 C.R.S. | |
| Preamble 2021- Overview | Marilen Reimer, ACEC- 11/18/2021 | "CDOT and MPOs will be required to demonstrate through travel demand modeling and the Environmental Protection Agency Motor Vehicle Emission Simulator (MOVES) approved air quality modeling that statewide and regional aggregate emissions resulting from its state or regional plans do not exceed a specified emissions level in total." | | Since Table 1 of the Rules establishes emission reduction levels, we recommend consistency with this modeling statement. |
| Preamble 2021- Overview | Marilen Reimer, ACEC- 11/18/2021 | | | Although the list of mitigations is not intended to be all-inclusive, we recommend adding electric vehicle market penetration, since this metric does play a role in the GHG-reduction level analysis for modeling conducted either prior or after Oct. 1, 2022. Further comment concerning this metric is detailed in Comment #3 for the GHG Modeling Technical Support Document (see below). |
| Context of Section 8 of these Rules Within Statewide Objectives | Alexandra Shluntz, Earth Justice-10/16/2021 | "Colorado is already experiencing harmful climate impacts[.]" and that "many of these impacts disproportionately affect certain Disproportionately Impacted Communities. | "Colorado is already experiencing harmful climate impacts[.]" and that "many of these impacts disproportionately affect" certain Disproportionately Impacted Communities and Additionally Impacted Communities. | |
| Why the Commission is Taking Action | Medora Bornhoft, NFRMPO- 10/11/2021 | to account for the impacts of transportation capacity projects on GHG pollution and Vehicle Miles Traveled and to help achieve statewide GHG pollution targets established in § 25-7- 102(2)(g), C.R.S. | | It is important to note SB21-260 has distinct requirements regarding GHG emissions and vehicle miles traveled (VMT) for the TC's procedures and guidelines. For GHG emissions, SB21-260 requires a reduction in GHG emissions to help achieve the statewide pollution targets. For VMT, SB21-260 requires an accounting of the impact of capacity projects on VMT; it does not require reductions in VMT. |
| Why the Commission is Taking Action | Alexandra Shluntz, Earth Justice-10/16/2021 | As such, CDOT and the Commission are primarily responsible for ensuring compliance with GHG reductions in transportation planning. | As such, CDOT and the Commission are primarily responsible for ensuring compliance with GHG and Vehicle Miles Traveled reductions in transportation planning. | |
| Purpose of GHG Mitigation Measures | Danny Katz, COPIRG-10/22/21 | Purpose of GHG Mitigation Measures The transportation modeling conducted for this rulemaking may demonstrate that certain projects increase GHG pollution for a variety of reasons. These reasons may include factors such as induced demand as a result of additional lane mileage attracting additional vehicular traffic, or additional traffic facilitated by access to new commercial or residential development in the absence of public transit options or bicycle/pedestrian access that provides consumers with other non-driving options. Transportation infrastructure itself can also increase or decrease GHG and other air pollutants by virtue of factors like certain construction materials, removal or addition of tree cover that captures carbon pollution, or integration with vertical construction templates of various efficiencies that result in higher or lower levels of per capita energy use. The pollution impacts/benefits of various infrastructure projects will vary significantly depending on their specifics and must be modeled in a manner that is context-sensitive to a range of issues such as location, footprint of existing infrastructure, design, and how it fits together with transportation alternatives. Furthermore, other aspects of transportation infrastructure can facilitate reductions in emissions and thus serve as mitigations rather than contributors to pollution. For example, the addition of transit resources in a manner that can displace Vehicle Miles Traveled (VMT) can reduce emissions. | | Because greenhouse gas emissions are considered a global pollutant, it would be possible to meet an overall pollution target by allowing pollution increases in one region but then reduce pollution by an equal or greater amount in another region. This matters because when a vehicle is emitting greenhouse gases it is also emitting more localized pollutants. Therefore, without considering local pollutant impacts, a GHG reduction strategy could result in communities that have a disproportionate pollution impact to see that impact stay the same or increase. Ensuring every project has pollution reduction measures ensures that we are not only meeting regional greenhouse gas targets but cleaning up the air in those communities that are more negatively impacted by our transportation system. Taking into account these other pollutants when reducing greenhouse gas emissions was specifically identified as a valuable benefit in § 25-7-102(2)(d), C.R.S. |
| Purpose of GHG Mitigation Measures | Bruce Barker, Weld County- 9/24/21 | | | While it seems unlikely the Enterprises would undertake a "regionally significant project" as defined in the Proposed Rule, the Enterprises may undertake projects that could qualify as GHG Mitigation Measures under the Proposed Rule. It's not clear from the Proposed Rule language if projects that reduce GHG emissions undertaken by the Enterprises could be used as mitigation measures by CDOT/MPOs to meet the reduction targets specified in the Proposed Rule. Accurate accounting of GHG reduction projects is critical to avoid double counting and understand the compliance options available to CDOT and MPOs. |

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| Purpose of GHG Mitigation Measures | Dana Brosig, GVMPO- 10/13/21 | <p>Purpose of GHG Mitigation Measures The transportation modeling conducted for this rulemaking may demonstrate that certain projects increase GHG pollution for a variety of reasons. These reasons may include factors such as induced demand as a result of additional lane mileage attracting additional vehicular traffic, or additional traffic facilitated by access to new commercial or residential development in the absence of public transit options or bicycle/pedestrian access that provides consumers with other non-driving options. Transportation infrastructure itself can also increase or decrease GHG and other air pollutants by virtue of factors like certain construction materials, removal or addition of tree cover that captures carbon pollution, or integration with vertical construction templates of various efficiencies that result in higher or lower levels of per capita energy use. The pollution impacts/benefits of various infrastructure projects will vary significantly depending on their specifics and must be modeled in a manner that is context-sensitive to a range of issues such as location, footprint of existing infrastructure, design, and how it fits together with transportation alternatives.</p> <p>Furthermore, other aspects of transportation infrastructure can facilitate reductions in emissions and thus serve as mitigations rather than contributors to pollution. For example, the addition of transit resources in a manner that can displace Vehicle Miles Traveled (VMT) can reduce emissions.</p> | | <p>the lack of specificity is a concern as it is hard to determine if we can comply with the set reduction levels without details on how the mitigation measures will work. With this, we request inclusion in the Rule additional details regarding how the mitigation measures will be used to determine compliance.</p> |
| Purpose of GHG Mitigation Measures | Alexandra Shluntz, Earth Justice- 10/16/2021 | <p>Furthermore, other aspects of transportation infrastructure can facilitate reductions in emissions and thus serve as mitigations rather than contributors to pollution. For example, the addition of transit resources in a manner that can displace Vehicle Miles Traveled can reduce emissions. Moreover, improving downtown pedestrian and bike access, particularly in areas that allow individuals to shift multiple daily trips for everything from work to dining to retail, can improve both emissions and quality of life.</p> | <p>Furthermore, other aspects of transportation infrastructure can facilitate reductions in Vehicle Miles Traveled and emissions and thus serve as mitigations rather than contributors to pollution. For example, the addition of transit resources in a manner that can displace Vehicle Miles Traveled can reduce emissions. Moreover, improving downtown pedestrian and bike access, particularly in areas that allow individuals to shift multiple daily trips for everything from work to dining to retail, can improve both emissions and quality of life.</p> <p>Reduction of Vehicle Miles Traveled through planning is one of the more effective GHG Mitigation measures. It is also a separate goal identified in legislation. See § 43-1-128, C.R.S. Reducing Vehicle CODE OF COLORADO REGULATIONS Transportation Commission 2 CCR 601-22 Miles Traveled is necessary for meeting Colorado's GHG reduction goals, but there are numerous co- benefits such as reductions in vehicle fatalities, air pollution, water pollution, wildlife mortality, and traffic congestion, while improving public health, worker productivity, and Colorado's economy.</p> | |
| Purpose of GHG Mitigation Measures- Note 2 | Alexandra Shluntz, Earth Justice- 10/16/2021 | <p>[Note: The Commission proposes to add nineteen (19) new definitions. New proposed defined terms include: Applicable Planning Document, Approved Air Quality Model, Baseline, Carbon Dioxide Equivalent, Congestion Mitigation and Air Quality, Disproportionately Impacted Communities, Four-Year Prioritized Plan, Greenhouse Gas, Greenhouse Mitigation Measures, Greenhouse Gas Reduction Levels, Mitigation Action Plan, MPO Model, Multimodal Transportation and Mitigation Options Fund, Regionally Significant Project, State Interagency Consultation Team, Statewide Travel Model, Surface Transportation Block Grant, Vehicle Miles Traveled, and 10-Year Plan. Only minor non- substantive changes, such as correcting grammar errors or capitalizing defined terms, were made to the existing forty-six (46) defined terms.]</p> | <p>[Note: The Commission proposes to add nineteen (19) new definitions. New proposed defined terms include: Applicable Planning Document, Activity-Based Model, Additionally Impacted Communities, Approved Air Quality Model, Baseline, Carbon Dioxide Equivalent, Congestion Mitigation and Air Quality, Disproportionately Impacted Communities, Four-Year Prioritized Plan, Greenhouse Gas, Greenhouse Mitigation Measures, Greenhouse Gas Reduction Levels, Induced Travel Elasticity, Mitigation Action Plan, MPO Model, Multimodal Projects, Multimodal Transportation and Mitigation Options Fund, Regionally Significant Project, State Interagency Consultation Team, Statewide Travel Model, Surface Transportation Block Grant, Transportation Equity Framework, Vehicle Miles Traveled (Net), Vehicle Miles Traveled (VMT), Per Capita, Vehicle Miles Traveled (VMT) Reduction Level, and 10-Year Plan. Only minor non- substantive changes, such as correcting grammar errors or capitalizing defined terms, were made to the existing forty-six (46) defined terms.]</p> | |
| Purpose of GHG Mitigation Measures | MariLen Reimer, ACEC- 11/18/2021 | | | <p>Vetting the scoring rubric with stakeholders is a valuable and important step in rating effectiveness of mitigation measures; however, our concern lies with applying the same rubric to each stage of the transportation decision-making process. This is further detailed in Comment #2 for the Mitigation Policy (see below). As knowledge is gained with application of the rubric to specific projects, we recommend that the State Interagency Consultation Team perform at least an annual review of the scoring rubric, which would include a review of resources relied upon for scoring and how the scoring is actually conducted. Such a review would bring more transparency to how Regional Transportation Plans (RTPs) and associated mitigation plans will be approved.</p> |

Summary of All Public Comments Received for Transportation Planning Rule

| Term | Commenter | Current Definition | Specific Edits | Proposed Change |
|-----------------------------------|--|---|---|---|
| 1.00. | Tamara Ward, MOVE Colorado 10/13/21 | | | Add a definition for "transportation capacity projects." We suggest defining a capacity project as one that physically expands a road, usually by adding through lanes. Projects that focus on operational (improving traffic flow) or safety improvements, such as auxiliary lanes, should not be included in this definition. |
| 1.02 | John Liosatos, PPACG 10/14/21 | 1.02 Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs, CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendments to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | Recommendation: Strike "TIP" from the definition of section 1.02 "Applicable Planning Document" | |
| 1.02 | Kelly Blynn, Colorado Energy Office 11/18/21 | Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs, CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendments to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | | We continue to support the inclusion of all TIPs in the definition of Applicable planning document, not just TIPs in NAAs, in order to ensure the strength of the rule. We recognize additional technical assistance and capacity may be necessary to support modeling for MPOs outside of the NAAs, and that their inclusion may need to be phased in over time. With respect to TIPs, we also would like to express support for utilizing multiple modeling horizon years to determine compliance, not just the final year of the TIP, given that it can often take several years beyond project construction and implementation for ridership, induced VMT, and other travel behavior changes to take effect. |
| 1.02 | Kelly Blynn, Colorado Energy Office, 11/18/2021 | Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs, CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendments to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs, CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendments to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | We suggest including all TIPs because of the intention of the Rule to reduce GHGs, which are a global pollutant. |
| Suggested Definitions 1.02 & 1.03 | Alexandra Shluntz, Earth Justice- 10/16/2021 | Suggested Definitions between 1.01 and 1.02 | 1.02: Activity-Based Model - estimates travel demand based on individual daily activity patterns. The model predicts the type of activity, the time the activity occurs, the activity location, the activity duration, the number of individual trips, and the travel mode choice. 1.03: Additionally Impacted Communities – any community identified or approved by another state agency as a Disproportionately Impacted Community pursuant to § 24-4-109(2)(b)(II), C.R.S. and any community located within 5,000 feet of a roadway carrying more than 30,000 vehicles per day. | |
| 1.03 Approved Air Quality Model | Bruce Barker, Weld County-9/24/21 | the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | | The definition for "Approved Air Quality Model" refers to "the most recent" model, meaning the approved air quality model used in future years to demonstrate compliance with the Proposed Rule may differ from the model that was used to estimate the baseline emissions and reduction targets. Similar to the concerns above, future updates to the approved air quality model (i.e. MOVES3, the Motor Vehicle Emissions Model) may alter the model's sensitivity to key inputs (e.g., VMT, vehicle miles traveled) used in the GHG emissions analyses and compliance assessments. ----Such changes may present compliance challenges. For example, if every vehicle is "cleaner" (i.e., lower GHG emissions per mile), then CDOT and MPOs would need to achieve greater VMT reductions to achieve the same GHG emission reductions. |
| 1.03 Approved Air Quality Model | Bruce Barker, Weld County-9/24/21 | the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | | To ensure the same air quality model is used for GHG budget setting and compliance assessments, either: ☐ Revise the definition of Approved Air Quality Model to refer to the specific model used in the determination of the GHG emission estimates in Table 1 and Table 2 of the Proposed Rule; or ☐ Revise the Proposed Rule to require the GHG emission estimates in Table 1 and Table 2 be updated following the release of a new (or update to an existing) Approved Air Quality Model. |
| 1.03 Approved Air Quality Model | Matt Sura, Environmental Coalition- 10/8/21 | Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | | Apply the targets to all five MPOs on the same timeline and create interim GHG and VMT reduction targets to align with the adoption of the TIPs and CDOT's Four-Year Prioritized Plans. |

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| 1.03 Approved Air Quality Model | Kelly Blynn, Colorado Energy Office 10/13/21 | 1.03 Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | Suggested language (in red): 1.03: Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. The Transportation Commission shall specify a standard assumption for projected light duty EV adoption through 2050, consistent with the goals established in the Colorado GHG Roadmap and Colorado EV Plan, that CDOT and all MPOs shall use in estimating total CO2e emissions. This assumption may vary by region, and may be updated over time. | |
| 1.03 Approved Air Quality Model | Bruce Barker, Weld County-10/14/21 | 1.03 Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | | To ensure the same air quality model is used for GHG budget setting and compliance assessments, Weld County recommends CDOT revise the Proposed Rule to require the GHG emission estimates in Table 1 and Table 2 be updated following the release of a new (or update to an existing) Approved Air Quality Model as shown here and in Section 8.01.1. |
| 1.03 Approved Air Quality Model | Kelly Blynn, Colorado Energy Office, 11/18/2021 | 1.03 Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. | Approved Air Quality Model - the most recent Environmental Protection Agency issued model that quantifies GHG emissions from transportation. The Transportation Commission shall specify a standard assumption for projected light duty EV adoption through 2050, consistent with the goals established in the Colorado GHG Roadmap and Colorado EV Plan, that CDOT and all MPOs shall use in estimating total CO2e emissions. This assumption may vary by region, and may be updated over time. | |
| 1.04 Applicable Planning Document | Alexandra Shluntz, Earth Justice- 10/16/2021 | Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs, CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendment to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | Applicable Planning Document - refers to MPO Fiscally Constrained RTPs, TIPs for MPOs in NAAs , CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas, and amendment to the MPO RTPs and CDOT's 10-Year Plan and Four-Year Prioritized Plan in non-MPO areas that include the addition of Regionally Significant Projects. | |
| 1.05 Baseline | Bruce Barker, Weld County-9/24/21 | Estimates of GHG emissions for each of the MPOs, and for the non-MPO areas, prepared using the MPO Models or the Statewide Travel Model... | | -The rule allows for different model(s) to be used to estimate the baseline. Different models could yield different results complicating compliance with the rule. The rule allows for the use of MPO models or the Statewide Travel Model when performing GHG emissions analyses. -It is not clear why the definition of baseline would allow for use of the MPO Models or the Statewide Travel Model when the baseline represents a single set of GHG emission estimates that were presumably prepared using one of the modeling platforms (i.e., either the MPO Models, or the Statewide Travel Model, not both). |
| 1.05 Baseline | Bruce Barker, Weld County-9/24/21 | estimates of GHG emissions for each of the MPOs, and for the non-MPO areas, prepared using the MPO Models or the Statewide Travel Model. Estimates must include GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules | | The definition of baseline should be revised to refer to only the model(s) used to prepare the estimates of baseline GHG emission estimates and CDOT should provide a technical support document describing the methods and assumptions used to estimate the baseline emissions. |
| 1.05 Baseline | Bruce Barker, Weld County-10/14/21 | estimates of GHG emissions for each of the MPOs, and for the non-MPO areas, prepared using the MPO Models or the Statewide Travel Model. Estimates must include GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules | Baseline - estimates of GHG emissions for each of the MPOs, and for the non-MPO areas, prepared using the MPO Models or the Statewide Travel Model. Estimates must include GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. | |
| 1.06 Carbon Dioxide Equivalent (CO2e)- | Medora Bornhoft, NFRMPO- 9/8/2021 | Carbon Dioxide Equivalent (CO2e) - a metric measure used to compare the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different time periods. | Carbon Dioxide Equivalent (CO2e) - a metric measure used to standard unit for comparing the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different time periods. | MMT is a metric measure, but CO2e is not inherently metric |

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| 1.06 Carbon Dioxide Equivalent (CO2e)- | Medora Bornhoft, NFRMPO- 10/11/2021 | Carbon Dioxide Equivalent (CO2e) - a metric measure used to compare the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different time periods. | Carbon Dioxide Equivalent (CO2e) - a metric measure used to compare the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different time periods. to standard unit for comparinge the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different a standard time periods. | MMT is a metric measure, but CO2e is not inherently metric |
| 1.06 Carbon Dioxide Equivalent (CO2e)- | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | Carbon Dioxide Equivalent (CO2e) - a metric measure used to compare the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different time periods. | | "Co-benefits" means the additional benefits associated with the reduction of harmful air pollution to local communities, including localized air quality benefits |
| 1.06 Carbon Dioxide Equivalent (CO2e)- | Marilen Reimer, ACEC- 11/18/2021 | Standard unit for comparinge the emissions from various GHG based upon the 100-year global warming potential (GWP). CO2e is calculated by multiplying the mass amount of emissions (metric tons per year), for each GHG constituent by that gas's GWP, and summing the resultant values to determine CO2e (metric tons per year). This calculation allows comparison of different greenhouse gases and their relative impact on the environment over different standard time periods | | Recommend specifying which GHG constituents will be included in the calculation of CO2e. |
| ADD- 1.06 Cobenefits | Matt Sura, Environmental Coalition- 11/18/21 | | Co-benefits - means the additional benefits associated with the reduction of harmful air pollution to local communities, including localized air quality benefits | |
| 1.12 Disproportionately Impacted Communities | Tamara Ward, MOVE Colorado 10/13/21 | 1.12 Disproportionately Impacted Communities - defined in § 24-38.5-302(3), C.R.S. as a community that is in a census block group, as determined in accordance with the most recent United States Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%). | | 1.12 Disproportionately Impacted Communities: In less populated areas, Census Block Groups tend to be geographically very large and population centers are not always located near a project area. Clarification should be added to assess where the population is located in relation to a proposed project. |
| 1.12 Disproportionately Impacted Communities | Jenny Gaeng, Conservation Colorado- 10/21/21 | defined in § 24-38.5-302(3), C.R.S. as a community that is in a census block group, as determined in accordance with the most recent United States Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%). | | Number reflects the percentage of Colorado's population currently living in a disproportionately-impacted community as defined in statute by House Bill 21-1266. |
| 1.12 Disproportionately Impacted Communities | Alexandra Shluntz, Earth Justice- 10/16/2021 | defined in § 24-38.5-302(3), C.R.S. as a community that is in a census block group, as determined in accordance with the most recent United States Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%). | ...percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%); or is any other community as identified or approved by a state agency, if: the community has a history of environmental racism perpetuated through redlining, anti-Indigenous, anti-immigrant, anti-Hispanic, or anti-Black laws; or the community is one where multiple factors, including socioeconomic stressors, disproportionate environmental burdens, vulnerability to environmental degradation, and lack of public participation, may act cumulatively to affect health and the environment and contribute to persistent disparities. | |
| 1.19- Greenhouse Gas (GHG) Mitigation Measures | Medora Bornhoft, NFRMPO- 9/8/2021 and 10/11/2021 | non-Regionally Significant Project strategies implemented by CDOT and MPOs that reduce transportation GHG pollution and help meet the GHG Reduction Levels | non-Regionally Significant Project strategies implemented by CDOT and MPOs that reduce transportation GHG pollution and help meet the GHG Reduction Levels | Any agency's GHG measures should be able of county, same as how any regionally significant project (even if locally funded) counts. In addition, better to not use the past tense because almost all measures are planned measures for future implementation. |
| 1.19- Greenhouse Gas (GHG) Mitigation Measures | Alexandra Shluntz, Earth Justice- 10/16/2021 | non-Regionally Significant Project strategies implemented by CDOT and MPOs that reduce transportation GHG pollution and help meet the GHG Reduction Levels | non-Regionally Significant Project strategies implemented by CDOT and MPOs that reduce transportation GHG pollution and reduce VMT and help meet the GHG and VMT Reduction Levels | |
| Add definition- Greenhouse Gas (GHG) Transportation Report | Dana Brosig, GVMPO- 11/17/2021 | | Section 1.00- Add definition of GHG Transportation Report. | |
| Add a definition between 1.19 and 1.20- Induced Travel Elasticity | Alexandra Shluntz, Earth Justice- 10/16/2021 | Add a definition between 1.19 and 1.20- Induced Travel Elasticity | Induced Travel Elasticity - the percentage change in VMT / the percentage change in lane miles. An elasticity of 1.0 indicates that a given percent increase in lane miles will cause the same percent increase in VMT. | |
| ADD- 1.20- Harmful air pollutant | Matt Sura, Environmental Coalition- 11/18/21 | Add a definition between 1.19 and 1.20- Induced Travel Elasticity | Harmful air pollutant - means pollutants designated by EPA as criteria air pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate pollution (PM) (PM2.5 and PM10), and sulfur dioxide), or hazardous air pollutants. | |

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| 1.21 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | 1.21 Intermodal Facility - a site where goods or people are conveyed from one mode of transportation to another, such as goods from rail to truck or people from passenger vehicle to bus. | | 1.21 "Harmful air pollutant" means pollutants designated by EPA as criteria air pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate pollution (PM) (PM2.5 and PM10), and sulfur dioxide), or hazardous air pollutants. |
| 1.34- Multimodal Transportation and Mitigation Options Fund | Matt Sura, Environmental Coalition- 10/8/21 | a program created in the State Treasury pursuant to § 43-4-1003, C.R.S. which funds bicycle, pedestrian, transit and other Multimodal projects as defined in § 43-4-1002(5), C.R.S. and GHG Mitigation projects as defined in § 43-4-1002(4.5), C.R.S. | | Update the definition of "multimodal" to focus on transit, biking, walking, TDM and other projects that increase access to non-auto modes of transportation and reduce VMT and GHGs. Change the definition of "multimodal" to match the definition of "multimodal projects" in Senate Bill 260. • Current definition in Section 1.33: "Multimodal - an integrated approach to transportation that takes into account all modes of travel, such as bicycles and walking, personal mobility devices, buses, transit, rail, aircraft, and motor vehicles." • Proposed alternative definition from Senate Bill 260, Section 50: "Multimodal projects" means capital or operating costs for fixed route and on-demand transit, transportation demand management programs, multimodal mobility projects enabled by new technology, multimodal transportation studies, modeling tools, greenhouse gas mitigation projects, and bicycle or pedestrian projects." |
| Add a definition between 1.34 and 1.35- Multimodal Projects | Alexandra Shluntz, Earth Justice- 10/16/2021 | Add a definition between 1.34 and 1.35- Multimodal Projects | Multimodal Projects - capital or operating costs for fixed route and on-demand transit, transportation demand management programs, multimodal mobility projects enabled by new technology, multimodal transportation studies, modeling tools, greenhouse gas mitigation projects, and bicycle or pedestrian projects. | |
| 1.35- National Ambient Air Quality Standards (NAAQS) | Tamara Ward, MOVE Colorado 10/13/21 | 1.35 National Ambient Air Quality Standards (NAAQS) - are those established by the U.S. Environmental Protection Agency for air pollutants considered harmful to public health and environment. These criteria pollutants are: carbon monoxide, lead, nitrogen dioxide, ozone, small particles, and sulfur dioxide. | | 1.35: National Ambient Air Quality Standards (NAAQS): "Small particles" is not the correct terminology for particulate matter. This should be changed to reflect the exact wording of the criteria pollutants. |
| 1.36 Nonattainment Area | Medora Bornhoft, NFRMPO- 9/8/2021 and 10/11/2021 | any geographic region of the United States which has been designated by the EPA under section 107 of the CAA for any pollutants for which a NAAQS exists. | | EPA also designates areas as attainment, maintenance, or unclassifiable |
| 1.36 Nonattainment Area | Tamara Ward, MOVE Colorado 10/13/21 | 1.36 Nonattainment Area - any geographic region of the United States which has been designated by the EPA under section 107 of the CAA for any pollutants for which a NAAQS exists. | | 1.36: Nonattainment Area: Clarification should be added that a nonattainment area is where the NAAQS are being exceeded; not solely where NAAQS exist. |
| 1.42 Regionally Significant Project | Medora Bornhoft, NFRMPO- 9/8/2021 | A transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. <u>Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team.</u> | | Recommend clarifying if this applies to all areas or just those without an EPA-approved definition. |
| 1.42 Regionally Significant Project | Maureen Barrett, Private Citizen- 10/5/21 | | | The new regulation should then use the concept of low triggers in nonattainment permitting to require that new project sponsors find emission offsets at ratios greater than 1:1 for Regionally Significant Projects. To iterate, this is the approach by which previously successful Clean Air Act programs brought their states or regions into compliance with other pollutants. |
| 1.42 Regionally Significant Project | Maureen Barrett, Private Citizen- 10/5/21 | | | The definition of Regionally Significant Project that is currently in the regulation must include an emissions threshold within its definition. |

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| 1.42 Regionally Significant Project | Tamara Ward, MOVE Colorado 10/13/21 | 1.42 Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | | 1.42 Regionally Significant Project: The definition included in the Rules is the definition provided by the Environmental Protection Agency, which is meant to provide a general definition for all states. We suggest modifying the definition to rely on what the MPOs currently include in their models as "regionally significant". |
| 1.42 Regionally Significant Project | Jennier Ivey, Pikes Peak Rural Transportation Authority 10/14/21 | 1.42 Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | Regionally Significant Project - a transportation project that is federally, state, or MPO funded and is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team | |
| 1.42 Regionally Significant Project | Jennier Ivey, Pikes Peak Rural Transportation Authority 10/14/21 | 1.42 Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | Regionally Significant Project - a transportation project subject to the approval of an MPO and/or CDOT that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team | |
| 1.42 Regionally Significant Project | Jennier Ivey, Pikes Peak Rural Transportation Authority 10/14/21 | 1.42 Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. This definition does not include transportation projects disclosed to CDOT and MPO for purposes of 23 C.F.R. § 450.326(f). If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | |

Summary of All Public Comments Received for Transportation Planning Rule

| Term | Commenter | Current Definition | Specific Edits | Proposed Change |
|--|---|--|---|---|
| 1.42 Regionally Significant Project | John Liosatos, PPACG 10/14/21 | 1.42 Regionally Significant Project - a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. If the MPOs have received approval from the EPA to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. | | 1.42 Regionally Significant Project – The definition cited allows for the MPO to use a different definition if approved by the EPA. However, only MPOs in non-attainment would be required to have their definition approved by the EPA. Recommendation: Allow areas in Attainment to use the basic FHWA definition of all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel (with an emphasis placed on "offer an alternative to regional highway travel", meaning roadways that are functionally classified as State Highway and above in the federal functional classification system). |
| Add a definition between 1.55 and 1.56- Transportation Equity Framework | Alexandra Shlutz, Earth Justice- 10/16/2021 | Add a Section between 1.55 and 1.56- Transportation Equity Framework | Transportation Equity Framework – policy to be created by the Department's Environmental Justice Division, that is informed by the state's Climate Equity Framework, and the Climate Equity Advisory Committee, codifying outreach practices and community empowerment in transportation planning and policy decisions. The Transportation Equity Framework must be developed in collaboration with environmental justice advocates and members of Disproportionately Impacted Communities and Additionally Impacted Communities, with final approval from these stakeholders needed in order to finalize the document. | |
| 1.59 Transportation Systems Planning | Tamara Ward, MOVE Colorado 10/13/21 | 1.59 Transportation Systems Planning - provides the basis for identifying current and future deficiencies on the state highway system and outlines strategies to address those deficiencies and make improvements to meet Department goals. | | 1.59 Transportation Systems Planning: It is unclear what this planning process is—if it is referencing CDOT's 10-year plan and related process, it should be stated as such since the definition could also include what is identified during the NEPA process. |
| Add a definition between 1.59 and 1.60- Transportation Planning Reduction Level | Alexandra Shlutz, Earth Justice- 10/16/2021 | Add a definition between 1.59 and 1.60- Transportation Planning Reduction Level | Transportation Planning Reduction Level - the amount of reduction of VMT and GHG (expressed as CO2e) from the projected Baseline that CDOT and MPOs must attain through transportation planning. | |
| 1.65- Vehicle Miles Traveled (VMT) | Alexandra Shlutz, Earth Justice- 10/16/2021 | Vehicle Miles Traveled (VMT)- the traffic volume of a roadway segment or system of roadway segments multiplied by the length of the roadway segment or system. | Vehicle Miles Traveled (VMT), Net- the traffic volume of a roadway segment or system of roadway segments multiplied by the length of the roadway segment or system. | |
| Add a definition between 1.65 and 1.66- Vehicle Miles Traveled (VMT), Per Capita | Alexandra Shlutz, Earth Justice- 10/16/2021 | Add a definition between 1.65 and 1.66- Vehicle Miles Traveled (VMT), Per Capita | Vehicle Miles Traveled (VMT), Per Capita - is calculated as the total annual miles of vehicle travel divided by the total population in the state or in an urbanized area. | |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Proposed Change |
|----------------|----------------------------------|--|----------------|---|
| Section 2.01.5 | Dana Brosig, GVMPO- 11/17/2021 | 2.01.5 The Grand Valley Transportation Planning Region TPR comprises Mesa County, including the Grand Valley Metropolitan Planning Organization's metropolitan area. | | The Grand Valley TPR comprises Mesa County, including the Grand Valley Metropolitan Planning Organization's metropolitan area. Revisions are needed here or elsewhere in Section 2.00 to clarify the GVMPO area versus the GVTPR and how they will be addressed. |
| Section 2.02.3 | Marilen Reimer, ACEC- 11/18/2021 | In the event that the Commission approves a change to the boundary of a TPR that has a nRPC, RPC in each affected TPR shall notify the Department of any changes to the Intergovernmental Agreement governing the RPC as specified in these Rules. | | If the Commission approves a change to the boundary of a Transportation Planning Region, will the emission-reduction level in effect at the time of the change remain the same or will MPOs/Non-MPO Regional Planning Commissions (RPCs) have the opportunity to revise their plan to reflect the change? |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commentor | Current Text | Specific Edits | Suggested Change |
|--|--|--|--|---|
| 4.02.1- Public Participation | Alexandra Schluntz, Earth Justice-10/16/2021 | The Department, in coordination with the RPCs of the rural TPRs, shall provide early and continuous opportunity for public participation in the transportation planning process. The process shall be proactive and provide timely information, adequate public notice, reasonable public access, and opportunities for public review and comment at key decision points in the process. The objectives of public participation in the transportation planning process include: providing a mechanism for perspectives, needs, and ideas to be considered in the planning process; developing the public's understanding of the problems and opportunities facing the transportation system; | The Department, in coordination with the RPCs of the rural TPRs, shall provide early and continuous opportunity for public participation in the transportation planning process. The process shall be proactive and provide timely information, adequate public notice, reasonable public access, and opportunities for public review and comment at key decision points in the process. Adequate public participation for Disproportionately Impacted Communities and Additionally Impacted Communities requires utilizing best practice notice and engagement methods as outlined in the Transportation Equity Framework. The objectives of public participation in the transportation planning process include: providing a mechanism for directly-impacted communities to provide leadership, share perspectives, needs, and ideas to be considered in the planning process; developing the Department's and public's understanding of the problems and opportunities facing the transportation system; | |
| 4.02.2-Statewide Plans and Programs | Alexandra Schluntz, Earth Justice-10/16/2021 | ...and other statewide transportation planning activities. | ... GHG Mitigation Plans , and other statewide transportation planning activities. | |
| 4.02.3-MPO Plans and Programs | Alexandra Schluntz, Earth Justice-10/16/2021 | ...TIPS, and other related regional transportation planning activities for their respective | ...TIPS, GHG Mitigation Plans , and other related regional transportation planning activities for their respective | |
| 4.02.4-Non-MPO TPR Plans and Programs | Alexandra Schluntz, Earth Justice-10/16/2021 | RPCs for non- MPO TPRs are responsible for public participation related to regional planning activities in that TPR,... | RPCs for non- MPO TPRs are responsible for public participation related to regional planning activities in that TPR, including GHG Mitigation Plans... | |
| 4.02.5.1 | Alexandra Schluntz, Earth Justice-10/16/2021 | underserved by existing transportation systems, such as minority, low-income, seniors, persons with disabilities, and those with... | underserved by existing transportation systems, such as minority, low-income, seniors, persons with disabilities, Disproportionately Impacted Communities, Additionally Impacted Communities and those with... | |
| 4.02.5.2 | Alexandra Schluntz, Earth Justice-10/16/2021 | ...methods on upcoming transportation planning-related activities and meetings. | ...methods on upcoming transportation planning-related activities and meetings. Reasonable notice for Disproportionately Impacted Communities and Additionally Impacted Communities requires the notice to be translated in the major languages spoken in the community. | |
| 4.02.5.4 | Alexandra Schluntz, Earth Justice-10/16/2021 | Seeking out those persons, or groups, or Traditionally Underserved by existing transportation systems including, but not limited to, seniors, persons with disabilities, minority groups, low-income, and those with Limited English Proficiency, for the purposes of exchanging information, increasing their involvement, and considering their transportation needs in the transportation planning process Pursuant... | Implementation of the Transportation Equity Framework. Seeking out those persons, or groups, and communities Disproportionately and Additionally Impacted or Traditionally Underserved by existing transportation systems including, but not limited to, seniors, persons with disabilities, minority groups, low- income, and those with Limited English Proficiency, for the purposes of exchanging information, increasing their involvement, and considering their transportation needs in the transportation planning process. responding to public input, and providing leadership opportunities to propose transportation projects in coordination with the Environmental Justice and Equity Branch. Pursuant... | |
| Add 2 sections between 4.03.5 and 3.03.6 | Alexandra Schluntz, Earth Justice-10/16/2021 | Add 2 sections between 4.03.5 and 3.03.6 | Transportation Systems Planning by RPCs and the Department shall consider and integrate GHG Roadmap objectives into the Statewide Transportation Plan and include coordination and review with APCD and the Colorado Energy Office, Transportation Systems Planning by RPCs and the Department shall implement the Transportation Equity Framework for community engagement and identifying projects that effectively promote racial equity and economic justice while meeting transportation and GHG Roadmap objectives. | |
| 4.03.6 | Jenny Gaeng, Conservation Colorado- 10/21/21 | Impacts on Disproportionately Impacted Communities and opportunities to promote equity and economic justice | | The rule should be further amended to require at least thirty percent of funds in a Mitigation Action Plan to directly benefit disproportionately-impacted communities. This number reflects the percentage of Colorado's population currently living in a disproportionately-impacted community as defined in statute by House Bill 21-1266. |
| Add 2 sections between 4.04.1.4 and 4.04.1.5 | Alexandra Schluntz, Earth Justice-10/16/2021 | Add 2 sections between 4.04.1.4 and 4.04.1.5 | -Include an analysis of how the RTP is aligned with Colorado's climate goals and helps reduce, prevent, and mitigate GHG pollution throughout the Region. Include an analysis of how the RTP is aligned with the Transportation Equity Framework in engaging the community and identifying projects that effectively promote racial equity and economic justice. | |
| Sections 4.04.2.2 and 4.04.2.4 | Marilen Reimer, ACEC-11/18/2021 | | | CDOT is given a minimum of 30 days to review draft and final RTPs. Can consideration be given to how long CDOT can review either version of RTPs before it is approved so that MPOs and Non-MPO Regional Plan Documents can implement plans as soon as possible and allow them sufficient time to comply with emission reduction levels? |
| Section 4.05.3 | Marilen Reimer, ACEC-11/18/2021 | If transportation related emissions associated with the pollutant are expected to increase over the.... | | We recommend defining "transportation related emissions" in Section 1.0. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commentor | Current Text | Specific Edits | Suggested Change |
|---|--|---|--|--|
| 4.06.1.8 | Alexandra Schluntz, Earth Justice-10/16/2021 | Include an analysis of how the Statewide Transportation Plan is aligned with Colorado's climate goals and helps reduce, prevent, and mitigate GHG pollution throughout the State. | Include an analysis of how the Statewide Transportation Plan is aligned with Colorado's climate goals and helps reduce, prevent, and mitigate GHG pollution and VMT throughout the State. | |
| Add Section between 4.06.1.8 and 4.06.1.9 | Alexandra Schluntz, Earth Justice-10/16/2021 | Add Section between 4.06.1.8 and 4.06.1.9 | Include an analysis of how the Statewide Transportation Plan helps prevent, reduce, and mitigate GHG pollution, VMT, and hazardous co-pollutants within Disproportionately Impacted Communities and Additionally Impacted Communities . | |
| 4.06.1.9 | Matt Sura, Environmental Coalition- 11/18/2021 | Include an analysis of impacts on Disproportionately Impacted Communities. | 4.06.1.9 Include an analysis of impacts harmful air pollutants and co-benefits in on Disproportionately Impacted Communities. | |
| 6.06.1.9 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | Include an analysis of how the Statewide Transportation Plan is aligned with Colorado's climate goals and helps reduce, prevent, and mitigate GHG pollution throughout the State. | | Include an analysis of impacts harmful air pollutants and co-benefits in on Disproportionately impacted Communities. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|-------------------------------------|---|----------------|--|
| 7.0.0 | Medora Bornhoft, NFRMPO-10/11/21 | Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Program (STIP) | | <p>-To provide consistency in MPO and non-MPO areas, the NFRMPO recommends removing or modifying the requirements for TIPs.</p> <p>-It is unclear from the proposed rule if two separate GHG Transportation Reports are required when adopting a TIP and RTP, or if the same report can be used for both documents.</p> <p>-The NFRMPO recommends modifying the requirement to clarify that TIPs consistent with the RTP can rely on the GHG Transportation Report for the associated RTP.</p> |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|--------------|--|---|--|--|
| 8.00 (Title) | Alexandra Shluntz, Earth Justice-10/16/2021 | GHG Emission Reduction Requirements | GHG Emission and VMT Transportation Planning Reduction Requirements | |
| 8.01 | Alexandra Shluntz, Earth Justice-10/16/2021 | Establishment of Regional GHG Transportation Planning Reduction Levels | Establishment of Regional GHG and VMT Transportation Planning Reduction Levels | |
| 8.01 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | | | <p>Remove the Baseline Projections from Table 1 and adopt baselines in a Transportation Commission policy directive and reference them in the Rule to allow refinement based on MPO modeling and more frequent updates.</p> <ul style="list-style-type: none"> o There should be a reasonable mechanism outside of a formal rulemaking process to review and update the baseline projections to which the reduction levels will be applied. The baseline projections have been developed using the CDOT statewide travel model and then "allocating" GHG emissions to areas based on share of statewide VMT. The relationship between VMT and GHG emissions using this distribution method may not reflect the relative fleet mix or operating characteristics that also influence GHG emissions. Further, DRCOG is required by federal law to adopt a new Regional Transportation Plan every four years and must align growth expectations with the most recent available population and employment forecasts from the State Demography Office, which are updated annually. These annual changes in population and employment forecasts can have a significant impact on travel model results and represent just one example of myriad changes to model inputs and internal model improvements that can change regional baseline measurements. o Include 2025 Reduction Level (MMT) Values for PPACG, GVMPO and PACOG in Table 1. All five MPOs should be subject to demonstrating compliance with the rule for the 2025 horizon year to give the state the best chance of achieving the overall GHG reduction targets. |
| 8.01.1 | Tamara Ward, MOVE Colorado 10/13/21 | <p>8.01 Establishment of Regional GHG Transportation Planning Reduction Levels</p> <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050). Values in both tables include estimates of population growth as provided by the state demographer</p> | | <p>Section 8.01 GHG Emission Requirements</p> <ul style="list-style-type: none"> • We request clarity on whether establishing a future year GHG emission target was considered rather than setting a baseline and reduction. Setting future GHG emission targets would be more directly comparable to the modeled emissions. • Table 1: GHG Transportation Planning Reduction Levels in MMT of CO2e— additional clarification is requested regarding whether the baseline values listed for each MPO are consistent with the MPOs' own methods and calculations. If the methods and calculations are not compatible, it could lead to two discrete calculation processes: one that is compliant with the Clean Air Act and one that is compliant with the Rules. • Table 1: The "total" in each column should each the sum of all cells in the column. The rounding in the "total" row does not match the sum in some columns. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|------------------------------------|---|--|--|
| 8.01.1 | CC4CA - 08/31/21 | <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> | <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs areas and the Non-MPO area within the state of Colorado as of the effective date of these Rules. The reduction levels listed by MPO are not meant as the sole responsibility of that MPO, but rather the total reduction for that area. CDOT is responsible for a share of the reductions in the MPO area. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 projects total transportation sector emissions-reflects the difference in Baseline levels from year to year assuming a rapid growth in Colorado's electric vehicles goals are met across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050) in addition to the emission reductions from this rule.</p> | <p>We suggest adding language in Section 8.01.1 explaining that the reduction targets by MPO area reflect the total reductions in that area and are not the sole responsibility of the MPOs and that CDOT will assist the MPOs in meeting the targets. We understand from CDOT staff that it was too difficult to break out the share of the reductions between CDOT and the MPOs, but an explanation to this effect in the rule should be included to avoid any misunderstanding.</p> |
| 8.01.1 | Bruce Barker, Weld County-10/14/21 | <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> | <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050). Values in both tables include estimates of population growth as provided by the state demographer. The GHG emission reduction levels in Table 1 and Table 2 shall be reevaluated upon a change in the Approved Air Quality Model as defined in Section 1.03.</p> | |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|---|--|--|--|
| 8.01.1 | Bruce Barker, Weld County-10/14/21 | <p>8.01.1 The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> | | <p>First, the EV% of Stock in 2050 is reported as 83%. However, Section 8.01.1 of the Proposed Rule states that 97% of all light duty vehicles are electric vehicles in 2050. It is not clear why the discrepancy exists, when electric vehicle population numbers in the Proposed Rule agree with EV Stock numbers in Table A.13 of the CBA in years 2030 and 2040.</p> |
| 8.01.1 | Alexandra Shluntz, Earth Justice-10/16/2021 | <p>The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> | <p>The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> <p>MPOs and the Non-MPO areas within the state of Colorado shall comply with the GHG and VMT reduction targets set forth in Tables 1 and 2. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions and VMT resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050).</p> | |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|---|---|--|---|
| 8.01.2 | Medora Bornhoft, NFRMPO-10/11/2021 | Table 1 | | <p>There are 3 issues with the GHG Baseline Projections ("baselines") in Table 1 of the rule: -the baselines are estimated from the statewide travel model for each regional area, -the baselines do not account for projected electric vehicle (EV) shares, and - the baselines for each regional area were assigned by their share of statewide vehicle miles traveled (VMT) instead of their share of GHG emissions. The proposed rule provides valuable flexibility by allowing MPOs to assess compliance with the rule using their own travel model or the statewide travel model. Because different models have different sensitivities, the GHG Baseline Projections should be based on MPO travel models for any MPO that will use its own model to assess compliance, thus allowing for an apples-to-apples comparison. The GH Baseline Projections do not account for projected EV shares; however, the scenarios used to develop the GHG Reduction Levels do account for projected EV shares. Because of the difference in methodology, it is not possible to subtract the GHG Reduction Level from the GHG Baseline Projection to identify the amount of GHG emissions allowed for each regional area. Incorporation of projected EV shares is fundamental to understanding the amount of GHG emissions that can feasibly be reduced due to changes to transportation plans because transportation systems with higher shares of EVs have lower potential to reduce GHG emissions through project mix revisions. The baselines should account for the projected EV shares that are expected to result from current state requirements for vehicle electrification.</p> <p>-Recommend removing the GHG baseline projections from the rule and placing them in a supporting policy document. Alternatively, if the GHG Baseline Projections are retained in the rule, they should be updated to values based on MPO travel models for any MPO that will use its own model to assess compliance, to account for projected EV shares, and to reflect GHG emissions in each regional area.</p> |
| 8.01.2 | Medora Bornhoft, NFRMPO-10/11/2021 | Table 1 | | <p>The GHG Reduction Levels in Table 1 were developed based on current MPO boundaries and current projections for population and employment growth, both of which are subject to change. MPOs may choose to expand their planning area or may be required to expand their planning area due to updates to urbanized areas after a census. Per federal planning requirements, MPOs obtain the latest population and employment growth forecasts prior to updating the long-range transportation plan. The updated forecasts may be higher or lower than the previous forecast. Recommendation: the rule should account for these 2 sources of change by setting GHG Reduction Levels on a per capita basis, thus allowing the GHG Reduction Levels to remain relevant regardless of changes to MPO planning area boundaries and growth forecasts. The per capita approach is used in California, under SB 275, which requires MPO meet GH reduction in terms of percentage reductions in per capita emissions compared to 2005 levels.</p> |
| 8.01.2 | CC4CA - 08/31/21 | Table 1 | Removing all columns labelled 'Baseline Projections (MMT)' | Because of the worsening nature of the climate crisis, early reductions have the largest impact and are absolutely necessary to reverse the current devastating course. Therefore, we strongly urge the Commission and CDOT staff to increase the GHG planning reduction levels identified in Table 1 (8.01.2). |
| 8.01.2 | CC4CA - 08/31/21 | Table 2: Baseline Emissions Due to Projected Number of Light Duty Electric Vehicles | Table 2: Baseline Emissions Due to Projected Number of Light Duty Electric Vehicles Transportation Sector Emissions Projections from All Implemented Strategies | |
| 8.01.2 | Medora Bornhoft, NFRMPO-9/8/2021 and 10/11/2021 | Table 1 | | For some of the compliance years, the TOTAL line at the bottom does not match the sum of the regional areas. The same number of digits should be used for all baselines and reduction levels. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|-------------------------------------|--|----------------|--|
| 8.01.2 | Jeremy Horne, Weld County-9/17/2021 | Table 1 | | -The rule allows for different model(s) to be used to demonstrate compliance, as compared with the model(s) used to estimate the baseline -GHG emission factors for LDVs are lower in MOVES3 than MOVES2014b due to recent model updates -In general, GHG emission factors tend to decrease over time due to improvements in fuel economy and other factors -Lower GHG emission factors means a greater VMT reduction will be required to meet reduction targets -Recommendation: The rule should be modified to require the same models for GHG budget setting and assessing compliance. |
| 8.01.2 | Jeremy Horne, Weld County-9/17/2021 | Table 1 | | -Some numbers in Table 1 when added together do not meet the "TOTAL" reductions shown -Clarify calculation of TOTAL row in Table 1; and provide guidance regarding the number of figures to be used in GHG emissions estimates. |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | Table 1 | | Different models exhibit different sensitivities to inputs and assumptions, whereby running two different models with the same inputs and assumptions could yield different results. Therefore, allowing different model(s) to be used in the GHG emissions analysis than was used in estimate of baseline GHG emissions and development of GHG reduction targets is problematic. For example, while the emission reduction levels shown in Table 1 may be achievable based on modeling conducted using the Statewide Travel Model, demonstrating compliance using the MPO Model(s) may be infeasible. |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | Table 1 and Table 2 | | Should different models be allowed in the Proposed Rule, CDOT should conduct a sensitivity analysis to compare the sensitivity of different models to inputs and assumptions, specifically as related to Travel Choice, Transit, and Land Use considered in the development of the GHG estimates in Table 1 and Table 2 of the Proposed Rule. |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | Table 1 | | Some numbers in Table 1 when added together do not meet the total reductions, possibly due to rounding, which may result in actual emission reductions falling short of estimated totals even when all rule requirements are met. |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | Table 1 and Table 2 | | It's unclear if the modeling conducted for the Proposed Rule (i.e., values in Table 1 and Table 2) account for any Enterprise projects, either in the baseline or the reduction targets. |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | Table 1 | | No guidance is provided as to how modeling should be conducted to demonstrate compliance with the applicable reduction targets in Table 1. It's not clear from the language in the Proposed Rule what model inputs, assumptions, and methodology can or should be used by CDOT/MPOs to estimate GHG emissions. Further, it's not clear if CDOT/MPOs must meet the reduction levels in Table 1, or if they must meet an absolute GHG emissions target determined based on the baseline projects and reduction levels in each target year. -For example, would NFRMPO need to meet a GHG emission level of 2.3-0.04=2.26 MMT CO ₂ e in 2025? Or would they need to demonstrate, by modeling two or more scenarios, that they have met a reduction level of 0.04 MMT CO ₂ e? |
| 8.01.2 | Bruce Barker, Weld County-9/24/21 | The emissions analysis must estimate total CO ₂ e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. | | No guidance is provided as to how modeling should be conducted to demonstrate compliance with the applicable reduction targets in Table 1. This section suggests total CO ₂ e emissions must be compared to the baseline. |
| 8.01.2 | Dana Brosig, GVMPO- 10/13/21 | Table 1 | | Chart include baseline and reduction levels through 2050. Suggest adding text that explains when and how future years beyond 2050 will be added to the chart. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------|--|---|--|--|
| 8.01.2 | Ron Papsdorf, DRCOG- 10/11/21 | Table 1- Establishment of Regional GHG Transportation Planning Reduction Levels | | <p><input type="checkbox"/> Remove the Baseline Projections from Table 1 and adopt baselines in a Transportation Commission policy directive and reference them in the Rule to allow refinement based on MPO modeling and more frequent updates. There should be a reasonable mechanism outside of a formal rulemaking process to review and update the baseline projections to which the reduction levels will be applied. The baseline projections have been developed using the CDOT statewide travel model and then "allocating" GHG emissions to areas based on share of statewide VMT. The relationship between VMT and GHG emissions using this distribution method may not reflect the relative fleet mix or operating characteristics that also influence GHG emissions. Further, DRCOG is required by federal law to adopt a new Regional Transportation Plan every four years and must align growth expectations with the most recent available population and employment forecasts from the State Demography Office, which are updated annually. These annual changes in population and employment forecasts can have a significant impact on travel model results and represent just one example of myriad changes to model inputs and internal model improvements that can change regional baseline measurements.</p> <p><input type="checkbox"/> Include 2025 Reduction Level (MMT) Values for PPACG, GVMPO and PACOG in Table 1. All five MPOs should be subject to demonstrating compliance with the rule for the 2025 horizon year to give the state the best chance of achieving the overall GHG reduction targets.</p> |
| 8.01.2 | Bruce Barker, Weld County, 10/14/21 | Table 1 = <i>total for 2025 Reduction Level (MMT)</i> | | Weld County recommends CDOT provide guidance regarding the number of significant figures to be used in GHG emissions estimates, particularly regarding rounding for regional area totals compared against the values in Table 1, to ensure actual reductions are consistent with expected totals. Furthermore, Weld County recommends CDOT clarify the calculation of the TOTAL row in Table 1 of the Proposed Rule, particularly for 2025. Weld County also recommends revising Table 1 to show the same significant figures for all of the values, or providing additional detail in a technical support document. |
| 8.01.2 | Alexandra Shluntz, Earth Justice- 10/16/2021 | Table 1 | Increased MMT of CO2e reduction levels that fall in line with the Governor's GHG Reduction Roadmap goals and the addition of a table showing proposed VMT reductions | |
| 8.01.2 | Marilen Reimer, ACEC- 11/18/2021 | Table 1 | | When reviewing emission reductions levels specified from 2025 through 2050, a sharp increase in reduction occurs from 2025 to 2030 followed by lower reductions for 2040 and 2050. This appears counter to development of overall multi-modal transportation options. Over time there could be more options/best practices available along with greater engineering feasibility to reduce GHG emissions and allow regions to meet higher reduction levels in the 20- to 30-year timeframe. With this in mind, we ask to lower GHG-reduction targets in the earlier years (2025 and 2030) and increase these targets for the later years (2040 and 2050). |
| 8.01.2 | Marilen Reimer, ACEC- 11/18/2021 | Table 1 | | Similar to the option for the Commission to consider revisions to the Rules, should individual MPOs not meet VMT reductions per capita, we also request CDOT permit revisions, specifically, the future reduction goals in Table 1 should an MPO exceed its reductions in an early year. There is a point of diminishing returns when looking at reductions as a ceiling that we recognize CDOT realized when crafting Table 1 in that the reductions decrease over time. We do understand the importance of meeting Colorado's short-term reduction goals. As an example, should an MPO exceed the planned reduction for 2030, it should be provided credit for that reduction for future reduction targets. Revising Table 1 reductions should also be allowed for successes by MPOs rather than only failures. |

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|---------|---|--------------|----------------|--|
| 8.01.2 | Bruce Barker, Weld County-11/18/2021 | Table 1 | | The modeling data reports VMT and GHG emissions by region for three primary areas: DRCOG, NFR, "rest of State". Within the rest of state area, data is provided separately for Pikes Peak. Therefore, data is resolved by four regional areas: DRCOG, NFR, Pikes Peak, and rest of state. Weld County understands, based on presentations from CDOT, that the reduction levels for each regional area shown in Table 1 of the Proposed Rule were derived by allocating the total reduction level each year (after off-model adjustments ³³) to each regional area based on each regional area's VMT. However, this approach results in reduction levels for different regional areas that are inconsistent with the reductions for each regional area estimated by the modeling. |
| 8.01.3 | Medora Bornhoft, NFRMPO-9/8/2021 and 10/11/2021 | Table 2 | | There is no regulatory purpose for this table.If a regulatory purpose is not provided, it should be removed from the rule. Potential regulatory purpose: Adding in the EV assumption for each year and stating if the EV assumption changes, then the reduction levels in the rule should be revisited to determine if they are still feasible. |
| 8.01.3 | Dana Brosig, GVMPO- 10/13/21 | Table 2 | | Suggest changing title to Baseline Emissions Modelled with Projected Number of Light Duty Electric Vehicles and improving explanation in 8.01.1 and purpose of inclusion of chart in rule. |
| 8.01.5 | Matt Sura, Environmental Coalition | | | -The rule should translate the proposed GHG reduction targets into total VMT and VMT per capita reduction targets -Set VMT per capita reduction targets and measure the VMT per capita impacts of individual transportation projects -The rule should translate the total VMT reduction targets into VMT per capita reduction targets to encourage smart growth policies at the local level. The modeling in the CBA assumes that 75% of new growth in the DRCOG region is focused in urban mixed-use areas, a land use pattern that generally facilitates low-VMT lifestyles through shorter vehicle trips, greater walkability and bikeability, and transit-supportive density. However, increasing population and employment density will also increase total VMT and GHGs both locally and regionally, creating a potential disincentive to pursue transportation-efficient land use policies. |
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| 8.02.1 | Bruce Barker, Weld County- 9/24/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model..." | | The rule allows for different model(s) to be used to estimate the baseline. Different models could yield different results complicating compliance with the rule. The rule allows for the use of MPO models or the Statewide Travel Model when performing GHG emissions analyses. |
| 8.02.1 | Ron Papsdorf, DRCOG- 10/11/21 | The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050). | "Revise §8.02.1 to state "Such analysis shall include the existing transportation network, implementation of future completed regionally significant projects, and all non-regionally significant transportation system investments included in the Plan." | -§8.02.5.1 states that the required GHG Transportation Report contain a "GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1..." Since these Applicable Planning Documents also include non-regionally significant program and project investments that have impacts on travel demand and GHG emissions, the required analysis should include the full set of investment priorities in order to fully assess the plan's estimated total CO2e emissions. |
| 8.02.1 | Ron Papsdorf, DRCOG- 10/11/21 | The GHG emission reduction levels within Table 1 apply to MPOs and the Non-MPO area within the state of Colorado as of the effective date of these Rules. Baseline values are specific to each MPO and CDOT area and represent estimates of GHG emissions resulting from the existing transportation network and implementation of the most recently adopted RTP for all MPOs and the 10-Year Plan in non-MPO areas as of the effective date of these Rules. Table 2 reflects the difference in Baseline levels from year to year assuming a rapid growth in electric vehicles across the State (940,000 light duty electric vehicles in 2030, 3.38 million in 2040 and a total of 97% of all light duty vehicles in 2050). | <input type="checkbox"/> Revise §8.02.1 to state that "The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1 value derived by subtracting the Reduction Level from the Baseline Projection for that same year." | - A comparison to the Baseline Projections by themselves is not meaningful in the context of the Rule. Determining compliance should be based on an assessment of the estimated GHG emissions of the Applicable Planning Document against reduced GHG emission value." |
| 8.02.1 | Ron Papsdorf, DRCOG- 10/11/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. When adopting a TIP, the required emissions analysis will apply to one horizon year corresponding with the last year of the TIP, using interpolation between Table 1 horizon years if the last year of the TIP does not correspond to a designated horizon year in Table 1. This provision shall not apply to MPO TIP amendments. | Federal regulations require TIPs to be consistent with Regional Transportation Plans and represent a near- term investment plan for those priorities established in the RTP. TIPs shall "reflect the investment priorities established in the current metropolitan plan..." (CFR 450.326(a)) and "each project or project phase included in the TIP shall be consistent with the approved [regional] transportation plan." (CFR 450.325(i)). Further, since TIPs represent a near term investment strategy, there is no meaningful result from analyzing those investments against longer term horizon years well beyond the term of the TIP since such analysis will have been completed for the Regional Transportation Plan. |
| 8.02.1 | Kelly Blynn, Colorado Energy Office 10/13/21 | 8.02.1 Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. For Regionally Significant Projects that have undergone project-level modeling and analysis, the project-level GHG emissions and estimated induced travel shall also be included. This provision shall not apply to MPO TIP amendments. | |
| 8.02.1 | Kelly Blynn, Colorado Energy Office 10/13/21 | | | 8.02.1: Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1 2. This provision shall not apply to MPO TIP amendments. |

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| 8.02.1 | Tamara Ward, MOVE Colorado 10/13/21 | 8.02.1 Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | | 8.02.1: Similar to the comment on Table 1, i.e., whether data from the different agencies will be directly comparable, is there a plan in place in case the baseline CO2e values differ? If the MPO's calculated value is under the Table 1 baseline value, would that difference count toward GHG reduction? |
| 8.02.1 | Jennifer Ivey, Pikes Peak Rural Transportation Authority 10/14/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Proposed Change to the Process for Determining Compliance (8.02.1) 8.02.1 - Analysis Requirements When Adopting or Amending an Applicable Planning Document Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects; provided that such analysis shall not include transportation projects disclosed to CDOT and MPO for purposes of 23 C.F.R. § 450.326(f). The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | |
| 8.02.1 | John Liosatos, PPACG 10/14/21 | 8.02.1 Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | | 8.02.1 Analysis Requirements – It is our understanding that the rule requires the MPO to model TIP documents when they are first adopted for each of the horizon years. If we understand this correctly, there should be no change in results, as the modeling will be exactly the same as when the long-range plan was first adopted. If the intent is to only model the projects included in the TIP against horizon year goals, this is meaningless unless greater direction is provided in the rule. Either way, the rule provides insufficient detail to apply to the adoption of TIP documents. Recommendation: Strike "TIP" from the definition of section 1.02 "Applicable Planning Document" |
| 8.02.1 | Bruce Barker, Weld County- 10/14/21 | 8.02.1 Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and determine whether the applicable reduction targets compare these emissions to the Baseline specified in Table 1 have been met. This provision shall not apply to MPO TIP amendments. | Other sections (i.e., 8.02.4.1, 8.02.5.1, 8.02.5.3, 8.05, etc.) specifically refer to meeting or demonstrating compliance with the reduction levels. It is not clear why Section 8.02.1 requires comparing emissions to the baseline if compliance is assessed based on meeting reduction levels. Weld County recommends CDOT revise the rule language to clarify how compliance is assessed and develop a guidance document that describes the modeling methodology that should be used to determine compliance with the Proposed Rule as shown in Section 8.02.4 below. If compliance is assessed based on meeting reduction levels, comparison to the baseline should not be required and Section 8.02.1 should be revised as shown. |
| 8.02.1 | Medora Bornhoft, NFRMPO- 10/11/2021 | The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each compliance year in Table 1, as long as the compliance year is not in the past and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | The comparison to Table 1 should occur using the GHG Emissions analysis AND the GHG mitigation measures, not just the GHG Emissions analysis |
| 8.02.1 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | ...GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions... | ...GHG emissions and a net VMT analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions and net VMT ... | |

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| 8.02.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Revise §8.02.1 to state "Such analysis shall include the existing transportation network, implementation of future completed regionally significant projects, and all non-regionally significant transportation system investments included in the Plan." | |
| 8.02.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Revise §8.02.1 to state that "The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1 value derived by subtracting the Reduction Level from the Baseline Projection for that same year." | A comparison to the Baseline Projections by themselves is not meaningful in the context of the Rule. Determining compliance should be based on an assessment of the estimated GHG emissions of the Applicable Planning Document against reduced GHG emission value. |
| 8.02.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | Revise §8.02.1 to add the following before the last sentence of the section. "When adopting a TIP, the required emissions analysis will apply to one horizon year corresponding with the last year of the TIP, using interpolation between Table 1 horizon years if the last year of the TIP does not correspond to a designated horizon year in Table 1." | Federal regulations require TIPs to be consistent with Regional Transportation Plans and represent a near-term investment plan for those priorities established in the RTP. TIPs shall "reflect the investment priorities established in the current metropolitan plan..." (CFR 450.326(a)) and "each project or project phase included in the TIP shall be consistent with the approved [regional] transportation plan." (CFR 450.325(i)). Further, since TIPs represent a near term investment strategy, there is no meaningful result from analyzing those investments against longer term horizon years well beyond the term of the TIP since such analysis will have been completed for the Regional Transportation Plan. |
| 8.02.1 | Dana Brosig, GVMP- 11/17/21 | Emissions Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the MOVES Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include, at a minimum the existing transportation network and implementation of Regionally Significant Projects contained in the Applicable Planning Document. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each compliance year in Table 1 as long as the compliance year is not in the past and compare these emissions to the Baseline specified in Table 1. When adopting a TIP, the required emissions analysis will apply to one year corresponding with the last year of the TIP, using interpolation between Table 1 years if the last year of the TIP does not correspond to a designated year in Table 1. This provision shall not apply to MPO TIP amendments. | | Section 8.02.1: Clarify in added text that required emissions analysis is only required for the TIP for NAAs not for those in attainment. |
| 8.02.1 | Kelly Blynn, Colorado Energy Office 11/18/21 | Emissions Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the MOVES Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include, at a minimum the existing transportation network and implementation of Regionally Significant Projects contained in the Applicable Planning Document. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each compliance year in Table 1 as long as the compliance year is not in the past and compare these emissions to the Baseline specified in Table 1. When adopting a TIP, the required emissions analysis will apply to one year corresponding with the last year of the TIP, using interpolation between Table 1 years if the last year of the TIP does not correspond to a designated year in Table 1. This provision shall not apply to MPO TIP amendments. | | We also continue to support reporting project-level modeling results for all Regionally Significant Projects that have undergone that level of analysis, which is likely the case for many projects included in TIPs, to better understand the relative impact of different projects. We also believe the inclusion of this provision supports the project-specific mitigation requirement discussed above. |

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| 8.02.1 | Kelly Blynn, Colorado Energy Office 11/18/21 | Emissions Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the MOVES Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include, at a minimum the existing transportation network and implementation of Regionally Significant Projects contained in the Applicable Planning Document. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each compliance year in Table 1 as long as the compliance year is not in the past and compare these emissions to the Baseline specified in Table 1. When adopting a TIP, the required emissions analysis will apply to one year corresponding with the last year of the TIP, using interpolation between Table 1 years if the last year of the TIP does not correspond to a designated year in Table 1. This provision shall not apply to MPO TIP amendments. | Analysis Requirements When Adopting or Amending an Applicable Planning Document - Each MPO and CDOT shall conduct a GHG emissions analysis using MPO Models or the Statewide Travel Model, and the Approved Air Quality Model, to estimate total CO2e emissions. Such analysis shall include the existing transportation network and implementation of Regionally Significant Projects. The emissions analysis must estimate total CO2e emissions in million metric tons (MMT) for each year in Table 1 and compare these emissions to the Baseline specified in Table 1. For Regionally Significant Projects that have undergone project-level modeling and analysis, the project-level GHG emissions and estimated induced travel shall also be included. This provision shall not apply to MPO TIP amendments. | |
| 8.02.1 | Matt Sura, Environmental Coalition- 11/18/21 | MOVES Model, to estimate total CO2e emissions. Such analysis shall include, at a minimum the existing transportation network and Regionally Significant Projects contained in the Applicable Planning Document. | MOVES Model, to estimate total CO2e emissions. Such analysis shall include, at a minimum the existing transportation network and Regionally Significant Projects. and the GHG Mitigation Measures contained in the Applicable Planning Document. | |
| 8.02.1.1 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | ...Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | ...Baseline specified in Table 1. This provision shall not apply to MPO TIP amendments. | |
| Add section 8.02.1.2 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | Add section 8.02.1.2 | The net VMT analysis will estimate the expected net VMT that would result from the Regionally Significant Projects in the applicable planning document as compared to the reductions required in net VMT in the chart above. | |
| 8.02.2 | Medora Bornhoft, NFRMPO- 9/8/2021 and 10/11/2021 | Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO CODE OF COLORADO REGULATIONS 2 CCR 601-22 Transportation Commission 26 responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | CDOT should also have an IGA required prior to the next 10-year plan |
| 8.02.2 | Bruce Barker, Weld County- 9/24/21 | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | The rule allows for different mode(s) to be used to demonstrate compliance, as compared with the model(s) used to estimate the baseline. Different models could yield different results complicating compliance with the rule--The role of Section 8.02.2 "Agreements on Modeling Assumptions and Execution of Modeling Requirements" in constraining/coordinating the "development and execution" of the models is not clear and should be clarified per our recommendations below. |
| 8.02.2 | Kelly Blynn, Colorado Energy Office 11/18/21 | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. Travel demand models shall be evaluated for adequacy in assessing corridor-level induced travel from regionally significant highway capacity projects, utilizing a checklist developed by the Commission. If adequacy cannot be demonstrated, and for evaluation of induced demand from operational improvements that are not regionally significant projects, off-model calculations relying on robust estimates of induced travel elasticity in similar contexts may be utilized. | |
| 8.02.2 | Bruce Barker, Weld County- 9/24/21 | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | The specific requirements for and components of the "Intergovernmental Agreement" required per Section 8.02.2 should be specified in the rule language, particularly as related to model(s) used in the analyses and assumptions used in the modeling, to ensure consistent modeling methodology. |
| 8.02.2 | Ron Papsdorf, DRCOG- 10/11/21 | | Add §8.02.2.1 MPOs and CDOT shall prepare and publish a calibration and validation report for their respective travel model. The report shall document model components and key parameters and should address how models account for induced travel demand associated with changes to the transportation system. | As part of the required modeling assumptions agreement in §8.02.2, the MPOs and CDOT should document and make publicly available the travel model components and parameters. |

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| 8.02.2 | Duncan Gilchrist, Climate Policy Analyst 350 Colorado 10/12/21 | | | An amendment to draft rule rule 8.02.2 to require that the intergovernmental agreement outlining modeling should be made public in advance of being finalized for greater transparency. Specifically, we request that draft rule rule 8.02.2 be amended to require that the intergovernmental agreement outlining how modeling is to happen be made public well in advance of being finalized. Doing so would allow independent modeling experts and members of the public to review these assumptions and engage in constructive dialogue to improve the effort. |
| 8.02.2 | Kelly Blynn, Colorado Energy Office 10/13/21 | 8.02.2 Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. <i>Travel demand models shall be evaluated for adequacy in assessing corridor-level induced travel from regionally significant highway capacity projects, utilizing a checklist developed by the Commission. If adequacy cannot be demonstrated, and for evaluation of induced demand from operational improvements that are not regionally significant projects, off-model calculations relying on robust estimates of induced travel elasticity in similar contexts may be utilized.</i> | |
| 8.02.2 | John Liosatos, PPACG 10/14/21 | 8.02.2 Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | 8.02.2 Agreements on Modeling Assumptions – This section requires the MPO to enter into an IGA with CDOT on modeling assumptions. Currently each region has authority to make assumptions based on their region's size, population and geographic and economic characteristics. Each MPO is different, and we feel it is inappropriate for CDOT, at the staff level, to inject itself into the MPO modeling process. For example, it is unlikely that PPACG staff would agree with CDOT on how the state is implementing the concept of "induced demand". While the rule makes it seem as if the MPO has a choice in the development of the IGA, the reality is that CDOT is not required to cooperatively develop the assumptions as the lack of an IGA would only harm the MPO. Recommendation: Reword the section to remove the IGA requirement, and have the MPO consult with CDOT on modeling assumptions. We believe that consultations are more consistent with the federal transportation planning guidelines. |
| 8.02.2 | Bruce Barker, Weld County 10/14/21 | 8.02.2 Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | Weld County recommends that additional language be added to the proposed rule in Section 8.02.2 to specify the items that must be addressed and information that must be included in the Intergovernmental Agreement. |
| 8.02.2 | Bruce Barker, Weld County- 11/18/2021 | 8.02.2 Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | Additionally, Weld County recommends CDOT clarify the interaction among and relationship between the groups, teams, interagency processes, and intergovernmental agreements described in the proposed rule and companion documents. |
| 8.02.2 | Shaun Mcgrath, CDPHE- 11/17/21 | | | To support the development of this report, and to further the ongoing sharing of information as it becomes available, the Division specifically requests that CDOT staff be directed to provide annual updates to the Air Quality Control Commission on the status of GHG reduction accomplishments. Details for the updates can be further specified in the Intergovernmental Agreement that is call for in Section 8.02.2. |
| 8.02.2 | Marilen Reimer, ACEC- 11/18/2021 | 8.02.2 Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and Approved Air Quality Model. | | Since CDOT, Colorado Department of Public Health & Environment (CDPHE) and MPOs will have responsibilities in an intergovernmental agreement, it is recommended that a template and more guidance be developed to addresses the contents of the agreement. Furthermore, is it clear who takes the lead on developing the agreement? |

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| 8.02.2 | Bruce Barker, Weld County- 11/18/2021 | Agreements on Modeling Assumptions and Execution of Modeling Requirements. Prior to the adoption of the next RTP for any MPO, CDOT, CDPHE, and each MPO shall enter into an Intergovernmental Agreement which outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model, and MOVES Model. | | the role of this agreement in ensuring consistent modeling assumptions and methodology for GHG emissions analyses is unclear. For example, it is not clear if CDOT, CDPHE, and the MPOs must agree upon a uniform set of modeling assumptions and methodology as implied by the section title (e.g., "Agreements on Modeling Assumptions and Execution of Modeling Requirements"), or if the agreement simply "outlines CDOT, CDPHE, and MPO responsibilities for development and execution of MPO Models or the Statewide Travel Model." Proposed Rule, Section 8.02.2. Weld County requested that additional language be added to the proposed rule in Section 8.02.2 to specify the items that must be addressed and information that must be included in the Intergovernmental Agreement, but this concern has not been addressed. |
| Add 8.02.2.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | | Add §8.02.2.1 MPOs and CDOT shall prepare and publish a calibration and validation report for their respective travel model. The report shall document model components and key parameters and should address how models account for induced travel demand associated with changes to the transportation system. | As part of the required modeling assumptions agreement in §8.02.2, the MPOs and CDOT should document and make publicly available the travel model components and parameters. |
| Add 7 sections (8.02.2.1-8.02.2.7) | Alexandra Shcluntz, Earth Justice- 10/16/2021 | Add 7 sections (8.02.2.1-8.02.2.7) | -The Induced Travel Elasticity for roadway capacity projects shall be set at 1.0 for freeways and 0.75 for arterials. -MPOs will agree to participate in measuring actual VMT on regionally significant projects to assess the accuracy of the models used in predicting VMT. -Regionally Significant Projects will be run through an equity analysis that examines cumulative health impacts to the surrounding communities. Parties to the intergovernmental agreement will commit that no Regionally Significant Project will cause adverse environmental or public health impacts to a Disproportionately or Additionally Impacted Community that is already experiencing degraded environmental conditions relative to the state population. -Parties to the intergovernmental agreement will commit that no Regionally Significant Project will add more than 1 mile of new or added lanes. -Every five years the parties will reassess and improve the models based on how well they have performed against past Induced Travel and GHG emissions data. Third-party experts will be invited to evaluate the modeling and share those findings publicly. -The Parties will work to develop calculators to accurately estimate the GHG and VMT impacts of individual projects, on both a total and per capita level, including the smaller projects on the GHG Mitigation Menu. -By January 1, 2023, CDOT and MPOs are required to use a consistent Activity-Based Model. | |
| 8.02.2.6 | Matt Sura, Environmental Coalition-10/8/21 | | | To bolster confidence, we request that CDOT apply their activity-based model (ABM) to past and current highway expansion projects in Colorado, like the I-25 TREX expansion and the central I-70 widening, to see how they compares to real-world data, and use the results to develop a Colorado-specific empirical model. |
| 8.02.3 | CC4CA - 08/31/21 | 8.02.3 By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | 8.02.3 By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts and benefits of GHG Mitigation Measures, measuring and prioritizing localized impacts and benefits to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact and benefit. Where such impact or benefit affects a Disproportionately Impacted Community, that consideration shall take precedence over others. At least 25% of the Mitigation Measures must have a direct benefit in terms of increased multimodal options to Disproportionately Impacted Communities. | |

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| 8.02.3 | CC4CA - 08/31/21 | 8.02.3 By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | | We appreciate that the plan for selecting GHG Mitigation Measures (8.02.3) and the Mitigation Action Plan (8.02.5.3) express intent to prioritize disproportionately impacted communities. However, since these only take effect "In the event that a plan fails to comply," we ask CDOT to consider commensurate equity provisions in the "Applicable Planning Document[s]" defined in the proposed rule. An emphasis on reducing VMT, discussed in our comments below, also brings a focus on equity because increasing multimodal options can have a direct impact on equity. |
| 8.02.3 | Medora Bornhoft, NFRMPO-9/8/2021 and 10/11/2021 | By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. | By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach to assist in meeting the Regional GHG Planning Reduction Levels in Table 1. | -Unclear what these terms mean. The rule already provides a process for reporting the status of the measures- would this process impact the format/approval process of the mitigation report and/or status report? -Agencies may choose to report these measures even though they don't enable reaching the reduction levels (i.e. they still fall short). Not sure if the suggested language goes far enough to explain that concept. |
| 8.02.3 | Jenny Gaeng, Conservation Colorado-10/21/21 | "If Mitigation Measures are needed to count toward the reduction levels in Table 1, the MPO or CDOT shall submit a Mitigation Action Plan that includes at the discretion of the MPO or CDOT, submission of a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet that will count toward the reduction levels within Table 1. The Mitigation Action Plan shall include:" | | Add to section: quantify a "VMT decrease" or define what revisions the Commission may consider if such a decrease does not occur." |
| 8.02.3 | Alexandra Shcluntz, Earth Justice-10/16/2021 | ...Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | ...Regional GHG and VMT Planning Reduction Levels in Table 1 and Table 2. Such a process shall include, but not be limited to, determining the relative and absolute impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities and Additionally Impacted Communities in particular. The scoring of competing projects shall be public and transparent. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact and benefit. | |
| 8.02.3-8.02.5.3.4 | Matt Sura, Environmental Coalition-10/8/21 | | | Disproportionately impacted communities should receive direct benefits from lowering GHG pollution and VMT from transportation planning. The percentage of direct benefits must be commensurate or greater than the proportion of disproportionately impacted population in the affected planning area. ● Require reductions in GHG pollution and VMT to directly affect disproportionately impacted communities in a percentage commensurate with the percentage of population within that planning area living within a disproportionately impacted community as defined by HB21-1261. This level is estimated to be 30% statewide but will vary within individual MPOs and TPRs. (Alt. Rules 8.02.3; 8.05.3) ● Avoid making a bad situation worse in our most-polluted communities by including a requirement that no Applicable Planning Document, including the near-term Four Year Prioritized Plans and Transportation Improvement Programs (TIPs), shall produce a net increase in greenhouse gas or co-pollutant emissions in disproportionately-impacted communities already experiencing degraded environmental conditions relative to the state population unless those environmental or public health impacts are entirely mitigated. (Alt. Rule 8.05.3) |

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| 8.02.3 | Ron Papsdorf, DRCOG- 10/11/21 | By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | Revise §8.02.3 to state "By April 1, 2022, CDOT shall establish an ongoing administrative process and guidelines , through a public process and in consultation with MPOs , for selecting, measuring, confirming, and verifying GHG Mitigation Measures... so that CDOT and MPOs can may incorporate one or more GHG Mitigation Measures into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process and guidelines shall include, but not be limited to, how CDOT and MPOs should determining the relative impacts of GHG Mitigation Measures, and measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | §8.02.3 states that CDOT shall establish an ongoing administrative process...for selecting...GHG Mitigation Measures..." A statewide process may not reflect that some measures may be more appropriate in one area or another and their relative impact will likely differ depending on the context. The Rule should allow flexibility for MPOs to select appropriate mitigation measures, through their decision-making processes, with guidance developed by CDOT. |
| 8.02.3 | Medora Bornoft, NFRMPO- 10/11/2021 | | "The State Interagency Consultation Team shall meet as needed to conduct and consider requests for feasibility reviews of the GHG Reduction Levels and to address any questions on the classification of projects as Regionally Significant, modeling assumptions, and projects that reduce GHG emissions." | Add new section before "By April..." |
| 8.02.3 | Tamara Ward, MOVE Colorado 10/13/21 | 8.02.3 By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | | 8.02.3: Please provide clarity on how GHGs impacts to Disproportionately Impacted Communities will be assessed. Similar to ozone, GHGs are usually examined on a larger scale and not on a smaller scale, like a neighborhood or specific project study area. |
| 8.02.4 | Bruce Barker, Weld County, 10/14/21 | | By April 1, 2022, CDOT shall develop, through a public process, a guidance document that describes the modeling methodology that should be used to conduct the GHG emissions analysis described in Section 8.02.1 and the process for assessing compliance with the GHG Transportation Planning Reduction Levels specified in Table 1. This guidance document shall describe how the actions taken by the Enterprises created under SB21-260 that reduce GHG emissions may be counted as GHG Mitigation Measures to comply with the reductions level specified in Table 1. | Weld County recommends CDOT revise the rule language to clarify how compliance is assessed and develop a guidance document that describes the modeling methodology that should be used to determine compliance with the Proposed Rule. Weld County recommends this guidance document be developed through a public stakeholder process by April 1, 2022 and inform the development of the Intergovernmental Agreement described in Section 8.02.2. Weld County recommends that CDOT clarify, through revised rule language or a guidance document accompanying the Proposed Rule, how Enterprise activities interact with the actions taken by CDOT and MPOs as a part of the Proposed Rule, particularly as related to GHG mitigation measures. Weld County believes that the Proposed Rule should foster collaboration to reduce GHG emissions, and thus the rule should allow CDOT and MPOs to take credit for GHG emission reductions from transportation in their respective regional areas regardless of the project proponent (i.e., local governments, enterprises, etc.). |
| 8.02.3 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | By April 1, 2022, CDOT shall establish an ongoing administrative process, through a public process, for selecting, measuring, confirming, and verifying GHG Mitigation Measures, so that CDOT and MPOs can incorporate one or more into each of their plans in order to reach the Regional GHG Planning Reduction Levels in Table 1. Such a process shall include, but not be limited to, determining the relative impacts of GHG Mitigation Measures, measuring and prioritizing localized impacts to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community impact. | By April 1, 2022, CDOT in consultation with the MPOs shall establish ... Such a process and guidelines shall include, but not be limited to, how CDOT and MPOs should determine the relative benefits impacts co-benefits of GHG Mitigation Measures, and measure and prioritize localized benefits impacts co-benefits to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both aggregate and community co-benefits impact. | |

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| 8.02.4 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | | | CC4CA suggests that new language be added to Section 8.02 (as a new Section 8.02.4) reflect the language in the Preamble addressing the Geographic Nexus with Impacts ("Where regionally significant projects are projected to increase net greenhouse gas emissions, those emissions should be offset with project-specific mitigation measures that benefit communities that will be impacted by the project.") that would guarantee that 100% of project impacts are offset. New language would read: 8.02.4 The localized GHG mitigation co-benefits must be commensurate with the localized harmful air pollution impacts of highway capacity projects. |
| 8.02.4.2.1 | Medora Bornhoft, NFRMPO- 9/8/2021 and 10/11/2021 | CDOT must for each Applicable Planning Document, meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule 8.05 | CDOT must For each Applicable Planning Document adopted or amended after October 1, 2022 , CDOT must meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule 8.05 8.02.5.1.1. | As proposed, the rule implies the applicable plans must comply immediately after October 1, 2022. |
| 8.02.4.1 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | ...the reduction levels in Table 1 or the... | ...the reduction levels in Table 1 and Table 2 or the... | |
| 8.02.4.2.1 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | ...Table 1 for Non-MPO... | ...Table 1 and in Table 2 for Non-MPO... | |
| 8.02.4.2.2 | Alexandra Shcluntz, Earth Justice- 10/16/2021 | ...levels within Table 1 for each... | ...levels within Table 1 and in Table 2 for each... | |
| 8.02.4.2.2 | Medora Bornhoft, NFRMPO- 10/11/2021 | MPOs must meet either the corresponding reduction levels within Table 1 for each Applicable Planning Document, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.05. | MPOs must meet either the corresponding reduction levels within Table 1 for each Applicable Planning Document; adopted or amended after October 1, 2022, MPOs must either meet the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.05 8.02.5.1.1 or Rule 8.02.5.1.2, as applicable. This provision shall not apply to MPO TIP Amendments. | Only having this language in section 8.02.1 means we'd still have to comply and submit a report for TIP Amendments, it just wouldn't have the emissions analysis. Is that the intent? |
| 8.02.4.2 | Dana Brosig, GVMPO- 10/13/21 | MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.02.6.1.1 or Rule 8.02.6.1.2, as applicable This provision shall not apply to MPO TIP Amendments. | MPOs must meet either demonstrate compliance set forth in 8.02.05, the corresponding reduction levels within Table 1 for each Applicable Planning Document or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.05. | |
| 8.02.4.2.2 | Jennifer Ivey, Pikes Peak Regional Transportation Authority 10/14/21 | 8.02.4.2.2 MPOs must meet either the corresponding reduction levels within Table 1 for each Applicable Planning Document, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.05. | 8.02.4.2.2 MPOs in a Nonattainment Area must meet either the corresponding reduction levels within Table 1 for each Applicable Planning Document, or the relevant applicable MPO and CDOT each must meet the requirements as set forth in Rule 8.05. An MPO in Attainment Areas may, in its sole discretion, consider the corresponding reduction levels within Table 1 for each Applicable Planning Document and may voluntarily provide any Applicable Planning Document to APCD and/or the Commission for review and comment. | |
| 8.02.4.1, 8.02.5.1, 8.02.5.3, 8.05 | Bruce Barker, Weld County- 9/24/21 | | | However, other sections (i.e., 8.02.4.1, 8.02.5.1, 8.02.5.3, 8.05, etc) specifically refer to meeting or demonstrating compliance with the reduction levels. In particular, Section 8.05 states "The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance." -Therefore, it's not clear why Section 8.02.1 requires comparing emissions to the baseline if compliance is assessed based on meeting reduction levels. |
| 8.02.5 | Bruce Barker, Weld County- 9/24/21 | GHG Transportation Reports must be submitted to the TC at least thirty (30) days prior to adoption of any Applicable Planning Document. | | Based on the timeframes specified in Section 8.04.1 and Section 8.02.5, it seems there the potential for a GHG Transportation Report to be submitted to the TC 15 days after submission to APCD, whereby the TC could potentially reach a compliance determination prior to the end of the 30-day APCD review period. In such a scenario, the TC could act upon the GHG emissions estimates presented in the GHG Transportation Report without such estimates having undergone technical review, or while technical review from APCD is still underway. |

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| 8.02.5 | Medora Bornhoft, NFRMPO-9/8/2021 and 10/11/2021 | Demonstrating Compliance. At least thirty (30) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to the Commission a GHG Transportation Report containing the following information: | Demonstrating Compliance. At least thirty (30) days prior to adoption or amendment of any Applicable Planning Document except amendments to MPO TIPS . CDOT for Non-MPO areas and the MPOs for their areas shall provide to the Commission a GHG Transportation Report containing the following information: | The rule needs to clearly identify that compliance is not based solely on the GHG emissions analysis (or the GHG emissions analysis needs to clearly identify that the mitigation measures are included in the analysis). |
| 8.02.5.1 | Medora Bornhoft, NFRMPO-9/8/2021 | GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met | GHG emissions analysis and if applicable, a GHG Mitigation Plan demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | Only having this language in section 8.02.1 means we'd still have to comply and submit a report for TIP Amendments, it just wouldn't have the emissions analysis. Is that the intent? |
| 8.02.5.1 | Alexandra Shcluntz, Earth Justice-10/16/2021 | GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | GHG emissions and VMT analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 and net VMT for each compliance year in Table 2 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | |
| 8.02.5.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | | §8.02.5.1 states that the required GHG Transportation Report contain a "GHG emissions analysis demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1..." Since these Applicable Planning Documents also include non-regionally significant program and project investments that have impacts on travel demand and GHG emissions, the required analysis should include the full set of investment priorities in order to fully assess the plan's estimated total CO2e emissions. |
| 8.02.5.1.1 | Medora Bornhoft, NFRMPO-10/11/2021 | In non-MPO areas or for MPOs that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department utilizes 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in those areas on projects that reduce GHG emissions. | In non-MPO areas or for MPOs that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department utilizes 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in those areas on projects that reduce GHG emissions. | If "or" is retained here, it is unclear which provision applies to MPOs that receive only one of the federal suballocations |
| 8.02.5.1.1 | Alexandra Shcluntz, Earth Justice-10/16/2021 | Regionally Significant Projects in those areas on projects that reduce GHG emissions. | ...Regionally Significant Projects in those areas on projects that reduce GHG emissions and reduce VMT . | |
| 8.02.5.1.2 | Medora Bornhoft, NFRMPO-9/8/2021 | In MPO areas that are in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the MPO utilizes those funds on projects or approved GHG Mitigation Measures that reduce GHG emissions | In MPO areas that are in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the MPO utilizes shall award those funds anticipated to be expended on Regionally significant Projects onto projects or approved GHG Mitigation Measures that reduce GHG emissions, and CDOT utilizes shall award 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in that MPO area, on projects that reduce GHG emissions. | Unclear when this takes effect. Projects currently in progress should not have their funding removed, as that would be highly disruptive. The least disruptive approach is to apply the requirement to future awards. |
| 8.02.5.1.2 | Ron Papsdorf, DRCOG- 10/11/21 | | In MPO areas that are in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the MPO utilizes some or all of those funds on projects or approved GHG Mitigation Measures that reduce GHG emissions, and CDOT utilizes some or all 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in that MPO area, on projects that reduce GHG emissions as necessary to achieve the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1. | The language in §8.02.5.1.2 is not clear about whether all CMAQ and STBG funds would have to be used on "projects or approved GHG Mitigation Measures...". In addition, specific federal requirements and regulations apply to the use of CMAQ funds. Restricting the use of all CMAQ funds as proposed in the Rule may limit nonattainment areas from meeting current federal air quality standards. Likewise, restricting the use of all STBG funds to projects that reduce GHG emissions may limit the ability of DRCOG to invest in important safety, operations, reconstruction, and other non-regionally significant projects necessary for the RTP to address all required federal planning considerations. The provisions in §8.02.5.1.2 should allow flexibility for the MPO to specify only those funds that are to be spent on additional mitigation measures necessary to achieve the GHG emissions levels. |
| 8.02.5.1.2 | Alexandra Shcluntz, Earth Justice-10/16/2021 | ...on projects that reduce GHG emissions. | ...on projects that reduce GHG emissions and reduce VMT . | |
| 8.02.5.2 | Bruce Barker, Weld County-9/24/21 | Identification and documentation of the MPO Model or the Statewide Travel Model and the Approved Air Quality Model used to determine GHG emissions in MMT of CO2e." | | The rule allows for different model(s) to be used to estimate the baseline. Different models could yield different results complicating compliance with the rule. The rule allows for the use of MPO models or the Statewide Travel Model when performing GHG emissions analyses. |
| 8.02.5.2 | Matt Sura, Environmental Coalition-10/8/21 | | | Include more specific provisions in the Intergovernmental Agreement to improve modeling accuracy and require periodic review. |
| 8.02.5.2 | Alexandra Shcluntz, Earth Justice-10/16/2021 | ...Travel Model and the Approved Air Quality Model used to determineGHG emissions in MMT of CO2e. | ...Travel Model and the Approved Air Quality Model used to determineGHG emissions in MMT of CO2e and net VMT . | |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|------------|---|--|--|--|
| 8.02.5.1 | Marilen Reimer, ACEC-11/18/2021 | By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs pursuant to § 43-4-1103, C.R.S. and meet the reduction levels in Table 1 or the requirements pursuant to § 43-4-1103, C.R.S and restrictions on funds. | | The Rules require CDOT to update its 10-Year Plan and Denver Regional Council of Governments and North Front Range Metropolitan Planning Organization to update their RTPs by Oct. 1, 2022. Given these rules represent new requirements, we recommend establishing a one-year timeframe from rule adoption to demonstrate compliance. If this change is made, Sections 8.02.5.2 and 8.02.5.3 will need to be modified by removing the phrase, "...after Oct. 1, 2022" and replacing it with "...following one-year after rule adoption." |
| 8.02.5.3 | Dana Brosig, GVMPO- 11/17/21 | MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1 or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.05 8.02.6.1.1 or Rule 8.02.6.1.2, as applicable This provision shall not apply to MPO TIP Amendments | Section 8.02.5.3- Change text as shown in red below: MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.02.6, as applicable. This provision shall not apply to MPO TIP Amendments or adoption of new TIPs for MPOs in attainment. | |
| 8.02.5.3 | CC4CA - 08/31/21 | 8.02.5.3 A Mitigation Action Plan that identifies GHG Mitigation Measures needed to meet the reduction levels within Table 1 shall include: 8.02.5.3.1 The anticipated start and completion date of each measure. 8.02.5.3.2 An estimate, where feasible, of the GHG emissions reductions in MMT of CO2e achieved by any GHG Mitigation Measures. 8.02.5.3.3 Quantification of specific co-benefits including reduction of copollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). 8.02.5.3.4 Description of benefits to Disproportionately Impacted Communities. | | We appreciate that the plan for selecting GHG Mitigation Measures (8.02.3) and the Mitigation Action Plan (8.02.5.3) express intent to prioritize disproportionately impacted communities. However, since these only take effect "In the event that a plan fails to comply," we ask CDOT to consider commensurate equity provisions in the "Applicable Planning Document[s]" defined in the proposed rule. An emphasis on reducing VMT, discussed in our comments below, also brings a focus on equity because increasing multimodal options can have a direct impact on equity. |
| 8.02.5.3 | Medora Bornhoft, NFRMPO-9/8/2021 and 10/11/2021 | A Mitigation Action Plan that identifies GHG Mitigation Measures needed to meet the reduction levels within Table 1 shall include: | At the discretion of the MPO or CDOT, submission of a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet that will count toward the reduction levels within Table 1. The Mitigation Action Plan shall include: | Rule should allow an agency to not submit a Mitigation Action Plan. If the GHG analysis demonstrates compliance, no mitigation measures would be needed. -10/11/2021: Again, measures would likely be identified even if they don't allow the agency to meet the reduction levels. |
| 8.02.5.3 | Alexandra Shcluntz, Earth Justice-10/16/2021 | A Mitigation Action Plan that identifies GHG Mitigation Measures needed to meet the reduction levels year within Table 1 and shall include: | A Mitigation Action Plan that identifies GHG Mitigation Measures needed to meet the reduction levels for each compliance year within Table 1 and Table 2 shall include: | |
| 8.02.5.3.2 | CC4CA - 08/31/21 | 8.02.5.3.2 An estimate, where feasible, of the GHG emissions reductions in MMT of CO2e achieved by any GHG Mitigation Measures. | | 8.02.5.3.2 An estimate, where feasible , of the GHG emissions reductions in MMT of CO2e achieved by any GHG Mitigation Measures. It's expected there will be rare situations where GHG estimates are not feasible. |
| 8.02.5.3.2 | Medora Bornhoft, NFRMPO-10/11/21 | An estimate, where feasible, of the GHG emissions reductions in MMT of CO2e achieved by any GHG Mitigation Measures. | An estimate, where feasible, of the annual GHG emissions reductions in MMT of CO2e achieved per year by any GHG Mitigation Measures. | |
| 8.02.5.3.2 | Alexandra Shcluntz, Earth Justice-10/16/2021 | An estimate, where feasible, of the GHG emissions reductions in MMT of CO2e achieved by any GHG Mitigation Measures. | An estimate, where feasible , of the GHG emissions reductions in MMT of CO2e and the anticipated net VMT reductions achieved by any GHG Mitigation Measures. | |
| 8.02.5.3.3 | Alexandra Shcluntz, Earth Justice-10/16/2021 | Quantification of specific co-benefits including reduction of copollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). | Quantification of specific co-benefits including reduction of copollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to per capita VMT within the project area , pedestrian/bike use, transit ridership numbers, etc. as applicable). | |
| 8.02.5.3.3 | Medora Bornhoft, NFRMPO-10/11/21 | Quantification of specific co-benefits including reduction of copollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). | Quantification of specific co-benefits, where feasible , including reduction of copollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). | |
| 8.02.5.3.4 | Alexandra Shcluntz, Earth Justice-10/16/2021 | Description of benefits to Disproportionately Impacted Communities. | At least 40% of funds allocated to projects that benefit Disproportionately Impacted Communities and Additionally Impacted Communities, and a description of those benefits. | |
| 8.02.5.3.4 | CC4CA - 08/31/21 | 8.02.5.3.4 Description of benefits to Disproportionately Impacted Communities. | 8.02.5.3.4 Description of benefits to Disproportionately Impacted Communities and a demonstration of how at least 25% of mitigation measures will directly benefit Disproportionately Impacted Communities. | |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|--------------------------------|--|---|---|--|
| Addition of Section 8.02.5.3.5 | Alexandra Shcluntz, Earth Justice-10/16/2021 | Addition of Section 8.02.5.3.5 | Records of input received during the public comment process for development of the Mitigation Action Plan and responses to input received. | |
| 8.02.6 | Medora Bornhoft, NFRMPO-10/11/21 | Reporting on Compliance- Annually by April 1, CDOT and MPOs must provide a status report to the Commission on an approved form with the following items for each GHG Mitigation Measure identified in their most recent GHG Transportation Report: | Reporting on Compliance- Following the submission of a GHG Transportation Report containing a Mitigation Action Plan, Annually by April 1 , CDOT and MPOs must provide a status report to the Commission annually by April 1 on an approved form with the following items for each GHG Mitigation Measure identified in their most recent GHG Transportation Report: | |
| 8.02.6 | Bruce Barker, Weld County-11/18/2021 | Demonstrating Compliance. At least thirty (30) days prior to adoption or amendment of any Applicable Planning Document except amendments to MPO TIPs, CDOT for NonMPO areas and the MPOs for their areas shall provide to the Commission a GHG Transportation Report containing the following information: | | GHG Transportation Reports must be submitted to the TC at least thirty days prior to adoption or amendment of any Applicable Planning Document. In some instances, the GHG Transportation Report may be submitted to the TC 15 days after submission to the APCD, and the TC could reach a compliance determination before the APCD completes its review. Thus, the overlapping timeframe could result in the TC accepting a GHG Transportation Report that the APCD deemed unacceptable at the end of its 30-day review period. ¹⁸ |
| 8.02.6.3-8.02.6.3.3 | Bruce Barker, Weld County-11/18/2021 | | | Sections 8.02.6.3 and 8.02.6.3.3 of the proposed rule state, respectively, "The Mitigation Action Plan shall include:" "Quantification of specific co-benefits where feasible including reduction of co pollutants (PM2.5, NOX, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable)." |
| 8.02.6.1.1 | Dana Brosig, GVMPO- 11/17/21 | 8.02.6.1.1 In non-MPO areas or for MPOs that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department utilizes 10-Year Plan funds anticipated to be expended in MPO areas and on 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in non-MPO areas those areas on projects or approved GHG Mitigation Measures that reduce GHG emissions as necessary to achieve the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1. | | Section 8.02.6.1.1- For increased clarity, split text into non-MPO areas/CDOT and MPOs that do not receive CMAQ/STBG funding. Add sub-section headings. |
| 8.02.6.3.2 | Bruce Barker, Weld County | An estimate, where feasible, of the annual GHG emissions reductions in MMT of CO2e achieved per year by any GHG Mitigation Measures. | | Weld County recommends CDOT require quantification of GHG emission reductions from mitigation measures included in a Mitigation Action Plan. Therefore, "where feasible" should be removed as shown here. Additionally, the Mitigation Policy Overview companion document should be revised consistent with this requirement and any discussion of a GHG effectiveness score or point system should be removed. |
| 8.02.6.3 | Dana Brosig, GVMPO- 11/17/21 | If Mitigation Measures are needed to count toward the reduction levels in Table 1, the MPO or CDOT shall submit a Mitigation Action Plan that includes at the discretion of the MPO or CDOT, submission of a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet that will count toward the reduction levels within Table 1. | | Section 8.02.6.3- New text makes first paragraph unclear. Mitigation Policy Overview also states that the Mitigation Action Plan include cost and funding source for Mitigation Measures, which is not currently included in the Rule. |
| 8.02.6.3.3 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | 8.02.6.3 For measures that are in progress or completed, quantification of the benefit or impact of such measures; and | | Quantification of specific co-benefits where feasible including reduction of harmful air pollutants co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). |
| Add section 8.02.6.3.4 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | | 8.02.6.3.4 Description of benefits to Disproportionately Impacted Communities and a demonstration that the percentage of total investment for GHG mitigation measures in these communities was at least equivalent to the percentage of residents living in Disproportionately Impacted Communities within each MPO region. Colorado's Data Viewer for Disproportionately Impacted Communities should be used to retrieve this data, and the Colorado EnviroScreen tool currently being developed should take over this function when complete. For transportation projects that span multiple communities, CDOT or the MPO shall calculate the percentage of the project investment located within each community when determining compliance with the investment requirement. | Section 8.02.6.3 (the section that CC4CA suggests should be 8.02.6.4) includes a list of requirements for the Mitigation Action Plan, but to ensure a minimum level of GHG mitigation investment in DI communities, the rule should guarantee a proportionate amount of benefits in these communities. New language should be added to this section as follows:[See "Specific Edits"] |
| 8.02.6.4 | Alexandra Shcluntz, Earth Justice-10/16/2021 | For measures that are delayed, cancelled, or substituted, an explanation of why that decision was made. | For measures that are delayed, cancelled, or substituted, an explanation of why that decision was made and the public input received on the substitution decision. | |

Summary of All Public Comments Received for Transportation Planning Rule

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|------------|--|---|---|------------------|
| 8.02.8.1 | Matt Sura, Environmental Coalition- 11/18/2021 | GHG emissions analysis and, if applicable, a GHG Mitigation Plan demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | GHG emissions analysis and, if applicable, a GHG Mitigation Action Plan demonstrating that the Applicable Planning Document is in compliance with the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1 or that the requirements in Rules 8.02.5.1.1 or 8.02.5.1.2., as applicable, have been met. | |
| 8.02.8.3 | Matt Sura, Environmental Coalition- 11/18/2021 | Add Section | An analysis of harmful air pollutant emissions and co-benefits showing how projects that reduce emissions were prioritized in Disproportionately Impacted Communities and how project-specific emissions reduction measures benefitted communities that were impacted by projects. This analysis must incorporate an evaluation of the level of community engagement in proposed projects and expected effect on Disproportionately Impacted Communities, including but not limited to answers to the "key questions" posed by Colorado's Climate Equity Framework or a comparable framework that may succeed it. | |
| 8.02.8.4 | Matt Sura, Environmental Coalition- 11/18/2021 | If Mitigation Measures are needed to count toward the reduction levels in Table 1, the MPO or CDOT shall submit a Mitigation Action Plan that includes at the discretion of the MPO or CDOT, submission of a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet that will count toward the reduction levels within Table 1. The Mitigation Action Plan shall include: | If Mitigation Measures are needed to count toward the reduction levels in Table 1, the MPO or CDOT shall submit a Mitigation Action Plan that includes at the discretion of the MPO or CDOT, submission of a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet that will count toward the reduction levels within Table 1. The Mitigation Action Plan shall include: | |
| 8.02.6.3.3 | Matt Sura, Environmental Coalition- 11/18/2021 | Quantification of specific co-benefits where feasible including reduction of co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). | Quantification of specific co-benefits where feasible including reduction of harmful air pollutants co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership numbers, etc. as applicable). | |
| 8.02.6 | Matt Sura, Environmental Coalition- 11/18/2021 | Description of benefits to Disproportionately Impacted Communities. | Description of benefits to Disproportionately Impacted Communities and a demonstration that the percentage of total investment for GHG mitigation measures in these communities was at least equivalent to the percentage of residents living in Disproportionately Impacted Communities within each MPO region. Colorado's Data Viewer for Disproportionately Impacted Communities should be used to retrieve this data, and the Colorado EnviroScreen tool currently being developed should take over this function when complete. For transportation projects that span multiple communities, CDOT or the MPO shall calculate the percentage of the project investment located within each community when determining compliance with the investment requirement. | |

Summary of All Public Comments Received for Transportation Planning Rule

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|---------|---|---|--|---|
| 8.03.0 | Danny Katz, COPIRG- 10/22/21 | GHG Mitigation Measures | | We encourage CDOT to consider adding ways to reward projects that consider the positive impacts of a network of travel options versus isolated improvements like a transit line or a bike lane. For example, rewarding projects that show that new transit service is paired with sidewalk, biking, and safety improvements that feed the service by providing safer connections to the surrounding neighborhoods. Ultimately, we need better networks, not just individual projects. |
| 8.03.0 | Ron Papsdorf, DRCOG- 10/11/21 | | | Add a provision to require sponsors of regionally significant roadway capacity projects to identify and include GHG Mitigation Measures when including the project in a TIP or the STIP. Many of the what the Rule calls GHG Mitigation Measures are planned investments already identified in the DRCOG 2050 RTP. And in the context of a 30-year RTP, these investments are not "mitigations" and should not be reported annually. Mitigations are actions that are taken to avoid, minimize, or compensate for the impacts of a specific action (project). Therefore, the more appropriate application of many mitigation measures is in the context of a specific roadway project and should be documented and tracked as part of the project's implementation through the TIP or STIP. |
| 8.03.0 | Alexandra Schluntz, Earth Justice- 10/16/2021 | GHG Mitigation Measures. When assessing compliance with the GHG Reduction Levels, CDOT and MPOs shall have the opportunity to utilize approved GHG Mitigation Measures as set forth in Rules 8.02.3 and 8.02.5.3 to offset emissions, and... | GHG Mitigation Measures. When assessing compliance with the GHG and VMT Reduction Levels, CDOT and MPOs shall have the opportunity to utilize approved GHG Mitigation Measures as set forth in Rules 8.02.3 and 8.02.5.3 to offset emissions, reduce VMT, and... | |
| 8.03.0 | Dana Brosig, GVMPO-11/17/21 | GHG Mitigation Measures. When assessing compliance with the GHG Reduction Levels, CDOT and MPOs shall have the opportunity to utilize approved GHG Mitigation Measures as set forth in Rules 8.02.3 and 8.02.5.3 to offset emissions and demonstrate... | | Section 8.03- Check referenced sections. Section 8.02.3 and 8.02.5.3 do not describe GHG Mitigation Measures |
| 8.03.1 | John Liosatos, PPACG- 11/12/2021 | The addition of transit resources in a manner that can displace VMT including in rural areas where the public may travel to a community for work but live outside that area due to affordability of housing | | 8.03.1 – Transit to outside areas deemed a mitigation measure. We believe this measure rewards communities for implementing zoning not conducive to the spirit of this rule making. Communities that implement "growth boundary" type zoning regulations should not be allowed to count mitigation for situations that they cause toward their GHG goals. |
| 8.03.2 | Matt Sura, Environmental Coalition- 10/8/21 | | | we recommend adding provisions to Section 8.03.2 to create requirements for the Intergovernmental Agreement on the modeling. These recommendations will ensure that CDOT and all the MPOs are using consistent models and assumptions, and create a process to periodically review, reassess, and refine the models based on how well they perform against real-world data. |
| 8.0.3 | CC4CA | | | However, this rule must prioritize projects that directly improve local air quality while providing needed local clean transportation services by reducing VMT. Section 8.0.3, GHG Mitigation Measures in includes a list of good examples for the type of project that that should be prioritized. Certain measures such as these that (1) fill the transit gap in communities that are being pushed further from community centers; (2) increase affordable EV ownership and charging; and (3) evolve neighborhoods toward "complete streets" should be discussed with the community and considered as best practices that should be implemented in all disproportionately impacted communities. |
| 8.03 | Tamara Ward, MOVE Colorado 10/13/21 | | | 8.03: GHG Mitigation Measures We understand that the list of GHG mitigation measures is not exhaustive; however, many of these appear to be actions neither CDOT nor MPOs will have the authority to mandate. We request clarity on how CDOT and the MPOs will utilize these measures. In addition, we request clarity on how GHG emission reduction estimates will be calculated. It will be nearly impossible to generate defensible GHG emission reduction estimates for the mitigation measures listed in paragraph 8.03. |

Summary of All Public Comments Received for Transportation Planning Rule

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|---------|--|---|----------------|--|
| 8.03 | John Liosatos, PPACG 10/14/21 | | | <p>8.03 GHG Mitigation Measures – We believe that this section is the key to making the rule workable in the long term. If the “credit” for implementing these activities is not meaningful, then, in concert with the sizable GHG reduction goals and CDOT modeling assumptions, federally-funded capacity projects will be difficult if not impossible to program/implement.</p> <p>We understand that certain stakeholders may actually desire eliminating future roadway capacity projects in the MPO areas. However, we believe that a de facto ban on capacity projects is bad public policy and in fact could lead to more GHG through increased congestion, and have the unintended consequence of directing future growth outside of the existing urban areas.</p> <p>Recommendation: Direct CDOT staff to develop a meaningful credit system that will allow important projects to move forward while at the same time promotes the implementation of mitigation measures that are appropriate as context-sensitive solutions to the needs of each individual MPO area.</p> |
| 8.03 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | | | <p>Section 8.03 GHG Mitigation Measures o Add a provision to require sponsors of regionally significant roadway capacity projects to identify and include GHG Mitigation Measures when including the project in a TIP or the STIP.</p> <p>Many of the what the Rule calls GHG Mitigation Measures are planned investments already identified in the DRCOG 2050 RTP. And in the context of a 30-year RTP, these investments are not “mitigations” and should not be reported annually. Mitigations are actions that are taken to avoid, minimize, or compensate for the impacts of a specific action (project). Therefore, the more appropriate application of many mitigation measures is in the context of a specific roadway project and should be documented and tracked as part of the project’s implementation through the TIP or STIP.</p> |
| 8.03 | Marilen Reimer, ACEC- 11/18/2021 | | | <p>Comment #1: This portion of the Rules references 8.02.3 in the context of establishing approved GHG Mitigation Measures. Specifically, 8.02.3 discusses meetings held by the State Interagency Consultation Team. Should the reference be changed to “Section 8.02.4”?</p> <p>Comment #2: The mitigation measures listed in this section include measures that are based on encouraging certain changes in commercial development, parking policies and education programs along with changes in various industries (e.g., trucking, construction). These are areas that CDOT and MPOs do not control in terms of implementation. Although these measures would have a positive impact on GHG emissions, they should not be perceived as options that can be chosen from a list of illustrative examples, unless third-party commitments have been made for their incorporation into a project.</p> |
| 8.03.3 | Medora Bornhoff, NFRMPO- 9/8/2021 | Encouraging local adoption of more effective forms of vertical development and zoning plans that integrate mixed use in a way that links and rewards transportation project investments with the city making these changes. | | The language is unclear |
| 8.03.3 | Danny Katz, COPIRG- 10/22/21 | Encouraging local adoption of more effective forms of vertical development and zoning plans that integrate mixed use and in a way that links and rewards transportation project investments with the city making these changes. | | We encourage CDOT to consider adding ways to reward projects that consider the positive impacts of a network of travel options versus isolated improvements like a transit line or a bike lane. For example, rewarding projects that show that new transit service is paired with sidewalk, biking, and safety improvements that feed the service by providing safer connections to the surrounding neighborhoods. Ultimately, we need better networks, not just individual projects. |

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| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|-------------------|-------------------------------------|--|--|--|
| 8.03.7-8.03.8 | Medora Bornhoft, NFRMPO-10/11/2021 | | | Currently, the proposed rule includes two illustrative examples of GHG Mitigation Measures which reduce GHG through non-VMT strategies, including efforts to accelerate truck electrification in section 8.03.7 and clean construction policies in section 8.03.8. The rule would be strengthened by considering the full range of strategies available to CDOT and MPOs to reduce GHG emissions from transportation, including other types of fleet improvements such as alternative fuel transit buses, improving system operations through ITS, and any other type of operations improvement that results in reduced GHG emissions. |
| 8.03.8 | Medora Bornhoft, NFRMPO-9/8/2021 | Establishing policies for clean construction that result in scalable improvements as a result of factors like lower emission materials, recycling of materials, and lower truck emissions during construction. | | This language is unclear |
| 8.03.10 - 8.03.12 | Bruce Barker, Weld County-10/14/21 | | 8.03.10 Encourage local adoption or expansion of school bus programs or a school carpool programs to reduce private vehicle trips. 8.03.11 Encourage the replacement of high congestion traffic controls with roundabouts to smooth traffic flow, reduce idling, eliminate bottlenecks, and manage speed. 8.03.12 Electrify loading docks to allow transportation refrigeration units and auxiliary power units to be plugged into the electric grid at the loading dock instead of running on diesel. | Weld County recommends that CDOT evaluate the feasibility of, and provide examples of, transportation GHG mitigation measures for rural areas. Three examples are provided in revised rule language in Section 8.03. |
| 8.04 | CC4CA | 8.04 Air Pollution Control Division (APCD) Confirmation and Verification 8.04.1 At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.5. If APCD has not provided written verification within thirty (30) days, the document shall be considered acceptable. 8.04.2 At least thirty (30) days prior to adoption or amendment of policies per Rule 8.02.3, CDOT shall provide APCD the opportunity to review and comment. If APCD has not provided written comment within forty-five (45) days, the document shall be considered acceptable. | | APCD review (8.04) should answer all the "Key Questions" and "Other Important Questions to Ask," consulting with the Climate Equity Advisory Committee and Climate Equity Community Advisory Group as needed. |
| 8.04 | Bruce Barker, Weld County-11/18/21 | At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.65. If APCD has not provided written verification or committed to a review schedule within thirty (30) days, CDOT will commission review by an outside contractor the document shall be considered acceptable. The APCD shall submit any written verification to the agency adopting the Applicable Planning Document and to the Commission. | | It is not clear what steps would need to be taken if the APCD does not consider a GHG Transportation Report acceptable. Weld County recommends CDOT revise the Proposed Rule to require GHG Transportation Reports to undergo technical review and verification prior to the TC's compliance determination and describe the process for CDOT and the MPOs should the APCD deem a GHG Transportation Report unacceptable. Additional specificity on APCD's "review and verification of the technical data contained in the draft GHG Transportation Report" should be provided in the documents supporting the Proposed Rule. |
| 8.04.1 | Jeremy Horne, Weld County-9/17/2021 | At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.5. If APCD has not provided written verification within thirty (30) days, the document shall be considered acceptable. | | -The timeframes specified in the proposed rule are problematic and may lead to implementation and/or compliance challenges -GHG Transportation Reports may be considered acceptable without technical review -There is no timeframe for the eTC to complete their review of the GHG Transportation Reports -The rule language should be modified to ensure that: 1) the GHG Transportation reports undergo technical review; and the TC acts within a specified timeframe. |

Summary of All Public Comments Received for Transportation Planning Rule

| Section | Commenter | Current Text | Specific Edits | Suggested Change |
|---------------|------------------------------------|--|---|--|
| 8.04.1 | Bruce Barker, Weld County-11/18/21 | As a part of the Mitigation Action Plan review and approval procedure described on page 8, CDOT states that the plans must be submitted to APCD for review and "If APCD has not provided written verification within thirty (30) days, the document shall be considered acceptable." Similar to its concern with Section 8.04.1 of the Proposed Rule, | | be considered acceptable." Similar to its concern with Section 8.04.1 of the Proposed Rule, Weld County recommends this language be revised to prevent the plan from being considered acceptable simply due to inaction and to clarify the process, procedures, and timeframes for revisions to the plans should they not be considered acceptable by APCD. |
| 8.04.1-8.04.2 | Dana Brosig, GVMPO-11/17/21 | | | Section 8.04.1 and 8.04.2- Sections may be able to be combined for clarification. Check referenced section. |
| 8.04.1 | Bruce Barker, Weld County | 8.04.1 At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.5. If APCD has not provided written verification within thirty (30) days, the document shall be considered acceptable. | At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.5. If APCD has not provided written verification or committed to a review schedule within thirty (30) days, CDOT will commission review by an outside contractor-the document shall be considered acceptable. | Commented [A9]: It is not clear what steps would need to be taken if the APCD does not consider a GHG Transportation Report acceptable. Weld County recommends establishing a process for CDOT and the MPOs to follow if the APCD considers a GHG transportation report unacceptable, including the process and timeframes for revisions and resubmission for review, as needed. Weld County recommends revising this section to ensure GHG Transportation Reports undergo technical review and verification. |
| 8.04.1 | Bruce Barker, Weld County-9/24/21 | At least forty-five (45) days prior to adoption of any Applicable Planning Document, CDOT for Non-MPO areas and the MPOs for their areas shall provide to APCD for review and verification of the technical data contained in the draft GHG Transportation Report required per Rule 8.02.5. If APCD has not provided written verification within thirty (30) days, the document shall be considered acceptable. | | the 30-day time window for APCD to provide review and verification of the technical data contained in the draft GHG Transportation Reports may be insufficient, and may allow for GHG Transportation Reports to be provided to the TC for compliance assessment without sufficient technical review. -As currently written, there is the potential for GHG Transportation Reports to be considered acceptable without having undergone technical review and verification from APCD. Presumably the technical review and verification from APCD is intended to ensure accuracy and validity of the GHG emissions estimates, so it is critical reports are reviewed by APCD prior to a compliance determination from the TC. It is unclear if APCD has provided feedback to CDOT regarding the feasibility of meeting this time requirement. -In the event the GHG Transportation Report is not reviewed by APCD and is considered acceptable after 30 days, it's not clear if the TC is equipped or expected to perform technical review and verification of the analysis. Thus, there is the potential for the TC to act upon the GHG emissions estimates presented in the GHG Transportation Report without such estimates having undergone technical review. |
| 8.04.1-8.05 | Bruce Barker, Weld County-9/24/21 | | | Different models exhibit different sensitivities to inputs and assumptions, whereby running two different models with the same inputs and assumptions could yield different results. Therefore, allowing different model(s) to be used in the GHG emissions analysis than was used in estimate of baseline GHG emissions and development of GHG reduction targets is problematic- the use of multiple different models among CDOT and the MPOs in their respective GHG emissions analyses complicates review of the GHG Transportation Reports by both APCD and the Transportation Commission (TC) as required in Sections 8.04.1 and 8.05, respectively. |

Summary of All Public Comments Received for Transportation Planning Rule

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|-------------------------|--|--|--|---|
| 8.05.0 | Bruce Barker, Weld County-9/24/21 | the sufficiency of any GHG Mitigation Measures needed for compliance | | the TC shall review "the sufficiency of any GHG Mitigation Measures needed for compliance." However, the Proposed Rule does not specify what the review for "sufficiency" requires and it is not clear if the TC is equipped to perform this review (i.e., technical knowledge, time, resources, etc). |
| 8.05.0 | Bruce Barker, Weld County-9/24/21 | "The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance." | | Third, there is no timeframe for the TC to complete their review of the GHG Transportation Report and determine compliance. Section 8.05 specifies the enforcement of the Proposed Rule, However, there is no timeframe specified. |
| 8.05.0 | Alexandra Schluntz, Earth Justice-10/16/2021 | Enforcement. The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met, and the sufficiency of any GHG Mitigation Measures needed for compliance. | Enforcement. The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 and Table 2 have been met, and the sufficiency of any GHG Mitigation Measures needed for compliance, and adverse environmental or public health impacts to Disproportionately and Additionally Impacted Communities are avoided. | |
| 8.05.0 | Bruce Barker, Weld County-11/18/21 | The Commission may not review a GHG Transportation Report until the report has undergone APCD confirmation and verification per Section 8.04.1 and has been deemed acceptable. | | Weld County recommends adding this language to ensure GHG Transportation Reports have undergone review and verification of the technical data by the APCD prior to review and evaluation by the TC. |
| 8.05.2 | Alexandra Schluntz, Earth Justice-10/16/2021 | ...as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a non- MPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | ...as applicable, to projects and approved GHG Mitigation Measures that reduce GHG and VMT. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a non- MPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | |
| 8.05.2.1 | Alexandra Schluntz, Earth Justice-10/16/2021 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: 8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | Delete whole section | |
| 8.05.2.1.3 & 8.05.2.1.4 | Bruce Barker, Weld County-11/18/21 | 8.05.2.1.3 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.4 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | | Weld County understands that some flexibility in the waiver review process may be desirable, but nonetheless recommends that CDOT clarify the criteria used to evaluate waivers. For example, guidance on how "significant effort" will be evaluated should be provided, and a "substantial increase in GHG emissions when compared to the required reduction levels" should be quantified. CDOT should provide a standardized waiver form. |
| 8.05.2.1.2 | Tamara Ward, MOVE Colorado 10/13/21 | 8.05 Enforcement. The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance. | | The Rules refer to projects or mitigation measures that reduce GHG emissions; however, no guidance is provided on how to evaluate these reductions. We request clarity on how GHG reductions will be assessed for individual projects. • 8.05.2.1.2: Waiver denial mentions a "substantial" increase in GHGs. Please provide a definition of "substantial" to remove any ambiguity. |
| 8.05 | Bruce Barker, Weld County-10/14/21 | 8.05 Enforcement. The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance. | Enforcement. The Commission shall review all GHG Transportation Reports to determine whether the applicable reduction targets in Table 1 have been met and the sufficiency of any GHG Mitigation Measures needed for compliance. The Commission may not review a GHG Transportation Report until the report has undergone APCD confirmation and verification per Section 8.04.1 and has been deemed acceptable. The Commission shall review and act, by resolution, on a GHG Transportation Report within thirty (30) days of receipt of the report or at the next regularly scheduled Commission Meeting, whichever is later. | Weld County recommends adding this language to ensure GHG Transportation Reports have undergone review and verification of the technical data by the APCD prior to review and evaluation by the TC Weld County recommends adding this language to ensure the TC reviews and evaluates the compliance of GHG Transportation Reports within a specified timeframe. |

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|-----------------|---|---|---|--|
| 8.05.2 | Bruce Barker, Weld County-10/14/21 | 8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.5 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.5.1.1 or 8.02.5.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a nonMPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | | [A13]: It is not clear when funding restrictions would be implemented or to which projects they would apply. Weld County therefore recommends the Proposed Rule be modified to specify the timeframe for enforcement and applicability to projects. |
| 8.05.2 | Dana Brosig, GVMPO-11/17/21 | If the Commission determines, by resolution, the requirements of Rule 8.02.65 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.65.1.1 or 8.02.65.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the implementation of such restriction, an MPO, CDOT (upon concurrence with the applicable MPO) or a TPR in a non-MPO area, may, within sixty (60) days of Commission action, pursue one or both of the following actions: | | Section 8.05.2- Suggest revising text and including subsection titles i. e. Requesting a Waiver, Requesting Reconsideration. |
| 8.05.2-8.05.2.2 | Dana Brosig, GVMPO-11/17/21 | | | Section 8.05.2 and 8.05.2.2- Revise text to clarify intent on timeline for submittal. |
| 8.05.2 | Duncan Gilchrist, Climate Policy Analyst 350 Colorado 10/12/21 | | | Close loophole by tightening the conditions upon which waivers are granted At present, section 8.05.02 of the draft rules stipulate the conditions under which waivers may be granted to planning agencies that exempt specific projects from the emissions reductions requirements. Where possible, the language should be tightened to eliminate discretion so that the waiver process does not create a loophole that can be gamed to receive approval for ghg-intensive projects. Highway expansions already being planned such as I-25 through the Sun Valley neighborhood and I-270 through Commerce City should not escape scrutiny under these greenhouse reduction rules. |
| 8.05.2 | Tony Milo, Colorado Contractors Association 10/11/21 | | | Section 8.05.02 of draft rule provides a process for seeking a waiver from the TC if the TC determines that the requirements of Rule 8.02.05 have not been met. The waiver process allows the TC to waive restrictions on specific projects that are not expected to reduce GHG emissions. This section of the draft rule could be strengthened with additional guidance, including criteria for the TC's decision on waivers. In addition, the process to obtain a waiver should require that the TC take a vote after conducting a public hearing on each waiver. Currently, the TC can take no action and the waiver falls after 30 days or the next scheduled meeting of the TC, whichever is later. |
| 8.05.2 | Medora Bornhoft, NFRMPO 11/9/21 | 8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.5 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.5.1.1 or 8.02.5.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a nonMPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | 8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.6 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.6.1.1 or 8.02.6.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the implementation of such restriction, an MPO, CDOT (upon concurrence with the applicable MPO) or a TPR in a non-MPO area, may, within sixty (60) days of Commission action, pursue one or both of the following actions: seek a waiver or ask for reconsideration accompanied by an opportunity to submit additional information: | |
| 8.05.2 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | 8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.5 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.5.1.1 or 8.02.5.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a nonMPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | Revise §8.05.2 to state "If the Commission determines, by resolution, the requirements of Rule 8.02.5 have not been met, the Commission shall restrict the use of all CMAQ, STBG, and 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in the area funds pursuant to Rules 8.02.5.1.1 or 8.02.5.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. | This clarification is necessary so that these funds are only fully restricted if compliance is not demonstrated under §8.02.5 are not met. If, however, the MPO demonstrates that it is using some CMAQ and/or STBG funds on mitigation measures as necessary to achieve the GHG reduction levels, then there should be no further restriction on the remaining funds. |

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| 8.05.2 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | 8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.5 have not been met, the Commission shall restrict the use of funds pursuant to Rules 8.02.5.1.1 or 8.02.5.1.2, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG. Prior to the enforcement of such restriction, an MPO, CDOT or a TPR in a nonMPO area, may, within thirty (30) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration accompanied by an opportunity to submit additional information: | Revise §8.05.2 to state " Prior to the enforcement of such restriction, an An MPO in a Metropolitan Planning Area, or CDOT and/or a TPR in a non-MPO outside a Metropolitan Planning Area area, may, within thirty-sixty (3060) days of Commission action, issue one or both of the following opportunities to seek a waiver or to ask for reconsideration as provided for in Rule 8.05.2.1 or Rule 8.05.2.2. Enforcement of such restriction shall not begin until the Commission has taken action on such requests under Rule 8.05.2.3. accompanied by an opportunity to submit additional information. " | The language in §8.05.2 is unclear about whether CDOT on its own can seek a waiver for a project within an MPO area. We believe the intent is that waiver requests for projects within MPO areas must go through the MPO process prior to submittal. We also believe that 60 days is a more appropriate timeframe in which an MPO can deliberate and decide whether to seek a waiver or reconsideration. |
| 8.05.2.1 | Ron Papsdorf, DRCOG- 10/11/21 | Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: | Request a waiver from the Commission imposing restrictions on specific Regionally Significant projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: | The Rule as written requires a waiver for any "specific project not expected to reduce GHG emissions" (e.g., safety, operations, reconstruction, multimodal corridor planning, TDM, etc.). MPOs should not be required to seek a waiver from the Transportation Commission to invest federal CMAQ or STBG funds in otherwise eligible projects or programs that are not regionally significant, would not have an adverse impact on GHG emissions, and are important for the MPO to achieve other important transportation objectives. |
| 8.05.2.1 | Ron Papsdorf, DRCOG- 10/11/21 | In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | | The Rule should either clarify the meaning of "substantial increase" in §8.05.2.1.2 or CDOT and the Transportation Commission should provide guidance that clarifies how "substantial increase" will be evaluated when considering waiver requests. The term "substantial increase" is vague. The Rule or guidance should provide clearer direction to ensure fair and equitable evaluation of waiver requests. |
| 8.05.2.1 | John Liosatos PPACG 10/14/21 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: 8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | | 8.05.2.1 Waiver – This section, and its subsections, allow for a waiver but then severely limits its application. We believe that it is bad public policy to have an appointed commission that does not have the ability to overturn decisions based on modeling, which is merely the output from a computer based on human assumptions and interpretations of past data. Additionally, the rule allows the Transportation Commission to not act on a waiver request, which would automatically result in the denial of the request. We believe that this lacks transparency and accountability. Recommendation: At a minimum, the language that allows for waivers to be denied without action should be corrected to an automatic approval to encourage the Commission to act on each waiver request. Additionally, we would also recommend that the waiver section be rewritten to allow more human control and discretion over the waiver process (and not driven solely by model results). |
| 8.05.2.1 | Bruce Barker, Weld County, 10/14/1 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: | Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects when applicants use CDOT's waiver form that specifies on the following basis: | |
| 8.05.2.1 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: | Revise §8.05.2.1 to state "Request a waiver from the Commission imposing restrictions on specific Regionally Significant projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis:" | The Rule as written requires a waiver for any "specific project not expected to reduce GHG emissions" (e.g., safety, operations, reconstruction, multimodal corridor planning, TDM, etc.). MPOs should not be required to seek a waiver from the Transportation Commission to invest federal CMAQ or STBG funds in otherwise eligible projects or programs that are not regionally significant, would not have an adverse impact on GHG emissions, and are important for the MPO to achieve other important transportation objectives. |
| 8.05.2.1 - 8.05.2.1.2 | Jennifer Ivey, Pikes Peak Regional Transportation Authority 10/14/21 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: 8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: 8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | |

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| 8.05.2.1.1-8.05.2.1.2 | Bruce Barker, Weld County-9/24/21 | 8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: -8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and -8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. | | The basis for waivers specified in Sections 8.05.2.1.1 and 8.05.2.1.2 of the Proposed Rule is vague, and it is not clear what criteria or guidelines will be used to ensure fair and equitable evaluation of waivers. -a waiver can be requested from the TC imposing restrictions on specific projects not expected to reduce GHG emissions, and the TC may waive the restrictions on specific projects based on the requirements in Sections 8.05.2.1.1 and 8.05.2.1.2. However, the criteria in Sections 8.05.2.1.1 and 8.05.2.1.2 are not quantitative in nature. -For example, it is not clear how "significant effort and priority" will be determined, or what is a "substantial increase in GHG emissions when compared to the required reduction levels." -Furthermore, waivers (or reconsideration requests) are deemed denied if no action is taken by the TC within 30 days (or at the next regularly scheduled TC meeting), which may result in automatic denial simply due to inaction. -8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions. The Commission may waive the restrictions on specific projects on the following basis: 8.05.2.1.1 The GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions; and 8.05.2.1.2 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule. |
| 8.05.2.1.1 | Dana Brosig, GVMPO- 10/13/21 | In non-MPO areas or for MPOs that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department utilizes 10-Year Plan funds anticipated to be expended in MPO areas and on 10-Year Plan funds anticipated to be expended on Regionally Significant Projects in non-MPO areas on projects or approved GHG Mitigation Measures that reduce GHG emissions as necessary to achieve the GHG Reduction Levels in MMT of CO2e for each compliance year in Table 1. | In non-MPO areas or for MPOs that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department utilizes 10-Year Plan funds must be anticipated to be expended on Regionally Significant Projects in those areas on projects that reduce GHG emissions. | |
| 8.05.2.1.2 | Bruce Barker, Weld County, 10/14/21 | In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required reduction levels in this Rule | | [A14]: Weld County understands that some flexibility in the waiver review process may be desirable, but nonetheless recommends that CDOT clarify the criteria used to evaluate waivers. For example, guidance on how "significant effort" will be evaluated should be provided, and a "substantial increase in GHG emissions when compared to the required reduction levels" should be quantified. CDOT should provide a standardized waiver form. |
| 8.05.2.1.2 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | | | The Rule should either clarify the meaning of "substantial increase" in §8.05.2.1.2 or CDOT and the Transportation Commission should provide guidance that clarifies how "substantial increase" be evaluated when considering waiver requests. The term "substantial increase" is vague. The Rule or guidance should provide clearer direction to ensure fair and equitable evaluation of waiver requests. |
| 8.05.2.2 | Medora Bornhoft, NFRMPO 11/9/21 | 8.05.2.2 Request reconsideration of a non-compliance determination by the Commission and provide written explanation of how the requirements of Rule 8.02.5 have been met. | 8.05.2.2 Request reconsideration of a non-compliance determination by the Commission and provide a written explanation of how the requirements of Rule 8.02.65 have been met. A request for reconsideration must be submitted within thirty (30) sixty (60) days of Commission action. | |
| 8.05.2.2 | Melinda Stevens, DRCOG- 11/18/2021 | 8.05.2.2 Request reconsideration of a non-compliance determination by the Commission and provide written explanation of how the requirements of Rule 8.02.5 have been met. | "Request reconsideration of a non-compliance determination by the Commission and provide a written explanation of how the requirements of Rule 8.02.6 have been met. A request for reconsideration must be submitted within thirty (30) sixty (60) days of Commission action. " | §8.05.2 is revised to allow a waiver request or ask for reconsideration within sixty (60) days of Commission action. §8.05.2.2 should be revised to be consistent with this provision. |
| 8.05.2.3 | Ron Papsdorf, DRCOG- 10/11/21 | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The full consideration of these requests should be documented and acted upon by the Transportation Commission through a vote on the record. A default denial of a request should not be the result of no action by the Commission. |

Summary of All Public Comments Received for Transportation Planning Rule

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|-----------------|---|---|--|--|
| 8.05.2 - 8.05.3 | Bruce Barker, Weld County-10/14/21 | | | <p>The Proposed Rule Does Not Establish Specific Criteria for Evaluating Waivers.</p> <p>Section 8.05.2.1 allows a regulated entity to request a waiver from the TC "imposing restrictions on specific projects not expected to reduce GHG emissions." However, the basis for waivers in Sections 8.05.2.1 and 8.05.2.1 of the Proposed Rule is vague, and it is not clear what criteria will be used to ensure fair and equitable evaluation of these waivers.</p> <p>Specifically, under Section 8.05.2.1.1, the TC may waive the restrictions on specific projects if the GHG Transportation Report reflects "significant effort and priority placed" on projects that reduce GHG emissions. Under 8.05.2.1.2, waivers will be denied if it results in a "substantial increase in GHG emissions." Importantly, these sections do not provide quantitative criteria for evaluating waiver requests, and therefore make it hard to ensure the TC is applying the waiver exception consistently. Weld County understands that CDOT may want to retain some flexibility in the waiver review process, but to ensure the consistent application of this provision, Weld County recommends that CDOT clarify the criteria used to evaluate waivers.</p> <p>Additionally, Weld County recommends striking the last sentence in Section 8.05.2.3 of the Proposed Rule so that the TC is required to act on waivers and reconsideration requests, avoiding the potential for automatic denial simply due to inaction.</p> |
| 8.05.2.1.3 | Matt Sura, Environmental Coalition-10/7/21 | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | | -Restrict use of waivers. If a waiver is granted, funds should be restricted until the MPO or TPR comes back into compliance with VMT and GHG reduction targets. -The Environmental Coalitions' proposal attempts to limit waivers to a one-time use only. Once a waiver has been granted, the funds should be restricted to the MPO or TPR until they can demonstrate compliance with both GHG pollution and VMT reductions. |
| 8.05.2.3 | Alexandra Schluntz, Earth Justice-10/16/2021 | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | |
| 8.05.2.3 | Bruce Barker, Welc County, 10/14/21 | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | [A15]: Weld County recommends striking this language to avoid denial of waivers or reconsideration requests simply due to inaction. |
| 8.05.2.3 | Art Griffith, DRCOG/Douglas County Transportation Forum Technical Working Group Chair 11/9/21 | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission Meeting, whichever is later. If no action is taken within this time period, the waiver or reconsideration request shall be deemed to be denied. | The full consideration of these requests should be documented and acted upon by the Transportation Commission through a vote on the record. A default denial of a request should not be the result of no action by the Commission. |
| 8.06 | Kelly Blynn, Colorado Energy Office 10/13/21 | 8.06 Reporting. Beginning July 1, 2025, and every 5 years thereafter, the Executive Director on behalf of CDOT shall prepare and make public a comprehensive report on the statewide GHG reduction accomplishments. | Suggested language (in red): Reporting. Beginning July 1, 2025, and every 5 years thereafter, the Executive Director on behalf of CDOT shall prepare and make public a comprehensive report on the statewide GHG reduction accomplishments. This shall include a comparison of modeled VMT for regionally significant capacity projects with real world VMT, and these results shall be utilized to update the modeling requirements as needed. | |
| 8.06 | Alexandra Schluntz, Earth Justice-10/16/2021 | Reporting. Beginning July 1, 2025, and every 5 years thereafter, the Executive Director on behalf of CDOT shall prepare and make public a comprehensive report on the statewide GHG reduction accomplishments. | Reporting. Beginning July 1, 2025, and every 5 years thereafter, the Executive Director on behalf of CDOT shall prepare and make public a comprehensive report on the statewide GHG and VMT reduction accomplishments achieved by this rule. The report shall contain, without limitation, the following information: | |

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|-------------------|--|--|--|---|
| 8.06 | John Liosatos, PPACG- 11/12/2021 | | | 8.06 – Reporting. The Commission may want to consider adding the word “estimated” in front of VMT. To our knowledge CDOT and the State will not actually collect VMT from every vehicle in the state. This will be only an estimate and that estimate will be predicated on assumptions based on the characteristics of the region in which the calculation is being made. Additionally, the text leads the reader to believe that this is total VMT in each region. Regardless of the effectiveness of any of these measures, VMT is likely to rise based on population alone. <ul style="list-style-type: none"> • Are miles estimated for interstate travel included in this calculation? Especially if the interstate travel is just passing through the state? • Travel time (VHT) is an important factor in determining GHG, why is this also not collected and considered? |
| 8.06 | Greg Fulton, CMCA- 11/16/21 | 8.06.1 Beginning July 1, 2025, and every 35 years thereafter, the Executive Director on behalf of CDOT shall prepare for the Transportation Commission and Air Quality Control Commission a and make public a comprehensive publicly released report on the statewide GHG reduction accomplishments. | | Regarding reporting, the revised draft also makes changes to the reporting requirement on statewide GHG reduction accomplishments which had been every three years versus five years in the revised draft. In addition, the revised rules indicate that this report is to be presented not only to the Transportation Commission, the authorizing body for these rules, but the Air Quality Control Commission. We question both the change in timeline for the report as well as a requirement that it be presented to the AQCC. Having such language in the rules implies some sort of approval by the AQCC which was not included in SB 260. If this is not the case, why include this language? We would anticipate that CDOT may present this report to various groups including MPOs and TPRs as well as trade groups such as ours. Realizing that SB 260 was very clear in designating that the Transportation Commission was the body charged with promulgating this rule and CDOT is the agency identified to administer this rule. Adding such language related to the AQCC confuses the matter as to who is the authorizing body for these rules. |
| 8.06 | Kelly Blynn, Colorado Energy Office 11/18/2021 | 8.06.1 Beginning July 1, 2025, and every 35 years thereafter, the Executive Director on behalf of CDOT shall prepare for the Transportation Commission and Air Quality Control Commission a and make public a comprehensive publicly released report on the statewide GHG reduction accomplishments. | Beginning July 1, 2025, and every 5 years thereafter, the Executive Director on behalf of CDOT shall prepare and make public a comprehensive report on the statewide GHG reduction accomplishments. This shall include a comparison of modeled VMT for regionally significant capacity projects with real world VMT, and these results shall be utilized to update the modeling requirements as needed. | |
| 8.06.1 | Bruce Barker, Weld County- 11/18/21 | Beginning July 1, 2025, and every 3 years thereafter, the Executive Director on behalf of CDOT shall prepare for the Transportation Commission and Air Quality Control Commission a comprehensive publicly released report on the statewide GHG reduction accomplishments. | | Weld County recommends Section 8.06 of the Proposed Rule be revised as shown in Exhibit 001. Namely, the TC should consider revisions to the proposed rule if the report prepared per the requirements of Section 8.06.1 demonstrates that the reduction levels in Table 1 of the proposed rule have not been met. |
| 8.06.2 & 8.06.2.1 | John Liosatos PPACG 11/12/21 | 8.06.2 Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a VMT report. The report shall provide total VMT per capita within the MPO areas and statewide for the past calendar year. 8.06.02.1 If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider further revisions in order to achieve reductions per the rule’s intent. | | This is greatly concerning in a number of areas. First, we are all still in the midst of a pandemic which continues to impact regional travel patterns. We are concerned what the initial baseline year will be, as we feel that expecting reductions below an abnormal baseline is unrealistic. Second, beginning such reporting next year, and expecting reductions within a three- year period so soon (by 2025), is occurring before we collectively even have an opportunity to plan, fund and implement new mitigation measures expected of us by this overall rule. Our understanding of the rule had been that we are planning and modeling to demonstrate GHG reductions (not VMT specifically) in specific horizon years beginning with 2030. We feel this new VMT reporting requirement unrealistically accelerates that timeline significantly. Third, as described above, “controlling” and reducing VMT is an incredibly difficult and multifaceted challenge, and some of those factors (like land use patterns), take years to show results. Therefore, we are very concerned about enforcement approaches the Commission might contemplate if VMT reductions aren’t occurring in such short-order, and what further tightening of the rule might mean. |

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| 8.06.2 & 8.06.2.1 | Melinda Stevens, DRCOG- 11/18/2021 | 8.06.2 Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a VMT report. The report shall provide total VMT per capita within the MPO areas and statewide for the past calendar year. 8.06.02.1 If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider further revisions in order to achieve reductions per the rule's intent. | Strike §8.06.2 and §8.06.2.1 requiring annual reporting of VMT per capita beginning September 1, 2022 and requiring the Commission to "consider revisions to these rules in order to achieve reductions in VMT consistent with the intent of this rule" if three consecutive years of reports show no decrease in VMT per capita in one or more areas. | |
| 8.06.2 & 8.06.2.1 | Tony Milo, Colorado Contractors Association- 11/15/2021 | 8.06.2 Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a VMT report. The report shall provide total VMT per capita within the MPO areas and statewide for the past calendar year. 8.06.02.1 If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider further revisions in order to achieve reductions per the rule's intent. | | The phrase that states "the Commission shall consider revisions to these rules in order to achieve reductions in VMT" is alarming because the overarching purpose and intent of the rule is to make changes to the transportation planning process to account for the impact of regionally significant transportation projects. The primary intent of this rule is not to reduce VMT. CCA is concerned that the language in Section 8.06.2 exceeds the authority that has been granted to CDOT by the General Assembly through the passage of Senate Bill 21-260. CCA recommends that this reporting section be modified with the following recommended changes: a. Eliminate the standalone VMT report. b. Incorporate VMT as an element within the comprehensive progress report provided every three years to the TC. c. Add additional elements to the comprehensive progress report that influence GHG emissions. By way of example, some of the additional elements that should be included in a comprehensive report are transit ridership levels, traffic modeling that measures congestion mitigation, electric vehicle adoption, and the effectiveness of various mitigation measures such as pedestrian and bicycle infrastructure. d. Modify the use of the phrase "shall consider revisions to these rules" when describing the TC's actions after reviewing the progress report. A more appropriate description of the TC's role is that they may review the comprehensive report to evaluate the various contributors to transportation related GHG emissions. |
| 8.06.2 | Kate Young Forms Manager & Office Administrator Colorado Motor Carriers Association 11/1/21 | | | Section 8.06.2.1 in the revised rule is disconcerting in that it states as follows: If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider revisions to these rules in order to achieve reductions in VMT consistent with the intent of this rule. Inclusion of VMT in the revised rule assumes that there is a direct correlation between VMT and GHG, where an increase in VMT would translate into an increase in GHG and other emissions. While this may have been true in years past that no longer is the case. An increase in VMT does not necessarily translate into an increase in GHG. As may be seen in the charts below (which were prepared by the RAQC), they reflect that while VMT in the Denver Metro Region grew by over 25% over the past 10 years, while daily VOC and NOx emissions dropped by almost 50%. |
| 6.06.2 | Annelise Steel, Colorado Concern- 11/18/2021 | Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a VMT report. The report shall provide total VMT per capita within the MPO areas and statewide for the past calendar year. | Beginning September 1, 2022, and biennial thereafter, CDOT shall provide to the Transportation Commission a per capita GHG reduction report which it may obtain from data derived by CDPHE and may include a summary of VMT per capita within the MPO areas and statewide for the past calendar year; if a VMT per capita report is prepared it shall include a report citing the ratio of public tax dollars spent on new public transportation spending to VMT per capita reduced. | |
| 8.06.2.1 | Matt Sura, Environmental Coalition- 11/14/21 | If three consecutive years of reports demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider revisions to these rules in order to achieve reductions in VMT consistent with the intent of this rule. | If three consecutive years of reports find that the observed and expected VMT per capita reductions are insufficient to achieve the GHG reduction targets established in Table 1, demonstrate no decrease in VMT per capita in one or more areas, the Commission shall consider revisions to these rules in order to achieve reductions in VMT consistent with the intent of this | |

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| Add section 8.06.6.3 | Jacob Smith, Executive Director Colorado Communities for Climate Action 11/11/21 | | 8.02.6.3 An analysis of harmful air pollutant emissions and co-benefits showing how projects that reduce emissions were prioritized in Disproportionately Impacted Communities and how project-specific emissions reduction measures benefitted communities that were impacted by projects. This analysis must incorporate an evaluation of the level of community engagement in proposed projects and expected effect on Disproportionately Impacted Communities, including but not limited to answers to the "key questions" posed by Colorado's Climate Equity Framework or a commensurate framework that may succeed it. | Section 8.02.4 calls for localized benefits to be prioritized in the mitigation measures policy, but this should be required under the rule rather than conditional in the Mitigation Measures policy. To rectify this, we suggest adding a new Section 8.02.6.3 to 8.02.6 Demonstrating Compliance (and the existing Section 8.02.6.3 would change to 8.02.6.4) that reads: [see "Specific Edits"] |
| Add 3 sections (8.06.1-8.06.3) | Alexandra Schluntz, Earth Justice- 10/16/2021 | Add 3 sections (8.06.1-8.06.3) | 8.06.1 Whether the state is meeting GHG emission and VMT reductions required by Rule 8.02.5 statewide, for each TPR, and for each MPO. 8.06.1.1 If the report indicates that statewide VMT and GHG reductions required by Rule 8.02.5 are not projected to be met under existing rules, CDOT shall develop and propose additional requirements to the Commission, no later than December 31 of the same year, to be adopted no later than March 31 of the following year, which must be designed to make up the difference between VMT and GHG reductions achieved and the VMT and GHG reductions necessary to comply with Rule 8.02.5. 8.06.2 The number and a description of projects affecting Disproportionately Impacted Communities and Additionally Impacted Communities and the net effect on VMT and GHG emissions of those projects. 8.06.3 A review of the mapping tools and any updates required by the analysis required by 8.03.2.4. | |
| 8.06.3 | Matt Sura, Environmental Coalition- 11/18/2021 | Add section | Beginning September 1, 2022, and annually thereafter, CDOT shall provide to the Transportation Commission a Transportation Equity Report for Disproportionately Impacted Communities. The report will include: | |
| 8.06.3.1-8.06.3.3 | Matt Sura, Environmental Coalition- 11/18/2021 | Add section | 8.06.3.1 Total mitigation investments in DI Communities for CDOT, each MPO, and statewide. 8.06.3.2 A list of the individual mitigation projects. 8.06.3.3 Quantification of the pollution impacts and co-benefits delivered to DI Communities. The Mitigation Policy Directive shall establish a list of qualitative and quantitative metrics to measure the impacts and benefits in DI Communities | |