

DEPARTMENT OF TRANSPORTATION

Transportation Commission

RULES GOVERNING STATEWIDE TRANSPORTATION PLANNING PROCESS AND TRANSPORTATION PLANNING REGIONS

2 CCR 601-22

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- 1.11 Disproportionately Impacted Communities - defined in ~~§ 24-38.5-302(3)~~ §24-4-109, C.R.S. as a community that is described in § 24-4-109(2)(b)(II)(G) or (2)(b)(II)(H), C.R.S. or that is in a census block group, as determined in accordance with the most recent five-year United States bureau of the census American community survey and meets one or more of the following criteria. ~~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%).~~
  - 1.11.1 The proportion of the population living in households that are below two hundred percent of the federal poverty level is greater than forty percent;
  - 1.11.2 The proportion of households that spend more than thirty percent of household income on housing is greater than fifty percent;
  - 1.11.3 The proportion of the population that identifies as people of color is greater than forty percent;
  - 1.11.4 The proportion of the population that is linguistically isolated is greater than twenty percent;
  - 1.11.5 A statewide agency determines, after a community presents evidence of being and requests to be classified as a disproportionately impacted community, that the population is disproportionately impacted based on evidence, presented in a relevant statewide agency decision-making process, that a census block group is disproportionately impacted because it has a history of environmental racism perpetuated through redlining or through anti-indigenous, anti-immigrant, anti-Latino, or anti-Black laws, policies, or practices and that present-day demographic factors and data demonstrate that the community currently faces environmental health disparities;
  - 1.11.6 The community is identified by a statewide agency as being one where multiple factors, including socioeconomic stressors, vulnerable populations, disproportionate environmental burdens, vulnerability to environmental degradation or climate change, and lack of public participation may act cumulatively to affect health and the environment and may contribute to persistent disparities;
  - 1.11.7 The community is a mobile home park, as defined in section 38-12-201.5 (6), regardless of whether the mobile home park is a census block group; or
  - 1.11.8 The community is located on the Southern Ute or Ute Mountain Ute Indian reservation, regardless of whether the community is a census block group.

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**2.00 Transportation Planning Regions (TPR).**

2.01 Transportation Planning Region Boundaries. TPRs are geographically designated areas of the state with similar transportation needs that are determined by considering transportation commonalities. Boundaries are hereby established as follows:

2.01.1 The Pikes Peak Area TPR comprises the Pikes Peak Area Council of Governments' metropolitan area within El Paso and Teller counties.

2.01.2 The Greater Denver TPR, which includes the Denver Regional Council of Governments' planning area, comprises the counties of Adams, Arapahoe, Boulder, Broomfield, Clear Creek, Denver, Douglas, Gilpin, Jefferson, and parts of Weld.

2.01.3 The North Front Range TPR comprises the North Front Range Transportation and Air Quality Planning Council's metropolitan area within Larimer and Weld counties.

2.01.4 The Pueblo Area TPR comprises Pueblo County, including the Pueblo Area Council of Governments' metropolitan area.

2.01.5 The Grand Valley TPR comprises Mesa County, including the Grand Valley Metropolitan Planning Organization's metropolitan area.

2.01.6 The Eastern TPR comprises Cheyenne, Elbert, Kit Carson, Lincoln, Logan, Phillips, Sedgwick, Washington, and Yuma counties.

2.01.7 The Southeast TPR comprises Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, and Prowers counties.

2.01.8 The San Luis Valley TPR comprises Alamosa, Chaffee, Conejos, Costilla, Mineral, Rio Grande, and Saguache counties.

2.01.9 The Gunnison Valley TPR comprises Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties.

2.01.10 The Southwest TPR comprises Archuleta, Dolores, La Plata, Montezuma, and San Juan counties, including the Ute Mountain Ute and Southern Ute Indian Reservations.

2.01.11 The West Intermountain TPR comprises Eagle, Garfield ~~and, Lake~~, Pitkin counties, and the portion of Eagle County that is within the boundaries of the Eagle County RTA. Summit counties.

2.01.12 The East Intermountain TPR comprises Lake and Summit counties, and the portion of Eagle County that is within the boundaries of the Roaring Fork RTA.

~~2.01.13~~The Northwest TPR comprises Grand, Jackson, Moffat, Rio Blanco, and Routt counties.

~~2.01.14~~The Upper Front Range TPR comprises Morgan County, and the parts of Larimer and Weld counties, that are outside both the North Front Range and the Greater Denver (metropolitan) TPRs.

2.01.1~~54~~ The Central Front Range TPR comprises Custer, El Paso, Fremont, Park, and Teller counties, excluding the Pikes Peak Area Council of Governments' metropolitan area.

~~2.01.15 The South Central TPR comprises Huerfano, and Las Animas Counties.~~

2.02 Boundary Revision Process.

2.02.1 TPR boundaries, excluding any MPO-related boundaries, will be reviewed by the Commission at the beginning of each regional and statewide transportation planning process. The Department will notify counties, municipalities, MPOs, Indian tribal governments, and RPCs for the TPRs of the boundary review revision requests. MPO boundary review shall be conducted pursuant to 23 U.S.C. § 134 and 23 C.F.R. Part 450 Subpart B and any changes shall be provided to the Department to update the Rules. All boundary revision requests shall be sent to the Division Director, and shall include:

2.02.1.1 A geographical description of the proposed boundary change.

2.02.1.2 A statement of justification for the change considering transportation commonalities.

2.02.1.3 A copy of the resolution stating the concurrence of the affected RPC.

2.02.1.4 The name, title, mailing address, telephone number, fax number and electronic mail address (if available) of the contact person for the requesting party or parties.

2.02.2 The Department will assess and STAC shall review and comment (as set forth in these Rules) on all Non-Metropolitan Area TPR boundary revision requests based on transportation commonalities and make a recommendation to the Commission concerning such requests. The Department will notify the Commission of MPO boundary changes. The Commission may initiate a rule-making proceeding under the Colorado Administrative Procedure Act, § 24-4-103, C.R.S. to consider a boundary revision request. Requests received for a MPO or non-metropolitan TPR boundary revision outside of the regularly scheduled boundary review cycle must include the requirements identified above.

2.02.3 In the event that the Commission approves a change to the boundary of a TPR that has a RPC, the RPC in each affected TPR shall notify the Department of any changes to the Intergovernmental Agreement governing the RPC as specified in these Rules.

2.03 Transportation Planning Coordination with MPOs.

2.03.1 The Department and the MPOs shall coordinate activities related to the development of RTPs, the Statewide Transportation Plan, TIPs, and the STIP in conformance with 23 U.S.C. § 134 and 135 and § 43-1-1101 and § 43-1-1103, C.R.S. The Department shall work with the MPOs to resolve issues arising during the planning process.

2.04 Transportation Planning Coordination with Non-MPO RPCs.

2.04.1 The Department and RPCs shall work together in developing RTPs and in planning future transportation activities. The Department shall consult with all RPCs on development of the Statewide Transportation Plan; incorporation of RTPs into the Statewide Transportation Plan; and the inclusion of projects into the STIP that are consistent with the RTPs. In addition, the Department shall work with the RPCs to resolve issues arising during the planning process.

2.05 Transportation Planning Coordination among RPCs.

2.05.1 If transportation improvements cross TPR boundaries or significantly impact another TPR, the RPC shall consult with all the affected RPCs involved when developing the RTP. In general, RPC planning officials shall work with all Planning Partners affected by transportation activities when planning future transportation activities.

2.06 Transportation Planning Coordination with the Southern Ute and the Ute Mountain Ute Tribal Governments.

2.06.1 Regional transportation planning within the Southwest TPR shall be coordinated with the transportation planning activities of the Southern Ute and the Ute Mountain Ute tribal governments. The long-range transportation plans for the tribal areas shall be integrated in the Statewide Transportation Plan and the RTP for this TPR. The TTIP is incorporated into the STIP without modification.

2.07 Transportation Commission expectations for consistency and transparency of RPCs and TPRs governing documents. To ensure consistency and transparency among RPC and TPRs that conduct transportation planning and develop RTPs under Rule 4.00, the governing documents of those entities must include the following information.

2.07.1 The name of the organization, and the membership, including transit membership consistent with and required under 43-1-1103.

2.07.2 The duties of the organization, and the ability to spend and receive funds, sue and be sued, and enter into contracts.

2.07.3 The ability to terminate and amend.

2.07.4 An overview of general meeting cadence and locations.

2.07.5 A list of officers, process for the elections of officers, and the length of term of officers.

2.07.6 What shall constitute a quorum and what the voting structure shall be.

2.07.7 An assurance that meetings are open to the public and must be publicly noticed.

2.07.8 An assurance that agendas and meeting minutes are available and accessible to the public.

2.07.9 An assurance that regularly scheduled meetings shall allow time for public comment on the agenda.

2.07.10 The process for identifying how the TPR's STAC representative is chosen.

2.07.11 A statement on how the TPR is to be administered.

2.07.12 The inclusion of a Conflict of Interest Statement.

2.07.13 An assurance that TPR information can be found on the internet.

2.08 TPRs that have governmental jurisdictions that are represented within multiple TPRs are encouraged to work together to ensure no political jurisdiction represents more than one TPR on STAC.

**3.00 Statewide Transportation Advisory Committee (STAC).**

- 3.01 Duties of the STAC. Pursuant to § 43-1-1104 C.R.S. the duties of the STAC shall be to meet as necessary and provide advice to both the Department and the Commission on the needs of the transportation system in Colorado including, but not limited to: budgets, TIPs of the MPOs, the STIP, transportation plans, and state transportation policies.

The STAC shall review and provide to both the Department and the Commission comments on:

- 3.01.1 All RTPs, amendments, and updates as described in these Rules.
- 3.01.2 Transportation related communication and/or conflicts which arise between RPCs or between the Department and a RPC.
- 3.01.3 The integration and consolidation of RTPs into the Statewide Transportation Plan.
- 3.01.4 Colorado's Mobility requirements to move people, goods, services, and information by furnishing regional perspectives on transportation problems requiring interregional and/or statewide solutions.
- 3.01.5 Improvements to modal choice, linkages between and among modes, and transportation system balance and System Continuity.
- 3.01.6 Proposed TPR boundary revisions.
- 3.02 Notification of Membership

- 3.02.1 Each RPC and tribal government shall select its representative to the STAC pursuant to § 43-1-1104(1), C.R.S. The Ute Mountain Ute Tribal Council and the Southern Ute Indian Tribal Council each appoint one representative to the STAC. Each TPR and tribal government is also entitled to name an alternative representative who would serve as a proxy in the event their designated representative is unable to attend a STAC meeting and would be included by the Department in distributions of all STAC correspondence and notifications. The Division Director shall be notified in writing of the name, title, mailing address, telephone number, ~~fax number~~ and electronic mail address (if available) of the STAC representative and alternative representative from each TPR and tribal government within thirty (30) days of selection.

3.02.2 The chairperson of the Transit and Rail Advisory Committee (TRAC) shall be a non-voting member of STAC and is entitled to name an alternative representative in the event the chairperson is unable to attend a STAC meeting and both individuals shall be included by the Department in distributions of all STAC correspondence and notifications. The Division Director shall be notified in writing of the name, title, mailing address, telephone number, and electronic mail address of the STAC representative and alternative representative within thirty (30) days of selection.

**3.03 Administration of STAC**

- 3.03.1 STAC recommendations on Regional and Statewide Transportation Plans, amendments, and updates shall be documented in the STAC meeting minutes, and will be considered by the Department and Commission throughout the statewide transportation planning process.

3.03.2 The STAC shall establish procedures to govern its affairs in the performance of its advisory capacity, including, but not limited to, the appointment of a chairperson and the length of the chairperson's term, meeting times, and locations.

3.03.2.1 In establishing procedures for the appointment of a chairperson and vice chairperson, STAC shall include a provision for term limits for each office so that no individual may serve in either position for more than two consecutive two-year terms.

3.03.2.2 To ensure the STAC's leadership come from both rural and urban Colorado, STAC procedures shall require that when the chairperson is chosen from a rural TPR or tribe, the vice chairperson shall be chosen from an urban MPO area, and each position shall rotate so that no consecutive chairpersons or vice chairpersons come from either a rural TPR or tribe, or urban MPO area consecutively.

3.03.3 The Division Director will provide support to the STAC, including, but not limited to:

3.03.3.1 Notification of STAC members and alternates of meeting dates.

3.03.3.2 Preparation and distribution of STAC meeting agendas, supporting materials, and minutes.

3.03.3.3 Allocation of Department staff support for STAC-related activities.

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