

**Draft STAC Meeting Minutes  
February 23<sup>rd</sup>, 2018**

**Location:** CDOT Headquarters Auditorium  
**Date/Time:** February 23<sup>rd</sup>, 2018, 9:00 a.m. - 12:00 p.m.  
**Chairman:** Vince Rogalski, STAC Chair  
**Attendance:**

In Person: Vince Rogalski (GV), Keith Baker (SLV), Michael Yohn (SLV), Terry Hart (PACOG), Peter Baier (GVMPO), Norm Steen (PPACG), Andy Gunning (PPACG), Turner Smith (PPACG), Andy Pico (PPACG), Doug Rex (DRCOG), Roger Partridge (DRCOG), Elise Jones (DRCOG) Sean Conway (NFRMPO), Becky Karasko (NFRMPO), Barbara Kirkmeyer (UFR), Gary Beedy (EA), Thad Noll (IM), Walt Boulden (SC), Jim Baldwin (SE), Jacob Garlick (SUIT), John Cater (FHWA), CDOT Executive Director Mike Lewis.

On the Phone: Katie Sickles (GV), Dwayne McFall (CFR), Stephanie Gonzales (SE), Myron Baker (UMUT).

<b>Agenda Item / Presenter (Affiliation)</b>	<b>Presentation Highlights</b>	<b>Actions</b>
<p>Introductions &amp; January Minutes / Vince Rogalski (STAC Chair)</p>	<ul style="list-style-type: none"> <li>• Review and approval of January STAC Minutes with two revisions (corrected names).</li> </ul>	<p><i>Minutes approved.</i></p>
<p>Olympic Exploratory Committee Presentation / Tamra Ward (Taloma Partners LLC)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• A committee has been formed to investigate a potential Denver/Colorado bid for the Winter Olympic and ParaOlympic Games in 2026, 2030, or 2034. <ul style="list-style-type: none"> <li>○ 60 members</li> <li>○ Subcommittees on Community &amp; Civic Engagement, Communications, Games Operations, Finance, and Legal.</li> <li>○ Community engagement began in January to gather input.</li> </ul> </li> <li>• There are two key questions to answer: could Colorado host the Olympics, and should Colorado host the Olympics. <ul style="list-style-type: none"> <li>○ Even if Denver is interested in a bid, the US Olympic Committee (USOC) could decline to submit.</li> </ul> </li> <li>• Community concerns revolve around cost, long-term legacy, potential growth, and sustainability.</li> </ul>	<p>No action taken.</p>

- The International Olympic Committee (IOC) is changing its practices by establishing new guidelines on sustainability, co-Efficiency, use of existing and/or temporary infrastructure, legacy for cities, and by providing \$925 million up-front to help winning cities execute the event.
- Committee is seeking to self-fund and points out that the attendance and required facilities for Winter Olympics are much less than for the Summer Olympics.
  - 94 nations vs. 207 nations
  - 2,850 athletes vs. 11,237 athletes
  - 7 sports with 102 events vs. 28 sports with 306 events
  - 16 venues (13 already existing in CO) vs. 33 venues
- Transportation requirements to host a games include:
  - Airport capable of handling 60,000+ passengers per day
  - Cars, vans, and buses for athletes, family, media, staff, etc.
  - Olympic priority lanes preferred (on I-70)
  - BRT, light rail, and other transit for ticketed spectators
- Top concerns voiced by the public include:
  - Cost to host and build facilities
  - Increased congestion
  - Population growth
  - Bigger state issues to be addressed
  - Environmental impacts
  - An event only for the elite
  - Reputation of Olympic cities failing to profit or requiring bailouts
- Other members of the public feel that the event could be positive for Denver and Colorado by:
  - Showcasing businesses and resources to the world
  - Serving as a catalyst to look at planning and smart growth for the next 50 years
  - Be an inspiration for younger generations
  - Provide short- and long-term economic stimulation
  - Demonstrate alignment between Colorado values and Olympic values

- This is the start of a long (up to 9 year) process and no decisions are being made yet – just investigations.

#### **STAC Comments**

- Mike Lewis: In the interest of full disclosure, I am representing CDOT on one of these committees, so there is a CDOT voice in this process. We are looking to get further input from the group at this point.
- Sean Conway: I will address the elephant in the room – Denver was awarded the 1976 Olympics and had to turn them back. That resentment still exists – how would you address that? It would clearly come up.
- Tamra Ward: That's definitely something we think about – it's a fact and it's our history. But we need to talk about how we're different now than we were back then. The IOC and USOC are approaching things differently themselves so I think we can too.
- Turner Smith: You showed that there would be a profit from hosting these games if it followed the model of past North American games – does that also account for the wear and tear on the infrastructure that would be occurring?
- Tamra Ward: I don't know if past calculations have included that factor, but I will go back to the group and answer that for you.
- Thad Noll: There have been community forums on this as well, and while there are a number of feelings on whether or not it's a good idea, there is a sense that this offers hope in terms of I-70 solutions, affordable housing, and other necessarily infrastructure investments that might not happen otherwise. I would also point out that we already have events of this size or bigger in the mountains (such as the X-Games) so this is not a radically different scale from what we're used to hosting.
- Barbara Kirkmeyer: When talking to counties in states like Utah that have hosted in the past, they have said there were negative impacts in terms of congestion and national security / emergency services. Also, how would the profits (whatever they are) be managed and how would we ensure that they are shared statewide and not just within the Denver Metro?

- Tamra Ward: That's a great point – we have to ensure that we account for all types of impacts across the state.
- Andy Pico: I think that if you go out on the model of private financing then that alleviates a lot of the concerns, but I'd be interested in seeing how that's structured. I also agree that this would not be so different from events that we already host and handle very well. My concern is related to the three missing venues – where would they be built and how would that work?
- Tamra Ward: The Games Operations subcommittee is looking for venues statewide to maximize the use of existing facilities, wherever they are.
- Mike Lewis: This includes existing venues and already planned venues (like the new National Western Center) but the three that we don't currently have at adequate levels are ski jump, Nordic track, and bobsled facilities.
- Sean Conway: Leading up to the Salt Lake City Olympics, the Utah delegation did a great job by identifying the key improvements along routes and venues that would occur. Getting the Colorado congressional delegation involved early in the process would go a long way to easing people's concerns. If you clearly define where the dollars will go then I think it's a golden opportunity to improve the I-70 corridor.
- Elise Jones: Everyone loves the Olympics, but generally the goal for a community that wants to host the event is to shine a light on themselves internationally. A lot of folks in Colorado don't particularly want that – they think there are too many people here in Colorado already. If you focus on the transportation and housing improvements then I think you'll have a lot more success than if you focus on highlighting the state and how great it is.
- Turner Smith: How do you sell this to the Eastern Plains, who will likely be kicking in some tax dollars to help finance the event but won't receive any of the benefits? What do they get out of this?
- Barbara Kirkmeyer: I'll tell you what they get – if federal money goes to fix I-70 then there's more of our existing funds available to the rest of us. Any new money funding a project anywhere in the state benefits all of us.
- Thad Noll: It also helps us to attract more high-tech investment by companies that want their new system to be highlighted at the Olympics but help to solve some of our problems in the short-term. The legacy we need is

	transportation and housing – if we can't guarantee those then it's not worth doing.	
Transportation Commission Report / Vince Rogalski (STAC Chair)	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• <u>Transportation Commission</u> <ul style="list-style-type: none"> <li>○ Held a workshop on FTA 5311 funding distribution, with the goal of receiving TC approval at the March meeting.</li> </ul> </li> <li>• <u>HPTE</u> <ul style="list-style-type: none"> <li>○ Discussed the topic of managed lanes enforcement and the safety issues of people weaving in and out of them.</li> <li>○ A group called Northeast Transportation Connections is coordinating in preparation of the Central I-70 project to help people get around the area using rideshare, transit, active transportation, and more.</li> </ul> </li> </ul>	No action taken.
TPR Reports / STAC Representatives	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• <u>DRCOG</u>: Held a hearing on amendments to the regional plan at next meeting; new Executive Committee members are Herb Atchison (Chair), Bob Fifer (Vice Chair), John Diak (Secretary), Ashley Stolzmann (Treasurer), and Bob Roth (Immediate Past Chair); DRCOG is moving offices in part due to growth of Area Agency on Aging, will be located at 1001 17th Street starting in late May.</li> <li>• <u>GVMPO</u>: GVRTC will adopt safety targets identical to CDOT's on Monday; Redlands project moving forward, but the opposition actually used CAVs as the reason not to do the project since they will supposedly solve everything.</li> <li>• <u>NFRMPO</u>: Congressman Polis held a listening tour for input on the Trump Administration's infrastructure proposal; the draft Ballot List is going to the TAC and Council for review and comments; I-25 Crossroads project is progressing; also looking at data sharing agreements on traffic counts given the privacy concerns among meeting attendees.</li> <li>• <u>PACOG</u>: All projects progressing nicely on I-25 and US 50; SH 45 nearly complete on the construction side; held a COG meeting yesterday and had a nice presentation on potential hyperloop proposals, which was very interesting; otherwise it's business as usual in Pueblo.</li> </ul>	No action taken.

- PPACG: The RTP is out for comment and available on website; 2019-2022 TIP was approved by the board and is also out for comment; two TIP amendments were approved at the last board meeting; the Joint Land Use Study is a Department of Defense-funded study interfacing between military and communities, should be finished in September and then we start implementation; US 24 PEL has been completed and approved by the participant communities, now we just need money to begin construction; thanks to Mike Lewis for attending the legislative breakfast a few weeks back on the topic of managed lanes; finally I want to welcome Andy Gunning as the new Executive Director of PPACG, he comes with a lot of experience.
  - Executive Director Andy Gunning: I just started last Tuesday and I'm trying to get up to speed, we are interviewing for a new Transportation Director and pleased with the candidates thus far.
- Central Front Range: The City of Canon City is working with CDOT on pedestrian crossings and ADA compliance on US 50; US 285 work is also underway; SH 115 between Canon City and Florence is also an area of safety concern.
- Eastern: Nothing new in terms of projects; on the President's infrastructure proposal, I think the match idea benefits rural areas, though it's a long way from becoming reality; also wanted to raise the idea of a state HazMat requirement exemption for custom harvesters, which would need to be adopted this year and would align with all of the states to the east, we have some sample versions that we could base our own on.
  - Debra Perkins-Smith: We will follow up with you on that item.
- Gunnison Valley: Construction is at a lull, focusing on planning right now and trying to address safety issues; a roundabout was planned for Crested Butte for several years, funding was being lined up, and then a new City Council came in and said we don't want a roundabout, so things change and they remain the same.
- Intermountain: Glad to see that HazMat routing through the tunnel appears to be at rest right now; other than that
- Northwest: *No report.*
- San Luis Valley: We've had a dry winter so far, but avalanche mitigation on Wolf Creek Pass and Monarch Pass are continuing as needed; US 285

	<p>passing lanes chip seal, striping, and wildlife mitigation improvements have been delayed due to a fire in the shop of one of the materials providers; taking advantage of mild winter to do some minor improvements on local roads.</p> <ul style="list-style-type: none"> <li>• <u>South Central</u>: The next TPR meeting will be in Walsenburg next month.</li> <li>• <u>Southeast</u>: Work continues on US 287 in downtown Lamar downtown – it’s been summery, so the work continues. The next TPR meeting will be on Wednesday.</li> <li>• <u>Southwest</u>: <i>No report.</i></li> <li>• <u>Upper Front Range</u>: More to report after next meeting; inviting Mike Lewis to attend June TPR meeting in Platteville, CO.</li> <li>• <u>Southern Ute Indian Tribe</u>: <i>No report.</i></li> <li>• <u>Ute Mountain Ute Indian Tribe</u>: <i>No report.</i></li> </ul>	
<p>Federal and State Legislative Report / Herman Stockinger and Andy Karsian (CDOT Office of Policy &amp; Government Relations)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• <u>Federal</u> <ul style="list-style-type: none"> <li>○ The Trump Administration released a high-level infrastructure plan several weeks back.</li> <li>○ It proposed \$200 billion over 10 years in new federal funds to leverage state, local, and private money of between \$1 and \$1.5 trillion overall. <ul style="list-style-type: none"> <li>▪ Includes <i>all</i> infrastructure, not just transportation.</li> <li>▪ \$40 billion to a new rural infrastructure formula program, which state governors would control. <ul style="list-style-type: none"> <li>• Not clear whether or not there would be a match required.</li> </ul> </li> <li>▪ \$130 billion for new grant programs, including \$100 million for infrastructure incentives program to fund no more than 20% of projects with the other 80% coming from new state funding sources.</li> <li>▪ Expanded eligibility and scope of existing federal financing programs (such as TIFIA).</li> </ul> </li> <li>○ Much of the funding for the above \$200 million comes from cuts to existing federal programs, such as TIGER, New Starts, etc.</li> <li>○ CDOT’s message to the Colorado congressional delegation is that there are already federal formula funding sources and it makes sense to continue use those rather than creating new ones.</li> <li>○ The proposal contains some good ideas related to environmental and regulatory streamlining that we would support, and it’s possible that Congress will get behind those changes without the other elements.</li> </ul> </li> </ul>	<p>No action taken.</p>

### **STAC Comments**

- Turner Smith: There has been some speculation about where the President would find funding for this, with one suggestion being an increased fuel tax. That's popular in the transportation community but might not find traction in Congress. Something has to be done. Are you getting any sense of the chances of a fuel tax passing Congress?
- Ron Papsdorf: The President proposed a \$.25 federal gas tax increase over 5 years, and some folks would favor that, but there's probably not enough support in Congress for something like that to pass. A week later the President threw out the idea of a Mileage Based User Fee, so there's really not a consensus yet.
- Sean Conway: I keep hearing from other groups that Rep. Bill Shuster is still working on his own plan prior to his retirement. Do you know if that is ongoing? What are you hearing?
- Ron Papsdorf: I have heard similar things – several members of Congress have been waiting for the Administration to start the conversation before putting out their own proposals. Chairman Shuster is very interested in getting something done, and many other folks are too, but it's hard to predict when it comes to the politics. I think that they could get an infrastructure package done this year, maybe in summer or early fall, but it's impossible to know.
- Elise Jones: Can you give us an update on the pending TIGER and INFRA grants?
- Ron Papsdorf: I wish I could tell you more. The USDOT started their technical review for TIGER grants and were moving to the next stage of that assessment. We've heard that we could get TIGER information near the end of this month or early March, so we'll see. INFRA had a lot more applications so that will likely take a few more months.

### **Presentation**

- State
  - HB 1119 was similar to SB 1 and would have diverted sales and use tax funds to transportation with an accompanying bonding measure on the ballot this fall, however it died on a party-line vote in the House Transportation Committee.



	<ul style="list-style-type: none"> <li>○ There is also a bill in process clarifying local governments' role in adjusting speed limits, which merely clarifies the language but makes no actual changes.</li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li>• <u>Peter Baier</u>: Has CDOT looked at SB 167 related to underground utilities and how it might possibly affect you?</li> <li>• <u>Andy Karsian</u>: Yes, we're tracking this issue and there has been a lot of county input and a credible collaboration between sponsors and stakeholders moving forward, so it looks like they will hammer out some of the potential issues.</li> </ul>	
<p>Performance Measures Target Setting / William Johnson &amp; Debra Perkins-Smith (CDOT Division of Transportation Development)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• The FAST Act requires states to set performance measure targets in three areas: Safety, Infrastructure Condition, and System Performance.</li> <li>• The DOT sets targets first, and then each MPO has 180 days to either support the state target or set their own instead. These targets apply within MPO boundaries, regardless of asset ownership.</li> <li>• Infrastructure Condition targets include: Pavement (% Good vs. % Poor) and Bridges (% Good vs. % Poor).</li> <li>• System Performance targets include: Travel Time Reliability, Truck Travel Time Reliability, Peak Hour of Excessive Delay (PHED) &amp; Non-SOV Travel Summary, and On-Road Total Emissions.</li> <li>• CDOT staff intend to hold a March TC workshop on Infrastructure Condition and System Performance targets with hope of adoption in April. CDOT will submit targets to FHWA by May 20th.</li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li>• <u>Gary Beedy</u>: It sounds a bit odd to set targets for "poor" – can we use a different term?</li> <li>• <u>William Johnson</u>: These terms are given to us by the FHWA, so unfortunately we don't really control that.</li> <li>• <u>Norm Steen</u>: What funding assumptions are included here?</li> <li>• <u>William Johnson</u>: We are setting 2-4 year targets here, so we assume no changes to funding in that short period.</li> <li>• <u>Andy Pico</u>: How does this apply to PPACG when our CMAQ funding will be going away in the near future given our attainment status?</li> </ul>	<p>No action taken.</p>

- William Johnson: The targets are at the state level rather than for any specific area so that will not affect them.
- Elise Johnson: Are these targets meant to be reflective of where we *expect* be, or where we *want* to be?
- William Johnson: It's kind of both. FHWA gives us a formula for calculating them and we follow that.
- Debra Perkins-Smith: The feds specify how we (and all states) have to calculate these, but if we want to go further then we can get together and set our own more ambitious goal than what the feds require from.
- Joshua Laipply: What's our ability to change these targets once we set them?
- William Johnson: We set the 2- and 4-year targets and then there's a 2-year evaluation period. At that point we can refine the targets with additional information that we have at that point, or choose to keep them the same.
- Debra Perkins-Smith: What happens if we don't achieve the targets?
- William Johnson: If you go below the federal minimum on interstate condition (5%) then the FHWA can potentially reallocate state funds (though that is unlikely in our case). For System Performance, missing your targets means you have to make changes and explain how those will help you to achieve the target in the future.
- Joshua Laipply: At CDOT we have Lead and Lag measures – Lead measures drive day-to-day decisions while Lag measures are longer-term affirmations of your progress at a programmatic level. I think of these as the “Lag of Lag” measures – they'll be compared to other states but won't drive daily decisions. Is that right?
- William Johnson: Correct, they won't drive daily decisions but the data used for those daily decisions will align with our broader goals as represented by these targets.
- Thad Noll: I don't know if any of us are qualified to assess these targets one way or the other. Is CDOT staff comfortable with them?
- William Johnson: We have lived and breathed these for 2 years and worked very closely with our MPO partners on their development. We think that they're as solid as we can make them with the available information.

<p>National Highway Freight Program Project Selection / Jason Wallis (CDOT Division of Transportation Development)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>Freight projects can be classified as either Freight Targeted (e.g. chain stations, truck ramps) or Freight Impacted (e.g. shoulders, intersections, climbing lanes).</li> <li>Projects are aligned with the goals of the Statewide Transportation Plan, which are: Safety, Mobility, Maintaining the System, and Economic Vitality.</li> <li>CDOT staff want to inquire whether the STAC members would like to be active in the project selection process or defer to the Freight Advisory Council (FAC) on that role. <ul style="list-style-type: none"> <li>If so, the process for the STAC's review will mirror that of the FAC.</li> </ul> </li> <li>Evaluation results will be presented to the STAC on March 23<sup>rd</sup> for concurrence.</li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li><u>Turner Smith</u>: Did you touch base with CDOT Heavy Tow program as a part of this?</li> <li><u>Jason Wallis</u>: TSMO did look to see whether any of their programs might benefit from this funding source, but we didn't talk specifically about Heavy Tow.</li> <li><u>Turner Smith</u>: Did they discuss whether they might charge for their services?</li> <li><u>Ryan Rice</u>: We're in the very preliminary stages of potentially recouping costs from that program, but we have a lot more evaluation and stakeholder engagement to move through before reporting back to TC on the potential for that. We are not applying for any of these funds for Heavy Tow at this time, though we are applying for a project related to Connected Vehicles. We estimate the savings to the public to be at 34-to-1 benefit to cost between what we spend on the Heavy Tow program (approximately \$677,000) and the value of the public benefit.</li> <li><u>Jason Wallis</u>: To be clear, these funds cannot be used for program operations (such as the Heavy Tow). We can invest in infrastructure and equipment that support improved operations, but not the operating cost themselves.</li> <li><u>Thad Noll</u>: I would say that STAC already has representation on the FAC, so there isn't a need for a separate evaluation by this group.</li> <li><u>Norm Steen</u>: But STAC would still get a yay/nay vote on the FAC recommendations.</li> </ul>	<p>No action taken.</p>
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	<ul style="list-style-type: none"> <li>• <u>Jason Wallis</u>: Yes, thank you.</li> </ul>	
<p>Development Program Update / Timothy Kirby (CDOT Division of Transportation Development) and Michael Snow (CDOT Division of Transit &amp; Rail)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• The previous STAC presentation focused on highway projects and the main takeaways from the group were: find a way to represent BRT on both lists (added), represent the Front Range Passenger Rail on the Transit Development Program, and allow more time for review of the Transit Development Program before finalizing.</li> <li>• When originally developed in 2016, the Transit Development Program only included rural and intercity/interregional bus services (i.e. Bustang) but it is now being expanded to account for all types of capital projects statewide, including within MPO areas. <ul style="list-style-type: none"> <li>○ This will help support the development of Ballot Lists and also be the first statewide compilation of transit projects ever created.</li> </ul> </li> <li>• The Highway Development Program went through a process of compiling all projects, prioritizing a subset of those projects by allocating approximate percentages to CDOT Regions and TPRs (based on the RPP formula), and then creating project lists based on funding criteria of specific funding sources like SB 228, FASTLANE, FLAP, SB 267, and INFRA. <ul style="list-style-type: none"> <li>○ The Transit Development Program is still in the first of this process, but staff are seeking to complete it by August in order to support decisions around SB 267 and potential Ballot Lists.</li> </ul> </li> <li>• The target schedule is as follows: <ul style="list-style-type: none"> <li>○ Outreach to TPRs and MPOs from March to May</li> <li>○ Updates to STAC in April, June, and August</li> <li>○ Discussion with TRAC in March, May, and July</li> <li>○ Transit Town Halls in April (in Pueblo, Durango, Glenwood Springs, Denver, and Greeley)</li> <li>○ Monthly calls with CASTA and grant recipient network.</li> </ul> </li> <li>• CDOT staff requesting help from the TPRs and MPOs to ensure that transit providers and stakeholders attend the upcoming meetings.</li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li>• <u>Doug Rex</u>: At the upcoming MPO meetings we'll also be inviting our local member governments to best represent their viewpoints.</li> <li>• <u>Michael Snow</u>: The more the merrier!</li> </ul>	<p>No action taken.</p>

<p>FY19 CDOT Budget Update / Louie Barela (CDOT Division of Accounting &amp; Finance)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• CDOT submits a draft budget to the Governor’s Office and Joint Budget Committee (JBC) in November, receive feedback, and then revise and review with TC for their approval and resubmission in time for July 1st.</li> <li>• A few changes to note in this version: <ul style="list-style-type: none"> <li>○ The first \$380 million tranche of SB 267 for FY19 is now included on Line 63 and Line 99.</li> <li>○ The maximum 1st year SB 267 repayment of \$28.5 million is shown on Line 125.</li> <li>○ The \$148.2 million General Fund requested by the Governor for transportation is not included here since it has yet to be approved.</li> <li>○ There will be an increase in insurance costs passed along by DPA.</li> <li>○ There is \$1.1 million allocated to the TC Program Reserve fund (available to support unfunded projects). <ul style="list-style-type: none"> <li>▪ Distinct from the TC Contingency fund (used for emergency expenses, weather incidents, etc.).</li> </ul> </li> </ul> </li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li>• <u>Andy Pico</u>: You mentioned Civil Rights several times, can you explain that?</li> <li>• <u>Louie Barela</u>: There is a \$50,000 increase in Line 72 (Project Initiatives) to meet the Civil Rights Office’s request to make up a shortage in the Disadvantaged Business Enterprise (DBE) fund that has been there for a few years and which they are now filling for future years.</li> <li>• <u>Turner Smith</u>: You also mentioned the TC Contingency fund.</li> <li>• <u>Louie Barela</u>: It’s actually the TC Program Reserve, which is different. This was created to split it out from the TC Contingency Fund (\$40 million for emergencies) and have other funds available for regional requests over the course of the year.</li> <li>• <u>Turner Smith</u>: Has the total of the funds in the TC Contingency Fund / TC Program Reserve ever been higher?</li> <li>• <u>Louie Barela</u>: Yes, it was last year. Typically, there are about \$12 million available per year, but this year it is significantly less at around \$1.1 million due to the debt repayment requirements resulting from SB 267.</li> <li>• <u>Norm Steen</u>: Are the new headquarters costs identified in here somewhere?</li> <li>• <u>Louie Barela</u>: COPs for the new buildings are on Line 126 and Line 127.</li> <li>• <u>Norm Steen</u>: Where does this reflect the savings promised in building a new facility rather than refurbishing this one?</li> </ul>	<p>No action taken.</p>
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	<ul style="list-style-type: none"> <li>• <u>Mike Lewis</u>: That savings occurs over a 20-year period, but this budget is only for FY19, so you're not going to see that reflected on here.</li> <li>• <u>Norm Steen</u>: Where would I find the RPP funds on here, and has the amount changed?</li> <li>• <u>Mike Lewis</u>: RPP is reflected on Line 47 and there is no change between FY18 to FY19.</li> </ul>	
<p>Model Traffic Code Update / Charles Meyer (CDOT Traffic &amp; Safety Operations)</p>	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• The Model Traffic Code is a restatement of Article 4 in the Colorado Revised Statutes, which translates into the county or municipal codes in each part of the state. CDOT is required to publish the MTC for the sake of uniformity.</li> <li>• CDOT is working with the State Attorney General to update the MTC with any changes that have taken place in the statutes since the last version was published in 2010.</li> <li>• CDOT staff will share a draft version with STAC members for their review and input via a survey link.</li> <li>• Some new elements include texting and driving laws, updated fine schedules, and connected/autonomous vehicle language.</li> <li>• CDOT staff will share a one-page summary with STAC members for their review.</li> <li>• The goal is to finalize and issue the MTC by the end of calendar year 2018.</li> </ul> <p><b>STAC Comments</b></p> <ul style="list-style-type: none"> <li>• <u>Thad Noll</u>: When do you anticipate sending out the draft?</li> <li>• <u>Charles Meyer</u>: The Attorney General is finalizing the draft and we're hoping to share that by the early summer, then create the final draft and publish by the end of 2018</li> <li>• <u>Gary Beedy</u>: Has there been any assessment about whether these requirements would add any excessive costs to the counties and municipalities? We want to follow the law, but not if it places an undue burden on local government budgets.</li> <li>• <u>Charles Meyer</u>: We rely on comments to learn about those types of issues, and I'm not sure how we would assess that from our perspective. Also,</li> </ul>	<p>No action taken.</p>

	communities are able to adopt the code in part rather than in total, so that might be an option in those types of cases.	
Other Business / Vince Rogalski (STAC Chair)	<p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• <u>Andy Pico</u>: I have concerns about the use of the Volkswagen Settlement funds and whether they have changed from our previous discussion and public input. I would like an update on that topic in the future.</li> <li>• The next STAC Meeting will be held on March 23<sup>rd</sup> at CDOT Headquarters in Denver.</li> </ul>	No action taken.

**STAC ADJOURNS**

DRAFT



**DATE:** March 23, 2018  
**TO:** Statewide Transportation Advisory Committee (STAC)  
**FROM:** Michael King, CDOT Division of Transportation Development  
**SUBJECT:** Volkswagen Settlement Update

#### Purpose

The purpose of this memo is to provide the STAC with updated information on the Volkswagen Settlement.

#### Action

Informational memo, no action requested.

#### Background

Volkswagen has agreed to settle some of the allegations that it violated the federal Clean Air Act by selling vehicles that emit more air pollution than the Clean Air Act allows, and by cheating on federal emission tests to hide the excess pollution. The affected vehicles exceed emission limits for nitrogen oxides (NOx), a pollutant that harms public health and forms ozone or smog.

The state of Colorado expects to receive \$68.7 million in settlement funds following resolution of the Volkswagen emissions scandal. The Colorado Department of Public Health and Environment has been designated as the state's lead agency to implement the trust. CDPHE partnered with the Colorado Department of Transportation, the Colorado Energy Office, and the Regional Air Quality Council to develop a spending plan known as the Beneficiary Mitigation Plan (BMP). In the fall of 2017, CDPHE and its partner agencies released the draft BMP for public comment via its website and through an in-person comment meeting held at CDOT HQ on September 18<sup>th</sup>. Over the course of the 45-day comment period, more than 2,300 comments were received and catalogued by CDPHE.

To review the draft BMP, see the public comments received, and find the latest news, please visit:

<https://www.colorado.gov/pacific/cdphe/news/VW-settlement>

#### Details

The BMP divides the state allocation into six funding categories:

- \$10.3 million (15%) for electric vehicle charging infrastructure
- \$18 million (26%) for alternative fuel medium/heavy-duty vehicle replacements
- \$18 million (26%) for alternative fuel transit bus replacements
- \$5 million (7%) to reduce emissions from non-road diesel engines or diesel equipment (DERA option)
- \$11.7 million (17%) reserve fund that would be allocated to eligible projects based on demand
- \$5.7 million (8%) for administrative costs of managing the reporting the program

For improved efficiency, funding will flow through existing programs. For instance, the funds for alternative fuel transit buses will become part of DTR's annual Consolidated Call for Capital Projects, funds for EV charging will flow through Charge Ahead Colorado / Alt Fuels Colorado, etc.

Funds will be distributed statewide and there will be no geographic targets or quotas. We anticipate that project awards will likely be dispersed in line with the population distribution of the state – with approximately 80% along the Front Range and the remaining 20% across the rest of Colorado.





Broadly speaking, public comments received on the draft BMP were supportive of the proposed spending plan. Based on commonly-received comments, the interagency team will make the following changes to the BMP as it is finalized:

- Hybrid vehicles will be eligible for funding at 50% of the incentive level of a full EV.
- Incentive caps for DC Fast-Charging equipment will be raised to \$30,000 per unit to meet the goal of covering 80% of eligible project costs.
- The requirement that fleets seeking medium-duty diesel vehicle replacements have 9 vehicles or fewer will be removed at the request of stakeholders.
- Pre-2009 CNG and propane vehicles (not just diesels) will be eligible for replacement by new CNG and propane vehicles.
- The interagency team will work with DEN and other airport applicants to develop appropriate incentives for airport ground support equipment (GSE) projects.

One other change is an increase in the anticipated program administration cost resulting from the addition of CDPHE's indirect rate to the pass-through portions of the fund. This has increased the estimated Admin Costs for the 5-year period from \$5.2 to \$5.7 million, with an equivalent decrease in the Flex Funds from \$12.2 to \$11.7 million. Any administrative costs beyond the planned 5-year program period will be drawn from the Flex Fund as needed but will be kept well below the 15% maximum set by the terms of the settlement.

Once these changes are incorporated, the BMP will be finalized for submission to the VW Settlement Trustee. However, Colorado may revise the document at any future date as deemed necessary by CDPHE in conjunction with its agency partners, stakeholders, and the public.

The interagency team is also aligning its planning with other related efforts, including the VW-controlled "Electrify America" charging station investments, the Colorado Electric Vehicle Plan released by the Governor in January, and the Regional Electric Vehicle Plan for the West (REV West) MOU with seven neighboring states. None of these other initiatives will supersede the elements of the BMP, but there may be opportunities to leverage and combine planning and funding resources to maximize the impact of the VW Settlement dollars in Colorado.

#### Next Steps

On January 29<sup>th</sup>, Colorado was officially designated as a beneficiary of the Volkswagen Trust. We are now working on structuring the administration of the program, developing the necessary agreements and contracts between the partner agencies, and updating application materials. We anticipate that funds will become available for application in the fall of 2018.



# COLORADO

## Department of Transportation

Division of Transportation Development

Multimodal Planning Branch  
4201 E. Arkansas Ave., Shumate Building  
Denver, CO 80222-3400

**TO:** Statewide Transportation Advisory Committee (STAC)  
**FROM:** Tim Kirby, Manager, Multimodal Planning Branch; Michelle Scheurman, Manager, Statewide Planning  
**DATE:** March 19, 2018  
**SUBJECT:** Update on Statewide Planning Rules

### Background

CDOT staff has been preparing to begin rulemaking on the Statewide Transportation Planning Rules (“Rules”), 2 CCR 601-22. Starting in July 2017, CDOT invited STAC to provide comments and suggest proposed changes to the Rules. At the September 2017 STAC meeting, staff provided STAC with a redlined draft of the Rules that reflected comments from planning partners that had been submitted by that time.

In January 2018, staff received additional comments and proposed changes from planning partners. The attached redlined draft is the result of comments and proposed changes received dating back to July 2017. Staff also sent the Rules to counties through Colorado Counties, Incorporated (CCI) and to municipalities for any comments, and received no comments.

### Details

The following are additional key proposed changes to the Rules since STAC last reviewed the draft in September:

- 1.18 and 1.37 - Definitions of "multimodal" (1.18) and "travel mode" (1.37) were updated to be consistent with each other;
- 4.04.1.1 - Clarified that this section pertains only to MPO TPRs;
- 6.01 - “Basis for Transportation Plan Amendments” was deleted after discussion with DRCOG; and
- 7.04 - Clarified the relationship between the STIP and TIPs.

In addition, staff made other minor corrections to the draft Rules. On March 15, 2018, the Transportation Commission authorized staff to begin the formal rulemaking process. Interested members of the public now have the opportunity to provide comment on the proposed changes to the Rules. CDOT will accept comments up through the rulemaking hearing on May 22.

At the rulemaking hearing, members of the public may submit comments on the Rules before a hearing officer. The hearing officer will make findings based on:

1. The proposed draft of the Rules submitted at the hearing;
2. Oral testimony from the public; and
3. Exhibits demonstrating that CDOT has complied with the Administrative Procedure Act.

Based on those findings, the hearing officer will submit a recommendation to the Transportation Commission regarding adoption of the Rules.

### Next Steps

- May 1, 2018: Staff would like any comments submitted by this day to [CDOT\\_Rules@state.co.us](mailto:CDOT_Rules@state.co.us).
- May 22, 2018: CDOT will hold a rulemaking hearing for these Rules at 1:00 p.m. at the new CDOT Headquarters building, located at 2829 W. Howard Place, Denver, CO 80204. Staff will keep STAC apprised of any additional comments submitted before the rulemaking hearing.

### Attachment

Attachment A: Redlined Draft Showing Proposed Changes to Rules



## DEPARTMENT OF TRANSPORTATION

### Transportation Commission

#### **RULES GOVERNING STATEWIDE TRANSPORTATION PLANNING PROCESS AND TRANSPORTATION PLANNING REGIONS**

**[Explanation for change: Based on DRCOG comment to clarify rule title]**

2 CCR 601-22

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#### STATEMENT OF BASIS AND PURPOSE AND STATUTORY AUTHORITY

The purpose of the Rules Governing the Statewide Transportation Planning Process and Transportation Planning Regions (Rules) **[Explanation by CDOT: makes sense to spell out full name on first reference in the text]** 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), in cooperation with local governments, Metropolitan Planning Organizations, Regional Planning Commissions, Indian tribal governments, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, Federal Railroad Administration, U.S. Forest Service, Bureau of Land Management, Secretary of the Interior, National Park Service, other federal and state agencies, relevant state and federal agencies **[Explanation by CDOT: seems awkward to list some federal agencies and not others, and not to list any state agencies; best to use a general description]**, the private sector, transit and freight operators, special-interest groups, and the general public. This cooperative process is designed to coordinate regional transportation planning, guided by the statewide transportation policy set by the Department and the Colorado Transportation Commission (Commission), as a fundamental basis for developing the statewide transportation plan. The result of the statewide transportation planning process shall be a long-range, financially feasible, environmentally sound, multimodal transportation system plan for Colorado.

Further, the purpose of the Rules is to define the state's Transportation Planning Regions for which long-range Regional Transportation Plans are developed, prescribe the process for conducting and initiating transportation planning in the non-MPO Transportation Planning Regions and coordinating with the Metropolitan Planning Organizations for planning in the metropolitan areas. Memoranda of Agreement (MOA) that serve as the Metropolitan Planning Agreements (MPAs) per 23 CFR 450 between the Department, each MPO, and applicable transit provider(s) **[Explanation by CDOT: Change based on DRCOG suggestion to clarify there are multiple MOAs and MPAs, and using language suggested by FHWA]** Memorandums of Agreement ("MOA") between the Department and each MPO further prescribe the transportation planning process in the MPO transportation planning regions. In addition, the purpose of the Rules is to describe the organization and function of the Statewide Transportation Advisory Committee (STAC) as established by § 43-1-1104, Colorado Revised Statutes (C.R.S.).

The Rules are being promulgated to meet the intent of both the U.S. Congress and the Colorado General Assembly for conducting developing a continuing, cooperative, and comprehensive statewide performance-based multimodal transportation planning process for producing a Statewide Transportation Plan and Regional Transportation Plans that address the transportation needs of the state to address the transportation problems of the state by producing a statewide transportation plan. This plan will be implemented by results in a systematic project prioritization and selection and budgeting of allocation resources, utilizing through a comprehensive input process. **[Explanation by CDOT: language intended to better explain purpose of Rules]**

In 2018, rulemaking was initiated to update the rules to conform to recently passed federal legislation, update expired rules, clarify the membership and duties of the Statewide Transportation Advisory Committee pursuant to HB 16-1169 and HB 16-1018, and to make other minor corrections.. [Explanation: we need to explain why we are doing rulemaking this time pursuant to APA]

The Rules are intended to be consistent with and not be a replacement for the federal transportation planning requirements contained in 23 United States Code (U.S.C.) 134, 135 and 150450, Pub. L. No. 114-94 (Fixing America's Surface Transportation Act or the "FAST Act") signed into law on December 4, 2015, PL 112-141 ("Moving Ahead for Progress in the 21<sup>st</sup> Century" or "MAP-21") and its implementing regulations, where applicable, contained in 23 Code of Federal Regulations (CFR) Part 450, including Subparts A, B and C and 25 CFR Part 170.421 in effect as of ~~October 1, 2012~~August 1, 2017, which are hereby incorporated into the Rules by this reference, and do not include any later amendments. All referenced laws and regulations shall be available for copying or public inspection during regular business hours from the Office of Policy and Government Relations, Colorado Department of Transportation, 2829 W. Howard Pl., Denver, Colorado 80204. 4201 E. Arkansas Avenue, Denver, Colorado 80222 [Explanation: needed to update with FAST Act requirements]

Copies of the referenced United States Code may be obtained from the following address:

Office of the Law Revision Counsel  
U.S. House of Representatives  
H2-308 Ford House Office Building  
Washington, DC 20515  
(202) 226-2411

Copies of the referenced Code of Federal Regulations may be obtained from the following address:

U.S. Government Publishing Office  
732 North Capitol Street, N.W.  
Washington, DC 20401  
(202) 512-1800

The Statewide Planning Rules, governing as a component of the statewide planning process [Explanation by CDOT: the Rules are part of the planning process, not the Statewide Transportation Plan], emphasize Colorado's continually greater integration of multimodal, cost-effective and environmentally sound means of transportation. The Rules reflect the Department's focus on multimodal transportation projects including highways, aviation, transit, rail, bicycles and pedestrians.

The Rules are promulgated by the Commission pursuant to the specific statutory authority ~~found~~ in § 43-1-1103 (5), C.R.S., and § 43-1-106 (8)(k), C.R.S. The Commission may, at their discretion, entertain petitions for declaratory orders pursuant to § 24-4-105(11), C.R.S. [Explanation by CDOT: required by statute and recommended by Office of Attorney General to put this into the rules]

## **1.00 Definitions.**

1.01 Accessible - ensure that reasonable efforts are made that all meetings ~~locations~~ are reachable by persons from households without vehicles and that they meetings will be accessible to persons with disabilities in accordance with CDOT Policy 605.0 and the Americans with Disabilities Act (ADA), and also accessible to persons with limited English proficiency. Accessible opportunities to comment on planning related matters include those provided on the internet and through such methods as telephone town halls. [Explanation by CDOT: language broadened to include persons with limited English proficiency and to acknowledge that public outreach goes beyond public meetings.]

- ~~1.02~~ ~~Alternative Mode – any mode of transportation other than a single occupant vehicle.~~ [Explanation: this term is not used anywhere else in the rules so do not need to be defined]
- 1.023 Attainment Area – any geographic region of the United States that meets the national primary or secondary National Ambient Air Quality Standards (NAAQS) for the pollutants as defined in the Clean Air Act (CAA) (Amendments of 1990).
- 1.034 Commission - the State Transportation Commission created by § 43-1-106, C.R.S.
- 1.045 Corridor - a ~~transportation system that includes all modes and facilities within a~~ described geographic area, ~~having length and width for purposes of transportation planning, and including all modes of travel.~~ [Explanation: NFRMPO suggested “any mode” but CDOT staff recommends “all modes and facilities” to match this definition to the definition of Corridor in the executive summary of the Statewide Transportation Plan.]
- 1.056 Corridor Vision - a comprehensive examination of a specific transportation corridor, which includes a determination of needs and an expression of desired state of the transportation system ~~that includes transportation modes and facilities over the a~~ planning period ~~and includes all modes and facilities.~~ [Explanation: CDOT staff restructured wording and took out “all” to avoid inference that CDOT is responsible for all local transportation facilities]
- 1.067 Department - the Colorado Department of Transportation created by § 43-1-103, C.R.S.
- 1.078 Division – the Division of Transportation Development within the Colorado Department of Transportation.
- 1.089 Division Director - the Director of the Division of Transportation Development.
- 1.0940 Fiscally Constrained - the financial limitation on transportation plans and programs based on the projection of revenues ~~as developed cooperatively with the MPOs and the rural TPRs and adopted by the Commission that are~~ reasonably expected to be available over the long-range ~~transportation~~ planning period [Explanation: NFRMPO suggested clarification and CDOT added language that the projection of revenues are developed cooperatively] and the Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) ~~programming~~ planning periods, ~~as adopted by the Commission prior to updating regional and statewide plans.~~ [Explanation by CDOT: re-ordered language to clarify Commission’s role in adopting projection of revenue, and DRCOG suggested changing “planning periods” to “programming periods” because STIP is only for 4 years]
- 1.104 Intergovernmental Agreement - an arrangement made between two or more political subdivisions that form associations for the purpose of promoting the interest and welfare of said subdivisions.
- 1.112 Intermodal Facility- ~~the ability to connect and the connections between different transportation modes, (bicycle, pedestrian, transit, rail, aircraft, and motor vehicle). 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.~~ [Explanation by CDOT: usually when using the word “intermodal” we are referring to an intermodal facility]
- 1.12 Land Use – the type, size, arrangement, and use of parcels of land. [Explanation by CDOT: Need to add this definition (from PPACG 2040 plan) because of the relationship between transportation and land use]
- 1.13 Limited English Proficiency (LEP) – individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. [Explanation



- by CDOT: added because of federal emphasis on making accommodations for those who do not speak English as their primary language
- 1.143 Long-range Planning - a reference to a planning period with a minimum 20-year planning horizon.
- 1.154 Maintenance Area – any geographic region of the United States previously designated by the U.S. Environmental Protection Agency (EPA) as a nonattainment area [Explanation: NFRMPO suggested word change for clarity] pursuant to the Clean Air Act (CAA) Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended in 1990).
- 1.16 Memorandum of Agreement (MOA) – a written agreement between two or more parties on an intended plan of action. [Explanation by CDOT: this is a term used in the Purpose section so it should be defined]
- 1.17 Metropolitan Planning Agreement (MPA) – a written agreement between the MPO, the State, and the providers of public transportation serving the metropolitan planning area that describes how they will work cooperatively to meet their mutual responsibilities in carrying out the metropolitan planning process. [Explanation by CDOT: this is a term used in the Purpose section so it should be defined, definition is from the FAST Act upon suggestion by DRCOG.]
- 1.185 Metropolitan Planning Area - is a geographic area determined by agreement between the Metropolitan Planning Organization for the area and the Governor, in which the metropolitan transportation planning process is carried out pursuant to 23 U.S.C. § 134.
- 1.196 Metropolitan Planning Organization (MPO) - an organization ~~within the State of Colorado~~ designated by agreement among the units of general purpose local governments and the Governor, charged to develop the regional transportation plans and programs in a metropolitan planning area pursuant to 23 U.S.C. § 134. [Explanation: NFRMPO suggested adding language explaining that a “metropolitan planning area” has a population of 50,000; however, CDOT staff recommends not having the population reference because the definition of “metropolitan planning area” is set by 23 U.S.C. § 134 which could be updated. NFRMPO also suggested removing reference to state of Colorado since MPOs do not only exist in Colorado.] In terms of this transportation planning process, MPOs serve as Regional Planning Commissions for their respective Transportation Planning Regions. [Explanation by CDOT: the last sentence is removed because RPCs are created by state law for rural TPRs]
- 1.2047 Mobility - the ability to move people, goods, services, and information among various origins and destinations. [Explanation by CDOT: “Services” are typically found in documents about mobility]
- 1.218 Multimodal - ~~an integrated modal approach having two or more modes (bicycle, pedestrian, transit, rail, aircraft, and motor vehicle)~~ 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. [Explanation by CDOT: examples of the modes is helpful, DRCOG suggested adding “personal mobility devices”]
- 1.22 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. [Explanation: NFRMPO believed this definition would be helpful]
- 1.2349 Nonattainment Area - any geographic region of the United States which has been designated by the EPA ~~as a Nonattainment~~ under section 107 of the CAA for any pollutants for which an NAAQS national ambient air quality standard exists. [Explanation: NFRMPO suggested changes for clarity]

- 1.240 Non-metropolitan Area – a rural geographic area outside a designated metropolitan planning area.
- 1.25 ~~Plan Integration – integration of key points of various other Department plans, the rural regional transportation plans, and the MPO plans into the statewide transportation plan. Plan integration is a comprehensive evaluation of the statewide transportation system that includes all modes, an identification of needs and priorities, and key information from other related CDOT plans.~~
- 1.264 Planning Partners – ~~members~~local and tribal governments, the rural of the Transportation Planning Regions and MPOsMetropolitan Planning Organizations. [Explanation for change: the change in definition came from CDOT's Public Involvement Guide]
- 1.272 [Expired 05/15/2013 per Senate Bill 13-079]
- ~~Project Priority Programming Process ("4P") – the process by which CDOT adheres to 23 U.S.C. 135 and 23 CFR 450 when developing and amending the statewide transportation improvement program (STIP). [Explanation by CDOT: this definition was inadvertently deleted from the rules, so we are putting it back in now]~~
- 1.23 ~~Regional and Statewide Plan Guidebook or "Guidebook"– the plan Guidebook is developed in collaboration with CDOT's planning partners in order to assist local governments and interested parties in the development of long-range transportation plans. Though MPO processes are addressed in federal regulations, some information is typically included for MPOs based on the need for consistency between rural and metropolitan plans as they are consolidated into the Statewide Transportation Plan. [Explanation by CDOT: CDOT is no longer using Guidebooks]~~
- 1.284 Regional Planning Commission (RPC) - ~~the a~~ planning body formed under the provisions of § 30-28-105, C.R.S., and designated under these Rules for the purpose of transportation planning within a rural Transportation Planning Region. [Explanation by CDOT: RPCs are defined for purposes of these Rules as part of all rural TPRs]
- 1.295 [Expired 05/15/2013 per Senate Bill 13-079]
- ~~Regional Transportation Plan (RTP) - a long-range plan designed to address the future transportation needs for a Transportation Planning Region including, but not limited to, anticipated funding, priorities, and implementation plans, pursuant to, but not limited to, § 43-1-1103, C.R.S. and 23 CFR § 450. All rural and urban Transportation Planning Regions in the state produce RTPs. [Explanation by CDOT: this provision was inadvertently deleted and now we are putting it back in the rules, with a small change to remove "technically based" from the beginning of the sentence, and also except for the last sentence which is new and was added for clarification]~~
- 1.3026 State Transportation System - refers to all state-owned, operated, and maintained transportation facilities in Colorado, including, but not limited to, interstate highways, other highways, local roads, and aviation, bicycle and pedestrian, transit, and rail facilities, ~~bicycle and pedestrian facilities, transit facilities, and rail facilities.~~ [Explanation by CDOT: clarification made to specify this term means all state facilities, upon suggestion by DRCOG]
- 1.27 ~~Statewide and Regional Planning Manager – the person who manages the Statewide Plan development at the Colorado Department of Transportation. [Explanation by CDOT: not needed for these rules]~~
- 1.3128 Statewide Transportation Advisory Committee (STAC) - the committee created by § 43-1-1104, C.R.S., ~~composed of comprising~~ one representative from each Transportation Planning Region and one representative from each tribal government, to review and comment on Regional

Transportation Plans, amendments, and updates, and to advise both the Department and the Commission on the needs of the transportation systems in Colorado. [Explanation: CDOT and NFRMPO clarified language here because the membership and duties of STAC broadened under HB 16-1169 and HB 16-1018]

- 1.3229 Statewide Transportation Improvement Program (STIP) - a staged, fiscally constrained, multi-year, statewide, multimodal program of transportation projects which is consistent with the statewide transportation plan and planning processes, with metropolitan planning area plans, Transportation Improvement Programs and processes, and which is developed pursuant to 23 U.S.C. 135.
- 1.330 Statewide Transportation Plan - the long-range, ~~fiscally constrained~~, comprehensive, multimodal statewide transportation plan covering a period of no less than 20 years from time of adoption, developed through the statewide transportation planning process described in these Rules and 23 U.S.C. 135, and adopted by the Commission pursuant to § 43-1-1103, C.R.S. [Explanation: CDOT/NFRMPO suggested changes because SWP is not fiscally constrained, nor is it required to be under state law]
- 1.341 System Continuity - includes, but is not limited to, appropriate intermodal connections, integration with state modal plans, and coordination with neighboring Regional Transportation Plans, and, to the extent practicable, ~~the other neighboring states' transportation plans adjacent Statewide Transportation Plans~~. [Explanation by CDOT: deleted "adjacent" because it didn't make sense in this context, and wording was added to clarify continuity with neighboring states]
- 1.352 Traditionally Underserved - ~~this~~ refers to groups such as ~~the elderly~~ seniors, persons with disabilities, low-income households, minorities, and student populations, which may face difficulties accessing transportation systems, employment, services, and other amenities.
- 1.363 Transit and Rail Advisory Committee (TRAC) – an advisory committee created specifically to advise the Executive Director, the Commission, and the Division of Transit and Rail on transit and rail-related activities.
- ~~1.34 — Transportation Commission — the Colorado Transportation Commission established pursuant to § 43-1-105 C.R.S. [Explanation by CDOT: deleted because we already define "Commission" above]~~
- 1.375 Transportation Commonality - the basis on which Transportation Planning Regions are established including, but not limited to: Transportation Commission Districts, the Department's Engineering Regions, travelsheds, watersheds, geographic unity, existing intergovernmental agreements, and socioeconomic unity.
- 1.386 Transportation Improvement Program (TIP) - a staged, fiscally constrained, multi-year, multimodal program of transportation projects developed and adopted by MPOs, and approved by the Governor, which is consistent with an MPO's RTP the metropolitan transportation plan, and which is developed pursuant to 23 U.S.C. § 134. [Explanation: suggested change by DRCOG for clarity]
- 1.397 Transportation Mode - a particular form of travel including, but not limited to, bus, motor vehicle, rail, ~~mass~~-transit, aircraft, bicycle, ~~or~~ pedestrian travel, or personal mobility devices.
- 1.4038 Transportation Planning and Programming Process - all collaborative planning-related activities including the development of regional and statewide transportation plans, the Department's Project Priority Programming Process, and development of the Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Program (STIP).



1.4139 Transportation Planning Region (TPR) - a geographically designated area of the state, defined by section 2.00 of these Rules in consideration of the criteria for transportation commonality, and ~~within for~~ which a regional transportation plan is developed pursuant to the provisions of § 43-1-1102 and 1103, C.R.S. and 23 U.S.C. § 134. The term TPR is inclusive of these types: non-MPO Transportation Planning Regions, MPO Transportation Planning Regions, and Transportation Planning Regions with both MPO and non-MPO areas.

1.420 Transportation Systems Planning ~~— provides the basis for identifying current and future deficiencies on the state highway system and outlines strategies and projects to address those deficiencies and make improvements to meet Department goals. a procedure for developing an integrated means of providing adequate facilities for the movement of people, goods, services, and information, involving regional or statewide analysis of transportation needs and the identification of transportation facilities and corridors.~~ [Explanation by CDOT: this definition needed to be updated]

1.431 Travelshed - the region or area generally served by a major transportation facility, system, or corridor.

1.442 [Expired 05/15/2013 per Senate Bill 13-079]

~~Tribal Transportation Improvement Program (TTIP) – a multi-year fiscally constrained list of proposed transportation projects developed by a tribe from the tribal priority list or tribal long-range transportation plan, and which is developed pursuant to 25 CFR 170. The TTIP is incorporated into the STIP without modification.~~ [Explanation by CDOT: this definition was inadvertently deleted from the rules, so we are putting it back in now, with updates to some of the language]

1.453 Urbanized Area - an area with a population of 50,000 or more designated by the Bureau of the Census.

1.464 Watershed - ~~as defined by the Colorado Department of Natural Resources, Division of Water Resources, is a land area that drains to a common waterway, such as a stream, lake, estuary, wetland, or ultimately the ocean. drainage basin of a major river, and is considered in establishing TPR boundaries.~~ [Explanation by CDOT: this definition is from the U.S. Army Corps of Engineers' website]

## 2.00 Transportation Planning Regions (TPR).

2.01 Transportation Planning Region Boundaries. Transportation Planning Regions 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 Transportation Planning Region comprises ~~sd of~~ the Pikes Peak Area Council of Governments' metropolitan area within El Paso and Teller ~~c~~Counties.

2.01.2 The Greater Denver Transportation Planning Region, ~~which includes the Denver Regional Council of Governments' metropolitan area,~~ comprises ~~sd of~~ the counties of Adams, Arapahoe, Boulder, Broomfield, Clear Creek, Denver, Douglas, Gilpin, Jefferson, and parts of Weld. [Explanation: DRCOG suggested simplifying this description]

2.01.3 The North Front Range Transportation Planning Region comprises ~~sd of~~ the North Front Range Transportation and Air Quality Planning Council's metropolitan area within Larimer and Weld ~~c~~Counties.

- 2.01.4 The Pueblo Area Transportation Planning Region comprises ~~sd of~~ Pueblo County, including the Pueblo Area Council of Governments' metropolitan area.
- 2.01.5 The Grand Valley Transportation Planning Region comprises ~~sd of~~ Mesa County, including the Grand Valley Metropolitan Planning Organization's metropolitan area.
- 2.01.6 The Eastern Transportation Planning Region comprises ~~sd of~~ Cheyenne, Elbert, Kit Carson, Lincoln, Logan, Phillips, Sedgwick, Washington, and Yuma ~~c~~Counties.
- 2.01.7 The Southeast Transportation Planning Region comprises ~~sd of~~ Baca, Bent, Crowley, Kiowa, Otero, and Prowers ~~c~~Counties.
- 2.01.8 The San Luis Valley Transportation Planning Region comprises ~~sd of~~ Alamosa, Chaffee, Conejos, Costilla, Mineral, Rio Grande, and Saguache ~~c~~Counties.
- 2.01.9 The Gunnison Valley Transportation Planning Region comprises ~~sd of~~ Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel ~~c~~Counties.
- 2.01.10 The Southwest Transportation Planning Region comprises ~~sd of~~ Archuleta, Dolores, La Plata, Montezuma, and San Juan ~~c~~Counties, including the Ute Mountain Ute and Southern Ute Indian Reservations.
- 2.01.11 The Intermountain Transportation Planning Region comprises ~~sd of~~ Eagle, Garfield, Lake, Pitkin, and Summit ~~c~~Counties.
- 2.01.12 The Northwest Transportation Planning Region comprises ~~sd of~~ Grand, Jackson, Moffat, Rio Blanco, and Routt ~~c~~Counties.
- 2.01.13 The Upper Front Range Transportation Planning Region comprises ~~sd of~~ Morgan County, and the parts of Larimer and Weld ~~c~~Counties, that are outside both the North Front Range and the Greater Denver (metropolitan) TPRs.
- 2.01.14 The Central Front Range Transportation Planning Region comprises ~~sd of~~ Custer, El Paso, Fremont, Park, and Teller ~~c~~Counties, excluding the Pikes Peak Area Council of Governments' metropolitan area.
- 2.01.15 The South Central Transportation Planning Region comprises ~~sd of~~ Huerfano, and Las Animas Counties.

~~2.02 — Formation of Regional Planning Commissions (RPC).~~

~~2.02.1 — Municipalities and counties within a non-metropolitan area TPR may elect to form an RPC for the purpose of transportation planning through an intergovernmental agreement, pursuant to § 30-28-105 and § 43-1-1103 (1), C.R.S. The RPC shall notify the Division Director by letter of the formation of an RPC for the purpose of transportation planning within thirty (30) days of the execution of the intergovernmental agreement or change in membership.~~

~~2.02.2 — The notification shall include:~~

~~2.02.2.1 — An executed copy of the intergovernmental agreement.~~

~~2.02.2.2 — The name of the chairperson, and the mailing address, telephone number, fax number and electronic mail address (if available) of the RPC.~~

[Explanation by CDOT: All TPRs have been organized as Regional Planning Commissions, so this section is no longer applicable]

2.023 Boundary Revision Process.

2.023.1 [Expired 05/15/2013 per Senate Bill 13-079]

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 CFR § 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: [Explanation by CDOT: this provision was inadvertently deleted so we are adding it back in, with the additional change of clarifying when the boundary revision process begins, and also to remove the former time limit on boundary revision request review]

2.023.1.1 [Expired 05/15/2013 per Senate Bill 13-079]

A geographical description of the proposed boundary change.

2.023.1.2 [Expired 05/15/2013 per Senate Bill 13-079]

A statement of justification for the change considering transportation commonalities.

2.023.1.3 [Expired 05/15/2013 per Senate Bill 13-079]

A copy of the resolution stating the concurrence of the affected Regional Planning Commission.

2.023.1.4 [Expired 05/15/2013 per Senate Bill 13-079]

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.

[Explanation by CDOT: these provisions were inadvertently deleted from the rules and we are now adding them back in, with the addition of a small wording changes to clarify the boundaries are reviewed by the Commission "at the beginning of" each plan update cycle, not at the cycle]

2.023.2 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 State 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.

2.023.3 In the event that the Commission approves a change to the boundary of a TPR that has a Regional Planning Commission, 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.

2.034 Transportation Planning Coordination with MPOs.

2.034.1 The Department and the MPOs shall coordinate activities related to the development of Regional Transportation Plans, 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.

2.045 Transportation Planning Coordination with Non-MPO ~~TPRs~~ RPCs. [Explanation by CDOT: the RPCs of the rural TPRs are their governing bodies]

2.045.1 The Department and RPCs shall work together in developing Regional Transportation Plans 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.

2.056 Transportation Planning Coordination among RPCs.

2.056.1 If transportation improvements cross TPR boundaries or significantly ~~impact~~ another TPR, the RPC shall consult with all the affected RPCs involved when developing the regional transportation plan. In general, RPC planning officials shall work with all planning partners affected by transportation activities when planning future transportation activities. [Explanation: NFRMPO suggestion]

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

2.067.1 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 ~~incorporated by reference~~ integrated in the Statewide Transportation Plan and the Regional Transportation Plan for this TPR. ~~The TTIPs shall be included by reference in the STIP. The TTIP is incorporated into the STIP without modification.~~

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

3.01 Duties of the Statewide Transportation Advisory Committee (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, transportation improvement programs of the metropolitan planning organizations, the Statewide Transportation Improvement Program, transportation plans, and state transportation policies; ~~and review and comment on:~~ [Explanation by CDOT: HB 16-1018 clarified that the STAC advises both the department and the Transportation Commission, not just the department. Additional specified duties of the STAC also are spelled out in the law]

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

3.01.1 All Regional Transportation Plans, amendments, and updates as described in these Rules.

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- 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. [Explanation by CDOT: "linkages" can connect more than 2 modes]
  - 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. ~~For TPRs, where an RPC has not been formed, the TPR's representative may be selected at a periodic, cooperative gathering of elected officials from local agencies. 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 TPR's representative is unable to attend a STAC meeting and would be included by the Department in distributions of all STAC correspondence and notifications. ~~The Ute Mountain Ute and the Southern Ute Tribal governments may each appoint a non-voting member to the STAC.~~ 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. [Explanation by CDOT: clarified the language about tribal governments serving on STAC, which is taken from HB 16-1169]
- 3.03 Administration of Statewide Transportation Advisory Committee
- 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. [Explanation: NFRMPO comment to clarify Commission also considers STAC recommendations]
  - 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.
  - 3.03.3 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 ~~and agendas~~. [Explanation: CDOT made clarification on who is notified]
    - 3.03.3.2 Preparation and distribution of STAC meeting agendas, supporting materials, and minutes. [Explanation: NFRMPO comment to add other items that CDOT staff prepares and distributes]
    - 3.03.3.3 Allocation of Department staff support for STAC-related activities.

#### 4.00 Development of Regional and Statewide Transportation Plans.

##### 4.01 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~Regional Planning Commissions, MPOs, and the Department shall comply with all applicable provisions of 23 U.S.C. 134 and 135, 23 CFR 450, and § 43-1-1103, C.R.S. and all applicable provisions of Transportation Commission policies and guidance documents in development of regional and statewide transportation plans, respectively. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding this back in, and also adding MPOs to the list]~~

##### 4.02 Public Participation

###### 4.02.1 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~Regional Planning Commissions and 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 public perspectives, needs, and ideas to be incorporated-considered in the planning process; developing the public's understanding of the problems and opportunities facing the transportation system; demonstrating explicit consideration and response to public input through a variety of tools and techniques; and developing consensus on plans. The Department shall develop a documented public participation process pursuant to 23 CFR 450. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in, with the additional change in the first sentence to clarify this section applies to the Department in coordination with the RPCs of the rural TPRs.]~~

###### 4.02.2 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~Statewide Plans and Programs. Pursuant to 23 CFR 450 Subpart B, the Department is responsible, in cooperation with the RPCs Regional Planning Commissions and MPOs, for carrying out public participation for developing, amending, and updating the statewide transportation plan, the Statewide Transportation Improvement Program (STIP), and other statewide transportation planning activities. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in]~~

###### 4.02.3 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~MPO Plans and Programs. Pursuant to 23 CFR Part 450 Subpart C, the MPOs are responsible for carrying out public participation for the development of regional transportation plans, transportation improvement programs and other related regional transportation planning activities for their respective metropolitan planning areas. Public participation activities carried out in a metropolitan area in response to metropolitan planning requirements shall by agreement of the Department and the MPO, satisfy the requirements of this subsection. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in with the addition of the word "planning" for "respective metropolitan planning areas"]~~

4.02.4 Non-MPO TPR Plans and Programs. Regional Planning Commissions for nNon-MPO TPRs are responsible for public participation related to regional planning activities in that TPR, in cooperation with the Department. Specific areas of cooperation shall be



determined by agreement between the regional planning commission and the Department.

4.02.5 Public Participation Activities. Public participation activities at both the ~~rural TPR~~regional and statewide level shall include, at a minimum: [Explanation: change based on DRCOG to clarify what "regional" meant]

4.02.5.1 Establishing and maintaining for the geographic area of responsibility a ~~mailing~~-list of all known parties interested in transportation planning including, but not limited to: elected officials; municipal and county planning staffs; affected public agencies; local, state, and federal agencies eligible for federal and state transportation funds; local representatives of public transportation agency employees and users; freight shippers and providers of freight transportation services; public and private transportation providers; representatives of ~~alternative transportation mode~~-users of transit, such as bicycling and pedestrian, aviation, and train facilities; walkways and bicycle transportation facilities, the disabled community; private industry; environmental and other interest groups; Indian tribal governments and the U.S. Secretary of the Interior when tribal lands are involved; and representatives of persons or groups that may be underserved by existing transportation systems, such as minority, low-income, ~~senior~~elderly, ~~and~~ persons with disabilities, and those with limited English proficiency; and members of the general public expressing such interest in the transportation planning process. [Explanation by CDOT: changes made for clarification and to add LEP persons]

4.02.5.2 Providing reasonable notice and opportunity to comment through mailing lists and other various communication methods means to those persons on the transportation mailing list of on upcoming transportation planning-related activities and meetings. [Explanation: NFRMPO suggestions to simplify language, and CDOT change to expand ways reasonable notice and opportunity to comment is provided]

4.02.5.3 Utilizing reasonably available internet or traditional media opportunities, including minority and diverse media, to provide timely notices of planning-related activities and meetings to members of the ~~general~~-public, including LEP individuals, and others who may require reasonable accommodations. Methods that will be used to the maximum extent practicable for public participation could include, but not be limited to, use of the internet; social media, news media, such as newspapers, radio, or television, mailings and notices, including electronic mail and online newsletters. [Explanation by CDOT: broaden the definition of "traditional media opportunities" to emphasize reaching out to LEP populations]

4.02.5.4 Seeking out those persons or groups 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, including the elderly and persons with disabilities, for the purposes of exchanging information, increasing their involvement, and considering their transportation needs in the transportation planning process. Pursuant to § 43-1-601, C.R.S., the Department shall prepare a statewide survey identifying the transportation needs of ~~the elderly~~seniors and of persons with disabilities. [Explanation: NFRMPO and CDOT changes to expand the list of "traditionally underserved"]

4.02.5.5 Consulting, as appropriate, with Regional Planning Commissions, and federal, state, local, and tribal agencies responsible for land use management,

natural resources, environmental protection, conservation and historic preservation concerning the development of long-range transportation plans.

4.02.5.6 Providing reasonable public access to, and appropriate opportunities for public review and comment on criteria, standards, and other planning-related information. ~~Reasonable public access includes, but is not limited to, LEP services and access to ADA-compliant facilities, as well as to the internet. used in the development of transportation plans, at public facilities, such as Department headquarters and region offices, state depository libraries, county offices, RPC offices, the Colorado Division offices for the Federal Highway Administration and the Federal Transit Administration and the internet.~~ [Explanation by CDOT: these changes are intended to broaden what constitutes "reasonable public access" from meetings to other forms of sharing information, and to make it clear that such access goes beyond transportation plans, and that reasonable access includes LEP services and ADA accessible facilities]

4.02.5.7 ~~Where feasible, s~~Scheduling the development of regional and statewide plans so that the release of the draft plans may be coordinated to provide for the opportunity for joint public outreach. ~~at such time.~~

4.02.5.8 Documentation of Responses to Significant Issues. Regional Planning Commissions and the Department shall respond in writing to all significant issues raised during the review and ~~c~~Comment period on transportation plans, and make these responses available to the public.

4.02.5.9 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~Review of the Public Involvement Process. All interested parties and the Department shall periodically review the effectiveness of the Department's public involvement process to ensure that the process provides full and open access to all members of the public. When necessary, the process will be revised and allow time and revise the process as necessary and allowing time for public review and comment per 23 CFR 450.~~ [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in, also made the clarification that it is the Department's public involvement process.]

4.03 Transportation Systems Planning. Regional Planning Commissions, and the Department, shall use an integrated multimodal transportation systems planning approach in developing and updating the long-range Regional Transportation Plans and the long-range Statewide Transportation Plan for a minimum 20-year forecasting period. Regional Planning Commissions shall have flexibility in the methods selected for transportation systems planning based on the complexity of transportation problems and available resources within the TPR. The Department will provide guidance and assistance to the Regional Planning Commissions regarding the selection of appropriate methods.

~~4.03.1 State and federal transportation system planning factors to be considered by Regional Planning Commissions and the Department during their respective transportation systems planning shall include, at a minimum, the factors described in § 43-1-1103 (5), C.R.S., and in 23 U.S.C. 134 and 135.~~ [Explanation: This is moved to 4.04.1.2]

4.03.1~~2~~ Transportation systems planning by Regional Planning Commissions and the Department shall consider the results of any related studies that have been completed. Regional Planning Commissions and the Department may also identify any corridor(s) or sub-



area(s) where an environmental study or assessment may need to be performed in the future.

- 4.03.~~23~~ Transportation systems planning by Regional Planning Commissions shall consider corridor vision needs and desired state of the transportation system including existing and future land use and infrastructure, major activity centers such as industrial, commercial and recreation~~s~~ areas, economic development, environmental protection, and modal choices.
- 4.03.~~34~~ Transportation systems planning by Regional Planning Commissions shall include operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people ~~and goods, and services.~~
- 4.03.~~45~~ Transportation systems planning by the Department should include capital, operations, maintenance and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient ~~and effective~~ use of ~~CDOT facilities the state transportation system.~~ [Explanation by CDOT: "state transportation system" is more inclusive than "CDOT facilities" and "efficient and effective" have different meanings in that what is most efficient is not necessarily most effective]
- 4.03.~~56~~ Transportation systems planning by the Department shall consider and integrate all modes into the Statewide Transportation Plan and include coordination with Department modal plans and modal committees, such as the Transit and Rail Advisory Committee (TRAC).
- 4.03.~~67~~ Transportation Systems Planning by the Department shall provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals described in 23 U.S.C. 150 ~~(MAP-21) (FAST Act, P.L. 114-94).~~ Performance targets that the Department establishes to address the performance measures described in 23 U.S.C. 150, where applicable, are to be used to track progress towards attainment of critical outcomes for the state. The state shall consider the performance measures and targets when developing policies, programs, and investment priorities reflected in the Statewide Transportation Plan and STIP. [Explanation by CDOT: updating federal law]
- 4.04 Regional Transportation Plans (RTP). Long-range regional transportation plans shall be developed, in accordance with federal (23 U.S.C. 134, 23 U.S.C. 135) and state (§ 43-1-1103 and § 43-1-1104, C.R.S.) law and implementing regulations, ~~and are consistent with the applicable metropolitan planning sections of the Regional and Statewide Plan Guidebook developed by the Department in collaboration with its planning partners.~~ Department selection of performance targets that address the performance measures shall be coordinated with the relevant MPOs to ensure consistency, to the maximum extent practicable.
- 4.04.1 Content of Regional Transportation Plans. Each RTP shall include, at a minimum, the following elements:
- 4.04.1.1 Transportation system facility and service requirements ~~of~~within the MPO TPR over a minimum 20-year planning period necessary to meet expected demand, and the anticipated capital, maintenance and operating cost for these facilities and services. [Explanation: these requirements are in federal law for MPOs]
- 4.04.1.2 State and federal transportation system planning factors to be considered by Regional Planning Commissions and the Department during their

respective transportation systems planning shall include, at a minimum, the factors described in § 43-1-1103 (5), C.R.S., and in 23 U.S.C. 134 and 135.  
[Explanation: This used to be 4.03.1, now moved here]

~~4.04.1.2~~ ~~For rural RTPs, the fiscally constrained integrated performance-based multimodal transportation plan based on revenues reasonably expected to be available over the minimum 20-year planning period (fiscally constrained plan). For metropolitan RTPs, a fiscally constrained financial plan.~~ [moved this to become new 4.04.1.5]

~~4.04.1.3~~ ~~Analysis of the planning factors referenced in these Rules upon which the transportation facility and service requirements and the fiscally constrained plan are based.~~ [Explanation by CDOT: deleted because it is repetitive]

4.04.1.34 Identification and discussion of potential environmental mitigation measures, of the results of completed environmental studies, corridor studies, or corridor visions, including a discussion of impacts to minority and low-income communities. [Explanation by CDOT: Based on comments by DRCOG, clarified that the federal law requires identification and discussion of potential environmental mitigation measures. Also made additions because federal law requires consideration of impacts on minority and low-income communities]

4.04.1.45 ~~A~~ ~~include a~~ discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

~~4.04.1.5~~ ~~For rural RTPs, the integrated performance-based multimodal transportation plan based on revenues reasonably expected to be available over the minimum 20-year planning period. For metropolitan RTPs, a fiscally constrained financial plan.~~ [Explanation by CDOT: under federal law, the financial plan section of the MPO plans must be fiscally constrained] [moved this down from 4.04.1.2]

~~4.04.1.6~~ ~~An RTP identifying~~ Identification of reasonably expected financial resources developed cooperatively among the Department, MPOs, and rural TPRs for long-range planning purposes, for implementing the fiscally constrained plan over the minimum forecasting period, and results expected to be achieved based on regional priorities. [Explanation by CDOT: Based on comments by DRCOG and GVMPO, these changes were made to emphasize the cooperative way that financial projections among the Department's planning partners are determined.]

4.04.1.7 Documentation of the public notification and public participation process pursuant to these Rules.

4.04.1.8 A resolution of adoption by the responsible Metropolitan Planning Organization or the Regional Planning Commission.

#### 4.04.2 Products and reviews

4.04.2.1 Draft Plan. Transportation Planning Regions shall provide a draft of the RTP to the Department through the Division of Transportation Development.

4.04.2.2 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

Draft Plan Review. Upon receipt of the draft RTPs, the Department will initiate its review and schedule the STAC review (pursuant to these Rules). The Department will provide its comments and STAC comments to the Transportation Planning Region within a minimum of 30 days of receiving the draft RTP. Regional transportation plans in metropolitan areas completed pursuant to the schedule identified in 23 CFR 450.322 shall be subject to the provisions of this section prior to being submitted to the Department for consideration as an amendment to the statewide transportation plan. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in]

4.04.2.3 Final Plan. Transportation Planning Regions shall provide the final RTP to the Department through the Division of Transportation Development.

4.04.2.4 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

Final Plan Review. Upon receipt of the final RTP, the Department will initiate its review and schedule the STAC review (pursuant to these Rules) of the final RTPs to determine if the plans incorporate the elements required by the Rules. If the Department determines that a final RTP is not complete, including if the final RTP does not incorporate the elements required by these Rules, then the Department will not integrate that RTP into the statewide plan until the Transportation Planning Region has sufficiently revised that RTP, as determined by the Department with advice from the STAC. The Department will provide its comments and STAC comments to the Transportation Planning Region within a minimum of 30 days of receiving the final RTP. Transportation Planning Regions shall submit any RTP revisions based on comments from the Department and STAC review within 30 days of the Department's provision of such comments. Regional transportation plans in metropolitan areas completed pursuant to the schedule identified in 23 CFR 450.322 shall be subject to the provisions of this section prior to being submitted to the Department for consideration as an amendment to the statewide transportation plan. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in]

4.05 Maintenance and Nonattainment Areas. Each RTP, or RTP amendment, shall include a section that:

4.05.1 Identifies any area within the TPR that is designated as a maintenance or ~~n~~nonattainment area.

4.05.2 Addresses, in either a qualitative or quantitative manner, whether transportation related emissions associated with the pollutant of concern in the TPR are expected to increase over the long-range planning period and, if so, what effect that increase might have in causing a maintenance area for an NAAQS pollutant to become a nonattainment area, ~~Nonattainment~~, or a ~~n~~Non-attainment area to exceed its emission budget in the approved State Implementation Plan. [Explanation by CDOT: clarified that the pollutant is the NAAQS pollutant]

4.05.3 If transportation related emissions associated with the pollutant are expected to increase over the long-range planning period, identifies which programs or measures are included in the RTP to decrease the likelihood of that area becoming a ~~n~~Nonattainment area for the pollutant of concern.

4.06 Statewide Transportation Plan. The Regional Transportation Plans submitted by the Regional Planning Commissions shall, along with direction provided through Transportation Commission policies and guidance, form the basis for developing and amending the Statewide Transportation Plan. The Statewide Transportation Plan shall cover a minimum 20-year planning period at the time of adoption and shall guide the development and implementation of a performance-based multimodal transportation system for the State.

4.06.1 The Statewide Transportation Plan ~~development~~ shall: Explanation for change: this section is about the contents of the Statewide Transportation Plan, not the development of the plan

4.06.1.1 Integrate and consolidate the RTP's and the Department's systems planning, pursuant to these Rules, into a ~~fiscally constrained~~ long-range 20-year multimodal transportation plan that presents a clear, concise path for future transportation in Colorado. Explanation: NFRMPO and CDOT change, the federal law does not require that SWPs be fiscally constrained

4.06.1.2 Include the long-term transportation concerns of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe in the development of the Statewide Transportation Plan.

4.06.1.3 Coordinate with other state and federal agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

4.06.1.4 Include a discussion of potential environmental mitigation activities and potential areas to carry out these activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan developed in consultation with federal, state, and tribal wildlife, land management and regulatory agencies.

4.06.1.5 Include a comparison of transportation plans to state and tribal conservation plans or maps and to inventories of natural or historical resources.

4.06.1.6 Provide for overall multimodal transportation system management on a statewide basis.

4.06.1.7 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

The Statewide Transportation Plan shall be coordinated with metropolitan transportation plans pursuant to 23 CFR 450, § 43-1-1103 and § 43-1-1105, C.R.S. Department selection of performance targets shall be coordinated with the MPOs to ensure consistency, to the maximum extent practicable. Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in

4.06.2 Content of the Statewide Transportation Plan. At a minimum, the Statewide Transportation Plan shall include priorities as identified in the RTPs, as identified in these Rules and pursuant to federal planning laws and regulations. The Statewide Transportation Plan shall be submitted to the Colorado Transportation Commission for its consideration and approval.

4.06.3. Review and Adoption of the Statewide Transportation Plan.

4.06.3.1 The Department will submit a draft Statewide Transportation Plan to the Commission, the STAC, and all interested parties for review and comment. The review and comment period will be conducted for a minimum of 30 days. The publication will be available at public facilities, such as at the Department headquarters and region offices, state depository libraries, county offices, TPR offices, Colorado Division offices of the Federal Highway Administration and Federal Transit Administration, and the internet.

4.06.3.2 The Department will submit the final Statewide Transportation Plan to the Colorado Transportation Commission for adoption.

## 5.00 Updates to Regional and Statewide Transportation Plans.

5.01 Plan Update Process. The updates of Regional Transportation Plans and the Statewide Transportation Plan shall be completed on a periodic basis through the same process governing development of these plans pursuant to these Rules. The update cycle shall comply with federal and state law and be determined in consultation with the Transportation Commission, the Department, the STAC and the MPOs so that the respective update cycles will coincide.

5.02 Notice by Department of Plan Update Cycle. The Department will notify Regional Planning Commissions and the MPOs of the initiation of each plan update cycle, and the schedule for completion. ~~In TPRs without a Regional Planning Commission, the Department will notify municipalities and counties of the initiation of each plan update cycle, the schedule for completion, and the opportunity to establish an RPC for the purpose of transportation planning.~~ [Explanation: NFRMPO suggested adding MPO, and CDOT recommended deleting sentence because no longer applicable]

~~5.03 Department Responsibility for Planning in TPRs That Do Not Have a Regional Planning Commission. If the Department has not received notice of intent to form a RPC and/or to update the RTP, then the Department will be responsible for Statewide Transportation Plan update activities within the TPR, for consideration in the Statewide Transportation Plan, pursuant to § 43-1-1103 (3) (b), C.R.S. [Explanation by CDOT: deleted because no longer applicable]~~

## 6.00 Amendments to the Regional and Statewide Transportation Plans.

~~6.01 Basis for Transportation Plan Amendments:~~

~~6.01.1 Between regularly-scheduled updates of Regional Transportation Plans and the Statewide Transportation Plan, circumstances may alter the results of Transportation Systems Planning upon which these plans are based. Such change in circumstances may require an addition, deletion, or other change to a Regional Transportation Plan or the Statewide Transportation Plan.~~

~~6.01.2 [Expired 05/15/2013 per Senate Bill 13-079]~~

~~6.01.3 Amendments to the Regional Transportation Plans and/or the Statewide Transportation Plan may be necessary to ensure fiscal constraint or to maintain alignment between Corridor Visions and the implementing strategies. The process and requirements for plan amendments shall be included in the Guidebook.~~

~~6.01.4 All Amendments to the Statewide Transportation Plan must be approved by the Transportation Commission. Those amendments approved by the Transportation Commission, shall be deemed to be incorporated into that plan.~~

[Explanation: 6.01 through 6.01.4 above are being deleted after discussion with DRCOG during which CDOT staff noted the Statewide Transportation Plan is not project-based and therefore amendment is not warranted due to the continuous nature of the planning process, so there is no need for this section of the Rules. The MPOs and rural RPCs have their own process for amending their transportation plans, which is referenced below.]

## 6.01~~2~~ Amendment Process

6.01~~2~~.1 The process to consider amendments to Regional Transportation Plans shall be carried out by rural RPCs and the MPOs, and to the Statewide Transportation Plan shall be carried out by Regional Planning Commissions and by the Department, respectively, annually, if necessary. That The amendment review process for Regional Transportation Plans shall include an evaluation, review, and approval by the respective Regional Planning Commission~~RPC or MPO~~ and the Department provided that nothing in the Rules shall supersede or constrain the MPO planning process required by 23 U.S.C. 134. [Explanation: Based on suggestion by NFRMPO, "MPO" was added in this section, and other changes were made for clarification of the amendment process.-]

6.01.2 The process to consider amendments to the Statewide Transportation Plan shall be carried out by the Department, either in considering a proposed amendment to the Statewide Transportation Plan from a requesting RPC or MPO or on its own initiative. [Explanation: This is being added to allow for amendments to the statewide transportation plans in the event that MPO plans are completed after the adoption of statewide transportation plans. The MPO plans need to be considered as a part of the statewide transportation plan.]

## 7.00 Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Program (STIP).

7.01 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~TIP development shall occur in accordance with 23 CFR 450 Subpart C. The Department will develop the STIP in accordance with 23 CFR 450 Subpart B, as well as with the STIP Development Guidance and Project Priority Programming Process (4P) (February 2015), as adopted by the Commission. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in, and the reference to the guidance was updated with more detail]~~

7.02 The Department will work with its planning partners to coordinate a schedule for development and adoption of TIPs and the STIP.

7.03 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~A TIP for an MPO that is in a non-attainment or Maintenance Area must first receive a conformity determination by FHWA and FTA before inclusion in the STIP pursuant to 23 CFR 450. [Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in, and removed the reference to MAP-21.]~~

7.04 ~~[Expired 05/15/2013 per Senate Bill 13-079]~~

~~MPO TIPs and Colorado's STIP must be fiscally constrained. Under 23 CFR 450, each project or project phase included in an MPO TIP shall be consistent with an approved metropolitan RTP~~transportation plan~~, and each project or project phase included in the STIP shall be consistent with the long-range statewide transportation plan. MPO TIPs shall be included in the STIP either by reference or without change upon approval by the MPOs and the Governor.~~

Additionally, guidance on the development on TIPs and STIPs is found in the STIP Development Guidance and Project Priority Programming Process (4P) (February 2015) document.

[Explanation by CDOT: this provision was inadvertently deleted from the rules and now we are adding it back in, and updating language to emphasize that TIPs and STIP are fiscally constrained and the guidance about development of both is in the STIP development document. DRCOG also suggested clarifying the relationship between the STIP and the TIPs.]

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# Hotels Near CDOT's New Headquarters

Rank	Hotel	Address	City	Zip	Phone	Contact	Dist. To HQ	Time	Access to Hwy	Lightrail	Mall bus	Airport access	Reg \$/night	On-site dining option	Restaurants nearby	Rewards program
1	Springhill Suites	1190 Auraria Parkway	Denver	80204	720.439.2885	Brittany Maestas/ Emily Tusick	1.8	7 min	direct access to I-25 and Colfax	Y - shuttle to/from	N	Lightrail/shuttle	204-234 w parking	Degree Metropolitan	Y	Marriott Rewards
2	Fairfield Inn	2747 Wyandot St	Denver	80211	303.455.2995	Anna Davis	2	4-7 min	right off speer across from hwy access	N	N	N	\$156-200	Breakfast only	within drive	Marriott Rewards
2	Hampton Inn	2728 Zuni St	Denver	80211	303.455.4588	Sales	2	4-7 min	right off speer across from hwy access	N	N	N	\$160-185	Breakfast only	within drive	Hilton Honors
4	Embassy Suites	1420 Stout St	Denver	80202	844-228-0979	Sales	2.5	6-10 min	downtown driving	D line - req transfer	Y	Lightrail via Union Station	\$180-220	Full breakfast and dining options	Y	Hilton Honors
5	Homewood Suites by Hilton	550 15th Street	Denver	80202	303.534.7800	Sales	2.6	8-15 min	fairly direct to colfax some congestion	Y	Y	not direct	\$140-180	Y	Y	Hilton Honors
6	Comfort Suites	620 Federal Blvd	Denver	80204	720.531.3500	Sales	1.1	3 min	right off 6th and Federal	N	N	N	\$104.00	Convenience Store	very limited	Choice Privileges
7	Magnolia	818 17th Street	Denver	80202	303.607.9000	Ashley Cohn/ Jeremiah Frisenda	2.8	10 min	downtown driving heavy traffic	within walking	Y	lightrail/ walk	\$112-184 w parking	Y	Y	N
8	Crowne Plaza Denver	1450 Glenarm Pl	Denver	80202	303.573.1450	Sales	2.3	8-18 min	fairly direct to colfax some congestion	N	N	not direct	\$95-150	The Lockwood	Y	IHG
9	Maven	1850 Wazee St	Denver	80202	720.460.2727	Sales	2.8	10 min	fairly direct to HQ some downtown	Y - A line stop directly behind hotel	Y	lightrail/ walk	\$220-1000+	Y	Y - walking	N
10	The Oxford	1600 17th St	Denver	80220	303.628.5400(M) 800.228.5838 (R)	Sales	2.3	10-20 min	downtown driving	Y - 1 blk from hotel	Y	lightrail/ walk	275-400	Y	Y	N
11	Crawford Hotel	1701 Wynkoop St	Denver	80202	720.460.3700	Sales	2.3	8 min	downtown driving	Y at station	Y	Y- lightrail/ walk	\$209.00	Y	Y	starwood (SPG)
12	Hyatt House	440 14th Street	Denver	80202	303.893.3100	Sales	2.1	10-20 min	fairly direct to colfax some congestion	within walking	Y	not direct	160-210	Y	Y	Hyatt World
13	Hotel Indigo	1801 Wewatta	Denver	80202	720.544.6111	Laura Gilbert/ Theresa Navin	2.4	8-15 min	fairly direct to HQ some downtown	Y - 5 min walk	y	via union station	\$196-250	Y	Y	IHG
14	Hyatt Regency	650 15th St	Denver	80202	303.436.1234	Sales	2.1	10-20 min	fairly direct to colfax some congestion	within walking	Y	Lightrail via Union Station	114-180	Altitude Restaurant	Y	Hyatt World
15	The Curtis Denver (double tree)	1405 Curtis St	Denver	80202	303.571.0300	Sales	2.5	8-15 min	downtown driving	Walk	y	not direct	\$180-330	Corner Office	Y	Hilton Honors
16	Westin Denver Downtown	1672 Lawrence Street	Denver	80202	303.572.7271(D) 303.572.9100(M)	Vitaliy Foux	2.4	7 min	downtown driving heavy traffic	Y via mall bus	Y	bus/ lightrail	175-230	Y	Y	SPG and Marriott