

NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL

MEETING AGENDA

April 1, 2021

Call-in Number: [+1 \(669\) 224-3412](tel:+16692243412)

Access Code: **723-680-621**

<https://www.gotomeet.me/NFRMPO/april-2021-council-meeting>

For assistance during the meeting, please contact Alex Gordon – agordon@nfrmpo.org or 970.289.8279

Request for Public Comment

Pledge of Allegiance

Public Comment- 2 Minutes Each (accepted on items not on the Agenda) Anyone in the audience will be given time to speak to items on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the regular agenda. Members of the public will be given an opportunity to speak to all other items prior to Council action being taken.

- 1) Acceptance of Meeting Agenda
- 2) Approval of Minutes-Lead Planning Agency for Air Quality/MPO- March 4, 2021 (Page 8)

Lead Planning Agency for Air Quality Agenda

REPORTS:

- | | | | |
|--|---|-----------|------|
| 3) Air Pollution Control Division (APCD) (Page 12) | (Written) | | |
| 4) Regional Air Quality Council (RAQC) (Page 14) | Mike Silverstein – Executive Director, RAQC | (15 min.) | 6:05 |
| 5) GHG Reductions in Transportation Planning | Theresa Takushi – GHG Climate Action Specialist, CDOT | (15 min.) | 6:20 |
| 6) NFRMPO Air Quality Program Updates (Page 16) | Medora Bornhoft– Transportation Planner II | (5 min.) | 6:35 |

Metropolitan Planning Organization Agenda

REPORTS:

- | | | | |
|--------------------------------|--|-----------|------|
| 7) Report of the Chair | Don McLeod - Council Chair – Town of Severance | (10 min.) | 6:40 |
| • MPO Training Video | | | |
| 8) Executive Director Report | Suzette Mallette - Executive Director | (10 min.) | 6:50 |
| • Legislative Update (Page 17) | | | |
| 9) Finance Committee (Page 27) | (Written) | | |
| 10) TAC (Page 30) | (Written) | | |
| 11) Mobility (Page 31) | (Written) | | |

CONSENT ITEM:

- | | | | |
|---|--|----------|------|
| 12) Transit Safety Targets Resolution 2021-06 (Page 36) | AnnaRose Cunningham – Transportation Planner I | (5 min.) | 7:00 |
|---|--|----------|------|

ACTION ITEMS:

- | | | | |
|---|---|-----------|------|
| 13) <i>Environmental Justice (EJ) Plan</i> Resolution 2021-07 (Page 40) | Ryan Dusil - Transportation Planner II | (10 min.) | 7:05 |
| 14) March 2021 TIP Amendment Resolution 2021-08 (Page 43) | AnnaRose Cunningham –Transportation Planner I | (10 min.) | 7:15 |
| 15) FTA \$5310 Budget Adjustment Resolution 2021-09 (Page 45) | Merideth Kimsey – Accounting Manager | (10 min.) | 7:25 |

DISCUSSION ITEMS:

- | | | | |
|--|--|-----------|------|
| 16) Draft FY2022-2025 Transportation Improvement Program (TIP) (Page 47) | AnnaRose Cunningham | (15 min.) | 7:35 |
| 17) Draft FY2022-2023 Unified Planning Work Program (UPWP) Tasks (Page 49) | Becky Karasko - Transportation Planning Director | (15 min.) | 7:50 |
| 18) SB 267 Funds Year Three | Heather Paddock- CDOT R4 Transportation Director | (20 min.) | 8:05 |

NEXT MPO COUNCIL MEETING: May 6, 2021- Hosted by the Town of Windsor



COUNCIL REPORTS:

Transportation Commission
CDOT R4 Update
STAC Report *(Page 50)*
I-25 Coalition
US34 Coalition
Host Council Member Report

MEETING WRAP UP:

Next Month's Agenda Topic Suggestions

(10 min.)

8:25

Kathleen Bracke - Transportation Commissioner
Heather Paddock - CDOT R4 Transportation Director
(Written)
Scott James – Weld County Commissioner
Scott James
Kristin Stephens – Larimer County Commissioner

(5 min.)

8:35



MPO Planning Council

Town of Severance

Donald McLeod, Mayor - Chair

Alternate- Frank Baszler, Trustee

Town of Berthoud

William Karspeck, Mayor - Vice Chair

Alternate- Maureen Dower, Mayor Pro Tem

City of Loveland

Dave Clark, Councilmember - Past Chair

Alternate- TBD

Town of Eaton

Lanie Isbell, Mayor Pro Tem

Alternate- Glenn Ledall, Trustee

City of Evans

Mark Clark, Mayor Pro Tem

Alternate- Brian Rudy, Mayor

City of Fort Collins

Wade Troxel, Mayor

Alternate- Susan Gutowski, Councilmember

Town of Garden City

Fil Archuleta, Mayor

Alternate- TBD

City of Greeley

Brett Payton, Councilmember

Alternate- John Gates, Mayor

Town of Johnstown

Troy Mellon, Councilmember

Larimer County

Kristin Stephens, Commissioner

Alternate- Jody Shaddock-McNally, Commissioner

Town of LaSalle

Paula Cochran, Trustee

Town of Milliken

Elizabeth Austin, Mayor

Town of Timnath

Lisa Laake, Trustee

Weld County

Scott James, Commissioner

Alternate- Perry Buck, Commissioner

Town of Windsor

Paul Rennemeyer, Mayor

Alternate- Ken Bennett, Mayor Pro Tem

CDPHE- Air Pollution Control Division

Dena Wojtach, Manager, Planning & Policy Program

Colorado Transportation Commission

Kathleen Bracke, Commissioner

Alternate- Heather Paddock, Region 4 Director



MPO MEETING PROCEDURAL INFORMATION

1. The order of the agenda will be maintained unless changed by the MPO Planning Council Chair (MPO Chair).
2. "Public Comment" is a time for citizens to address the Planning Council on matters that are not specifically on the agenda. Each citizen shall be limited to a total of two (2) minutes time for public comment, or at the discretion of the MPO Chair.
3. Before addressing the Planning Council, each individual must be recognized by the MPO Chair, come and stand before the Council and state their name and address for the record. (All proceedings are taped.)
4. For each Action item on the agenda, the order of business is as follows:
 - MPO Chair introduces the item; asks if formal presentation will be made by staff
 - Staff presentation (optional)
 - MPO Chair requests citizen comment on the item (two minute limit for each citizen)
 - Planning Council questions of staff on the item
 - Planning Council motion on the item
 - Planning Council discussion
 - Final Planning Council comments
 - Planning Council vote on the item
5. Public input on agenda items should be kept as brief as possible, and each citizen shall be limited to two (2) minutes time on each agenda item, subject to time constraints and the discretion of the MPO Chair.
6. During any discussion or presentation, no person may disturb the assembly by interrupting or by any action such as applause or comments. Any side conversations should be moved outside the meeting room. Courtesy shall be given to all speakers.
7. All remarks during the meeting should be germane to the immediate subject.

GLOSSARY

5303 & 5304	FTA program funding for multimodal transportation planning (jointly administered with FHWA) in metropolitan areas and States
5307	FTA program funding for public transportation in Urbanized Areas (i.e. with populations >50,000)
5309	FTA program funding for capital investments
5310	FTA program funding for enhanced mobility of seniors and individuals with disabilities
5311	FTA program funding for rural and small Urban Areas (Non-Urbanized Areas)
5326	FTA program funding to define “state of good repair” and set standards for measuring the condition of capital assets
5337	FTA program funding to maintain public transportation in a state of good repair
5339	FTA program funding for buses and bus facilities
3C	Continuing, Comprehensive, and Cooperative
7th Pot	CDOT’s Strategic Investment Program and projects —originally using S.B. 97-01 funds
AASHTO	American Association of State Highway & Transportation Officials
ACP	Access Control Plan
ADA	Americans with Disabilities Act of 1990
ADT	Average Daily Traffic (also see AWD)
AIS	Agenda Item Summary
AMPO	Association of Metropolitan Planning Organizations
APCD	Air Pollution Control Division (of Colorado Department of Public Health & Environment)
AQCC	Air Quality Control Commission (of Colorado)
ATP	Active Transportation Plan
AWD	Average Weekday Traffic (also see ADT)
BUILD	Better Utilizing Investments to Leverage Development (the competitive federal grant program that replaced TIGER)
CAAA	Clean Air Act Amendments of 1990 (federal)
CBE	Colorado Bridge Enterprise funds
CDOT	Colorado Department of Transportation
CDPHE	Colorado Department of Public Health and Environment
CMAQ	Congestion Mitigation and Air Quality (an FHWA funding program)
CMP	Congestion Management Process
CNG	Compressed Natural Gas
CO	Carbon Monoxide
COLT	City of Loveland Transit
CPG	Consolidated Planning Grant (combination of FHWA PL & FTA 5303 planning funds)
CFY	Calendar Fiscal Year
DOT	(United States) Department of Transportation
DRCOG	Denver Regional Council of Governments
DTD	CDOT Division of Transportation Development
DTR	CDOT Division of Transit & Rail
EIS	Environmental Impact Statement
EJ	Environmental Justice
EPA	Environmental Protection Agency

GLOSSARY (cont'd)

FAST ACT	Fixing America's Surface Transportation Act (federal legislation, signed December 2015)
FASTER	Funding Advancements for Surface Transportation and Economic Recovery (Colorado's S.B. 09-108)
FHWA	Federal Highway Administration
FNC	Freight Northern Colorado Plan
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FY	Fiscal Year (October to September for federal funds; July to June for state funds; January to December for local funds)
FFY	Federal Fiscal Year
GET	Greeley-Evans Transit
GOPMT	Goals, Objectives, Performance Measures, and Targets
HOV	High Occupancy Vehicle
HPTE	High-Performance Transportation Enterprise (Colorado)
HTF	Highway Trust Fund (the primary federal funding source for surface transportation)
HUTF	Highway Users Tax Fund (the State's primary funding source for highways)
INFRA	Infrastructure for Rebuilding America (a competitive federal grant program for freight improvements)
I&M or I/M	Inspection and Maintenance program (checking emissions of pollutants from vehicles)
ITS	Intelligent Transportation Systems
LCMC	Larimer County Mobility Committee
LRP or LRTP	Long Range Plan or Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century (2012 federal transportation legislation)
MAPG	Mobility and Access Priority Group, formerly known as the Senior Transportation Coalition (STC)
MMOF	Multimodal Options Fund (state funds allocated to MPOs and TPRs in SB18-001)
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MVEB	Motor Vehicle Emissions Budget
NAA	Non-Attainment Area (for certain air pollutants)
NAAQS	National Ambient Air Quality Standards
NARC	National Association of Regional Councils
NEPA	National Environmental Policy Act
NFRT & AQPC	North Front Range Transportation & Air Quality Planning Council (also NFRMPO)
NFRMPO	North Front Range Metropolitan Planning Organization (also NFRT & AQPC)
NHS	National Highway System
NMP	Non-Motorized Plan
NoCo	Northern Colorado Bicycle and Pedestrian Collaborative
NOx	Nitrogen Oxides
OBD	On-Board Diagnostics (of a vehicle's engine efficiency and exhaust)
O ₃	Ozone

GLOSSARY (cont'd)

PL	Federal Planning (funds)
PIP	Public Involvement Plan
POP	Program of Projects
PPP (also P3)	Public Private Partnership
R4 or R-4	Region 4 of the Colorado Department of Transportation
RAQC	Regional Air Quality Council
RNMC	Regional Non-Motorized Corridor
RPP	Regional Priority Program (a funding program of the Colorado Transportation Commission)
RSC	Regionally Significant Corridor
RTC	Regional Transit Corridor
RTD	Regional Transportation District in the Denver Region or Regional Transportation Director for CDOT Regions
RTE	Regional Transit Element
RTP	Regional Transportation Plan
SH	State Highway
SIP	State Implementation Plan (air quality)
SOV	Single Occupant Vehicle
SPR	State Planning and Research (federal funds)
SRTS (<i>see TA</i>)	Safe Routes to School (a pre-MAP-21 FHWA funding program)
STAC	Statewide Transportation Advisory Committee
STIP	Statewide Transportation Improvement Program
STBG (<i>previously STP-Metro</i>)	Surface Transportation Block Grant (a FAST Act FHWA funding program)
SWC&FRPRC	Southwest Chief & Front Range Passenger Rail Commission
TAC	Technical Advisory Committee (of the NFRMPO)
TA (<i>previously TAP</i>)	Transportation Alternatives program (an FHWA funding program)
TAZ	Transportation Analysis Zone (used in travel demand forecasting)
TC	Transportation Commission of Colorado
TDM	Transportation Demand Management
TIGER	Transportation Investment Generating Economic Recovery (a competitive federal grant program from 2009-2017 replaced by BUILD)
TIP	Transportation Improvement Program
Title VI	U.S. Civil Rights Act of 1964, prohibiting discrimination in connection with programs and activities receiving federal financial assistance
TMA	Transportation Management Area (federally-designated place >200,000 population)
TOD	Transit Oriented Development
TPR	Transportation Planning Region (state-designated)
TRAC	Transit & Rail Advisory Committee (for CDOT)
UFR	Upper Front Range TPR
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WCMC	Weld County Mobility Committee

Meeting Minutes of the NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL

March 4, 2021
Virtual Meeting

Voting Members Present:

Don McLeod- CHAIR	-Severance
Kathleen Bracke	-Transportation Commission
Dave Clark	-Loveland
Mark Clark	-Evans
Paula Cochran	-LaSalle
Kristen Stephens	-Larimer County
Lanie Isbell	-Eaton
Scott James	-Weld County
Will Karspeck	-Berthoud
Lisa Laake	-Timnath
Brett Payton	-Greeley
Paul Rennemeyer	-Windsor
Wade Troxell	-Fort Collins
Dena Wojtach	-CDPHE

Voting Members Absent:

Fil Archuleta	-Garden City
Troy Mellon	-Johnstown

MPO Staff:

Suzette Mallette, Executive Director; Becky Karasko, Transportation Planning Director; Merideth Kimsey, Accounting Manager; Cory Schmitt, Mobility Manager; Alex Gordon, Transportation Planner III; Medora Bornhoft, Transportation Planner II; Ryan Dusil, Transportation Planner II; and AnnaRose Cunningham, Transportation Planner I

In Attendance:

Dawn Anderson, Nick Armstrong, Elizabeth Austin, Frank Baszler, Allison Baxter, Erika Benti, Rachel Bolin, Perry Buck, Rich Christy, Rick Coffin, James Eussen, Susan Gutowsky, Josie Hadley, Butch Hause, Joel Hemesath, Myron Hora, Mark Jackson, Will Jones, Dean Klingner, Mitch Nelson, Mark Oberschmidt, Heather Paddock, Randy Ready, Elizabeth Relford, Jan Rowe, Jodie Shaddock-McNally, Robin Stoneman, Eric Tracy, James Usher

Chair McLeod called the MPO Council meeting to order at 6:00 p.m.

Public Comment:

A written public comment was provided in the packet.

Move to Approve Agenda:

Stephens **moved** to *APPROVE THE MARCH 4, 2021 MEETING AGENDA AS SUBMITTED*. The motion was **seconded** by Karspeck and **passed** unanimously.

Move to Approve Minutes:

Stephens **moved** to *APPROVE THE FEBRUARY 4, 2021 MEETING MINUTES AS SUBMITTED*. The motion was **seconded** by Rennemeyer and **passed** unanimously.

Lead Planning Agency for Air Quality Agenda

Chair McLeod opened the Air Quality portion of the meeting.

Air Pollution Control Division (APCD)

Wojtach highlighted opportunities to provide public comment on the Greenhouse Gas (GHG) Inventory Report and the draft Climate Equity Framework. Virtual hearings on the Greenhouse Gas Reduction Transportation rulemakings will be held on March 11th and 18th. Meetings with

large employers regarding the Employer Trip Reduction Program (ETRP) will be held March 9th, 17th, 24th, and 26th.

Regional Air Quality Council (RAQC)

A written report was provided.

NFRMPO Air Quality Program Updates

Bornhoft stated NFRMPO staff have been working on the Employer-Based Trip Reduction (ETRP), GHG Pollution Budgets for transportation plans, and the GHG Inventory and Climate Equity Framework

Metropolitan Planning Organization (MPO) Agenda

Chair McLeod opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

Alex Gordon played the NFRMPO Transportation Improvement Program (TIP) training video. Chair McLeod stated the graphics highlighting eligible projects types for the various federal funding programs is helpful.

Executive Director Report

Mallette stated the NFRMPO Executive Committee would like to continue with virtual meetings through June and then reevaluate.

The One Call-One Click Center will henceforth be referred to as Ride NoCo. A Ride NoCo logo and branding have been developed and the program has connected two people to vaccination appointments to date. Larimer and Weld counties developed similar reimbursement models for vaccination appointment rides. The Ride NoCo website is under development now.

NFRMPO staff have requested permission to form a Community Advisory Committee (CAC) to assist with public engagement on NFRMPO plans and programs. The CAC will include community members from across the region who are not already part of an NFRMPO committee. The application is open through April 2nd. The Executive Committee has approved a one-year pilot period to evaluate the effectiveness of the CAC. Stephens asked what kind of outreach NFRMPO staff has conducted to distribute the CAC application. Gordon stated the NFRMPO has sent information through its various mailing lists, a newsletter, and social media accounts.

Mallette provided a legislative update, highlighting potential a bill under consideration in the Colorado State Legislature this session. This session is likely to include consideration of additional transportation funding sources, including a fee on gasoline; Revising the Electric Vehicle (EV) registration fees to be in closer alignment to gasoline powered vehicles; general fund transfers; and a road usage fee for delivery and service vehicles. The additional revenue generated would be distributed across Colorado mostly based on Highway User Tax Fund (HUTF) formulas, meaning direct allocation to local agencies and the State. The Denver Metro Mayors Caucus would like some funding to be allocated to MPOs. D. Clark stated the Metro Mayors Caucus would also like to see a higher share of the funding allocated to the Denver metropolitan area.

Finance Committee

A written report was provided.

TAC

A written report was provided.

Mobility

A written report was provided.

CONSENT AGENDA:

No items on the consent agenda.

ACTION ITEMS:

City of Evans 37th Street Widening Project Scope Changes

Bornhoft stated the TAC and Planning Council have indicated support for the scope changes at previous meetings.

James **moved** to *APPROVE RESOLUTION NO. 2021-05 APPROVING THE CITY OF EVANS 37TH STREET WIDENING PROJECT SCOPE CHANGES*. The motion was **seconded** by D. Clark and **passed** unanimously.

NFRMPO Comments on the RAQC's Employer-Based Trip Reduction Program (ETRP)

Bornhoft highlighted NFRMPO staff comments on the ETRP, including support for changes included in the latest proposal. The comments will be presented to the RAQC Board in a letter at their March 5th meeting. The APCD will have a request for rulemaking hearing before the AQCC May 20th-21st and a rulemaking hearing August 19th-20th.

Planning Council member expressed concerns that employer outreach in the NFRMPO region has not yet begun, the ETRP does not currently include a quantifiable program target, the name of the program is not aligned with its intent, potential compliance issues with Federal Labor Standards Act if employers do not have purview over employee commute habits, and the lack of regulatory accountability if no penalties will be issued.

Bornhoft stated a letter was recently sent from APCD to large employers across the state explaining the ETRP proposal and highlighting upcoming listening session opportunities. More employer outreach will be done in Northern Colorado in the coming weeks.

Chair McLeod asked if any of the deadlines can be delayed to allow for more robust employer outreach. Wojtach stated delaying deadlines is unlikely due to the constraints of the AQCC meeting calendar. It is anticipated that outreach on the proposal will be possible up until the August rulemaking hearing.

Wojtach stated strategies such as reporting employer progress to targets have been effective in programs without enforcement, and the majority of programs across the nation are based on good faith effort.

Chair McLeod stated frustration that NFRMPO staff were recently given permission by the Colorado Department of Labor and Employment (CDLE) to use employer contact information for ETRP outreach purposes though it was requested and denied several months ago. This permission, after the first request, would have allowed earlier outreach efforts to take place in the region.

Planning Council members suggested adding comments to the NFRMPO staff letter regarding Federal Labor Standards Act compliance, a request to delay the process to allow for more employer engagement and adding military personnel to the law enforcement exemption.

Stephens **moved** to *APPROVE THE NFRMPO COMMENTS ON THE RAQC'S EMPLOYER-BASED TRIP REDUCTION PROGRAM (ETRP)* with the proposed additions. The motion was **seconded** by Karspeck and **passed** unanimously.

DISCUSSION ITEMS:

Transit Safety Targets

Cunningham stated the Federal Transit Administration (FTA) requires certain operators of public transportation systems receiving federal funds to develop Public Transportation Agency Safety Plans (PTASP), including targets for transit safety performance measures. In the North Front Range region, these requirements apply to Transfort, Greeley-Evans Transit (GET), and City of Loveland Transit (COLT). Cunningham stated the NFRMPO is recommending maintaining each transit agency's targets separately.

Draft Environmental Justice (EJ) Plan

Dusil highlighted the NFRMPO's requirements for addressing Environmental Justice (EJ), background and timeline of the *EJ Plan* development process, stakeholder engagement, major feedback themes, and the nine recommendations within the Draft EJ Plan. James asked if the *EJ Plan* is a policy document. Dusil stated the EJ Plan would impact day-to-day NFRMPO staff

operations and have some impacts on processes TAC is directly involved with. Planning Council members indicated support for the draft EJ Plan.

COUNCIL REPORTS:

Transportation Commission

Bracke thanked Planning Council members for expressing their concerns and suggestions at various meetings regarding State and Federal funding. Bracke stated Planning Council members should reach out to her if they would ever like to projects in their communities.

CDOT R4 Update

In 2018, Colorado Senate Bill (SB) 267 committed \$500M annually for four years for transportation projects across the State. CDOT Region 4 received \$730M of this funding. Of that, \$730M, the NFRMPO Region received a \$150M based on a modified Regional Priority Program (RPP) target allocation formula. CDOT Region Offices were directed to develop priority lists for the four years of funding as well as lists for years five through ten, under the assumption the SB267 funding would be continued. For the NFRMPO, the projects came from a tiered 10-year pipeline of projects developed by local agency staff and elected officials. Tier 1 of the pipeline totaled roughly \$1B. Priority in the pipeline was placed on North I-25. Because of the focus on North I-25, Region 4 received more funding than anticipated in years one and two. Year three SB267 funds are now becoming available and the highway funding allocated to Region 4 will be reduced from the first two years to achieve geographic equity across the State. For Region 4, CDOT is requesting \$9.2M in year three highway funding from the Transportation Commission. Paddock stated it is also time for Region 4 to start considering projects for funding years four and five. Mallette stated the TAC has discussed updating the 10-year pipeline and will likely bring it to Planning Council for discussion around May 2021. Paddock stated I-25 Segment 5 is still the highest priority project for Region 4.

Bolin gave a quick overview of CDOT's Revitalizing Main Streets Program stating that a funding increase for this program is likely in the near future.

STAC report

A written report was provided.

I-25 Coalition

No update

Host Council Member Report

Laake stated the Town of Timnath has hired a new Town Manager and Town Attorney. The Town is in the early phases of building a new police station. I-25 construction north of Harmony Road is ongoing and a combined high school and middle school is under construction along East Prospect Road and will be opening in 2022.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions

None

The meeting was adjourned at 8:04 p.m.

Meeting minutes submitted by: Ryan Dusil, NFRMPO Staff

Dedicated to protecting and improving the health and environment of the people of Colorado

Monthly Report from the Air Pollution Control Division to the North Front Range Transportation and Air Quality Planning Council Thursday, April 1, 2021

Air Pollution Control Division (Division) Updates:

- **The Division's** draft Climate Equity Framework is open for public comment through **April 5, 2021. The draft framework was developed to help ensure that Colorado's** response to climate change is guided by principles of racial equity and economic justice. The draft framework and comment form are available at <https://cdphe.colorado.gov/air-pollution/climate-change#equity>.
- The Colorado Air Quality Enterprise held a stakeholder meeting on March 12. The agenda included an overview of the rulemaking process and fee scenario discussion. Additional information is available here: <https://cdphe.colorado.gov/air-quality-enterprise>.
- The Division is seeking input on an upcoming rule to reduce emissions from transportation in Colorado. A series of stakeholder meetings were held throughout March and additional meeting dates will be announced soon. Additional information is available at <https://cdphe.colorado.gov/reducing-greenhouse-gas-emissions-from-transportation>.
- The Division is developing a regulation for a GHG emissions and energy efficient management and audit program for manufacturing sectors in Colorado. A summary of the initial rule concept and stakeholder meeting information is available at <https://cdphe.colorado.gov/greenhouse-gas-emissions-and-energy-efficiency-management-and-audit-program-for-manufacturing-in>.
- A friendly reminder that the Division maintains various Air Quality Alert email lists, including Colorado Air Quality Health Advisory alerts and winter air quality advisories and indoor burning alerts. For additional information and to subscribe to an email list, please visit: <https://cdphe.colorado.gov/public-information/air-quality-advisories>.

March 18-19, 2021 Commission Meeting:

- Commission meeting materials and additional information are available at <https://cdphe.colorado.gov/aqcc>.
- The Commission met jointly with the Colorado Oil and Gas Conservation Commission. Division staff and Colorado Oil and Gas Conservation Commission staff provided a presentation regarding their efforts to comply with SB19-181.
- Representatives from CDPHE provided an update to the Commission regarding the Commerce City-North Denver (CC-ND) data project and associated storyboard to look at the connections between the environment and public health in one of the Denver metro **area's central urban communities**.

- The Division presented the Draft Climate Equity Framework to the Commission.
- The Commission staff engaged in a work session with the Commission regarding **potential changes to the Commission's Procedural Rules**. The revisions are intended to make participation in Commission hearings easier to navigate, providing greater **opportunity for meaningful engagement in the Commission's processes**. Revisions also hope to address the timing of submittal of alternate proposals and opportunities for potentially impacted entities to participate in the process. Additional information is provided here
https://drive.google.com/drive/folders/18uW9bRpdJvmjriWGe6HqHX_09TtFmtdn.

April 18-19, 2021 Commission Meeting:

- The Commission staff will request that the Commission set a hearing to consider revisions to its Procedural Rules.
- The Division will request that the Commission set a hearing to consider revisions to Regulation 7 Reasonably Available Control Technology requirements for incorporation into the 2008 Ozone State Implementation Plan to address EPA comments, and make necessary SIP revisions.
- The Commission will hear a briefing regarding pilot projects and new technologies related to carbon capture and sequestration.
- Representatives of the Colorado Department of Agriculture will provide an update to the Commission regarding GHG reduction opportunities.
- Representatives from the Colorado Department of Transportation will provide a briefing regarding the transportation sector to help inform the Commission's upcoming work to consider GHG Reductions from the transportation sector.





Date: March 19, 2021

From: Mike Silverstein
Executive Director

To: North Front Range Metropolitan Planning Organization

Subject: Monthly Briefing Memorandum

- The RAQC is busy filling vacancies. We have hired a new Air Quality Planner for the Charge Ahead Colorado program, and we are interviewing candidates for the new Development Director position and an Air Quality Planner for the Air Quality Planning program. We hope to have new staff members on board shortly.
- The RAQC's strategic planning process is continuing after a year-long break. The goal is to complete the plan with the addition of specific deliverables for each program.
- The RAQC will be looking to award its second round of "Clean Air Champions" in the summer of 2021. "Clean Air Champions" are entities, including public, private and nonprofit organizations, local governments and municipalities, that demonstrate a commitment to improving the region's air quality. The next nomination round will open in April 2021. Additional information can be found on the RAQC's [Clean Air Champion](#) page.

Employer Trip Reduction Program. The RAQC continues to devote significant attention to developing the framework of a mandatory employer-based trip reduction program proposal. The following describes the proposal to date and the Board's efforts moving forward.

The Regional Air Quality Council has been working this past six month to develop employer trip reduction policy options for State consideration. Work groups have been considering all stakeholder input and have not made recommendations to date. The State, CDPHE, has also launched its own stakeholder outreach and is working towards a regulatory proposal to possibly begin in mid-May. Our two separate processes are now merging into one, where the RAQC will now provide input to the State's process. The State has been looking to the RAQC's robust stakeholder process as it develops its proposal.

The ETRP rule would require large employers to develop and deploy a plan that encourages employees to reduce their drive-alone commute trips. The RAQC has focused on 250+ employees at a site, while the State is considering 100+. Opting out is not an option, though numerous alternative approaches to compliance are being assessed.

Some key elements discussed in the RAQC's stakeholder process that might inform the state's proposal:

- To begin, no more than 75% of employees commuting by SOV; this would mean that 1 in 4 employees not drive alone to work on any given work day.
- Then, no more than 60% of employees commuting by SOV; this would mean that employees not drive alone to work twice a week on average.
- State agencies go first.
- Those served by good transit go before those that are not.
- Phased in over the next 5 years.
- Development of an employee trip reduction plan and appointment of transportation coordinator to manage efforts (an employee or contractor) is necessary.
- Use of local governments, MPOs, consultants or transportation management organizations in lieu of internal staff to develop/oversee efforts.
- Any reasonable technique for achieving these compliance rates can be deployed, such as:
 - Carpooling/ridesharing.
 - Bus/transit use.
 - Flex/compressed schedules.
 - Teleworking.
 - Vehicle electrification.

The employers are responsible for demonstrating compliance by occasionally surveying employee commuting behaviors. Holidays, sick days, vacation days, part-time status also count. Waivers and alternative compliance approaches are under discussion.

The Committee is working to estimate the costs of compliance and the potential ozone-causing and climate impacting emissions reductions (costs/benefits).

Over the next few months, as the State engages in regulation development and implementation, the RAQC's primary roles will be to continue efforts with partners to inform the State's process, continue efforts with partners to conduct outreach and education with large employers on ETRP, and develop resources to support implementation efforts.

More information on the proposal is available at <https://raqc.org/etrp-resources>

MEMORANDUM

To: NFRMPO Planning Council

From: Medora Bornhoft

Date: April 1, 2021

Re: NFRMPO Air Quality Program Updates

Background

Ongoing and Upcoming Air Quality Tasks

- **Employer-Based Trip Reduction Program (ETRP):** Following the Council meeting on March 4, NFRMPO staff updated the ETRP comment letter to incorporate the suggestions discussed by Council. The letter was sent to the Air Pollution Control Division (APCD) and the Regional Air Quality Council (RAQC) on March 19. The NFRMPO continues to participate in the Regional Air Quality Council's (RAQC's) Employer-Based Trip Reduction Control Strategy Work Group, which has been developing a framework for a large employer trip reduction program for consideration by the Air Quality Control Commission (AQCC). The RAQC board is scheduled to discuss the ETRP framework at their meetings on April 9 and May 7.
- **GHG Pollution Standards:** The NFRMPO is participating in CDOT's Transportation GHG Advisory Group, which is providing input on the upcoming GHG Reduction Transportation rulemaking by the AQCC on GHG pollution standards for transportation plans, as well as a CDOT Policy Directive (PD) on implementation guidance for GHG pollution standards.

Action

NFRMPO staff invites feedback on the ongoing and upcoming tasks of the NFRMPO Air Quality Program.

NFRMPO 2021 Legislative Update

April 2021

SIGNED:

SB21-110

Fund Safe Revitalization Of Main Streets

Bill Summary:	The bill transfers \$30 million from the general fund to the state highway fund to provide additional funding for the department of transportation's revitalizing main streets and safer main streets programs.
NFRMPO Analysis:	This funding has been used in multiple NFRMPO communities and expanding the fund could benefit additional communities. This program benefits economic development and provides support during the pandemic and beyond.
Sponsors:	R. Zenzinger / K. Priola / L. Herod / T. Exum
Last Action:	03/11/2021: Sent to the Governor 03/11/2021: Signed by the Speaker of the House 03/11/2021: Signed by the President of the Senate
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/sb21-110

PROGRESS SINCE MARCH COUNCIL:

HB21-1076	Carpooling Service Internet Application Register with CDOT
Bill Summary:	The bill requires the owner or operator of a carpooling service internet application to register annually with CDOT. Owners or operators are also required to disclose to users of the internet application that carpooling service companies are not regulated by the state; that the state does not conduct medical examinations, vehicle inspections, or insurance verification in relation to the provision of carpooling service; and that background checks on drivers might not be conducted. The bill also requires that the amount that can be charged to a user through the internet application be reasonably calculated to cover the direct and indirect costs of providing carpooling service and limits the number of passengers that a driver providing carpooling service through the internet application may transport at any one time.
NFRMPO Analysis:	The bill would require carpooling service applications (apps) to register with CDOT and make clear their relationship to the State.
Sponsors:	J. McCluskie / P. Will / K. Donovan
Last Action:	3/16/2021 – House Third Reading Passed – No Amendments 3/18/2021 – Introduced in Senate – Assigned to Business, Labor, & Technology
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1076
SB21-084	Local Government Authority Roughed-in Roads
Bill Summary:	Current law allows local governments to prohibit the operation of trucks and commercial vehicles on designated roads. The bill expands this to allow local governments to prohibit the operation of motor vehicles on roughed-in roads, which are areas where the ground has been cut with the intention to make a road but has not been improved enough to qualify as a road.
NFRMPO Analysis:	This bill allows local control over roughed-in roads, not just paved roads.
Sponsors:	J. Smallwood / M. Gray
Last Action:	03/19/2021: Introduced In House - Assigned to Transportation & Local Government 03/17/2021: Senate Third Reading Passed - No Amendments
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/sb21-084

HB21-1205 Electric Vehicle Road Usage Equalization Fee

Bill Summary:	The bill requires a road usage equalization fee to be imposed at the time of annual registration on each plug-in electric motor vehicle that is required to be registered in the state. The fee is set in an amount that is estimated to achieve parity between the aggregate amount of motor vehicle registration fees and motor fuel excise taxes paid per vehicle by owners of plug-in electric motor vehicles and vehicles fueled by gasoline, diesel, or other special fuels and is annually adjusted for inflation. The revenue would be credited to the Highway Users Tax Fund and distributed at 60 percent to state highway fund; 22% to counties; and 18% to municipalities.
NFRMPO Analysis:	This will offset lost gas tax funding as cars become more fuel efficient and more electric vehicles hit the roads.
Sponsors:	A. Pico
Last Action:	3/4/2021: Introduced In House - Assigned to Energy & Environment
Upcoming Action:	3/24/2021: Hearing from Energy & Environment
Web Link:	https://leg.colorado.gov/bills/hb21-1205

PROPOSED, AWAITING FURTHER ACTION:

HB21-1056 Cost Thresholds For Public Project Bidding Requirements

Bill Summary:	The bill repeals the lower cost amount for CDOT projects (\$150,000 for CDOT compared to \$500,000 for other agencies) related to the Construction Bidding for Public Projects Act. CDOT would no longer need to prepare a bid estimate when it proposes to undertake a project itself rather than awarding the project to a contractor through competitive bidding if the cost of the project is reasonably expected to exceed \$500,000 for any fiscal year. The bill would also increase from \$50,000 to \$100,000 the maximum cost for a CDOT project that is exempt from transportation commission approval. The bill also limits the existing requirement that CDOT pay all employees performing work on any public project local prevailing wages in accordance with specified federal acts to projects that cost more than \$500,000.
NFRMPO Analysis:	The bill would reduce some bureaucracy for CDOT, hastening some projects.
Sponsors:	R. Pelton / C. Hansen
Last Action:	2/16/2021: Introduced in House and Assigned to House Transportation & Local Government
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1056

HB21-1066 **CDOT Financial Reporting Requirements**

Bill Summary:	This bill modifies monthly financial reporting requirements for CDOT, specifically sufficient financial information for the controller to complete a review of legal over-expenditures, any deficit fund balances, and a budget to actual report for all budget lines within the annual general appropriations act; and CDOT to submit a monthly budget report of the expenditures made from each budget category and the unexpended and unencumbered balance of each budget subcategory and to make each report publicly available on the department's website.
NFRMPO Analysis:	The bill updates CDOT financial reporting requirements to the Transportation Commission.
Sponsors:	R. Bockenfeld / D. Michaelson Jenet / J. Smallwood / R. Woodward
Last Action:	2/16/2021: Introduced in House and Assigned to House Transportation & Local Government
Upcoming Action:	N/A
Web Link:	https://leg.colorado.gov/bills/hb21-1066

HB21-1095 **811 Locate Exemption For County Road Maintenance**

Bill Summary:	To prevent routine and emergency maintenance activities from triggering the excavation notification requirement, the bill specifies that "excavation" does not include routine or emergency maintenance of right-of-way on county-owned gravel or dirt roads performed by county employees that does not lower the existing grade or elevation of the road, shoulder, and ditches; and does not disturb more than 6 inches in depth during maintenance operations.
NFRMPO Analysis:	This legislation would help counties avoid having to alert the statewide notification association of all owners and operators of underground facilities of its intent to engage in excavation.
Sponsors:	M. Baisley / C. Kipp / J. Ginal / R. Woodward
Last Action:	2/16/2021: Introduced in House and Assigned to House Transportation & Local Government
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1095

HB21-1196 Update Senate Bill 19-263 Effective Date Clause

Bill Summary:	The General Assembly enacted SB17-267 requiring the state treasurer to issue up to \$500M in COPS for FY2018 through FY2022 for transportation, and enacted SB18-001, which would refer a statewide ballot issue at the November 2019 statewide election that, if approved, would have authorized the state to issue transportation revenue anticipation notes (TRANS) for the purpose of funding transportation projects and prevented the issuance of the last 3 years of COPS. SB19-263 delayed the referral of the ballot issue until November 2020, which was followed by SB20-152 and SB20-1376, which further delayed the ballot issue referral. Due to the additional delay, if the effective date clause of SB 263, as amended by SB 152, is not amended again, TRANS could be authorized without preventing the issuance of one year of COPS. The bill amends the effective date clause of SB 263, as amended by SB 152, to correct this issue and thereby ensure that approval of the ballot issue will prevent the issuance of one year of TRANS as intended by the GA.
NFRMPO Analysis:	This will prevent the issuance of one year of TRANS upon the approval of the ballot issue as originally intended by previous bills.
Sponsors:	A. Pico, D. Valdez, R. Zenzinger
Last Action:	3/4/2021: Introduced In House - Assigned to Transportation & Local Government
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1196

HB21-1206 Medicaid Transportation Services

Bill Summary:	Current law requires the Public Utilities Commission (PUC) to oversee the safety and oversight of Medicaid nonmedical and nonemergency medical transportation services (NEMT). The bill eliminates the commission's responsibility to oversee the safety and oversight of the transportation services. The bill requires the Department of Healthcare Policy and Financing (HCPF) to oversee the safety and oversight of the transportation services. The bill also requires HCPF to collaborate with stakeholders to establish rules and processes for the transportation services.
NFRMPO Analysis:	Transportation providers have been left out of much discussion concerning Medicaid Transportation Services, so this bill could be beneficial to transportation providers who transport Medicaid-eligible riders. This also puts Medicaid services under one Department, rather than across multiple.
Sponsors:	C. Larson, A. Valdez, D. Moreno, D. Coram
Last Action:	3/4/2021: Introduced In House - Assigned to Health & Insurance
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1206

SB21-076

Fund Electronic Third-party Vehicle Transactions

Bill Summary:	Current law provides for the implementation of an electronic system to transmit registration, lien, and titling information to the Department of Revenue (DOR). The system is currently funded through gifts, grants, and donations. The bill imposes a per-transaction fee up to \$3, set by the DOR, on third-party providers that issue registrations and titles to administer the system.
NFRMPO Analysis:	This bill funds access to titling information.
Sponsors:	R. Scott
Last Action:	2/16/2021: Senate Committee on Transportation & Energy Refer Amended to Appropriations
Upcoming Action:	N/A
Web Link:	https://leg.colorado.gov/bills/sb21-076

SB21-165

CDOT Project Procurement Methods

Bill Summary:	The bill requires CDOT to solicit construction contracts for public projects by invitation for bids, also known as the design bid build method of procurement, unless CDOT determines, based on specific written findings that CDOT posts on its website prior to awarding a contract, that it is not feasible to do so.
NFRMPO Analysis:	This change in procurement methods may impact future transportation projects within Colorado that are funded by CDOT.
Sponsors:	R. Zenzinger / K. Priola / L. Herod / T. Exum
Last Action:	3/2/2021: Introduced in Senate and Assigned to Senate Transportation & Local Government
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/sb21-165

SB21-165 Dialysis Treatment Transportation Funding

Bill Summary:	The bill creates the dialysis transportation provider reimbursement program within the department of transportation. The program is created to reimburse dialysis transportation providers that transport dialysis patients who are 50 years of age or older and are not otherwise covered by Medicaid. The program is funded by a per-treatment fee paid by each for-profit dialysis treatment clinic.
NFRMPO Analysis:	Dialysis treatment can be expensive and taxing, and funding reimbursement can be limited and cumbersome. This funding source could help more providers provide rides.
Sponsors:	J. Danielson, D. Jackson
Last Action:	3/19/2021: Introduced In Senate - Assigned to Finance
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/sb21-187

POSTPONED:

HB21-1127 County General Fund Money For Roads And Bridges

Bill Summary:	Current law prohibits a county from appropriating county general fund money for roads and bridges and, subject to an exception for disaster emergency response within the county, from transferring county general fund money to the county road and bridge fund. The bill authorizes a county to use county general fund money to fund roads and bridges by eliminating these existing prohibitions.
NFRMPO Analysis:	This bill will allow counties to access additional transportation funding, especially for the maintenance of roads and bridges.
Sponsors:	A. Pico
Last Action:	3/16/2021: House Committee on Transportation & Local Government Postpone Indefinitely
Upcoming Action:	Not Set
Web Link:	https://leg.colorado.gov/bills/hb21-1127

Statewide Transportation Funding

Summary: Majority Leader Fenberg, Speaker Garnett, Sen. Winter, and Rep. Gray in collaboration with the Polis Administration released a draft Legislative Proposal on State Transportation Funding for stakeholder input. The proposal includes:

- Reduction of FASTER Road Safety Surcharge for 2022 and 2023, resuming in CY2024 (saving \$90M) and offsetting revenue by backfilling to maintain safety programs
- Delaying onset of new fees until FY2023
- Pilot payment plan option for EV fees

The proposed revenue from these new fees include:

- **Road usage fee:** \$0.02/gallon increasing every \$0.02 every two years to \$0.08
- **Truck fee:** \$0.06/gallon and increase \$0.01 every year to \$0.08
- **Electric Vehicle fee:** \$9 annual battery electric vehicle (BEV) increasing to \$90 by year 10; \$3.00 annual plug-in hybrid electric vehicle (PHEV) fee increasing to \$27 by year 10
- **TNC fee:** \$0.30/trip or \$0.15 for carpool or ZEV
- **Online retail order fee:** \$0.25 per delivery
- **Personal car share fee:** Lift \$2/day exemption
- **Rental fee:** index existing \$2/day rental fee to Consumer Price Index (CPI)
- **Taxi fee:** TBD per ride flat fee
- **AV Safety fee:** TBD

The revenue collected from those fees would go to:

- **HUTF (State):** 60 percent for highways, including new construction, safety improvements, maintenance, and capacity improvements (**\$1.637B**)
- **HUTF (Local):** 22 percent to the counties and 18 percent to municipalities (**\$1.091B**)
- **Non-Attainment Fund:** new fund for community impact and air pollution/GHG mitigation in nonattainment regions (**\$106M**)
- **Multimodal & Mitigation Options Fund (MMOF):** support an integrated multimodal transportation system, mitigate environmental impacts, advance Front Range Rail (**\$366M**)
- **Charging Infrastructure & Electric Vehicle Equity:** Community Charging Stations & Community Alternative Transportation, including eBikes (**\$323M**)
- **CDPHE Fleet Electrification Incentives:** Support fleet replacement (**\$320M**)
- **CDOT Public Transit Electrification:** Support electrification of public transit and transit charging infrastructure (**\$81M**)
- **FASTER Fee Reduction & CDOT COP Payments:** (**-\$769M**)

Provide feedback at Coloradotransportationfeedback@gmail.com.

Other Bills To Watch (Air Quality or Mobility-related)

HB21-1175 Donation To Nonprofit For Traffic Violations	The bill allows a person who has been issued a penalty assessment for or has been convicted of a traffic infraction or traffic misdemeanor to make a donation of money or time to a nonprofit organization in lieu of paying the fine. The amount of fine that may be offset by a donation is limited to \$500.
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SB21-099 Sunset License Plate Disability Support Act	The bill implements the recommendation of the department of regulatory agencies in its sunset review and report on the "Laura Hershey Disability Support Act" by continuing the act for 5 years. This continues the Colorado disability funding committee, which auctions motor vehicle license plate numbers to raise money to aid persons with disabilities in accessing disability benefits. Upcoming Schedule: 3/22 - Senate Floor Work
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SB21-125 Alternate Proposals Air Quality Control Rulemaking	The bill requires the Air Quality Control Commission (AQCC) to promulgate rules concerning alternate proposals that establish a deadline for submitting these proposals, but the deadline can be no later than the deadline for party statements; govern the submission of proposals; establish procedures for assigning a hearing officer to make the determination whether the proposal complies with the requirements; and Ensure that any party to the hearing is afforded sufficient time before the hearing to consider proposals and file with the commission a written response to the proposal. The commission is prohibited from considering an alternate proposal at the hearing unless the proposal complies with the bill, as determined by a hearing officer; and Includes an initial economic impact analysis; a description of the classes of persons that will be affected; and a statement as to whether the proposal was developed in consultation with those persons or why consultation with those persons was not conducted.
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SB21-161 Voluntary Reduce Greenhouse Gas Natural Gas Utility	The bill requires the public utilities commission (PUC) to adopt by rule, no later than July 31, 2022, greenhouse gas (GHG) emission reduction programs (reduction programs) for large natural gas utilities (those that have at least 250,000 customer accounts in Colorado) and small natural gas utilities (those that have fewer than 250,000 customer accounts in Colorado). Municipally owned utilities may, but need not, participate in a reduction program. The bill establishes the following GHG emission reduction targets, using a utility's 2019 GHG emissions as a baseline: by January 1, 2025, at least 5%; by January 1, 2030, at least 10%; and on and after January 1, 2035, at least 15%. GHG emission reductions from the delivery of natural gas to other utilities and transportation sector retail customers are excluded from the reduction programs.
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SB21-072

Public Utilities
Commission
Modernize Electric
Transmission
Infrastructure

The bill directs the PUC to approve utilities' applications to build new transmission facilities if the PUC, in its discretion, finds that the new facilities would assist the utilities in meeting the state's clean energy goals established in 2019. Section 1 also requires the PUC to consider the ability of the proposed facilities to support future expansion as needed to enable the utility to participate in a regional transmission organization (RTO). The bill also would create the Colorado Electric Transmission Authority (CETA) as an independent special purpose authority. CETA is authorized to select a qualified transmission operator to finance, plan, acquire, maintain, and operate eligible electric transmission and interconnected storage facilities (eligible facilities).

CETA is granted various powers necessary to accomplish its purposes, including the power to issue revenue bonds; identify and establish intrastate electric transmission corridors; coordinate with other entities to establish interstate electric transmission corridors; exercise the power of eminent domain to acquire eligible facilities; and collect payments of reasonable rates, fees, interest, or other charges from persons using eligible facilities.

FINANCE COMMITTEE REPORT

- Finance Committee met on March 18, 2021
- It was agreed upon by the committee to recommend the use of VanGo Exchange funds to make up the over expenditure of FTA 5310 funds.
- Kimsey explained that the Audit was progressing and she was cautiously optimistic about the outcome.
- In Cory Schmitt's mobility update, he informed the committee that the One Call/One Click Center was up and running as of the end of February. So far, 4 people had been transported to vaccination sites for their Covid shots.
- In a discussion of a non-agenda item brought forward by Mallette, it was decided that the committee should investigate the cost of hiring an Air Quality attorney/law firm to help the MPO file for Party status for the upcoming Air Quality Control Commission .

Meeting Minutes of the
Finance Committee of the North Front Range Transportation & Air Quality Planning Council

March 18, 2021
3:00 p.m.
Microsoft Teams

Members Present

William Karspeck
Paul Rennemeyer
Scott James
Lanie Isbell

Staff Present

Suzette Mallette
Merideth Kimsey
Barbara Bills
Cory Schmitt

The meeting was called to order by Chair Karspeck at 3:01 p.m.

Approval of Minutes:

James made the motion to approve and it was seconded by Isbell. The minutes of February 18, 2021, were accepted.

FTA 5310 Budget Adjustment:

The MPO has overspent the CDOT FTA 5310 funds due to the delay in Multi Modal Options Funds contracting and a high indirect cost rate. There are three options to correct this:

1. Fund the difference out of Local Match reserves
2. Fund the difference out of VanGo exchange funds
3. Fund the difference through a hybrid approach by a combination of the first two options

Kimsey recommended option two. James made a motion to use VanGo Exchange funds to make up the difference and it was seconded by Isbell. The motion was passed unanimously. The Finance Committee's recommendation will be presented to the Council in April.

Update on Audit Schedule:

In an update from Kimsey, the committee was informed that the audit is progressing and she is cautiously optimistic about the outcome.

Mobility Update:

Schmitt updated the committee on the Expansion of the Mobility Program which was launched at the end of February. There is now a dedicated One Call/One Click Center phone number. As of March 11, 2021, the project has received ten calls resulting in four people being vaccinated for the Covid-19 virus.

Additional non-budgeted funds were provided by CDOT's Transportation Services for Vulnerable Populations, including Seniors and Rural 5310 funds.

Non-Agenda Item:

With the Employer Based Trip Reduction Program (ETRP) and the Greenhouse Gas Emissions Report soon to come before the Air Quality Control Commission, Mallette put forward the idea of looking into hiring an Air Quality law firm to help us file for party status. Scott agreed that it would be short sighted not to invest in legal representation. He also suggested that the MPO might cost share with Weld County.

The committee agreed it would be acceptable to investigate the cost of hiring an attorney.

The meeting was adjourned at 3:34 p.m.

**EXECUTIVE SUMMARY of the
TECHNICAL ADVISORY COMMITTEE (TAC)
North Front Range Transportation and Air Quality Planning Council
March 17, 2021**

APPROVAL OF THE FEBRUARY 17, 2021 TAC MINUTES

Klockeman moved to approve the February 17, 2021 TAC minutes. Oberschmidt seconded the motion, which was approved unanimously.

CONSENT AGENDA

Transit Safety Targets – Baxter moved to approve the Consent Agenda. Klockeman seconded the motion, which was approved unanimously.

ACTION ITEMS

Environmental Justice (EJ) Plan – Oberschmidt moved to recommend Planning Council adoption of the *EJ Plan*. Baxter seconded the motion, which was approved unanimously.

March 2021 TIP Amendment – Cunningham reviewed the three revisions to the *FY2020-2023 TIP*. Klockeman recommended Planning Council approve the March 2021 TIP Amendment. Oberschmidt seconded the motion, which was approved unanimously.

DISCUSSION ITEMS

TAC Air Quality Structure – Mallette identified two options to get more air quality input from TAC, including an Air Quality Advisory Group or dedicating the first portion of the agenda to air quality similar to Planning Council agendas. Several communities noted they do not have dedicated air quality staff. TAC members recommended moving air quality items to the beginning of the agenda as well as additional trainings to provide better context.

Draft FY2022-2025 TIP – Cunningham introduced the Draft *FY2022-2025 TIP*, which includes an updated narrative and tables featuring existing projects in the current TIP as well as projects that have been rolled forward to FY2022. An additional call for roll forwards will happen in summer 2021. Cunningham reviewed updates, including the lack of a specified method for allocating additional funding to CMAQ and TA programs, changes to what constitutes Air Quality Significant Projects, a new distinction between minor and major scope changes, the addition of federal transit safety measures, and a new table showing how TIP projects contribute to achievement of the federal performance measures. The Draft TIP is available online for review and will be released for a 30-day public comment period from April 2, 2021 to May 3, 2021. The draft Conformity Determination link was included in the AIS.

Draft FY2022-2023 Work Tasks – Karasko stated NFRMPO staff have drafted new tasks for the FY2022-FY2023 UPWP as well as reformatted the document to include NFRMPO staff only tasks in the tasks section, and VanGo™, transit agency, local, and CDOT projects in appendices. The UPWP will be released for public comment from April 5 to May 5, 2021. Tasks and budget will go to Planning Council for discussion and be approved by CDOT and FHWA prior to October 1, 2021. Karasko requested TAC input by Wednesday, March 31, 2021.

Employee Traffic Reduction Program (ETRP) Update – Ferko and Coffin discussed the ETRP efforts underway. One strategy being considered is a tiered approach based on urban categorization (downtown, urban edge, rural, etc.). Other considerations include phasing; hardship waivers and exemptions; the use of local governments, MPOs, consultants, or transportation management organizations (TMOs) in lieu of internal staff; and developing incentives for smaller employers to participate or for large employers to overachieve. Also being considered are the cost and benefits of implementing the program. The draft rule proposal is scheduled for the AQCC meeting in May and the rulemaking hearing and decision is scheduled for August.

Larimer County Mobility Committee (LCMC)—MINUTES

February 18, 2021

1:35 p.m. – 2:47 p.m.

1. Call Meeting to Order, Welcome and Introductions

- Jim Becker, Citizen
- Ruth Fletcher-Carter, RAFT
- Katlyn Kelly, Transfort
- Connie Nelson-Cleverley, SAINT
- Vanessa Solesbee, Estes Park

NFRMPO staff: Alex Gordon, Cory Schmitt

2. Review of Agenda

3. Public Comment (2 minutes each)

No public comment received.

4. Approval of January 21, 2021 Meeting Minutes

Solesbee moved to approve the meeting minutes. Fletcher-Carter seconded the motion, which was approved unanimously.

PRESENTATIONS

This month's presentation was delayed to a future month.

ACTION ITEMS

- 1) **Meeting Schedule Change** – Schmitt noted the desire to combine the August and September Weld County and Larimer County Mobility Committee meetings into one meeting on 8/24 to discuss the Coordinated Plan. The group approved the action unanimously.

DISCUSSION ITEMS

- 1) **Coordinated Plan and 2021 Work Plan Discussion** – Gordon presented on the progress for the Coordinated Public Transit/Human Services Transportation Plan. NFRMPO staff has met with a variety of community organizations. LCMC members also suggested reaching out to Berthoud, Estes Park Transportation Advisory Board, and Red Feather Lakes. The group discussed different words that they need to explain, like “deadhead”, “mobility”, and “route deviation”. Ultimately, the group agreed simpler language is easier for everybody.

The group discussed how housing affordability, availability, and zoning can all impact the mobility of older adults and individuals with disabilities. These will be added as an additional strategy outside of the Section 5310-funded strategies. Additionally, transportation between towns continues to be a barrier for older adults and individuals with disabilities.

- 2) **Vaccine Discussion** – Schmitt noted the Vaccine Transportation phone number has received 11 calls and six requests for rides. Five of those rides were provided, and the sixth found a ride from a

419 Canyon Avenue, Suite 300
Fort Collins, Colorado 80521
(970) 800-9560
nfrmpo.org



friend. Fletcher-Carter noted the need to get the medical providers involved in coordination, and this effort is a good start. Solesbee noted Via has been providing rides within Estes Park. The group noted a group of older adults who are not interested in getting vaccinated. The group also discussed how to help homebound people, including using Dispatch Health and the potential for the Johnson & Johnson single dose vaccine.

- 3) Executive Committee Elections** – Schmitt explained the NFRMPO would like to start an Executive Committee for the Mobility Committees, which would meet before the meeting to set the agenda, run the meetings, and guide the process. Schmitt noted the LCMC is not an advocacy group and any action taken is on behalf of the group, not an individual agency. Fletcher-Carter and Nelson-Cleverley stepped forward to be Co-Chairs for the LCMC.

MOBILITY MANAGER UPDATE

- 1) Website and marketing update** – Schmitt noted the new logo will be gradually rolled out. The website RFP closes on March 19, and staff will review the proposals.

LCMC MEMBER REPORTS

- Kelly reported CSU has moved its Spring Break, which will impact CSU-supported routes. The first Transfort electric bus is expected to arrive in September.
- Solesbee reported Estes Park is receiving its second electric trolley this summer. The bus maintenance facility will be under construction and hopefully open in spring 2022. Estes Park is hosting the CASTA conference in May. Northern Colorado Clean Cities will be in Estes Park to shoot a video about sustainability for Earth Day, including the trolleys and e-bikes. Estes Park is in the preliminary stage of redesigning a parking and bus hub for better circulation.
- Nelson-Cleverley noted SAINT has provided about 20 rides for vaccines, some of which have been outside of the normal days and hours.
- Gordon shared a slide about potential State Legislature funding. He will forward the presentation to the group.

5. Final Public Comment (2 minutes each)

No public comment received.

6. Next Month's Agenda Topic Suggestions

Solesbee will present next month.

7. Next LCMC Meeting: May 20, 2021 (dependent on CASTA conference)



MOBILITY COORDINATION

SPRING 2021 NEWSLETTER



Introducing... RideNoCo

The One Call/One Click Center officially has a name and a logo — **RideNoCo**. The slogan “Connecting You & Northern Colorado” embodies the two overarching goals of the program to improve both individual and regional mobility in Larimer & Weld counties. The program will be introduced to the region in the coming months as a website is built and a fully operational call center launches. For more information, please reach out to Mobility Manager, Cory Schmitt.

Envision Receives New Van for Clients



The NFRMPO, 60+ Ride, and Envision worked together to repurpose FTA \$5310 funds to purchase a 2020 ADA Braun Entervan for use by Envision to transport their clients with developmental disabilities to

programming and other community destinations.

The van was delivered in January 2021 and has already been put into service. The NFRMPO Mobility Program is able to partner with community agencies such as Envision to provide administrative support in purchasing new vehicles.

Vaccine Transportation Project Launches

Key functions of the One Call/One Click Center Project laid out in the Larimer County Senior Transportation Implementation Plan have been fast-tracked to support regional efforts to remove barriers to access for COVID vaccines, especially for populations such as older adults and individuals with disabilities.

Partnerships with the Larimer County Office on Aging and the Weld County Area Agency on Aging for funding of rides has allowed the vaccine project to encompass the entire region and as of March 19, the project has received 12 calls, 7 requests for transportation, and has connected 6 people to their vaccine appointments. To get transportation to and from your vaccine appointment, please tell your healthcare provider at the time of scheduling or call (970) 514-3636 if your appointment has been scheduled.

Estes Hiring Transit Program Assistant

The Town of Estes Park is in search of service-minded individual to join the Public Works Department's Parking & Transit Team as a Transit Program Assistant. This seasonal position will work closely with the Parking & Transit Manager to ensure efficient and effective delivery of the Town's seasonal transit service, Estes Transit. This position will also have the ability to assist staff in exploration of other transportation offerings including parking management, micromobility, and pedestrian connectivity.



The hourly range for this position is \$16.00 - \$19.00 per hour, depending on qualifications and experience. Please note that this position offers retirement as the only benefit.

Find out more info and apply at <http://estes.org/jobs>.



MOBILITY COORDINATION

SPRING 2021 NEWSLETTER

NFRMPO Piloting Community Advisory Committee

As a recommendation in the recently completed Environmental Justice (EJ) Plan, the MPO is piloting a Community Advisory Committee (CAC) to incorporate the voices of community members who have typically been left out of the transportation planning process. Members must reside in the NFRMPO area and can not be currently serving on any existing NFRMPO committee or body. The first meeting is scheduled to take place on Tuesday, May 11, 2021 with the first round of applications being reviewed the week of April 5, 2021.

To learn more and apply, please visit <https://nfrmpo.org/public-involvement/committee/>

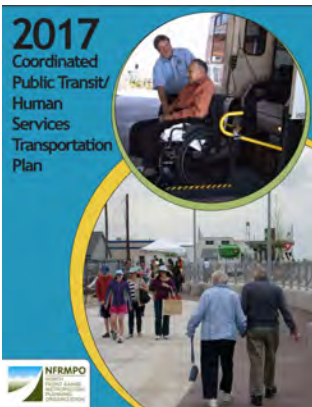
Front Range Passenger Rail Moves Ahead



The Southwest Chief and Front Range Passenger Rail Commission has released a report that lays out a framework and long-term vision for passenger rail along the Front Range.

The reports provide a vision for new travel options and identifies three alignment recommendations, primary station locations, and preliminary service characteristics between Fort Collins and Pueblo. Taking a phased approach that starts with limited service and track improvements, the reports also lay out governance and funding options to make the service a reality. Learn more at <https://www.frontrangepassengerrail.com/>

NFRMPO works on 2021 Coordinated Plan



NFRMPO staff continues its work on the Coordinated Public Transit/Human Services Transportation Plan, also known as the Coordinated Plan. The Coordinated Plan identifies existing conditions, gaps, and strategies to address those gaps in mobility for older adults and individuals with

disabilities. Throughout the next few months, NFRMPO staff will be attending meetings to discuss concerns and help identify projects and strategies that can be implemented in Larimer and Weld counties.

If you would like to discuss the Coordinated Plan, please reach out to Alex Gordon, PTP at (970) 289-8279 or agordon@nfrmpo.org. Additional information will be posted on the NFRMPO website at nfrmpo.org/mobility.

Coordination of Coordinated Plans

Boulder County has begun their first Coordinated Public Transit/ Human Services Transportation planning process. The Plan will identify current and future mobility needs of older adults, individuals with disabilities, low income residents, and youth (<18). The Plan will also consider the growing interregional travel between Boulder County and Larimer and Weld counties. The region's continuing urbanization along with rising housing costs has created the need for more collaboration to meet the region's mobility needs, as people need to access jobs, healthcare, and other activities beyond county lines. Keep an eye out for more information as Boulder County continues work on their plan. Find out more at <https://www.bouldercounty.org/transportation/multimodal/mobilityforall/>.



MOBILITY COORDINATION

PROGRAM UPDATES



What is the Mobility Coordination Program?— Mobility Coordination program activities are centered on education and cooperative resource-sharing to use existing transportation dollars most efficiently. NFRMPO Examples include travel training, cooperative research, public forums, program implementation, FTA grant administration and public education. The NFRMPO Mobility Coordination Program is funded with Federal Transit Administration (FTA) \$5310 funds. Funding has been secured for \$5310 funds from both CDOT for Weld County and Fort Collins on behalf of the Fort Collins-Loveland-Berthoud TMA.

Rider's Guide Updates—Approximately 84 users have logged onto the online service to find potential service matches since January 1, 2021, with 90.1percent of users being new. To request printed Rider's Guides, contact Cory Schmitt at cschmitt@nfrmpo.org or (970) 999-0072. The online Rider's Guide is available at noco.findmyride.info.

Upcoming Meeting Schedule

April 2021							May 2021							June 2021						
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa
				1	2	3	2	3	4	5	6	7	8			1	2	3	4	5
4	5	6	7	8	9	10	9	10	11	12	13	14	15	6	7	8	9	10	11	12
11	12	13	14	15	16	17	16	17	18	19	20	21	22	13	14	15	16	17	18	19
18	19	20	21	22	23	24	23	24	25	26	27	28	29	20	21	22	23	24	25	26
25	26	27	28	29	30		30	31						27	28	29	30			
LCMC Meeting				MAPG Meeting				WCMC Meeting												

Note: Meetings will be held online.
Please check nfrmpo.org for more information.

Committee Members

Larimer County Mobility Committee	
Meets the third Thursday of every other month.	
Arc of Larimer County	Berthoud Area Transportation System
Rural Alternative for Transportation	City of Loveland Transit
CO Division of Voc. Rehab	Elderhaus
Foothills Gateway	Heart&SOUL Paratransit
LC Department of Health and Environment, Built Environment	LC Office on Aging
LC Workforce Center	SAINT
Transfort	A Little Help

Weld County Mobility Committee	
Meets the fourth Tuesday of every other month.	
Arc of Weld County	CO Division of Voc. Rehab
Connections for Independent Living/WAND	Envision Colorado
Greeley Evans Transit	North Range Behavioral Health
60+ Ride	Sunrise Community Health
United Way of Weld County	Weld County AAA

For additional meeting details including agendas, notes & meeting location, visit nfrmpo.org/mobility.

MEMORANDUM

To: NFRMPO Planning Council

From: AnnaRose Cunningham

Date: April 1, 2021

Re: Transit Safety Targets

Background

On July 19, 2018, the Federal Transit Authority (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans which include targets for transit safety performance measures. There are three public transportation agencies within the North Front Range which were subject to this rule: Transfort (City of Fort Collins), Greeley-Evans Transit (GET), and City of Loveland Transit (COLT). Public transportation agencies are required to set the following performance targets for each mode of service provided:

- Total Fatalities
- Fatality Rate (per 100,000 Vehicle Revenue Miles (VRM))
- Total Injuries
- Injury Rate (per 100,000 VRM)
- Total Safety Events
- Safety Event Rate (per 100,000 VRM)
- System Reliability/Major Mechanical Failures (VRM/Failures)

Targets set by each public transportation agency are included in **Table 1: NFRMPO Transit Safety Targets**.

The NFRMPO is required to set performance targets for each of the specified performance measures. These targets must be established 180 days after the transit agencies have established their targets, the NFRMPO will submit the established targets to the Federal Transit Authority (FTA) and the Colorado Department of Transportation (CDOT) upon approval. MPOs are also required to reference the safety performance targets and agency safety plans in their Transportation Improvement Programs (TIPs) and Regional Transportation Plans (RTPs) that are adopted or amended after July 20, 2021.



Action

TAC recommends Planning Council adopt the Transit Safety Targets set by the regional public transportation agencies for incorporation into the NFRMPO's plans and programs.

Table 1: NFRMPO Transit Safety Targets

Agency	Measure	Total Fatalities	Fatality Rate*	Total Injuries	Injury Rate*	Total Safety Events	Safety Event Rate*	System Reliability (VRM/failures)
GET	Fixed Route Bus, Paratransit, Demand Response	0	0	1	0	0	0	1.5
COLT	Fixed Route Bus	0	0	0	0	0	0	0
	ADA/Paratransit	0	0	0	0	0	0	0
Transfort	Fixed Route Bus (Directly Operated)	0	0	0	0	0	0	0
	Bus Rapid Transit (Directly Operated)	0	0	0	0	0	0	0
	Fixed Route Bus (Purchased Transportation)	0	0	0	0	0	0	0
	Demand Response (Purchased Transportation)	0	0	0	0	0	0	0
	Demand Response, Taxi (Purchased Transportation)	0	0	0	0	0	0	0

*Per 100,000 Vehicle Revenue Miles (VRM)

RESOLUTION NO. 2021-06
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
TO SET TARGETS BY SUPPORTING THE TARGETS ESTABLISHED BY TRANSFORT, GET, AND COLT FOR
TRANSIT SAFETY PERFORMANCE MEASURES

WHEREAS, the North Front Range Transportation & Air Quality Planning Council is designated as the Metropolitan Planning Organization (MPO) in cooperation with local elected officials and is authorized to carry out the continuing, cooperative, and comprehensive (“3C”) multimodal transportation planning process as mandated by Congress in Titles 23 and 49 U.S.C.; and

WHEREAS, 23 U.S.C. 150(c) requires the US Department of Transportation (US DOT) to establish national performance measures for safety, infrastructure condition, system performance, freight, and air quality; and

WHEREAS, the Federal Transit Administration (FTA) established regulations (49 U.S.C 5329(d)) requiring operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the Urbanized Area Formula Program (49 U.S.C. § 5307) to develop Public Transportation Agency Safety Plans (PTASP) which include performance targets based on the safety performance criteria for each mode of transportation provided; and

WHEREAS, under 23 C.F.R. § 450.306 Metropolitan Planning Organizations shall establish the performance targets no more than 180 after the date on which the providers of public transportation establish the performance targets; and

WHEREAS, the Transfort, Greeley-Evans Transit (GET) and City of Loveland Transit (COLT) set the following targets for transit safety:

Agency	Measure	Total Fatalities	Fatality Rate*	Total Injuries	Injury Rate*	Total Safety Events	Safety Event Rate*	System Reliability (VRM/failures)
GET	Fixed Route Bus, Paratransit, Demand Response	0	0	1	0	0	0	1.5
COLT	Fixed Route Bus	0	0	0	0	0	0	0
	ADA/Paratransit	0	0	0	0	0	0	0
Transfort	Fixed Route Bus (Directly Operated)	0	0	0	0	0	0	0
	Bus Rapid Transit (Directly Operated)	0	0	0	0	0	0	0
	Fixed Route Bus (Purchased Transportation)	0	0	0	0	0	0	0
	Demand Response (Purchased Transportation)	0	0	0	0	0	0	0
	Demand Response, Taxi (Purchased Transportation)	0	0	0	0	0	0	0

WHEREAS, MPOs are required to reference the safety performance targets and agency safety plans in their Transportation Improvement Programs (TIPs) and Regional Transportation Plans (RTPs) updated or amended after July 20, 2021; and

NOW THEREFORE, BE IT RESOLVED, the North Front Range Transportation & Air Quality Planning Council hereby agrees to set targets by supporting the CDOT statewide safety targets for 2017-2021 and agrees to plan and program projects to contribute toward the accomplishment of the statewide safety targets.

Passed and adopted at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 1st day of April 2021.

Donald M. McLeod, Chair

ATTEST:

Suzette Mallette, Executive Director

AGENDA ITEM SUMMARY (AIS)

North Front Range Transportation & Air Quality Technical Advisory Committee (TAC)



Meeting Date	Agenda Item	Submitted By
April 1, 2021	<i>Environmental Justice (EJ) Plan</i>	Ryan Dusil
Objective/Request Action		
Approve the final <i>Environmental Justice (EJ) Plan</i> .		<input type="checkbox"/> Report <input type="checkbox"/> Work Session <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action
Key Points		
<ul style="list-style-type: none"> The USDOT defines EJ as the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.¹ The NFRMPO must analyze the EJ impacts of its programs because the agency receives federal funding. Although an <i>EJ Plan</i> is not a federal requirement, it is considered a best practice for better inclusion of traditionally underserved populations. The purpose of the <i>EJ Plan</i> is to identify ways the NFRMPO can make its transportation planning processes more equitable and assist local agencies in doing the same. The <i>Draft EJ Plan</i> consist of the following parts: <ul style="list-style-type: none"> Part I / Environmental Justice Report: Describes demographics of the region and identifies current methods for EJ analysis, acknowledging strengths, weaknesses, and targeted areas for improvement. Part II / Recommendations: Contains recommended local and regional actions that can improve EJ in Northern Colorado. This section includes recommendations for the NFRMPO and its member agencies within various time horizons. Many are adapted from best practices around the country and will require the commitment of additional resources and/or other changes to business as usual. Appendix A / Best Practices and Additional Guidance Highlights various best practices from across the region, state, and nation. The examples focus on improving EJ considerations through engagement and outreach, analysis and assessment, and effective use of technology. It also includes books, guides, groups, articles, and videos for further exploration. These resources can be referenced by local partners and NFRMPO staff to better integrate equity into public processes. Appendix B / Community Resources Inventory: Provides additional information about community-specific resources and stakeholders to engage across the NFRMPO region. Appendix C / List of Acronyms & Glossary: Lists acronyms commonly used in the field of transportation planning. During the NFRMPO's Certification Review in 2018, FHWA and FTA identified a need for the NFRMPO to evaluate its public outreach and track how the agency interacts with low income, minority, and other traditionally underserved populations. The <i>Draft EJ Plan</i> was released for public comment on February 3, 2021 and closed on March 4, 2021. In total, the NFRMPO received nine public comments which were generally positive. The comments included acknowledging additional community resources, appreciating historical and regional context for EJ communities, and suggesting grammatical and formatting improvements. 		
Committee Discussion		
TAC discussed the draft <i>EJ Plan</i> at the February 17, 2021 meeting. Planning Council discussed the draft <i>EJ Plan</i> at their March 4, 2021 meeting.		

¹ <https://www.transportation.gov/transportation-policy/environmental-justice#:~:text=Innovation%20Resource%20Directorate-Environmental%20Justice,environmental%20laws%2C%20regulations%20and%20policies>

Supporting Information

Table 1: Timeline of Events for EJ Plan Development

Period	Tasks
Spring 2018	FHWA and FTA recommended the NFRMPO evaluate its public outreach and track how the agency interacts with low income and minority populations.
Summer 2019	The EJ Plan was adopted as a work task in the NFRMPO's FY2020-2021 Unified Planning Work Program (UPWP)
Fall 2019	The NFRMPO <i>2045 Regional Transportation Plan</i> (RTP) was adopted with acknowledgement of plans to develop an <i>EJ Plan</i>
Winter and Spring 2020	Collected and analyzed available data, engaged important stakeholders, and planning partners, reach out to public
Summer 2020	Continued engagement efforts and summarized and compiled feedback, resources, and findings
Fall 2020	Continued with tasks listed above, as needed, and created the <i>EJ Plan</i> document
Winter 2020/2021	Finalize the <i>EJ Plan</i> with TAC and Planning Council
Spring 2021	Adopt the <i>EJ Plan</i> and begin implementing short-term recommendations

Public and stakeholder engagement for the *EJ Plan* included:

- Two public events in early 2020 (before the COVID-19 pandemic)
- Digital *EJ Plan* survey
- Discussions with the NFRMPO committees including the Larimer County Mobility Committee (LCMC), the Weld County Mobility Committee (WCMC), TAC, and Planning Council
- Discussions with additional planning partners including Larimer County Department of Health and Environment (LCDHE) staff and partners, various staff at the City of Fort Collins, the City of Evans, and the Weld County Department of Public Health and Environment (WCDPHE), Greeley-Evans School District 6, local non-profit agencies like La Familia/The Family Center, Diverse Fort Collins, United Way of Weld County, the Northern Colorado Health Alliance (NCHA), and the Weld County Family Leadership Commission.
- Public comment period between February 3, 2021 and March 4, 2021.

Advantages

The *EJ Plan* can improve equity considerations and public involvement in local and regional transportation planning processes.

Disadvantages

None noted.

Analysis/Recommendation

At their meeting on March 17, 2021, the TAC recommended Planning Council adopt the *EJ Plan*.

Attachments

- *Final EJ Plan* link: <https://nfrmpo.org/wp-content/uploads/2021-environmental-justice-plan.pdf>
- **Resolution #2021-07**



RESOLUTION NO. 2021-07
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
ADOPTING THE ENVIRONMENTAL JUSTICE (EJ) PLAN

WHEREAS, the North Front Range Transportation and Air Quality Planning Council (dba NFRMPO), is the Metropolitan Planning Organization for the North Front Range of Colorado and receives both Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in the work programs of the agency, and

WHEREAS, the USDOT defines Environmental Justice as the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation and enforcement of environmental laws, regulations, and policies; and

WHEREAS, *USDOT Order 5610.2(a): Final DOT Environmental Justice Order* applies to all policies, programs, and other activities that are undertaken, funded, or approved by the FHWA, the FTA, or other USDOT components; and

WHEREAS, the NFRMPO is committed to following the federal guidance as outlined above and identified in the most recent Certification Review; and

WHEREAS, the NFRMPO strives to be a leading partner in the engagement of community members across the region in the transportation planning process.

NOW, THEREFORE, BE IT RESOLVED the North Front Range Transportation & Air Quality Planning Council approves the Environmental Justice (EJ) Plan to guide the NFRMPO in satisfying federal EJ requirements and making the transportation planning process more equitable and accessible to all.

Passed and approved at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 1st day of April 2021.

Donald M. McLeod, Chair

ATTEST:

Suzette Mallette, Executive Director

AGENDA ITEM SUMMARY (AIS)

North Front Range Transportation & Air Quality Planning Council



Meeting Date	Agenda Item	Submitted By
April 1, 2021 VIRTUAL	March 2021 TIP Amendment	AnnaRose Cunningham
Objective/Request Action		
To recommend Planning Council approve the March 2021 Transportation Improvement Program (TIP) Amendment to the FY2020-FY2023 TIP.		<input type="checkbox"/> Report <input type="checkbox"/> Work Session <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action
Key Points		
<p>The March 2021 TIP Amendment includes one revision request from the City of Loveland and two requests from the City of Evans:</p> <ul style="list-style-type: none">• Separating the <i>37th St Widening</i> project into two projects by splitting out the scope and funding.• Adding new project <i>Widening and Roundabout at 37th St and 47th Ave</i> with \$1,119K Federal and \$2,251K Local funding.• Revising the <i>South Boyd Lake Trail</i> project by removing \$2,725K Local in-kind match which is being completed by outside partners. <p>The attached March 2021 Policy Amendment Form provides additional information on each request.</p>		
Committee Discussion		
This is the first and only time Planning Council is scheduled to see the March 2021 TIP Amendment.		
Supporting Information		
<p>The 30-day Public Comment period for the March 2021 TIP Amendment began on March 10, 2021 and concludes on April 8, 2021.</p> <p><u>Funding Types and Uses</u></p> <p>Surface Transportation Block Grant (STBG) is a flexible funding program with many eligible project types, including roadway preservation, roadway improvement, bridge and tunnel projects, pedestrian and bicycle infrastructure, transit capital projects, and transportation planning studies. These funds may be used for any roads functionally classified as collector or above including National Highway System (NHS) roads.</p> <p>Multimodal Options Fund (MMOF) is a funding source established by the State through Senate Bill (SB) 18-001 to complete an integrated multimodal system. Projects eligible for MMOF include operating and capital cost for fixed-route or on-demand transit, Transportation Demand Management (TDM) programs, multimodal mobility projects enabled by new technology, multimodal transportation studies, and bicycle and pedestrian projects.</p>		
Advantages		
<ul style="list-style-type: none">• TAC recommending approval by the NFRMPO Planning Council will ensure available funds are assigned to projects in a timely manner and the FY2020-2023 TIP remains fiscally constrained.		
Disadvantages		
<ul style="list-style-type: none">• None noted.		
Analysis/Recommendation		
<ul style="list-style-type: none">• TAC recommended Planning Council approve the March 2021 TIP Amendment to the FY2020-2023 TIP at their meeting on March 17, 2021.		
Attachments		
<ul style="list-style-type: none">• March 2021 Policy Amendment Form• Resolution No. 2021-08		

RESOLUTION NO. 2021-08
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
APPROVING THE MARCH 2021 AMENDMENT TO THE
FY2020-2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

WHEREAS, 23 CFR §450.326 requires the development of a fiscally constrained Transportation Improvement Program (TIP) for Metropolitan Planning Organizations through the continuing, cooperative, and comprehensive (“3C”) multimodal transportation planning process; and

WHEREAS, the North Front Range Transportation & Air Quality Planning Council as the Metropolitan Planning Organization (MPO) is the agency responsible for developing the TIP in accordance with the above stated regulation; and

WHEREAS, transportation projects programmed in the current TIP for FY2020-2023 are consistent with the 2045 Regional Transportation Plan (RTP), adopted September 5, 2019; and

WHEREAS, the Air Quality Conformity Findings conducted on the FY2020-2023 TIP were positive and this TIP Amendment does not change the positive conformity findings on the FY2020-2023 TIP; and

WHEREAS, the March 2021 TIP Amendment increases the amount of emissions benefits and either improves or does not substantially reduce the cost effectiveness of those emissions benefits; and

WHEREAS, the FY2020-2023 TIP remains fiscally constrained; and

WHEREAS, this action is contingent on no public comment being submitted by April 8, 2021.

NOW, THEREFORE, BE IT RESOLVED, the North Front Range Transportation & Air Quality Planning Council hereby amends the FY2020-2023 TIP by revising the following funding and projects:

- Multimodal Options Fund (MMOF) and Local funding:
 - Revising the *South Boyd Lake Trail* project by removing \$2,725K Local in-kind match which is being completed by outside partners.
- Surface Transportation Block Grant (STBG) and Local funding:
 - Separating the *37th St Widening* project into two projects by splitting out the scope and funding.
 - Adding new project *Widening and Roundabout at 37th St and 47th Ave* with \$1,119K Federal and \$2,251K Local funding.

Passed and approved at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 1st day of April 2021.

Donald M. McLeod, Chair

ATTEST:

Suzette Mallette, Executive Director

MEMORANDUM

To: NFRMPO Council
From: Merideth Kimsey
Date: April 1, 2021
Re: FTA 5310 Budget Adjustment

Background:

The MPO receives FTA 5310 funds for our Mobility Program on an annual basis and has been an ongoing grant for many years. This has traditionally help fund a half time employee and their work with the Weld County Mobility Program.

We have overspent on the CY 2020 CDOT FTA 5310 which was caused by the delay in Multi Modal Options Funds (MMOF) contracting, the high indirect rate (104.13%) for most of 2020, and staff turnover. We have overspent by \$2,934.17. While we have overspent in this grant, the financial position of the MPO is still very solid.

The Finance Committee considered the following three options to correct the over expenditure.

1. Fund the difference out of Local Match reserves. This fund currently has \$359,171.01 and is created by excess local funds that build the reserve to cover six months' worth of financial need should that become necessary. Using these funds, however, would not allow us to maintain the reserve balance identified in policy. The MPO has not yet fully funded it's six month's reserve at this time.
2. Fund the difference out of VanGo exchange funds. These funds were already approved to provide the 50% match for the MMOF funds. The current balance is \$3,026,101.89 and would have no substantial impact on this account.
3. A hybrid approach could be used in which local match is used at the same rate as it is used for the 5310 Grant, which is 20% and VanGo exchange funds would cover the Federal share. This would amount to \$2,347.33 of VanGo exchange funds used and \$586.83 of Local Match funds used.

The Finance Committee is recommending option number 2, using VanGo exchange funds.

Action:

Planning Council approval of the attached Resolution to cover the over expenditure on the CY 2020 FTA 5310 funds for Larimer County.



**RESOLUTION NO. 2021-09
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
APPROVING THE FTA 5310 BUDGET ADJUSTMENT FOR FY 2020**

WHEREAS, the North Front Range Transportation & Air Quality Planning Council maintains a fiscally responsible budget in compliance with Federal regulations required and developed through the “3C” transportation planning process of a Unified Planning Work Program (UPWP) describing the transportation planning activities of the MPO region; and

WHEREAS, the North Front Range Transportation & Air Quality Planning Council has prepared a FY2020 and FY2021 UPWP with a FY2021 Budget that identifies the work elements, tasks, and direct expenses associated with the budget; and

WHEREAS, the NFRMPO receives FTA 5310 funds for its’ Mobility Program in Larimer County on an annual basis; and

WHEREAS, the FTA 5310 funds for CY 2020 were over expended by \$2, 934. 17; and

WHEREAS, the over expenditure was due to a delay in the Multi Modal Funds contract, a high indirect cost rate (104.13%) and staff turnover; and

WHEREAS, the Finance Committee convened to discuss this issue and has made a recommendation to remedy the overage.

NOW, THEREFORE, BE IT RESOLVED the North Front Range Transportation & Air Quality Planning Council hereby approves use of VanGo exchange funds to cover the overage of the CY 2020 FTA 5310 funds.

Passed and approved at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 1st day of April 2021.

Donald U McLeod, Chair

ATTEST:

Suzette Mallette, Executive Director

AGENDA ITEM SUMMARY (AIS)

North Front Range Transportation & Air Quality Planning Council



Meeting Date		Agenda Item	Submitted By
April 1, 2021 VIRTUAL		Draft FY 2022-2025 Transportation Improvement Program (TIP)	AnnaRose Cunningham
Objective/Request Action			
To review and discuss the Draft FY 2022-2025 TIP.			<input type="checkbox"/> Report <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Action
Key Points			
<ul style="list-style-type: none"> The FY 2022-2025 TIP includes federally funded and/or regionally significant surface transportation projects programmed to receive funding in fiscal years (FY) 2022 through 2025. All projects with funding in FY 2022-2023 in the current FY 2020-2023 TIP were carried forward to the Draft FY 2022-2025 TIP. The Draft FY 2022-2025 TIP includes projects and roll-forwards submitted during the January 29 – February 12, 2021 submission window. Additional roll-forwards of unbudgeted FY 2021 funding into FY 2022 funding will occur in the summer. The policies and procedures in the FY 2022-2025 TIP are carried forward from the FY 2020-2023 TIP. However, the following has been updated: <ul style="list-style-type: none"> Revision of the Air Quality Significant project definitions. Updated requirements for policy amendments and administrative modifications. Added a description and processes for project scope changes for NFRMPO selected projects. Clarification of the Project Milestone dates for vehicle purchase projects. Added Transit Safety Targets adopted by transit operators in the NFRMPO. Inclusion of the Federal Performance Measures and TIP Project Impact evaluation. 			
Committee Discussion			
<ul style="list-style-type: none"> This is the first time the Planning Council is discussing the Draft FY 2022-2025 TIP. 			
Supporting Information			
<ul style="list-style-type: none"> The Draft FY 2022-2025 is available for TAC review the following links: <ul style="list-style-type: none"> Draft: https://nfrmpo.org/wp-content/uploads/fy2022-2025-tip-draft.pdf Draft with changes highlighted: https://nfrmpo.org/wp-content/uploads/fy2022-2025-tip-draft-markup.pdf Additional project selections made through the Colorado Department of Transportation (CDOT) process will be added into the Draft TIP as the information becomes available. The Draft Conformity Determination for the FY 2022-2025 TIP demonstrates conformity with the applicable air quality requirement and is available at the following link: https://nfrmpo.org/wp-content/uploads/2021-conformity-tip-draft.pdf. Staff requested the Interagency Consultation Group (ICG) provide concurrence on the following two elements of the conformity determination: <ul style="list-style-type: none"> Relying on the previous regional emissions analysis (REA) conducted for the <i>2045 Regional Transportation Plan</i> (RTP) conformity determination. Using the routine conformity process identified in the Air Quality Control Commission's (AQCC's) Regulation 10. The public comment period for the Draft FY 2022-2025 TIP will open on April 2, 2021 and close on May 3, 2021. 			
Advantages			
<ul style="list-style-type: none"> Approval of the TIP will ensure the timely merger of projects into the Statewide Transportation Improvement Program (STIP) so budget processes can occur at the beginning of the State FY 2022 on July 1, 2021. 			

Disadvantages
<ul style="list-style-type: none"> • None.
Analysis/Recommendation
Staff requests Planning Council review and discuss the Draft FY 2022-2025 TIP Narrative and Tables and associated conformity determination.
Attachments
<ul style="list-style-type: none"> • None.

MEMORANDUM

To: NFRMPO Planning Council

From: Becky Karasko

Date: April 1, 2021

Re: FY2022-2023 Unified Planning Work Program (UPWP) Tasks

Background

The NFRMPO staff has drafted the Tasks and Products for the FY2022-2023 Unified Planning Work Program (UPWP). The Finance Committee will review the FY2022 Budget on April 22, 2021 and it is anticipated they will recommend Planning Council approval at the May 6, 2021 meeting. The FY2022-2023 UPWP and FY2022 Budget will be an Action item at the May 6, 2021 Planning Council meeting to allow CDOT and FHWA approval prior to October 1, 2021.

The draft FY2022-2023 UPWP Tasks were provided to TAC ahead of the March 17, 2021 TAC meeting, with comments requested by Wednesday, March 31, 2021. The full FY2022-2023 UPWP can be accessed here: <https://nfrmpo.org/wp-content/uploads/fy2022-2023-upwp-draft-tasks.pdf>.

Action

NFRMPO staff requests Planning Council review the FY2022-2023 UPWP and provide comments and feedback.



STAC Summary – March 12, 2021

1) Welcome & Introductions – Vince Rogalski (STAC Chair)

- a) STAC amended the agenda to approve the late addition of a review of Statewide Transportation Needs and consideration of a STAC resolution supporting legislative action to generate additional transportation funding.
- b) February 12, 2021 STAC Minutes approved.

2) CDOT Update on Current Events (Informational Update) – Herman Stockinger, CDOT Deputy Director

- a) Julie Constan has replaced Mike McVaugh as CDOT's Region 5 RTD.
- b) The legislature has approved a \$30 million stimulus package providing additional funding to CDOT's Safer Main Streets and to CDOT's Revitalizing Main Streets programs.
- c) The legislature is considering new transportation revenue programs and asked that CDOT seek STAC input on the matter.
- d) CDOT Operations staff provided an overview of the plans and preparations to confront the impending snowstorm.

STAC Discussion: None

3) Safe Routes to Schools (SRTS) Project Selection – Nate Vander Broek, Bicycle and Pedestrian Program Manager

- a) Staff sought support for a recommended statewide slate of 12 SRTS projects to award \$5.8 million of the \$6 million funding available in FY21 & FY22;
- b) Staff also proposed allocating the remaining funding to existing SRTS projects impacted by COVID revenue reductions.

STAC Discussion: STAC approved unanimous support of the awards, but did not act to provide direction on whether to allocate the un-awarded funds.

4) 1601 Interchange Approval Process Policy Approval – Aaron Willis, Acting Regional and Statewide Section Manager, DTD

- a) Following extensive public input on the matter, CDOT is seeking a recommendation for approval by the TC of an updated Policy Directive 1601 and updated accompanying Procedural Directive.

STAC Discussion: STAC unanimously supported the Policy and Procedural Directive as presented.

5) FY22 Budget Overview – Jeff Sudmeier, CDOT Chief Financial Officer

- a) Proposed budget includes approximately \$1.2 billion of funds projected to roll forward from FY2021; the total proposed budget for FY2022 is about \$3.1 billion.
- b) Following an update to the state revenue forecasts, the \$8.4 million deficit presented last month is reduced to \$2.8 million. Staff recommends offsetting that deficit using a portion of the \$4.2 million of unallocated Surface Transportation Block Grant (STBG) funds.

STAC Discussion: The FY2021 roll-forwards consist mostly of SB267 funding that will not yet be encumbered in the intended projects, and of local agency pass-through funding. Stimulus funding did not supplant SB267 funding already allocated to projects, but went to additional Years 1-4 prioritized projects. Should additional stimulus funding come from the State, a subsequent budget amendment will be required. Existing maintenance and operations activities are all provided for in the proposed budget. STAC unanimously supported staff proposed budget as presented.

6) SB 267 3rd Year Funding – Rebecca White, Director, Division of Transportation Development (DTD) & Sharon Terranova, Planning Manager, Division of Transit and Rail

- a) Staff presented recommendations for a slate of projects assuming \$500 million in year-3 SB267 proceeds, with 10% going to transit investments.
- b) Input was sought on the recommendations with expectation that a final proposal would be presented in April or May once the actual dollar amount of proceeds are known.

STAC Discussion: The DRCOG region expressed the desire to bring the discussion to its stakeholders, particularly their TAC. Specifically, DRCOG wishes to discuss the details of the preferred pre-construction priorities in years 5-10. Representatives of the UFR region expressed concern for the level of transit demand and for transit connections

assumed at Firestone and Longmont mobility hubs. While some details of transit service interconnections are yet to be worked out, local Longmont, Loveland and Bustang services will be served by the hubs, and current parking congestion and pedestrian issues will be alleviated.

7) **State Legislative Report – Andy Karsian, CDOT Office of Policy and Government Relations (OPGR)**

- a) Senate Bill 110 passed last week, providing \$30 million to CDOT’s Safer Main Streets program.
- b) Another Bill has passed the House that frees carpool apps from having to pay the \$150,000 fee required of other Transportation Network Companies (TNCs) such as Lyft and Uber. This also enables these application companies to report useful data to CDOT rather than to the PUC.
- c) Other legislative considerations this upcoming week include CDOT procurement processes, a project limit Bill and an EV charging Bill.

STAC Discussion: None

8) **Statewide Transportation Needs – Rebecca White, Director, Division of Transportation Development (DTD)**

- a) Staff provided an overview of the state’s transportation needs identified through the 10-Year Pipeline planning efforts, highlighting what remains to be done in light of the projects have been funded thus far.
- b) Staff presented a draft Resolution for STAC to consider that urges legislative action to provide sustainable funding to address the state’s unmet transportation needs.

STAC Discussion: STAC considered the many unknown questions yet to be decided by the legislature, including competing urban and rural needs, highway versus multimodal needs, regional equity, environmental justice and fair taxation issues. Ultimately, the STAC unanimously approved a resolution generally urging the legislature identify increased, reliable and long-term funding to benefit all of Colorado’s population and all its transportation needs, without addressing these specifics. Its intent is to emphasize the STAC’s unified desire to fund the system’s needs and STAC’s ability to collaboratively address all regions and all modes of transportation for the best Colorado possible.

9) **Other Business – Vince Rogalski, Statewide Transportation Advisory Committee (STAC) Chair**

- a) STAC recognized both Scott James and Dick Elsner who are the new STAC representatives to the Freight Advisory Council (FAC).
- b) Next STAC meeting will be April 9 (virtual attendance only).