

NFRMPO Planning Council and TAC September 16, 2021 Work Session

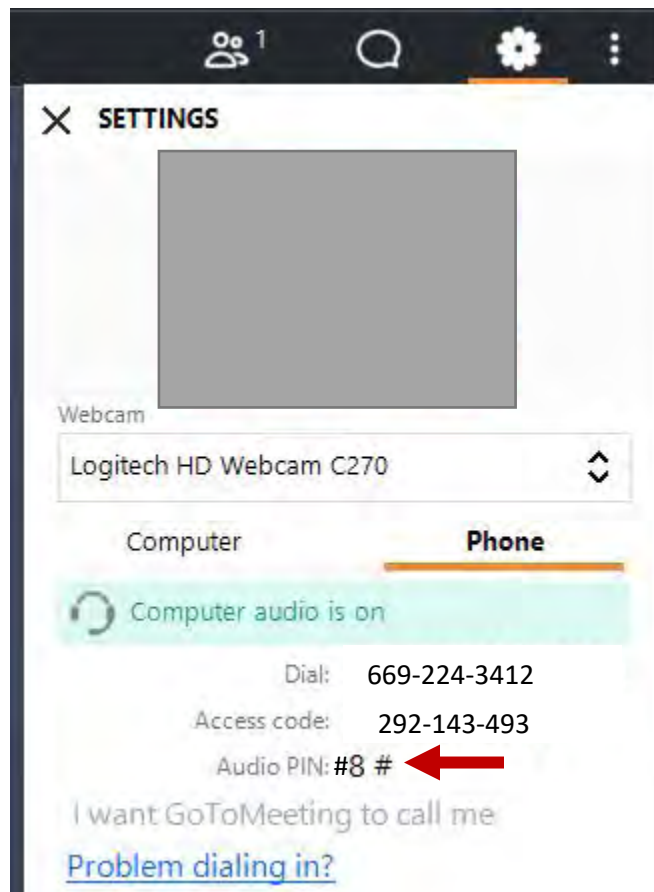
Remote Attendee Instructions

To access the audio for the meeting:

- 1) Call-in Number: **(669) 224-3412**
- 2) Once prompted, enter the Access Code: **292-143-493**
- 3) Once you have entered the conference call, **please mute your line. PLEASE DO NOT VERBALLY ANNOUNCE YOURSELF.** There will be a rollcall during the meeting and if you arrive late you will be asked for your name.

To access the online portion of the meeting:

- 1) Please mute your computer's sound to avoid feedback.
- 2) Please go to: <https://global.gotomeeting.com/join/292143493>
- 3) Enter your name and email then enter.
- 4) PLEASE DO NOT VERBALLY ANNOUNCE YOURSELF.
- 5) To connect your phone and your computer, please go to this screen and enter the information you see on your computer. Enter the audio pin shown at the red arrow on the phone.



Once the Work Session has begun:

- 1) We will do a roll call once the meeting has been called to order.
- 2) **Please keep your line muted unless you are speaking**, this will help to cut down on background noise and make the audio clear for all participants.
- 3) **Please do not place the call on hold**, doing so could cause hold music to play and make participation by all other participants on the call impossible.
- 4) Please use the Chat box function as shown below, to indicate that you wish to speak by typing in your name, for example:

"I have a question regarding the TIP Amendment"

and wait to be recognized by the Chair before proceeding with your question or comment, so others do not talk over you and your question can be recorded for the Minutes.

- 5) **Each time you speak, please state your name for the record before proceeding with your question or comments.**

If at any time during the meeting you have any questions or technical difficulties accessing the meeting, please contact Alex Gordon at (970) 289-8279 or agordon@nfrmpo.org.

CDOT GHG Rule Work Session

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



North Front Range
Metropolitan
Planning
Organization

September 16, 2021

Goals for Tonight's Work Session



- Review Background and GHG Rule
- Additional Data & Staff Analysis
- Brainstorm Comments for the NFRMPO's Comment Letter
 - Staff will draft a comment letter to be discussed/approved at October 7th Council meeting (deadline for comments is 10/15)
- Prioritize NFRMPO Comments for the September 30th and October 5th Rulemaking Hearings
 - Each speaker allotted three minutes

NFRMPO Schedule



- **September 2, 2021** – Planning Council Discussion
- **September 8, 2021** – NFR staff submitted first round technical redline edits to CDOT
- **September 13, 2021** – Letter requesting data and sufficient time for public comment submitted to the Transportation Commission (TC)
- **September 15, 2021** – TAC Discussion
- **September 30 & October 5, 2021** – CDOT GHG Rulemaking Hearings in Larimer/Weld (additional seven hearings around the state 9/17-10/7)
- **October 6, 2021** – Council Meeting Discussion or Action to approve comments
- **October 14, 2021** – TAC & Council Work Session *(If Needed)*
- **October 15, 2021** – Deadline to submit written public comment to CDOT

Background and GHG Rule Overview

GHG Budgets Background

- **HB19-1261** – Set statewide goals for GHG reductions compared to 2005 levels:
 - 2025 – 26% reduction
 - 2030 – 50% reduction
 - 2050 – 90% reduction
- **State’s GHG Pollution Reduction Roadmap** – Identified pathway to meet HB19-1261 goals with strategies and GHG reduction targets in each sector, including the following targets for transportation:
 - 2025 – 25% (7.7 MMT reduction)
 - 2030 – 40% (12.7 MMT reduction)
 - 2050 – 99% (30.5 MMT reduction)
- **SB21-260** – Section 30 creates new requirements for CDOT and MPOs to account for GHG emissions.

GHG Roadmap's Transportation Strategies



Reduce GHG from transportation by 12.7 million metric tons (MMT) in 2030

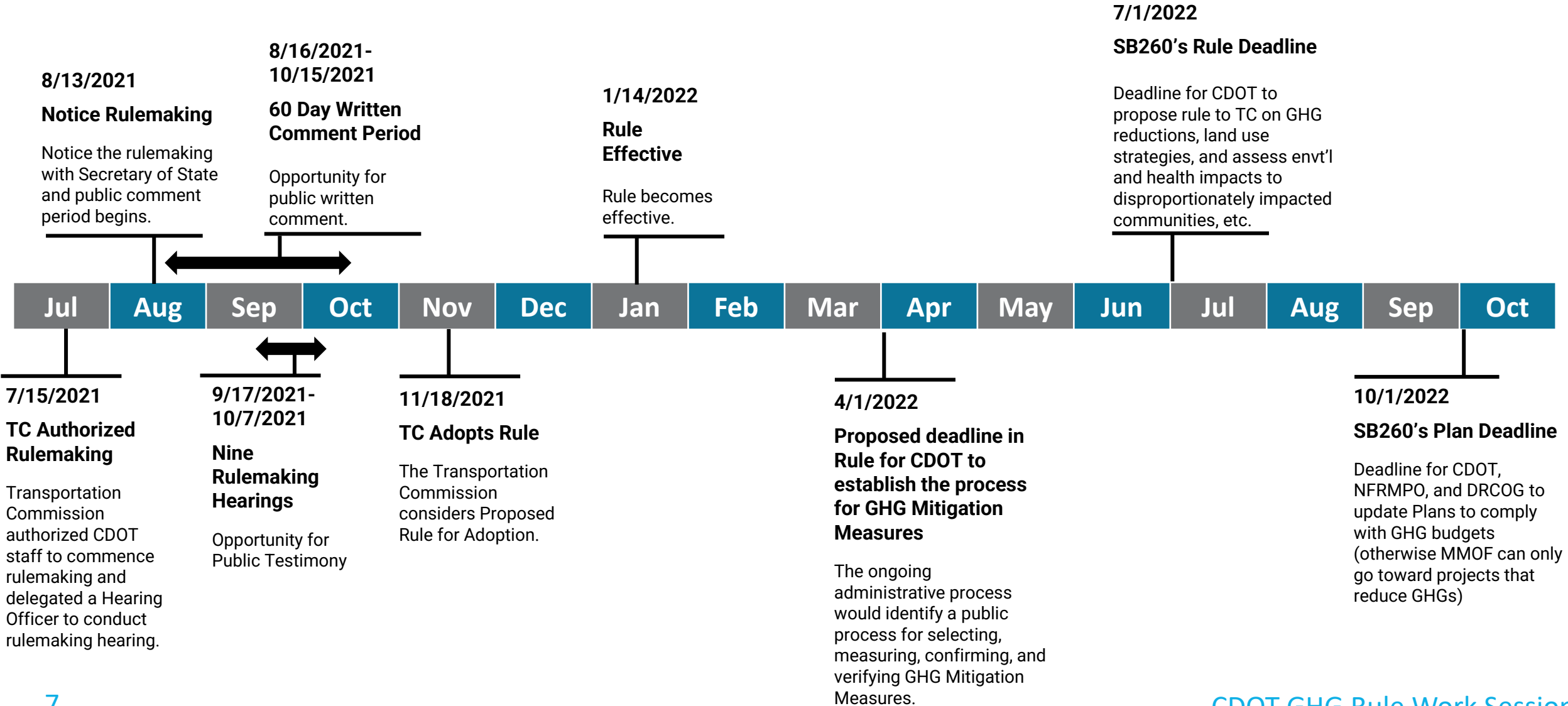
Strategies in Place

- **6 MMT** – Low and Zero Emission Vehicle rules
- **2 MMT** – Utility and public investment to support light-duty zero emission vehicles (5619-077, electrification investments from 5621-260)

**4.7
MMT**

Recommended Strategies	Status
GHG Pollution Standards for Transportation Plans	TC rulemaking in progress
Commuter Trip Reduction Program – (voluntary) ETRP, encouraging telecommuting for large employers	Voluntary program to be explored
Incentivize Land Use – increase housing near jobs	Under evaluation
Indirect Source Rule – requires new developments to mitigate emissions from vehicle trips to/from the site e.g. shopping malls, offices, warehouses, and industrial sites	AQCC Rulemaking in 2022
Clean Truck Strategy – infrastructure, fleet incentives, potential regulation	CDOT study in progress
Fuel Economy Standards – participate in developing post-2025 vehicle standards (state and federal)	Federal and CARB processes
Expand Public Transit – Front Range Passenger Rail, RTD NW rail	In progress

CDOT Rule Schedule & SB260 Deadlines



Rule Overview

- The Transportation Commission (TC) is proposing to revise the existing **statewide transportation planning rules** in 2 CCR 601-22.
- Revisions establish **greenhouse gas (GHG) Reduction Levels** for each MPO and for CDOT in the non-MPO area for four compliance years: 2025, 2030, 2040, and 2050.
- Applies to the NFRMPO Regional Transportation Plan (**RTP**) and Transportation Improvement Program (**TIP**) beginning on October 1, 2022. For CDOT, applies to the **10-Year Plan** and Four Year Prioritized Plan in non-MPO areas.
- Compliance determined through **travel demand modeling and air quality modeling**, along with an off-model analysis of **GHG mitigation measures**.
- If GHG reduction levels are not met, the NFRMPO must utilize **CMAQ and STBG funds** on projects or approved GHG mitigation measures that **reduce GHG emissions**, and CDOT utilizes **10-Year Plan funds** anticipated to be expended on **Regionally Significant Projects** in the MPO area on projects that **reduce GHG emissions**.
- The Rule includes a **waiver process** that could allow specific projects to proceed.

CDOT Resources on the Proposed Rule, including the Redline, Notice, Cost Benefit Analysis, and Regulatory Analysis:
<https://www.codot.gov/business/rules/proposed-rules>

CDOT GHG Rulemaking Hearings



Date	Location	Time
9/17/2021	Grand Junction	2-5 pm
9/23/2021	Denver	3-7 pm
9/24/2021	Colorado Springs	3-6 pm
9/27/2021	Littleton	3-7 pm
9/29/2021	Limon	2-5 pm
9/30/2021	Fort Collins	2-5 pm
10/4/2021	Glenwood Springs	2-5 pm
10/5/2021	Firestone	2-5 pm
10/7/2021	Durango	2-5 pm

Hybrid Hearings

To attend virtually, register at <https://www.codot.gov/programs/environmental/greenhousegas/publichearing>

Written Public Comment

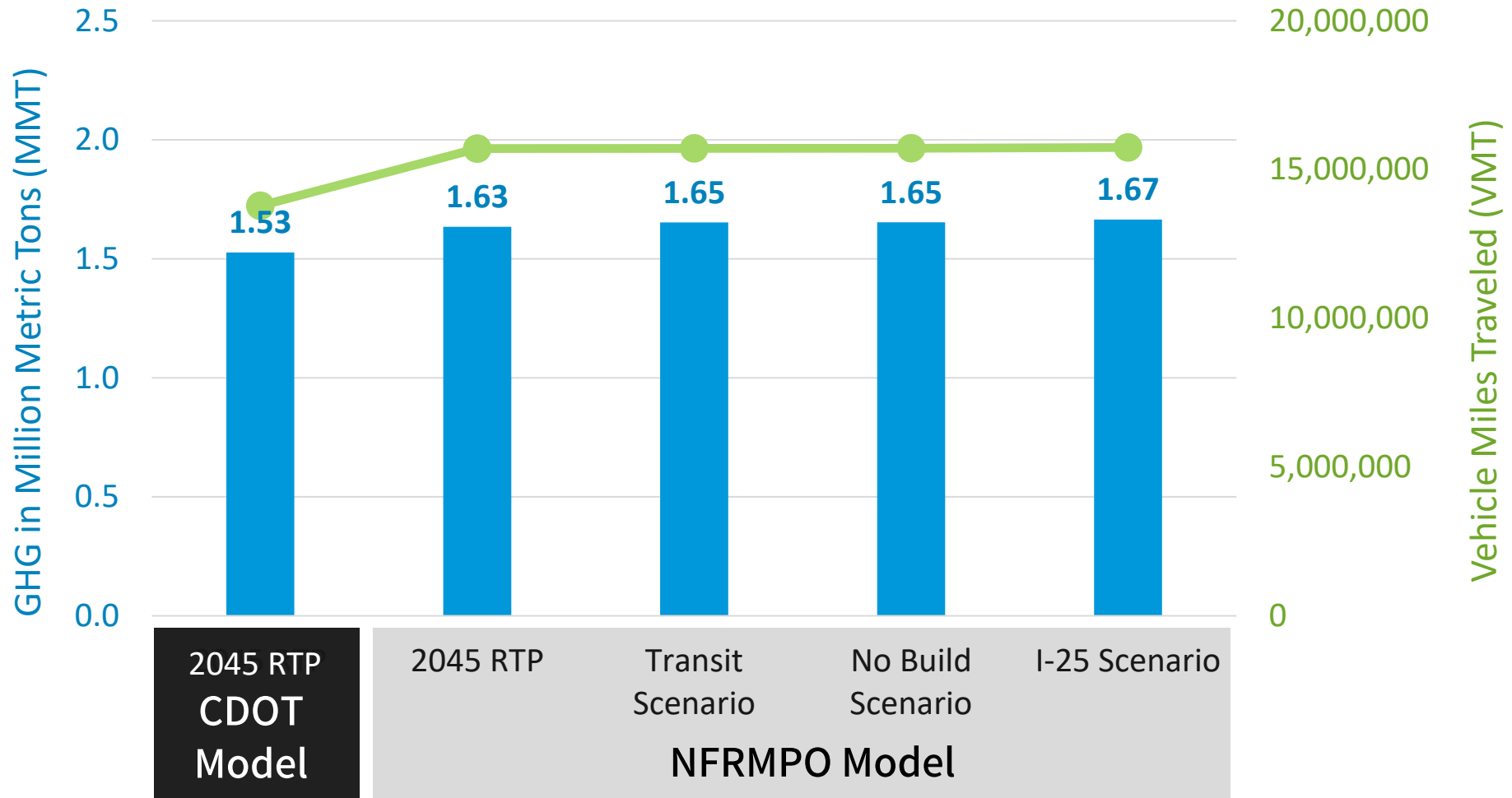
All comments or questions on the proposed rule should be submitted by October 15th to dot_rules@state.co.us

Additional Data & Staff Analysis

- MPO Modeling Results
- Role of VMT

MPO Modeling Results (1 of 2)

GHG and VMT 2030 Forecast including EVs, NFRMPO Region



MPO Modeling Results (2 of 2)



Takeaways

- GHG emissions per VMT vary among scenarios by as much as 6 percent, reflecting the impact of speed/congestion (all scenarios have same fleet mix, age, and fuel assumptions)
- Difference between CDOT model and NFRMPO model for GHG and VMT estimates are substantial
- Different investment options have a minimal impact on VMT and GHG emissions

Model - Scenario	Daily VMT	GHG (in MMT)	GHG (Tons) per mVMT
Statewide Model – 2045 RTP	13,783,791	1.53	341
NFRMPO Model – 2045 RTP	15,706,558	1.63	322
<i>Percent Difference</i>	<i>-12%</i>	<i>-7%</i>	<i>6%</i>

Should we request MPO modeling results be used in Table 1 (GHG Baselines and GHG Reduction Levels) instead of the statewide model results?

Role of Vehicle Miles Traveled (VMT)

(1 of 2)



- **EPA Air Quality Model (MOVES)**
 - GHG emissions estimates are based on VMT, fleet mix (vehicle types and ages), speed (congestion), and fuels used
- **SB21-260 Section 30**
 - Requires TC to establish procedures and guidelines for CDOT and MPOs to:
 - Take additional steps in the planning process for regionally significant transportation capacity projects to account for the impacts of GHG pollution and VMT expected to result from such projects
 - **Reduce GHG emissions to help achieve the statewide GHG pollution reduction targets**
 - Consider role of land use and develop strategies to encourage land use decisions that reduce VMT

Role of Vehicle Miles Traveled (VMT) (2 of 2)



- **Proposed rule**
 - Primarily focuses on VMT reduction strategies but includes an illustrative GHG Mitigation Measure for medium/heavy duty electric charging stations and hydrogen refueling infrastructure
- **Cost-Benefit Analysis**
 - States the three scenarios are based on “three broad categories of VMT reduction measures.” Also states bus electrification is included in two of the scenarios (and resulting GHG emissions) but does not account for costs of bus electrification because it does not reduce VMT.
 - Does not assess GHG impacts of not building capacity projects

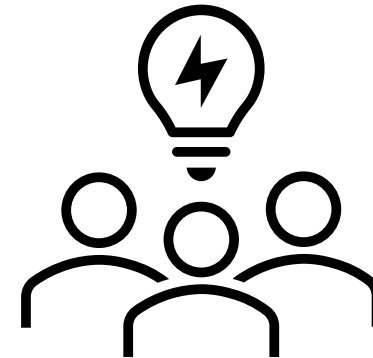
Should the rule address GHG reductions through operations measures, or only through VMT measures?

Brainstorm NFRMPO Comments

- Step 1: What other areas of support and areas of concern should the NFRMPO consider?

Join the Interactive Work Session Whiteboard

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Areas of Support



- Rule purpose and co-benefits to ozone and expanding transportation options
- Existence of a waiver process
- Establishing GHG Mitigation Measure process outside of the rulemaking (additional flexibility to update)
- Creation of State Interagency Consultation Team
- TC will not withhold funds from the MPO

Areas of Concern + Options (1 of 3)

- GHG Reduction Levels may not be feasible and are based on strategies outside the control of MPOs and CDOT (e.g. land use, transit operations).
 - *Note: Still analyzing data; will present options at next meeting*
- Rulemaking schedule may not accommodate data-driven requirements or data-driven comments (e.g. update baselines using MPO model results, technical report on modeling, and corrections to reduction levels)
 - *Note: Comment letter with this concern has already been submitted; plan to continue raising this concern*
- The rule lacks specificity on processes, roles, and responsibilities (e.g. no specified timing for TC determination, unclear when funding restrictions occur, lack of process for addressing any concerns from APCD).
 - *Suggestion: NFRMPO staff develop proposals for improved processes*

Areas of Concern + Options (2 of 3)

- Rule should require periodic reassessment of GHG reduction levels.
 - Option A: Add requirement for State Interagency Consultation Team to conduct review of GHG Reduction Levels at least every four years
 - Option B: Add requirement for CDOT to conduct review of GHG Reduction Levels when state's EV target changes, when updates to federal CAFE standards are incorporated into the approved air quality model, and at other key milestones
- Due to updated growth forecasts and potential for MPO boundary changes, GHG Reduction Levels should account for change
 - Option A: Use per capita GHG reduction levels
 - Option B: Update the rule's GHG Baselines and reduction levels each time the growth forecast is revised

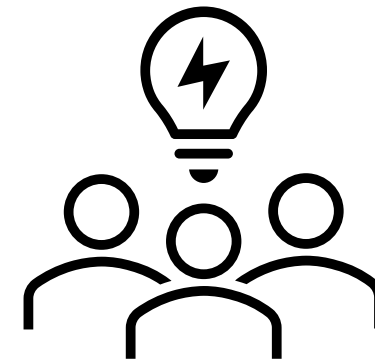
Areas of Concern + Options (3 of 3)

- Most GHG Mitigation Measures cannot be implemented by MPOs
 - *Suggestion 1: Measures should include operations improvements that reduce GHG*
 - *Suggestion 2: Implementers of GHG Mitigation Measures should not be restricted to only CDOT and MPO (i.e. local government efforts should also count).*
- The GHG Mitigation Measure reporting process may be onerous without providing much value.
 - *Suggestion: Allow bundling of measures*
- Enforcement mechanism overly restricts projects funded with CMAQ and STBG that are selected to meet the needs identified in the federally required metropolitan planning process.
 - *Suggestion: If an area does not meet the GHG budget, non-regionally significant projects funded through CMAQ and STBG that do not reduce GHGs (e.g. safety projects) should not require a waiver to proceed, as with the CDOT 10-Year Plan Funds.*

- Step 2: Which three topics are most important to raise during the rulemaking hearings?

Join the Interactive Work Session Whiteboard

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Next Steps

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Questions?



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