

**MEETING MINUTES of the
TECHNICAL ADVISORY COMMITTEE (TAC)
North Front Range Transportation and Air Quality Planning Council**

Virtual Meeting

October 20, 2021

1:02 p.m. – 2:41 p.m.

TAC MEMBERS PRESENT:

Mitch Nelson, Chair – Severance
Allison Baxter – Greeley
Brad Buckman – Fort Collins
Aaron Bustow – FHWA
Richard Coffin – CDPHE-APCD
Jessica Ferko – RAQC
Eric Fuhrman – Timnath
Josie Hadley – CDOT
Omar Herrera – Windsor
Dave Klockeman – Loveland
Mark Oberschmidt – Evans
Elizabeth Relford – Weld County
Eric Tracy – Larimer County

NFRMPO STAFF:

Medora Bornhoft
AnnaRose Cunningham
Alex Gordon
Becky Karasko
Suzette Mallette
Cory Schmitt

TAC MEMBERS ABSENT:

Marco Carani – Johnstown
Pepper McClenahan – Milliken
Adam Olinger – Town of Berthoud
Town of Eaton
Town of LaSalle

IN ATTENDANCE:

Cassie Archuleta – Fort Collins
Scott Ballstadt – Windsor
Alex Donaldson – Loveland
Caleb Feaver – Fox Tuttle
Daniel Feller – Olsson
Candice Folkers – COLT
Katie Guthrie – Loveland
Dan Joseph – Weld County
Tamara Keefe – FHU
Katlyn Kelly – Transfort
Michelle Johnson – GET
Evan Pinkham – Weld County
Bryce Reeves – CDOT
Carrie Tremblatt – CDOT

CALL TO ORDER

Chair Nelson called the meeting to order at 1:02 p.m.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF THE SEPTEMBER 15, 2021 TAC MINUTES

Relford moved to approve the September 15, 2021 TAC minutes. Klockeman seconded the motion, which was approved unanimously.

AIR QUALITY AGENDA

Regional Air Quality Updates – Bornhoft stated the Planning Council approved the Greenhouse Gas (GHG) Reduction Budgets comment letter, which was submitted to CDOT. The public comment period has been extended and is now scheduled to close at noon on November 18, 2021 and a revised rule was released yesterday. CDOT will hold an additional rulemaking hearing on November 10, 2021. Many of the comments

submitted by the NFRMPO were not incorporated into the revised rule and NFRMPO staff will be presenting more information on the revisions to Planning Council at their November meeting. NFRMPO staff is involved in the RAQC's committees to develop strategies for the upcoming State Implementation Plan (SIP). The Alt Fuel Colorado grant opportunity is open through October 29, 2021. Klockeman asked whether NFRMPO staff can provide more information to TAC members on the GHG Rule in between meetings. Bornhoft stated there is an NFRMPO webpage with information at nfrmpo.org/air-quality/ghg-rulemaking-and-to-contact-her-with-any-questions. Relford added public comments on the GHG Rule have been uploaded to the State website. Karasko stated she would provide all links shared in the meeting to TAC in a follow up email.

Ferko stated SIP strategy review efforts are underway with two monthly meetings: an overall strategy meeting looking at detailed elements of the SIP as well as a targeted work group meeting for strategies that are more intensive. The meetings are the third Wednesday and fourth Tuesday of each month. Relford asked who is on the local government work group. Ferko stated there were 30 attendees at the last meeting, representing a wide geography. Meetings are open, and TAC members can reach out to Ferko to be added to the mailing list. Coffin stated the Colorado Energy Office, CDOT, and CDPHE have prepared a Heavy-Duty Vehicle Study. CDPHE will host webinars in November to discuss the study, with the potential adoption of a policy in 2022.

CONSENT AGENDA

No items this month.

ACTION ITEM

FY2021 TIP Project Delay Review – Cunningham stated Planning Council discussed the delayed TIP projects at their October 7, 2021 meeting. Planning Council discussed granting 2nd extensions to two of the projects with 2nd delays. Commissioner James recommended removing the funds from the *Weld County CNG Vehicles* project due to the suspension of Buy America waivers. Cunningham noted the *Timberline Road Corridor Improvements* project has an updated ad date of October 2021 rather than September 2021. One project has a 1st delay.

Klockeman moved to provide a 1st Extension to the project with a 1st delay and recommend Planning Council provide 2nd Extensions to the two projects with second delays that have provided anticipated ad dates and remove funding from the *Weld County CNG Vehicles* project, returning the funds to the CMAQ pool for allocation by Planning Council. Relford seconded the motion, and it was approved unanimously.

ACTION/DISCUSSION ITEM

FY2021 Additional CMAQ Allocations – Cunningham stated the *Weld County CNG Vehicles* project would return \$2.2M to be reallocated to other projects. COLT and Transfort stated they could accept further funds to be fully funded as they are partially funded projects from the same Call. The *COLT Diesel Bus Replacement* project would receive an additional \$120k, and the *Transfort CNG Buses* project would receive an additional \$46k. Commissioner James recommended Planning Council allocate the remaining \$2M to the North I-25 project.

Relford asked if the NFRMPO needs a resolution to return the funding, and if so, in what timeframe. Cunningham noted there is no immediate timeline, but a resolution sooner than later would help move start the process more quickly.

Relford moved to recommend Planning Council allocate the additional CMAQ funding to the two partially funded projects from the FY2020-2021 Call for Projects able to accept funding and the remaining funding be allocated to North I-25. Herrera seconded the motion, and it was approved unanimously.

PRESENTATIONS

2021 Call for Projects – Cunningham noted the 2021 Call for Projects opened on October 8, 2021, and reviewed key dates. CMAQ and ITS Project Descriptions are due on Friday, October 29, 2021, as are the mini-applications for projects that touch CDOT right-of-way (ROW). The Call for Projects awards are scheduled to be approved by Planning Council in March 2022. Cunningham reviewed the available funding by funding type and by year, application reminders, and the resources available on the NFRMPO website. NFRMPO staff is available for technical and application assistance through December 2, 2021. More data that could be useful for applications is available on the NFRMPO website, including 2011-2019 crash data, EJ areas, Communities of Concerns, and Regional Corridors.

Cunningham noted STBG scoring criteria was updated such that Environmental Justice (EJ) is worth seven points and Economic Development is worth eight points. The Partnership scoring definition was updated to note each partner must contribute at least 10 percent of the local match requirement to receive full points, which was the standard used in the 2018 Call for Projects. Cunningham clarified the points are dependent on local match contribution, not just a letter of support. Cunningham reviewed scoring, request limits, and minimum requests for each funding source. Reeves and Cunningham stressed an IGA and Notice to Proceed are required before reimbursement, and Cunningham added that overages are the responsibility of the local government. Reeves asked if projects with overages were eligible for non-MPO funding programs, and Cunningham clarified the restrictions were only for NFRMPO funds. Questions may be sent to a new general email address, planning@nfrmpo.org, which goes to all MPO Planning Staff. Cunningham noted the application PDFs are fillable. Some cells use automatic formulas and she recommended clearing out the total project cost textbox to make sure it has the correct number.

Herrera asked for clarification about what is in the CDOT mini-application. Cunningham explained the application requests a basic description, financial and funding information, milestone dates, and what CDOT support is needed. Folkers asked if bus projects require a mini-application. Cunningham stated only infrastructure projects that touch a State Highway require the application. Cunningham added the CDOT mini-applications should be sent to Josie Hadley with Region 4. Oberschmidt asked about the option to submit a CDOT mini-application for projects that do not touch a State Highway. Cunningham noted that option is available to help project sponsors get additional feedback and develop strong project proposals.

Klockeman asked if there was an option to clarify if a project is scalable in the application. Cunningham noted that could be added for the next Call for Projects, during this call the information can be included in the project description or discussed at the Scoring Committee. Mallette suggested communities should prioritize their projects if they are submitting more than one.

Bryce Reeves, CDOT Region 4, reviewed CDOT's Local Agency Project oversight. The Local Agency Manual was revised in July 2020 and is available on [CDOT's website](#). Reeves advised setting realistic dates for project development and delivery, and to use CDOT Local Agency Coordinators as a resource. Reeves reviewed typical milestones for the preconstruction project schedule. Reeves defined the IGA, which is required for costs to be reimbursed. The IGA provides a fact sheet on the Brooks Act for federal funds reimbursement for design consultant. Reeves highlighted the need to work with utilities and railroads, and to work with CDOT to work through the process. Reeves noted federal funds have specific requirements like NEPA analyses, including Section 4(f) Historic and Parks and Recreation, which is not required for local or State funds. All funding sources have additional shared requirements. Reeves recommended having an environmental scope meeting, providing a scope for consultants to CDOT for review, and identify red flag resources early. Reeves also recommended allocating sufficient local agency staff and resources to manage and document the project.

Reeves stated project sponsors must complete Owner Acceptance testing to do required testing, and that Buy America is required for all steel and iron.

Baxter asked for clarification about when right-of-way (ROW) clearance happens in the process and whether updates need to be shown in the Local Agency Manual. Reeves stated clearance happens when the project reaches 90 percent Final Office Review (FOR) because ROW limits are not expected to change. Baxter asked if there could be intermittent review before 90 percent. Reeves stated CDOT is having internal conversations, but the reviewers do not want to repeat ROW review and must get approval from CDOT Headquarters even if it is approved by Region 4 staff. Baxter clarified an update in the ROW Manual which stated ROW plans can be submitted at the Field Inspection Review (FIR), or 30 percent design. Reeves will confer with the ROW team.

Relford asked if CDOT is changing any requirements for what is considered a corridor for environmental review. Reeves stated he would investigate it and reach back out. Relford asked how CDOT and the NFRMPO will handle GHG requirements in this Call for Projects. Bornhoft noted CDOT's current proposal is that projects that have gone to ad can continue as-is, while projects that have not gone to ad will be subject to the GHG requirements if a region is unable to attain the GHG Reduction Levels. Bornhoft also noted operational improvements and bus replacements currently do not count as GHG reduction measures and would be unable to proceed if the GHG Reduction Levels are not met unless they get a waiver from the Transportation Commission. Oberschmidt asked if there is an inflation rate to use for Year of Expenditure (YOE). Reeves stated he will look into it. Klockeman asked if projects could separate design from construction to avoid missing milestones. Cunningham noted the delay review process considers each discrete phase's milestones to avoid missing associated ad dates.

DISCUSSION ITEMS

No items this month.

PARTNER REPORTS

NoCo Bike & Ped Collaborative – A written report was provided.

Regional Transit Agencies – No items this month.

Mobility Updates – Schmitt described the background of RideNoCo and demonstrated the rideno.co website. Schmitt noted the NFRMPO recently closed an RFP for the trip discovery tool, which should be completed in summer 2022.

REPORTS

October Planning Council Meeting Summary – A written report was provided.

Community Advisory Committee (CAC) Summary – A written report was provided.

Q3 TIP Modifications – A written report was provided.

Mobility Updates – A written report was provided.

CDOT Inactives Report - A written report was provided.

ROUNDTABLE

Klockeman noted Jeff Bailey retired on October 1, and Alex Donaldson has joined Loveland as a Civil Engineer.

MEETING WRAP-UP

Final Public Comment – There was no final public comment.

Next Month's Agenda Topic Suggestions: Karasko noted the November agenda will include the November TIP Amendment, a TDM Program Update, Performance Measures and Targets update, and possible TAC member project updates.

Meeting adjourned at 2:41 p.m.

Meeting minutes submitted by: Alex Gordon, NFRMPO Staff

The next meeting will be held at 1:00 p.m. on Wednesday, November 17, 2021 as a hybrid meeting.