

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

**January 11, 2024
Hybrid Meeting in Berthoud, CO**

Voting Members Present:

Jon Mallo – Chair	-Loveland
Johnny Olson – Vice Chair	-Greeley
Scott James – Past Chair	-Weld County
Mark Clark	-Evans
Paula Cochran	-LaSalle
Dan Dean	-Milliken
Jessica Ferko	-APCD
Liz Heid	-Eaton
Will Karspeck	-Berthoud
Jim Kelly	-Transportation Commission
Troy Mellon	-Johnstown
Paul Rennemeyer	-Windsor
Kristin Stephens	-Larimer County

Voting Members Absent:

Fil Archuleta	-Garden City
Frank Baszler	-Severance
Tricia Canonico	-Fort Collins
Lisa Laake	-Timnath

MPO Staff:

Suzette Mallette, Executive Director; **Becky Karasko**, Transportation Planning Director; **Brooke Bettolo**, Mobility Planner; **Alex Gordon**, Transportation Planner III; **Michael Saunders**, Transportation Planner I.

In Attendance:

Eric Bracke, Brad Buckman, Nancy Burke, Rich Christy, Wayne Howard, Mark Jackson, Andy Karsian, Nathan Lindquist, Jon Moore, Tom Moore, Heather Paddock, John Putnam, Duane Sayers, Mike Silverstein, David Singer, Justin Stone, Josie Thomas, Paul Trombino, Dena Wojtach

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

Public Comment:

There was no public comment.

Move to Approve Agenda and Minutes:

James **moved** to *APPROVE THE JANUARY 11, 2024, MEETING AGENDA AS SUBMITTED*. The motion was **seconded** by Olson and passed unanimously.

Stephens **moved** to *APPROVE THE DECEMBER 7, 2023, MEETING MINUTES AS SUBMITTED*. The motion was **seconded** by Karspeck and passed unanimously.

Lead Planning Agency for Air Quality Agenda

Chair Mallo opened the Air Quality portion of the meeting.

REPORTS:

Air Pollution Control Division (APCD)

A written report was provided.

Regional Air Quality Council (RAQC)

Moore stated AQCC approved the 75 ppb Severe Ozone SIP at the December 15 rulemaking hearing. Moore addressed Regulations 7 and 26, which were adopted separately from the Commission's approval of the SIP. Regulations 7 and 26 aim to reduce emissions from oil and gas extraction during the ozone season, specifically targeting nitrous oxide emissions and emissions from stationary engines commonly used in oil and gas extraction. Moore summarized Regulation 29, which aims to reduce emissions from gas-powered lawn and garden equipment. The AQCC has tentatively approved a hybrid approach to the adoption of Regulation 29, in which all state agencies and private entities contracted by the state will be restricted from using gas powered lawn and garden equipment during the ozone season. Local entities and their contractors will have the same requirement if they are within the ozone nonattainment area. Moore noted exemptions within the proposal, which include allowing the use of gas-powered lawn and garden equipment by first responders, land managers, and during storm clean-up. The proposed regulation will not affect the use of gas-powered lawn and garden equipment by private entities or residents. Olson inquired if Regulation 29 had previously sought to ban the sale of gas-powered lawn and garden equipment by 2026, to which Moore explained that while a sales ban was included in the original RAQC proposal, the commission ultimately decided to remove it from the currently proposed regulation. Regulation 29 is expected to come into effect in 2025 following a formal decision by the AQCC at their February meeting.

NFRMPO Air Quality Program Updates

Wojtach noted Regulation 29 would include the concept of soft enforcement, in which regulated agencies would be required to document reasons for non-compliance for record keeping purposes. RAQC is in the process of seeking contract bids for the required modeling activities during SIP development and noted AI could potentially be utilized in the analysis of background ozone levels. Wojtach discussed legislative insights, which could potentially include an increase in air quality protections for disproportionately impacted communities, air quality permitting for minor sources, and the allocation of resources for outreach and soft enforcement for Regulation 29.

Metropolitan Planning Organization (MPO) Agenda

Chair Mallo opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

Mallo stated he appointed Olson for STAC representative with himself as the alternate. As Vice Chair, Olson will be the Chair of the Finance Committee and Rennemeyer, Stephens, Clark, and Fries will serve on the committee. James will be the Chair of the Human Resources Committee and Stephens, Karspeck, and Mellon and Canonico will serve on the committee. Stephens is to continue as the RAQC representative. Olson and Karspeck will continue to serve on the FRPR Council with an updated Resolution next month. The Planning Council will discuss FRPR District representation at their November 2024 meeting to allow the ballot initiative to progress. Karspeck, Canonico, Stephens, and Mallo noted their interest in representing Larimer County on the District.

Executive Director Report

Mallette discussed the upcoming legislative session which will include consideration of a statewide transit pass and discussion of the Ozone Season Transit Grant and a youth fare free transit program. Mallette discussed the Urban Area Boundary Adjustment, which is a CDOT-led FHWA effort. The adjusted boundaries impact federal roadway classifications, but do not impact population or funding distribution. Stephens added that the Vulnerable Road User Enterprise Bill would be considered, which would require that vehicles exceeding a certain weight pay a fee that would support safety projects. Mallette stated the NFRMPO 2023 Annual Report and the VanGo Annual Survey were available for review.

TAC

A written report was provided.

Community Advisory Committee (CAC)

A written report was provided.

PRESENTATIONS:

Front Range Passenger Rail District Update: Singer reiterated the scope of FRPR had been narrowed to the use of existing freight railroad tracks to reduce the cost of entry and accelerate the start date. Singer provided an update on the progress of the Service Development Plan (SDP), stating that the FRPR board had reached a decision to select the BNSF Front Range line as the most viable route for the introduction of passenger rail service. Singer stated that FRPR was in the process of analyzing potential station locations, expected ridership, and environmental impact, and that negotiations with the host railroad had begun. The results of the SDP will be available for review at the end of 2024. Karsian stated the District will seek to increase capacity by hiring additional staff and consultants in 2024 and will prioritize the completion of a robust financial model. Kelly asked for clarification regarding the timing of a ballot initiative. Karsian explained that the district was still seeking a ballot initiative for 2024, noting that the near-term timeline complicated the process and that a final decision would be made on the matter by April. Karsian and Olson discussed the importance of a successful ballot measure to aid in acquiring federal funds, noting that California, Georgia, and Minnesota are the district's top competitors. Karspeck stated that the federal money would be awarded in 2026, and Olson noted that although further funding was possible it was not guaranteed.

Proposed Colorado Housing Legislation: Nathan Lindquist with the CDOT Division of Transportation Development and Jon Moore with the Governor's Office informed the council that the Governor had made a \$137M budget request to be directed towards housing issues in the state. Lindquist stated that the legislative focus areas related to housing include the Strategic Growth bill, the Accessory Dwelling Units and Financing bill, and the Transit Oriented Communities bill. The Strategic Growth bill will focus on plans and analysis related to housing and transportation planning. The Accessory Dwelling Units and Financing bill will focus on allowing homeowners to build ADUs between 500 and 800 square feet through eliminating unnecessary restrictions and constraints and by providing grants and financing. The Transit Oriented Communities bill will seek to create a framework to develop 31 locally designated Transit Oriented Centers, of which Fort Collins is likely the only community to qualify within the NFRMPO Region. The criteria are based on 15-minute headways on transit service, as of a certain date. J. Moore explained details surrounding the qualification and creation of Transit Oriented Centers. Mallette sought clarification regarding what percentage of the housing shortage could be addressed by the proposed legislation. Lindquist explained that more data would be required to determine a percentage, and the legislation primarily deals with eliminating barriers to housing development, noting that other states have seen significant improvement following similar legislation. Mallette inquired if a community without transit could qualify, which was confirmed by J. Moore. Lindquist noted that the presentation slides would be made available following the meeting.

ACTION ITEM:

2023 Call for Projects

Karasko noted that the most recent CDOT federal reconciliation resulted in the lowest scoring CRP and CMAQ projects being partially funded. The project affected within the CRP is the *Wilson Ave Multiuse Path and Crossing* project from Loveland, and the *9th and 10th St Mobility Improvements* project from Greeley within CMAQ. They will be eligible to receive additional funds if they become available. James **moved** to approve RESOLUTION NO. 2024-01 *ADOPTING THE 2023 CALL FOR PROJECTS*. The motion was **seconded** by Stephens and **passed** unanimously.

DISCUSSION ITEMS:

2020-2024 NFRMPO Targets for Safety Performance Measures

Karasko stated the NFRMPO could either support the State's targets or set regional targets for the federally required Safety Performance Measures. Karasko noted targets cannot be aspirational and must be data driven, and setting regional targets may be the best course of action due to state trends increasing while regional trends are lowering or remaining consistent. Karasko noted safety targets were established as an amount not to exceed rather than a reflection of the desired outcome. Olson inquired if the region could support the State's targets for some measures while setting regional targets for others, to which Karasko explained due to the requirement of establishing data driven targets the NFRMPO would have to support all State targets or set regional targets. Karspeck inquired about penalties for exceeding the targets, to which Karasko explained that only states are penalized for failing to reach targets. The council discussed the need to invest more in safety in the region and expressed a desire to set regional targets. TAC will take action on the targets at the January meeting and the council will adopt the targets at the February meeting. Targets are due to CDOT by February 27, 2024.

NFRMPO Articles of Association Amendment

Mallette reviewed proposed changes that included coordination with the Upper Front Range Transportation Planning Region on selecting a STAC representative and acknowledging the combined Mobility Committee meetings. Mallette noted that the full articles could be found at a link to the website.

COUNCIL REPORTS:

Transportation Commission

Kelly discussed rural access to broadband on CDOT facilities, noting that rural communities are seeking access to be as inexpensive as possible. The commission set pricing to be competitive with other states, which ultimately dropped proposed pricing by 90 percent and was passed by the commission.

CDOT R4 Update

Paddock reviewed a potential new bill dealing with maintenance projects, explaining that originally maintenance projects performed by CDOT were capped at \$150K and raised to \$250K in 2021. The new bill will include an inflation clause rather than increasing the project cap. Paddock stated that CDOT expects the first construction package for segment five on I-25 in March with construction beginning in May. Paddock stated that express toll lanes will likely remain free until summer.

Colorado Transportation Investment Office (CTIO)

No report.

I-25 Coalition

James encouraged council members to attend I-25 Coalition meetings.

US34 Coalition

Stephens stated that CDOT received a \$700K grant from the Federal Rail Administration (FRA) Railway Crossing Elimination program, which was matched with an additional \$200K from CDOT. The grant will be used to analyze at-grade crossings on US34 and will entail an 18-month study exploring the issue. Stephens stated that Steer and Associates had been selected as the consultant to work on the TMO. The new chair of the US34 Coalition Barry Wilson and the Vice Chair is Scott James.

Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME)

Stephens stated that NAAPME did not have a meeting in December and would meet on January 25.

Front Range Passenger Rail District

No further updates.

Host Council Member Report

Karspeck stated Berthoud received a micromobility grant that would allow Berthoud to develop an app for mobility services. Karspeck also noted that Berthoud had recently painted new bike lanes.

The meeting was adjourned at 8:00 p.m.

Meeting minutes submitted by: Michael Saunders, NFRMPO Staff