

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject Greenhouse Gas Mitigation Measures		1610.0
Effective 5/19/22	Supersedes New	Originating Office Division of Transportation Development

I. PURPOSE

The purpose of this Policy Directive is to fulfill the requirements of the Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (the Rule), which directs the Colorado Department of Transportation (CDOT), in consultation with the Metropolitan Planning Organizations (MPOs), to establish an ongoing administrative process and guidelines for selecting, measuring, confirming, verifying, and reporting Greenhouse Gas (GHG) Mitigation Measures. CDOT and MPOs may use GHG Mitigation Measures in order to assist them in meeting the Regional GHG Planning Reduction Levels in 2 CCR 601-22. This Policy Directive sets forth the intent and principles of GHG mitigations and the process for establishing, tracking, and verifying mitigation measures. It further establishes the quantification methodology and the associated GHG reductions/scores for each measure.

II. AUTHORITY

Transportation Commission pursuant to § 43-1-106 (8)(a), C.R.S.
 § 43-1-128, C.R.S.
 2 CCR 601-22, Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (the “Rule”).

III. APPLICABILITY

This Policy Directive shall apply to all CDOT Divisions, Regions, Branches, and Offices as well as to the state’s current five MPOs: Denver Regional Council of Governments (DRCOG), North Front Range Metropolitan Planning Organization (NFRMPO), Pikes Peak Area Council of Governments (PPACG), Grand Valley Metropolitan Planning Organization (GVMPO), and Pueblo Area Council of Governments (PACOG), as well as any MPOs created during the lifetime of the Rule.

IV. BACKGROUND

The broad purpose of this Policy Directive is to help achieve the objectives of the Rule, which is intended to reduce GHG emissions from the transportation sector. Specifically, the Policy Directive fulfills the following requirement within 2 CCR 601-22, Section 8.02.4:

“By May 1, 2022, CDOT in consultation with the MPOs shall establish an ongoing administrative process and guidelines, through a public process, for selecting, measuring, confirming, verifying, and reporting GHG Mitigation Measures. CDOT and MPOs may incorporate one or more GHG Mitigation Measures into their plans in order to assist in meeting the Regional GHG Planning Reduction Levels in Table 1. Such a process and guidelines shall include, but not be limited to, how CDOT and MPOs shall determine the relative benefits and impacts of GHG Mitigation Measures, and measure and prioritize localized benefits to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both regional and community benefits.”

GHG Mitigation Measures are an important, but voluntary, component of the Rule as they provide an additional option to demonstrate compliance with the GHG Reduction Levels (Table 1 in the Rule). For this reason, the GHG reductions achieved by GHG Mitigation Measures must be real, additional, quantifiable, and verifiable. GHG Mitigation Measures will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency’s model. The GHG Mitigation Measures included in this Policy Directive--and the scores or reduction levels assigned to these measures--are based on the best available research, calculation methodology and forecasting tools available nationwide.

It also is important to understand how GHG Mitigation Measures relate to transportation plans (“Applicable Planning Documents” in the Rule), which include a range of projects-- from roadway expansions to new transit and bike lanes. The Rule requires CDOT and MPOs to model “at a minimum... Regionally Significant Projects” to demonstrate compliance. The words “at a minimum” give the flexibility to model projects that are not Regionally Significant. This approach has the benefit of providing a full analysis of all the projects within a plan and, further, of realizing the benefits of a model to capture the interrelationships of these strategies across the transportation network. However, not all projects can be accurately modeled yet. This is either because they are too small to be detected within a model (e.g. a segment of bike lane) or are beyond the current overall capability of an agency’s model. Thus, this Policy largely focuses on GHG Mitigation Measures that cannot yet be accurately quantified within CDOT or an MPO’s travel demand modeling runs. The Commission recognizes that this dynamic will

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change over time. As models continue to improve, transportation system elements currently treated as GHG Mitigation Measures may be incorporated into the models which may require amendments to this Policy.

V. DEFINITIONS

The defined terms in this Policy Directive have the same meaning as in the Rule except as explicitly set forth herein. Some definitions are repeated here for convenience.

“Applicable Planning Document”, as stated in the Rule (1.02), are MPO Fiscally Constrained Regional Transportation Plan (RTP), Transportation Improvement Program (TIP) for MPOs in Non-Attainment Areas, CDOT’s 10-Year Plan and Four-Year Prioritized Plan in Non-MPO areas, and amendments to the MPO RTPs and CDOT’s 10-Year Plan and Four-Year Prioritized Plan in Non-MPO areas that include the addition of Regionally Significant Projects.

“Disproportionately Impacted Communities”, as stated in the Rule (1.11), is defined in § 24-38.5-302(3), C.R.S. as a community that is in a census block group, as determined in accordance with the most recent United States Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%).

“Greenhouse Gas (GHG)”, as stated in the Rule (1.16), are pollutants that are anthropogenic (man-made) emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, nitrogen trifluoride, and sulfur hexafluoride

“Greenhouse Gas (GHG) Mitigation Measures”, as stated in the Rule (1.18) or “Mitigation Measures”, are non-Regionally Significant Project strategies that reduce transportation GHG pollution and help meet the GHG Reduction Levels.

“Greenhouse Gas (GHG) Reduction Level”, as stated in the Rule (1.17), is the amount of the GHG expressed as CO2e reduced that CDOT and MPOs must attain through transportation planning.

“GHG Transportation Report” is the report that is required to be submitted as part of the Rule which shows compliance toward meeting the reductions levels.

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“Metropolitan Planning Organization” or “MPO”, as stated in the Rule (1.28), is an organization designated by agreement among the units of general purpose local governments and the Governor, charged to develop the Regional Transportation Plans (RTPs) and programs in a Metropolitan Planning Area pursuant to 23 U.S.C. § 134. Colorado currently includes five designated MPOs: DRCOG, PPACG, PACOG, GVMPO and NFRMPO.

“Mitigation Action Plan” (MAP) is an element of the GHG Transportation Report that specifies which GHG Mitigation Measures shall be implemented that help achieve the GHG Reduction Levels.

“Off-Model” means tools are better suited to use independent of the travel model, including calculation methodology in order to quantify or estimate the effects of GHG reductions.

“Policy Directive” is a document adopted by the Transportation Commission that specifies organizational and Commission goals and policies and is used to help implement the Rule.

“Regionally Significant Project”, as stated in the Rule (1.42), is a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. Modifications of this definition shall be allowed if approved by the State Interagency Consultation Team. If the MPOs have received approval from the Environmental Protection Agency (EPA) to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. The Transportation Commission may issue guidance for implementation of this definition based on population density or other defined factors from time to time.

“State Interagency Consultation Team” (IACT), as stated in the Rule (1.44), consists of the Division Director or the Division Director’s designee, the Colorado Department of Public Health and Environment (CDPHE) Director of Air Pollution Control Division or the Director’s designee, the Director of each MPO or their designee, and the Colorado Energy Office Director or Director’s designee. The Division Director may appoint additional member(s) from outside of these organizations. The State Interagency Consultation Team works collaboratively and consults appropriately to approve modifications to Regionally Significant definitions, to address

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classification of projects as Regionally Significant, and to consult on issues that may arise regarding modeling assumptions and projects that reduce GHG emissions.

VI. POLICY

The Transportation Commission adopts the processes and priorities stated herein to guide the development of GHG Mitigation Measures, the approval of new GHG Mitigation Measures, the elements of a Mitigation Action Plan and GHG Mitigation Measure Status Report, and the analysis of the efficacy of GHG Mitigation Measures. Due to the evolving nature of evaluation techniques it is expected that this Policy may be reviewed and amended in the early months and years of its adoption.

A. Overall Process for Establishing GHG Mitigation Measures

This Policy Directive includes a list of approved GHG Mitigation Measures (Appendix A) that have been reviewed, vetted, and scored by the Department’s subject matter experts, reviewed and recommended by the Interagency Consultation Team, and provided to the Air Pollution Control Division as required by the Rule, Section 8.04.2.

This Policy recognizes the need to balance appropriate analytical rigor around the expected reductions of GHG Mitigation Measures with encouraging new ideas and adapting to advancements in measurement methodologies. Further, the Commission recognizes that in the early compliance period for the Rule, MPOs may identify valid and quantifiable GHG Mitigation Measures that are not contemplated in Appendix A. Thus, this Policy provides two pathways for including mitigation measures in a MAP: 1) Using an approved measure listed in Appendix A or 2) Proposing a new measure so long as the process outlined below for validating and reviewing a measure is followed.

A locally-driven project, not otherwise prompted or developed as a result of CDOT or MPO action (e.g. funded or directly incentivized) may be included in the Mitigation Action Plan if it is a GHG Mitigation Measure contained in Appendix A of this Policy.

1. Proposing and Approving New GHG Mitigation Measures

a. Inclusion in Appendix A:

Any individual or organization may nominate a new GHG Mitigation Measure for review and potential approval. CDOT shall develop an online form on CDOT’s website to receive these nominations. Staff, in consultation with the Transportation

Commission, reserves the discretion to prioritize newly nominated GHG Mitigation Measures based on the information available and the effort required to assess.

Additionally, CDOT staff will establish a regular process of inventorying best practices from around the country with a focus on identifying a range of effective GHG Mitigation Measures for urban, suburban, and rural contexts throughout the state. Staff shall engage CDOT's Environmental Justice branch in this process to help ensure that GHG Mitigation Measures and policy updates are regularly adapted to, and developed with, input from Disproportionately Impacted Communities.

In order to be included in Appendix A as an approved GHG Mitigation Measure, all new measures must follow the process outlined below:

- Assessment by CDOT GHG Program staff according to the framework listed in Table 1. The individual or group submitting the new measure shall be expected to provide, to the extent possible, this information and data upon submission of a proposed GHG Mitigation Measure.
- Review and recommendation by the Interagency Consultation Team.
- Confirmation and verification by the Air Pollution Control Division (APCD) (as required by 8.04.2).
- Approval by the Transportation Commission for incorporation into Appendix A.

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Table 1: Framework for Submitting New GHG Mitigation Measures

New GHG Mitigation Measure Submission Components	Description of New GHG Mitigation Measure
Strategy Description	Describe the overall strategy, including: <ul style="list-style-type: none"> ● The nexus with the transportation sector ● Description of what the strategy achieves or implements ● Description of how the strategy reduces CO2e emissions ● If possible, identification of how the strategy is not already reflected-- or cannot be accurately measured by-- land use and travel modeling tools, thus warranting an off-model estimate of CO2e emission reductions ● Description of additionality. A GHG Mitigation Measure will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency’s modeling.
Quantification Methodology	Describe the methodology for quantifying CO2e emissions reductions from the strategy, including: <ul style="list-style-type: none"> ● Empirical evidence supported by verifiable data sources ● Clearly document all assumptions, sources of data, and calculations
Challenges and Constraints	<ul style="list-style-type: none"> ● Potential challenges and constraints with quantifying and implementing strategy

b. Including a Mitigation Measure in a MAP not included in Appendix A. If a GHG Mitigation Measure is not included in Appendix A, but submitted as part of a MAP, such measures must include the information in Table 1 and follow the process outlined below. CDOT staff shall work expeditiously to review new Mitigation Measures and support each submittal through this process.

- Assessment by CDOT GHG Program staff according to the framework listed in Table 1.
- Review and approval by the Interagency Consultation Team.
- Confirmation and verification by the Air Pollution Control Division (APCD) (as required by 8.04.2).

The Commission shall revisit this provision by May 2023 to determine its necessity and effectiveness based on the experience of the initial compliance period (i.e. October 2022 deadline).

B. Process for Scoring Approved GHG Mitigation Measure

Approved GHG Mitigation Measures will be scored and the scores included in Appendix A. The scoring is related to the ability of a GHG Mitigation Measure to reduce GHG emissions relative to a certain metric (e.g. per mile of bike lane). It also provides a way to distinguish and value the location and context of GHG Mitigation Measures.

The scores are based on the following factors:

1. Metric (e.g. per mile of bike lane)
2. Points/metric
3. Additional multipliers
4. Adjustment for effectiveness over time, and
5. A total expected lifetime of each measure

C. GHG Mitigation Action Plan

Subsection 8.02.6.3 of the Rule states as follows: “If (GHG) Mitigation Measure(s) are needed to count toward the GHG Reduction Levels in Table 1, the MPO or CDOT may submit a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet the GHG Reduction Levels within Table 1”. The Transportation Commission will evaluate Mitigation Action Plans and determine their sufficiency to assure that the Plan meets the GHG Reduction Levels needed for compliance.

The following information must be included in a Mitigation Action Plan:

- a. GHG Emissions Reductions: Summary of emissions analysis from GHG Transportation Report, including the estimated gap to achieve the GHG Reduction Levels specified for each horizon year.
- b. GHG Mitigation Measure Summary/Description: Each measure shall include the following details as listed in Table 2.

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Table 2: Description for Each Mitigation Measure

Component	Description of information to be submitted with application.
Measure Description	A description of the measure, including scale, location, and how it would affect travel activities expected to result in GHG reductions.
Timing	Anticipated start date, completion date, and dates of any other key milestones.
GHG Reductions	<p>If using the points as set up in Appendix A, record the GHG reductions and associated technical data in each year of the project’s lifetime.</p> <p>If agencies would like to substitute specific local data for the inputs or parameters that form the basis of the calculation methodologies of the strategies in Appendix A, document the GHG reductions and associated technical data. Agencies shall work with CDOT technical staff to verify the new technical data inputs.</p> <p>If using a GHG Mitigation Measure that is not included in Appendix A, document the GHG reductions and associated technical data listed in Table 1 used to calculate the GHG emissions reductions of the strategy. The Commission notes that there is a risk of disapproval under this scenario due to the Commission reviewing without the benefit of being pre-approved through the Appendix A process.</p>
Co-benefits	Quantification, where possible, of specific co-benefits including reduction of co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership, etc. as applicable), for each relevant compliance year in the project’s lifetime.
Benefits to Disproportionately Impacted Communities	A description of the benefits to Disproportionately Impacted Communities and stakeholder engagement conducted with those communities. Include an accounting of the amount of mitigation dollars directly spent in--or designed to serve--Disproportionately Impacted Communities as a subset of total dollars.
Measure Origin and History	<p>Include a description of the origin of the measure, including, where applicable, the role of the MPO or CDOT. Description must explain how the GHG Mitigation Measure is additional per the guidance provided above.</p> <p>A GHG Mitigation Measure will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency’s modeling. A locally-driven project, not otherwise prompted or developed as a result of CDOT or MPO action (e.g. funded or directly incentivized) may be included in the Mitigation Action Plan if it is a GHG Mitigation Measure contained in Appendix A of this Policy.</p> <p>If a project was specifically identified in a previous fiscally constrained plan as of January 30, 2022, it is not eligible as a GHG Mitigation Measure in a new</p>

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	plan UNLESS the new GHG Mitigation Measure is funded from a pool of non-specific projects (and not otherwise modeled in a previous plan), in which case it may be used as a GHG Mitigation Measure in the new plan.
Funding/ Resources/ Partnerships	Funding source(s), including if those funds are confirmed if any partnerships have been made or in-kind/matches are included.
Other Info As Needed	Any other relevant information that may be needed for thorough review of the proposed GHG Mitigation Measure.

D. GHG Mitigation Measure Status Reports and Follow-Up Analysis.

1. Submitting a GHG Mitigation Measure Status Report.

Following the approval of a GHG Mitigation Action Plan, CDOT and the MPOs are required to submit an annual status report for each GHG Mitigation Measure to the Transportation Commission starting on April 1 of each calendar year subsequent to the approval of the MAP. The following information shall be included in each status report (as outlined in the Rule):

- The implementation timelines;
- The current status
- For measures that are in progress or completed, quantification of the annual benefit of such measures
- For measures that are delayed, canceled, or substituted, an explanation of why that decision was made and, how these measures or the equivalent will be achieved
- For measures located in a Disproportionately Impacted Community that are delayed, canceled, or substituted, an explanation of why that decision was made and, how these measures or the equivalent will still be achieved in Disproportionately Impacted Communities

If an agency fails to implement or find a substitute for a delayed or canceled GHG Mitigation Measure, the Commission will need to consider whether an Applicable Planning Document is in compliance, as per subsection 8.02.6.4 of the Rule. The Commission shall consider failure to submit reports and any analysis therein in subsequent review of future plans presented for consideration.

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2. Analyzing the Efficacy of GHG Mitigation Measures.

CDOT shall create a process to evaluate the effectiveness of implemented GHG Mitigation Measures against predicted achievement of those measures by no later than the end of 2026 and annually thereafter if needed. Such analysis shall be provided to the Interagency Consultation Team for their review and consideration as to whether this information merits a change to the score applied to relevant measure(s). The Commission shall incorporate subsequent review and revisions into this Policy Directive. Further, CDOT and MPOs shall conduct ongoing review in advance of the next plan update in order to better understand how GHG Mitigation Measures are being developed and implemented.

V. IMPLEMENTATION PLAN

This Policy Directive shall be effective immediately upon approval by the Transportation Commission.

The Office of Policy and Government Relations shall post this Policy Directive on CDOT’s intranet as well as on public announcements.

VI. REVIEW DATE

This Directive shall be reviewed by January 2023, following the adoption of various transportation plans in 2022.

Herman F. Stockinger III

Herman Stockinger
Transportation Commission Secretary

5/19/2022

Date of Approval