

## Denver Regional Council of Governments Policy Statement on State Legislative Issues for ~~2011~~2012

### Introduction

This paper outlines the key state policy issues of the Denver Regional Council of Governments (DRCOG). It identifies policy positions intended to inform the General Assembly, state executive branch officials and others as they develop and implement state policy on these issues. This policy statement guides positions and actions taken by the DRCOG Board, its staff and members during the ~~2011~~2012 state legislative session.

DRCOG is a membership organization of nearly 60 cities, towns and counties in the Denver metropolitan region. Under federal law, the ~~regional council~~DRCOG serves as the Metropolitan Planning Organization (MPO) ~~for regional transportation planning, which includes a requirement to coordinate~~ing transportation planning with air quality goals, ~~the water quality planning and management agency for the region;~~ and serves as the Area Agency on Aging in eight counties to aid the 60+ population. Under state statutes, DRCOG, as the regional planning commission, prepares and adopts a regional plan for the metro area and has a regional responsibility for oversight of transit projects and certain state-sponsored and private toll road projects.

DRCOG also serves as a forum for addressing regional issues and coordinating local activities. It is an advocate for regionalism and has adopted a Legislative Principle Statement that states, in part, “the organization assumes the responsibility for identifying and promoting regional interests in its various fields of planning and management to state and federal legislative and administrative bodies.” It is within this context that the following policy positions are adopted and advocated.

### *Regional Planning and Development*

**Regional Planning.** Regional growth and development is of significant concern for metro area citizens and community leaders. As a regional planning commission under Section 30-28-105, DRCOG prepares the region’s long-range plan for growth and development, transportation, and environmental quality. The regional *Metro Vision* ~~regional~~ plan describes a vision for the future ~~of the region~~ and policies to guide local growth decisions ~~over that period~~.

*Metro Vision* is the policy basis for all of DRCOG’s programs and serves as the framework and context in which the regional council collaborates with other organizations on issues of mutual interest. **DRCOG supports those efforts that implement *Metro Vision* and encourages state and regional entities to respect align their policies and investment decisions with *Metro Vision* and other regional agreements when making decisions to advance common objectives.**

~~DRCOG supports Metro Vision goals for regional planning and Metro Vision establishes several regional goals, as summarized below, and DRCOG may support or oppose legislative proposals based on consistency with these goals.~~

### Growth and Development Goals

- Ensure urban development occurs within an urban growth boundary/area to promote a more orderly, compact and efficient future development pattern.
- Achieve at least a ten percent increase in overall regional density between 2000 and 2035.
- ~~Locate 50% of new housing and 75% of new employment between 2005 and 2035 in designated urban centers throughout the region. While each urban center will be unique, all urban centers will:~~
  - ~~be active, pedestrian-, bicycle- and transit-friendly places that are more dense and mixed in use than surrounding areas;~~
  - ~~allow people of all ages, incomes and abilities to access a range of housing, employment and service opportunities without sole reliance on having to drive;~~
  - ~~promote regional sustainability by reducing per capita vehicle miles traveled, air and water pollution, greenhouse gas emissions and water consumption; and~~
  - ~~respect and support existing neighborhoods.~~
- ~~Promote development patterns and community design features to meet the needs of people of all ages, incomes and abilities. Pay particular attention to the needs of older adults, which represent the fastest growing segment of the population~~
- ~~Provide safe, environmentally sensitive and efficient mobility choices for people and goods, integrated with land use.~~
- ~~Encourage the development of higher density, mixed use pedestrian and transit-oriented urban centers.~~
- ~~Accommodate a significant proportion of future growth within recognized urban centers.~~
- Maintain Boulder, Brighton, Castle Rock and Longmont as distinct and self-sufficient freestanding communities, and more clearly define and support the regional role of rural town centers.
- Minimize the extent of low density, large lot (semi-urban) development.
- Limit the total amount of semi-urban development in 2035 to a proportion that does not exceed the current proportion of all households in the region, which is estimated to be approximately 3 percent.

### Transportation Goals

- ~~Provide safe, environmentally sensitive, efficient and sustainable mobility choices for people and goods, integrated with land use, while supporting the following goals:~~
  - ~~Increase the rate of construction of alternative transportation facilities~~
  - ~~Reduce the percent of trips to work by single occupant vehicles (SOV) to 65% by 2035~~
  - ~~Reduce regional per capita vehicle miles traveled (VTM) 10% by 2035~~
  - ~~Reduce annual per capita greenhouse gas emissions from the transportation sector by 60% by 2035~~

## Environment Goals

- Establish an integrated, linked, permanent parks and open space system that is accessible to all of the region's residents.
- Protect additional parks and open space as the population grows to maintain the current amount per capita [with a goal to protect -Aa minimum of 880 total square miles of parks and open space should be protected by 2035.](#)
- Reduce regional per capita municipal and industrial water use.
- ~~Create senior friendly communities with development patterns and urban design features that meet the needs of older adults.~~
- Achieve and maintain ambient air quality standards and ensure clean water to protect human health and environmental quality.
- Minimize exposure to excessive noise levels associated with land use and transportation services.

## ~~DRCOG also may support or oppose legislative proposals based on consistency with additional draft Metro Vision goals currently under consideration:~~

- ~~• Increase the rate of construction of alternative transportation facilities~~
- ~~• Reduce the percent of trips to work by single-occupant vehicle to 65% by 2035~~
- ~~• Locate 50% of new housing and 75% of new employment within urban centers~~
- ~~• Reduce regional per capita municipal and industrial water use~~
- ~~• Reduce regional per capita vehicle miles travelled (VMT) 10% by 2035~~
- ~~• Reduce pre capita greenhouse gas emissions from the transportation sector 60% by 2035~~

**Transit-Oriented Development.** The citizens of the Denver [metropolitan](#) region have ~~made~~ a very large financial commitment to expand the rail transit system. To maximize the benefit of this investment, the areas surrounding existing and future transit stations should be developed or redeveloped to include appropriate higher-density, mixed-use, pedestrian- [and bicycle](#)-oriented development that supports transit use. **DRCOG supports legislative initiatives that foster transit-oriented development, including but not limited to: a) providing RTD with the ability to manage its park and ride facilities using best practices that help the region reduce VMT; b) expanding the ability of RTD and local governments to enter into joint-development agreements; and c) protecting local authority to use tax-increment financing to leverage development in areas around transit stations.**

**Regional Planning Agreements.** Following the adoption of *Metro Vision*, the local government members of DRCOG collaboratively developed the Mile High Compact, a unique intergovernmental agreement, created as an implementation tool for *Metro Vision*. While the compact is a regional planning agreement, it reinforces the role of local planning by committing local governments to use their comprehensive/master plans as the primary tool for growth and development decisions in their communities.

The signers of the compact agreed that their comprehensive/master plans will follow the specific principles and contain the specific elements outlined in the compact and will ensure consistency between local plans and between local plans and *Metro Vision*.

**DRCOG supports the following goals as a framework for future regional planning agreements and may support or oppose legislative proposals based on consistency with these goals:**

- Establishment of a process to adopt a regional planning agreement by the local governments,
- Include the public in the development of the agreement,
- Focus on regional goals and plans to accomplish those goals for transportation, land use, housing, environmental quality and utility facilities,
- Make local plans consistent with the agreement, and
- Reevaluate and amend the agreement as needed.

**Dispute Resolution.** Implementation of *Metro Vision* and the Mile High Compact relies on the collaborative efforts of the region's local governments. DRCOG recognizes that neighboring communities may find themselves at odds over issues such as the intended use of adjacent lands. In addition, local governments may find themselves in conflict with state and federal agencies over the intended use of land within their jurisdiction. **DRCOG supports alternative dispute resolution techniques, such as facilitation and mediation, to resolve disputes among governments. Legal action in such disputes should be a matter of last resort rather than the initial form of remedy.**

**Local Land Use Authority and Planning.** Local comprehensive/master plans provide a framework for the exercise of local land use authority. They form the basis for local growth and development decisions. **DRCOG supports the use of comprehensive/master plans as the foundation for local land use decision-making.**

**Subdivision Exemptions.** State subdivision statutes [C.R.S. 30-28-101(10)] currently exempt the division of land into parcels 35 acres or larger from local subdivision regulations. County governments have been concerned about this 35-acre exemption because it limits their ability to effectively manage development. ~~The 2005 DRCOG Ad Hoc Committee on Semi-Urban Development also identified this as a concern and recommended that DRCOG support efforts to change this statute.~~ **DRCOG supports the elimination or modification of the 35-acre exemption.**

**Obsolete Subdivisions.** Historical town sites and substandard subdivisions platted prior to the establishment of local comprehensive plans and land development regulations create special problems for local governments. The parcels within these subdivisions often are much smaller than what would be allowed under current plans and regulations, and roadways and other infrastructure often are inadequate. Local governments already are empowered to address some concerns with obsolete subdivisions, such as requiring lot consolidation before issuing a septic system permit and allowing property owners to voluntarily vacate lot lines or even entire plats. However, enhanced statutory authority would be required for local governments to use other planning techniques, such as requiring the consolidation of lots in single ownership or imposing special impact fees. **DRCOG supports efforts to give local governments more authority in regulating obsolete subdivisions.**

**Private Property Rights.** DRCOG respects private property rights within a legal context that protects local land use authority and emphasizes that governmental actions often add value to private property. While acknowledging that there are concerns over a potential for inappropriate uses of that authority, DRCOG believes that U.S. Supreme Court decisions defining constitutional restrictions on local government regulation of private property are adequate to protect both public and private rights. When these restrictions are coupled with established precedents of the Colorado Supreme Court, protections accorded to landowners are reasonable, appropriate and balanced. Therefore, **DRCOG opposes further restrictions on the ability of governmental entities to regulate private property for the benefit of the public and opposes takings and eminent domain legislation that goes beyond the existing rulings of the U.S. Supreme Court and the Colorado Supreme Court as an attempt to unconstitutionally restrict local land use authority.**

**Planning Data and Technical Support.** DRCOG recognizes the importance of unbiased, reliable and consistent data in effective local and regional planning and decision-making. DRCOG also collaborates with the state to provide a variety of planning and technical assistance services to small communities. **DRCOG encourages the General Assembly and state agencies to support these efforts and any other efforts that would provide local governments with planning tools, technical assistance and other resources needed to enhance local and regional decision-making. DRCOG supports legislation that ensures readily available access to public data sets, including digital data, for use in planning analysisanalysis.**

**Housing.** An adequate supply and mix of housing options continues to be a concern of local governments. The affordable housing shortage is particularly acute near major employment centers and in transit station areas, causing increased transportation impacts, as workers have limited transportation options and must commute longer distances from housing they can afford. **DRCOG supports the following principles pertaining to the quality, quantity and affordability of housing in the Denver metro area:**

- Regional approaches to addressing the affordable housing issue that **complement incentivize** local efforts, **particularly as they relate to preservation of existing affordable housing stock.**
- An adequate supply of **good-permanently affordable** housing **located near job and transit hubs, regardless of income level,** and continued public- and private sector support for such an effort.
- Increased state financial support for loan and grant programs for low- and moderate-income housing.
- Collaboration among public and private entities, including efforts **to encourage public funding** to develop loan programs and **to** address the jobs-housing connections.
- Actions to provide more accessible and obtainable housing options for seniors.

**Tax Structure.** Vibrant urban centers and transit-oriented development are key elements of the Metro Vision plan. Successful development in these areas requires collaboration along major transit corridors and throughout the region. Competition among local governments for tax revenues is detrimental to effective collaboration. **DRCOG supports changes to tax structures that minimize harmful competition and that support inter-jurisdictional collaboration.**

### *Transportation*

**Transportation Planning.** Federal law mandates a critical role for the Metropolitan Planning Organization (MPO) in the transportation planning process. Congress has emphasized the importance of local government involvement, through the designated regional planning agency, in selecting projects and prioritizing funding for transportation. To reinforce this role at the state level, **DRCOG supports the process, established between DRCOG, the Regional Transportation District (RTD) and the Colorado Department of Transportation (CDOT) to address the following issues before final adoption of the Statewide Transportation Plan and will evaluate state legislative and administrative actions for consistency with this process:**

- The distribution of estimated future transportation revenues and the range of certainty regarding estimated funding allocations;
- Rules and criteria for determining regional transportation project selection, including system preservation projects as well as immediate and future transportation priorities based on the Regional Transportation Plan; and
- A dispute resolution process to mediate disputes related to these requirements.

The synergy between transportation and land use affects the region's growth and development, use of transportation facilities and environmental quality. A coordinated approach between the state and regional transportation systems planning efforts and local project development is crucial to ensure environmental compatibility, efficient system performance and cost-effective solutions. Although individual local governments can take actions to address these issues in their own jurisdictions, a regional approach to addressing them also is necessary. **DRCOG supports early and frequent consultations between state, regional and local agencies to coordinate region-wide system and project planning efforts, as well as to coordinate transportation, land use and air quality planning efforts. DRCOG will evaluate state legislative and administrative actions for consistency with this policy.**

**Role of the MPO.** The interdependence of transportation systems in metropolitan areas, particularly in the context of population growth and its demands on resources, necessitates a regional approach to transportation problem solving. As the Metropolitan Planning Organization (MPO) for the Denver metro region, DRCOG is responsible for planning and programming funds for a multimodal transportation system. The role of the MPO and the importance of cooperation among transportation agencies are recognized in federal law and regulation. The MPO serves as the forum for collaborative decision-making on regional transportation issues. The MPO brings together decision-makers

from local governments, other regional agencies and state transportation agencies to consider strategic and innovative solutions to regional transportation issues.

The critical role of the MPO needs to be recognized and supported at the state level. Consensus between state and regional transportation agencies also is critical. **DRCOG supports the following principles with regard to the role of the MPO:**

- Transportation planning that is coordinated between DRCOG, the state's transportation agencies, the Regional Transportation District and affected local communities, with each participating transportation agency's plan recognizing the region's priorities in the context of statewide transportation priorities.
- A strong role for MPOs placing MPOs on equal footing with CDOT and applicable regional transit agencies in selecting projects to be funded ~~in order~~ to ensure that local, regional and state transportation needs are met in a coordinated and cooperative manner.
- Legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles and interests.
- Revision of the CDOT engineering region boundaries so that the DRCOG region is contained in fewer engineering regions.
- Legislation to ensure that representation on the Transportation Commission reflects the most recent population census.

**Transportation Financing.** Colorado and the Denver metro area face serious funding shortages for meeting their transportation needs. Regional and statewide analysis show ~~that~~ existing revenue sources are inadequate to maintain current infrastructure, let alone address congestion in urban and recreational areas, provide multimodal options desired by the public, address needs in agricultural and energy-impacted areas, and assure safe travel throughout the state. Thus, enhancements to existing sources and the enactment of new, more stable and reliable sources are necessary.

**DRCOG supports the following principles and actions to meet transportation financing needs:**

- Increase funding for transportation to preserve the system, address congestion and safety, and provide multimodal options for people of all ages, incomes and abilities.
- Eliminate "Off-the-Top" appropriations from the Highway Users Tax Fund.
- Consider innovative revenue and financing mechanisms, such as VMT-based fees, pay-as-you-drive insurance, and under certain circumstances, tolling ~~or~~ and congestion pricing of existing roadways.
- Provide a share of increased revenues back to local governments.
- Consider the cost of land use decisions on transportation infrastructure.
- Protect and expand the authority of regions to implement regional financing tools.
- Use tolls as a financing mechanism for public roads or highways with the conditions that (1) any road, highway, or tolled lanes in the Denver metro region or that impact the Denver metro region are reviewed and approved by the DRCOG Board for inclusion in the fiscally constrained regional transportation plan; (2) toll receipts

remain in the toll highway system within the region that is tolled; and (3) toll receipts are allowed to be used for multimodal improvements and accumulated for system reconstruction.

- Allocate existing and new federal and state funds to achieve funding equity statewide based on needs (system preservation, congestion and multimodal options) and contribution to overall revenues. DRCOG and the Transportation Commission currently are working under a Memorandum of Understanding to accomplish this goal. DRCOG recognizes some potential funding mechanisms under consideration by the state may be appropriate for allocation to the entire statewide system. DRCOG believes that others, including tolls, ~~GPS-tracked~~ VMT fees, and taxes on lodging, to name a few, may be more appropriately returned to the region of generation.
- Reexamine state formulas and procedures to ensure ~~that~~ an adequate amount of federal and state funds are made available to urbanized areas to relieve congestion and achieve and maintain air quality standards.
- Consider revising the responsibilities for maintenance and supervision of the non-NHS portions of the entire current state highway system, ~~but~~ subject to the condition that any devolution ~~from state responsibility~~ to local governments be accompanied by the ~~level of~~ funding necessary to avoid ~~any~~ unfunded mandates ~~created by changes in the allocation of highway maintenance and supervision responsibilities between the state, counties, and municipalities that would result from the removal~~ and ~~only~~ pursuant to review by, and consent of, affected local and regional agencies.

**Multimodal Transportation.** Efforts to address transportation needs in the region must draw upon an array of transportation modes to reduce single-occupant vehicle demand and to provide a variety of transportation choices. DRCOG strongly believes ~~that~~ multimodal solutions to transportation problems are imperative to preserve and enhance our quality of life. **DRCOG supports legislation that promotes efforts to create and fund a multimodal transportation system. DRCOG also supports funding for programs that provide transportation for “access to jobs” for low-income workers who cannot afford to live near where they work.**

**Coordination of Statewide Transportation Efforts.** The DRCOG area generates a significant number of trips throughout the state of Colorado. At the same time, Coloradans from all over the state travel to and through the metro area. Coordination of transportation planning and funding efforts between DRCOG and neighboring COG's, TPR's and coalitions, especially in the primary north-south (I-25) and east-west (I-70) corridors will provide mobility and economic benefits not just for the DRCOG region but for the entire state. Regional consensus ~~building~~ through the existing planning processes is critical for large scale projects in the state's major transportation corridors ~~in order~~ to establish project priorities and broaden the base for project funding. **DRCOG supports regional and statewide efforts at such consensus building and will work to pursue multimodal transportation solutions. DRCOG supports using the regional and statewide transportation planning processes to explore and identify transportation solutions and will evaluate state legislative and administrative actions for consistency with this policy.**

**Transportation Demand Management (TDM).** TDM programs can help reduce congestion and improve air quality by decreasing the amount of automobile traffic during high-demand periods. DRCOG sees TDM as an ~~increasingly~~ important element of the region's long-range growth management and transportation planning strategy. **DRCOG supports the following principles and programs to promote TDM efforts:**

- ~~Encouraging use of T~~elecommuting, flextime and other changes to normal work patterns to avoid peak traffic conditions.
- ~~Reducing the growth in regional VMT.~~
- ~~Encouraging e~~Carpooling, vanpooling, and schoolpooling; and ~~supporting infrastructure that facilitates these transportation options.~~
- ~~Encouraging and enabling the provision of n~~Non-automobile infrastructure created by the state, counties and cities.
- ~~Encouraging e~~mployers to promote ~~ion of~~ alternative mode use by their employees.
- Coordinati~~onng~~ use of transportation alternatives wherever traffic congestion may occur, such as at schools, large retail shopping centers, and in connection with sporting or cultural events or major transportation infrastructure construction.
- ~~Providing i~~ncentives to individuals who use alternative modes.
- Limiting the liability of rideshare agencies and others who promote or provide alternative transportation services.

**Effective Management of the Transportation System.** Efforts to promote the effective management of the freeway and arterial road systems and transit facilities are important to making the best use of existing transportation investments. **DRCOG supports approaches that make use of the roadways and transit facilities more efficient, including programs for incident management and Intelligent Transportation Systems. DRCOG supports efforts that improve or expand real-time traveler information.**

**Services to Older Adults and Persons with Disabilities.** Access to transportation is ~~of-critical importance to~~for older adults and persons with disabilities, particularly to obtain health care and food and to avoid isolation. DRCOG promotes the concept of regional cooperation and coordination among counties and local service providers to most effectively utilize the limited resources available for transportation for older adults and persons with disabilities. **DRCOG supports the following:**

- **A system that effectively and efficiently coordinates the resources and delivery of transportation services between providers, the federal government, counties, RTD, and the state.**
- **Increased funding for transportation services for older adults and persons with disabilities.**
- **Increased state funding for Medicaid transportation services for older adults and persons with disabilities.**

## *Human Services*

**Older Adults.** As the designated Area Agency on Aging (under the federal Older Americans Act) for Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin and Jefferson counties, DRCOG advocates, plans, funds and coordinates the provision of services for older adults. As an advocate for older adults and their caregivers, DRCOG works with various groups and individuals to support state legislation, regulations and programs to meet the needs of older adults. DRCOG also provides the direct services of long-term care ombudsman and information, referral and assistance. **In performing these roles, DRCOG supports the following:**

- **Funding.** Colorado and the Denver metro area face serious funding shortages for meeting the needs of economically and socially needy older adults in the region. Regional and statewide assessments show that existing revenue sources are insufficient to meet current needs for services such home modifications, meals, transportation to medical appointments, and health promotion. Thus, enhancements to existing sources and development of more reliable sources are necessary. **DRCOG supports:**
  - ▶ **Increased funding for programs providing services to older adults and their caregivers, especially services that support individuals continuing to live independently in their homes and communities.**
  - ▶ **Efforts to use state funds for programs that provide prescription drugs more efficiently and effectively. This would include efforts to reduce the costs of purchasing such prescription drugs to enable those programs to better serve their growing caseloads.**
  - ▶ **Increasing the appropriations to the State Funding for Senior Services line item in the Long Bill. This includes increasing the continuing appropriation to the Older Coloradan's Fund, as well as any additional state General Fund monies that might become available. DRCOG specifically supports a stable, long-term funding source that increases to meet the growing needs for services. This also would provide a level of funding certainty that would improve yearly program planning for needed services.**
  - ▶ **Action by the General Assembly to fully fund the required share to match federal funds that are available to the state through the Older Americans Act, including the National Family Caregiver Program, so as not to require an increase in the required local share. Such state or local shares/matches should not be required to come from existing program funds.**
  - ▶ **Distributing State Funding for Senior Services monies using the existing structure created to administer Older Americans Act funds. DRCOG also supports the equitable distribution of the federal and state funds to the AAAs based on the needs and contribution of each region.**
  - ▶ **Reexamination of the state procedures and distribution formulas for federal and state funds to ensure adequate funds are available to urbanized areas to meet the needs of older adults.**

- **Long-Term Care.** Older adults living in long-term care communities (i.e., nursing homes and assisted living) are some of the most vulnerable members of the regional community. As the Long-Term Care Ombudsman for the region, DRCOG is an advocate for the rights of residents in long-term care communities and for improvement in the quality of care in such facilities. **DRCOG supports increases in consumer protections for older adults and their caregivers and, in particular, legislation strengthening the role of the long-term care ombudsman as a resident/consumer advocate. DRCOG urges the state, when making decisions regarding funding for long-term care communities, to structure such funding to protect the quality of care for residents.**
  
- **Planning for Services.** The Older Americans Act mandates a critical role for the AAA: that of planning to meet the needs of older adults and distributing federal funds under the act. To reinforce this role at the state level, **DRCOG supports state legislative and regulatory provisions reinforcing collaboration between the state and AAAs and recognizing their respective roles and interests, consistent with the Older Americans Act.**
  
- **Coordination of Services.** DRCOG works with other government agencies, service providers, private and nonprofit organizations and foundations to identify gaps in services and bring the interested parties together to address these gaps. **DRCOG supports collaboration and partnerships to effectively and efficiently meet service needs consistent with DRCOG's role as an Area Agency on Aging.**
  
- **Housing.** Available, affordable and accessible housing is a concern for older adults. However, an equally critical concern is the ability to live independently. As individuals age, in-home and related services enable older persons to remain in their homes. **DRCOG supports:**
  - ▶ **Increased funding and regulatory changes that improve the availability of these supportive services, while maintaining consumer protections for clients and family caregivers.**
  - ▶ **Home modification programs and funding to assist seniors, persons with disabilities and others at-risk to remain in their homes.**
  - ▶ **Property tax relief ~~Preservation of the Senior Property Tax Exemption~~ to help reduce a tax liability that especially burdens seniors on fixed incomes.**
  
- **Seniors and Driving.** As individuals age, their ability to drive safely can diminish. However, DRCOG is concerned that attempts to address this issue solely based on age imposes undue hardships on older citizens who can drive safely. When older citizens are not allowed to drive, the availability of transportation for medical appointments, grocery shopping and the like is critical for seniors to maintain independence. **DRCOG supports functional assessments of driving ability rather than age cut-off as the basis for imposing limitations on an individual's driving. DRCOG supports adequate funding for providing transportation services for the elderly and persons with disabilities.**

~~Public Safety. One of DRCOG's key roles is serving as a resource for its participating local governments by providing programs that help them save time and money and provide enhanced services to their citizens. This is particularly true in the area of public safety where DRCOG administers shared services through its elevator/escalator inspection program. The state recently enacted a new regulatory program for these and other conveyances in the state (SB 07-123 and SB 08-224). DRCOG's advocacy with regard to these bills and the subsequent regulations was based on principles of ensuring that statewide standards for all conveyance equipment in the state respect existing regional inspection programs; are coordinated with and complement existing regional programs; and do not place significant additional financial or administrative burden on local governments in complying with any new statewide standards. DRCOG will continue to take positions on any subsequent legislation or regulations based on these principles.~~

### *Environment*

~~Air Quality. Air quality affects all residents of the region and continues to be a concern, in spite of progress in recent years. Recently, the region was designated as nonattainment for the fails to meet current federal standards for ozone and. More stringent standards may be expected to be established by the Environmental Protection Agency in 2010/2012. It is likely the Denver region will be designated non-attainment for this new standard, due in large part to growth of population, vehicle miles traveled (VMT), and industrial activity. Meeting the a more aggressive new ozone standard will require continuous efforts from many parties. DRCOG supports:~~

- Efforts to reduce emissions from all sources sufficient to meet federal air quality standards.
- Transportation and land use strategies that improve air quality in the region.
- Alternative fuel sources and clean-burning technology and provision of infrastructure and services for alternative fuels.
- Incentives for purchasing high fuel economy or alternative fuel vehicles or for accelerated retirement of inefficient or high-polluting personal, commercial, or fleet vehicles that are beyond repair.
- Offering services, including incentives that encourage and facilitate the use of alternative modes of travel.
- Examination of the potential of select speed limit reductions.

~~Water Quality. DRCOG has worked with member jurisdictions, the state, wastewater management agencies and others to develop and implement the water quality management plan for the Denver metro region as required by the federal Clean Water Act.~~

~~Funding for these responsibilities is a concern for DRCOG. The Water Quality Control Division, the state agency responsible for implementing the state's water quality program continues to experience funding challenges. It is important that the Division~~

~~have adequate funding to meet its responsibilities to maintain state primacy for this program and not return responsibility to the U.S. Environmental Protection Agency. State primacy is important to ensuring maximum participation of local governments and the state's citizenry. At the same time, current funding levels for regional planning activities are inadequate. In particular, the state allocation for regional water quality planning and related activities, which support the state programs, is significantly below a level that would approach compensation for the value provided to the state. As a result, DRCOG notified the Governor it would cease its water quality planning efforts December 31, 2010.~~

~~Within this context, DRCOG supports:~~

- ~~• A regional approach to improve and protect water quality.~~
- ~~• Coordination and collaboration among all entities with water quality responsibilities.~~
- ~~• Retaining the state's "primacy" for the implementation of the Clean Water Act and Safe Drinking Water Act programs in Colorado.~~
- ~~• Efforts to increase funding for state water quality programs.~~

**Water Supply.** An adequate, dependable supply of water is necessary for urban, agriculture, recreation and open space priorities both in the [Denver](#) metro area and throughout the state. ~~As such, water conservation is one of the sustainability goals for Metro Vision. Metro Vision calls for maximizing the wise use of limited water resources through efficient land development and other strategies, recognizing that no single strategy will meet the state's water needs and the region will need to pursue a range of strategies concurrently.~~ DRCOG supports:

- Collaborative efforts among local governments, water providers and other stakeholders to promote water conservation.
- Data collection and research to increase understanding of the link between land development and water demand, and to identify best practices for to promoting the efficient use of water resources across the region.
- Water ~~conservation efforts and water~~ resource planning, management and development within the existing constitutional framework and pursuant to the basin roundtables process established in HB 05-1177, in which interbasin compacts are negotiated for the equitable distribution of the state's waters.
- Water reuse as one component in efforts to meet water supply needs and thus supports efforts to facilitate the reuse of water consistent with Colorado's constitutional water rights system.
- Policies and practices that, consistent with local government authority, protect Colorado's water resources.

**Open Space.** Open space resources available to citizens in the Denver metro region are important to our quality of life. DRCOG supports:

- Planning, acquisition, protection and preservation of open space resources.

- Increasing funding for open space preservation.
- Great Outdoors Colorado and other efforts advancing major land acquisitions along the Front Range that link open spaces in the metro area to protect canyons and river corridors, the mountain backdrop and prominent geographic features, freestanding community buffer areas, and the east metro plains.

### *Intergovernmental Relations*

**Intergovernmental Cooperation.** The state, local governments and regional agencies all play an important role in providing critical services and implementing programs for the benefit of Colorado residents. Legislative bodies and executive agencies at each level should respect the roles and responsibilities of the others. **DRCOG supports building consensus among state, local and regional entities in developing and implementing new and existing programs and improved approaches to planning and service provision.**

**Shared Services.** Many of the services provided by local governments to their citizens are also provided by neighboring communities. To address related coordination and funding concerns, local governments have entered into agreements with each other and with DRCOG for shared service delivery. **DRCOG encourages local governments to enter into shared services agreements and supports efforts to ensure that such agreements are honored and endorsed by the state.**

**State/Regional Relations.** As the state’s policy issues become more complex, it is evident that the solutions are not “one size fits all.” The Denver metro region has made significant progress in developing collaborative solutions and decision-making processes for a number of the complex issues with which it has been confronted—especially in the related areas of growth and transportation. As the regional planning commission, the Metropolitan Planning Organization for transportation, , and the Area Agency on Aging, DRCOG is in a unique position to convene parties of interest on intergovernmental issues, provide the necessary forum for their resolution and facilitate a negotiated outcome. **In recognition of the growing importance of regionalism, it is an appropriate role for DRCOG to act as a facilitator of regional approaches. Consequently, it is appropriate for state agencies to ensure that actions they take affecting the region are consistent with regionally derived solutions and the adopted *Metro Vision* plan.**

**Regional Service Delivery.** The state plays an important role in the funding of public services and programs administered at the regional and local levels. When making such funding and programmatic decisions, it is appropriate for state agencies and the General Assembly to give consideration to which programs are implemented most appropriately at the local and regional level. State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the resources to achieve the desired efficiencies and cost-

effectiveness. Also, some programs, for example, transportation, air quality, water quality, are most appropriately and effectively addressed at the regional level. The collaborative partnerships typical of regional approaches can provide the critical mass of users and clients for services or programs to be cost-effective. **DRCOG urges the state, when making funding and programmatic decisions, including creating new programs or changing existing programs, to consider the following principles:**

- **Use existing local or regional service delivery systems wherever practical.**
- **Ensure a consultative process among federal, state and local governments and regional councils before making changes to services currently being delivered at the local or regional level.**
- **Ensure existing levels of services are maintained and adequate administrative funds are provided to implementing agencies.**
- **Ensure the state treats the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs by respecting the local and regional programs already in existence.**