

E-470 Hazardous Material Route Designation

City Council Study Session - January 22, 2019

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Strategic Plan

- Strong Regional Relationships and Partnerships



- Safe, Active, and Engaged Community

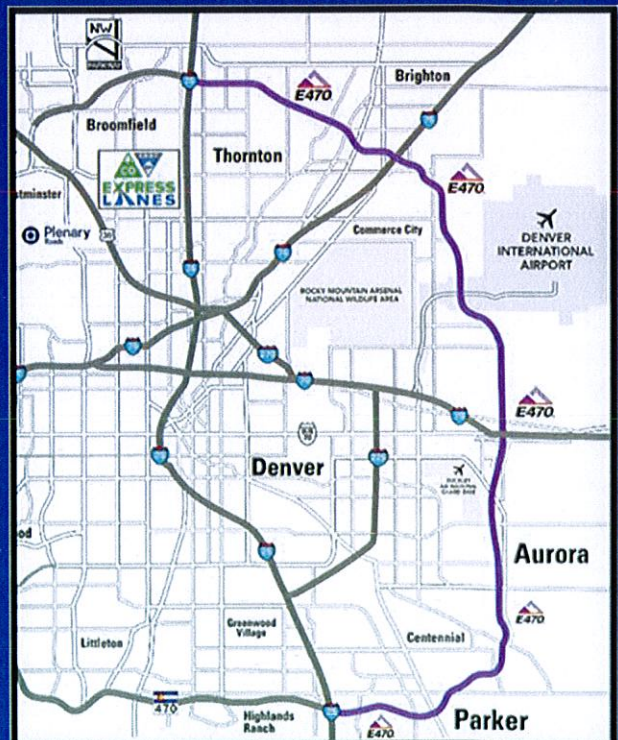


Purpose

- Direction of City Council at the October 23rd and December 11th Study Sessions regarding the potential designation of E-470 as a Hazardous Material (“HazMat”) Route was to provide additional information.
- Staff is looking for direction as to whether or not the City Council wishes to support the HazMat designation of E-470.
- The E-470 Public Highway Authority (“the Authority”) has reached out to its member jurisdictions to start the designation process.

Background

- On December 11, 2018, City staff brought forth further information regarding:
 - Nearby current HazMat routes,
 - Potential sections of highway designation,
 - Process to designate a route,
 - Positions of other local governmental jurisdictions,
 - Brighton Fire Rescue District’s position,
 - Comprehensive Plan’s designations for the areas around E-470, and
 - Presented a list of pros and cons for designation.



Criteria to Consider

- Colorado Revised Statutes Title 42, 'Vehicles and Traffic', Article 20, 'Transportation of Hazardous and Nuclear Materials', outlines the procedures for the route designation for hazardous materials.
- The Authority itself is not currently eligible to directly petition the Patrol for designation.
- The Authority's member jurisdictions are empowered to petition the Patrol for those portions of the highway that lie within their respective jurisdictions.
- Colorado Senate Bill 19-032 would allow the Authority to petition.

Summary of Findings / Staff Analysis

- Definition and types of hazardous materials
- Regulations surrounding transportation
- Permit process for transportation
- Enforcement of transportation
- Routing of hazardous materials
- Sample petition and study
- Reversal of routes
- CDOT's position and ability to move forward without approval

Staff Recommendation

- As noted in earlier reports and meetings, the city already has two vehicle transportation routes (US-85 and I-76) and two railroads that more than adequately serve our community and the northeast region.
- One may argue that perhaps Brighton already has a disproportionate amount as compared to other neighboring cities.
- Further, after additional research as directed by Council, there is no indication that the designation of a route on E-470 will reduce the amount of HazMat traffic on existing routes and it is highly unlikely that we would be able to petition for the removal of an existing route.
- There is a potential that future employers that the city desires to attract to the area, may not be desirous of sites that fall along a HazMat route.
- For these reasons, City staff does not support the designation of E-470 as a HazMat route.

Next Steps

- A formal vote would need to occur for the City to issue a letter of support or opposition.
- If Council provides direction that they are generally in support or opposed to the designation, City staff will schedule the item for an upcoming City Council meeting, provide a draft Resolution, and provide a draft letter in support or in opposition of designation.
- Council may also make a determination to not voice its support or opposition at this time in order to wait and hear further about the proposed legislation at an upcoming Study Session.