

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.

BrightonSM

Background

- Process is regulated by the Colorado State Patrol.
- The Authority and CDOT are willing to assist with the process.
- A HazMat route analysis must be completed before a petition can be filed.

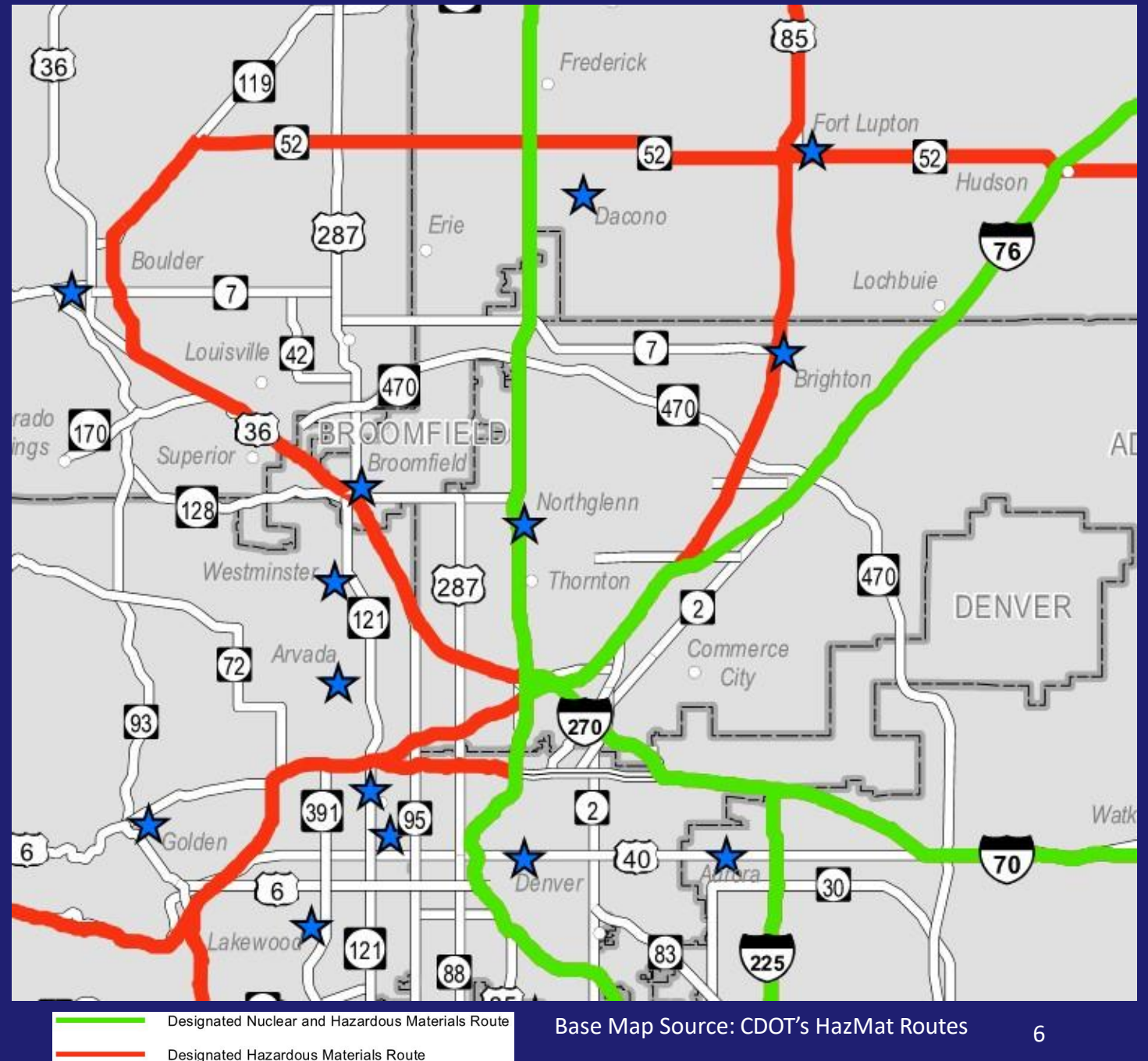


Criteria to Consider

- 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.

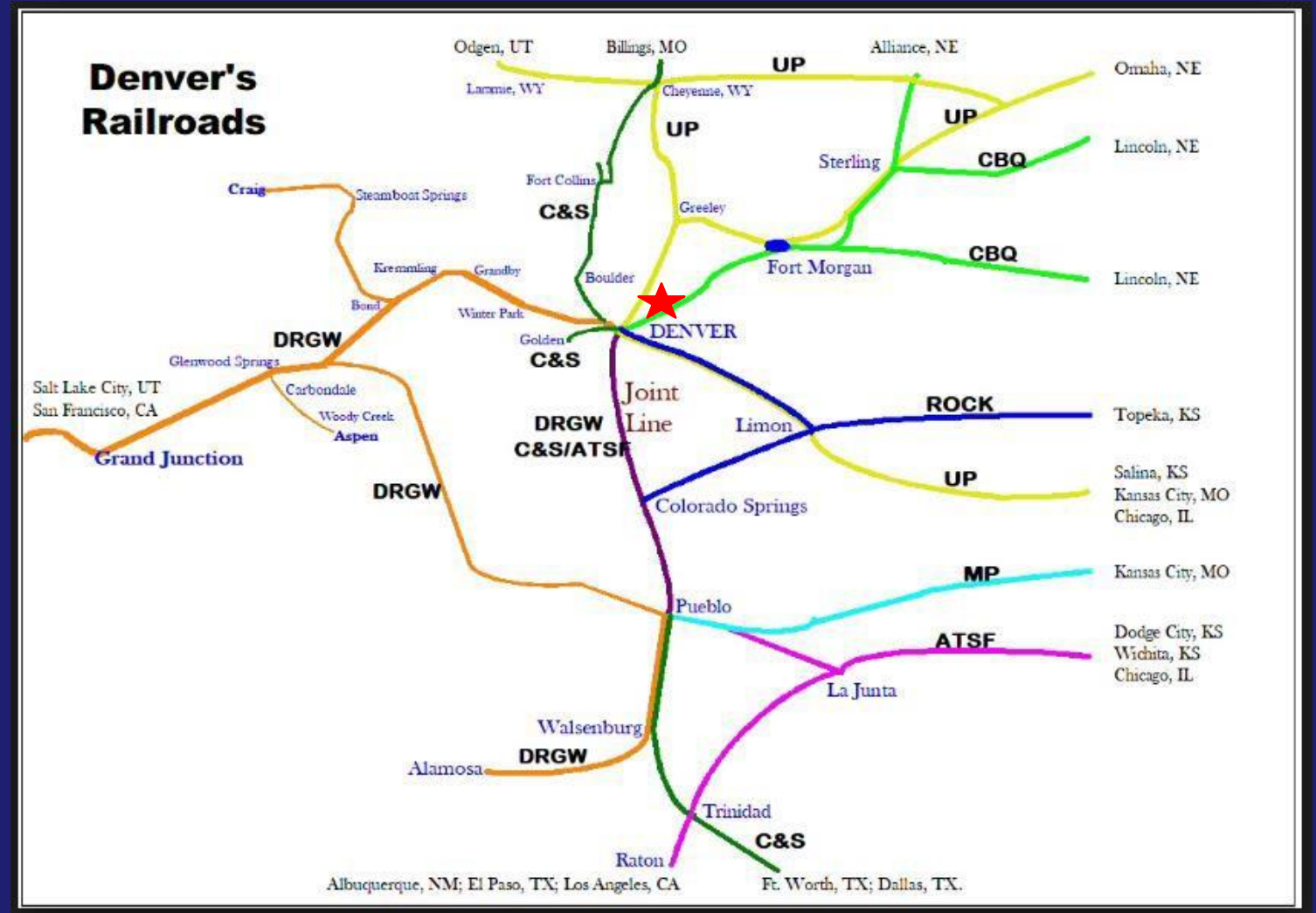
Summary of Findings / Staff Analysis

- Current Brighton and nearby routes
- HazMat haulers
- Potential sections of designation



Summary of Findings / Staff Analysis

- Two railroad lines running through Brighton

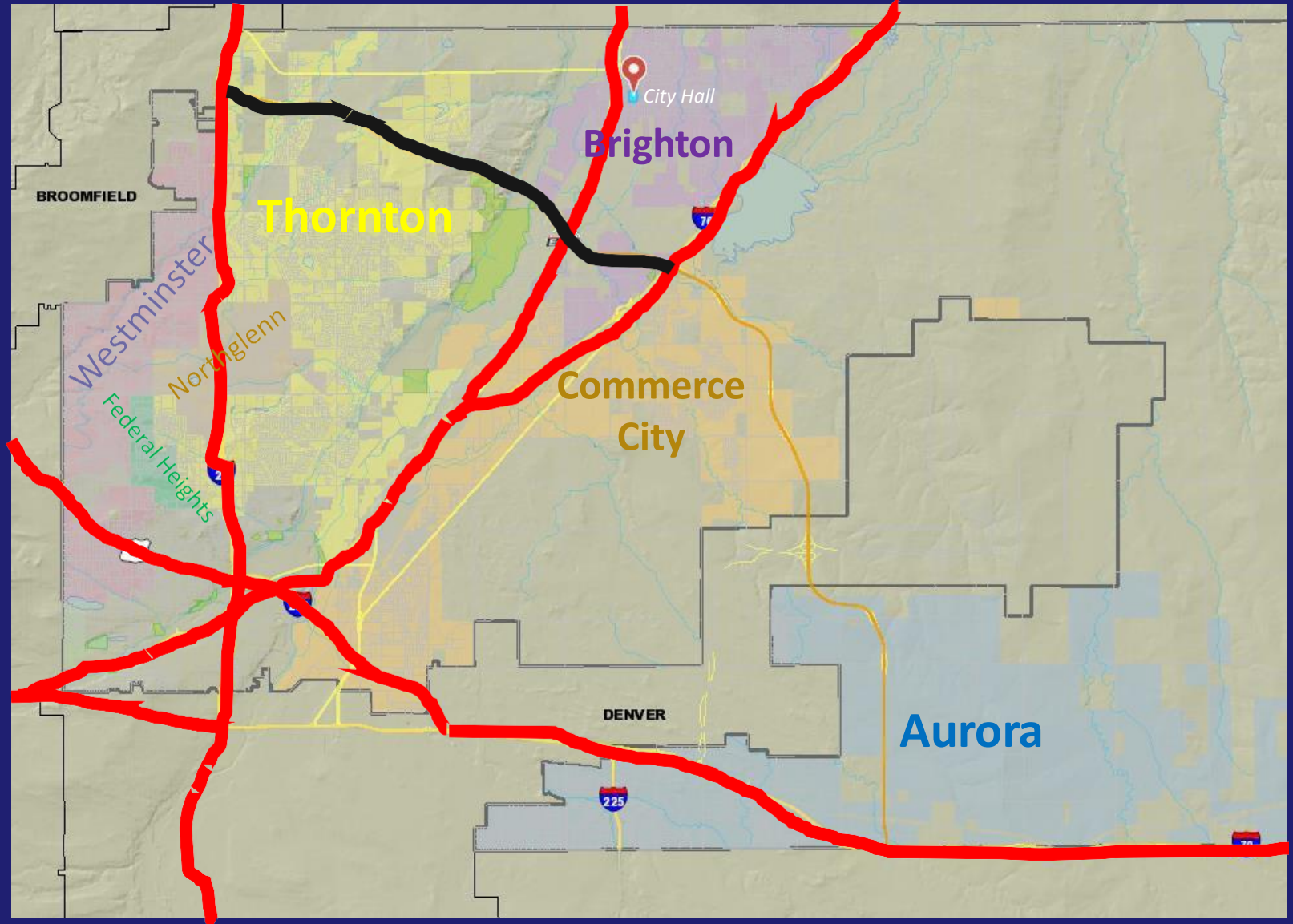


Base Map Source: Denver Railroads

Summary of Findings / Staff Analysis

- Four jurisdictions in favor
 - *Adams and Douglas Counties, Parker, and Thornton*
- One jurisdiction opposed
 - *Aurora*
- Three jurisdictions have yet to respond
 - *Brighton, Commerce City, and Arapahoe County*

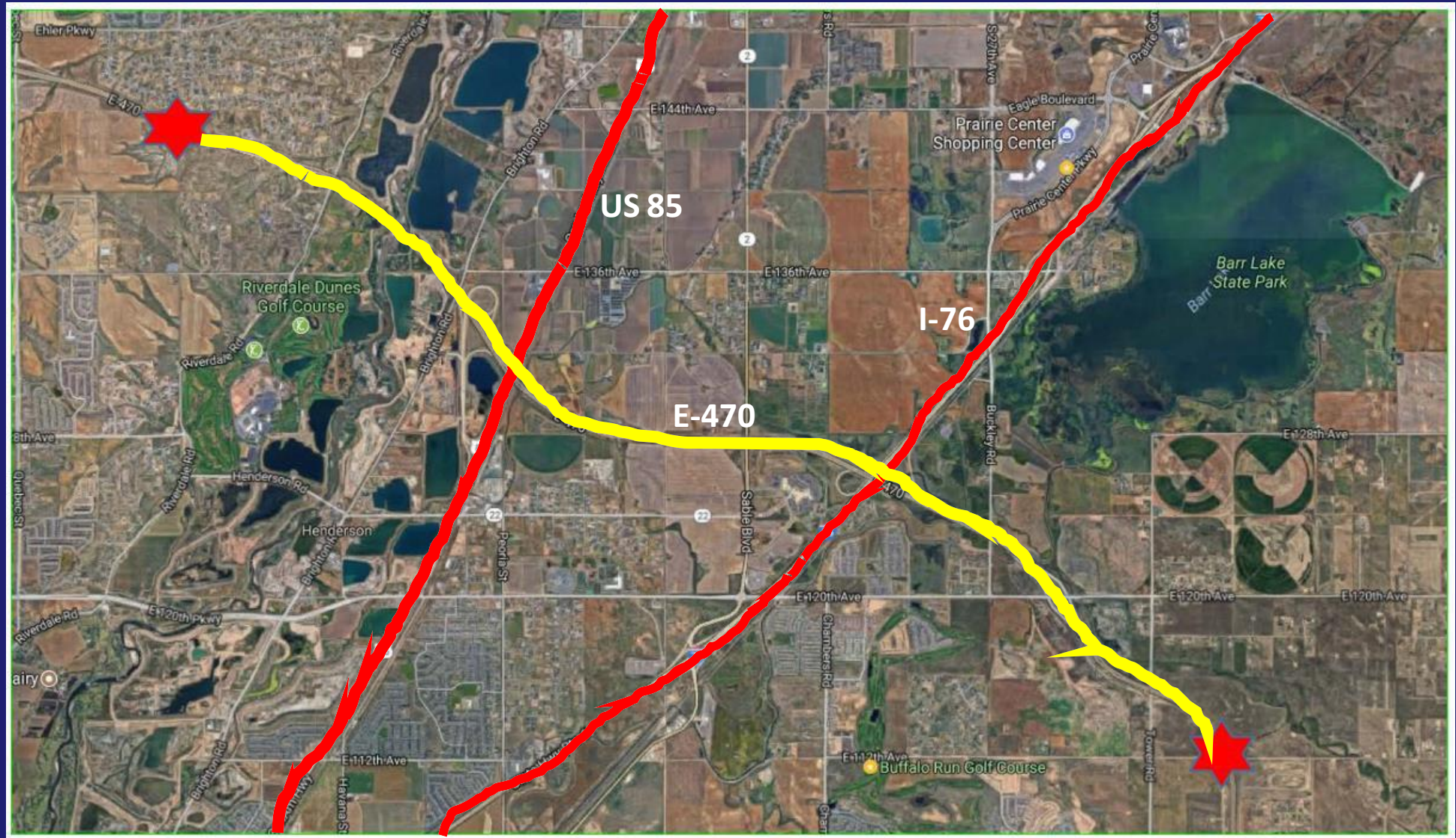
Western Adams County Municipal Jurisdictions



Staff Analysis

- Brighton Fire Rescue District's position

9 Mile Emergency Service Area as Set by an IGA Between the Fire District and the Authority

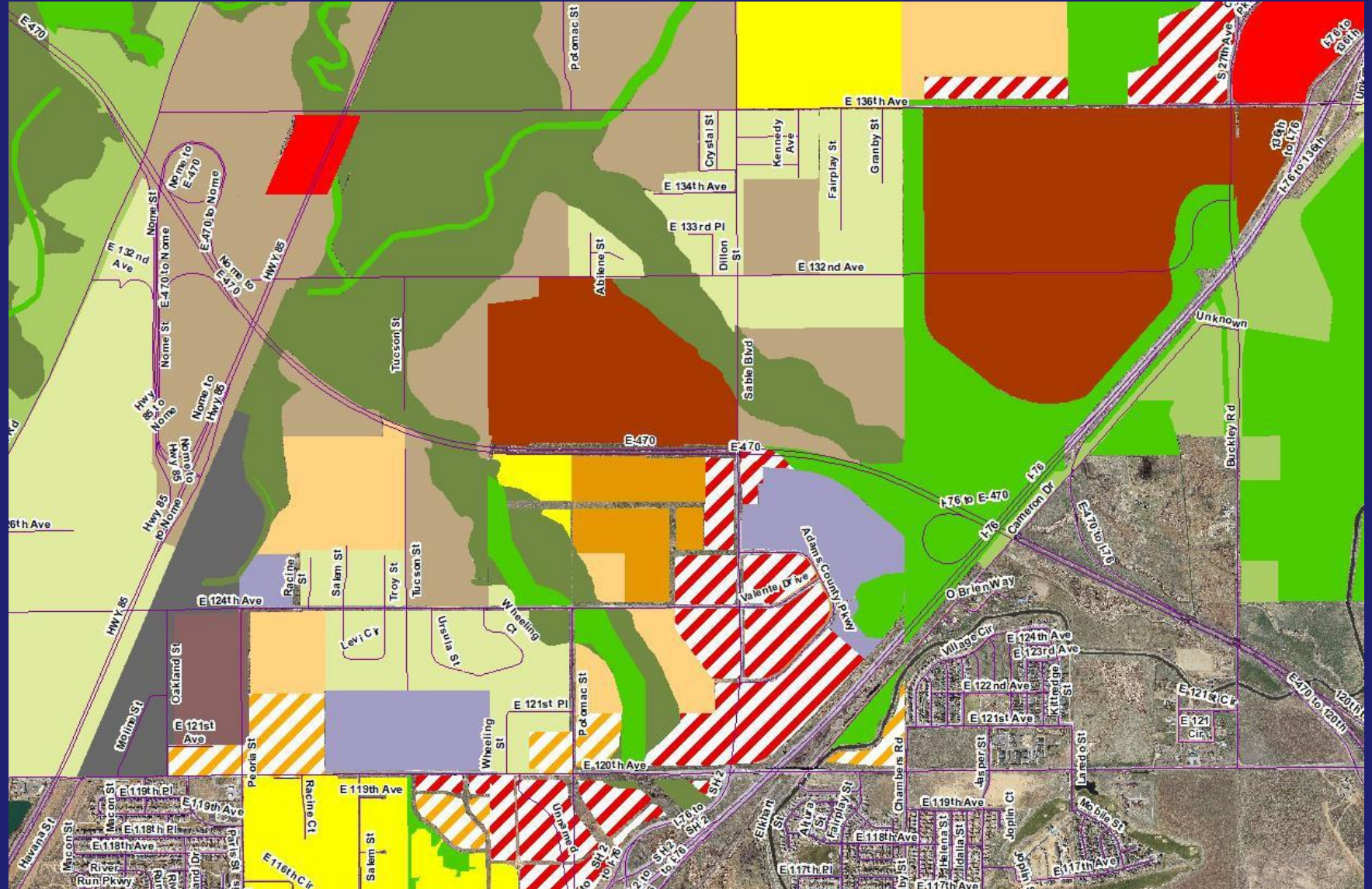
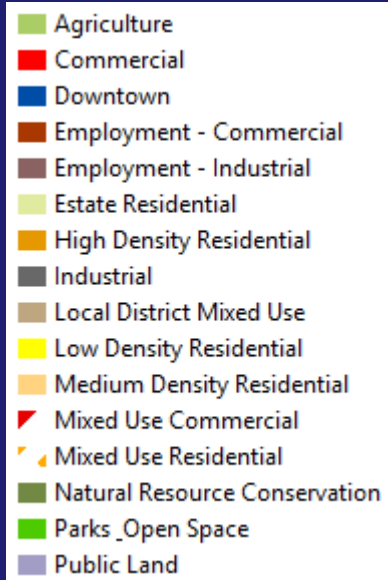


Base Map Source: Google Maps



Staff Analysis

- Review of Area Comprehensive Plan Designations



Base Map Source: Brighton GIS

Summary of Findings / Staff Analysis

❖ Pros:

- An alternative transportation route for hazardous materials may reduce the hauling that is occurring on local roadways and get the vehicles on to designated routes more quickly.
- The additional route option for haulers may help avoid more densely populated areas in the region.
- The Fire District has stated they support the petition and are able to serve the additional route.

Summary of Findings / Staff Analysis

❖ Cons:

- Adds an additional HazMat route to the City (the City already has two roadways and two railroads that have been designated as such).
- Brighton may be taking on more than its fair share of HazMat designated routes as compared to other communities in the region.
- At this point in time, it is unknown as to how much additional traffic this will create or reroute.
- There is a possibility of fire and rescue operational issues not being properly addressed.
- Uncertain impact on economic development opportunities and prospects in the area.
- Uncertain impact on desirability of undeveloped land designated in the Comprehensive Plan as High Density Residential, Mixed-Use Commercial, and Employment – Commercial. Additionally, may also impact the ability to build-out as a DRCOG Urban Activity Center.
- Uncertain impact on the Local District Mixed Use designation areas.
- Uncertain impact on existing and future residents of the area in regards to health, safety and welfare.
- Uncertain impact on staff time and resources, particularly of the Police Department.
- Additional unintended consequences of designation in a fast growing area.
- Uncertainty as to if the designation could be rescinded in the future.

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.