

Chapter 6. Public and Agency Involvement

6.1 What's in Chapter 6?

This chapter summarizes the public and agency information and involvement for the *I-70 Mountain Corridor Programmatic Environmental Impact Statement (PEIS)* process. It describes the objectives of the public and agency information and involvement program; how the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) (lead agencies) informed members of the public, agencies, and stakeholders and engaged them in the PEIS process; how the lead agencies reached out to low-income and minority populations; public and agency input; and plans for public and agency involvement through completion of this document and future Tier 2 processes. The *I-70 Mountain Corridor PEIS Public and Agency Involvement Technical Report* (CDOT, August 2010) provides more detail about how the lead agencies notified and engaged members of the public and project stakeholders in the process.

6.2 What are the objectives of the public and agency information and involvement program?

The objectives of the program are to communicate with the public and agencies, document those issues, and identify and incorporate any issues into the planning and decision making process. The lead agencies accomplished these objectives in scoping, alternative family identification, alternatives packaging, impacts assessment, preferred alternative groupings, and the preferred alternative recommendations.

Public and agency involvement is vital to the National Environmental Policy Act (NEPA) process to help make informed decisions about future transportation planning in the Corridor.

The Colorado Department of Transportation formed several project committees and teams to inform and interact with technical experts, local residents and officials, interest groups, and government agencies (see **Section 6.3**). The Colorado Department of Transportation worked closely with the committees and teams over the last three years to identify the Preferred Alternative.

The lead agencies are committing to continue the public and agency involvement and interactive communication through:

- Completion of the Final PEIS and Record of Decision (ROD) (the final decision document that concludes the NEPA process for this Tier 1 process); and
- Future Tier 2 processes for individual projects in the Corridor. See **Section 6.8** for more information.

Context Sensitive Solutions

The lead agencies developed I-70 Mountain Corridor Context Sensitive Solutions beginning in spring 2007 in response to stakeholder desires to have a Corridor-wide perspective and to formalize commitments to ongoing stakeholder involvement on projects in the Corridor. The Colorado Department of Transportation based the I-70 Mountain Corridor Context Sensitive Solutions Guidance on the concepts articulated in FHWA's definition of Context Sensitive Solutions (CSS), which is:

... a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will

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exist. CSS principles include the employment of early, continuous and meaningful involvement of the public and all stakeholders throughout the project development process.

The lead agencies committed to follow the I-70 Mountain Corridor Context Sensitive Solutions Guidance developed for all current and future projects in the Corridor. See **Appendix A, I-70 Mountain Corridor Context Sensitive Solutions**, for more information.

6.3 How were agencies and stakeholders involved in the public and agency information and involvement program?

The Colorado Department of Transportation included local, state, and federal agencies in the PEIS process by inviting them to participate in project scoping and project meetings. The Colorado Department of Transportation formed project committees and teams to further involve stakeholders in the process, which are summarized below. The *I-70 Mountain Corridor PEIS Public and Agency Involvement Technical Report* (CDOT, August 2010) lists the agencies involved.

Project Committees

The Colorado Department of Transportation formed committees to assist in understanding Corridor issues and/or to provide advice throughout the process. The lead agencies provided updates to the committees throughout the process. Members of the committees included:

- **Technical Advisory Committee (TAC)** – A cross-section of local, state, and federal agencies, counties, municipalities, community associations, and special interest groups with various affected interests. The TAC provided technical expertise relevant to the project and knowledge about resource areas and issues. The TAC merged with the Mountain Corridor Advisory Committee later in the process.
- **Mountain Corridor Advisory Committee (MCAC)** – Representatives from counties, municipalities, community associations, and special interest groups with various affected interests.
- **Federal Interdisciplinary Team** – Decision-makers from federal and state agencies, who provided expertise relevant to the resources managed by their respective agencies.
- **A Landscape Level Inventory of Valued Ecosystem Components Committee (ALIVE)** – Wildlife professionals from federal and state agencies who identified wildlife habitat of high ecological integrity, wildlife habitat linkages, and barriers to wildlife crossings along the Corridor. They developed a landscape-based ecosystem approach for consideration of wildlife needs and conservation measures, and identified measures to improve existing aquatic and terrestrial ecosystem connectivity across the I-70 Mountain Corridor between Denver and Glenwood Springs. In April 2008, CDOT, FHWA, U.S. Fish and Wildlife Service, the U.S. Department of Agriculture Forest Service, Bureau of Land Management, and Colorado Department of Natural Resources Division of Wildlife signed a Memorandum of Understanding documenting their commitment to identify mitigation and conservation measures during future Tier 2 processes to increase the permeability of the I-70 Mountain Corridor to terrestrial and aquatic species.
- **Stream and Wetland Ecological Enhancement Program (SWEEP)** – Representatives from federal and state agencies, watershed associations, and special interest groups. Members identified and addressed environmental issues related to the improvement of wetlands, streams, and fisheries in the Corridor.
- **Section 4(f) and 6(f) Ad Hoc Committee** – Representatives of state, federal, tribal, and historic entities. Section 4(f) and 6(f) Ad Hoc Committee members identified and inventoried Section 4(f) and Section 6(f) properties within the Corridor.

- **Finance Committee** – Representatives of state, federal, and county agencies. Finance Committee members explored the potential affordability of the alternatives and the economical feasibility of the Preferred Alternative.
- **Peer Review Committee** – Seven technical experts in their respective fields provided guidance and suggestions on the inputs to the travel demand model as it was being developed, and reviewed model outputs.

I-70 Mountain Corridor Context Sensitive Solutions Team

The Colorado Department of Transportation adopted the I-70 Mountain Corridor Context Sensitive Solutions process to consider the total “context” of the proposed transportation projects—not just the study’s physical boundaries. In 2007 CDOT formed an I-70 Mountain Corridor Context Sensitive Solutions Team that included 150 public and agency stakeholders to develop Context Sensitive Solutions Guidance for the Corridor. The I-70 Mountain Corridor Context Sensitive Solutions Guidance commits to implement Context Sensitive Solutions and to form collaborative stakeholder teams, called Project Leadership Teams, on all Corridor projects. The I-70 Mountain Corridor Context Sensitive Solutions Guidance authorizes Project Leadership Teams to create Issue Task Forces to address specific issues outside the Project Leadership Teams’ area of expertise. The I-70 Mountain Corridor Context Sensitive Solutions Guidance document is available on the project website at

www.i70mtncorridorcss.com, and may be amended to remain flexible to address and incorporate innovations, new techniques, advanced technologies, and emerging trends in the Corridor.

The I-70 Mountain Corridor Context Sensitive Solutions Team considered the unique scenic, aesthetic, historic, and environmental resources of the Corridor to develop the I-70 Mountain Corridor Context Sensitive Solutions Guidance that will serve as the framework for all current and future projects along the Corridor.

- **Project Leadership Teams** – The I-70 PEIS Project Leadership Team helps facilitate completion of the NEPA process. The Project Leadership Team’s objectives were to efficiently and effectively complete an easily understood, publicly supported, and legally sufficient Revised DPEIS, Final PEIS, and ROD. The Project Leadership Team identified critical issues to be addressed, provided guidance for development of the comparative analysis, and provided insights about what was important to stakeholders to present in the Final PEIS. These enduring documents represent the best direction for future generations, and provide a “state-of-the-art” project.

The I-70 PEIS Project Leadership Team first met in October 2008, with representatives from FHWA, CDOT, the United States Forest Service, Trout Unlimited, I-70 Coalition, Garfield County, Eagle County, Summit County, Clear Creek County, Jefferson County, and consultants. The I-70 PEIS Project Leadership Team coordinated with the Collaborative Effort (discussed below) and will remain active through the ROD. Future projects along the Corridor will have Project Leadership Teams.

- **Issue Task Forces** – The I-70 PEIS Project Leadership Team formed a Cultural Resources Issue Task Force, Environmental Issue Task Force, and Community Values Issue Task Force to develop potential mitigation strategies for impacts to resources identified in the 2004 Draft PEIS for Tier 2 processes. The lead agencies will incorporate the suggested mitigation strategies into the Final PEIS. This does not indicate that all strategies will be implemented—the decision on appropriate mitigation will be made on a project-by-project basis during Tier 2 processes.

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Collaborative Effort Team

The Colorado Department of Transportation commenced a Collaborative Effort team to address the public involvement, the stakeholders' lack of trust, and the stakeholders' desire to be involved in the identification of the Preferred Alternative. The Colorado Department of Transportation worked with the U.S. Institute for Environmental Conflict Resolution to establish a selection committee made up of diverse stakeholders and to select a facilitator. The Colorado Department of Transportation chose the Keystone Center to facilitate the effort. The Keystone Center interviewed more than 50 stakeholders throughout the Corridor in August 2007 to identify stakeholder issues and make recommendations regarding a process for developing consensus on a preferred alternative. Stakeholders voiced a range of procedural interests, concerns, and suggestions, ranging from a lack of trust and confidence in agency decision making, to acknowledgement that not all stakeholder groups have identical interests and a desire to better reflect factors that have changed since publication of the 2004 Draft PEIS.

The Colorado Department of Transportation formed the Collaborative Effort team to establish trust and confidence in agency leadership and collaborative decision making, to build agreement around a broad alternative that identifies travel modes and transportation improvement priorities.

The Colorado Department of Transportation formed a 27-member Collaborative Effort team to reach a consensus recommendation for Corridor transportation solutions that address these stakeholder issues. In June 2008, the Collaborative Effort team used a process consistent with the 2004 Draft PEIS Purpose and Need Statement to identify a "Consensus Recommendation" that included a multi-modal solution, an incremental and adaptive approach to transportation improvements, and a commitment to continued stakeholder involvement. The lead agencies committed to adopt the Collaborative Effort team's Consensus Recommendation as the Preferred Alternative in the Final PEIS. The Collaborative Effort team will convene at key project milestones during completion of this document and the Final PEIS, and will continue to meet through 2020 (see **Section 6.8** for future Collaborative Effort team activities). The Collaborative Effort Team included representatives of the following entities:

- Blue River Group, Sierra Club
- City of Idaho Springs
- Clear Creek County
- Colorado Association of Transit Agencies
- Colorado Dept. of Transportation (2)
- Colorado Environmental Coalition
- Colorado Motor Carriers Association
- Colorado Rail Passenger Association
- Colorado Ski Country USA
- Colorado Trout Unlimited
- Denver Mayor's Office
- Denver Metro Chamber of Commerce
- Eagle County
- Federal Highway Administration
- Federal Transit Administration
- Garfield County
- Rocky Mountain Rail Authority
- Sierra Club, Rocky Mountain Chapter
- Summit Chamber
- Summit Stage
- Town of Frisco
- Town of Georgetown, Georgetown Trust
- Town of Vail
- U.S. Army Corps of Engineers
- United States Forest Service
- Vail Resorts

I-70 Coalition

The I-70 Coalition addresses accessibility and mobility issues along the I-70 Mountain Corridor apart from the I-70 Mountain Corridor PEIS project. In January 2004, more than 30 political jurisdictions adopted an intergovernmental agreement to address Corridor transportation issues and respond to the 2004 Draft PEIS. Coalition members include representatives from cities and counties located along the Corridor, Denver Regional Council of Governments, Roaring Fork Transit Authority, and the private

sector. I-70 Coalition representatives also participated in the I-70 PEIS Project Leadership Team and Collaborative Effort team processes.

6.4 How did you involve members of the public and local organizations in the public and agency information and involvement program?

The Colorado Department of Transportation used several different processes to notify, inform, involve, and engage members of the public and local organizations, including agency coordination, media relations, and public information and participation, summarized here and under **Section 6.3**:

- Published Notice of Intent in the January 13, 2000 Federal Register.
- Mailed six newsletters between 1999 and 2004.
- Set up project website (www.i70mtncorridor.com) and telephone information line (877-408-2930) to provide project information, obtain questions and comments, and add names to project mailing list.
- Distributed project information through news media.
- Held four agency scoping meetings.
- Held four sets of public open houses in 2000 and 2001.
- Conducted 16 community interviews.
- Held approximately 89 internal coordination and planning meetings with local communities; special interest groups; and federal, local, and state agencies.
- Invited 16 Native American tribes to participate and held two field trips.
- Announced the Notice of Availability of the 2004 Draft PEIS in the December 10, 2004, Federal Register; 38 regional and local newspapers; and in notices sent to more than 11,000 recipients.
- Extended the original 90-day comment period an additional 75 days. Announced the extension in an amended Notice of Availability in the February 25, 2005 Federal Register, in postcards sent to more than 11,000 recipients, and on the project website.
- Distributed the 2004 Draft PEIS for public and agency review to 17 libraries, 4 county offices, 5 community centers, and other locations in and around the Corridor; 13 federal agencies; 6 Colorado state agencies; 31 elected officials (Executive Summary only); and 75 Mountain Corridor Advisory Committee/Technical Advisory Committee members. Posted the 2004 Draft PEIS on the project website.
- Held 10 public hearings in January and February 2005 at locations throughout metropolitan Denver and Corridor communities where the public could question the project team and provide formal comments to a stenographer. Held hearings in an interactive open house format with a 30-minute presentation.
 - Announced public hearings via notices sent to more than 11,000 recipients, news ads in 38 regional and local newspapers, and ads on Comcast cable channels and 14 radio stations.
 - A total of 817 people attended the hearings, of which 213 provided verbal comments on the 2004 Draft PEIS. Others submitted comments via the project website, e-mail, letters, and comment sheets. Received 766 comments from 540 commenters; those 766 comments identified 2,055 specific concerns.
- Held MCAC meeting on January 12, 2005, to review key differences between the 2004 Draft PEIS and the September 2003 Summary of Preliminary Findings; to discuss document availability options, public hearings, and public repositories; and to identify the process for

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responding to public , next steps, and the MCAC's/TAC's future role. Posted the meeting presentation on the project website.

- The Colorado Department of Transportation established the I-70 Mountain Corridor Context Sensitive Solutions Team to develop the I-70 Mountain Corridor Context Sensitive Solutions Guidance to be the framework for all current and future projects along the Corridor. See **Section 6.3** for more information.
- The Colorado Department of Transportation formed the Collaborative Effort team to reach consensus on a recommended alternative for the Corridor. See **Section 6.3** for more information.
- The Colorado Department of Transportation created a Project Leadership Team to address issues identified in the 2004 Draft PEIS and complete the Final PEIS and ROD. See **Section 6.3** for more information. The Project Leadership Team then formed three Issue Task Forces to develop strategies to mitigate impacts to cultural resources, environmental resources, and community values.

6.5 How did you involve minority and low-income populations?

The lead agencies implemented an environmental justice outreach program to ensure public involvement opportunities for minority and low-income populations, and distributed more than 900 copies of the March 2001 newsletter with a bilingual insert. The *I-70 Mountain Corridor PEIS Public and Agency Involvement Technical Report* (CDOT, August 2010) details the environmental justice outreach program.

6.6 What public and agency input was received?

The lead agencies solicited public and agency input to help identify issues and concerns to consider in the study.

Publication on December 10, 2004 of the Draft PEIS and 165-day public review period provided formal milestones in the NEPA process where the public could view the project findings and review and comment on the project proposal. Members of the public; municipal, county, state, and federal agencies; and associations and special interest groups commented on the 2004 Draft PEIS. The **Introduction** of this document summarizes those comments.

This document is responsive to comments that were received during and since the comment period on the 2004 Draft PEIS. However, a comment-by-comment response was not provided. The *I-70 Mountain Corridor PEIS Public and Agency Involvement Technical Report* (CDOT, August 2010) provides more information about the public and agency comments.

Responses to individual comments received on this document will be provided in the Final PEIS.

6.7 How were the stakeholders involved in the decision making process?

Stakeholders had an opportunity to receive information early in the process by attending agency scoping meetings and serving on the several project committees and teams. As the project progressed and following release of the 2004 Draft PEIS, stakeholders expressed the desire for a higher level of involvement in decision making and became more involved through the formation of the I-70 Mountain Corridor Context Sensitive Solutions Team, Project Leadership Team, Issue Task Forces, and the Collaborative Effort team. The stakeholders' involvement and commitment were critical in achieving consensus on a recommended alternative. See **Section 6.3** .

6.8 What public and agency involvement opportunities will be provided going forward from this point in the process?

Remaining steps to complete the first tier NEPA process for the I-70 Mountain Corridor PEIS are:

- Distribute this document.
 - Issue Notice of Availability
 - Hold public hearings
 - Provide 60-day public comment period
- Prepare Final PEIS, including responses to individual comments received during the public comment period.
 - Issue Notice of Availability
 - Hold public hearings
 - Provide 30-day public comment period
- Hold I-70 PEIS Project Leadership Team and Collaborative Effort team meetings through completion of the ROD, as appropriate.
- Prepare ROD, the final decision document that concludes the NEPA process for this Tier 1 study.

The public may comment on any aspect of this document. However, lead agencies would specifically like to hear the views of the public on factors relating to these decisions on the travel mode, capacity, and general location because these aspects of the decision will not be revisited at Tier 2.

The lead agencies anticipate the following public and agency involvement during future Tier 2 processes:

- The lead agencies will complete site-specific Tier 2 processes for future projects in the Corridor and develop public and agency involvement programs for each study, including scoping meetings, public open houses, project information distribution, public and agency document review and comment, and public hearings. The level of public involvement depends on the NEPA action undertaken (Environmental Impact Statement, Environmental Assessment, or Categorical Exclusion). The lead agencies will follow the I-70 Mountain Corridor Context Sensitive Solutions Guidance for each project, as discussed under **Section 6.3**.
- The lead agencies will continue stakeholder engagement through completion of the Final PEIS and ROD, and site-specific Tier 2 processes. See **Section 2.7** for more information. In 2020 the lead agencies will coordinate with the Collaborative Effort Committee to assess the overall purpose and need and effectiveness of implementation of those decisions. At that time, the lead agencies and the stakeholder committee may consider the full range of improvement options, not just those included in the PEIS recommended improvements.
- The lead agencies committed to follow I-70 Mountain Corridor Context Sensitive Solutions Guidance for future Tier 2 processes on the Corridor to maintain ongoing stakeholder involvement in future decisions to help foster partnerships and communication sharing.

A Collaborative Effort Committee using the Collaborative Effort team member profile will meet at least once every two years through 2020 to review the status of Tier 2 processes and consider the need for additional capacity improvements based on specific milestones or “triggers” included in the Consensus Recommendation.

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