



PUBLIC MEETING SUMMARY

Date/Time: Thursday, Aug. 20, 5:30-7:30 p.m.

Location: Swansea Recreation Center, 2650 E. 49th Ave., Denver, CO 80216

Attendees: 95

1. INTRODUCTION

The I-70 East Project team and the High Performance Transportation Enterprise (HPTE) conducted public meetings Aug. 17-20, 2015, to provide important updates on the plans to reconstruct I-70 between Brighton Boulevard and I-225, as well as the next steps in the process to select a private partner to design, build, finance, operate and maintain the highway in northeast Denver.

The series of meetings included a telephone town hall (8/18) focusing on how a public-private partnership (P3) is being explored for this project and the developer selection process. Also, public meetings were held in Commerce City (8/17), Aurora (8/19) and Denver (8/20) to discuss the proposed improvements to the interstate, mitigation strategies and a possible P3 to bring these improvements to Colorado. At the meetings, the public had the opportunity to provide input on this P3 process.

The telephone town hall focused primarily on the procurement and P3 process, and featured brief comments from Project Director Tony DeVito, HPTE Executive Director Mike Cheroutes, HPTE Board member and CDOT Transportation Commissioner Shannon Gifford, and North Denver Cornerstone Collaborative Executive Director Kelly Leid. The telephone town hall hosted 3,302 inbound callers, and 19 questions were answered live. An additional six voicemails were received with questions or comments following the live call

The in-person public meetings included an open house, a PowerPoint presentation followed by a facilitated question and answer session, and returned to the open house format for the final 30 minutes. The PowerPoint presentation focused on what has changed since the Supplemental Draft Environmental Impact Statement (EIS) was released (specifically, aesthetics and mitigations), what Phase 1 of the project includes, the *de minimis* finding, what is a Request for Proposal (RFP), and the next steps in the process, including the selection of the Developer. The PowerPoint was very high-level, and most of the details were included on the exhibits in the open house. There were three ways the public could ask questions and provide comment at the meetings: one, make a verbal comment before the assembled audience (all verbal comments and questions were tracked on the script pad); two, ask questions to the project team members during the open house; and three, complete comment sheets that were provided to attendees to solicit written comments about the project.

Childcare and translators were available to all attendees.

2. PROJECT INFORMATION

The following subsections briefly describe the project.

a. Project Overview

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA) propose improvements to I-70 between I-25 and I-225. The National Environmental Policy Act of 1969 (NEPA) requires projects that are federally funded and may have an impact on the environment to be analyzed through a rigorous process that allows the public to comment on the project, including the aesthetics and the *de minimis*. Additionally, the HPTe follows a transparency policy that includes pre-Request for Proposal outreach to gather input on the procurement process and inform the public about the delivery method chosen – in the case of the I-70 East Project, a public-private partnership.

b. Project Purpose and Need

The purpose of the project is to implement a transportation solution that improves safety, access and mobility, and addresses congestion on I-70. The need for the project results from several issues:

- Increased transportation demand
- Limited transportation capacity
- Safety concerns
- Transportation infrastructure deficiencies

c. Identified Preferred Alternative

The Partial Cover Lowered Alternative with Managed Lanes Option has been identified as the Preferred Alternative by CDOT and FHWA. This alternative would remove the deteriorating, 50-year-old viaduct between Brighton Boulevard and Colorado Boulevard, rebuild I-70 below grade on the existing alignment, and place a nearly 4-acre landscaped cover over the highway between Columbine Street and Clayton Street next to Swansea Elementary School. It also would add managed lanes in each direction of the highway from I-25 to Tower Road to improve mobility. The cover over the highway reconnects the neighborhoods with urban landscaped areas that could include playgrounds, plazas, outdoor classrooms and community gardens, all of which have received major public support during community meetings. Feedback provided during the Supplemental Draft EIS public comment period will be considered before formally selecting the Preferred Alternative in the Final EIS.

d. Transportation Benefits

Improvements to I-70 have the potential to affect the surrounding transportation system, including other roadways, transit services, rail and motor freight, and bicycle and pedestrian facilities. All Build Alternatives will:

- Provide increased capacity and reduce congestion
- Improve safety by widening shoulders and improving interchanges
- Replace aging infrastructure
- Reduce peak-period travel time for I-70 travelers

e. Resources Presented

The following resources and topics were presented at the public meeting:

- Project Overview
- I-70 Environmental Process
- Public Involvement
- PCL Alternative
- Build Alternatives maps
- Project Alternatives Overview
- Environmental Justice and mitigation measures
- Air Quality
- Noise Walls
- North-South Connectivity
- *De minimis*
- Project Phasing
- Aesthetics
- What is a P3?
- HPTE Overview
- P3 Structure
- Upcoming Schedule

f. Next Steps

When the Final EIS is available, the formal comment period and public hearings will provide the community, stakeholders and agencies an opportunity to comment on the Final EIS. After considering additional public input following the Final EIS, a Record of Decision will be issued by FHWA that specifies the project that will be built.

Concurrently, HPTE will be selecting a Developer for the project. The four shortlisted teams will receive a Draft Request for Proposals (RFP) in September – at the same time it is released to the public. The RFP will go through several drafts, and a final one will be released in early summer 2016. Prior to the final release, HPTE will host another round of public meetings.

3. AUG. 20, DENVER PUBLIC MEETING

Of the 95 attendees at the Aug. 20 Denver Public Meeting, four people provided written comments, and 11 verbal comments were made.

a. Summary of Meeting Stations

The public meeting information session was divided into seven different stations manned by staff members and project technical experts to answer questions for attendees. The following stations were included:

1. **Welcome—Overview:** This station started with the sign-in table, where attendees signed in and received the evening's agenda and welcome packet. Then they were directed through a series of boards that presented a project overview, information about the I-70 East environmental process, the mitigations that changed after the Supplemental Draft EIS (SDEIS), aesthetics, HPTE and next steps.
2. **Project Alternatives:** This station presented a description of the Preferred Alternative and the Build Alternatives east of the cover. A bird's eye view of each alternative gave attendees a visual impression of what the alternatives would look like through the project area.
3. **Mitigations:** This station presented the issues and mitigations that changed since the SDEIS including air quality, connectivity, environmental justice and locations of the noise walls. Additionally, the mitigations station included information on the *de minimis* finding that required public input.
4. **Phase 1:** A map of the Phase 1 project was displayed to show exactly what was happening at each section of the corridor, and also provided information on why phasing is needed for the I-70 East Project.
5. **Aesthetics:** This station presented visuals of the aesthetics for both east-west and north-south

directions and also explained why aesthetic guidelines are necessary.

6. **Right-of-Way (ROW):** Representatives from CDOT’s ROW department were on site to answer specific questions about the ROW impacts and policies.
7. **What’s Next/Comment Station:** This station outlined the HPTE procurement process and explained what the P3 structure is and why it’s necessary. A schedule was provided that showed both the EIS and procurement next steps that lead to the construction beginning in 2017. A comment station was the last thing that attendees saw before exiting, complete with a board that documented how people could stay involved in the project.

4. SUMMARY OF PUBLIC COMMENTS

a. Written Comments

On the comment sheets we asked seven questions:

1. Do you have any comments or suggestions concerning the Identified Preferred Alternative, the Partial Cover Lowered Alternative with Managed Lanes Option, that you would like the project team to consider?
2. Do you have any questions or comments on Phase 1?
3. Do you have suggestions that should be considered as we continue to develop the Aesthetic Guidelines for the project?
4. Do you have any comments on how the project will affect the South Platte River Trail (Section 4(f) *de minimis* finding)?
5. CDOT and HPTE are pursuing a public-private partnership with a developer on the I-70 East Project. The Developer will design, build, finance, maintain and operate the highway for approximately 30 years in return for a series of payments. What criteria should be considered during the RFP process in selecting a developer for the I-70 East Project?
6. CDOT will always remain the owner of the highway. In the public-private partnership, HPTE will continue oversight of the developer during all phases from design to construction to maintenance. What topics are important to you and how should the developer be required to handle these areas: communication, maintenance, environmental, workforce utilization?
7. Any additional comments or questions?

There were four written comment sheets provided on the night of the Denver meeting:

#	Comment/Question
1	Completed only contact information
2	1. To set team for evictions renters 2. Voters # removed, new lines have 7. Higher vent pipes
3	1. Is it necessary? Given VMT, and a new rail line , why are we encouraging more use of SOVs? 3. Concrete is sterile. Acre-feet of concrete is oppressive 5. If this is a money-making enterprise, why doesn't CDOT do it itself and reap the rewards? 7. The whole project is questionable. Ever given population growth choosing to subsidize expensive and polluting driving instead of transit or changing land use is not smart.
4	1. I am concerned about the drainage issue. Also, that this alternative must last 100 years... the viaduct did not make it! Also, how do we grow with a method that cannot be expanded. 40' underground makes expansion tough. 2. Phase 1 is \$1.2 billion... how's the financing going to work... \$50 million DRCOG, 2 year of \$s approved from general fund... this project is going on for a long time. Bridge fund? What about rest of state's bridges?

	<p>4. I bike this corridor frequently. Please make detour safe and friendly to riders and walkers. How will you keep dust/trash down?</p> <p>5. Some type of evidence the developer will be AROUND in next 30 years! What's the fall back if the developer fails? Performance bonds?</p> <p>6. How does this actually work? Does the developer have a lease? What type of consideration does CDOT give?</p> <p>7. We have 100-year storms every couple of years now. Has climate change weather changes been considered?</p>
--	--

b. Verbal Comments

There were 11 public verbal comments provided on the night of the Denver Public Meeting.

#	Comment/Question	Answer
1	How will the Request for Proposal process ensure transparency?	The RFP process will ensure transparency because all drafts of the RFP will be posted online and made available to the public at the same time it is released to the shortlisted Developer teams. The HPTe transparency plan also ensures that there are public meetings at certain points during the P3 process to gather input and provide information and explanation of the process. The next public meeting for the I-70 East procurement process will be held prior to the release of the final RFP in late 2016.
2	Why not a more thorough study of the re-route?	<p>If there is one advantage to a nearly 13-year study it is that we've had the opportunity to look at every option. CDOT has evaluated the reroute on multiple occasions and found it to not be a reasonable alternative based on this corridor's purpose and need. Here are a few of the reasons this concept was not carried forward:</p> <ul style="list-style-type: none"> • Rerouting I-70 would cause substantial increase in traffic volumes on 46th Ave. 2035 volumes on 46th Avenue are 10 to 20 times higher (more than 50,000 vehicles per day) compared to existing alignment alt. • Rerouting I-70 will force delivery trucks and other large vehicles to use 46th Avenue frequently to reach the industrial areas and businesses located near the existing I-70. • Of the traffic heading west on I-70, approximately 50 percent continues past I-25, staying on I-70. The Reroute Alternative adds two miles of out-of-direction travel for these vehicles. Thirty-five percent of the traffic heading west on I-70 exits to southbound I-25. This alternative adds four miles of out-of-direction travel for these vehicles resulting in additional travel times. • There will no longer be multiple east-west highway route choices in the area. The multiple route choices are beneficial for emergency access.
3	With VMT and the rail line, how can CDOT justify expansion?	<p>All I-70 project alternatives assume implementation of the transportation improvements identified in the DRCOG 2035 Metro Vision Regional Transportation Plan (MVRTP). This includes both programmed projects (those budgeted in the five-year Transportation Improvement Plan [TIP]) and planned projects (those not in the TIP, but included in the adopted DRCOG 2035 MVRTP).</p> <p>In addition to planned roadway improvements, the analysis assumed the implementation of major transit system improvements within the Denver region as part of RTD's FasTracks program. Of most significance in the study area is the East Corridor commuter rail project, which will run from downtown Denver to DIA. The future traffic modeling accounted for these projects and their impact on travel demand.</p> <p>The higher transit ridership due to expansion in transit was considered in the analysis of the Final EIS. Even with expanded transit use, the analysis shows an increase in daily</p>

		<p>traffic in the future, which requires additional lanes on the highway to accommodate the added traffic.</p> <p>In addition, while the recession of 2007-08 did result in a reduction in VMT growth at the national level, recent FHWA data has shown that VMT has been increasing again during the last 18 months and has reached pre-recession levels. For more information, see the FHWA website: https://www.fhwa.dot.gov/policyinformation/travel_monitoring/15juntvt/15juntvt.pdf</p>
4	<p>Why did the scope of the study not include I-76, I-270, west of Wadsworth?</p>	<p>The project limits extend along I-70 between I-25 and Tower Road. The project area covers locations within Denver, Commerce City, and Aurora. The study area includes the neighborhoods of Globeville, Elyria and Swansea, Northeast Park Hill, Stapleton, Montbello, Gateway, and a segment of Aurora.</p> <p>Existing and forecasted traffic volumes were the main factor in determining the project limits on I-70. Forecasted traffic volumes for the year 2035 range from 95,000 to 270,000 vehicles per day between I-25 and Peña Boulevard, declining east of there. The western limit is I-25 because of the high diversion of traffic from I-70 to both northbound and southbound I-25. Between 40 percent and 50 percent of traffic traveling westbound on I-70 diverts onto I-25. Tower Road is the eastern limit because the traffic volumes drop substantially east of Peña Boulevard. These limits do not preclude other NEPA transportation improvement studies outside the corridor.</p>
5	<p>What is the impact to the taxpayers?</p>	<p>The Phase 1 Project is estimated to cost approximately \$1.17B. The project will be funded from the following funding sources:</p> <ul style="list-style-type: none"> • Colorado Bridge Enterprise Revenues (\$850 million) • Denver Regional Council of Governments (DRCOG)/ Surface Transportation Program-Metropolitan Areas (STP-Metro)/Congestion Mitigation/Air Quality (CMAQ) funds (\$50 million) • Senate Bill 09-228 funds (\$180 million) <p>Taxes would not be raised to pay for this project.</p>
6	<p>Community health impacts on residents and the school, during and after construction? Disparities?</p>	<p>An important purpose of the EIS process is to identify and analyze all social and environmental impacts of the proposed project. This includes impacts to natural resources, the number and location of any areas of hazardous materials, and any impacts to community resources. Air quality has been a particular focus of this analysis. CDOT has met—and in fact exceeded—all state and federal air quality analysis requirements. Our analysis was developed in coordination with EPA and CDPHE.</p> <p>The Final EIS is the third time CDOT has conducted a comprehensive analysis of air quality for the I-70 East Project.</p> <p>Our analysis shows that the I-70 East Project will meet EPA’s air quality standards through 2035, based on a thorough analysis of five criteria pollutants and seven mobile source air toxics and GHG emissions.</p> <p>In addition, the Preferred Alternative is anticipated to generally improve air quality in the area compared to the No-Action Alternative by improving mobility and reducing congestion.</p> <p>CDOT also has committed to extensive mitigations to address construction air quality and noise impacts at Swansea Elementary School, a sensitive receptor and an important community resource - including installing new windows and doors, as well</p>

		as a new HVAC system. In addition, CDOT is proposing to provide certain residents with air conditioning units and new storm windows to address construction noise and dust impacts.
7	What is the plan for replacement of housing and property acquisition?	CDOT is required by law to provide all displaced residents with full benefits per the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (otherwise known as the Uniform Act). This includes providing compensation for the value of a home, in addition to a benefit for the difference between the value of the home and the replacement property. The same benefit is provided to renters as well. As a side note, eminent domain is very rarely used in the acquisition process. As part of the I-70 East Project, CDOT has proposed making a funding contribution for new affordable housing development in the Swansea and Elyria neighborhoods. This is considered a project mitigation and is completely separate and above our requirements under the Uniform Act. As you noted, this mitigation proposal is a first for CDOT.
8	Live close to the project. How will noise and dust be mitigated?	CDOT has proposed providing homes close to the project some protection from the noise and dust during the construction period. This includes providing window air conditioning units (along with a utility credit) and new storm windows for these homes. Additionally, the Developer will be required to implement best management practices to reduce dust, give advance notification for any noisy work and meet all City of Denver noise ordinances.
9	Was the recent health impact study considered and incorporated in the EIS?	The current health status of the affected communities has been thoroughly discussed in the Denver Department of Environmental Health's Health Impact Assessment (September 2014). Potential impacts from the I-70 redevelopment project, including effects of each alternative on the ability to meet the health-based National Ambient Air Quality Standards (NAAQS), and on levels of Mobile Source Air Toxics (MSATs), are discussed in detail in the Final EIS. NEPA obligates CDOT to consider impacts on health; however, it does not specifically require a Health Impact Assessment. The Final EIS includes a section on health. See Section 5.20, Human Health Conditions.
10	Local business – how are they assisted? What about renters? And the community?	<p>CDOT notifies all impacted owners and renters of the intent to acquire an interest in their property, including providing a written offer of fair compensation specifically describing those property interests. A right-of-way specialist is assigned to each property owner to help them understand and navigate this process.</p> <p>Residents will not be required to move unless at least one comparable Decent, Safe, and Sanitary (DSS) replacement unit is available. DSS standards are established by federal regulations and conform to applicable local housing and occupancy codes. CDOT will provide comparable replacement housing that is DSS and within the resident's financial means, before any residents will be required to move. If such comparable replacement housing is not available, the regulations allow the agency to provide a replacement housing payment in excess of the statutory maximum as part of the Last Resort Housing process.</p> <p>The 5th Amendment of the U.S. Constitution provides that private property may not be taken for a public use without payment of "just compensation." Additionally, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) is a federally mandated program that applies to all acquisitions of real property or displacements of persons resulting from federal or federally assisted programs or projects, such as the implementation of these project alternatives. The Uniform Act was created to provide for and ensure that "just compensation" for government-acquired land is applied "uniformly." CDOT requires Uniform Act compliance on any project for which it has oversight responsibility, regardless of the</p>

		funding source.
11	What will happen to property values? Will there be a cap on the values?	This is outside the purview of CDOT.

###