

**Jefferson Parkway Advisory Committee (JPAC)**  
**August 16, 2018**  
**Meeting Summary – FINAL**  
**Apex Field House**

**ATTENDANCE**

*Participants:* Bini Abbott, Bill Branyan, Rebecca Kallio, Vera Ladkow, Britta Nelson, Ian Owens, Bill Ray, Brent Smith, Jill Strauss, Gerry Taylor, Brett Vernon

*Facilitation:* Heather Bergman, Sam Haas

**ACTION ITEMS**

<b>Bill Ray</b>	<ul style="list-style-type: none"><li>• Send JPAC members the request for qualifications after it has been finalized.</li><li>• Provide the final report of West Connect to JPAC members.</li></ul>
<b>Peak Facilitation Group</b>	<ul style="list-style-type: none"><li>• Create a document with all the recommendations grouped into themes and send the recommendation sheet to all JPAC members with the agenda a week before the next meeting.</li><li>• Coordinate with Bill Branyan to ensure he has an opportunity to provide thoughts on his level of approval for each recommendation.</li></ul>

**UPDATE ON JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY (JPPHA) BOARD MEETING**

Bill Ray provided a brief update on the August JPPHA meeting

- The JPPHA Board was presented with the 2017 audit, and it was clean. The Board extended the contract of the financial advisory firm of Ernst and Young. Finally, the Board moved to authorize the request for qualifications (RFQ) for a private partner to construct and maintain the Jefferson Parkway. The RFQ will be released after Labor Day and responses will be due after Thanksgiving. Bill Ray will send JPAC members the final request for qualifications (RFQ).
- The qualification process will require proposers to put together a statement about the team that they plan to use. There will be three finalists at most. If there are enough qualified teams, the next step would be the release of a RFP.
- The investors of the Northwest Parkway submitted an unsolicited proposal. The JPPHA Board has declined this proposal, but has encouraged the investors to submit an RFQ response. The investors have the exclusive right to complete the Northwest Parkway extension, which is not related to the Jefferson Parkway.
- The Board would like to drive the RFQ process forward because they believe there is a small window of opportunity (the rates are low, construction costs are low (yet rising), and market interest is high).

**Clarifying Questions**

JPAC members asked clarifying questions regarding the JPPHA Board meeting. Questions are indicated in italics.

*Who are the Jefferson Parkway staff?*

There are technically no Jefferson Parkway staff; the JPPHA Board decided at the inception of the Authority that they would not have any personnel. However, they have employed general counsel, several project engineers (PB America, Isolux, then HDR Consulting), a strategic advisor (Don Hunt), and now a transactional attorney (Ashurst). Bill Ray is on the payroll for the City of Arvada part time and is on permanent assignment to the JPPHA.

*Are there any updates regarding the Federal Aviation Administration (FAA)?*

Not at the moment.

## **JPAC MEMBER RECOMMENDATIONS TO THE JPPHA BOARD**

JPAC members discussed and suggested potential recommendations to be presented to the JPPHA Board.

### **Recommendation #1: Adopt the following mitigation measures from the 2008 Northwest Corridor Transportation Study Environmental Impact Statement (EIS).**

#### Construction Mitigation Measures (EIS Ch. 4-27)

- **Public Awareness:** Implement and maintain a construction hotline to inform the public and receive complaints regarding construction activities. Information could be sent to affected members of the public before construction, using advertising/public relations. Work activities could be coordinated to ensure they do not coincide with sporting, school or special events.
- **Noise:** Methods include the use of temporary noise walls/screens, noise blankets on equipment, and quiet generators. Scheduling construction during less noise-sensitive times and combining noisy operations to occur during the same period may also be beneficial.
- **Vibration:** Perform vibration studies for sensitive structures within 50 feet of the roadway or construction activities.
- **Access:** Use enhanced signing and alternate access, and do not close multiple interchanges concurrently.
- **Traffic:** Limit detours and construction traffic, utilizing major arterials where possible. Schedule construction during periods of least traffic. Use intelligent management systems and variable message signs to advise/redirect traffic. Enforce speed restrictions and provide adequate space for enforcement. Use a Courtesy Patrol and enhanced signing. Work with Regional Transportation District to offer enhanced operations during peak construction. Develop traffic management plans to maintain access to local businesses/residences and coordinate with emergency service providers to minimize delay and ensure access to properties.
- **Modified Pedestrian/Bike Mobility:** Provide well-defined detours with adequate signing, fencing, and lighting for pedestrians/bicyclists. Comply with American Disability Act requirements. Construct a new bike/pedestrian overpass as a detour before the old one is demolished.

- Environmental: Use wetting/chemical inhibitors for dust control. Provide early investigation of subsurface conditions and prepare a well-defined materials handling plan. Require prompt and safe disposal of waste products. Prepare a well-defined stormwater management plan and implement water quality best management practices early in the project. Minimize off-site tracking of mud and debris by washing construction equipment in contained areas and via temporary access stabilization. Control and prevent concrete washout and construction wastewater. Recycle materials and use recycled materials as possible.

#### Hazardous Materials Mitigation Measures (EIS Ch. 4-27)

- Discussions will be conducted with CDPHE to define activities necessary to protect public health and the environment from potential soil contamination near the Rocky Flats Wildlife Refuge resulting from construction activities. NOTE: The EIS contains maps identifying Sites of Concern and Sites with Recognized Environmental Conditions Central Portion (Figure 4.15-2), Plutonium IsoContours in the Northwest Corridor Study Area (Figure 4.15-3), and Americium IsoContours in the Northwest Corridor Study Area (Figure 4.15-4).
- A materials management plan and health and safety plan may be necessary for the proposed actions in the Rocky Flats Environmental Technology Site (RFETS) area where actinides are present in soil and possibly surface water. Site-specific health and safety plans would also be necessary for landfill and mine sites where methane gas is a potential concern. (4.27-5)
- Modified Pedestrian/Bike Mobility: Provide well-defined detours with adequate signing, fencing, and lighting for pedestrians/bicyclists.
- Comply with American Disability Act requirements.
- Construct a new bike/pedestrian overpass as a detour before the old one is demolished.
- Environmental: Use wetting/chemical inhibitors for dust control.
- Provide early investigation of subsurface conditions and prepare a well-defined materials handling plan.
- Require prompt and safe disposal of waste products.
- Prepare a well-defined stormwater management plan and implement water quality best management practices early in the project.
- Minimize off-site tracking of mud and debris by washing construction equipment in contained areas and via temporary access stabilization.
- Control and prevent concrete washout and construction wastewater.
- Recycle materials and use recycled materials as possible. (p. 4-27.6 and 7).

#### Hazardous Materials Impacts Analysis (EIS at 4.15-30 through 32)

- The materials handling plan should describe any required permitting, waste profiling, and manifesting for off-site disposal of contaminated soil.
- Sites with existing remedial measures such as environmental media monitoring stations (i.e., sediment, surface water, groundwater, and air) and engineered controls (i.e., capped waste facilities) may require coordination with applicable regulatory agencies to avoid, minimize, or mitigate impacts from the project.

- RFETS A site-specific risk assessment may be needed to document that the project would not pose an unacceptable risk to human health and the environment during and after construction.
- In addition, a site-specific materials management plan and health and safety plan may be required for construction in the RFETS area where impacted surface water and sediment may be present in Woman Creek and Walnut Creek crossings and where soils contain low concentrations of actinides. Such plans typically include a description of engineering controls needed to prevent contaminant mobilization and cross contamination within and outside the alternative footprint during construction, personal protective equipment and protocols needed for worker health and safety, and monitoring requirements needed to demonstrate that activities are protective of human health and the environment.

**Rationale:** The EIS, the environmental review document for the transportation study, recommends adopting the mitigation measures because of “radionuclide contamination of surface soils within the Industrial Area, Buffer Zone, and properties to the east of Indiana Street,” with Plutonium-239/240 and americium 241 identified as the primary contaminants in surface soil in the vicinity of the Northwest Corridor study area (EIS Hazardous Materials 4.15-6). These measures should be adopted to address impacts identified by the EIS and because no other analysis indicates these measures are no longer needed. The EIS's Hazardous Materials Impacts Analysis provides further detail for the associated mitigation measures. The mitigation requirements for the Parkway should specify these details.

Link to 2008 Northwest Corridor Transportation Study Environmental Impact Statement: <https://www.codot.gov/library/studies/northwest-corridor-eis>

### ***Group Discussion***

The JPAC discussed recommendation #1.

- Some JPAC members suggested that trucks should be required to turn off their reverse beepers, or the trucks that have reverse beepers should only operate during specific times of the day. Other members raised the concern that the use of reverse beepers on construction vehicles is mandated by law and should not be turned off.
- Notification and communication with neighborhoods will be critical.
- The JPPHA Board should consider installing sound buffer corridors (1,000 feet from houses).
- It is difficult to strike a balance between keeping roads open during busy travelling times while also attempting to reduce noise during less busy travelling times. It may be necessary to prioritize one over the other.
- The EIS language includes a lot of “mays,” and the JPAC could consider replacing this language with more firm words such as “shall” or “will.”
- The JPAC had questions about what would happen if the initial site survey of the right of way along Indiana Street does not show contamination. The recommendation could include built-in thresholds for the amount of allowable contamination or how far east the mitigation measures are pursued. Since the

Colorado Department of Public Health and the Environment (CDPHE) is the regulatory agency, the JPAC should not recommend thresholds that are stricter than CDPHE's.

**Recommendation #2: The public (residents, city, county, etc.) should not financially responsible for the Jefferson Parkway. The RFP should require the private investment firm to cover the shortfall if the revenue does not cover operations costs.**

***Group Discussion***

The JPAC discussed recommendation #2.

- The RFP process will provide resolution to most of the questions implied in this recommendation. The traffic and revenue study provided clarity about this topic, and the JPPHA Board believes that the Parkway can be built with a 100% risk transfer to the private sector. However, that is not a guarantee. Jurisdictions will have the ultimate decision-making power. JPPHA cannot collect taxes; JPPHA can only collect fees. Member entities do not have an established cost-share agreement. However, if the proposal requires some public participation, member entities will have to discuss that. Bill Ray's salary from Arvada is an advance. Every member entity pays an equal amount to pay the other consultants as a cash advance.
- The Northwest Parkway is not governed by any language guaranteeing that the public will not be financially responsible for it but it was built as a traditional public finance project, so the situation is different. The Northwest Parkway's financial model unraveled as a result of the recession and its creators decided to privatize the operations. Brisa (the private investor) assumed the liability for operating the Northwest Parkway and any operational shortfall is their responsibility.
- The money collected from the Jefferson Parkway's tolls will reimburse the advances that the member entities contributed. The revenue will also be used to maintain the Parkway.

**Recommendation #3: Light and sound mitigation measures should be considered very carefully, especially for areas close to homes. Additionally, sound mitigation measures other than walls should be considered to account for the views from those homes where possible. One option could be to recess the roadway as it goes through Leyden Rock and provides a pedestrian crossover close to grade. A recess would help with sound and make the neighborhood feel less divided.**

**Recommendation #4: Bike/Walk pathways should be included in the design to allow pedestrian use across the parkway and eventually link up to trails at the north and south ends.**

***Group Discussion***

JPAC members discussed recommendation #4.

- JPAC members had questions about why the recommendation only specifies north and south ends. There should be crossings at all trail connections.

**Recommendation #5: The RFP should state that all NEPA-like standards be followed for the environmental review process even though no federal funds are used.**

**Recommendation #6: If the current parkway alignment up Indiana Street remains the same, the JPPHA Board should install adequate air monitoring equipment downwind of the construction to monitor for airborne contamination caused by construction activity. Monitoring should be accompanied by a public comment period on the design of the air monitoring equipment and on the consequences of exceedances of specified airborne contamination thresholds (and what those thresholds should be).**

***Group Discussion***

JPAC members discussed recommendation #6.

- Both the equipment and the sampling locations should be monitored.
- The thresholds are not yet clear. The public or health experts could define thresholds.
- The “public comment period” should be a clearly defined process during a set timeframe.
- Qualified experts should provide input on the equipment, and the public should also have the opportunity to comment. The equipment used will be designed by scientists to fit the specific area.
- The Occupational Safety and Health Administration (OSHA) has standards and requirements for the types of equipment that can be used on certain types of sampling units.
- Sampling should not stop when construction begins; both soil and air sampling should continue throughout construction.

**Recommendation #7: The committee should continue meeting during the RFP process and construction of the Jefferson Parkway.**

- JPAC members discussed recommending that the JPAC not actively meet during construction, but that the JPPHA Board consult with the JPAC about communication with communities (e.g., “how much notice should be provided for road closures?”). JPAC members could gather information from neighbors about communication preferences.
- Community members should have direct access to an entity that can answer questions and respond to concerns during construction.

**Recommendation #8: Mitigation measures should be taken to insulate the neighborhood of Leyden Rock from the negative impacts of the Jefferson Parkway construction, prevent the highway from dividing the community, and keep the residents safe.**

- The 2018 community development budget for the City of Arvada is over \$1 million. The City has several grants that are aimed to create a sense of community. The 2018 Arvada budget describes the City as a beautiful suburb with a rich history, a robust mix of businesses, and a high quality of life. Leyden Rock embraces this commitment

to community and is a strong, integrated, vibrant neighborhood. The Leyden Rock Social Committee hosted 15 events in 2017, drawing over 250 attendees. The community is centered around a clubhouse and a main park, which will be split by the construction of the Jefferson Parkway. The Parkway will physically divide the community into two. Most people walk through the community, so the Parkway will impact communication between neighbors.

- There is no community along the beltway that is bisected by the highway like Leyden Rock will be. Anthem is the only community that is right next to the highway. Using a rangefinder, a JPAC member determined the distance from houses in Anthem to the highway. On the east end of Anthem, some homes are 205 yards away from the shoulder of the highway. By the tollbooth, some homes are 185 yards away. On the other end of Anthem, some homes are 113 yards from the shoulder of the highway. Using a map of the proposed Jefferson Parkway construction through Leyden Rock, the JPAC member went to the area where the cut is graded to its final estimate. The JPAC member stood in the middle of the proposed travel lane and determined the distance to the houses. The first reading indicated that there are houses 65 yards from the travel lane; further east one house was 58 yards; other readings along Leyden Rock showed that there were homes 69 yards and 65 yards from the travel lane. There would be approximately 19 yards from the edge of the parkway to the berm. Berms are roughly 20 yards high and are typically 12 yards from the backyard fences. If a car is going 65 miles per hour, it covers 100 yards in three seconds. Residents are concerned that if there are accidents, the cars will end up in their backyard.

**Recommendation #9: There should not be any sound walls to mitigate noise near Leyden Rock.**

**Recommendation #10: There should be wide, clear pedestrian walkways that connect one end of the Leyden Rock community to the other.**

- The best examples of similar pathways are on Highway 93, on 19<sup>th</sup> street in Golden, or the new I-70 pathway.
- There should be at least two pathways.

**Recommendation #11: The design should integrate forested areas in empty spaces between pathways to improve safety, provide sound mitigation, create green space, and increase neighborhood connectivity.**

#### ***Group Discussion***

- The JPAC member proposing this recommendation emphasized that they believed in a win-win solution, as JPPHA has invested a lot into the project and has secured the right of way. Leyden Rock would not exist without JPPHA, but it is important to mitigate the impacts effectively (to the maximum extent possible) and make it as safe as possible.

- The three most important components are light, sound, and safety. It is important to pursue the most comprehensive mitigation for all three of these components, which will mean balancing and prioritizing them.
- There are 1,700 homes in Leyden Rock (there are projected to be 2,200 total).
- Leyden Rock could potentially have a community fundraiser to support the mitigation measures.

**Recommendation #12: Reach out to Leyden Rock Metro District and/or Candelas Metro District to determine if and how they could contribute.**

**Recommendation #13: Add an access road onto the highway from 82<sup>nd</sup> Street to the Jefferson Parkway to facilitate Leyden Rock access to the Jefferson Parkway and provide additional egress options.**

- Leyden Rock does not have any connecting roads to the north. Adding an access road will reduce traffic on Indiana Street and decrease the objections to the Parkway from community members.
- Ideally, the access road should connect to Candelas Parkway Highway 72.

**Recommendation #14: There should be multimodal options along the access road. The pathway should connect to all the trailheads (the Greenway Trail, etc.). Development of the multimodal options should be included in phase 1 of construction.**

**Recommendation #15: Consider innovative approaches to pursuing the recommendations.**

**Recommendation #16: JPPHA Board should take steps to promote the utilization of the Parkway. They should minimize or eliminate tolls (or offer other funding mechanisms), and they should solicit state or federal funding for the project.**

- There should be the option for one or two-stop subscriptions for people who will only use on a portion of the Parkway.

**Recommendation #17: The FAA has objected to the alignment of the Parkway at its Northern end, as it is close to the Jefferson County Airport. The FAA has proposed that the Parkway be lowered 20 feet in this area and that that tunnels be constructed, as the FAA believes this would protect users of the Parkway in the event that an aircraft crashes onto the parkway. To alleviate the FAA concerns as well as the cost, change the alignment of the Parkway to “joint use” of the current right-of-way of CO Highway 128 from its intersection with the end of the Northwest Parkway extension. From this point to where the Parkway turns south at Indiana Street, the CO 128 right-of-way could be a shared road which could be tolled or not tolled.**

- When the Northwest Parkway was being developed (starting at 96<sup>th</sup> Street through Interlocken) the developers thought it may be possible to have an urbanized, un-tolled section of the road, but the toll companies did not approve. Continuity of tolling is important.

- JPAC members discussed the possibility of putting the tollway through the middle of the Highway. There was a study done for the Northwest Parkway extension about putting continuous toll lanes down the middle of the road and providing accessibility to existing intersections. The cost of constructing the frontage roads and developing interchanges at each location was \$150 million six years ago.

**Recommendation #18: Utilize Indiana Street as the northbound lanes of the Parkway and construct the new southbound lanes in the Rocky Flats right-of-way (from west 96<sup>th</sup> Avenue north to Highway 128). A Parkway entrance/exit could be provided at 96<sup>th</sup> Avenue onto Indiana Street.**

- Pursuing this recommendation would mean that, from west 96<sup>th</sup> Avenue, Indiana Street would continue to be a public road, to the north Indiana Street would be part of the Parkway.
- The benefit of this option would be to reduce the overall Parkway construction cost and create additional revenue for the Parkway.
- There were questions about whether it would be possible to remove an existing public road for the development of a tollway. It was stated that the City has committed to keeping Indiana Street as it is. Currently, part of Indiana Street is a City street, and part of it is a County road.

**Recommendation #19: Offer a subscription for bike access to the new bike route.**

**NEXT STEPS**

- At the next meeting, the JPAC will start discussing what they would like to submit to the JPPHA Board. The JPAC protocols specify that “on a case-by-case basis, JPAC members will decide how their agreements, or lack thereof, will be described to the JPPHA Board of Directors. Possible choices for those descriptions are unanimity, consensus (from a consensus-building process), or a report of the different perspectives of JPAC members.
- Bill Ray will send out the final West Connect report to JPAC members.
- Peak Facilitation Group will create a document with all the recommendations grouped into themes (e.g., noise, Rocky Flats, community continuity, etc.). At the beginning of the meeting, JPAC members will be given red, yellow, and orange dots, and will place a dot on each recommendation (written on large sheets of paper) to indicate their level of approval. Any recommendations with mixed dot colors will be discussed further.
- Peak Facilitation will send the recommendation sheet to all JPAC members with the agenda a week before the next meeting.
- There will likely be an October meeting to finish the discussion and make decisions regarding recommended proposals.
- Bill Branyan will not be at the September meeting. Peak Facilitation will coordinate with him to ensure he has an opportunity to provide thoughts on his level of approval for each recommendation.