



Jefferson Parkway Public Highway Authority
P.O. Box 1108
Arvada, CO 80001-1108
jppha.org

MEMORANDUM

TO: Board of Directors
FROM: Bill Ray, Executive Director
RE: JPAC Recommendations
DATE: January 15, 2019

Background

In November 2018, the Jefferson Parkway Advisory Committee (JPAC) presented their recommendations on various aspects of the Jefferson Parkway in anticipation of its construction. JPAC was composed of 12 citizens and represented a wide variety of perspectives. They met throughout 2018 to both educate themselves on the history and status of the Parkway, as well as to gain insights from each other's perspective. Ms. Heather Bergman facilitated the group.

The JPAC recommendations can be placed in four general categories:

- Recommendations pertaining to process
- Recommendations pertaining to Rocky Flats and environmental issues
- Recommendations pertaining to community safety, connectivity and well-being
- Recommendations with mixed levels of support

The purpose of this memo is to offer my perspective to these recommendations and, with the Board's concurrence, identify those that should be carried forward in the process. My thoughts will not be a surprise to JPAC members as we had the opportunity for several sessions of dialogue prior to the November presentation. Many of the recommendations represent best practices or current regulations and will be incorporated into the planning and Request for Proposal process. Some are outside the purview of the Authority or are contrary to policies already adopted by the Board. Some will be a question of further refinement to quantify a desired outcome. A few will be a matter of money.

Process Recommendations

JPAC should continue to meet regularly throughout the RFP and construction process.
Executive Director Response: suggest approval in concept.

The Board of Directors initially discussed having the committee meet for the year of 2018 as other aspects of the project were still being defined and then evaluate the status of the project. From the perspective of November 2017, the FAA matter was still unresolved and the Level 1 traffic and revenue study had not yet been completed. The

thinking was that if the project was not viable, there would be no need for additional citizen participation beyond 2018.

Since the project does show strong viability, the Board will want to seek out citizen involvement and engagement on a variety of fronts. A portion of the approved 2019 budget is to hire a marketing firm or person to educate and engage the public in a variety of ways as the RFP process proceeds - having a group of citizens with good understanding of the issues involved will be a key component. The Board will need to consider if they wish to reframe the mission of a citizen advisory group to reflect impending construction, and if there is a need for other citizen perspectives to be represented. My recommendation is that the Board first review their objectives for a citizen advisory group in light of active construction in 2020, consider the stakeholders they want to have represented and seek volunteers, strongly encouraging JPAC members to apply.

*JPPHA should include criteria for creativity, innovation, and aesthetics in RFP development.
Executive Director Response: suggest this concept be included in the RP, with a caveat.*

Creativity and innovation will occur naturally as a part of the competitive process. It will be difficult to quantify those as criteria, except as a bottom line cost savings or efficiency improvement. To the extent that the RFP is crafted as a performance document vs. a prescriptive document there will be opportunities for the respondents to show creativity and innovation, especially in operations and maintenance over the long haul. It is reasonable to expect that all three teams will offer proprietary alternative technical concepts (ATCs) during the course of the RFP development. These will be evaluated by the review team to determine if the ATC will meet the performance goal stated in the RFP.

Aesthetics are hard to quantify as well. Clearly no one wants a mediocre looking bridge or median - but what gives advantage to one team over another in the evaluation? Perhaps this is a matter that can be discussed with the three respondents in a community setting where all three teams can receive the public's comment and feedback. In any event, it is only to everyone's advantage that this is seen as a public improvement on a visual basis.

The caveat is over-innovation or over-creativity; witness the G line.

JPPHA should ensure that member governments will never subsidize the operation and maintenance of the Parkway.

Executive Director Response: this will be included as a goal in the RFQ and RFP.

Throughout development of the RFQ, all private sector teams were repeatedly advised that the Authority views this project as a 100% revenue risk transfer to the private sector for the construction, operations and maintenance of the Parkway. In 2019, each respondent will spend about \$1 million to have an investment grade traffic and revenue

study done. The results of the T&R study will ultimately determine each team's willingness to take on the Jefferson Parkway as a total revenue risk. As the economy sits today, given the infrastructure market, current interest rates and construction costs it is still a reasonable expectation. Any and all of those things can change between now and financial close. Even if there are perceived initial shortfalls, there are a number of strategies that would be explored before ever taking up the question of direct subsidies from the local governments, which would be politically distasteful in any event.

Until the metro beltway is completely connected, JPPHA should promote use of the Jefferson Parkway by financial and other incentives.

Executive Director Response: Private partner will be responsible.

The winning RFP respondent will be strongly motivated to promote use of the Jefferson Parkway from day one of operations since that is their source of repayment for the hundreds of millions they have invested.

JPPHA should provide public education on why the current alignment was chosen and how the Parkway meets regional transportation goals.

Executive Director Response: Included in 2019 work plan.

JPAC correctly notes that with the continued inflow of new residents, many may not be aware of the long history of the Jefferson Parkway or the metro beltway. A portion of the marketing plan is to provide such information in a variety of platforms as part of the public education process.

Rocky Flats and Environmental Issues

JPPHA should adopt 2008 TEPS mitigation measures.

Executive Director Response: these will be included in the RFP. Virtually all of these mitigation measures are existing industry standards and/or best management practices.

In 2008, CDOT completed the draft Northwest Corridor Environmental Impact Statement. Beginning in 2003 with 73 alternatives, the NWCEIS purpose was to connect the terminus of C-470 in Golden to the Northwest Parkway in Broomfield. The EIS process was discontinued at that point and the draft EIS was published as the Northwest Corridor Transportation and Environmental Planning Study (TEPS).

As part of that analysis, there was a review of environmental factors from archeology to wetlands with standard mitigation measures described. A summary of those suggested mitigation measures can be found in Section 4.27 of the TEPS document.

JPPHA should require dust control, and comply with air pollution controls required under the Denver Metro State Implementation Plan under the Clean Air Act.

Executive Director Response: included in the RFP will be all dust control, storm water runoff, monitoring and other related standards or requirements issued by agencies having jurisdiction.

No other comments.

JPPHA should install air monitoring equipment along Indiana Street, establishing a baseline prior to construction and have a public process for the methodology used to design the air monitoring equipment, and allow public comment on equipment, threshold of airborne contamination levels and consequences for exceedances.

ALSO, JPPHA should require radiological testing by an independent expert prior to any construction including CDPHE notification if there are exceedances.

ALSO, JPPHA should develop a response plan should remediation be required.

Executive Director Response: suggest approval in part and approval of concept in part.

The Colorado Department of Public Health and Environment (CDPHE) Hazardous Materials Division does not anticipate that it will require special radiological permitting for the Parkway. This is consistent with its determination in 2007 that the Parkway right of way, as part of the Refuge lands, is open to unlimited use as a result of the cleanup. Nor will they require any radiological monitoring in the course of construction. DOE in their required five year review confirmed that the cleanup and other remedies continue to be protective of human health and the environment to the standards established. They affirm that the Parkway right of way remains suitable for unlimited use.

Separate permits for monitoring air quality (dust), storm water runoff, and ground water discharge will be needed from CDPHE. JPPHA will apply for these permits and monitor as required under those permits.

JPPHA will establish a pre-construction radiologic baseline conditions within the transportation corridor by verifying previous sampling results in the transportation corridor and a number of additional sampling sites. The testing/analysis regime will mirror that being used by the Rocky Mountain Greenway, which has been developed following stakeholder involvement and public meetings. The testing regime is generally acceptable to the parties involved in that process.

JPPHA will also work with EPA, CDPHE and the private partner to have a response protocol (including media outreach and notice to the community) in the event remediation is necessary because of radiological material in excess of actionable levels.

Community Safety, Connectivity, and Well-being

JPPHA should include construction of multi-modal opportunities parallel and across the right of way including connections at the north and south ends of the Parkway.

Executive Director Response: suggest approval to design for multi-modal.

RFP respondents will be required to design for future bike and pedestrian trails. The design will be executed so as to not preclude future transit opportunities. A typical

bike trail costs \$1,000,000 per mile (perhaps \$10 million in total for the right of way corridor) and was not included in the original cost estimate.

JPPHA should require the following mitigation measures for Candelas and Leyden Rock:

- *Sound attenuation measures such as lids, depressing the road bed, vegetation.*
- *Sound walls should be avoided.*
- *Night sky measures to limit light pollution from vehicles, signs and street lights.*
- *Safety measures to prevent vehicles in accidents from colliding with houses.*

Executive Director Response: suggest acceptance in concept.

An important next step for this recommendation to be implemented is to have a community discussion with the neighborhoods to see if there is common agreement on what measures are appropriate within the scope of the project. Some specific suggestions, such as a lid over the Parkway are not financially feasible. Working in close cooperation with members of JPAC, several community meetings are being scheduled to receive input from the neighbors on measures that will be broadly acceptable and within budget.

JPPHA should require construction of pedestrian bridges across the Parkway within Leyden Rock. IN addition, JPPHA should work with the Metro District and Arvada to maintain the character of the neighborhood, including compatibility with various Arvada Master Plans (Arts and Culture, transportation, trails, et. al.)

Executive Director Response: suggest pedestrian bridge be declined, absent significant other funding. Suggest Compatibility recommendation be accepted in concept.

Pedestrian crossings over major highways are expensive. The total costs for the pedestrian bridge across south Wadsworth at SW Plaza was almost \$9 million. The vehicle/pedestrian bridge in Golden at 19th Street was over \$25 million. The preliminary cost estimate did not include a pedestrian bridge and the private concessionaire will push back on major costs that do not provide additional revenue to the project. There would have to be significant funding provided either by the Metro District, Arvada, or some other third party in order to implement this.

To the extent that the Parkway can further integrate into the City Master Planning process, it will do so.

JPPHA should modify the preliminary design to include a local access road from Leyden Rock northbound to SH 72

Executive Director Response: suggest this recommendation be declined.

This recommendation would require the complete redesign of the SH 72 interchange and the acquisition of additional property, adding significant time and cost to the project. It is not clear that such an access road can be designed and meet industry safety standards.

Mixed JPAC Support

JPPHA should redesign the Parkway from the east side of Rocky Flats to the west side.

Executive Director Response: suggest this recommendation be declined.

The present alignment was the preferred alternative of the Northwest Corridor Environmental Impact Statement process conducted by CDOT from 2003-08. Beginning with 73 alternatives CDOT identified what is now the Jefferson Parkway right of way in the draft EIS stage and issued as the NW Corridor Transportation and Environmental Study. At this stage, it is not practical to revisit the alignment.

JPPHA should use Indiana Street ROW as the northbound lanes of the Parkway and eliminate Indiana Street as a local road.

Executive Director Response: suggest this recommendation be declined.

JPPHA has long committed ensuring there would always be a local Indiana Street. It is conceivable that the Indiana Street road bed would become the northbound lanes of the Parkway, but only if a new local Indiana Street was constructed at the same time.

JPPHA should sponsor an independent review of public health impacts of Rocky Flats.

Executive Director Response: suggest this recommendation be declined.

The residual impact of Rocky Flats is a continuing public discussion that is also outside the purpose and scope of JPPHA.