



Scoping Summary Report

APPENDIX J

Small Group Meeting Presentations



National Environmental Policy Act (NEPA) Overview

City of Lakewood
June 8, 2007




NEPA Basics

- Federal Act
- NEPA applies to all major federal actions and decisions
- Federal funding triggers the “federal action”
- HOWEVER...CDOT follows NEPA whether or not projects are federally funded!
- We follow CDOT’s Environmental Stewardship Guide




CDOT’s Environmental Stewardship

- Improve environmental conditions and quality of life when possible, not just comply with regulations
- Enhance environmental protection and encourage partnerships that promote eco-system conservation
- Address mobility and safety needs of the public
- Provide education to our public
- Foster new ways to manage the environment




www.itre.ncsu.edu/aashto/stewardship




NEPA Case Law

- NEPA is Procedural—not substantive (it’s the process; not the decision)
- Considerable deference given to the lead agency
- “Hard look” at significant environmental impacts
- Inform decision makers
- Reasoned decision
- Inform the public




Section 4(f)

- Substantive provision
 - Only applies to transportation agencies
 - NEPA applies to all federal agencies
- US Department of Transportation Act of 1966 (49 USC 303) and FHWA regulations (23 CFR 771.135)
- The Administration may not approve the use of land from a significant publicly owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that
 - There is no prudent and feasible alternative to using the land; and
 - the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

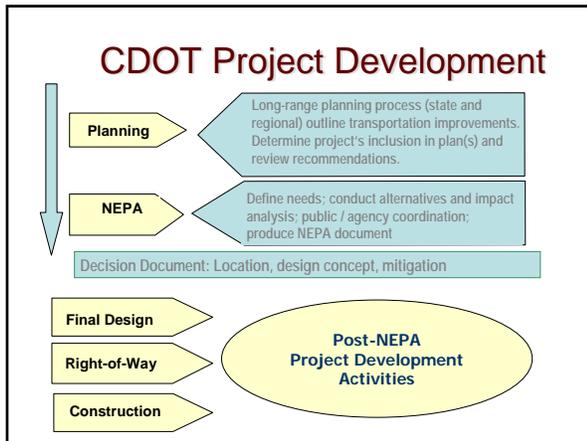



NEPA Umbrella



- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- Section 4(f) of USDOT Act (49 USC 303)
- Clean Air Act
- Safe Water Drinking Act
- Farmland Protection Policy Act
- Solid Waste Disposal Act
- Resource Conservation and Recovery Act of 1976 (RCRA)
- Title VI of Civil Rights Act of 1964
- Americans with Disabilities Act
- Executive Order 12898 (Environmental Justice)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Emergency Planning and Community Right to Know Act of 1986
- National Historic Preservation Act
- Economic, Social and Environmental Effects of Highways and Transit
- Highway Noise Standards
- Public Hearing Requirements
- Archaeological and Historic Preservation Act
- Archaeological Resources Protection Act
- AND MORE...



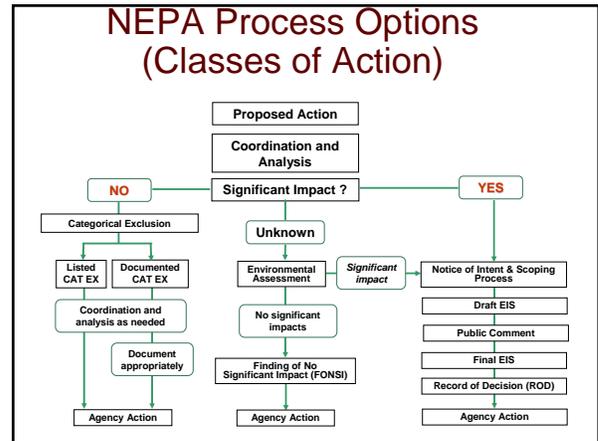


NEPA Project Development

- **Systematic and interdisciplinary** approach
- Investigations, reviews, consultations and compliance **coordinated as a single process**
- **Meaningful evaluation** of alternatives
- Decisions made in the **"best overall public interest"**
- **Early and continuous** interagency and public involvement
- **Mitigate** adverse effects
- Some activities **shall not proceed** before decision document
- Acceptance of **general project location** and concepts

Project Development – How to Be Successful

- **Early and continuous public and interagency coordination**
- **Clear understanding of roles and responsibilities of CDOT and cooperating agencies**
- **Meaningful evaluation of alternatives**
 - avoid commitments before improvement is fully evaluated
 - logical termini, independent utility, don't restrict consideration of alternatives
- **Follow public involvement and hearing procedures**
- **Final design, property acquisition, construction ... shall not proceed prior to decision document**



Council on Environmental Quality Essential Elements of NEPA

- **Scoping**
 - Public Involvement
 - Interagency Coordination
- **Purpose and Need**
- **Alternatives Analysis**
- **Disclosing Impacts**
- **Determining Mitigation**
- **Documenting**

Scoping

- **Early involvement with interested public and affected agencies**
- **Formally invite them to participate**
- **Involved in determining the scope of the study**
- **Involved in identifying important vs minor issues**
- **Invited to be involved in the process (tech. groups)**
- **Identify other studies in area**
- **Agree on timing of activities**



Public Involvement

- Coordination of public involvement activities and hearings with entire NEPA process ...
- ... Early and continuous opportunities for the public to be involved in identifying social, economic, and environmental impacts...
- ... via State public involvement procedures and requirements for public hearings



Other Agencies Assist CDOT

- | | |
|--|--|
| ▪ City of Lakewood | ▪ Jefferson County |
| ▪ Colorado Department of Public Health and Environment | ▪ Regional Air Quality Council |
| ▪ Colorado Division of Wildlife | ▪ RTD |
| ▪ Colorado State Historic Preservation Office | ▪ Urban Drainage and Flood Control |
| ▪ Denver Regional Council of Governments | ▪ US Army Corps of Engineers |
| ▪ Federal Emergency Management Agency | ▪ US Department of Housing and Urban Development (HUD) |
| ▪ Federal Transit Administration | ▪ US Department of Interior, Office of Environmental Policy and Compliance |
| ▪ FHWA | ▪ US Environmental Protection Agency |
| | ▪ US Fish and Wildlife Service |



Agency Coordination

- Prior to concluding an EIS, the responsible Federal official must:
 - ... consult with and obtain the comments of any Federal agency with jurisdiction by law or special expertise with the impacted resources
 - ... provide copies of statement to Federal, State and local agencies and the public



Aspects of Agency Coordination

- Early and continuous participation in the NEPA process
- Special expertise and information
- Scoping agreements and understanding
- Establish timeframes
- Consultation and permitting (404/NEPA)
- Adoption of NEPA documents



Project Purpose and Need

- PURPOSE
 - Identifies what you plan to do.
 - Tells reader what your project (action) must accomplish to be considered a success.
- NEED
 - Justifies why it's necessary.
 - "This project is needed because..."



Purpose and Need

- Basis for decisions
- Provides critical foundation for deciding on alternative(s)
- Validates reasons for going forward with the federal action
- Basis for dismissal of no-action






Break Time!




Alternatives

- Development and analysis
- No-build / No-action required
- "Reasonable" alternatives
- Reasonable range based on Purpose and Need
- Avoidance / minimization








FHWA Policy on Alternatives

- Alternatives evaluated and decisions made in the best overall public interest considering:
 - the need for safe and efficient transportation
 - social, economic, and environmental impacts
 - national, state, and local environmental goals
- Ensure meaningful evaluation of alternatives ...
 - Logical termini
 - Independent utility
 - Restrict consideration of alternatives for reasonably foreseeable improvement




No Action Alternative

- Required in an EIS (40 CFR 1502.14[d]) and usually included in an EA
- Helps establish a baseline by which to measure the magnitude of effects of the proposed action
- Allows for a comparison of future conditions with and without the project
- Helps support and provide evidence for the need of the project
- For transportation projects, no action is rarely a "reasonable" alternative




Alternatives Analysis

- Varies with Class of Action ... CatEx, EA, EIS
- Rigorous and objective evaluation in the EIS
 - Reasonable range and number of alternatives
- Must include no-action or no-build
- Build alternatives – representative number
 - improve existing
 - new location
- Modal and operational (where appropriate)
 - TSM alternatives, transit
- Avoidance and minimization




Impacts and Mitigation

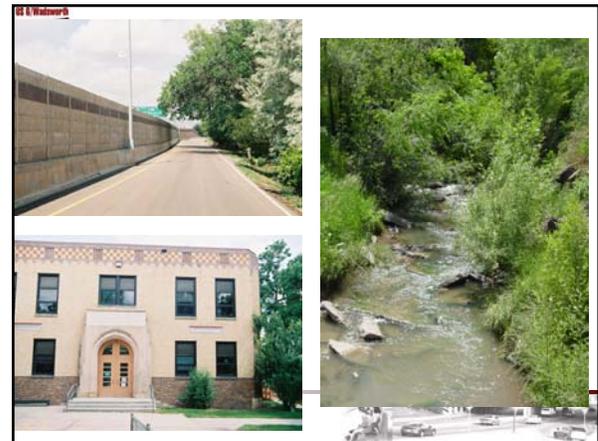
- What is your environment?
- Considering each area of NEPA,
 - what will your impacts be?
 - How can you lessen these impacts?






Resources Analyzed

- Pedestrians and Bicyclists
- Recreation
- Relocation/Right-of-Way
- Section 4(f) Resources (Parks, Historic Properties, and Wildlife Refuges)
- Socioeconomics
- Soils
- Threatened or Endangered Species
- Transportation
- Vegetation
- Visual Quality / Aesthetics
- Water Quality/Water Resources
- Wetlands
- Wildlife and Fisheries
- Air Quality
- Archaeological Resources
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- Paleontological Resources

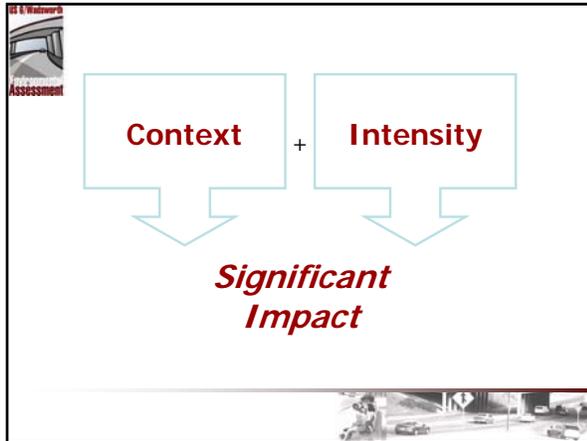


Types of Impacts

- Direct -- Caused by the action and occur at the same time and place.
- Indirect -- Caused by the action, later in time or farther removed in distance, but are still reasonably foreseeable... Growth inducing and other effects on air and water and other natural systems, including ecosystems, related to induced changes... in the pattern of land use, and ... population density or growth rate
- Alter behavior and function of affected environment caused by encroachment
- Project-influenced effects

Types of Impacts (cont'd)

- Cumulative -- Result from incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions, regardless of agency or person that undertakes other actions
- Can result from individually minor but collectively significant actions taking place over a period of time



- "Mitigation" includes:**
- Avoiding the impact altogether by not taking a certain action or parts of an action.
 - Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
 - Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
 - Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
 - Compensating for the impact by replacing or providing substitute resources or environments.
- 40 CFR 1508.20

- FHWA Mitigation Policy**
- 23 CFR 771.105(d):
 - "Measures necessary to mitigate adverse impacts will be incorporated into the action and are eligible for Federal funding when the Administration determines that:
 - (1) The impacts actually result from the Administration action; and
 - (2) The proposed mitigation represents a reasonable public expenditure after considering the impacts of the action and the benefits of the proposed mitigation measures.

- Mitigation Responsibility**
- CDOT is responsible for implementing mitigation measures stated as commitments in environmental documents
 - Environmental document can identify mitigation to be completed by others
 - Often Interagency Agreements are developed to clarify roles and responsibilities of project implementation
 - Ensure compliance with mitigation measures through project management
 - Formal monitoring plan may be established (recommended where sensitive resources are impacted)



Considerations for Mitigation

- You may have to modify proposed project
- You may need to add additional avoidance or minimization measures
- You may need to providing compensatory mitigation for affected resources
- You may need to identify mitigation measures other parties can implement



Process and Documentation

- Analysis of alternatives and impact
- Informs decisionmakers
- Essential to involvement and coordination
- Full and fair discussion
- Administrative Record



"Ultimately, of course, it is not better documents, but better decisions, that count. NEPA's purpose is not to generate paperwork — even excellent paperwork — but to foster excellent action."

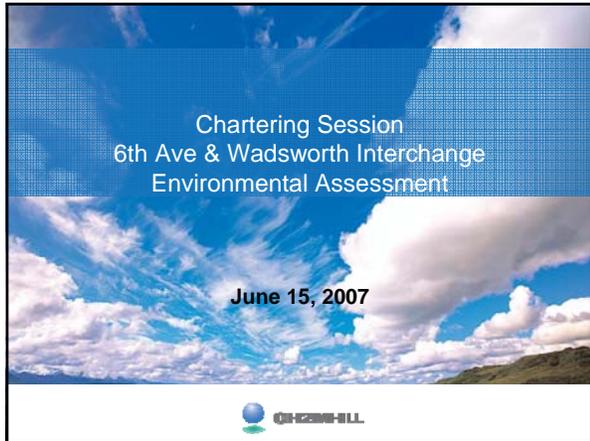
40 CFR 1500.1 (c)



Discussion

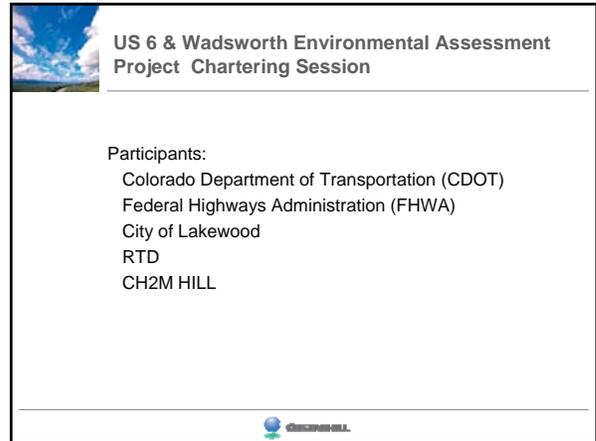
- Questions?
- Contacts:
 - Kirk Webb
CDOT Environmental Manager
303.757.9826
Kirk.Webb@dot.state.co.us
 - Mandy Whorton
Consultant Environmental Manager
720-286-5239
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Chartering Session
6th Ave & Wadsworth Interchange
Environmental Assessment

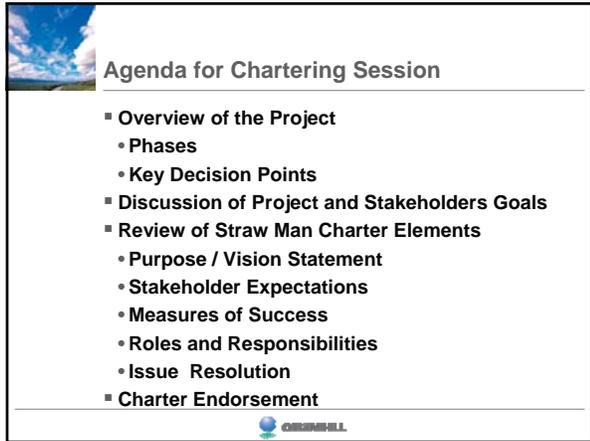
June 15, 2007

**US 6 & Wadsworth Environmental Assessment
Project Chartering Session**

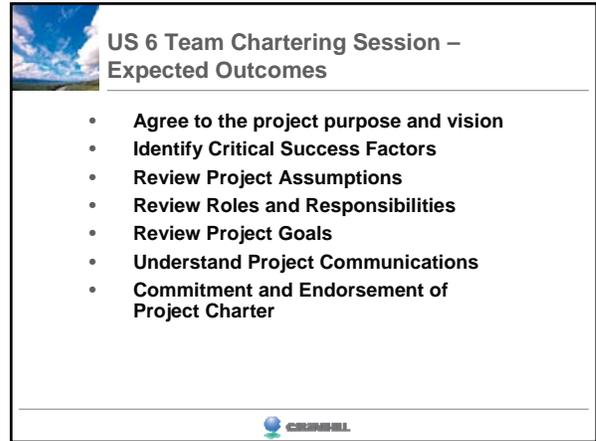
Participants:

- Colorado Department of Transportation (CDOT)
- Federal Highways Administration (FHWA)
- City of Lakewood
- RTD
- CH2M HILL

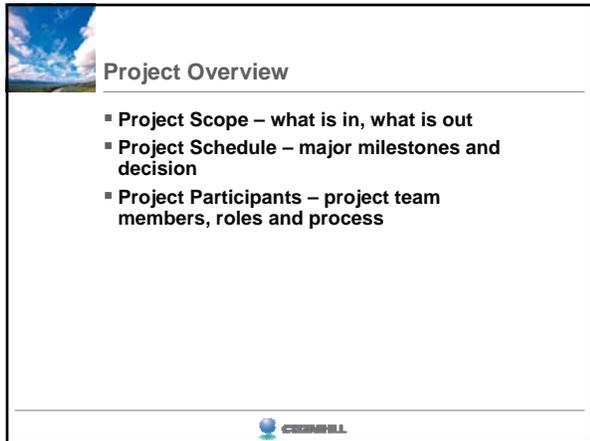
Agenda for Chartering Session

- Overview of the Project
 - Phases
 - Key Decision Points
- Discussion of Project and Stakeholders Goals
- Review of Straw Man Charter Elements
 - Purpose / Vision Statement
 - Stakeholder Expectations
 - Measures of Success
 - Roles and Responsibilities
 - Issue Resolution
- Charter Endorsement

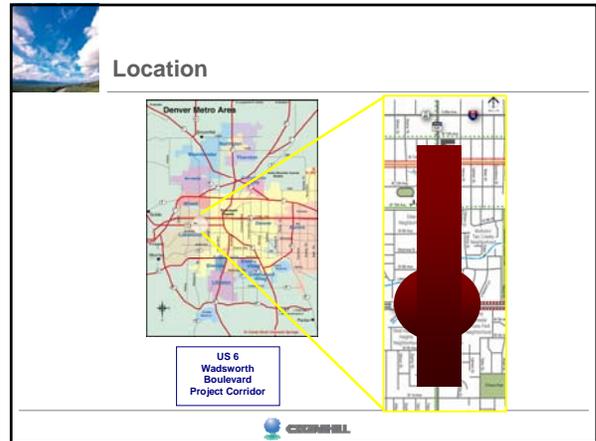
**US 6 Team Chartering Session –
Expected Outcomes**

- Agree to the project purpose and vision
- Identify Critical Success Factors
- Review Project Assumptions
- Review Roles and Responsibilities
- Review Project Goals
- Understand Project Communications
- Commitment and Endorsement of Project Charter

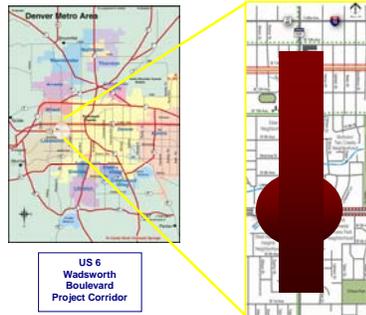



Project Overview

- Project Scope – what is in, what is out
- Project Schedule – major milestones and decision
- Project Participants – project team members, roles and process

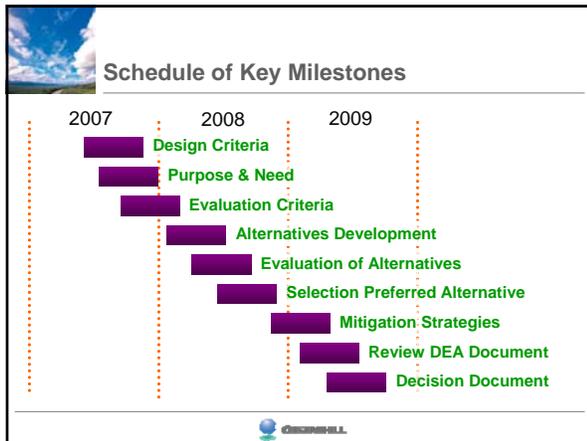



Location



US 6
Wadsworth
Boulevard
Project Corridor





Project Goals and Values

- Complete an EA process that
 - Solves agreed upon project needs,
 - Defines a reasonable alternative,
 - Minimizes or mitigates environmental impacts, and
 - Is endorsed by project participants
- Expectations
 - Everyone's input accepted
 - Easy resolution of problems
 - Friendly relations with property owners
 - A nice looking finished product

Purpose and Vision Statement

Deliver a NEPA decision document that is endorsed and supported by the public and stakeholders. The result of the study will be a product that accomplishes the goals and values of this charter agreement.

Goals

- Ensure the right people are making the right decisions at the right time.
- Create a product that the team takes pride in.
- Identify efficiencies that complement the NEPA process.
- Create a benchmark for other NEPA studies by documenting best practices and lessons learned.
- Bring all issues to table early and resolve in a cooperative manner.

Values

- Build trust by respecting each other's perspectives, with open and honest communications.
- Maintain a professional approach. Trust that each team member will perform their assigned role in a timely fashion.
- There is no such thing as a "stupid question".
- Be responsible to the public by dealing honestly and openly with public.

Measures of Success

- Accomplish work within agreed schedule and budget
- Concurrence of key stakeholders throughout process
- Obtain approvals at major decision milestones
- Positive public feedback
- Timely and constructive resolution of issues
- Promote innovation in the NEPA process (*measures to be developed later*)

Operating Rules for Project Agencies

- Agencies and stakeholders must bring forward fully defined issues, resolutions or agreements. Agencies must resolve issues among their internal departments and present positions as a unified voice.
- The responsible individuals identified in the charter will facilitate internal issues within its own agency. It is not a project leadership role to resolve internal agency issues.
- Each agency identifies the "authority" for providing input based on the Activity / Involvement matrix. Authority individuals communicate roles to internal project staff.



Roles and Responsibilities

- Project Manager** – Seyed Kalantar, CDOT. Responsible for delivery of the completed EA to FHWA.
- Resident Engineer** – Randy Furst, CDOT. Responsible for quality and completeness of EA delivery.
- Environmental Manager** – Kirk Webb, CDOT. Responsible for managing EA document development.
- Project Authority** – Marcee Allen, FHWA. Central point of contact and responsible for NEPA process oversight. Final approval authority will reside with Michael Davies.



Roles and Responsibilities

- Cooperating Agency Contact** – Dennis Cole, RTD. Authority for issue identification, review and concurrence of EA for RTD.
- Partnering Agency Contact** – Allen Albers, City of Lakewood. Authority for issue identification, review and concurrence of EA from City of Lakewood.
- Consultant Project Manager** – Tim Eversoll, CH2M HILL. Responsible for consultant team performance and contract deliverables.



Activity / Involvement Levels

- RACI Definitions:**
 - Responsible** – Individual or organization that work to achieve the task; may be multiple organizations responsible
 - Accountable** – Resource ultimately accountable for the completion of the task – there must be only one Accountable specified for each task
 - Consulted** – Stakeholders whose input is sought. May be multiple resources specified as Consulted. Involves two-way communication.
 - Informed** – Stakeholders who are kept up-to-date on progress. Involves one-way communication from a Responsible stakeholder to the informed stakeholder.

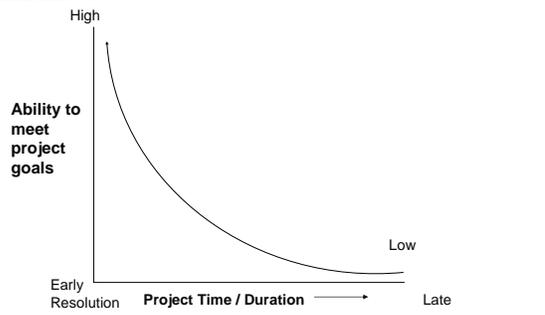


Activity / Involvement Matrix

Activity – Key Milestones	CDOT	FHWA	RTD	City of Lakewood	Public (Heardings and other feedback)
Design Criteria	R	A	R	R	I
Purpose and Needs Statement	R	A	C	C	C
Logical Termini	R	A	C	C	I
Alternatives Evaluation Criteria	R	A	C	C	C
Alternatives Development/ Conceptual Design	R	A	C	C	C
Evaluation of Alternatives	R	A	C	C	I
Selection of Preferred Alternative	R	A	I	I	I
Impacts, Avoidance and Mitigation Strategies	R	A	R	R	C
Review of Draft EA Document (30 days public comments and response)	R	A	C	C	C
Decision Document Approval and Announcement	R	A	I	I	I



Issue Resolution & Ability to Meet Project Goals






Issue Resolution Principles

- Proactive identification and discussion of issues using the appropriate forums – avoids creating fire drills
- Timely resolution requires that appropriate decision makers are engaged as soon as possible
- Make decisions at the front-line levels as much as possible
- Fair hearing of issues – put aside personal agendas
- Live by the precepts of the Mission Statement and support final decision
- Escalate to next level if required – provide facts and alternative solutions
- Identified decision-makers are “equal” in authority for each level




Problem Solving Framework

- Used for: Regulatory changes, policy changes, scope changes, etc.
- Addressed by Project Agency Charter Team identified in Charter
 - Include all participants
 - Agreement of approach - amendment to scope, or decision to proceed without change, or stop study
 - Decisions will be made at regularly scheduled meetings or will be deferred to a date agreed upon by the Project Senior Management Team
- Decision is supported by all involved stakeholders
- Plan to implement agreement (if necessary)



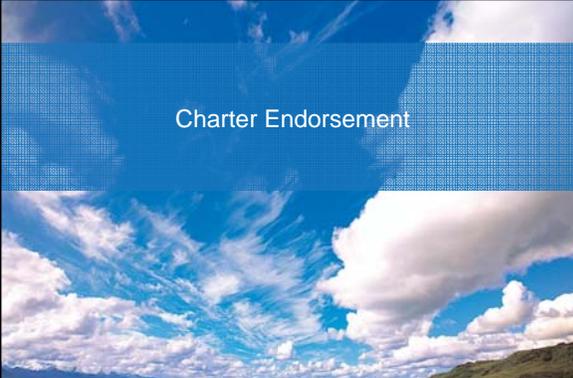

Charter Endorsement

- Participate in the development of a charter for all to use as a format for work on this project
- Sign up to this agreement on behalf of your organization
- If others work with or replace the signatories, they also abide by these principles established by the chartering group
- We all work to accomplish this project to the maximum achievable benefit of all stakeholders




Example Scorecards

Goal	Metric	Objective	Responsibility	Current Performance	Comments
Schedule Adherence	Integrated master schedule	On-time or ahead of schedule	PM		
Cost Adherence	Variances	No labor over-runs	PM	Meets current projections	

Charter Endorsement



US 6 / Wadsworth Boulevard Interchange Environmental Assessment

Eiber Neighborhood Association
July 19, 2007

Presentation Outline

- Project background, development, schedule
- Early issues identification
- National Environmental Policy Act (NEPA) process
- Resources studied
- Key milestones
- Scoping process
- How you can help us

Project Participants

Sponsoring Agencies

Colorado Department of Transportation (DOT) | Federal Highway Administration

Cooperating Agency: RTD

Partnering Agency: City of Lakewood

Consultant Team: CH2MHILL

CDOT Project Development

Planning: Long-range planning process (state and regional) outline transportation improvements. Determine project's inclusion in plan(s) and review recommendations.

National Env't'l Policy Act: Define needs; conduct alternatives and impact analysis; public / agency coordination; produce NEPA document

Decision Document: Location, design concept, mitigation

Final Design, **Right-of-Way**, **Construction**

Post-NEPA Project Development Activities

Project Schedule

- Typical Study**
 - Environmental Assessment: 1 - 2 years
 - Final Design: 6 - 12 months
 - Construction: 1 - 2 years
- US 6 / Wadsworth Study**
 - Pilot streamlining project
 - Priority project for CDOT and City of Lakewood
 - Opportunity for additional funding support

Corridor Fly-Through



Essential Elements of National Environmental Policy Act (NEPA)

- Scoping
- Purpose and Need
- Alternatives Analysis
- Identifying Impacts
- Determining Mitigation
- Documenting




Resources Analyzed

- Air Quality
- Archaeological Resources
- Energy
- Environmental Justice (Low-income or Minority Populations)
- Farmlands
- Floodplains
- Geology
- Hazardous Materials
- Historic Properties
- Land Use
- Noise
- Noxious Weeds
- Paleontological Resources
- Pedestrians and Bicyclists
- Recreation
- Relocation / Right-of-Way
- Section 4(f) Resources (Parks, Historic Properties, and Wildlife Refuges)
- Socioeconomics
- Soils
- Threatened or Endangered Species
- Transportation
- Vegetation
- Visual Quality / Aesthetics
- Water Quality / Water Resources
- Wetlands
- Wildlife and Fisheries




Key Decision Milestones



- Design Criteria
- Public & Agency Scoping
- Purpose & Need
- Evaluation Criteria
- Alternatives Development
- Evaluation of Alternatives
- Selection Preferred Alternative
- Impact Analysis
- Mitigation Strategies
- Public EA Review
- Decision Document




Scoping

- Early involvement with interested public and affected agencies
- Invite participation
- Determine the scope of the study
- Identify important vs. minor issues
- Identify other studies in area
- Agree on timing of activities




Scoping Meetings

- Agency Scoping
 - Thursday, August 16, 2007
- Public Scoping
 - Tuesday, August 21, 2007
 - Clements Community Center
 - 4 pm to 8 pm




Your Involvement

- How interested are you in the project?
- Do you want to be involved?
- What types of meetings and times work best?
- Can you help us reach others in your neighborhood?
- Is there anything else we should know about your neighborhood or group?
- Are there other outreach tools we should consider?
 - website, newsletter, small meetings with organized groups, public meetings, information kiosks, outreach through schools, libraries, and businesses





Current Project Information

Visit us at www.US6Wadsworth.com

Your input helps create a
successful project



US 6 / Wadsworth Boulevard Interchange Environmental Assessment

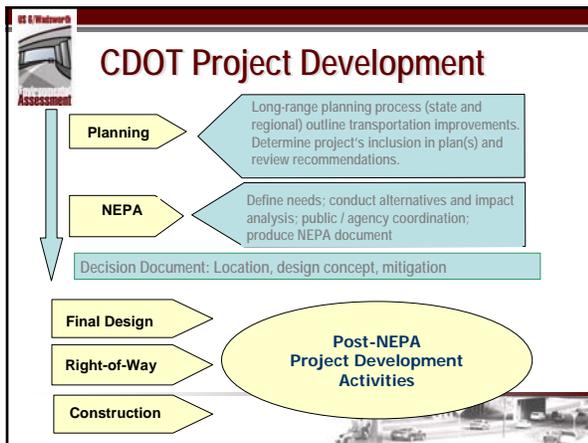
Two Creeks Neighborhood Association Board Meeting
July 21, 2007




Project Background

- US 6/Wadsworth interchange
- Wadsworth Blvd from 3rd to 13th Avenues
- Study only
- Visit us at www.US6Wadsworth.com





Project Participants

Sponsoring Agencies

- Colorado Department of Transportation (DOT)
- Federal Highway Administration

Cooperating Agency

- RTD

Partnering Agency

- City of Lakewood

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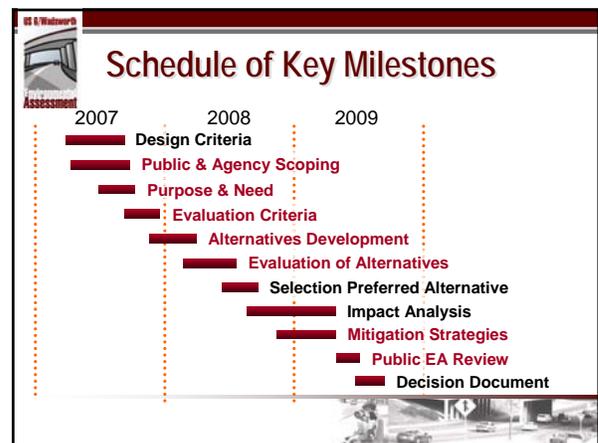
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US 6 Wadsworth
Assessment

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US 6 Wadsworth
Assessment

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US 6 Wadsworth
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US 6 Wadsworth
Assessment

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West Colfax Community Association
August 15, 2007




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Final Design

**Post-NEPA
Project Development
Activities**

Right-of-Way

**Post-NEPA
Project Development
Activities**

Construction

**Post-NEPA
Project Development
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Corridor Fly-Through



US & Waldo
Assessment

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US & Waldo
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US & Waldo
Assessment

Key Decision Milestones



- Design Criteria
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- Evaluation Criteria
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- Evaluation of Alternatives
- Selection Preferred Alternative
- Impact Analysis
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- Public EA Review
- Decision Document



US & Waldo
Assessment

Scoping

- Early involvement with interested public and affected agencies
- Invite participation
- Determine the scope of the study
- Identify important vs. minor issues
- Identify other studies in area
- Agree on timing of activities



US & Waldo
Assessment

Scoping Meetings

- Agency Scoping
 - Thursday, August 16, 2007
- Public Scoping
 - Tuesday, August 21, 2007
 - Clements Community Center
 - 4 pm to 8 pm



US & Waldo
Assessment

Your Involvement

- How interested are you in the project?
- Do you want to be involved?
- What types of meetings and times work best?
- Can you help us reach others in your neighborhood?
- Is there anything else we should know about your neighborhood or group?
- Are there other outreach tools we should consider?
 - website, newsletter, small meetings with organized groups, public meetings, information kiosks, outreach through schools, libraries, and businesses





Current Project Information

Visit us at www.US6Wadsworth.com

Your input helps create a
successful project





US 6 / Wadsworth Boulevard Interchange Environmental Assessment

O'Kane Park Neighborhood Association
August 28, 2007




Presentation Outline

- Project background, development, schedule
- Early issues identification
- National Environmental Policy Act (NEPA) process
- Key milestones
- Scoping process
- Resources studied
- How you can help us




Project Participants

Sponsoring Agencies




Colorado Department of Transportation Federal Highway Administration

Cooperating Agency



Partnering Agency



City of Lakewood

Consultant Team






Project Schedule

- Typical CDOT Project Development Phases
 - Planning: varies
 - **Environmental Assessment (EA): 1 – 2 years**
 - Final Design: 6 – 12 months
 - Construction: 1 – 2 years
- **US 6 / Wadsworth Study**
 - Pilot streamlining project
 - Priority project for CDOT and City of Lakewood
 - Opportunity for additional funding support




Corridor Issues




Essential Elements of National Environmental Policy Act (NEPA)

- Scoping
- Purpose and Need
- Alternatives Analysis
- Identifying Impacts
- Determining Mitigation
- Documenting





- ## Scoping
- Early involvement with interested public and affected agencies
 - Invite participation
 - Determine the scope of the study
 - Identify important vs. minor issues
 - Identify other studies in area
 - Agree on timing of activities

- ## Scoping Meetings
- **Agency Scoping**
 - Held on Thursday, August 16, 2007
 - **Public Scoping**
 - Held on Tuesday, August 21, 2007
 - **Scoping period ends August 31**

- ## Resources Analyzed
- Air Quality
 - Archaeological Resources
 - Energy
 - Environmental Justice (Low-Income or Minority Populations)
 - Farmlands
 - Floodplains
 - Geology
 - Hazardous Materials
 - Historic Properties
 - Land Use
 - Noise
 - Noxious Weeds
 - Paleontological Resources
 - Pedestrians and Bicyclists
 - Recreation
 - Relocation / Right-of-Way
 - Section 4(f) Resources (Parks, Historic Properties, and Wildlife Refuges)
 - Socioeconomics
 - Soils
 - Threatened or Endangered Species
 - Transportation
 - Vegetation
 - Visual Quality / Aesthetics
 - Water Quality / Water Resources
 - Wetlands
 - Wildlife and Fisheries

- ## Questions and Comments
- Comment forms
 - Of particular interest are:
 - Purpose and Need
 - Issues important to you
 - Community groups and resources
 - What are we missing?
 - Scoping period extends to August 31, 2007; public involvement will continue throughout study
- Visit www.US6Wadsworth.com**