

Memorandum of Understanding
Between
Colorado Division of the Federal Highway Administration (FHWA)
Region 8 Environmental Protection Agency (EPA)
And the
Colorado Department of Transportation

Whereas: Each of the signatory agencies have missions that differ, all find a common ground in responsibility for environmental protection, environmental enhancement, environmental stewardship, and environmental streamlining. Upon this common ground, we base this mutual understanding.

PURPOSE

This MOU formalizes and strengthens the excellent cooperative working relationship between FHWA, EPA and CDOT, and further identifies means to expand upon the timeliness, efficiency and effectiveness of our common responsibilities. It is a step beyond everyday operations to improve the program, the techniques, the state-of-the-art, elevating the capabilities of the environmental personnel, and ultimately the products of the program as they are manifested in the transportation system in the state of Colorado. To that end:

We agree to explore together and continually improve upon:

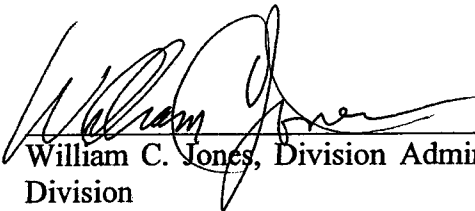
- ways to integrate environmental considerations into the planning process, including integrating land use and transportation planning to support sustainable development principals, while planning to avoid environmental impacts;
- the NEPA process, including scoping, purpose and need, impact analysis (direct, indirect, and cumulative) and mitigation;
- training opportunities for knowledge, skills and techniques;
- ways to integrate NEPA and other environmental laws' requirements for a timely and seamless development, review and approval process;
- ways to mainstream environmental considerations throughout the transportation development, design, construction, operation and maintenance phases, including tracking and confirming completion of environmental commitments;


We agree to meet quarterly to schedule NEPA process reviews, plan, implement, and evaluate projects, and programs, air differences, and seek solutions in a professional and respectful manner, always striving for focus on our common ground. If disputes arise and cannot be resolved among the staff, each agrees to elevate unresolved issues to the next higher level, ultimately striving to keep the working relationship intact, and the progress on this MOU continuous.


We further agree to annually report on the work done to carry out this MOU and the progress made within the year. The report will include information on how this approach to program improvement effects the project development process, and the goals of environmental stewardship and streamlining.

This MOU is not about regulatory or legal obligations. It is not about Review responsibility and authority under Section 309 of the Clean Air Act. It is not about project-by-project development. All existing responsibility and authority remain unchanged by this MOU.

This MOU will remain in force so long as the parties continue to find the working relationship mutually beneficial. Any party may cancel participation with a 30-day notice to the remaining parties.


_____ date 2/12/04
William C. Jones, Division Administrator, Federal Highway Administration, Colorado
Division


_____ date 18 March '04
Robbie Roberts, Regional Administrator, Region 8, Environmental Protection Agency


_____ date 2/2/04
Tom Norton, Executive Director, Colorado Department of Transportation