

I-70 Collaborative Effort Meeting Agenda  
Wednesday, May 26, 2021  
9:00 a.m. – 12:00 a.m.

Meeting Summary

Attendees:

Chairs: Randy Wheelock Clear Creek County, Greg Hall Town of Vail

Members Present: John Uban (Headwaters Group), Dennis Royer (Sierra Club), Margaret Bowes (I-70 Coalition), Jack Tone (Colorado Rail Passenger Association), Mary Jane Loevlie (Corridor Business Representative), Eva Wilson (Local Transit Provider), Chris Linsmayer (Colorado Ski Country USA), Andy Kerr (Jefferson County), Cindy Neely (Corridor Local Historic Preservation), Paul Jesaitis (CDOT Region 1), Danny Katz (COPIRG), Aaron Eilers (U.S. Army Corps of Engineers), Adam Bianchi (U.S. Forest Service), Ann Rajewski (CASTA), Mike Riggs (Automated Guideway System/High Speed Transit), Tracey McDonald (Federal Transit Administration), Holly Norton (State Historic Preservation Office), Matt Scherr (Eagle County), Dorothy Jones (Denver Metro Chamber of Commerce), Brendan McGuire (Vail Resorts)

Alternates Present: Becky English (Sierra Club), Jan Godwin (Headwaters Group), Amy Saxton (Clear Creek County), Tracy Sakaguchi (Colorado Motor Carriers Association), Steve Durian (Jefferson County), Scott Haas (U.S. Forest Service), Mike Keleman (CDOT Region 1), Ben Gerdes (Eagle County), David Cesark (CDOT Region 3), Nathan Dreschler (Vail Resorts), Lauren Masias (Denver Metro Chamber of Commerce)

Members Absent: Mike Goolsby (CDOT Region 3), Shaun Cutting (FHWA), Nicholas Williams (Public Works, City and County of Denver), John Martin (Garfield County), Gary Frey (Colorado Trout Unlimited), Bentley Henderson (Summit County), Mike Hillman (Idaho Springs), CDOT Director of Transit and Rail (a vacant position),

Interested Parties: Becky Almon, David Singer, Jeff Hampton, Kevin Brown, Karen Berdoulay, Rob Beck, Mandy Whorton, Steve Coffin, George Marlin, Wendy Wallach, Karen Hedlund, Steve Harrelson, Kay Kelly, Tamara Burke, Miller Hudson, Sara Cassidy, Vanessa Henderson

Note: This meeting was recorded to assist with creating minutes

The Meeting was called to order at approximately 9:00 AM.

1. **Introductions and welcome new members** – Aaron Eilers of the US Army Corps of Engineers and Andy Kerr, Jefferson County Commissioner, introduced themselves as new members of the CE.
2. **Public Comment** – No public Comment
3. **CE Business**
  - a. **Approve agenda** – The agenda was presented for review and consensus approval. Alternate Becky English of the Sierra Club asked why we are not including as an agenda item discussion around creating our own “authority”, similar to the Front Range

Passenger Rail Authority. Co-Chair Greg Hall noted that we might want to wait to see how the Front Range Passenger Rail Authority progresses and revisit this question in a year. Co-Chair Wheelock noted that this is a topic that could also be discussed as part of the Transit/AGS Subcommittee report later on the day's agenda. There were no other comments and the agenda received consensus approval.

- b. Approve February 2021 Minutes** – The CE was asked whether there were any changes to the minutes of the February 2021 meeting which had been distributed by email prior to the meeting. There were no changes and the minutes were considered approved by consensus.

#### **4. Subcommittee Reports and Next Steps; Discussion**

- a. Environmental Review Subcommittee** – This subcommittee met three times since the last CE meeting. CE Alternate Amy Saxton reviewed the report of the Subcommittee that can be found in the May 26, 2021 meeting materials at [CE Meeting Documents – Colorado Department of Transportation \(codot.gov\)](#). Specifically, she reviewed the tasks of the Subcommittee, its findings, and the three recommendations it is making to the CE, which are to:

- Encourage a Federal Highway Administration (FHWA) action to conduct an Environmental Review to update the corridor data prior to 2025
- Encourage CDOT to consider a more inclusive transparent process for selecting which process is used to evaluate environmental impacts on Transportation Improvement Projects
- Support the creation of Critical Environmental Topic Issue Task Forces (ITF's) for Air & Noise

At the conclusion of her presentation, Co-Chair Hall opened the floor to comments and questions.

Member Loevlie supported the ask of the FHWA, noting that it is timely.

Co-chair Hall asked about the process for forming an ITF. Ms. Henderson explained that the determination to form an ITF is done on a project-by-project basis and if ITF's for air and noise should be added, that can be discussed with the PLT's and tech teams and added to projects as needed. She also noted that whether an air and noise ITF should be permanent like SWEEP and ALIVE is something that can be discussed with FHWA but in the meantime, it can be done on a project-by-project basis.

Member Cindy Neely, Local Historic Preservation Representative, clarified that the recommendation was for a standing ITF at the level of SWEEP and ALIVE. She also noted that SWEEP and ALIVE were created by the ROD; a noise and air ITF is not identified in the ROD. She further noted that they should be two separate ITF's as they require significantly different subject matter expertise. Ms. Neely concluded by saying that the CE should consider formally requesting CDOT and FHWA to establish these two ITF's on a standing basis similar to SWEEP and ALIVE.

Ms. Henderson also noted that not all projects in the corridor have been done through CATEX's as stated in the Subcommittee report, noting that Environmental Assessments were conducted for the Twin Tunnels, Vail Pass and Floyd Hill.

Finally, Ms. Henderson noted that when a course of action is determined on a project, CDOT discusses the process with the PLT's. She added that is something they could do more.

Alternate English noted in chat that: The project will require pre-project state-of-art Modeling of expected air quality (NAAQS) and other impacts, and Monitoring: pre-project baseline, construction phase, and life-of project air quality, noise, etc. impacts, along with associated public notifications of threshold exceedances. Hoping all that is in the Environmental Subcommittee input to the CE

Member Brendan McGuire of Vail Resorts asked whether the proposed FHWA Environmental Audit would be durable for future project analysis or would it need to be repeated as part of a project level analysis. Alternate Saxton responded that she was not sure as she is not a NEPA expert.

Ms. Saxton went on to explain another problem with the way environmental impacts in the corridor are evaluated is that baseline studies in the corridor are not updated as new projects are implemented. This can result in a situation where several new projects are implemented in the corridor, all impacting the baseline analysis, but all using the same baseline analysis. This makes the connection between baseline and project impacts difficult to connect.

Member Bianchi asked whether there is value in going back to the programmatic level for baseline studies or is it best to do the environmental evaluation on a project-by-project basis. Ms. Henderson replied that it would require a significant amount of work to go back to the programmatic level and while she can't speak for FHWA, from CDOT's perspective it is best to do on a project-by-project basis.

Co-chair Hall noted that he has learned through his experience with noise evaluations that evaluating noise is challenging because it is very prescriptive in the Programmatic Environmental Impact Statement (PEIS).

Ms. Saxton added that the unique challenges of measuring air and noise is one of the reasons the subcommittee is requesting that a permanent ITF on noise and air be formed.

Ms. Neely noted when the CE went through the 2020 Reassessment process, FHWA made clear that review was not an environmental audit but that FHWA does do audits on a regular basis. In other words, what the subcommittee is asking for is not unusual.

Co-Chair Hall asked whether the subcommittee considered creating a library of environmental review documents so the CE had documentation against which to review progress or evaluate developments. Ms. Saxton replied that the subcommittee doesn't have the capacity to do environmental studies but it could catalogue and store documents and to some extent, review and analyze studies, but she would like to get direction from the CE as to any further work it would like from the Environmental Review subcommittee. At this point, the subcommittee doesn't think it has additional work. Mr. Hall mentioned that the CE could discuss whether this subcommittee and the others are a standing subcommittee at the September meeting.

- b. Travel Demand and Capacity Subcommittee** - Member Neely, subcommittee chair, presented the report which can be found in the May 26, 2021 meeting materials at [CE Meeting Documents — Colorado Department of Transportation \(codot.gov\)](#).

Member Neely noted that capacity has a couple of definitions: one is how many vehicles a highway can handle, which is a mathematical equation, and the other is to determine payload of people and freight, a much more challenging question. The subcommittee's work is to look at the latter – per person and freight capacity.

Specifically, the subcommittee's task was to determine whether the numeric goal of person trips that was established in the ROD is reliable or needs to be re-visited. The subcommittee's research found that if the 2050 person trip goal in the ROD had been developed in 2020, it would have been a lower projection in some areas, which suggests that the CE should not use the person trip numeric goal from the ROD for decision-making.

The next issue the subcommittee examined was what occupancy levels were used to arrive at per person trip figures. What it learned was that the per person figures were established in 2008, prior to Peak Period Shoulder Lanes, Bustang, and other van shuttles, and the figures did not include trucking in the calculation. The subcommittee concluded that until those occupancy numbers were recalculated, taking into account those developments, the effectiveness of the implemented improvements could not be determined at this time. She noted that state modeling needs to be revised in order to do that recalculation. She added that modeling recreation or weekend-based traffic is uncommon, but the new state model could analyze that if it was incorporated into the model.

The subcommittee has four recommendations it is making to the CE:

1. The 2050 travel numeric projection in the ROD should not be used as the basis for decision-making.
2. The new model is based on household units throughout the state. The CE as a group, or its individual jurisdictions, should determine their role in this new model because it is possible for specific, localized jurisdictions to pay a relatively minimal

amount of money and get their jurisdiction included in the model which will yield much more data about the corridor. It should also consider asking to be updated quarterly by the CDOT modeling team so it is kept up to speed on the new model.

3. Ask CDOT to also incorporate trucking data in the new model. Truck traffic is currently monitored using axels and not payload, and we know little about origination and destination. If trucks are going to be encouraged to use the highway during particular hours or times, we need a model for trucking using big data. It is not currently planned to be included in the new model but the freight industry is asking it to be included and we are requesting the CE support that ask.
4. The Subcommittee should continue as an ongoing subcommittee to assure the connection with the statewide modeling effort is achieved.

Co-Chair Wheelock noted that the comment Ms. English posted in the chat regarding the importance of good baseline modeling suggests that the work of the CE subcommittees should be ongoing and not just end with the reports being presented today. There is not a lot of good, baseline data for our environmental concerns and the CE subcommittees' work should continue so we develop a more institutionalized approach to baseline studies and data in the corridor.

Ms. Neely commented that at some point, the CE needs to decide if the recommendations of the capacity or other subcommittees are recommendations of the full CE.

Ms. Bowes noted that she supported all three recommendations of this subcommittee and specifically, the comment about revising the model to include weekend traffic. That would help both the CE and the I-70 Coalition.

Ms. Neely and Co-Chairs Wheelock and Hall then had an exchange about the process for determining CE support or lack of support for the recommendations coming out of the subcommittees. It was concluded that based on the discussion today, a list of the specific asks from the subcommittees and the timing of those asks would be developed and distributed to the CE for further discussion at the September meeting. At that time, the next steps for each recommendation will be determined.

- c. **Communications and Outreach Subcommittee** – Member Bowes, subcommittee chair, presented the report which can be found in the May 26, 2021 meeting materials at [CE Meeting Documents — Colorado Department of Transportation \(codot.gov\)](#).

The subcommittee met four times and made progress on three of their action items. The first was to develop a roadshow presentation that could be given to a wide variety of audiences by any member of the CE. The subcommittee developed an outline of that presentation for CE review and approval, and once that approval was given, it would turn the outline into a fully developed presentation. The outline it developed is intended to make five key points: the problem of I-70 congestion and the impact of that

congestion on business and communities, the challenges of building in the corridor, the plan for improvements on I-70, progress made so far, and highlighting what could be accomplished with more significant investment in this corridor. The subcommittee's first ask of the CE is to review and approve that outline.

The second action item was to develop outreach and communications strategies that could influence travel behavior change in the corridor. The I-70 Coalition puts a lot of focus on travel demand management efforts, and several new mobility options are becoming available this next ski season. Outreach and public relations on these new programs will be a significant effort by the Coalition, and the CE communications and outreach subcommittee can lend important support to the Coalition's communications efforts.

The third action item was to develop a set of common talking points for use by CE members and to develop a packet for onboarding new members. For the new member packet, the subcommittee developed a cover sheet for the packet and an elevator pitch about the CE. Additional documents to be included in the packet are pre-existing documents the CE has used in the past. The second action the subcommittee was requesting of the CE was to review and approve that new member packet.

At the conclusion of her presentation, Ms. Bowes asked if there was any objection to the new member packet or the outline.

Member Jesaitis asked whether the ask is for CE agreement at this time? He was reluctant to give his agreement because he had not had the opportunity to run these materials by all the necessary people in his organization. Co-chair Hall explained that the ask today was to approve the outline of the presentation so the subcommittee could proceed with its development, but that the new member packet approval could wait until the September meeting. Steve Coffin suggested that some members of the CE may not have had the opportunity to review the outline and that the presentation that will come out of it will be an important document. It is therefore important that everyone have a chance to review before approving. He suggested that the CE wait a few weeks before giving consensus approval to these documents. Ms. Bowes agreed.

Ms. English asked if the presentations for which the subcommittee is developing the presentation will meet NEPA public engagement requirements and if so, whether a facilitator would be helpful so the meetings are properly recorded for NEPA purposes. Ms. Bowes replied that the presentations that would be given with this presentation are not NEPA public engagement meetings but rather presentations to key groups such as the Transportation Commission and community groups. Ms. Henderson added that NEPA requires public meetings for projects and the presentations the subcommittee is considering are not about specific projects.

- d. **Transit/AGS Subcommittee** – in addition to the subcommittee report, this report included two additional reports, a presentation from Front Range Passenger Rail Commission member David Singer, and a report from federal transportation funding expert Karen Hedlund. The subcommittee report and the presentation by Mr. Singer can be found in the May 26, 2021 meeting materials at [CE Meeting Documents — Colorado Department of Transportation \(codot.gov\)](#).

i. **Transit/AGS Subcommittee Report** - *Co-Chair Wheelock presented*

Subcommittee chair Wheelock explained that Transit and AGS had been two subcommittees but were combined to form one because of shared interest, shared goals, shared needs and shared membership. The subcommittee met twice since the last CE meeting.

One of first tasks was to get subcommittee members up to speed on the AGS and transit challenges and opportunities in the corridor.

It concluded that the new administration in Washington presents some new opportunities to pursue transit and AGS in the corridor. Climate change and other developments are changing the understanding of transit and AGS and it is important to take advantage of those trends if the CE is to pursue transit/AGS funding for this corridor.

The initial use of any funds for AGS in the corridor should be to update corridor ridership studies for AGS and to do an updated analysis of transportation technology advancements. He noted that the cost of the AGS project is greater than CDOT's existing 10-year plan, so those two updates will enable us to advance the vision of high-speed transit in the corridor while being realistic about the current funding picture.

He further noted that AGS is a long-haul project in the corridor and that this subcommittee should therefore remain in effect for the long-term. The long-term nature of this effort suggests that the subcommittee and the CE continue to look for ways to close the funding gap for AGS, update the analysis of available technology, including those technologies that were rejected by the 2014 AGS study and new emergent technologies, and investigate ways to reduce cost. Justifying any change to those assumptions will need to rely on the work of the Capacity subcommittee to redefine AGS capacity requirements while staying within the ROD. The Front Range Passenger Rail project presents a challenge over the medium term because of competition for Fixed Guideway funding but also presents opportunities for the public to integrate transit into their lives. It is important that the CE be represented on the Front Range Passenger Rail Authority to make sure we are apprised of their

developments and able to be opportunistic to pursue high-speed transit in the corridor.

On the transit side, the greatest opportunity is with CDOT's new micro-transit initiative. The electrified version is probably 4-5 years out. Expansion of highway-based transit will help build ridership to justify AGS and expansion of highway-based transit will help satisfy the capacity requirements of the ROD.

The subcommittee asks of the CE are the following:

1. Acknowledge this subcommittee is a long-term subcommittee.
2. Pursue immediate funding opportunities such as federal infrastructure and earmark funds that don't compete with CDOT funds.
3. The long-range ask of AGS is not mature enough at this time. The Front Range Passenger Rail effort is a model we should study and replicate to build support for AGS in the corridor. In the meantime, we should participate as a member of the Front Range Passenger Rail Authority. That will also give us an opportunity to learn from them and to create a library of ridership studies, capacity studies and other studies so we can use data to build support for AGS.

Danny Katz connected the Transit/AGS subcommittee report with the value of the outreach committee's work on the presentation, noting that the presentation will help build support for AGS and make the value it can deliver.

Mary Jane Loevlie reminded the group that the strong feeling of the CE has been to implement AGS in the corridor.

Mr. Wheelock then explained more about the opportunity to pursue federal earmark funds. He explained that this is not a CE action but that several CE entities may come together on their own to pursue this opportunity and it was important for the CE to be aware of this.

ii. **Front Range Passenger Rail Update** - *David Singer, Passenger Rail Program Manager, CDOT*

Mr. Singer began by explaining the origins of the Front Range Passenger Rail effort. State legislation passed a couple of years ago intended to create a new transportation spine along the front range corridor and created a commission that included governmental agencies along the corridor, rail industry representatives and others.

This new vision had multiple elements, including defining the project (e.g., alignment), program aspects (e.g., how it fits into a community's and state's vision), and policy (e.g., governance and funding). All happen in concert.

He then walked through the progress they have made on the project side, including progress on alignment, design, environmental review and more. That work has helped the commission develop a long-term vision, including three specific potential alignments, number of trips, spacing and location of stations and construction and operating costs.

The Commission then determined what its next steps should be. It looked at other models in the country and at adjusting variables (e.g., number of trips) so the rail line could potentially start out with a smaller scale that could be expanded upon once it is operational and had some success. He walked through the Commission's 2021-22 work plan. He also explained that the Commission is working with RTD to explore how Front Range Passenger Rail might provide the Boulder area the transit options it has been working to secure. Finally, he discussed the governance aspect of the Commission, noting that the commission wanted to create a district that expanded its powers to include financing, eminent domain and other powers that would be needed to build this rail line. The state legislature is considering legislation to do this. The Rail Commission would end if this new entity was created.

Mr. Singer acknowledged his presentation did not reflect the amendment adding an 1-70 coalition non-voting seat to the new district. Mr. Wheelock made clear the CE's interest in having that seat was not about siphoning funds or imposing technology.

Mr. Tone noted that Amtrak has also identified the corridor and could be a source of federal funds. Mr. Singer said yes that is true, they are interested in adding expanding services, they already have the ski train (the zephyr) and the Chief (the SW train) and want the connection this project could provide. They are a member of the rail commission and would also be a member of the district. Mr. Singer also said building this line would likely require a ballot measure.

**iii. Federal Transportation Funding Update - Karen Hedlund**

Ms. Hedlund gave an update on the many developments occurring in Congress and the White House with regard to transportation funding. She explained there are two sets of funding that are at issue: funds that come from the reauthorization of the Surface Transportation Act and funds from the President's infrastructure package. The \$2 trillion in the President's package is in addition to what the Surface Transportation Act will authorize.

The Reauthorization Act is going through the process in the House now. The House is also working through the earmark process. Rep. Neguse put in \$4 million for

repairing and improving the EJMT and \$6 million for a transit center in Frisco. She went on to explain that the Republicans have their own bill and the two sides are far apart. The Senate also has its own process which is proceeding through three committees. There is also talk of creating a national infrastructure bank.

Bottom line there could well be more funding available for transportation.

Finally, she noted that the local match for transit could change from 50/50 to 20/80.

- 5. Floyd Hill Update: Vanessa Henderson, CDOT** –*Member Vanessa Henderson presented a power point status report on Floyd Hill, a copy of which can be found in the May 26, 2021 meeting materials at [CE Meeting Documents – Colorado Department of Transportation \(codot.gov\)](#).*

Ms. Henderson then gave an update on Floyd Hill, beginning with reminding the CE of the purpose of the project and explaining the project's elements. She explained that the Environmental Assessment is reviewing the no action alternative, the tunnel alternative and the canyon viaduct alternative. The canyon viaduct alternative is the preferred alternative at this time. The Environmental Assessment is anticipated to be released for public comments in the summer of 2021. The cost of the project is approximately \$700 million, of which there is a funding gap of \$250 million which is requiring a phased approach as CDOT explores ways to close that gap. That phased approach means breaking out approximately \$20 million in early projects including wildlife crossings, roundabouts and micro-transit improvements. Phasing also requires breaking the project into two primary packages; \$450 million for westbound (which includes early projects) and \$250 million would fund eastbound.

Finally, she reviewed the project's next steps which included design and construction RFP's being issued in late summer or fall with construction commencing in summer of 2022 using the CMGC method.

Co-Chair Hall asked with all the additional federal funding being discussed, whether that will be where the \$250 million will come from. Mr. Jesaitis said that is unclear which is why the Floyd Hill funding PLT is underway.

Member Bowes reported that Senator Bennet is interested in doing an event at the Floyd Hill location to highlight it as example of a local project that can benefit from various funding efforts.

Member Chris Linsmayer of Ski Country USA wondered why the viaduct was preferred over the tunnel. Ms. Henderson explained the viaduct has less environmental impacts.

Member Dennis Royer of the Sierra Club noted that in the tunnel alternative, the AGS Alignment was shown on the engineering documents and asked when the AGS Alignment on the viaduct alternative will be shown? Ms. Henderson responded it is being put on the documents. He then asked if CDOT is going to commit to maintaining the viaduct once it is built to which Ms.

Henderson replied yes, the design of the viaduct will incorporate long term maintenance and a long lifespan. Member Royer wanted to know if the west bound toll lane will be finished this year. Jeff Hampton of CDOT said yes, within the next month. Cars will begin driving in the lane in the next month or two and toll testing will occur in the few months. Member Mike Riggs, representing High Speed Transit, added that CDOT has new design standards that extend the life of bridges.

#### **6. CSS Process – Vail Pass Auxiliary Lane**

*Karen Berdoulay, Rob Beck, CDOT*

Ms. Berdoulay presented a power point on the Vail Pass Auxiliary lane that can be found in the May 26, 2021 meeting materials at [CE Meeting Documents – Colorado Department of Transportation \(codot.gov\)](#). This presentation was result of the CE’s decision to include in each meeting a discussion of the Context Sensitive Solutions process and how it is working on specific projects. Her presentation reviewed the purpose and need of the lane, the project elements, and the status of the project. She explained that the CSS process is incorporated into the project throughout the design and that the CSS process is robust and comprehensive. Co-Chair Hall commented that the CSS process is carrying through the design and construction process in an inclusive way that is helping people feel comfortable.

#### **7. Revised CEQ Rule update**

*Becky Almon, Ireland Stapleton*

This agenda item was a follow-up to the discussion at the previous CE meeting on the new Council of Environmental Quality rules that changed the scope of impact assessment that agencies would conduct, specifically eliminating analysis of cumulative impacts. The US DOT in November of 2020 issued a proposed rule eliminating any analysis of cumulative impacts of noise, air quality, wildlife or water quality of any of DOT’s actions. In addition, the proposed rule limited page counts and time constraints and expanded use of CATEXs, allowing the use of CATEX to be used across agencies.

The CEQ regulation has been legally challenged and as a result, the US DOT has not issued a final rule. The situation is in limbo where the prior rule continues to apply. Even if the new rule is issued, we would argue that the old rule continues to apply to this corridor given the NEPA actions preceded this rule revision.

#### **8. Next steps and Wrap-up**

Co-chairs Wheelock and Hall closed the meeting by stating that they will be sending to the CE a document with the all the subcommittee recommendations, a draft of the minutes, the power points that were presented and the subcommittee reports.