

JEFFERSON PARKWAY UPDATE, SPRING 2011

LWV Jeffco members identified as a high priority issue at unit meetings in the winter of 2009 and the spring of 2010 the proposed privately-financed Jefferson Parkway toll road for monitoring and possible action. This EMM includes an update of what has transpired and is on the table since we last updated the issue in the August 2010 *Voice*.

Background

The initial phase of the proposed Jefferson Parkway is a 10-mile stretch running between State Highway 93 north of Golden and State Highway 128 near Interlocken. If granted an easement by the U.S. Department of the Interior, it would cross into the Rocky Flats National Wildlife Refuge on the eastern boundary. The toll road, which parallels existing roads, would abut two large open space areas. The privately-financed roadway does not complete the Denver Metro Beltway as advertised. It would take another 10 miles of roadway to do that, but at taxpayer expense.

The Jefferson Parkway Public Highway Authority's (JPPHA) support comes from the Jefferson County Commissioners, Arvada and Broomfield. It was formed in May of 2008 to construct the remaining segment of the metro beltway. Former County Commissioner Hartman said that the toll way is needed to attract commercial development, and that residential development alone is a drain on county resources. Commissioners also noted that business and industry not only create more jobs but add to county revenues. For more information about the Authority, go to www.jppha.org

Those who oppose the Parkway proposal outright include the towns of Superior and Louisville, various environmental groups, plus PLAN Jeffco and CINQ (Citizens Involved in the Northwest Quadrant). PLAN Jeffco's concerns include impacts on open space, wildlife corridors, the scenic mountain backdrop and increased traffic congestion. CINQ cites, among a host of issues, dangers of allowing private companies to control infrastructure.

At one point the city of Golden, and both Boulder and Boulder County opposed the Parkway proposal. But an offer in November of 2010 by the County Commissioners made those two entities revisit their positions (read more below.) More information can be found at www.GoTheBetterWay.org, and at www.PlanJeffco.org.

Issues Update

This is updated information as of the first week of March, 2011.

- In late November, 2010, Jeffco commissioners offered Golden \$1.5 million to hire a consultant to address the interchange problems at 19th Street and U.S. 6, in addition to moving State Highway 93 to the west just north of Golden. In exchange, Golden would no longer oppose the parkway. Four lanes would be created between State Highway 58 and 64th Avenue. Rep. Ed Perlmutter has said that he would try to find federal money to contribute to the road projects. See www.GetTheFactsGolden.org for more information.

On February 24, 2011, the Golden City Council voted unanimously to work on a possible agreement with Jefferson County. But they said the city will not drop its opposition to the Parkway or give up its right to sue unless some very specific requirements are met. Those requirements include arterial improvements and testing the soil at Rocky Flats for plutonium. The city of Golden reported in its February 25th newsletter that four community meetings specifically addressed this issue, and that 470 people attended those meetings and hundreds submitted written comments through email, while the website registered nearly one-thousand unique visitors.

Golden Mayor Jacob Smith wrote in the February 24th edition of *The Denver Post's Your Hub* (promoting the City Council meeting that night) that the Jefferson Parkway "...is proving tougher for the town to stop because it isn't within city limits and relies directly on public funding." He added, "Golden residents must decide a strategy for keeping the beltway out of Golden – either through trying to reach an agreement that protects the city or by trying to stop the project outright through litigation."

Citizens Involved in the Northwest Quadrant held a meeting on January 18, 2011 where over 300 people opposed to a compromise appeared and spoke out. To date, 422 people signed a petition opposing a compromise.

- County Commissioners also offered Boulder \$5 million from Open Space funds to purchase 640 acres of open space on the southwest side of Rocky Flats Wildlife Refuge, within Jefferson County. This offer is also in exchange for dropping opposition to the Jefferson Parkway. Because the State Land Board is asking \$10 million for the Section 16 parcel, Boulder city and county would have to pay another \$2 million each, and another source would have to be found for the remaining \$1 million.

On November 17, 2010, Boulder County Commissioners passed a resolution to accept the Jeffco Commissioners' offer, and the Boulder City Council signed a statement of intent to accept the offer on December 21, 2010. An intergovernmental agreement will follow. In an article on the Boulder Blue Line in December, Boulder City Councilwoman Lisa Morzel outlined her reasons for supporting the compromise. They included preservation of wildlife corridors, and preservation of the mountain backdrop threatened by further development. See her article at <http://www.boulderblueline.org/2010/12/20/section-16-not-an-opportunity-to-miss/>

The LWV Jeffco Sustainability Committee contacted Boulder City Councilman, Macon Cowles – a former opponent of the Parkway – to ask for his explanation. His response included the following:

“The position of the city of Boulder is still that the Parkway is a bad idea. Our opposition has not stopped the planning for the Parkway, nor do we see an effective way that our opposition could stop the Parkway in the future.”

“With that in mind, we turned our attention to mitigation of the impacts through removing development potential of land adjoining the Refuge: specifically Section 16. We can gain the support of JeffCo, in whose jurisdiction Section 16 lies, in removing the development potential if we change our position on the Parkway from oppose to neutral.”

“As a City, we lack the freedom of action that citizens and citizen groups have. The inclusion of the Parkway in the RTP (Regional Transportation Plan) makes the regional plan vulnerable to legal attacks. But if Boulder were to sue DRCOG (Denver Regional Council of Governments) over the RTP, it would put us crosswise with 55 member jurisdictions whose cooperation is needed if we are to continue to receive a share of federal transportation dollars for our projects.”

In February 2011, LWV Jeffco contacted Bill Ray, Interim Executive Director of the Jefferson Parkway Public Highway Authority with funding and timeline questions:

Q: Will BRISA be paying for connections at the north and south ends of the Jefferson Parkway? (BRISA is a Portuguese company that develops and manages highway systems; it has a 90% share in operating the Northwest Parkway toll road.)

A: The northwest boundary is in Broomfield so they or CDOT will be responsible for any costs. On the south end CDOT would be responsible.

Q: What is envisioned for a timeline?

A: JPPHA is moving forward with a Request for Proposals due by March 31 or a direct proposal in that same time frame. Then he estimates 26 months from the first shovel to the completion of the Parkway.

Q: We were recently made aware of a \$100 million Completion Bonus for the Northwest Parkway. Who would receive that money?

A: This has nothing to do with Jefferson Parkway; this is for the Northwest Parkway. Forty-eight million dollars was put into an account accruing interest for the members, Broomfield, Lafayette, and Weld County (who just recently dropped its membership). There is another \$60 million set aside for a "Commitment for Improvements" for Interlocken Loop.

Expenditures for Jefferson Parkway by the Jefferson County Commissioners				
2008	2009	2010	2011	Total
\$100,000.00	\$300,000.00	\$100,000.00	\$220,000.00	\$720,000.00
Additional Possible Obligations by the Commissioners				
			To Boulder	\$5,000,000.00
			To Golden	\$1,500,000.00
			Total	\$6,500,000.00

Source: Jefferson County Administrator's Office and Jefferson Parkway Public Highway Authority

- In a letter from the U.S. Department of Transportation's Federal Highway Administration (FHWA) dated June 15, 2010, the Denver Regional Council of Governments was asked for additional technical work before a determination can be made about whether the project will meet Clean Air Act requirements. FHWA asked for a re-analysis of the travel demand data, the revenue projections, and household and employment assumptions. In August of 2010, the FHWA notified DRCOG that the Parkway proposal is in compliance with regulations.
- The LWV Jeffco's Opinion Editorial that appeared on the *Denver Post's* online edition in May of 2010 said that one of our highest priorities is that the public interest will not be served if a "non-compete" clause were included in a contract with a private developer. The Northwest Parkway Public Highway Authority's 99-year lease allows the concessionaire to be compensated if road improvements on the arterials lower toll road use, and thus result in decreased revenues.

The purpose of a non-compete clause is to limit upgrades to adjacent roadways, which could draw traffic away from using the Parkway. As an example, Bill Ray, Interim Executive Director of the JPPHA, told the Jeffco LWV that Indiana Street could revert to its original intent as a local road. Speeds could be reduced from the current 50 MPH to 35 MPH. This example also illustrates how a possible non-compete requirement could be implemented outside of a formal contract.

ACRONYMS (in order of appearance)

- JPPHA** Jefferson Parkway Public Highway Authority
- CINQ** Citizens Involved in the Northwest Quadrant
- RTP** Regional Transportation Plan
- DRCOG** Denver Regional Council of Governments
- CDOT** Colorado Department of Transportation
- BRISA** Portuguese company that develops and manages highway systems
- NWPKWY** Northwest Parkway
- FHWA** U.S. Department of Transportation's Federal Highway Administration

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