



Appendix E

North Metro Corridor Coordination Plan

NORTH METRO CORRIDOR COORDINATION PLAN

The Federal Transit Administration (FTA) and the Regional Transportation District (RTD) have initiated an Environmental Impact Statement for the North Metro project. The purpose of the project is to fulfill the FasTracks vision for implementing fixed-guideway transit on the North Metro corridor between Denver Union Station and 162th Avenue in Thornton.

The goal of the North Metro Corridor Coordination Plan (CCP) is to deliver a Draft Environmental Impact Statement (DEIS) document which results in sound decisions that address the concerns of the relevant local government entities and resource/regulatory agencies, meet the purpose and need of the project and the mandates of the agencies with jurisdiction, while keeping the project on schedule and within budget. The North Metro CCP establishes clear expectations for the role of the local governments, agencies, and the public in decision making, identifies responsibilities of the cooperating and participating agencies, sets forth a format and schedule for coordination, and describes procedures that will support timely input at decision milestones and collaborative problem solving where appropriate.

Organizing Principles of the North Metro CCP

The North Metro CCP complements the Programmatic Coordination Plan (PCP) for FasTracks Program (Attachment 1 to this document) and is designed in keeping with the following organizing principles:

1. Conformance with the requirements of SAFETEA-LU as explained in the “SAFETEA-LU Environmental Review Process Proposed Guidance,” published in the Federal Register on June 29, 2006
2. Conformance and congruence with the Programmatic Coordination Plan for FasTracks Program, with an identification of coordination steps for the North Metro Corridor to occur between the Initial Programmatic Resource Agency Group (PRAG) Meeting (June, 2006) and the Second PRAG Meeting (six to eight months after Notice of Intent)
3. Support of progress at the NEPA/AA milestones, using workshops and comment cycles at these milestones as a means of moving forward in NEPA and AA decision making
4. The need to respect the demands placed on state and federal agency time, given the number of transportation projects being undertaken in the region
5. A recognition that the local government deliberation process, the public involvement process, and the state/federal agency process must be linked together and informed by each other at key milestone points through regular reporting among these groups
6. An understanding that the local government entities will need time between milestones to meet collectively and discuss issues, to consult with their political counterparts, staff, and constituencies, and to return to the collective “table” to

share ideas and participate in problem solving with the lead and sponsoring agencies

7. A need for clarity and recognition of the decision-making authority of those agencies which have jurisdiction, e.g., USACE, SHPO, CDPHE.

Agencies and Responsibilities according to SAFETEA-LU and the PCP

Lead Agency: Federal Transit Administration (FTA).

The responsibilities of the FTA will be to:

- Ensure that the EIS required under NEPA is completed in accordance with SAFETEA-LU and applicable federal law
- Provide oversight in managing the process and resolving issues
- Facilitate the timely and adequate delivery of the environmental review process
- Be responsible for the content of the EIS; furnish guidance, independently evaluate and approve documents, and ensure that project sponsors comply with mitigation commitments
- Make the decision regarding purpose and need used in the NEPA evaluation and range of alternatives to be evaluated in the NEPA document, in consultation with the joint lead agency, and after consideration of input from the public and participating agencies
- Accept the identification of the Preferred Alternative
- Decide, in consultation with the joint lead agency, whether to develop the Preferred Alternative to a higher level of detail
- Ensure that the project team follows programmatic consultation agreements as currently adopted between FTA and the USACE and in draft form between FTA and SHPO/ACHP.

Joint Lead Agency: Regional Transportation District (RTD), the project sponsor.

The responsibilities of RTD will be to:

- Prepare the environmental document
- Initiate the request for development of a Preferred Alternative to a higher level of detail, if desired
- Present the Preferred Alternative to the RTD Board for their concurrence.

And, in conjunction with FTA:

- Identify and involve participating and cooperating agencies
- Develop coordination plans
- Provide information that will serve as a basis for public and participating agency input on key decisions that will be made by FTA and RTD
- Provide opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives
- Collaborate with participating agencies in determining methodologies and the level of detail for the analysis of alternatives

- Use the scoping process to solicit public and agency input on methodologies for screening of alternatives

Cooperating Agencies¹:

Colorado Department of Transportation (CDOT)
U.S. Army Corps of Engineers (USACE)²

The responsibilities of the Cooperating Agencies will be to:

- Fulfill the responsibilities of the Participating Agencies (below).
- Assume (on request of the lead agency) responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise
- Participate in meetings and field reviews
- Make support staff available (at the request of FTA)
- Use their own resources and funds
- Review preliminary drafts of the DEIS and FEIS
- May adopt the environmental impact statement of the lead agency, without re-circulation, when the cooperating concludes that its comments and suggestions have been satisfied.

Participating Agencies:

City and County of Denver
City of Thornton
City of Brighton
Commerce City
City of Northglenn
Adams County
Denver Regional Council of Governments (DRCOG)
U.S. Environmental Protection Agency (USEPA)
U.S. Fish and Wildlife Service (USFWS)
Colorado Department of Public Health and Environment (CDPHE)
State Historic Preservation Officer (SHPO)³
Colorado Division of Wildlife (CDOW)
Urban Drainage and Flood Control District (UDFCD)
Federal Highway Administration (FHWA)
Federal Railroad Administration (FRA)

The responsibilities of the Participating Agencies will be to:

- Provide input on the North Metro CCP and the schedule
- Participate in the NEPA process starting at the earliest possible time
- Identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts or any issues that could

¹ Cooperating Agencies are also Participating Agencies, and all references to Participating Agencies in this Document include Cooperating Agencies.

² See Page 13 for Section 404 and NEPA Coordination

³ See Page 15 for Coordination with Consulting Parties for Section 106 Purposes.

- substantially delay or prevent an agency from granting a permit or other approval needed for the project
- Work cooperatively with RTD to resolve any issues that could result in denial of any approvals for the project
 - Participate in the issues resolution process identified in the PCP (attached to this document)
 - Provide input on purpose and need, range of alternatives, methodologies and level of detail to be used in the analysis of alternatives
 - Provide input on how the performance of alternatives will be evaluated or on how the impacts of alternatives on various resources will be assessed
 - Provide meaningful and timely input on unresolved issues
 - Provide oral comment, at the Agency Milestone Workshops described below, or written comment within 15 days of the receipt of information and request for comment at each of the NEPA/AA milestones consistent with the PCP.

Structure of Coordination

A Focus of Coordination at the NEPA/AA Milestones

The milestones and the questions to be addressed at each milestone are:

1. Workshop No. 1: Scoping, including:
 - a. Purpose and Need
 - i. Is the Purpose and Need consistent with local and regional plans?
 - ii. Is a public expenditure justified by the Purpose and Need as stated?
 - iii. Does the Purpose and Need appropriately set the basis for a range of alternatives and a study area?
 - iv. Does the Purpose and Need satisfy the requirements of each jurisdictional authority (e.g., will it be sufficient as a basis for the Clean Water Act, Section 404 project purpose?)
 - b. Range of alternatives being carried forward from the previous studies
 - i. Are there concerns about this project and/or any of the conceptual alternatives?
 - ii. Does the information and assumptions developed during the planning studies form a sufficient foundation for the elimination of certain alternatives to arrive at an initial set of conceptual alternatives?
 - iii. Has any alternative been eliminated which should be retained, and if so, why?
 - c. Methodology for alternatives screening
 - i. What information is available and important to the project decisions?
 - ii. What are examples of methodologies that have been particularly effective?
 - d. Identification of issues and concerns

- i. What concerns should be incorporated into the screening criteria?
 - ii. What are particular challenges of any of the alternatives?
 - e. Understanding of NEPA and AA processes in the context of this project
 - i. How do the agencies want to participate, and what will aid in effective participation?
 - ii. How can the NEPA and AA processes be integrated effectively?
2. Workshop No. 2: Review of screening of the conceptual alternatives
 - a. Is there understanding and support of the application of Purpose and Need and the screening criteria to the alternatives?
 - b. Is there anything else that should be evaluated, and if so, how would that help screen the alternatives?
3. Workshop No. 3: Review of the alternatives proposed for detailed evaluation in the DEIS
 - a. Has an alternative been eliminated that should be carried forward, and if so, what is it and why should it be retained for detailed evaluation?
 - b. What are the benefits and impacts associated with each alternative?
 - c. What can be done to improve each carry-forward alternative?
 - d. What kind of mitigation would help reduce the impacts of each alternative?
4. Workshop No. 4: Review of the Proposed Preferred Alternative (or PA)
 - a. Review of the evaluation of the detailed alternatives
 - b. Selection of the PA
 - i. Is there any downside to this PA, and if so, what is it and how could this be addressed?
 - ii. How can this PA be improved?
 - iii. How could impacts be mitigated?
 - iv. What is needed to help build greater public support for the PA?
5. Public Hearing: Review of Draft EIS

Tri-Part Coordination: The Public, the Local Governments Team (LGT), and the Agency Working Group (AWG)

The Public. The Public Involvement Plan identifies the target groups as well as the means for communicating with the general public. As described in the North Metro Public Involvement Plan, a proactive approach will be made to reach out to and engage the public and invite participation and input related to decision making by FTA and RTD at the key milestones (see Public Involvement Plan). Comments from the public will be summarized and reported to the LGT and the AWG on a regular basis, and public meetings and information material will include reporting on the deliberations of the LGT and the AWG.

Local Governments Team (LGT). The LGT will be comprised of a “policy group” of one or two elected officials chosen by each of the following local/regional government entities:

- City and County of Denver
- City of Thornton
- City of Brighton
- Commerce City
- City of Northglenn
- Adams County
- DRCOG

The LGT will also have a “technical group” of staff selected by each local government entity. The technical group will meet with the policy group in LGT meetings, support the LGT policy group, and work together on technical issues assigned to it by the LGT policy group. The technical group of the LGT will meet regularly with RTD, FTA, and the project team to hold in-depth discussions regarding project issues and decisions.

The LGT will meet jointly with the Agency Working Group (AWG) (see below) in Agency Milestone Workshops to provide focused input to RTD and FTA related to the specific questions related to each respective milestone. The role of the LGT members will be to:

- Identify as early as practicable any issues of concern regarding the project’s environmental or socioeconomic impacts or any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project
- Work cooperatively with FTA and RTD to identify and resolve issues that could delay completion of the environmental review process or could result in denial of any approvals for the project
- Represent the interests of their community, colleagues, and constituents, and, in order to do this carry information to their political counterparts, elicit perspectives and ideas, and report back to RTD and FTA
- Provide both local and corridor-wide perspective
- Listen to others and consider the needs and concerns of other communities and jurisdictions
- Keep up-to-date on project information and be prepared to address the questions at hand at meetings
- Provide frank and timely input to RTD and FTA that will help RTD and FTA make project decisions that are broadly supported
- Support the public involvement program of the project
- Support the project schedule.

A set of operating guidelines will be presented to the LGT for their review, modification, and acceptance.

Agency Working Group (AWG). The AWG will be comprised of agency-designated representatives of the state and federal cooperating and participating agencies. These include:

- FTA
- FRA
- FHWA
- USACE
- CDOT
- USEPA
- USFWS
- SHPO
- CDPHE
- CDOW
- UDFCD
- Burlington Northern and Santa Fe Railway Company (BNSF) (a “participating entity”)
- Union Pacific Railroad (UP) (a “participating entity”)
- RTD Board members from the study area’s districts (as representatives of the sponsoring agency)

The AWG will be invited and encouraged to meet jointly with the LGT at Agency Milestone Workshops and will have the option to provide input to FTA and RTD through participation in these meetings, individual consultation by the Project Team, and/or written input and comment at the key milestones.

The role of AWG members will be to:

- Provide input on the North Metro CCP and schedule
- Identify as early as practicable any issues of concern regarding the project’s environmental or socioeconomic impacts or any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project
- Work cooperatively with FTA and RTD to identify and resolve issues that could delay completion of the environmental review process or could result in denial of any approvals for the project
- Address the questions posed at the milestone points by reading the information provided and consulting within their agencies
- Ensure that RTD and FTA receive the perspective of the respective state/federal agency at the milestone points, either orally through individual agency consultation or in the Agency Milestone Workshops with the LGT, or in writing through comments provided to FTA and RTD
- Provide RTD and FTA an indication at each milestone of whether the project is “on track” and whether it appears to meet their jurisdictional requirements.

Structure of Participation

- FTA and RTD will explicitly seek the input of the public and Participating Agencies during development of purpose and need and the identification of the range of alternatives. FTA and RTD will collaborate with the Participating Agencies in determining methodologies and the level of detail for the analysis of alternatives.
- Each milestone decision point will provide an opportunity for review of information and provision of comment and/or input to FTA and RTD. Information relevant to the respective milestone and a request to the Participating Agencies for input will be presented at a LGT meeting and sent to the AWG at the same time. The LGT will meet to review project information, identify and discuss issues, and provide input to FTA and RTD, in preparation for the Agency Milestone Workshop.
- The LGT meeting and distribution of information will be followed by two public workshops at each milestone point (see Public Involvement Plan) which, in turn, will be followed by a joint LGT and AWG Agency Milestone Workshop. Information distribution and a request for comment will be made at least one week before the public milestone workshops, and the comment period will end approximately one week after the public workshops, but not before the Agency Milestone Workshop.
- There will be an exchange of information and perspective between the LGT, the AWG, and the public throughout the process, both through reporting at the milestone decision points and through RTD representatives, who will serve as liaisons among the groups. A summary of the results of the public workshops will be reported at the Agency Milestone Workshops.
- Participating Agencies will be asked to provide a response within 15 days of receipt of milestone information and request for input. These agencies may provide input through oral comments in the meetings/workshops, through written comments, or through individual agency consultation with the project team.
- The LGT may also meet following the Agency Milestone Workshops to address issues, in order to help FTA and RTD move forward in the decision-making process.

Agency-Specific Coordination – USACE/EPA (404) and SHPO/ACHP (106)

USACE/EPA. In order to efficiently coordinate Section 404 requirements with the North Metro Corridor Project Environmental Impact Statement (EIS) process, the project team will follow the Memorandum of Agreement (MOA) between the Federal Transit Administration, Region VIII (FTA) and the United States Army Corps of Engineers (USACE) dated January, 2006. Coordination includes a series of activities and four direct meetings with USACE and EPA, meeting the requirements of the MOA. The full description of this agency-specific coordination process and its corresponding schedule is included in this document following the Schedule for North Metro Corridor Coordination.

SHPO/ACHP. The North Metro Corridor Project will coordinate and unify Section 106 and NEPA processes to efficiently implement the Section 106 Consultation and NEPA requirements. The full description of this agency-specific coordination process and its corresponding schedule is included in this document following the Schedule for North Metro Corridor Coordination.

Roles in Decision Making

FTA will sign the Record of Decision (ROD) and will make the final decision in conjunction with RTD. Agencies with permitting or approval jurisdiction, such as the U.S. Army Corps of Engineers, will exercise their decision-making authority, separate from but congruent with their participation in the AWG.⁴ FTA and RTD will solicit input from the public and Participating Agencies on the Purpose and Need, the range of alternatives, and the methodologies that will be used to evaluate alternatives and important issues, and the level of detail required in the analysis of each alternative. After giving serious consideration to this input, FTA, in consultation with RTD, is ultimately responsible for making the decision regarding the purpose and need used in the NEPA evaluation, the range of alternatives, and a request from RTD, if any, to advance a Preferred Alternative to a greater level of detail. The Preferred Alternative may be officially identified in the DEIS by the Lead Agency or in a separate letter or other decision document issued or accepted by FTA. FTA will have the ultimate responsibility for review and adoption of the EIS.

The Participating Agencies will participate in issue identification and collaborative problem solving at the milestone points to enable FTA and RTD to move forward from each milestone, knowing that the project is “on track,” but they will not have a decision-making role beyond their jurisdictional authorities. Participation in issues identification and collaborative problem solving at the milestone points does not in any way preclude a Participating Agency’s opportunity to submit formal scoping comments or comments in response to the published DEIS. Nor does it provide these agencies with additional decision making authority or document review role above and beyond the agency’s jurisdiction.

Separate from the collaborative problem-solving effort with the Participating Agencies at each milestone point, FTA and RTD will ask agencies with jurisdictional authority to indicate in writing their agreement that the project appears at that milestone point to be suitable for their jurisdictional purposes and to state any reasons for their opinion that the project is not suitable.

Procedures

To help ensure good use of the time and resources of LGT and AWG members and to maintain the schedule for the project, the following procedures will be used:

⁴ Coordination with the U.S. Army Corps of Engineers will occur as defined in the January 2006 Memorandum of Agreement with FTA. See attachment 2.

- Timely notice of meetings and coordination of schedules to the greatest extent possible, to maximize participation. The published schedule of LGT meetings and joint LGT/AWG Agency Milestone Workshops, serves as advance notice of such meetings. In addition, mailings to the LGT and AWG will serve as reminders of these meetings and will provide background information and agendas, including the key questions to be addressed at the respective milestone point.
- Advance written information disseminated in a format that will be easily accessible by each member, using e-mail where possible. Relevant information will be provided in LGT meetings and sent to LGT and AWG members at least five business days prior to Agency Milestone Workshops. This information will be provided in a format conducive to the participants' receipt, understanding, and effective use of the information.
- Timely response to questions posed during a meeting in which the LGT or AWG is involved. If an answer cannot be provided during the meeting, the responding agency will provide the questioner with a timeframe within which a response will be provided and the method by which the response will be delivered.
- Draft minutes of LGT meetings and Agency Milestone Workshops. Draft minutes will be provided to all members of the LGT and AWG within 10 business days of the associated meeting date. Members will be given ten business days to offer corrections to the minutes. Lack of response within the deadline will constitute acceptance of the minutes. Final minutes, edited to reflect comments made by members, will be provided within five business days of the corrections deadline. Minutes will include at least the following: key discussion points, agreements, and action items with identification of responsible persons and timeframes.
- Written request to the Participating Agencies at the milestone points for a response to the key milestone issues. This will include: review of project purpose and need, proposed range of alternatives, proposed methodologies for screening of alternatives, proposed DEIS alternatives, and proposed Preferred Alternative (PA). It is expected that the members will consult within their respective governmental entities/agencies and will respond to FTA and RTD within 15 days of receipt of the written request. If a member's response is not received by representatives of FTA or RTD within the timeframes outlined above or agreed to in an Agency Milestone Workshop, the non-responding member will be recorded as having not objected to the decision.
- Facilitation of LGT Meetings and Agency Milestone Workshops. RTD will provide a facilitator for the LGT meetings and Agency Milestone Workshops, to:
 - Keep the meetings focused and on track
 - Ensure that all participants have an opportunity to speak
 - Help the group address differences, and
 - Identify points of agreement as they occur.

Responsibilities for Coordination

- FTA has invited Federal and state agencies to be Cooperating Agencies and/or Participating Agencies.
- FTA has invited local government and regional agencies to be Participating Agencies and attend LGT meetings and Agency Milestone Workshops. The

BNSF and UP railroads will not be Participating Agencies since they are not a public sector agency, but they will receive information and be invited to attend the Agency Milestone Workshops.

- FTA has published the Notice of Intent in the Federal Register.
- RTD, through its Project Team and with the support of FTA, will conduct the Scoping process, including:
 - Two public meetings and initial stakeholder interviews
 - One LGT meeting and an Agency Milestone Workshop
 - Consultation with AWG members on an individual and as needed basis
 - Publication and distribution of a Scoping Booklet prior to the public workshops and Agency Milestone Workshop
 - Publication of a Scoping Report, following scoping, to document the results of scoping
- FTA and RTD will jointly issue letters at key milestones to the Participating Agencies with jurisdictional authority to indicate in writing their agreement that the project appears at that milestone point to be suitable for their jurisdictional purposes and to state any reasons for their opinion that the project is not suitable.
- FTA and RTD will prepare project information for comment by the cooperating and participating agencies and the public, including a draft Purpose and Need and a range of conceptual alternatives based on the results of the planning studies. In addition, FTA and RTD will propose to the cooperating and participating agencies assessment methodologies as described in the Environmental Methodologies Manual for review and comment.
- RTD will prepare an administrative draft EIS for review by FTA and the Cooperating Agencies, to be followed by a DEIS which will be released to the public for a 30-day review period. The DEIS will identify the PA.
- FTA and RTD will hold a public hearing within the DEIS comment period to obtain comments from the public on the DEIS.

Schedule of Public Workshops, LGT Meetings, and Agency Milestone Workshops

Activities	Purpose	Dates
#1 Scoping (Purpose and Need; Range of Conceptual Alternatives; Confirmation of Planning Results; Methodologies)		
Letters to invite participating and cooperating agencies	Identify status of agencies and names of representatives to LGT and AWG	September
Individual governmental entity consultation	Obtain support of corridor coordination process and assistance in promoting public process	September
Individual agency consultation	Obtain agency support of corridor coordination process; begin discussion of P&N; identify available information;	September October

Activities	Purpose	Dates
	discuss methodology	
LGT organizing meeting	Review of decision-making and study process, role expectations for policy group and technical group; preview the Scoping information	September
Public Scoping Meetings	Review P&N, planning study decisions on range of alternatives, identify issues of concern, elicit input to evaluation criteria	September 27 September 28
Agency Milestone Workshop (Scoping)	Review P&N, planning study decisions on range of alternatives, identify issues of concern, elicit input to evaluation criteria	October 3
Individual agency consultation, if needed	Resolve individual agency issues, if needed	September October
#2 Review of screening of the conceptual alternatives		
LGT screening review meeting	Conduct initial review of screening criteria and discussion of how those criteria will be applied	November 28 th .
Public Workshops #2	Elicit input on how screening criteria is being applied to narrow the conceptual alternatives	November 29 th and 30 th .
Agency Milestone Workshop	Elicit input on how screening criteria is being applied to narrow the conceptual alternatives	December 12 th .
#3 Review of the alternatives proposed for detailed evaluation in the DEIS		
LGT meeting on <ul style="list-style-type: none"> Alternatives TOD 	<ul style="list-style-type: none"> Conduct initial review of alternatives proposed for detailed evaluation Develop a corridor perspective on TOD, with presentations by each governmental entity on their plans for TOD and discussion of how and whether these plans fit into the plans for the project 	March 13 th .
Public Workshops #3	Elicit input on the alternatives being proposed for detailed evaluation and on the elimination of other alternatives	March 20 th and 21 st .
Agency Milestone Workshop	Elicit input on the alternatives being proposed for detailed evaluation and on the elimination of other alternatives	March 27 th .
Individual agency consultation, if needed	Confirmation of the alternatives to be carried forward for detailed evaluation; addressing any major issues	March and April
#4 Review of Evaluation and the Proposed Preferred Alternative (or PA)		
LGT Preferred Alternative meeting	Conduct initial review of the evaluation and selection of Preferred Alternative and address objections	Spring/Summer 2007
Public Workshops #4	Review of the evaluation and selection of Preferred Alternative and identify impacts and potential mitigation options	Spring/Summer 2007

Activities	Purpose	Dates
Agency Milestone Workshop	Review environmental evaluation results; present selection of Preferred Alternative; discuss mitigation options; address objections	Spring/Summer 2007
Release of Draft EIS		
Administrative Draft		
Release of DEIS		
Public Hearing on the DEIS		
Public and Agency comment period		
Response to comments		
Steps to initiate permit/license/approval applications to implement concurrent processes and obtain such permits, etc. congruent with the ROD		
Completion of the FEIS		
Completion of ROD		
Completion of permits		
Completion of licenses		
Completion of post-ROD approvals		

Section 404 and NEPA Coordination

In order to efficiently coordinate Section 404 requirements with the North Metro Corridor Project Environmental Impact Statement (EIS) process, the project team will follow the Memorandum of Agreement (MOA) between the Federal Transit Administration, Region VIII (FTA) and the United States Army Corps of Engineers (USACE) dated January, 2006. The MOA process will be tied to the project's SAFETEA-LU milestones, where possible. The MOA process is summarized in the table below. The MOA steps are in addition to the activities of the Agency Working Group (AWG), of which USACE and the Environmental Protection Agency (EPA) are members.

Coordination includes a series of activities and four direct meetings with USACE and EPA, meeting the requirements of the MOA. The process covers coordination and input occurring during the FTA alternatives analysis (AA), the Environmental Impact Statement (EIS) process, and the design phase.

Alternatives Analysis				
	Step	Information	Schedule	Status
1	Meeting #1 - Early coordination with the USACE and EPA .	Coordination meeting to discuss process, Individual Permit (IP) assumptions, comments on purpose and need, and conceptual alternatives.	November 1, 2006 (Coincided with SAFETEA-LU milestone #1)	
2	Activity – Finalize coordination plan process language with the USACE and EPA .	Coordination plan language will follow the activities identified for FTA led projects by the MOA.	November 2006	
3	Meeting #2 - Coordination with the USACE and EPA .	Coordination meeting to discuss alternatives analysis (AA) and demonstration that the Least Environmentally Damaging Practicable Alternative (LEDPA) has not been screened from consideration. This will include available information on alternatives aquatic resources. (Hard copy information regarding the AA will be provided for consideration prior to this meeting as part of the AWG).	December 5, 2006 (Coincides with SAFETEA-LU milestones #2/3)	
4	Meeting #3 - Coordination with the USACE and EPA .	Coordination meeting to discuss selection of a preferred alternative (PA) and/or other alternatives to be analyzed in the Draft EIS. (Hard copy information on the PA will be provided prior to this meeting.)	Spring/Summer 2006 (Exact date TBD - coincides with SAFETEA-LU milestone #4)	
Draft Environmental Impact Statement				
	Step	Information	Schedule	Status
5	Activity – Permit application with the USACE .	Initiate Section 404 permit application with the USACE.	Prior to the public release of the DEIS (with a PA) or the FEIS.	
6	Activity –	Provide analysis information (consistent	Prior to the	

	Provide documentation to the USACE and EPA .	with MOA requirements) to the USACE and EPA regarding estimated unavoidable impacts and conceptual compensatory mitigation.	public release of the DEIS (with a PA) or the FEIS.	
7	Meeting #4 - Coordination with the USACE and EPA .	Coordination meeting to discuss unavoidable impacts and conceptual compensatory mitigation. (Hard copy information on the PA will be provided prior to this meeting.)	Fall 2006 (Exact date TBD)	
Design Phase				
	Step	Information	Schedule	Status
8	Activity – Coordinate with the USACE to further minimize impacts.	Coordinate with the USACE during preliminary engineering and final design to further minimize impacts and finalize compensatory mitigation with issuance of the IP.	Design phase (Exact date TBD)	

Consultation/ Section 106 and NEPA Coordination

The North Metro Corridor Project will coordinate and unify Section 106 and NEPA to efficiently implement these requirements. The proposed process will incorporate all steps required for both Section 106 and NEPA. These steps will be tied to the project's SAFETEA-LU milestone process, where possible. The process covers coordination and input occurring during the FTA Alternatives Analysis (AA) portion of the process and the evaluation of the NEPA alternative(s) moving forward into the Draft Environmental Impact Statement (EIS). The proposed steps include:

Alternatives Analysis				
	Step	Information	Schedule	Status
1	Meeting - Early coordination with the State Historic Preservation Officer (SHPO).	Coordination meeting to discuss process and identification of consulting parties.	8/23/06 (Coincided with SAFETEA-LU milestone #1)	Complete
2	Activity – Development of coordination plan and identification of consulting	Consulting parties will include: <ul style="list-style-type: none"> • Representatives of SHPO, • Representative of ACHP, • Local government agencies with historic or cultural resource planning responsibilities 	9/18/06	Complete

	parties with the SHPO and Advisory Council on Historic Preservation (ACHP).	<ul style="list-style-type: none"> • Appropriate established state, regional or local historic preservation non-profit organizations, and • Other non-profit or advocacy organizations as identified through consultation with state and local agencies. 		
3	Activity - Early information distributed to the consulting parties, SHPO, and ACHP .	Consulting parties will be contacted by mail, during the scoping process, to advise them of the project consultation plan and to invite their participation and comment.	9/07/06 (coincides with SAFETEA-LU milestone #1.)	Complete
4	Consulting Party Meeting #1 - Early initial consultation with consulting parties, SHPO, and ACHP .	This consulting parties meeting will allow RTD to share information about the planning process, the range of alternatives under consideration, and to solicit information or other input from them regarding cultural resources within the potential project areas.	11/15/06 (coincides with SAFETEA-LU milestones #2/3.)	Complete
Alternatives Analysis				
	Step	Information	Schedule	Status
5	Consulting Party Meeting #2 – ongoing consultation with consulting parties, SHPO, and ACHP .	The second consulting parties meeting will address the alternatives analysis and screening.	5/07 (coincides with SAFETEA-LU milestone #4.)	
6	Preliminary Field Reconnaissance	Prior to selection of a preferred alternative, the project team will develop a reconnaissance area for the two remaining alternatives. A graphic of this area will be provided to the consulting parties, SHPO, and ACHP . A reconnaissance level review will then be conducted on the two remaining alternatives. The review will identify areas with high concentrations of historic properties (outside of those already surveyed). This information will be considered in the selection of the preferred alternative.	6/07 (exact date TBD)	

7	Meeting - Consultation with SHPO and ACHP .	This consultation meeting follows the identification of the alternative and/or alternatives for analysis in the Draft EIS. The North Metro team will come to agreement with SHPO and ACHP (if appropriate) on the proposed Area of Potential Effect (APE) and survey methodology for alternatives to be analyzed in the Draft EIS.	7/07 (exact date TBD)	
Draft Environmental Impact Statement				
	Step	Information	Schedule	Status
8	Consulting Party Meeting #3 – ongoing consultation with consulting parties, SHPO, and ACHP .	The third consulting parties meeting will be held after preferred alternatives (and/or other alternatives) are identified for the Draft EIS and an intensive historic/cultural resource inventory has been initiated, to present the preferred alternatives and projected effects on previously identified cultural resources and solicit comment on the alternatives and potential impacts to historic/cultural resources.	7/07 (exact date TBD)	
9	Meeting - Consultation with SHPO and ACHP .	Review and agree upon eligibility findings with SHPO and ACHP (if appropriate).	9/07 (exact date TBD)	
10	Meeting - Consultation with SHPO and ACHP .	Review and agree upon evaluation of potential effects of alternatives with SHPO and ACHP (if appropriate).	10/07 (exact date TBD)	
11	Consulting Party Meeting #4 - ongoing consultation with consulting parties, SHPO, and ACHP .	The fourth consulting parties meeting will be held after the historic/cultural resource inventory and the analysis of effects are complete, to present the conclusions of the inventory and effects analysis and solicit comment on that analysis.	11/07 (exact date TBD)	
12	Meeting - Consultation with SHPO and ACHP .	Review and agree upon avoidance, minimization, and/or mitigation of impacts with SHPO and ACHP (if appropriate).	Prior to release of FEIS (exact date TBD)	
13	Meeting - Consultation with SHPO and	Consultation on a Memorandum of Agreement (MOA) with SHPO and ACHP, if appropriate.	Prior to release of FEIS (exact	

	ACHP.		date TBD)	
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Attachment 1: Programmatic Coordination Plan for FasTracks Program (as of 6/26/2006)

The purpose of this Programmatic Coordination Plan (PCP) is to identify the coordination that RTD is going to undertake with state and federal agencies during the NEPA process for the FasTracks corridors for which the NEPA process began after the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) on August 10, 2005. This includes:

- Gold Line Corridor
- North Metro Corridor
- I-225 Corridor
- SE Corridor Extension
- SW Corridor Extension

This PCP does not address coordination that will be undertaken with local agencies and with the public. That coordination will be documented in Corridor Specific Coordination Plans, because this type of local coordination is unique to each corridor.

Coordination Plans are a new requirement set out in SAFETEA-LU.

Elements of this Programmatic Coordination Plan include:

- A. Definition of various agency roles
- B. Expectations of agencies
- C. Commitment to review at specific milestones
- D. Issues resolution process

A. Agency Definitions

Federal Lead Agency: The Department of Transportation agency conducting the NEPA analysis.

Joint Lead Agency: a project sponsor that is a state or local government receiving SAFETEA-LU funds. For FasTracks, this is:

Corridor	Lead Agencies
North Metro	FTA plus RTD
Gold Line	FTA plus RTD
I-225	FHWA plus CDOT and RTD
SE Extension	FTA plus RTD
SW Extension	FTA plus RTD

Cooperating Agencies: Federal agencies other than the Lead Agency who have jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. For the FasTracks program, these are:

Corridor	Cooperating Agencies
North Metro	U.S. Army Corps of Engineers, CDOT (acting on behalf of FHWA per Section 102(D) of NEPA)
Gold Line	U.S. Army Corps of Engineers, CDOT (acting on behalf of FHWA per Section 102(D) of NEPA)
I-225	U.S. Army Corps of Engineers, FTA
SE Extension	U.S. Army Corps of Engineers, CDOT (acting on behalf of FHWA per Section 102(D) of NEPA)
SW Extension	U.S. Army Corps of Engineers, CDOT (acting on behalf of FHWA per Section 102(D) of NEPA)

Participating Agencies: Federal, state or local agencies who may have an interest in the project. For the FasTracks Program, these are:

Corridor	Possible Participating Agencies
North Metro	USFWS, EPA, ACHP, CDPHE, SHPO, CDOW, DRCOG, plus local agencies (see individual Corridor Coordination Plan)
Gold Line	USFWS, EPA, ACHP, CDPHE, SHPO, CDOW, DRCOG, plus local agencies (see individual Corridor Coordination Plan)
I-225	USFWS, EPA, ACHP, CDPHE, SHPO, CDOW, DRCOG, plus local agencies (see individual Corridor Coordination Plan)

This PCP only includes federal and state agencies. Each corridor will prepare an individual Coordination Plan which will define roles, responsibilities, and expectations for local agencies, groups, and the general public.

B. Agency Expectations

The expectations for Lead and Joint Lead Agencies are:

- Take such action as is necessary and proper to facilitate the expedited review of the environmental review process.
- Ensure that any EIS or other document required under NEPA is completed in accordance with SAFETEA-LU and applicable federal law.

- Provide (in cooperation with the Project Sponsor) as early as practicable in the process project information on purpose and need, environmental resources, alternatives and proposed methodologies at appropriate project milestones.
- Provide a Coordination Plan to Participating and Cooperating Agencies
- Make information available as early as practicable.
- Lead federal agency will have ultimate responsibility for:
 1. Review and adoption of a NEPA document.
 2. Ensuring the Project Sponsor complies with all design and mitigation commitments.
 3. Development of a project purpose and need, the range of alternatives to be considered and other procedural matters.
- Involve tribal governments in the NEPA process.
- Approve the request from the Project Sponsor to advance a Preferred Alternative to a greater level of detail.

The expectations for Cooperating Agencies are:

- Identify as early as practicable any issue of concern regarding the project's environmental or socioeconomic impacts.
- Identify as early as practicable any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project.
- Share information that may be useful to the Lead Agency, Joint Lead Agency, other Cooperating and Participating Agencies
- Participate in meetings and field reviews.
- Identify as early as practicable any issue of concern regarding the project's environmental or socioeconomic impacts
- Identify as early as practicable any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project
- Assume (on the request of the Lead Agency) responsibility for preparing analysis over which that agency has special expertise
- Make support staff available (at the request of the Lead Agency)
- Generally use their own resources and funds
- Review preliminary drafts of DEIS and FEIS.

Coordination with the U.S. Army Corps of Engineers will occur as defined in the January 2006 Memorandum of Agreement with FTA or in the January 2005 FHWA/USACE NEPA/404 merger agreement (for the I-225 corridor).

The expectations for Participating Agencies are:

- Identify as early as practicable any issue of concern regarding the project's environmental or socioeconomic impacts.
- Identify as early as practicable any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project.
- Provide input on purpose and need, methodologies, alternatives within 15 days of receipt thereof.
- Respond affirmatively in writing to the letter of invitation (for non-federal agencies) within 30 days of receipt thereof.
- Respond in writing to the letter of invitation if you wish to decline the invitation and opt out of the role/process (for federal agencies) within 30 days of the receipt thereof.
- Work cooperatively with RTD or CDOT, (in the case of I-225) to identify and resolve issues that could delay completion of the environmental review process or could result in denial of any approvals for the project.
- Provide input on this PCP, the Corridor Coordination Plan(s), and schedule.
- Participate as needed in Issues Resolution Process described in Section D.

Specific coordination with the SHPO will be in accordance with the FTA/SHPO MOA for FasTracks.

C. Specific Milestones Review Process

RTD, CDOT, FHWA, and FTA [look at who listed lead agencies are on page 1] commit to the following coordination with Participating and Cooperating agencies:

- Request to participate (by letter) will be sent to potential participating parties along with information about the project and specific direction to flag any issues of concern (at the beginning of scoping process).
- Request for review of the project purpose and need (response to be provided within 15 days of receipt thereof). This information on purpose and need will be provided to participating Agencies by RTD as a part of the scoping process.
- Provision of pertinent information about environmental and socioeconomic resources in the area. This information will be provided by written correspondence or in a meeting.
- Review of the following information related to alternatives:
 1. Proposed range of alternatives (including relationship to previous planning studies)
 2. Proposed methodologies for screening of alternatives
 3. Proposed DEIS alternatives

4. Proposed Preferred Alternative

This information will be provided in meetings and/or by written correspondence. Response to be provided back to RTD or CDOT about each of these within 15 days of receipt thereof.

- Provision of Draft EIS (Response to be provided within 30 days of receipt thereof).

The form the milestone review process will take for state and federal agencies is:

- Initial Programmatic Resource Agency Group (PRAG) Meeting (June 6, 2006?): Description of roles and responsibilities of resource agencies, description of program and schedule, programmatic purpose and need.
- Individual Corridor Workshop and Mailings: The state and federal agencies will be invited to the four workshops shown in Attachment A. The state and federal agencies will also be provided with packets of information describing the contents of each workshop. State and federal agencies can choose to attend the individual corridor workshop(s) or can review the printed material and provide comments back to FTA and RTD (or FHWA and CDOT).
- Second PRAG Meeting (approximately six to eight months after Notice of Intent): Description of final alternative(s), environmental resources and preliminary environmental impacts.
- Third PRAG Meeting (approximately 12 months after Notice of Intent): Discussion of material to be included in the DEIS.

Proposed sequence for Milestone Review is:

Milestone	Anticipated Schedule
Request to participate	At beginning of scoping process
Purpose and need, methodology for alternatives screening	During scoping process (Workshop #1)
Range of alternatives, screening	Workshop #2
Proposed DEIS Alternatives, environmental and socio-economic resources	Workshop #3
Proposed Preferred Alternative	Workshop #4
Draft EIS	At end of DEIS process

The schedules for individual corridor EISs will be included in the individual corridor Coordination Plans and in the scoping materials for each corridor.

D. Issues Resolution Process

The Lead agency, Cooperating Agencies and the Participating Agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or could result in denial of any approvals required for the project under applicable laws.

Based on information received from the Lead Agency, Participating and Cooperating Agencies shall identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts. Issues of concern include any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.

The following issues resolution process will be followed:

- Meetings will be held as needed during the course of the NEPA process to discuss and resolve issues.
- If issues are not being resolved in a timely manner:
 1. An official issues resolution meeting will be scheduled.
 2. If resolution cannot be achieved within 30 days following such a meeting and a determination has been made by the Lead Agency that all information necessary to resolve the issues has been obtained...then
 3. FTA and/or FHWA will notify the heads of all Participating Agencies, Cooperating Agencies, RTD, the Governor, the Committee on Environment and Public Works of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives and the Council of Environmental Quality, and
 4. FTA and/or FHWA will publish such notice in the Federal Register.

Attachment A

<p>Milestone:</p>	<p>Public and Agency Workshops Content to Address SAFETEA LU Milestones and New Starts Deliverables:</p> <p>(Assumption is that Public Workshops occur prior to Agency Workshops)</p>
<p>Programmatic Coordination Plan</p>	<p>A Corridor Coordination Plan is provided in Scoping for each corridor</p> <p>A Programmatic Coordination Plan is provided in the Resource Agency Coordination Meeting</p>
<p>Purpose and Need</p>	<p>Workshop No. 1: Scoping</p> <ul style="list-style-type: none"> • Scoping Booklet <ul style="list-style-type: none"> - Purpose and Need - Past Studies and Results - List of Alternatives - Evaluation Criteria - Potential environmental issues - Reasons for dismissal of alternatives at Level 1, 2 and 3 evaluations - Selection of the MIS LPA process - Consequences of the LPA (from MIS) - Public Outreach process - Milestone Schedule - Next Steps • Environmental issues • GIS Map overlays
<p>Range of Alternatives</p>	<ul style="list-style-type: none"> • Workshop No. 1: Scoping (history of alternatives discussed to date and anticipated future alternatives) • Workshop No. 2 Conceptual Screening • Workshop No. 3 Results of Detailed Evaluation <ul style="list-style-type: none"> - Range of alternatives for NEPA evaluation - Detailed alternatives to be evaluated in the DEIS - Definition of Detailed Alternatives Package (FTA New Starts deliverable)
<p>Methodologies for Alternatives Analysis</p>	<ul style="list-style-type: none"> • Workshop No. 1: Scoping <ul style="list-style-type: none"> - Discussion of Alternatives Analysis process needs to be presented at scoping, e.g. evaluation criteria and how decisions are made • Workshop No. 2: Conceptual Screening <ul style="list-style-type: none"> - Explanation of Screening Process - Explanation of detailed evaluation process (as a next step)
<p>Screening of Alternatives</p>	<ul style="list-style-type: none"> • Workshop No. 2: Conceptual Screening <ul style="list-style-type: none"> - Results of Levels 1 and 2 Screening

Milestone:	Public and Agency Workshops Content to Address SAFETEA LU Milestones and New Starts Deliverables: (Assumption is that Public Workshops occur prior to Agency Workshops)
	<ul style="list-style-type: none"> - Conceptual (Level 1 and 2) alternatives - Evaluation Criteria Report (FTA New Starts deliverable) - Results of Level 1 Screening Report (FTA New Starts deliverable) - Description of Level 2 Alternatives (FTA New Starts deliverable) - Results of Level 2 Screening Report (FTA New Starts deliverable)
Existing socioeconomic and environmental information and the general location of the alternatives considered (Defined as potential impacts of the finalist alternatives)	<ul style="list-style-type: none"> • Workshop No. 3 Results of Detailed Evaluation <ul style="list-style-type: none"> - Final definition of alternatives report (FTA New Starts deliverable) - Results of Detailed Evaluation - Capital Cost estimates
Identification of the Preferred Alternative	<ul style="list-style-type: none"> • Workshop No. 4 Selection of the Preferred Alternative (or LPA) <ul style="list-style-type: none"> - LPA Implementation Plan (FTA New Starts deliverable) - LPA Financial Plan (FTA New Starts deliverable) - LPA Public Involvement Plan (FTA New Starts deliverable) - Locally Preferred Alternative Report (FTA New Starts deliverable)



Attachment B

**MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION, REGION VIII
AND
THE UNITED STATES ARMY CORPS OF ENGINEERS**

JANUARY, 2006

I. PURPOSE

The purpose of this agreement is to describe the intent of the Federal Transit Administration (FTA) on their upcoming NEPA projects to accommodate the needs of the Corps of Engineers (COE) related to their Section 404 mandates. In January 2005 the Colorado Department of Transportation (CDOT), the Army Corps of Engineers (COE) and the Federal Highway Administration (FHWA) entered into a NEPA/404 Merger Agreement for transportation projects in Colorado. Neither RTD nor FTA is a signatory to Colorado's January 2005 NEPA/404 Merger Agreement. For this reason, two processes are proposed:

1. For the NEPA projects which are jointly led by FHWA and FTA, the process described in the NEPA/404 Merger Agreement will be followed if an Individual 404 Permit (IP) is needed.
2. For the NEPA projects which are led by FTA only, an alternate process will be used. This process is described in the following text.

II. PROCESS

The following process will be used for FTA only projects:

1. For each corridor, develop an agency coordination plan in consultation with the COE and Environmental Protection Agency (EPA). The coordination plan will specify the information to be shared with the COE, the length of time the COE will have to respond or comment, and the opportunities for joint field trips to check on delineations and wetlands assessments. At the discretion of the FTA, the U.S. Fish and Wildlife Service (USFWS) will be included in the coordination required by this proposal.
2. Determine the possibility of needing an Individual Permit (IP). If a qualified wetlands specialist determines an IP to be unlikely, notification by RTD will be provided to the COE and FTA. If no IP is needed, the NEPA documents will specify the likely nationwide permit applicable to each wetland area affected, if any, and the conditions of that nationwide permit will be incorporated into the NEPA evaluation. No further involvement by the COE during the NEPA process is necessary if an IP is not needed, unless the COE is functioning as a cooperating agency. In addition, the requirements of Executive Order 11990 (Protection of Wetlands), will be addressed in the NEPA document. The likelihood that an IP will

not be necessary and which nationwide permit is needed will need to be confirmed by the COE through wetland delineations and assessments.

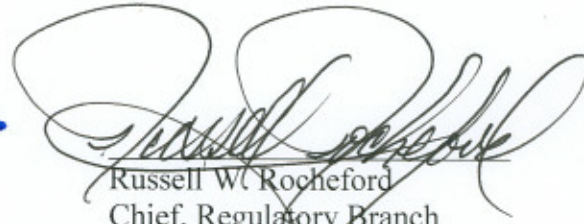
3. If an IP is likely, the rest of these steps will be followed.
4. A purpose and need statement will be prepared by the project team and a meeting will be held with the COE and EPA to discuss this. Comments from the COE and EPA will be incorporated by RTD and FTA as appropriate, taking into consideration recent FHWA/FTA guidance about the role of previous planning efforts in purpose and need and Section 6002 in the provisions of SAFETEA-LU. (NOTE: The Corps must still define the overall project purpose, in accordance with the 404(b)(1) Guidelines (40 CFR Part 230, EPA's regulation that constitutes the guidelines). If FTA's purpose and need statement does not closely match the COE's definition of overall project purpose, further discussions with the COE will occur to resolve these differences.)
5. As the project team proceeds through the alternatives development and evaluation process, documentation will be prepared at each step (for all alternatives) to illustrate that the Least Environmentally Damaging Practicable Alternative (LEDPA) has not been screened out. This document will include good faith estimates of the extent of aquatic resource impacts for each alternative. Definitions of environment (aquatic environment) and practicability provided in the Clean Water Act and the Section 404(b)(1) Guidelines (as referenced in the January 2005 NEPA/404 Merger Agreement) are to be used in this documentation.
6. This LEDPA documentation will be discussed with the COE prior to choosing a Preferred Alternative. Comments from the COE and EPA will be incorporated or otherwise addressed. A Section 404 permit application would be made at the time of public release of a Preferred Alternative, either in the DEIS or FEIS. The COE Public Notice will be published at the time of publication of the DEIS or FEIS Notice of Availability.
7. Prior to issuance of the FEIS (or DEIS if a preferred alternative has been identified), the corridor contractor will provide documentation to the COE and EPA of:
 - Estimated unavoidable impacts to wetlands (jurisdictional and non-jurisdictional) and other Waters of the U.S. after actions to minimize those impacts have been incorporated.
 - Conceptual compensatory mitigation plan, utilizing the definition of "conceptual" contained in the January 2005 NEPA/404 Merger Agreement. Wetland banks are an option that will be considered.

Unavoidable impacts and a conceptual compensatory mitigation plan will be discussed with the COE and EPA and comments will be incorporated or otherwise addressed.

8. During preliminary engineering and final design coordination will occur with the COE to discuss additional design measures and construction techniques which are available to minimize wetland impacts and to discuss the mitigation plan in more detail. Official approval of compensatory mitigation by the COE will occur upon issuance of an IP.



Lee O. Waddleton
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Federal Transit Administration



Russell W. Rocheford
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