

# Response to Talking Points of the Broomfield Economic Development Corporation in support of the Jefferson Parkway

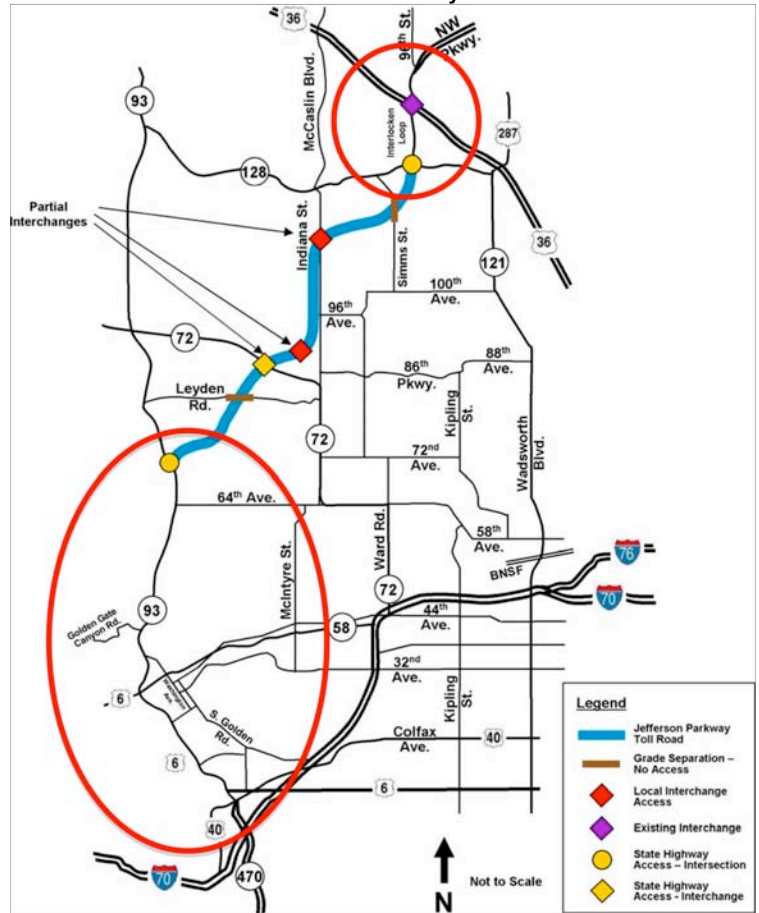
Prepared by Macon Cowles, Boulder City Councilor  
Revision Date: February 25, 2010

TALKING POINT 1: There are reasonable prospects for funding the project, and it doesn't rely on any limited state or federal funding.

**RESPONSE 1:** The Parkway *does* rely on public funding. The Parkway application to DRCOG assumes that “CDOT and/or area governments” will construct arterials and connectors at both the southern and northern ends of the Parkway. See JPPHA Application to DRCOG at 3. The connection and interchanges that will have to be financed by CDOT and/or area governments are circled in red at the map to the right. CDOT has documented the cost at \$518 million. Without these connections, traffic on the parkway will be a fraction of that assumed by JPPHA in their revenue forecasts.

For context, the total cost of highway projects using regional funds in the DRCOG Regional Transportation Plan is \$3.5 billion, before adding the \$518 million in improvements that the Parkway “assume[s] to be the responsibility of CDOT and/or area governments.” Id. Since neither CDOT nor any of the local governments have funding for these improvements, paying for them will starve other projects around the region or elsewhere in the State to support the parkway.

Exhibit 1: Jefferson Parkway Initial Phase



TALKING POINT 2: The project complies with regional air quality standards.

**RESPONSE 2:** Keeping two sets of books on traffic volume is hiding the air quality effects of the project. Lower traffic volume on the Parkway is reported by DRCOG for air quality monitoring; higher traffic volume is reported for fiscal constraint.

Moreover, there are strict limits on the amount of ozone that can be generated by cars and trucks on highways—and the ozone restrictions are being tightened by EPA. All transportation projects in the DRCOG region have to share the same ozone

**budget, now and in the future. The Jefferson Parkway takes a slice of the region's ozone budget; future projects of other DRCOG jurisdictions will be therefore left with expensive mitigation in order to demonstrate conformity with an ozone budget that is shrinking.**

TALKING POINT 3: It will be a multi-modal transportation solution, in that enough right-of-way will be provided for a future light rail and bicycle/pedestrian trail.

**RESPONSE 3: To make the Parkway even a single mode solution—for cars—will require a huge expenditure by “CDOT and/or area governments” to make motor vehicle connections at both ends of the toll road. It would become multi-modal only if someone else—not the Parkway or its sponsors—at some time in the future pays for multi-modal infrastructure in the corridor. The Parkway is proposing to provide no funding for transit or even a multi-use trail along its length.**

**As a matter of fact, based on the Competing Transportation Facility (“Congestion”) Clause in the Northwest Parkway Privatization Agreement and likely to be demanded by any investor in the Jefferson Parkway, the Parkway will likely sue a) to prevent multi-modal solutions that would decrease traffic volume on the Parkway, and b) to maintain congestion on nearby streets so that the congestion pushes traffic onto the Parkway. Incredible as the notion of a congestion clause may seem, the private concessionaire of the Northwest Parkway has used the Congestion Clause to oppose Broomfield's realignment of 160<sup>th</sup> Avenue from Lowell west to the Broomfield County Line.**

TALKING POINT 4: The project will accommodate population growth in a region that is projected to grow by more than 1 million in 20 years.

**RESPONSE 4: This population growth is anticipated across the entire Metro Area; not just the four developments enabled by the Parkway. So the region's transportation dollars should be spent on infrastructure throughout the region, not disproportionately on connections to the sponsors' short stretch of highway.**

TALKING POINT 5: Development will occur with or without the beltway, but without it we will not have high paying primary jobs in the high tech fields of aerospace, energy, bioscience, and others.

**RESPONSE 5: There is no evidence that the Parkway will boost the number of primary jobs in this corridor. Real growth in primary jobs comes from investing in the education and research institutions like NREL, CU, School of Mines, the Boulder Federal Labs and other institutions that provide a competitive advantage for the state in these fields.**

TALKING POINT 6: The beltway will not open preserved public open space to development, which totals more than 30,000 acres in the vicinity. The land that will be developed is private land that is planned for development.

**RESPONSE 6: But the beltway and the proposed Candelas development will degrade the value of the public land that has been purchased for tens of millions of dollars by entities other than the Parkway Sponsors. In particular, the Parkway will cut off migration routes of animals into and out of the Wildlife Refuge, grasslands and foothills by putting highway and development on three sides of the Refuge.**

TALKING POINT 7: It will be a much safer alternative to travel than the existing highway 93.

**RESPONSE 7: The Parkway is NOT an alternative to Highway 93—which is the direct north-south arterial between Golden and Boulder. The daily traffic on 93, plus the future growth of that traffic, will be accommodated not at all by the Parkway. The Parkway will make conditions on SH 93 worse by putting traffic and another stoplight on the highway, while providing no funding to address SH 93’s real needs.**

TALKING POINT 8: It will be a self-funded toll road, and there is no money set aside in the 2030 Metro Vision RTP for improvements to highway 93.

**RESPONSE 8: It is not and will not be self-funded. The Parkway is a stranded segment of highway, whose application to DRCOG makes the assumption that “CDOT and/or area governments” will spend \$518 million making the interchanges and connections to the Parkway that enable enough traffic to get to it in the first place! Money to improve congestion and safety on SH93 will be even more unlikely with the construction of the Parkway.**

TALKING POINT 9: The project is not being built to the exclusion of more local arterial improvements, which may be accomplished locally.

**RESPONSE 9: There is not much chance of building local arterial improvements if local jurisdictions and CDOT have to spend \$518 million for interchanges and connections to support the Parkway.**

TALKING POINT 10: The project will support the creation of an additional 17,000 jobs and \$9 million in capital investment over 2 years.

**RESPONSE 10: There is no support for this assertion, which is unrealistic even without considering current economic conditions. Any development served by the Parkway will just take future jobs that otherwise would have gone to other DRCOG cities. The Parkway has not told us which cities will forfeit jobs to the development it supports.**

TALKING POINT 11: The proposed beltway segment is north of the city limits of Golden.

**RESPONSE 11: But the impacts from increased traffic are emphatically within the city limits of Golden and other communities around the Parkway. Further, the Authority’s application presumes spending hundreds of millions of dollars of public money to build a 6-lane major regional arterial along the alignment of SH 93 to C-470.**

TALKING POINT 12: The Right-of-Way along the eastern edge of the Rocky Flats Wildlife Refuge was set aside for the beltway at the time the Refuge was established. The project will not negatively impact the Refuge, and furthermore, the land on which the road is planned has been cleared of any environmental issues from the former use on the site.

**RESPONSE 12: The grant of a ROW from the Refuge to the Parkway is not automatic, but can follow only if the sponsors demonstrate that the Parkway “minimize[s] adverse effects on the management of Rocky Flats as a wildlife refuge.” Pub. L. No. 107-107, 115 Stat. 1379, § 3174(e)(2)(B)(i).**

**The sponsors cannot demonstrate this because there are many adverse impacts on**

**the Refuge. For example, the Parkway and related development will actually sever wildlife connections to the grasslands on the East and the foothills on the West. This will leave the Refuge as a peninsula with a highway and an arterial on the East, high-density development on the South, and an arterial and 300 feet of strip commercial development on the West.**

TALKING POINT 13: The project will provide greater mobility for everyone throughout the Denver Metropolitan region.

**RESPONSE 13: Not true. The Parkway will provide greater vehicle access only for a small subset of people with interests or business in four new developments that will be served by the Parkway. Everyone else will be stuck with paying the bill for the connecting infrastructure required to make the Parkway work. Further, the Parkway's own traffic analysis shows that it will make traffic worse on most of the roads in the vicinity of the project. See the Traffic Map attached at the end of this paper.**

TALKING POINT 14: Of the 73 alternatives analyzed in the Environmental Impact Statement and reviewed by the Corridor Consensus Committee, this proposed project is on the same alignment as the identified preferred alternative.

**RESPONSE 14: The current Parkway proposal was not analyzed in the EIS. Moreover, CDOT abandoned the EIS and never completed it for two reasons: 1) consensus on a Preferred Alternative would be unlikely, and 2) there was no likely source of funding the Parkway, including the \$518 million of interchanges and connections that are not part of the Parkway's application to DRCOG.**

**RESPONSE 15: Furthermore, there are additional environmental issues not known at the time the EIS was abandoned that deserve further study. They are:**

- 1. The proposed critical habitat designation for the Preble's Meadow Jumping Mouse in light of two crossings at Woman and Walnut Creeks;**
- 2. The cumulative effects and impact of the Candelas development along the entire southern boundary of the Refuge (not known at the time of the Conservation Plan EIS is that Arvada would rezone the Candelas property, as it now has, for commercial development up to 180 feet in height on the South). Congestion and traffic associated with the proposed parkway, as shown by JPPHA's own data, including increased air pollution and emissions of criteria pollutants and GHG's in the Denver air-shed, which is already in non-attainment.<sup>1</sup>**

---

<sup>1</sup> JPPHA is proposing to cripple capacity on Indiana Street by dropping speeds from 55 mph to 30 mph as a way of driving cars onto the toll road. This will force drivers out of their way and increase the number of miles they drive. JPPHA's own traffic modeling shows increases in congestion and traffic all around the area.