

## **OPERATING PROTOCOLS AND PROCESS GUIDE FOR THE I-70 EAST PREFERRED ALTERNATIVE COLLABORATIVE TEAM (PACT)**

Draft July 16, 2010

### **PURPOSE**

- Create a common understanding of the transportation, environmental, neighborhood and economic issues associated with the reconstruction and expansion of Interstate-70 (I-70) between Interstate-25 (I-25) and Tower Road.
- Review and enhance the various existing DEIS alternative to address these issues and explore the advantages and disadvantages of each solution.
- Strive to achieve consensus solutions.

Specific issues that are under consideration include, but are not limited to:

- Alignment of I-70 between I-25 and Tower Road
- Development and use of criteria for selecting a recommended preferred alternative
- Integration with Federal Mandates (such as the National Environmental Policy Act; the Endangered Species Act; Section 404 of the Clean Water Act; Section 4(f) of the Department of Transportation Act of 1966, etc.)

### **ROLES**

#### Members

The PACT members will:

- Participate in the PACT process in good faith
- Engage in thoughtful, thorough deliberation
- Advocate for the interests of his/her agency / stakeholder group / community
- Share relevant information with other PACT members
- Be willing to hear other perspectives
- Keep constituents informed and advocate within constituent organizations for support of the group's work
- Represent the diversity of opinions from constituents, not just one's own view or one subset of opinions
- Keep the other collaboration participants informed about constituent perspectives
- Work to identify promising options
- Refrain from undermining group recommendations and reports
- Secure approval of representative organization for permission (within limits) to negotiate an agreement
- Explicitly inform the group when the limits of authority are reached
- Elevate issues within the organization as a way of addressing the limitation

- Work toward a resolution within the collaborative process (not outside the process)
- Attend all collaborative sessions
- Seek to put the public interest ahead of self-interest
- Work toward solutions that all can agree to, leaving previously held positions and favorite solutions aside

### Membership

The PACT will include individuals representing various interested entities and communities:

#### State Agencies

1. Colorado Department of Transportation – Reza Akhavan
2. Colorado Department of Transportation – Jim Bemelen
3. State Historic Preservation Office – Amy Pallante
4. Department of Public Health and Environment – Jim Dileo
5. Regional Transportation District – Bill Van Meter

#### Federal Agency

6. Federal Highway Administration – Chris Horn
7. Federal Highway Administration – Shaun Cutting

#### Local Governments

8. Adams County Government – Jeanne Shreve
9. Aurora Government – Mac Callison
10. Commerce City Government – Nanette Neelan
11. Commerce City Government – Tom Acre
12. Denver Government – Bill Vidal
13. Denver Government – Lesley Thomas

#### Community Representatives

14. Adams County – Norma Frank
15. Aurora – Tony Brake
16. Commerce City – Scott Jaquith
17. Commerce City – Guillermo Serna
18. Denver – Anthony Thomas
19. Denver/Elyria – Drew Dutcher
20. Denver/Swansea – Paul Garcia

### Business Interests

21. Adams County – Bill Becker, Economic Development
22. Commerce City – Jimmy Burds, Commerce City Business Association
23. Denver – Larry Burgess, Elyria/Swansea Business Association
24. National Western Stock Show – Pat Grant
25. Colorado Motor Carriers – Art Ballah

### Environmental Interest

26. Sand Creek Regional Greenway Partnership – Kate Kramer

Those named above will attend the meetings and will not send alternates unless absolutely necessary, and then only if the alternate is fully advised of the group's work and the group is advised in advance.

Should any agency need to change their member, they will provide written explanation to the PACT. If a community or business representative needs to step down, they will provide written explanation to the PACT and will provide a community acceptable replacement.

### Facilitators

Facilitators from The Keystone Center will design work session agendas and conduct the meetings. The facilitators will remain impartial – not favoring any particular outcome (*See attached: The Keystone Center's Statement of Independence*). The facilitators are expected to be responsible and responsive to the whole group and not to any members or interests. The Keystone Center will distribute draft meeting summaries and provide an opportunity for the group to review and finalize each summary. Final summaries will be made available to the public.

### Public Input

The PACT meetings will be open to the public, however, they are working sessions where interested members of the public and press can observe. There will be a brief 15 minute public comment sessions at each PACT meeting. Member of the public interested in providing comments to the PACT will be asked to sign up at the start of each meeting, including name, neighborhood and topic for comment. Speakers will be given 1-5 minutes depending on how many have signed up to speak. If there is not time for everyone to speak, the facilitators will work with the PACT Process Advisory Subcommittee (see below) to select speakers to ensure the PACT hears a range of perspectives if there is not time to have everyone who signed up to speak.

## **DECISION MAKING AND DELIBERATION**

The group's highest goal is reaching agreement by consensus. A consensus agreement is one that all group members can support, built by identifying and exploring all parties' interests and by developing an outcome that satisfies these interests to the greatest extent possible. To encourage creativity during meetings, individuals are not expected to restrict themselves to the prior positions held by their organizations, agencies or constituencies, but to look beyond them to create options that will satisfy the entity's underlying goals and values. The goal of each meeting is to have frank and open discussion of various issues and options that may address the issues. Therefore, ideas raised in the process of the dialogue, prior to agreement by the whole group, are for discussion purposes only and should not be construed to reflect the position of a member or to prematurely commit the group.

Formal voting will not be used by the group for decision making. Informal polling may be used during the process to assess the level of congruence of the members on an issue or set of issues. If consensus is not possible, then the level of support and dissent will be noted and all deliberations and products of the PACT will be considered by the lead agencies in their decision making.

PACT members agree to use this venue to resolve all questions associated with the recommending the preferred alternative for the I-70 East EIS. At the same time, the participants recognize that there are other venues for addressing their concerns, including the formal comment periods associated with state and Federal environmental review processes. Participation in this problem-solving process does not preempt participation in any other venue; however, participants in the collaboration will be mindful of the impact of their comments in other venues, will refrain from undermining the collaboration effort and will not speak for other parties of the full collaborative group without explicit instructions from the group's members.

## **COMMUNICATION WITH OTHER ORGANIZATIONS, INDIVIDUALS AND THE MEDIA**

In the pursuit of collaboration and consensus, members of the PACT require an environment that promotes open, frank and constructive discussion. Members recognize that such an environment must be built on mutual respect and trust, and each commits to avoid actions that would damage that trust.

In communicating about the PACT's work, including communicating with the press, each member agrees to speak only for herself or himself; to avoid characterizing the personal position or comments of other participants; and to always be thoughtful of the impact that specific public statements may have on the group and its ability to complete its work. No one will speak for any group, other than their own, without the consensus of that group. Should anyone wish the collaborative group to release information to the

press, the group will do so only through a mutually agreeable statement, drafted by consensus of all of that group's members.

The group will also work to keep elected officials informed of the progress of the problem-solving process, including periodic electronic updates and briefings.

### Email Communication

Email will be used for meeting scheduling and logistics, document review and agenda building. Email will not be used for discussion, deliberation or agreement building.

## **DISCUSSION GUIDELINES**

The following guidelines encourage productive deliberation. Group members will commit to best efforts at following them and will give the facilitators the authority to enforce them:

### **OPENNESS**

- To other points of view
- To outcome
- To all representatives

### **LISTENING**

- Focus on each speaker rather than prepare your response
- No interruptions

### **FAIRNESS**

- Speak briefly
- Everyone participates

### **RESPECT**

- Disagree without being disagreeable
- No personal attacks

### **COMMITMENT**

- Prepare for each session
- Attend each session
- Honor the agenda and make agenda changes with the whole group
- Begin and end on time
- Get up to speed if you missed a meeting

All participants agree to act in good faith in all aspects of the group deliberations, to conduct themselves in a manner that promotes joint problem solving and collaboration, and to consider the input and viewpoint of other participants. Members agree not to use specific offers, positions, or statements made by another member for any purpose not previously agreed to in writing by the members involved. PACT members will avoid negative generalizations and other language that has the potential to impede the ability of the group to reach consensus. All members will be given an equal opportunity to be

heard with the intention of encouraging the free and open exchange of ideas, views, and information prior to achieving consensus.

Members and other participants are requested to silence electronic devices such as cellular telephones during the meetings.

## **WORKING GROUPS**

The PACT process will include one or more working groups, as needed, to address special needs.

### Process Advisory Committee

The facilitators will establish a Process Advisory Committee to provide administrative guidance in the development of agendas and related administrative matters to guide the decision-making process.

Additional working groups may be established in future meetings at the discretion of PACT members and facilitators. Working groups may include additional representatives from affective communities/businesses as necessary

## **DOCUMENT REVIEW**

The facilitators are committed to preparing agendas, meetings summaries and supporting materials to serve the breadth of interests of members and which are not inappropriately influenced by any particular stakeholder group or membership.

All changes, suggestions or edits to supporting documents will be submitted through the facilitators. CDOT is responsible for posting relevant materials to the EIS website.

Two types of meeting summaries will be prepared:

- “Summary Notes” will be a short summary of key points prepared during the meeting and reviewed by the group before adjourning.
- “Meeting Minutes” will also be prepared by the facilitators, and are a more detailed account of meeting proceedings. Meeting Minutes will be circulated, reviewed and approved by email between meetings.

Approval of the Summary Notes or Meeting Minutes by group members is a testament that the summaries accurately reflect the discussions in the meeting. Approval of the summaries does not signify an official or binding agreement for any group member.

## **DATA**

Whenever possible, the group will rely on information gathered by the project team and from the 2008 DEIS. When the existing information is insufficient for the specific question under consideration or when there are concerns about the credibility or completeness of the information, the facilitators will help the participants resolve data conflicts.

## **DRAFT SCHEDULE AND MILESTONES**

All participating organizations need to recognize that they are part of a preferred alternative recommendation process and not a study or data collection effort. Further, they accept that funds used for the study come from the same source as the funds for the transportation project and for mitigation. Data requests will be prioritized by the PACT and by the responsible agencies. There will be cases where requested data cannot be generated in a timely or cost effective manner; participants will take into account the absence of the data in their deliberations. In keeping with this perspective, all agree to use existing and available information whenever possible, to streamline necessary data collection efforts, to allocate financial resources carefully and to work diligently to make the following schedule possible:

### **Draft Schedule/Process**

<b>Meeting/Task</b>	<b>Purpose</b>	<b>Date</b>
<b><i>Convening</i></b>		
Community Workshop	Learn about the alternatives remaining in the DEIS; improve the alternatives to meet more the range of interests; and select people to fill the six community seats	<b><i>May-July 2010</i></b>
Business Workshop	Learn about the alternatives remaining in the DEIS; improve the alternatives to meet more the range of interests; and select people to fill the six community seats	
<b><i>PACT Meetings</i></b>		
Opening Meeting	1. Agreement on protocols; 2. Interests 3. Project history, alignment and broad impacts (DEIS); and 4. Prioritized list of additional data needs	July 2010
Meeting #2	1. ID advantages/disadvantages of each alternative; 2. ID structural and other challenges to address 3. Enhance alternatives to meet interests & challenges	August 2010
Meeting #3	Enhance alternatives to meet interests	September 2010
Meeting #4	Enhance alternatives to meet interests	October 2010
Meeting #5	Finalize enhanced alternatives to meet interests	November 2010*
<i>Data gathering</i>	<i>Data development on enhanced alternatives</i>	<i>December 2010*</i>
<i>Workshops – Community and Business (after mtg #5 or after #6)**</i>	<i>Gather input on enhanced alternatives and suggestions for one alternative to continue to refine</i>	<i>January 2011</i>
Meeting #6	Review data on enhanced alternative and workshops' input and select the most promising alternative to continue to refine and build agreement	January-February 2011***
Meeting #7	Consensus building and refinement	March 2011
Meeting #8	Finalize consensus agreement	April 2011

\* There will be no meeting in November-December to allow time for data on the finalized alternative to be collected and distributed for the evaluation discussions.

\*\*The second workshops may give input on which to select after meeting #5 OR may give more input on how to revise the alternative selected for further refinement and agreement building.

\*\*\*Depending on how early in January we can schedule the workshops we may/not be able to have a PACT meeting as well in January.