

## Transportation Practice Area

### Background and Services

CDR Associates, based in Boulder Colorado, is a not-for-profit corporation formed in 1978. As a dispute resolution firm, CDR Associates offers mediation, facilitation, and consultation services and training. CDR staff includes twelve practitioners who bring a deep awareness of environmental and planning issues based on many years of experience and a history of successfully achieving negotiated agreements in the environmental, public policy, and planning arenas. During the past twenty-five years, CDR has engaged as facilitators or mediators in the full range of environmental and public policy issues, including:

- Land use
- Community redevelopment
- Facilities siting
- Housing, and growth
- Regulatory negotiations
- Cleanup of Superfund sites and hazardous materials
- Air quality policies
- Inter-jurisdictional water management
- Transportation-related planning
- Project development
- NEPA implementation and public involvement
- Waste management
- Operation and remediation of mining sites
- Future use of nuclear facilities
- Streamlining permitting processes
- Pipeline routing
- Wildlife management
- Operation of dams and hydropower sites
- Natural resource extraction policies

CDR is the leader in facilitation and conflict resolution related to transportation issues. CDR facilitators are familiar with transportation issues and the world of environmental process and regulation (including NEPA, the Clean Water Act, Endangered Species Act, and environmental justice), understand the dynamics of interagency relationships and decision making, and are adept at engaging the public in constructive dialogue on land use, transportation, and community issues.

### CDR's transportation-related services encompass:

- Facilitation of transportation, resource, and regulatory agency information-sharing, review, and deliberation meetings on transportation projects during the development of the EIS (Environmental Impact Statement)
- Facilitation of interagency workshops on partnering and how to improve coordination and working relationships among transportation and resource agencies
- Process design and facilitation of policy and program development using input of stakeholders
- Design and facilitation of interactive and constructive public involvement meetings and other activities
- Facilitation of interagency task forces to address environmental issues on a programmatic basis

- Consultation on the development of conflict resolution processes as part of environmental streamlining and/or MOUs between agencies
- Design and facilitation of conference workshops to make them interactive and engaging
- Training in conflict resolution, communication, and public involvement skills to help transportation and resource agencies, local government, consultants, and the public work together to address the diverse needs related to transportation infrastructure, communities, and the environment

#### References related to work in the transportation/environment arena:

Carol Adkins, FHWA HQ, 202-366-2054

Tim Haugh, FHWA-Alaska Division, 907-586-7430

Jennifer Corwin, Western Federal Lands, Highway Division, 360-619-7623

Mila Plosky, National Highway Institute, 703-235-0527

Wayne Hall, South Carolina Department of Transportation, 803-737-1872

Sandi Kohrs, Colorado Department of Transportation (CDOT), 303 757-9183

#### A Selection of Experience

**US 36 Environmental Impact Statement (EIS) (2003-present)** CDR Associates is the provider of all public involvement services for the preparation of an Environmental Impact Statement being jointly conducted by the CDOT and RTD. This project involves potential highway improvements, commuter rail, bus rapid transit, toll and HOV lanes, transit stations, bikeways, and pedestrian facilities. The study area incorporates a number of communities in the northwest metropolitan Denver area and close cooperation and involvement of these communities is a key component of public involvement. Major project tasks include:

- Developing a public involvement plan
- Identifying stakeholders and conducting key person/group interviews to distinguish key issues and themes for the corridor
- Managing interactive public meetings and workshops including format design, logistics, advertising, and facilitation
- Conducting neighborhood-specific public involvement activities in low-income and minority areas where there are environmental justice issues
- Managing the public input process through compilation, synthesis, and user-friendly reporting of public and stakeholder input
- Convening and coordinating meetings of the Corridor Governments Committee (elected officials), Technical Support Committee (planners and engineers from jurisdictions), and Station Planning Committees
- Managing and conducting comprehensive public outreach and communication to continuously inform the public through multiple means such as project website ([www.us36eis.com](http://www.us36eis.com)), project hotline (1-800-367-9260), mailing list/contacts database, small group presentations, interaction at public gathering places, etc.
- Developing public information materials including content design, publication, and distribution
- Conducting a strategic media relations program

**US 50 East Corridor Tiered Environmental Impact Statement (2004-present).** Facilitating meetings of the Agency Working Group comprised of transportation and environmental resource/regulatory agencies, to provide input to CDOT and FHWA on transportation decisions to address the future needs of the US 50 East corridor and to provide a framework for corridor preservation. The team co-facilitated the transportation agencies/consultant team meeting to evaluate the advantages and disadvantages of conducting a tiered process; drafted issues resolution procedures and a charter for the Agency Working Group, and co-facilitates Agency Working Group meetings at key milestones in the NEPA process.

**Federal Highway Administration and Federal Transit Administration, "Linking Planning and NEPA" Executive Seminar and Managers Workshop (2004-present).** Conducting a series of one-day Executive Seminars and three-day Managers Workshops that are designed to foster a fundamental change in the culture that underlies transportation planning and project development, focusing on integrating the environmental review (NEPA) process. Participants in the facilitated workshops, which are delivered on a state-by-state basis, include executives, managers, and staff from state departments of transportation, Metropolitan Planning Organizations, Federal and State environmental resource agencies, and USDOT modal administrations. The outcome of the Managers Workshop is an Action Plan to implement steps that will lead to better planning and decision-making, enhanced environmental stewardship, and streamlined delivery of projects.

**Alaska Transportation Environmental Streamlining (March 2004-present).** Serving as facilitator of an interagency group (Alaska DOT, FHWA, USEPA, USFWS, USACE, state resource/regulatory agencies) to finalize an agreement-in-principle on environmental streamlining and develop implementation sub-agreements on such issues as an issue resolution/elevation process, programmatic mitigation approach, streamlined review process, and programmatic agreement on "minor projects."

**Alaska Knik Arm Crossing EIS (January 2005-present).** Facilitated an initial partnering session between the transportation (FHWA, Alaska Department of Transportation and Public Facilities, and the Knik Arm Bridge and Toll Authority) agencies, the federal and state resource/regulatory agencies, and the consultant team to aid in effective interagency coordination and consultation on an Environmental Impact Statement. We are continuing to facilitate meetings of the EIS Interdisciplinary Team comprised of these agencies designed to apply the principles of environmental streamlining to the NEPA and permitting process. The Alaska legislature has funded an environmental study of crossing alternatives between Anchorage and the Mat-Su Borough, which would connect two ports and eliminate a ninety-minute drive around the arm.

**Northwest Corridor (Colorado) EIS (January 2004-present).** Serving as lead facilitator for the Corridor Consensus Committee, the stakeholder group comprising elected officials of cities and counties in the study area along with representatives of environmental coalitions and economic development councils. This highly controversial EIS is examining the possibility of adding a final segment to the existing 460 beltway which forms about four-fifths of a ring around the Denver metropolitan area. The study area includes numerous waterways, the Rocky Flats former nuclear weapons facility, habitats of several threatened or endangered species. The study seeks to balance the needs of two communities, the Cities of Golden and Arvada, at least one of which could

experience significant displacement of residents and businesses. The possibility of an alignment outside the two communities is precluded by the mountains just to the west of Golden. The proposed action identified no single alignment, so the initial scoping led to development of more than 70 alternatives, including freeways, toll ways, major regional arterials, and transit lines. We have worked to enhance communication among all parties, help CDOT and the project team listen and be responsive to stakeholder input, build mutual trust, and help the group members consider the general public good in addition to the specific interests of the populations they represent.

**Regional Transportation District, Longmont Diagonal Rail Feasibility Study (2004).** Served as the Public Involvement Project Manager for the Regional Transportation District's (RTD) feasibility study to provide rail service from Longmont to Boulder along the Highway 119 corridor. We developed the public involvement plan; conducted key person interviews; developed a communication network with community, neighborhood, and business organizations; planned, advertised, and managed four public workshops and four station planning workshops; managed the project web site; and developed the public involvement portion of the final report. We also convened and coordinated meetings of the Corridor Communities Coordination Team (CCCT), the study's advisory committee that met on an ongoing basis during the study. The CCCT consisted of elected officials and staff from the City of Longmont, City of Boulder, and Boulder County; citizens; and representatives from regional transportation entities. The outcome of the study was a set of recommendations that was supported by the CCCT.

**Colorado Department of Transportation, Programmatic Environmental Impact Statement on the I-70 Corridor.** The team has served as facilitators, mediators, and communication coaches on a Tier 1 environmental analysis of a 140-mile corridor east of Denver, designed to select a package of transportation alternatives to address congestion on I-70 on a long-term basis. The corridor is the linkage between a large metropolitan area, including an international airport, and mountain communities, resorts, and recreational sites. As a Tier 1 programmatic EIS, the project is analyzing a range of alternatives in six families of alternatives, in order to select a set of preferred alternatives which in turn will lead to decisions on specific projects to carry forward into a project-specific environmental evaluation (EIS or EA). We have participated as co-facilitators of the FHWA-led Interdisciplinary Team meetings of CDOT and the federal agencies (FHWA, USEPA, USFWS, USFS, USACE, FTA, and FRA); as mediators to help strengthen working relationships between CDOT and FHWA; as process coaches to help CDOT and consultant staff communicate effectively in its public involvement process with diverse stakeholders; and facilitators of special issue-related meetings, e.g., how to address environmental justice issues in the corridor and potential wildlife mitigation activities.

**AASHTO/ACEC/FHWA, Improving the Quality of Environmental Documents (2004).** Facilitated a meeting with the American Association of State Highway Transportation Officers (AASHTO), American Council of Engineering Consultants (ACEC) and the Federal Highway Administration (FHWA) to identify ways to improve the quality of environmental documents (Environmental Impact Statements and Environmental Assessments). Outcomes included consensus recommendations to be presented to the AASHTO and ACEC Boards.

**Southern Orange County Transportation Infrastructure Improvement Project (SOCTIIP) (January 2001 to 2004).** Served as the facilitator on an environmental review process to study and evaluate a range of transportation alternatives in southern Orange County. We facilitated meetings of and provided process advice to members of the "Southern Orange County Infrastructure Improvement Program (SOCTIIP) Collaborative," which included representatives of Transportation Corridor Agencies (TCA, a toll road authority), Caltrans, FHWA, USACE, USEPA, USFWS, and the Marine Corps. The goal was to select a transportation alternative which would relieve congestion in a 14-mile corridor and address environmental concerns. The facilitation services included: design of agendas in consultation with Collaborative members, facilitation of meetings, preparation of meeting summaries, between-meeting consultation with the Collaborative to help them move forward on issues of concern, coordination with TCA's environmental consultant (P&D Consultants), and oversight of a technical-expert subcontractor who is providing neutral review of the traffic engineering studies for the Collaborative.

**South Carolina Department of Transportation (2004-present).** Facilitating inter-agency coordination meetings among the transportation and environmental resource agencies on the I-73 corridor EIS from Myrtle Beach to the North Carolina border. SCDOT is using this project to initiate a new proactive process which provides for early coordination and concurrence at key milestone points

**Denver Regional Transportation District (RTD) - Central Connector and Southwest Extension, Light Rail (November 2001 to Jan 2002).** Conducted the public involvement program for two light rail corridors to extend service to Denver southwest suburbs and to increase capacity into downtown Denver from existing and planned light rail routes. CDR developed the public involvement plan for this project, designed and facilitated public workshops, and facilitated meetings of the Policy Advisory Committees for these two projects to help them develop recommendations on the alternative(s) to pursue through the preliminary engineering phase and to present to the public as part of a light rail tax-increase election package. We facilitated the Citizen Working Group which consisted of business and neighborhood area representatives and provided input to the Policy Advisory Committee.

**Regional Transportation District, West Corridor Environmental Impact Statement (2001-2002).** Facilitated three public scoping meetings as required by NEPA, and consulted with the public involvement team on process design and outreach strategy.

**Evergreen Transportation (1999).** Facilitated a consensus-building process aimed at selecting a preferred alternative for improving the intersection of County Road 73 and State Highway 74 in Evergreen, Colorado. CDR Associates helped to facilitate a stakeholder group to identify a preferred alternative that best met the needs of a range of participants. This stakeholder group recommended an alternative to the primary consultant who in turn made a recommendation to Jefferson County.

**FHWA, Virginia Department of Transportation, U.S. Army Corps of Engineers, U.S. EPA, and U.S. Fish and Wildlife Service (1998 and 2000).** Conducted a partnering workshop (1998) to develop a Virginia-based process for early coordination among the transportation, resource, and regulatory agencies to deal with highway projects that involve Section 404 permits. A follow-up workshop in March 2000 provided

opportunities to refine their process and integrate key concepts of environmental streamlining. In October 2000, CDR assisted FHWA, VDOT, and the Corps of Engineers in the design of a dispute resolution process to complement Virginia's multi-agency coordination approach.

**South Carolina Department of Transportation (2001).** Facilitated a partnering workshop among SCDOT, FHWA, USACE, USFWS, USEPA, NMFS, the SC Department of Health and Environmental Control, and the SC Department of Archives and History. The result of this workshop was a series of agreements and action items to include the resource and regulatory agencies in early stages of project development, to bring the resource and regulatory agencies into the planning process with MPO's and Councils of Government, and to institute an inter-agency policy committee to deliberate on issues with multi-project implications.

**Regional Transportation District West Corridor Light Rail Project (2001 to 2002).** Provided conflict management services and public involvement design and facilitation on an EIS for a light rail project through a corridor west of Denver, Colorado. The corridor includes industrial, commercial and residential areas, a range of income levels, and environmental justice issues. In addition to facilitating public involvement meetings where there is a high level of controversy, we are providing conflict management assistance to address project-related issues.

**The Federal Highways Administration Multi-Agency Project (1992-1998).** Designed and implemented a series of courses (36 courses delivered throughout the United States) on "Practical Conflict Management Skills to Resolve Highway-Wetlands Issues," which was conducted nationwide for FHWA, State transportation departments, the U.S. Army Corps of Engineers, the U.S. EPA, the U.S. Fish & Wildlife Service, the National Marine Fisheries Service and other state resource agencies. The purpose of these courses was to provide federal and state agencies with a common set of skills that they could apply on highways projects with wetlands impacts and to build a more productive working relationship among the agencies. FHWA sponsored these courses as part of their effort to develop cooperation among the FHWA, the state departments of transportation, and the resource and regulatory agencies in implementing NEPA and Section 404 of the Clean Water Act. Interagency agreements were reached to merge the NEPA and 404 processes on highway projects so that preferred alternatives which emerged from the NEPA process would be permitted by the Corps.

As part of this project, we facilitated numerous discussions related to the application of environmental laws to highway development (in particular, applications to Environmental Impact Statements and Environmental Impact Assessments where wetlands are involved) and improvements in implementation of environmental processes among regulatory and commenting agencies and the project proponent agency.

Note: The FHWA Office of Program Quality Coordination prepared an evaluation of the project to promote inter-agency coordination, in 1996. This evaluation is documented in an FHWA publication, "Interagency Coordination with Federal Agencies during the FHWA Project Planning and NEPA Processes," Publication No. FHWA-PR-96-05, HPR-1/1-97(2M)E.) This publication says, "Interpersonal skills were identified by nearly all of the persons interviewed by the team as critical to meeting stakeholder goals. An overwhelmingly positive response was heard for the National Highway Institute Training Course, 'Practical Conflict Management Skills to Resolve Highway/Wetlands Issues.' That course brought State DOT, Federal and State Agency and the FHWA personnel together to use collaboration and

interest based negotiation skills to resolve wetland issues. Having all the Agencies together in the training provided the additional benefit of developing personal relationships and a shared understanding of approaches to resolving conflicts."

**FHWA Environmental Leadership Seminar (1995-present).** Because of experience gained by interaction with field staff, FHWA included CDR Associates as a co-instructor of their Environmental Leadership Seminar. As a Co-Instructor with Eugene Cleckley (Director of FHWA Southern Resource Center, formerly of FHWA Headquarters Environmental Operations), CDR staff conducted a portion of a 2-to-3-day program for FHWA senior staff (Division Administrators, and Assistant and Deputy Administrators), around the country. The goal of this program was to heighten awareness of and commitment to FHWA's environmental mission. CDR's segment of the workshop was on "Shared Decision Making," which includes negotiation skills and the impact of values on inter-agency relationships. The presentation was based on experience working with the transportation, resource, and regulatory agencies in the above-described "wetlands" course, where numerous discussions were held across agencies about their needs and interagency challenges and opportunities. This course was also provided upon request to state departments of transportation for their senior staff and consultants and was been presented in North Carolina, Mississippi, Kentucky, Georgia, Alabama, Louisiana, Arkansas, Utah, Maine, Colorado, and Tennessee.

**U.S. Institute for Environmental Conflict Resolution (2000).** CDR Associates served on a consultant committee for FHWA, led by the U.S. Institute for Environmental Conflict Resolution, to develop a dispute resolution system as part of the national environmental streamlining effort to enhance transportation decision making among federal transportation, resource, and regulatory agencies.

**Environmental Streamlining Workshop (2000).** One partner of CDR Associates served as plenary session facilitator for a national workshop on environmental streamlining strategies.

**FHWA/State Departments of Transportation Peer Exchange Meeting (2001).** CDR Associates facilitated a meeting in which several state DOT's and FHWA discussed how to create a stronger linkage between the NEPA decision-making process and the planning stage. The states exchanged information about what processes, procedures, and strategies they are using to address the challenges of strengthening environmental considerations in planning in order to develop durable decisions and developed a plan for disseminating these ideas to other states.

**Denver International Airport (2001).** The CDR team designed and is currently conducting a series of one-day training courses on conflict resolution and problem-solving skills for employees, supervisors, and managers from different divisions within DIA. The interactive course includes segments on the causes of conflict, negotiation skills, personal conflict styles, raising conflict productively, and communication skills. It is part of a series of courses on effective leadership and management.

Conference Presentations related to Environmental Streamlining, Public Involvement, and Community Impact Assessment in the Transportation Arena

- TRB National Conference, (1999). Speaker, Innovations in Public Involvement.
- TRB Environmental Conference, Pittsburgh PA (2000). Panelist on Community Impact Assessment strategies.
- National Environmental Streamlining Workshop, St. Louis, MO (2000). Panelist on Dispute Resolution System Principles for Environmental Streamlining and plenary session facilitator.
- FHWA and Texas DOT Workshop on I-69, Austin, TX (2001). Facilitator and speaker on Collaborative Negotiation Approaches.
- Context Sensitive Design Workshop, Missoula, Montana (2001). Speaker on panel, "Respectful Communication."
- U.S. Army Corps of Engineers/FHWA Workshop on Environmental Streamlining (2001). Presenter, Dispute Resolution and Prevention Strategies for Environmental Streamlining.
- U.S. Institute for Environmental Conflict Resolution (2002). Presenter, "Collaborative Approaches to Environmental Streamlining on Transportation Projects."
- 2002 Transportation Planning Conference (TxDOT) (2002). Presenter, "Innovations in Public Involvement on Transportation Projects." (2003) Presenter, "Conflict Resolution in Environmental Streamlining"
- TRB Community Impact Assessment Conference (2002). Presenter, "Making Connections, Building Relationships: Community Impact Assessment in the 21<sup>st</sup> Century." (2003) Presenter, "Reaching Out to the Many Publics."