



Agenda Memorandum

Agenda Item – {{section.number}}.A.

City Council Study Session
July 15, 2024

Strategic Priority 2: Community Empowerment and Engagement

Enhance the sense of community and connection in Westminster through engaging methods of communication and dialogue that improve accessibility, increase understanding, and encourage participation in civic and City life

Subject: Rocky Mountain Greenway Trail Discussion with Key Stakeholders

Prepared By: Joe Reale, Open Space Superintendent
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Recommended City Council Action:

Receive a presentation on the Rocky Mountain Greenway Trail by interested community groups and subject matter experts associated with recreation on the Rocky Flats National Wildlife Refuge and the Federal Lands Access Grant project.

Summary Statement:

The Rocky Mountain Greenway Trail (RMGT) is a multi-use regional trail connecting various recreational areas that is part of the state's "Colorado the Beautiful Initiative" and the federal government's "America's Great Outdoors Initiative." Following City Council's approval of Resolution No. 24 in 2016 and in partnership with Jefferson County, the project is nearing completion of the phase linking Westminster to Rocky Flats National Wildlife Refuge (NWR).

City Council requested a Study Session to allow for a discussion with stakeholders, including public health advocates and regulatory agencies, related to the RMGT.

This presentation offers an opportunity for stakeholders to share information with City Council and discuss concerns and opportunities to ensure transparency and responsible development.

Fiscal Impact:

\$254,500 in expenditures; plus an additional amount to be determined for the City's share of the air quality monitoring during the bridge installation

Source of Funds:

General Capital Improvement Fund

Policy Issue(s):

Should City Council receive a presentation regarding the RMGT?

Alternative(s):

City Council could choose not to receive this presentation regarding the RMGT. This is not recommended due to the importance of this update to City Council and opportunity to engage with stakeholders.

Background Information:

The regional RMGT is part of the state's "Colorado the Beautiful Initiative" and the federal government's "America's Great Outdoors Initiative." The vision of the project is to ultimately connect the three Front Range National Wildlife Refuges (Rocky Mountain Arsenal, Two Ponds and Rocky Flats) with Rocky Mountain National Park through a multi-use, regional trail system. It currently connects the Rocky Mountain Arsenal National Wildlife Refuge and Two Ponds National Wildlife Refuge through Standley Lake Regional Park to its terminus in the Westminster Hills Open Space.

In 2006, Colorado Department of Public Health and the Environment (CDPHE) affirmed the safety of the use of Rocky Flats NWR for recreational purposes. The United States Fish and Wildlife Service conducted the appropriate level of National Environmental Policy Act (NEPA) environmental clearance and a Finding of No Significant Impact (FONSI) has been issued by the agency. The Colorado Department of Public Health and Environment (CDPHE) participated in the NEPA clearance process and reaffirmed that best management construction practices would be followed with regard to dust suppression and natural/cultural resource protection (air, wind, wildlife and historic). (See CDPHE Comments on Improved Visitor Access at the Rocky Flats NWR, Environmental Assessment (Attachment A).)

The Rocky Flats NWR has been open to the public since 2018. Since then, it has seen increasing visitation to the 5,237 acres of mixed and tall grass prairies. The 10.3 miles of multi-use trails represent a significant recreational resource for residents who can enjoy year-round hiking, bicycling, cross country skiing, snowshoeing, and horseback riding. The next section of the RMGT will link trails in Westminster to Rocky Flats NWR and through to Boulder.

On June 6, 2016, City Council held a Study Session to review a request from Jefferson County to join in a partnership with Boulder County, the City and County of Broomfield, and the cities of Boulder and Arvada for a Federal Lands Access Program (FLAP) grant that would fund more than 83 percent of the costs of the RMGT connections to the Rocky Flats NWR (Attachment B). Subsequently on July 11, 2016, City Council adopted Resolution No. 24 to conditionally support Jefferson County Open Space's request to pursue a FLAP grant and to provide up to \$220,000 in matching funds for the construction of a pedestrian overpass crossing Indiana Street and a pedestrian underpass at State Highway 128 (Attachment C). The support for this project application and the construction of connections was contingent on the development and findings of a soil analysis plan (SAP).

To complete the SAP testing and the construction of the RMGT, City Council approved Resolution No. 7 on March 11, 2019 (Attachment D). Through this resolution, Jefferson County negotiated for and purchased the Woman Creek Reservoir property for \$1,800,000. The City of Westminster contributed \$815,817.60 towards this purchase and was granted fee title to the property subject to a

Jefferson County Reverter Clause. The reverter clause states that if the land should ever be utilized for purposes other than those defined, the County can repossess the property. Prior to this acquisition, the land was owned by the Woman Creek Reservoir Authority and managed by the Open Space Division under an expiring Memorandum of Understanding. (The City's share for the SAP was \$33,735.)

On February 1, 2021, City Council held a Study Session where the findings of the SAP analysis were presented (Attachment E). Two sampling efforts related to the RMGT included collection of surficial soils from 73 sampling locations in and around the Rocky Flats NWR. The results were corroborated by two different analytical laboratory methodologies. Sampling density for these two projects was higher than any previous sampling protocol. Samples were, without exception, lower than historic values for the relevant exposure units (EU). Historic values were used to determine the permissible land use regime of the Refuge of 'Unrestricted Use, Unlimited Exposure' and that the site was currently in a state protective of public health and the environment (from: Kaiser Hill, 2006 & DOE 2017). Those findings reflect radionuclide activity levels that are consistent with the standards used by the Environmental Protection Agency (EPA) and CDPHE to demonstrate that the Rocky Flats NWR is safe for public use. The mean activity values of surface soil radionuclide samples from both the State Highway 128 underpass location and the Indiana Street bridge location were without exception lower than the historic values for the relevant exposure units. The levels are consistent with the extremely conservative benchmarks established. On February 22, 2021, City Council approved the intergovernmental agreement (IGA) to begin construction of the Indiana Street overpass (Attachment F).

On June 6, 2022, City Council received a Study Session presentation on the history of the Rocky Flats site, the Rocky Flats Stewardship Council, and the RMGT (Attachment G). The RMGT was at 30 percent design completion at that time and City Council reaffirmed their support for the project. Since that update, the engineering design has been completed, the trail on Rocky Flats NWR has been built up to the crossing location, and bridge construction has begun off site. Currently, the installation of the bridge crossing is expected to begin in August.

On November 20, 2023, City Council received an information staff report providing information on air quality monitoring at Rocky Flats and an update on the Greenway Trail (Attachment H).

City Council requested a Study Session to review the RMGT and the City's role in the FLAP grant. Representatives of Rocky Flats Public Health Advocates, Rocky Mountain Peace & Justice Center, and Physicians for Social Responsibility as well as representatives from the City's partners at Jefferson County and the United States Fish and Wildlife Service (USFWS) plan to present.

The presentation will follow the outline below:

- City and Jefferson County Staff Overview on the City's involvement with the Greenway Trail, the IGA, and the planned pedestrian bridge (30 minutes)
- Rocky Mountain Peace and Justice Center (RMPJC) speakers (60 minutes)
 - Jon Lipsky, MAS and FBI Retired
 - Dr. Michael Ketterer, Professor Emeritus at Northern Arizona University (Attachment I – Declaration Detection of airborne plutonium in air filters collected along Indiana Street under the episodic high-wind conditions of April 6, 2024 (dated May 21, 2024))
 - Dr. Deborah Segaloff, Physicians for Social Responsibility
 - Dr. Sasha Stiles, MD, MPH
 - Diane D'Arrigo, Radioactive Waste Project Director at NIRS
 - Randy Stafford, Rocky Flats Public Health Advocates

- From the community and partner agencies (60 minutes)
 - D. M. Wood, Emeritus Associate Professor, Department of Physics, Colorado School of Mines
 - Dave Lucas, Refuge Manager, U.S. Fish and Wildlife Service
 - Jason Andrews, Engineering Analytics (conducted soil sampling analysis per IGA)
 - Tom Hoby, Jefferson County Open Space Director
- City Council Questions and Discussion (60 minutes)

Representatives of Jefferson County Public Health, Colorado Department of Public Health & Environment (CDPHE), and US EPA Region 8 have been invited as well and are anticipated to attend but do not plan to make a presentation at the Study Session. Questions for these agencies may be submitted in writing for later response.

A presentation on the RMGT supports the City's Strategic Priority for Community Empowerment and Engagement. This presentation offers City Council a chance to engage meaningfully, transparently, and responsibly with the community. Such engagement ensures inclusivity in the decision-making process, fostering trust and confidence between City Council and residents.

Respectfully submitted,

Mark A Freitag

Mark A. Freitag
City Manager

Attachments:

- Attachment A - CDPHE Comments on Improved Visitor Access to Rocky Flats NWR, Environmental Assessment (dated July 30, 2020)
- Attachment B - Federal Lands Access Program Grant Opportunity Staff Report (dated June 6, 2016)
- Attachment C - Resolution No. 24 in Support of and Authorization of Matching Funds for Jefferson County's FLAP Grant Application Agenda Memorandum (dated July 11, 2016)
- Attachment D - First Reading CB No. 7 Supplemental Appropriation of Carryover Funds and Adoption of Resolution No. 7 Approving the Expenditure of Funds to Share in the Cost of Purchasing Property with Jefferson County from Woman Creek Reservoir Authority for the Public of Trails and Open Space Agenda Memorandum (dated March 11, 2019)
- Attachment E - Presentation on Federal Land Access Program Grant and the Rocky Mountain Greenway Regional Project Staff Report (dated February 1, 2021)
- Attachment F - Resolution No. 2 Approving an IGA for Funding of RMGT Crossings Agenda Memorandum (dated February 22, 2021)
- Attachment G - Rocky Flats Update-Presentation Staff Report (dated June 6, 2022)
- Attachment H - Air Quality Monitoring at Rocky Flats and an Update on the Greenway Trail Staff Report (dated November 20, 2023)
- Attachment I - Declaration Detection of airborne plutonium in air filters collected along Indiana Street (dated May 21, 2024)
- Attachment J - Rocky Mountain Greenway Trail Presentation Slide Deck