

chapter 2



PLANNING PROCESS

Chapter 2. Planning Process

This chapter provides an overview of the planning process and describes the Service's efforts to involve the public in the development of the Rocky Flats CCP and EIS (CCP/EIS). Public involvement was an important component of the CCP/EIS project. During the scoping phase of the project, the Service sought input from the public and interested organizations and agencies to help direct the CCP/EIS process. Scoping helped identify specific opportunities, issues, concerns and ideas related to the management of the future Refuge. This section also includes a summary of the significant issues that were identified following the analysis of all comments collected through the various public scoping activities and a review of the requirements of the Improvement Act and NEPA.

2.1 OVERVIEW OF PLANNING PROCESS

The planning process for the CCP/EIS officially began August 23, 2002 when a Notice of Intent (NOI) to prepare a comprehensive management plan was published in the Federal Register (Vol. 67: 54667-54668). The Service undertook pre-planning steps prior to the NOI date to

ensure that the planning process was thorough and fair. The CCP/EIS for the Rocky Flats NWR is intended to comply with the Wildlife Refuge Improvement Act and the National Environmental Policy Act (NEPA) and their implementing regulations. The Service issued a final refuge planning policy in 2000 that established requirements and guidance for NWR planning, which includes CCPs and step-down management plans. This policy ensures that planning efforts comply with the provisions of the Improvement Act (U.S Fish & Wildlife Service 2000). The planning policy identifies several steps of the CCP and EIS process (Figure 4):

- Form a planning team and conduct pre-planning
- Initiate public involvement and scoping
- Review Draft Vision Statement and Goals and determine significant issues
- Develop and analyze alternatives, including the Proposed Action

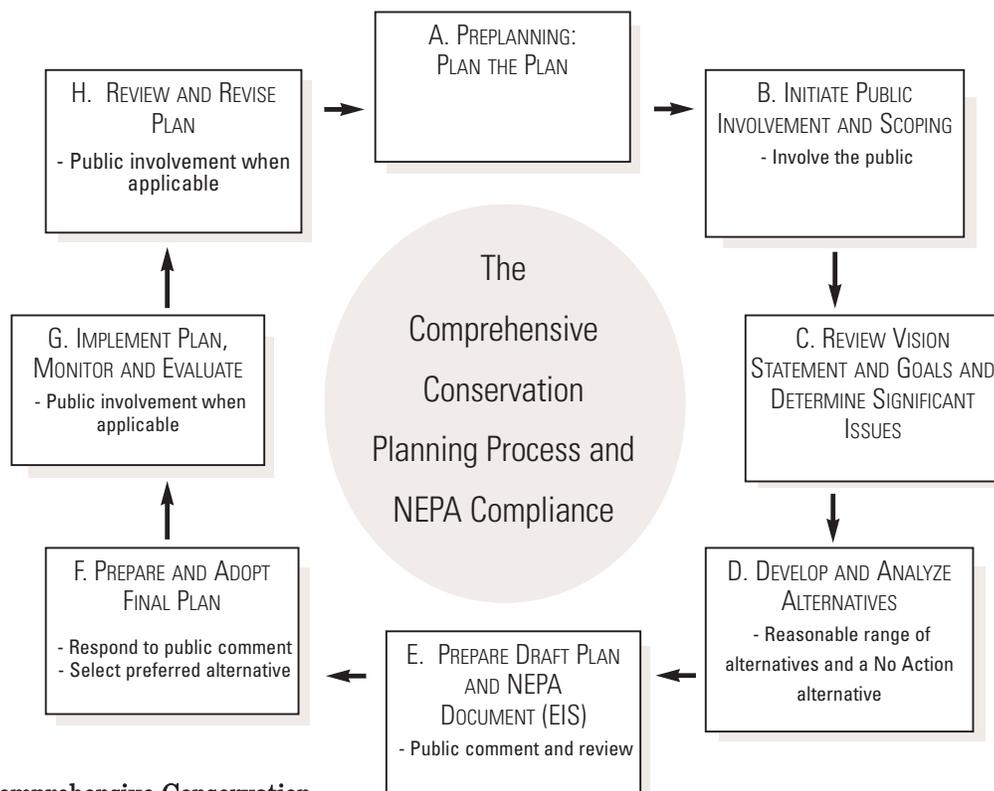


Figure 4. Comprehensive Conservation Planning Process.

- Prepare Draft CCP and EIS
- Prepare and adopt Final CCP and EIS and issue a Record of Decision (ROD)
- Implement plan, monitor and evaluate
- Review and revise plan

The Service began the pre-planning process after the Refuge Act was passed in December 2001. A planning team comprised of Service staff and outside consultants was formed in May 2002. Next the planning team facilitated an interagency workshop to identify a draft Refuge vision and goals in July 2002. During this pre-planning phase, the team collected available information about the resources of Rocky Flats and the surrounding area. This information was summarized in a Resource Inventory Report for the site (U.S Fish & Wildlife Service 2003b).

After reviewing comments from public workshops, the core team refined the vision and goals statements and initiated the alternative development process. The team developed three viable management alternatives in addition to a No Action Alternative, as required by NEPA. Each alternative was defined by a set of objectives and strategies that responded to the significant issues raised during scoping. The alternatives were then submitted for public review.

Once public comments were collected, the alternative plans were refined and the proposed action selected. The team then drafted the preliminary CCP/EIS. At this point, the Refuge Manager made preliminary determinations as to whether or not proposed uses were compatible with the Refuge System Mission and/or refuge purpose(s). Once this was completed, the draft CCP/EIS was made available for public review. The core team recorded all public comments and developed responses to those considered substantive.

The CCP and EIS were revised and finalized based on analysis of public comments. At this time, the CCP and EIS were divided and published as separate documents. A Notice of Availability (NOA) of the Final EIS and CCP was published in the Federal Register December 2004. In accordance with NEPA, the Service's regional director issued a record of decision (ROD) on the CCP 30 days after the notice in the Federal Register was published. The ROD disclosed the alternative selected by the regional director and the reasons for its selection. The final CCP was then released in April 2005. The final CCP or a summary of the document was made available to interested parties.

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The Service sought input from the public throughout the planning process.

2.2 PUBLIC INVOLVEMENT

In accordance with the National Wildlife Refuge System Improvement Act of 1997, the Service's Refuge Planning Policy requires substantial and significant public involvement throughout the planning process. The Refuge Planning Policy draws from the public involvement requirements outlined in the NEPA guidelines and other pertinent laws, executive orders, regulations, policies and guidelines.

During the pre-planning phase, the planning team developed a Public Involvement Plan that described how agencies and the public could participate in the planning process (U.S. Fish & Wildlife Service 2002). Public involvement in the planning process ensured that interested and affected individuals, organizations, agencies and governmental entities were consulted and provided opportunities to participate. Public involvement in the Refuge CCP/EIS process served the following functions:

- Informed public about the proposed Rocky Flats NWR
- Collected public input on key issues and concerns
- Provided help in determining management direction of Rocky Flats NWR

Several communication tools were used to engage the public. Over the course of the project, the planning team published 7 "Planning Update" newsletters that provided periodic reports to stakeholders. Workshops, public meetings, and public hearings were held in the communities surrounding Rocky Flats NWR to solicit

public input. A website provided an overview of Rocky Flats and the CCP process, information about upcoming public meetings and other important dates, a comment submission area, and a download area for planning documents. In addition, notifications of public meetings and document availability were distributed through Federal Register notices, media press releases and advertisements in local papers. Furthermore, presentations and briefings of the project's status were made to key stakeholder groups.

PROJECT SCOPING

Since public input was to involve both idea generation and idea review, the Service worked to establish a dialogue with interested individuals and groups. The objective of the scoping process was to gather the full range of comments, questions and concerns that the public has about the future Rocky Flats NWR. Scoping helped identify specific opportunities, issues, concerns and ideas related to the management of the Refuge. Professional facilitators on the planning team were instrumental in organizing forums for public participation.

Initial Consultations

The scoping process began with informal public agency consultations in February 2002. The Refuge Act required the Service to consult with a variety of local and state officials to develop the Public Involvement Plan.

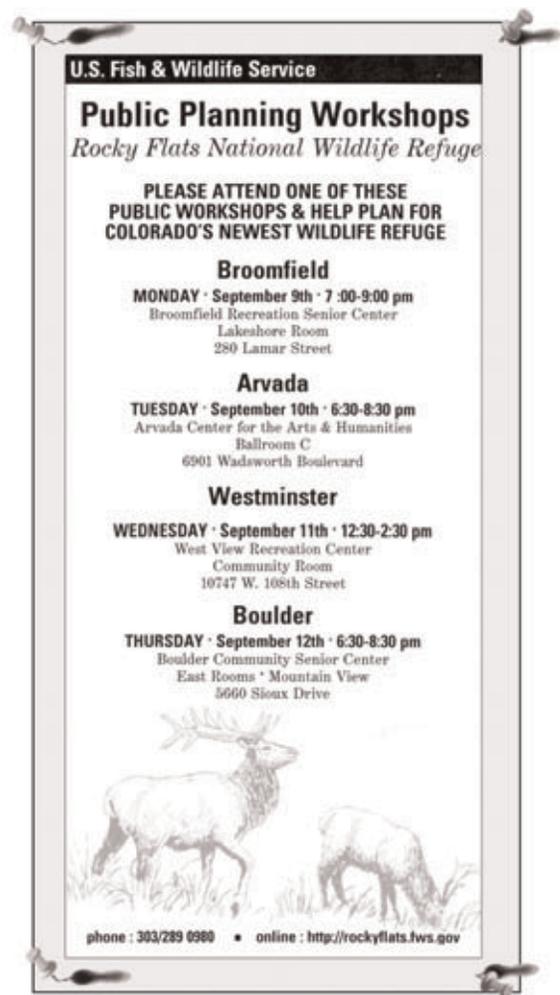
Service staff met with representatives from communities, agencies, and businesses that may have an interest in the Rocky Flats CCP/EIS process. The Service also met with state representatives, including the offices of the Governor, the Attorney General and the CDPHE to help develop the public process. The purpose of these meetings was to brief the stakeholders on the planning process, and solicit their comments and concerns for the scoping process.

Between February 6 and April 12, 2002, the Refuge Manager and Planning Team Leader met individually with each member of the Rocky Flats Coalition of Local Governments (RFCLOG). The RFCLOG is a coalition of seven local governments (Boulder County, Jefferson County, City and County of Broomfield, and the cities of Arvada, Boulder, Westminster, and Superior). All the local governments had questions about developing the Memorandum of Understanding between DOE and the Service in addition to the planning process. Copies of the Service's policy on Planning and Compatibility were distributed at the meetings. On July 23, 2002, Service staff met with the Rocky Flats Coalition of Local Governments (RFCLOG). Service staff also met with representatives of the cities of Golden, Thornton, Northglenn, Louisville and Lafayette.

The formal scoping period for the general public began on August 23, 2002, with the publication of a Notice of Intent in the Federal Register. The Notice of Intent notified the public of the Service's intent to begin the CCP/EIS process, set the dates for public scoping meetings, and solicited public comments. The scoping period ended on October 31, 2002.

Public Scoping Meetings

Public scoping meetings were held in September 2002 in Broomfield, Arvada, Westminster, and Boulder. The scoping meetings provided a forum for community residents, public agency members, and interested organizations to express their concerns. To ensure that people's concerns were captured and that they felt comfortable giving verbal comments, participants were allowed to form small groups - each facilitated by a planning team member.



To solicit public input, the Service conducted workshops in the communities surrounding Rocky Flats.



In order to keep stakeholders informed, the planning team produced “Planning Update” newsletters throughout the course of the project.

Several weeks before the public scoping meetings, Planning Update #1, an announcement of the scoping meetings, was mailed to 889 individuals, businesses and organizations. The mailing list consisted of individuals and organizations that had previously expressed an interest in Rocky Flats-related issues and were on the Rocky Flats Citizen Advisory Board (RFCAB), the DOE, or Kaiser-Hill (DOE contractor) mailing lists.

Planning Update #1 described the planning process, the draft vision and goals for the Refuge, and the dates, times and locations of the public scoping meetings. Information contained in Planning Update #1 also was announced at RFCLOG and RFCAB meetings. A press release soliciting participation in the scoping process was also sent to 23 local and national media organizations. The Service placed advertisements in seven newspapers to publicize the project and invite the public to the scoping meetings. Flyers announcing the public scoping meetings were posted in public buildings in several communities surrounding the Rocky Flats site.

Project Website

The Rocky Flats NWR web site (<http://rockyflats.fws.gov/>) was published for public access during the week of July 21, 2002, and contained information about the public scoping meetings, as well as

downloadable versions of all of the available public scoping documents.

Throughout the project additional planning documents and announcements of upcoming events were posted on the website. The website also provided an avenue for submitting questions and comments to the planning team.



The Rocky Flats CCP website provided important information about the planning process and allowed stakeholders to submit their comments and questions.

Public Agency Meeting

On August 19, 2002, the Service hosted a meeting for representatives from various state and federal agencies interested in the future management of the Rocky Flats site. The following agencies were represented:

- Agency for Toxic Substances and Disease Registry
- City of Westminster
- Colorado Attorney General's Office
- Colorado Department of Agriculture
- Colorado Department of Public Health and Environment
- Colorado Department of Transportation
- Colorado Division of Minerals and Geology
- Colorado Division of Wildlife
- Colorado Geological Survey
- Colorado Historical Society
- Colorado State Parks
- Denver Regional Council of Governments
- Federal Aviation Administration
- Governor Owens' Office
- Rocky Flats Coalition of Local Governments
- State Land Board
- Senator Allard's Office
- U.S. Army Corps of Engineers
- U.S. Department of Energy
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Urban Drainage and Flood Control District
- Xcel Energy

Focus Groups

Six focus group meetings were held on October 28, 29, and 30, 2002. The purpose of the focus group meetings was to convene a forum to better explore key issues, as well as the potential management alternatives and their implications. Participants were invited because of their



Focus groups considered wildlife management and several other subjects.

knowledge of a particular subject. Focus groups were convened around the following topics: Recreation; Environmental Education; Public Perception/Public Information: Managing a NWR in the Context of Remediation and Contamination; Trails; Vegetation Management; and Wildlife Management.

Native American Tribes

Representatives from the Arapaho Tribe, Cheyenne and Arapaho Tribes of Oklahoma, Northern Cheyenne Tribe, the Ute Indian Tribe Business Council, Southern Ute Tribe, and the Ute Mountain Ute Tribe were contacted by the Service to solicit their input for the scoping process. The Service received responses from the Cheyenne and Arapaho Tribes of Oklahoma, but did not receive any scoping comments from the Tribes.

Results from Scoping

During the course of the public scoping process, the planning team received 1,881 comments from the public or other stakeholders. Every comment was considered and grouped by topic area (Table 2). Major topics included public use, cultural resources, real estate, infrastructure, vegetation management, and wildlife management. Other topics that have attracted comments include Refuge operations, cleanup level and remediation issues, and comments on the planning process.

Written submissions came in the form of letters, email, questionnaires, and notes from telephone calls. Questionnaires were distributed at the public scoping meetings and could also be downloaded from the project website. Sixty-two written submissions were received. All written submissions were carefully read and evaluated to determine the specific issues or concerns that were being addressed.

Table 2. Percentage of Scoping Comments by Topic

Topic Area	Percentage of Comments
Public Use	31
Vegetation	13
Wildlife	12
Infrastructure	11
Contamination†	10
Property‡	8
Cultural Resources	6
Refuge Operations	6
Planning Process	3

† Issues related to contamination and site cleanup are outside the scope of this CCP/EIS, as explained in Section 1.8.

‡ Issues related to property include mineral rights, potential land acquisitions, and the transportation corridor right of way, all of which are discussed in Section 2.9.

ISSUES

The Service prepared a Scoping Report that describes in detail the scoping process and results (U.S Fish & Wildlife Service 2003a). Several significant issues were identified following the analysis of all comments collected through the various public scoping activities and a review of the requirements of the Improvement Act and NEPA. These issues, as well as the many other substantive issues identified during scoping, were considered during the formulation of alternatives for future Refuge management. The significant issues are summarized in the following sections.

Vegetation Management. Native plant community preservation and restoration, fire management and weed control.

Wildlife Management. Wildlife species protection and management, including strategies to address species reintroduction, population management, migration corridors and coordination with regional wildlife managers.

Public Use. Policies and facility options to address several scenarios, from no access to multiple recreational and educational uses. This includes a range of facility development to accommodate these scenarios.

Cultural Resources. Preservation and recognition of elements related to site history, including Lindsay Ranch structures and Cold War heritage.

Property. Privately owned mineral rights, transportation right of way, and adjacent land owner relationships.

Infrastructure. Facilities, such as roads, fences, signs and water systems, that accommodate Refuge needs and user comfort/safety. Also includes surface water hydrology and maintenance of water quality.

Refuge Operations. Staffing requirements and management strategies to preserve significant resources and coordinate with surrounding communities and landowners.

Issues outside the Scope of the CCP and EIS

While issues about site cleanup were raised frequently, the issue is outside the scope of the planning effort. The Service routinely communicated to the public that Rocky Flats will not be transferred to the Service until the EPA certifies that cleanup and closure are complete. Contamination and remediation issues are being addressed by DOE, the U.S. Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment. However, due to the public's concern about this issue, the final CCP and EIS includes an expanded discussion of issues related to cleanup (see Section 1.5).

Alternative Workshops

After the significant issues were identified during the scoping period, the Service developed alternatives for the management of the Refuge. In May 2003, the Service held public workshops in Broomfield, Arvada, Westminster, and Boulder to present four preliminary management alternatives. The alternatives ranged from providing little or no public access to extensive public access and facility development. At each workshop, the participants were encouraged to provide comments on the alternatives, and were specifically asked what they liked or disliked about them.

Issues to Reconsider

The public expressed differing opinions on several issues. The following were the predominant concerns:

Proposed Action. Re-examine the Service's Proposed Action (Alternative B) and determine if it should remain as is or be modified in some specific way.

Equestrian Use. Evaluate whether equestrian use is consistent with the Refuge goals and if it is compatible with the Refuge purposes.

Trail Design. Consider modifying trail configurations to improve connectivity and enhance visitor experience while minimizing potential impacts on sensitive natural resources.

Restoration. Consider phasing options that would accelerate habitat conservation and delay public use facility and programming development until restoration efforts are underway.

Public Preferences

Comments on the alternatives expressed a range of opinions about the site. Some people believed that no public access was appropriate, while others wished for extensive public use. More people supported the Service's Proposed Action (Alternative B), either as it is or with some modifications. A majority of the comments were related to public use opportunities (42 percent) and habitat and wildlife management (30 percent). These percentages reflect what was heard through the comment period, which ended in June 2003.

After the workshops were completed, the Service re-evaluated all the issues and revised some portions of the alternatives.

Comments on the Draft CCP/EIS

The Draft CCP/EIS was available for public review from February 19, 2004 to April 25, 2004. In March 2004, the Service held four public hearings on the draft in Westminster, Boulder, Arvada, and Broomfield. The meetings were conducted as hearings in which individuals were given 3 minutes to comment and their comments were recorded by a court reporter. The Refuge Manager,

attended all meetings and conducted a question and answer session following the comments.

In addition to the public hearing testimony, comments were also received in the form of letters, emails, form letters, and petitions. During the Draft CCP/EIS comment period, the Service received over 5,000 comments from 251 individuals, 34 agencies/organizations, and 933 form letters. From those who specifically stated a preference for a particular alternative, 21 percent supported Alternative A, 63 percent supported Alternative B (the Service's proposed action), 15 percent for Alternative C, and 1 percent for Alternative D.

The most significant issue raised was public access. Due to the history of contamination and the ongoing cleanup efforts, members of the public were concerned about plans for public access and very interested in how the DOE retained area should be demarcated. Other significant issues included public hunting, prescribed fire and grazing, prairie dog management, water rights, Lindsay Ranch, cumulative impacts of adjacent mining, and nearby transportation improvements.

All of the comments received on the Draft CCP/EIS, as well as responses to substantive comments, are included or summarized in Appendix H to the Final CCP/EIS—Comments and Responses on the Draft Environmental Impact Statement (under a separate cover). Public

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Four preliminary management alternatives were presented at public workshops.

comments were also made available for review at the Front Range Community College Library, Rocky Flats Reading Room or at the Rocky Mountain Arsenal National Wildlife Refuge Visitor Center on weekends.

Changes to the Draft CCP/EIS

As a result of public comments and concerns about the Draft CCP/EIS, several changes were made to the Final CCP. The most significant changes to the CCP include the following:

- **Trails** - New trail configurations (See Figure 17).
- **Contamination** - Expanded discussion of contamination, cleanup, and the DOE retained lands (See CCP Sections 1.5, 3.2 and Appendix E).