

March 7, 2008

Dear RTD Stakeholders:

As the Regional Transportation District (RTD) implements the voter-approved FasTracks transit program, there will inevitably be issues that arise. One issue that is currently a hot topic is the acquisition of property needed to build the rail lines, stations and parking facilities for FasTracks.

Recently, some facts have gotten muddled about how RTD is pursuing property acquisitions under the eminent domain process. I would like to stress that RTD follows all applicable federal regulations and state laws for our property acquisitions. Specifically, we are required to follow, and indeed do follow, the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (CFR Title 49, Part 24), and Colorado's Eminent Domain Statute (CRS § 38-1-101, et. seq.). This is the same acquisition process that RTD has utilized for many years for our federally-assisted projects, including all of our light rail lines and the Transportation Expansion (T-REX) Project completed in partnership with the Colorado Department of Transportation.

There have been recent claims that RTD uses eminent domain powers to acquire property for the purpose of private development. **This is simply not true.** RTD only acquires property that the agency needs for transit purposes. In some instances, RTD may look into opportunities for an outside party to build an element of a project for RTD, such as a parking structure, which could save taxpayers millions of dollars. Any ancillary development by the third party at that site would benefit transit users, but RTD would not develop those uses. The local municipality would still retain control of all zoning for that structure and any surrounding development.

You may have seen some media attention on this issue since RTD sent letters to some property owners along the West Corridor notifying them that we need to purchase their properties for the West Corridor Light Rail Line. Unfortunately, there has also been a lot of misinformation and misinterpretation of the process. Please note that RTD notifies property owners as soon as possible once we know for certain that we need a property for a project, and every effort is made to acquire property by negotiating a mutually agreed-upon purchase price, based on fair market value, and in most cases we are able to come to such an agreement. If an agreement cannot be reached, RTD will have no choice but to proceed to condemnation, which still results in the property owner receiving fair-market value for their property. Negotiations can continue throughout the condemnation process in an effort to reach a mutual agreement, which often happens.

In addition to purchasing properties at a fair market price, any individual, family, business or farm displaced by a federally-assisted program is offered relocation assistance services to help the owner locate a suitable replacement property.

We are proud of the fact that each one of our light rail lines has been built on time and on budget, and passenger ridership has exceeded projections. We would not have had these successful projects without being able to acquire property needed to build tracks, stations, parking, power substations and other requirements.

Attached is a fact sheet summarizing the property acquisition process that RTD follows. This is also available on the RTD Web site at www.RTD-Denver.com under the FasTracks icon on the left side of the home page, or directly on the FasTracks Web site at www.RTD-FasTracks.com. RTD also has available two booklets that explain in greater detail the property acquisition and relocation assistance process. We would be happy to provide copies to you upon request. If you have any questions or would like additional information, please contact the FasTracks Public Information Office at 303-299-6990.

On another FasTracks note, I'd like to remind you that the Denver Regional Council of Governments will hold its Public Hearing on the 2007 Annual Report on FasTracks on Wednesday, March 19 at 6:30 p.m. at the DRCOG offices, 1290 Broadway, on the first floor.

Thank you for your continued interest in RTD and FasTracks. We look forward to working with you and your constituents as we implement the FasTracks program that will serve residents of the metro area for many generations.

Lee Kemp
RTD Board Chairman