



# **APPENDIX A**

## **Agency Correspondence**

*For the C-470 Corridor  
Revised Environmental Assessment*

*July 2015*



## SECTION 106 CORRESPONDENCE

Date	From	To	Subject
3-24-2014	Ashley Bushey, CDOT	Jon Chesser, CDOT	Section 106 (NHPA) and Section 4(f) (US DOT Act) processes completed
8-28-2013	Charles Attardo, CDOT	<ul style="list-style-type: none"> <li>• Edward Nichols, SHPO</li> <li>• Dennis Swain, Littleton Historic Preservation Board</li> <li>• Arapahoe County Commissioners</li> <li>• Dennis Dempsey, Jefferson County</li> <li>• Roger Sherman, C-470 Coalition</li> <li>• Judy Hammer, Douglas County Historic Preservation Board</li> </ul>	Requesting concurrence with APE and determinations of eligibility and effect
9-6-2013	Edward Nichols, SHPO	Charles Attardo, CDOT	Determinations of Eligibility and Effects, APE, and Historic Resources Methodology
9-28-2013	Norma Miller, Douglas County	Charles Attardo, CDOT	Concurring with determinations
10-3-2013	Charles Attardo, CDOT	Edward Nichols, SHPO	Additional information regarding Columbine Hills neighborhood
10-16-2013	Edward Nichols, SHPO	Charles Attardo, CDOT	Concurring with finding of <i>no adverse effect</i> for Columbine Hills neighborhood
11-26-2013	Charles Attardo, CDOT	<ul style="list-style-type: none"> <li>• Edward Nichols, SHPO</li> <li>• Dennis Swain, Littleton Historic Preservation Board</li> <li>• Judy Hammer, Douglas County Historic Preservation Board</li> </ul>	Requesting written comments regarding proposed Section 4(f) <i>de minimis</i> findings for City Ditch
12-5-2013	Edward Nichols, SHPO	Charles Attardo, CDOT	Acknowledging FHWA proposed <i>de minimis</i> findings for City Ditch
12-10-2013	Norma Miller, Douglas County	Charles Attardo, CDOT	Concurring with <i>no adverse effect</i> determination for City Ditch
1-21-2014	Charles Attardo, CDOT	John M. Cater, FHWA	Requesting concurrence with proposed <i>de minimis</i> finding for City Ditch
3-21-2014	John M. Cater, FHWA	Charles Attardo, CDOT	Concurrence signature by John M. Cater, FHWA on Charles Attardo letter dated 1-21-2014

## SECTION 106 NATIVE AMERICAN CONSULTATION CORRESPONDENCE

Date	From	To	Subject
3-25-2004	William C. Jones, FHWA	Maxine Natchees, Uintah and Ouray Tribal Business Committee	Example of Native American Consultation letter sent to 31 tribes in 2004
Post-March, 2004	Standing Rock Sioux Tribe	Dan Jepson, CDOT	Example of completed Section 106 Tribal Consultation Interest Response Form
9-27-2013	Jane Hann, CDOT	<ul style="list-style-type: none"> <li>• Jimmy Newton, Jr, Southern Ute Indian Tribe</li> <li>• Darryll O'Neal, Sr., Northern Arapaho Tribal Business Council</li> </ul>	Renewal of Section 106 consultation for C-470 project
10-16-2013	Alden Naranjo, Southern Ute Indian Tribe	Dan Jepson, CDOT	Project would have no effect on properties of religious or cultural significance to the Southern Ute Indian Tribe

SECTION 4(f) *DE MINIMIS* FINDING CORRESPONDENCE

Date	From	To	Subject
12-5-2013	Edward Nichols, SHPO	Charles Attardo, CDOT	Acknowledging FHWA proposed <i>de minimis</i> findings for City Ditch
12-10-2013	Norma Miller, Douglas County	Charles Attardo, CDOT	Concurring with <i>no adverse effect</i> determination for City Ditch
1-21-2014	Charles Attardo, CDOT	John M. Cater, FHWA	Requesting concurrence with proposed <i>de minimis</i> finding for City Ditch
3-21-2014	John M. Cater, FHWA	Charles Attardo, CDOT	Concurrence signature by John M. Cater, FHWA on Charles Attardo <i>de minimis</i> finding letter dated 1-21-2014

# MEMORANDUM

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



TO: Jon Chesser, Region 1 Environmental Project Manager

FROM: Ashley L. Bushey, Region 1 Historian

DATE: March 24, 2014 *ALB* 3.24.14

RE: C-470 Revised Environmental Assessment; Jefferson, Douglas, and Arapahoe Counties

This memo is to notify you that the Section 106 (NHPA) and Section 4(f) (DOT Act) have been completed for the project referenced above.

### Section 106

#### *SHPO Response*

CDOT consulted on eligibility and effects with the State Historic Preservation Officer (SHPO), and with the City of Littleton Historic Preservation Board, Arapahoe County Commissioners Office, Jefferson County Historical Commission, CRL Associates, and the Douglas County Historic Preservation Board, in the capacity of Consulting Parties, in letters dated August 28, 2013. In a letter dated September 6, 2013, SHPO concurred with the project Area of Potential Effects (APE), with the recommended determinations of eligibility, and with the recommended effect findings for all but resource 5JF5143, for which SHPO requested additional information to complete their review. A letter of additional information was submitted on October 3, 2013, and SHPO concurred with the recommended finding of *no adverse effect* for resource 5JF5143 by a letter dated October 16, 2013. Consulting party comments were received from the Douglas County Historic Preservation Board in a letter dated September 26, 2013.

In a letter dated November 26, 2013, CDOT notified SHPO of FHWA's intention to complete a Section 4(f) *de minimis* finding relative to resource 5AH254.7/5DA987.1 (City Ditch). The Historic Preservation Commissions representing the City of Littleton and Douglas County were also notified. As the Official with Jurisdiction over this resource, SHPO acknowledged the intention to complete a *de minimis* finding in a letter dated December 5, 2013. Acknowledgement was also received from the Douglas County Historic Preservation Board in a letter dated December 10, 2013.

#### *Tribal Section 106 Consultation*

Tribal Consultation requirements under Section 106 were completed by CDOT Environmental Programs Branch. In letters dated September 27, 2013, the Southern Ute Indian Tribe and Northern Arapahoe Tribal Business Council were notified of ongoing changes to the subject Environmental Assessment. A response was received from the Southern Ute Indian Tribe in a letter dated October 16, 2013, confirming no properties of religious or cultural significance to the Southern Ute Indian Tribe would be affected by the project.

### Section 4(f) De Minimis

#### *FHWA*

CDOT consulted with the Federal Highway Administration (FHWA) regarding the determination of Section 4(f) *de minimis* for resource 5AH254.7/5DA987.1, the City Ditch, in a letter dated December 31, 2013. FHWA concurred with the finding of *de minimis* impact on March 21, 2014.

Clearance to proceed on this project is recommended. As always, please notify me of any changes to the project scope or limits that would require a re-evaluation of the clearance.

Enclosures: Consultation Correspondence

Cc: Dan Jepson, CDOT EPB  
Douglas Eberhart, Wilson & Company  
Dawn Bunyak, Bunyak Research Associates  
File

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Mr. Nichols:

This letter and enclosed materials constitute a request for concurrence on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by

electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

#### ***Determinations of Eligibility***

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
5JF4795	Massey Draw CBC, F-16-HY	Massey Draw	Highway Culvert	Field Not Eligible (2013)
5JF5142, 5DA3091	Chatfield Dam	S Wadsworth Blvd	Dam	Field Eligible (2013)
5JF5143	Columbine Hills	S Platte Canyon	Post-World War II Subdivision	Field Eligible (2013)
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
5DA2819	S Platte River Bridge, F-16-HW	S Platte River	Highway Bridge	Field Not Eligible (2013)
5DA2826	S Platte River Bridge, F-16-HV	S Platte River	Highway Bridge	Field Not Eligible (2013)
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

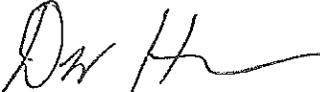
Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, 5DA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the CBC and will not alter or diminish the defining features of the resource.	No Adverse Effect

We hereby request your concurrence with the revised APE and determinations of eligibility and effects. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act (as amended) and the Advisory Council on Historic Preservation's regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397.

Very truly yours,

  
fo Charles Attardo

Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map

Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company

Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Dennis Swain, Principal Planner  
City of Littleton Historic Preservation Board  
Community Development Department  
2255 West Berry Avenue  
Littleton, CO 80165

**SUBJECT:** Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Mr. Swain:

This letter and enclosed materials constitute a request for comments on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document.

If the Littleton Historic Preservation Board is interested in participating as a consulting party for this revised EA under Section 106, please respond in writing within 30 days of receipt of this letter to Ashley L. Bushey, Region 1 Senior Staff Historian, at the address on the letterhead. We request that your response include a statement of demonstrated interest in historic properties associated with this EA, as stipulated in the Section 106 regulations.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed

typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

#### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

#### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

#### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

##### ***Determinations of Eligibility***

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and

recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
5JF4795	Massey Draw CBC, F-16-HY	Massey Draw	Highway Culvert	Field Not Eligible (2013)
5JF5142, 5DA3091	Chatfield Dam	S Wadsworth Blvd	Dam	Field Eligible (2013)
5JF5143	Columbine Hills	S Platte Canyon	Post-World War II Subdivision	Field Eligible (2013)
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
5DA2819	S Platte River Bridge, F-16-HW	S Platte River	Highway Bridge	Field Not Eligible (2013)
5DA2826	S Platte River Bridge, F-16-HV	S Platte River	Highway Bridge	Field Not Eligible (2013)
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

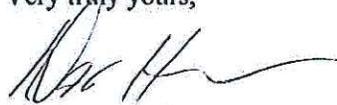
Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, 5DA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the CBC and will not alter or diminish the defining features of the resource.	No Adverse Effect

As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Very truly yours,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map  
Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company  
Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Commissioners' Office  
Arapahoe County Government  
Administration Building  
5334 S. Prince Street  
Littleton, CO 80120

**SUBJECT:** Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Commissioners:

This letter and enclosed materials constitute a request for comments on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document. As a consulting party in the 2004—2005 Section 106 consultation for the subject project, we are providing the Arapahoe County Board of County Commissioners with the opportunity to comment on the following revisions to the project.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary

lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

#### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

#### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

#### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

##### ***Determinations of Eligibility***

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
5JF4795	Massey Draw CBC, F-16-HY	Massey Draw	Highway Culvert	Field Not Eligible (2013)
5JF5142, 5DA3091	Chatfield Dam	S Wadsworth Blvd	Dam	Field Eligible (2013)
5JF5143	Columbine Hills	S Platte Canyon	Post-World War II Subdivision	Field Eligible (2013)
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
5DA2819	S Platte River Bridge, F-16-HW	S Platte River	Highway Bridge	Field Not Eligible (2013)
5DA2826	S Platte River Bridge, F-16-HV	S Platte River	Highway Bridge	Field Not Eligible (2013)
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, 5DA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the	No Adverse Effect

Site Number	Site Name	Proposed Action Impact	Determination of Effects
		CBC and will not alter or diminish the defining features of the resource.	

As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Very truly yours,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map  
Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company  
Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Dennis Dempsey, Long Range Planner  
Jefferson County Historical Commission  
Planning and Zoning Department  
100 Jefferson County Parkway, Suite 3550  
Golden, CO 80419

**SUBJECT:** Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Mr. Dempsey:

This letter and enclosed materials constitute a request for comments on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document. As a consulting party in the 2004—2005 Section 106 consultation for the subject project, we are providing the Jefferson County Historical Commission with the opportunity to comment on the following revisions to the project.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary

lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

#### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

#### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

#### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

##### *Determinations of Eligibility*

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
<b>5JF4795</b>	<b>Massey Draw CBC, F-16-HY</b>	<b>Massey Draw</b>	<b>Highway Culvert</b>	<b>Field Not Eligible (2013)</b>
<b>5JF5142, 5DA3091</b>	<b>Chatfield Dam</b>	<b>S Wadsworth Blvd</b>	<b>Dam</b>	<b>Field Eligible (2013)</b>
5JF5143	Columbine Hills	S Platte Canyon	Post-World War II Subdivision	Field Eligible (2013)
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
<b>5DA2819</b>	<b>S Platte River Bridge, F-16-HW</b>	<b>S Platte River</b>	<b>Highway Bridge</b>	<b>Field Not Eligible (2013)</b>
<b>5DA2826</b>	<b>S Platte River Bridge, F-16-HV</b>	<b>S Platte River</b>	<b>Highway Bridge</b>	<b>Field Not Eligible (2013)</b>
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, 5DA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the	No Adverse Effect

Mr. Dempsey  
August 28, 2013  
Page 5

Site Number	Site Name	Proposed Action Impact	Determination of Effects
		CBC and will not alter or diminish the defining features of the resource.	

As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Very truly yours,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map  
Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company  
Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Roger Sherman  
CRL Associates  
C-470 Coalition  
1625 Broadway, Suite 700  
Denver, CO 80202

**SUBJECT:** Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Mr. Sherman:

This letter and enclosed materials constitute a request for comments on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document.

If CRL Associates, on behalf of the C-470 Coalition, is interested in participating as a consulting party for this revised EA under Section 106, please respond in writing within 30 days of receipt of this letter to Ashley L. Bushey, Region 1 Senior Staff Historian, at the address on the letterhead. We request that your response include a statement of demonstrated interest in historic properties associated with this EA, as stipulated in the Section 106 regulations.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed

typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

#### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

#### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

#### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

##### *Determinations of Eligibility*

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and

recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
5JF4795	Massey Draw CBC, F-16-HY	Massey Draw	Highway Culvert	Field Not Eligible (2013)
5JF5142, 5DA3091	Chatfield Dam	S Wadsworth Blvd	Dam	Field Eligible (2013)
5JF5143	Columbine Hills	S Platte Canyon	Post-World War II Subdivision	Field Eligible (2013)
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
5DA2819	S Platte River Bridge, F-16-HW	S Platte River	Highway Bridge	Field Not Eligible (2013)
5DA2826	S Platte River Bridge, F-16-HV	S Platte River	Highway Bridge	Field Not Eligible (2013)
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

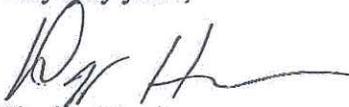
Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, SDA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the CBC and will not alter or diminish the defining features of the resource.	No Adverse Effect

As a local organization with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Very truly yours,

*for*   
Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map  
Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company  
Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



August 28, 2013

Judy Hammer  
Douglas County Historic Preservation Board  
Community Planning and Sustainable Development  
100 3rd Street  
Castle Rock, CO 80104

SUBJECT: Determinations of Eligibility and Effects, APE, and Historic Resource Survey  
Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and  
Arapahoe counties, (CHS# 43926)

Dear Ms. Hammer:

This letter and enclosed materials constitute a request for comments on Determinations of Eligibility and Effects for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) and Douglas County is revising the 2006 C-470 Environmental Assessment (EA) document. As a consulting party in the 2004—2005 Section 106 consultation for the subject project, we are providing the Douglas County Historic Preservation Board with the opportunity to comment on the following revisions to the project.

## **PROJECT DESCRIPTION AND LOCATION**

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary

lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

### **AREA OF POTENTIAL EFFECTS (APE) & METHODOLOGY**

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 EA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources.

### **METHODOLOGY**

In May and June 2013, Dawn Bunyak of Bunyak Research Associates conducted research and field surveys in order to revise the historic resource survey report for the revised EA. Research methodology included a review of the Office of Archeology and Historic Preservation (OAHP) Compass database to update records and findings since the 2006 EA. No additional listings were indicated by that search.

A total of eleven (11) cultural resources constructed during or before 1968 are located within the project APE. The date 1968 (45 years ago) was selected as standard CDOT practice and to allow for a period of completion of final design and construction of the subject project. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. The remaining six (6) resources, including three (3) linear resources with multiple segments occurring within the APE, were identified as eligible resources under the original EA. The current project conducted re-evaluations of these resources on OAHP Form 1405.

### **DETERMINATIONS OF ELIGIBILITY AND EFFECTS**

#### ***Determinations of Eligibility***

The current cultural resource inventory identified three bridge structures (F-16-HY, F-16-HW, and F-16-HV) not included in the original evaluation. Each of these structures was constructed in 1968 and evaluated as part of the current 2013 Colorado Bridge Inventory, and each was recommended not eligible by that inventory. As that inventory has not yet been submitted for SHPO review, forms for these resources are included with this review for concurrence with the recommended finding.

Two newly identified resources were surveyed for the purpose of this project, the Chatfield Dam and Columbine Hills Subdivision. Chatfield Dam was surveyed on Architectural Inventory Form 1403 and recommended eligible. Columbine Hills Subdivision was surveyed on the Subdivision Inventory Form 1403b and recommended eligible.

Summaries of eligibility for each resource are identified in the table below (Table 1). Please refer to the enclosed Historic Resources Report and inventory forms for detailed descriptions of the eligibility and effects for each site.

**Table 1—Summary of Historic Properties & Determination of Eligibility**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Address	Description	NRHP Eligibility & Date
5JF188	Hildebrand Ranch Historic District	8500 Deer Creek Road, Littleton	Ranch	National Register (1975)
5JF2613	Selzell Ditch	Arapahoe County, Littleton	Irrigation Ditch	Officially Eligible (2004)
<b>5JF4795</b>	<b>Massey Draw CBC, F-16-HY</b>	<b>Massey Draw</b>	<b>Highway Culvert</b>	<b>Field Not Eligible (2013)</b>
<b>5JF5142, 5DA3091</b>	<b>Chatfield Dam</b>	<b>S Wadsworth Blvd</b>	<b>Dam</b>	<b>Field Eligible (2013)</b>
<b>5JF5143</b>	<b>Columbine Hills</b>	<b>S Platte Canyon</b>	<b>Post-World War II Subdivision</b>	<b>Field Eligible (2013)</b>
5AH254.7	City Ditch Segment	Arapahoe County	Irrigation Ditch	Officially Eligible (1979)
5DA987.1	City Ditch Segment	Douglas County	Irrigation Ditch	Officially Eligible (1979)
5DA2819	S Platte River Bridge, F-16-HW	S Platte River	Highway Bridge	Field Not Eligible (2013)
5DA2826	S Platte River Bridge, F-16-HV	S Platte River	Highway Bridge	Field Not Eligible (2013)
5AH256.4	AT&SF Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (1995)
5DA922.1	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA922.2	AT&SF Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1995)
5AH255.2	D&RG Railroad Segment	Arapahoe County, Littleton	Railroad Segment	Officially Eligible (1995)
5AH255.5	D&RG Railroad Segment	Arapahoe County	Railroad Segment	Officially Eligible (2004)
5DA921.1	D&RG Railroad Segment	Douglas County	Railroad Segment	Officially Eligible (1990)
5DA600.3	High Line Canal	Douglas County	Irrigation Ditch	Officially Eligible (2004)

***Determinations of Effect***

Impacts to historic resources were assessed for an Express Lane Alternative. These findings are summarized in the table below (Table 2) and described more fully in the attached Historic Resource Survey C-470-Kipling Parkway to I-25, prepared by Bunyak Research Associates under contract to Wilson & Company, Inc. and CDOT. As the work will remain within the existing CDOT right-of-way, no acquisitions are required to accommodate project activities. Impacts are generally indirect, resulting from anticipated noise levels and visual impacts resulting from the wider highway. Specific data related to noise is not available, as the noise study for the subject project is currently under completion.

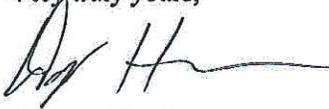
**Table 2—Summary of Proposed Action Impacts and Determinations of Effect**  
*Newly Identified Properties are in Bold Font*

Site Number	Site Name	Proposed Action Impact	Determination of Effects
5JF188	Hildebrand Ranch Historic District	No direct impacts. Limits of construction are 1,957 feet from the District boundary at the closest point. Noise dissipates after 500 feet; no indirect impacts are anticipated from noise. Addition of an express lane in each direction within existing ROW will not substantially alter or diminish the visual setting of the property from this distance.	No historic properties affected
5JF2613	Selzell Ditch	The resource exists within the APE; however no construction impacts are indicated to the resource.	No historic properties affected
5JF4795	Massey Draw CBC, F-16-HY	Resource may be altered or replaced.	No historic properties affected
5JF5142, 5DA3091	Chatfield Dam	No direct impacts. The project will result in additional span of highway visible from the resource and may result in greater traffic noise; noise and visual impacts will not diminish the features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5JF5143	Columbine Hills	No direct impacts. Indirect impacts include a potential for elevated noise levels, which may be mitigated by introduction of sound walls. Sound walls would constitute visual impact. Noise and visual impacts will not diminish the defining features of the resource qualifying it for inclusion on the NRHP.	No Adverse Effect
5AH254.7 5DA987.1	City Ditch Segment	Realignment/reconstruction of non-supporting segment.	No Adverse Effect
5DA2819	S Platte River Bridge, F-16-HW	Resource will be removed and replaced.	No historic properties affected
5DA2826	S Platte River Bridge, F-16-HV	Resource will be removed and replaced.	No historic properties affected
5AH256.4 5DA922.1 5DA922.2	AT&SF Railroad Segment	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5AH255.2 5AH255.5 5DA921.1	D&RG Railroad Segments	The resource parallels the eastern side of US85/Santa Fe Drive and intersects C-470 via a highway overpass. Overpass wingwalls may be expanded, but will not intersect the resource boundary. Bridge piers will remain in their existing locations.	No historic properties affected
5DA600.3	High Line Canal Segment	The existing Concrete Box Culvert (CBC) carrying the resource under C-470 will <i>not</i> need to be widened to accommodate the project. The project will require construction of a concrete retaining wall at the edge of the pavement to stabilize the slope and prevent erosion of the canal. The wall will be placed approximately 12' from the	No Adverse Effect

Site Number	Site Name	Proposed Action Impact	Determination of Effects
		CBC and will not alter or diminish the defining features of the resource.	

As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Very truly yours,



to - Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Historic Resource Survey Report, Including APE Map  
Inventory forms (Architectural Inventory Form 1403, Subdivision Form 1403b, Revisitation Form 1405)

cc: Douglas Eberhart, Wilson & Company  
Jon Chesser, Region 1 Environmental Project Manager



# HISTORY Colorado

September 6, 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 6  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe Counties (CHS #43929)

Dear Mr. Attardo:

Thank you for your correspondence dated and received on August 28, 2013 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided additional information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project. After review of the provided survey information, we concur with the recommended findings of National Register eligibility for the resources listed below.

- 5JF.5142/5DA.3091
- 5JF.5143
- 5JF.4795
- 5DA.2826
- 5DA.2819
- 5JF.188
- 5DA.987.1
- 5DA.922.2
- 5DA.922.1
- 5DA.921.1
- 5DA.600.3
- 5AH.256.4
- 5AH.255.5
- 5AH.254.7

After review of the provided scope of work and assessment of adverse effect, we concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] for the resources listed below.

- 5JF.188
- 5JF.2613
- 5JF.4795
- 5DA.2819
- 5DA.2826
- 5AH. 256.4
- 5DA.922.1
- 5DA.922.2
- 5AH.255.2
- 5AH.255.5
- 5DA.921.1

After review of the provided scope of work and assessment of adverse effect, we concur with the recommended finding of *no adverse effect* [36 CFR 800.5(b)] for the resources listed below.

- 5JF.5142/5DA.3091
- 5AH.254.7/5DA.987.1
- 5DA.600.3

We are not able to concur with the assessment of adverse effect for the resources listed below.

- 5JF.5143 Page 47 of the survey report states that a noise wall is expected and will affect the properties on W. Alder Avenue. In order to better understand the effect of introducing a new feature into/adjacent to the historic setting, please provide more information on how close the noise wall will be to the W. Alder Avenue properties. Will the noise walls be installed south of W. Chatfield Ave?

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols

State Historic Preservation Officer

26 September 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
CDOT  
2000 South Holly Street  
Denver, CO 80222

Re: File #/Name: Section 106 Request for Historic Resource Survey C-470

Dear Mr. Attardo:

Per your request for comment on the Determinations of Eligibility and Effects survey, please be advised a Compass file search was conducted on the sections affected in Douglas County. The following sets out the findings, concerns and recommendations on the referenced property.

We are satisfied that Dawn Bunyak Research Associates has done thorough research and concur with their determinations on the Douglas County properties.

Very Sincerely,

*Norma Miller*

Norma Miller

Archaeology Consultant/Curator, Douglas County History Repository

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 3, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Additional Information, Determinations of Eligibility and Effects, APE, Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe Counties (SHS #43929)

Dear Mr. Nichols:

This letter is in response to correspondence from your office dated September 6, 2013 regarding the project referenced above. Your office concurred with the recommended Area of Potential Effects (APE), with the recommended determinations of Eligibility, and with determinations of Effect for all but one resource included in our initial submission of August 28, 2013. That resource, Columbine Hills Filings 2 and 4/Trend Homes of Columbine Hills (5JF5143), is the subject of this correspondence.

In the above-referenced communication of September 6, 2013, your office requested additional information regarding a noise wall anticipated for installation in the vicinity of the subject resource, 5JF5143. An assessment of the Columbine Hills neighborhood was included in the 2005 Environmental Assessment (EA) prepared for the subject project. The neighborhood was not evaluated as a historic district at that time due to its age. The project consultant completing the historic component of the current EA revision consulted with the noise specialist for the project to confirm that the 2005 recommendations with regard to noise will carry over to the 2013 recommendations: A 20-foot-tall sound wall will be installed along C-470 south of the subject resource boundary and south of West Chatfield Avenue. Properties within the Columbine Hills Subdivision Historic District front West Alder Avenue. Please refer to the attached excerpts from the 2005 EA for additional details.

The characteristics of resource 5JF5143 qualifying it for inclusion in the National Register of Historic Places enable the property to reflect a cohesive, planned community based on a master plan. As outlined in the property survey on OAHF Form 1403b, these characteristics include layout of curvilinear street and cul-de-sacs, relation to the topography, layouts of setbacks and orientation of the houses to the street, scale of houses, and architectural types for the period of significance of 1959 to 1968.

Introduction of a sound wall beyond the historic boundary of the resource to the south of West Chatfield Avenue will offer a minor visual setting intrusion, but will not detract from the character defining features of the resource outlined above. The setting of the resource beyond its historic boundary has been in constant flux since the close of the period of significance in 1968; including introduction of highway C-470 between 1967 and 1973, introduction of the Chatfield Dam and Reservoir south of the resource in the

Mr. Nichols  
October 3, 2013  
Page | 2

early 1970s, introduction of the South Platte Reservoir east of the resource in 2007-2008, and introduction of more modern subdivision developments to the north and west of the resource between the mid-1970s and 1990s. Significance of this resource is concentrated on the integrity of the subdivision master plan and representation of key architectural types. Introduction of the subject sound wall will not diminish the features of the resource qualifying it for inclusion in the National Register of Historic Places.

Given the additional information provided, we request concurrence with the determination of *no adverse effect* for the subject resource outlined in the initial correspondence dated August 29, 2013 and received by your office on August 30, 2013. Should you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397.

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures: Excerpts from 2005 EA

Cc: Jon Chesser, RI Project Manager  
Dawn Bunyak, Bunyak Research Associates



October 16, 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 6  
2000 South Holly Street  
Denver, CO 80222

Re: Additional Information: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe Counties (CHS #43926)

Dear Mr. Attardo:

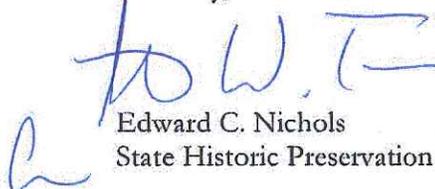
Thank you for your correspondence dated October 3, 2013 and received on by our office on October 4, 2013 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided additional information, we concur with the recommended finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 for resource 5JF.5143.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

  
Edward C. Nichols  
State Historic Preservation Officer

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9907 FAX



November 26, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

SUBJECT: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology  
C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe counties, (CHS#  
43926)

Dear Mr. Nichols:

This letter and the attached materials constitute the Federal Highway Administration's (FHWA) request for concurrence from your office that the effects to historic resources resulting from implementation of the proposed C-470 Environmental Assessment would be "de minimis" for the purposes of Section 4(f) of the Department of Transportation Act of 1966.

In August 2013, FHWA and the Colorado Department of Transportation (CDOT) consulted with your office, pursuant to Section 106 of the National Historic Preservation Act (NHPA), on the potential effects to historic properties as a result of the proposed C-470 Kipling Parkway to I-25 Environmental Assessment (EA), currently under revision. Concurrence on determinations of eligibility and effect with regard to the project was received from your office on October 16, 2013. Copies of the consultation with your office and appropriate consulting parties under Section 106 are attached to this submission.

#### Notification of Section 4(f) *De Minimis* Determination

**City Ditch (5AH254.7 and 5DA987.1):** The subject segments are considered *non-supporting* of the overall eligibility of the City Ditch resource. Consultation under Section 106 determined the work indicated at this resource will result in a determination of *no adverse effect*. Though no easement or right-of-way acquisition is indicated at this location, the project will require realignment and reconstruction of the Ditch resource to accommodate highway construction: this action constitutes a "use" under Section 4(f) because it requires the permanent incorporation of a small area of land associated with the resource into the transportation infrastructure.

The finding of *no adverse effect* under Section 106 reflects a conclusion that those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resources listed above.

**Request for Concurrence**

FHWA requests concurrence from your office with the above-described finding of de minimis impact on historic resources. This written concurrence will be evidence that the concurrence and consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Concurrence can be provided either by signing and dating the signature block at the end of this letter, or by separate letter from your office.

Thank you for your time and consideration in facilitating this request for concurrence. If you require additional information, please contact Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397.

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures: Section 106 Consultation Correspondence

Cc: Jon Chesser, Region 1 Environmental Project Manager

**Concurrence**

The Colorado State Historic Preservation Officer hereby concurs that the Office has consulted with FHWA on the impacts to historic resources of the proposed C-470 Environmental Assessment, and that the Officer concurs with FHWA's finding that the Project will have a *de minimis* impact on the property identified for the purposes of Section 6009 SAFETEA-LU [23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C)].

I concur \_\_\_\_\_ Date: \_\_\_\_\_  
Mr. Edward C. Nichols  
Colorado State Historic Preservation Officer

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9907 FAX



November 26, 2013

Dennis Swain, Principal Planner  
City of Littleton Historic Preservation Board  
Community Development Department  
2255 West Berry Avenue  
Littleton, CO 80165

**SUBJECT: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology  
C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe counties, (CHS#  
43926)**

Dear Mr. Swain:

This letter and the attached materials constitute the Federal Highway Administration's (FHWA) request for comments from your office that the effects to historic resources resulting from implementation of the proposed C-470 Environmental Assessment would be "de minimis" for the purposes of Section 4(f) of the Department of Transportation Act of 1966.

In August 2013, FHWA and the Colorado Department of Transportation (CDOT) consulted with your office, pursuant to Section 106 of the National Historic Preservation Act (NHPA), on the potential effects to historic properties as a result of the proposed C-470 Kipling Parkway to I-25 Environmental Assessment (EA), currently under revision. Concurrence on determinations of eligibility and effect with regard to the project was received from Colorado SHPO on October 16, 2013. Copies of the consultation correspondence under Section 106 are attached to this submission.

#### **Notification of Section 4(f) De Minimis Determination**

**Background:** In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) ("SAFETEA-LU"). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have "de minimis" impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its "Guidance for Determining De Minimis Impacts to Section 4(f) Resources" which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA's

determination and notification of *de minimis* impacts with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

**City Ditch (5AH254.7 and 5DA987.1):** The subject segments are considered *non-supporting* of the overall eligibility of the City Ditch resource. Consultation under Section 106 determined the work indicated at this resource will result in a determination of *no adverse effect*. Though no easement or right-of-way acquisition is indicated at this location, the project will require realignment and reconstruction of the Ditch resource to accommodate highway construction: this action constitutes a "use" under Section 4(f) because it requires the permanent incorporation of a small area of land associated with the resource into the transportation infrastructure.

The finding of *no adverse effect* under Section 106 reflects a conclusion that those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resources listed above.

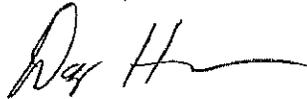
**Request for Comments**

FHWA requests written comments from your office with the above-described finding of *de minimis* impact on historic resources. This written comments will be evidence that the concurrence and consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Your written response can be provided to FHWA, via the CDOT Region 1 Planning and Environmental Office, at the following address:

Mr. Charles Attardo, Planning and Environmental Manager  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Thank you for your time and consideration in facilitating this request for concurrence. If you require additional information, please contact Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397.

Sincerely,



f6 / Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures: Section 106 Consultation Correspondence

Cc: Jon Chesser, Region 1 Environmental Project Manager

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9907 FAX



November 26, 2013

Judy Hammer  
Douglas County Historic Preservation Board  
Community Planning and Sustainable Development  
100 3rd Street  
Castle Rock, CO 80104

SUBJECT: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology  
C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe counties, (CHS#  
43926)

Dear Ms. Hammer:

This letter and the attached materials constitute the Federal Highway Administration's (FHWA) request for comments from your office that the effects to historic resources resulting from implementation of the proposed C-470 Environmental Assessment would be "de minimis" for the purposes of Section 4(f) of the Department of Transportation Act of 1966.

In August 2013, FHWA and the Colorado Department of Transportation (CDOT) consulted with your office, pursuant to Section 106 of the National Historic Preservation Act (NHPA), on the potential effects to historic properties as a result of the proposed C-470 Kipling Parkway to I-25 Environmental Assessment (EA), currently under revision. Concurrence on determinations of eligibility and effect with regard to the project was received from Colorado SHPO on October 16, 2013. Comments were received from your office on September 26, 2013. Copies of the consultation correspondence under Section 106 are attached to this submission.

#### Notification of Section 4(f) De Minimis Determination

**Background:** In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) ("SAFETEA-LU"). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have "*de minimis*" impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its "Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources" which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision

of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA's determination and notification of *de minimis* impacts with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

**City Ditch (5AH254.7 and 5DA987.1):** The subject segments are considered *non-supporting* of the overall eligibility of the City Ditch resource. Consultation under Section 106 determined the work indicated at this resource will result in a determination of *no adverse effect*. Though no easement or right-of-way acquisition is indicated at this location, the project will require realignment and reconstruction of the Ditch resource to accommodate highway construction: this action constitutes a "use" under Section 4(f) because it requires the permanent incorporation of a small area of land associated with the resource into the transportation infrastructure.

The finding of *no adverse effect* under Section 106 reflects a conclusion that those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resources listed above.

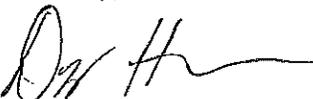
**Request for Comments**

FHWA requests written comments from your office with the above-described finding of *de minimis* impact on historic resources. This written comments will be evidence that the concurrence and consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Your written response can be provided to FHWA, via the CDOT Region 1 Planning and Environmental Office, at the following address:

Mr. Charles Attardo, Planning and Environmental Manager  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Thank you for your time and consideration in facilitating this request for concurrence. If you require additional information, please contact Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397.

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

Enclosures: Section 106 Consultation Correspondence

Cc: Jon Chesser, Region 1 Environmental Project Manager



HISTORY *Colorado*

December 5, 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Determination of Eligibility and Effect, APE, and Historic Resource Survey Methodology C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe counties (CHS #43926)

Dear Mr. Attardo:

Thank you for your correspondence dated and received on November 26, 2013 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided additional information, we acknowledge that FHWA intends to make a *de minimis* determination in respect to the requirements of Section 4(f) in regards to City Ditch/5AH.254.7 and 5DA.987.1. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols  
State Historic Preservation Officer

10 December 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
CDOT  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Eligibility and Effects, APE, and Historic Resource Survey Methodology  
C-470 Revised Environmental Assessment, Jefferson, Douglas, and Arapahoe Counties,  
(CHS#43926)

Dear Mr. Attardo:

We are responding to your letter of November 26, 2013. Initially we were concerned that site 5DA987.1, part of the City Ditch, was subject to adverse effects as stated in your letter by realignment and reconstruction of the resource to accommodate highway construction. This seems to be in direct conflict with your designation of no adverse effect and no alteration of the property.

However, since this section of the Ditch has heavy disturbance and is considered non-contributing to the existing historic district, we would concur with SHPO that no adverse effect on the district is the correct designation. We have no concerns and appreciate the opportunity to review the proposed project in conjunction with its potential adverse effects to prehistoric and historic resources in Douglas County.

Very Sincerely,

Norma Miller

Norma Miller  
Archaeology Consultant/Curator, Douglas County History Repository

Cc, via email: Judy Hammer, Douglas County Historic Preservation Board Administrator

**EXAMPLE OF NATIVE AMERICAN CONSULTATION LETTER  
SENT TO 31 TRIBAL REPRESENTATIVES IN 2004  
(MAILING LIST FOLLOWS)**

**EXAMPLE OF NATIVE AMERICAN CONSULTATION LETTER  
SENT TO 31 TRIBAL REPRESENTATIVES IN 2004  
(MAILING LIST FOLLOWS)**



U.S. Department  
Of Transportation  
**Federal Highway  
Administration**

**Colorado Federal Aid Division**  
555 Zang Street, Room 250  
Lakewood, CO 80228-1040

March 25, 2004

Ms. Maxine Natchees  
Chairwoman, Uintah and Ouray  
Tribal Business Committee  
P.O. Box 190  
Fort Duchesne, UT 84026

Dear Ms. Natchees:

**Subject:** Request for Section 106 Consultation; C-470 Environmental Assessment,  
Arapahoe, Douglas and Jefferson Counties, Colorado

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to State Highway 470 (C-470) between Kipling Parkway and Interstate 25, a distance of approximately 13.5 miles. The project, located in a largely developed suburban part of the south Denver, Colorado, metropolitan area, will examine transit alternatives that provide congestion relief, reduce traveler delay, and improve reliability along this highly congested corridor. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed maps for specific locational information.

The Federal Highway Administration will serve as the lead agency for this project, and CDOT staff will facilitate the tribal consultation process. However, the US Army Corps of Engineers (USACE), which administers property along a portion of the C-470 corridor, is an integral partner in the undertaking and has an established interest in the Section 106 compliance process. By deferring the coordination of Native American consultation to FHWA and CDOT, USACE does not relinquish its obligations in this regard as mandated by federal statute. The Corps will maintain an active interest in the consultation process, especially if cultural resources of concern are located on lands under its jurisdiction.

The agencies are seeking the participation of regional Native American tribal governments in cultural resources consultation for the undertaking, as described in Section 106 of the National Historic Preservation Act and implementing regulations 36 CFR 800 et seq. As a consulting party, you are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. Further, if it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is

our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people. If you have interest in this undertaking and in cultural resources that may be of religious or cultural significance to your tribe, we invite you to be a consulting party.

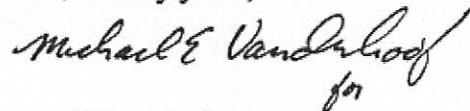
As noted above, the project area traverses a largely developed suburban landscape that includes residential subdivisions and commercial properties, with periodic sections of undeveloped land. The Area of Potential Effect (APE) for the project, as defined by 36 CFR 800.16(d), will generally be 500 feet on either side of the existing highway centerline. (Please note, however, that the "1/2-mile study area" identified on the enclosed aerial photograph is much wider than the APE.) A comprehensive survey and assessment of historic properties in the APE will be conducted. Any information you may have regarding the location of cultural resources in this area would assist us in this effort.

The Denver metropolitan area is home to a significant number of urban Indian people. As such, if you are aware of members of your tribe living in proximity to the C-470 study area who would be interested in participating in the NEPA consultation process on some level, please notify us so that we may facilitate that interaction.

We are committed to ensuring that tribal governments are informed of, and involved, in decisions that may impact places with cultural significance. If you are interested in becoming a consulting party for the C-470 project, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson within 60 days at the address or facsimile number listed at the bottom of that sheet. Mr. Jepson can also be reached via Email at [Daniel.Jepson@dot.state.co.us](mailto:Daniel.Jepson@dot.state.co.us) or by telephone at (303) 757-9631. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this time frame will not prevent your tribe from becoming a consulting party at a later date. However, studies and decision-making will proceed and it may become difficult to reconsider previous determinations or findings, unless significant new information is introduced.

Thank you for considering this request for consultation.

Sincerely yours,



William C. Jones  
Division Administrator

Enclosures

cc: Ms. Betsy Chapoose, Director, Cultural Rights & Protection Office  
E. LaDow, FHWA  
J. Paulmeno, CDOT Region 6  
D. Jepson, CDOT Env. Prog.  
F. Rios, USACE  
A. Brown, PBS&J



MS. MAXINE NATCHEES  
CHAIRWOMAN, UINTAH & OURAY  
TRIBAL BUSINESS COMMITTEE  
P.O. BOX 190  
FORT DUCHESNE, UT 84026

MR. HOWARD RICHARDS  
CHAIRMAN  
SOUTHERN UTE INDIAN TRIBE  
P.O. BOX 737  
IGNACIO, CO 81137

MR. ROBERT TABOR  
CHAIRMAN, CHEYENNE &  
ARAPAHO BUS COMMITTEE  
PO BOX 38  
CONCHO, OK 73022

MR. BURTON HUTCHINSON  
CHAIRMAN, NORTHERN  
ARAPAHO TRIBE BUSINESS COUNCIL  
P.O. BOX 396  
FORT WASHAKIE, WY 82514

MS. GERI SMALL  
CHAIRWOMAN  
NORTHERN CHEYENNE TRIBE  
P.O. BOX 128  
LAME DEER, MT 59043

MR. HAROLD C. FRAZIER  
CHAIRMAN  
CHEYENNE RIVER SIOUX TRIBAL COUNCIL  
P.O. BOX 590  
EAGLE BUTTE, SD 57625

MS. ROXANNE SAZUE  
CHAIRWOMAN  
CROW CREEK SIOUX TRIBAL COUNCIL  
P.O. BOX 658  
FORT THOMPSON, SD 57325

MR. WILLIAM KINDLE  
PRESIDENT  
ROSEBUD SIOUX TRIBE  
P.O. BOX 430  
ROSEBUD, SD 57570

MR. JOHN YELLOWBIRD  
PRESIDENT  
OGLALA SIOUX TRIBAL COUNCIL  
P.O. BOX H  
PINE RIDGE, SD 57770

MR. GEORGE E. HOWELL  
PRESIDENT  
PAWNEE NATION OF OKLAHOMA  
P.O. BOX 470, BLDG. 64  
PAWNEE, OK 74058

MR. HAROLD CUTHAIR  
ACTING CHAIRMAN  
UTE MOUNTAIN UTE TRIBE  
P.O. BOX 348  
TOWAOC, CO 81334

MS. MARY JANE YAZZIE  
CHAIRWOMAN  
WHITE MESA UTE TRIBAL COUNCIL  
P.O. BOX 7096  
WHITE MESA, UT 84511

MR. CLIFFORD MCKENZIE  
CHAIRMAN  
KIOWA TRIBE OF OKLAHOMA  
P.O. BOX 369  
CARNEGIE, OK 73015

MR. WALLACE COFFEY  
CHAIRMAN, COMANCHE TRIBAL  
BUSINESS COMMITTEE  
P. O. BOX 908  
LAWTON, OK 73502

MR. CHARLES W. MURPHY  
CHAIRMAN, STANDING  
ROCK SIOUX TRIBAL COUNCIL  
P.O. BOX D  
FORT YATES, ND 58538

Original Letter sent to each of the above

MR WILLIAM L PEDRO  
NAGPRA REPRESENTATIVE  
CHEYENNE & ARAPAHO TRIBES  
OF OKLAHOMA  
PO BOX 41  
CONCHO OK 73022

MR GORDON YELLOWMAN  
NHPA/TRANSPORTATION PLANNER  
CHEYENNE & ARAPAHO TRIBES/OKLA  
ROADS CONSTRUCTION PROGRAM  
PO BOX 137  
CONCHO OK 73022

MR JIMMY ARTERBERRY  
THPO/NAGPRA - DIRECTOR  
COMANCHE NATION OF OK  
PO BOX 908  
LAWTON OK 73502

MS ALICE ALEXANDER  
TRIBAL HISTORIC PRESERVATION  
OFFICER, PAWNEE NATION/OKLA  
PO BOX 470  
PAWNEE, OK 74058

MR TERRY G KNIGHT  
NAGPRA REPRESENTATIVE  
UTE MOUNTAIN UTE INDIAN TRIBE  
PO BOX 102  
TOWAOC, CO 81334

TERRY GRAY (ROSEBUD SIOUX)  
NAGPRA COORDINATOR  
SGU HERITAGE CENTER  
BOX 675 MISSION  
RSTSCRM COMMITTEE  
ROSEBUD, SD 57555

MR JOE BIG MEDICINE  
NAGPRA REPRESENTATIVE  
CHEYENNE & ARAPAHO TRIBES  
OF OKLAHOMA  
500 S LEACH, APT 36  
WATONGA OK 73772

MR GILBERT BRADY  
TRIBAL HISTORIC PRESERVATION  
OFFICER  
NORTHERN CHEYENNE TRIBE  
P.O. BOX 128  
LAME DEER MT 59043

MR ROBERT GOGGLES  
NAGPRA REPRESENTATIVE  
NORTHERN ARAPAHO TRIBE  
PO BOX 396  
FORT WASHAKIE, WY 82514

MR NEIL CLOUD  
NAGPRA REPRESENTATIVE  
CULTURE PRESERVATION OFFICE  
SOUTHERN UTE INDIAN TRIBE  
P.O. BOX 737  
IGNACIO, CO 81137

MR JIM PICOTTE  
NAGPRA REPRESENTATIVE  
CHEYENNE RIVER SIOUX TRIBE  
PO BOX 590  
EAGLE BUTTE, SD 57625

MR ALONZO SANKEY  
NAGPRA REPRESENTATIVE  
CHEYENNE & ARAPAHO TRIBES/OKLA  
P. O. BOX 836  
CANTON, OK 73724

REVEREND GEORGE DAINGKAU  
NAGPRA REPRESENTATIVE  
KIOWA TRIBE OF OKLAHOMA  
118 N STEPHENS  
HOBART OK 73015

MR HOWARD BROWN, CHAIR  
ECONOMIC DEVELOPMENT COMMISSION  
NORTHERN ARAPAHO TRIBE  
PO BOX 9079  
ARAPAHOE, WY 82510

MS BETSY CHAPOOSE, DIRECTOR  
CULTURAL RIGHTS & PROTECTION  
OFFICE  
NORTHERN UTE TRIBE  
PO BOX 190  
FT DUCHESNE UT 84026

TIM MENTZ  
STANDING ROCK SIOUX TRIBE  
CULTURAL RESOURCE PLANNER  
PO BOX D  
FT YATES, ND 58538

**EXAMPLE OF COMPLETED SECTION 106 TRIBAL  
CONSULTATION RESPONSE FORM  
RECEIVED BY CDOT IN 2004**

FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION  
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM

PROJECT: C-470 Environmental Assessment

The Standing Rock Sioux Tribe Tribe [is / ~~is not~~ (circle one)] interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: \_\_\_\_\_

Jim Mentz Sr.

Name and Title

Tribal Historic Preservation Officer

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes

No

If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes

No

If yes, please explain.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes

No

If yes, please explain.

Please complete and return this form within 60 days via US Mail or fax to:

Dan Jepson, Section 106 Native American Liaison  
Colorado Department of Transportation  
Environmental Programs Branch  
4201 E. Arkansas Ave.  
Denver, CO 80222  
FAX: (303)757-9445

# STATE OF COLORADO

**DEPARTMENT OF TRANSPORTATION**  
Environmental Programs Branch  
4201 East Arkansas Avenue  
Shumate Building  
Denver, Colorado 80222  
(303) 757-9281



September 27, 2013

Mr. Jimmy Newton, Jr., Chairman  
Southern Ute Indian Tribe  
P.O. Box 737  
Ignacio, CO 81137

**SUBJECT: Renewal of Section 106 Consultation, Revised C-470 Environmental Assessment,  
Arapahoe, Douglas and Jefferson Counties, Colorado**

Dear Mr. Newton:

In early 2006 the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) published an Environmental Assessment (EA) for the project referenced above. The EA documented the social, economic and environmental consequences of proposed improvements to a 13-mile segment of State Highway 470 (C-470), which bisects a largely developed suburban part of the south Denver metropolitan area. The project begins at the Kipling Parkway interchange in Jefferson County and extends eastward roughly along the Douglas/Arapahoe County line, ending at the Interstate 25 interchange (refer to enclosed Figure 1). In May 2004, your tribe indicated a desire to be a consulting party for the project under Section 106 of the National Historic Preservation Act. Due to a variety of factors, a decision document was not finalized at that time and therefore the environmental documentation process as outlined under the National Environmental Policy Act has remained incomplete.

In the intervening years a coalition of interested parties and agencies was formed to bring the project to fruition. The C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to the project corridor, and ultimately to continue improvements along the highway further to the west and north. In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes as well as multiple auxiliary lanes at strategic locations.

As a consulting tribe for the project, FHWA and CDOT want to ensure you are aware that the EA documentation is being revised and that the tribe will have an opportunity to participate as the process moves forward. As noted in a March 22, 2007 letter to your office regarding the project, no Native American sites eligible for listing on the National Register of Historic Places are present within the Area of Potential Effects established for cultural resources studies. In addition, the Southern Ute Indian Tribe did not previously indicate a specific concern about any resources within or near the project corridor. However, information you may have regarding places or sites important to your tribe that are located in proximity to the highway would assist us in our efforts to comprehensively identify and evaluate historic properties.

We are committed to ensuring that consulting tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have questions regarding the revised EA, please contact CDOT Native American Liaison Dan Jepson at (303) 757-9631 or

Mr. Newton  
September 27, 2013  
Page 2

[daniel.jepson@state.co.us](mailto:daniel.jepson@state.co.us), or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or [stephanie.gibson@dot.gov](mailto:stephanie.gibson@dot.gov). Thank you for your time and consideration.

Very truly yours,



for Jane Hann, Manager  
Environmental Programs Branch

Enclosures (map)

cc: M. Urban & S. Gibson, FHWA  
A. Bushey, CDOT Region 1  
A. Naranjo, Tribal Cultural Heritage Program

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch  
4201 East Arkansas Avenue  
Shumate Building  
Denver, Colorado 80222  
(303) 757-9281



September 27, 2013

Mr. Darryll O'Neal, Sr., Chairman  
Northern Arapaho Tribal Business Council  
P.O. Box 396  
Ft. Washakie, WY 82514

**SUBJECT:** Renewal of Section 106 Consultation, Revised C-470 Environmental Assessment,  
Arapahoe, Douglas and Jefferson Counties, Colorado

Dear Mr. O'Neal:

In early 2006 the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) published an Environmental Assessment (EA) for the project referenced above. The EA documented the social, economic and environmental consequences of proposed improvements to a 13-mile segment of State Highway 470 (C-470), which bisects a largely developed suburban part of the south Denver metropolitan area. The project begins at the Kipling Parkway interchange in Jefferson County and extends eastward roughly along the Douglas/Arapahoe County line, ending at the Interstate 25 interchange (refer to enclosed Figure 1). In April 2004, your tribe indicated a desire to be a consulting party for the project under Section 106 of the National Historic Preservation Act. Due to a variety of factors, a decision document was not finalized at that time and therefore the environmental documentation process as outlined under the National Environmental Policy Act has remained incomplete.

In the intervening years a coalition of interested parties and agencies was formed to bring the project to fruition. The C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to the project corridor, and ultimately to continue improvements along the highway further to the west and north. In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes as well as multiple auxiliary lanes at strategic locations.

As a consulting tribe for the project, FHWA and CDOT want to ensure you are aware that the EA documentation is being revised and that the tribe will have an opportunity to participate as the process moves forward. As noted in a March 22, 2007 letter to your office regarding the project, no Native American sites eligible for listing on the National Register of Historic Places are present within the Area of Potential Effects established for cultural resources studies. In addition, the Northern Arapaho Tribe did not previously indicate a specific concern about any resources within or near the project corridor. However, information you may have regarding places or sites important to your tribe that are located in proximity to the highway would assist us in our efforts to comprehensively identify and evaluate historic properties.

We are committed to ensuring that consulting tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have questions regarding the revised EA, please contact CDOT Native American Liaison Dan Jepson at (303) 757-9631 or

Mr. O'Neal  
September 27, 2013  
Page 2

[daniel.jepson@state.co.us](mailto:daniel.jepson@state.co.us), or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or [stephanie.gibson@dot.gov](mailto:stephanie.gibson@dot.gov). Thank you for your time and consideration.

Very truly yours,

  
*for* Jane Hann, Manager  
Environmental Programs Branch

Enclosures (map)

cc: M. Urban & S. Gibson, FHWA  
A. Bushey, CDOT Region 1  
D. Conrad, Tribal Historic Preservation Officer



# SOUTHERN UTE INDIAN TRIBE

Southern Ute Cultural & Preservation Department  
P O. Box 737, Mail Stop #73, Ignacio Co 81137  
970-563-0100: Fax. 970-563-1098

Mr. Dan Jepson  
CDOT Native American Liaison  
State of Colorado  
4201 East Arkansas Avenue  
Denver, CO 80222

October 16, 2013

Re: **Renewal of Section 106 Consult, Revised C-470 Environmental Assessment, Arapahoe, Douglas and Jefferson Counties, Colorado**

Dear Mr. Jepson,

I have reviewed your letter requesting input on the intent to purchase large land parcels in the County's open space program. The Southern Ute Indian Tribe offers the following response as indicated by the box that is checked.

- NO INTEREST:** I have determined that there is not a likelihood of eligible properties of religious and cultural significant to the Southern Ute Indian Tribe.
- NO EFFECT:** I have determined that there are no properties of religious and cultural significance to the Southern Ute Indian Tribe that are listed on the National Register within the area of potential effect or that the proposed project will have no effect on any such properties that may be present.
- NO ADVERSE EFFECT:** I have identified properties of cultural and religious significance within the area of effect that I believe are eligible for listing in the National Register, for which there would be no adverse effect as a result of the proposed tower construction project.
- ADVERSE EFFECT:** I have identified properties of cultural and religious significance within the Area of Potential Effect (APE) that are eligible for listing in the National Register. I believe the proposed communication tower construction project would cause an adverse effect on these properties.
- REQUEST FOR ADDITIONAL INFORMATION:** The Southern Ute Indian Tribe requests additional information on the planned site for its impact on properties of religious & cultural importance to the Tribe as follows:

---

Please contact me at 970-563-0100, ext. 2257, if you have any questions or concerns.

Sincerely,

Alden Naranjo  
NAGPRA Coordinator

---

P. O. Box 737 ♦ IGNACIO, CO 81137 ♦ PHONE: 970-563-0100

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Region 1 Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9907 FAX



January 21, 2014

Mr. John M. Cater  
Division Administrator  
FHWA - Colorado Division  
12300 W. Dakota Avenue, Suite 180  
Lakewood, CO 80228

SUBJECT: Finding of Section 4(f) *De Minimis*, CDOT Project C-470 Revised Environmental Assessment; Jefferson, Douglas, and Arapahoe Counties

Dear Mr. Cater:

This letter and the attached materials constitute a request for concurrence with a finding of *de minimis* impact for the project referenced above, which proposes transportation improvements along a 13-mile segment of State Highway C-470 in Jefferson, Arapahoe, and Douglas Counties. The project begins at Kipling Parkway interchange in Jefferson County and extends eastward to and including the Interstate 25 interchange in Douglas County. The Colorado Department of Transportation (CDOT) with the Federal Highway Administration (FHWA) is revising the 2006 C-470 Environmental Assessment (EA) document.

### Project Description

Section 106 and Section 4(f) consultation for the original EA was conducted between March 2004 and December 2005. The final EA was published in February 2006; however no decision documents resulted from the process. The approach identified to complete the planning process includes a revision of the 2006 document.

Since the 2006 EA, a coalition of interested parties and agencies was formed to bring this project to fruition. Formed in February 2011, the C-470 Corridor Coalition is a cooperative effort involving FHWA, CDOT, and local governments. The Coalition's purpose is to recommend and implement a plan to fund improvements to C-470 in Segment 1 (subject project), and ultimately continue improvements along C-470 from Kipling Street to Interstate 70, now referred to as Segment 2.

In February 2013 the Coalition Policy Committee unanimously approved a new option to implement tolled express lanes in Segment 1, but with a revised typical section and revised access concept. The proposed typical section replaces the original barrier separation with a painted (buffer) separation, and increases shoulder widths. The proposed improvements also include the addition of multiple auxiliary lanes at strategic locations along C-470 where on-ramp to off-ramp spacing is close, and where the auxiliary lane will provide an operational improvement to C-470. Thus, some portions of the corridor will have auxiliary lanes, and other portions will not. Access to the tolled express lanes is planned with ingress and egress slip ramps and weaving zones strategically placed along the corridor. Express lane traffic will be monitored by electronic devices similar to those used on E-470 located on overhead sign bridges and individual transponders mounted on vehicle windshields. No toll collection booths will be required.

### Area of Potential Effects

The Area of Potential Effects (APE) for the undertaking is based on the APE developed in consultation with Colorado SHPO in 2004 for the purpose of the Environmental Assessment published in 2006. Concurrence on the 2004 APE was received from SHPO in May of that year. As in the initial consultation, project activities and proposed improvements will remain within the existing CDOT Right-of-Way (ROW). The APE boundary follows the CDOT ROW with the exception of areas where historic or potentially historic resources are located that may be indirectly affected by project activities. Changes reflected in the 2013 APE are located at the intersection of S. Santa Fe Drive (SH85) and in areas where recently identified historic resources are located. The limits of the APE at the intersection of S. Santa Fe Drive and C-470 has been pared down from the 2006 BA to reflect the current proposed plan. Since 2006, improvements at the Santa Fe intersection, including a flyover onto C-470, have been completed under a separate environmental clearance. During the subject project, there will be no changes at Santa Fe beyond improvements to lanes on C-470. The APE has been expanded in areas to include parcels associated with recently identified historic resources. Please refer to the attached APE Map for additional details.

### Resource Descriptions

A total of eleven (11) cultural resources dating before 1968 are located within the project APE. The date of 1968 (45 years ago) was selected to allow for a period of completion of design and construction for the subject property. Five (5) resources are newly identified or recently meet the age requirements for consideration as historic resources. These are the Chatfield Dam (5JF5142/5DA3091), Columbine Hills Subdivision (5JF5143), and Bridge Structures F-16-HY (5JF4795), F-16-HW (5DA2819), and F-16-HV (5DA2826). The remaining six (6) resources were identified as National Register of Historic Places-Eligible under the original EA.

In consultation with the Colorado State Historic Preservation Office and Section 106 Consulting Parties, a finding of *no adverse effect* was established regarding the project and its effects to four (4) resources: Chatfield Dam (5JF5142/5DA3091), Columbine Hills Subdivision (5JF5143), City Ditch (5AH254.7 and 5DA987.1), and High Line Canal (5DA600.3). A Section 4(f) *use* is only applicable for work occurring at the City Ditch, discussed below. The remaining resources are not further discussed in this submission.

**City Ditch Segment (5AH254.7 and 5DA987.1):** The City Ditch was initially constructed in the 1860s, with Richard S. Little, founder of Littleton, serving as surveyor and engineer on the project. Little owned the land at the ditch headgate on the South Platte River. The Ditch runs through Littleton, Englewood, and Denver, providing water for Washington Park and City Park. Much of the historic open channel has been piped underground, including the subject segment. Due to this loss of integrity, the subject segment has been determined *non-supporting* of the overall eligibility of the resource.

### De Minimis Use

**City Ditch Segment (5AH254.7 and 5DA987.1):** Though no easement or right-of-way acquisition is indicated at this location, the project will require realignment and reconstruction of the Ditch resource to accommodate highway construction: this action constitutes a "use" under Section 4(f) because it requires the permanent incorporation of a small area of land associated with the resource into the transportation infrastructure.

### Finding of De Minimis Impact

CDOT consulted with the SHPO, as well as the City of Littleton Historic Preservation Board, the Arapahoe County Board of County Commissioners, Jefferson County Historical Commission, C-470 Coalition, and Douglas County Historic Preservation Board, in the capacity of consulting parties, in letters dated August 28, 2013. In correspondence dated September 6, 2013, SHPO concurred with the recommended findings of eligibility and effect for all but one resource, 5JF5143, for which additional

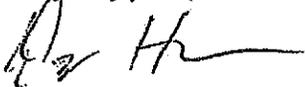
information was requested. Additional information was provided by a letter dated October 3, 2013, and concurrence from SHPO was received by a letter dated October 16, 2013. Notification of the finding of *de minimis* impact was forwarded to SHPO and the consulting parties by letters dated November 26, 2013.

Through the above consultation under NHPA Section 106, the project has been determined to have *no adverse effect* to resource 5AH254/5DA987, the City Ditch, including segment 5AM254.7/5DA987.1

Based on the information presented above and in the attached documentation, the effects of this proposed improvement on the properties described above constitute a *de minimis* impact and the requirements of 23 USC 138, 49 USC 303, and 23 CFR 774 have been satisfied. This finding is considered valid unless new information is obtained or the proposed effects change to the extent that consultation under Section 106 must be reinitiated.

If you concur with this finding, please sign below.

Very truly yours,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:

Section 106 Correspondence  
Site forms  
APE Map

Cc: File

I concur:



John M. Cater, P.E.  
Colorado Division Administrator

3/21/14  
Date