

**CDOT PROJECT IM 0703-294
I-70/32ND AVENUE INTERCHANGE**

FINDING OF NO SIGNIFICANT IMPACT

Submitted Pursuant To
23 USC 138, 42 USC 4332 (2) (c) and 49 USC 303

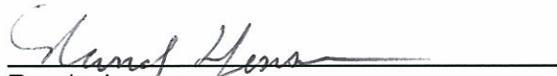
By The

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

and

COLORADO DEPARTMENT OF TRANSPORTATION

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STATUTE OF LIMITATIONS

A Federal agency may publish a notice in the Federal Register, pursuant to 23 United States Code (USC) §139(1), indicating that one or more Federal agencies have taken final actions on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 180 days after the date of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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ENVIRONMENTAL ASSESSMENT AVAILABILITY

The I-70/32nd Avenue Interchange Environmental Assessment and associated technical reports are attached to this document in electronic format on a compact disc. If you cannot open or use this disc and desire a hard copy, please contact one of the above individuals.

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ABBREVIATIONS AND ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
AM	morning
APCD	CDPHE Air Pollution Control Division
BMP	Best Management Practice
CAQCC	Colorado Air Quality Control Commission
CDOT	Colorado Department of Transportation
CDOW	Colorado Division of Wildlife
CDPHE	Colorado Department of Public Health and Environment
CDPS	Colorado Discharge Permit System
CEQ	Council on Environmental Quality
CFC	chlorofluorocarbons
CFR	Code of Federal Regulations
CHS	Colorado Historical Society
DRCOG	Denver Regional Council of Governments
EA	Environmental Assessment
EIS	Environmental Impact Statement
FHU	Felsburg Holt & Ullevig
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
ft	feet
ft ²	square feet
HMWMD	Hazardous Materials and Waste Management Division
I-70	Interstate 70
ISA	Initial Site Assessment
LOS	Level of Service
µg/m ³	micrograms per cubic meter
NAAQS	National Ambient Air Quality Standard
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OAHP	Office of Archaeology and Historic Preservation
PCB	polychlorinated biphenyl
PM	afternoon
PM _{2.5}	particulate matter less than 2.5 microns
PM ₁₀	particulate matter less than 10 microns
PSI	Preliminary Site Investigation
RCRA	Resource Conservation and Recovery Act
RTP	Regional Transportation Plan
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59)
SB 40	Senate Bill 40
SH 58	State Highway 58
SHPO	State Historic Preservation Officer
SWMP	Stormwater Management Plan
TAZ	traffic analysis zone

UDFCD	Urban Drainage and Flood Control District
USACE	US Army Corps of Engineers
USC	US Code
USDOT	US Department of Transportation
USEPA	US Environmental Protection Agency
USFWS	US Department of Interior Fish and Wildlife Service
VMT	vehicle miles traveled
WQCD	CDPHE Water Quality Control Division

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1.0 INTRODUCTION

In October 2006, the Interstate 70 (I-70)/32nd Avenue Interchange Environmental Assessment (EA) was completed and signed by the Federal Highway Administration (FHWA), as the Lead Agency, and the Colorado Department of Transportation (CDOT), as the Applicant Agency. The EA and this Finding of No Significant Impact (FONSI) were prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 and with other applicable environmental laws, Executive Orders and related requirements. As required by the implementing regulations for NEPA (Council on Environmental Quality [CEQ] regulations), a detailed environmental analysis was conducted and potential impacts associated with the Proposed Action and No-Action Alternative were documented and mitigation measures identified in the EA. No significant impacts to the environment were identified during the course of this study.

For the I-70/32nd Avenue interchange project, FHWA and CDOT propose to improve the following transportation facilities:

- ▶ I-70/32nd Avenue interchange
- ▶ SH 58 from McIntyre Street to I-70
- ▶ Adjacent portions of 32nd Avenue between Alkire Street and Xenon Street, Youngfield Street between 27th Avenue and 35th Avenue, the Youngfield Street/27th Avenue intersection, and a proposed Cabela Drive from 32nd Avenue to approximately 40th Avenue and from just north of Clear Creek to 44th Avenue.

The I-70/32nd Avenue interchange project is located in the western part of the Denver metropolitan area, as shown on **Figure 1-1 Project Location**. The study area falls partially within the cities of Wheat Ridge and Lakewood (both in Jefferson County), and partially within unincorporated Jefferson County. The City of Arvada is located north of the study area, and the City of Golden is located west of the study area. The study area is shown on **Figure 1-2 Study Area**.

The study area includes two large tracts of land on the west side of I-70, which the City of Wheat Ridge has annexed and are slated for development (see **Figure 1-2 Study Area**). The proposed development includes approximately 800,000 square feet (ft²) of commercial and retail use, including construction of a Cabela's store (approximately 185,000 ft²) and additional retail and commercial development.

A public hearing was held on November 9, 2006 to receive comments on the EA. Written comments were also received during a 45-day comment period extending from October 25, 2006 to December 8, 2006. In addition, the EA was distributed to federal, state, and local agencies for their review and comment.

On the basis of the analysis presented in the EA and public and agency comment, FHWA has identified the Proposed Action as the Preferred Alternative, as documented in **Chapter 2 Description of the Proposed Action**. The environmental impacts, mitigation measures, and permit requirements of the Proposed Action are summarized in **Chapter 4 Summary of Impacts, Mitigation Measures, and Permit Requirements**.

Figure 1-1 Project Location

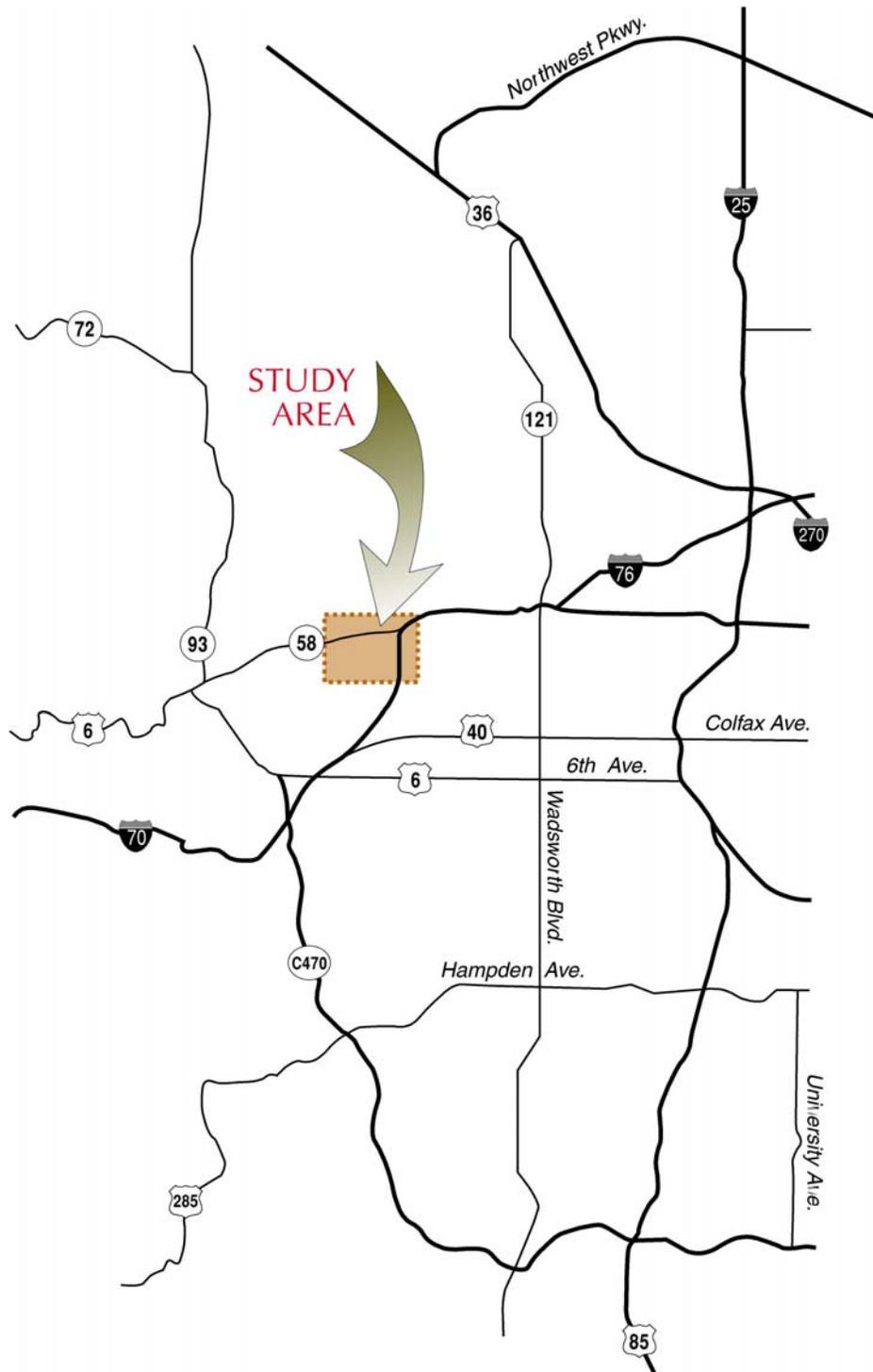


Figure 1-2 Study Area



1.1 Purpose of the Proposed Action

The purpose of the Proposed Action is to relieve traffic congestion at the I-70/32nd Avenue interchange and to address future transportation demands on the interchange and local street network due to regional growth and expanding local retail/commercial development.

1.2 Need for the Proposed Action

The I-70/32nd Avenue interchange is characterized by a sharp hook ramp, an isolated slip ramp, and several very closely spaced signalized intersections along 32nd Avenue in the vicinity of I-70. The current eastbound I-70 hook and slip ramps do not have adequate storage lengths to enter and exit I-70. There is inadequate vehicle storage capacity on the ramps for existing traffic volumes, causing back-ups on I-70 and the local street network.

The American Association of State Highway and Transportation Officials (AASHTO) uses the term level of service (LOS) with values ranging from A to F to describe the operational characteristics of intersections and roadways. LOS A represents the best possible operational conditions, while LOS F is characterized by severe congestion and extremely poor traffic operations (i.e. gridlock). In urbanized areas, LOS D is generally considered to be acceptable for peak hour operations during the morning (AM) and afternoon (PM), which coincide with the morning and evening commute. Existing I-70 mainline and ramp operations are marginally acceptable (LOS C/D); however, the eastbound off-ramp intersection with Youngfield Street operates at LOS F (or failing) during the afternoon peak hour.

Operations forecasts with Year 2030 traffic from projected regional growth only (without traffic from the proposed development) show continued degradation to an unacceptable level of congestion (LOS E/F) during afternoon peak hours for both the I-70/32nd Avenue interchange ramp intersections and at the Youngfield Street and 32nd Avenue intersection [Felsburg Holt & Ullevig (FHU) 2005, FHU 2006a]. These projected Year 2030 traffic volumes show that the I-70/32nd Avenue interchange area will operate at LOS F, resulting in gridlock on the local street network during the afternoon peak hour (FHU 2005, FHU 2006).

Planned local retail/commercial development, combined with projected regional growth, will place additional traffic demands on the I-70/32nd Avenue interchange that will further degrade operations. Operational forecasts with projected Year 2030 traffic volumes including the proposed development show that the interchange and local street network would degrade to LOS F, resulting in gridlock during both the morning and afternoon peak hours (FHU 2005, FHU 2006a).

Additional information on the traffic analysis and operational forecasts for the I-70/32nd Avenue interchange is presented in the *I-70/32nd Avenue Interchange System Level Feasibility Study* (FHU 2005) and *I-70/32nd Avenue Interchange Environmental Assessment Traffic Analysis Technical Report* (FHU 2006a).

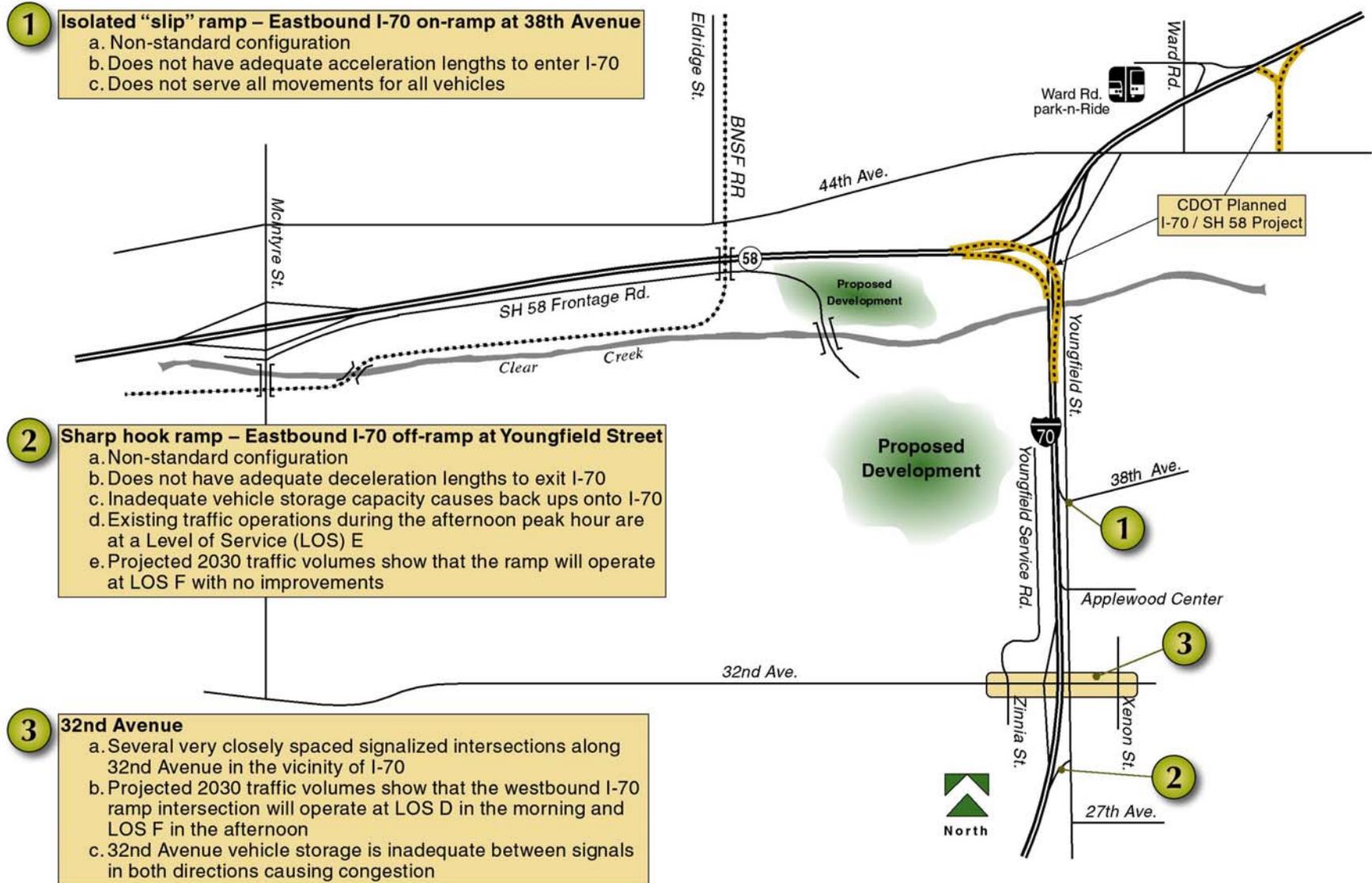
1.3 Objectives for the Proposed Action

The following design and operational objectives were established for use in evaluating the alternatives for improvement of the I-70/32nd Avenue interchange:

- ▶ Provide adequate acceleration and deceleration lengths for the I-70/32nd Avenue interchange eastbound on- and off-ramps to improve traffic weave distance for vehicles entering and exiting I-70
- ▶ Improve vehicle storage for the I-70/32nd Avenue interchange eastbound off-ramp to reduce back-ups onto I-70
- ▶ Reconfigure the I-70/32nd Avenue interchange eastbound on- and off-ramps to reduce driver confusion and meet driver expectancy
- ▶ Reduce future congestion within the I-70/32nd Avenue interchange and at the intersection of Youngfield Street and 32nd Avenue (the primary congested intersection near the interchange)
- ▶ Improve vehicle storage capacity along 32nd Avenue to reduce back-ups through the Xenon, Youngfield, and Zinnia Street intersections, which are caused by close proximity of these signalized intersections to each other (see **Figure 1-3 Operational Deficiencies**)

The goal of these design and operational objectives at the above locations is to allow the system to operate at a level considered acceptable for major arterial intersections in the Denver metropolitan area. In traffic engineering terms, this equates to a goal of LOS D or better during peak hours given the Year 2030 traffic projections with regional growth and planned development. **Figure 1-3 Operational Deficiencies** depicts the current operational deficiencies.

Figure 1-3 Operational Deficiencies



2.0 DESCRIPTION OF THE PROPOSED ACTION

The *I-70/32nd Avenue Interchange Environmental Assessment* (CDOT 2006a) was prepared to identify and analyze a Proposed Action for interchange improvements. Twenty-one alternatives and several sub-alternatives were evaluated in the *I-70/32nd Avenue Interchange System Level Feasibility Study* (FHU 2005) and in the EA resulting in the identification of the Proposed Action (see **Chapter 2 Alternatives** in the EA).

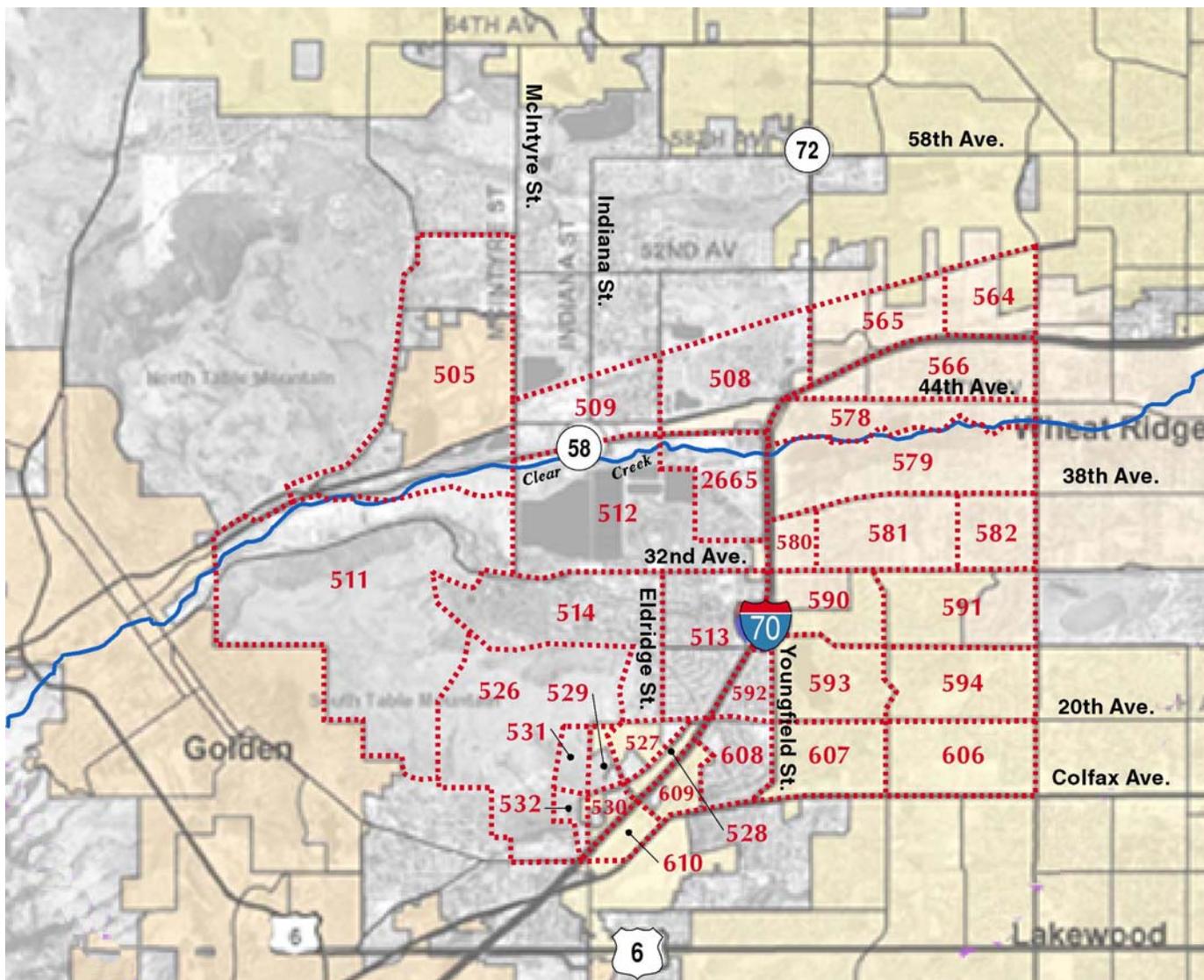
As discussed in **Section 1.2 Need for the Proposed Action**, the alternatives presented in the System Level Feasibility Study and EA were developed to address the needs of the existing I-70/32nd Avenue interchange, which has a non-standard interchange configuration, and to accommodate projected Year 2030 traffic while responding to input from a variety of sources, including FHWA, CDOT, Jefferson County, City of Lakewood, City of Wheat Ridge, local neighborhood associations, school principals, and the public. **Figure 1-3 Operational Deficiencies** identifies the operational deficiencies of the existing I-70/32nd Avenue interchange.

To identify existing traffic conditions and the operation of the existing I-70/32nd Avenue interchange, existing land use for the study area was obtained from the Denver Regional Council of Governments (DRCOG). DRCOG's land use includes population, household, and employment estimates by traffic analysis zones (TAZs). The metropolitan area includes a total of 2,664 TAZs. The TAZs within the traffic analysis study area are shown in **Figure 2-1 Study Area Traffic Analysis Zones**. In addition, AM and PM peak hour turning movement data were recorded at numerous study area intersections. Twenty-four hour traffic counts were also collected at selected locations in the study area, and other daily traffic data were obtained from CDOT, the City of Wheat Ridge, and Jefferson County.

Projected Year 2030 traffic is based on regional population and employment growth for the Year 2030. DRCOG added a new TAZ (TAZ 2665) to specifically account for the proposed development. The land use forecasts in TAZ 2665 are based on the current development proposal. All other TAZs in the study area represent DRCOG's land use forecasts. The study area is expected to experience a 22 percent increase in population and the number of households and a 40 percent increase in employment over existing land uses without the proposed development. With the proposed development, employment is predicted to increase 52 percent over the existing land uses.

An extensive public involvement program has been conducted for the I-70/32nd Avenue interchange project. The public involvement program included the public hearing, four open houses, presentations to community groups, a community information telephone hotline, a project website, newsletters, news releases, and local newspaper advertisements (see **Chapter 6 Public and Agency Involvement** in the EA). The Proposed Action was modified to accommodate public comments where we could incorporate suggestions to the Proposed Action prior to publication of the EA. The following is a summary of modifications made to the Proposed Action between the public scoping meeting on August 17, 2006, and publication of the EA. If a suggestion could not be incorporated into the Proposed Action, the reason why a modification could not be made is also summarized in the following section.

Figure 2-1 Study Area Traffic Analysis Zones



- ▶ The public generally supported an additional interchange on State Highway 58 (SH 58) or I-70 to serve as a primary route for the access to the proposed development. Alternative Package 2 was identified as the Proposed Action with the new SH 58/Cabela Drive interchange, which was supported by the public.
- ▶ Members of the public expressed concern that the 5-lane cross-section of Cabela Drive to 32nd Avenue would cause increased traffic in the neighborhoods and become the “front door.” To help motorists find their way within the interchange complex and direct traffic destined for the proposed development, supplemental guide signing along I-70 was included in the Proposed Action. These signs will make it clear that the new SH 58/Cabela Drive interchange is the route for accessing the planned development southwest of the I-70/SH 58 interchange.
- ▶ Members of the public expressed concern that Cabela Drive north of Clear Creek would act as a bottleneck for traffic destined to the proposed development. Cabela Drive from Clear Creek to the new SH 58/Cabela Drive interchange was widened to a four-lane facility with two southbound lanes, a single northbound lane, and a left turn lane. Two southbound lanes were evaluated to be necessary because the interchange signing plan will direct motorists traveling along I-70 and SH 58 to the new SH 58/Cabela Drive interchange. Only one northbound lane on Cabela Drive returning to the new SH 58/Cabela Drive interchange is necessary because of the location of the westbound I-70 ramps. Motorists accessing westbound I-70 will utilize the new westbound I-70 hook ramps instead of returning to the SH 58/Cabela Drive interchange and accessing westbound I-70 from SH 58.
- ▶ The lack of access across SH 58 and I-70 was identified as an issue by several members of the public. The connection of Cabela Drive with 44th Avenue improves community cohesion across SH 58. The Cabela Drive connection with 44th Avenue includes a 10-foot (ft) multi-use sidewalk with access to the Jefferson County Open Space Clear Creek Trail. The 40th Avenue underpass of I-70, although not included in the Proposed Action, provides an additional east-west connection across I-70 in addition to 32nd Avenue. The 40th Avenue underpass of I-70 helps to alleviate traffic along 32nd Avenue.
- ▶ The connection of Cabela Drive to 44th Avenue at the 44th Avenue/Holman Street intersection was a public concern. To mitigate for introduction of the signalized intersection at Cabela Drive/44th Avenue/Holman Street, CDOT will investigate during final design landscape design options and/or other features that will soften the effect of the new signalized intersection and provide an appropriate transition to the Fairmount neighborhood. CDOT is committed to working with the community on this issue.
- ▶ Members of the public requested the realigned segment Jefferson County Open Space Trail be relocated further away from SH 58 and Cabela Drive. The realigned segment of the Jefferson County Open Space Clear Creek Trail will be relocated further away from Cabela Drive and SH 58 at the back of the undeveloped parcel south of Cabela Drive with a grade separated structure with the Coors railroad spur.
- ▶ School safety along 32nd Avenue was identified as an issue of public concern. The project team met with the principals of The Manning School and Maple Grove Elementary on November 28, 2005. School zone safety improvements along 32nd Avenue adjacent to these schools is included in the Proposed Action. Improvements include contiguous sidewalks/bicycle paths, upgraded signing, and a traffic signal with pedestrian actuation.

- ▶ A survey on pedestrian use of the existing pedestrian bridge at 26th Avenue was conducted at the November 30, 2005 open house to collect input on the use of the pedestrian bridge. Based on the results of the survey, the pedestrian bridge will be replaced with an Americans with Disabilities Act (ADA)-compliant structure that will align with the sidewalk along 27th Avenue.
- ▶ Access to the Jefferson County Open Space Clear Creek Trail from 32nd Avenue west of I-70 was a public concern, and access will be maintained with a 10-ft multi-use sidewalk from 32nd Avenue on the west side of Cabela Drive. A segment of this sidewalk is included with Cabela Drive, a local agency project.
- ▶ Concern was expressed that traffic analysis did not include the area south of 27th Avenue. The study area for the traffic analysis extended well beyond the I-70/32nd Avenue interchange to determine the future volume increases of the surrounding transportation system. **Figure 2-1 Study Area Traffic Analysis Zones** in the EA identifies the limits of the study area for the traffic analysis. The study area extended east to Kipling Street and south to Colfax Avenue. Traffic impacts to 27th Avenue are included in the traffic analysis.
- ▶ Concern was expressed that traffic impacts were not identified for the area south of 27th Avenue. Minor traffic increases are projected for the adjacent residential areas. For Simms Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately five percent for the Proposed Action compared to the No-Action Alternative. For Youngfield Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately ten percent for the Proposed Action compared to the No-Action Alternative. For 20th Avenue between Youngfield Street and Simms Street, Year 2030 traffic levels are forecasted as essentially the same between the Proposed Action and the No-Action Alternative. Local residential streets like Urban Drive, Tabor Street, 22nd Place, or Quail Street have limited continuity. The vast majority of traffic that would make use of these roadways would likely be destined to or originating from the immediate area that they serve. The Year 2030 traffic levels are not expected to affect operations on these streets. For these reasons, the City of Lakewood has agreed that these traffic increases are acceptable.
- ▶ Concern was expressed on the capacity of 27th Avenue (26th Avenue farther east) to accommodate projected traffic. 27th Avenue east of Youngfield Street is classified by the City of Lakewood as a major collector. City of Lakewood standards indicate that a major collector can accommodate up to 7,000 vehicles per day. Traffic volume on 27th Avenue in the Year 2030 with the Proposed Action is projected to be 5,400 vehicles per day, which is consistent with the City of Lakewood's standard for a major collector.
- ▶ Some members of the public requested traffic mitigation measures to restrict or limit traffic from the eastbound I-70 hook ramps crossing Youngfield Street to 27th Avenue. Traffic mitigation measures were considered; however, they were not supported by the City of Lakewood in light of possible enforcement required and given the fact that the estimated Year 2030 traffic volumes on 27th Avenue are expected to be well within the capacity of a two-lane major collector.
- ▶ Some concern was expressed by the public as to the adequacy or safety of the dam along 26th/27th Avenue (approximately 600 ft east of Youngfield Street), since eastbound 27th Avenue is currently restricted to trucks less than 7,000 pounds empty weight. Through investigation and conversations with the City of Lakewood, CDOT Bridge staff, and

Consolidated Mutual Water (owner of the facility), it was confirmed that the load posting by the City of Lakewood was a voluntary effort by the City to keep heavy truck traffic off of local streets. The increased traffic on the dam and bridge is not a concern with regard to dam safety, as the dam and bridge are not deficient from a load capacity perspective. The truck restriction posting will be maintained as part of the Proposed Action.

- ▶ Some members of the public expressed concern that the 5-lane cross-section of Cabela Drive to 32nd Avenue would cause increased traffic in the neighborhoods and attract traffic. The existing I-70 westbound off-ramp at 32nd Avenue has two left turn lanes for traffic exiting I-70 onto 32nd Avenue. This off-ramp will be closed and will be replaced with the pair hook ramp at approximately 35th Avenue. To access 32nd Avenue from I-70, vehicles will utilize Cabela Drive. At the westbound I-70 hook ramps, which access Cabela Drive, the majority of the traffic will not be destined for the proposed development but for other adjacent residential and commercial areas. Approximately 75 percent of the traffic on Cabela Drive, south of the proposed development, is destined or originates from a local commercial or residential area. The 19,000 vehicles per day projection is comprised of only 4,800 vehicles per day associated with the proposed development and Cabela's. The 5-lane cross-section is necessary to accommodate this traffic. Only one of the 5-lane cross-section provides a through movement into the residential neighborhood south of 32nd Avenue.
- ▶ Although not part of the Proposed Action, a lane was added to the 40th Avenue underpass in response to concern from the members of the public in regard to the sizing of the underpass.

2.1 Local Agency Projects

The City of Wheat Ridge submitted an application to and received approval from CDOT for construction of a series of local agency projects that were common to the three alternative packages presented in the System Level Feasibility Study and that would be independent and stand on their own merits should no other improvements take place. The local agency projects include:

- ▶ Construction of the 40th Avenue underpass of I-70
- ▶ Widening of Youngfield Street from 38th Avenue to 44th Avenue
- ▶ Construction of Cabela Drive from 40th Avenue to the proposed development just north of Clear Creek

These projects are being completed as separate projects by the City of Wheat Ridge.

2.2 Refinements to the Proposed Action

Based on comments received on the EA, the following refinements to information in the EA **Section 2.4 Proposed Action** were made.

- ▶ **Figure 2-2 Proposed Action** in this FONSI depicts the alignment of the pedestrian bridge in relation to the 27th Avenue/Youngfield Street/Eastbound I-70 Hook Ramps intersection. The figure modifies the information presented on **Figure 2-2 Proposed Action** in the EA with relation to this intersection.

- ▶ Crosswalks and the location of the eastern entrance to the pedestrian bridge at 27th Avenue have been included on the Proposed Action in **Figure 2-3 Eastbound Hook Ramps and Youngfield Street Intersection Detail** in this FONSI. The figure modifies the information presented on **Figure 2-3 Eastbound Hook Ramps and Youngfield Street Intersection Detail** in the EA.
- ▶ The location of the noise wall that will be rebuilt along I-70 near 27th Avenue after a segment of the existing barrier is removed for the eastbound I-70 hook ramps at 27th Avenue has been included on **Figure 2-4 Pedestrian Bridge Alignment** in this FONSI. This figure modifies the information presented on **Figure 2-5 Proposed Pedestrian Bridge Alignment** in the EA.
- ▶ **Figure 2-5 32nd Avenue/Cabela Drive/Zinnia Street Intersection Detail** in this FONSI depicts a conceptual layout for the signalized 32nd Avenue/Cabela Drive/Zinnia Street intersection. This figure was not included in the EA and has been included in this FONSI to clarify turning movements at the 32nd Avenue/Cabela Drive/Zinnia Street intersection. The figure does not modify the information presented in the EA with relation to this intersection.
- ▶ Crosswalks have been included on the Proposed Action in **Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail** in this FONSI. This figure modifies the information presented on **Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail** in the EA.
- ▶ **Figure 2-11 44th Avenue/Cabela Drive Intersection Detail** in this FONSI depicts a conceptual layout for the signalized 44th Avenue/Cabela Drive/Holman Street intersection. This figure only depicts a 10-ft multi-use sidewalk on the west side of Cabela Drive. The 8-ft sidewalk located on the eastern side of Cabela Drive, as depicted in **Figure 2-11 44th Avenue/Cabela Drive Intersection Detail** in the EA, was removed. The 8-ft sidewalk on the eastern side of Cabela Drive from 44th Avenue to immediately south of SH 58 was removed to consolidate pedestrian traffic through the SH 58/Cabela Drive interchange on the 10-ft multi-use sidewalk with a direct connection to the Jefferson County Open Space Clear Creek Trail. The 8-ft sidewalk ended on the south side of the Cabela Drive bridge over SH 58 and did not connect to another facility. Pedestrians using the 8-ft sidewalk would have to cross Cabela Drive on the bridge over SH 58 at the intersection of Cabela Drive with the eastbound SH 58 on and off ramps to use the 10-ft multi-use sidewalk to access the Jefferson County Open Space Clear Creek Trail. The consolidation of bicyclists and pedestrians on the 10-ft multi-use sidewalk on the west side of Cabela Drive limits potential conflicts with vehicles through the new SH 58/Cabela Drive interchange.
- ▶ The sidewalk on the eastern side of Cabela Drive from 44th Avenue to immediately south of SH 58 was removed on **Figure 2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements**. This figure modifies the information presented on **Figure 2-12 Pedestrian/Bicycle/Trail Facilities** in the EA.
- ▶ **Figure 2-14 Interchange Signing Plan** in this FONSI depicts the supplemental guide signing along I-70 to help motorists find their way within the interchange complex and direct traffic destined for the proposed development. The I-70/Ward Road interchange on this figure has been changed to include the CDOT-planned I-70/SH 58 improvements at this interchange, as shown on **Figure 2-2 Proposed Action**. This figure modifies the information presented on **Figure 2-14 Interchange Signing Plan** in the EA.

- ▶ **Figure 2-15 Transportation Improvements Construction Timeline** in this FONSI has been updated to depict the anticipated construction schedule for Phase 4 of the I-70/SH 58 project. This figure modifies the information presented on **Figure 2-16 Transportation Improvements Construction Timeline** in the EA.
- ▶ **Section 2.3.7 Pedestrian/Bicycle/Trail/Trail Access Improvements** in this FONSI combines **Section 2.4.7.1 Pedestrian Facilities** and **Section 2.4.7.2 Bicycle/Trail/Trail Access Facilities** of the EA to simplify the discussion and remove duplication in regard to pedestrian/bicycle/trail/trail access improvements.
- ▶ In response to public concern expressed during the 45-day review period that the flyover ramp from eastbound I-70 to westbound SH 58, which is part of the I-70/SH 58 interchange project, would not be completed prior to the opening of the Cabela's store and proposed development, a modified guide signing plan has been developed. This is presented in **Section 2.5 Implementation Schedule** and will be implemented if the flyover ramp can not open prior to the opening of the Cabela's store and proposed development.

2.3 Elements of the Proposed Action

This section provides clarification regarding possible future improvements, and therefore, this section supersedes **Section 2.4 Proposed Action** in the EA. The Proposed Action consists of the following elements:

- ▶ **New I-70/32nd Avenue Interchange Hook Ramps**
 - Construction of off-set hook ramps at the I-70/32nd Avenue interchange with the eastbound hook ramps located at Youngfield Street and 27th Avenue and the westbound hook ramps located north of 32nd Avenue at approximately 35th Avenue (the I-70/SH 58 interchange project will move the existing slip ramp from 38th Avenue to 35th Avenue)
 - Construction of a third bridge over 32nd Avenue for the I-70 westbound ramp traffic
 - Closure of the existing westbound I-70 off-ramp that exits to 32nd Avenue. The existing westbound I-70 on-ramp would remain open but access would be limited to eastbound 32nd Avenue traffic only
 - Reconstruction and restriping of Youngfield Street between 27th Avenue and approximately 30th Avenue to achieve a 5-lane roadway section
- ▶ **32nd Avenue Improvements**
 - Widening of 32nd Avenue between approximately Alkire Street and approximately Xenon Street and the widening of Youngfield Street between approximately 35th Avenue and 30th Avenue in the vicinity of the I-70/32nd Avenue interchange
 - Connection of Cabela Drive with 32nd Avenue west of I-70 (40th Avenue to 32nd Avenue)
- ▶ **New SH 58/Cabela Drive Interchange**
 - Construction of a new diamond interchange on SH 58 west of Eldridge Street and connection of Cabela Drive to this interchange

- Connection of Cabela Drive with 44th Avenue north of the new interchange on SH 58

▶ **I-70/Ward Road Interchange**

- Restriping of the Ward Road and westbound I-70 on-ramp intersection to add an additional southbound left turn lane onto the ramp and widen the ramp to receive this lane
- Addition of a second right-turn lane for the eastbound I-70/Ward Road off-ramp

▶ **Bicycle/Pedestrian Improvements**

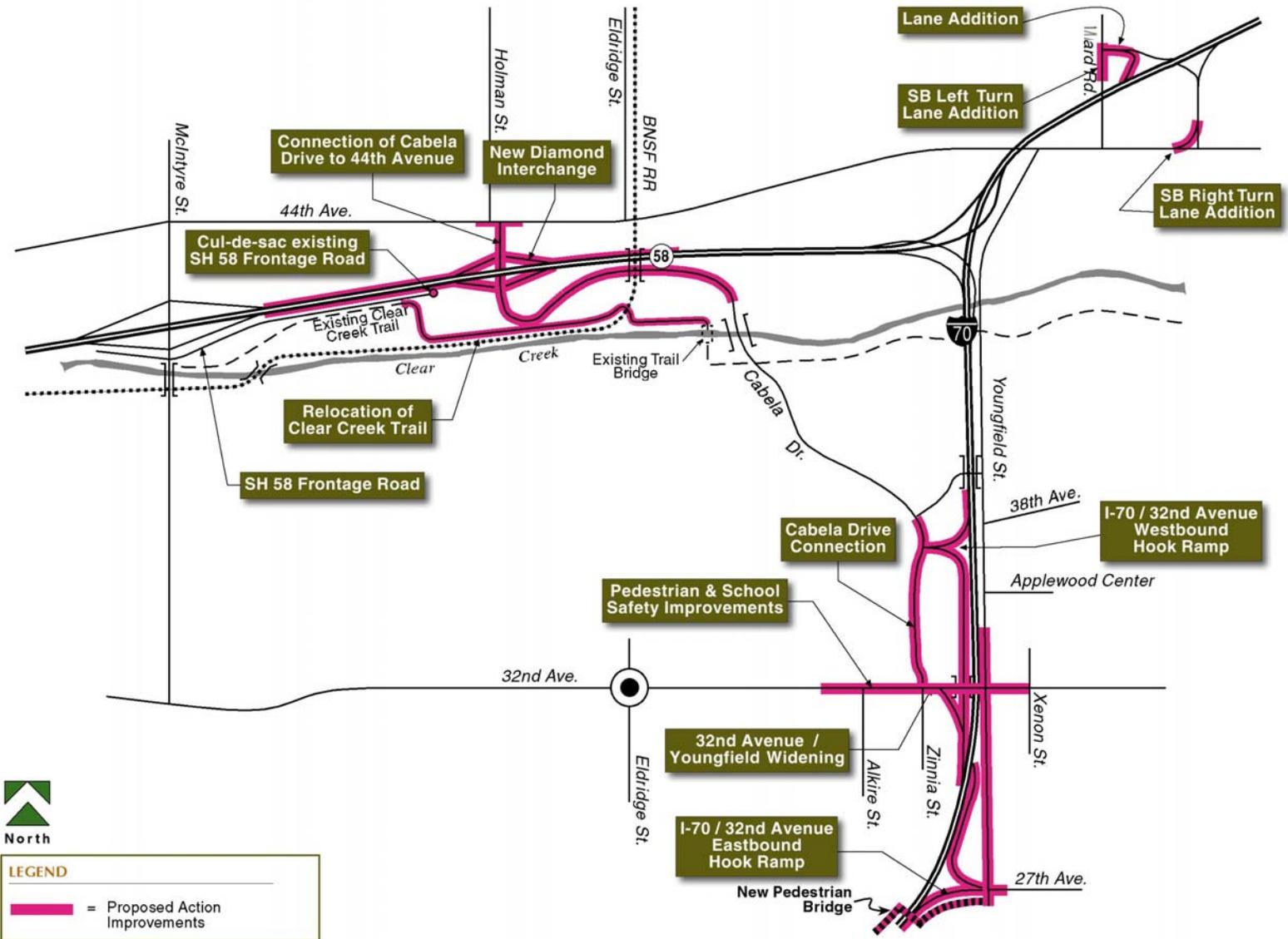
- Relocation of the Jefferson County Open Space Clear Creek trail in the vicinity of the new SH 58/Cabela Drive interchange
- Replacement of the 32nd Avenue trail detached sidewalk along the south side of 32nd Avenue from Alkire Street to Cabela Drive with an attached sidewalk
- Improvements to pedestrian and school safety along 32nd Avenue
- Construction of an ADA-compliant pedestrian bridge at 27th Avenue to replace the existing pedestrian bridge at 26th Avenue as part of the eastbound I-70 hook ramps
- Provisions for Jefferson County Open Space Clear Creek Trail access through the development site from 32nd Avenue
- Wider sidewalks under I-70 on the south side of 32nd Avenue to better accommodate bicycles and pedestrians
- Reconstruction of the sidewalk under I-70 on the north side of 32nd Avenue

Figure 2-2 *Proposed Action* depicts the Proposed Action. Elements of the Proposed Action are described below.

2.3.1 New I-70/32nd Avenue Hook Ramps

Full interchange access with I-70 at 32nd Avenue will be provided via offset hook ramp connections north and south of 32nd Avenue. The eastbound I-70 on- and off-ramps will be located at 27th Avenue on the east side of I-70. The westbound ramps will be located at approximately 35th Avenue on the west side of I-70.

Figure 2-2 Proposed Action



2.3.1.1 Eastbound I-70 Hook Ramps

The eastbound hook ramps will be aligned with 27th Avenue and will complete the fourth leg of the existing three legged intersection with Youngfield Street. The intersection will be modified to allow for proper alignment of lanes and the addition of turn lanes along Youngfield Street.

Figure 2-3 Eastbound Hooks Ramps & Youngfield Street Intersection Detail shows the new intersection configuration. Access to 32nd Avenue from these ramps will come via Youngfield Street.

The existing pedestrian bridge crossing of I-70 at 26th Avenue will be affected by this new ramp and will be replaced as part of the Proposed Action. A conceptual layout of the new bridge is shown in **Figure 2-4 Pedestrian Bridge Alignment**. The eastern entrance ramp to the structure will be located on the south side of the eastbound I-70 hook ramps at 27th Avenue, and the western entrance ramp to the structure will be located immediately north of the western side of the existing pedestrian bridge (see **Figure 2-3 Eastbound Hook Ramps & Youngfield Street Intersection Detail**). 27th Avenue is a bicycle route, and the replacement structure will provide bicyclists a direct route across I-70. In addition, the Proposed Action improvements will include upgrading the sidewalk from the Chester Portsmouth Park to the 27th Avenue and Youngfield intersection. The Youngfield Street and 27th Avenue intersection will have a new traffic signal, which will include pedestrian crosswalks and pedestrian actuation. The new intersection and pedestrian bridge will be ADA compliant and will provide contiguous sidewalk access to the park from the west side of I-70. The enhanced intersection and sidewalk will create a safer and more accessible route to the park.

Retaining walls will be required on the outside of the ramps to limit toe-of-slope impacts to adjacent properties. The existing noise barrier along I-70 near 27th Avenue will be rebuilt where the barrier must be removed for the construction of the eastbound I-70 hook ramps.

Traffic mitigation measures were considered for the increase in traffic on 27th Avenue; however, they were not supported by the City of Lakewood in light of possible enforcement required and given the fact that the estimated Year 2030 traffic volumes on 27th Avenue are expected to be well within the capacity of a two-lane major collector. East of Youngfield Street, 27th Avenue is classified by the City of Lakewood as a major collector. Based on city standards, a major collector can accommodate up to 7,000 vehicles per day. The projected traffic volume on 27th Avenue in the Year 2030 is 5,400 vehicles with the hook ramps. Based on the traffic analysis, the hook ramps would increase traffic along 27th Avenue by approximately 20 percent (4,500 vehicles per day without the hook ramps). This increased traffic volume on 27th Avenue is within the limit of 7,000 vehicles per day of the City of Lakewood's standard for a major collector. These city street standards are identified in the City of Lakewood's Major Street Plan and Comprehensive Plan. The eastbound I-70 hook ramps/27th Avenue/Youngfield Street intersection was modified following input from the City of Lakewood per a February 23, 2006 letter from Dave Baskett, City of Lakewood Traffic Engineer to Ed Martinez, CDOT Resident Engineer. This letter is included in **Appendix A Agency Involvement** in the EA.

Minor traffic increases are projected for the adjacent residential areas. For Simms Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately five percent for the Proposed Action compared to the No-Action Alternative. For Youngfield Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately ten percent for

the Proposed Action compared to the No-Action Alternative. For 20th Avenue between Youngfield Street and Simms Street, Year 2030 traffic levels are forecasted as essentially the same between the Proposed Action and the No-Action Alternative. Local residential streets like Urban Drive, Tabor Street, 22nd Place, or Quail Street have limited continuity. The vast majority of traffic that would make use of these roadways would likely be destined to or originating from the immediate area that they serve. The Year 2030 traffic levels are not expected to affect operations on these streets. For these reasons, the City of Lakewood has agreed that these traffic increases are acceptable and no mitigation is necessary.

Based on the current traffic analysis and Year 2030 projections, the Proposed Action improvements for the eastbound I-70 hook ramps at 27th Avenue, as discussed in **Section 2.4.1.1 Eastbound I-70 Hook Ramps** and **Section 2.5.3 Construction Schedule/Timeline** in the EA, are not required prior to the development opening. Therefore, the I-70 eastbound hook ramps at 27th Avenue are not currently needed but will be needed by Year 2030. Modeling has shown that these hook ramps could be needed by Year 2020. In the interim, the eastbound on-ramp will be relocated, as part of the I-70/SH 58 project, by CDOT from 38th Avenue to 35th Avenue, and the existing eastbound off-ramp south of 32nd Avenue will be widened to provide two lanes. The interim improvement that relocates the eastbound I-70 on-ramp from 38th Avenue to 35th Avenue was approved and cleared through the I-70/SH 58 EA process.

Construction of the Proposed Action improvements, the proposed development, along with future growth in the area, will change the present traffic patterns and usage. CDOT and the City of Wheat Ridge will observe, monitor, and confirm these new traffic patterns and growth. Prior to the future design and construction of the eastbound I-70 hook ramps at 27th Avenue, a follow-up traffic study will be initiated to reconfirm the need and timing of this proposed improvement. The new (relocated I-70 eastbound on-ramp) and the existing off-ramp will not be closed until the replacement ramps at 27th Avenue are built.

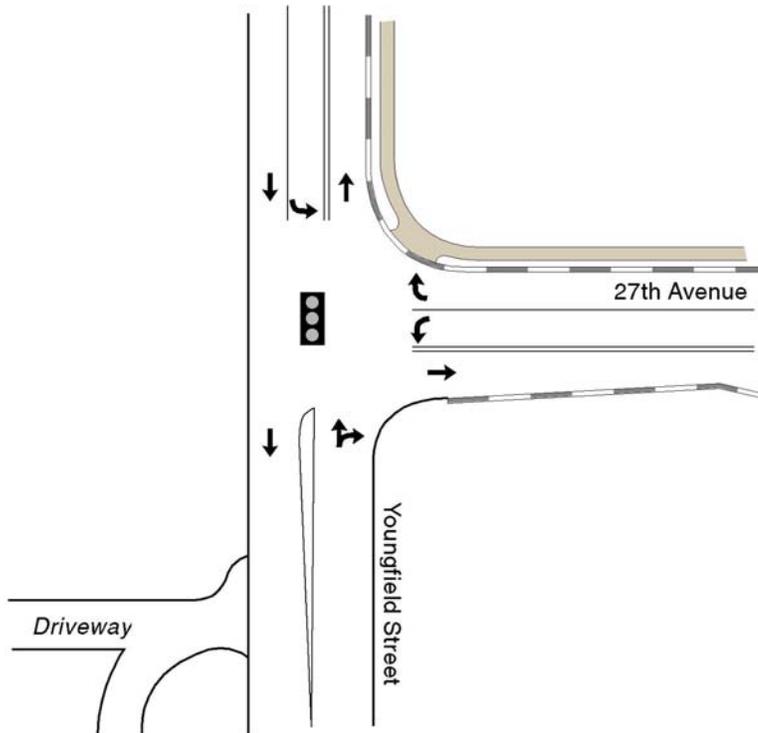
2.3.1.2 Westbound I-70 Hook Ramps

The westbound hook ramps will be aligned to maximize the distance from the planned eastbound SH 58 to westbound I-70 ramp. The westbound off-ramp will connect to Cabela Drive. Cabela Drive will provide a southerly connection to 32nd Avenue and a northerly connection to the development and ultimately to the SH 58/Cabela Drive interchange and 44th Avenue.

The existing westbound I-70 off-ramp has two left turn lanes from the ramp to 32nd Avenue. Since this ramp will be closed as part of the Proposed Action, southbound Cabela Drive will need a similar amount of left turn capacity as exists today. Two left turn lanes to 32nd Avenue were maintained to meet this demand and to accommodate traffic from the westbound I-70 off-ramp that is headed for existing commercial and residential destinations (see **Figure 2-5 32nd Avenue/Cabela Drive/Zinnia Street Intersection Detail**).

Figure 2-3 Eastbound Hook Ramps & Youngfield Street Intersection Detail

EXISTING



PROPOSED ACTION

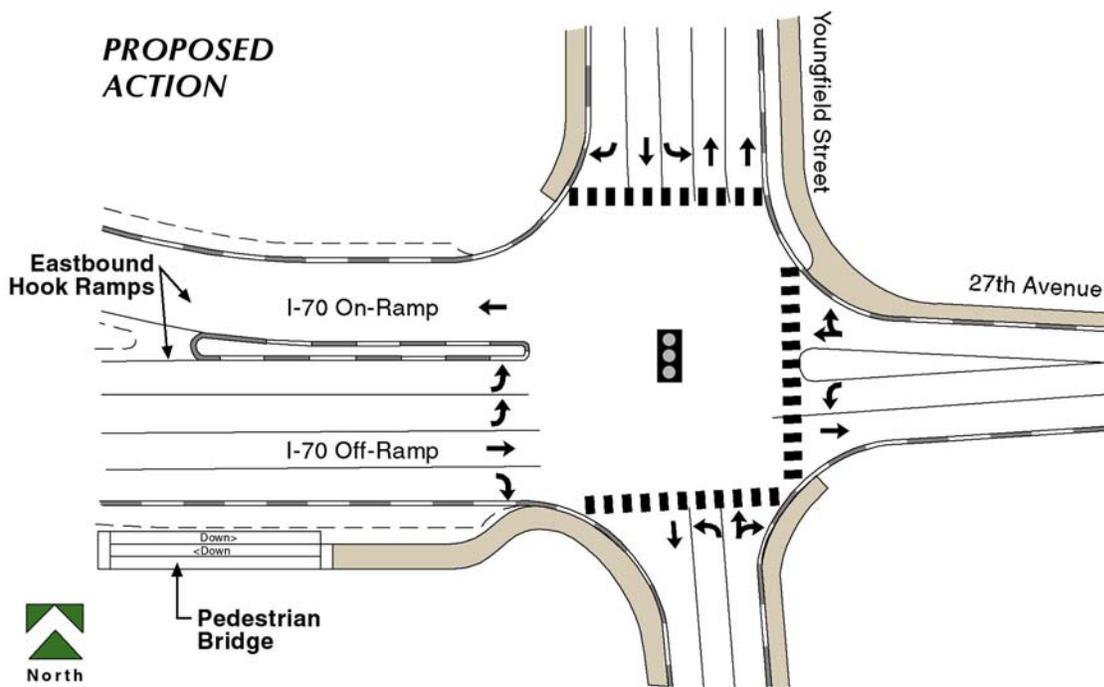


Figure 2-4 Pedestrian Bridge Alignment

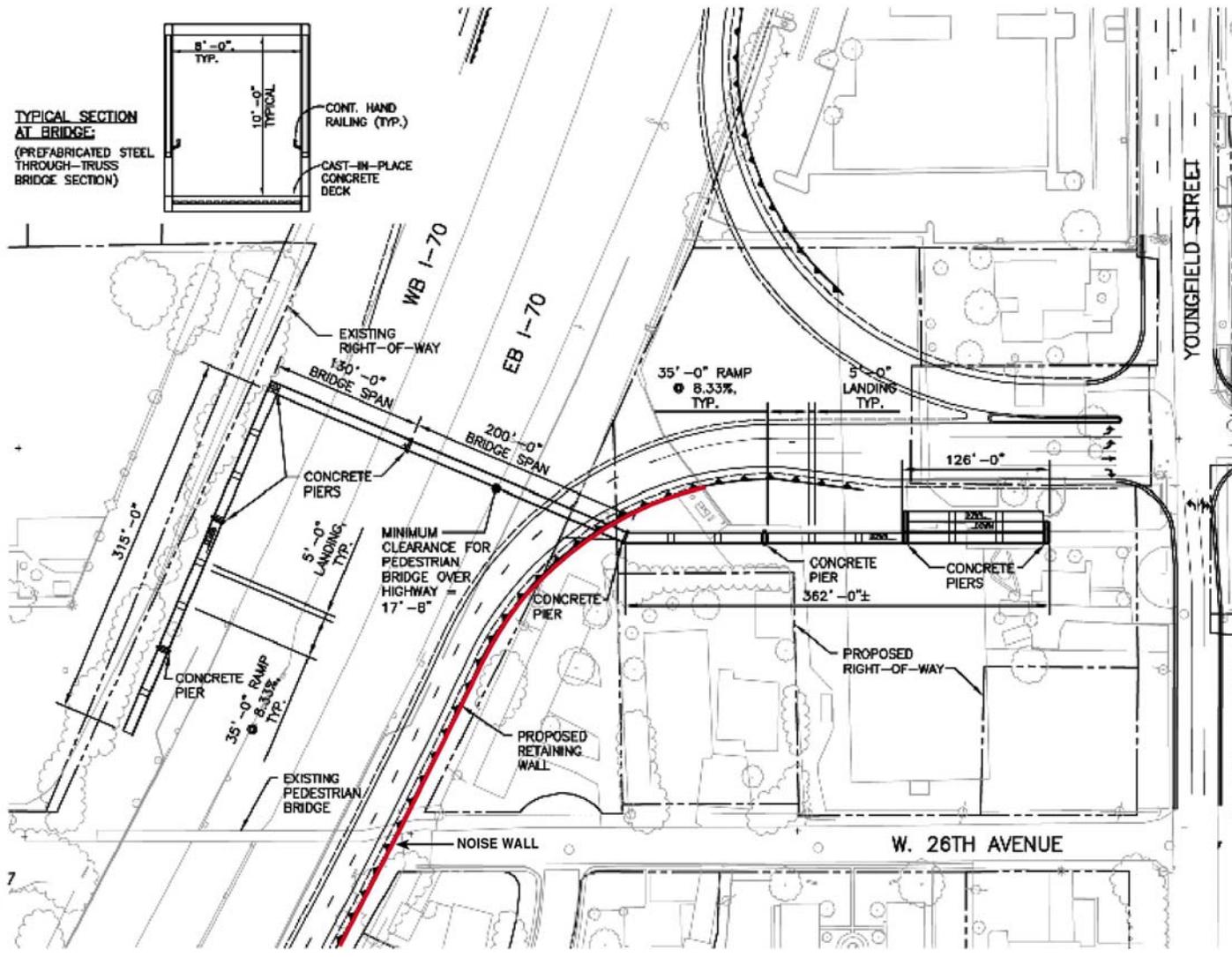
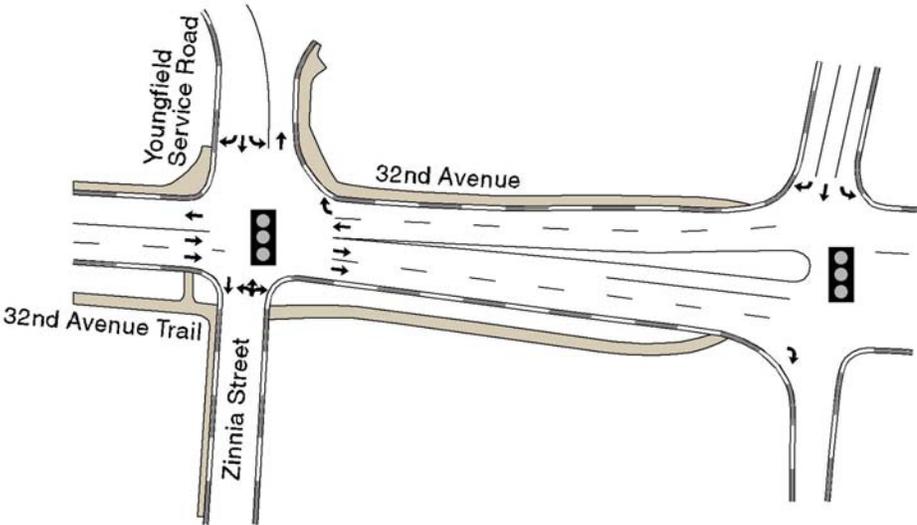


Figure 2-5 32nd Avenue/Cabela Drive/Zinnia Street Intersection Detail

EXISTING



PROPOSED ACTION

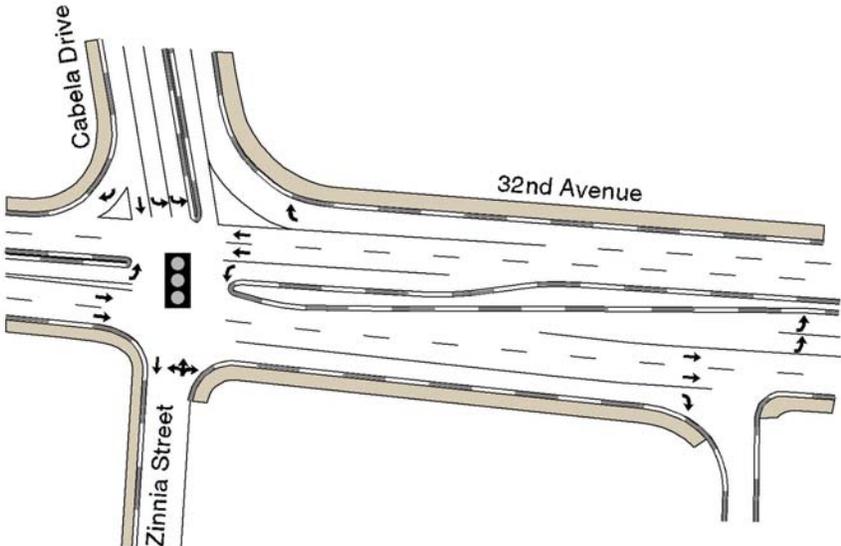
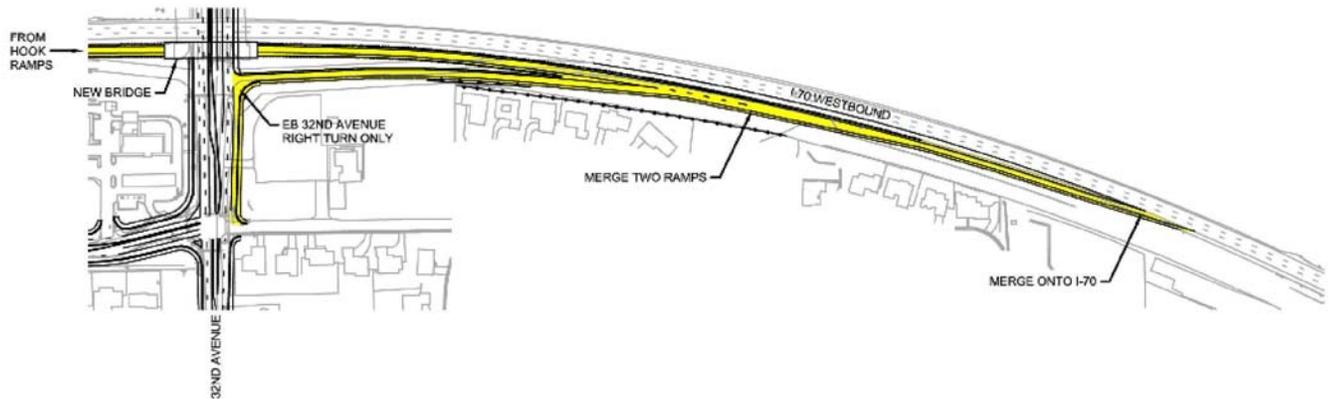


Figure 2-6 Westbound I-70 On-Ramp



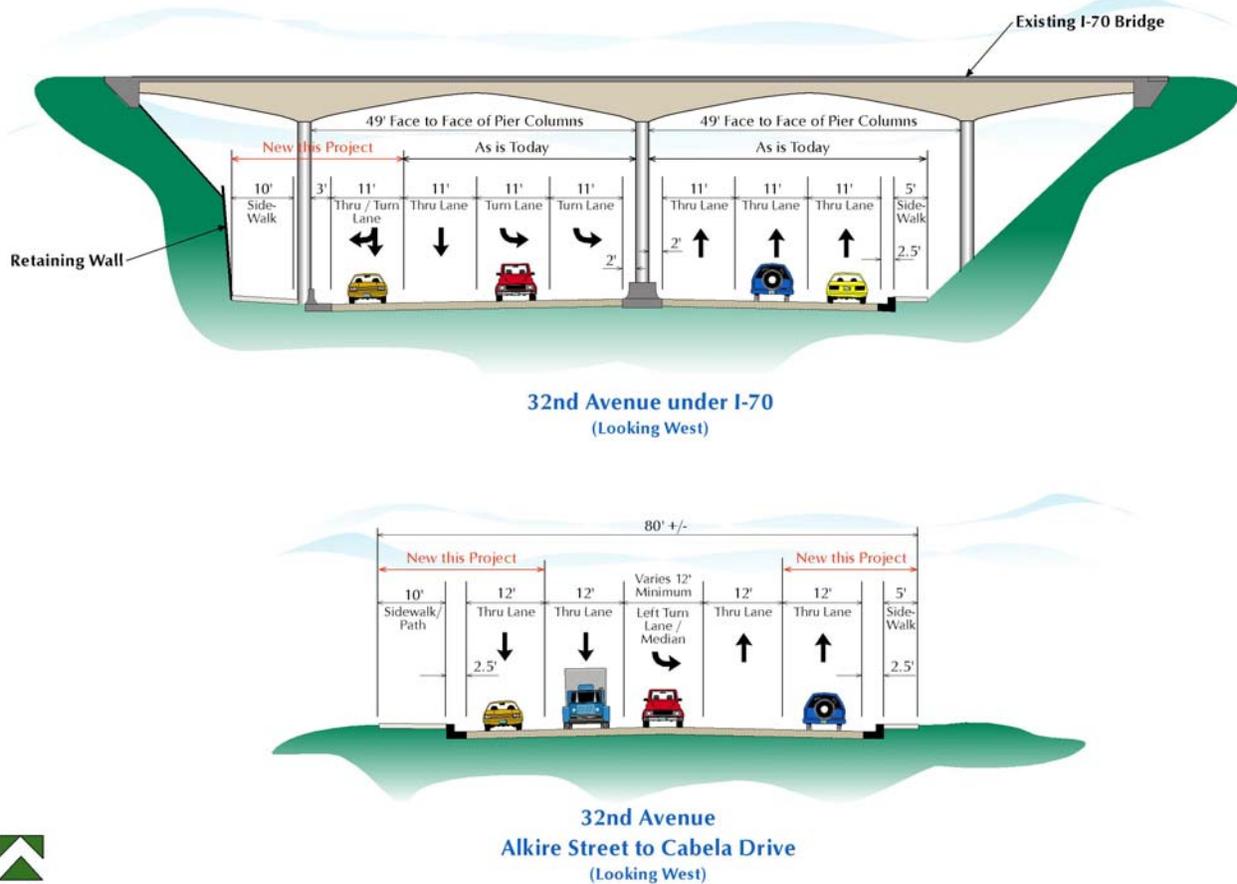
The westbound on-ramp will parallel I-70 from 35th Avenue to south of 32nd Avenue where it will merge with I-70 (see **Figure 2-6 Westbound I-70 On-Ramp**). This will require construction of a new bridge for the ramp over 32nd Avenue. The existing westbound on-ramp from 32nd Avenue will be retained and merge with this new ramp prior to I-70. It will be restricted to serving only eastbound 32nd Avenue traffic – no westbound 32nd Avenue left turns from 32nd Avenue will be allowed to the existing ramp because the existing traffic signal at this intersection will be removed as part of the Proposed Action (see **Figure 2-5 32nd Avenue/Cabela Drive/Zinnia Street Intersection Detail**). Vehicles turning left from southbound Cabela Drive to eastbound 32nd Avenue will be able to access the existing westbound I-70 on-ramp that will remain open as part of the Proposed Action.

2.3.2 32nd Avenue Improvements

32nd Avenue will be widened to accommodate traffic needs between Alkire Street and Xenon Street, facilitating improved east/west traffic flow on 32nd Avenue. These improvements will include removal of the existing traffic signal at the westbound I-70 on-ramp intersection with 32nd Avenue (see **Figures 2-6 Westbound I-70 On-Ramp and 2-7 32nd Avenue Typical Sections**). A new lane in each direction will be added to 32nd Avenue between Alkire Street and Cabela Drive. **Figure 2-7 32nd Avenue Typical Sections** shows the typical section along this reach. The existing I-70 bridge over 32nd Avenue will be modified to allow for eastbound 32nd Avenue widening as it approaches Youngfield Street. This will require removal of the existing paved slopes under the bridge, construction of a new retaining wall on the south side, relocation of the

sidewalk, and widening the road into the space vacated by the existing sidewalk. The sidewalk under I-70 on the north side of 32nd Avenue will be reconstructed. A typical section of the roadway section and this bridge modification is shown in **Figure 2-7 32nd Avenue Typical Sections**.

Figure 2-7 32nd Avenue Typical Sections



The Youngfield Street / 32nd Avenue intersection will be modified to improve the operations of the intersection, which will include construction of additional lanes and resignalization. The proposed intersection configuration is shown in **Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail**. Transitions to match this new intersection will require widening of 32nd Avenue to the east to approximately Xenon Street, to the north along Youngfield Street to approximately 35th Avenue, and to the south along Youngfield Street to the current I-70 off-ramp.

2.3.3 Youngfield Street Improvements

Youngfield Street will be restriped and widened in some locations to accommodate traffic needs between 35th Avenue and 27th Avenue resulting in a uniform five-lane wide road. The 32nd Avenue/Youngfield Street intersection includes two left turn lanes and a right turn lane for northbound and southbound with four through lanes (see **Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail**).

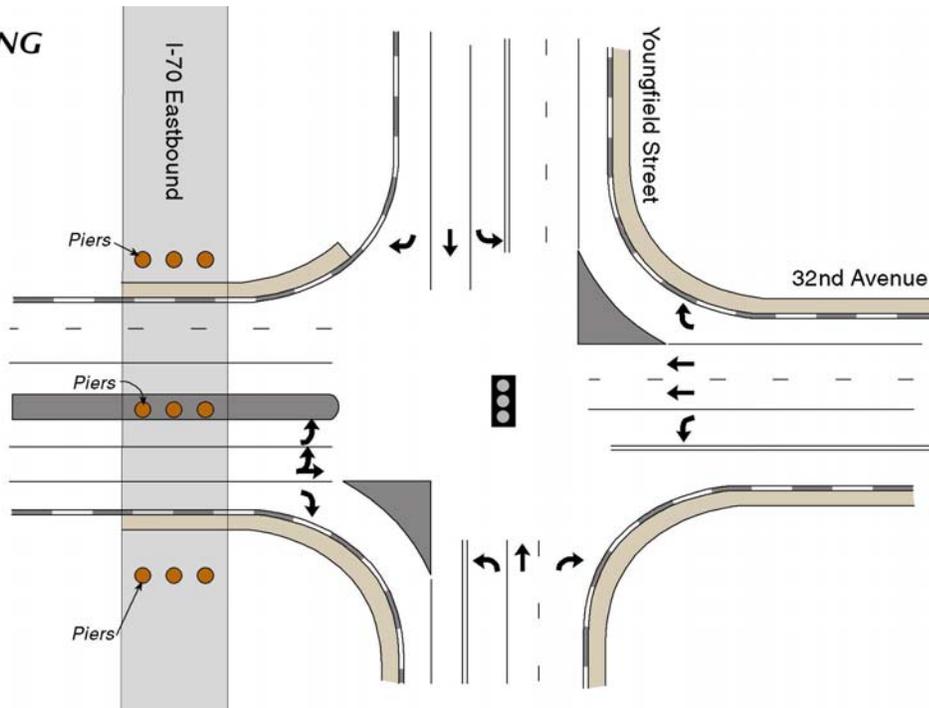
2.3.4 New Cabela Drive

Cabela Drive is a new north-south roadway connection on the west side of I-70. A portion of Cabela Drive from 40th Avenue to the proposed development just north of Clear Creek, which includes a new four-lane bridge over Clear Creek, will be constructed as a separate local agency project. Cabela Drive will serve the proposed development, and as part of the Proposed Action, provide a connection to SH 58 and 44th Avenue at a new diamond interchange. The roadway typical section varies as traffic demands (see **Figure 2-9 Cabela Drive Typical Sections**). From 32nd Avenue to approximately Clear Creek the roadway will be a five-lane facility with two through lanes in each direction and a center turn lane. From Clear Creek to the new SH 58/Cabela Drive interchange the roadway will be a four-lane facility with two southbound lanes, a single northbound lane, and a left turn lane.

The existing Jefferson County Open Space Clear Creek trail that parallels the SH 58 frontage road today will be realigned to provide for the new road connection to the new SH 58/Cabela Drive interchange as part of the Proposed Action. The existing railroad bridge at SH 58 will remain and the new roadway will pass under it. **Figure 2-10 Cabela Drive at Railroad Bridge** shows how this will be accomplished.

Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail

EXISTING



PROPOSED ACTION

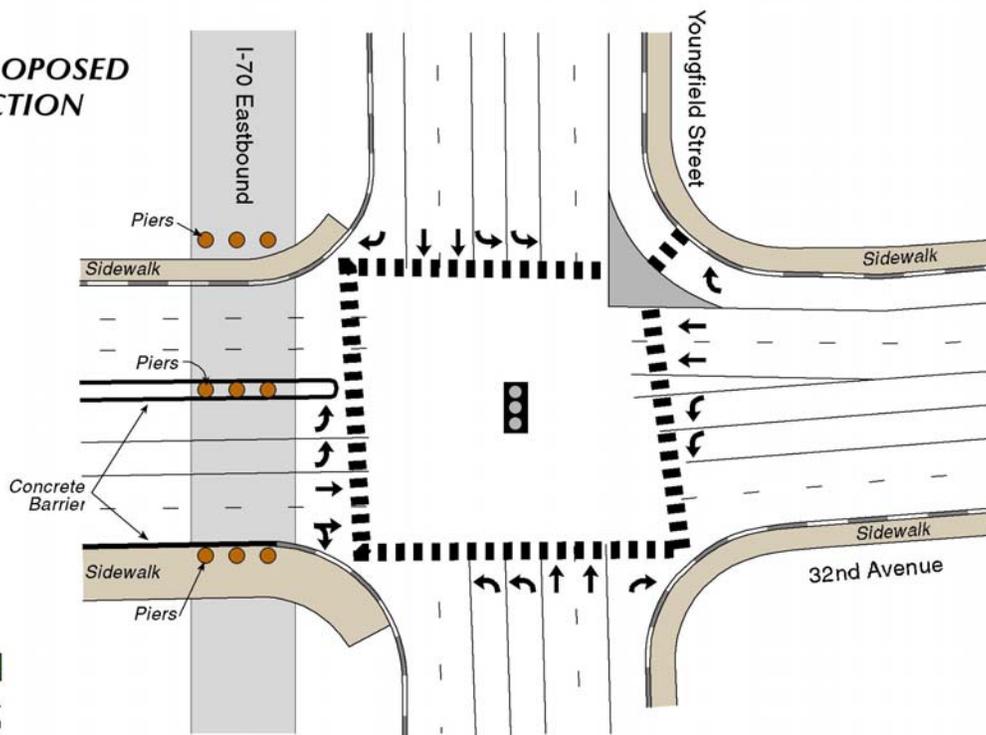


Figure 2-9 Cabela Drive Typical Sections

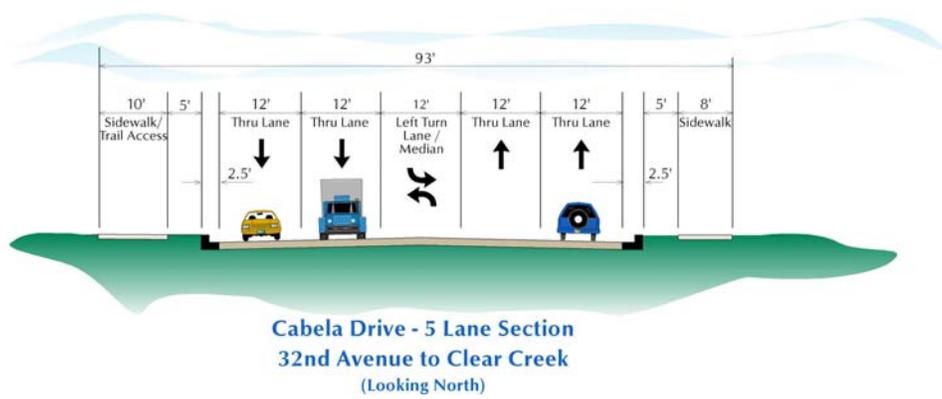
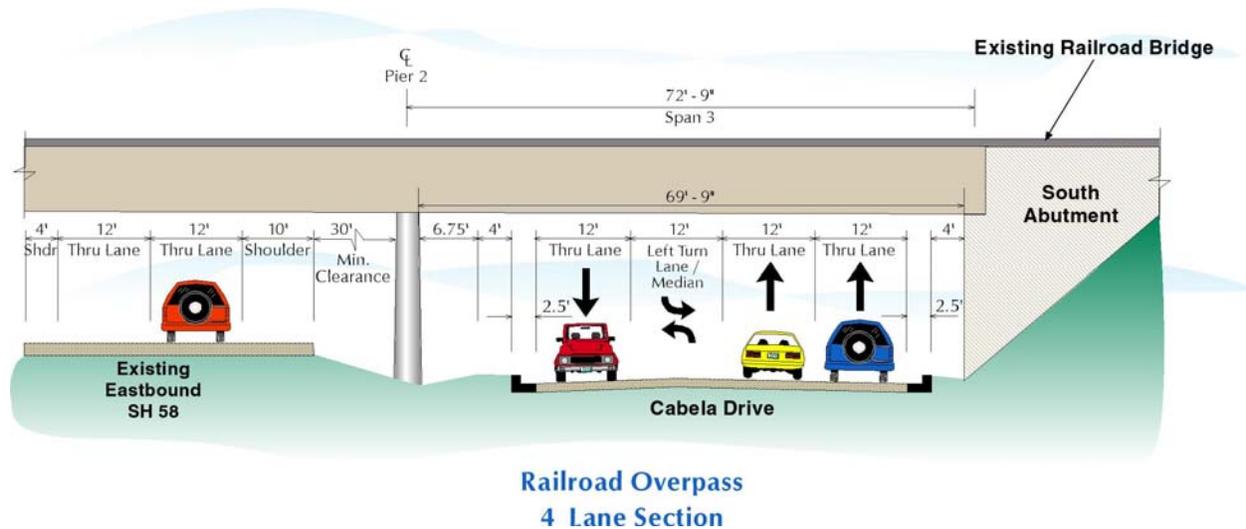


Figure 2-10 Cabela Drive at Railroad Bridge



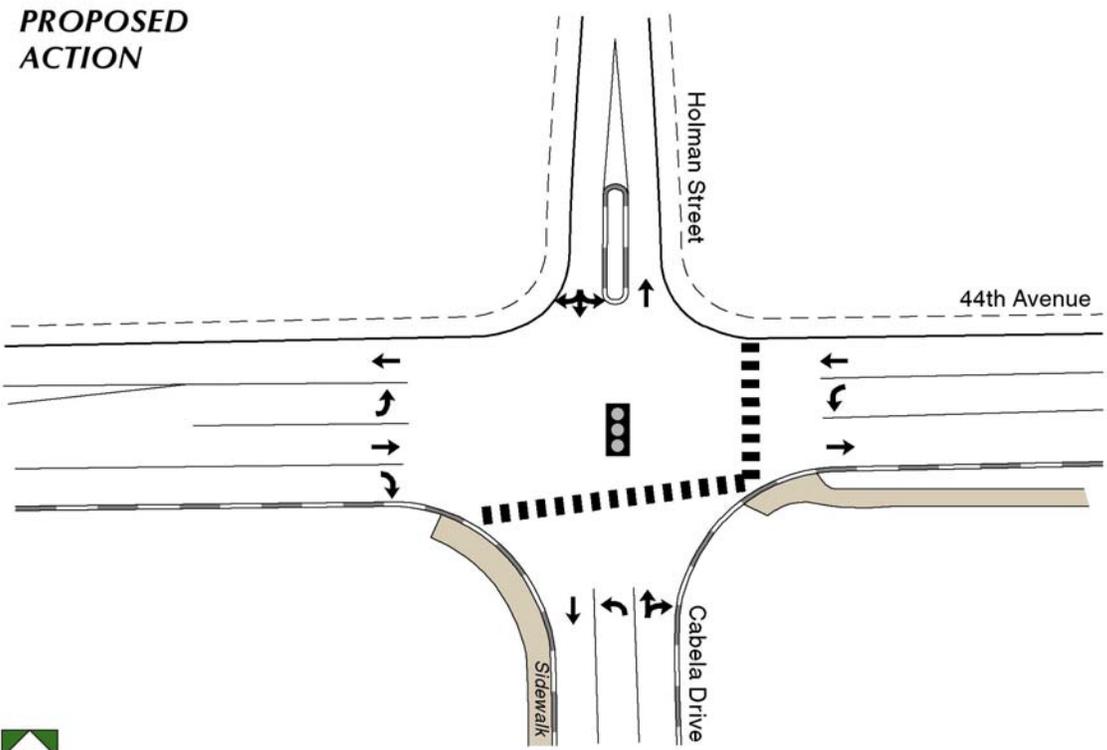
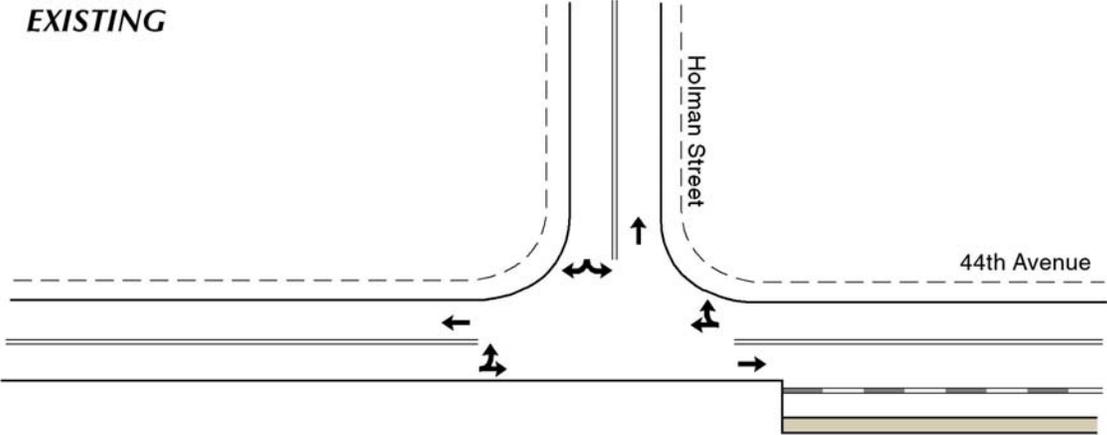
2.3.5 New SH 58/Cabela Drive Interchange

A new diamond interchange will be constructed at SH 58 between McIntyre Street and I-70 with SH 58 crossing under at this interchange. Continuous auxiliary lanes will be added to SH 58 in both directions between McIntyre Street and the new interchange and between westbound I-70 and the new interchange. These lanes will be provided to help motorists manage the weave created when traffic entering the highway at one interchange competes with traffic leaving the highway at the next interchange. Some retaining walls will be required to minimize ramp embankment impacts to adjacent businesses.

The interchange will be aligned to provide a connection to 44th Avenue to the north at the intersection with Holman Street. This intersection will be modified to align roadway lanes and add turn lanes along 44th Avenue. The reconstructed intersection layout is shown in **Figure 2-11 44th Avenue/Cabela Drive Intersection Detail**. Reconstruction along 44th Avenue will be primarily on the south side, with limited reconstruction anticipated on the north side of 44th Avenue.

Cabela Drive will connect with the interchange via a sweeping alignment to the south and east. The existing SH 58 frontage road will be severed with this construction and will require that a cul-de-sac be placed on the east end of the SH 58 frontage road immediately west of the new SH 58/Cabela Drive interchange (see **Figure 2-2 Proposed Action**). The existing SH 58 frontage road provides access to the area north of Clear Creek and south of SH 58. Access to the area west of the new SH 58/Cabela Drive interchange will continue to be provided by the SH 58 frontage road. Access to the area east of the new SH 58/Cabela Drive interchange, which includes a portion of the proposed development, will be provided by Cabela Drive.

Figure 2-11 44th Avenue/Cabela Drive Intersection Detail



2.3.6 44th Avenue and Ward Road

Improvements at the interchange with 44th Avenue/Ward Road/I-70 are included as a part of the Proposed Action. These improvements are primarily a result of regional growth (updated from Year 2025 to 2030 forecasted traffic). They include the addition of a second southbound left turn lane from Ward Road to westbound I-70 along with the necessary widening of the ramp to reserve this turn lane. An additional (second) right turn lane is proposed from the eastbound I-70 off-ramp to westbound 44th Avenue. As identified in the *I-70/SH 58 Interchange Environmental Assessment* conducted by CDOT (CDOT 2002) and the *I-70/SH 58 Interchange Finding of No Significant Impact* (FHWA 2004), the 44th Avenue/eastbound I-70/Ward Road on and off-ramps intersection will be signalized. 44th Avenue does not have two lanes to receive free flowing traffic from the double right turn lanes on the eastbound I-70 off-ramp. Free flowing traffic from these double right turn lanes would conflict with the through movement along 44th Avenue because there are no auxiliary lanes to receive the traffic and allow for a safe weave movement onto 44th Avenue. Consequently, these double right turn lanes will be traffic signal controlled, such that traffic can only turn right on a green light. Traffic will queue on the eastbound I-70 off-ramp until the green light and turn right onto 44th Avenue with a double right turn movement.

2.3.7 Pedestrian/Bicycle/Trail/Trail Access Improvements

Pedestrian and bicycle facilities exist within the corridor, although they are not always continuous or constructed in compliance with ADA. This project will replace facilities affected by construction in accordance with City of Wheat Ridge, City of Lakewood, and/or Jefferson County criteria, which meet ADA requirements. Improvements are described below (see **Figure 2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements**).

- ▶ Replacement of the existing pedestrian bridge at 26th Avenue with a new ADA-compliant pedestrian structure at 27th Avenue (see **Figure 2-4 Pedestrian Bridge Alignment**)
- ▶ Construction of a new sidewalk along 27th Avenue and Youngfield street to replace the existing sidewalk affected by reconstruction of the 27th Avenue/Youngfield Street intersection (see **Figure 2-3 Eastbound Hook Ramps & Youngfield Street Intersection Detail**). The new sidewalk on the north side of 27th Avenue will extend to Chester Portsmouth Park
- ▶ Construction of a new sidewalk along 32nd Avenue and Youngfield Street to replace the existing sidewalk affected by reconstruction of the 32nd Avenue/Youngfield Street intersection (see **Figure 2-8 32nd Avenue/Youngfield Street Intersection Detail**)
- ▶ Widen the sidewalk on the south side of 32nd Avenue under I-70 to better accommodate bicycles and pedestrians and connect with the 32nd Avenue Trail (see **Figures 2-7 32nd Avenue Typical Sections** and **2-8 32nd Avenue/Youngfield Street Intersection Detail**)
- ▶ Reconstruction of the sidewalk on the north side of 32nd Avenue under I-70 (see **Figures 2-7 32nd Avenue Typical Sections** and **2-8 32nd Avenue/Youngfield Street Intersection Detail**)

- ▶ Replacement of the 32nd Avenue Trail, which consists of a detached sidewalk along the south side of 32nd Avenue from Alkire Street to Cabela Drive, with an attached sidewalk (see **Figures 2-7 32nd Avenue Typical Sections** and **2-8 32nd Avenue/Youngfield Street Intersection Detail**)
- ▶ Construction of new sidewalk along the north side of 32nd Avenue from Braun Court to Xenon Street to improve pedestrian access to The Manning School and Maple Grove Elementary and to replace sidewalk affected by reconstruction of 32nd Avenue (see **Figures 2-7 32nd Avenue Typical Sections** and **2-8 32nd Avenue/Youngfield Street Intersection Detail**)
- ▶ Realignment of the Jefferson County Open Space Clear Creek Trail from east of the railroad bridge at SH 58 and approximately Eldridge Street to west of the new SH 58/Cabela Drive interchange (see **Figure 2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements**). The crossing of the railroad spur will be grade separated
- ▶ Replacement of the existing Jefferson County Open Space Clear Creek Trail access from 32nd Avenue with a 10-ft detached multi-use sidewalk on the west side of Cabela Drive that would connect to the 10-ft multi-use sidewalk being constructed as part of the local agency projects of Cabela Drive and the 40th Avenue underpass of I-70. These will connect to the Jefferson County Open Space Clear Creek Trail at the existing pedestrian bridge crossing of Clear Creek, and a 10-ft detached multi-use sidewalk along the north side of 40th Avenue that would connect to the existing trailhead immediately southwest of the I-70/SH 58 interchange (see **Figures 2-9 Cabela Drive Typical Sections** and **2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements**)
- ▶ Construct an 8-ft detached sidewalk along the eastern side of Cabela Drive to accommodate pedestrians (see **Figures 2-9 Cabela Drive Typical Sections** and **2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements**)
- ▶ Construction of new multi-use sidewalk to provide bicycle/pedestrian access from 44th Avenue to the Clear Creek Trail through the new SH 58/Cabela Drive interchange (see **Figure 2-10 Cabela Drive at Railroad Bridge**)

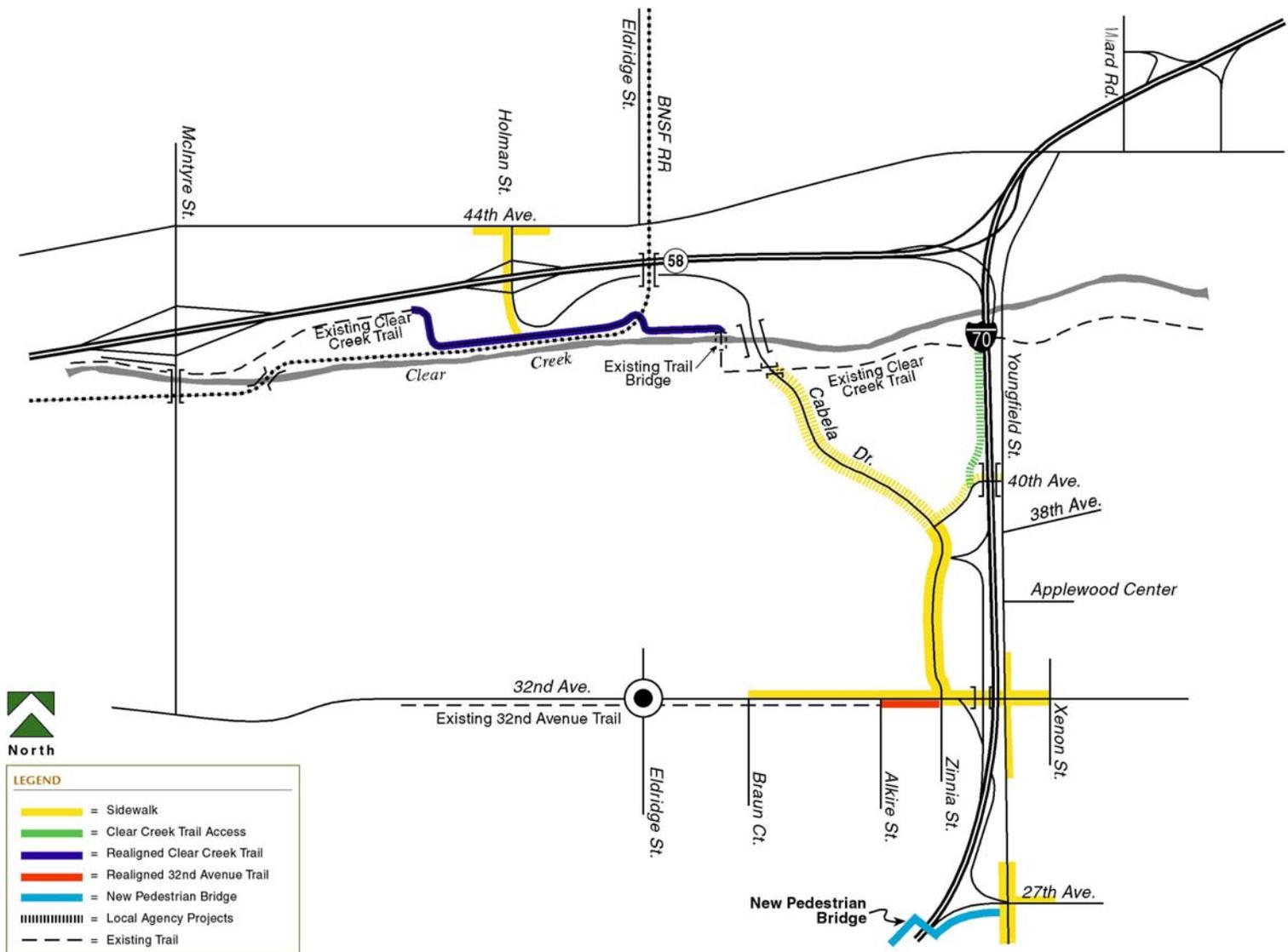
2.3.8 32nd Avenue Pedestrian/School Safety Improvements

School zone safety improvements are planned along 32nd Avenue adjacent to the Manning and Maple Grove Elementary schools. Improvements include contiguous sidewalks, upgraded signing, and a traffic signal with pedestrian actuation. **Figure 2-13 32nd Avenue Pedestrian/School Safety Improvements** shows these improvements.

2.3.9 Drainage Improvements

In accordance with current Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD) requirements for CDOT, the cities of Wheat Ridge and Lakewood, and Jefferson County, drainage improvements, including water quality measures, will be incorporated into the Proposed Action. Specific improvements will be detailed during final design.

Figure 2-12 Pedestrian/Bicycle/Trail/Trail Access Improvements



2.3.10 Interstate Guide Signage

To help motorists find their way within the interchange complex, supplemental guide signing will be located along I-70. These signs will make it clear that the new SH 58/Cabela Drive interchange is the route for accessing the planned development southwest of the I-70/SH 58 interchange. This will be accomplished through advance signing along both westbound and eastbound I-70. **Figure 2-14 Interchange Signing Plan** depicts a conceptual guide signing plan for the interchange complex.

This signing concept is consistent with similar applications where two major freeways diverge and advance clarification is required to help motorists find the appropriate route. Considering the multiple access options available along I-70 and SH 58 (at I-70/32nd Avenue, at I-70/Ward Road, and at SH 58/Cabela Drive) in this area and public concerns regarding increased traffic along 32nd Avenue, this guide signing is included as part of the Proposed Action.

Figure 2-13 32nd Avenue Pedestrian/School Safety Improvements

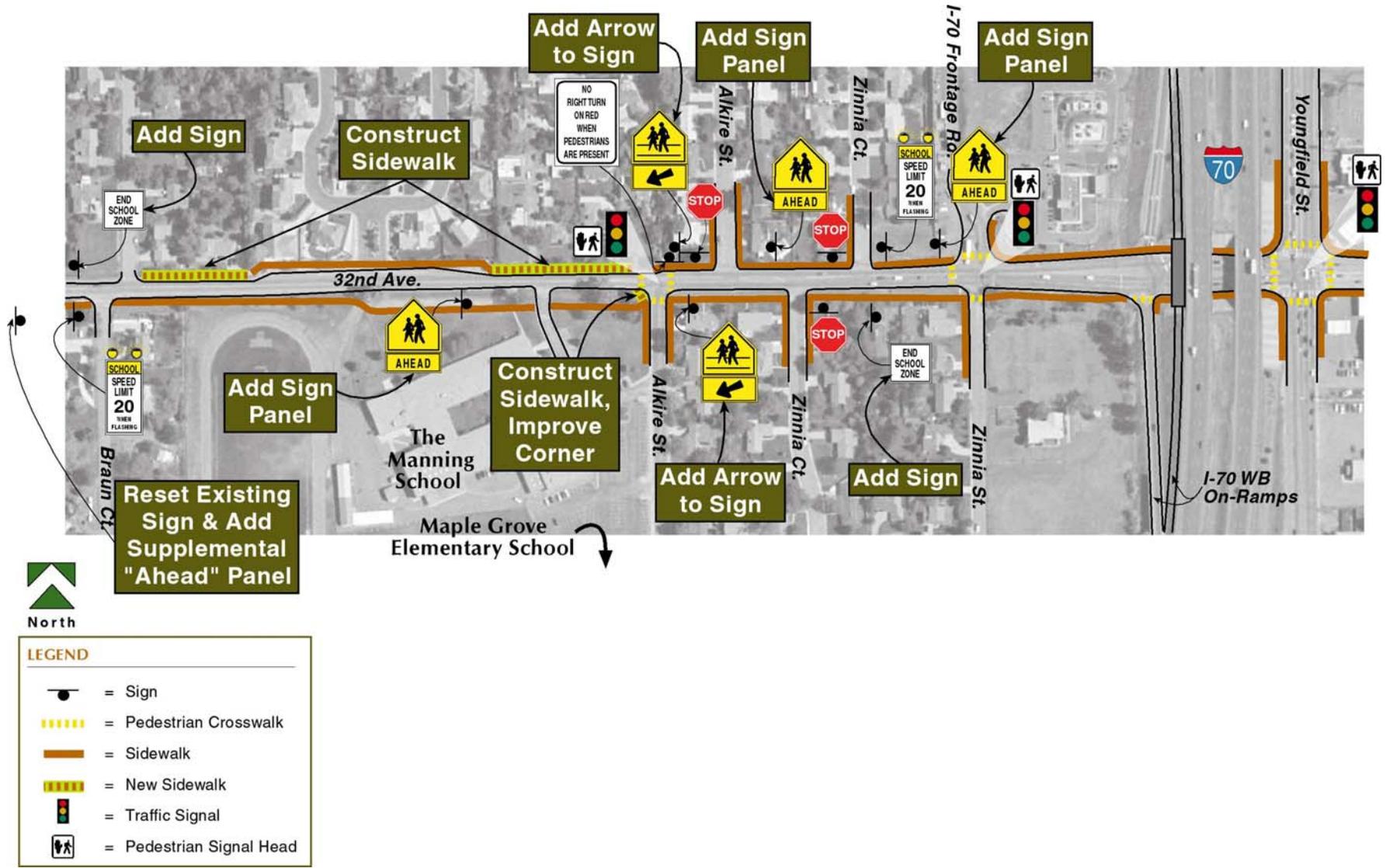
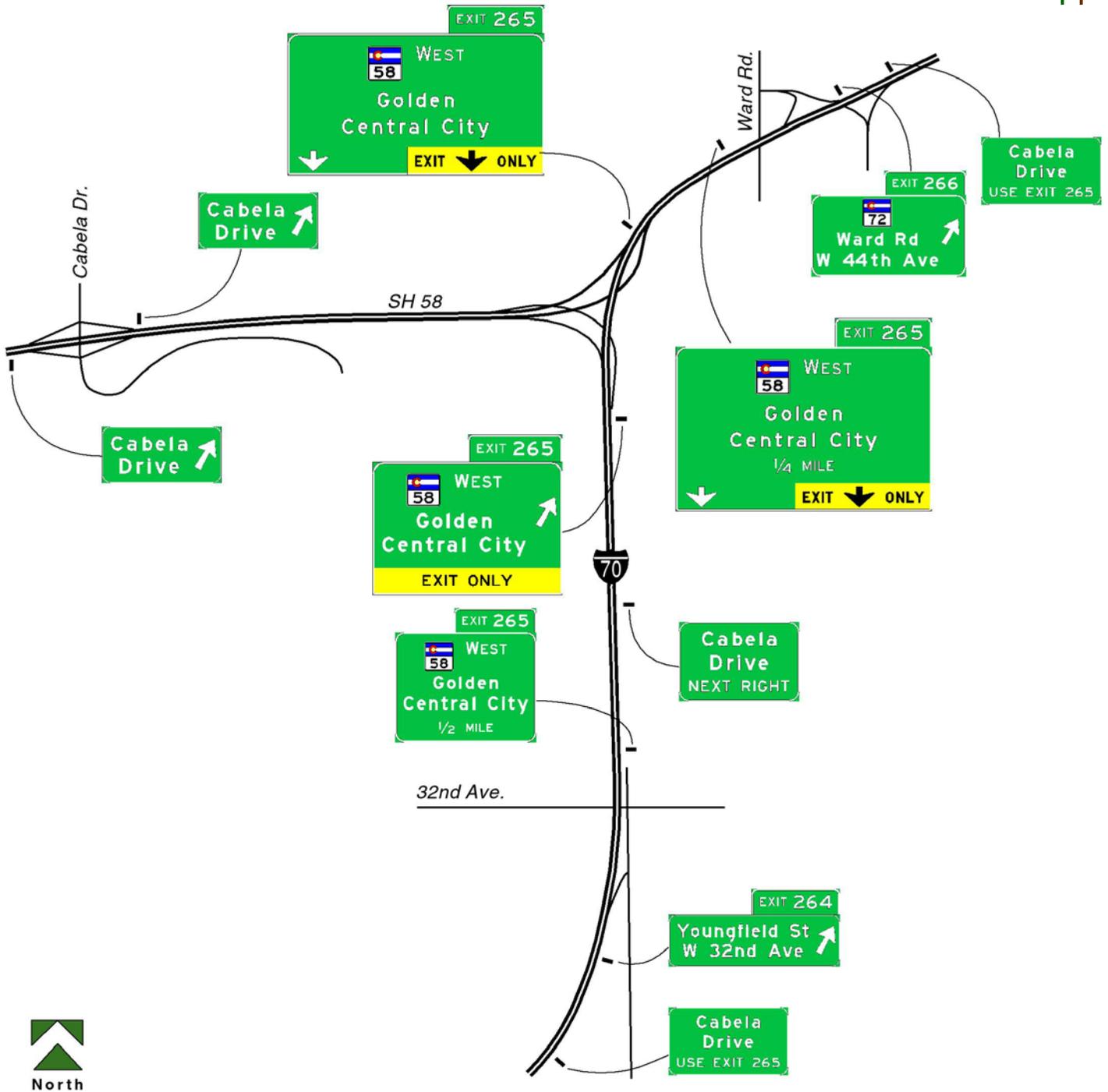


Figure 2-14 Interchange Signing Plan



2.4 Funding Status

DRCOG is the designated metropolitan planning organization for the Denver metropolitan area. As such, it is federally charged with developing a long-range regional transportation plan that defines the integrated, multimodal, metropolitan transportation system. The *Metro Vision 2030 Regional Transportation Plan*, as amended (DRCOG 2005; DRCOG 2006a; DRCOG 2006b) presents the vision for a multimodal transportation system that is needed to respond to future growth, as well as to influence how growth occurs. This vision is unconstrained by financial limitations. A federally required component of the plan, the *Fiscally Constrained 2030 Regional Transportation Plan* (RTP) examines transportation needs and identifies the federal and state funding that can reasonably be expected to be available for major transportation projects within the current planning horizon. The RTP is periodically amended and updated.

Reconstruction of the I-70/SH 58 and the I-70/32nd Avenue interchanges and construction of the new SH 58/Cabela Drive are included as regionally significant transportation projects in the RTP. Cabela Drive, which is not a regionally significant transportation project, is not included in the RTP.

The following preliminary assumption of costs for the Proposed Action was developed based on the conceptual designs prepared for the I-70/32nd Avenue Interchange EA [see **Table 2-1 Preliminary Opinion of Probable Costs (2006 dollars)**]. This cost assumption is subject to change as the design of the improvements is more fully defined. FHWA and CDOT estimate that the Proposed Action will cost \$42.9 million to construct in 2006 dollars.

Table 2-1 Preliminary Opinion of Probable Costs (2006 dollars)

Elements	Funding Source	Approximate Cost
Phase 1		
Cabela Drive from 32 nd Avenue to 40 th Avenue	City of Wheat Ridge	\$3,200,000
SH 58/Cabela Drive Interchange (includes Cabela Drive from 44 th Avenue to railroad bridge)	Cabela's	\$12,100,000
I-70/32 nd Avenue Interchange 32 nd Avenue Widening	Cabela's	\$5,775,000
	City of Wheat Ridge	\$3,275,000
	Jefferson County	\$2,500,000
I-70/32 nd Avenue Interchange westbound hook ramps	City of Wheat Ridge	\$4,260,000
Phase 1 Subtotal		\$31,110,000
Phase 2		
I-70/32 nd Avenue Interchange eastbound hook ramps	CDOT	\$11,790,000
Lane additions at Ward Road/44 th Avenue	CDOT	\$2,730,000*
Phase 2 Subtotal		\$11,790,000
Total		\$42.9 million

(*) Upon approval of this FONSI, this part of the Proposed Action will be included as part of the \$20 million I-70/SH 58 interchange improvements (Phase 4) and is therefore not included in the Phase 2 Subtotal.

The reconstruction of the I-70/32nd Avenue interchange is closely linked with the I-70/SH 58 interchange, and revenues designated for the I-70/32nd Avenue interchange and I-70/SH 58 interchange projects will be swapped. The RTP, as amended, includes \$54.1 million in federal and state funding for the I-70/SH 58 interchange project. CDOT's contribution, to date, to the I-70/SH 58 interchange project has been \$25.3 million, and CDOT has agreed to contribute up to an additional \$20 million on the Phase 4 improvements at the I-70/Ward Road interchange. The majority of the \$20 million was previously cleared as part of the I-70/SH 58 project, although \$2.73 million of this amount has been identified in this FONSI as part of Phase 2 for lane additions at Ward Road/44th Avenue [see **Table 2-1 Preliminary Opinion of Probable Costs (2006 dollars)**]. CDOT will incorporate the cost of the additional right turn lane for the eastbound I-70/Ward Road off-ramp in Phase 4 of the I-70/SH 58 interchange project upon approval of this FONSI. CDOT also will provide \$11.79 million for construction of the I-70/32nd Avenue interchange eastbound hook ramps.

In total, CDOT's contribution to the I-70/SH 58 interchange and I-70/32nd Avenue interchange projects is \$57.09 million. This includes the \$25.3 for the I-70/SH 58 interchange project, \$20 million for the I-70/SH 58 interchange project Phase 4 improvements, and \$11.79 million for the I-70/32nd Avenue interchange eastbound hook ramps. While this amount is approximately \$3 million more than was identified in the RTP for the I-70/SH 58 interchange project, it falls well within the agreed upon tolerance levels for inflation since adoption of the RTP.

In the RTP, reconstruction of the I-70/32nd Avenue interchange is estimated to be \$27 million and will be funded with 100 percent locally derived revenues (DRCOG 2006b). The City of Wheat Ridge will provide \$4.26 million for construction of the westbound I-70/32nd Avenue hook ramps and \$3.275 million for widening of 32nd Avenue. Jefferson County will provide \$2.5 million and Cabela's will provide \$5.775 million for the widening of 32nd Avenue. As previously discussed, CDOT will provide \$11.79 million for the I-70/32nd Avenue interchange. The estimated preliminary opinion of probable cost for construction of the I-70/32nd Avenue interchange is \$27.6 million, which is \$600,000 greater than the estimate of \$27 million in the RTP. A minor level of tolerance between the estimated preliminary opinion of probable cost and the amount listed in the fiscally constrained RTP is allowed.

In the RTP, construction of the new SH 58/Cabela Drive interchange is estimated to be \$10 million and will be funded with 100 percent locally derived revenues (DRCOG 2006b). Cabela's will provide \$10 million for construction of the new SH 58/Cabela Drive interchange. In addition, locally derived or private funds are anticipated for construction of Cabela Drive from 32nd Avenue to 40th Avenue (\$3.2 million) and Cabela Drive from 44th Avenue to the railroad bridge (\$2.1 million).

2.5 Implementation Schedule

The opening of the proposed development is dependent upon construction of elements of the Proposed Action. As part of the City of Wheat Ridge approval process for the proposed development, the City of Wheat Ridge City Council has stipulated that the I-70 westbound hook ramps, the 40th Avenue underpass of I-70, widening of 32nd Avenue, Cabela Drive, and the SH 58/Cabela Drive interchange improvements must be constructed prior to the City of Wheat

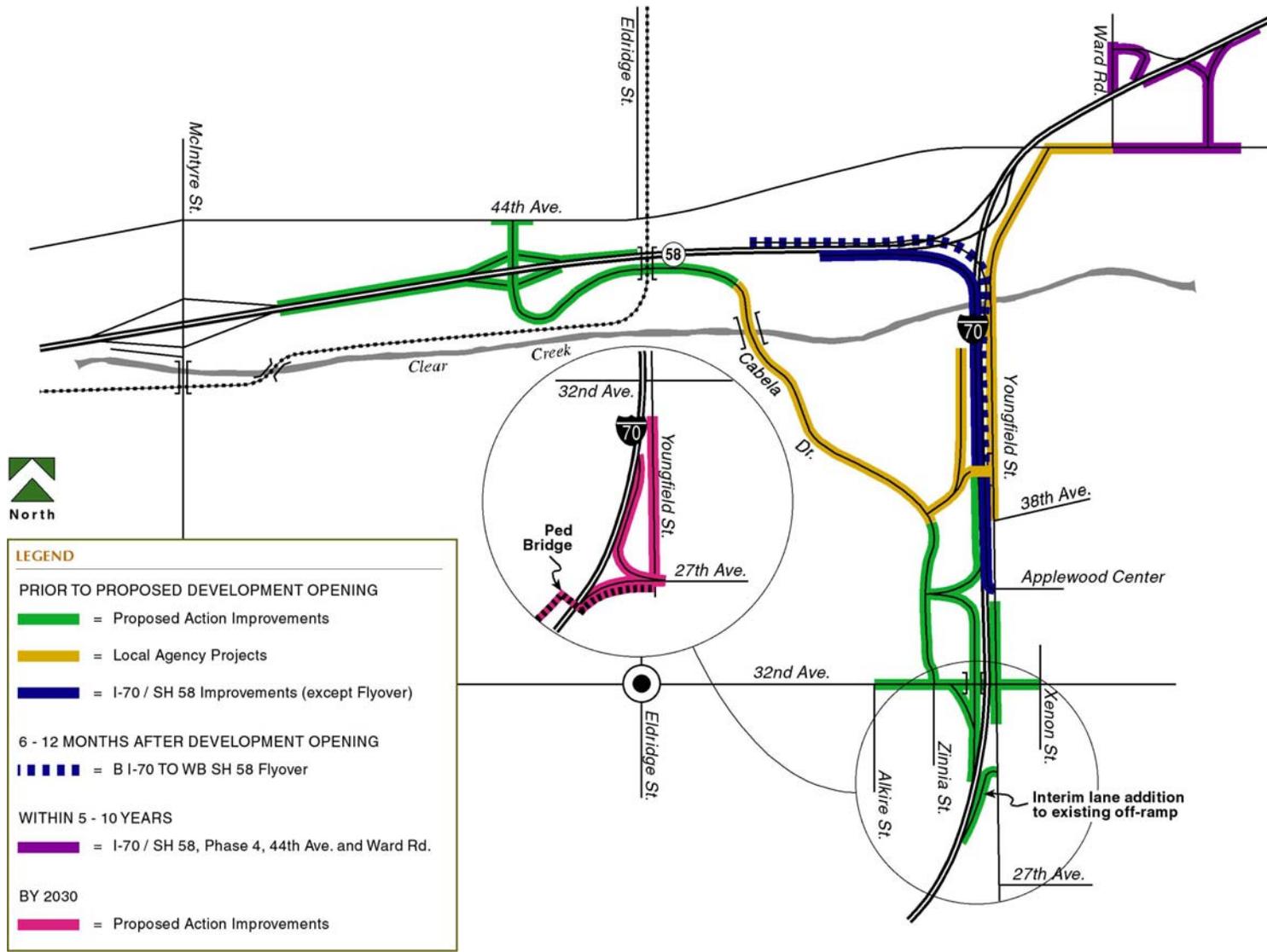
Ridge issuing a Certificate of Occupancy for the development. Construction activities associated with the 40th Avenue underpass of I-70 and Cabela Drive from 40th Avenue to the proposed development north of Clear Creek are local agency projects and are not part of the Proposed Action.

Figure 2-15 *Transportation Improvements Construction Timeline* illustrates the anticipated construction phasing, and the improvement of the Proposed Action and other transportation improvements. The Youngfield widening project was substantially complete as of December 2006. The I-70/SH 58 Interchange is currently under construction as of January 2007, with the majority of the work scheduled to be completed by the end of 2007. The Cabela's store is not scheduled to open until June 2008. This allows the I-70/SH 58 contractor approximately 18 months construction time prior to any store opening. Due to its complexity, the flyover ramp from eastbound I-70 to westbound SH 58 requires the longest time to construct, and it may not be complete within the 18 months. It is possible however, depending upon the contractor's schedule and operations, that this flyover may be finished by the time the store is opened.

If, however, this portion of the I-70/SH 58 project is not finished by the time store is anticipated to open, the interstate guide signing plan, as presented in **Figure 2-14** *Interchange Signing Plan* of the EA, will be modified to provide guide signing for eastbound I-70 traffic wishing to access Cabela Drive and Cabela's. The modified guide signing will direct I-70 eastbound traffic destined for Cabela's away from the I-70/32nd Avenue interchange to the I-70/Ward Road interchange and then by local street signs to the Cabela's store and proposed development via Youngfield Street and the 40th Avenue underpass. Once the flyover is complete, the interstate guide signing will be changed back to that indicated in **Figure 2-14** *Interchange Signing Plan* of the EA.

With approval of the FONSI, CDOT intends to include the planned improvements at 44th Avenue and Ward Road with the I-70/SH 58 interchange improvements (Phase 4).

Figure 2-15 Transportation Improvements Construction Timeline



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3.0 CLARIFICATIONS TO THE I-70/32ND AVENUE INTERCHANGE ENVIRONMENTAL ASSESSMENT

The following clarifications to information in the I-70/32nd Avenue Interchange Environmental Assessment are documented in this FONSI.

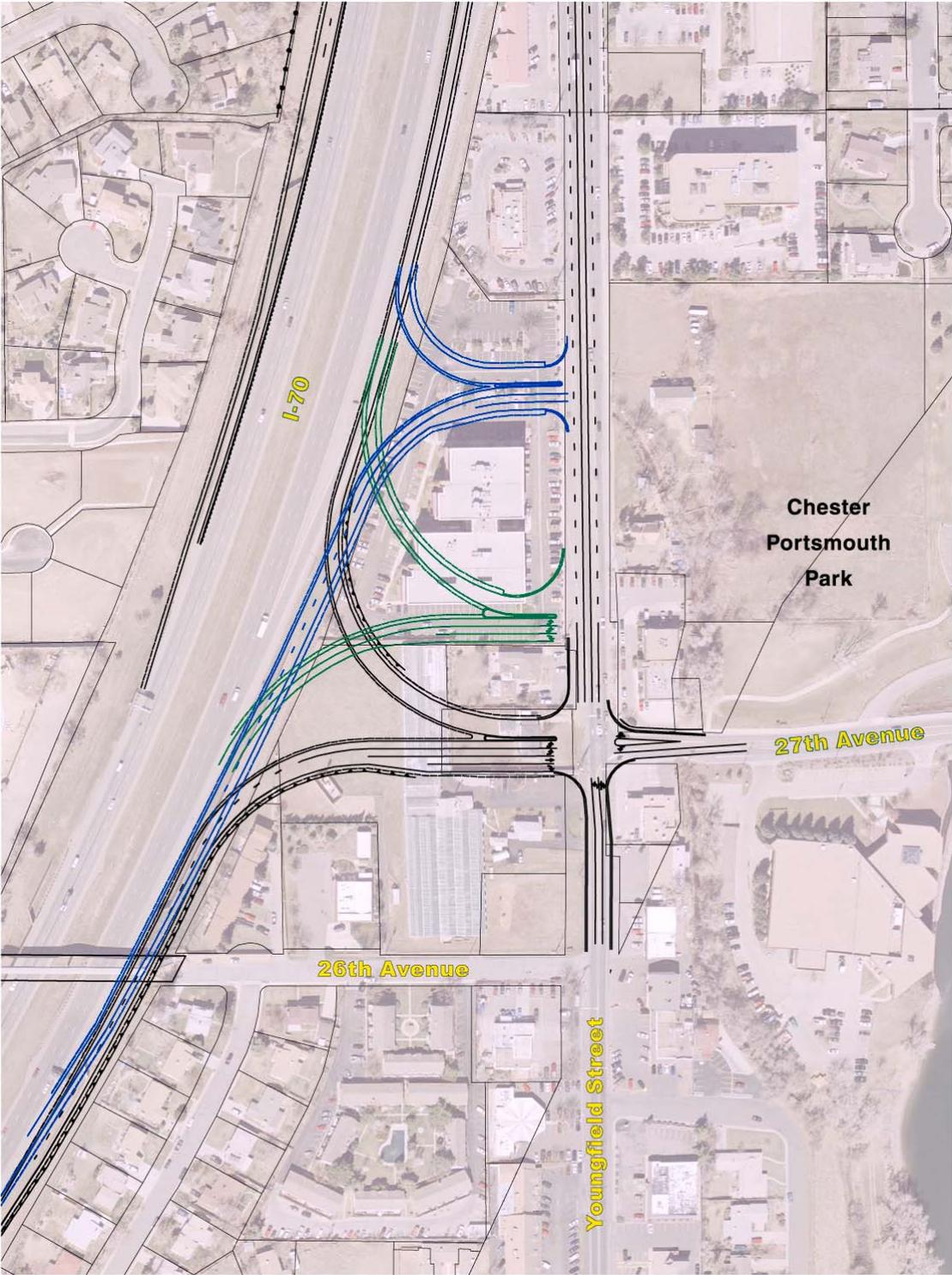
3.1 Eastbound I-70 Hook Ramps

The following table replaces **Table 2-3** *27th Avenue Hook Ramp Location Screening Summary*. This clarification is being made to correct the minimum design ramp speeds for each location description for the 27th Avenue hook ramp locations. The EA states the minimum design speed is 35 miles per hour (mph), which was a typographical error. All analysis was performed based on a minimum design speed of 30 mph. This correction does not change the results of the 27th Avenue hook ramp location screening. The screening summary below expands on **Table 2-3** *27th Avenue Hook Ramp Location Screening Summary* in the EA to provide a more detailed explanation. **Figure 3-1** *27th Avenue Hook Ramp Screening* has been provided for reference.

Table 3-1 27th Avenue Hook Ramp Location Screening Summary

Location Description ¹	Screening Summary and Results
<p>"Blue Location" – At this location, the minimum design ramp speed of 30 mph is not met.</p>	<p>Eliminated because a second signal on Youngfield Street would be introduced in close proximity to the existing signal at 27th Avenue/Youngfield Street. The interchange movements being off-set from 27th Avenue would overload the segment of Youngfield Street between these two signals. The number of vehicles moving through these intersections would overload the vehicle storage capacity and would result in the need to expand Youngfield Street between these two signals to accommodate vehicle storage for the turning movements. Because the spacing between the two signals is so close, the vehicle storage needed for this segment can not physically be accommodated. In addition, this location would require the eastbound I-70 bridge over 32nd to be widened to provide for required acceleration distance.</p>
<p>"Green Location" – At this location the hook ramps just meet the minimum design ramp speed of 30 mph.</p>	<p>Eliminated because a second signal would be introduced on Youngfield Street in close proximity to the existing signal at 27th Avenue/Youngfield Street. The interchange movements being off-set from 27th Avenue would overload the segment of Youngfield Street between these two signals. The number of vehicles moving through these intersections would overload the vehicle storage capacity and would result in the need to expand Youngfield Street between these two signals to accommodate vehicle storage for the turning movements. Because the spacing between the two signals is so close, the vehicle storage needed for this segment can not physically be accommodated. In addition, the ramps would go through the multistory office building at 2801 Youngfield, thus requiring full acquisition of the property and the relocation of approximately 30 tenants.</p>
<p>"Black Location" – At this location, opposite 27th Avenue, the hook ramps meet the minimum design ramp speed of 30 mph.</p>	<p>Advanced as part of the Proposed Action because location would not introduce a new signal on Youngfield Street and would not involve additional bridge structure for eastbound I-70. This location would require the full acquisition of the properties at 2635, 2665, and 2675 Youngfield Street comprising two residences and two businesses.</p>
<p>(1) Ramp locations are depicted on Figure 3-1 27th Avenue Hook Ramp Location Screening.</p>	

Figure 3-1 27th Avenue Hook Ramp Location Screening



3.2 Additional Information and Clarifications to Air Quality

The following sections provide additional information on air quality and replace **Section 4.4.3 Air Toxics**, **Section 4.4.3.4 Project-Level MSAT Analysis**, and **Section 4.4.2.3 Particulate Matter** in the EA.

3.2.1 Air Toxics

The following text replaces all of the text under **Section 4.4.3 Air Toxics** on pages 4-41 through 4-42 of the EA.

On February 3, 2006, FHWA released its interim guidance on when and how to analyze Mobile Source Air Toxics (MSATs) in the NEPA process for highways. The following discussion is in accordance with the interim guidance.

MSATs are a subset of the 188 air toxics defined by the Clean Air Act. MSATs are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline (USEPA 2000).

USEPA is the lead Federal Agency for administering the Clean Air Act and has certain responsibilities regarding the health effects of MSATs. Most air toxics, as they are called, originate from human-made sources, including on-road mobile sources (automobiles), non-road mobile sources (e.g., airplanes), area sources (e.g. dry cleaners) and stationary sources (e.g., factories or refineries). USEPA issued a Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources (USEPA 2001). This rule was issued under the authority in Section 202 of the Clean Air Act. Through the rule, USEPA examined the impacts of existing and newly promulgated mobile source control programs, including the reformulated gasoline program, the national low emission vehicle standards, the Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and the proposed heavy duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements. Through this rule, USEPA identified six priority MSATs: acetaldehyde, benzene, formaldehyde, diesel exhaust, acrolein, and 1,3-butadiene (USEPA 2001).

Between 2000 and 2020, FHWA projects that even with a 64 percent increase in VMT, these programs will reduce on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 57 percent to 65 percent, and will reduce on-highway diesel PM emissions by 87 percent. However, USEPA has indicated that standards for motor vehicles are still necessary and that more programs to control MSAT emissions are being developed. USEPA is preparing another rule under authority of Section 202(I) of the Clean Air Act that will address these issues and could make adjustments to the full 21 and the primary six MSATs.

3.2.2 Project-Level MSAT Analysis

The following text replaces all of the text under **Section 4.4.3.4 Project-Level MSAT Analysis** on pages 4-45 through 4-46 of the EA.

As described above, FHWA believes the technical shortcomings of emissions and dispersion models and the uncertain science with respect to health effects prevent meaningful or reliable estimates of MSAT emissions and effects from the Proposed Action. However, even though FHWA has not identified reliable methods to accurately estimate the health impacts of MSATs at the transportation project level, it is possible to qualitatively assess the levels of future MSAT emissions under the Proposed Action. Although a qualitative analysis cannot identify and measure health impacts from MSATs, it can give a basis for identifying and comparing the potential differences among MSAT emissions—if any—from the various alternatives. The qualitative assessment presented below is derived in part from a study conducted by the FHWA entitled *A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives*, found online at:

www.fhwa.dot.gov/environment/airtoxic/msatcompare/msatemissions.htm.

In general, MSAT emissions increase with numbers of vehicles, with VMT and/or with congestion. There are several such traffic characteristics targeted for improvement by the Proposed Action that may affect MSAT emissions. A new interchange is proposed for SH 58 at Cabela Drive. The I-70 interchange with 32nd Avenue will be reconfigured with pair of hook ramps on either side of I-70. Completion of Cabela Drive will provide a local connection between these new interchanges. The Proposed Action is intended to improve traffic flow, provide more direct routes for major traffic movements and alleviate congestion at several overcapacity intersections.

For both alternatives in this EA, the amount of MSATs emitted would be related to the VMT and congestion, assuming that other variables such as fleet mix are the same for each alternative. The No-Action Alternative was calculated to have more total VMT than the Proposed Action in the study area by about one percent (see **Section 3.2.3 Particulate Matter** in this FONSI). Lower speeds generally result in higher MSAT emissions and the No-Action Alternative is expected to have higher MSAT emissions than the Proposed Action because of greater congestion for an equivalent VMT.

A sensitivity analysis was performed as part of the traffic analysis for the project, in part to assess differences in vehicle miles traveled (VMT). An additional condition considered for this was No-Action without the Cabela's shopping center. The regional VMTs for the various conditions examined were:

▶ Existing (2005)	68,967,670 miles
▶ No-Action without Cabela's center (2030)	109,748,600 miles
▶ No-Action with Cabela's center (2030)	109,912,800 miles
▶ Proposed Action (2030)	109,882,200 miles

The difference in VMT between the two No-Action conditions represents the additional VMT due to the Cabela's shopping center. The Proposed Action VMT lies between the two No-Action conditions.

Regardless of the alternative chosen, emissions in the design year will likely be lower than present levels as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent from 2000 to 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in virtually all locations.

Because of the specific characteristics of the Proposed Action, there may be localized areas where VMT would increase and other areas where VMT would decrease. Therefore, corresponding localized increases and decreases in MSAT emissions may also occur. The localized increases in MSAT emissions would likely be most pronounced along the new roadway sections that would be built at Cabela Drive and 32nd Avenue and the new interchange on SH 58 in currently vacant areas. However, even if these increases do occur, they too will be substantially reduced in the future due to implementation of EPA's vehicle and fuel regulations. Traffic volumes and congestion should be markedly reduced at the I-70/32nd Avenue interchange under the Proposed Action relative to the No-Action Alternative. This is notable for sensitive receptors such as The Manning School along 32nd Avenue, where VMT is predicted to be reduced by about five percent under the Proposed Action. Based on this analysis, it is likely that the Proposed Action will result in lower MSAT emissions over the No-Action Alternative.

In total, the Proposed Action in 2030 is expected to have reduced MSAT emissions in the project area relative to No-Action, due to the reduced VMT associated with more direct routing, and due to EPA's MSAT reduction programs. MSAT levels could be higher in some locations than others, but current tools and science are not adequate to quantify the differences. On a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will cause substantial MSAT emission reductions that, in almost all cases, will cause region-wide MSAT levels to be considerably lower than today.

3.2.3 Particulate Matter

The following text replaces all of the text under **Section 4.4.2.3 Particulate Matter** on pages 4-40 through 4-41 of the EA.

Unlike carbon monoxide pollution, quantitative tools for hot spot analysis of suspended particulate matter (PM₁₀) pollution have not been developed and approved for mobile sources. Therefore, a qualitative process was used for the analysis. The qualitative analysis follows both the procedures in the transportation conformity rule (as amended on March 10, 2006) and the March 2006 US Environmental Protection Agency (USEPA)/FHWA guidance, "*Transportation Conformity Guidance for Qualitative Hot-spot Analysis in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas*" (USEPA and FHWA 2006). The guidance requires that PM₁₀ hotspot analyses address the following elements:

- ▶ Description of the project (location, design and scope; date project is expected to be open)
- ▶ Description of existing conditions and changes resulting from the project
- ▶ Contributing factors
 - Air Quality
 - Transportation and traffic conditions
 - Built and natural environment
 - Meteorology, climate and seasonal data
 - Adopted emissions control measures
- ▶ Description of analysis method chosen
- ▶ Description of type of emissions considered in the analysis (e.g., exhaust, road dust, construction emissions)
- ▶ Description of analysis years; consider full time frame of area's Regional Transportation Plan, and examine year or years in which emissions are expected to peak
- ▶ Professional judgment of impact
- ▶ Evaluate both forms of PM₁₀ standard (24 hour and annual)
- ▶ Discussion of any mitigation measures
- ▶ Written commitments for mitigation
- ▶ Conclusion on how project meets the requirements of 40 Code of Federal Regulations (CFR) 93.116 and 93.123

These items are discussed in turn below.

Section 93.123(b)(1) of the conformity rule only requires hotspot analysis for “projects of air quality concern,” which are defined as projects which feature a large volume of diesel traffic. However, this provision does not apply in Colorado because Colorado’s Regulation 10, which contains Colorado’s conformity requirements, is based on an older version of the federal transportation conformity rule that does not reflect this provision. Thus, PM₁₀ hotspot analyses are required for all non-exempt federal projects in Colorado’s PM₁₀ maintenance areas, so whether the I-70/32nd Avenue Interchange project would be a “project of air quality concern” is not relevant. Section 93.123(b)(1) of the federal rule will only apply in Colorado when Regulation 10 has been revised to reflect the most recent federal requirements and the revision has been approved by USEPA.

3.2.3.1 Description of the Project

This information has been provided elsewhere in the EA, including **Chapter 1 Purpose and Need** and **Chapter 2 Alternatives**. The PM₁₀ hotspot analysis covers only the Proposed Action; if another alternative is ultimately identified, that alternative will need to comply with the PM₁₀ hotspot requirement and other project-level conformity requirements prior to issuance of a FONSI.

3.2.3.2 Description of Existing Conditions and Changes Resulting from Project

This information is included elsewhere in the EA, including **Chapter 3 Transportation Analysis** and **Chapter 4 Affected Environment and Environmental Consequences**. In evaluating the PM₁₀ hotspot potential of the project, a worst-case location was identified based on daily traffic volumes (see **Figure 3-5 Proposed Action 2030 Traffic Forecasts** in the EA). The estimated 2030 traffic volume at the I-70/SH 58 interchange is approximately 144,000 vehicles per day.

For comparison, data from the air quality monitoring station at 1050 S. Broadway are presented in **Table 3-2 PM₁₀ Second Maximum Values from 1050 S. Broadway**. This monitoring station is near I-25 in the central South Platte River valley. I-25 in this area carries more than 180,000 vehicles per day. The values listed in Table 3-2 are the second highest 24-hour values measured during the year, which is the method required to assess compliance with the NAAQS. As can be seen in Table 3-2, the measured PM₁₀ values at this location were well below the PM₁₀ NAAQS of 150 µg/m³. The station was not monitored in 2006.

Table 3-2 PM₁₀ Second Maximum Values from 1050 S. Broadway

Year	Second Maximum PM ₁₀ Concentration (µg/m ³)
2005	41
2004	75
2003	77
2002	67
2001	55
2000	48
1999	46
1998	66
1997	91
1996	53

3.2.3.3 Contributing Factors

Much of this information is provided in other sections of the EA, including **Section 4.4.1, Section 3.1, and Section 2.1** of the *I-70/32nd Avenue Interchange Environment Assessment Air Quality Assessment Report* (FHU 2006b). Emissions control measures for PM₁₀ in the Denver metropolitan area include a diesel vehicle inspection and maintenance program, and various state and local programs to reduce road dust emissions, including street sweeping and use of alternative deicers. These programs would be in place to reduce PM₁₀ emissions regardless of which alternative is identified.

The above factors would be largely the same in the future regardless of which alternative is identified. However, there could be some changes in the built environment in the project vicinity depending on which alternative is identified, due to localized changes in accessibility. Part of the purpose of the project is to improve local accessibility, including a redesigned interchange and

I-70/32nd Avenue and a new interchange at SH 58/Cabela Drive. These are described in EA **Sections 1.5 Objectives for the Proposed Action** and **Section 2.4 Proposed Action**.

The active PM₁₀ monitor nearest the study area is at 225 W. Colfax. There have been no exceedences of the PM₁₀ standard at this station for more than a decade, which indicates that PM₁₀ pollution has been sustainably reduced from previous levels in the region. These reductions included the period from 1995-2000 where vehicle miles traveled in the area increased by 8%. The most relevant PM₁₀ components from mobile sources are re-entrained fugitive dust and tailpipe emissions, which account for about half the PM₁₀ emissions in the Denver area.

The CDPHE is responsible for studying and improving the air quality in Colorado. In addition to the air quality monitoring mentioned above, they also perform regional air quality modeling. PM₁₀ is modeled in support of the State Implementation Plan and this model includes the emissions from local sources of PM₁₀. The model provides predicted PM₁₀ concentrations for a modeling grid that covers the Denver metropolitan area [CDPHE Air Pollution Control Division (APCD) 2005]. More than 100 model grid nodes that cover the study area were identified and the model results are summarized in Table 1. These data show that PM₁₀ concentrations are predicted to increase over the next 25 years, due mainly to increased vehicle traffic. However, the predicted PM₁₀ concentrations are below the federal standard of 150 micrograms per cubic meter (µg/m³).

Table 3-3 PM₁₀ Regional Model Sixth Highest Daily Concentration Summary

Value	2001 Base Year	2030
Number of model grid nodes analyzed	117	117
Average predicted PM ₁₀ concentration (µg/m ³)	86.9	110.2
Minimum predicted PM ₁₀ concentration (µg/m ³)	77.7	99.9
Maximum predicted PM ₁₀ concentration (µg/m ³)	95.0	122.5
National Ambient Air Quality Standards (NAAQS) (µg/m ³)	150	150

SOURCE: CDPHE APCD 2005

As was previously mentioned, the Final Rule redesignating the Denver area from nonattainment to maintenance status for PM₁₀ became effective on October 16, 2002. This redesignation also included approval of a Maintenance Plan for PM₁₀ for the Denver area [Colorado Air Quality Control Commission (CAQCC) 2001]. The Maintenance Plan was updated in 2005, and has been submitted to USEPA for approval. These types of plans are required to ensure maintenance of the relevant NAAQS for at least 10 years. The Maintenance Plan included a number of strategies to reduce future PM₁₀ emissions to demonstrate maintenance for 2002 and beyond. These reductions will come mostly from lower tailpipe emissions, better street sanding procedures and ongoing vehicle inspection/maintenance requirements of the AIR Program. Re-entrained road dust tends to be a larger source of PM₁₀ than tailpipe emissions for mobile

sources. Street sanding is controlled by *Colorado Air Quality Commission Regulation No. 16* and is expected to be the biggest contributor to PM₁₀ control for the Denver area. The Maintenance Plan also includes control of estimated PM₁₀ emissions from road construction activities.

3.2.3.4 Description of the Analysis Method Chosen

This analysis uses the “air quality study approach” outlined in **Section 4.1** of the March 2006 USEPA/FHWA guidance. It relies on ambient dispersion modeling already conducted for the Denver PM₁₀ maintenance plan to evaluate the potential for the I-70/32nd Avenue interchange project to cause or contribute to violations of the PM₁₀ NAAQS. This approach has been used for other projects in the Denver area, and involves three technical steps: 1) identify worst-case locations based on traffic volume for the proposed project (discussed above); 2) review the PM₁₀ maintenance plan dispersion modeling to identify similar comparison locations, or locations that have even higher traffic volumes; and 3) ensure that the modeled PM₁₀ concentrations at these comparison locations in the maintenance plan are below the NAAQS. In this case, the air quality dispersion modeling for the revised maintenance plan includes the Proposed Action, so the maintenance plan itself incorporates the traffic impacts of the project and no comparison was necessary.

3.2.3.5 Description of Type of Emissions Considered in the Analysis (e.g., exhaust, road dust, construction emissions)

Because the dispersion modeling for the maintenance plan includes all sources of mobile source emissions, the air quality study approach used for this hotspot analysis also reflects all sources of emissions. As noted above, road dust is the predominant source of mobile source emissions in the Denver area, followed by tailpipe exhaust emissions.

Construction emissions are also reflected in the maintenance plan modeling. These emissions include all types of construction (residential, commercial, and roadway). The transportation conformity rule only requires consideration of construction emissions in cases where construction activity lasts longer than five years at any individual location, which is not the case for this project.

The dispersion modeling for the maintenance plan also reflects the impacts of mobile source precursor gases (nitrogen oxides and sulfur oxides) on PM₁₀ concentrations. PM₁₀ hotspot analyses are not required to consider these emissions under the conformity rule, so including the dispersion modeling results is more comprehensive than required.

3.2.3.6 Description of Analysis Years

The conformity rule and the USEPA/FHWA guidance require that PM₁₀ hotspot analyses 1) cover the entire timeframe of the area’s regional transportation plan, and 2) be based on the year or years in which peak emissions are expected. The currently conforming transportation plan in the Denver metropolitan region is the *2030 Metro Vision Regional Transportation Plan*, adopted in January 2005 (DRCOG 2005) and most recently amended in June 2006 (DRCOG 2006b). Therefore, the analysis must extend at least through the year 2030.

To identify the year or years of peak emissions, both mobile source trends and trends in background emissions need to be considered. As a starting point, the mobile source emissions inventories from the PM₁₀ maintenance plan were evaluated. These emissions inventories are presented in **Tables 3.1-1, 3.4-1 and 3.4-3** of the State Implementation Plan support document (CDPHE APCD 2005). The emissions inventories show that mobile source emissions increase throughout the maintenance period, with the highest values in 2030. While tailpipe fraction of emissions declines due to tighter tailpipe emissions standards, road dust emissions increase due to increased traffic volumes.

The evaluation regarding the year of highest emissions must also consider the trend in background concentrations. The dispersion modeling described above includes mobile source contributions as well as background concentrations. The dispersion modeling for the maintenance plan shows that the highest concentrations are likely to occur in 2030 [see **Figure 5.8** of the State Implementation Plan support document (CDPHE APCD 2005)]. Therefore, it was concluded that 2030 represents the year of peak emissions.

3.2.3.7 Professional Judgement of Impact

The Proposed Action is included in the current 2007-2012 Transportation Improvement Program and the 2030 RTP, and the travel networks reflected in these plans were used to develop the emissions inventories for the PM₁₀ maintenance plan. Thus, the Proposed Action is incorporated into the modeling CDPHE APCD used to demonstrate maintenance of the PM₁₀ standard. In addition to the traffic associated with the Proposed Action, the maintenance plan modeling also includes the traffic impacts due to new development in the project area and changes in regional background concentrations expected over time. The maintenance plan shows that none of the modeling grids in the metropolitan area will violate the PM₁₀ standard during the maintenance period, including the grids covering the project area. Therefore, the Proposed Action is not expected to cause or contribute to violations of the PM₁₀ standard. Also, both the 2007-2012 Transportation Improvement Program and the 2030 RTP have been demonstrated to conform to the federal air quality standards.

3.2.3.8 Evaluate Both Forms of Particulate Matter Standard (24 hour and annual)

Even though the Denver area was designated nonattainment, and then maintenance, due to exceedences of the 24-hour PM₁₀ standard, PM₁₀ hotspot analyses are required to address both forms of the PM₁₀ standard. The maintenance plan shows that PM₁₀ concentrations in the project vicinity are predicted to be below the 24-hour PM₁₀ standard. Because Denver has not historically had problems with the annual PM₁₀ standard, it is not expected that the Proposed Action would cause noncompliance. In addition, USEPA has decided to revoke the annual PM₁₀ standard, so it is no longer a concern.

3.2.3.9 Discussion of Any Mitigation Measures

As noted above, the Proposed Action is not expected to cause or contribute to violations of the PM₁₀ standard nor is the Proposed Action expected to interfere with the Maintenance Plan or its

goals. Therefore, no mitigation is necessary to demonstrate conformity for PM₁₀. However, standard particulate control measures during construction will be implemented.

3.2.3.10 Conclusion on How Project Meets 40 CFR 93.116 and 93.123

The Proposed Action has been included in the air quality modeling done to support the PM₁₀ maintenance plan. Therefore, it has been demonstrated that the Proposed Action would not be likely to cause or contribute to violations of the PM₁₀ federal air quality standard.

3.3 Right-of-Way and Displacements

The following table replaces **Table 4-5 Property Acquisitions** in the EA. This clarification is being made to correct the parcel number and acquired right-of-way for the Proposed Action.

Table 3-4 Property Acquisitions

Parcel Number	Street Address	Acquired Right-of-way [square feet (ft ²)]	Current Use
27th Avenue / Youngfield Street			
Full Acquisitions			
39-293-00-032	2635 Youngfield Street	101,055	Nursery/Residence
39-293-00-037	2635 Youngfield Street	359	
39-293-00-031	2665 Youngfield Street	20,944	Commercial
39-293-00-030	2675 Youngfield Street	20,180	Residence
39-293-00-041	Vacant Land	2,457	Vacant Land
Subtotal:		144,995	
Partial Acquisitions			
39-293-00-029	2700 Youngfield Street	1,350	Commercial
39-293-14-002	2801 Youngfield Street	7,000	Commercial
39-293-00-035	12907 W. 26 th Avenue	1,400	Residence
39-293-00-038	2690 Youngfield Street	2,000	Cleaners
Subtotal:		11,750	
Total for Area:		156,686	
32nd Avenue / Youngfield Street			
Full Acquisitions			
39-292-00-012	3210 Youngfield Street	19,363	Gas Station
39-292-00-013	12751 - 12759 32 nd Avenue	22,318	Retail
39-292-07-035	3200 Youngfield Service Road	7,257	Vacant Land
39-292-07-034	Vacant Land	9,243	Vacant Land
Subtotal:		58,181	

Table 3-2 Property Acquisitions (Continued)

Parcel Number	Street Address	Acquired Right-of-Way (ft ²)	Current Use
32nd Avenue / Youngfield Street (continued)			
Partial Acquisitions			
39-292-05-010	12601 W. 32 nd Avenue	5,400	Commercial
39-292-05-008	3400 Youngfield Street	5,200	Commercial
39-292-11-021	12525 W. 32 nd Avenue	3,100	Bank
39-292-11-020	12515 W. 32 nd Avenue	750	Commercial
39-293-04-012	12700 W. 32 nd Avenue	1,000	Commercial
39-293-04-013	3190 Youngfield Street	6,600	Gas Station
39-293-00-012	3150 Youngfield Street	1,900	Commercial
39-293-04-011	12779 W. 31 st Avenue	65	Residence
39-293-00-003	12930 W. 32 nd Avenue	100	Residence
39-293-00-006	13050 W. 32 nd Avenue	29	Residence
39-293-00-007	3180 Zinnia Court	12	Residence
39-293-00-005	3195 Zinnia Street.	490	Residence
39-292-09-007	3220 Alkire Court	1,000	Residence
39-292-09-008	3229 Zinnia Street	1,100	Residence
39-292-07-036	3200 Youngfield Service Road	1,100	Vacant Land
39-292-07-033	3300 Youngfield Service Road	35,000	Vacant Land
39-292-07-021	3301 Youngfield Service Road	5,000	Hotel
39-292-12-005	3200 Youngfield Service Road	8,900	Vacant Land
39-292-07-030	12851 W. 32 nd Avenue	5,700	Commercial
Subtotal:		82,446	
Total for Area:		140,627	
44th Avenue / Holman Street – SH 58/Cabela Drive Interchange			
Partial Acquisitions			
39-193-01-004	14452 W. 44 th Avenue	26,050	Industrial
39-193-01-003	14352 W. 44 th Avenue	2,800	Industrial
30-244-01-001	14802 W. 44 th Avenue	128,300	Industrial
30-244-00-001	15200 State Highway 58 Frontage Road	143,200	Vacant Land
Subtotal:		300,350	
Total for Area:		300,350	
Total Right-of-Way Area for Full Acquisition		203,176	
Total Right-of-Way Area for Partial Acquisition		394,546	
Total Right-of-Way Acquisition		597,663	

3.4 Novacek's Carnation Nursery, 2635 Youngfield Street

Section 4.6 Historic and Archaeological Resources in the EA presented the historic resources in the area of potential affect that were evaluated as eligible for the National Register of Historic Places (NRHP). Although the Novacek's Carnation Nursery was determined to not be eligible for the NRHP, the Novacek's Carnation Nursery was evaluated for NRHP eligibility as part of the intensive-level cultural resources inventory of the area. **Section 8.3 Novacek's Carnation Nursery, 2635 Youngfield Street (5JF4322)** of the May 2006 *Cultural Resources Survey* discusses the historical significance of the property (FHU 2006c). This information is presented as a clarification to the EA in response to public comments; however, this clarification does not change the NRHP eligibility status of the Novacek's Carnation Nursery property.

3.4.1 Description

This property is the Novacek's Carnation Nursery, located on the northwest corner of Youngfield Street and West 26th Avenue in Wheat Ridge (see **Figure 3-2 Novacek's Carnation Nursery**). The 2.8-acre property contains a complex of large commercial greenhouses providing nearly 40,000 square feet of growing space, as well as a historic agricultural shed, a ranch-style dwelling occupied by Novacek family members, and a detached garage. These features are described in greater detail below:

Figure 3-2 Novacek's Carnation Nursery



3.4.1.1 Greenhouse Complex

This complex of attached greenhouse buildings extends nearly 450 feet north-south. The southern half of the complex measures 117 ft wide and is composed of five attached gable-roofed greenhouses. Two large greenhouses occupy the north end of the complex, and bridging

these two sections are two smaller greenhouses and a combination “sorting and boiler room.” Adjoining the boiler room is a tall metal chimney stack for the boiler. The greenhouses are specialized commercial structures designed to use solar energy to germinate and grow plants on a large scale. The greenhouse buildings all have wood framed glass walls and roofs. Ventilation fans are installed at intervals along the exterior walls of the greenhouses. A number of entries provide access to the interiors of the greenhouse complex, including three similar painted/glazed doors (each with four fixed lights) on the south end of the complex. The entire assemblage of buildings, including boiler room, comprises 39,669 ft² of floor area.

The Jefferson County Assessor’s property record indicates that the greenhouse complex was built in stages between 1949 and 1966. The complex now contains 10 attached structures, each one built in a different year. The most visible portion of the greenhouse complex – the south and east sides of the southern section – was built in 1963.

3.4.1.2 Dwelling

Built in 1949, this single story, 968 ft² ranch-style dwelling is a wood frame structure with a low-pitched front-gable roof. A narrower hipped rear wing projects from the southwest side of the house. The dwelling’s exterior walls are clad with what appears to be wide synthetic (vinyl or aluminum) lapped siding. An inset front porch with a wrought iron balustrade railing occupies the south half of the façade, and the roof overhang is supported by a decorative wrought-iron post. The front porch is elevated, and is faced with red faux-sandstone veneer. Similar veneer is applied to the lower portion of the façade, the exposed basement walls, and on the outside of a pier supporting an extension of the gabled roof on the right side of the façade. The front gable is embellished with a scalloped bargeboard. The façade is fenestrated with a large picture window (to the left of the main entry), and a 3-part casement window to the right of the front porch. A large intersecting gable is present on the south elevation. The south elevation is fenestrated with a large 3-part window near the front of the house; farther back are a wide 1/1 double-hung window and a small (fixed?) 4-light window near the rear end of the house. The north elevation is fenestrated with three 1/1 double-hung windows. The dwelling appears very well-maintained and is in excellent condition. No alterations were noted except for possible replacement of original siding.

3.4.1.3 Detached Garage

This small, detached, wood frame, one-car garage is located close to the dwelling’s southwest corner. The garage is a plain structure with a hip roof and lapped (synthetic?) siding. The garage’s date of construction is unknown, but it probably was erected at the same time as the house (1949).

3.4.1.4 Agricultural Shed

This small agricultural building is located northwest of the dwelling and appears to be more than 45 years old. It is a plain utilitarian wood frame structure with a shed roof. The shed is clad with clapboard siding. The shed faces south, and on its south elevation are a personnel door, a large hinged double door, and banks of small 1/1 windows.

3.4.2 Site History

In 1949 Joe and Lucille Novacek relocated from their West Slope farm to Wheat Ridge to start a commercial carnation nursery. When the Novaceks arrived, this area of Jefferson County was mainly devoted to agriculture. Widespread fruit orchards, established in the early 1900s, influenced the naming of the area as Applewood. The Novaceks acquired a 2.8 acre parcel along Youngfield Street and in 1949 constructed a 1-story ranch-style house. In that same year they started construction of the nursery buildings. Greenhouse buildings were added in 1949, 1950, 1951, 1952, 1953, 1955, 1956, 1959, 1963 and 1966. The Novaceks were assisted in the enterprise by their sons.

Carnation growing became a major, lucrative agricultural industry in the greater Denver area beginning in the early 1930s. Carnation nurseries were established in the Wheat Ridge area prior to World War II, and flourished from the late 1940s until the early 1990s.

Wheat Ridge had become a major locus of the international wholesale carnation industry by the 1960s. In 1970 the Wheat Ridge Chamber of Commerce seized on the success of the industry to launch a new tradition – an annual Carnation Festival. The first annual Carnation Festival was held on August 27 and 28, 1970. Production of carnations peaked in 1974, when 193 million flowers were sold. At its zenith, more than 100 carnation growers (not all in Wheat Ridge) were reportedly in operation.

In the late 1970s and 1980s, competition from South American carnation growers forced some Colorado growers out of business and compelled others to switch to growing roses, a more lucrative crop. By 1991, Colorado cut flower growers produced twice as many roses as carnations. Those nurseries that switched to rose production were faced with similar problems after passage in 1991 of the Andean Trade Preference Act.

The nursery's co-founder, Joe Novacek, passed away in 1981. His widow, Lucille, still resides in the house they built on the property. His son, Jerol Novacek, continues to operate the nursery in spite of the difficult market conditions for domestic carnation growers. In order to survive, Novacek's has had to switch some of its flower production to more profitable plants, including bedding plants and more fragile types of cut flowers.

Over time, many of the farms, nurseries and orchards of Applewood have been replaced by commercial and residential development. The Applewood area's agricultural character was further altered by construction, in 1970, of I-70 through the Clear Creek Valley.

3.4.3 Significance Evaluation

Novacek's Carnation Nursery has been previously identified as locally significant. The property was identified by Jefferson County as a Priority 4 (on a scale of 1-5, 5 being the highest priority) "Cultural Resource for Preservation" in the Central Plains planning area, as depicted on a map in the Central Plains Community Plan (2004). The latter determination was made as a result of a 1999-2000 survey sponsored by the Jefferson County Historical Commission.

The property was reviewed for significance for the I-70/32nd Avenue interchange project. The property's historic setting has been greatly altered by commercial and residential development as well as construction of nearby I-70 in the latter half of the 20th Century; otherwise, it retains relatively good physical integrity. The property is associated with the commercial carnation growing industry in Jefferson County, an industry which flourished from the late 1940s through the early 1990s. Because of the fact that much of the industry's success occurred less than 45 years ago – in the 1960s and 1970s – the Novacek property is not presently associated with a historically significant pattern of events. Neither the single family dwelling nor the greenhouse complex is a noteworthy example of an architectural style or property type.

On February 15, 2006, CDOT submitted to SHPO a letter requesting concurrence from SHPO on the determination of eligibility made by FHWA and CDOT for the Novacek Carnation Nursery property, as part of the I-70/32nd Avenue Interchange EA (CDOT 2006b). FHWA and CDOT determined the Novacek Carnation Nursery was not eligible for the NRHP due to a loss of setting because the property's historic setting has been greatly altered by surrounding commercial and residential development as well as construction of nearby I-70. A request for review and comment was also submitted to the following potential Section 106 consulting parties for the project: Lakewood Heritage Center, City of Wheat Ridge, Jefferson County Preservation Commission, Jefferson County Historical Society, National Trust for Historic Preservation, and Colorado Preservation, Inc (CDOT 2006c). The City of Wheat Ridge and Jefferson County Historical Commission responded and requested continued participation as consulting parties under Section 106 (City of Wheat Ridge 2006, Jefferson County Historical Commission 2006).

On February 23, 2006, SHPO responded to CDOT concurring with the determination that the Novacek Carnation Nursery was not eligible for the NRHP (SHPO 2006a). However, SHPO did not concur that the property was not eligible due to a loss of setting. SHPO recommended that the property located at 2635 Youngfield Street was not eligible for the NRHP because of the number of outbuildings built on the property after the period of significance. The letter from SHPO is included in **Appendix A Agency Coordination** in the EA. Although the property located at 2635 Youngfield Street is historic, it is not eligible for the NRHP and not protected by Section 106 of the NHPA.

3.5 Special Status Species

On January 25, 2007, CDOT requested an extension from the US Department of Interior Fish and Wildlife Service (USFWS) on the clearances received from the USFWS regarding the Preble's meadow jumping mouse, Ute ladies'-tresses orchid, and the Colorado butterfly plant. CDOT had previously received from the USFWS a clearance for the Preble's meadow jumping mouse on November 1, 2005 and a clearance for the Ute ladies'-tresses orchid, and the Colorado butterfly plant on November 10, 2005. These clearances were valid for one year from the date of the letters. On February 1, 2005, the USFWS found CDOT's determination acceptable and agreed that these species will not likely be adversely affected by the I-70/32nd Avenue Interchange project. Copies of these letters are included in **Appendix E Agency Coordination**. This information is presented as a clarification to the EA in response to the USFWS clearance extension; however, this clarification does not change the environmental consequences presented in the EA.

3.5.1 Environmental Consequences

The following text replaces all of the text under **Section 4.13.2 Environmental Consequences** on pages 4-112 through 4-114 of the EA.

The Proposed Action would primarily impact weedy grassland that has already been severely impacted by mining and industrial uses in the past. Although potential habitat for the Colorado butterfly plant and the Ute ladies'-tresses orchid was identified along Clear Creek, the Proposed Action is not likely to adversely affect these federally threatened or endangered plant species. A population of the Preble's meadow jumping mouse is not likely to be present within the study area and that the impacts resulting from the proposed project were not likely to adversely affect the continued existence of the species.

The Proposed Action would not impact any active roosting or nesting sites for the Bald Eagle, which utilizes the study area sporadically and opportunistically, although suitable roosting and nesting trees exist in that area. Since no water depletions of Clear Creek and consequently the South Platte River basin would occur under the Proposed Action, there would be no impacts to downstream South Platte River federally threatened or endangered species or critical habitat. Therefore, the Proposed Action would not adversely affect any threatened or endangered species.

The most significant impacts to migratory birds would be associated with the loss of several large trees in the vicinity of the proposed SH 58/Cabela Drive interchange, primarily cottonwoods, which may provide roosting, feeding and possibly nesting habitat. Construction could potentially result in a take, or loss of, active migratory bird nests. No permit from the USFWS is required for removal of inactive nests other than eagle nests, and the USFWS generally will not permit removal of an active nest unless justifiable to protect human health and safety.

4.0 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND PERMIT REQUIREMENTS

Table 4-1 *Summary of Proposed Action Impacts and Mitigation Measures* summarizes the direct and indirect impacts and mitigation measures for the Proposed Action. This table provides clarification regarding the summary of impacts and mitigation measures, and therefore, this table supersedes **Table ES-1** *Summary of Direct and Indirect Impacts*, **Table ES-2** *Summary of Mitigation Measures*, **Table 4-26** *Summary of Direct and Indirect Impacts*, **Table 4-27** *Summary of Mitigation Measures* in the EA.

Table 4-1 Summary of Proposed Action Impacts and Mitigation Measures

Resource	Impacts	Mitigation Measures
Land Use, Socio-Economics, and Community	<p><i>Social/Community Considerations</i></p> <p>Improve accessibility to proposed and existing development retail and commercial facilities currently located on Youngfield Street and those proposed west of I-70</p> <p>Added connection between 32nd Avenue and 44th Avenue via Cabela Drive</p> <p>Widening 32nd Avenue east of Maple Grove Elementary and The Manning School</p> <p>Removing the existing pedestrian crossing over I-70 at 26th Avenue</p>	<p><i>Social/Community Considerations</i></p> <p>Construction of the Proposed Action will support regional growth and the proposed development through 2030 and improve community cohesion and connections by providing additional access across SH 58 and I-70</p> <p>Access to the proposed development will be provided from SH 58 via Cabela Drive, from Youngfield Street via the 40th Avenue underpass, and from 32nd Avenue via Cabela Drive. To help motorists traveling on I-70 and SH 58 find their way within the interchange complex, an interchange signing plan has been developed to make it clear that the new SH 58/Cabela Drive interchange is the route for accessing the proposed development</p> <p>Improve accessibility, safety, and access across SH 58 to the proposed development, and improves access to the Jefferson County Open Space Clear Creek trail with a 10-ft multi-use sidewalk across SH 58 from 44th Avenue via the new SH 58/Cabela Drive interchange</p> <p>School safety improvements along 32nd Avenue in the vicinity of The Manning School and Maple Grove Elementary</p> <p>Sidewalk improvements along 32nd Avenue and Youngfield Street in the vicinity of the I-70/32nd Avenue interchange</p> <p>Construct a new sidewalk along the north side of 32nd Avenue from Braun Court to Xenon street to improve pedestrian access to The Manning School and Maple Grove Elementary and to replace the sidewalk affected by reconstruction of 32nd Avenue</p> <p>Replacement of the 26th Avenue pedestrian bridge with an ADA-compliant structure at 27th Avenue with improved connecting pedestrian facilities</p>

Resource	Impacts	Mitigation Measures
<p>Land Use, Socio-Economics, and Community (continued)</p>	<p>27th Avenue east of Youngfield Street is classified by the City of Lakewood as a major collector. City of Lakewood standards indicate that a major collector can accommodate up to 7,000 vehicles per day. Traffic volume on 27th Avenue in the Year 2030 with the Proposed Action is projected to be 5,400 vehicles per day, which is consistent with the City of Lakewood's standard for a major collector.</p> <p>Minor traffic increases are projected for the adjacent residential areas. For Simms Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately five percent for the Proposed Action compared to the No-Action Alternative. For Youngfield Street north of 20th Avenue, Year 2030 traffic levels are expected to increase by approximately ten percent for the Proposed Action compared to the No-Action Alternative. For 20th Avenue between Youngfield Street and Simms Street, Year 2030 traffic levels are forecasted as essentially the same between the Proposed Action and the No-Action Alternative. Local residential streets like Urban Drive, Tabor Street, 22nd Place, or Quail Street have limited continuity. The vast majority of traffic that would make use of these roadways would likely be destined to or originating from the immediate area that they serve.</p>	<p>Traffic mitigation measures were considered for 27th Avenue at the intersection of 27th Avenue/Youngfield Street and the I-70 eastbound hook ramps; however, the traffic mitigation measures were not supported by the City of Lakewood in light of possible enforcement required and given the fact that the estimated Year 2030 traffic volumes on 27th Avenue are expected to be well within the capacity of a two-lane major collector.</p> <p>For the adjacent residential areas, the Year 2030 traffic levels are not expected to affect operations on these streets. For these reasons, the City of Lakewood has agreed that these traffic increases are acceptable.</p>
	<p>Requires the full acquisition and displacement of several long-term businesses, such as the Novacek's Carnation Nursery and Wally's Quality Meats and Delicatessen</p> <p>Short-term disruption to local businesses and residents during construction of the Proposed Action</p>	<p>CDOT will make an effort to relocate these businesses in the area if they desire and in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended)</p> <p>For specific mitigation for right-of-way and displacements, please reference the right-of-way and displacements section of this table.</p> <p>Construction costs associated with the improvements would have beneficial short-term impacts on the local economy</p> <p>Construction workers for the improvements are expected to be drawn from the existing local workforce or outside contractors, resulting in a positive impact</p> <p>For specific mitigation for construction impacts, please reference the construction section of this table.</p> <p>Continue public involvement and coordination with local community during design and construction to ensure that final design is compatible with local community and disruption is minimized</p>

I-70/32nd Avenue Interchange Finding of No Significant Impact

Resource	Impacts	Mitigation Measures
Right-of-Way and Displacements	<p>Requires acquisition of approximately 597,633 ft² (approximately 13.7 acre) of right-of-way</p> <p>Displacement of 2 residences and 7 businesses</p>	<p>Conform to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended) and the Uniform Relocation Act Amendments of 1987 (as amended), each of which contains specific requirements that govern the manner in which a government entity acquires property for public use</p> <p>Prepare a relocation analysis and provide relocation advisory service</p>
Parks and Recreation	<p>Approximately 0.004 acre of the Chester Portsmouth Park would be impacted.</p> <p>Approximately 2,400 ft of the Jefferson County Open Space Clear Creek Trail and approximately 1,100 ft of the 32nd Avenue Trail would be relocated</p> <p>Change in access to the Jefferson County Open Space Clear Creek Trail from 32nd Avenue</p>	<p>Construct a continuous sidewalk from the Chester Portsmouth Park to the 27th Avenue/Youngfield intersection and north along Youngfield Street to provide this missing segment</p> <p>Realign the Jefferson County Open Space Clear Creek trail from the Clear Creek bridge to the west of the new SH 58/Cabela Drive interchange</p> <p>Modify the trail along the south side of 32nd Avenue from Alkire Street to Cabela Drive with an attached sidewalk with curb and gutter</p> <p>Conform to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended) and the Uniform Relocation Act Amendments of 1987 (as amended), each of which contains specific requirements that govern the manner in which a government entity acquires property for public use</p> <p>Replacement of the bike route access to the Jefferson County Open Space Clear Creek trail along the Youngfield Service Road with 10-ft multi-use sidewalk and connection to the 10-ft multi-use sidewalk included in the Cabela Drive and 40th Avenue of I-70 local agency projects</p>
Air Quality	<p>Air quality analyses indicate that the Proposed Action conforms to relevant air quality implementation plans, maintenance plans, and NAAQS</p> <p><i>Construction</i></p> <p>Temporary increase in air emissions during construction</p>	<p>Given that air pollutants are not predicted to exceed the NAAQS in the future as a result of implementing the Proposed Action, no mitigation measures for air quality are necessary</p> <p><i>Construction</i></p> <p>Maintain construction equipment in good working order</p> <p>Implement a dust control plan</p> <p>Ensure no excessive idling of inactive or unnecessary equipment or vehicles</p> <p>Recommend using higher-grade fuel in construction equipment</p> <p>Locate stationary equipment as far from sensitive receivers as possible</p>

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Resource	Impacts	Mitigation Measures
Noise	50 residences, 2 churches, Clear Creek Trail, and 18 businesses exceed noise abatement criteria in the 2030 Proposed Action model	Rebuild the existing barrier along I-70 near 27th Avenue that must be removed for the proposed eastbound I-70 hook ramps Extend the existing noise wall along the Youngfield Service Road (Cabela Drive) another 140 ft to the north
Historic and Archaeological Resources	Widening of Youngfield Street south of the 32 nd Avenue intersection would require approximately 0.06 acre of right-of-way from the National Register of Historic Places (NRHP)-eligible Maple Grove Grange property No impacts anticipated to archeological sites, but unknown, buried sites could be encountered	SHPO concurred with a finding of No Adverse Effect on the NRHP-eligible Maple Grove Grange property in relation to the 0.06 acre of right-of-way to be acquired from the parking lot of the property on June 29, 2006 Conform to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended) and the Uniform Relocation Act Amendments of 1987 (as amended), each of which contains specific requirements that govern the manner in which a government entity acquires property for public use Instruct construction personnel to stop work and notify the CDOT Staff Archaeologist who will evaluate the discovery if any suspected archeological finds are encountered
Paleontology	Scientifically important paleontological resources could be encountered during construction excavation	Have the CDOT paleontologist examine project design plans as finalized to determine the extent of impact to the Denver Formation, and the scope, if any, of monitoring work required Instruct construction personnel to stop work and notify the CDOT Staff Paleontologist who will evaluate the discovery if any suspected fossils are encountered
Soils and Geology	Expansive soils and unsuitable fill may be encountered	Perform a detailed geotechnical analysis of the project area during the preliminary/final design process to determine the structural stability and load-bearing capacity of the geologic formation
Farmlands	No impacts to farmlands	No mitigation necessary

Resource	Impacts	Mitigation Measures
<p>Water Resources, Floodplains, and Water Quality</p>	<p>Short-term increase in erosion and sedimentation from construction activities</p> <p>Increase of approximately 20.54 acres of impervious drainage area</p> <p>Improved quality of stormwater discharge due to construction of water quality ponds and best management practices (BMPs)</p>	<p>Replace any impact to an irrigation facility with an in-kind replacement</p> <p>Not allow stormwater to co-mingle with irrigation waters</p> <p>Notify irrigation companies of any potential impacts to their irrigation system</p> <p>Provide ditch companies the opportunity to review plans that call for impacts to their system and meet their suitable design criteria</p> <p>Observe irrigation ditch operational requirements and schedules</p> <p>Use erosion control measures at irrigation ditch areas during construction and remove these measures once the site has stabilized</p> <p>Use construction BMPs to reduce temporary impacts</p> <p>Use BMPs to control stormwater runoff</p> <p>Convey stormwater through water quality ponds or use other BMPs to settle sediment and improve water quality flow to Clear Creek</p> <p>Obtain and comply with required permits for temporary dewatering</p> <p>Install adequate riprap at ends of the stormwater outfalls to reduce erosion potential</p> <p>Use temporary sedimentation ponds or filtering apparatus to remove sediment from groundwater prior to discharge during dewatering</p> <p>Construct and use concrete washout basins to protect Clear Creek during construction</p>
<p>Vegetation and Wildlife</p>	<p>Removal of vegetation during construction</p> <p>Short-term disturbance of wildlife and aquatic habitat during construction</p> <p>Permanent impacts to marginal upland habitat near new SH 58/Cabela Drive interchange</p>	<p>Revegetate construction areas in accordance with CDOT revegetation practices</p> <p>Seed during appropriate seeding seasonal windows</p> <p>Temporarily protect slopes from erosion with straw crimping, erosion blankets or with mulch and mulch tackifier, if seeding is conducted out of season</p> <p>Coordinate Senate Bill (SB 40) mitigation with Colorado Division of Wildlife (CDOW), which will include an appropriate tree and shrub replacement ratios and implementation of BMPs</p> <p>Replace trees in other areas in accordance with CDOT Region 6 and Jefferson County tree replacement policies</p> <p>Protect trees and shrubs in construction areas that are to remain with temporary orange mesh fencing</p> <p>Investigate alternative fencing and landscaping plans to deter north-south wildlife movement and minimize animal/vehicle collisions with increased traffic along SH 58 in the vicinity of the new SH 58/Cabela Drive interchange</p> <p>Avoid vegetation palatable to wildlife in the revegetation of roadway medians and rights-of-way</p>

Resource	Impacts	Mitigation Measures
Noxious Weeds	Potential spread of noxious weeds into areas disturbed by construction	<p>Implement an integrated weed management plan to target noxious weed populations</p> <p>Ensure all construction vehicles are free of soil and plant parts before entering the construction site to avoid the spread of noxious weeds</p> <p>Limit disturbance to existing vegetation as much as practicable</p> <p>Treat weeds-infested areas targeted for disturbance with herbicide prior to ground disturbance or the topsoil be hauled off-site or used as roadway fill</p> <p>Salvage topsoil from the project area for reuse from areas free of noxious weeds or treat with herbicide prior to disturbance. Areas free of weeds will be identified prior to beginning construction.</p> <p>Install temporary fences to limit construction traffic in an effort to reduce erosion and weed invasion</p> <p>Seed topsoil stockpiles with annual grasses, if topsoil remains stockpiled for more than one month</p> <p>Use only certified weed-free mulch. The mulch will be certified under the Colorado Department of Agriculture Weed Free Forage Certification Program and inspected, as regulated by the Weed Free Forage Act, Title 35, Article 27.5, C.R.S.</p>
Special Status Species	<p>No impacts to federally threatened or endangered animal or plant species would occur</p> <p>Possible impacts to migratory bird species that may nest along Clear Creek</p>	<p>Conduct a thorough survey of active nests in the project area between April 1 (February for raptors) and August 15, prior to initiation of construction activities</p> <p>Do not allow construction to begin near active nest areas until all nestlings have fledged, if active nests are found to be present</p> <p>Prevent all protected birds from achieving an active nest, if construction occurs during the breeding season for migratory birds</p> <p>Conduct habitat disturbing activities, such as tree removal, grading, scraping, grubbing, etc., during the non-breeding season unless the area has been verified by a qualified biologist that no active nests are present</p>

Resource	Impacts	Mitigation Measures
Wetlands	<p>Approximately 1.291 acre of non-jurisdictional wetlands impacted, and approximately 0.001 acre of jurisdictional wetlands impacted</p>	<p>Mitigate wetlands on a 1:1 basis through the purchase of mitigation credits from a certified wetland bank in the Clear Creek basin</p> <p>Consult with CDOT Environmental during preliminary/final design to identify possible improvements to riparian habitat near Clear Creek</p> <p>Minimize culvert lengths and use riprap for stormwater outfalls to reduce permanent impacts</p> <p>Prevent erosion, using temporary soil stabilization measures and structures to prevent and/or slow run off across disturbed areas and/or divert runoff to sediment basins</p> <p>Use sediment controls measures, including straw bales, silt fences, sediment traps and/or sediment basins</p> <p>Use water quality treatment measures to capture and treat runoff and to prevent runoff from entering Clear Creek and associated wetlands</p> <p>Use designated areas for vehicle staging to minimize disturbance of wetlands and vegetated areas</p> <p>Revegetate disturbed areas as quickly as possible with native vegetation</p> <p>Install temporary fencing to prevent construction access to wetland areas</p> <p>Target dewatering activities to avoid wetland areas</p> <p>Keep cranes and other heavy equipment for bridge construction out of the river or stream bank area to the greatest extent possible</p> <p>Construct a crane pad if cranes or other equipment can not be kept out of the creek</p>
Hazardous Waste	<p>Three sites with recognized or potential environmental conditions would be acquired as full right-of-way acquisitions. Six sites with recognized or potential environmental conditions would be acquired as partial right-of-way acquisitions</p> <p>Contaminated soil and/or groundwater from existing sources could be encountered during construction</p> <p>Asbestos and/or lead-based paint could be encountered during demolition of structures</p>	<p>Conduct Initial Site Assessments (ISA) CDOT Form 881 for partial acquisitions or individual, site-specific Phase I environmental site assessments for full acquisitions</p> <p>Perform Preliminary Site Investigations (PSI) of properties to be acquired for right-of-way, if recommended by the ISA or Phase 1</p> <p>Prepare a materials handling plan and a health and safety plan, as required by Section 250.03 of the <i>CDOT Standard Specifications for Road and Bridge Construction</i></p> <p>Conduct an asbestos and miscellaneous hazardous materials survey of each property prior to demolition</p> <p>Abate asbestos and miscellaneous hazardous materials, as necessary</p> <p>Check properties for the presence of methamphetamine lab residues prior to acquisition</p> <p>Remove and appropriately recycle or dispose of all regulated materials including polychlorinated biphenyl (PCB)-containing ballasts, fluorescent bulbs, mercury</p>

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Resource	Impacts	Mitigation Measures
Hazardous Waste (Continued)		containing equipment, electronic equipment, containerized regulated liquids (e.g., paints, solvents, oil, grease, chemicals, pesticides, and herbicides), and chlorofluorocarbons (CFC)-containing equipment, prior to building or structure demolition activities
Visual	<p>Construction of the ADA-compliant pedestrian structure at 27th Avenue would provide positive visual benefit to the surrounding neighborhoods because the existing structure is aged and heavily vandalized</p> <p>A signalized intersection at Cabela Drive and 44th Avenue would reduce the quality of the view of South Table Mountain for the residences along Holman Street</p>	<p>Provide for public involvement on aesthetic issues such as pedestrian structure and bridge design treatments at grade-separated intersections, and retaining walls</p> <p>Incorporate landscaping and other design elements within right-of-way, where space is available to provide a visual transition between the adjacent area and the new signalized intersection at Cabela Drive, 44th Avenue, and Holman Street</p>
Construction	<p>Short-term and intermittent fugitive dust emissions during construction</p> <p>Short-term and intermittent construction noise</p> <p>Short-term increase in sediment from construction</p> <p>Short-term traffic delays</p> <p>Short-term visual impacts</p> <p>Short-term utility impacts</p>	<p>Specify construction mitigation measures in final design, which will include the following to the extent practicable:</p> <p>Engines and exhaust systems on equipment in good working order</p> <p>Equipment maintained on a regular basis, and equipment subject to inspection by the project manager to ensure maintenance</p> <p>Fugitive dust systematically controlled through diligent implementation of a dust control plan</p> <p>No excessive idling of inactive or unnecessary equipment or vehicles</p> <p>Recommend construction equipment and vehicles use higher-grade fuel to reduce pollutant emissions</p> <p>Stationary equipment located as far from neighbors as possible</p> <p>Construction of noise walls (determined to be feasible and reasonable during design stages) early in the construction phase, where practicable</p> <p>Maintain access to local businesses, residences, and trails</p> <p>Coordinate detour routes to avoid overloading local streets</p> <p>Minimize construction duration in residential areas</p> <p>Avoid nighttime activities in residential areas, as much as possible</p> <p>Re-route truck traffic away from residential streets, where possible</p> <p>Implement BMPs required by the stormwater management plan (SWMP) including keeping vehicles in good working order to minimize oil/fuel leaks on to the project site.</p> <p>Combine noisy operations to occur in the same period</p>

Resource	Impacts	Mitigation Measures
Construction (Continued)		<p>Conduct pile driving and other high-noise activities during daytime construction, when possible. Public notification of high-noise activities will be provided as part of public outreach.</p> <p>Develop traffic management plan to include:</p> <ul style="list-style-type: none"> Maintain traffic flow during peak travel times by minimizing lane closures, if possible Coordinate with emergency service providers to minimize delays and ensure access to properties Use signage, television and radio announcements to inform and advertise timing of road closures During peak travel times, keep as many lanes as possible open by temporarily shifting lanes within the existing framework of the roadway <p>Develop public outreach and public information plan</p> <p>Develop method of handling traffic</p> <p>Estimate work zone delays and mitigation strategies</p> <p>Public information and involvement prior to and during construction. This will include an informational meeting to be held prior to construction to discuss construction details and mitigations measures. During construction, updates will be provided, as needed.</p> <p>Coordinate Proposed Action construction with local agency construction and local site development activities</p> <p>Modify guide signage to direct traffic destined for the proposed development and Cabela's away from the I-70/32nd Avenue interchange to the I-70/Ward Road interchange. If the eastbound I-70 flyover ramp to SH 58 is not complete at the time of the store opening.</p> <p>Implement appropriate measures to minimize the amount of traffic that might utilize local streets.</p>
Utilities	Relocation of utilities prior to construction	<p>Coordinate with utility providers during final design and construction to ensure appropriate relocation and avoid interruption of service</p> <p>Conduct locator services and potholing during preliminary and final design to provide more accurate information on underground utilities</p> <p>Develop designs to relocate the utility with the utility company or public utility department, if relocation is required</p> <p>Provide design of utility adjustments to the affected company or public utility department for review</p> <p>Coordinate proper detours and advance notice with service providers to allow delivery of uninterrupted utility service during construction</p> <p>Coordinate new facilities with relocation or reconstruction of facilities associated with the Proposed Action</p>

Resource	Impacts	Mitigation Measures
I-70 Mainline	Traffic Operations	The FHWA Interstate Access Request is still required and further analysis to support that request will be completed in the Design phase.

Transportation projects must comply with a wide range of federal and state environmental laws and regulations, permits, reviews, notifications, consultations, and other approvals. **Table 4-2** *Permits, Notifications, and Concurrences* indicates which permits, notifications, or concurrences would be required to be obtained prior to construction of the Proposed Action. This table duplicates **Table 4-23** *Permits, Notifications, and Concurrences* in the EA.

Additional permits may be required with other activities such as:

- ▶ Erosion control/grading
- ▶ Utility access, relocation, or surveying
- ▶ Construction, slope, and utility easements
- ▶ Access and authorizations

Table 4-2 Permits, Notifications, and Concurrences

Agency	Regulated Activity	Permit/Approval
Air Quality		
DRCOG	Regional Air Quality Conformity	Regional Air Conformity Concurrence
CDPHE – APCD	Local Air Quality Conformity	Local Air Conformity Concurrence letter from APCD
Special Status Species		
Colorado Senate Bill 40 Certification	Construction in any stream or its bank or tributaries	Senate Bill 40 Wildlife Certification
Wetlands		
US Army Corps of Engineers (USACE)	Impacts to jurisdictional wetlands	Clean Water Act Section 404: Wetland Fill
Water Resources		
CDPHE - WQCD	Required to assure the quality of stormwater runoff during construction	With in the CDPHE Colorado Discharge Permit System (CDPS) stormwater permit associated with construction activity
CDPHE – WQCD	Construction dewatering	Clean Water Act Section 402 Construction Dewatering Permit or Individual Construction Dewatering Permit, if contaminated groundwater to be encountered
CDPHE - WQCD	MS4 Phase I and II Areas – New Development and Redevelopment Programs	Follow the requirements of the cities of Lakewood and Wheat Ridge, CDOT, Jefferson County MS4 discharge permits
Hazardous Materials		
CDPHE – Hazardous Materials and Waste Management Division (HMWMD)	Generation of hazardous waste	Permits for regulated hazardous waste management activity under the Resource Conservation and Recovery Act (RCRA)
Pipeline and Hazardous Materials Safety Administration	Handling and transport of hazardous materials	Permits for regulated hazardous materials management under the Hazardous Materials Transportation Act
CDPHE – HMWMD	Classification of construction waste material and transportation of solid wastes generated	May require facility approval
CDPHE	Generation of contaminated materials during construction	Coordination and approval for handling such materials and a management plan
I-70		
FHWA	Interstate Access Request	Approval by FHWA is required when access on the interstate system is added or modified. To obtain approval, a request for access must be submitted to FHWA through CDOT in conformance with the eight policy points described in the <i>FHWA Colorado Division Guidance for the Preparation of a FHWA Interstate Access Request</i> , dated August 2001.

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5.0 SECTION 4(f) DE MINIMIS IMPACT DOCUMENTATION

Section 4(f) was created when the U.S. Department of Transportation (USDOT) was formed in 1966. It was initially codified at Title 49 United States Code (USC) Section 1653(f) [Section 4(f) of the USDOT Act of 1966]. Later that year, Title 23 USC Section 138 was added.

In 1983, Section 1653(f) was reworded and recodified at Title 49 USC Section 303. These two statutes have no real practical distinction and are still commonly referred to as “Section 4(f)”. Congress amended Section 4(f) in 2005 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 the FHWA to approve a project that results in a *de minimis* impact to a Section 4(f) resource without the evaluation of avoidance alternatives typically required in a Section 4(f) Evaluation. Section 6009 amended Title 23 USC Section 138 to state:

“The Secretary shall not approve any program or project (other than any project for a park road or parkway under Section 204 of this title) which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use. The requirements of this section shall be considered to be satisfied and an alternatives analysis not required if the Secretary determines that a transportation program or project will have a *de minimis* impact on the historic site, parks, recreation areas, and wildlife or waterfowl refuges. In making any determination, the Secretary shall consider to be a part of a transportation program or project any avoidance, minimization, mitigation, or enhancement measures that are required to be implemented as a condition of approval of the transportation program or project. With respect to historic sites, the Secretary may make a finding of *de minimis* impact only if the Secretary has determined in accordance with the consultation process required under Section 106 of the National Historic Preservation Act that the transportation program or project will have no adverse effect on the historic site or there will be no historic properties affected by the transportation program or project; the finding has received written concurrence from the State Historic Preservation Officer (SHPO); and the finding was developed in consultation with the parties consulted under the Section 106 process. With respect to parks, recreation areas, or wildlife or waterfowl refuges, the Secretary may make a finding of *de minimis* impact only if the Secretary has determined, after public notice and opportunity for public review and comment, that the transportation or project will not adversely affect the activities, features, and attributes of the park, recreation area, or wildlife or water refuge eligible for protection under this section and the finding of the Secretary has received concurrence from the officials with jurisdiction over the park, recreation area, or wildlife or waterfowl refuge.”

In order to be protected under Section 4(f), public parks and recreation facilities must be considered “significant,” as determined by the federal, state, or local officials having jurisdiction over them. Historic sites qualifying for Section 4(f) protection must be officially listed on, or eligible for inclusion in the NRHP, or contribute to a historic district that is eligible for or listed on the NRHP. FHWA has also developed guidance for determining *de minimis* impacts to these Section 4(f) resources (FHWA 2005).

In federally-sponsored or assisted transportation projects, the NRHP-eligibility of specific resources is established through a consultation process outlined in Section 106 of the National Historic Preservation Act. Determinations of NRHP-eligibility are made by the lead federal agency (FHWA), and concurrence is required from the SHPO.

Section 106 consultation also involves the assessment of effects to historic properties from the proposed federal undertaking. Determinations of effect are made by the lead federal agency (FHWA), who solicits concurrence from the SHPO. Effects to historic properties are determined by the application of the Advisory Council of Historic Preservation’s Criteria of Adverse Effect (36 CFR 800.5), resulting in a finding of either 1) “No Historic Properties Affected,” 2) “No Adverse Effect,” or 3) “Adverse Effect.” Determinations of eligibility and effect made under Section 106 enable FHWA to identify and evaluate Section 4(f) impacts to historic properties.

5.1 Section 4(f) Resources

The Proposed Action will impact one historic NRHP-eligible property, the Maple Grove Grange. One park, Chester Portsmouth Park, and one recreational trail, Jefferson County Open Space Clear Creek Trail, will be impacted by the Proposed Action. No wildlife or waterfowl refuges will be converted to a transportation use by the Proposed Action.

5.1.1 Maple Grove Grange

5.1.1.1 Property Description

The Maple Grove Grange building is located at 3130 Youngfield Street in the City of Wheat Ridge and serves the community as a social center.

5.1.1.2 Section 4(f) Use

The Proposed Action includes the widening of Youngfield Street between approximately 35th and 30th Avenue and enlargement of the existing Youngfield Street and 32nd Avenue intersection. The widened southern approach to this intersection will require slight eastward expansion and encroachment upon the western edge of the Maple Grove Grange property, to provide room for a separate right-turn lane. The expansion will encroach on a piece of the property consisting of approximately 15.5 ft wide by 170 ft long along the west boundary (see **Figure 5-1 Maple Grove Grange Property**). Features in the area where the encroachment will occur consist of an unpaved parking lot and do not contribute to what makes the property historically significant.

5.1.1.3 Enhancements

To mitigate for the Proposed Action and to add enhancements to the Grange building access and safety, a curb and gutter sidewalk with driveway entrance will be constructed on the west side of the property. Property acquisition for right-of-way will conform to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended) and the Uniform Relocation Act Amendments of 1987 (as amended), each of which contains specific requirements that govern the manner in which a government entity acquires property for public use.

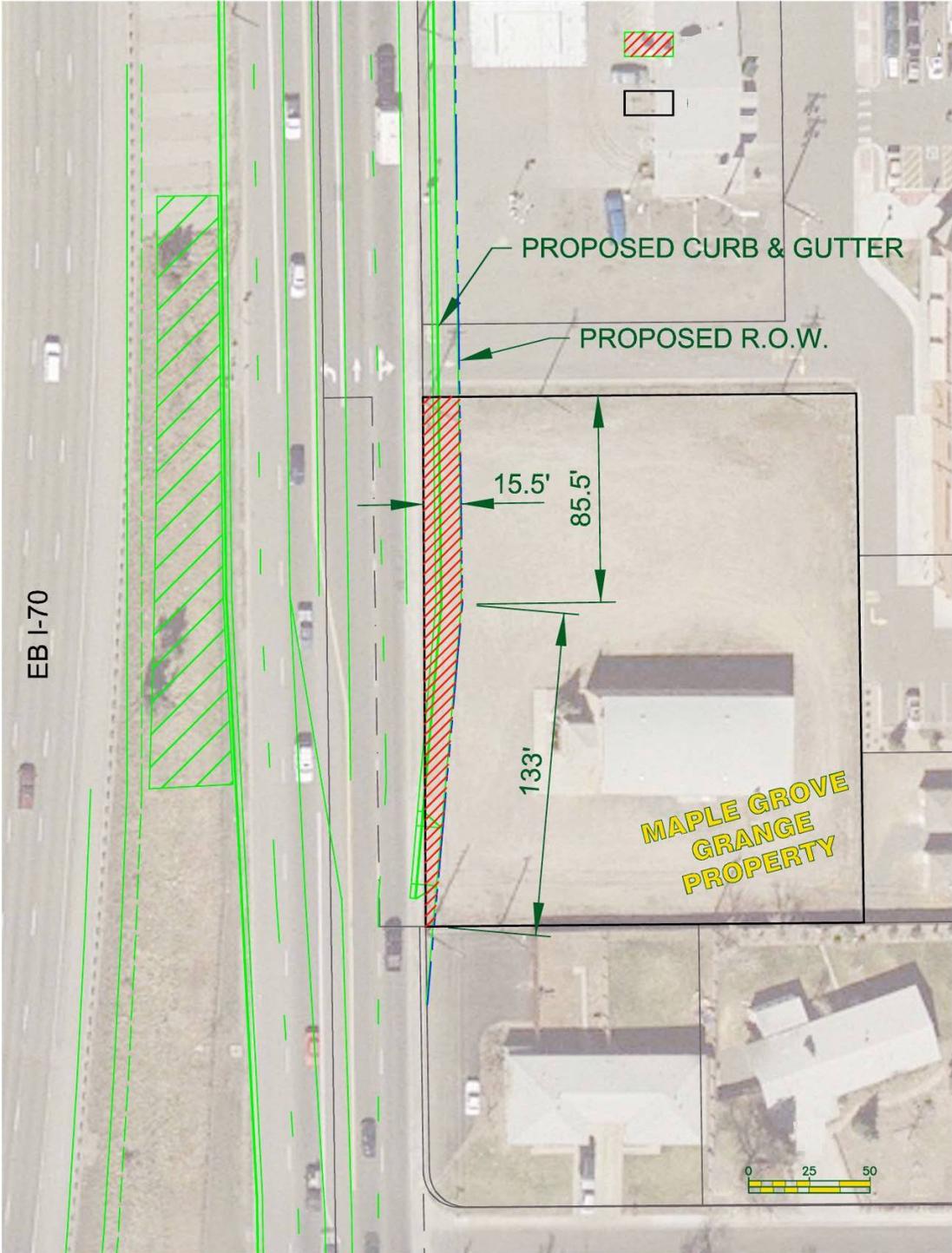
The reduction of the size of the Grange property and the removal of a narrow strip of gravel-covered land along the edge of Youngfield Street, will not greatly alter the existing setting, nor alter any of the characteristics of the site that convey its significance. These characteristics include the building's location, design and materials. The minor nature of the proposed right-of-way acquisition from the Grange property results in a "no adverse effect" finding under Section 106.

5.1.1.4 Agency Coordination

One historic NRHP-eligible property, the Maple Grove Grange, will be impacted by the Proposed Action. As stated in the *Guidance for Determining De Minimis Impacts to Section 4(f) Resources* (FHWA 2005), SHPO must concur in writing with the Section 106 "no adverse effect" determination and must be informed that the FHWA intends to make a *de minimis* finding based on the Section 106 effect determination. Consulting parties under Section 106 must also be informed of the *de minimis* finding.

On February 15, 2006, CDOT submitted to SHPO a letter requesting an eligibility determination for the Maple Grove Grange property, as part of the I-70/32nd Avenue Interchange EA (CDOT 2006b). A request for review and comment was also submitted to the following potential Section 106 consulting parties for the project: Lakewood Heritage Center, City of Wheat Ridge, Jefferson County Preservation Commission, Jefferson County Historical Society, National Trust for Historic Preservation, and Colorado Preservation, Inc (CDOT 2006c). The City of Wheat Ridge and Jefferson County Historical Commission responded and requested continued participation as consulting parties under Section 106 (City of Wheat Ridge 2006, Jefferson County Historical Commission 2006). On February 23, 2006, SHPO responded to CDOT concurring with the determination that the Maple Grove Grange property is an NRHP-eligible property (SHPO 2006a).

Figure 5-1 Maple Grove Grange Property



On June 13, 2006, CDOT submitted to SHPO a letter requesting an effects determination for the I-70/32nd Avenue Interchange EA (CDOT 2006d). CDOT also provided a request for review and comment on the effects determination to the City of Wheat Ridge and Jefferson County Historical Commission (CDOT 2006e). SHPO concurred with the “no adverse effect” determination on the NRHP-eligible properties, including the NRHP-eligible Maple Grove Grange property, on June 29 2006 (SHPO 2006b). Copies of the correspondence discussed in this section are included at the end of this Chapter.

5.1.1.5 Section 4(f) De Minimis Finding

Based on the information presented above and in the attached documentation, CDOT submitted on September 26, 2006 a request to FHWA for review and concurrence on a finding of *de minimis* impact for impacts to the NRHP-eligible Maple Grove Grange property (CDOT 2006f). FHWA determined on September 27, 2006, that the effects of the I-70/32nd Avenue interchange project on the Maple Grove Grange constituted a *de minimis* impact, and the requirements of 23 USC 138 and 49 USC 303 were satisfied (CDOT 2006f).

5.1.2 Chester Portsmouth Park

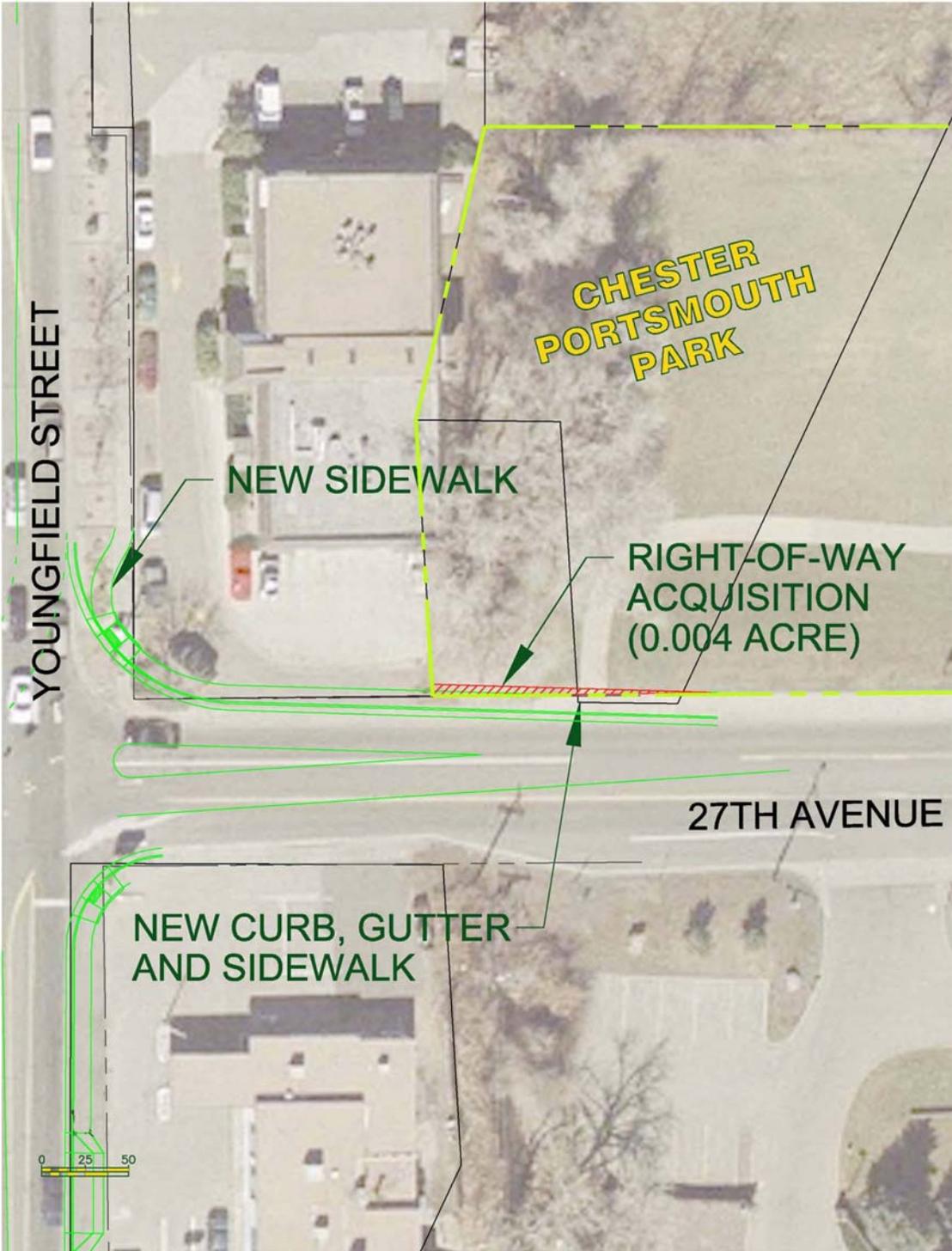
5.1.2.1 Property Description

Chester Portsmouth Park is located on the east side of Youngfield Street north of 27th Avenue. The park consists of a walking path, playground, and associated parking lot. The walking path begins at 27th Avenue and extends northwest and ends at the parking lot. The park is owned by the City of Lakewood and managed by City of Lakewood Community Resources Department Parks and Recreation.

5.1.2.2 Section 4(f) Use

Proposed reconfiguration of the intersection at Youngfield Street and 27th Avenue would require the acquisition of approximately 0.004 acre from the southwestern corner of Chester Portsmouth Park (see **Figure 5-2 Chester Portsmouth Park**). This right-of-way acquisition is limited to curb/gutter and sidewalk improvements. The impacts would not affect existing recreational uses of the park but would result in Section 4(f) use. Disturbances at the park would consist of the relocation of a small portion of sidewalk to accommodate a right-turn lane along the southeastern corner of the park.

Figure 5-2 Chester Portsmouth Park



5.1.2.3 Enhancements

Several enhancements or positive effects would result from the implementation of the Proposed Action. Sidewalks along Youngfield and 27th Avenue, adjacent to Chester Portsmouth Park, are not contiguous. The section of the 8-ft sidewalk that will be removed will be replaced with curb/gutter and an 8-ft sidewalk. In addition, the Proposed Action improvements will include creating a continuous sidewalk from the Chester Portsmouth Park to the 27th Avenue and Youngfield intersection. Property acquisition for right-of-way will conform to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (as amended) and the Uniform Relocation Act Amendments of 1987 (as amended), each of which contains specific requirements that govern the manner in which a government entity acquires property for public use.

Access enhancements to the park will also be provided with the reconstruction and reconfiguration of the Youngfield/27th Avenue intersection and new pedestrian bridge over I-70. The new intersection and pedestrian bridge will be ADA compliant and will provide contiguous sidewalk access to the park from the west side of I-70. The enhanced intersection and sidewalk will create a safer and more accessible route to the park and is viewed as an overall positive effect and enhancement.

5.1.2.4 Agency Coordination

On July 25, 2006, CDOT submitted to the City of Lakewood Department of Community Resources Parks and Recreation a letter requesting concurrence that the City of Lakewood finds that the impacts to Chester Portsmouth Park will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (CDOT 2006g). Preliminary concurrence was received from the City of Lakewood on August 3, 2006 (City of Lakewood 2006); however, the City of Lakewood had two items requiring clarification:

- ▶ The exhibit attached to the July 25, 2006 letter from CDOT did not accurately show the park boundary.
- ▶ The impact on the park could affect the City of Lakewood's ownership of the park.

As part of the EA, the park boundary was revised in accordance with the City of Lakewood's request, and the revised boundary is reflected in **Figure 5-2** *Chester Portsmouth Park*. CDOT also contacted Jefferson County to clarify the limitation on the City of Lakewood's ownership of the park. On December 27, 2006, Jefferson County provided a letter to CDOT and the City of Lakewood releasing the City of Lakewood from the reverter clause on Jefferson County's deed to the City of Lakewood for Chester Portsmouth Park.

On December 27, 2006, following completion of the 45-day public review period, CDOT submitted to the City of Lakewood Department of Community Resources Parks and Recreation a letter requesting concurrence that the City of Lakewood finds that the impacts to Chester Port will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (CDOT 2006h). This letter addressed the City of Lakewood's two items requiring clarification. On January 10, 2007, the City of Lakewood concurred that the

impacts to the Chester Portsmouth Park will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (City of Lakewood 2007). Copies of the correspondence discussed in this section are included at the end of this Chapter.

5.1.2.5 Public Review and Comment

Chapter 5 Section 4(f) De Minimis Impact Documentation of the EA discussed the impacts and transportation use of the Section 4(f) resources affected by the Proposed Action. A public hearing was held for the I-70/32nd Avenue Interchange EA on November 9, 2006. At the public hearing, FHWA solicited comments from the public on the effects the I-70/32nd Avenue interchange project will have on the attributes, features, and activities that occur on the Chester Portsmouth Park. In addition to the public hearing, the public was also able to provide comments on the EA and Section 4(f) uses throughout the 45-day comment period from October 25 to December 8, 2006.

No comments were received with regard to the effects on Chester Portsmouth Park, although several comments were received in relation to traffic impacts along 27th Avenue.

5.1.2.6 Section 4(f) De Minimis Finding

With the approval of this FONSI, FHWA finds that the effects of the project on the Chester Portsmouth Park constitute a *de minimis* impact, and the requirements of 23 USC 138 and 49 USC 303 are satisfied.

5.1.3 Jefferson County Open Space Clear Creek Trail

5.1.3.1 Property Description

The Clear Creek Trail begins at the confluence of the South Platte River and Clear Creek near I-25 and 74th Avenue in west Commerce City, and temporarily ends at Washington Street and Clear Creek in Golden. The City of Wheat Ridge manages 5-miles of the Clear Creek Trail between Harlan and Youngfield. To the west of Youngfield, the trail is managed by Jefferson County Open Space. The trail is approximately 10 ft in width for the majority of the trail and extends for over 10 miles.

The Jefferson County Open Space Clear Creek Trail, west of I-70, exists on a non-exclusive permanent easement across property owned by the Coors Brewing and Adolph Coors Companies (Jefferson County 1992). An easement agreement that was established in May 1992 provides for a public recreational trail over and across property owned by Coors Brewing and Adolph Coors Companies. As stated in the easement agreement, Jefferson County Open Space is responsible for the design, construction, installation, operation, and maintenance of the Jefferson County Open Space Clear Creek Trail.

5.1.3.2 Section 4(f) Use

The existing Jefferson County Open Space Clear Creek Trail would be realigned to provide for the new road connection to the new SH 58/Cabela Drive interchange (see **Figure 5-3 Jefferson**

County Open Space Clear Creek Trail). Approximately 2,400 ft of trail would be reconstructed as part of the Proposed Action. The current alignment of the trail beginning underneath the railroad bridge at SH 58 would be realigned to the south. FHWA and CDOT are working with Jefferson County and the landowner on a mutually-beneficial alignment that would parallel Cabela Drive until it reconnects with Clear Creek Trail west of the new SH 58/Cabela Drive interchange. The trail relocation would result in a Section 4(f) use.

5.1.3.3 Enhancements

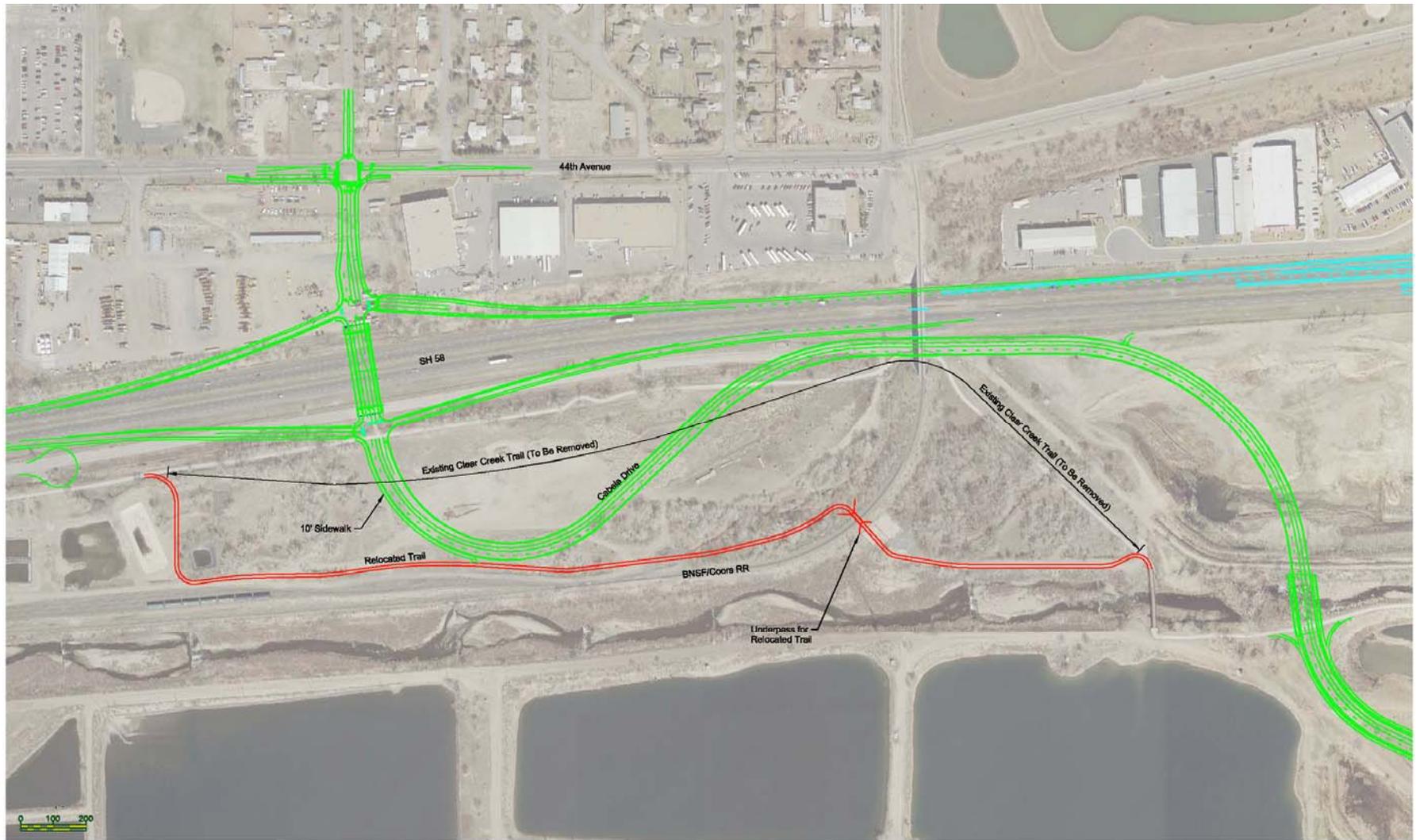
Several access improvements and enhancements will be made as a result of and mitigation for the Proposed Action. The new SH 58/Cabela Drive interchange will provide a new sidewalk along Cabela Drive from 44th Avenue to the Clear Creek Trail. Also, pedestrian access and safety for users accessing the trail from the north side of SH 58 will be improved. Currently, users on 44th Avenue wanting to access the trail must access it from McIntyre Street. The relocated trail will add approximately 300 ft in length to the trail and will be 10 ft in width throughout. Landscaped buffers between the Clear Creek Trail and Cabela Drive will be investigated during final design. The relocated Jefferson County Open Space Clear Creek Trail will be subject to the non-exclusive permanent easement between Jefferson County and the Coors Brewing and Adolph Coors Companies, as amended.

The relocation and reconstruction of the 2,400 ft piece of the Jefferson County Open Space Clear Creek Trail would not adversely affect the activities, features and attributes of the overall trail system. The new access constructed as part of the SH 58/Cabela Drive interchange would result in a positive effect.

5.1.3.4 Agency Coordination

Relocation of the Jefferson County Open Space Clear Creek Trail was negotiated by the property owner, Coors, with Jefferson County Open Space. Preliminary concurrence was received by Coors from Jefferson County Open Space on July 27, 2006 (Jefferson County 2006).

Figure 5-3 Jefferson County Open Space Clear Creek Trail



On December 27, 2006, following completion of the 45-day public review period, CDOT submitted to Jefferson County Open Space a letter requesting concurrence that Jefferson County finds that the impacts to the Jefferson County Open Space Clear Creek Trail will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (CDOT 2007). On January 29, 2007, Jefferson County concurred that the impacts to the Jefferson County Open Space Clear Creek Trail will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (Jefferson County 2007). Copies of the correspondence discussed in this section are included at the end of this Chapter.

5.1.3.5 Public Comment and Review

Chapter 5 Section 4(f) De Minimis Impact Documentation of the EA discussed the impacts and transportation use of the Section 4(f) resources affected by the Proposed Action. A public hearing was held for the I-70/32nd Avenue Interchange EA on November 9, 2006. At the public hearing, FHWA solicited comments from the public on the effects the I-70/32nd Avenue interchange project will have on the attributes, features, and activities that occur on the Jefferson County Open Space Clear Creek Trail. In addition to the public hearing, the public was also able to provide comments on the EA and Section 4(f) uses throughout the 45-day comment period from October 25 to December 8, 2006.

Several comments were received in regard to the effects on the Jefferson County Open Space Clear Creek Trail. Public comments are included in **Appendix C Public Comments Received During the Review Period**. Comments #61, #62, #91, #103, and #169 are specifically related to the effects of the project on the Jefferson County Open Space Clear Creek Trail and are summarized as follows:

- ▶ Length of time the Jefferson County Open Space Clear Creek Trail will be closed during construction
- ▶ Buffer the realigned trail segment from the adjacent railroad tracks and SH 58
- ▶ Separate pedestrians and bicyclists on the realigned trail segment

The new portion of the Jefferson County Open Space Trail will be constructed prior to the new SH 58/Cabela Drive interchange. Once construction of the new trail alignment is complete, the new trail segment will open for use, and the older trail segment closer to SH 58 will be closed and removed as part of the construction of the new SH 58/Cabela Drive interchange. This phasing of construction will allow this segment of the trail to remain open at all times during project construction.

Final design of the relocated Jefferson County Open Space Clear Creek Trail segment has not been completed at this time. FHWA and CDOT will work with Jefferson County and Coors to design a trail that blends with the existing trail and includes landscape buffering from both the railroad spur and SH 58 and meets Jefferson County Open Space design standards for the trail.

Bicyclists and pedestrians are currently not separated on the Jefferson County Open Space Clear Creek Trail. The relocated trail segment will match the existing trail and will not include a segregation of use, unless specifically requested by Jefferson County Open Space.

5.1.3.6 Section 4(f) de minimis Finding

With the approval of this FONSI, FHWA finds that the effects of the project on the Jefferson County Open Space Clear Creek Trail constitute a *de minimis* impact, and the requirements of 23 USC 138 and 49 USC 303 are satisfied.

SECTION 4(f) DE MINIMIS IMPACT CORRESPONDENCE

CDOT. 2006. Letter to Georgianna Contiguglia, State Historic Preservation Officer, Colorado Historical Society, from Brad Beckham, CDOT Environmental Programs Branch, regarding Determination of Eligibility, I-70/32nd Avenue Interchange Environmental Assessment. February 15.

CDOT. 2006. Letter to Winifred Ferrill (Lakewood Heritage Center), Alan White (City of Wheat Ridge), Duncan McCollum (Jefferson County Preservation Commission), Rebecca Young (Jefferson County Historical Society), Jim Lindberg (National Trust for Historic Preservation), and Mark Rodman (Colorado Preservation, Inc.) from Brad Beckham, CDOT Environmental Programs Branch, regarding Section 106 Historic Properties Consultation and Determinations of Eligibility, I-70/32nd Avenue Interchange Environmental Assessment, Jefferson County, Colorado. February 16.

State Historic Preservation Officer (SHPO) Colorado Historical Society (CHS). 2006. Letter to Brad Beckham, CDOT Environmental Programs Branch, from Georgianna Contiguglia, SHPO, regarding I-70/32nd Avenue Interchange Environmental Assessment, Determination of Eligibility. February 23.

City of Wheat Ridge. 2006. Letter to Lisa Schoch, Senior Staff Historian CDOT Environmental Programs Branch, from Tim Paranto, City of Wheat Ridge Director of Public Works, regarding request for participation as a consulting party. February 27.

Jefferson County Historical Commission. 2006. Letter to Lisa Schoch, Senior Staff Historian CDOT Environmental Programs Branch, from Lucy Hackett Bambrey, Historic Preservation Committee, regarding Section 106 Historic Properties Consultation and Determinations of Eligibility – I-70/32nd Ave Interchange EA. March 21.

CDOT. 2006. Letter to Duncan McCollum (Jefferson County Historical Commission) and Timothy Paranto (City of Wheat Ridge Director of Public Works), from Brad Beckham, CDOT Environmental Programs Branch, regarding Determination of Eligibility & Effects and Notification of Section 4(f) *De Minimis* Finding, I-70/32nd Avenue Interchange Environmental Assessment. June 8.

CDOT. 2006. Letter to Georgianna Contiguglia, State Historic Preservation Officer, Colorado Historical Society, from Brad Beckham, CDOT Environmental Programs Branch, regarding Determination of Eligibility & Effects and Notification of Section 4(f) *De Minimis* Finding, I-70/32nd Avenue Interchange Environmental Assessment. June 13.

CDOT. 2006. Letter to Ross Williams, City of Lakewood Department of Community Resources Parks and Recreation, from Jane Hann, CDOT Region 6 Environmental, regarding Chester Portsmouth Park, I-70/32nd Avenue Interchange Environmental Assessment: Informing the City of Lakewood of FHWA's intent to make a Section 4(f) *de minimis* determination. July 25.

Jefferson County Open Space. 2006. Letter to Neil Jaquet, Director Water Resources and Real Estate Coors Brewing Company, from Ralph Schell, Director of Jefferson County Open Space, regarding Notice of Intent to Grant Street Dedications/Clear Creek Trail. July 27.

City of Lakewood. 2006. Letter to Jane Hann, Environmental Manager CDOT Region 6, from Ross Williams, Facilities Planner City of Lakewood Department of Community Resources. August 3.

SHPO CHS. 2006. Letter to Brad Beckham, CDOT Environmental Programs Branch, from Georgianna Contiguglia, regarding I-70/32nd Avenue Interchange Environmental Assessment, Determination of Eligibility. September 21.

CDOT. 2006. Letter to David Nicol, Division Administrator FHWA-Colorado Division, from Brad Beckham, Manager CDOT Environmental Programs Branch, regarding Finding of Section 4(f) *De Minimis* Impact, Interstate 70/32nd Avenue Interchange Environmental Assessment. September 26. FHWA concurrence on September 27, 2006.

CDOT. 2006. Letter to Ross Williams, City of Lakewood Department of Community Resources Parks and Recreation, from Jann Hann, CDOT Region 6 Environmental, regarding Chester Portsmouth Park, I-70/32nd Avenue Interchange Environmental Assessment: Request for the City of Lakewood's Concurrence that the transportation improvements to the Youngfield Street/27th Avenue intersection will not adversely affect Chester Portsmouth Park. December 27.

CDOT. 2007. Letter to Ralph Schell, Jefferson County Open Space, from Jann Hann, CDOT Region 6 Environmental, regarding Recreational Trail Realignment, Proposed New State Highway 58 and Cabela Drive Interchange, Golden, Colorado: Request for Jefferson County's Concurrence that the trail realignment will not adversely affect the Jefferson County Open Space Clear Creek trail. January 29. Jefferson County concurrence on January 29, 2007.

City of Lakewood. 2007. Letter to Jane Hann, Environmental Manager CDOT Region 6, from Ross Williams, Facilities Planner City of Lakewood Department of Community Resources. January 10.

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
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February 15, 2006

Ms. Georgianna Contiguglia
State Historic Preservation Officer
Colorado Historical Society
1300 Broadway
Denver, CO 80203

Subject: Determination of Eligibility, I-70/32nd Avenue Interchange Environmental Assessment

Dear Ms. Contiguglia:

This letter and the attached site forms constitute a request for concurrence on eligibility determinations for the project referenced above, which is an environmental assessment (EA) focused on proposed improvements to the Interstate 70/32nd Avenue interchange and adjacent roadways/intersections, as well as improvements to State Highway 58 from I-70 to McIntyre Street. The EA is sponsored by the City of Wheat Ridge and is being completed in coordination with the Colorado Department of Transportation (CDOT).

We recently consulted with your staff regarding the Area of Potential Effects (APE) for the project. At this time, we are requesting your concurrence on eligibility for three properties within the APE: the Salter Property (5JF3803), Maple Grove Grange (5JF4327), and Novacek Carnation Nursery (5JF4322). The survey report and site forms for additional properties will be submitted separately at a later date.

Eligibility Determinations

Salter Farm (5JF3803): The Salter Farm consists of a brick farmhouse and garage, both of which are contributing features, and a shop, four sheds, an outbuilding, chinchilla pen ruins, and a small building foundation, which are non-contributing features. The Federal Highway Administration (FHWA) and CDOT have determined that this property is *eligible* under National Register Criterion C as an unmodified and excellent example of Tudor style brick residential architecture in an agricultural context.

Maple Grove Grange (5JF4327): This property is *eligible* under National Register Criterion A for its role in the social organization and support of the local agricultural community. Under Criterion C, it is an unmodified example of mid-20th Century grange/meeting hall architecture in Colorado.

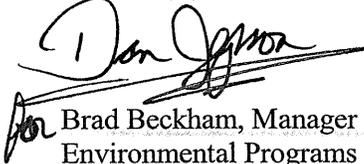
Novacek's Carnation Nursery (5JF4322): The Novacek property consists of a greenhouse complex, a dwelling, a garage, and an agricultural shed. Although the nursery site and buildings retain relatively good architectural integrity, the property's historic setting has been greatly altered by surrounding commercial and residential development as well as construction of nearby I-70 in the latter half of the 20th century. The nursery property is associated with the commercial carnation growing industry in Jefferson County, an industry which flourished from the late 1940s through the early 1990s. However, because much of the industry's success occurred less than 45 years ago – in the 1960s and 1970s – the Novacek

property is not presently associated with a historically significant pattern of events. Neither the single family dwelling nor the greenhouse complex is an important example of an architectural style or property type. For all of these reasons, the Novacek Carnation Nursery is *not eligible* for the National Register of Historic Places.

We request your concurrence with the determination of eligibility for the three properties identified above. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act, and the Advisory Council on Historic Preservation's regulations. A request for review and comment has also been submitted to the following potential Section 106 consulting parties for the project: City of Wheat Ridge, Wheat Ridge Historical Society, Jefferson County Preservation Commission, Jefferson County Historical Society, the National Trust for Historic Preservation, and Colorado Preservation, Inc. When we receive comments from some or all of these entities, we will forward them to you.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

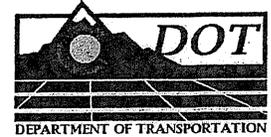
Enclosures: Site forms for 5JF3803, 5FJ4322, and 5JF4327

cc: Monica Pavlik/Ron Speral, FHWA
Jane Hann, CDOT Region 6
Thor Gjelsteen/Jason Marmor, FHU
File/CF/RF

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9259



February 16, 2006

Ms. Winifred Ferrill
Landmark Preservation Committee
Lakewood Heritage Center
797 South Wadsworth Blvd.
Lakewood, CO 80226

SUBJECT: Section 106 Historic Properties Consultation and Determinations of Eligibility,
I-70/32nd Avenue Interchange Environmental Assessment, Jefferson County, Colorado

Dear Ms. Ferrill:

The transportation project referenced above entails an Environmental Assessment (EA) concerning proposed improvements to the Interstate 70/32nd Avenue interchange and adjacent roadways/intersections, as well as improvements to State Highway 58 from I-70 to McIntyre Street. The EA is sponsored by the City of Wheat Ridge, in cooperation with the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT). As with all undertakings funded entirely or in part with federal monies, the project is subject to compliance with Section 106 of the National Historic Preservation Act, as amended (Section 106, 16 U.S.C. 470f) and its implementing regulations (36 CFR 800). We are seeking the assistance of local communities and historic preservation organizations in the identification of historic properties, and to help identify issues that may relate to the undertaking's potential effects on historic properties. Toward that end, FHWA and CDOT would like to formally offer the Lakewood Landmark Preservation Committee the opportunity to participate as a consulting party for the Section 106 compliance process, as provided in Section 800.3(f)(1) of the regulation.

Should you choose to participate as a Section 106 consulting party, you are provided the opportunity (via this transmittal) to comment on the Area of Potential Effects (APE) established for the project, as well as three historic properties within the APE: the Salter Farm (5JF3803), the Maple Grove Grange (5JF4327), and the Novacek Carnation Nursery (5JF4322). Descriptions of these properties are provided below under "Eligibility Determinations." The site forms for these properties are enclosed to aid in your review.

Description of the Proposed Action

The I-70/32nd Avenue interchange project is located in the western part of the Denver metropolitan area partially within the Cities of Wheat Ridge and Lakewood, and also unincorporated Jefferson County. The Proposed Action consists of a series of elements including:

- ▶ Widening of 32nd Avenue and Youngfield Street in the area of I-70
- ▶ Construction of hook ramps at I-70/32nd Avenue with westbound hook ramps located north of 32nd Avenue and eastbound hook ramps located at Youngfield Street and 27th Avenue
- ▶ Construction of a new interchange on SH 58 west of Eldridge Street

- ▶ Connection of the new Cabela Drive with 44th Avenue near the new interchange onto SH 58

Historic Properties Identification

As part of our historic survey of the APE, we are identifying previously unrecorded as well as known historic properties. The proposed APE is based upon the nature of the specific improvements, and encompasses a redesigned I-70/32nd Avenue interchange, I-70 access ramps at W. 27th Avenue, a portion of new roadway called Cabela Drive extending north from Zinnia Drive to access pending development, and a new interchange on SH 58 providing access to and from Cabela Drive and W. 44th Avenue at Holman Street. A portion of Cabela Drive will be constructed separately as a local agency project.

We have consulted with the State Historic Preservation Officer (SHPO) regarding the APE for the project, as reflected on the enclosed map. As defined in the Section 106 regulations, the APE is the “geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties” (36 CFR 800.16(d)). If you have any comments or questions about the APE, please inform us in writing.

We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE. Additionally, we are conducting research on properties not previously evaluated for the National Register of Historic Places (NRHP) within the APE to determine their architectural and historical significance. Our assessment of significance will be based on the established NRHP eligibility criteria. Any information you can provide will help ensure that important historical resources are considered and protected.

Eligibility Determinations

As noted above, should you choose to participate as a consulting party, we request any comments you may have on the eligibility of the following three properties (please see the attached site forms for more information). A separate historic and archaeological survey report and additional properties associated with this project will be sent for your review in the near future. We are focusing on these three properties at this stage in project development in order to facilitate the Section 4(f) analysis, another part of the National Environmental Policy Act (NEPA) compliance process.

Salter Farm (5JF3803): The Salter Farm consists of a brick farmhouse and garage, both of which are contributing features, and a shop, four sheds, an outbuilding, chinchilla pen ruins, and a small building foundation, which are non-contributing features. FHWA and CDOT have determined that this property is *eligible* under National Register Criterion C as an unmodified and excellent example of Tudor style brick residential architecture in an agricultural context.

Maple Grove Grange (5JF4327): This property is *eligible* under National Register Criterion A for its role in the social organization and support of the local agricultural community. Under Criterion C, it is an unmodified example of mid-20th Century grange/meeting hall architecture in Colorado.

Novacek’s Carnation Nursery (5JF4322): The Novacek property consists of a greenhouse complex, a dwelling, a garage, and an agricultural shed. Although the nursery site and buildings retain relatively good architectural integrity, the property’s historic setting has been greatly altered by surrounding commercial and residential development as well as construction of nearby I-70 in the latter half of the 20th century. The nursery property is associated with the commercial carnation growing industry in Jefferson County, an industry which flourished from the late 1940s through the early 1990s. However, because much of the industry’s success occurred less than 45 years ago – in the 1960s and 1970s – the Novacek

property is not presently associated with a historically significant pattern of events. Neither the single family dwelling nor the greenhouse complex is an important example of an architectural style or property type. For all of these reasons, the Novacek Carnation Nursery is *not eligible* for the National Register of Historic Places.

If you are interested in participating as a consulting party for this project under the Section 106 guidelines, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT 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 project, as stipulated in the Section 106 regulation. We also request that your response include any comments regarding the APE and the three historic properties referenced above.

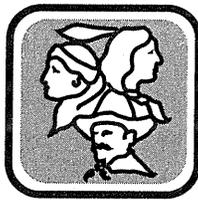
If you require additional information or have any questions about the Section 106 process, please contact Ms. Schoch at (303)512-4258.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Map of Area of Potential Effects
Site forms for 5JF3803, 5JF4322, 5JF4327

cc: Monica Pavlik/Ron Speral, FHWA Colorado Division
Thor Gjelsteen/Kevin Maddoux/Jason Marmor, FHU
Jane Hann, CDOT Region 6
Carol Legard, FHWA Liaison, Advisory Council on Historic Preservation
Georgianna Contiguglia, Colorado SHPO
F/CF/RF



**COLORADO
HISTORICAL
SOCIETY**

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

February 23, 2006

Brad Beckham
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, CO 80222

Re: I-70/32nd Avenue Interchange Environmental Assessment, Determination of Eligibility.
(CHS #47399)

Dear Mr. Beckham,

Thank you for your correspondence dated February 15, 2006 and received by our office on February 16, 2006 regarding the above-mentioned project.

After review of the submitted material, we concur that resources 5JF.3903/Salter Farm and 5JF.4327/Maple Grove Grange No. 154 are eligible for the National Register of Historic Places.

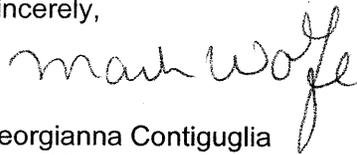
After review of the inventory form for resource 5JF.4322/Novacek's Carnation Nursery, we do not concur that the resource is not eligible due to a loss of setting, as stated in the inventory form. In our opinion, the immediate setting of the property is intact. We recommend that the resource is not eligible for the National Register of Historic Places due to the number of outbuildings built after the period of significance.

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 Coordinator, at (303) 866-4678.

Sincerely,

For 

Georgianna Contiguglia
State Historic Preservation Officer



DEPARTMENT OF PUBLIC WORKS

(303) 235-2861

7500 WEST 29TH AVENUE

WHEAT RIDGE, CO 80033

FAX (303) 235-2857

February 27, 2006

Lisa Schoch
CDOT Senior Staff Historian
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Avenue
Denver, Colorado 80222

Dear Lisa:

The City of Wheat Ridge requests participation as a consulting party for the Section 106 Historic Properties Consultation and Determination of Eligibility for the I-70/32nd Avenue Interchange Environmental Assessment. The City concurs with the Eligibility Determinations found in the February 16, 2006 letter from your offices.

Sincerely,

Timothy Paranto, P.E.
Director of Public Works

XC: Alan White



Th Jefferson

Jefferson County Historical Commission Golden, Colorado

2006 OFFICERS

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March 21, 2006

Ms. Lisa Schoch
CDOT Senior Staff Historian
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Ave.
Denver, CO 80222

SUBJECT: Section 106 Historic Properties Consultation and Determinations of Eligibility – I-70/32nd Ave Interchange
EA

Dear Ms. Schoch:

This letter is a response to the February 16, 2006 letter to the Jefferson County Historical Commission (JCHC) (received Feb 21, 2006) requesting participation in National Historic Preservation Act Section 106 compliance for the above referenced project.

The JCHC has not identified any historic buildings, districts, sites, objects, or archaeological sites of significance other than those listed in the February 16, 2006 letter within the area of potential effects (APE). In addition, we agree with the determinations of eligibility by FHWA and CDOT of the three properties reported within the APE: Salter Farm (5JF3803) – eligible, Maple Grove Grange (5JF4327) – eligible, and Novacek’s Carnation Nursery (5JF4322) – not eligible.

Thank you for the opportunity to comment. The JCHC is interested in continued participation as a consulting party for this project under Section 106 and the National Environmental Policy Act (NEPA). The JCHC has a demonstrated interest as the commission providing support to the Jefferson County Commissioners and Planning and Zoning Department on historic preservation issues. Please continue to provide updates on the project to:

Duncan McCollum
Jefferson County Historical Commission
Archives and Management
100 Jefferson County Parkway, Suite 1500
Golden, CO 80419

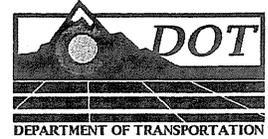
Sincerely,

Lucy Hackett Bambrey
Historic Preservation Committee

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9259
FAX (303) 757-9445



June 8, 2006

Mr. Duncan McCollum
Jefferson County Historical Commission
Archives and Management
100 Jefferson County Parkway, Suite 1500
Golden, CO 80419

Subject: Determination of Eligibility & Effects and Notification of Section 4(f) *De Minimis*
Finding, I-70/32nd Avenue Interchange Environmental Assessment

Dear Mr. McCollum:

This letter and the attached survey report and site forms constitute a request for comment on eligibility and effect determinations for the project referenced above. The undertaking proposes improvements to the Interstate 70/32nd Avenue interchange and adjacent roadways/intersections, as well as improvements to State Highway 58 from I-70 to McIntyre Street. The EA is sponsored by the City of Wheat Ridge and is being completed in coordination with the Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA). The intensive-level cultural resources inventory was completed on behalf of CDOT by Felsburg Holt & Ullevig. We have also included a notification of Section 4(f) *de minimis*, which is described in more detail below.

PREVIOUS SECTION 106 CONSULTATION

We previously consulted with your office regarding the Area of Potential Effects (APE) and eligibility determinations for three properties within the APE: the Salter Farm (5JF3803), the Maple Grove Grange (5JF4327), and Novacek's Carnation Nursery (5JF4322). In correspondence dated March 21, 2006, you agreed with our findings that the Salter Farm and Maple Grove Grange are *eligible* for inclusion on the NRHP, and that Novacek's Carnation Nursery is *not eligible*.

ELIGIBILITY DETERMINATIONS

At this time, we request your comments on the eligibility determinations for 14 properties identified within the APE, which are listed in the following table. Please refer to the inventory report and site forms for more detailed information regarding each of these resources. Note that we have inserted an errata sheet for the survey report.

Site Number	Address/Name	Property Type	NRHP eligibility
5JF4323	2665 Youngfield Street	Dwelling	Not Eligible
5JF4324	2675 Youngfield Street	Dwelling converted to commercial use	Not Eligible
5JF4325	2680 Youngfield Street	Commercial building	Not Eligible
5JF4326	2800 Youngfield Street	Farm w/house and barn	Eligible
5JF4328	12500 W. 32 nd Avenue/ Truelson farmhouse	Dwelling/ farmhouse	Eligible
5JF4329	13050 W. 32 nd Avenue	Dwelling (possibly a former farmhouse)	Not Eligible

Site Number	Address/Name	Property Type	NRHP eligibility
5JF4330	4160 Youngfield Street	Dwelling	Not Eligible
5JF4332	14795 W. 44 th Avenue	Dwelling converted to commercial use	Not Eligible
5JF4333	4405 Holman Street	Dwelling	Not Eligible
5JF4334	4405 Gladiola Street	Dwelling	Not Eligible
5JF532.4	Rocky Mountain Ditch segment	Irrigation ditch	Not Eligible
5JF2230.3	Swadley Ditch segment	Irrigation ditch	Not Eligible
5JF2229.2	Slough Ditch	Irrigation ditch	Not Eligible
5JF4362.1	Reno-Juchem Ditch	Irrigation ditch	Not Eligible

In addition to the previously discussed Salter Farm and Maple Grove Grange, two properties are assessed as *eligible* for the NRHP:

5JF4326, 2800 Youngfield Street: This 5.7-acre agricultural property on the east side of Youngfield Street, which may be the remnant of a larger farm, contains a wood frame Folk Victorian farmhouse built in 1889, a historic gabled wood frame barn, other small outbuildings, and pasture land. It is one of the few remaining early farms in the Applewood area, which, from the 1870s to the 1950s, was well known as a fertile agricultural area producing a wide variety of crops. It retains a cluster of agricultural buildings and pasture that convey its association with this historically significant pattern of events that once formed the basis of the local economy. For these reasons, FHWA and CDOT have determined that the property qualifies for inclusion on the NRHP under Criterion A.

5JF4328, 12500 W. 32nd Avenue - Truelson Farmhouse: Built in 1899 on what is now the south side of W. 32nd Avenue, the Truelson Farmhouse is a very well-preserved example of Late Victorian brick domestic architecture, and exhibits many character-defining traits of the style including Tuscan porch columns, pediment and dentils, patterned wood shingles applied to the gables, carved sandstone trim, an elaborate gabled dormer, and steeply pitched roof. FHWA and CDOT have determined that this property is *eligible* under National Register Criterion C as an excellent local example of this architectural style, as well as under Criterion A for its association with agriculture in Jefferson County.

The remaining 12 properties listed above lack sufficient significance and/or integrity to qualify for inclusion on the NRHP. Please see the individual site forms for these properties for more information.

EFFECTS DETERMINATION

Four properties meeting the eligibility criteria for listing on the NRHP have been identified within the APE for the I-70/32nd Avenue Interchange project (two as listed in this letter and two from our earlier submittal). The proposed project's effect upon each of these properties was assessed using the Advisory Council on Historic Preservation's "Criteria of Adverse Effect," as detailed in 36 CFR 800.5. The results of this analysis are detailed below.

Salter Farm (5JF3803): The Salter Farm site, located at 3475 Youngfield Service Road, is a nearly rectangular property encompassing approximately 2.535 acres (see Figure 1). The site boundary is defined on the north and east by the legal limit of the historic parcel, on the south by the property line separating the lot from a La Quinta Hotel, and on the west by the west edge of Feature 4 (see site form), the westernmost extant historic outbuilding. The site is a remnant of the original farm, which was reduced in size on the east by construction of I-70 and Youngfield Service Road, and on the west by grading and excavation associated with ongoing land development and gravel pit reclamation activities.

The proposed action for this project involves the construction of a portion of Cabela Drive, a four-lane divided roadway, with a north-south alignment directly behind and along the west edge of the Salter Farm. The road will consist of four lanes (two 12-ft lanes in both directions), a 14-ft painted median separating the lanes, a 10-ft pedestrian/bicycle sidewalk on the west, and an 8-ft pedestrian sidewalk on the east side. The design of Cabela Drive was modified to avoid a take of property from the Salter farm by attaching the 8-ft sidewalk directly to the roadway, rather than shifting it to the east as a detached structure. A curving on-ramp from Cabela Drive to southbound I-70 will be constructed a short distance north of the Salter Farm. Although the original design of this ramp was located farther south and required a take of land from the Salter Farm, it was later shifted northward to avoid impacting the historic site. The proposed redesigned ramp now comes close to, but avoids, the northeastern corner of the site. Consequently, no direct impacts will occur to the Salter Farm.

The proposed new roadways (Cabela Drive and the southbound I-70 on-ramp) should not present a visual intrusion to the property that will diminish its significance. The historic setting surrounding the Salter Farm has already been completely transformed from historic agricultural to modern non-agricultural uses. A La Quinta hotel adjoins the farm on the south, Youngfield Service Road and I-70 border the farm's east side, and extensive earth-moving—including past gravel mining and more recent grading and re-contouring—surround the site's west and north sides. Similarly, the property's historic "auditory setting" has been greatly altered by constant traffic carried by nearby I-70. Noise modeling results indicate that the proposed action would increase traffic noise levels at the site by approximately 1 decibel due to the relocated I-70 ramp (vs. the No Action alternative). This is a slight increase that would be imperceptible to the human ear. The changes in visual and auditory setting will not diminish the qualities that make this property architecturally significant. Based on these factors, FHWA and CDOT have determined that the project will result in *no adverse effect* to 5JF3803.

2800 Youngfield Street (5FJF4326): As noted above, this 5.7-acre agricultural property on the east side of Youngfield Street may be the remnant of a larger farm; the site boundary corresponds to the legal limits of the remaining farm parcel (see Figure 2). The site is bordered on the west side by Youngfield Street (with an existing sidewalk), on the north by commercial and residential properties, on the east and south by Chester Portsmouth Park, and on the southwest corner by a commercial property.

Proposed improvements in the vicinity of 5JF4326 are limited to restriping of Youngfield Street west of the site. No changes to the existing sidewalk on the west edge of the site are planned, and there will be no direct impacts to the property. The proposed improvements will not cause significant indirect impacts. Visual changes will be minimal. Youngfield Street is already a major arterial street, and noise modeling results indicate that the proposed action would actually result in a very slight (<1 decibel) decrease in traffic noise levels at the site compared with the No Action alternative. As a result of these factors, FHWA and CDOT have determined that the project will result in a finding of *no historic properties affected* with respect to this property.

Maple Grove Grange (5FJF4327): The NRHP-eligible Maple Grove Grange is located on the west side of Youngfield Street, a short distance south of the existing Youngfield Street/ W. 32nd Avenue intersection. The site occupies a rectangular, approximately 0.9-acre parcel, which includes the grange building surrounded on all sides by a gravel-paved area used for vehicular access and parking (see Figure 3). The building is currently set back approximately 50 ft from the street. The proposed addition of a right turn lane to Youngfield Street as part of the improvement of the existing Youngfield/32nd Avenue intersection will require acquisition of a narrow strip of new right-of-way (ROW) along the east side of Youngfield Street. This ROW acquisition will remove a very small (0.06-acre) strip of land from the

218.5-ft long west edge of the historic property. The new ROW will taper out from the southwest corner of the Grange property to a maximum width of 15.5 ft. This ROW acquisition constitutes less than 7% of the existing size of the site. New curb and gutter with two access openings and a new sidewalk would be constructed, as none of these features currently exist. The new sidewalk would improve pedestrian access to the Grange building. Noise modeling results indicate that the proposed action would not increase noise levels at the site compared with the No Action alternative. CDOT and FHWA have determined that the loss of a small portion of the gravel pavement in front of the building will not diminish the qualities which render the Maple Grove Grange significant, resulting in a determination of *no adverse effect*.

Truelson Farmhouse (5FJF4328): The eligible Truelson Farmhouse occupies a rectangular, approximately 0.548-acre parcel on the south side of W. 32nd Avenue, bordered on the west by Wright Court. The site boundary corresponds to the legal limits of the lot containing the historic farmhouse and barn (see Figure 4). The latter feature is now hidden by a modern superstructure that was recently built over it.

Proposed improvements in the vicinity of the Truelson farmhouse are limited to widening of the north side of W. 32nd Avenue beginning approximately 60 ft east of the historic property, to accommodate a proposed new right turn lane at the W. 32nd Avenue/Youngfield Street intersection. Acquisition of additional ROW will be required only from the north side of W. 32nd Avenue, and there will be no direct impacts to the Truelson property. The proposed improvements will cause no significant indirect impacts, since the site is completely surrounded by modern residential and commercial development and thus has already lost its historic agricultural setting. West 32nd Avenue is a major local transportation route, providing access to the Applewood Shopping Center as well as Youngfield Street and the I-70/W. 32nd Avenue interchange. Noise modeling results indicate that future noise levels at this location would be virtually unchanged from existing conditions (an imperceptible 1 decibel difference). Both the No Action and proposed action noise levels in the vicinity of this property would equal the threshold for noise mitigation consideration as outlined in the CDOT noise guidelines, but the proposed action would not result in any change in traffic noise levels at the site compared with the No Action alternative. On the basis of the above, FHWA and CDOT have determined that the project will result in a finding of *no historic properties affected* for 5JF4328.

SECTION 4(F) AND *DE MINIMIS*

Background

In addition to Section 106 of the National Historic Preservation Act (NHPA), FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Until recently Section 4(f) required that any time a proposed federally-approved or federally-funded highway project would result in any “use” of land designated as a Section 4(f) resource, which includes listed or eligible historic properties under the NHPA, FHWA must perform an evaluation (“Avoidance Analysis”) to determine whether there is a “feasible and prudent” alternative that would avoid the Section 4(f) resource.¹

¹ As currently codified, the pertinent language of Section 4(f) reads as follows:

[T]he Secretary shall not approve any program or project . . . which requires the use of any . . . land from an historic site of national, State, or local significance as so determined by such officials unless

- (1) there is no feasible and prudent alternative to the use of such land, and
- (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

With regard to this project, FHWA has determined that the impact to the Salter Farm (5JF3803) and the Maple Grove Grange (5JF4327), while causing *no adverse effect* for purposes of the NHPA, may nonetheless be “a use” for purposes of Section 4(f).

However, Congress recently 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 relevant SHPO.

More specifically, with regard to Section 4(f) resources that are historic properties (like those that would be affected by the proposed CDOT undertaking), Section 6009(a)(1) of SAFETEA-LU adds the following language to Section 4(f):²

(b) De Minimis Impacts. --

(1) REQUIREMENTS.--

(A) REQUIREMENTS FOR HISTORIC SITES.--The requirements of this section shall be considered to be satisfied with respect to an area described in paragraph (2) if the Secretary determines, in accordance with this subsection, that a transportation program or project will have a de minimis impact on the area.

(C) CRITERIA.--In making any determination under this subsection, the Secretary shall consider to be part of a transportation program or project any avoidance, minimization, mitigation, or enhancement measures that are required to be implemented as a condition of approval of the transportation program or project.

(2) HISTORIC SITES.--With respect to historic sites, the Secretary may make a finding of de minimis impact only if--

(A) the Secretary has determined, in accordance with the consultation process required under section 106 of the National Historic Preservation Act (16 U.S.C. 470f), that--

(i) the transportation program or project will have no adverse effect on the historic site; or

23 U.S.C. § 138; 49 U.S.C. § 303 (c). This analysis would usually be required under what is referred to as the first prong of Section 4(f). A de minimis determination does not relieve FHWA of its responsibility under the second prong to “minimize harm” to the historic sites.

² This provision will be codified as 23 U.S.C. § 138(b). Section 6009(a)(2) of SAFETEA-LU adds identical language at 49 U.S.C. § 303(d).

(ii) there will be no historic properties affected by the transportation program or project;

(B) the finding of the Secretary has received written concurrence from the applicable State historic preservation officer or tribal historic preservation officer (and from the Advisory Council on Historic Preservation if the Council is participating in the consultation process); and

(C) the finding of the Secretary has been developed in consultation with parties consulting as part of the process referred to in subparagraph (A).

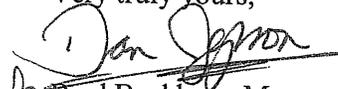
On December 13, 2005, FHWA issued its "Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources" which indicates that a finding of de minimis can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of 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 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 to the Jefferson County Historical Commission with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per Section 6009(b)(2)(C).

Notification of *De Minimis* Finding

The project has been determined to have *no adverse effect* on properties 5JF3803 and 5JF4327, as indicated above. As part of the Section 106 consultation process, the State Historic Preservation Officer (SHPO) was also afforded the opportunity to concur on eligibility and effects determinations in correspondence dated May 24, 2006. We have also notified the SHPO of the *de minimis* finding. This Section 106 request and Section 4(f) *de minimis* notification was also sent to the City of Wheat Ridge for review.

As a local historic commission with a potential interest in these historic resources, we welcome your comments regarding the Section 106 determinations and the Section 4(f) *de minimis* finding outlined in this letter. Should you elect to respond, we request that you do so within 30 days of receipt of this letter. If you have questions or require additional information, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosures: Figures 1 – 4
 Cultural Resources Survey Report
 Inventory forms for 14 historic properties

cc: Jane Hann, CDOT Region 6
 File/CF/RF

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6

2000 South Holly Street
Denver, Colorado 80222
(303) 757-9397
(303) 757-9073 FAX



July 25, 2006

Mr. Ross Williams
City of Lakewood
Department of Community Resources
Parks and Recreation
480 South Allison Parkway
Lakewood, Colorado 80225

Subject: Chester Portsmouth Park, I-70/32nd Avenue Interchange Environmental
Assessment: Informing the City of Lakewood of FHWA's intent to make a
Section 4(f) *de minimis* determination

Dear Mr. Williams:

The Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT) are preparing an Environmental Assessment (EA) for proposed improvements to the Interstate 70 (I-70)/32nd Avenue interchange. The proposed improvements include the construction of off-set hook ramps at the I-70/32nd Avenue interchange with the westbound hook ramps located north of 32nd Avenue at approximately 38th Avenue and the eastbound hook ramps located at Youngfield Street and 27th Avenue. Chester Portsmouth Park is located on the east side of Youngfield Street north of 27th Avenue.

The proposed reconfiguration of the intersection at Youngfield Street and 27th Avenue would require the acquisition of approximately 0.006 acre from the southwestern corner of Chester Portsmouth Park (see attached figure). This right-of-way acquisition is limited to curb/gutter and sidewalk improvements. As a result of this "use" of the park, FHWA regulations require a Section 4(f) Evaluation be conducted as part of the EA. An exception to this rule is when the impact to the resource is considered minimal or trivial. The purpose of this document is to inform the City of Lakewood of FHWA's intent to make a Section 4(f) *de minimis* determination concerning the right-of-way acquisition and curb/gutter and sidewalk improvements at Chester Portsmouth Park.

Section 4(f) of the United States Department of Transportation Act of 1966 (the "Act") prevents FHWA from approving projects that require the use of public parks, recreation areas, wildlife refuges or lands of historic significance, unless there is no feasible or prudent alternative to the use of that land. Land included under Section 4(f) is defined as publicly owned, recreation areas of significance. The Chester Portsmouth Park would be considered a Section 4(f) property and the right-of-way acquisition would be considered a transportation use. These findings would require a Section 4(f) Evaluation to analyze the impacts of the transportation use. In this case, however, the impact to the park will not be adverse. This includes consideration of

impact avoidance, minimization, and mitigation or enhancement measures. The park's recreational features and attributes will be fully restored once the project is complete. Therefore, it is FHWA's intent to make a determination that the impacts to the Chester Portsmouth Park will be *de minimis*. This determination will satisfy the Section 4(f) requirements for this project.

Please sign this document at your earliest convenience to acknowledge that the City of Lakewood, as the official with jurisdiction over the Chester Portsmouth Park, has been informed of FHWA's intent to make a *de minimis* determination. This signed acknowledgement is an element that FHWA requires before it can make such a determination. Please return the letter in the enclosed envelope by August 7, 2006.

Thank you in advance for your prompt attention to this matter. If you need further assistance, please contact me at (303) 757-9397.

City of Lakewood

Date

Sincerely,



Jane Hann
Environmental Manager
Colorado Department of Transportation, Region 6

Enclosure

cc: Monica Pavlik, FHWA
Ed Martinez, CDOT
David Singer, CDOT
Tim Paranto, City of Wheat Ridge
Project file

YOUNGFIELD STREET

CHESTER
PORTSMOUTH
PARK

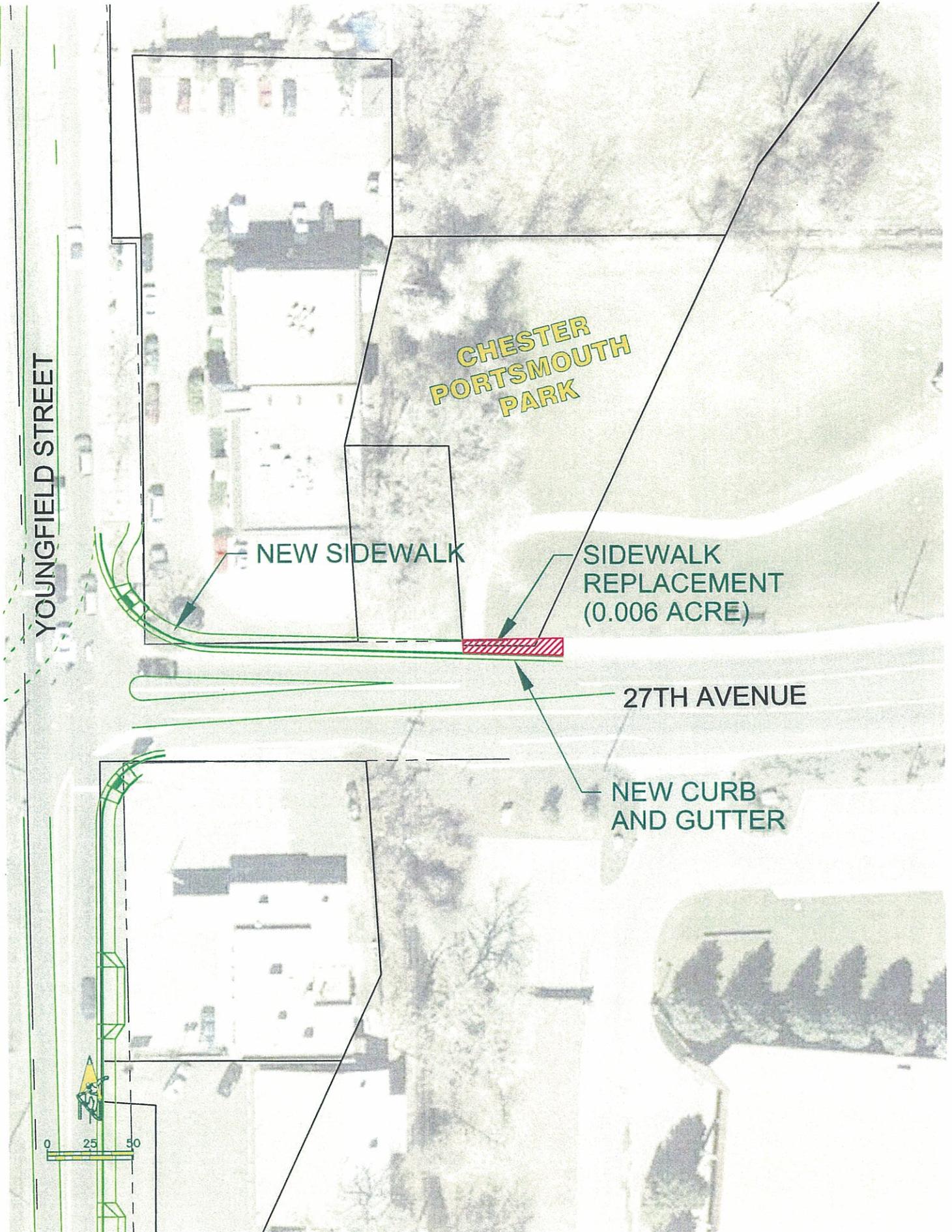
NEW SIDEWALK

SIDEWALK
REPLACEMENT
(0.006 ACRE)

27TH AVENUE

NEW CURB
AND GUTTER

0 25 50





Board of County
Commissioners

Jim Congrove
District No. 1

J. Kevin McCasky
District No. 2

Dave Auburn
District No. 3

July 27, 2006

Mr. Neil Jaquet
Director
Water Resources and Real Estate
Coors Brewing Company
P.O. Box 4030
CC370
Golden, CO 80401-0030

Subject: Notice of Intent to Grant Street Dedications/Clear Creek Trail

Dear Neil:

Thank you for your letter of June 26, 2006 regarding the above noted topic. We really appreciate our cooperative relationship and the solution to minimize trail and road traffic conflicts with the Clear Creek Trail relocations. As you referenced in your letter, paragraph 8(b) of the 1992 Easement Agreement provides that Coors will give the County prior notice if it intends to grant another party a use or property right in the trail property. Any such grant "shall not materially interfere with the rights of the County."

In terms of the first location you describe, where the trail would be grade separated by an underpass under Cabela Drive, County staff agrees that in concept the grant for Cabela Drive will not materially interfere with our trail easement. If, in this first location, the trail must be moved out of its alignment (other than dropping it down beneath Cabela Drive) the Easement Agreement will need to be amended with the new legal description for this trail segment.

In terms of the second location you describe, which consists of realigning a trail segment and crossing beneath a portion of the railroad spur on Coors' property, County staff finds that the proposed trail relocation is acceptable. It will be necessary to amend the Easement Agreement with the new legal description for this realigned trail segment.

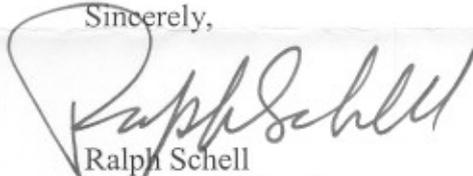
Please note that the conceptual findings of County staff expressed in this letter do not bind the County and note that any amendment to the Easement Agreement requires Board of County Commissioners' approval. Once the timing is appropriate, we will work with you and the County Commissioners to process any necessary amendments to the Easement Agreement.



It is our understanding that Wheat Ridge/Cabela's/Coors has asked that these two trail relocations be considered as a Section 4(f) de minimis finding in the I-70/32nd Avenue Environmental Assessment. Please let us know if FHWA will need a formal letter from the County that consents to the de minimis finding.

We look forward to working with you in the design and review process of these relocations. If you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ralph Schell". The signature is written in a cursive style and is enclosed within a hand-drawn, irregular oval shape.

Ralph Schell
Director of Open Space

RS/rj

cc: Joy Lucisano, Manager of Acquisitions
Amy Ito, Manager of Planning & Development
Steve Snyder, Assistant County Attorney
Kate Newman, Special Projects Coordinator



08-09-06A09:08 RCVD

City of Lakewood**Department of Community Resources**

480 South Allison Parkway

Civic Center South

Lakewood, Colorado 80226-3127

(303) 987-7800 Fax (303) 987-7821

TDD (303) 987-7599

August 3, 2006

Jane Hann, Environmental Manager
Colorado Department of Transportation, Region 6
2000 South Holly Street
Denver, Colorado 80222

Dear Ms. Hann,

I am in receipt of your proposed 4(f) acknowledgement letter regarding Chester-Portsmouth Park. The City of Lakewood is owner of Chester-Portsmouth Park located at 12555 W. 27th Avenue. There are two items that have not been addressed or discussed in your letter.

The first item is that the exhibit does not accurately show the park property or your project's impact on it. I have attached a map showing the correct property lines. The second item is the City's ownership of the Park has limitations. The City received ownership of the park parcel by way of a Commissioners Deed from Jefferson County. The deed states "if the (City)shall use said property for any purpose other than public open space, park and recreational purposes, said property shall revert to the (County)". Although the impact on the park is small, it could affect our ownership of the site.

The City of Lakewood does not believe the proposed transportation improvements will have a significant physical impact on Chester-Portsmouth Park. The City does however, believe the record of this determination should be correct and address the non-physical impact on the property.

If you have further questions, please feel free to contact me.

Sincerely,

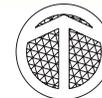
Ross Williams, ASLA, CPRP
Facilities Planner

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\PROJECTS\CHESTERP\CDOT 4(f) response.doc
pc: Bruce Peoples, Manager of Planning and Construction

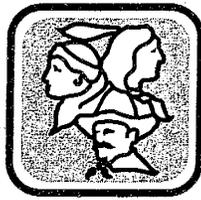
Alternative formats of this document available upon request.



City of Lakewood
Chester-Portsmouth Park



North



**COLORADO
HISTORICAL
SOCIETY**

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

September 21, 2006

Brad Beckham
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, CO 80222

Re: I-70/32nd Avenue Interchange Environmental Assessment, Determination of Eligibility.
(CHS #47399)

Dear Mr. Beckham,

Thank you for your additional information correspondence dated September 8, 2006 and received by our office on September 11, 2006 regarding the above-mentioned project.

After review of the information provided, we concur that the resources listed below are not eligible for the National Register of Historic Places.

- 5JF.4323/2665 Youngfield Street
- 5JF.4324/2675 Youngfield Street
- 5JF.4325/2680 Youngfield Street
- 5JF.4330/4160 Youngfield Street
- 5JF.4362/Reno-Juchem Ditch. The Management Data Form and Linear Component Form make the justification that the entire linear resource is not eligible. In our opinion, no point number should be assigned to the survey forms since ultimately the evaluation is to the entire linear resource and not for a segment.

We also concur that the surveyed segment (5JF.532.4/Rocky Mountain Ditch) does not support the overall eligibility of the entire linear resource.

After review of the finding of effects, we concur with the proposed findings of effect for the above-listed resources.

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 Coordinator, at (303) 866-4678.

Sincerely,

for
Maiah Wolfe

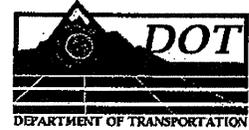
Georgianna Contiguglia
State Historic Preservation Officer

15214

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9259



September 26, 2006

Mr. David A. Nicol, PE
Division Administrator
FHWA - Colorado Division
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228

SUBJECT: Finding of Section 4(f) *De Minimis* Impact, Interstate 70/32nd Avenue Interchange
Environmental Assessment

Dear Mr. Nicol:

This letter and attached materials constitute a request for review and concurrence on a finding of *de minimis* impact for the project referenced above, which involves improvements to the Interstate 70/32nd Avenue interchange and adjacent roadways/intersections, as well as improvements to State Highway 58 from I-70 to McIntyre Street. The Maple Grove Grange (5JF4327) is within the project area and is eligible to the National Register of Historic Places under Criterion A for its role in the social organization and support of the local agricultural community. Under Criterion C, it is an unmodified example of mid-20th Century grange/meeting hall architecture in Colorado.

Project Effects

The NRHP-eligible Maple Grove Grange is located on the west side of Youngfield Street, a short distance south of the existing Youngfield Street/W. 32nd Avenue intersection. The site occupies a rectangular, approximately 0.9-acre parcel, which includes the grange building surrounded on all sides by a gravel-paved area used for vehicular access and parking (see Figure 3). The building is currently set back approximately 50 ft from the street. The proposed addition of a right turn lane to Youngfield Street as part of the improvement of the existing intersection will require acquisition of a narrow strip of new right-of-way (ROW) along the east side of Youngfield Street. This ROW acquisition will remove a very small strip of land (0.06-acre) from the 218.5-ft long west edge of the historic property. The new ROW will taper out from the southwest corner of the Grange property to a maximum width of 15.5 ft. This ROW acquisition constitutes less than 7% of the existing size of the site. New curb and gutter with two access openings and a new sidewalk would be constructed, as none of these features currently exist. The new sidewalk would improve pedestrian access to the Grange building. Noise modeling results indicate that the proposed action would not increase noise levels at the site compared with the No Action alternative. CDOT and FHWA determined that the loss of a small portion of the gravel pavement in front of the building will not diminish the qualities which render the Maple Grove Grange significant, resulting in a determination of *no adverse effect*.

Finding of *De Minimis* Impact

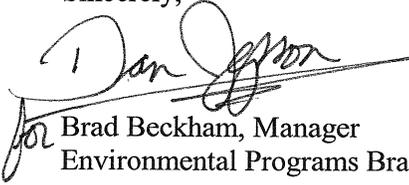
The SHPO concurred with the *no adverse effect* finding for the Maple Grove Grange in correspondence dated June 29, 2006. In correspondence dated June 8, 2006, the City of Wheat Ridge and the Jefferson County Historical Commission were afforded an opportunity to comment on the Section 106 findings and were also notified of the intent to make a *de minimis* finding for this historic resource. We did not receive

a response from either group on these issues within the 30-day review period. Copies of the Section 106 correspondence are attached for your review.

Based on the information presented above and in the attached documentation, the effects of this proposed improvement on 5JF4327 constitute a *de minimis* impact and the requirements of 23 USC 138 and 49 USC 303 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. Please make a copy for your files and return the signed original to CDOT Senior Staff Historian Lisa Schoch at the address above.

Sincerely,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosure:

Section 106 correspondence
Site form for 5JF4327
Figure 3 (effects to 5JF4327)

cc: Jane Hann, CDOT Region 6
File/CF/RF

I concur: _____


David A. Nicol, PE
Administrator, Colorado Division
Federal Highway Administration

9/27/06
(date)

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6

2000 South Holly Street
Denver, Colorado 80222
(303) 757-9397
(303) 757-9907 FAX



December 27, 2006

Mr. Ross Williams
Facilities Planner
City of Lakewood
Department of Community Resources
Parks and Recreation
480 South Allison Parkway
Lakewood, Colorado 80225

Subject: Chester Portsmouth Park, I-70/32nd Avenue Interchange Environmental Assessment: Request for the City of Lakewood's Concurrence that the transportation improvements to the Youngfield Street/27th Avenue intersection will not adversely affect Chester Portsmouth Park

Dear Mr. Williams:

The Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT) have prepared an Environmental Assessment (EA) for proposed improvements to the Interstate 70 (I-70)/32nd Avenue interchange. The proposed improvements include the construction of off-set hook ramps at the I-70/32nd Avenue interchange with the westbound hook ramps located north of 32nd Avenue at approximately 38th Avenue and the eastbound hook ramps located at Youngfield Street and 27th Avenue. Chester Portsmouth Park is located on the east side of Youngfield Street north of 27th Avenue.

It is FHWA's intent to make a determination that the impacts to Chester Portsmouth Park will be *de minimis*. This determination will satisfy the Section 4(f) requirements for the I-70/32nd Avenue interchange project. The purpose of this document is to receive the City of Lakewood Department of Community Resources' concurrence that the right-of-way acquisition and curb/gutter and sidewalk improvements along 27th Avenue at Chester Portsmouth Park will not adversely affect its activities, features and attributes that qualify the property for protection under Section 4(f).

Section 4(f) *de minimis*

Section 4(f) of the United States Department of Transportation Act of 1966 prevents FHWA from approving projects that require the use of public parks, recreation areas, wildlife refuges or lands of historic significance, unless there is no feasible or prudent alternative to the use of that land. Land included under Section 4(f) is defined as publicly owned, recreation areas of significance. Chester Portsmouth Park is considered a Section 4(f) property and the acquisition of right-of-way from it is considered a transportation use. These findings would require a Section 4(f) evaluation to analyze the impacts of the transportation use.

However, Congress has allowed FHWA to use Section 4(f) resources in special cases where the impacts to the Section 4(f) resource are minimal or “trivial”. This applies where the use of a recreation area, including avoidance, minimization, and mitigation and enhancement measures, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). Chester Portsmouth Park is an approximately 13-acre park with green space, a walking path, playground, and parking and supports general recreational activities. In this case, the impacts to the Chester Portsmouth Park will not permanently affect the features, activities, and attributes of the resource. CDOT believes the impact of the right-of-way acquisition and curb/gutter and sidewalk improvements along 27th Avenue are not adverse and that the criteria of a *de minimis* impact have been met. The park’s recreational activities, features, and attributes will be maintained throughout project construction. Upon receiving the City of Lakewood’s concurrence of this finding, it is FHWA’s intent to make a determination that the impacts to Chester Portsmouth Park will be *de minimis*. This determination will satisfy the Section 4(f) requirements for this property.

Public Comment and Review

FHWA utilized the public review period for the I-70/32nd Avenue Interchange EA and public hearing to solicit comments from the public on the effect the project will have on the attributes, features, and activities that occur at Chester Portsmouth Park. Following publication of the I-70/32nd Avenue Interchange EA on October 25, 2006, a 45-day public and agency review period was held. The review period concluded on December 8, 2006, and a public hearing was held on November 9, 2006. Notice of availability of the EA was published in the Denver Post and the Wheat Ridge Transcript on October 25, 2006. Residents and businesses in the neighborhoods surrounding the project area also received a newsletter announcing the availability of the EA and inviting local residents and businesses to the public hearing. The newsletter was sent via a mass mailing to the project area. The mailing boundaries extended from approximately 60th Avenue on the north to 20th Avenue on the south and from McIntyre Street on the west to Kipling Street on the east. Approximately 350 individuals attended the public hearing.

At the public hearing, FHWA solicited comments from the public on the effects the I-70/32nd Avenue Interchange project will have on the attributes, features, and activities that occur on the Chester Portsmouth Park. A board was presented at the open house portion of the public hearing. The board included a figure identifying the impacts to the Chester Portsmouth Park (see **Attachment A**) and notice that FHWA was soliciting comments on the effects this project would have on the attributes, features, and activities that occur at Chester Portsmouth Park. No comments were received with regard to the effects on Chester Portsmouth Park, although several comments were received in relation to traffic impacts along 27th Avenue.

Impacts to Chester Portsmouth Park

As part of the I-70/32nd Avenue interchange improvements, approximately 0.004 acre of Chester Portsmouth Park would be acquired for right-of-way to accommodate new curb/gutter and sidewalk improvements along 27th Avenue and improvements to the Youngfield Street/27th Avenue intersection (see **Attachment A**).

In your August 3, 2006 letter to Jane Hann, Environmental Manager, CDOT Region 6, you requested CDOT address two items not identified in our July 25, 2006 letter to the City of

Lakewood informing the city of FHWA's intent to make a Section 4(f) *de minimis* determination. These two items included the park property's boundary and the city's ownership of the park. Please note that the park boundary on the figure provided in **Attachment A** has been revised to match the park boundary provided in your August 3, 2006 letter.

In addition, Jefferson County has provided clarification on the City of Lakewood's ownership of the park by way of a Commissioners Deed from Jefferson County (see **Attachment B**). In the December 8, 2006 letter from Jefferson County to CDOT regarding the I-70/32nd Avenue Interchange EA, Jefferson County states the following:

The proposed improvements along 27th Avenue will not adversely affect the activities, features, and attributes that quality the property [Chester Portsmouth Park] for protection under Section 4(f). In fact, wider, contiguous sidewalks along 27th Avenue, as proposed, would enhance the safety of pedestrians who may be accessing the park.

The deed of the park [Chester Portsmouth Park] property from the County to the City of Lakewood contains a clause that reverts the property to County ownership if it is used for purposes other than public open space, park and recreational purposes. Once a final design is developed, and a legal description of the required property can be prepared, the County may process a release of the area with improvements so that the City of Lakewood's ownership of the entire property is not affected.

Possible Planning to Avoid, Minimize, Mitigate or Enhance Impacts to the Trail Realignment

In selecting this alternative, the project team has considered impact avoidance, minimization, mitigation, and enhancement measures. The initial impacts to Chester Portsmouth Park required approximately 0.006 acre of right-of-way, as shown in the attachment to CDOT's July 25, 2006 letter. Since July 2006, the design team has been able to minimize the impact to Chester Portsmouth Park and reduce the right-of-way required from approximately 0.006 acre to 0.004 acre. CDOT believes that the impacts caused as a result of the approximately 0.004 acre of Chester Portsmouth Park that would be acquired for right-of-way to accommodate new curb/gutter and sidewalk improvements along 27th Avenue and improvements to the Youngfield Street/27th Avenue intersection will not adversely affect the Chester Portsmouth Park's activities, features, or attributes.

CDOT will offer the City of Lakewood just compensation for the 0.004 acre of right-of-way acquired from the Chester Portsmouth Park in accordance with the Uniform Relocation Act Amendments of 1987 (as amended) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended). The purpose of the Uniform Act is to provide consistent and equitable treatment of all persons displaced from their homes, businesses or farms. These policies have measures intended to treat business owners, property owners, residents, and tenants fairly during the right-of-way acquisition process.

Request for Concurrence

Please sign this document at your earliest convenience. It will serve as the City of Lakewood's concurrence that it finds that the impacts to Chester Portsmouth Park will not adversely affect

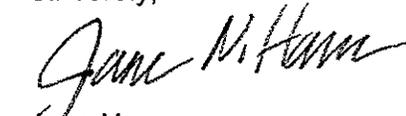
Mr. Ross Williams
Facilities Planner
City of Lakewood Department of Community Resources
December 27, 2006
Page 4 of 7

the activities, features, and attributes that qualify the property for protection under Section 4(f). This signed acknowledgement is a coordination element that is required before FHWA can make a *de minimis* finding. Please return the letter in the enclosed envelope by December 29, 2006. If you have any additional questions, please feel free to contact me at (303) 757-9397. We appreciate your assistance with this project.

Ross Williams
Facilities Planner

Date

Sincerely,



Jane Hann
Environmental Manager
Colorado Department of Transportation, Region 6

Enclosure

cc: Monica Pavlik, FHWA
Ed Martinez, CDOT
Kate Newman, Jefferson County Special Projects Coordinator
Tim Paranto, City of Wheat Ridge
Project file

Attachment A
Chester Portsmouth Park



Attachment B

Jefferson County, 2006. Letter to Ed Martinez, CDOT North Engineering Region 6, from Nanette Neelan, Deputy County Administrator. December 8.



Board of County Commissioners

Jim Congrove
District No. 1
J. Kevin McCasky
District No. 2
Dave Auburn
District No. 3

December 8, 2006

Mr. Ed Martinez
CDOT North Engineering R6
4670 N. Holly Street
Denver, CO 80216

Dear Mr. Martinez:

Thank you for providing Jefferson County with the opportunity to work with the Colorado Department of Transportation (CDOT) throughout the development of the I-70 / 32nd Avenue Environmental Assessment. We appreciate the effort that CDOT staff put forth to thoroughly analyze and develop a plan that addresses the traffic concerns in this area.

We offer the following comments/questions in regards to traffic-related issues identified in the Environmental Assessment:

Timing of the Eastbound I-70 to Westbound Hwy 58 Flyover

The Environmental Assessment states that the ramp will not be in place until approximately 6 to 12 months after the development opens. The County's concern with this timing is that visitors will establish a driving habit of using 32nd Avenue to access the development. Signage plans for Youngfield and 32nd Avenue could be created to ensure that the development's visitors would use the 40th Avenue underpass and protect 32nd Avenue from becoming the development's front door. The County encourages CDOT to include such signage plans in the Environmental Assessment.

From the beginning of this project, the Board of County Commissioners has expressed its desire that all construction improvements be in place prior to the opening of the development. The County's \$10 million pledge towards the missing I-70 / Highway 58 ramps was to help ensure that both ramps be constructed.

27th Avenue hook ramps

Jefferson County believes that once the development opens, new traffic patterns will emerge. These new traffic patterns will require that further independent study and analysis be conducted before the appropriate location and timing can be determined for the eastbound I-70 ramps. The County encourages CDOT to allow more flexibility in its determination that hook ramps at 27th Avenue are necessary prior to the year 2030. At a minimum, the Environmental Assessment should state that a study will be conducted once new traffic patterns emerge.

44th and Holman

Proper mitigation will reduce the impacts to the residents in the area of 44th Avenue and Holman Street. The Environmental Assessment states that these residents will be involved in the development of the final design. We appreciate CDOT's commitment to work with area residents in identifying means of protecting their neighborhood.

Additionally, Jefferson County offers the following comments on other issues identified in the Environmental Assessment:

Realignment of Clear Creek Trail

The proposed re-alignment, including the new tunnel under the rail road tracks and the grade separation of the trail and Cabela Drive, is essential for protecting this public asset. Trail designs must be developed to County standards and all approvals and permits must be obtained through County processes. Also, the existing easement agreement must be amended and a new easement must be dedicated to the County.

Chester Portsmouth Park

The proposed improvements along 27th Avenue will not adversely effect the activities, features, and attributes that qualify the property for protection under Section 4(f). In fact, wider, contiguous sidewalks along 27th Avenue, as proposed, would enhance the safety of pedestrians who may be accessing the park.

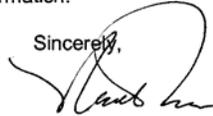
The deed of the park property from the County to the City of Lakewood contains a clause that reverts the property to County ownership if it is used for purposes other than public open space, park and recreational purposes. Once a final design is developed, and a legal description of the required property can be prepared, the County may process a release of the area with improvements so that the City of Lakewood's ownership of the entire property is not effected.

Access to the County's Property

The Table Mountain Animal Center and the County's road maintenance materials yard are located on County-owned property adjacent to the Cabela's site. Access is essential to County operations and to several jurisdictions' animal control operations. As the design and construction phasing plans proceed, CDOT should develop an access plan that will allow continuous, unobstructed access to the site.

We look forward to working with CDOT as this project continues through the final design phase. Please contact me if you need additional information.

Sincerely,



Nanette Neelan
Deputy County Administrator

CC: Board of County Commissioners
Jim Moore, County Administrator
Kate Newman, Special Projects Coordinator
Randy Young, Wheat Ridge City Manager
Monica Pavlik, Federal Highway Administration



City of Lakewood

Department of Community Resources
480 South Allison Parkway
Civic Center South
Lakewood, Colorado 80226-3127
(303) 987-7800 Fax (303) 987-7821
TDD (303) 987-7599

January 10, 2007

Jane Hann, Environmental Manager
Colorado Department of Transportation, Region 6
2000 South Holly Street
Denver, CO 80222

Re: Chester Portsmouth Park, I-70/32nd Avenue Interchange Environmental Assessment

Dear Ms. Hann,

The City of Lakewood, Department of Community Resources has reviewed the information provided regarding the anticipated impact the above transportation project will have on the City of Lakewood's Chester-Portsmouth Park, a Section 4(f) protected property. The City concurs that the physical impact of the transportation improvements will not significantly adversely affect the activities, features, and attributes of Chester-Portsmouth Park.

The concern the City has is a legal property issue related to properties owned for parks and open space purposes by the City. The first concern you have partially addressed with information from Jefferson County. The park was deeded to the City by a Commissioner's Deed, which has the stipulation that if the property is converted from park and open space use it would revert to the County. The County has said that they can release the reverter clause for this portion of the ownership. It is our experience in the past that they will require the reverter to be placed on an equal sized parcel in exchange for the release. Will CDOT provide a parcel for that exchange?

The second concern with the conversion of a piece of property from park and open space use has to do with the City's Charter provision on that subject. The Lakewood City Charter specifically states that **"there shall be no lease or sale of any real property used or held for open space or park purposes without the question of such lease or sale, and the terms and consideration therefore being submitted to a vote of the registered electors of the City at a special or regular municipal election and a favorable vote by a majority of those registered electors voting thereon."** As I understand it now, this leaves only two options for CDOT to acquire this .004 acres of Chester-Portsmouth Park for transportation uses. The first option would be to for CDOT to provide an equal valued and sized parcel acceptable to the City for park and open space uses to exchange for the property being taken. The second would be for the State to uses its power of eminent domain to acquire the parcel. In any case, it will be CDOT's responsibility to cover all the costs of the acquisition including any election costs or other legal costs that the City may incur in making the transaction.

Alternative formats of this document available upon request.

As with the intent of Section 4(f) of the Transportation Act of 1966, the City would prefer the project avoid the taking of any City park property.

If you have any questions, please feel free to contact me.

Sincerely,



Ross E. Williams, ASLA, CPRP
Park Planner

rcw: S:\Planning&Construction Division\Park Planning Section\ROSS\PROJECTS\CHESTER\CDOT 4(f) response 2.doc
pc: Mike Connor, Manager of Property and Purchasing Services
Bruce Peoples, Manager of Planning and Construction

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Region 6

2000 South Holly Street
Denver, Colorado 80222
(303) 757-9397
(303) 757-9907 FAX



January 29, 2007

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
700 Jefferson County Parkway, Suite 100
Golden, Colorado 80401-6018

Post-It® Fax Note	7671	Date	1/29/07	# of pages	24
To	AMY ITO	From	DAVID SINGAR		
Co./Dept.	JEFF CO	Co.	CDOT		
Phone #		Phone #	303-757-9930		
Fax #	303-271-5959	Fax #			

Subject: Recreational Trail Realignment, Proposed New State Highway 58 and Cabela Drive Interchange, Golden, Colorado: Request for Jefferson County's Concurrence that the trail realignment will not adversely affect the Jefferson County Open Space Clear Creek Trail

Dear Mr. Schell:

The Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT) have prepared an Environmental Assessment (EA) for proposed improvements to the Interstate 70 (I-70)/32nd Avenue interchange. The proposed improvements include the construction of a new interchange on State Highway 58 (SH 58) at Cabela Drive, which would impact a section of the Jefferson County Open Space Clear Creek Trail. The Clear Creek Trail is a multi-use, commuter and recreational trail used by pedestrians and bicyclists. The proposed SH 58/Cabela Drive interchange would require realignment of approximately 2,400 linear feet of the trail between Clear Creek and SH 58 on the west side of I-70 (see **Attachment A**). This portion of the Clear Creek Trail is located on Coors Brewing Company property and is maintained by Jefferson County Open Space through a 1992 Easement Agreement between Coors Brewing Company and Jefferson County Open Space.

It is FHWA's intent to make a determination that the impacts to this segment of the Clear Creek Trail will be *de minimis*. This determination will satisfy the Section 4(f) requirements for the I-70/32nd Avenue interchange project. The purpose of this document is to receive Jefferson County Open Space's concurrence that the realignment of a segment of the Clear Creek Trail will not adversely affect its activities, features and attributes that qualify the property for protection under Section 4(f).

Section 4(f) *de minimis*

Section 4(f) of the United States Department of Transportation Act of 1966 prevents FHWA from approving projects that require the use of public parks, recreation areas, wildlife refuges or lands of historic significance, unless there is no feasible or prudent alternative to the use of that land. Land included under Section 4(f) is defined as publicly owned, recreation areas of significance. The Clear Creek Trail is considered a Section 4(f) property and the realignment of a segment of the trail is considered a transportation use. These findings would require a Section 4(f) evaluation to analyze the impacts of the transportation use.

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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However, Congress has allowed FHWA to use Section 4(f) resources in special cases where the impacts to the Section 4(f) resource are minimal or "trivial". This applies where the use of a recreation area, including avoidance, minimization, and mitigation and enhancement measures, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). The Clear Creek Trail begins at the confluence of the South Platte River and Clear Creek near Interstate 25 (I-25) and 74th Avenue in Commerce City and temporarily ends at Washington Street and Clear Creek in Golden. Jefferson County Open Space manages the portion of the trail west of Youngfield Street. The trail is approximately 10 feet in width over its length and is utilized by the public, including pedestrians and bicyclists. In this case, the realignment of this segment of the Clear Creek Trail will not permanently affect the features, activities, and attributes of the resource. CDOT believes the impact of realigning this segment of the trail is not adverse and that the criteria of a *de minimis* impact have been met. The trail's recreational activities, features, and attributes will be maintained throughout project construction. Upon receiving Jefferson County's concurrence of this finding, it is FHWA's intent to make a determination that the impacts to this segment of the Clear Creek Trail will be *de minimis*. This determination will satisfy the Section 4(f) requirements for this property.

Public Comment and Review

FHWA utilized the public review period for the I-70/32nd Avenue Interchange EA and public hearing to solicit comments from the public on the effect the project will have on the attributes, features, and activities that occur on the Jefferson County Open Space Clear Creek Trail. Following publication of the I-70/32nd Avenue Interchange EA on October 25, 2006, a 45-day public and agency review period was held. The review period concluded on December 8, 2006, and a public hearing was held on November 9, 2006. Notice of availability of the EA was published in the Denver Post and the Wheat Ridge Transcript on October 25, 2006. Residents and businesses in the neighborhoods surrounding the project area also received a newsletter announcing the availability of the EA and inviting local residents and businesses to the public hearing. The newsletter was sent via a mass mailing to the project area. The mailing boundaries extended from approximately 60th Avenue on the north to 20th Avenue on the south and from McIntyre Street on the west to Kipling Street on the east. Approximately 350 individuals attended the public hearing.

At the public hearing, FHWA solicited comments from the public on the effects the I-70/32nd Avenue Interchange project will have on the attributes, features, and activities that occur on the Jefferson County Open Space Clear Creek Trail. A board was presented at the open house portion of the public hearing. The board included a figure identifying the impacts to the Jefferson County Open Space Clear Creek Trail (see **Attachment A**) and notice that FHWA was soliciting comments on the effects this project would have on the attributes, features, and activities that occur on the Jefferson County Open Space Clear Creek Trail.

Several comments were received in regard to the effects on the Jefferson County Open Space Clear Creek Trail and are summarized as follows:

- ▶ Buffer the realigned trail segment from the adjacent railroad tracks and SH 58
- ▶ Separate pedestrians and bicyclists on the realigned trail segment

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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- ▶ Length of time the Jefferson County Open Space Clear Creek Trail will be closed during construction

These comments were received at the November 9, 2006 public hearing and during the 45-day agency and public comment period and are included in **Attachment B**.

Impacts to this Clear Creek Trail Segment

As part of the I-70/32nd Avenue interchange improvements, this segment of the Clear Creek Trail will be moved to the south to accommodate the new SH 58/Cabela Drive interchange and will be grade separated with the Coors railroad spur (see **Attachment A**). The proposed realignment of this segment of the Clear Creek Trail is at a conceptual level of engineering design. Jefferson County Open Space will be involved in the final engineering design process.

As part of the final engineering design process and in coordination with Jefferson County Open Space, CDOT will develop landscaping to buffer the trail from the adjacent railroad tracks and SH 58. CDOT does not expect to separate pedestrian and bicyclist traffic along this segment of the trail unless specifically requested to do so by Jefferson County Open Space. The adjacent segments of the trail do not separate pedestrian and bicyclist traffic, and the relocated trail segment will be designed to match the existing trail facilities. If bicycle and pedestrian traffic was separated on the relocated trail segment, there would be over 10 miles of trail without bicycle/pedestrian separated traffic and less than ½ mile of relocated trail with bicycle/pedestrian separated traffic.

The new portion of the trail will be constructed prior to the new SH 58/Cabela Drive interchange. Once construction of the new trail alignment is complete, the new trail segment will be opened for use, and the older trail segment closer to SH 58 will be closed and removed as part of the construction of the new SH 58/Cabela Drive interchange. This phasing of construction will allow this segment of the trail to remain open at all times during project construction.

Possible Planning to Avoid, Minimize, Mitigate or Enhance Impacts to the Trail Realignment

In selecting this alternative, the project team has considered impact avoidance, minimization, mitigation, and enhancement measures. The initial alignment for the relocated trail maintained the existing trail alignment from Clear Creek to the existing railroad grade separation structure and then paralleled the proposed Cabela Drive to the new SH 58/Cabela Drive interchange. Underneath the railroad grade separation structure, the initial trail alignment would have been separated from Cabela Drive by a concrete barrier. A six foot-wide landscaped area would have separated the initial trail alignment along Cabela Drive from the railroad grade separation structure to the new SH 58/Cabela Drive interchange. At the proposed interchange, the relocated trail would have been located along the toe of slope of the interchange structure until tying back in to the existing trail further to the west. In addition, if the parcels owned by the Coors Brewing Company located south of Cabela Drive were to be developed, traffic crossings along the trail would be required or the trail would have to be relocated an additional time.

As parties to the 1992 Easement Agreement, Jefferson County Open Space and Coors Brewing Company have been cooperatively working on the proposed alignment (see **Attachment A**) since presentation of the initial alignment earlier this year. The proposed realignment of this

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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segment of the Clear Creek Trail includes a trail-specific grade separated structure with the railroad and relocates the trail away from Cabela Drive and SH 58 to the southern side of the Coors Brewing Company parcels. CDOT believes that impacts caused as a result of the realignment of this segment of the Clear Creek Trail will not adversely affect its activities, features, or attributes that qualify the property for protection under Section 4(f). The trail will be replaced in accordance with Jefferson County Open Space design requirements with the same characteristics that it has today. Jefferson County Open Space concurs that the realignment of the Jefferson County Open Space Clear Creek Trail will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) pending that the cost of the realignment will not be from a County funding source and that Jefferson County Open Space's 1992 Easement Agreement with Coors will be amended accordingly and to the County's acceptance.

Jefferson County Clear Creek Trail Enhancements

The existing Jefferson County Open Space Clear Creek Trail will be realigned to provide for the new road connection to the new SH 58/Cabela Drive interchange. Approximately 2,400 ft of trail will be relocated and reconstructed. The current alignment of the trail beginning underneath the railroad bridge at SH 58 will be realigned to the south. The realigned segment of the trail will be located further away from SH 58 and Cabela Drive and will be grade separated with the Coors railroad spur (see Attachment A).

Several access improvements and enhancements will be made in addition to the realigned trail segment. The new SH 58/Cabela Drive interchange will provide a new sidewalk along Cabela Drive from 44th Avenue to the Clear Creek Trail. Also, pedestrian access and safety for users accessing the trail from the north side of SH 58 will be improved. Currently, users on 44th Avenue wanting to access the trail must access it from McIntyre Street.

Request for Concurrence

Please sign this document at your earliest convenience. It will serve as Jefferson County's concurrence that it finds that the realignment of the Clear Creek Trail will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f). This signed acknowledgement is a coordination element that is required before FHWA can make a *de minimis* finding. Please return the letter in the enclosed envelope by February 2, 2007. If you have any additional questions, please feel free to contact me at (303) 757-93. We appreciate your assistance with this project.



Ralph Schell
Jefferson County Director of Open Space

1/29/07

Date

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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Sincerely,



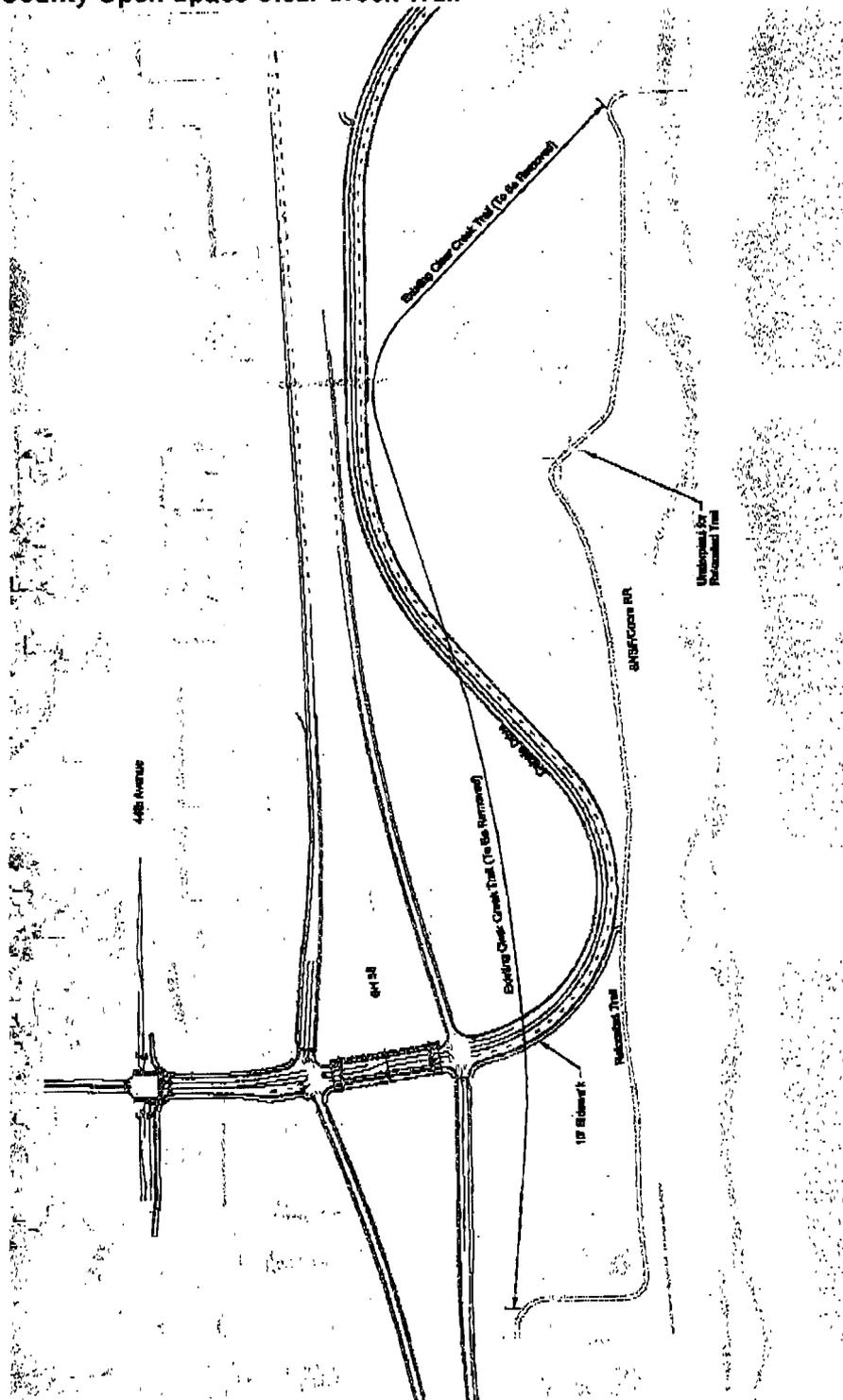
JH Jane Hann
Environmental Manager
Colorado Department of Transportation, Region 6

Enclosure

cc: Monica Pavlik, FHWA
Ed Martinez, CDOT
Kate Newman, Jefferson County Special Projects Coordinator
Tim Paranto, City of Wheat Ridge
Neil Jacquet, Coors Brewing Company
Project file

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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Attachment A
Jefferson County Open Space Clear Creek Trail



Mr. Ralph Schell
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January 29, 2007
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**Attachment B
Public Comments Received**

**I-70 / 32nd Avenue Interchange Environmental Assessment
PUBLIC HEARING COMMENT FORM
November 9, 2006**

Wheat Ridge Recreational Center
4005 Kipling Street
Wheat Ridge, CO

November 9, 2006
4:00 - 8:00 p.m.

Public Hearing Comment Form

Thank you for attending the I-70/32nd Avenue Interchange Project Environmental Assessment (EA) Public Hearing. Your comments are important to aid in making the best decision for transportation improvements in the project area. They will be combined with others, addressed in the decision document, and used by FHWA and CDOT in deciding the appropriate course of action to follow. Please use this form to record your comments and either submit them in the comment boxes provided tonight or mail it to one of the addresses below prior to December 8, 2006.

Submit your comment at the November 9, 2006 Public Hearing or mail to the address below - comments must be received by December 8, 2006.

Monica Pavlik
Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228
Fax: (720) 963-3001

Ed Martinez
Colorado Department of Transportation, Region 6
4670 N. Holly Street
Denver, CO 80216
Fax: (303) 398-6781

COMMENT:

*At present I can go north off of
32nd to the animal shelter and access the
Clear Creek trail on my bike - what access
to the C-C trail will be available ~~along~~ ^{during} & ^{during}
after all the work is done?
How long will the trail between your field
and MC Judge be closed - if at all?*

Name: Brent Lane
Address: 2183 Creighton Pl. Golden 80401
Street City Zip Code
Phone: 303-279-1852 Email: _____
Date: 11-9-06

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**I-70 / 32nd Avenue Interchange Environmental Assessment
 PUBLIC HEARING COMMENT FORM**

November 9, 2006

Wheat Ridge Recreational Center
 4005 Kipling Street
 Wheat Ridge, CO

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Monica Pavlik
 Federal Highway Administration, Colorado Division
 12300 West Dakota Avenue, Suite 180
 Lakewood, CO 80228
 Fax: (720) 963-3001

Ed Martinez
 Colorado Department of Transportation, Region 6
 4670 N. Holly Street
 Denver, CO 80216
 Fax: (303) 388-6781

COMMENT: The portion of the Clear Creek Trail that is being
realigned needs to be buffered from exposure to SH 58 and/or the
BN SE railroad tracks. This buffering could take the form of
landscaping - trees, natural grasses and other native vegetation,
man made screening in appropriate locations. This screening
would serve as both a visual and audio barrier to the
railroad and the highway. The trail transition from both
the east and the west into a fairly exposed area in the area of
the proposed realignment. Every effort should be made
to lessen the impacts of this transition. The possibility of
4 F impacts exist in this location as well. Riparian habitat in
Colorado is rare enough; it should be embraced as the
natural resource it is.

Name: Mike Hanson
 Address: 16450 W. 63rd Pl. Golden 80403
 Street City Zip Code
 Phone: 303-384-9415 Email: mihanson@earthlink.net
 Date: 11-9-06

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I-70 / 32nd Avenue Interchange Environmental Assessment
PUBLIC HEARING COMMENT FORM
November 9, 2006

Wheat Ridge Recreational Center
4005 Kipling Street
Wheat Ridge, CO

November 9, 2006
4:00 - 8:00 p.m.

Public Hearing Comment Form

Thank you for attending the I-70/32nd Avenue Interchange Project Environmental Assessment (EA) Public Hearing. Your comments are important to aid in making the best decision for transportation improvements in the project area. They will be combined with others, addressed in the decision document, and used by FHWA and CDOT in deciding the appropriate course of action to follow. Please use this form to record your comments and either submit them in the comment boxes provided tonight or mail it to one of the addresses below prior to December 8, 2006.

Submit your comment at the November 9, 2006 Public Hearing or mail to the address below - comments must be received by December 8, 2006.

Monica Pavlik
Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228
Fax: (720) 983-3001

Ed Martinez
Colorado Department of Transportation, Region 8
4670 N. Holly Street
Denver, CO 80218
Fax: (303) 398-6781

COMMENT:

- 1) Thank you for incorporating many suggestions. I appreciated the new pedestrian plans - under I-70 on 32nd + new ADA pedestrian bridge ~~over~~ I-70 below 2nd st. Turn lane @ eastbound I 70/ Ward Road exit.
- 2) Please remember that east of Allie's and south of 32nd is RESIDENTIAL. I have neighbors age 3-90 on my block. Please do everything possible to avoid added traffic in this area.
- 3) I am still concerned about noise when the noise ~~walls~~ ^{walls} were added on I-70 ^(over)

Name: Sara Alt

Address: 13166 W. 30th Dr Golden 80401
Street City Zip Code

Phone: 303-378-9407 Email: sallyshep34bun3@att.net

Date: 11/9/07

Mr. Ralph Schell
 Director of Open Space
 Jefferson County Open Space
 January 29, 2007
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I-70 / 32nd Avenue Interchange Environmental Assessment
PUBLIC HEARING COMMENT FORM

November 9, 2006

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How To Comment

You may provide comments on the I-70/32nd Avenue Interchange Environmental Assessment in the following ways:

- ▶ Fill out this comment sheet and place it into a comment box at the November 9, 2006 I-70/32nd Avenue Interchange Environmental Assessment Public Hearing.
- ▶ Speak directly to the court reporter at the I-70/32nd Avenue Interchange Environmental Assessment Public Hearing, who will record your comments.
- ▶ State your comment during the microphone session following the 7 pm presentation at the I-70/32nd Avenue Interchange Environmental Assessment Public Hearing. A court reporter will be present to record the microphone session.
- ▶ Complete a comment sheet and mail your comment sheet to either the Federal Highway Administration (FHWA) or the Colorado Department of Transportation (CDOT) address below.

Monica Pavlik
 Federal Highway Administration
 Colorado Division
 12300 West Dakota Avenue, Suite 180
 Lakewood, CO 80228

Fax: (720) 963-3001

Ed Martinez
 Colorado Department of Transportation
 Region 6
 4670 N. Holly Street
 Denver, CO 80216

Fax: (303) 398-6781

- ▶ Send your comments via facsimile to the attention of Monica Pavlik, FHWA at (720) 963-3001 or to the attention of Ed Martinez, CDOT at (303) 398-6781.
- ▶ Submit your comments via the I-70/32nd Avenue Environmental Assessment project website at www.CabWheatRidge.com.

All comments must be received by Friday, December 8, 2006 (end of the 45-day public comment period).

it got quieter ^{now} in my backyard, but
 much noisier in my upstairs
 bedrooms. Please consider folks
 with children and 2-story homes
 in your plans. Thank you!
 47) If possible, please separate walkers
 and bikes on Cedar Creek trail.

Mr. Ralph Schell
Director of Open Space
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I-70 / 32nd Avenue Interchange Environmental Assessment
PUBLIC HEARING COMMENT FORM
November 9, 2006

Wheat Ridge Recreational Center
4005 Kipling Street
Wheat Ridge, CO

November 9, 2006
4:00 - 8:00 p.m.

Public Hearing Comment Form

Thank you for attending the I-70/32nd Avenue Interchange Project Environmental Assessment (EA) Public Hearing. Your comments are important to aid in making the best decision for transportation improvements in the project area. They will be combined with others, addressed in the decision document, and used by FHWA and CDOT in deciding the appropriate course of action to follow. Please use this form to record your comments and either submit them in the comment boxes provided tonight or mail it to one of the addresses below prior to December 8, 2006.

Submit your comment at the November 9, 2006 Public Hearing or mail to the address below - comments must be received by December 8, 2006.

Monica Pavlik
Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228
Fax: (720) 963-3001

Ed Martinez
Colorado Department of Transportation, Region 6
4670 N. Holly Street
Denver, CO 80218
Fax: (303) 398-6781

COMMENT: *With respect to the Clear Creek trail relocation, I very much appreciate your plan to retain the current trail in place during construction of the relocated portion. That portion of the trail sees a great deal of use and disruption would force a lot of recreational traffic onto 32nd Ave or 34th Ave with attendant safety concerns. If handled correctly, the new trail portion will be connected to the existing trail with a seamless transition accomplished by merely removing a temporary barrier. All of the trail users will appreciate your thoughtful approach to what is obviously a major part of the total construction/reconstruction effort.*

Name: HUGH ZEINER
Address: 13373 W. 24TH PLACE GOLDEN CO 80401
Street City Zip Code
Phone: 303-279-3112 Email: hzeiner@central.com
Date: 11/14/06

Mr. Ralph Schell
Director of Open Space
Jefferson County Open Space
January 29, 2007
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Comment received via the website. Date: 11/10/06 20:34

Hello,

I would like to start by saying that in general, I am very much in favor of the Cabela's project but I do have a few concerns.

First of all, if the I-70 eastbound ramp at 38th Ave is eliminated and the ramps at 27th Ave are now not going to be built until 2030, how will we access I-70 eastbound? Will we have to go all the way to Ward Road or Highway 58?

Next I would like to talk about the Clear Creek Trail. I hope that you are planning on constructing and opening the new replacement trail before you close off the existing one. I am a distance runner and use that stretch of trail daily. It would be very frustrating if it were closed for an extended amount of time. Also, I am assuming that where Cabela Dr. crosses the trail that it would have an underpass for the trail and we would not have to wait at an intersection. Finally, I would like to ask that you include a shoulder of crusher fines along the trail. If you observe these trails you find that the bikes stay on the concrete and the runners and walkers stay on the dirt shoulder to reduce stress on their knees.

I was also confused about the time frame for the new Highway 58 ramps to and from I-70. Which one was supposed to be finished before the development opens and which one was to be finished within a year of opening?

Thank you for your help in answering these questions.

Sincerely,

Dave Echter

6.0 ENVIRONMENTAL ASSESSMENT COMMENTS AND RESPONSES

Following publication of the EA on October 25, 2006, the 45-day public and agency review period began. The review period concluded on December 8, 2006. A public hearing was held on November 9, 2006. Documentation related to notification of the public hearing is included in **Appendix A November 9, 2006 Public Hearing Documentation**. 354 people signed in at the hearing.

At the public hearing, 66 written comments were submitted on the public hearing comment form. 23 comments were submitted directly to two court reporters, and 34 verbal comments were submitted during the microphone session. Transcripts from the two court reports accepting verbal comments and the microphone session are included in **Appendix B November 9, 2006 Public Hearing Transcript**.

Comments were also submitted via the project website at www.CabWheatRidge.com and via facsimile or letter to Monica Pavlik, FHWA, or Ed Martinez, CDOT. Forty comments were submitted via the project website, and 69 letters and facsimiles were submitted directly to FHWA or CDOT. Several sets of comments were submitted at the public hearing, as well as directly to FHWA or CDOT or via the project website. Copies of all comments received and responses to those comments are included in **Appendix C Public Comments Received During the Review Period**.

Two comments were received from local, state, and federal agencies. Copies of the agency comments received are included in **Appendix D Agency Comments Received During the Review Period**.

Approximately 25 percent of the comments were in support of the project. Several comments were in support of the project but also had concerns related to project timing, bicycle/pedestrian mobility, or specific issues.

Approximately 15 percent of the comments were in opposition to the eastbound I-70 hook ramps at 27th Avenue. These do not include comments that were related to the 27th Avenue hooks, such as concerns related to traffic impacts in the residential areas adjacent to 27th/26th Avenue and school/pedestrian safety concerns.

The following generally summarizes the comments received:

- ▶ Concern regarding the opening of the eastbound I-70 flyover ramp to westbound SH 58 after the proposed development and Cabela's store opens
- ▶ Support for the SH 58/Cabela Drive interchange, although residents of the Fairmount neighborhood are concerned about traffic along 44th Avenue and motorists attempting to cut through their neighborhood
- ▶ Confusion on the traffic volumes from the westbound I-70 hook ramps to 32nd Avenue and the difference between traffic to the proposed development and traffic destined or originating from other local residential and commercial areas

- ▶ Support for increased bicycle/pedestrian mobility, although many of the specific comments requested bicycle/pedestrian facilities be separated with bicycle lanes along 32nd Avenue and Cabela Drive
- ▶ Expectation that noise walls should be provided regardless of the noise mitigation evaluation results

6.1 Environmental Assessment Notification and Availability

Notice of availability of the EA was published in the Denver Post and the Wheat Ridge Transcript on October 25, 2006. Residents and businesses in the neighborhoods surrounding the project area also received a newsletter announcing the availability of the EA and inviting local residents and businesses to the public hearing. The newsletter was sent via a mass mailing to the project area. The mailing boundaries extended from approximately 60th Avenue on the north to 20th Avenue on the south and from McIntyre Street on the west to Kipling Street on the east.

The EA was available for public review at the following locations and was available at the public hearing:

- ▶ City of Wheat Ridge, Public Works Department; 7500 West 29th Avenue; Wheat Ridge, CO
- ▶ CDOT Region 6, Environmental; 2000 S. Holly Street; Denver, CO
- ▶ CDOT North Engineering R6; 4670 N. Holly Street; Denver, CO
- ▶ Federal Highway Administration, Colorado Division; 12300 W. Dakota Avenue, Suite 180; Lakewood, CO
- ▶ City of Lakewood, Public Works Department; 480 S. Allison Parkway; Lakewood, CO
- ▶ Jefferson County, Highway and Transportation Division, County Administrator's Office, and Board of County Commissioner's Office; 100 Jefferson County Parkway; Golden, CO
- ▶ Belmar Library; 555 S. Allison Parkway; Lakewood, CO
- ▶ Lakewood Library; 10200 W. 20th Avenue; Lakewood, CO
- ▶ Wheat Ridge Library; 5475 W. 32nd Avenue; Wheat Ridge, CO

Technical reports were available at FHWA, CDOT Region 6 Environmental, and the City of Wheat Ridge Public Works. In addition, the EA report was made available on the project website at www.CabWheatRidge.com and members of the public could request an electronic copy of the EA on a compact disc through the project website. Approximately 40 compact discs were distributed to the public.

6.2 Agency Coordination

The EA was distributed to the following agencies for review:

- ▶ City of Lakewood; 480 S. Allison Parkway; Lakewood, CO

- ▶ City of Arvada; 8101 Ralston Road; Arvada, CO
- ▶ Jefferson County; 100 Jefferson County Parkway; Golden, CO
- ▶ Denver Water; 1600 W. 12th Avenue; Denver, CO
- ▶ Urban Drainage and Flood Control District (UDFCD); 2480 W. 26th Avenue, Suite 156-B; Denver, CO
- ▶ DRCOG; 4500 S. Cherry Creek Drive, Suite 800; Denver, CO
- ▶ CDPHE; 4300 S. Cherry Creek Drive; Denver, CO
- ▶ CHS/Office of Archaeology and Historic Preservation (OAHP) SHPO; 1300 Broadway; Denver, CO
- ▶ CDOW; 6060 Broadway; Denver, CO
- ▶ US Department of Interior Fish and Wildlife Service (USFWS); P.O. Box 25486 DFC; 134 Union Boulevard, Suite 670; Lakewood, CO
- ▶ USACE; 9307 S. Wadsworth Boulevard; Littleton, CO
- ▶ USEPA; 999 18th Street, Suite 300; Denver, CO

6.3 Unresolved Issues

There are no unresolved issues with regard to the Proposed Action. Refinements to the Proposed Action based on comments received on the EA are presented in **Section 2.2 Refinements to the Proposed Action**. If a suggestion could not be incorporated into the Proposed Action, the reason why a modification could not be made is presented with the comment in **Appendix C Public Comments Received During the Review Period**. Clarifications to the EA are presented in **Chapter 3 Clarifications to the I-70/32nd Avenue Avenue Interchange Environmental Assessment**. Implementation of the Proposed Action will not violate federal or state environmental protection laws.

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7.0 SELECTION OF THE PREFERRED ALTERNATIVE

The FHWA has determined that the Proposed Action described on Pages 2-1 through 2-17 of this document and on Pages 2-26 through 2-49 of the October 2006 *I-70/32nd Avenue Interchange Environmental Assessment* is the Preferred Alternative. Based on the EA, comments received from the public, and the FONSI, the FHWA is approving the advancement of the Preferred Alternative for final design and implementation.

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8.0 FINDING OF NO SIGNIFICANT IMPACT

The FHWA has determined that the Preferred Alternative will have no significant impact on the human environment. This FONSI is based on the attached EA (see the attached compact disc), which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

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9.0 REFERENCES

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**APPENDIX A NOVEMBER 9, 2006 PUBLIC HEARING
DOCUMENTATION**

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**APPENDIX B NOVEMBER 9, 2006 PUBLIC HEARING
TRANSCRIPT**

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**APPENDIX C PUBLIC COMMENTS RECEIVED DURING THE
REVIEW PERIOD**

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**APPENDIX D AGENCY COMMENTS RECEIVED DURING THE
REVIEW PERIOD**

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APPENDIX E AGENCY COORDINATION

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