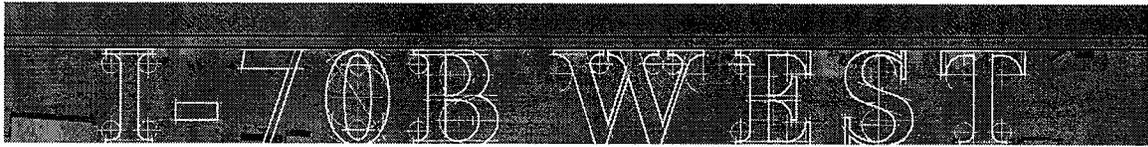




APPENDIX C:

AGENCY COORDINATION INFORMATION



Scoping Meeting

September 13, 2006

RE: I-70B West - Resource Agency Scoping Meeting

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) Region 3 are conducting an Environmental Assessment for transportation improvements along a 3 mile stretch of I-70B from 24 Road to 15th Street in Grand Junction, Colorado. FHWA and CDOT propose roadway and intersection improvements to address both local and regional transportation needs by relieving traffic congestion, improving multi-modal safety and mobility, and providing effective access to commercial development and residential parcels along I-70B.

We have scheduled a resource agency scoping meeting on September 28, 2006, from 1:00 p.m. until 3:30 p.m. to be held at the Colorado State Employees Credit Union Building at 112 Main Street (upstairs). At the meeting we will provide information on the project purpose and need, a preliminary assessment of environmental issues present within the study area, and project schedule. We would like to hear from you about any issues of concern or areas of analysis you believe will require special consideration as we prepare this project.

Please RSVP to Tracey MacDonald at 303-820-4844 or tracey.macdonald@c-b.com. If you cannot attend, please designate another person from your agency to attend or submit written scoping comments to me at Carter & Burgess, 707 17th Street, Suite 2300, Denver, CO 80202.

We look forward to seeing you or your representative on September 28, 2006. If you have any questions between now and then, please feel free to call Tracey MacDonald at 303-820-4844.



**COLORADO
HISTORICAL
SOCIETY**

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

September 27, 2006

Tracey MacDonald
Carter & Burgess
707 17th Street, Suite 2300
Denver, CO 80202

Re: I-70B From 24 Road to 15th Street in Grand Junction, CO. (CHS #48838)

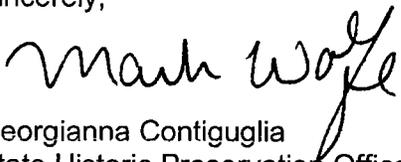
Dear Ms. MacDonald,

Thank you for your correspondence dated September 13, 2006 and received by our office on September 18, 2006 regarding the above-mentioned project.

We recommend that you start your consultations under Section 106 of the National Historic Preservation Act (Section 106) at the earliest planning stages of the project, as stipulated in 36 CFR 800.1(c) and 36 CFR 800.8(a)(1). We have included two flow charts that explain the Section 106 process.

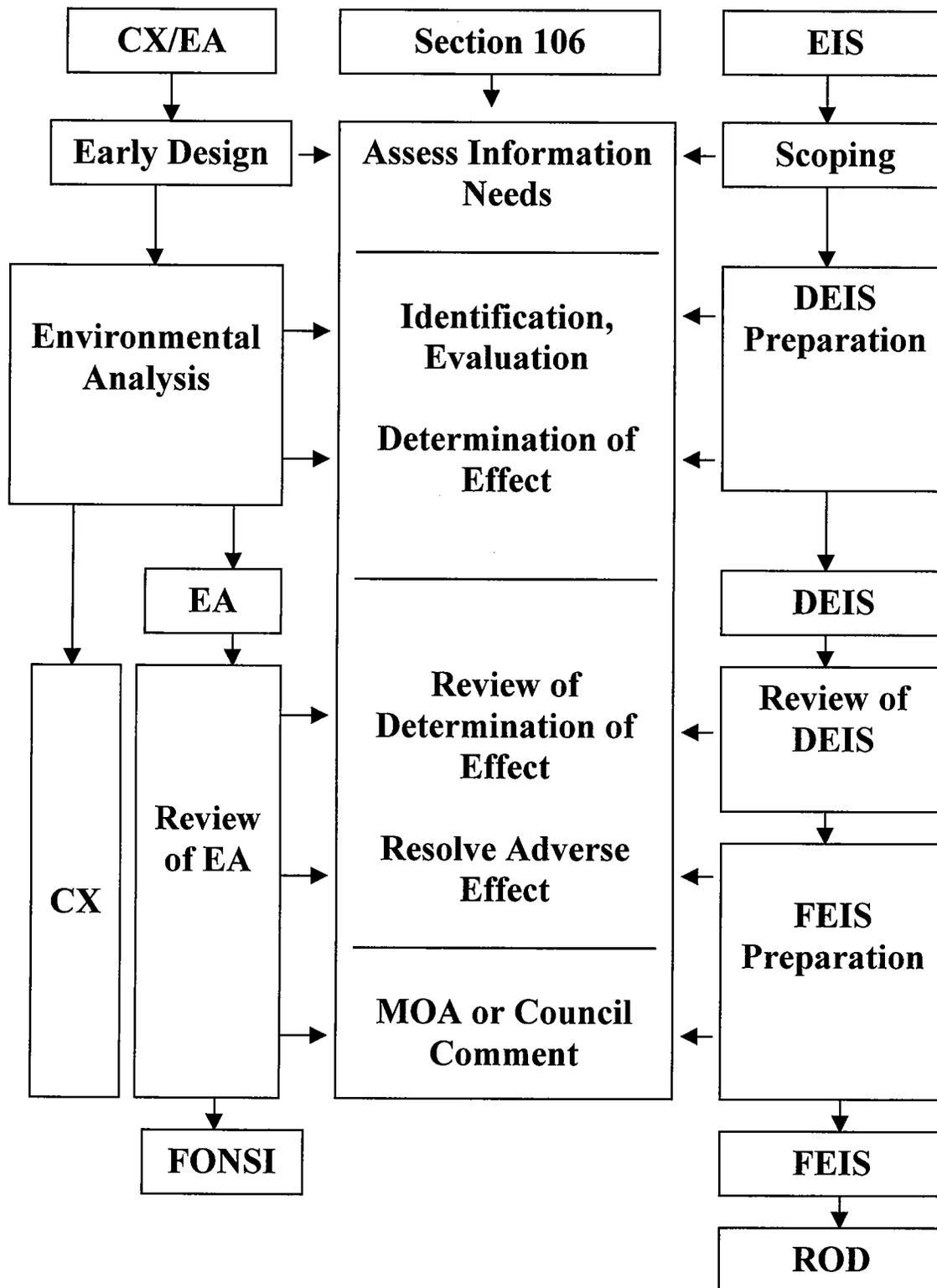
If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Coordinator, at (303) 866-4678.

Sincerely,

for 
Georgianna Contiguglia
State Historic Preservation Officer

cc: Lisa Schoch/CDOT

COORDINATION BETWEEN NEPA AND SECTION 106



The Public and Consulting Parties must be notified and given the opportunity to comment during each step of the Section 106 review process.

Section 106 Regulations Flow Chart

Initiate Section 106 Process

- Establish undertaking
- Identify appropriate SHPO/THPO *
- Plan to involve the public
- Identify other consulting parties

▶ *No undertaking/no potential to cause effects*



Undertaking is type that might affect historic properties



Identify Historic Properties

- Determine scope of efforts
- Identify historic properties
- Evaluate historic significance

▶ *No historic properties affected*



Historic properties are affected



Assess Adverse Effects

- Apply criteria of adverse effect

▶ *No historic properties adversely affected*



Historic properties are adversely affected



Resolve Adverse Effects

- Continue consultation

▶ *Memorandum of Agreement*



FAILURE TO AGREE



COUNCIL COMMENT

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



January 17, 2007

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

SUBJECT: Area of Potential Effect for Project NH 0701-166, I-70B West Environmental Assessment, Mesa County

Dear Ms. Contiguglia:

This letter and the attached documentation constitute the Colorado Department of Transportation's (CDOT) initial request for review of and comments on the Area of Potential Effects (APE) associated with the project referenced above.

The purpose of the project is to improve traffic flow and safety, and provide effective access along the I-70 Business Route (B) between 24 Road and 15th Street in the City of Grand Junction. Construction will reduce current and future traffic congestion on I-70B, provide effective access to commercial developments and residential parcels, and upgrade the multi-modal capabilities of I-70B to accommodate transit, pedestrians and bicycles. The Environmental Assessment for this project is projected to be finalized by mid-2007.

Area of Projected Effects (APE) Boundaries and Methodology:

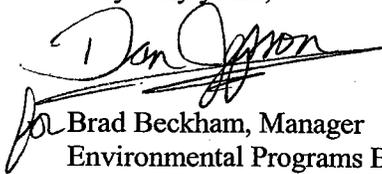
The APE for this project is defined as the parcels bordering the I-70B corridor from 24 Road at the west end to 1st Street (refer to the enclosed map). The corridor turns south along 1st Street until its intersection with the one-way couplets of Ute and Pitkin Avenues. The APE continues eastward along Ute and Pitkin Avenues to 15th Street, which is the east end of the study corridor. Since most of the planned improvements will be within the existing road footprint, only the adjacent parcels have been included in the APE. There will, however, be some improvements made at the following intersections that may fall outside existing right-of-way:

- Various access locations along I-70B between 24 Road and the North Avenue interchange
- 1st and Grand
- 1st and Ute
- 1st and Pitkin
- 2nd and Ute
- 2nd and Pitkin
- 4th and Ute
- 4th and Pitkin
- 5th and Ute
- 5th and Pitkin

Ms. Contiguglia
January 17, 2007
Page 2

We request your review of and agreement with the APE boundary as discussed above and represented on the enclosed maps. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Acting Staff Historian Robert Autobee at (303) 757-9758.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosure: APE maps

cc: Tammie Smith, CDOT Region 3
Tracey McDonald, Carter & Burgess
Eva LaDow, FHWA
File/CF



**COLORADO
HISTORICAL
SOCIETY**

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

January 29, 2007

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

Re: CDOT Project NH 0701-166, I-70B West Environmental Assessment, Mesa County.
(CHS #48838)

Dear Mr. Beckham;

Thank you for your correspondence dated January 17, 2007 and received by our office on January 23, 2007 regarding the above-mentioned project.

After review of the provided information, we do not object with the proposed Area of Potential Effects (APE) for the project. If the project's scope of work should change, such as requiring demolition of a building, please continue consultation with our office on the APE.

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.

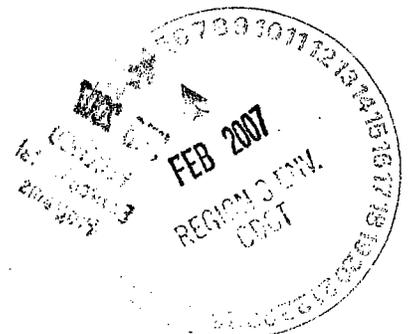
Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

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



STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



April 16, 2007

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

SUBJECT: Negative Archaeological Survey Report, Project NH 0701-166, I-70B West
Environmental Assessment, Mesa County

Dear Ms. Contiguglia:

Enclosed for your files is a copy of the archaeological resources survey report for the Environmental Assessment (EA) project referenced above. The EA will address the effects of proposed improvements to a 4.2-mile segment of the I-70 Business Route (I-70B) west of and partially within downtown Grand Junction. In order to improve both regional and local transportation movements, the project will relieve traffic congestion on I-70B, upgrade safety and mobility, accommodate access needs, and enhance pedestrian and bicycle facilities. Metcalf Archaeological Consultants, Inc. conducted the survey and authored the report under contract to Carter & Burgess, Inc., on behalf of CDOT and the Federal Highway Administration.

The entire project corridor and corresponding Area of Potential Effect is urbanized and, as such, has been severely impacted by commercial and residential development for many years. The archaeological potential of the study area is considered very low, and it was therefore not surprising that no archaeological remains were identified during the field inventory. CDOT concurs with the survey methodology employed and the results obtained, and finds that no historic properties will be affected by the project. Under the terms of the 1989 Memorandum of Understanding between our respective agencies regarding archaeological resource investigations, no actions from your office in the form of a response are requested.

Please contact CDOT Senior Staff Archaeologist Dan Jepson at (303)757-9631 if you have questions regarding either the survey or report.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosure



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

**Colorado Federal
Aid Division**

12300 W. Dakota Ave.
Suite 180
Lakewood, CO 80228

April 18, 2007

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



Dear Ms. Natchees:

Subject: Request for Section 106 Consultation; I-70B West
Environmental Assessment, Mesa County, Colorado

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT), in cooperation with the Mesa County Regional Transportation Planning Office (RTPO), are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 4.2-mile segment of the I-70 Business Route (I-70B) west of, and adjacent to, downtown Grand Junction, Colorado. In order to improve both regional and local transportation movements, the project will relieve traffic congestion on I-70B, upgrade safety and mobility, accommodate access needs, and enhance pedestrian and bicycle facilities. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed map for specific locational information.

FHWA will serve as the lead agency for this undertaking, and CDOT staff will facilitate the tribal consultation process. The agencies are seeking the participation of regional Native American tribal governments in cultural resources consultation for the undertaking, as described in Section 106 of the National Historic Preservation Act and implementing regulations 36 CFR 800 et seq. As a consulting party you are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. Further, if it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking, we can be more effective in protecting areas important to American Indian people. If you have interest in this undertaking and in cultural resources that may be of religious or cultural significance to your tribe, we invite you to be a consulting party.

**MOVING THE
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ECONOMY**

Over

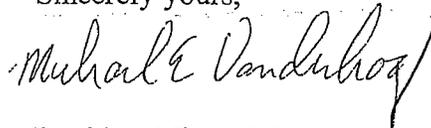
As shown on the enclosed aerial photograph, the project corridor begins at 24 Road, approximately two miles west of downtown Grand Junction, and extends east, ultimately terminating near the intersections of 15th Street and Ute and Pitkin Avenues (the latter of which are parallel one-way streets in opposite directions). The study corridor is largely developed, with a variety of commercial buildings predominant to the west, and mixed commercial and residential neighborhoods in the downtown area proper. A comprehensive survey and assessment of historic properties in the project area will be conducted as part of the environmental documentation. Tribes that elect to become consulting parties for the undertaking will be notified of the results of the survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

The Grand Junction area is home to a number of American Indian residents. If you are aware of members of your tribe living in proximity to the study area who would be interested in participating in the NEPA consultation process on some level, please notify us so that we may facilitate that interaction.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you are interested in becoming a consulting party for the I-70B West EA, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson **within 60 days** at the address or facsimile number listed at the bottom of that sheet. Mr. Jepson can also be reached via Email at daniel.jepson@dot.state.co.us, or by telephone at (303)757-9631. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this timeframe will not prevent your tribe from becoming a consulting party at a later date. However, studies and decision-making will proceed and it may become difficult to reconsider previous determinations or findings, unless significant new information is introduced.

Thank you for considering this request for consultation.

Sincerely yours,



for David A. Nicol, P.E.
Division Administrator

Enclosures

cc: B. Champoos, Tribal Cult. Rights & Protection
T. MacDonald, Carter & Burgess
T. Smith, CDOT Region 3 ✓
D. Jepson, CDOT Env. Programs
E. LaDow, FHWA



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

**Colorado Federal
Aid Division**

12300 W. Dakota Ave.
Suite 180
Lakewood, CO 80228

April 18, 2007

Mr. Clement Frost, Chairman
Southern Ute Indian Tribe
P.O. Box 737
Ignacio, CO 81137

Dear Mr. Frost:

Subject: Request for Section 106 Consultation; I-70B West
Environmental Assessment, Mesa County, Colorado

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT), in cooperation with the Mesa County Regional Transportation Planning Office (RTPO), are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 4.2-mile segment of the I-70 Business Route (I-70B) west of, and adjacent to, downtown Grand Junction, Colorado. In order to improve both regional and local transportation movements, the project will relieve traffic congestion on I-70B, upgrade safety and mobility, accommodate access needs, and enhance pedestrian and bicycle facilities. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed map for specific locational information.

FHWA will serve as the lead agency for this undertaking, and CDOT staff will facilitate the tribal consultation process. The agencies are seeking the participation of regional Native American tribal governments in cultural resources consultation for the undertaking, as described in Section 106 of the National Historic Preservation Act and implementing regulations 36 CFR 800 et seq. As a consulting party you are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. Further, if it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking, we can be more effective in protecting areas important to American Indian people. If you have interest in this undertaking and in cultural resources that may be of religious or cultural significance to your tribe, we invite you to be a consulting party.

**MOVING THE
AMERICAN
ECONOMY**



Over

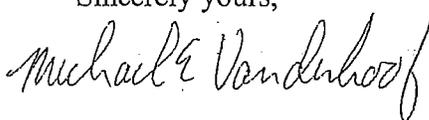
As shown on the enclosed aerial photograph, the project corridor begins at 24 Road, approximately two miles west of downtown Grand Junction, and extends east, ultimately terminating near the intersections of 15th Street and Ute and Pitkin Avenues (the latter of which are parallel one-way streets in opposite directions). The study corridor is largely developed, with a variety of commercial buildings predominant to the west, and mixed commercial and residential neighborhoods in the downtown area proper. A comprehensive survey and assessment of historic properties in the project area will be conducted as part of the environmental documentation. Tribes that elect to become consulting parties for the undertaking will be notified of the results of the survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

The Grand Junction area is home to a number of American Indian residents. If you are aware of members of your tribe living in proximity to the study area who would be interested in participating in the NEPA consultation process on some level, please notify us so that we may facilitate that interaction.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you are interested in becoming a consulting party for the I-70B West EA, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson **within 60 days** at the address or facsimile number listed at the bottom of that sheet. Mr. Jepson can also be reached via Email at daniel.jepson@dot.state.co.us, or by telephone at (303)757-9631. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this timeframe will not prevent your tribe from becoming a consulting party at a later date. However, studies and decision-making will proceed and it may become difficult to reconsider previous determinations or findings, unless significant new information is introduced.

Thank you for considering this request for consultation.

Sincerely yours,



for David A. Nicol, P.E.
Division Administrator

Enclosures

cc: N. Cloud, Cultural Preservation Office
T. MacDonald, Carter & Burgess
T. Smith, CDOT Region 3
D. Jepson, CDOT Env. Programs
E. LaDow, FHWA



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

**Colorado Federal
Aid Division**

12300 W. Dakota Ave.
Suite 180
Lakewood, CO 80228

April 18, 2007

Mr. Manuel Heart, Chairman
Ute Mountain Ute Tribe
P.O. Box 348
Towaoc, CO 81334

Dear Mr. Heart:

Subject: Request for Section 106 Consultation; I-70B West
Environmental Assessment, Mesa County, Colorado

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT), in cooperation with the Mesa County Regional Transportation Planning Office (RTPO), are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 4.2-mile segment of the I-70 Business Route (I-70B) west of, and adjacent to, downtown Grand Junction, Colorado. In order to improve both regional and local transportation movements, the project will relieve traffic congestion on I-70B, upgrade safety and mobility, accommodate access needs, and enhance pedestrian and bicycle facilities. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed map for specific locational information.

FHWA will serve as the lead agency for this undertaking, and CDOT staff will facilitate the tribal consultation process. The agencies are seeking the participation of regional Native American tribal governments in cultural resources consultation for the undertaking, as described in Section 106 of the National Historic Preservation Act and implementing regulations 36 CFR 800 et seq. As a consulting party you are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. Further, if it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking, we can be more effective in protecting areas important to American Indian people. If you have interest in this undertaking and in cultural resources that may be of religious or cultural significance to your tribe, we invite you to be a consulting party.

**MOVING THE
AMERICAN
ECONOMY**



Over

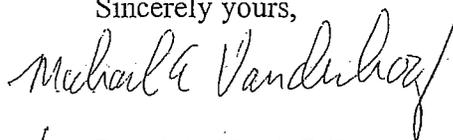
As shown on the enclosed aerial photograph, the project corridor begins at 24 Road, approximately two miles west of downtown Grand Junction, and extends east, ultimately terminating near the intersections of 15th Street and Ute and Pitkin Avenues (the latter of which are parallel one-way streets in opposite directions). The study corridor is largely developed, with a variety of commercial buildings predominant to the west, and mixed commercial and residential neighborhoods in the downtown area proper. A comprehensive survey and assessment of historic properties in the project area will be conducted as part of the environmental documentation. Tribes that elect to become consulting parties for the undertaking will be notified of the results of the survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

The Grand Junction area is home to a number of American Indian residents. If you are aware of members of your tribe living in proximity to the study area who would be interested in participating in the NEPA consultation process on some level, please notify us so that we may facilitate that interaction.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you are interested in becoming a consulting party for the I-70B West EA, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson **within 60 days** at the address or facsimile number listed at the bottom of that sheet. Mr. Jepson can also be reached via Email at daniel.jepson@dot.state.co.us, or by telephone at (303)757-9631. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this timeframe will not prevent your tribe from becoming a consulting party at a later date. However, studies and decision-making will proceed and it may become difficult to reconsider previous determinations or findings, unless significant new information is introduced.

Thank you for considering this request for consultation.

Sincerely yours,



for David A. Nicol, P.E.
Division Administrator

Enclosures

cc: T. Knight, NAGPRA Representative
T. MacDonald, Carter & Burgess
T. Smith, CDOT Region 3
D. Jepson, CDOT Env. Programs
E. LaDow, FHWA



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

**Colorado Federal
Aid Division**

12300 W. Dakota Ave.
Suite 180
Lakewood, CO 80228

April 18, 2007

Chairman, Hopi Tribe
P.O. Box 123
Kykotsmovi, AZ 86039

Greetings:

Subject: Request for Section 106 Consultation; I-70B West
Environmental Assessment, Mesa County, Colorado

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT), in cooperation with the Mesa County Regional Transportation Planning Office (RTPO), are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 4.2-mile segment of the I-70 Business Route (I-70B) west of, and adjacent to, downtown Grand Junction, Colorado. In order to improve both regional and local transportation movements, the project will relieve traffic congestion on I-70B, upgrade safety and mobility, accommodate access needs, and enhance pedestrian and bicycle facilities. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed map for specific locational information.

FHWA will serve as the lead agency for this undertaking, and CDOT staff will facilitate the tribal consultation process. The agencies are seeking the participation of regional Native American tribal governments in cultural resources consultation for the undertaking, as described in Section 106 of the National Historic Preservation Act and implementing regulations 36 CFR 800 et seq. As a consulting party you are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. Further, if it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking, we can be more effective in protecting areas important to American Indian people. If you have interest in this undertaking and in cultural resources that may be of religious or cultural significance to your tribe, we invite you to be a consulting party.

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Over

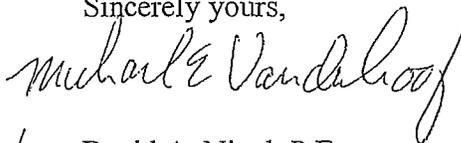
As shown on the enclosed aerial photograph, the project corridor begins at 24 Road, approximately two miles west of downtown Grand Junction, and extends east, ultimately terminating near the intersections of 15th Street and Ute and Pitkin Avenues (the latter of which are parallel one-way streets in opposite directions). The study corridor is largely developed, with a variety of commercial buildings predominant to the west, and mixed commercial and residential neighborhoods in the downtown area proper. A comprehensive survey and assessment of historic properties in the project area will be conducted as part of the environmental documentation. Tribes that elect to become consulting parties for the undertaking will be notified of the results of the survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

The Grand Junction area is home to a number of American Indian residents. If you are aware of members of your tribe living in proximity to the study area who would be interested in participating in the NEPA consultation process on some level, please notify us so that we may facilitate that interaction.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you are interested in becoming a consulting party for the I-70B West EA, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson **within 60 days** at the address or facsimile number listed at the bottom of that sheet. Mr. Jepson can also be reached via Email at daniel.jepson@dot.state.co.us, or by telephone at (303)757-9631. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this timeframe will not prevent your tribe from becoming a consulting party at a later date. However, studies and decision-making will proceed and it may become difficult to reconsider previous determinations or findings, unless significant new information is introduced.

Thank you for considering this request for consultation.

Sincerely yours,



for David A. Nicol, P.E.
Division Administrator

Enclosures

cc: L. Kuwanwisiwma, Director
T. MacDonald, Carter & Burgess
T. Smith, CDOT Region 3
D. Jepson, CDOT Env. Programs
E. LaDow, FHWA

TRIBAL MAILING LIST
I-70B West EA

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

Copy to:

Ms. Betsy Chapoose, Director
Cultural Rights & Protection Office
Ute Tribe of the Uintah & Ouray Agency
P.O. Box 190
Ft. Duchesne, UT 84026

Mr. Clement Frost, Chairman
Southern Ute Indian Tribe
P.O. Box 737
Ignacio, CO 81137

Copy to:

Mr. Neil Cloud
Cultural Preservation Office
Southern Ute Indian Tribe
P.O. Box 737
Ignacio, CO 81137

Mr. Manuel Heart, Chairman
Ute Mountain Ute Tribe
P.O. Box 348
Towaoc, CO 81334

Copy to:

Mr. Terry Knight, NAGPRA Representative
Ute Mountain Ute Tribe
P.O. Box 468
Towaoc, CO 81334

Chairman, Hopi Tribe [NOTE: this position is presently vacant]
P.O. Box 123
Kykotsmovi, AZ 86039

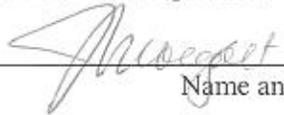
Copy to:

Mr. Leigh Kuwanwisiwma, Director
Hopi Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039

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

PROJECT: I-70 B West Environmental Assessment

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

Signed: 
Name and Title Co-Manager
Kelley Rosemeyer
Director

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

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

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

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

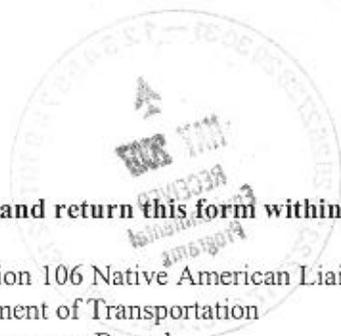
Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

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

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

Yes No If yes, please explain.



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

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

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



June 11, 2007

Mr. Mike Perry
Executive Director
Museum of Western Colorado
462 Ute Avenue
Grand Junction, CO 81501

SUBJECT: Section 106 Historic Properties Consultation, CDOT Project NH 0701-166, Interstate 70B West Environmental Assessment

Dear Mr. Perry:

The Federal Highway Administration (FHWA) in cooperation with the Colorado Department of Transportation (CDOT), have initiated preparation of an Environmental Assessment (EA) to identify and evaluate improvements to Interstate 70B West through the City of Grand Junction. The EA for this project will be scheduled to be finalized later this year.

The project is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f) and its implementing regulations (36 CFR 800). We are currently 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 City of Grand Junction 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.

Historic Properties Identification and Area of Potential Effects

As part of our survey of the project area, we are identifying previously unrecorded historic properties in the Area of Potential Effects (APE), as well as known properties. Specific APE boundaries have been defined as the parcels bordering the I-70B West corridor from 24 Road at the west end to 1st Street in Grand Junction. The APE continues eastward along Ute and Pitkin Avenues to 15th Street, located at the east end of the study corridor. Since most of the planned improvements will be within the existing road footprint, only the adjacent parcels have been included in the APE. However, there will be improvements made at various intersections that may fall outside the existing right-of-way, including:

- Various access locations along I-70B West between 24 Road and the North Avenue interchange
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- 1st and Ute
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- 4th and Ute
- 4th and Pitkin

- 5th and Ute
- 5th and Pitkin

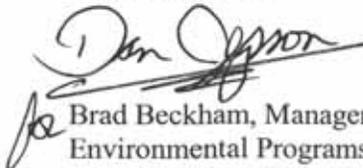
Enclosed for your review is a map of the APE. In January 2007, the Colorado State Historic Preservation Officer (SHPO) agreed with these boundary assessments.

Section 106 Consultation

We are contacting governmental and 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 project area 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 historic properties are considered and protected.

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 Robert Autobee, CDOT Assistant 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 regulations. If you require additional information or have any questions about the Section 106 process, please contact Mr. Autobee at (303) 757-9758.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Map of Study Area

cc: Tammie Smith, CDOT Region 3
Eva LaDow, FHWA
Tracey McDonald, Carter Burgess
Georgianna Contiguglia, Colorado SHPO
F/CF

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



June 11, 2007

Mr. Jim Lindberg
National Trust for Historic Preservation
Mountains/Plains Regional Office
535 16th Street, Suite 750
Denver, CO 80202

SUBJECT: Section 106 Historic Properties Consultation, CDOT Project NH 0701-166, Interstate 70B West Environmental Assessment

Dear Mr. Lindberg:

The Federal Highway Administration (FHWA) in cooperation with the Colorado Department of Transportation (CDOT), have initiated preparation of an Environmental Assessment (EA) to identify and evaluate improvements to Interstate 70B West through the City of Grand Junction. The EA for this project will be scheduled to be finalized later this year.

The project is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f) and its implementing regulations (36 CFR 800). We are currently 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 City of Grand Junction 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.

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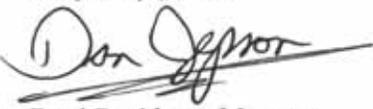
Enclosed for your review is a map of the APE. In January 2007, the Colorado State Historic Preservation Officer (SHPO) agreed with these boundary assessments.

Section 106 Consultation

We are contacting governmental and 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 project area 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 historic properties are considered and protected.

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 Robert Autobee, CDOT Assistant 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 regulations. If you require additional information or have any questions about the Section 106 process, please contact Mr. Autobee at (303) 757-9758.

Very truly yours,


PS Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Map of Study Area

cc: Tammie Smith, CDOT Region 3
Eva LaDow, FHWA
Tracey McDonald, Carter Burgess
Georgianna Contiguglia, Colorado SHPO
F/CF

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



June 11, 2007

Mr. Mark Rodman
Colorado Preservation, Inc.
333 W. Colfax Avenue
Suite 300
Denver, CO 80202

SUBJECT: Section 106 Historic Properties Consultation, CDOT Project NH 0701-166, Interstate 70B West Environmental Assessment

Dear Mr. Rodman:

The Federal Highway Administration (FHWA) in cooperation with the Colorado Department of Transportation (CDOT), have initiated preparation of an Environmental Assessment (EA) to identify and evaluate improvements to Interstate 70B West through the City of Grand Junction. The EA for this project will be scheduled to be finalized later this year.

The project is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f) and its implementing regulations (36 CFR 800). We are currently 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 City of Grand Junction 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.

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- 4th and Pitkin

- 5th and Ute
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Section 106 Consultation

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Very truly yours,



ja Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Map of Study Area

cc: Tammie Smith, CDOT Region 3
Eva LaDow, FHWA
Tracey McDonald, Carter Burgess
Georgianna Contiguglia, Colorado SHPO
F/CF

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



June 11, 2007

Ms. Kristen Ashbeck
Community Development Director
City of Grand Junction
250 N. 5th St.
Grand Junction, CO 81501

SUBJECT: Section 106 Historic Properties Consultation, CDOT Project NH 0701-166, Interstate 70B West Environmental Assessment

Dear Ms. Ashbeck:

The Federal Highway Administration (FHWA) in cooperation with the Colorado Department of Transportation (CDOT), have initiated preparation of an Environmental Assessment (EA) to identify and evaluate improvements to Interstate 70B West through the City of Grand Junction. The EA for this project will be scheduled to be finalized later this year.

The project is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f) and its implementing regulations (36 CFR 800). We are currently 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 City of Grand Junction 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.

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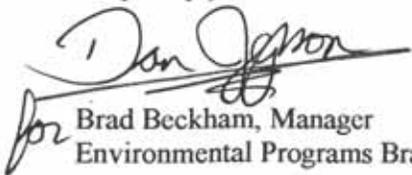
Enclosed for your review is a map of the APE. In January 2007, the Colorado State Historic Preservation Officer (SHPO) agreed with these boundary assessments.

Section 106 Consultation

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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 Robert Autobee, CDOT Assistant 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 regulations. If you require additional information or have any questions about the Section 106 process, please contact Mr. Autobee at (303) 757-9758.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Map of Study Area

cc: Tammie Smith, CDOT Region 3
Eva LaDow, FHWA
Tracey McDonald, Carter Burgess
Georgianna Contiguglia, Colorado SHPO
F/CF

Robert Autobee Assistant Staff Historian
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, Colorado 80222

July 9, 2007

RE: Section 106 Historic Properties Consultation, I-70B West – Grand Junction

Dear Mr. Autobee,

In response to your letter and materials dated June 11, 2007 regarding the project referenced above, the Grand Junction Historic Preservation Board has reviewed the materials. Staff to the Board worked closely with the sub-consultant Hermsen Consultants to develop the list of historic properties to be inventoried as attached. Staff and the Board concur with the inventory list and find no concern with the assessment of impacts to historic properties as summarized in Section 3.13.2 of the Environmental Assessment.

Thank you for the opportunity to review these materials. Please do not hesitate to contact City staff to the Historic Preservation Board, Kristen Ashbeck at 970.244.1437 or kristena@gjcity.org if you have questions about this response.

Sincerely,



Zebulon Miracle – Chair
Grand Junction Historic Preservation Board

encl



STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



August 10, 2007

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

SUBJECT: Determinations of Eligibility and Effects and Notification of 4(f) *De minimis*, I-70B West Environmental Assessment, Grand Junction, Mesa County (CHS #48838)

Dear Ms. Contiguglia:

This letter and the enclosed Historic Resources Survey Report constitute the request for concurrence on Determinations of Eligibility and Effects for the CDOT project referenced above. The report was prepared as part of an Environmental Assessment (EA) specific to transportation improvements on I-70B in the City of Grand Junction.

PROJECT DESCRIPTION

The Federal Highway Administration (FHWA) and CDOT, in coordination with the Mesa County Regional Transportation Planning Office (RTPO) and City of Grand Junction, have identified a need for improvements to the I-70B corridor to alleviate congestion and improve safety. Please refer to the project description and Figure 1 map in the survey report for a narrative and visual illustration of the project area.

ELIGIBILITY DETERMINATIONS

In April 2007, Hermsen Consultants evaluated or reevaluated twenty historic properties within the Area of Potential Effect, including two residential, 15 commercial and three institutional properties. CDOT has determined that five properties are eligible for inclusion on the National Register of Historic Places (NRHP): Grand Junction Elks Home at 249 S. 4th St. (5ME4162); Whitman School at 248 S. 4th St. (5ME4251); C.D. Smith Building / Museum of Western Colorado at 462 Ute Ave. (5ME15698); Rio Grande Motorway Terminal at 230 S. 5th St. (5ME8654); and Whitman Park (5ME1186). The following table lists all 20 resources, including appropriate individual determinations.

HISTORIC PROPERTIES DOCUMENTED WITHIN THE APE

| Site No. | Address | Name / Description | Determination of NRHP Eligibility | Determination of Effects |
|----------|----------------------------|--------------------------|-----------------------------------|---------------------------------|
| 5ME2001* | 2491 Highway 6 and 50 | Watermark Spas and Pools | Not eligible | No historic properties affected |
| 5ME15687 | 333 N. 1 st St. | Gay Johnson's Service | Not eligible | No historic properties affected |
| 5ME15688 | 104 White Ave. | Value Lodge Motel | Not eligible | No historic properties affected |

| Site No. | Address | Name / Description | Determination of NRHP Eligibility | Determination of Effects |
|----------|---|---|-----------------------------------|---------------------------------|
| 5ME15689 | 124 N. 1 st St. | Marconi's Auto Sales | Not eligible | No historic properties affected |
| 5ME15690 | 105 W. Main St. | Café Caravan | Not eligible | No historic properties affected |
| 5ME15691 | 105 W. Colorado Ave. | Colorado Wholesale Grocers | Not eligible | No historic properties affected |
| 5ME15695 | 245 S. 1 st St. | Bowman Biscuit Co. | Not eligible | No historic properties affected |
| 5ME15696 | 225 S. 2 nd St. | Hallam & Boggs Truck and Implement Co. | Not eligible | No historic properties affected |
| 5ME4162* | 249 S. 4 th St. | Grand Junction Elks Home | Eligible under Criterion C | No historic properties affected |
| 5ME4151* | 248 S. 4 th St. | Whitman School | Eligible under Criterion A | No historic properties affected |
| 5ME8411* | 301 S. 4 th St. | Madden House | Not eligible | No historic properties affected |
| 5ME8643* | 335 S. 4 th St. | Perry House | Not eligible | No historic properties affected |
| 5ME15697 | 445 Pitkin Ave. | Karnes Carpet World | Not eligible | No historic properties affected |
| 5ME15699 | 406 S. 5 th St. | Enterprise Rent-A-Car | Not eligible | No historic properties affected |
| 5ME15700 | 336 S. 5 th St. | Valley Auto | Not eligible | No historic properties affected |
| 5ME15701 | 306 S. 5 th St. | Barney Brothers Off Road | Not eligible | No historic properties affected |
| 5ME15702 | 509 Ute Ave. | Fine Line Body and Paint | Not eligible | No historic properties affected |
| 5ME8654* | 230 S. 5 th St. | Rio Grande Motorway Terminal | Eligible under Criterion A | No historic properties affected |
| 5ME15698 | 462 Ute Ave. | C. D. Smith Building/ Museum of Western Colorado | Eligible under Criterion B | No historic properties affected |
| 5ME1186* | Bounded by Ute and Pitkin Ave. and 4 th and 5 th Sts. | Whitman Park | Eligible under Criterion A | No adverse effect |

(* = Previously recorded)

EFFECTS DETERMINATIONS

There are no direct impacts to any of the historic properties except for Whitman Park (5ME1186). The project requires less than 100 square feet of land from the park's northwest and southwest corners. 5ME1186 is 2.48 acres in size, so a reduction of .0023 acre is less than 0.1% of the total park area. Since the project impacts are minimal, CDOT believes there will be *no adverse effect* to Whitman Park. Please refer to the illustration "Impact to Historic Buildings" located in the report for a further illustration of effects to the park.

CDOT has also considered indirect effects to historic properties resulting from noise. Noise assessments indicate there should be no impacts from increased vibration and that the construction noise along Ute and Pitkin Avenues would be at most 1 to 2 dB(A) above the existing levels, which is not perceptible to the human ear. Based on CDOT's noise guidance, the project evaluated the potential for noise barriers along Pitkin and Ute Avenues, but they were determined unnecessary based on the minimal noise increase. During construction there will be temporary increases in noise from the use of diesel-powered heavy equipment, but CDOT will ensure that the contractor mitigates those noise impacts through well-maintained equipment (particularly mufflers). Temporary indirect effects from increased dust may also occur during construction.

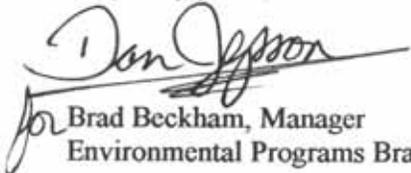
Notification of Section 4(f) De Minimis Determination

The project has been determined to have no adverse effect on Whitman Park (5ME1186). Based on this finding, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this historic property.

We request your concurrence with the determinations of eligibility and effects outlined herein, as well as an acknowledgement of the Section 4(f) *de minimis* determination. 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. We have forwarded this information to the Grand Junction Historic Preservation Board for review and comment. We will forward their response to you when received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Assistant Staff Historian Robert Autobee at (303) 757-9758.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosure

cc: Tammie Smith, CDOT Region 3
Tracey MacDonald, Carter & Burgess
Eva LaDow, FHWA

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



August 17, 2007

Kristen Ashbeck
Community Development Director
City of Grand Junction
250 N. 5th St.
Grand Junction, CO 81501

SUBJECT: Determinations of Eligibility and Effects and Notification of 4(f) *De minimis*, I-70B West Environmental Assessment, Grand Junction, Mesa County (CHS #48838)

Dear Ms. Ashbeck:

This letter and the enclosed Historic Resources Survey Report constitute the request for comment on Determinations of Eligibility and Effects for the CDOT project referenced above. The report was prepared as part of an Environmental Assessment (EA) specific to transportation improvements on I-70B in the City of Grand Junction.

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ELIGIBILITY DETERMINATIONS

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| 5ME8411* | 301 S. 4 th St. | Madden House | Not eligible | No historic properties affected |
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| 5ME15702 | 509 Ute Ave. | Fine Line Body and Paint | Not eligible | No historic properties affected |
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| 5ME15698 | 462 Ute Ave. | C. D. Smith Building/ Museum of Western Colorado | Eligible under Criterion B | No historic properties affected |
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(* = Previously recorded)

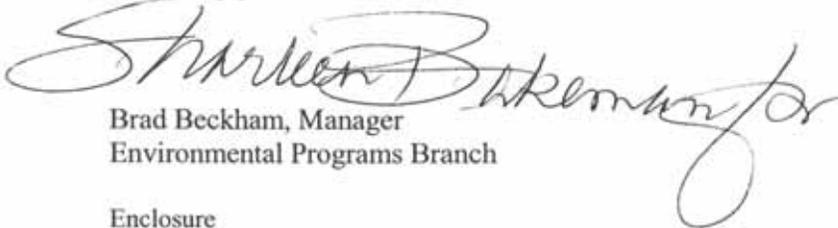
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As a local governmental authority with a potential interest in this project, we welcome your comments regarding our determination of eligibility and effects. Should you elect to respond, we request that you do so within 30 days of receipt of this letter. 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

Enclosure

cc: Tammie Smith, CDOT Region 3
Tracey MacDonald, Carter & Burgess
Eva LaDow, FHWA

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



August 17, 2007

Janice Rich
Mesa County Clerk and Recorder
P.O. Box 20000
Grand Junction, CO 81502-5006

SUBJECT: Determinations of Eligibility and Effects and Notification of 4(f) *De minimis*, I-70B West Environmental Assessment, Grand Junction, Mesa County (CHS #48838)

Dear Ms. Rich:

This letter and the enclosed Historic Resources Survey Report constitute the request for comment on Determinations of Eligibility and Effects for the CDOT project referenced above. The report was prepared as part of an Environmental Assessment (EA) specific to transportation improvements on I-70B in the City of Grand Junction.

PROJECT DESCRIPTION

The Federal Highway Administration (FHWA) and CDOT, in coordination with the Mesa County Regional Transportation Planning Office (RTPO) and City of Grand Junction, have identified a need for improvements to the I-70B corridor to alleviate congestion and improve safety. Please refer to the project description and Figure 1 map in the survey report for a narrative and visual illustration of the project area.

ELIGIBILITY DETERMINATIONS

In April 2007, Hermsen Consultants evaluated or reevaluated twenty historic properties within the Area of Potential Effect, including two residential, 15 commercial and three institutional properties. CDOT has determined that five properties are eligible for inclusion on the National Register of Historic Places (NRHP): Grand Junction Elks Home at 249 S. 4th St. (5ME4162); Whitman School at 248 S. 4th St. (5ME4251); C.D. Smith Building / Museum of Western Colorado at 462 Ute Ave. (5ME15698); Rio Grande Motorway Terminal at 230 S. 5th St. (5ME8654); and Whitman Park (5ME1186). The following table lists all 20 resources, including appropriate individual determinations.

HISTORIC PROPERTIES DOCUMENTED WITHIN THE APE

| Site No. | Address | Name / Description | Determination of NRHP Eligibility | Determination of Effects |
|-----------------|----------------------------|---------------------------|--|---------------------------------|
| 5ME2001* | 2491 Highway 6 and 50 | Watermark Spas and Pools | Not eligible | No historic properties affected |
| 5ME15687 | 333 N. 1 st St. | Gay Johnson's Service | Not eligible | No historic properties affected |
| 5ME15688 | 104 White Ave. | Value Lodge Motel | Not eligible | No historic properties affected |
| 5ME15689 | 124 N. 1 st St. | Marconi's Auto Sales | Not eligible | No historic properties |

| Site No. | Address | Name / Description | Determination of NRHP Eligibility | Determination of Effects |
|----------|---|---|-----------------------------------|---------------------------------|
| | | | | affected |
| 5ME15690 | 105 W. Main St. | Café Caravan | Not eligible | No historic properties affected |
| 5ME15691 | 105 W. Colorado Ave. | Colorado Wholesale Grocers | Not eligible | No historic properties affected |
| 5ME15695 | 245 S. 1 st St. | Bowman Biscuit Co. | Not eligible | No historic properties affected |
| 5ME15696 | 225 S. 2 nd St. | Hallam & Boggs Truck and Implement Co. | Not eligible | No historic properties affected |
| 5ME4162* | 249 S. 4 th St. | Grand Junction Elks Home | Eligible under Criterion C | No historic properties affected |
| 5ME4151* | 248 S. 4 th St. | Whitman School | Eligible under Criterion A | No historic properties affected |
| 5ME8411* | 301 S. 4 th St. | Madden House | Not eligible | No historic properties affected |
| 5ME8643* | 335 S. 4 th St. | Perry House | Not eligible | No historic properties affected |
| 5ME15697 | 445 Pitkin Ave. | Karnes Carpet World | Not eligible | No historic properties affected |
| 5ME15699 | 406 S. 5 th St. | Enterprise Rent-A-Car | Not eligible | No historic properties affected |
| 5ME15700 | 336 S. 5 th St. | Valley Auto | Not eligible | No historic properties affected |
| 5ME15701 | 306 S. 5 th St. | Barney Brothers Off Road | Not eligible | No historic properties affected |
| 5ME15702 | 509 Ute Ave. | Fine Line Body and Paint | Not eligible | No historic properties affected |
| 5ME8654* | 230 S. 5 th St. | Rio Grande Motorway Terminal | Eligible under Criterion A | No historic properties affected |
| 5ME15698 | 462 Ute Ave. | C. D. Smith Building/ Museum of Western Colorado | Eligible under Criterion B | No historic properties affected |
| 5ME1186* | Bounded by Ute and Pitkin Ave. and 4 th and 5 th Sts. | Whitman Park | Eligible under Criterion A | No adverse effect |

(* = Previously recorded)

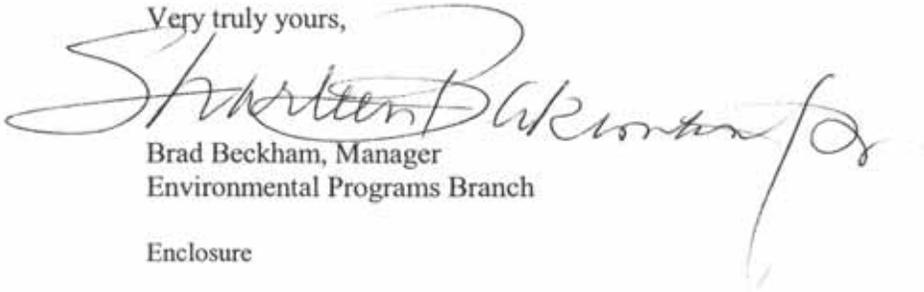
EFFECTS DETERMINATIONS

There are no direct impacts to any of the historic properties except for Whitman Park (5ME1186). The project requires less than 100 square feet of land from the park's northwest and southwest corners. 5ME1186 is 2.48 acres in size, so a reduction of .0023 acre is less than 0.1% of the total park area. Since the project impacts are minimal, CDOT believes there will be *no adverse effect* to Whitman Park. Please refer to the illustration "Impact to Historic Buildings" located in the report for a further illustration of effects to the park.

CDOT has also considered indirect effects to historic properties resulting from noise. Noise assessments indicate there should be no impacts from increased vibration and that the construction noise along Ute and Pitkin Avenues would be at most 1 to 2 dB(A) above the existing levels, which is not perceptible to the human ear. Based on CDOT's noise guidance, the project evaluated the potential for noise barriers along Pitkin and Ute Avenues, but they were determined unnecessary based on the minimal noise increase. During construction there will be temporary increases in noise from the use of diesel-powered heavy equipment, but CDOT will ensure that the contractor mitigates those noise impacts through well-maintained equipment (particularly mufflers). Temporary indirect effects from increased dust may also occur during construction.

As a local governmental authority with a potential interest in this project, we welcome your comments regarding our determination of eligibility and effects. 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,

A handwritten signature in black ink, appearing to read "Brad Beckham". The signature is fluid and cursive, with a large initial "B".

Brad Beckham, Manager
Environmental Programs Branch

Enclosure

cc: Tammie Smith, CDOT Region 3
Tracey MacDonald, Carter & Burgess
Eva LaDow, FHWA



OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

August 22, 2007

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

Re: Determinations of Eligibility and Effect and Notification of 4(f) *De Minimis*, I-70B West Environmental Assessment, Grand Junction, Mesa County. (CHS #48838)

Dear Mr. Beckham:

Thank you for your correspondence dated August 10, 2007 and received by our office on August 15, 2007 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we concur with the finding of **not eligible** for the National Register of Historic Places (NRHP) for the resources listed below.

- 5ME.2001
- 5ME.15687
- 5ME.15688
- 5ME.15690
- 5ME.15691
- 5ME.15695
- 5ME.15696
- 5ME.8411
- 5ME.8643
- 5ME.15697
- 5ME.15699
- 5ME.15700
- 5ME.15701
- 5ME.15702

After review of the provided information, we concur with the finding of **eligible** for the NRHP for the resources listed below.

- 5ME.4162. In our opinion, we believe the resource has the potential of being significant under National Register Criterion A; however, not enough history is provided to completely make that determination.
- 5ME.4151
- 5ME.8654. In our opinion, we believe that the resource is also eligible under National Register Criterion C as a good local example of the Early Twentieth-Century Commercial style.
- 5ME.15698. The site form states that the resource is eligible under National Register Criterion B, but also states that the resource is significant under architecture. However, only Criterion B is marked in item 38. We concur that the building is significant in the area of architecture. In our opinion, the building is a good representative example of the Stripped Classical style.
- 5ME.1186. In our opinion, the resource has the potential to be eligible under National Register Criterion C for landscape architecture. The site form does not include information on the history of the landscape design and whether or not that original design is mostly intact today.

After review of the provided additional information, we are not able to concur with the finding of eligibility for the NRHP for the resource listed below.

- 5ME.15689/Don and Mel's 66 Service Station. According to the Oblong Box Gas Station description provided in *A Guide to Colorado's Historic Architecture and Engineering* and in Camera and Clipboard No. 15, International style versions of this type existed and the Phillips 66 standard design included inclined wedge-shaped or delta winged canopies. This resource appears to be a good example of this type. Also, the site forms states that the resource was renovated to serve as a used car sales business, but does not list the specific changes or dates of the changes (item 29). Also, the survey report states that the gas station is located along what was the old main highway in Grand Junction. Can the gas station convey the significance of transportation (the function of the old main highway before I-70 was built) at the local level of significance for Grand Junction?

We concur with the findings of effects under Section 106 for the project, except for resource 5ME.15689. We will be able to complete our consultation for effects once the consultation regarding National Register eligibility is completed.

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



2549 River Road Grand Junction, CO 81501

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

September 19, 2007

RE: Determination of Eligibility and Effects – I-70B West Grand Junction CO

Dear Mr. Beckham,

In response to your letter and materials dated September 22, 2005 regarding the project referenced above, the Grand Junction Historic Preservation Board has reviewed the materials. The Board concurs with the findings of the Historic Resources Survey Report (Hermsen, July 31, 2007) regarding determinations of no adverse effects, particularly in regards to the following properties found to be in the area of potential effect:

- Grand Junction Elks Home (5ME4162)
- Whitman School (5ME4151)
- CD Smith Building/Museum of Western Colorado (5ME15698)
- Rio Grande Motorway Terminal (5ME8654)
- Whitman Park (5ME1186)

Thank you for the opportunity to review these materials. Please do not hesitate to contact City staff to the Historic Preservation Board, Kristen Ashbeck at 970.244.1491 or kristena@gjcity.org if you have questions about this response.

Sincerely,

A handwritten signature in black ink, appearing to read "Zebulon Miracle".

Zebulon Miracle Chair
Grand Junction Historic Preservation Board

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



October 10, 2007

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

Subject: Additional Information, I-70B West Environmental Assessment, Grand Junction, Mesa County (CHS #48838)

Dear Ms. Contiguglia:

This letter includes additional information regarding historic properties associated with the project referenced above. We previously consulted with your staff on determinations of eligibility and effect; the information contained below specific to five architectural properties is in response to correspondence from you dated August 22, 2007.

5ME4162: We agree that this property is also eligible under Criterion A for its association with social and charitable activities in Grand Junction. As noted in our August 2007 submittal, the project will result in *no historic properties affected* with regard to this property.

5ME8654: We agree that this property is also eligible under Criterion C as a good local example of Early Twentieth-Century Commercial style. As noted in our August 2007 submittal, the project will result in *no historic properties affected* with regard to this property.

5ME15698: We agree with your assessment that the building is also eligible under Criterion C as a good representative example of the Stripped Classical Style. As noted in our August 2007 submittal, the project will result in *no historic properties affected* with regard to this property.

5ME1186: You requested additional information regarding the landscape design of the park and whether this property is also eligible under Criterion C for landscape architecture. Additional research indicates that the land was set aside for the park on the original Town Plat in 1881. In 1883, an ordinance was passed to rename the parcel Maple Park and to plant maple trees in the park. Development of the park began in 1889 with plans to "plant a combination of bluegrass, lawn grass, and white clover and to irrigate it for a year—all for a sum of two hundred dollars." In 1910, additional money was earmarked by the Grand Junction City Council for the improvement and development of Maple Park. At that time, a Boulder landscape architect drew up plans for the park and supervised the planting of over fifteen hundred new plants and trees.

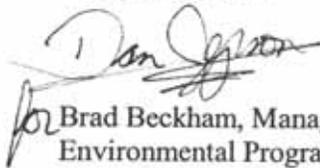
It is not clear if today's plantings reflect the 1910 plans. Sidewalks were added in 1911 and 5 new seats were ordered for the park. A bandstand was added somewhere between 1908 and 1912. By 1915, the

bandstand was repainted, two obsolete howitzers from the U.S. War Department were donated and installed, and a fountain was added. The park was renamed Whitman Park on May 23, 1916. Photos of the park from about 1920 indicate that the basic layout today is similar to what it was at that time. There is still an X-shaped sidewalk pattern from northwest to southeast and from southwest to northeast through the center of the park (Sanborn maps from 1904 show the "X" sidewalk). Three of the original 4 parks on the first Grand Junction plat all have an "X" sidewalk pattern, and also feature developed center pods. Each of the original four parks was named after a type of tree—Maple, Cottonwood, Chestnut and Walnut. The City Council decided that each of those parks should be planted with their namesake tree. Even though it is not clear if the nature of and placement of the plantings reflects the original landscape plan, we believe that there are enough of the original design elements of the park, including the X-shaped sidewalk plan, that the park also qualifies under Criterion C for landscape design. As noted in our August 2007 submittal, the project will result in *no adverse effect* to this property.

5ME15689: This property likely has an association with the development of transportation along the old main highway in Grand Junction. For this reason, we have determined that it is significant under NRHP Criterion A, but do not believe it is eligible under Criterion C due to renovations. Our initial submittal indicated that there will be no direct effects to this property and indirect effects will consist of temporary increases in noise and dust levels during construction. The project will result in *no adverse effect* to this property.

Based on the information contained above, we request your concurrence with the determinations of eligibility and effect for 5ME4162, 5ME8654, 5ME15698, 5ME1186 and 5ME15689. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Very truly yours,



for Brad Beckham, Manager
Environmental Programs Branch

cc: Tammie Smith, CDOT Region 3
File/R



OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

October 25, 2007

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

Re: Additional Information, I-70B West Environment Assessment, Grand Junction, Mesa County.
(CHS #48838)

Dear Mr. Beckham,

Thank you for your correspondence dated October 10, 2007 and received by our office on that same date regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided additional information, we concur with the findings that resources 5ME.4162, 5ME.8654, 5ME.15698, 5MR.1186, and 5ME.15689 are eligible for the National Register of Historic Places. We also concur with the findings of effect under Section 106 for these resources.

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

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

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Coordinator, at (303) 866-4678.

Sincerely,

for Georgianna Contiguglia
State Historic Preservation Officer

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 3

606 South 9th Street, Room 204
Grand Junction, Colorado 81501
(970)683-6351 FAX# (970) 683-6369



October 26, 2007

Mr. Trenton Prall
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Re: I-70B West Environmental Assessment
CDOT Project No. NH 0701-166

Dear Mr. Prall:

CDOT is preparing an Environmental Assessment (EA) for transportation improvements on I-70B from 24 Road to 15th Street in Grand Junction. During the EA process, based on the City of Grand Junction documents (*City of Grand Junction Parks Master Plan*, February 2001 and City of Grand Junction website) there are five properties identified as parks and one wildlife area (see attached map) within the study corridor. These properties include:

- Lilac Park (roadside landscaped area within CDOT right-of-way: 1.7 acres)
- Colorado West Park (roadside landscaped area within CDOT right-of-way: 0.9 acre)
- Whitman Park (neighborhood park: 3.3 acres)
- Emerson Park (neighborhood park: 3.1 acres)
- Desert Vista Park (roadside landscaped area partially within CDOT right-of-way: 0.4 acre)
- West Lake State Wildlife Area (2.0 acres)

Further analysis of land use, zoning, parcel data, and on-site surveys indicated that both Colorado West Park and Lilac Park are located entirely within CDOT right-of-way and consist of landscaped areas with no recreational amenities. Desert Vista Park is located on a separately deeded parcel, however portions of the park fall within CDOT right-of-way. Although no impacts to Lilac Park or Desert Vista Park are anticipated with the proposed project, Colorado West Park would be impacted by proposed improvements at the I-70B/Grand Avenue/1st Street intersection.

Based on the above information, CDOT requests concurrence from the City of Grand Junction that Colorado West Park and Lilac Park are not official park/recreation areas, but are landscaped roadside areas within CDOT right-of-way that are available for transportation use. Additionally, the portions of Desert Vista Park that fall within CDOT right-of-way are available for transportation use. Therefore, these properties are not protected under Section 4(f).

Please indicate your concurrence with the above statement by signing the space provided below
Please contact me at 970-248-7226 if you have any questions.

Sincerely,


Tammie Smith
Region Planning and Environmental Manager

I concur:  Date: 11/29/07



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
COLORADO WEST REGULATORY BRANCH
400 ROOD AVENUE, ROOM 142
GRAND JUNCTION, COLORADO 81501-2563

February 8, 2008

Regulatory Branch (SPK-2007-01602)

Mr. Robert Rutherford
Carter Burgess
707 17th Street, Suite 2300
Denver, Colorado 80202

Dear Mr. Rutherford:

We are responding to your request for an approved jurisdictional determination for the CDOT I-70B West Project. The delineated wetlands are comprised of six separate wetland communities located along I-70B between 15th Street and 24 Road, as depicted on the enclosed aerial photograph labeled *Figure 3: Wetlands within the I-70B West Study Area*. The project area is located in the City of Grand Junction, Mesa County, Colorado.

Based on available information, we concur with the estimate of waters of the United States, as depicted on the exhibit labeled *Figure 3: Wetlands within the I-70B West Study Area*. Approximately .093 acres of waters of the United States, including wetlands, are present within the survey area. The jurisdictional waters of the United States comprises wetlands one, two, three, five, six, seven, as well as the Colorado Division of Wildlife pond.

The .003-acre water identified as wetland three on the enclosed drawing is an intrastate isolated water with no apparent interstate or foreign commerce connection. As such, this water is not currently regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. Other Federal, State, and local laws may apply to your activities.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.

A Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESP-D-PDS-O, 1455 Market Street, San Francisco, California 94103-1399, Telephone: (415) 503-6574, FAX: (415)503-6646.

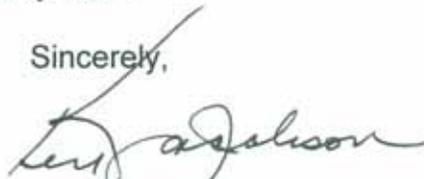
In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 60 days from the date of this letter. **It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.**

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

We appreciate your feedback. At your earliest convenience, please complete our customer survey at http://www.spk.usace.army.mil/customer_survey.html. Your passcode is "conigliaro".

Please refer to identification number SPK-2007-01602 in any correspondence concerning this project. If you have any questions, please contact Steve Moore at the above letterhead address, by email stephen.a.moore@usace.army.mil, or by telephone 970-243-1199 extension 13. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Ken Jacobson
Chief, Colorado West
Regulatory Branch

Enclosure



Figure 3:
Wetlands within the I-70B West Study Area



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

| | | | |
|-------------------------------------|--|--------------------------|------------------------|
| Applicant: Robert Rutherford | | File No.: SPK-2007-01602 | Date: February 8, 2008 |
| Attached is: | | See Section below | |
| <input type="checkbox"/> | INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) | A | |
| <input type="checkbox"/> | PROFFERED PERMIT (Standard Permit or Letter of permission) | B | |
| <input type="checkbox"/> | PERMIT DENIAL | C | |
| <input checked="" type="checkbox"/> | APPROVED JURISDICTIONAL DETERMINATION | D | |
| <input type="checkbox"/> | PRELIMINARY JURISDICTIONAL DETERMINATION | E | |

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the DISTRICT engineer. Your objections must be received by the DISTRICT engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the DISTRICT engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the DISTRICT engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION (not district) engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice. Exception: JD appeals based on new information must be submitted to the DISTRICT engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

DISTRICT ENGINEER
Sacramento District, Corps of Engineers
Steve Moore, Project Manager
400 Rood Ave, Rm 142
Grand Junction, CO 81501
(970) 243-1199 x 13

If you only have questions regarding the appeal process you may also contact:

DIVISION ENGINEER
Army Engineer Division, South Pacific, CESP-D-CM-O
Attn: Tom Cavanaugh, Administrative Appeal Review Officer, Army
Corps of Engineers, CESP-D-PDS-O, 1455 Market Street, San
Francisco, CA 94103-1399 (415-503-6574, FAX 415-503-6646)
(Use this address for submittals to the **DIVISION ENGINEER**)

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 19, 2008

Mr. Douglas Bennett
Acting Division Administrator
FHWA - Colorado Division
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228

Subject: Nationwide Section 4(f) Evaluation and Finding of *De Minimis* Impact for Whitman Park, I-70B West Environmental Assessment, Grand Junction

This letter constitutes a request for concurrence on the combined *Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Publics Parks, Recreation Lands, and Wildlife and Waterfowl Refuges*, and Finding of Section 4(f) *De Minimis* impact for Whitman Park, which is within the limits of the project referenced above. The undertaking involves improvements to Interstate 70B extending from 24 Road on the west to 15th Street on the east, passing through downtown Grand Junction.

In consultation with the State Historic Preservation Officer (SHPO), FHWA and CDOT determined that Whitman Park (5ME1186) is eligible to the National Register of Historic Places under Criterion A as one of Grand Junction's earliest parks. It is also significant under Criterion C for exhibiting landscape design features associated with the original park. Whitman Park is subject to evaluation under Section 4(f) as a historic property and as a public park. The I-70 B West Environmental Assessment includes the combined programmatic-level Section 4(f) evaluation and the *de minimis* finding for the park. The current draft of this document is attached for your review. Please note that CDOT is awaiting a response from the City of Grand Junction regarding the impacts to the park.

Programmatic Section 4(f) Evaluation

The implementation of the Preferred Alternative currently under study would result in minor impacts to Whitman Park, as noted in the attached draft document. CDOT has determined that the project meets the criteria for application of the Nationwide Section 4(f) Evaluation.

Finding of *De Minimis* Impact

The Colorado SHPO concurred with our determination that the project would result in *no adverse effect* to Whitman Park, and the project meets the requirements for a Finding of Section 4(f) *De Minimis* Impact as set forth in Section 6009(a)(1) of SAFETEA-LU and the associated December 12, 2005 "Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources."

Request for Approval and Concurrence

Combining the Programmatic Section 4(f) Evaluation and *de minimis* finding was the result of a coordination meeting with FHWA staff on July 12, 2007. The combined document is included as Appendix E of the I-70B West EA and is also enclosed with this letter for your convenience. CDOT requests FHWA approval of the Nationwide Section 4(f) Evaluation and concurrence with the Section 4(f) *De Minimis* Finding as outlined in the EA.

Please sign below to reflect your approval of the Programmatic 4(f) Evaluation and concurrence with the *De minimis* Finding.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosure: Draft of Combined Section 4(f) Evaluation

cc: Tammie Smith, CDOT Region

Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Publics Parks, Recreation Lands, and Wildlife and Waterfowl Refuges

I approve:

 3/07/08

Douglas Bennett, P.E. Date
Acting Division Administrator,
Colorado Division, Federal Highway Administration

Section 4(f) Finding of *De Minimis* Impact

I concur:

 2/29/08

Douglas Bennett, P.E. Date
Acting Division Administrator,
Colorado Division, Federal Highway Administration



U.S. Department
of Transportation

**Federal Highway
Administration**

**Colorado Federal
Aid Division**

12300 W. Dakota Ave.
Suite 180
Lakewood, CO 80228

Mr. Joe Stevens, Director
City of Grand Junction
Parks & Recreation Department
1340 Gunnison Avenue.
Grand Junction, CO 81501

FEB 29 2008

Subject: I-70B West Corridor Environmental Assessment: Effects to Whitman Park

By way of this letter, the Federal Highway Administration (FHWA) is requesting written concurrence from the City of Grand Junction that the impacts to **Whitman Park** that would result from implementation of the Preferred Alternative currently under study in the I-70B West Corridor Environmental Assessment would result in minor impacts for purposes of a Nationwide application of Section 4(f) of the Department of Transportation Act, as recently amended by Congress.

A final written analysis and determination required under the programmatic Nationwide Section 4(f) evaluation, which must be provided to the officials having jurisdiction over the involved Section 4(f), is enclosed. The analysis finds that the 85 square foot use of the 2.48 acre park property for the purposes of transportation improvements at the northwest and southeast corners of the park would be (1) unavoidable, (2) have been minimized to the smallest portion of land possible (less than 0.1% of the property), and (3) would not have a negative affect to the park function, features and attributes, or accessibility. This use is necessary to provide safe turning radii for turning motions at adjacent intersections to the northwest and southeast of the park. On-street parking and improved sidewalks adjacent to the park would be provided.

In addition to the above programmatic evaluation, the Colorado SHPO has issued a determination of eligibility and effect for Whitman Park as historically significant to be considered eligible for the National Register of Historic Places, and that the project as proposed would have *no adverse effects* to the historic attributes, setting, or significance of the park resource. FHWA has therefore determined that impacts to the historic property are minor, and has issued a *De Minimis* Finding for the historic resource.

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Request for Concurrence

The FHWA requests the written concurrence from the Grand Junction Parks and Recreation Department that effects of the build alternative as described above, and considering the harm minimization and mitigation measures that have been proposed, would not adversely affect the function, activities, features, and attributes of the park. This written concurrence will be evidence that the concurrence and consultation requirements of Section 6009 of SAFETEA-LU and Sec. 771.135 Section 4(f) (49 U.S.C. 303 for this Nationwide Section 4(f) Evaluation. Concurrence can be provided either by signing and dating the signature block at the end of this letter, or by separate letter from the Grand Junction Parks and Recreation Department to the FHWA at the address shown above.

Sincerely yours,



Douglas Bennett, P.E.
Acting Division Administrator

Concurrence

The City of Grand Junction Parks and Recreation Department hereby concurs that it has consulted with the FHWA on the impacts of the build alternatives to Whitman Park and that the Office concurs with the FHWA's finding that the build alternatives will not adversely affect the park for purposes of Section 6009 of SAFETEA-LU (codified by 23 U.S.C. § 138 and 49 U.S.C. § 303) for this Nationwide Section 4(f) Evaluation.

By:  _____

Title: Director, Parks & Recreation

Date: march 5, 2008

Cy: File 14932
Reader File

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