

North I-25 Draft EIS Agency Comments Received

Date	NORTH I-25 DEIS COMMENTS
	Federal/State/Regional Agency
12/29/2008	USACE – Denver Regulatory Office (Carey)
12/30/2008	NRFMPO (Davidson)
12/20/2008	DRCOG (Sandal - email to Carol Parr)
1/22/2009	US Environmental Protection Agency (Svoboda)
2/16/2009	State Historic Preservation Officer (Nichols)
2/19/2009	ACHP (Vaughn)
2/26/2009	Department of Interior (Taylor)
	Local Agency
11/20/2008	Town of Erie (Behlen)
12/9/2008	Town of Berthoud Resolution and Proclamation
12/19/2008	Boulder County (Gerstle)
12/19/2008	City and County of Broomfield (Baskett)
12/22/2008	Town of Frederick (Doering)
12/23/2008	Larimer County Board of County Commissioners (Gibson)
12/26/2008	City of Loveland (Pielin)
12/28/2008	City of Longmont (Wolfrum)
12/29/2008	City of Greeley (Bagley)
12/29/2008	Weld County (Jerke)
12/30/2008	Town of Timnath (Benson)
12/30/2008	City of Fort Collins (Bracke)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 S. WADSWORTH BOULEVARD
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December 29, 2008

Ms. Karla Petty
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Federal Highway Administration
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228

Mr. Terry J. Rosapep
Regional Administrator, Region 8
Federal Transit Administration
12300 West Dakota Avenue, Suite 310
Lakewood, Colorado 80228

RE: North I-25 Draft Environmental Impact Statement

Dear Ms. Petty and Mr. Rosapep:

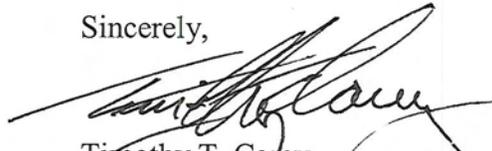
This letter constitutes the U.S. Army Corps of Engineers' (Corps) comments on the I-25 North Draft Environmental Impact Statement (DEIS) for proposed transportation improvements. The Corps' review focused on Section 404 of the Clean Water Act and potential impacts to waters of the United States, including wetlands. Our involvement with this environmental document, and subsequent review of the DEIS, was done in accordance with the NEPA/404 merger process and agreement for transportation projects in Colorado. The following comments are provided:

1. On November 4, 2008, the Corps provided a preliminary jurisdictional determination (JD) of aquatic resources for the highway portion of the project. On December 24, 2008, the Corps received a request for a preliminary JD for the rail portion of the project. Please be aware that both preliminary JDs apply to all aquatic resources inventoried (wetlands, streams and open waters), with a statement made that such resources "may be" jurisdictional waters of the U.S. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in anyway by the permitted activity on the site as if they are jurisdictional waters of the U.S. Therefore, if the Federal Highway and Transit Administrations decide to continue the NEPA/404 process utilizing preliminary JDs, the Final EIS, as well as technical reports related to Section 404 of the Clean Water Act, should state that all inventoried aquatic resources are assumed to be jurisdictional waters of the U.S.
2. Throughout the DEIS and applicable technical reports, please replace all references to the "Mitigation Guidelines" with the "Mitigation Rule", which went into effect on June 9, 2008. The Mitigation Rule, 33 CFR Part 332, replaced all previously issued Corps' mitigation guidance.

3. Even though Package A addresses two potential projects (highway improvements and rail) for the purpose of compliance with NEPA, each project proponent may apply for their own Section 404 permit, so long as each project has independent utility (construction of one is not dependent on construction of the other).
4. Based on the analysis of aquatic resource impacts contained in the DEIS, to include the assessment of wetland functions contained in the Wetlands Technical Report, Package A appears to be the current least environmentally damaging practicable alternative.

Please extend my thanks to Ms. Monica Pavlik and the project team for taking my earlier comments into consideration. If you have any questions, please call me at 303-979-4120.

Sincerely,



Timothy T. Carey
Chief, Denver Regulatory Office

CF:

Sarah Fowler, EPA
Alison Michael, USFWS
Martha Chieply, CENWO-OD-R



Technical Comments on North I-25 EIS North Front Range MPO Staff December 30, 2008

Commuter Rail vs. BRT

There are two major areas of technical concern with the draft EIS for North I-25. The first is the overestimated infrastructure need and therefore overestimated cost in the proposal for passenger rail in Package A. The second is the cost allocation, or the lack thereof, for Bus Rapid Transit. When these two deficiencies are combined, they create a fatal flaw which results in the Package A alternative being eliminated from consideration for funding reasons.

1. The first area has two components, the major one of which is the question of whether or not the Package A commuter rail proposal requires double tracking from Fort Collins to Longmont. The EIS, on page 2-21, acknowledges that the single track option assumed fairly limited rail service during the peak period and no service during the rest of the day. It also assumed a reduced number of stations and limited passing tracks. Therefore it is no wonder that there was a "...very noticeable reduction in ridership that would result."

The single track option, if it is to be compared to the double track option, should have used as similar a set of assumptions as possible, given the constraints of a single track. These assumptions are in terms of service levels, number of stations, and passing tracks. The MPO's rail consultant has indicated that "a single track railroad with proper signaling - Centralized Traffic Control (CTC) – can easily handle up to 25 trains per day." He goes on to say "BNSF runs all Metra trains west from Chicago's Union Station where freight is mixed with commuter rail on a CTC controlled railroad."

On the same page, the draft document states "Because these options [single tracking] would not include constructing a new track adjacent to the existing freight rail track, they would result in substantially less construction and thus result in substantially less impact to environmental impacts."

It is our recommendation that the single track option be evaluated in the draft document with a similar set of assumptions as were made for the double tracking option in terms of service levels, number of stations, and passing tracks.

2. The second component that bears further scrutiny is the inclusion of the double track line from Longmont to FasTracks North Metro Corridor end-of-line in Thornton as Part of Package A. According to the document, the difference in transit time between that option and the Commuter Rail without Connection option is exactly four minutes. It seems to make no sense to include the connection in terms of transit travel time, let alone in terms

of the added expense. Right of way along Highway 119 is going to be extremely expensive, as is construction of new track. **We therefore recommend that this piece of Package A commuter rail be eliminated from consideration.**

This second area also has two components.

a) The first relates to the way in which Package B allocates the cost of constructing, operating, and maintaining the tolled express lanes (TEL). It is our understanding that none of the costs for adding the TEL was attributed to BRT, which clearly is inaccurate, since without these lanes, BRT would not be able to show any travel time advantage over travel times in the general purpose lanes. A proportion of the costs for the right of way, roadway, barrier separation, and all other construction components of the TEL should be attributed to BRT. The same is true with the costs of operating and maintaining the facility.

We recommend that a reasonable proportion of all these costs be assigned to BRT in order to arrive at a true cost for the service being proposed.

b) The second technical component is the way in which revenues have been determined for the TEL. While we are far from experts on this subject, we're guessing that the numbers were based on a 10-year time period. The use of this time period excludes the cost of replacing equipment that has only a ten-year life. If the projections went out 30 years, which seems to be somewhat standard for facilities of this sort, the life cycle costs would result in a much less favorable picture for the TEL. In addition, it is of concern that the recent economic situation is causing a significant shortfall on the Pennsylvania, Indiana, and Skyway toll facilities.

We recommend that the TEL costs and revenues be projected on a 30 year basis to obtain an accurate cost/benefit picture.

It is clear that the costs and service levels in the present document are unfairly slanted toward BRT and against commuter rail. Thus, the reviewer is unable to make an informed judgment on the technical merits of the proposal.

Rocky Mountain Rail Authority High Speed Rail Feasibility Study

There is no mention of the Rocky Mountain Rail Authority High Speed Rail Feasibility Study anywhere in the document. This is unfortunate since so-called "private" projects such as the "Falcon Expressway" and "Front Range Rail Plan" (neither of which are planning projects endorsed by any jurisdiction in Northern Colorado) are recognized in the DEIS.

Recommendation - At the very least, the Rocky Mountain Rail Authority (RMRA) project should be given the same credence. After all, it is a CDOT-funded project.

Recommendation - Bridge and overpass designs that allow for the future provision of rail service in the I-25 median should be forwarded, in spite of the excess cost. A failure to do so virtually ensures additional costs and complications if indeed it is

determined that High Speed Rail is deemed feasible by the RMRA and CDOT (study to be completed in June of '09 with a recommended alignment for HSR in the I-25 Corridor).

Rail Stations

It doesn't make sense technically to provide two commuter rail stations within 1.2 miles of each other in Fort Collins – one at the Downtown Transit Center and another at Colorado State University. This station spacing is impractical when designing a commuter rail line. Ideally, commuter rail stations are spaced approximately 3-5 miles apart. Stations with a greater distance may miss potential ridership and stations closer together typically have decreased level of service due to increased travel times, not to mention increased capital costs associated with station construction. The proposed CSU station also does not include a Park & Ride facility, so it will not provide the level of vehicular access that one would typically like to see afforded at a commuter rail station. The Mason Street Corridor BRT system will have duplicating stop at the CSU location.

Recommendation is to re-evaluate the proposed CSU station for the above reasons.

BRT

On the question of so-called “Bus Rapid Transit” operating on I-25 in Package B, our concerns center on this particular transit option being oversold to the public by portraying a mode that for all practical purposes would be more accurately called “express bus service” to Denver. BRT by nature has a very loose definition, and at the very least we believe that a more thorough discussion should be presented that accurately places this specific proposal into the “continuum” of BRT services.

For example, most literature and guidance pertaining to BRT implementation suggests that several factors must be in place in order to maximize the ridership and costs benefits associated with the project. Some of these factors are: an exclusive guideway for the sole operation of the BRT vehicles (the TEL lanes as proposed are not a substitute), platform boarding at stations and stops (mentioned in the text of the EIS but not illustrated in the conceptual drawings), signal pre-emption, high frequencies (typically 10 to 15 minute headways) and on-board fare collection.

All of these factors, when implemented, take regular city bus or express service to the next level of speed, passenger convenience, and overall competitiveness with the SOV to the next level. It is not clear that the “BRT” option as presented contains any of these additional components. Put simply, the BRT option as proposed is absolutely the lowest grade of service that might be implemented and still earn the title “BRT.”

Looking at the differences between this proposal and the Mason Street Corridor project in Fort Collins illustrates the “continuum” of “BRT” options that are nevertheless lumped into the same category.

Recommendation - The EIS should take great pains to explain these differences (express bus service vs. BRT) so that the public is plainly aware of what they are commenting on and the differences between the types of services. Anything less may be construed as misleading.

Additionally, it concerns us that the decision to locate BRT stations in the median of I-25 was seemingly made so that BRT could be “as competitive as possible with commuter rail service” (page 2-44). Two questions immediately come to mind:

- a. Does locating the so-called BRT stations in the median preclude future HSR service in the median?
- b. Making a decision intended to make one alternative more competitive with another seems to indicate a bias in the analysis. If BRT in the I-25 corridor can be competitive with the commuter rail alternative in Package A then shouldn't it be analyzed on its own merits and not be “propped up” to compete better in the final analysis?

Park & Ride Lots

Recommendation – CDOT should increase visual monitoring and upkeep of the expanded park & ride/carpooling lots to ensure vehicle safety from theft and vandalism. Since CDOT Region 4 and the MPO partnered to install monitoring devices and lighting at specific park & ride lots, it is our understanding from local law enforcement that vandalism has decreased and safety has increased.

Miscellaneous Comments

There may need to be some consideration of additional components for mixing and matching into a preferred package. The latter is probably the most important feedback that CDOT needs to hear. However, we are also concerned that there may be assumptions about the costs of the packages that would be affected if the timing of current and upcoming (committed) construction projects on I-25 are not being given attention and then appropriately updated by the EIS team when mixing and matching components into a preferred alternative package.

Stale Descriptions

Regarding **Component A-H3: I-25, SH 60 to E-470**, the material currently says, "A new interchange at SH 66 is planned as part of a separate action." **Recommendation - to avoid confusion this should have said that the new interchange at SH 66 is "currently under construction..." (that is, not just "planned").**

Regarding **Component A-H2: I-25, SH 14 to SH 60**, the material currently says, "The relatively new interchange at Harmony Road would be widened to provide additional capacity." The previous sentence says that it will be "reconstructed." **Recommendation - Hopefully, what needs to happen at Harmony Road will not discard and then reconstruct the existing bridge, which would be very expensive, but would be more like what is described elsewhere (see Component A-H3: I-25, SH 60 to E-470) about the SH 52 interchange: "The relatively new SH 52 structure over I-25 would be widened to provide additional capacity along SH 52." (Perhaps ramps at Harmony Road will also be widened and should be mentioned.)**

Recommendation - Perhaps the plans underway by Fort Collins and Windsor to totally reconstruct the interchange at SH 392 should be pointed out as "likely to be part of a separate action if adequate funding can be arranged." If this would not fit well into the description of the component, then perhaps it could be mentioned under the "Considerations" heading, since its timing might affect the comparisons of total costs for a recommended package. If Fort Collins and

Windsor do reconstruct the SH 392 interchange, would a "Minor Structure Rehab" still need to be shown as part of the "No Action" alternative and be included in its costs?

Regarding **Component A-H3: I-25, SH 60 to E-470**, the material currently says, "No widening would be included between SH 66 and SH 52; this section is to be constructed to six lanes with No-Action." (emphasis added) **Recommendation - It seems that that in order to avoid confusion, the material could just as well say "this section is currently being constructed to six lanes."**

Assortment of Components

Regarding **Component A-T1: Commuter Rail, Fort Collins to Longmont**, at the December 15th RCC/TAC meeting, it was stated that RTD's FasTracks plan is looking at a single (not a double) track operation for the north end of the Northwest Rail corridor. RTD's web site says, "...the BNSF must determine whether the new track will be built on the east or west side of the existing track. Trains from Boulder to Longmont will run on the existing track."

The reference about building "on the east or west side" is evidently associated with the portion of the corridor south of Boulder, where the result would be "double tracking" which would reduce schedule conflicts between commuter train and freight train traffic. The use of the "existing track" from Boulder to Longmont implies a single-track commuter rail service.

Recommendation - If a clear case has not yet been made from the EIS analysis about the need for double-tracking north of Longmont, then this existing component's capital cost (assuming double-tracking between Longmont and Fort Collins) might be putting commuter rail at a competitive disadvantage in any potential package that would include it. Perhaps another component needs to be added to the assortment of components for addressing a single-track option mixing and matching.

On the other hand, if double-tracking north of Longmont has been established as being crucial, then perhaps another component needs to be added yet to the assortment of components: It would address, for the sake of compatibility and continuity, double-tracking between Boulder and Longmont on the Northwest Rail line. Might the need for double tracking either north or south of Longmont be affected by whether or not there will be any new connecting rail line --be it single- or double-tracked-- between Longmont and RTD's North Metro line?

DRCOG appreciates the opportunity to comment on the North I-25 draft EIS. We only have a few comments, as follows:

Overall:

The Draft EIS makes reference to currently available information from the 2030 MVRTP and uses a combined traffic model with data from the North Front Range MPO, prepared with assistance from a technical group that included modeling staff from DRCOG. We would note, however, that there have been recent changes that should be considered in the final EIS.

- In December 2007, the MVRTP was updated to 2035 (and will be formally amended in January 2008)
- Appendix 4 of the 2035 MVRTP, available from the DRCOG website, includes a current listing of fiscally constrained capital improvements and estimated costs (in 2008 dollars) for regional road and transit facilities currently included in the MVRTP.
- In February 2008, the DRCOG planning area was expanded to include a portion of southwest Weld County. Thus, geographic and document references may need to change from the Upper Front Range TPR to the DRCOG region.

Page Specific:

- Page 2-3 and elsewhere: reference should be made to the specific document title of the 2030 Metro Vision Regional Transportation Plan (2030 MVRTP) rather than simply "Metro Vision" - unless clear definition, early on, is given as to what the term "Metro Vision" references (e.g. on bottom of page 4.1).
- Page 4-2, line 15 - Was it the assumption for the EIS modeling that FasTracks (RTD) service would actually be extended north? Or intermingling of new service provider? Or simply a connection (page 4-3). Likewise, page 4-15 references "long-haul transit service." Further explanation of assumptions is provided on 4-44, but a little should be provided earlier, such as on page 4-2.
- Page 4-3, line 25 - The 2035 MVRTP references a vision for HOV/BRT on I-25 north of US-36. While not precluding "managed lanes" or tolled express lanes from being amended into the plan at a future date, it does not specifically define it as such at this time.
- Page 4-51 - Figure 4-26 appears to show many types of facilities besides trails. The legend should be changed (possibly to "Facility") and maybe in title note: (excluding pedestrian-only sidewalks) or something like this. We understand that this is always a tricky issue with bicycle and pedestrian facilities. Lines 20-23 of page 4-50 are also confusing. Clarification should be made in the FEIS with further verification of the facilities shown on Figure 4-26.
- Page 6-3 - The specific RTP should be referenced. What SH-7 improvements were included in the Package Capital Cost? Should the SH-7 funding source amount be included as available funding for the project? If so, it would be better to say funding has been identified rather than "approved." Would be useful to have more detail for funding cost components in Tables 6-1 to 6-3.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Ref: 8EPR-N

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Re: I-25 Corridor from Fort Collins-Wellington area to
Denver: Draft Environmental Impact Statement (DEIS):
CEQ# 20080436

Dear Mesdames and Messrs. George, Petty, and Rosapep:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) 42 U.S.C. Section 4231 et. seq., and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the I-25 Corridor Draft Environmental Impact Statement (DEIS).

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), in cooperation with the Colorado Department of Transportation (CDOT) developed this DEIS to evaluate long-term travel needs between the Denver metropolitan area and Ft. Collins along I-25. The DEIS identifies and evaluates two multimodal transportation alternatives in addition to the no action alternative for the 61 mile corridor extending from Ft. Collins/Wellington Area to Denver. The study area of this project includes 38 incorporated

communities, including the major population centers of Fort Collins, Greeley, Loveland and communities in the northern portion of the Denver metropolitan area. The corridor extends from Fort Collins Wellington area to Denver (Adams, Boulder, Broomfield, Denver, Jefferson, Larimer, and Weld Counties.) Two multi-modal build packages (Packages A and B) were evaluated. Highway improvements considered as part of the multi-modal packages include highway widening and interchange reconstruction. Transit improvements considered include commuter rail, commuter bus, and bus rapid transit on three different alignments.

Package A adds one additional general purpose lane on I-25 in each direction, for a total of six lanes from State Highway (SH) 66 to SH 14 and a total of eight lanes from E-470 to SH 52. Interchange reconstructions would be included. Package A also includes a double tracked commuter rail line using the existing Burlington Northern Sante Fe (BNSF) railroad track plus one new track from Fort Collins to downtown Loveland. A new double-tracked commuter rail line would connect Longmont to the FasTracks North metro end-of-line station in Thornton. Package A would also include nine commuter rail stations and a commuter rail maintenance facility; a commuter bus maintenance facility and feeder bus routes along five east-west routes; and commuter bus service along US 85 between Greeley and downtown Denver and along E-470 from US 85 to Denver International Airport (DIA).

Package B adds one buffer-separated tolled express lane to I-25 except for the section between SH 60 and Harmony Road, where two barrier-separated lanes would be added. Tolled express lanes (TEL) would extend from SH 14 to 84th Avenue in Thornton and would be used by high-occupancy vehicles for free, by single-occupancy vehicles if they pay a toll, and by buses. Interchange reconstructions would be included. Twelve bus stations would provide service along I-25, US 34 into Greeley, and Harmony Road into Fort Collins. Package B also would include bus maintenance facility and feeder bus routes along five east-west streets. In addition, bus service would be provided along E-470 from I-25 to Denver International Airport.

EPA has reviewed the DEIS and has three primary concerns which are briefly highlighted in this letter: air quality, wetlands, and visibility. The enclosed "Detailed Comments" provide more discussion of our concerns. These comments are principally focused on improving the disclosure of cumulative impacts on air quality and wetlands.

A particular concern in the air quality section is the absence of a cumulative analysis of sources of volatile organic compounds (VOC) and nitrogen oxides (NOx) other than those from transportation projects. EPA recommends that sources of VOC and NOx emissions from oil and gas, stationary sources, non-road mobile sources and general area sources be included in this analysis. It appears that existing data and analysis may be available for inclusion in the FinalEIS.

In addition, the wetland analysis does not disclose any potential difference in cumulative wetlands impacts between the action alternatives. Further, there is no discussion whether the two alternatives would result in different land use patterns affecting wetlands. EPA recommends that the FEIS include such discussion of cumulative impacts and disclosure of differing land use development patterns and their foreseeable impacts to wetland resources.

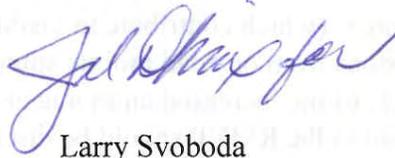
We have also included comments regarding protection of visibility in Federal Class I areas (Rocky Mountain National Park). EPA recommends that the FEIS describe regulatory requirements for protecting visibility in Federal Class I areas and the status of visibility degradation in Rocky Mountain National Park (RMNP). Much of this information is contained in the Colorado State Implementation Plan and the Rocky Mountain National Park Nitrogen Deposition Reduction Plan (RMNPNDRP). The DEIS notes that future emissions of nitrates and sulfates from on-road mobile sources (which contribute to visibility degradation) are projected to decrease but that ammonia emissions from on-road mobile sources are projected to increase. The direct and cumulative impacts of the increased ammonia and the significance of its contribution to nitrogen deposition in the RMNP should be disclosed. EPA recommends that the FEIS describe mitigation measures for reducing ammonia emissions from not only on-road mobile sources, but also from point and area sources. Mitigation measures for reducing ammonia emissions in the project area are included in the RMNPNDRP, Memorandum of Understanding between the National Park Service, the EPA and the Colorado Department of Public Health and Environment. Inclusion of these mitigation measures in the FEIS and Record of Decision will serve to alert agencies or officials who can implement them and will encourage them to do so. These concerns are also discussed in further detail in the attached comments.

Pursuant to EPA policy and guidance, EPA rates the environmental impact of an action and the adequacy of the NEPA analysis. Since a preferred alternative has not yet been identified, EPA has rated both action alternatives, Package A and Package B, as “ EC-2 ” (Environmental Concerns-Insufficient Information). This “EC” rating means that impacts have been identified that should be avoided in order to fully protect the environment. The “2” rating means that clarifying language or information may be necessary. An explanation of the rating criteria is enclosed. Although we have rated these action alternatives the same, we note that they may result in different induced changes in the pattern of land use, population density or growth rate. EPA notes that Package A appears to facilitate transit oriented development in an existing urban area leading to more pedestrian friendly neighborhoods and less dependency on private vehicles for shopping and work related trips. In addition, Package A appears to have fewer impacts to wetlands, floodplains, wildlife and aquatic species, and threatened and endangered species, when compared to Package B.

EPA appreciates the opportunity to review this project. We also acknowledge the complexities in designing multi-modal alternatives such as this one in a manner that meets the purpose and need, considers and mitigates environmental impacts and attempts to meet the needs of the local communities (which are often conflicting). We have attached a list of concerns by

resource area where clarifying language or information is suggested. If you have any questions or would like to discuss our comments, please contact me at (303) 312-6004 or Robin Courson of my staff at (303)312-6695.

Sincerely,



Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

Enclosure

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EPA's DETAILED COMMENTS ON THE I-25 CORRIDOR DEIS

Air Quality

Nonattainment Designation:

- Pg. 3.5-1, Section 3.5 Air Quality – We recommend that this section be revised to discuss the designation of the Denver-metropolitan and North Front Range area as a nonattainment area. This nonattainment designation was a result of a violation of the federal 1997 8-hour 0.080 ppm ozone standard and was effective on November 20, 2007. A detailed plan to reduce ozone has been developed by the Colorado Air Pollution Control Division, along with the Regional Air Quality Council, Denver Regional Council of Governments, and the North Front Range Metropolitan Planning Organization. The resulting attainment plan was submitted by the Regional Air Quality Council to the Colorado Air Quality Control Commission and was approved on December 12, 2008, with legislative review expected in early 2009, and as per Court settlement, submitted to EPA by not later than July 1, 2009. The plan will require further reductions on ozone levels beyond what was previously required.

Mobile Source Air Toxics:

- Page 3.5-7, Mobile Sources Air Toxics (MSAT) section: EPA has made its disagreements with regard to FHWA guidance, and its inclusion in many transportation project EISs, known over the last few years. We continue to disagree with many of the statements in this mobile sources air toxics section such as technical shortcomings of current EPA regulatory models. We do note that much of this language is included from earlier CDOT transportation EISs; however, we note that section 3.5.3.5 of the document does contain relevant information regarding MSAT emissions data (presented in Table 3.5-16.) Table 3.5-17 contains a beneficial, extensive list of potential MSAT receptors (i.e., schools, churches, hospitals, etc.) Also, the MSAT analysis findings on pages 3-5.39 and 3-5.40 are valuable.
- Page 3.5-12, fourth paragraph, last sentence: States that “Regional studies” indicate mobile source ammonia (NH₃) emissions will grow to over 3,700 tons by 2018. Are these “studies” the Taipale 2006 reference on page 3.5-13? Also, were NH₃ emissions from the project calculated using EPA’s MOBILE6.2 model in order to evaluate the project’s emissions contribution as a component of the stated 3,700 tons per year figure for 2018?

PM₁₀ and PM_{2.5}:

- Page 3.5-14, section 3.5.3.1 and Tables 3.5-3, 3.5-4, 3.5-5, 3.5-6, and 3.5-7: With respect to PM₁₀ emissions in this section and tables, it’s unclear if re-entrained road dust, tire wear and brake wear emissions were included with the PM₁₀ emission figures. This does not appear to be the case as PM₁₀ emissions decrease in all evaluations as compared to

2001 (we note that re-entrained road dust, tire wear and brake wear emissions are all dependent on VMT estimates used in the modeling.) Typically we see increases in PM₁₀ emissions with projected increases in future year(s) VMT.

- Page 3.5-14, section 3.5.3.1 and Tables 3.5-3, 3.5-4, 3.5-5, 3.5-6, and 3.5-7: On October 17, 2006, EPA strengthened the 24-hour PM_{2.5} standard (see 71 FR 61144, effective December 18, 2006.) Further, on December 22, 2008, EPA's Administrator signed the Final Rule for national designations of 24-hour PM_{2.5} standard. The DEIS briefly discusses the revised standard in paragraph seven on page 3.5-2, noting that sources of PM_{2.5} emissions "... include all type of combustion, including motor vehicles, particularly diesel exhaust ...", and reflects the revised standard in Table 3.5-1. A discussion should be provided and PM_{2.5} emissions should be considered with emission figures included in the above referenced tables. As applicable for the other criteria pollutants, EPA's MOBILE6.2 can calculate PM_{2.5} emissions (see page 55 of the "User's Guide to MOBILE6.1 and MOBILE6.2"; EPA420-R-03-010, August, 2003.)

Indirect Effects:

- Page 3.5-42, Section 3.5.3.7. This section states that the incremental growth (ie. Induced growth) due to the planned proposals, would be less than 1%. This number appears to be low given the level of interest in this project by the Front Range communities and the general knowledge that one of the reasons for highway expansion is to spur economic development. EPA recommends that the methodology showing the analysis for 1% incremental growth be presented in the EIS.

Cumulative Effects:

- Federal Class 1 Area – Regional Haze: EPA recommends that the FEIS describe regulatory requirements for protecting visibility in Federal Class 1 areas and the status of visibility degradation in Rocky Mountain National Park. The Colorado State Implementation Plan (SIP) for Regional Haze discusses the current status of regional haze in Rocky Mountain National Park and the regulatory requirements for reducing regional haze. The SIP presents an emissions inventory for nitrate and sulfate emissions which, when combined with ammonia, can form nitrate and sulfate aerosols that contribute to regional haze. EPA agrees with the draft EIS statement that future emissions of nitrates and sulfates from on-road mobile sources are projected to decrease whereas future emissions of ammonia are projected to increase. Section 3.5.4, Mitigation Measures should present approaches for reducing ammonia emissions from not only on-road mobile sources, but also from point and area sources. As stated in NEPA's 40 Most Asked Questions, an agency can suggest mitigation even if the mitigation is outside its jurisdiction. (See www.nepa.gov/nepa/regs/40 Question 19b.)
- Federal Class 1 Area - Nitrogen Deposition in the Rocky Mountain National Park. Section 3.5.2.4. EPA recommends that Section 3.5.2.4 provide a more thorough analysis of the potential for on-road mobile sources to contribute to nitrogen deposition in Rocky Mountain National Park. Please discuss what the limiting factor is for ammonium nitrate formation in the atmosphere of the Front Range. If nitrates are the limiting factor, then

there should be less ammonium nitrate formation since region-wide NO_x emissions are decreasing. If ammonia is the limiting factor, then even with a reduction of NO_x emissions, there may be more ammonium nitrate formation. Also, please state which alternative (Package A or B) would have the lowest ammonia emissions.

Mitigation Measures:

- Section 5.3.5.4 Mitigation Measures. EPA recommends that the FEIS describe mitigation measures for reducing ammonia emissions from not only on-road mobile sources, but also from point and area sources. Mitigation measures for reducing ammonia emissions in the project area are included in the RMNPNDRP, Memorandum of Understanding (MOU) between the National Park Service, the EPA and the Colorado Department of Public Health and Environment. Inclusion of these mitigation measures in the FEIS and Record of Decision will serve to alert agencies or officials who can implement them and will encourage them to do so. The website for this MOU document is as follows: <http://www.cdphe.state.co.us/ap/rmnp/NDRPAugust07.pdf>.
- Page 3.5-43, Section 3.5.4 – EPA recommends that another potential regional/ local agency strategy for reducing air pollution in the project area is a vehicle purchase/recycle program to get highly polluting vehicles off the road.

Other Technical Air Comments:

- Page 3.5-17, last paragraph: EPA recommends updating this paragraph with respect to EPA's designation of the project area as nonattainment for the 8-hour 0.08 ppm ozone ambient air quality standard on November 20, 2007. Also, as we noted above, a detailed plan to reduce ozone has been developed by the Colorado Air Pollution Control Division, along with the Regional Air Quality Council, Denver Regional Council of Governments, and the North Front Range Metropolitan Planning Organization. The resulting attainment plan was submitted by the Regional Air Quality Council to the Colorado Air Quality Control Commission and was approved on December 12, 2008, with legislative review expected in early 2009, and as per Court settlement, to be submitted to EPA by no later than July 1, 2009. In addition, this section should also discuss the new 0.075 ppm 8-hour ozone standard that was issued on March 12, 2008 (see also 73 FR 16436, March 27, 2008.)
- Page 3.5-4, third paragraph, third sentence. This sentence should be expanded with: "Ambient air quality data for 2005 to 2007, from monitors located within the Early Action Compact (EAC) area, showed exceedances that determined a violation of the 8-hour 0.08 ppm ozone standard."
- Page 3.5-6, Ozone bullet, second sentence. EPA suggests changing the language to: "Concentrations at monitoring stations throughout the regional study area returned to levels below the 8-hour 0.08 ppm ozone standard after the 2003 peak; however, ozone levels again increased above the ozone standard based on 2005 to 2007 data."

- Page 3.5-3, Table 3.5-1. There are new lead and ozone national ambient air quality standards that have recently been promulgated. The new lead standard that became effective on Oct. 15, 2008 is $0.15\mu\text{g}/\text{m}^3$ over a rolling 3 month average. The lead primary and secondary standards are the same. The new 8-hour ozone standard is 0.075 ppm which, like the previous ozone standard, is the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentration. In addition, EPA revoked the annual PM_{10} standard effective 12/18/2006.
- Page 3.5-3, last sentence. “Violations are determined by a prescribed number of exceedances of the particular standard.” EPA recommends adding “over a specific interval of time” at the end of the sentence.
- Page 3.5-4, second paragraph, second sentence. EPA suggests correcting the following sentence to read: “Dispersion and point source air quality modeling, in support of the attainment demonstration, have established emission levels for the 2006 base year and 2010 attainment year.”
- Page 3.5-35, Table 3.5-17. The table is an excellent representation of the distance between potentially sensitive populations and the highway. This information is important for the general public’s knowledge and for future urban planning.
- Page 3.5-4, Section 3.5.2, last sentence. EPA recommends to delete “to designate” from the sentence “EPA has designated ~~to designate~~ the area as non-attainment.”

Greenhouse Gases and Pollution Prevention

EPA believes that the discussion in Section 3.21 (Energy) that calculates the differences in energy consumption between the two alternatives and No Action as well as the calculations of greenhouse gas emissions among the three alternatives is helpful and we are pleased that a discussion of greenhouse gas emissions resulting from transportation sources is presented in this section. In addition, Section 3.26 Cumulative Impacts includes a beneficial table that describes and discloses the relationship of current and projected Colorado highway emissions to total global carbon dioxide emissions. Inclusion of project corridor VMT relative to statewide travel activity depicts the project in a global perspective for carbon dioxide emissions.

Water Resources

Storm Water

- Eleven Municipal Separate Storm Sewer systems (MS4s) are crossed by this project. EPA encourages CDOT to share information on maintenance and design of post-construction Best Management Practices (e.g., sediment basins) that are within the municipalities with MS4 programs.
- Package A does not meet CDOTs New Development and Redevelopment Program requirements to treat either 100% of the water quality capture volume or remove 80% of total suspended solids. It is noted in Part 3.7 that 90.7% of the impervious area is treated in Package A. Should Package A be selected, additional BMPs would be necessary to

ensure that 100% of the water quality capture volume is treated from the newly developed impervious surfaces.

Clean Water Act Section 404 – Discharge of Dredged or Fill Material into Waters of the U.S.

- Clean Water Act (CWA) Section 404 regulates the discharge of dredged or fill material into waters of the United States, including certain wetlands and other waters. Under CWA Section 404, permits for such discharges are generally issued by the U.S. Army Corps of Engineers (Corps), in accordance with EPA's CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230) (Guidelines). The Guidelines require among other things, that no discharge of dredged or fill material shall be permitted unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem (40 C.F.R. 230.10(d)). The Corps cannot issue a permit for a project that is not the least environmentally damaging practicable alternative (LEDPA) after completing the Guidelines analysis. EPA understands the Corps will rely on this EIS to comply with the Guidelines in issuing any CWA Section 404 permits associated with this project. EPA will evaluate and provide comments to the Corps for any CWA Section 404 permit applications associated with this project. Comments may include sufficiency of the alternatives analysis, impacts of the project to water resources including wetlands, and potential mitigation plans.
- The difference in wetland impact acreages between the two action alternatives is minimal (around 1 acre). In this situation, determining the LEDPA becomes more difficult. The LEDPA appears to be Alternative/Package A strictly due to the acreage of wetland impacts (19.34 v. 20.38 acres), however, the issue of other significant adverse environmental impacts must also be considered (40 CFR 230.10(a)). The Section 404(b)(1) Guidelines (Part 230.10(a)) state, in part, that no discharge shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic environment, "so long as the alternative does not have other significant adverse environmental consequences." Therefore, if air quality or water quality impacts are greater with Package A and rise to the level of significance, the Corps of Engineers needs to consider whether Alternative/Package A is still the LEDPA. Other environmental impacts resulting from the two alternatives should be taken into consideration to determine the LEDPA and may include (but are not limited to) air quality impacts, storm water development and associated water quality impacts, potential cumulative impacts to wetlands resulting from each alternative, etc.
- The document (page 3.26-30) does not adequately disclose any potential difference in cumulative (reasonably foreseeable development) wetlands impacts between the action alternatives. There is no discussion of whether the two alternatives would result in different land use patterns affecting wetlands. Some effort should be made to disclose transportation mode and related land use development patterns, and foreseeable impacts to wetland resources. An excellent example can be found in the US 36 DEIS.

- Executive Order 11990 – Protection of Wetlands (May 24, 1977) states in pertinent part as follows: “Section 1.(a) Each agency shall provide leadership and shall take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency’s responsibilities for (1) acquiring, managing, and disposing of Federal lands and facilities; and (2) providing Federally undertaken, financed, or assisted construction and improvements; and (3) conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities. (b) This Order does not apply to the issuance by Federal agencies of permits, licenses, or allocations to private parties for activities involving wetlands on non-Federal property.”



 OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

February 16, 2009

Russell George
Executive Director
Colorado Department of Transportation
4201 E. Arkansas Avenue
Denver, CO 80220

Karla Petty
Division Administrator, Colorado Division
Federal Highway Administration
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228

Terry Rosapep
Regional Administrator, Region 8
Federal Transit Administration
12300 West Dakota Avenue, Suite 310
Lakewood, CO 80228

Re: CDOT Project IM 0253-179, I-25 North Draft Environmental Impact Statement (CHS #42346)

Dear: Mr. George, Ms. Petty, and Mr. Rosapep:

Thank you for the opportunity to review the above-mentioned document under 36 CFR 800.8 of Section 106 of the National Historic Preservation Act (Section 106). After review of the Draft Environmental Impact Statement (DEIS), we concur with the recommended findings of effect under Section 106 for packages A and B for the properties discussed in the DEIS except for the properties listed below.

After review of the DEIS, we have further questions regarding the resources listed below.

- 5LR.995.4/Lake Canal. According to the Table 3.15-1 presented on page 3.15-6, the resource is included in a listing of properties identified as being listed on or considered eligible for the National Register. However, on page 3.15-34, the resource is described as being not eligible in 1983. After a review of our files, a field determination of not eligible was made in 1983, but the SHPO never concurred with that finding. Assuming that the entire Lake Canal Ditch is eligible for the National Register, we concur with the recommended finding of no *adverse effect* for package A and B.
- 5WL.1974/Rural Ditch. The text on page 3.15-101 states that the entire Rural Ditch was determined not eligible in 1993, but then also states the entire Rural Ditch is

eligible for the National Register. Assuming that the entire Rural Ditch is eligible for the National Register, we concur with the recommended finding of *no adverse effect* for package A and finding of *no historic properties affected* for package B.

- 5LR.488/Colorado and Southern Railway Depot/Loveland Depot. Potential effects to this resource are addressed on page 3.15-121 and 3.15-160 in regards to different aspects of the project. Also, on page 3.15-121, the text states that: "Although there would be direct effect to the property, there would be no direct effect to the structure." In our opinion, the direct effect should be evaluated to the entire property/setting within the National Register boundary, and not just to the envelope of the building. We also believe that the effects to this resource may not be fully evaluated until the architectural designs (as mentioned on page 3.15-160) are completed.

In regards to the resources listed below, we have the same questions. The resources below are significant in the area of agriculture under National Register Criterion A, which means that the agricultural land associated with the buildings is as important and significant as the buildings themselves. FHwA and CDOT recommend a finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 based on calculating what percentage of the agricultural land would be taken as a result of the project. In our opinion, the taking of agricultural land, a character-defining feature of the historic property, from within the National Register boundary of a historic site is a direct effect to the historic property. According to 36 CFR 800.5(a)(2)(i) and 36 CFR 800.5(a)(2)(iv) an adverse effect takes place when part of a property is lost or when a character-defining feature is changed within the property's historic setting. Beyond calculating the percentage of agricultural land lost within the historic boundaries for the resources listed below, please provide justification on why the taking of character-defining features within a National Register boundary is not an adverse effect.

- 5LR.11209/Schmer Farm.
- 5LR.11382/Hatch Farm.
- 5LR.11242/Mountain View Farm.
- 5WL.5203/Bein Farm.
- 5WL.5198/Olsen Farm.

In regards to the mitigation measures presented in Table 3.15-4, we are unable to fully comment on the mitigation measures until formal consultation on the resolution of adverse effect can begin among the lead Federal agency and all the consulting parties.

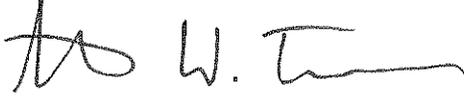
We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "E. C. Nichols". The signature is fluid and cursive, with a large initial "E" and "C".A small, stylized handwritten mark or signature element, possibly a checkmark or a small flourish, located to the left of the typed name.

Edward C. Nichols
State Historic Preservation Officer



Preserving America's Heritage

February 19, 2009

Karla S. Petty
Division Administrator
Colorado Division
Federal Highway Administration
12300 W. Dakota Ave., Suite 180
Lakewood, CO 80228

Dear Ms. Petty:

Thank you for notifying the Advisory Council on Historic Preservation (ACHP) that the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), in cooperation with the Colorado Department of Transportation (CDOT), intend to use the process in 36 CFR 800.8(c) to complete consultation under Section 106 of the National Historic Preservation Act (16 USC 470f) for the North I-25 Corridor Project. In addition, you have notified us that the project will have an adverse effect on six historic properties. The Draft Environmental Impact Statement (DEIS) included with your notification documents the area of potential effects (APE), CDOT's efforts to identify historic properties, and a description of identified properties that are eligible for inclusion in the National Register of Historic Places (NHRP). It also documents your application of the criteria of adverse effect for each property and an overall determination that the undertaking may have an adverse effect on historic properties if either Package A or Package B is selected for construction. FHWA intends to conclude consultation with the execution of a Memorandum of Agreement documenting measures agreed on, through consultation, to resolve adverse effects.

Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer, an affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Colorado State Historic Preservation Office (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Thank you for providing us with your notification of adverse effect and DEIS for review. If you have any questions or require our further assistance, please contact Carol Legard, our FHWA Liaison, at 202-606-8522 or via e-mail at clegard@achp.gov.

Sincerely,

A handwritten signature in cursive script that reads "Charlene Dwin Vaughn". The signature is written in black ink and is positioned above the printed name and title.

Charlene Dwin Vaughn
Assistant Director
Office of Federal Agency Programs



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



FEB 26 2009

9043.1
PEP/NRM

ER 08/1118

Ms. Carol Parr
Project Manager
Colorado Department of Transportation
1420 2nd Street
Greeley, Colorado 80632

Dear Ms. Parr:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement and Section 4(f) Evaluation for **I-25 Transportation Corridor Improvements (61 miles from Fort Collins/Wellington Area to Denver), Larimer, Weld, Boulder, Adams, Broomfield, and Jefferson Counties, Colorado**. The Department of the Interior (Department) reviewed the document and submits the following comments.

SPECIFIC COMMENTS

Section 3.7.3.1 Water Quality Impacts Methodology, Table 3.7-3 Common Highway-Related Surface Water Quality Impacts, page 3.7-12; and page 3.7-13, lines 19-25

This section discusses anticipated impacts of the project on concentrations and loads of sediment, anti-icing compounds, metals, and nutrients. It states that the constituents were chosen based upon their relation to roadway runoff and/or their sensitivity in the regional study area. It would benefit the reader if other highway-related constituents likely to be of concern, such as petroleum products, were discussed in this section, even if model and data limitations only allow a qualitative description of those potential effects.

Section 3.12.3, Raptors

Effects on raptors were estimated based on number of nests within ¼ mile of the project area. The U.S. Fish and Wildlife Service (FWS) recommends that this should be expanded to ½ mile because many species are sensitive to disturbance within that range during the nesting season. Additionally, the Colorado Division of Wildlife's (CDOW) Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors,

February, 2008, recommends restricting human encroachment within a ½ mile radius of active nests during the breeding season for many raptors.

Section 3.12.3, Migratory Birds

Please be aware that the Colorado Department of Transportation (CDOT) has written specifications on avoiding impacts to migratory birds before and during construction. These measures will need to be implemented during the project.

Table 3.13-5

Please change the status of the Colorado butterfly plant from Endangered to Threatened.

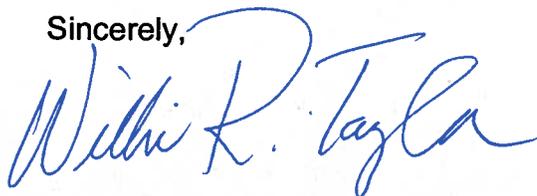
Species federally-listed as threatened or endangered may occur in the project area; therefore, interagency consultation under Section 7 of the Endangered Species Act may be required. The FWS Ecological Service Field Office in Lakewood, Colorado, should be contacted to initiate interagency consultation. If you should have questions, please contact Alison Deans Michael at (303) 236-4758.

SECTION 4(f) COMMENTS

The Department appreciates your consideration of properties in the Section 4(f) Evaluation; however, because there is no Preferred Alternative selected, we cannot concur that there is no feasible or prudent alternative to the Preferred Alternative selected in the document, and that all measures have been taken to minimize harm to the resources. We recommend that once you have selected a Preferred Alternative, specific mitigation measures be solidified for each of the affected Section 4(f) properties and documented in the Section 4(f) Evaluation.

We appreciate the opportunity to review this document. If you have any questions concerning water resources, please contact Lloyd Woosley, Chief of the USGS Environmental Affairs Program, at (703) 350-8797 or at lwoosley@usgs.gov. If you have any questions concerning fish and wildlife, please contact Alison Deans Michael at (303) 236-4758. If you have questions regarding Section 4(f), please contact Roxanne Runkel, National Park Service, at (303) 969-2377.

Sincerely,



Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc:

Ms. Monica Pavlik
Federal Highway Administration
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228

Mr. David Beckhouse
Federal Transit Administration
12300 W. Dakota Avenue, Suite 310
Lakewood, CO 80228



RECEIVED
TOWN OF ERIE

November 20, 2008

Dave Beckhouse
Federal Transit Administration – Colorado Division
12300 West Dakota Avenue, Suite 310
Denver, CO 80228

Re: North I-25 Draft Environmental Impact Statement

Dear Dave Beckhouse:

We have been an active participant in the North I-25 Project with our neighboring municipalities since its inception. We are very pleased that the Draft Environmental Impact Statement has been published and in the public review process. It is vital to the Town to assure that our citizens, and those in the area will have their long-term travel needs met safely and with a variety of modes of travel.

We have investigated the numerous alternatives and find that Package A best meets the Town's requirements. Package A has the following advantages:

- Provide three modes of travel (commuter rail, bus service, and general-purpose lanes).
- Provide faster vehicle travel time from SH1 to E-470 in 2030.
- Provide more travel lanes for the general-purpose highway user.
- Provide more modal options for travelers.
- Provide reduced travel on parallel arterial streets.
- Provide more riders per day on rail and bus.
- Provides connection of commuter rail to the "Fas Track" system
- Provide fewer traffic noise impacts, fewer floodplains encroachments, fewer water quality impacts, fewer wetland impacts, fewer impacts to terrestrial and aquatic habitats, and fewer impacts to parks and recreational properties.

We encourage the issuance of the Final Environmental Impact Statement selecting Package A and the Record of Decision authorizing the North I-25 Project.

Sincerely,

Gary W. Behlen, P.E.
Director of Public Works

Cc: Andrew Moore, Mayor
Board of Trustees Members
Mike Acimovic, Town Administrator

PROCLAMATION

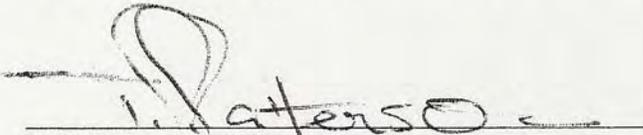
WHEREAS, the existing rail runs parallel to Highway 287, and
WHEREAS, the existing and future easements would be less expensive, and
WHEREAS, population centers are in line with the 287 corridor, and
WHEREAS, the land is available for a station in Berthoud, and
WHEREAS, I-25 is scheduled to be widened even further, and it is reasonable to diffuse the transportation along the North/South corridor,

NOW, THEREFORE, we the Board of Trustees of the Town of Berthoud, do hereby support

PLAN A OF THE NORTH I-25 ENVIRONMENTAL IMPACT STATEMENT

and urge our citizens to attend the meetings to discuss this statement and be involved in the decisions that are made regarding transportation along the Northern Corridor.

Signed this 18th day of November, 2008.



T. P. Patterson, Mayor

RESOLUTION NO. 27-08

A RESOLUTION OF BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO CONFIRMING THE BOARD'S FORMAL SUPPORT FOR PACKAGE A OF THE NORTH I-25 EIS ALTERNATIVES

WHEREAS, the boundaries of the Town of Berthoud include portions of I-25 and the BNSF Railroad; and,

WHEREAS, Package A includes a commuter rail station in the Town of Berthoud, feeder bus service to the rail station from I-25, and a potential commuter rail operational and maintenance facility in Berthoud; and,

WHEREAS, the continued reliance on I-25 as the dominant north/south transportation corridor to the exclusion of commuter rail service may/does not give due consideration to the importance/necessity of having both an alternative north/south route and alternative transportation modality; and,

WHEREAS, Package A would be responsive to needs along I-25 and BNSF Railroad; and,

WHEREAS, Package A contains an interchange upgrade at the intersection of I-25 and State Highway 56; and,

WHEREAS, Package A contains one new General Purpose Lane in each direction on I-25 north and south of the Berthoud exit on I-25.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

The Board of Trustees of the Town of Berthoud hereby specifically states its support of the Package A EIS Alternatives.

This resolution was introduced, read and adopted by the Board of Trustees at the regular meeting on December 9, 2008 by a vote of 7 in favor and 0 opposed.

TOWN OF BERTHOUD

ATTEST:

Mary Cowdin, Town Clerk

T. P. Patterson, Mayor



Transportation Department

2045 13th Street • Boulder, Colorado 80302 • (303) 441-3900 • Fax: (303) 441-3955

December 19, 2008

Ms. Carol Parr
North I-25 Project Office
2207 East Highway 402
Loveland, Colorado 80537

Ms. Parr,

Boulder County has reviewed the North I-25 Draft Environmental Impact Statement and is submitting the following comments.

Boulder County supports the stated purpose of the project to meet the “long-term travel needs between the Denver Metro Area and the rapidly growing population centers along the I-25 corridor north to the Fort Collins-Wellington area... while improv[ing] safety, mobility and accessibility, and provid[ing] modal alternatives and interrelationships.” We believe, however, that in addition to connecting these communities to the Denver metro area, there is also a critical need to address mobility between the communities along the I-25 corridor in an environmentally, socially and economically sustainable manner.

The County believes that both packages being evaluated improve safety and allow the reconstruction of the North I-25 corridor. We therefore believe the criteria of improved mobility and accessibility and the provision of modal alternatives that are sustainable should be used to identify the preferred alternative in the FEIS. Since it is unlikely that sufficient funding will be available to implement either of these alternatives as one improvement, it is critical that the preferred alternative be phasable, that is, it should be able to provide improvements as funding becomes available consistent with purpose and need.

To that end, Boulder County supports a hybrid alternative that includes both commuter rail and managed lanes/bus rapid transit service connecting the communities along the North I25 corridor from Denver to Ft. Collins. The managed lane/BRT improvements can be implemented along the I25 corridor in phases as funding becomes available, whereas the commuter rail service will require a significant upfront one time investment before it can provide service connecting the North Front Range communities to each other and to Denver.

We therefore support a preferred alternative that includes:

- Managed lanes in each direction along the entire corridor, implemented in phases as funding allows, that ensures priority for bus rapid transit, high occupancy vehicles, and allows use by single occupancy vehicles as capacity allows. Tolls for single occupant vehicles should reflect the cost of operations of the managed lanes, support the transit service in the corridor, and never costs less than the comparable transit fare. The County firmly believes the full cost of single occupant travel should be understood and shouldered by users of the system, and that users should be encouraged to seek more

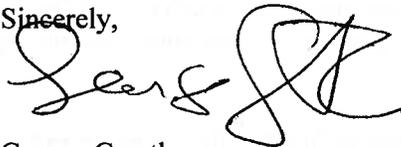
sustainable alternatives to SOV use, all of which implementation of BRT/managed lanes accomplishes.

- A commuter rail line from Denver Union Station to Fort Collins with a connection at the Sugar Mill station in the City of Longmont that connects to the Northwest Rail Corridor and North I25 commuter rail lines included in FasTracks.
- Commuter bus service connecting Greeley and the populations on the east side of I-25 from Greeley to DUS or DIA along US 85, thereby promoting greater access to the system for more people and from both sides of the corridor.
- Feeder bus routes that provide convenient, inexpensive and frequent service to and from communities along the corridor to the bus rapid transit/managed lanes (without transfers) as well as convenient, inexpensive, and frequent connections to the commuter rail services.
- Implementation and funding of ongoing TDM strategies necessary to support transit investments.

Boulder County believes a hybrid alternative that includes the elements listed above provides sustainable mobility to all of the communities along the I-25 corridor, can be effectively phased as funding becomes available, addresses safety and infrastructure concerns, increases multimodal access to the system by more population centers and provides alternatives to SOV use.

We thank you for your consideration of these comments and look forward to continued participation in this project as it moves forward. If you would like further explanation of these comments, please contact George Gerstle, Boulder County Transportation Director at (303) 441-3955.

Sincerely,



George Gerstle
Transportation Director

CC: Board of Commissioners
Michelle Krezek, Intergovernmental Affairs Director
Nick Wolfrum, City of Longmont, Transportation
Phil Greenwald, City of Longmont, Planning
Gary Behlen, Town of Erie, Public Works



Carol Parr
Project Manager
Colorado Department of Transportation
1420 2nd Street
Greeley, Colorado 80632

December 19, 2008

RE: City and County of Broomfield Comments to the North I-25 DEIS

Dear Ms. Parr:

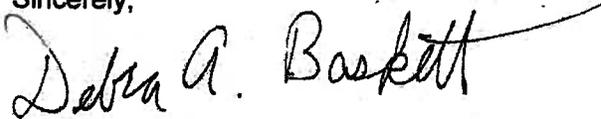
Please accept the following comments submitted by Broomfield for the North I-25 DEIS. The release of the DEIS is a major milestone, and we congratulate you on this. We understand that feedback provided at this time will be used as one piece of the selection process for a preferred alternative. We may provide additional comments during the working group sessions scheduled for January 2009. Our comments follow herein.

1. Broomfield prefers Package B because it serves Broomfield residents and commuters through an express toll lane.
2. It is very important to Broomfield that any package includes the reconstruction of the interchange at SH 7 and North I 25. We note that the reconstruction is included in both Package A and B.
3. Package A has less benefit to Broomfield because the commuter rail does not have a station within our jurisdiction. The nearest station would be in Erie at WCR 8 and North I-25 before turning north on existing rail that will serve Longmont, Berthoud, Loveland and Ft. Collins.
4. Package A's commuter rail will have service every 30 minutes during the peak hours of travel and every 60 minutes during off peak. Toll express lanes and general purpose lanes will serve bi-directional travel all times continuously and thus are more desirable to support commuting and travel to other destinations both north and south of Broomfield.
5. There is no agency in place to operate or construct proposed commuter rail. RTD boundaries end at County Road 6. The boundary is west of I-25 to County Road 8, with the district terminating at that location. In addition to the capital costs for a commuter rail, a new agency or new division of CDOT will need to be created and enabled to manage the proposed rail, along with a source for maintenance and operation.
6. Package B provides better highway travel time in the general purpose lanes of 113 minutes compared with Package A of 118 minutes. The time for a round trip is 10 minutes less for Package A. A single occupant vehicle, carpool or bus that utilizes the managed lanes will benefit from a 65 minute travel time. Package B is more desirable to Broomfield in providing a reduced travel time for all users.

7. Package B replaces 96 new structures, versus 84 in Package A. Reconstructing aging highway and improving capacity and safety is a high priority for Broomfield.
8. Package A requires the relocation of 59 residences in comparison with 24 residences in Package B due to impacts from both the rail and highway corridors. Likewise, 167 residences are impacted by transit noise sites; with no sites impacted by the highway improvements in Package B. Less relocation would minimize private - property impacts.
9. The chosen alternative should include mitigations to reduce impact on wetlands and the floodplain.
10. Construction of Package B is estimated at \$2 B compared with \$2.43 B, The annual operating costs of Package B is significantly lower at \$2 M, compared to \$43 M for Package A. It is more fiscally responsible to select the package with lower costs to construct and operate.
11. Broomfield supports Component B-H3, which would prioritize improvements from SH 60 to E-470 by adding two buffer-separated lanes and auxiliary lanes between SH 7 and E-470. This component would also reconstruct the interchange of SH 7 and I-25 in an earlier construction phase. This interchange is a top priority for Broomfield and should be included in any package.

Broomfield appreciates the opportunity to provide comments on North I-25 DEIS.

Sincerely,



Debra A. Baskett
Transportation Manager

Cc: Councilman Bob Gaiser
Kevin Standbridge, Assistant City Manager...



TOWN OF FREDERICK

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December 22, 2008

Ms. Carol Parr
CDOT Region 4
1420 2nd Street
Greeley, CO 80631

Dear Ms. Parr:

This letter is being provided to pass on comments from our Town Board that were made during the overview of alternatives presented last week by Long Nguyen, CDOT Assistant Project Manager, and Holly Buck, FHU Senior Transportation Engineer. The Board expresses support for an alternative that would combine the Package B Bus Rapid Transit (BRT) and Tolled Express Lane (TEL) improvements with the Commuter Bus Service on US 85 component. This combination of improvements would have capital costs that are 16% lower than Package A. And more importantly, the annual operating costs would be 45% less than Package A. The combined daily users, while possibly slightly less than the combined total ridership of 6,850 per day (obtained by adding 5,650 for I-25 BRT and the 1,200 for US 85 Commuter Bus), would far exceed the 4,300 daily rides projected for Commuter Rail along the BNSF route. The projected operating cost for BRT would be less than \$4 per ride for BRT compared to nearly \$18 per ride for the commuter rail option. BRT also provides a better level of service with 3 buses per hour during peak hours and 2 buses per hour during off peak compared to 2 trains per hour during peak and one train per hour during off peak for commuter rail. All measures of Travel Time Comparisons indicate that Package B out-performs Package A by a significant margin. All of these facts indicate that Package B would have a better cost-benefit ratio than Package A. The environmental impacts of the two packages are very similar. Based on these facts, and the belief that the combination of Package B plus the Commuter Bus Service on US 85 would better serve the Town of Frederick, the Board recommends that an alternative consisting of Package B plus the Commuter Bus Service on US 85 component be selected for further analysis in the final EIS.

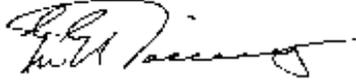
While the Board is of the opinion that Package A should not be the preferred option, if the commuter rail component is included for further study, we would voice the Town of Frederick's strong support for the recommended Alignment S for the connection between Longmont and the FasTracks North Metro Corridor. Alignment S was the alignment initially chosen by the project team. It is the Town Board's position that the selection of Alignment S as the recommend connection was made using appropriate criteria and a process that was developed after months of involvement by all interested parties, and that this remains the best option for the commuter rail component. With the population center shifting to the east in this region, the Board questions a commuter rail alignment located west of I-25. There are no apparent benefits to Frederick for the commuter rail components as presented in the North I-25 DEIS.

The Town of Frederick has been involved in the North I-25 EIS process and appreciates the opportunity to participate in this project that is vital to the Town and Northern Colorado in shaping the future of transportation for the region. It is critical that the North I-25 EIS project team select a Preferred Alternative that best meets the Purpose and Needs for this study and that can be implemented in the most cost effective manner. Both BRT components can be implemented for a fraction of the cost of just commuter rail component A-T1. The projected ridership for BRT is more than one-third greater than the combined ridership for A-T1 and A-T2. The BRT component offers much better cost-benefit ratio for all measures of performance. The Board supports the

Ms. Carol Parr
December 22, 2008
Page 2 of 2

Bus Rapid Transit components B-T1 and B-T2, the Package B Highway components, and the Commuter Bus component A-T3, as the recommended option to move forward as the Preferred Alternative in the FEIS.

Respectfully,



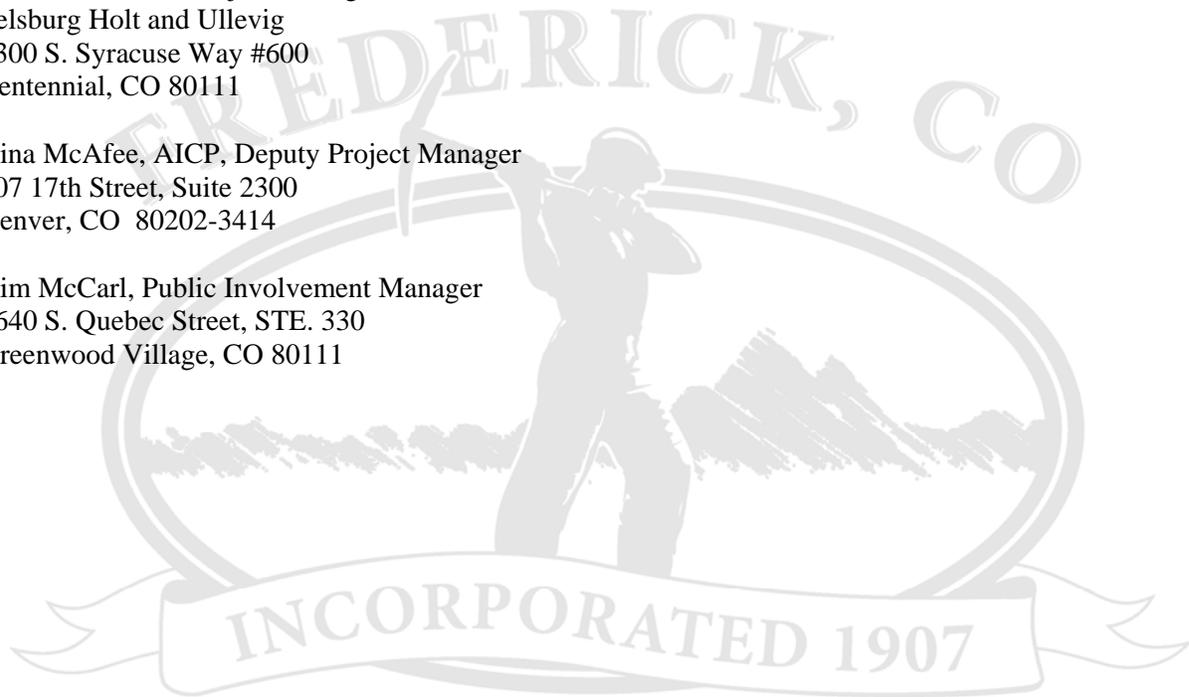
Eric E. Doering, Mayor

Copy:

Tom Anzia, P.E., Project Manager
Felsburg Holt and Ullevig
6300 S. Syracuse Way #600
Centennial, CO 80111

Gina McAfee, AICP, Deputy Project Manager
707 17th Street, Suite 2300
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Greenwood Village, CO 80111





BOARD OF COUNTY COMMISSIONERS

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December 23, 2008

Attn: Carol Parr
CDOT Region 4
1420 2nd Street
Greeley, CO 80631

Dear Ms. Parr:

Larimer County has reviewed the North I-25 Draft Environmental Impact Statement (EIS), and we offer these comments in return. Overall thoughts from the Board of County Commissioners are:

Alternatives

Phasing and Implementation: More discussion is needed regarding phasing and implementation of the alternative chosen. Identifying the necessary inter-jurisdictional agreements, regional interests, required assumptions, and the process for implementation is needed to better understand the impact / benefit of an alternative.

Further Analysis:

- Package A includes both widening of I-25 with a General Purpose Lane (GPL) and the Rail option. Could this additional GPL be designated as a High Occupancy Vehicle (HOV) or Tolloed Express Lane (TEL)?
- Package A includes commuter rail through the various towns and cities in the corridor. Information regarding the impact of additional and frequent trains on cross street traffic in terms of delay should be provided.

Package A Commuter Rail in Fort Collins: The double tracking of rail lines through Fort Collins is very expensive, may be unreasonable in terms of impacts, could pose a safety concern for adjacent properties, and appears incompatible with the Bus Rapid Transit proposed with the Mason Street Corridor project. The rail corridor should end at the south end of Fort Collins with good connection to the Mason Street project.

Potential for Future Growth: Consideration should be given to the potential future expansion of the transit alternatives to the north. At a minimum, decisions made should not preclude the ability for future expansion to take place.

Collaboration with the Railroad: As the project and process moves forward, continued communication, collaboration and 'buy in' from the railroad owners will be important.

Cost:

- The cost for package A is significantly higher than package B, and could increase as rail cost estimates are often low. What is the cost savings of ending the rail option in south Fort Collins?
- The document provides estimated capital, operating, and fare costs, but doesn't really provide a cost comparison for the true cost to the individual (user) between alternatives. This comparison, one that includes fares and cost of operating a vehicle is important and should be included. A comparison of costs AND time would also be insightful.
- The document should be very clear that the alternatives in the different packages and their related costs are not equitable. Package B costs less, but also offers less in terms of accessibility, mobility, congestion relief etc.

Upcoming Process for Choosing a Preferred Alternative

CDOT has indicated that workshops will be held in January to determine local and regional agency priorities, and develop a consensus among a preferred alternative package. There have been suggestions that portions of packages may be combined for an ultimate preferred alternative.

Process: The workshops are being planned on very short notice, and may be difficult to get onto the calendars of elected officials. In addition, the majority of the Board of Larimer County Commissioners will be new in January, and as such representative assignment of a Commissioner to the RCC will not yet be made. Finally, the workshops will be held so close together, that it may be very difficult to have the RCC representative bring information back to the full board and get input and feedback between workshops.

Workshops and a Preferred Alternative: Identification of a preferred alternative by the Board of County Commissioners (BCC) is premature. Attendance at and participation in the upcoming workshops is important and can result in a conversation with other communities as well. The ultimate preferred alternative may need to be a 'hybrid' of various components of both packages.

Thank you for the opportunity to review the document, and please contact us with any questions. We are including two attachments which may be useful in the context of future discussions to select the preferred alternative. Attachment A includes staff comments from relevant departments that are more technical in nature, and Attachment B is a letter written by our citizen Environmental Advisory Board with their comments on the document. We look forward to participating in the workshops in January in order to develop regional consensus on selection of the preferred alternative

Sincerely,

FOR THE BOARD OF COUNTY COMMISSIONERS



Glenn Gibson
Chair

Attachments:

- Attachment A: Staff Comments
- Attachment B: Environmental Advisory Board Letter



Attachment A

December 16, 2008

Larimer County staff has reviewed the North I-25 Draft EIS and offers the following comments:

Over All

1. The study is comprehensive, detailed, and well done. The technical analysis appears to be sound.

Purpose and Need

2. The stated needs are clear and county staff concurs with them.
3. The purpose of improved safety, mobility and accessibility is clear and reasonable
4. None of the options fully addresses congestion along I-25, especially closer to Denver. (All alternatives show about a 60 minute travel time to E470 in north Denver regardless of mode.) The alternatives (Package A and B) simply offer modal alternatives to traveling in the region.

Alternatives Review

Department of Health and Environment Comments:

5. Objectives: The multi-modal improvements in Package A and B are similar in meeting the transportation objectives outlined in the purpose and need statement.
6. Vehicle Miles Traveled: The total vehicle miles traveled is equivalent for Package A and B.
7. Air quality impacts are similar for Package A and B,
 - a. Both packages show lowered emissions due primarily to stricter vehicle emission and clean fuel standards.
 - b. Negative impacts on air quality are not anticipated due to the location of supporting infrastructure such as park-and-rides, transit stations, or maintenance facilities.
8. Noise and Vibration impacts are mostly due to traffic along I-25. Mitigation measures are identified for noise and vibration associated with commuter rail.
9. Other Impacts / Criteria: While some differences exist, the impacts related to water resources, wetlands, wildlife, vegetation, floodplains, visual quality, historic preservation, hazardous materials, parks & recreation, farmlands, energy, public safety and construction are similar for both Package A and B.
10. Relocations: Rail transit components would result in 36 residential and 21 business relocations – with the majority in Longmont.
11. Cost : is significantly higher for Package A then B in both capital expense and operating expense.
12. Land Use: Land use impacts are significantly different for Package A and B. Under Package A, commuter rail would shift growth towards urban centers. Under Package B, market driven growth would continue to be focused along I-25.
13. Transportation: Package A provides more relief to parallel arterials than Package B, resulting in greater mobility and reduced road maintenance needs.



Planning Department:

14. Concur with comments from Department of Health and Environment
15. Master Plan Consistency: Package A is more consistent with the Larimer County Master Plan. We believe this alternative best supports keeping agriculture as a viable long-term segment of Larimer County (Master Plan theme 3), maintaining a logical settlement pattern that reflects the existing character of the County and protects existing neighborhoods (theme 4), emphasizes new urban development in existing cities and towns (theme 5), encourages a balanced, economically feasible multi-modal transportation system (theme 9), and supports a sustainable, balanced economy (theme 10).
16. Technical Comment: There appear to be errors in the Existing Land Use mapping and tables (Fig. 3.1-2) in the area west of US 287 between Loveland and Fort Collins. Most of the area shown as Employment is actually protected Open Space that is owned and managed variously by Larimer County, Loveland and Fort Collins. The regional land fill site is also in this area. Although the land fill site is zoned Industrial, it is nearing capacity and will probably never be developed after it ceases operation. Also south of Fossil Creek Reservoir on both sides of SH 283, the Employment area is actually protected Open Space.
17. Technical Comment: The Future Land Use mapping (Fig. 3.1-3) does not include the most recent plan (and development currently underway) in Timnath, immediately east of I-25. We also note that the 2030 population projections for the towns of Timnath and Wellington are less than the current population for those communities as estimated by the State Demographer's Office. The 2007 estimates are Wellington 5445 and Timnath 231.
18. Technical Comment: On Fig. 3.1-4, the interchange at SH 392 should be included in the notation of "Growth already constrained by substandard interchanges. . ."

Engineering Department:

19. Size and Scope of Alternative: Package A provides significant improvements to I-25 in Larimer County (up to 2 new travel lanes in each direction) as well as establishing a new transit corridor through the downtowns. Package B only provides for a limited access transit/toll corridor along I-25. Package A has more and broader transportation offerings than Package B, and therefore an 'an apple to apples' comparison is difficult.
20. Package A Also Promotes Highway Development: As noted by the Health Department comments, Package A, would support growth in urban centers (although daily volumes for the rail within Larimer County are <2,000 per day). However, it should be noted that the percent volume increase in I-25 traffic is much greater under Package A than B (due to the additional general purpose lanes). Therefore, Package A may result in a higher demand for highway development than Package B.
21. Understanding The Purpose and Need: It should be made very clear in the document that the purpose of the improvements is to 'improve safety, mobility' etc over the no-action alternative, not over existing conditions. The public should understand that the transit components in the various packages predominantly offer an alternate mode and do not measurably lessen volumes along I-25. Along the same lines, congestion in the various alternatives will be worse than today, but 'less worse' than the no-build alternative.
22. Impact on County Roads: Within Larimer County, use of County Roads (regional arterials) is lower with Package A than Package B.
23. Usability of TEL Lanes for Subregional Travel: Access and egress points for the Tolled Express Lanes in Package B within Larimer County is limited (for instance, there are just two egress points southbound I-25 in Larimer County). These lanes are best used for long distance commuter travel, not useable for sub-regional travel within Larimer County.



24. **Impact of TODs on County Budget:** Implementation of transit oriented developments (as proposed for package A) often requires financial incentives, accomplished through urban renewal authorities (URAs) or blight designations. These programs can have a negative impact on the county budget.
25. **TODs and Parking:** Research has shown that transit oriented developments in close proximity to rail stations are most successful when they provide lots of parking. The rail station selection process did not include ANY criteria for ability to provide parking. The only mention of parking is in Table 2-4 where available parking spaces are tallied. An analysis and review of the needed spaces compared against the totals in Table 2-4 would provide insight into whether more parking will be necessary to make the stations and nearby development successful.
26. **Technical Comment:** The safety analysis uses data through 2002. It is discouraging that the most recent data is more than five years old.
27. **Technical Comment:** The executive summary text indicates that an auxiliary lane is proposed between Harmony and SH 60. The mapping shows the auxiliary lane between Crossroads Boulevard and SH 60. The two should be consistent.

Choosing a Preferred Alternative

Preferred Alternative Recommendation from Department of Health and Environment, and Planning Department:

28. Support Package A – providing multi-modal improvements including highway lane additions, commuter rail on the west, commuter bus on the east, and bus feeder connections – as the preferred alternative.
29. Modify the proposal for commuter rail in Package A by terminating the north end of the line at the Mason Corridor south terminus.
30. Modify the proposal to include direct connection to DIA for Package A from either the rail or I-25

Rational for the recommendations from Health and Planning includes:

- The combination of roadway expansion, commuter rail, commuter bus and connecting feeder routes in Package A better serves existing development patterns.
- Package A responds to the North Front Range MPO's emphasis on a multi-modal system and provides a better balance of transportation options.
- The land use implications of Package A support a more sustainable development pattern resulting in reduced sprawl and less auto-dependant development.
- While more costly initially, commuter rail provides a better opportunity to recoup the required investment due to the potential for transit oriented development to result in expanded business revenues, increased property values, redevelopment opportunities, public/private development projects and a higher tax base.
- Commuter rail gives a stronger signal to the market than bus rapid transit because it represents a more permanent and visible investment that is closely associated with population centers.
- Commuter rail service in Package A is inherently expandable in order to respond to future traffic congestion, increases in fuel cost, demand for alternative modes, and land use changes associated growth in and around population centers.
- While both of the major transit options provide service between Fort Collins and Denver, commuter rail is more likely to capture intra-regional travel between local communities due to the track's proximity to existing population centers.



- Commuter rail results in the need for less park-and-ride trips than for a bus rapid transit line located along I-25. Park-and-ride use involves short auto trips with cold engine starts which make up the most polluting part of the driving cycle.
- Commuter rail provides the best opportunity to link with both the FasTracks RTD light rail system and the Mason Corridor project, thus providing more regional transportation options for County residents.
- By providing transit options within urban centers, commuter rail promotes public health benefits through improved local air quality, increase walking/biking associated with transit use, increased pedestrian safety and support for neighborhood design that promotes active living.
- Terminating the commuter rail line at the south end of the Mason Corridor eliminates the need for some single-track service north of CSU and provides an important link and cost savings for the commuter rail system.



ENVIRONMENTAL ADVISORY BOARD

Post Office Box 1190
Fort Collins, Colorado 80522-1190

To: Board of County Commissioners
From: Dale Lockwood, Chair
Date: December 1, 2008
Subject: North I-25 Draft Environmental Impact Statement (EIS)

The Larimer County Environmental Advisory Board has reviewed the draft Environmental Impact Statement and offers the following comments for consideration by the Board of County Commissioners.

Background

The North I-25 EIS is a project to consider the transportation and mobility needs of the north I-25 corridor through the year 2030. The EIS was prepared by the Colorado Department of Transportation (CDOT) in cooperation with federal highway and transit agencies. The draft includes an analysis of the "no-build option", and two "decision packages".

Each of the decision packages include substantial roadway improvements along I-25 together with a suite of measures intended to address the mobility, safety, infrastructure and modal option needs of the region. Both options incorporate significant – although very different – transit components. Package A includes regional rail along the existing Burlington Northern Santa Fe alignment through Fort Collins, Loveland and Berthoud with service to downtown Denver. It also includes commuter bus service along Highway 85 from Greeley into Denver. Package B incorporates bus rapid transit in defined lanes on I-25. A graphic showing the two decision packages is attached to this memo. The full EIS is available for review at www.dot.state.co.us/northi25eis/.

The public comment period on the draft EIS ends on December 30. After that time, CDOT will identify a preferred alternative and prepare the final EIS. The Environmental Advisory Board was asked to review the draft and provide recommendations to the County Commissioners.

Recommendation

Support Package A – providing multi-modal improvements including I-25 lane additions, commuter rail on the west, commuter bus on the east and bus feeder service in between – as the preferred alternative.

Reasons for the recommendation

The draft EIS addresses important environmental issues such as air quality, wetlands, floodplains, wildlife habitat, historic structures, parklands and farmlands. The findings indicate that the impacts for the two decision packages are fairly equivalent. For example, both options are protective of air quality and would not be expected to cause a violation of air quality standards. Package A and Package B each result in the loss of approximately 18 acres of wetlands, and would impact about 2 acres of sensitive wildlife habitat. One reason for the similar level of impacts is that the majority of transportation improvements would take place within existing highway or rail corridors.

One area where the two options differ substantially relates to land use. Under package A, commuter rail would shift growth towards urban centers. Under package B, bus rapid transit along I-25 would provide less incentive for transit oriented development and market-driven growth would continue to be focused along I-25. Based on these findings, the implications for land use in the region constitute one of the key criteria for selecting the preferred alternative.

It is our conclusion that the combination of commuter rail, highway expansion and bus service in Package A better serves existing development patterns and more adequately responds to the North Front Range Metropolitan Planning Organization (MPO) emphasis on a multi-modal system.

The land use implications identified in the EIS support a more sustainable development pattern resulting in reduced sprawl and less automobile-dependant development while providing opportunities for economic vitality by facilitating the movement of people through the centers of urban development. That pattern would be more consistent with the County's goal of preserving rural agricultural lands. Our members also noted that the commuter rail service is inherently expandable as congestion grows and demand for transit increases in the future. Rail service can be added in a serial fashion while increasing automobile services required the addition of parallel development of additional lanes.

While both of the major transit options provide service between Fort Collins and Denver, commuter rail is more likely to capture intra-regional travel between local communities due to the track's proximity to existing population centers. Because rail systems are generally considered more attractive to the public, ridership would be expected to increase beyond initial planning expectations. The recently added FasTracks light rail lines in the Denver metro area are an example of this type of success. Commuter rail provides the best opportunity to link with both the FasTracks RTD light rail system and the Mason Corridor project, thus providing more regional transportation options for County residents.

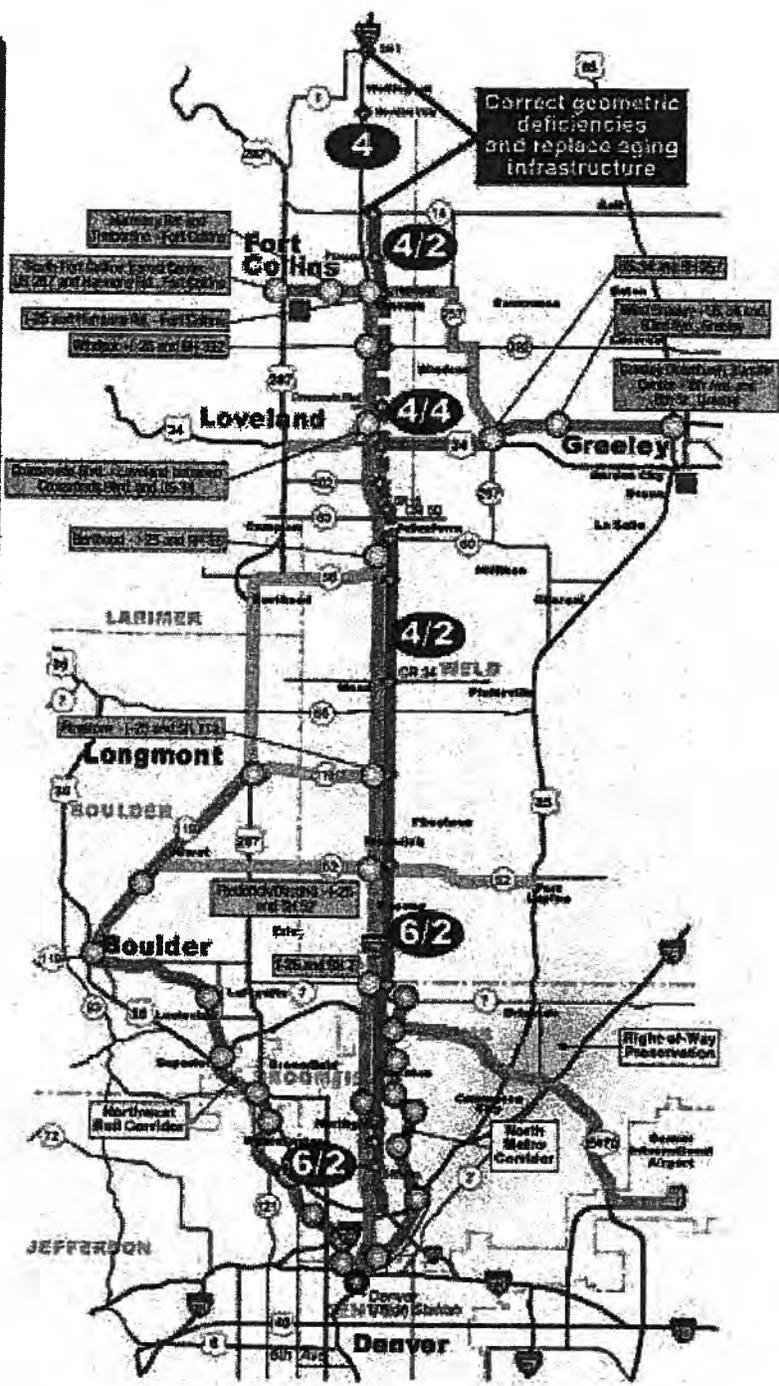
The capital cost estimates for the two decision packages differ by about 20%, with Package A being more costly, likewise the maintenance cost estimates are more for Package A. Studies have shown that commuter rail provides a better opportunity to recoup the additional investment due to strong public support for rail service, the potential for transit oriented development to result in expanded business revenues,

increased property values, redevelopment opportunities, public/private development projects and a higher tax base.

The implications of these transportation alternatives are very important. The vision outlined in Package A would likely result in a legacy project similar in scope, vision and value to the infrastructure of Larimer County and Northern Colorado as the Colorado Big Thompson (CBT) water project from the 1950s.

LEGEND

- 1 Buffer-Separated Tolled Express Lane (TEL) in Each Direction
- 2 Barrier-Separated Tolled Express Lanes (TEL) in Each Direction
- Bus Rapid Transit (BRT) Route (Uses TELs on I-25)
- Feeder Bus Service
- Interchange Upgrades
- Number of Lanes: General Purpose/Tolled Express Lanes
- Bus Rapid Transit Station
- FasTracks Rail Line
- FasTracks/RTD Transit Station
- Potential Commuter Bus Operational & Maintenance Facility



PACKAGE B



OFFICE OF THE MAYOR

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December 26, 2008

Carol Parr, P.E.

Project Manager
North I-25 EIS
CDOT Region 4
1420 2nd Street
Greeley, CO 80631

To the Project Team:

The City of Loveland would like to provide support and feedback for the North I-25 Draft Environmental Impact Statement released in October 2008. First, the City would like to offer our support for the efforts undertaken by the Colorado Department of Transportation (CDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) in embarking on the challenge to identify future characteristics and plans for the North I-25 corridor. The process undertaken over the past several years is a step forward to supplanting speculation with regional planning and to allow the state and communities to proactively pursue difficult transportation solutions.

The City of Loveland supports the basic tenets of Package A in the Draft Environmental Impact Statement, with some critical caveats related to financing, priorities, and interim steps to reaching the identified solution.

In reviewing Package A the primary keys that are important to the City of Loveland include:

1. Additional non-tolled lanes on I-25
2. Commuter rail alignment along the existing Burlington Northern & Santa Fe line and support for localized transit oriented planning and development to spur economic development and redevelopment
3. Interconnections into future projected commuter rail at I-25/Hwy 7 and Longmont terminal
4. Upgrades to existing interchanges to address safety and capacity issues, plus assist local communities in economic development efforts.

Concerns identified in both Packages A and B:

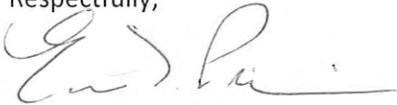
1. Financing: It is clear that substantial roadblocks exist to the long term funding of any options, Loveland supports direct action to identify and secure funding for both immediate and long term project needs.

2. Phasing: In the Draft Environmental Impact Statement no intermediate steps are identified for moving from the existing condition to the future condition and how project prioritization will occur along the path. The City seeks further information on interim phasing steps to achieve the identified outcomes in the Final Environmental Impact Statement.
3. Local Transit Networks: Both Packages A and B identify significant enhancements to regional transit systems, currently no local systems exist in the scale necessary to support the localized needs to transit riders at key nodes identified in the Draft Environmental Impact Statement. Financing and planning assistance for local transit needs within the region will be needed to support the goals of the target Environmental Impact Statement.

The City of Loveland will be looking to the project team to integrate key items identified in all options of the Draft Environmental Impact Statement into a cohesive regional plan in the Final Environmental Impact Statement to be released later in 2009. The City will continue to provide extensive elected official and staff support for the planning process to assure a successful regional outcome.

Thank you for your attention to this critical planning project and we look forward to continued collaboration on creating success.

Respectfully,



Eugene N. Pielin, Mayor
City of Loveland

Cc: Loveland City Council
Loveland Transportation Advisory Board
City of Loveland Staff
CDOT Region 4

Public Works & Water Utilities

Transportation Engineering and Construction Inspection

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December 28, 2008

Carol Parr, P.E.
North I-25 EIS Project Manager
CDOT Region 4
1420 2nd Street
Greeley, CO 80631

Re: Comments on North I-25 Draft Environmental Impact Study

Dear Carol:

Thank you very much for the opportunity to participate in and provide comments on this important Transportation Planning Project. The City of Longmont is very pleased to be involved in this project.

Attached is a Resolution passed by the Longmont City Council indicating their support for Package A as the preferred alternative for the Final North I-25 Environmental Impact Statement. As indicated in the resolution:

- Longmont believes it is critical that the region develop a variety of transportation options and Council is pleased that the Draft EIS includes both bus and commuter rail options for this area.
- Longmont supports transportation alternatives that focus future growth toward the existing urban centers, such as the commuter rail option, rather than encouraging a more dispersed development pattern that would have a greater negative impact on the region.

The Longmont City Council believes that Package A, and the commuter rail improvements along the existing BNSF corridor and commuter bus along the Highway 85 corridor, along with improvements to I-25 meet that goal.

Attached are additional comments from City staff on specific items in the Draft EIS. As previously mentioned, Longmont supports Package A and in particular the commuter rail component of that Package. The DEIS identifies several substantial impacts that the construction of this transportation link would have on Longmont and at this level it is difficult to have a complete understanding of what those impacts are. The ultimate design and construction of such a project would need to have substantial community and property owner involvement to determine how best to mitigate the negative impacts of such a project, and a sensitive approach to project design, and ultimate mitigation would be required.

We look forward to continuing this process with you, and once again, thank you for the opportunity to be involved in this regional planning effort.

Respectfully,

Nick Wolfrum, P.E.
City Engineer

Attachments :

1. Resolution form Longmont City Council
2. Staff comments

1 RESOLUTION R-2008-115

2 A RESOLUTION OF THE LONGMONT CITY COUNCIL URGING THE COLORADO
3 DEPARTMENT OF TRANSPORTATION TO SELECT PACKAGE A AS THE PREFERRED
4 ALTERNATIVE DRAFT NORTH I-25 ENVIRONMENTAL IMPACT STUDY

5
6 WHEREAS the City Council strongly supports regional transportation planning efforts
7 that includes the entire northern front range and which help bridge the gap between the North
8 Front Range and the Denver Regional Council of Governments MPO's and is critical to the
9 future of the Front Range; and

10 WHEREAS the Longmont City Council has reviewed the North I-25 Draft
11 Environmental Impact Statement (Draft EIS) and the proposed routes of this transportation
12 project; and

13 WHEREAS the Council believes it is critical that the region develop a variety of
14 transportation options, and the Council is pleased that the Draft EIS includes both bus and
15 commuter rail options for this area; and

16 WHEREAS the Council supports transportation alternatives that focus future growth
17 toward the existing urban centers rather than encouraging a more dispersed development pattern
18 that would have greater negative impacts on the region; and

19 WHEREAS the Council believes that the commuter rail option identified in Package A of
20 the Draft EIS would better meet the objective of concentrating further growth toward existing
21 urban centers; and

22 WHEREAS the commuter rail option in Package A, by connecting with the RTD
23 FasTracks Northwest Rail Corridor and the North Metro Rail Corridor, would also create a

1 complete transit system to serve and support the existing urban centers west of I-25.

2 NOW THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO,

3 RESOLVES:

4 Section 1

5 For the reasons stated above, the Longmont City Council urges the Colorado Department
6 of Transportation to select Package A of the North I-25 Draft Environmental Impact Study as
7 preferred alternative to move forward into the final North I-25 EIS.

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9 Passed and adopted this 16th day of December, 2008.

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13 ATTEST:

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MAYOR

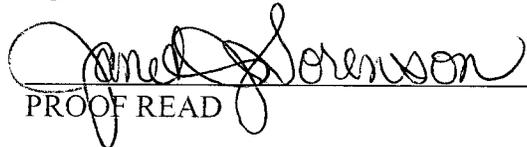



CITY CLERK

APPROVED AS TO FORM:


ACTING CITY ATTORNEY

12/11/08
DATE


PROOF READ

12-11-08
DATE

APPROVED AS TO FORM AND SUBSTANCE:


ORIGINATING DEPARTMENT

12/11/08
DATE

File: 7789

City of Longmont
Comments on North I-25 Draft Environment Impact Study
December 28, 2008

The following comments were generated by Longmont City Staff from the reference Divisions.

Long Range Planning

1. The City supports Alternative A (commuter rail). There will be local and regional benefits to this alternative. However, there will be impacts to properties along the BNSF in Longmont. Impacts such as:
 - a. community facilities (Longmont Police Dept., Columbine Elementary, Spangler Elementary, OUR Center) (p. 3-2.12)
 - b. noise and vibration impacts (p. 3-2-13)
 - c. removal of on-street parking (p. 3.2-14)
 - d. acquisition of 35 residences in Longmont (p. 3-2.14)
 - e. acquisition of 2 historic structures in Longmont (Old City Electric Building and Colorado & Southern/BNSF Depot) (p. 3-2-25)
 - f. acquisition of 1 businesses in Longmont (p. 3-2-36)

The DEIS says that mitigation measures must be evaluated though they are not guaranteed (p. 3-6-24). Any alternative should mitigate impacts so that the few are not carrying so great a burden to advance a benefit for the region. The City supports a context sensitive approach to project design, and mitigation is encouraged (p. 3.2-43)

Transportation Planning and Transportation Engineering

2. While we understand the desire to include double tracking in this document, prior to any project implementation, the operational impacts of the need for double tracking within portions of the Longmont community where substantial impacts to adjacent property, or the need for acquisition and relocation, should be evaluated against the service level. Adequate service levels may be able to be provided without double track through areas of the City where the impacts are substantial and the costs of those improvements and mitigation are very high. Passing tracks in areas where it is possible should be evaluated, and double tracking in the open areas outside of the urbanized community area should be reviewed to determine if that could provide an appropriate level of service.
3. The primary noise impact of rail in Longmont has continued to be expressed by members of the community as horns at roadway crossings.

Quiet Zones should be considered as mitigation against the impact of increased horn noise from the increased in train traffic from commuter rail.

4. Table 2-3 shows the existing BNSF crossing at Longs Peak Avenue in Longmont as “passive” but that existing crossing has gates.
5. For Package A, it appears that the 8-lane I-25 south of SH-52 creates some discrepancies in modeling and may attract more volume on the highway portion of the scenario before hitting a bottleneck south of E-470 where the highway returns to 6-lanes of traffic. This may contribute to the higher traffic volumes in this Package than Package B.
6. Package A has the best scenario for land use and development patterns for the existing urban centers. While Package B appears to be the more efficient, less expensive transportation option based on the DEIS; the land use issue is the key to both Packages. Package B seems to promote an unsustainable, sprawling land use pattern away from existing infrastructure.
7. Neither Package appears to fully address issues of a connected bicycle system in this N. I-25 area. Though few would expect bicycling to provide the transportation needs of the corridor, a more direct and integrated system of bikeways in this corridor provide the links needed for the 5-10 mile trips. Examples of the lack of direct planned bikeway connections are between Longmont and Frederick/Dacono, as well as Loveland and Greeley.
8. It does not appear that a full analysis was completed for the combination of commuter rail connections to both the Northwest Rail and North Metro Commuter Rail corridors. With direct rail connections to both Boulder and Denver from the North Front Range communities, the overall ridership on rail transit would be expected to increase along with frequency of rail service.
9. Any final design of rail improvements in Longmont will require coordination with our Public Works and Water Utilities Department to determine the impact on existing utilities.
10. Several of the graphics and comparisons between the alternatives, such as Figure 4-10, Tolloed Express Lane Travel Time, seem misleading since they are comparing different options that do not have tolled express lanes.

11. The most significant historical preservation impacts for Longmont would be associated with the following improvements in the commuter rail segment:
 - a. The Old City Electric Building at Main Street and 1st Avenue, which is a local historic landmark and is also eligible for the National Register of Historic Places would be adversely affected through the acquisition of right-of-way for new commuter rail tracks in this area. The building would likely need to be moved to a new location or demolished to accommodate the new rail line tracks and associated construction activities.
 - b. The Colorado and Southern/BNSF Depot just east of Main Street and north of 1st Avenue, which is eligible for the National Register of Historic Places, would be adversely affected through the acquisition of right-of-way for new commuter rail tracks in this area. The building would likely need to be moved to a new location or demolished to accommodate the new rail line tracks and associated construction activities.
12. The sound walls referred to in 3.14 Visual Quality would have a significant impact on the surrounding property and review and design of these would require community and property owner involvement and input.
13. Section 3.14 Visual Quality refers to some significant retaining walls located east and west of the intersection of SH 119 and Ken Pratt Boulevard. Ken Pratt Boulevard is SH 119 and we are not sure where these structures would be located.
14. Specific design of the North Longmont Commuter Rail Station refers to a significant visual impact on adjacent property that would need to be reviewed and mitigated in the site specific design.

Longmont Power and Communication – Potential Impacts on Infrastructure

15. Longmont Power and Communication has a substation site located adjacent to and immediately east of the BNSF ROW north of 21st Avenue and is concerned about the impact that widening of the right-of-way and construction of sound walls would have on that facility. The ultimate design and construction would also need to address impacts to a significant amount of overhead and underground infrastructure in and adjacent to the BNSF ROW from Highway 66 south to 9th Avenue.

Parks and Open Space Comments

16. Longmont Parks and Open Space has the following comments:

12 – Noise and Vibration

1. It appears that noise and vibration was not evaluated at the Sandstone Ranch park site or at the Boulder Creek Estates property (see note 3). Impacts to these areas should be considered.

16 – Vegetation

2. Section 3.10.3 notes consultation with County staff regarding revegetation of the project area. The City of Longmont should be consulted for revegetation on lands owned by the City including Sandstone Ranch and the open space at the St. Vrain river and Hwy 119 (Boulder Creek Estates). Revegetation to match existing conditions should be met at Sandstone Ranch. There are areas of irrigated turf along the highway right of way (irrigation system part of the Sandstone Ranch system). Coordination with my office should take place as part of the design (phone number above).

24 – Parks and Recreation

3. There is no mention of the City owned property at the area south of Hwy. 119 and the St. Vrain creek. This is an important City owned open space property which includes the Bald Eagle roost noted in sections 17 (Wildlife) and 18 (Threatened and Endangered Species). We refer to this property as Boulder Creek Estates. This area will be affected by the bridge widening and highway or commuter rail work associated with Plans A and B.
4. Table 3.18-1 includes item 15 – Gateway project. This is not an official park or open space project, but is an important City of Longmont entryway. No pond exists at this location.
5. Page 1 - Sandstone ranch will be impacted by the proposals but it is unclear if the various proposals can be contained within the reserved right of way for CDOT which was coordinated as part of the Sandstone Ranch planning. Please clarify if that is the case or if additional right of way beyond the reservation would be needed.
6. Page 15 – Per note 3 above, Sandstone Ranch includes irrigated turf along portions of the right of way. Restoration of the park to existing conditions should be proposed.

General

7. There has been a long-expressed desire for bus or other connection between Longmont and Sandstone Ranch. Would a stop at this park site be considered?

8. Safety of park users along the track (plan A-T2) should be considered. It is unclear if the entire park frontage is to include fencing.



December 29, 2008

Colorado Department of Transportation
Long H. Nguyen, P.E., Project Manager
Region 4, Loveland Engineering
2207 East Highway 402
Loveland, Colorado 80537

Mr. Nguyen:

Thank you for your presentation to the Citizen Transportation Advisory Board on December 8, 2008. The Department of Public Works has completed a review of the North I-25 Draft Environmental Impact Study (EIS). The draft study proposes three options - Package A, B, and the No-Action Alternative. Staff recognizes that there are benefits associated with all of the packages including the No-Build Alternative.

Overall staff supports most of the options included in Package A; however, a few of the recommendations in Package B are also supported by staff. Staff understands the importance to mitigate congestion along the I-25 corridor, it is equally important to improve the east and west connections by up-grading the interchanges that cross I-25. For Greeley, US Highway 85 has been identified as a critical transportation corridor. Therefore, improvements to US Highway 85 need to be considered as a high priority. Staff feels this can be accomplished with the following prioritized recommendations between the proposed packages.

1. The US 85 Commuter Bus service to Denver and DIA best serves the needs of Greeley. Especially due to the low cost of this service vs. other proposed options. (Package A)
2. The need for future consideration (beyond the scope of the EIS) of preservation of ROW for commuter rail along US 85 to serve Greeley and cities to the south, as development increases to the point of supporting the service.
3. The Bus Rapid Transit (BRT) and Separated Tolloed Express Lanes along I-25 from SH 14 to Denver.

SERVING OUR COMMUNITY IT'S A TRADITION

We promise to preserve and improve the quality of life for Greeley through timely, courteous and cost effective service.

At the December 23rd City of Greeley work session, a presentation on the I-25 DEIS was made. Council expressed their support for the US 85 corridor by:

1. Placing more emphasis on the US 85 corridor.
2. Supporting a commuter bus along US 85. It would be the least expensive option due to cost, no additional lanes needed, and could be implemented in a short time period.
3. Improving US 85 by constructing interchanges – where signals now exist – would increase its use and reduce traffic on I-25.
4. Preserving the corridor for commuter rail in the future as population grows.

We look forward to reviewing the final EIS at a future date.

Sincerely,

Steve Bagley, P.E.
City Engineer

c: Mayor Clark and City Council
Roy Otto, City Manager



OFFICE OF BOARD OF COUNTY COMMISSIONER

915 10th Street

P.O. Box 759

GREELEY, CO 80632

WEBSITE: www.co.weld.co.us

PHONE: (970) 356-4000, EXT. 4200

FAX: (970) 352-0242

December 29, 2008

Ms. Carol Parr, P.E.
CDOT Project Manager
1420 2nd Street
Greeley, CO 80631

Re: Comments Regarding the North I-25 EIS

Dear Ms. Parr:

The Board of County Commissioners of Weld County, Colorado, has reviewed information regarding the North I-25 EIS.

The Board encourages CDOT to concentrate on a "pay-as-you-go" program of purchasing additional right-of-way along I-25 with funds appropriated without incurring additional debt. The right-of-way width should be sufficient to allow for near-term construction of additional lane miles as funds become available. The width should also be sufficient to provide for possible rail construction when feasible and desirable in the future. The Board's reasoning for these recommendations are simple. First, there is immediate need for additional lane miles on I-25. The most popular means of transportation at the present time is by private automobile or truck. North I-25 is clogged with too many vehicles for the current width to handle safely and expediently. The most prudent thing to do is to purchase right-of-way and build additional lane miles as soon as possible so as to safely accommodate such traffic. Second, a rail corridor along I-25 makes sense sometime in the future when rail transportation is more popular. Its popularity may increase when technologies allow for faster, more convenient service. Right-of-way purchased now to accommodate future rail service is a wise decision.

If you wish to discuss this letter, please contact Commissioner Doug Rademacher at (970) 356-4000, ext. 4200.

Sincerely,

William H. Jerke, Chairman
Board of County Commissioners of Weld County



December 30, 2008

Carol Parr
Project Manager
Colorado Department of Transportation
1420 2nd St.
Greeley, CO 80631

Dear Ms. Parr,

The Town of Timnath would like to provide comment to the Draft EIS for the North I-25 corridor. Upon review of the alternatives, there are only a few key areas of comparison that have substantial differences between Package A and B. These differences have led the Town of Timnath to support the majority of improvements as laid out in Package B.

Package A does a good job of addressing the transit needs along the periphery of the I-25 study area but does not do much to help the communities, residents and businesses along the “spine” of the I-25 EIS study area, i.e, the I-25 corridor itself. Most of the users along the corridor that would use transit, will most likely not travel out of direction to get to the train or US 85 commuter bus, only to be redirected back to the I-25 corridor as they approach the Denver metro area. Should Bus Rapid Transit (BRT) be the transit mode in operation (Package B), the users from the periphery of the area (US 287 & US 85) would not be traveling out of direction as they access the BRT along I-25.

For those users that must, or choose to drive I-25, Package A consists of only adding general purpose lanes. While the time of travel from Wellington to 20th Ave. in Denver on the general purpose lanes only differs 5 minutes between the two packages (A:118 min. & B:113 min.), when tolled express lanes (TEL) are added as in Package B, a driver may make the same drive in 65 min. If TEL's are added in the metro area along with Package A, the best travel time along the corridor would only be 101 min.

When looking at travel time for a rider of a transit mode, it is faster for the commuter traveling from the South Transit Center in Ft. Collins to Denver to use the BRT alternative. Rail travel time is 93 min. and BRT travel time is 72 min. Looking at the travel time for the commuter bus down the US 85 corridor and the BRT from Downtown Greeley, the BRT takes 89 min. compared to 121 min. on the commuter bus.

Not knowing if all elements of the EIS will succeed, some thought should be given to contingencies. Should the commuter bus from Greeley to Denver in Package A fail to draw the ridership projected and can't be sustained, the eastern side of the study area will have very few, if any, transit alternatives to access Denver. Taking regional bus from the Greeley area to

Loveland or Longmont to access the train to Denver doesn't seem reasonable unless the rider has no other means of transportation.

The most important reason for supporting Package B deals with the financing aspect of the alternatives. The Capital Costs are over \$400 million less to build package B. Beyond that, the annual O&M cost for the different alternatives is even more striking. After the collection of tolls and fares Package A will require \$39M per year to operate and maintain the system while Package B will require \$10M per year. Annual funding would most likely require the citizens of Northern Colorado to tax ourselves similar to RTD in the Denver/Boulder metro area.

While train travel is considered more comfortable than bus travel, BRT vehicles can be made more luxurious than a typical city bus and the station platforms feel very much like a train station. The BRT system should feel very comfortable to all riders.

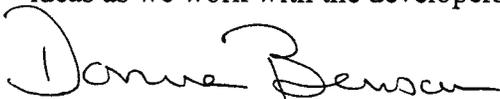
In summary, the Town of Timnath supports the improvements laid out in Package B based on the information provided regarding:

1. Financial Analysis - \$400M less for capital costs and \$29M/year less for O&M
2. Travel Time – Travel time for automobiles and transit riders is less
3. Services Greater Area – Provides transportation and transit improvements that are attractive to the entire region and not just the towns along the BNSF rail line
4. BRT is a step above city buses

We would like to add one suggestion for consideration: Relocate the Harmony/I-25 station from the existing transit center to a location approximately ½ mile south of Harmony Rd & I-25. The planned development directly adjacent to I-25 on the west side will include a transit center that can provide adequate parking as well as direct access to a BRT station that could be located the center of I-25.

This would help alleviate the congestion at the Harmony Rd. interchange by allowing transit users to approach the station from Kechter Rd. Future development on the west side of I-25 could augment this station by possibly allowing access to the station from the east side of I-25. This would reduce the number transit users crossing from the east side of the interstate to the west side to access the station.

We recognize that there may be many different station designs or access configurations that could be utilized if the station would move south of Harmony Road. We would welcome any ideas as we work with the developers to make this a transit oriented community.



Donna Benson
Mayor, Town of Timnath

Cc: Larimer County Commissioners
Weld County Commissioners



Planning, Development & Transportation

Transportation Planning & Special Projects
250 North Mason Street
P.O. Box 580
Fort Collins, CO 80522-0580

970.224.6058
970.221.6239 - fax
fcgov.com/transportation

December 30, 2008

Carol Parr
Project Manager, North I-25 Environmental Impact Statement
Colorado Department of Transportation – Region 4
1420 2nd Street
Greeley, Colorado 80631

RE: CITY OF FORT COLLINS COMMENTS ON NORTH I-25 DRAFT ENVIRONMENTAL
IMPACT STATEMENT DOCUMENT

Dear Ms. Parr,

On behalf of the City of Fort Collins, enclosed are the summarized comments on the North I-25 Draft Environmental Impact Statement (DEIS) document. These comments include those from City staff as well as from City Council. Our comments on the DEIS provide our input as to the conceptual nature of the project and our concerns on the technical elements that we believe need further addressing during the next steps of the EIS process. At this time the City does not recommend to CDOT a preferred alternative. Overall, we believe the DEIS is thorough and adequately addresses the purpose and need identified during the scoping phase of the EIS process.

We appreciate the opportunity to share this important feedback from our City with the Colorado Department of Transportation (CDOT) as part of the formal DEIS comment period and look forward to continuing our work with you and CDOT's North I-25 Environmental Impact Statement (EIS) project team throughout 2009. City staff and Councilmember Ben Manvel will participate in the upcoming North I-25 EIS workshops. Staff will share the information on the North I-25 EIS project with various City Boards & Commissions and City Council in early 2009 to provide additional input to CDOT during the course to select a preferred alternative as well as throughout the year during the development of the Final EIS document.

Please let me know if you have any questions regarding our enclosed comments.

Sincerely,


L. Kathleen Bracke, A.I.C.P.

Transportation Planning & Special Projects Director

c: Bob Garcia, CDOT – Region 4 Director
Diane Jones, Deputy City Manager
Jeff Scheick, Planning, Development, & Transportation Director
Mark Jackson, Transportation Group Director

City of Fort Collins Comments
in Response to the North I-25 Draft Environmental Impact Statement
December 30, 2008

Please note that these are high level, summary comments and not intended to serve as a detailed overview of the I-25 EIS.

City of Fort Collins City Council Comments:

Travel to Denver is emphasized to the exclusion of travel to Longmont and Boulder, which are apparently at least as important destinations from Northern Colorado. The analysis should address a broader spectrum of trips. For example the graphics of travel patterns in Figure 4-6 indicate no riders going to or from Longmont, assuming all passengers are going to Denver. Really?

Connections to other transit options, in particular the North and Northwest routes proposed for FasTracks, are vital. How does each alternative interact with them?

Does the analysis look to the future, anticipating high fuel prices, demand pricing of car travel, and possible alternatives to commuting?

Do the transportation models incorporate the impacts of transportation alternatives on growth patterns and transportation oriented development? If growth shifts toward I25, away from city centers, what will happen with VMT?

In Figures 4-6 and 4-7, the E-W ridership numbers are totally different. Why?

The financial analysis in Chapter 6 is very skimpy. Is such a superficial analysis all that is possible?

Is sufficient attention paid to freight transportation? The focus seems to be totally on moving people.

Is there an overall picture of environmental damage, including impacts of transportation, infrastructure, dislocations, and induced development? I don't think so.

Given the enthusiasm which citizens are showing for rail, is the estimate of transit ridership of the two alternatives accurate?

It is important for the North I-25 EIS and recommended improvements to address the link between transportation and environmental sustainability as well as to reflect the visions and values of the communities.

It is important for transportation improvements to provide linkages between the core areas of our communities. This "core to core" link is a very important part of Fort Collins' community values.

It seems that Package A addresses those core community values. This is not a statement of a preferred package, but more general thoughts and feelings for this alternative.

City of Fort Collins Staff Comments

Transportation Planning Staff Comments:

General comment: Transportation Planning staff agrees with the purpose and need of the North I-25 DEIS. CDOT, FHWA, FTA, and their consultant team, have been helpful to work with City staff over the years during the development of the EIS alternatives analysis process and development of the DEIS document.

The DEIS packages "A" and "B" reflect input from City staff regarding compatibility with the City's Transportation Master Plan, Master Street Plan, Transfort Strategic Plan (currently being updated) and the Mason Corridor Master Plan, Environmental Assessment, and Preliminary Engineering documents. Either of the DEIS proposed packages can serve Fort Collins' transportation needs in the future to address both highway and transit improvements.

It is important to note that further discussions are necessary with the Fort Collins Boards, Commissions, and City Council in 2009 to reach a formal recommendation to CDOT, and their partnering agencies, regarding a preferred package of improvements.

The following summary includes a preview of staff comments for both packages and notes concerns that will need to be addressed by CDOT during the development of the preferred alternative and the Final EIS document in 2009.

Travel Model:

In terms of more specific comments and concerns, Transportation Planning staff recommends that future travel demand forecast modeling be updated by CDOT and their consulting team as part of the selection process for the preferred alternative and Final EIS analysis process to ensure that the most recent transportation and land-use data is used for determining long-term transportation improvements. Also, separate land use data assumptions should be developed for each of the two packages of alternatives based on the expected land use changes that would be driven by the proposed transportation corridor improvements to more accurately reflect the inter-relationship between land use and transportation planning.

Also, the current results of the travel model show that many trips are moving within the North Front Range and to/from the Fort Collins and Longmont, Boulder areas along the US287 corridor. These inter- and intra-regional travel patterns, in addition to the Fort Collins to downtown Denver trips, need to be analyzed in more detail for each package of alternatives and as part of the process to determine the preferred alternative. The preferred alternative should address all of these trip purposes, not just the Fort Collins to downtown Denver trips along I-25.

Interchanges

Staff supports the analysis completed during the early stages of the North I-25 EIS process for each of the interchange areas (existing & potential) serving the Fort Collins area: Carpenter Road/SH392, Harmony Road, Prospect Road, Mulberry Street/SH14, and Mountain Vista Drive. Staff concurs with the conclusions and recommended conceptual designs developed by CDOT and their consultant team. Staff appreciates CDOT's efforts to include the City of Fort Collins staff and local property/business owners throughout the interchange analysis process and the

design modifications that CDOT was willing to make to address our local concerns for adjacent land impacts.

Package A

The proposed improvements shown in Package A, the regional commuter rail service and addition of general purpose lanes on I-25, are very effective to address high-quality transit system improvements as well as general highway travel, safety, and freight improvements to serve the Fort Collins community and North Front Range region.

Package A includes the commuter rail transit alternative using the existing BNSF railroad tracks through Fort Collins and staff agrees with the three passenger rail stations shown at the City's Downtown Transit Center, Colorado State University's Main Campus, and at the City's South Transit Center. Staff appreciates CDOT co-locating the commuter rail stations at the same stations as the City's Mason Corridor Bus Rapid Transit stations to allow for easy passenger transfers. This convenience and potential travel time savings could affect the transit ridership projections and that is one of the reasons for staff's request that future travel modeling (roadway & transit) be completed by the North I-25 EIS team.

City Transportation Planning staff does not agree with the need for double-tracking of the BNSF railroad tracks from Prospect Road north through Downtown and believes that the existing single track is sufficient to operate service through Colorado State University (CSU) main campus and through Downtown Fort Collins, as the DEIS states is shown for the downtown Loveland area. Staff has previously shared this comment with CDOT staff and their consultant team.

From Transportation Planning's perspective, the regional commuter rail transit alternative, while initially more costly than bus service, is an effective transit configuration for Fort Collins' and Northern Colorado's long-term future because it centers high-quality regional transit service in the heart of the communities along the US287/BNSF railroad corridor to serve the largest population centers.

Particularly for the Fort Collins community, the regional commuter rail corridor and three passenger stations are located along our highest density population centers such as Downtown, CSU, and the US287/College Avenue corridor. Locating the regional transit service along this high population corridor allows for easy access from local activity centers and neighborhoods and minimizes the need for people to drive or take local transit routes to access regional transit service.

In addition, locating this major regional commuter rail line in the heart of the Fort Collins community will lessen the likelihood of future land development shifts occurring away from the existing central population & activity centers within our community. Fort Collins' adopted Transportation Master Plan and City Plan are based on compact urban development occurring within the core areas of our community. The proposed regional commuter rail alignment along the BNSF corridor supports these transportation and land use master plans.

Also, the long-term return on investment that is likely to occur within Fort Collins due to the location of the three proposed regional commuter rail stations would be a strong economic catalyst for additional higher density, mixed-use, transit-oriented development (TOD) over and above what is currently envisioned as part of the Mason Corridor. The potential synergy of high quality local and regional transit service along this central corridor of the Fort Collins

community will greatly serve our long-range economic vitality and environmental stewardship values, as well as address our established transportation and land-use goals.

The regional commuter rail service along the existing BNSF railroad tracks/corridor will also link Fort Collins into Denver's Regional Transportation District (RTD) FasTrack "Northwest Rail Corridor" commuter rail line that begins in Longmont. This provides a cost-effective opportunity to link the North Front Range regional commuter rail improvements proposed in the North I-25 EIS to the already approved and funded FasTrack's Northwest Rail Corridor. This is a synergistic way to link regional commuter rail passengers from Fort Collins, Loveland, Berthoud to both Denver Union Station as well as to the Boulder area.

In regards to adding the general purpose lanes shown along I-25, these additional travel lanes will address safety concerns along I-25 and at the interchanges shown within Fort Collins area, as well as serve as an effective means to address current and future vehicle traffic capacity needs (automobile & freight traffic). These general purpose lanes will not limit the use of the new travel lanes to high-occupancy vehicles or require tolling. It is important for the EIS to address both passenger and freight transportation needs.

Package B:

Transportation Planning staff has reviewed CDOT's DEIS Package "B" that includes regional Bus Rapid Transit (BRT) service originating from the City's South Transit Center and making stops at the intersection of Harmony & Timberline roads as well as at the Harmony & I-25 Transportation Transfer Center and then traveling to the Denver area along the center of I-25 in the High Occupancy/Toll (HOT) lanes, also referred to in the DEIS as the Tolled Express Lanes (TEL).

The South Transit Center would be a primary connection point for passengers transferring to/from the regional BRT service to the City's Mason Corridor BRT service as well as other local Transfort routes. In addition, the regional BRT service would link into the City's future plans for the Harmony Road "Enhanced Travel Corridor" shown on the City's adopted Structure Plan, Transportation Master Plan, and Transfort Strategic Plan. The down side of the regional BRT alternative is that it does not directly serve the core population and activity centers within Fort Collins such as Downtown, CSU, the central business, employment, and residential areas along US287/College Avenue. The regional BRT service along Harmony Road to I-25 will require people to drive to park & rides on the south end of the City or take local transit routes to transfer to the regional BRT service.

The proposed I-25 Tolled Express Lanes would help give advantage to travelers in high-occupancy vehicles such as the regional BRT or carpoolers/vanpoolers as well as support congestion pricing strategies to allow travelers who can afford to pay the toll for speed/convenience purposes. Staff's concern is that the major improvement would not address general travel needs for people who cannot afford the tolls nor do these specially designated lanes address the needs of additional highway capacity for freight vehicles.

General

Overall, Package "A" and "B" are both sound alternatives and propose important transportation safety and capacity improvements for highway users and transit passengers to address the purpose and needs identified for the EIS process. However, it is important for the North I-25

EIS and community stakeholders to develop effective long-term solutions for our inter- and intra-regional transportation needs based on the anticipated future needs for travel, land-use, energy consumption, sustainability, and environmental concerns – not based on past needs and trends. The next 20, 30, and 50 years will bring significant changes to our communities, region, state, nation, and world and we need to be planning for the future – not based on the past.

All of the proposed improvements (highway and transit) come at a steep price tag and CDOT, FHWA, and FTA will need to work collaboratively with all of the North Front Range communities, counties, and metropolitan planning organizations to strategize workable financing options for any of these proposed future regional transportation infrastructure improvements.

Transportation Planning staff will continue to be actively involved with CDOT, FHWA, and FTA throughout the development of the final EIS document and will make every effort to convey the input and concerns from the Fort Collins' City organization, City Council, and community members to influence the final recommendations for these significant regional improvements.

Natural Resources Staff Comments:

Natural Resources supports efforts to enhance multi-modal travel systems and supports the Transportation Planning staff's I-25 recommendations.

Please note that the following comments are high level and not intended to serve as a detailed overview of the I-25 EIS:

Part I: Natural Areas

General comment: The most troubling issue noted is the possibility of a chain link fence installation along the commuter rail through Natural Areas in the southwest portion of Fort Collins. The fence would be highly disruptive to wildlife movement.

General comment: Maps for the EIS are not current and many City of Fort Collins' Natural Areas and Parks are not shown.

3.1: Land use. These figures only show land uses as of 2000 and should be updated. Figure 3.1.2 doesn't show any open space/parks in Fort Collins. Figures 3.1-3 through 3.1-6 do not show all of the Fort Collins area open space/parks. For example, Fossil Creek Regional Open Space is shown as an employment area, even in the 2030 projection.

3.10.5: Vegetation. Statement regarding "develop an acceptable revegetation plan" should note that the plan must be acceptable to the City of Fort Collins within its jurisdictional areas, not just acceptable to Larimer County.

3.10-5. Vegetation. Removal of large cottonwood trees at the Cache La Poudre and Big Thompson rivers will seriously impair the quality and functionality of the riparian habitat. Bald eagles and other raptors frequently use these areas to perch and hunt from. Similarly the continuous "thread" of riparian habitat is critical to wildlife movement up and down the river corridors. Also, it is not possible to mitigate the loss of a large-diameter native cottonwood tree.

Table 3.12.2: Wildlife. Audubon Society has designated Fossil Creek Reservoir as an “Important Bird Area” and the high value for migratory waterfowl and other waterbirds is well-documented. This should be represented in the EIS.

Wildlife: Commuter rail appears to be aligned on the McKee Farm which is Larimer County Open Lands property with conservation easements underlying the property that would prohibit new construction. Additional train traffic through the area would be a significant impact to recreation users (noise) and displace wildlife use within a 3,000-acre matrix of protected Fort Collins natural areas.

Figure 3-18-1. Parks and Recreation. There are quite a few missing natural areas and open spaces on the map, including Fossil Creek Reservoir Regional Open Space, Coyote Ridge Natural Area, Long View Farm Open Space.

Table 3-18-2. Parks and Recreation. This figure is not up to date. There is misinformation about Fossil Creek Reservoir Natural Area (confused with the Regional Open Space; location is east of Timberline, not Timber Lake; etc.).

3-18-3. Parks and Recreation. There will be direct impacts to Long View Farm Open Space, and Colina Mariposa, Hazaleus, and Red-tailed Grove natural areas, as well as indirect impacts (due to proximity) to other natural areas. The EIS states that no parks or recreational resources will be impacted by the commuter rail alternative; however that cannot possibly be true because it goes through and next to a number of natural areas.

3.06. Noise. Noise studies should be conducted at Arapaho Bend Natural Area in Fort Collins. Any expanded use as part of the alternatives analysis needs to consider this site. This open space managed by the City of Fort Collins fall into “Land Use Category A”. City staff has noticed that noise levels likely exceed the maximum dB levels outlined by CDOT. This area on the northwest corner of I25 and Harmony Road in Fort Collins should be evaluated.

3.6.4.1. Noise. Any efforts to mitigate road noise (barriers) should consider wildlife movement (deer, antelope) and create wildlife crossings across I25 especially north of Fort Collins and including the Wellington area. Any barriers within the more “metro” area should provide occasional openings to permit the movement of wildlife across the interstate.

Table 3.7-5. Water Quality. It is troubling that both action alternatives (Package A and B) will increase stormwater contaminant loading by 50% (for all modeled contaminants) within the Cache La Poudre watershed above the current situation or under the no-action alternative.

3.8-12 (line 39). Wetlands. The EIS identifies the “former rest area site north of the Cache La Poudre River” as a potential mitigation site. In fact that land was transferred to the City of Fort Collins and is not available as a mitigation site.

3.9-12. Floodplains. Impacts to natural vegetation and wetlands along Spring Creek and Fossil Creek need to be avoided or mitigated. Wetlands in these areas are highly valued by wildlife including sensitive aquatic species. More detailed analysis is necessary.

3.9-20 (line 6). Floodplains. The proponents of this project need to identify where wetland mitigation would take place. CDOT or private lands would need to be identified for the mitigation.

3.9 (General Comment) Floodplains. The mitigation measures for each creek, river, or other drainage is vague, not site specific, and makes it impossible to evaluate for direct and indirect impacts to wetlands and floodplains. The same four mitigation measures are identified for separate drainages. Revised, site specific mitigation plans for each drainage should be conducted for the public and appropriate stakeholders to comment on.

3.13-9 Threatened Species – Environmental Consequences. The approach of conducting an effects analysis on a broad scale is not adequate and the “one size fits all approach” to mitigation is not adequate. Site by site and drainage by drainage analyses need to be conducted to ensure impacts are avoided at best, mitigated at worst.

3.13-12. Threatened Species. Additional lighting adjacent to Fossil Creek Reservoir will further impair the quality of the bald eagle roost site at the Reservoir. This could be mitigated by controlling light leakage or by eliminating lighting from the design of that interchange.

Part II: Air Quality

General comments on air quality section:

Induced land use

Air quality in the Fort Collins community is dominated by vehicle emissions. A key issue for local air quality improvement is to reduce the growth of vehicle miles traveled, which depends, in turn, upon land use changes that support use of transit, cycling, and walking. For that reason, we believe that land use densification and transit-oriented development should be a key criteria in deciding among the alternatives.

Changed conditions

The recent volatility in gasoline prices suggest that the basis of long-range land use and transportation planning may now be in question. For example, what if the land use projections of I-25 corridor communities prove incorrect under a scenario of \$3.00/gallon gasoline, or \$4.00, or \$6.00? What if the trip-production rates used in transportation forecasting are incorrect for the same reason? The EIS should address the risk of making a poor choice from among the alternative due to the uncertainty of future gasoline prices.

Greenhouse gases

Several communities in the I25 corridor have adopted policies and/or plans to address their contribution to greenhouse gas emissions. The reduction of transportation carbon emissions, which is directly proportional to vehicle miles traveled, is critical to the success of these community efforts and the EIS should address the contribution of the I25 decision toward their success or failure.

Ozone Non-Attainment

The DEIS refers to ozone designation inconsistently throughout the Air Quality chapter. All text should reflect the November 2007 non-attainment designation area for the 8-hour ozone

standard. In addition the new, more stringent 8-hour promulgated in March 2008 should be discussed.

PM2.5

The Air Quality analysis does not address PM2.5, presumably because there are no non-attainment areas with the project study area. However, discussion of particulate matter levels in the Affected Environment chapter (page 3.5-7) acknowledges that PM2.5 24-hour maximum concentrations show a steady trend of increasing in many areas. In light of this, PM2.5 impacts of alternatives should be addressed.

More Specific Comments:

3.5 Introduction

The DEIS text in the introductory section of the air quality chapter should be updated to reflect that areas within the project have been designated non-attainment for the federal 8-hour ozone standard in November 2007, per discussion in section 3.5.2, line

3.5.2- Affected Environment

Figure 3.5-1 should be updated to reflect the non-attainment designation area for the 8-hour ozone standard. This non-attainment designation should be discussed clearly in this section, as well as the updated, more stringent 8-hour ozone standard that was promulgated in March 2008.

The EIS states, on lines 13 and 14, that: "Other criteria pollutants are no longer pollutants of concern in the Front Range area." In fact, particulate matter levels even below the federal health standards impact the health of individuals with respiratory sensitivity. The City of Fort Collins has a policy to "continually improve air quality as the city grows".

Table 3.5-2 should be updated to reflect the second ozone monitoring site that was established in west Fort Collins in 2006 and should be updated to reflect data reported through 2007, not 2005.

Discussion of criteria pollutants should acknowledge that the Fort Collins West monitoring site had the highest 8-hour ozone reading of the entire Front Range in 2007 and has recorded several 8-hour values that exceed the standard.

Greenhouse gas emissions should be discussed in the Affected Environment section, not only briefly addressed in the Cumulative Impacts section. Within the DIES study area, the communities of Fort Collins, Boulder and Denver has active commitments and plan to reduce greenhouse gas emissions. The State of Colorado also has a Climate Action Plan. Regional transportation planning and projects are one of the major avenues for reducing greenhouse gas emission from the transportation sector. In April 2007, the U.S. Supreme Court ruled that greenhouse gases such as carbon dioxide fit within the definition of "air pollutant" under the Clean Air Act ("Act") and the EPA is now in the process of determining whether, in its judgment, greenhouse gases cause or contribute to air pollution "which may reasonably be anticipated to endanger public health or welfare." It is conceivable that greenhouse gas emissions will need to be addressed more rigorously in future NEPA processes.

3.5.3.4 - PM analysis

The Air Quality analysis does not address PM2.5, presumably because there are no non-attainment areas with the project study area. However, discussion of particulate matter levels in the Affected Environment chapter (page 3.5-7) acknowledges that PM2.5 24-hour maximum concentrations show a steady trend of increasing in many areas. In light of this, PM2.5 impacts of alternatives should be addressed.

Parks & Recreation Staff Comments:

Comments on the DEIS from the view point of affected City of Fort Collins parks and trails:

No-Action Alternative: No impact on Fort Collins parks and trails.

Section 3.18 Parks and Recreation, Review:

Archery Range, Creekside Park, Lee Martinez Park, Old Fort Collins Heritage Park and Washington Park listed as being in the area of the project. Only affected park is the Archery Range.

Package A: Archery Range impact of 0.09 acre. Construction would be coordinated to minimize impacts with the use of BMPs to limit erosion, public safety and City vegetation requirements used to repair disturbed areas. Coordination and mitigation measures would be refined in more detail as the specifics of the proposed alternative are developed.

Package B: Archery Range impact of 0.14 acre. Construction would be coordinated to minimize impacts with the use of BMPs to control erosion, public safety and City vegetation requirements used to repair disturbed areas. Coordination and mitigation measures would be refined in more detail as the specifics of the proposed alternative are developed.

Advance Planning – Historic Preservation Office Staff Comments:

The City of Fort Collins Historic Preservation Office has reviewed those sections of the North I-25 Draft EIS document pertaining to historic properties within the Fort Collins Growth Management Area. Staff concurs with the findings that there will be no adverse affects on any historically designated or eligible properties arising from the implementation of the North I-25 project.

Regulatory and Government Affairs Division Staff Comments:

Please note that these are high level comments and not intended to serve as a detailed overview of the I-25 DEIS.

Section 3.7 Water Resources

3.7.1 Water Resources Regulations

General Comment: While the CDOT MS4 requirements described are generally only applicable in MS4 areas, please note that all local MS4 construction and development requirements must also be met within the local MS4 jurisdictional boundaries.

Table 3.7-5

Both packages A and B are projected to increase stormwater contaminant loading by approximately 50% for all modeled contaminants within the Cache La Poudre watershed above the current situation or under the no-action alternative. Runoff intensity and volume and higher pollutant loading are some issues commonly associated with increased imperviousness.

The modeled pollutant loadings are before the application of best management practices. Does this include both those used during construction and permanent water quality structures?

With packages A & B, a much larger percentage runoff from the roads and other impervious surfaces will be treated via water quality ponds or other BMPs than the current situation or the no-action alternative. This area is figured based on current and projected future MS4 areas and the area available for BMPs within the right-of-way.

The pollutant removal rates for structural BMPs are given as follows:

TSS - 50-70%

Total P - 10-20%

Zn - 30-60%

Cu - 1.4-30%

Chloride - not given

While this may appear that the increased pollutant loadings will not be adequately treated for all parameters, increased impervious area will be treated with packages A&B.

City of Fort Collins Water & Wastewater Utilities Department Staff Comments:

No comments