
B3
SUMMARY OF FINAL DESIGN REQUESTS BY SEGMENT

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Final design issues and requests have been identified in the comments bulleted below which were submitted during the *US 36 Corridor Final Environmental Impact Statement and Final Section 4(f) Evaluation (US 36 Corridor FEIS)* (US 36 Mobility Partnership 2009) comment period. Following this list is a narrative description of the comments on final design issues by each area of the corridor.

Commitments were made in Section B5, US 36 Corridor FEIS Response to Comments, to further address the issues identified in these comments during the final design phase of the United States Highway 36 (US 36) corridor improvements. See Section B5 to review the detailed responses to these final design issues and requests.

The comments listed below were sequenced according to the issue-area location along the US 36 corridor from east to west. Corridor-wide issues are listed last.

Adams County and Westminster

- Public-Written 22A, Kay Castillo
- Public-Written 37A, Roger Collier
- Public-Written 15A, Robert Hill
- Jur-Muni 12B/C/D/E/F/I/K/O/T/U/Y, Matt Lutkus, Deputy City Manager for Administration, City of Westminster

Broomfield

- Jur-Muni 3C, Debra Baskett, Transportation Manager, City and County of Broomfield
- Jur-Muni 10C/E/J/L/P/Q/U/V/X, Debra A. Baskett, Transportation Manager, City and County of Broomfield

Superior and Louisville

- Public-Verbal 7A/B, Carl Worthington, Oz Architecture
- Jur-Muni 7D/E/F/I/J, Town of Superior
- Public-Written 61B/E/F/G, Wayne McCreesh, ConocoPhillips
- Org-Group 4E, Anne Haebig, Community Cycles
- Jur-Muni 9H/I/J/P/R/W/X/AA/AG through AP, Charles Sisk, Mayor, City of Louisville

Boulder

- Public-Written 5C, Doris Turner
- Jur-Muni 8B/F/I/J/M, Paul Fetherston, Deputy City Manager, City of Boulder
- State-Fed 4B/G/H/J, Steve Yamashita, Northeast Regional Manager, Colorado Division of Wildlife
- State-Fed 4D, Steve Yamashita, Northeast Regional Manager, Colorado Division of Wildlife

Corridor-Wide Issues

- Org-Group 3B/J, US 36 Mayors and Commissioners Coalition and US 36 Commuting Solutions
- Org-Group 4G, Anne Haebig, Community Cycles
- Org-Group 5G, Bill Roettker, Rocky Mountain Chapter Transportation Chair, Sierra Club
- State-Fed 4B/G/H/J, Steve Yamashita, Northeast Regional Manager, Colorado Division of Wildlife

Adams County and Westminster

Public Comment

- Kay Castillo (Public Written-22A) claimed that the sound wall on the southwest corner of Federal Boulevard (State Highway [SH] 287) and US 36 is ineffective and requested that it be re-built 5 feet higher and that it cover an additional 100 yards to offer more protection from noise.
- Roger Collier (Public-Written 37A) offered design suggestions for the US 36/Federal Boulevard interchange.
- Robert Hill (Public-Written 15A) from Westminster inquired about the inclusion of building the bikeway when the area around West 112th Avenue is improved.

City of Westminster

- The City of Westminster is adamantly opposed to the proposed closure of 88th Place at Sheridan Boulevard. City representatives have consistently voiced objection to this proposal throughout the course of the preparation of the Environmental Impact Statement (EIS). The City of Westminster feels that it is unnecessary for the westbound off-ramp at the Sheridan Boulevard interchange to be designed in such a manner to preclude the preservation of the 88th Place and Sheridan Boulevard intersection, and strongly believes that the elimination of the 88th Place and Sheridan Boulevard intersection would adversely impact many more business establishments than those few that are currently identified in the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009).
(See Comment Jur-Muni 12B.)

Discussion of this item appears on the following pages of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), at a minimum:

- Volume I – 2.6-35, 3.5-15, 3.6-2, 4.2-22, 4.3-19, 4.6-15, 4.6-30, and 8.4-3 (Table 8.4-1, Mitigation Summary — Phase 1)
- Volume III, Response to Comments – 64 (Comment Response #14-10)
- The City of Westminster would like to preserve the opportunity for further consideration of the use of earth berms as noise mitigation measures in lieu of the currently proposed sound walls in those areas where sufficient right-of-way (ROW) for the berms could be acquired at no additional cost to future project sponsors (e.g., adjacent to city-owned parcels). The City understands that the installation of berms requires greater ROW than that needed for walls, and appreciates the desire to control ROW costs. However, the City does not wish to be precluded from the potential use of berms for noise mitigation in those areas where the necessary ROW may be donated to future project sponsors. This same comment would apply to those instances in which retaining walls have been proposed in the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) as a means of controlling ROW costs. Again, the main concern is that walls or fences tend to attract graffiti, and that problem would be eliminated by the use of berms.
(See Comment Jur-Muni 12C.)

Discussion of this item appears on the following pages of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), at a minimum:

- Volume I – ES-16, 4.4-7, 4.6-31, 4.6-35 (Table 4.6-2, Mitigation Measures — Environmental Justice), 4.7-21 through 4.7-23, 4.9-22 (Figure 4.9-7, Parks and Open Space in the Adams Segment — Combined Alternative Package [Preferred Alternative]), 4.9-23 (Figure 4.9-8, Parks and Open Space in the Westminster Segment — Combined Alternative Package [Preferred Alternative]), 4.9-27, 4.11-8 (Table 4.11-4, Project Elements That May Affect Visual Quality),

4.11-11, 4.11-8 (Figure 4.11-F [Note to City: this figure does not exist in the FEIS]), 4.26-5, 8.2-13, 8.4-7 (Table 8.4-1, Mitigation Summary — Phase 1), and 8.4-9 (Table 8.4-1)

– Volume III, Response to Comments –55 (Comment Response #14-21)

- The City of Westminster provided input about the details of the future, final design of the bikepath within the boundaries of the City of Westminster. Some of the “details” of the final design are items that the City considers to be extremely important. Among those critical facets of the bikepath design are:

- a. The pedestrian/bicycle discussion states that a bikeway signal is proposed to enable bicyclists to cross 72nd Avenue. The City opposes this since the spacing will not work relative to the existing traffic signal at Raleigh Street and 72nd Avenue. The City plans to realign Bradburn Boulevard to intersect 72nd Avenue at Raleigh Street. As a part of this, a trail connection would be built directly from the realigned Bradburn Boulevard to the Little Dry Creek Trail north of 72nd Avenue.
- b. The bikeway paragraph on page 2.6-37 of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) states that access to the bikeway from Sheridan Boulevard would be provided via 88th Avenue. The City would prefer that ramps be installed both on the east and west sides of Sheridan Boulevard directly to the bikeway.

The *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) states that there would be no direct access to the bikeway from 92nd Avenue. The City believes that access needs to be provided to the bikeway from both the north and south sides of 92nd Avenue to serve the surrounding neighborhood. This same comment applies to the need for access from sidewalks on both sides of Church Ranch Boulevard to the bikeway underpass.

The bikeway is proposed to be routed over the BNSF Railway tracks. The City is not in favor of this alignment. The City proposes that the trail go under the BNSF tracks and be routed through the City’s Lower Church Lake Open Space. This alignment is superior to what is proposed for the following reasons:

- i) The *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) design puts the bikeway literally less than 5 feet from US 36. The experience would be unpleasant and noisy. Trail maintenance would be difficult with gravel and snow constantly being pushed onto the trail.
 - ii) The *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) alignment requires bicyclists to unnecessarily gain and lose elevation going up and over the railroad track overpass.
 - iii) The alignment through open space would be quieter, safer, and more pleasant.
 - iv) An underpass provides more convenient access to both the bus rapid transit (BRT) station and planned commuter rail station at the Shops at Walnut Creek.
- c. The City advocates separating the bikeway much more than the proposed 12 feet where the bikeway abuts City open space. The City welcomes using its open space as a location for the bikeway.
 - d. The City does not support the proposed “clover-leaf” design for the US 36 trail at the southeast corner of US 36 and Westminster Boulevard. This design has significant negative and unnecessary adverse impacts on the abutting Hyland Village Project. The City can provide input on alternative alignments that minimize the adverse impacts.

(See Comment Jur-Muni 12D.)

Discussion of this item appears on the following pages of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), at a minimum:

- Volume I – 2.6-36, 2.6-37, 4.11-8 (Table 4.11-4, Project Elements That May Affect Visual Quality), and 7.6-29 (Figure 7.4-20, Uses of Farmers Highline Canal [Map Identification Number 5JF250 for the Entire Segment, and 5JF250.4 for the US 36 Crossing])
- The City of Westminster does not endorse the currently proposed alignment of the Church Ranch Boulevard eastbound on-ramp. The City recognizes that the construction of this particular ramp will not be included within Phase 1 of the US 36 corridor improvements. However, the City wishes to reserve the right to continue to provide input into this design detail at such time that the final design of these improvements occur. It is the City's belief that the design outlined in the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) would adversely affect City open space and unnecessarily destroy a beautiful stretch of Walnut Creek.
(See Comment Jur-Muni 12E.)

Discussion of this item appears on the following pages of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), at a minimum:

- Volume I – 4.14-27, 4.21-23, 4.21-25, and 7.6-14 (Figure 7.4-5, Uses of Big Dry Creek Trail Crossing [Map Identification Number Trail Crossing 2])
- The City believes that proposed stormwater detention pond locations should be modified, as necessary, to maximize the development potential of the remainder parcels.
(See Comment Jur-Muni 12F.)
- The City requests the inclusion of lighting along the highway and within pedestrian underpasses as part of the scope of improvements to the US 36 corridor.
(See Comment Jur-Muni 12I.)
- The City is concerned about the proposed reduction of the length of storage for vehicles making the eastbound 92nd Avenue to northbound Sheridan Boulevard movement. The City believes a third left-turn lane may be necessary to compensate for the proposed loss of vehicle storage.
(See Comment Jur-Muni 12K.)
- In reference to Table 3.6-1, Mitigation Measures – Transportation Impacts, of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), the City is unclear about what changes in the striping for eastbound 74th Avenue are proposed. City staff feels that four lanes are needed – two left-turn lanes, one through-lane, and one right-turn lane.
(See Comment Jur-Muni 12O.)
- In reference to Figure 4.20-1, Floodplain Information for Streams and Ditches in the Project Area, of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), the City indicated details that should be noted for final design are that Standley Lake should be shaded to indicate that it exists. Also, there is no mention in the study of a few water features, Pomonio Branch, Dry Creek Ditch No. 2, and Bear Canyon Creek, that appear to cross US 36.
(See Comment Jur-Muni 12T.)
- In reference to Table 4.20-2, Major Watercourse Crossings and Designated Beneficial Uses, of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), the City indicated details that should be noted for final design are that Segment 1 of Big Dry Creek should be listed in this table. Segment 1 is the main stem of Big Dry Creek, including all tributaries and wetlands from the source to the confluence with the South Platte River, except for specific listings in Segments 4A, 4B, 5, and 6. It is designated “Use Protected” and classified for Aquatic Life Form 2, Recreation P, and Agriculture.

Table 4.20-2 should also contain the affected water quality segments from Table 4.20-3, Affected Water Quality Segments. The City stated that it is confusing that these two tables contain separate information for Big Dry Creek.

(See Comment Jur-Muni 12U.)

- In reference to Appendix C, Section 404(b)(1) Evaluation, of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), the City indicated details that should be noted for final design are that Table 4-1, Parking and Pedestrian Crossings at Transit Stations, indicates that the existing pedestrian (and vehicular) underpass is to be “replaced.” The City presumes this should say that the underpass is to be lengthened.

(See Comment Jur-Muni 12Y.)

Broomfield

City and County of Broomfield

- At the November 16, 2009, US 36 Corridor Public Hearing, Debra Baskett, City and County of Broomfield, provided the following verbal comment:

It's most important to Broomfield to maintain a balance between transportation improvement and property acquisition. You also heard in the presentation that this alternative requires less right-of-way acquisition.

So Broomfield would like to keep that going as we go into the final design of this we'd like to see the right-of-way further minimized so that we can keep the private and public land that we need to grow our communities.

(See Comment Jur-Muni 3C.)

- It is very important to the City and County of Broomfield that ROW impacts to both public and private lands are minimized in final design. The City attached maps to their comment which illustrate their specific comments.

(See Comment Jur-Muni 10C.)

- The City and County of Broomfield requested that the following be addressed in final design:

Figure 2.6-11 and Table 2.6.-5 describe the access points to the managed lanes. Access points between each interchange on US 36 should continue to be included in the ROD and final design.

(See Comment Jur-Muni 10E.)

Page 4.14-44. Loss of prairie dog colonies. CDOT should abide by Broomfield's prairie dog policy during construction of areas within Broomfield. Please note this in the ROD.

(See Comment Jur-Muni 10J.)

Page 4.21-29 Table 4.21-9. Mitigation Measures. Broomfield generally prefers on-site mitigation for wetlands. We would prefer wetland creation or enhancement in most cases.

(See Comment Jur-Muni 10L.)

Section 4.18 - Utilities

It appears that a few major utilities (i.e., sanitary sewer, reuse water, storm sewer) within the Broomfield Segment have been omitted from the discussion, Table 4.18-3 and Figure 4.18-3. There are also numerous utilities (water, sanitary sewer, storm sewer, irrigation ditches, and water reuse) within the Broomfield Segment that are not shown (diameters less than 24") which need to be taken into consideration during the design and construction of any transportation improvements.

(See Comment Jur-Muni 10P.)

Section 4.20 Water Resources: Water Quality and Floodplains

Surface Water Classifications (4.20-7) – It is anticipated that Rock Creek may be on the 303(d) list in the near future to include selenium (anticipated Spring 2010) and E. coli (anticipated within the next few years). Broomfield must be included in all reviews associated with the Rock Creek stream crossings.

(See Comment Jur-Muni 10Q.)

Wetlands and Other Waters (Section 4.21)

This section acknowledges Community Ditch and the adjacent Interlocken storm water ponds. The realignment of bikeways (Mitigation) should be taken into consideration during design and construction.

(See Comment Jur-Muni 10U.)

Construction-Related Impacts (Section 4.22)

As part of utility relocation, consideration should be given to the installation of utility sleeves under US 36 for future use.

(See Comment Jur-Muni 10V.)

Map 5, Combined Alternative Package, Preferred Alternative and Map 5, Phase 1, there is a full parcel acquisition shown where the bikeway turns south to connect to the existing Zip pathway. This is a developable parcel. In final design the area of right of way should indicate the need for approximately a 20' impact area to accommodate the bikeway. See note on Page 5 of the attached markup. Please modify this in final design.

(See Comment Jur-Muni 10X.)

Superior and Louisville

Public Comment

- Carl Worthington with Oz Architecture commented at the November 18, 2009, US 36 Corridor Public Hearing. He requested that special attention be given in final design to the proposed Superior Town Center owned by George Menkick and Dick Biella. He asked that special attention also be given to flood mitigation for Coal Creek and how that would impact the property. Additionally, he asked that final design considerations for that property be taken into account when planning for the McCaslin BRT station.
(See Comment Public-Verbal 7A and 7B.)
- Wayne McCreesh, ConocoPhillips, provided the following comments regarding issues that are to be addressed in final design for the ConocoPhillips property in Louisville:
 - “We are in process to redevelop our property which is impacted by the US 36 corridor in many ways. It is important to us that the proposed improvements are constructed with consideration of the plans and investment of the property owners whose land will be affected by the improvements.”
(See Comment Public-Written 61B.)
 - In regards to site impacts resulting from the reconstruction of the west-bound on-ramp from West Flatirons Circle, grading and slope reconstruction will be required to provide the proposed alignment and widening of the on-ramp. Preliminary plans call for significant grading changes for the majority of the site frontage along US 36. This scope of grading as depicted will not be possible once the realignment of the Xcel Energy and the Farmers Reservoir and Irrigation Company ditch change from their current location to the proposed location and elevation. Because of this, other means of slope transition, such as retaining walls, will need to be employed. ConocoPhillips would prefer that any such retaining walls be incorporated into the roadway design so that the walls become a visual component of the road and not the landscape of the ConocoPhillips campus.
(See Comment Public-Written 61E.)
 - In regards to the alignment of the US 36 bikeway, ConocoPhillips will provide public land along the US 36 edge of its campus to accommodate this. The preferred location of this trail is at the top of the existing slope. This alignment will allow for a more pleasant trail experience away from the highway corridor. It is anticipated that this trail will transition to the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009) proposed locations at 88th Street and West Flatirons Circle.
(See Comment Public-Written 61F.)
 - In regards to the retaining wall at the south end of ConocoPhillips property, Figure 4.9-10, Parks and Open Space in the Superior/Louisville Segment — Combined Alternative Package (Preferred Alternative), of the *US 36 Corridor FEIS* (US 36 Mobility Partnership 2009), suggests that a retaining wall is required just north of US 36 and east of Interlocken Boulevard. There are wetland considerations in this general area that need to be incorporated into the design. Any grading and or retaining walls in this area need to accommodate the existing and proposed uses of this property.
(See Comment Public-Written 61G.)
- Anne Haebig, Community Cycles, commented that currently, the bike lane on McCaslin Boulevard is interrupted at the US 36 interchange. She suggested improving McCaslin Boulevard bicycle facilities at the US 36 interchange to improve safety for cyclists in that area.
(See Comment Org-Group 4E.)

Town of Superior

- The Town of Superior requested that the following be addressed in final design:
 - *McCaslin Boulevard Interchange Design* – The proposed change to the interchange is to widen the bridge to accommodate double left turn lanes and not have a northeast loop to access westbound on US 36. The Town of Superior believes the northeast loop would be the best option since it will be less costly than a bridge widening, would entail less traffic disruption on McCaslin during construction and would significantly enhance operational performance.

Since the McCaslin interchange improvements are not included in Phase I, we have no objections to moving forward with the Record of Decision (ROD) for Phase I. However prior to consideration of the ROD for Phases II or III, we would propose that the US 36 Project Team reconsider the northeast loop.

Attached is a diagram showing a configuration design that would improve traffic flow, accommodate all grading and drainage issues and not require the displacement of any businesses. US 36 DEIS Comments/Response, pg. 40 – Response to Comment #12-1 (Town of Superior comment regarding NE Loop) states “...the proposed McCaslin Boulevard interchange accommodates the projected traffic demand and the northeast loop is not necessary. Additionally, it is geometrically challenging to provide, without significant ROW acquisition ...”

1. As stated above, the 2035 turning movement projections may be significantly flawed, with the movement that the NE loop would serve increasing only 13%/21% (AM/PM) while other movements increase 100 to 400%.
2. While the proposed McCaslin interchange design (Figure 4.8-1) may result in overall LOS “C”/“B”, the northbound left-turn movement will operate at LOS “E”.
3. With the Preferred Alternative’s mainline design of two general purpose travel lanes and a buffer-separated managed lane in each direction, the Northeast Loop can be designed with minimal ROW acquisition (set-back areas and parking lot). It can be designed (see enclosed design) to meet minimum AASHTO standards, including a 30 mph design speed as desired by CDOT. The new westbound off-ramp will require a new separate bridge over Coal Creek which can be designed to be four feet above the 100-year flood elevation.

4. The Northeast Loop would cost about 7 million (in 2009 dollars) or \$5 to 10 million less than improvements shown in the proposed interchange design (Figure 4.8-1).
 5. The Northeast Loop would not require widening of the McCaslin Bridge over US 36 while providing good overall 2035 Levels of Service (LOS "C" in AM and PM) at the McCaslin/US 36 WB ramp intersection. All individual movements would operate at LOS "D" or better.
 6. The Northeast Loop would provide safer operations at the interchange since a major conflict point (NB to WB left-turn vehicle paths crossing SB vehicle paths) would be eliminated.
 7. The Northeast Loop would have relatively minor construction impacts and disruption. The major project elements, including the three new bridges and new ramp could be built without affecting current traffic operations.
 8. The Northeast Loop improvements could accommodate the bike/equestrian trail connection of McCaslin to Coal Creek recommended in the US 36 FEIS.
(See Comment Jur-Muni 7D.)
- *Manage Lanes* - Implementation Plan for Managed Lanes, Apex Design, December, 2008. This document was not available during the DEIS or Preferred Alternative Committee meetings. There are several issues of concern in this document.
1. No explanation is given of how SOV's will be charged without charging HOV's. Pg. B-21 mentions "occupancy" as a function of side-fire, microwave, or Doppler radar, and/or Alternative Traffic Recorder. No examples are given where such devices are used for tolling applications.
 2. Section B-33 on Page B-10 states "*after reconstruction, these on-ramps may contain HOV bypass lanes*". Pg. 4-53 (Figure 4.8-1) shows these HOV bypass lanes at the McCaslin interchange. The impacts of these bypass lanes have not been considered by the Town. The eastbound HOV bypass lanes may have some implications for Superior Plaza while the westbound HOV bypass lane may have implications for the existing bus stop.

3. Pg. B-8 describes two options for Managed Lane entry and exit. Option 1, with vehicles crossing a single dotted white pavement marking, is what has been generally represented in the Combined Alternative. Option 2, depicted in Figure B-6 on pg B-13, considers parallel access lanes and requires a lane shift for the managed lane and a shoulder (or buffer) width reduction. This raises significant safety issues, especially during icy or snowy conditions.

(See Comment Jur-Muni 7E.)

- *Technical Report Addendum, October, 2009* - Pg 4-52 to 4-58 contain analysis of the McCaslin Boulevard Interchange. Figure 4.8-2 contains existing traffic volumes. Figure 4.8-4 contains 2035 Combined Alternative Traffic volumes.

1. Comparing Figures 4.8-2 and 4.8-4 (see attached figure) shows a radical change in travel patterns at the interchange with traffic oriented to Boulder (west) growing slightly (23 to 80%) while traffic oriented to the east is growing substantially (156 to 484%). While some of this is due to the inherent inaccuracy of the regional model to predict peak-hour turning movements, some of it may be due to the lack of capacity on US 36 west of McCaslin. These questionable traffic forecasts drive the conceptual design of the McCaslin interchange shown on Figure 4.8-1, which includes a nine-lane bridge (compared to the existing six-lane bridge), a dual lane southwest loop, a four-lane eastbound off-ramp. Since the McCaslin interchange improvements are not included in Phase I, it is recommended that the traffic forecasts be updated (including a forecast scenario that is more in line with existing travel patterns) prior to the Record of Decision for Phase II (which would include the McCaslin interchange improvements).

2. The Operations Summary and Table 4.8-1 on page 4-57 indicate that Package 1 (No Action in 2035) will result in LOS "F" at the McCaslin/Westbound Ramp and LOS "E" at the McCaslin/Eastbound Ramp during the AM peak period. In fact, these poor Levels of Service are occasionally being experienced under existing traffic volumes. Since the McCaslin interchange improvements are not included in Phase I (and Phase I would be constructed with the funding available in the 2035 MVRTP as amended – DRCOG, 2009), the existing six-lane bridge configuration would result in these poor Levels of Service for many years.

(See Comment Jur-Muni 7F.)

- *Utilities* – We support the proposed utility issues and concerns addressed in the FEIS. However, we did find an existing emergency overflow sewer line that runs from Coal Creek in Superior under US 36 is not identified on the utility locates section on page 4.18.2.

(See Comment Jur-Muni 7I.)

- **Flood Plain** – The document mentions there is still on-going study addressing the flood plain issues affecting Coal Creek. We need to know the results of this study or any other information you might have to provide comments on the flood plain issues. Absent such information, it is not possible to opine on the affects of this project on adjacent flood plains and wetlands; however, the flood plain should be managed to preclude the need for off-site storage.

(See Comment Jur-Muni 7J.)

City of Louisville

- The City of Louisville requested that the following issues be considered in final design:

In final design and as a safety enhancement the City would like a minimum six foot high barrier considered along the entire bikeway in order to separate the bikeway from the highway.

The City will require fencing between the bikeway and City owned Open Space to prevent trespassing and social trails. This detail can be included during final design.

Please be aware the contractor will need to coordinate their construction activities with the City in order to avoid conflicts with annual events and projects.

(See Comment Jur-Muni 9H/I/J.)

Transit Station Boardings – Section 3.4

Table 3.4-9 reflects an increase in transit use at the McCaslin Station under the Combined Alternative Package (260 to 480), yet Figure 4.8-4 of the Traffic Report does not reflect increase traffic volumes to the McCaslin Station when compared to the no action volumes shown in Figure 4.8-3. In the ROD, please commit to updating traffic counts at the intersection of Dillon Road and McCaslin Blvd to fully capture the impacts associated with BRT implementation and station improvements as well as the addition of the managed lane -- and commit to needed mitigation at the intersection in the future.

(See Comment Jur-Muni 9P.)

During design for Phase 2 (includes McCaslin Interchange improvements) the City would like the traffic forecasts updated and reviewed at the intersection of Dillon Road and McCaslin Blvd prior to the ROD.

(See Comment Jur-Muni 9R.)

Table 4.3-17 shows 365 parking spaces for retail and commercial buildings in the McCaslin Boulevard Interchange area to be displaced under the Combined Alternative Package. Details and actions to minimize displacement and disruption should continue through final design and in coordination with the City of Louisville. Please commit to this mitigation in the ROD.

ROW/Acquisitions

Reducing (avoiding and minimizing) the number of property acquisitions required through design modification during final design should be a high priority wherever possible.

(See Comment Jur-Muni 9W and 9X.)

As the FEIS document was unable to provide detailed design information regarding the height of the retaining walls associated with the Combined Alternative within Louisville. The City wishes to be involved in the final design of the retaining walls and work in partnership with CDOT in identifying alternatives which will minimize the visual and aesthetic impacts of the retaining walls.

(See Comment Jur-Muni 9AA.)

The following comments are included for final design of the Combined Alternative and associated phases. Please add this information as a mitigation commitment in the ROD:

All agricultural fences that are removed must be replaced with four strand high tension smooth wire. All non agricultural fences must be replaced with either post or dowel or wildlife friendly high tension smooth wire at the discretion of the Parks and Recreation Department. Furthermore all gates, latches and fence specifications and locations must be reviewed and approved by the Parks and Recreation Department.

All species list (Vegetation and Landscaping) for reseeding, planting and landscaping within the City's right of way must be reviewed and approved by the City.

"Salvaged" top soil from other municipalities will not be allowed for use within the City right of way. "Salvaged" soil locations within the City right of way (for transfer to other locations within the City of Louisville) must be approved by the Parks and Recreation Department before the donation location is impacted.

Hydro mulching is not permitted within the City of Louisville. Erosion control materials and timing of seeding must be in compliance with the City Reclamation Standards.

Tree replacement stock should be two (2) inch caliper and species should conform to native riparian tree species found along the front range of Colorado. Species include plains cottonwood, peach-leaved willow and box elder. Newly planted tree species should receive supplemental water when needed annually for two (2) years after planting.

The City would like the opportunity for further input when appropriate on possible re-vegetation and selection of tree species to enhance the visual and audible benefits to the Coal Creek Golf Course. The extents of impacts to the Coal Creek Golf Course are not yet determined so specifics related to revegetation are unknown at this time.

All plantings and reseeding shall be under a two year maintenance period where CDOT is responsible for watering, herbicide control and other maintenance.

Herbicide records must be submitted to the City of Louisville.

Herbicide use must be in compliance with the City of Louisville Integrated Weed Management Plan

Slopes must not to exceed a 4:1 slope ratio

Construction-Related Impacts

Please be aware equipment staging, project parking and access across City owned Open Space and Parks will not be allowed during construction of the Combined Alternative.

(See Comment Jur-Muni 9AG/AH/AI/AJ/AK/AL/AM/AN/AO/AP.)

Boulder

Public Comment

- Doris Turner from Boulder requested that safety considerations be given to merge lanes for US 36 from Table Mesa Drive to Baseline Road in final design.
(See Comment Public-Written 5C.)

City of Boulder

- The City of Boulder requested that the following issues be considered in final design:

With the city's overall support as the foundation for the attached comments, it is important as the project team moves forward to correct errors and work toward final design, implementation and operating plans that are consistent with agreements and intentions as they currently stand. The attached comments identify specific areas that are in need of correction and input regarding final design, implementation and operations.

(See Comment Jur-Muni 8B.)

4. **Design Details** - As design moves forward, please work with the city to address design details that are compatible with local facilities. For example, the city requests that there be no lighting in the South Boulder Creek underpass to be sensitive to the high quality wildlife habitat in the surrounding area and to be consistent with the unlit paths that will access this underpass.

(See Comment Jur-Muni 8F.)

7. **Minimize Impacts to Reflect Phasing Plans** - As design advances in phases, please only impact those public and private property areas that are essential for the initial phase of the project. Please pay particular attention to environmentally sensitive areas and areas that have high visual and aesthetic value. Since funding for future phases is not reasonably expected in the foreseeable future (2085 is noted in the FEIS document), clearing and building significant structures that may never need to be built or used would present costly and unnecessary impacts to environmentally, visually and aesthetically sensitive areas. Also, since performance results of the Phase 1 project will help inform where next increments of investment would be needed, it is not clear where or when investments would occur, if at all. As an example, the city requests that the bikeway be placed adjacent to the Phase 1 footprint, rather than placed adjacent to an ultimate footprint that may never occur, resulting in higher costs and greater impacts.

(See Comment Jur-Muni 8I.)

8. **Retaining and Noise Walls** - The City of Boulder is concerned about the visual impact of the retaining walls and noise walls on the west end of the corridor. We ask that the project team use aesthetically pleasing approaches to these structures during project design and construction and that it work with the community on the best design approach for mitigating impacts. While retaining walls may be needed to protect wetlands and other sensitive environmental resources in the vicinity from Cherryvale to Foothills/Table Mesa, there may be other technical solutions that would be more aesthetically pleasing than retaining walls on Davidson Mesa.

(See Comment Jur-Muni 8J.)

11. **Consistency with Local Policies and Regulations** - As design continues and construction plans are developed, please comply with local ordinances and regulations. For example, please be aware that the city's wetland protection regulations require a 2-for-1 mitigation for wetland impacts. The city also has adopted a local wildlife protection ordinance that governs how activities may affect prairie dogs and birds. Both the wetland and wildlife regulations apply to land within the city limits, land owned by the city and to projects that are funded by the city. There is also an Open Space Board of Trustees policy addressing wetland mitigation associated with the transfer of open space property ownership and interest.

(See Comment Jur-Muni 8M.)

Colorado Division of Wildlife

- The Colorado Division of Wildlife (CDOW) requested that the following issues be addressed in final design:

Wetlands, Riparian and Grassland Habitat

Wetlands provide habitat for many species of wildlife. A number of sites providing wildlife habitat for waterfowl are located along the US 36 corridor, specifically in the Boulder segment of the study area. The Combined Alternative Package would permanently impact approximately 24 acres of wetlands and other water features. Introduction and spread of aquatic invasive species is a risk with any construction in wet areas. In addition, clearing of vegetation and earth moving activities on stream banks, construction in streams, alteration of stream channels, and accidental spills may increase suspended soils and affect sedimentation, water temperature, and water flow or quality.

Mitigation Objective

Minimize loss of, and disruption to, vegetation where possible. If loss of vegetation cannot be avoided, replace and/or enhance wetlands and riparian habitat on-site (preferred), or as close as possible to the project area. Contributing to a wetland bank where improvements will be made offsite is CDOW's least preferred option. CDOW generally recommends replacement of trees and shrubs at a 1:1 ratio, however in wetland/riparian areas we recommend a 3:1 ratio.

Strategy

Avoid riparian, wetland and other sensitive areas as much as possible when determining the final project design.

Strategy

Limit construction, staging, stockpiling to areas that do not qualify as wetland habitat. Limit construction period to the fall and winter months when the ditches do not convey irrigation flows.

Strategy

Enhance or restore equivalent areas of riparian habitat. Replace trees and shrubs on-site at the appropriate ratio. Re-seed disturbed areas with suitable native grasses. A plan should be in place to maintain and irrigate these plantings if necessary until they are fully established.

Mitigation Objective

Minimize erosion and run-off into creeks and ditches adjacent to the study area.

Strategy

Silt fencing, erosion logs and temporary berms should be used to prevent degradation of riparian and aquatic habitats. Construction in waterways should be performed during low-flow or dry periods.

Strategy

Use equipment floats, temporary bridging or other appropriate techniques to minimize impact of heavy equipment on and adjacent to wetlands.

Mitigation Objective

Control and prevent the spread of noxious weeds in the project area.

Strategy

Develop an integrated Noxious Weed Management Plan. Use appropriate biological, chemical, or mechanical weed control practices recommended by Colorado State University, county weed boards, and other weed experts. Reclaim disturbed areas promptly to discourage weed establishment. Weed control is typically an on-going maintenance issue, so a plan should be in place for continued prevention and control of weeds in the study area. Vehicles to be used at the study area should be inspected prior to arriving at the site, and again prior to leaving each day to ensure they are free of soil and debris capable of transporting noxious weeds or seeds. The FEIS states that only certified weed-free mulch and hay bales will be used on the project.

Mitigation Objective

Minimize the risk of introducing or spreading aquatic nuisance species from one water body to another.

Strategy

If heavy equipment to be used for the project has previously been used in another stream, river, lake, pond, or wetland, one of the following disinfection practices is necessary prior to construction to prevent the spread of New Zealand mud snails, zebra mussels, quagga mussels, whirling disease, and any other aquatic invasive species into this drainage. These practices are also necessary after project completion, prior to this equipment being used in another stream, river, lake, pond, or wetland:

- Remove all mud and debris from equipment (tracks, turrets, buckets, drags, teeth, etc.) and spray/soak equipment a 1:15 solution of Sparquat institutional cleaner and water. Keep equipment moist for at least 10 minutes **OR**
- Remove all mud and debris from equipment (tracks, turrets, buckets, drags, teeth, etc.) and spray/soak equipment with water greater than 140 degrees F for at least 10 minutes.

Clean hand tools, boots, and any other equipment that will be used in the water with one of the above options as well.

(See Comment State-Fed 4D.)

Corridor-wide Issues

Public Comment

- Anne Haebig, Community Cycles, commented that putting the bikeway outside of sound walls increases cyclist safety by improving cyclists' ability to hear and by decreasing their isolation from the surrounding neighborhood. She felt that cyclists will be more likely to use the route if they are protected from noise.
(See Comment Org-Group 4G.)
- Bill Roettker, Rocky Mountain Chapter Transportation Chair of the Sierra Club, provided comment advocating for Transportation Demand Management (TDM) to be an on-going commitment by CDOT to the US 36 corridor through all future stages of the project.
(See Comment Org-Group 5G.)

Colorado Division of Wildlife

- CDOW requested that the following issues be addressed in final design:

Many of the environmental concerns and mitigation strategies contained within the FEIS are reiterated below, along with some additional points the CDOW would hope to see incorporated into this project. In general, the CDOW is in favor of the package that will impact riparian and wetland habitat the least. The CDOW also prefers that all mitigation and replacement of habitat occur on-site, or as close to the project area as possible, rather than acquisition and/or enhancement of habitat off-site.

(See Comment State-Fed 4B.)

Preble's Meadow Jumping Mouse

The Boulder segment of the US 36 corridor contains important habitat for Preble's meadow jumping mouse (PMJM), and this species is known to occupy stream and ditch crossings under and adjacent to US 36 in portions of the Boulder segment. PMJM habitat connectivity is dependent on riparian zones, as more than 90 percent of movements are within 300 feet of a stream. The Combined Alternative Package anticipates impacting 41.72 acres of habitat.

Mitigation Objective

Minimize direct impacts (death), as well as loss and fragmentation of habitat.

Strategy

Provide travel passage for small mammal movement by installing high water shelves in culverts under US 36.

Strategy

Enhance or restore equivalent areas of riparian habitat. This restoration should occur on-site or at least within the project area. The FEIS acknowledges that the project will result in loss and disruption of PMJM habitat, though proper mitigation in the way of vegetation plan and updated culvert and bridge designs may eventually improve mouse habitat and connectivity.

Strategy

Use silt fencing or similar visible barriers to discourage the death of mice during construction. Limit construction to the non-active season (November through March) in occupied or potentially occupied habitat, although hibernating animals may be crushed by earth moving activities.

Strategy

Replace habitat in a manner that fills in the gaps between currently fragmented habitat areas.

(See Comment State-Fed 4G.)

Raptors and Other Birds

The area adjacent to US 36 provides raptor habitat, including nesting and hunting sites for birds of prey. The FEIS states that 22 raptor species are known or likely to occur in the project area. Raptors are sensitive to human intrusion, especially at nest sites. The prey base (example black-tailed prairie dogs and other small mammals) for bald eagles, ospreys and other raptors may be impacted by this project. In addition, there may be bald eagle winter night roost sites along the project corridor. The vegetation along the US 36 corridor also provides habitat for a variety of songbirds. Raptors and other birds may face additional risk from vehicle collisions due to a wider highway and higher traffic volume.

Mitigation Objective:

Identify and protect the nests and roost sites of raptors and other birds.

Strategy: Identify known raptor nests and conduct baseline inventories to search for additional nests on a yearly basis. Comply with the Migratory Bird Treaty Act.

Strategy: Identify possible bald eagle winter night roost sites and avoid disturbance to the extent possible. The FEIS states that if individual trees important for raptor perching are removed, they will be replaced in a 1:1 ratio, and/or artificial perches may be erected until newly planted trees mature.

Strategy: At a minimum, use CDOW buffer recommendations around raptor nests. These recommendations are attached to this comment letter. The FEIS states that coordination with CDOW will occur if active nests are found.

Strategy: To the extent possible, avoid vegetation removal or earth-moving activities during the raptor courtship and nesting season, December through August. If these activities must occur during the nesting season for a given species, all vegetation slated for disruption should be carefully inspected prior to construction to ensure that no active bird nests are being disturbed or destroyed. Proactively discourage nesting activities for birds like swallows on bridges slated for demolition. We appreciate the intent to survey for barn owl and bobolink nests in riparian habitats.

(See Comment State-Fed 4H.)

As you move forward with this project please feel free to contact us if we may be of further service. District Wildlife Manager Claire Sechrist will continue to be our primary field person for this project. She may be reached at 303-291-7142 or via email claire.sechrist@state.co.us
(See Comment State-Fed 4J.)

The US 36 Mayors and Commissioners Coalition and 36 Commuting Solutions

- The US 36 Mayors and Commissioners Coalition and 36 Commuting Solutions requested that as design advances, CDOT consider the following:

As design advances in phases, please only impact those public and private property areas that are essential for the initial phase of the project. Please pay particular attention to environmentally sensitive areas and areas that have high visual and aesthetic value. Since funding for future phases is not reasonably expected in the foreseeable future (2085 is noted in the FEIS document), clearing and building significant structures that may never need to be built or used would present costly and unnecessary impacts to environmentally, visually and aesthetically sensitive areas. Also, since performance results of the Phase 1 project will help inform where next increments of investment would be needed, it is not clear where or when investments would occur, if at all. As an example, the U.S. 36 coalition requests that the bikeway be placed adjacent to the Phase 1 footprint, rather than placed adjacent to an ultimate footprint that may never occur, resulting in higher costs and greater impacts.

(See Comment Org-Group 3B.)

Mitigation

In final design, please ensure sound walls and other mitigation efforts will only be built in tandem with the corridor construction improvements. Due to the aesthetic beauty of the adjacent land, vista mountain views surrounding area the corridor, there is a strong desire to maintain the aesthetic character of our corridor.

(See Comment Org-Group 3J.)

