

## 5.0 MONITORING/ENFORCEMENT PROGRAM

FHWA, FTA, RTD, and CDOT will monitor this project to ensure that mitigation measures contained in the ROD (and subsequent permits) are implemented. Copies of this ROD will be provided to responsible public agencies and CDOT project personnel. Commitments within this document will be implemented through the inclusion of these measures in the construction plans for the project. CDOT will maintain information on the implementation to inform the public and/or interested commenting agencies, upon request, of the progress in carrying out the adopted mitigation measures.

The decision-making process will continue during final design. As the design process continues, more detailed decisions and more specific commitments will be made to minimize both environmental impacts and impacts to adjacent property owners. In coordination with local agencies, the public involvement process will include a public outreach program.

CDOT will continue to coordinate with FHWA, FTA, RTD, the local jurisdictions and associated counties, 36 Commuting Solutions, University of Colorado, Boulder, Save Your Neighborhood Access Committee, and associated school districts/fire districts/sheriff offices/businesses/residences, DRCOG, CDPHE, USACE, USFWS, and the Colorado Division of Wildlife. As well as with the agreements that have been established in the FEIS for the three outstanding issues, including the I-25/Broadway interchange where a separate study will take place prior to action being taken at this interchange, evaluate the need for the auxiliary lane from McCaslin Boulevard to Table Mesa Drive, and to re-evaluate the design of the Table Mesa Drive interchange with University of Colorado and the City and County of Boulder after funding has been identified for this interchange and the South Campus Master Plan is more developed by the University of Colorado, Boulder.

Permits required for the project will be coordinated with the appropriate jurisdiction and obtained prior to construction. Required permits and approvals for Phase 1 are likely to include those shown in Table 5-1, Summary of Permits and Approvals for the Proposed Action (Phase 1). Additional permits may be required in concert with activities such as:

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

Additional permits and/or approvals may be needed for future phases; a more comprehensive list is included in the FEIS.

**Table 5-1: Summary of Permits and Approvals for the Proposed Action (Phase 1)**

| Agency  | Regulated Activity   | Permit/Approval   |
|---|--|---|
| Federal Highway Administration  | Design includes "pinchpoints" to fit managed lane the entire length of the corridor in the first phase | Design Variance Approval  |
| U.S. Army Corps of Engineers  | Impacts to jurisdictional wetlands and waters of the U.S.  | Clean Water Act Section 404 Permit  |
| U.S. Fish and Wildlife Service  | Impacts to threatened and endangered species and their habitat   | Site-specific modifications to the Programmatic Biological Assessment/ Biological Opinion                   |
| Federal Emergency Management Agency   | Floodplain encroachment  | Conditional Letter of Map Revision: Letter of Map Revision  |
| State Historic Preservation Officer   | Impacts to Historic Resources  | Letter of Approval  |
| Colorado Department of Public Health and Environment – Water Quality Control Division | MS4 Phase I and II areas – New Development and Redevelopment Programs                                  | Follow the requirements of the City/County MS4 permits and Colorado Department of Transportation MS4 permit |

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| Agency   | Regulated Activity   | Permit/Approval  |
|--|--|--|
| Colorado Department of Public Health and Environment – Water Quality Control Division                    | Required to assess the quality of stormwater runoff during construction  | Colorado Department of Public Health and Environment: Colorado Discharge Permit System stormwater permit associated with construction activity                     |
| Colorado Department of Public Health and Environment – Water Quality Control Division                    | Dewatering of construction areas   | Clean Water Act Section 402 Construction Dewatering Permit, or Individual Construction Dewatering Permit if contaminated groundwater is expected to be encountered |
| Colorado Department of Public Health and Environment – Hazardous Materials and Waste Management Division | Classification of construction waste material and transportation of solid wastes generated                                   | May require facility approval  |
| Colorado Department of Public Health and Environment – Hazardous Materials and Waste Management Division | Generation of contaminated materials during construction   | Coordination and approval for handling and management plan   |
| Colorado Department of Public Health and Environment – Hazardous Materials and Waste Management Division | Generation of hazardous waste  | Notification as Resource Conservation and Recovery Act hazardous waste generator   |
| Colorado Department of Public Health and Environment – Air Pollution Division                            | Emissions from portable units, such as rock crushers, generator, asphalt plants, and cement plants, used during construction | Stationary Source Air Quality Permit   |
| Colorado Department of Public Health and Environment – Air Pollution Division                            | Asbestos abatement and bridge and building demolition  | Asbestos Abatement Permit<br>Demolition Permit   |
| Colorado Department of Public Health and Environment – Air Pollution Division                            | Fugitive dust emissions due to construction activities and bridge demolition   | Fugitive Dust Permit<br>Bridge Demolition Permit   |
| Colorado Department of Transportation  | Generation of contaminated materials during construction   | Development of a Materials Handling Plan with approval by the Regional Planning and Environmental Manager  |
| Colorado Division of Wildlife  | Impacts to stream banks, stream channels, and riparian areas   | Senate Bill 40 Certification   |
| Local City and County  | Work in sensitive habitats   | Local permits or approvals   |
| Local City and County  | Impacts to local floodways   | Local permits or approvals   |
| Local City and County  | Occupancy of right-of-way  | Street Occupancy Permit  |
| Local City and County  | Construction of structures   | Construction Permit  |
| Local City and County  | Traffic control during construction  | Construction Access Permits<br>Traffic Control Plan  |
| Local City and County  | Noise generation during construction (especially for night time work)  | Noise Variance   |
| Local City and County  | Generation of contaminated materials during construction   | Coordination and approval for handling and management plan   |
| Local City and County  | Discharge of wastewater generated during construction activities to the treatment works (if needed)                          | Wastewater Discharge Permit  |
| Local City and County  | Design and construction associated with City-maintained streets, parks, and sewers   | Design and construction plan review  |
| Local City and County  | Work in dedicated parks and trails   | Occupancy Permit   |
| City Forester  | Tree removal   | Coordination and approval  |

Source: US 36 Mobility Partnership, 2009b.

Note:

MS4 = Municipal Separate Storm Sewer System