

I-25 CIMARRON INTERCHANGE ENVIRONMENTAL ASSESSMENT REEVALUATION

ATTACHMENT 2

Section 4(f) Documentation for Trail Impacts



COLORADO

Department of
Transportation



COLORADO

Department of Transportation

Region 2

September 24, 2014

Karen Palus, Director
City of Colorado Springs
Parks, Recreation & Cultural Services Department
1401 Recreation Way
Colorado Springs, Colorado 80905

RE: I-25 Cimarron Interchange Reevaluation: Follow-up for Section 4(f) Review of the Temporary Occupancy of the Pikes Peak Greenway Trail

Dear Ms. Palus,

Colorado Department of Transportation is completing the reevaluation of the March 2004 *I-25 Improvements through the Colorado Springs Urbanized Area Environmental Assessment* (The *FONSI-Finding of No Significant Impact* was signed in September 2004.) for the I-25 Cimarron Street Interchange Design-Build project. As a part of this process, CDOT must evaluate impacts to Section 4(f) resources. Section 4(f) of the US Department of Transportation Act of 1966 affords special protection to parks and recreational resources and requires specific mitigation when the resource is converted to a "transportation use". The Midland Trail, the Pikes Peak Greenway Trail and the Bear Creek Trail all fall under the jurisdiction of Section 4(f).

While the design of the interchange is not complete at this time, as the selected Design-Build Contractor will finalize the plans, the basic configuration of the interchange has progressed to a point that impacts to the local trail network can be identified. Because the decision on the realignment of the Midland Trail was critical to the roadway concept, we needed to address that with the City earlier this year. We appreciate the City reaffirming their 2002 support for the realignment of the Midland Trail and request for no noise mitigation at the America the Beautiful Park in your letter dated May 14, 2014.

This letter concerns the temporary closure of the Pikes Peak Greenway Trail and of the Bear Creek Trail as shown in Figure 1. The Pikes Peak Greenway Trail is located on the east side of I-25 and parallels Fountain Creek on the east and the west side. The Bear Creek Trail crosses under I-25 in a box culvert on the south end of the project near the Walmart store. For safety and constructability reasons, the Pikes Peak Greenway Trail and the Bear Creek Trail will be temporarily closed to public access during reconstruction of the interchange, Cimarron bridge and the extension of the Bear Creek box culvert. For this project, under the provisions of Section 4(f), there would be no permanent "use" of the trail. A "temporary occupancy" of the trail will occur during construction of these various elements. The temporary occupancy of these trails by CDOT would occur for limited and intermittent periods during construction. A preliminary evaluation indicates that up to 2,100 - 2,900 linear feet of the Pikes Peak Greenway Trail would be closed on the west side of Fountain Creek and approximately 1,600 to 1,700 linear feet of the trail on the east side of Fountain Creek, and approximately 1,200 linear feet of the Bear Creek Trail would be closed to public access during construction. These estimates are conservative and actual linear trail closures could be reduced by the Design Build Contractor. During any temporary occupancy of the trail sections, a pedestrian/bicyclist detour will be provided and public information will be provided on the project website.

CDOT understands the following temporary occupancy criteria to be true:



1. Duration of the impact will be temporary, i.e., less than the time needed for construction of the project, and there will be no change in ownership. The City of Colorado Springs will remain the owners of the trail during and after construction.
2. Scope of the work will be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) property (Pikes Peak Greenway Trail and the Bear Creek Trail) are minimal. All impacts will be improvements to the trail and /or will be replaced in-kind.
3. No anticipated permanent or temporary adverse physical impacts will occur, nor will there be interference with the protected activities, features, or attributes of the property. The contractor will be required to use all efforts to minimize the length of the temporary occupancy and maintain access.
4. The land being used will be fully restored, i.e., the property will be returned to a condition which is at least as good as that which existed prior to the project. The project will be responsible for reestablishing any disturbed vegetation or features near the trails.
5. Documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions will be provided. The concurrence is at the end of this letter.
6. CDOT commits to coordinating with Colorado Springs Park and Recreation Department prior to construction of the interchange to discuss potential detour routes, timing, specific duration of impacts and mitigation.

Therefore, CDOT finds that since the Pikes Peak Greenway Trail and the Bear Creek Trail access will be maintained during reconstruction of the US 24 West eastbound fly-over loop ramp, the project does not present temporary or permanent adverse impacts to the trail's function or the activities associated with it. We believe that these activities will meet the requirements of the temporary occupancy exception in 23 CFR 774. 13(d). Please provide your concurrence below for the temporary occupancy of the Pikes Peak Greenway Trail and the Bear Creek Trail during the reconstruction of the I-25 Cimarron interchange.

Thank you your kind assistance. Please contact me with any questions at: (719) 227-3248 or Lisa.Streisfeld@state.co.us.

Sincerely,



Lisa Streisfeld, CDOT Region 2 Planning/Environmental Manager

cc: *Lesley Mace, Engineering Project Manager*
David Watt, Resident Engineer

Attachment: Figure 1

Concurrence

As the party responsible for the management of the Section 4(f) resources identified in this letter, I am in concurrence that the above criteria are met by this project and that the reconstruction of the I-25 Cimarron interchange does not present adverse impacts to the function or activities of the Pikes Peak Greenway Trail or the Bear Creek Trail.

I concur:

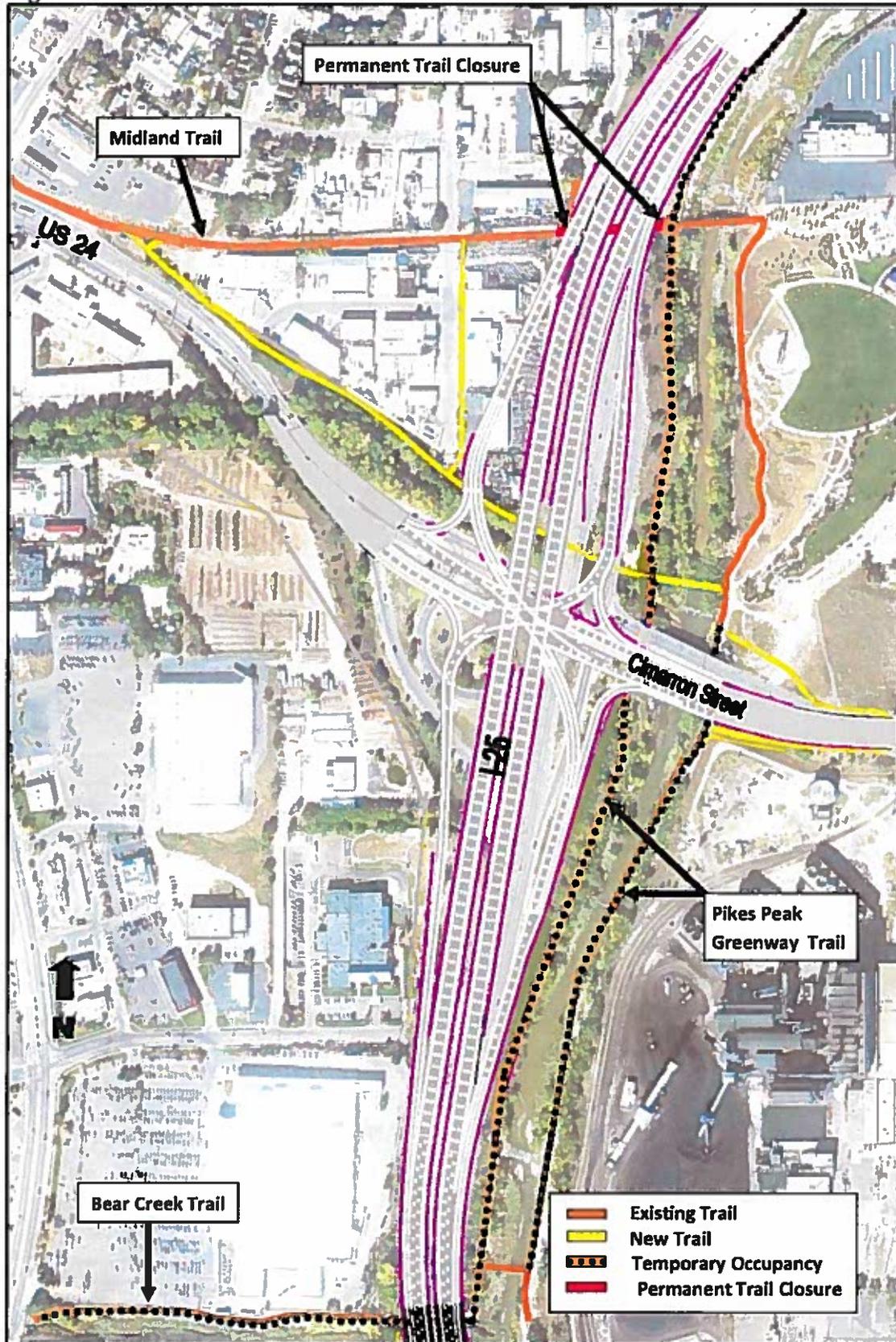


Karen Palus, Director

9/30/14
Date



Figure 1. Trail Network



From: "Palus, Karen" <kpalus@springsgov.com>

Date: October 28, 2014, 2:57:43 PM MDT

To: "Streisfeld - CDOT, Lisa" <lisa.streisfeld@state.co.us>

Cc: "Lieber, Christian" <clieber@springsgov.com>

Subject: RE: I-25/Cimarron interchange project: additional Section 4(f) coordination with CDOT and Colorado Springs Parks

Lisa, Hello! Thank you for the follow up. I concur with the information you provided below as it relates to section 4(f).

Impacts to the Midland Trail will enhance and preserve the recreational activity of the trail and therefore it can be cleared using the Transportation Enhancement Exception codified as 23 CFR 774.13(g). Would you kindly respond to this email stating that you agree to the following criteria:

- (1) The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection; and
- (2) The official with jurisdiction over the Section 4(f) resource agrees in writing to paragraph (1).

Please let me know if you will be sending a separate letter for signature or if this email suffices. Thank you again for your assistance on this very important project for our community!

Have a great day!

Karen

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**Our Parks and Open Spaces offer a wide range of opportunities to get out and play.
Physical Activity and Good Health...*It Starts In Parks***

From: Streisfeld - CDOT, Lisa [<mailto:lisa.streisfeld@state.co.us>]

Sent: Friday, October 24, 2014 8:21 PM

To: Palus, Karen

Subject: I-25/Cimarron interchange project: additional Section 4(f) coordination with CDOT and Colorado Springs Parks

Dear Ms. Palus,

A few days ago, I left a voicemail for you with regards to Section 4(f) correspondence between CDOT and the City of Colorado Springs Parks, Recreation and Cultural Resources. We greatly appreciated your assistance and thank you for your past concurrence for the Section 4(f) clearance for the Pikes Peak Greenway Trail and the Bear Creek Trail.

We have also had past correspondence with regards to the Midland Trail relocation for this project. This was "cleared" under Section 6(f) regulation of the Land and Water Conservation Act with the City and the Colorado Division of Parks and Wildlife. Your letter from May 14th, 2014 is attached.

Our federal partners with Federal Highway Administration and CDOT Environmental Programs Branch staff alerted me that documentation is required from the Official with Jurisdiction (the City of Colorado Springs Parks, Recreation and Cultural Resources) for the Midland Trail relocation to comply with regulations under Section 4(f) of the US Department of Transportation Act. The May 14th letter regarding the Midland Trail was specific for Section 6(f) and can not be considered the same clearance for Section 4(f). The Official with Jurisdiction also needs to agree to some specific criteria to in order to complete the Section 4(f) process for that resource.

Impacts to the Midland Trail will enhance and preserve the recreational activity of the trail and therefore it can be cleared using the Transportation Enhancement Exception codified as 23 CFR 774.13(g). Would you kindly respond to this email stating that you agree to the following criteria:

- (1) The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection; and
- (2) The official with jurisdiction over the Section 4(f) resource agrees in writing to paragraph (1).

If you have any questions or concerns, please do not hesitate to contact me at [\(719\) 227-3248](tel:7192273248), or via email. I do sincerely apologize for having to correspond with you once again on this issue. This should be the last item required in order to comply with the Section 4(f) regulation.

Thank you for your assistance. Regards, Lisa

Lisa A. Streisfeld, MSES, MPA

Planning and Environmental Manager

CMC-North Program Engineering



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