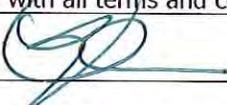


U.S. Army Corps of Engineers South Pacific Division- ALBUQUERQUE DISTRICT

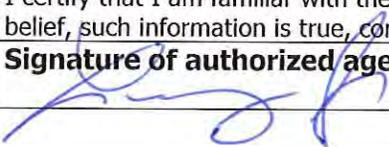


Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the U.S. Army Corps of Engineers Nationwide Permit Program within the South Pacific Division (SPD), including General and Regional Conditions. You MUST fill out all boxes related to the work being done. Fillable boxes in this form expand if additional space is needed.

Box 1 Project Name I-25/US24/Cimarron Street Interchange Reconstruction			
Applicant Name Ms. Lesley Mace		Applicant Title Project Manager	
Applicant Company, Agency, etc. Colorado Department of Transportation		Applicant's internal tracking number (if any) 19039	
Mailing Address 1480 Quail Lake Loop, Colorado Springs, Colorado 80906			
Work Phone with area code 719-227-3249	Mobile Phone with area code 719-213-3872	Home Phone with area code	Fax # with area code 719-227-3298
E-mail Address Lesley.Mace@state.co.us	Relationship of applicant to property: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input type="checkbox"/> Other:		
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a U.S. Army Corps of Engineers Nationwide Permit or Permits as described herein. I certify that I am familiar with the information contained in this application and, that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received and to comply with all terms and conditions of the authorization.			
Signature of applicant 			Date (mm/dd/yyyy) 6/20/14

If anyone other than the person named as the Applicant will be in contact with the U.S. Army Corps of Engineers representing the Applicant regarding this project during the permit process, Box 2 MUST be filled out.

Box 2 Authorized Agent/Operator Name Lawrence E Sly		Agent/Operator Title Environmental Project Manager	
Agent/Operator Company, Agency, etc. Wilson & Company		E-mail Address larry.sly@wilsonco.com	
Mailing Address 5755 Mark Dabling Blvd, Suite 220, Colorado Springs, Colorado 80919			
Work Phone with area code 719-302-6747	Mobile Phone with area code 719-258-0299	Home Phone with area code	Fax # with area code
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant			Date (mm/dd/yyyy)
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent 			Date (mm/dd/yyyy) 6/20/14

Box 3 Name of Property Owner(s), if other than Applicant: N/A		
Owner Title	Owner Company, Agency, etc.	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 4 Name of Contractor(s) (if known): N/A		
Contractor Title	Contractor Company, Agency, etc.	
Mailing Address		
Work Phone with area code	Mobile Phone with area code	Home Phone with area code

Box 5 Site Number 1_ of 1_ . Project location(s), including street address, city, county, state, zip code where proposed activity will occur: US 24, Colorado Springs, El Paso, Colorado 80905	
Name of Waterbody(ies) (if known, otherwise enter "an unnamed tributary to"): Tributary to what named, downstream waterbody: Fountain Creek	
Latitude & Longitude (D/M/S, DD, or UTM with Zone): Lat 38.828757, Lon 104.386049	Section, Township, Range: 13, 14, 67
County Assessor Parcel Number (Include County name): El Paso County 006 (Schedule 7413402006)	USGS Quadrangle map name: Colorado Springs
Watershed (HUC and watershed name ¹): ¹ http://water.usgs.gov/GIS/regions.html 1102003 Upper Arkansas/Fountain CO	Size of permit area or project boundary: acres linear feet 2109
Directions to the project location and other location descriptions, if known: The project can be accessed from 331 S Chestnut Street, south of US 24.	
Access limitations or restrictions (if any): None	

Box 6 Nature of Activity (Description of the project, include all features):

See attached Addendum.

Project Purpose (Description of the reason or purpose of the project):

To improve traffic flow and safety at the I-25 / US 24 Interchange.

Reason(s) for Discharge into Waters of the United States (Description of why dredged and/or fill material needs to be placed in Waters of the United States):

See attached Addendum.

Proposed discharge of dredge and/or fill material. Indicate total surface area in **acres** and **linear feet** (where appropriate) of the proposed impacts to Waters of the United States, indicate water body type (tidal wetland, non-tidal wetland, vernal pool, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.), and identify the impact(s) as permanent and/or temporary for each requested Nationwide Permit¹:

¹ Enter the intended permit number(s). See Nationwide Permit regulations for permit numbers and qualification information:

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

Water Body Type	Requested NWP Number: ¹⁴				Requested NWP Number: ^{RSP 37}				Requested NWP Number:			
	Permanent		Temporary		Permanent		Temporary		Permanent		Temporary	
	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length	Area	Length
Perennial Stream (Fountain Creek)	0.23 acre	552 LF			0.39 acre	1,557 LF						
Perennial Stream (Bear Creek)	.03 acre	75 LF										
Total:	0.23 acre				0.39 acre							

Total volume (in cubic yards) and type(s) of material proposed to be dredged from or discharged into Waters of the United States:

Material Type	Total Volume Dredged	Total Volume Discharged
Rock Slope Protection (RSP)		166.8 cy
Clean spawning gravel		
River rock		483.3 cy
Soil/Dirt/Silt/Sand/Mud		
Concrete		
Structure		
Stumps/Root wads		
Other:		
Total:		

Activity requires a written waiver to exceed specified limits of the Nationwide Permit? Yes No
 If yes, provide Nationwide Permit number and name, limit to be exceeded, and rationale for each requested waiver:

Activity will result in the loss of greater than 1/2-acre of Waters of the United States? Yes No
If yes, provide an electronic copy (compact disc) or multiple hard copies (7) of the complete PCN for appropriate Federal and State Pre-discharge Notification (See General Condition #31, Pre-construction Notification, Agency Coordination, Section 2 and 4):

Describe direct and indirect effects caused by the activity (see General Condition #31, Pre-construction Notification, District Engineer's Decision, Section 1): See attached addendum.

Potential cumulative impacts of proposed activity(if any): None anticipated.

Drawings and figures (see each U.S. Army Corps of Engineers District's Minimum Standards Guidance):

Vicinity map: Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section drawing(s): Attached (or mail copy separately if applying electronically)

Numbered and dated pre-project color photographs: Attached (or mail copy separately if applying electronically)

Sketch drawing(s) or map(s): Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?

Yes, Attached² (or mail copy separately if applying electronically) No

If a delineation has been completed, has it been verified in writing by the Corps?

Yes, Date of preliminary or approved jurisdictional determination (mm/dd/yyyy): _____ Corps file number: No

²If available, provide ESRI shapefiles (NAD83) for delineated waters

For proposed discharges of dredged material resulting from navigation dredging into inland or near-shore waters of the U.S. (including beach nourishment), please attach³ a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available), or if disposed offshore, a proposed SAP prepared according to the Ocean Disposal Manual.

³Or mail copy separately if applying electronically

Is any portion of the work already complete? YES NO

If yes, describe the work:

Box 7 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: YES NO

Is Section 404 of the Clean Water Act applicable?: YES NO

Is the project located on U.S. Army Corps of Engineers property or easement?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Would the project affect a U.S. Army Corps of Engineers structure?: YES NO

If yes, has Section 408 process been initiated?: YES NO

Is the project located on other Federal Lands (USFS, BLM, etc.)?: YES NO

Is the project located on Tribal Lands?: YES NO

Box 8 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: YES NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

The project has been described in Box 6. No larger area of development is planned that would increase the scope beyond the project as described in Box 6.

Location of larger development (if discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Box 9 Measures taken to avoid and minimize impacts to waters of the United States:
See attached Addendum.

Box 10 Proposed Compensatory Mitigation related to fill/excavation and dredge activities. Indicate in **acres** and **linear feet** (where appropriate) the total quantity of Waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (tidal wetland, non-tidal wetland, vernal pool, riparian wetland, ephemeral stream/river, intermittent stream/river, perennial stream/river, pond/lake, vegetated shallows, bay/harbor, lagoon, ocean, etc.) or non-jurisdictional (uplands¹). Indicate mitigation type (permittee-responsible on-site/off-site, mitigation bank, or in-lieu fee program). If the mitigation is purchase of credits from a mitigation bank, indicate the bank to be used, if known:

¹ For uplands, please indicate if designed as an upland buffer.

Site Number	Water Body Type	Created		Restored		Enhanced		Preserved		Mitigation Type
		Area	Length	Area	Length	Area	Length	Area	Length	
Total:										

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:
No wetland impacts were identified and all impacts are to streams (Fountain Creek). General best management practices will be implemented during construction to avoid and minimize impacts to Fountain and Bear Creeks.

If permittee-responsible mitigation is proposed, provide justification for not utilizing a Corps-approved mitigation bank or in-lieu fee program:

Has a draft/conceptual mitigation plan been prepared in accordance with the April 10, 2008, Final Mitigation Rule² and District Guidelines^{3,4,5}?

²http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitig_info.aspx
³**Sacramento and San Francisco Districts**-http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/Mitigation_Monitoring_Guidelines.pdf
⁴**Los Angeles District**-http://www.spl.usace.army.mil/regulatory/mmg_2004.pdf
⁵**Albuquerque District**- <http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits/Mitigation.aspx>.

Yes, Attached (or mail copy separately if applying electronically) No

If no, a mitigation plan must be prepared and submitted, if applicable.

Mitigation site(s) Latitude & Longitude (D/M/S, DD, or UTM with Zone):	USGS Quadrangle map name(s):
Assessor Parcel Number(s):	Section(s), Township(s), Range(s):

Other location descriptions, if known:

Box 13 Section 401 Water Quality Certification (New Mexico):

I have read and will comply with applicable conditions of state or tribal water quality certifications. (<ftp://ftp.nmenv.state.nm.us/www/swqb/WPS/401-404/NWPCertificationNotice04-13-2012.pdf>)

Yes (If yes, list which conditions apply to your project):

I am applying for Tribal Certification Yes

* In New Mexico, notification is required to the NM Environment Department prior to conducting activities in intermittent and perennial waters and special aquatic sites.

Box 13 Section 401 Water Quality Certification (Texas):

I have read and will comply with the nationwide best management practices for water quality certifications. (<http://www.swg.usace.army.mil/reg/>)

Yes (If yes, list which best management practices apply to your project):

Box 14 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type of Approval ⁴	Identification Number	Date Applied	Date Approved	Date Denied
CDOT	I-25 EA	IM0252316		March 2004	
CDOT	I-25 FONSI	IM0252316		September 2004	
CDOT	US 24 EA	07HA200011		May 2012	

⁴ Would include but is not restricted to zoning, building, and flood plain permits

Box 15 Nationwide Permit Regional Conditions:

I have read the Nationwide Permit **Regional Conditions** for the state in which work is being completed.

Yes (If yes, list which conditions apply to your project):

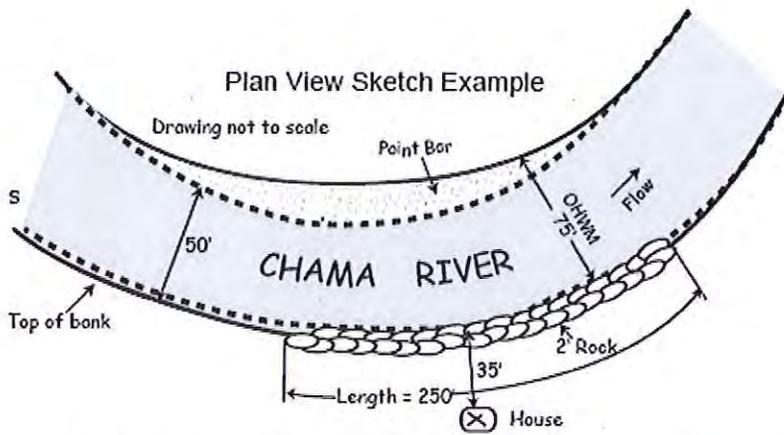
No (If no, please visit (<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>))

Nationwide Permit General Conditions (GC) checklist:

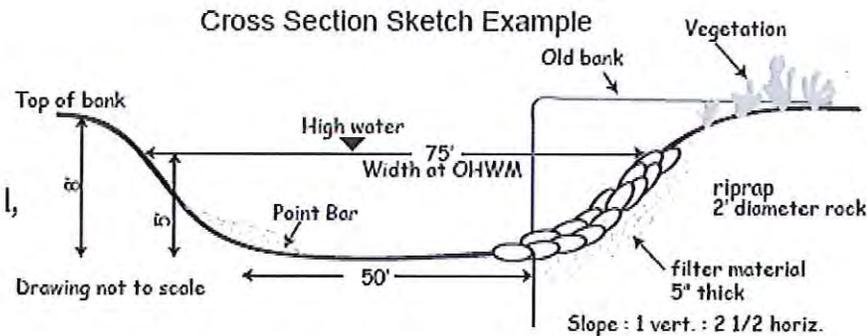
(<http://www.gpo.gov/fdsys/pkg/FR-2012-02-21/pdf/2012-3687.pdf>)

Check	General Condition	Rationale for compliance with General Condition
<input checked="" type="checkbox"/>	1. Navigation	The project will not interfere with navigation.
<input checked="" type="checkbox"/>	2. Aquatic Life Movements	Project will not disrupt the movement of aquatic life present within Fountain Creek.
<input checked="" type="checkbox"/>	3. Spawning Areas	No fish spawning areas are present within this stream.
<input checked="" type="checkbox"/>	4. Migratory Bird Breeding Areas	No migratory bird breeding habitat is present in the project area.
<input checked="" type="checkbox"/>	5. Shellfish Beds	No shell fish beds are present in the project area
<input checked="" type="checkbox"/>	6. Suitable Material	No unsuitable materials will be used in the project.
<input checked="" type="checkbox"/>	7. Water Supply Intakes	The project is not located in proximity of a public water supply intake.
<input checked="" type="checkbox"/>	8. Adverse Effects from Impoundments	Project will not impound Fountain Creek.
<input checked="" type="checkbox"/>	9. Management of Water Flows	The construction phase of the project and the completed project will not impede stream flows.
<input checked="" type="checkbox"/>	10. Fills Within 100-Year Floodplains	Project complies with FEMA approved local floodplain management requirements.
<input checked="" type="checkbox"/>	11. Equipment	No heavy equipment will be working in wetlands or on mudflats.
<input checked="" type="checkbox"/>	12. Soil Erosion and Sediment Controls	Soil and sediment control best management practices will be installed during construction.
<input checked="" type="checkbox"/>	13. Removal of Temporary Fills	Temporary impacted areas will be returned to their pre-construction condition.
<input checked="" type="checkbox"/>	14. Proper Maintenance	All structures and work areas will be properly maintained.
<input checked="" type="checkbox"/>	15. Single and Complete Project	The activity is a single project.
<input checked="" type="checkbox"/>	16. Wild and Scenic Rivers	The stream is not a designated Wild and Scenic River.
<input checked="" type="checkbox"/>	17. Tribal Rights	The activity does not impair reserved tribal rights.
<input checked="" type="checkbox"/>	18. Endangered Species	See Box 11 above.
<input checked="" type="checkbox"/>	19. Migratory Bird and Bald and Golden Eagle Permits	No migratory birds or bald/golden eagle take permits have been issued for this project.
<input checked="" type="checkbox"/>	20. Historic Properties	See Box 12 above.
<input checked="" type="checkbox"/>	21. Discovery of Previously Unknown Remains and Artifacts	If historic, cultural, or archeological remains or artifacts are unearthed during construction the district engineer will be notified.
<input checked="" type="checkbox"/>	22. Designated Critical Resource Waters	No designated critical resource waters are located in the project area
<input type="checkbox"/>	23. Mitigation	See Box 10 above.
<input checked="" type="checkbox"/>	24. Safety of Impoundment Structures	No impoundment structures are being constructed.
<input checked="" type="checkbox"/>	25. Water Quality	See Box 13 above. Water quality will be maintained per the stormwater construction permit conditions.
<input checked="" type="checkbox"/>	26. Coastal Zone Management	See Box 14 above.
<input checked="" type="checkbox"/>	27. Regional and Case-by-Case Conditions	We are applying for a RGP 37 for Stream Stabilization.
<input checked="" type="checkbox"/>	28. Use of Multiple Nationwide Permits	Multiple Nationwide Permits are being applied to this project. Applying for a NWP 14 & RGP 37.
<input checked="" type="checkbox"/>	29. Transfer of Nationwide Permit Verifications	Understand this condition.
<input checked="" type="checkbox"/>	30. Compliance Certification	Will submit at the completion of the work.
<input checked="" type="checkbox"/>	31. Pre-Construction Notification	This is a PCN application.

Map and Figures Examples:



Plan View Sketch “Bird’s-eye view”; include all features, distances, length and width dimensions of features and waterbody/wetland, Ordinary High Water Mark (OHWM), wetland boundary, North arrow



Cross Section Sketch “Cut away view”; include heights, widths of structures, channel, wetland, bank slopes, OHWM, wetland boundary, etc.

I-25/US 24/Cimarron Street Interchange Reconstruction– Section 404 Permit Addendum

Box 6. Nature of Activity (Description of project, include all features)

The project involves the reconstruction of the existing I-25 /US 24 interchange from a combined cloverleaf and J ramp configuration to a “single point interchange” configuration as shown in Appendix A. Generally, the interchange will be relocated about 70 feet west and 50 feet south of its current configuration. The planned interchange configuration includes replacement of the I-25 bridge over Upper Fountain Creek approximately 400 feet west of the confluence of Monument Creek and Fountain Creek, replacement of the Cimarron Street bridge over Lower (south of the confluence) Fountain Creek about 150 south of the confluence, replacement of the US 24 bridges over Upper Fountain Creek about 1150 feet west of the confluence, and replacement of the Pikes Peak Greenway Trail pedestrian bridge over upper Fountain Creek about 40 feet west of the confluence. A new bridge over Upper Fountain Creek will be constructed about 700 feet west of the confluence for the south-bound off ramp of the new interchange. A new pedestrian bridge will be constructed about 50 feet north of the confluence over Monument Creek connecting the regional trail along the west bank of the creek to the eastern trail system. The roadway bridge construction will impact approximately 600 linear feet of the Upper Fountain Creek

In addition to the bridge improvements the project includes the reconstruction of approximately 1,500 linear feet of Upper Fountain Creek west of the confluence to the US 24 Bridge. Proposed channel improvements include lowering the channel invert and redefining the channel section to pass flood flows under the new bridge. The low flow channel is expected to require three small grade control structures to raise the lowered channel invert to the existing invert elevation at the downstream side of the US 24 Bridge. These grade control structures will be constructed out of boulders. The boulders will be buried in the stream bank for stability. No grout will be used and the structures will be configured to allow fish passage. The low flow channel will consist of a substrate composed of 4 – 6 inch cobble. These areas are identified in the Appendix B “I-25 and Cimarron Street Interchange Reconstruction 404 Permit: Creek Impacts”.

Widening and realignment of I-25 along the west bank of Lower Fountain Creek will shift the edge of the highway about 35 feet east toward lower Fountain Creek and about 40 feet west toward Bear Creek (a tributary of Lower Fountain Creek).

A new concrete box culvert (CBC) will also be installed in Bear Creek as part of the roadway improvements. This CBC will be enlarged by 30 feet on both the upstream and downstream sides of the existing box culvert. This area is identified in Appendix C.

Reason(s) for Discharge into Waters of the United States

This section will discuss the discharge into Fountain Creek resulting from the stream stabilization project (RGP 37) that will occur from the Cimarron Street Bridge over Fountain Creek to the confluence with Monument Creek.

The reconstruction of Fountain Creek from the 8th Street Bridge, to the confluence with Monument Creek will include the installation of three grade control structures to raise the lowered channel invert to the existing invert elevation at the downstream side of the US 24 Bridge. These structures will be constructed with boulders that will be placed within the stream channel. These boulders will be buried in the stream bottom substrate and on the channel edge

for stability. No grout will be used in the construction of these drop structures. In addition, 4-6” rounded cobble will be placed within the existing ordinary high water mark of Fountain Creek where the proposed low flow channel intersects with the existing stream channel. These areas are identified on the Appendix B.

Box 9. Measures taken to Avoid and Minimize Impacts to Waters of the U.S.

The following mitigation measures will be implemented during construction to avoid impacts to Fountain and Bear Creeks:

- Sediment control measures and best management practices will be installed to prevent sediment releases into Fountain and Bear Creeks.
- Fertilizers and/or hydro-mulching will not be allowed within 50 feet of wetlands and Fountain and Bear Creeks.
- Construction staging areas will be located at a distance greater than 50 feet from Fountain and Bear Creeks to avoid disturbing vegetation, avoid point source discharges, and to prevent spills from entering the aquatic ecosystem (including concrete washout).
- Equipment refueling will occur within a designated containment area away from wetlands and Fountain and Bear Creeks.
- Disturbed areas will be revegetated with native grass and forb species. Seed, mulch, and mulch tackifier will be applied in phases throughout construction.
- Where permanent seeding operations are not feasible because of seasonal constraints (e.g., summer and winter months), disturbed areas will have mulch and mulch tackifier applied to prevent erosion.

In addition, the RGP 37 Permit for Stream Stabilization general conditions will be implemented for work occurring during the Fountain Creek rehabilitation from 8th Street Bridge to the confluence with Monument Creek. In addition, the *Fountain Creek Restoration/Reconstruction Design Plans* are included in Appendix D for your review. These plans include planting plans and reconstruction profiles for the Fountain Creek channel and banks.

Box 11. Threatened and Endangered Species and Essential Fish Habitat

The following table identifies the federally listed threatened and endangered species in El Paso County and the potential for these species to occur in the project area.

Federal Candidate, Threatened, and Endangered Species in El Paso County

Species	Designation	Potential to Occur in Project Area
Mexican Spotted Owl (<i>Strix occidentalis lucida</i>)	Threatened	No Effect. The project area is highly urbanized and does not contain the remote conifer forest habitat required by the species
Greenback cutthroat trout (<i>Oncorhynchus clarki spp. Stomia</i>)	Threatened	No Effect. The project area does not contain the coldwater streams required by this trout species.
Pawnee montane skipper (<i>Hesperia leonardus diluvialis</i>)	Threatened	No Effect. This butterfly is only found in the South Platte River Basin in montane habitats.

Ute ladies' -tresses orchid (<i>Spiranthes diluvialis</i>)	Threatened	No Effect. The floodplains present in the project area do not contain the type of habitat preferred by this plant. No known populations have been identified in the project area.
North American wolverine (<i>Gulo gulo luscus</i>)	Candidate	No Effect. No coniferous alpine forests used by the wolverine occur within the project area.

The project team will continue to work with Colorado Parks and Wildlife to ensure the ability of fish and wildlife to move through the corridor.

Box 12. Historic Properties and Cultural Resources

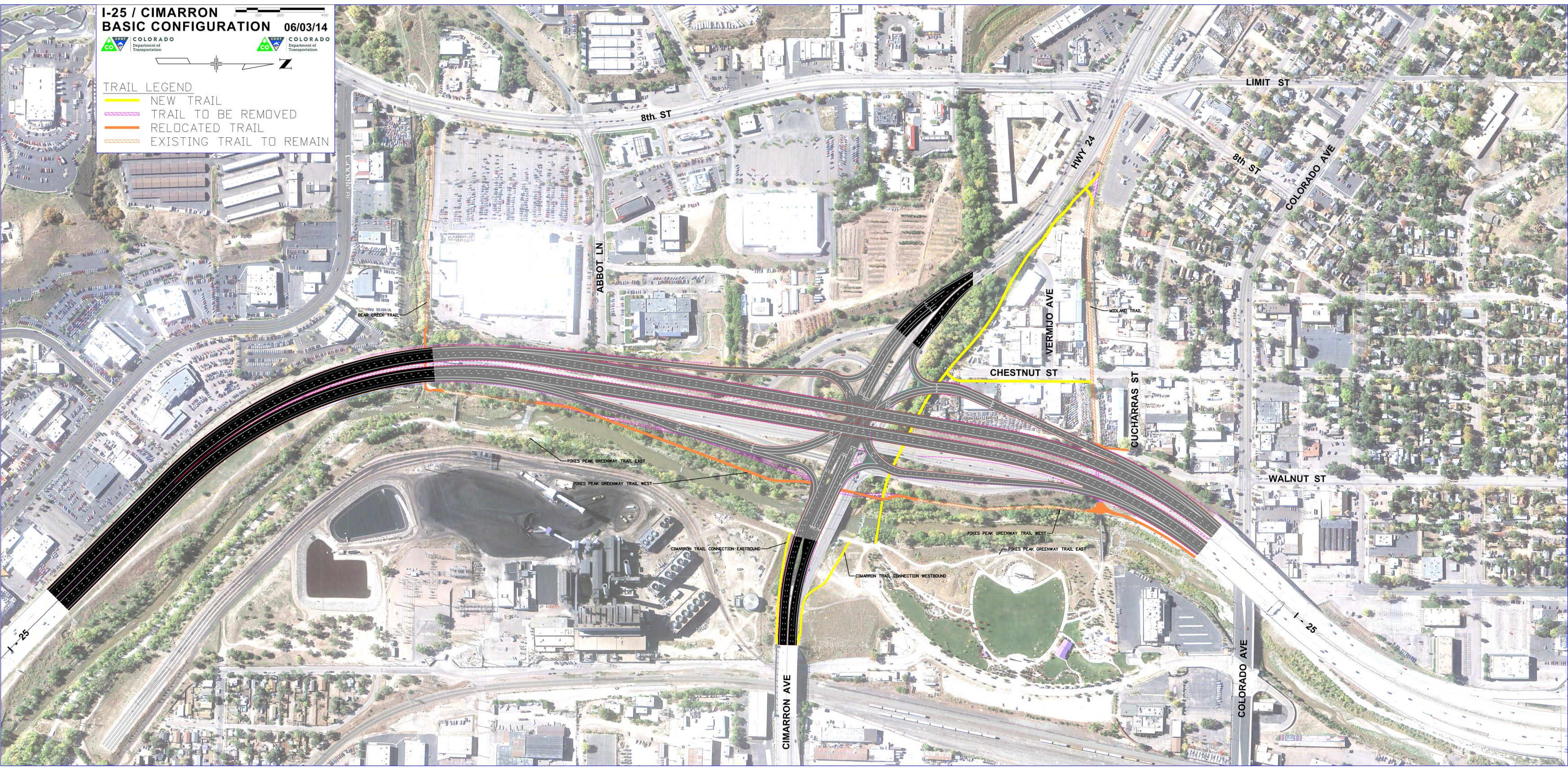
The Colorado Department of Transportation is the lead agency for the project and is handling the Section 106 consultation. The proposed improvements to the I-25/US 24 interchange have been examined twice for cultural resources, first in the March 2004 *I-25 Improvements through the Colorado Springs Urbanized Area EA* (FONSI, September 2004) and then again as the eastern terminus of the May 2012 *US 24 West EA* (no decision document issued to date). It has been determined by CDOT, FHWA and SHPO that no cultural resources will be impacted by the I-25/US 24 interchange project. Correspondence addressing the Section 106 Consultation for both EAs are included in Appendix E to this permit application.

Appendix A

I-25 / CIMARRON BASIC CONFIGURATION 06/03/14



- TRAIL LEGEND**
- NEW TRAIL
 - TRAIL TO BE REMOVED
 - RELOCATED TRAIL
 - EXISTING TRAIL TO REMAIN



BEAR CREEK TRAIL

PIKES PEAK GREENWAY TRAIL EAST

PIKES PEAK GREENWAY TRAIL WEST

CIMARRON TRAIL CONNECTION EASTBOUND

CIMARRON TRAIL CONNECTION WESTBOUND

PIKES PEAK GREENWAY TRAIL WEST

PIKES PEAK GREENWAY TRAIL EAST

MIDLAND TRAIL

I-25

CIMARRON AVE

COLORADO AVE

I-25

8th ST

HWY 24

CHESTNUT ST

VERMJO AVE

CUCHARRAS ST

WALNUT ST

LIMIT ST

8th ST

COLORADO AVE

Appendix B

I-25 AND CIMARRON ST INTERCHANGE RECONSTRUCTION
404 PERMIT: CREEK IMPACTS

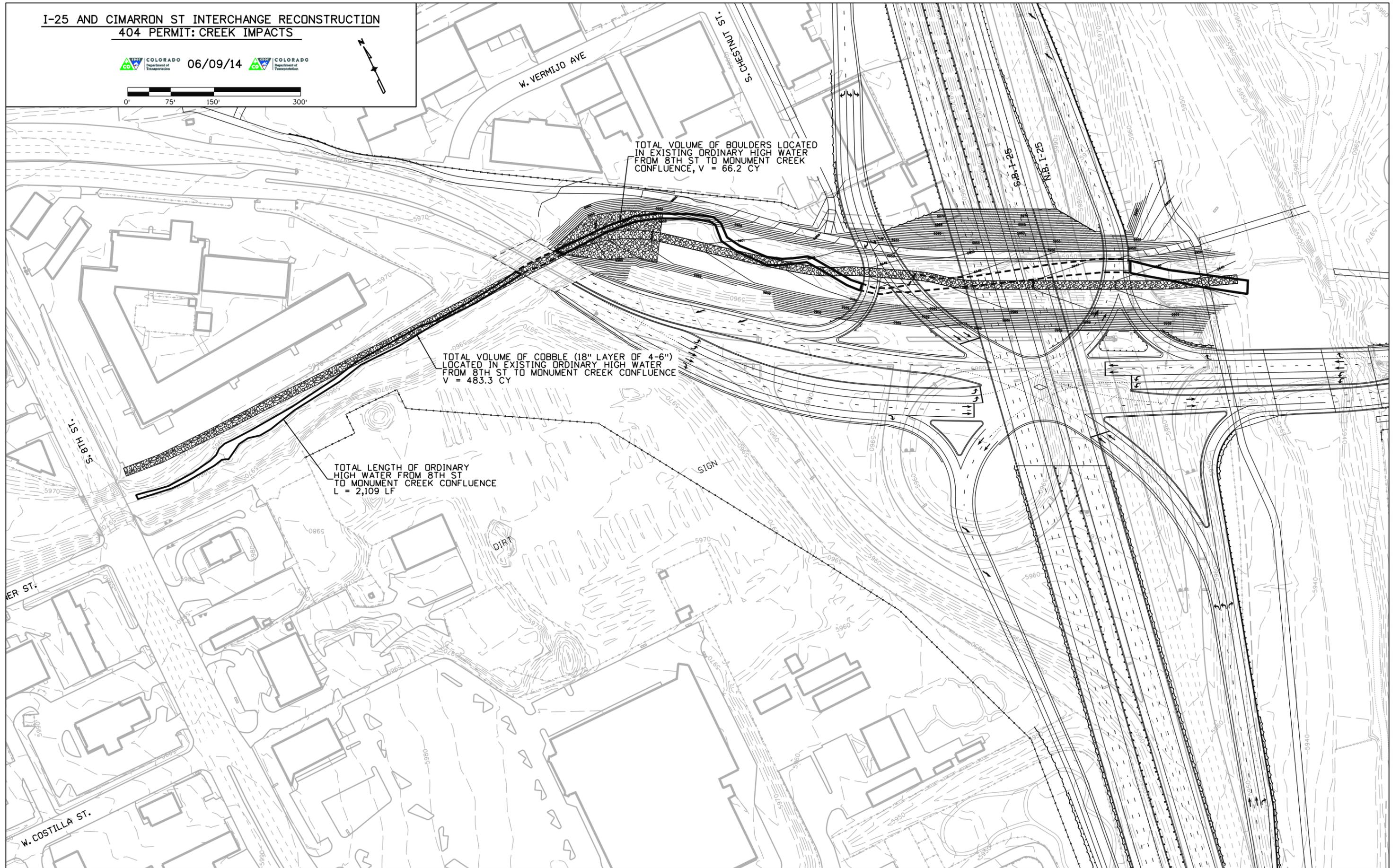
COLORADO Department of Transportation 06/09/14 COLORADO Department of Transportation



TOTAL VOLUME OF BOULDERS LOCATED
IN EXISTING ORDINARY HIGH WATER
FROM 8TH ST TO MONUMENT CREEK
CONFLUENCE, V = 66.2 CY

TOTAL VOLUME OF COBBLE (18" LAYER OF 4-6")
LOCATED IN EXISTING ORDINARY HIGH WATER
FROM 8TH ST TO MONUMENT CREEK CONFLUENCE
V = 483.3 CY

TOTAL LENGTH OF ORDINARY
HIGH WATER FROM 8TH ST
TO MONUMENT CREEK CONFLUENCE
L = 2,109 LF



Appendix C

I-25 AND CIMARRON ST INTERCHANGE RECONSTRUCTION
404 PERMIT: CREEK IMPACTS
BEAR CREEK

COLORADO Department of Transportation 06/09/14 COLORADO Department of Transportation



LENGTH OF ORDINARY HIGH WATER
DOWNSTREAM OF EXISTING I-25 CBC
TO END OF PROJECT IMPROVEMENTS
L = 75 LF

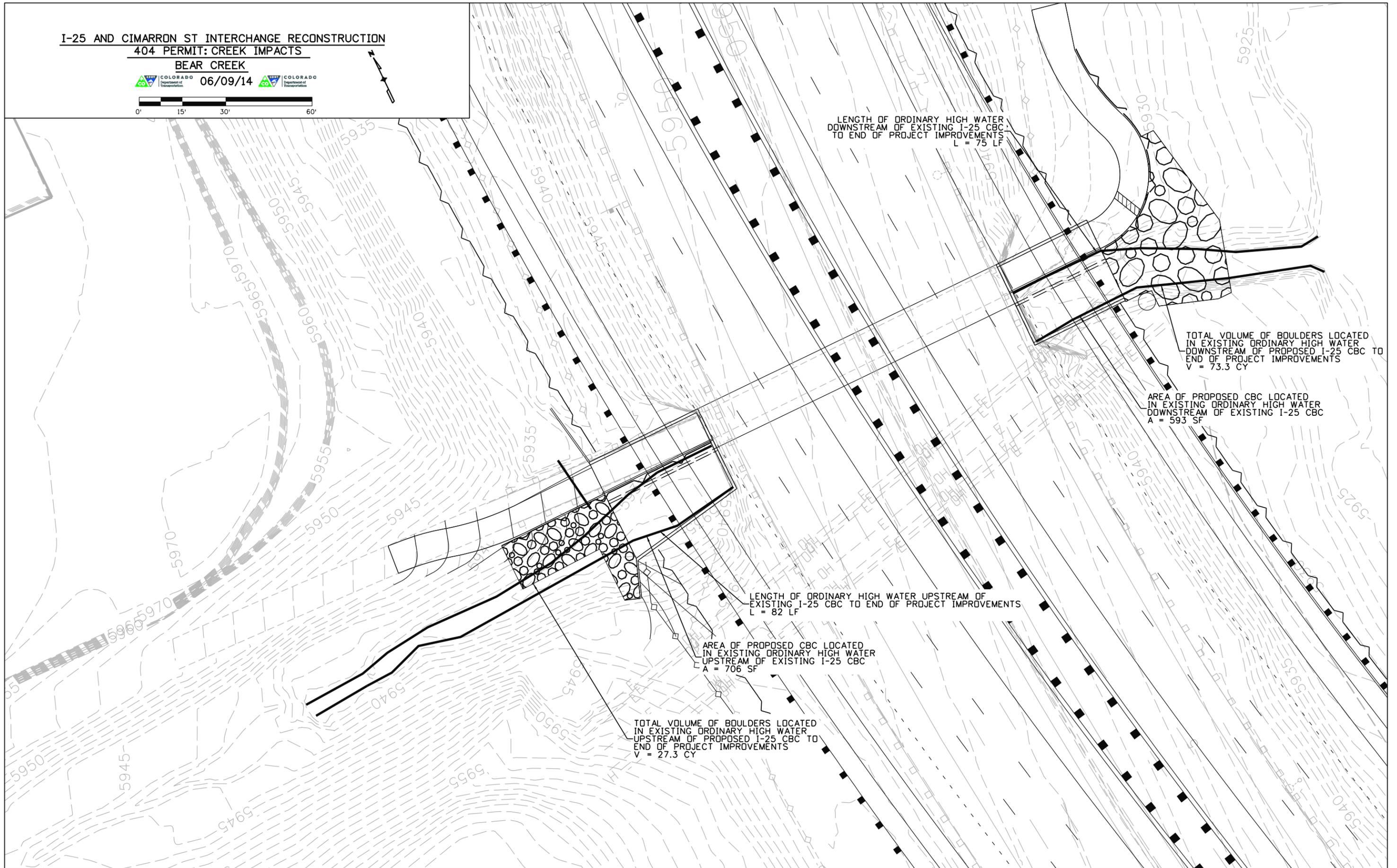
TOTAL VOLUME OF BOULDERS LOCATED
IN EXISTING ORDINARY HIGH WATER
DOWNSTREAM OF PROPOSED I-25 CBC TO
END OF PROJECT IMPROVEMENTS
V = 73.3 CY

AREA OF PROPOSED CBC LOCATED
IN EXISTING ORDINARY HIGH WATER
DOWNSTREAM OF EXISTING I-25 CBC
A = 593 SF

LENGTH OF ORDINARY HIGH WATER UPSTREAM OF
EXISTING I-25 CBC TO END OF PROJECT IMPROVEMENTS
L = 82 LF

AREA OF PROPOSED CBC LOCATED
IN EXISTING ORDINARY HIGH WATER
UPSTREAM OF EXISTING I-25 CBC
A = 706 SF

TOTAL VOLUME OF BOULDERS LOCATED
IN EXISTING ORDINARY HIGH WATER
UPSTREAM OF PROPOSED I-25 CBC TO
END OF PROJECT IMPROVEMENTS
V = 27.3 CY



Appendix D

FOUNTAIN CREEK RESTORATION/RECONSTRUCTION NOTES:

- THESE NOTES AND DETAILS SHALL BE USED FOR THE STRETCH OF FOUNTAIN CREEK FROM THE CIMARRON BRIDGE OVER FOUNTAIN CREEK (TO THE WEST OF I25) TO THE CONFLUENCE WITH MONUMENT CREEK. THE AREA IS DEPICTED ON THE PLANTING PLANS (ATTACHED).

PATH OF THE LOW FLOW CHANNEL:

- THE LOW FLOW CHANNEL SHALL BE A CONSTANT 15'-0" WIDE.
- THE LOW FLOW CHANNEL SHALL UNDULATE WITHIN THE 80'-0" WIDE TRAPEZOIDAL CHANNEL TO MIMIC A NATURALLY OCCURRING ALLUVIAL STREAM BED. THE UNDULATIONS AND PATH OF THE LOW FLOW CHANNEL SHALL ADHERE TO THE FOLLOWING CRITERIA:
 - CURVE FREQUENCY: THERE SHALL BE 3 FULL CURVES WITHIN EVERY 600-700 LINEAL FEET.
 - EACH CURVE SHALL HAVE A RADIUS THAT CAN RANGE FROM 250-350'.
 - EACH CURVE SHALL HAVE A CHORD LENGTH THAT CAN RANGE FROM 200-350'.
 - ALL CURVES MUST CONNECT TANGENTIALLY TO CREATE A SMOOTH FLOWING CHANNEL.
 - CURVES CANNOT BE COMPRISED OF A SERIES OF STRAIGHT TANGENT LINES.
 - THE EDGE OF THE LOW FLOW CHANNEL MUST REMAIN A MINIMUM OF 10'-0" FROM THE TOE OF THE TRAPEZOIDAL CHANNEL.
 - THE GEOMETRY OF THE CURVES SHALL VARY TO AVOID REPITITION.

LOW FLOW CHANNEL EDGE TREATMENTS:

- THE EDGE OF THE LOW FLOW CHANNEL SHALL RECEIVE THE FOLLOWING TREATMENTS:
 - BOULDER EDGE: THIS TREATMENT SHALL BE USED ON APPROX. 80% OF THE CHANNEL.
 - WILLOW FACINES: THIS TREATMENT SHALL BE USED ON APPROX. 20% OF THE CHANNEL.
- THE WILLOW FACINES TREATMENT SHALL BE USED PRIMARILY ON THE EDGES OF THE INSIDE OF THE CURVES OF THE CHANNEL.
- WILLOW STANDS/FACINES SHALL NOT CONTINUE FOR MORE THAN $\frac{2}{3}$ OF THE CHORD LENGTH OF ANY CURVE. WILLOW STANDS/FACINES MAY BE USED IN POCKETS OR LARGER STRETCHES (UP TO $\frac{2}{3}$ THE CHORD LENGTH OF THE CURVE). THE INTENT IS TO CREATE AREAS OF VEGETATED WILLOW EDGES WHILE STILL ALLOWING PHYSICAL AND VISUAL ACCESS TO THE CREEK.

VEGETATION:

- ALL AREAS WITHIN THE 80'-0" TRAPEZOIDAL CHANNEL, BUT NOT WITHIN THE 15'-0" LOW FLOW CHANNEL, SHALL BE VEGETATED WITH RIPARIAN SEED AND WETLAND PLANTINGS AS OUTLINED BELOW.
- WHERE POSSIBLE, WETLAND PLANTING BENCHES SHALL BE INSTALLED ON THE INSIDE OF CURVES OF THE LOW FLOW CHANNEL. WETLAND PLANTING BENCHES SHALL BE GRADED TO A SLOPE LESS THAN THAT OF THE LOW FLOW CHANNEL TO ENCOURAGE RIPARIAN PLAN GROWTH.
- THE OUTSIDE EDGES OF WETLAND PLANTING BENCHES SHALL BE PLANTED WITH COYOTE WILLOW (*salix exigua*) STAKES TO FRAME VIEWS OF THE PLANTING BENCH. PUSSY WILLOW (*salix discolor*) MAY BE USED IN AREAS THAT WILL REMAIN SHADIER, SUCH AS AREAS CLOSER TO BRIDGE STRUCTURES.
- POCKETS OF WILLOW STAKES MAY BE USED WITHIN THE MAIN AREA OF THE PLANTING BENCHES, AS LONG AS THEY ARE IN POCKETS AND DO NOT USE MORE THAN 30% OF THE PLANTING BENCH AREA.
- WILLOW STANDS SHALL NOT CONTINUE FOR MORE THAN $\frac{2}{3}$ OF THE CHORD LENGTH OF ANY CURVE. WILLOW STANDS MAY BE USED IN POCKETS OR LARGER STRETCHES (UP TO $\frac{2}{3}$ THE CHORD LENGTH OF THE CURVE). THE INTENT IS TO CREATE AREAS OF VEGETATED WILLOW EDGES WHILE STILL ALLOWING PHYSICAL AND VISUAL ACCESS TO THE CREEK.
- FOR AREAS UNDERNEATH THE BRIDGE STRUCTURES, LARGE SANDSTONE BOULDERS SHALL BE USED INSTEAD OF VEGETATION WITHIN THE TRAPEZOIDAL CHANNEL.

DROP STRUCTURES:

- THE PROJECT SHALL INCLUDE THREE (3) ROCK DROP STRUCTURES.
- EACH DROP STRUCTURE SHALL INCORPORATE APPROX. 9-12" OF VERTICAL DROP.
- TYPICAL DETAILS OF THE DROP STRUCTURES MAY BE FOUND ON THE FOLLOWING SHEETS.

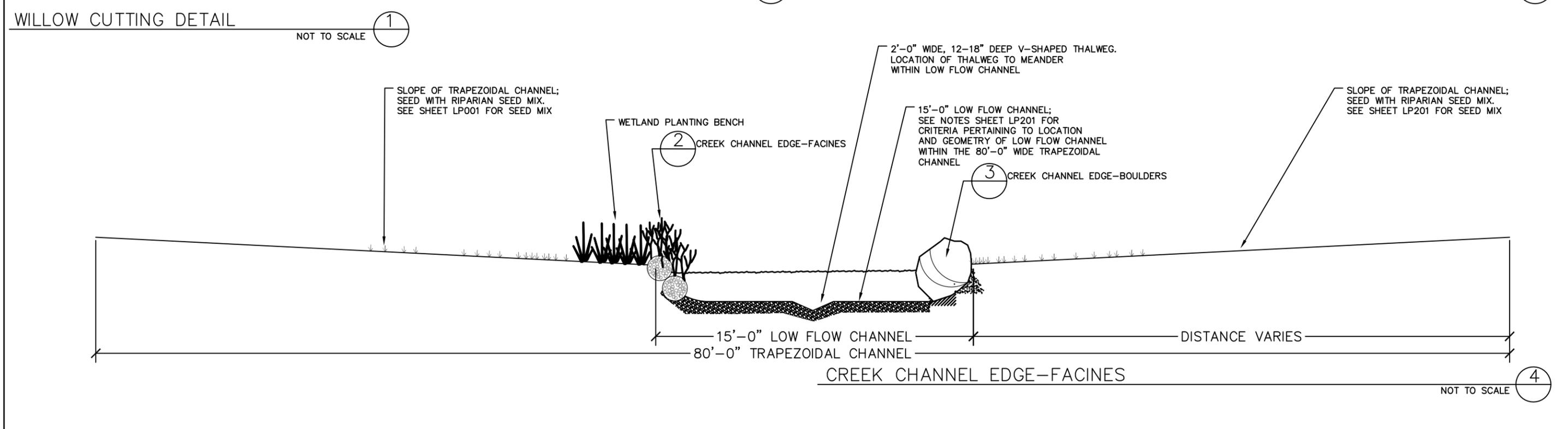
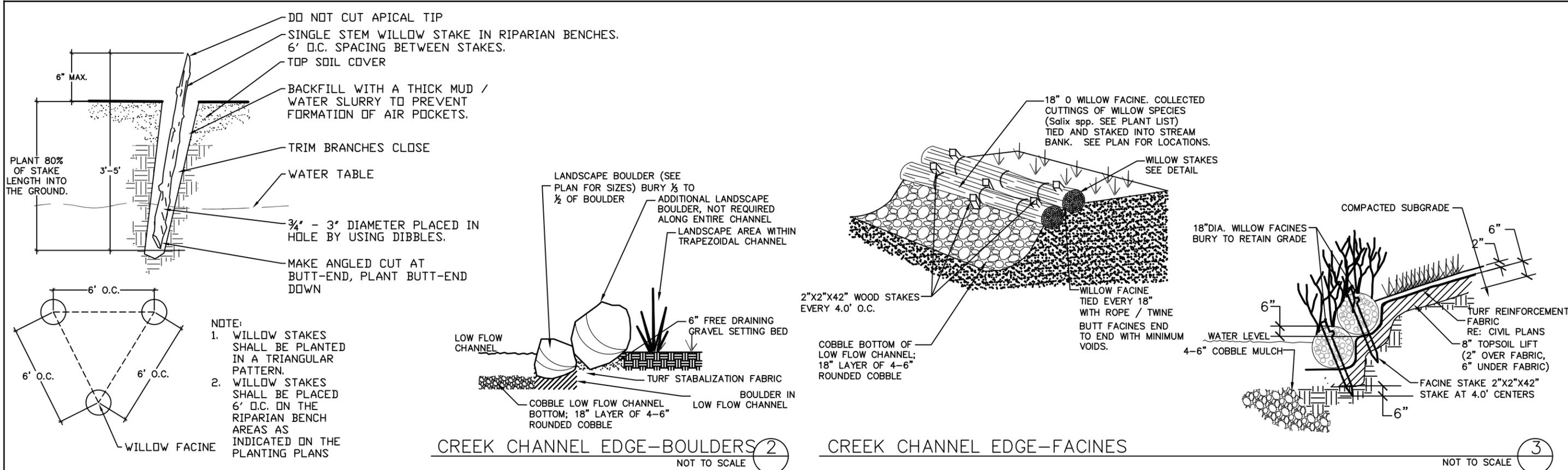
RIPARIAN SEED

BOTANICAL NAME*	COMMON NAME	LBS. PLS. PER ACRE
Andropogon gerardii	Big Bluestem Grass	0.90
Becmannia syzigachne	American Sloughgrass	2.52
Bouteloua curtipendula	Sideoats Grama	1.8
Calamovilfa longifolia	Prairie Sandreed	3.6
Elymus lanceolatus lanceolatus 'Critana'	Thickspike Wheatgrass	1.8
Elymus lanceolatus Psammophilus 'Sodar'	Streambank Wheatgrass	5.4
Glyceria striata	Fowl Mannagrass	2.57
Juncus arcticus	Arctic/Baltic Rush	1.8
Nassella viridula 'Lodorm'	Green Needlegrass	0.90
Panicum virgatum	Switchgrass	2.16
Pascopyron smithii 'Arriba'	Western Wheatgrass	5.4
Poa palustris	Fowl Bluegrass	3.6
Spartina pectinata	Prairie Cordgrass	1.8
Sporobolus airoides	Alkali Sacaton	1.8
		36**

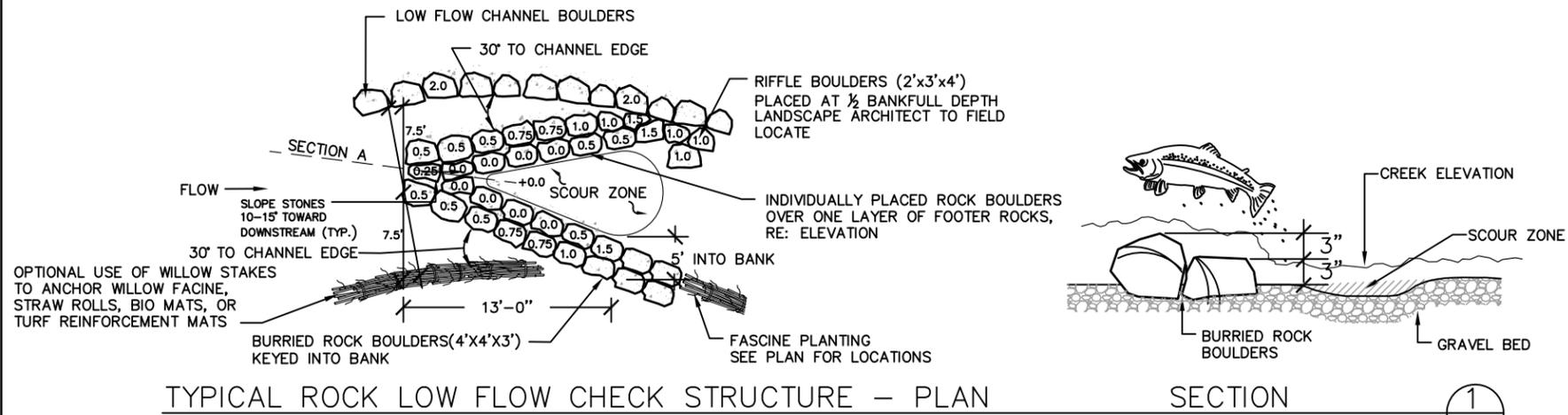
*NOMENCLATURE FOLLOWS CITY OF COLORADO SPRINGS DRAINAGE CRITERIA MANUAL
 **RATES ARE FOR DRILLED; DOUBLE IF HAND-BROADCASTED

Print Date: 05-09-2014		Sheet Revisions			Colorado Department of Transportation  1480 QUAIL LAKE LOOP, SUITE A COLORADO SPRINGS, CO 80906 Phone: 719-634-2323 FAX: 719-227-3298 Region 2 DW	DESIGN BUILD RFP	CHAPTER 10 PLANTING		Project No./Code
File Name:		Date:	Comments:	Init.		No Revisions:			IM0252-423
Horiz. Scale: As Noted Vert. Scale: As Noted						Revised:	Designer: KRS	Structure Numbers	19039
Unit Information Unit Leader Initials						Void:	Detailer: JDA/AM	Subset Sheets:	Sheet Number LP201
 2953 South Peoria Street, Ste 101 Aurora, Colorado 80014 303-770-7201 FAX 770-7132									

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Print Date: 05-09-2014	Sheet Revisions			Colorado Department of Transportation		DESIGN BUILD RFP		CHAPTER 10 PLANTING		Project No./Code	
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Horiz. Scale: As Noted				Region 2		Revised:		Detailer: JDA/AM		19039	
Unit Information				DW		Void:		Structure Numbers		Sheet Number LP202	
associates Inc. <small>2953 South Peoria Street, Ste 101 Aurora, Colorado 80014 303-770-7201 FAX 770-7132</small>			DEPARTMENT OF TRANSPORTATION					Subset Sheets:			

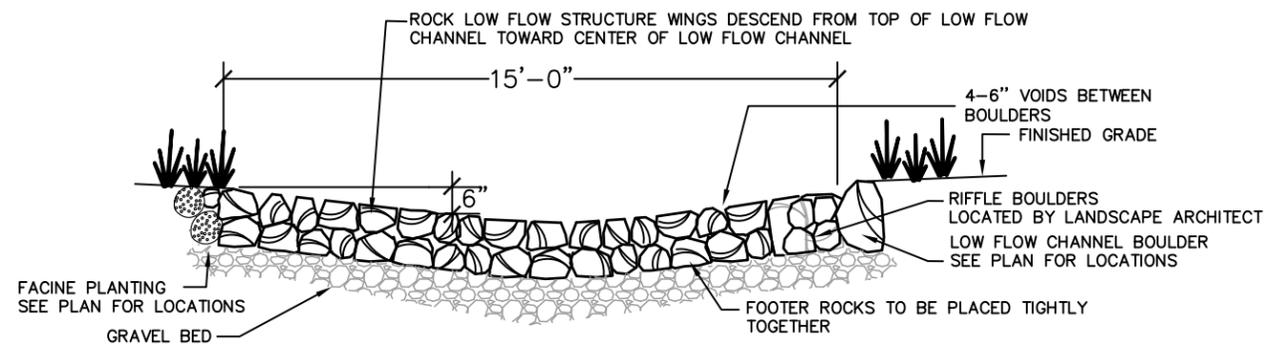


TYPICAL ROCK LOW FLOW CHECK STRUCTURE – PLAN

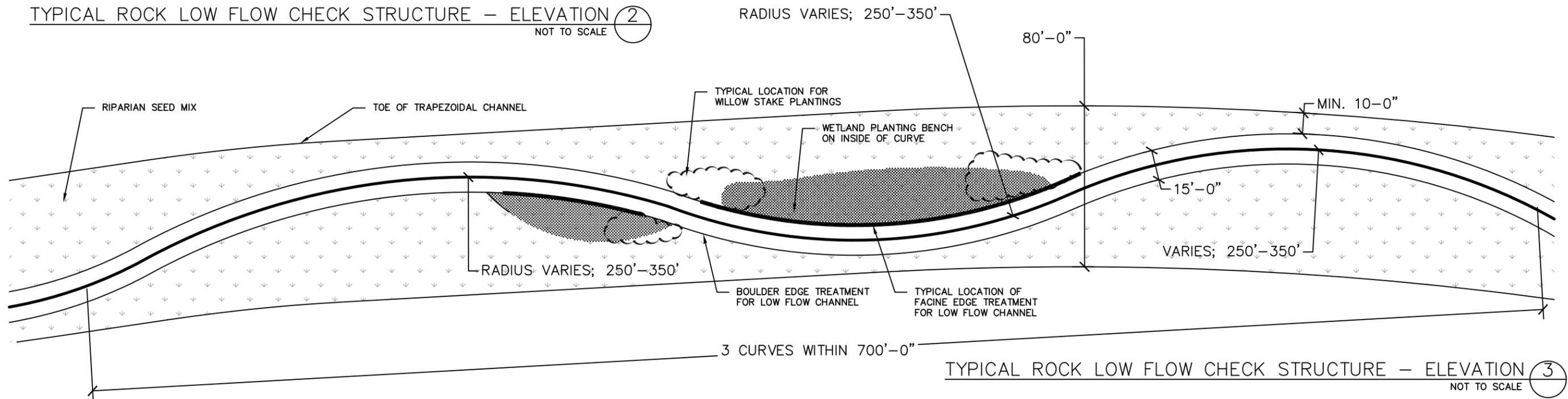
SECTION 1



ROCK LOW FLOW CHECK STRUCTURE – INSTALLED



TYPICAL ROCK LOW FLOW CHECK STRUCTURE – ELEVATION 2



TYPICAL ROCK LOW FLOW CHECK STRUCTURE – ELEVATION 3

Print Date: 05-09-2014	
File Name:	
Horiz. Scale: As Noted Vert. Scale: As Noted	
Unit Information Unit Leader Initials	
2953 South Peoria Street, Ste 101 Aurora, Colorado 80014 303-770-7201 FAX: 770-7132	

Sheet Revisions		
Date:	Comments	Init.

Colorado Department of Transportation
 1480 QUAIL LAKE LOOP, SUITE A
 COLORADO SPRINGS, CO 80906
 Phone: 719-634-2323 FAX: 719-227-3298
 Region 2 DW

DESIGN BUILD RFP
No Revisions:
Revised:
Void:

CHAPTER 10 PLANTING	
Designer: KRS	Structure Numbers
Detailer: JDA/AM	Subset Sheets:

Project No./Code
IM0252-423
19039
Sheet Number LP203

Appendix E

STATE OF COLORADO

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



April 21, 2003

RECEIVED

APR 24 2003

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

CHS/OAHP

SUBJECT: Determinations of Eligibility and Effect for CDOT Project IM 0252-316, I-25 Corridor
EA, El Paso County

Dear Ms. Contiguglia:

Enclosed for your review is the archaeological survey report and associated site forms for the CDOT project referenced above. The undertaking entails completion of an Environmental Assessment (EA) for a nearly 30-mile segment of Interstate 25 in El Paso County, extending from milepost 131.9 south of Colorado Springs to milepost 160.4, the Monument interchange near the El Paso/Douglas County line. One prehistoric site within the corridor (SEP211) initially evaluated as potentially eligible for listing on the National Register of Historic Places, and that cannot be avoided by the proposed highway improvements, was subjected to a test excavation program; the results of that testing are also included in the accompanying report. The archaeological fieldwork and report were completed by Centennial Archaeology, Inc., under contract to CH2M Hill through Wilson & Company, CDOT's primary consultant for the NEPA documentation and preliminary engineering.

The survey resulted in the identification and evaluation of 34 sites and isolated finds, of which 29 were previously recorded and 5 newly documented. Three prehistoric sites (SEP755, SEP2239, SEP2245) are assessed as potentially eligible for nomination to the National Register based on the perceived potential for intact cultural strata important in regional prehistory, and one prehistoric site (SEP211) is evaluated as NRHP eligible based on the results of test excavations, as referenced above. One historic archaeological site (SEP3946, the Mill Street Dump) was determined NRHP eligible in September 2001, an assessment which was corroborated by the field and archival research completed for the present undertaking. The remaining 29 sites and isolated finds are recommended as not eligible for inclusion on the National Register, and no further work is required for these localities.

CDOT has reviewed the results obtained by Centennial Archaeology and concurs with the eligibility and effects determinations for the resources outlined herein and in the report. Based on the current level of design for proposed improvements along the I-25 corridor, only site SEP211 will be disturbed during construction, whereas the remaining four eligible and potentially eligible sites (SEP755, SEP2239, SEP2245, SEP3946) will be avoided, and therefore no historic properties affected. SEP211 appears to be of importance chiefly because of what can be learned through data recovery excavations, and has minimal value for preservation in place. As such, controlled data recovery will be initiated prior to construction, and will serve as mitigation of adverse effects as required under Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations (36 CFR 800). Consultation with Native American tribes is on-going for the project, and the input of interested tribes regarding SEP211 will be solicited as the undertaking progresses.

Ms. Contigaglia
April 21, 2003
Page 2

In order to fulfill our obligations as outlined in Section 106 and the Advisory Council's regulations, we request your concurrence with the eligibility and effects determinations discussed herein and detailed in the enclosed report. Should you have questions or require additional information in order to complete your review, please contact me at (303)757-9631.

Very truly yours,

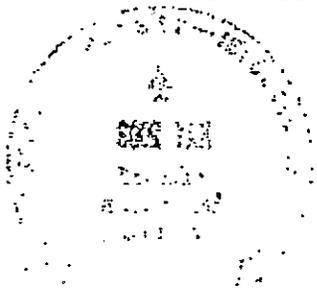


Dan Jepson
Acting Environmental Programs Manager

Enclosures (report and site forms)

cc: ~~RECEIVED~~
J. DeHaven (CJOE Region 2)
RF/CF

I concur *Sharon M. Collins, Deputy* Date *April 30, 2003*
State Historic Preservation Officer



STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Mr. Edward Nichols
State Historic Preservation Officer
Colorado Historical Society
1300 Broadway
Denver, CO 80203

Subject: Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24
West Environmental Assessment, El Paso County

Dear Mr. Nichols:

This letter and the attached parcel atlas constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for comment on the Area of Potential Effects (APE) for the project referenced above. FHWA, in cooperation with CDOT, is coordinating an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – consisting of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion on US 24. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility.

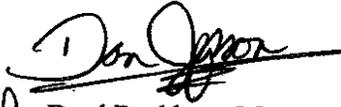
FHWA and CDOT initiated consultation on the APE with Amy Pallante of your staff in March 2006 and met with Ms. Pallante more recently on August 22, 2008, to discuss the proposed APE and historic resources survey methodology. Agreement was reached regarding the APE boundary as depicted on the attached maps, which encompasses the area within which there is the potential for direct and indirect effects to historic properties. The attached atlas illustrates the following: 1) the footprint of the proposed improvements, which encompasses the direct effects of the proposed action; 2) areas where the APE was expanded to account for potential noise and visual changes to the historic setting of the area; and 3) the distribution of properties greater than 40 years of age (as provided by El Paso County Assessor data). Additionally, a reconnaissance survey and detailed historic context for the project area helped to refine the APE based on the potential for the presence of historic properties.

We intend to request the participation as consulting parties of the following entities that may have an interest in historic resources within the project corridor: Cities of Colorado Springs and Manitou Springs, El Paso County, Old Colorado City Historical Society, Colorado Springs Pioneers Museum, the Organization of Westside Neighbors, Colorado Preservation, Inc., and the National Trust for Historic Preservation. Each will receive the APE maps included with this submittal. We will forward to your office any responses we receive.

Mr. Nichols
November 6, 2008
Page 2

We request your comments on the APE as outlined herein. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act, and the Advisory Council on Historic Preservation's regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

cc: Dick Annand/Judy DeHaven, CDOT Region 2
File

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Timothy J. Scanlon, Senior Planner
Planning and Community Development
City of Colorado Springs
30 S. Nevada, Suite 302
Colorado Springs, CO 80901-1575

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Mr. Scanlon:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

The APE boundary encompasses the area within which there is the potential for direct and indirect effects to historic properties. The attached atlas illustrates the following: 1) the footprint of the proposed improvements, which encompasses the direct effects of the proposed action; 2) areas where the APE was expanded to account for potential noise and visual changes to the historic setting of the area; and 3) the distribution of properties greater than 40 years of age (as provided by El Paso County Assessor data). Additionally, a reconnaissance survey and detailed historic context for the project area helped to refine the APE based on the potential for the presence of historic properties. CDOT intends to conduct an intensive survey of all properties within the APE that are 40 years of age or older. We have coordinated with staff at the State Historic Preservation Office (SHPO) in the development of the proposed APE and historic resources survey methodology.

We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the City of Colorado Springs to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

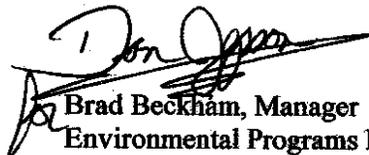
If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this

letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,



Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Ms. Barbara Pahl, Director
Mountains/Plains Regional Office
National Trust for Historic Preservation
535 16th Street, Suite 750
Denver, CO 80202

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Ms. Pahl:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

The APE boundary encompasses the area within which there is the potential for direct and indirect effects to historic properties. The attached atlas illustrates the following: 1) the footprint of the proposed improvements, which encompasses the direct effects of the proposed action; 2) areas where the APE was expanded to account for potential noise and visual changes to the historic setting of the area; and 3) the distribution of properties greater than 40 years of age (as provided by El Paso County Assessor data). Additionally, a reconnaissance survey and detailed historic context for the project area helped to refine the APE based on the potential for the presence of historic properties. CDOT intends to conduct an intensive survey of all properties within the APE that are 40 years of age or older. We have coordinated with staff at the State Historic Preservation Office (SHPO) in the development of the proposed APE and historic resources survey methodology.

We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the National Trust for Historic Preservation to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Mr. Wellington Clark, President
Organization of Westside Neighbors
P.O. Box 6651
Colorado Springs, CO 80934

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Mr. Clark:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

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We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the Organization of Westside Neighbors to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at

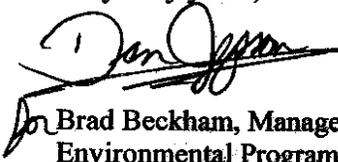
Mr. Clark
November 6, 2008
Page 2

Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,



Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Mr. Tim Wolken
Director of Public Services
El Paso County
3275 Acres Drive
Colorado Springs, CO 80922

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Mr. Wolken:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

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We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite El Paso County to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this

Mr. Wolken
November 6, 2008
Page 2

letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,


for Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Ms. Joanne Karlson, President
Old Colorado City Historical Society
One South 24th Street
Colorado Springs, CO 80904

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Ms. Karlson:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

The APE boundary encompasses the area within which there is the potential for direct and indirect effects to historic properties. The attached atlas illustrates the following: 1) the footprint of the proposed improvements, which encompasses the direct effects of the proposed action; 2) areas where the APE was expanded to account for potential noise and visual changes to the historic setting of the area; and 3) the distribution of properties greater than 40 years of age (as provided by El Paso County Assessor data). Additionally, a reconnaissance survey and detailed historic context for the project area helped to refine the APE based on the potential for the presence of historic properties. CDOT intends to conduct an intensive survey of all properties within the APE that are 40 years of age or older. We have coordinated with staff at the State Historic Preservation Office (SHPO) in the development of the proposed APE and historic resources survey methodology.

We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the Old Colorado City Historical Society to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

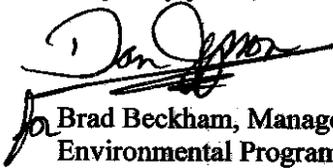
If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at

Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,



Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Ms. Leah Davis Witherow
Colorado Springs Pioneers Museum
215 South Tejon Street
Colorado Springs, CO 80903

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Ms. Witherow:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

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We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the Colorado Springs Pioneer Museum to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at

Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,



for Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Ms. Mary Allman-Koernig
Executive Director
Colorado Preservation, Inc.
333 W. Colfax Ave.
Suite 300
Denver, CO 80204

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Ms. Allman-Koernig:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

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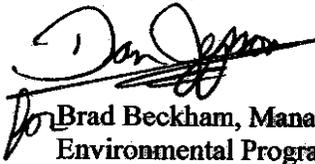
We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite Colorado Preservation Incorporated to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,



Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



November 6, 2008

Ms. Michelle Anthony
Historic Preservation Commission
Manitou Springs Planning Department
606 Manitou Avenue
Manitou Springs CO 80829

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US 24 West Environmental Assessment, El Paso County

Dear Ms. Anthony:

The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), is preparing an Environmental Assessment (EA) for the US Highway 24 Corridor from Interstate 25 to Manitou Springs. The Pikes Peak Area Council of Governments – which, as you are aware, consists of representatives from various local governments – identified this segment of US 24 as a regional priority and identified the need to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action generally consists of widening US 24 to add a travel lane in each direction and modify intersections to improve local and regional access and mobility. As part of the EA evaluation process, a review of historic properties is being conducted within the Area of Potential Effects (APE) depicted in the attached atlas.

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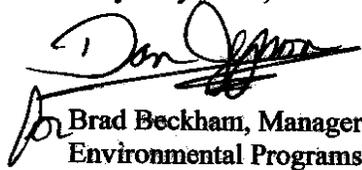
We are contacting local historical organizations to help identify any historic buildings, districts, sites, objects, or archaeological sites of significance within the APE for this project. In accordance with 36 CFR 800.3(f), FHWA and CDOT would like to formally invite the Manitou Springs Historic Preservation Commission to participate as a consulting party for the Section 106 compliance process. Any information you can provide will help ensure that important historical resources are considered in the planning process.

If you are interested in participating as a consulting party for this EA under the Section 106 guidelines and/or have comments on the attached APE, please respond in writing within 30 days of receipt of this letter to Lisa Schoch, CDOT Senior Staff Historian, at the address on the letterhead or via email at Lisa.Schoch@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this EA.

If you elect to become a consulting party, we will continue to keep you informed of our historic research in the project area. You will receive copies of documentation related to the determination of National Register of Historic Places (NRHP) eligibility for properties, documentation regarding any effects to NRHP-eligible properties within the APE, and will be invited to participate in the development of mitigation measures should any historic properties be adversely affected by the proposed US 24 project.

If you require additional information or have questions about the Section 106 process, please contact Ms. Schoch at (303) 512-4258. For more information about the Section 106 process and regulations, please visit the Advisory Council on Historic Preservation web site at www.achp.gov.

Very truly yours,


Brad Beckham, Manager
Environmental Programs Branch

Enclosures: APE Parcel Atlas



OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

November 19, 2008

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

Re: Area of Potential Effects, CDOT Project NH 0242-040, US Highway 24 West
Environmental Assessment

Dear Mr. Beckham:

Thank you for your correspondence dated November 6, 2008 and received by our office on November 10, 2008 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we are not able to agree with the Area of Potential Effects (APE) boundary at this time. On several pages of the submitted APE map, there appears to be project improvements outside of the APE boundary. All areas of project work should be within the APE boundary.

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

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols
State Historic Preservation Officer



CITY OF COLORADO SPRINGS

December 3, 2008

Ms. Lisa Schoch, CDOT Senior Historian
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, CO 80222

Re: Section 106 Consultation, CDOT Project NH 0242-040, Highway 24 West Environmental Assessment, El Paso County

Dear Ms. Schoch:

This letter is in response to the Colorado Department of Transportation request, dated November 6, 2008, for identifying the Environmental Assessment referenced above, and inviting the City of Colorado Springs' participation in the Section 106 process. Participation includes identification of any historic buildings, districts, sites, objects or archaeological sites of significance within the Area of Potential Effect (APE).

The City's Historic Preservation Board was designated by the Colorado Springs City Council as the City's official review board for historic resources as a Certified Local Government. At its regular Board meeting on December 1, 2008, the Board agreed to participate as a consulting party.

Please contact me at (719) 385-5394 if you wish to discuss this response.

Sincerely,

Timothy J. Scanlon
Senior Planner

c: Mr. Brad Beckham, Manager, Environmental Programs Branch, Colorado Department of Transportation
Historic Preservation Board
Craig Blewitt, Comprehensive and Transportation Planning Division Manager

EL PASO COUNTY



COMMISSIONERS:
DENNIS HISEY (CHAIR)
JIM BENSBERG (VICE CHAIR)

SALLIE CLARK
WAYNE WILLIAMS
AMY LATHEN

PUBLIC SERVICES DEPARTMENT

December 4, 2008

Ms. Lisa Schoch, Senior Staff Historian
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Shumate Building
Denver, CO 80222

SUBJECT: Section 106 Consultation, CDOT Project NH 0242-040, US
24 West Environmental Assessment, El Paso County

Dear Ms. Schoch:

Thank you for the opportunity to take part in the above CDOT project as a consulting party. We look forward to contributing to this process.

The Highway 24 corridor from Interstate 25 to Manitou Springs, is an important area within El Paso County. Manitou Springs serves as the gateway to nearly 6 million visitors from around the world each year. In addition, Manitou Highway east from the Highway 24 off-ramp was part of the historic Ocean to Ocean Highway going back to the 1930s. We look forward to working with CDOT and other agencies to preserve the historic aspect of this roadway while making improvements for our traveling public.

I look forward to hearing from you regarding the next step with this project.

Sincerely,

Tim Wolken, Director
Public Services Department

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



July 20, 2010

Mr. Edward Nichols
State Historic Preservation Officer
Colorado Historical Society
1560 Broadway, Ste. 400
Denver, CO 80202

Subject: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Mr. Nichols:

This letter and the attached materials constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for concurrence on the eligibility and effects determinations for the project referenced above. Enclosed are separate reports for history and archaeology. This submittal also includes additional information regarding the Area of Potential Effects (APE) for your review.

Project Overview

FHWA and CDOT are coordinating an Environmental Assessment (EA) for the US Highway 24 Corridor from I-25 to Manitou Springs. The Pikes Peak Area Council of Governments—consisting of representatives from various local governments—identified this segment of US 24 as a regional priority to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action consists of widening US 24 to add a travel lane in each direction, building two interchanges and one overpass, and modifying intersections to improve local and regional access and mobility.

Area of Potential Effects Clarification

CDOT consulted with your staff in November 2008 regarding the project APE. Based on our original correspondence to you dated November 6, 2008, you pointed out that several pages of the APE map we provided showed project improvements outside of the APE boundary. Because the APE boundary did not appear to encompass the entire project area, you were not able to agree with our proposed APE. The mapping in that submission was in error and has now been corrected, as reflected in the attachment. The original submission accurately depicted the area of proposed improvements that reflected a revised design prepared in the fall of 2008. The error was in the depiction of the proposed right-of-way lines, which reflected an earlier design with a larger footprint. We apologize for the confusion this caused.

The attached mapping reflects the currently proposed roadway design and APE. The APE was developed in consultation with your office and based on the roadway design and the potential historic properties (age of the structures) within the project area. Within the attached atlas, it is important to note that the proposed roadway changes on the west side of the project (atlas pages 1 and 2) are within existing CDOT right-of-way, which is why the APE does not encompass the surrounding properties.

Eligibility Determinations

History

A total of 146 resources were documented in the project APE, including eight previously surveyed properties. Of the latter, one is listed on the National Register of Historic Places (NRHP), one is eligible to the NRHP, and six properties are not eligible. The remaining 138 properties were newly documented. Of that total, seventeen (17) were evaluated as eligible, 118 were determined not eligible, one is a potential district, and two (2) could not be accessed and are being treated as eligible for the purposes of this project. Please refer to Tables 4 and 5 on pp.118-20 of the enclosed Historic Resources Survey and Effects Determination report for a summary of the documented properties; Sections 1.0-6.0 contain more information about the eligibility of these properties.

Archaeology

The archaeological inventory resulted in the identification of one isolated find, which was assessed as not eligible for the NRHP and therefore was not evaluated for effects. Please see the enclosed Class III Archaeological Inventory report for more information.

Effects Determinations

The enclosed Historic Resources Survey and Effects Determination report includes effects determinations for twenty-two (22) properties, including one NRHP-listed property, seventeen (17) eligible properties, two (2) properties being treated as eligible, and one proposed district. Overall the project results in adverse effects to three (3) properties, no adverse effects determinations for six (6) properties, and no historic properties affected findings for thirteen (13) properties. See Table 6 on pp.133-139 of the enclosed report for a summary of the effects determinations, and Section 7.0 for more specific information about the effects analysis for these properties.

These materials have been forwarded to El Paso County and the City of Colorado Springs Historic Preservation Board (a Certified Local Government) for review and comment. We will forward to you the responses we receive from these parties.

We request your concurrence with these eligibility and effects determinations and comments on the revised APE mapping. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act, and the Advisory Council on Historic Preservation's regulations. Given the size of this submittal, we are aware that the standard 30-day review time frame may not be sufficient. Please contact CDOT Senior Staff Historian Lisa Schoch at (303)512-4258 as soon as possible to discuss a reasonable review period.

Very truly yours,



Dan Jepson, Acting Co-Manager
Environmental Programs Branch

Enclosures: Historic Resources Survey and Effect Determination report (1 binder)
 History site forms and photos (146 loose forms)
 APE Parcel Atlas
 Class III Archaeological Inventory Report and IF form (1 stapled copy)

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



July 22, 2010

Mr. Monnie Gore
El Paso County
Public Services Department
3275 Akers Drive
Colorado Springs, CO 80922-1547

Subject: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Mr. Gore:

This letter and the attached materials constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for comments on the eligibility and effects determinations for the project referenced above. Enclosed are separate reports for history and archaeology. This submittal also includes additional information regarding the Area of Potential Effects (APE) for your review.

Project Overview

FHWA and CDOT are coordinating an Environmental Assessment (EA) for the US Highway 24 Corridor from I-25 to Manitou Springs. The Pikes Peak Area Council of Governments—consisting of representatives from various local governments—identified this segment of US 24 as a regional priority to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action consists of widening US 24 to add a travel lane in each direction, building two interchanges and one overpass, and modifying intersections to improve local and regional access and mobility.

Area of Potential Effects Clarification

CDOT consulted with your office in November 2008 regarding the project APE. A copy of your 2008 response letter is attached for your convenience. Based on our original dated November 6, 2008, the State Historic Preservation Officer (SHPO) pointed out that several pages of the APE map we provided showed project improvements outside of the APE boundary. Because the APE boundary did not appear to encompass the entire project area, the SHPO was not able to agree with our proposed APE. The mapping in that submission was in error and has now been corrected, as reflected in the attachment. The original submission accurately depicted the area of proposed improvements that reflected a revised design prepared in the fall of 2008. The error was in the depiction of the proposed right-of-way lines, which reflected an earlier design with a larger footprint. We apologize for the confusion this caused.

The attached mapping reflects the currently proposed roadway design and APE. The APE was developed in consultation with SHPO and based on the roadway design and the potential historic properties (age of the structures) within the project area. Within the attached atlas, it is important to note that the proposed

roadway changes on the west side of the project (atlas pages 1 and 2) are within existing CDOT right-of-way, which is why the APE does not encompass the surrounding properties.

Eligibility Determinations

History

A total of 146 resources were documented in the project APE, including eight previously surveyed properties. Of the latter, one is listed on the National Register of Historic Places (NRHP), one is eligible to the NRHP, and six properties are not eligible. The remaining 138 properties were newly documented. Of that total, seventeen (17) were evaluated as eligible, 118 were determined not eligible, one is a potential district, and two (2) could not be accessed and are being treated as eligible for the purposes of this project. Please refer to Tables 4 and 5 on pp.118-20 of the enclosed Historic Resources Survey and Effects Determination report for a summary of the documented properties; Sections 1.0-6.0 contain more information about the eligibility of these properties.

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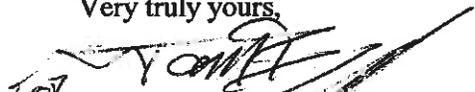
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These materials have been forwarded to the State Historic Preservation Officer (SHPO) and the City of Colorado Springs Historic Preservation Board for review and comment.

As a Section 106 consulting party for this project, we welcome your comments on these eligibility and effects determinations and comments on the revised APE mapping. Given the size of this submittal, we are aware that the standard 30-day review time frame may not be sufficient. Please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 as soon as possible to discuss a reasonable review period.

Very truly yours,


For Dan Jepson, Acting Co-Manager
Environmental Programs Branch

Enclosures: Historic Resources Survey and Effect Determination report (1 binder)
History site forms and photos (146 loose forms)
APE Parcel Atlas
Class III Archaeological Inventory Report and IF form (1 stapled copy)
El Paso County response to CDOT (December 4, 2008)

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



July 22, 2010

Ms. Erin McCauley
City of Colorado Springs
Comprehensive Planning/Land Use Section
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901-1575

Subject: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Ms. McCauley:

This letter and the attached materials constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for comments on the eligibility and effects determinations for the project referenced above. Enclosed are separate reports for history and archaeology. This submittal also includes additional information regarding the Area of Potential Effects (APE) for your review.

Project Overview

FHWA and CDOT are coordinating an Environmental Assessment (EA) for the US Highway 24 Corridor from I-25 to Manitou Springs. The Pikes Peak Area Council of Governments—consisting of representatives from various local governments—identified this segment of US 24 as a regional priority to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action consists of widening US 24 to add a travel lane in each direction, building two interchanges and one overpass, and modifying intersections to improve local and regional access and mobility.

Area of Potential Effects Clarification

CDOT consulted with your office in November 2008 regarding the project APE. We have enclosed a copy of your 2008 response for your convenience. Based on our original dated November 6, 2008, the State Historic Preservation Officer (SHPO) pointed out that several pages of the APE map we provided showed project improvements outside of the APE boundary. Because the APE boundary did not appear to encompass the entire project area, the SHPO was not able to agree with our proposed APE. The mapping in that submission was in error and has now been corrected, as reflected in the attachment. The original submission accurately depicted the area of proposed improvements that reflected a revised design prepared in the fall of 2008. The error was in the depiction of the proposed right-of-way lines, which reflected an earlier design with a larger footprint. We apologize for the confusion this caused.

The attached mapping reflects the currently proposed roadway design and APE. The APE was developed in consultation with SHPO and based on the roadway design and the potential historic properties (age of the structures) within the project area. Within the attached atlas, it is important to note that the proposed

roadway changes on the west side of the project (atlas pages 1 and 2) are within existing CDOT right-of-way, which is why the APE does not encompass the surrounding properties.

Eligibility Determinations

History

A total of 146 resources were documented in the project APE, including eight previously surveyed properties. Of the latter, one is listed on the National Register of Historic Places (NRHP), one is eligible to the NRHP, and six properties are not eligible. The remaining 138 properties were newly documented. Of that total, seventeen (17) were evaluated as eligible, 118 were determined not eligible, one is a potential district, and two (2) could not be accessed and are being treated as eligible for the purposes of this project. Please refer to Tables 4 and 5 on pp.118-20 of the enclosed Historic Resources Survey and Effects Determination report for a summary of the documented properties; Sections 1.0-6.0 contain more information about the eligibility of these properties.

Archaeology

The archaeological inventory resulted in the identification of one isolated find, which was assessed as not eligible for the NRHP and therefore was not evaluated for effects. Please see the enclosed Class III Archaeological Inventory report for more information.

Effects Determinations

The enclosed Historic Resources Survey and Effects Determination report includes effects determinations for twenty-two (22) properties, including one NRHP-listed property, seventeen (17) eligible properties, two (2) properties being treated as eligible, and one proposed district. Overall the project results in adverse effects to three (3) properties, no adverse effects determinations for six (6) properties, and no historic properties affected findings for thirteen (13) properties. See Table 6 on pp.133-139 of the enclosed report for a summary of the effects determinations, and Section 7.0 for more specific information about the effects analysis for these properties.

These materials have been forwarded to the State Historic Preservation Officer (SHPO) and El Paso County Public Services Department for review and comment.

As a Section 106 consulting party for this project, we welcome your comments on these eligibility and effects determinations and comments on the revised APE mapping. Given the size of this submittal, we are aware that the standard 30-day review time frame may not be sufficient. Please contact CDOT Senior Staff Historian Lisa Schoch at (303)512-4258 as soon as possible to discuss a reasonable review period.

Very truly yours,



for
Dan Jepson, Acting Co-Manager
Environmental Programs Branch

Enclosures: Historic Resources Survey and Effect Determination report (1 binder)
 History site forms and photos (146 loose forms)
 APE Parcel Atlas
 Class III Archaeological Inventory Report and IF form (1 stapled copy)
 City of Colorado Springs response to CDOT (December 2008)

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



July 22, 2010

Mr. Monnie Gore
El Paso County
Public Services Department
3275 Akers Drive
Colorado Springs, CO 80922-1547

Subject: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Mr. Gore:

This letter and the attached materials constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for comments on the eligibility and effects determinations for the project referenced above. Enclosed are separate reports for history and archaeology. This submittal also includes additional information regarding the Area of Potential Effects (APE) for your review.

Project Overview

FHWA and CDOT are coordinating an Environmental Assessment (EA) for the US Highway 24 Corridor from I-25 to Manitou Springs. The Pikes Peak Area Council of Governments—consisting of representatives from various local governments—identified this segment of US 24 as a regional priority to address current and future traffic congestion. CDOT was asked to study both short- and long-term strategies to address congestion on US 24. For the past four years, CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action consists of widening US 24 to add a travel lane in each direction, building two interchanges and one overpass, and modifying intersections to improve local and regional access and mobility.

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roadway changes on the west side of the project (atlas pages 1 and 2) are within existing CDOT right-of-way, which is why the APE does not encompass the surrounding properties.

Eligibility Determinations

History

A total of 146 resources were documented in the project APE, including eight previously surveyed properties. Of the latter, one is listed on the National Register of Historic Places (NRHP), one is eligible to the NRHP, and six properties are not eligible. The remaining 138 properties were newly documented. Of that total, seventeen (17) were evaluated as eligible, 118 were determined not eligible, one is a potential district, and two (2) could not be accessed and are being treated as eligible for the purposes of this project. Please refer to Tables 4 and 5 on pp.118-20 of the enclosed Historic Resources Survey and Effects Determination report for a summary of the documented properties; Sections 1.0-6.0 contain more information about the eligibility of these properties.

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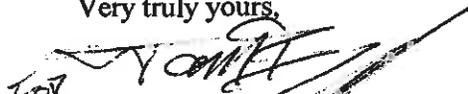
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These materials have been forwarded to the State Historic Preservation Officer (SHPO) and the City of Colorado Springs Historic Preservation Board for review and comment.

As a Section 106 consulting party for this project, we welcome your comments on these eligibility and effects determinations and comments on the revised APE mapping. Given the size of this submittal, we are aware that the standard 30-day review time frame may not be sufficient. Please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 as soon as possible to discuss a reasonable review period.

Very truly yours,


For Dan Jepson, Acting Co-Manager
Environmental Programs Branch

Enclosures: Historic Resources Survey and Effect Determination report (1 binder)
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 APE Parcel Atlas
 Class III Archaeological Inventory Report and IF form (1 stapled copy)
 El Paso County response to CDOT (December 4, 2008)

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



July 22, 2010

Ms. Erin McCauley
City of Colorado Springs
Comprehensive Planning/Land Use Section
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901-1575

Subject: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Ms. McCauley:

This letter and the attached materials constitute the Federal Highway Administration (FHWA) and Colorado Department of Transportation's (CDOT) request for comments on the eligibility and effects determinations for the project referenced above. Enclosed are separate reports for history and archaeology. This submittal also includes additional information regarding the Area of Potential Effects (APE) for your review.

Project Overview

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Effects Determinations

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As a Section 106 consulting party for this project, we welcome your comments on these eligibility and effects determinations and comments on the revised APE mapping. Given the size of this submittal, we are aware that the standard 30-day review time frame may not be sufficient. Please contact CDOT Senior Staff Historian Lisa Schoch at (303)512-4258 as soon as possible to discuss a reasonable review period.

Very truly yours,



for
Dan Jepson, Acting Co-Manager
Environmental Programs Branch

Enclosures: Historic Resources Survey and Effect Determination report (1 binder)
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 Class III Archaeological Inventory Report and IF form (1 stapled copy)
 City of Colorado Springs response to CDOT (December 2008)

cc: Lisa Streisfeld, CDOT Region 2



HISTORY *Colorado*

September 3, 2010

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

Re: Determination of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242,040, US Highway 24 West Environmental Assessment, El Paso County. (CHS #53638)

Dear Ms. Hann:

After review of the provided information, we are not able to concur at this time on the National Register eligibility recommendations for the properties listed below.

- 5EP.5335. The historical background is general to Colorado City and not specific to the building, which may have a significant association to the themes of industry and commerce. Please provide a specific history of the building in order to fully evaluate significance under National Register Criterion A. While some of the windows and doors have been boarded, the character-defining architectural features of the building are still clearly seen. The brick corbelling and parapet is characteristic of the Folk Victorian style. In our opinion, the building retains the overall character-defining features and is significant under National Register Criterion C for architecture.
- 5EP.384.2. The surveyed segment was recommended as being not eligible. After review of the site form we believe the segments lacks integrity and does not support the overall eligibility of the entire linear resource, 5EP.384.
- 5EP.5228. The site form states that this property is not significant, but specific history of the building is provided. The history provided is very general. Please provide a more specific building history in regards to its possible significant associations to industry and commerce. Also, was the building evaluated for roadside roadside architecture?
- 5EP.5236. The site form states that the property is not significant under National Register Criterion A because it is not associated with any significant events, however, there is no history specific to the history. Please provide a specific building history in order to better evaluate this property under National Register Criterion A.

- 5EP.235.15. The Re-Evaluation form states that this property is contributing to the potential Westside Historic District, but the property is marked as “Not Eligible” under item 13. If the property is considered contributing to an eligible historic district, it is considered eligible for the National Register of Historic Places.

After review of the provided information, we concur that the following properties are neither eligible for the National Register of Historic Places nor non-contributing to an eligible historic district.

- | | |
|------------|------------|
| • 5EP.5353 | • 5EP.5341 |
| • 5EP.5355 | • 5EP.5342 |
| • 5EP.5356 | • 5EP.5343 |
| • 5EP.5357 | • 5EP.5344 |
| • 5EP.5359 | • 5EP.5345 |
| • 5EP.5360 | • 5EP.5346 |
| • 5EP.5363 | • 5EP.5347 |
| • 5EP.5337 | • 5EP.5348 |
| • 5EP.5358 | • 5EP.5350 |
| • 5EP.5361 | • 5EP.5351 |
| • 5EP.5362 | • 5EP.5352 |
| • 5EP.5286 | • 5EP.3662 |
| • 5EP.5289 | • 5EP.4302 |
| • 5EP.5291 | • 5EP.5240 |
| • 5EP.5292 | • 5EP.5243 |
| • 5EP.5293 | • 5EP.5245 |
| • 5EP.5294 | • 5EP.5246 |
| • 5EP.5295 | • 5EP.5247 |
| • 5EP.5296 | • 5EP.5248 |
| • 5EP.5305 | • 5EP.5249 |
| • 5EP.5308 | • 5EP.5250 |
| • 5EP.5312 | • 5EP.5251 |
| • 5EP.5313 | • 5EP.5252 |
| • 5EP.5314 | • 5EP.5255 |
| • 5EP.5315 | • 5EP.5256 |
| • 5EP.5318 | • 5EP.5257 |
| • 5EP.5325 | • 5EP.5259 |
| • 5EP.5328 | • 5EP.5261 |
| • 5EP.5329 | • 5EP.5262 |
| • 5EP.5333 | • 5EP.5268 |
| • 5EP.5334 | • 5EP.5270 |
| • 5EP.5338 | • 5EP.5273 |
| • 5EP.5339 | • 5EP.5275 |
| • 5EP.5340 | • 5EP.5277 |

- 5EP.5279
- 5EP.5217
- 5EP.5219
- 5EP.5220
- 5EP.5221
- 5EP.5222
- 5EP.5224
- 5EP.5225
- 5EP.5226
- 5EP.5227
- 5EP.5229
- 5EP.5231
- 5EP.5232
- 5EP.5235
- 5EP.5237
- 5EP.5238
- 5EP.5321
- 5EP.5284
- 5EP.5281
- 5EP.5280

We concur that the following properties are eligible for the National Register of Historic Places or contributing to an eligible National Register district.

- 5EP.5354
- 5EP.5287
- 5EP.5297
- 5EP.5298
- 5EP.5299
- 5EP.5300
- 5EP.5301
- 5EP.5304
- 5EP.5309
- 5EP.5311
- 5EP.5316
- 5EP.5317
- 5EP.5324
- 5EP.5326
- 5EP.5327
- 5EP.5331
- 5EP.5330
- 5EP.5332
- 5EP.194
- 5EP.235.31
- 5EP.1116
- 5EP.5264
- 5EP.5276
- 5EP.5239
- 5EP.5241
- 5EP.5242
- 5EP.5244
- 5EP.5253
- 5EP.5258
- 5EP.5265
- 5EP.5267
- 5EP.5274
- 5EP.5336
- 5EP.5216
- 5EP.5218
- 5EP.5223
- 5EP.5263
- 5EP.5278
- 5EP.5285
- 5EP.5288
- 5EP.5290
- 5EP.5302
- 5EP.5303
- 5EP.5306
- 5EP.5310
- 5EP.5319
- 5EP.5320
- 5EP.5322
- 5EP.5323
- 5EP.5283
- 5EP.5282
- 5EP.5364

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

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

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in blue ink, appearing to read "E.C. Nichols".

 Edward C. Nichols
State Historic Preservation Officer



September 10, 2010

Mr. Dan Jepson, Acting Co-Manager
Environmental Programs Branch
State of Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, CO 80222

RE: Determinations of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Mr. Jepson:

This correspondence is in response to your request, dated July 22, 2010, for concurrence on Determinations of Eligibility and Effect for the transportation improvement project referenced above. Your request, 1 volume of the Historic Cultural Resource Survey Report, 146 History Site Forms and Photos, 1 APE Parcel Atlas, and 1 copy of the Class III Archaeological Inventory Report and IF form were received by the office on July 28, 2010 and excerpts of that report were subsequently distributed to members of the Historic Preservation Board. The Board Members submitted their responses to staff via email. This correspondence serves as a summary of those responses.

The Board Members did not dispute your eligibility determinations for the properties contained within the APE as either ineligible, field eligible, officially eligible or listed in the State and/or the National Register of Historic Places.

The Board concurred with your determination of Adverse Effect regarding the 1815 Sheldon Avenue (5EP5235), 1803 Sheldon Avenue (5EP5288), and 301 S. 10th Street (5EP5336) properties. The prevailing point of view was that the 301 S. 10th Street property may be a candidate for preservation due to its architectural features.

The Board's concerns principally involve the demolition of the aforementioned structures.

The Board chose not to comment on the remaining determinations of effect. Please contact me at emccauley@springsgov.com or (719) 385-5369 if you have questions regarding this matter. Please also forward any comments you receive from other consulting parties.

Cordially,

Erin K. McCauley, LEED AP
Planner I
Land Use Review Division

c: Memorandum Distribution List (email)



HISTORY *Colorado*

September 29, 2010

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

Re: Determination of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County. (CHS #53638)

Dear Ms. Hann,

After review of the provided information, we concur with the recommended findings of effects under Section 106 for the resources presented in Table 6: Effects of the proposed Action on Historic Properties on page 133 of the *Historic Resources Survey, US 24 West, Colorado Springs, Colorado* report except for the Westside Historic District. In our opinion, the taking of two contributing properties within the district is an adverse effect, as defined in 36 CFR 800.5(a)(2)(i). While the adverse effect may be characterized as minor, we believe that the destruction of two contributing properties from within an eligible historic district is an adverse effect because of the overall effect of the physical destruction of or damage to part of the historic property.

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

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

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

for Edward C. Nichols
State Historic Preservation Officer

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



December 15, 2010

Mr. Edward Nichols
State Historic Preservation Officer
Colorado Historical Society
1560 Broadway, Ste. 400
Denver, CO 80202

Subject: Additional Information, CDOT Project NH 0242-040, US Highway 24 West
Environmental Assessment, El Paso County (CHS #53638)

Dear Mr. Nichols:

Thank you for your responses dated September 3, 2010 and September 29, 2010 regarding eligibility and effects for the project referenced above. This submittal includes additional information about specific properties identified in your letters.

5EP5335: We agree that the building is significant under Criterion C as an example of Folk Victorian. This building will be acquired as part of the undertaking, so there will be an *adverse effect* to the property. We will consult with you and the consulting parties regarding the resolution of adverse effects per 36 CFR 800.6.

5EP384.2: We have noted that Items 17 and 18 of the re-evaluation form were not completed correctly for this property, and agree that the segment lacks integrity and does not support the overall eligibility of the entire Colorado Midland Railroad (5EP384). The segment within the APE has been abandoned, the rail-related materials have been removed, and a trail has been built on or adjacent to the rail alignment. The highway will be moved to the north in this location and (between approximately I-25 and 15th Street) the trail will be relocated. This will result in *no adverse effect* with regard to the overall railroad resource because the affected segment has no integrity and does not contribute to eligibility of the overall resource.

5EP5228: Per your request, we evaluated this property in terms of its potential for significance under Criterion C for Googie architecture. Based on the *Colorado Historic Architecture and Engineering Guide*, we have determined that the building is not a good example of the Googie style. The building exterior features angled walls on its southern half, plate glass windows, and a sign attached to the building roof, but overall the building does not exhibit the common elements attributed to the Googie style. The building roof is flat, and there is no use of contrasting modern materials or bright colors in the architecture. For these reasons, the building is not eligible under Criterion C.

With regard to individual building history, extensive primary and secondary research was conducted in the development of the historic context and in the evaluation of individual properties for this project. The research completed for this property indicates that it has been in commercial use and that it is part of an eclectic mix of businesses and motor lodges along West Colorado Avenue, but we discovered nothing indicating that this property was significant under any of the NRHP criteria. For these reasons, CDOT supports its initial determination that 5EP5228 is *not eligible*. The property will not be directly affected by the undertaking, so we have made a determination of *no historic properties affected*.

5EP5236: As noted above for 5EP5228, extensive primary and secondary research was completed in the process of developing the historic context and the individual property site forms for this project. We have made a strong case that the house is not significant under Criterion C. With regard to Criteria A and B, the house has likely functioned as a residential property since it was built in the post World War II period and the research that was conducted would have indicated if there was an important historic association with an event or person that would make this property NRHP eligible. CDOT has made a good faith effort to identify historic properties, including districts, for this project, and does not believe additional research for this individual property would change the eligibility determination. We continue to support the determination of *not eligible* with regard to 5EP5236. This property will not be directly affected by the undertaking, and therefore a determination of *no historic properties affected* is appropriate.

5EP235.15: We apologize for the confusion regarding the re-evaluation form. We were trying to document the past evaluation of the property, but also note its status as part of a historic district. The re-evaluation form documents in Item 13 that the property was determined officially not eligible in 1986, but also clarifies in Item 12 that the property retains the integrity to be a contributing element of the proposed Westside Historic District. We recognize that a property contributing to a historic district is NRHP eligible. 5EP235.15 is located near other historic properties along 15th Street; like the others (see Section 7.6.2 of the Historic Resources Survey and Determination of Effect report), 5EP235.15 will not be directly or indirectly impacted by the project, so a finding of *no historic properties affected* is appropriate.

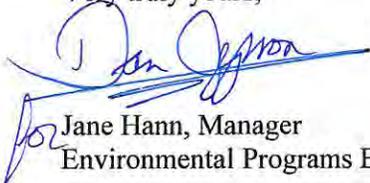
5EP5364, Westside Historic District: We agree with your finding of *adverse effect* for the Westside Historic District based on the demolition of two of its contributing elements, and will consult with you and the consulting parties regarding the resolution of adverse effect for this property per 36 CFR 800.6.

Notification of Section 4(f) De Minimis Determination

This project has been determined to have *no adverse effect* to 5EP384.2. Based on the *no adverse effect* finding outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

We request your concurrence with the determinations outlined above. If you require additional information, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Very truly yours,


Jane Hann, Manager
Environmental Programs Branch

cc: Lisa Streisfeld, CDOT Region 2
File



HISTORY *Colorado*

December 27, 2010

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

Re: Determination of Eligibility and Effects and additional Area of Potential Effects Consultation, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County. (CHS #53638)

Dear Ms. Hann,

Thank you for your correspondence dated December 15, 2010 and received by our office on December 16, 2010 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). Thank you for the additional research in regards to our questions and comments. After review of the provided information, we concur with the findings of eligibility and assessments of adverse effects presented in your December 15, 2010 letter. We also acknowledge that FHWA intends to make a *de minimis* determination for resource 5EP.384 in respect to the requirements of Section 4(f).

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

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

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols
State Historic Preservation Officer

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



March 2, 2011

Mr. John M. Cater
Colorado Division Administrator
Federal Highway Administration
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228

SUBJECT: Documentation for Finding of Adverse Effect, CDOT Project NH 0242-040, US
Highway 24 West Environmental Assessment, El Paso County

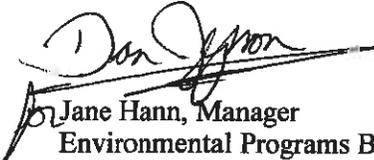
Dear Mr. Cater:

Pursuant to Section 800.6(a)(1) of the Advisory Council on Historic Preservation regulations, Agency officials must notify the Council of adverse effect determinations by providing Documentation for Finding of Adverse Effect, the content of which is specified in Section 800.11 of the regulations. Such notification allows the Council to determine whether it will participate in the consultation between the agency and the State Historic Preservation Officer (SHPO). If the Council does not respond within 15 calendar days, the agency can assume that the Council will not be participating in the consultation process.

The project referenced above results in adverse effects to six historic properties, including a potential historic district. Enclosed are two copies of the Documentation of Adverse Effect for these resources; one is for your files and the other is to be submitted to the Council. For convenience, a draft transmittal letter to the Advisory Council has been emailed to Stephanie Gibson of your staff.

Please send a copy of all of your correspondence with the Advisory Council to CDOT Senior Staff Historian Lisa Schoch for our files. If you have questions or require additional information, please contact Ms. Schoch at 303-512-4258.

Very truly yours,


Jane Hann, Manager
Environmental Programs Branch

Enclosures: Documentation of Adverse Effect (FHWA and ACHP copies)

DOCUMENTATION FOR FINDING OF ADVERSE EFFECT

**COLORADO DEPARTMENT OF TRANSPORTATION PROJECT NH 0242-040
US Highway 24 West Environmental Assessment, El Paso County, Colorado**

**COLORADO DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PROGRAMS BRANCH
4201 EAST ARKANSAS AVENUE
DENVER, COLORADO 80222**

March 2011

DOCUMENTATION FOR FINDING OF ADVERSE EFFECT
CDOT Project NH 0242-040
US Highway 24 West Environmental Assessment
El Paso County, Colorado

This documentation is prepared in accordance with the Advisory Council regulations, Section 800.11(e), which stipulates the inclusion of the following items:

- 1. A description of the undertaking, specifying the Federal involvement and its area of potential effects, including photographs, maps, and drawings, as necessary.**

Project Background

FHWA and CDOT are coordinating an Environmental Assessment (EA) for the US Highway 24 (US 24) Corridor from Interstate 25 west to Manitou Springs. The Pikes Peak Area Council of Governments—consisting of representatives from various local governments—identified this segment of US 24 as a regional priority to address current and future traffic congestion. CDOT was asked to study both short-and long-term strategies to address congestion on US 24. CDOT has been working with the local community and interested groups to develop a proposed action to reduce traffic congestion. The proposed action consists of widening US 24 to add a travel lane in each direction for a total of eight through-lanes, building two interchanges and one overpass, and modifying intersections to improve local and regional access and mobility. An illustration of the proposed action (Figure 59) is included under **Attachment A**. Additional features of the proposed action include:

- Reconstruction of the US 24 interchange with Interstate 25
- Intersection upgrades and widening at 26th Street and 31st Street
- Modifications to the 31st Street and Colorado Avenue intersection (off highway)
- Addition or reconstruction of sidewalks at all intersections and interchanges
- Replacement and extension of segments of the Midland Trail
- Replacement of bridges over Fountain Creek
- Modification of Fountain Creek's channel at each bridge crossing

Area of Potential Effects (APE):

The project APE extends along the US 24 corridor from Interstate 25 on the east to Red Canon Road on the west and includes approximately 432 acres in Sections 3, 10, 11, 12, 13, 14, and 19 of Township 14 South, Range 67 West, in El Paso County, Colorado (see **Attachment A**). The APE, which was defined by CDOT in consultation with the Colorado State Historic Preservation Officer (SHPO), generally follows the existing highway alignment and includes properties adjacent to the highway and at intersections with local streets. The APE is located on the Colorado Springs and Manitou Springs, Colorado USGS 7.5' topographic quadrangles. The majority of the APE includes privately owned lands within the City of Colorado Springs, Colorado, with only a few properties found on city land.

- 2. A description of the steps taken to identify historic properties.**

A Class III architectural resources inventory of the APE was conducted by consultant TEC Inc (TEC) for the Colorado Department of Transportation in September 2008. The inventory was conducted to identify,

document, and evaluate cultural resources within the project area with regard to their potential eligibility to the National Register of Historic Places (NRHP). More than 300 parcels of land are located within the APE, many of which contain no standing structures. A total of 146 cultural resources were documented, including 143 architectural properties, two linear resources, and a proposed historic district. All of these properties were documented on the appropriate Office of Archaeology and Historic Preservation (OAHP) site forms.

3. A description of the affected historic properties, including information on the characteristics that qualify them for the National Register.

The following National Register-eligible properties will be adversely affected by the undertaking. The site forms for these properties are included as **Attachment B**.

SEP5285 (1815 Sheldon Avenue): Built in 1899, this property is significant under National Register Criterion C as a good intact example of a hipped-roof box house. The house is within the boundary of the proposed Westside Historic District and would be a contributing feature of that district.

SEP5288 (1803 Sheldon Avenue): Built in 1897, the property exhibits the defining characteristics of the Queen Anne style, including asymmetrical massing, dormers, a porch, multiple gables, and bargeboard under the gable ends. It is significant under National Register Criterion C as a good example of the Queen Anne style. The house is within the boundary of the proposed Westside Historic District and would be a contributing element of that district.

SEP5335 (302 South 10th Street): Built in 1959, this building is significant under National Register Criterion C as a good example of the Folk Victorian architectural style. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature.

SEP5336 (301 South 10th Street): Constructed in 1950, this commercial building—known as the Chief Petroleum property—is significant under National Register Criterion C as a good example of an early twentieth century commercial building in Colorado Springs. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature because it was built outside the period of significance for the district.

SEP5364 (Westside Historic District): A potential residential historic district was identified northwest of the intersection of Interstate 25 and US Highway 24. Based on a reconnaissance-level survey and historic research, it appears that the district could encompass as many as 60 platted subdivisions developed between 1873 and 1913, and thousands of properties. For the purposes of Section 106, a proposed boundary was assigned to this property, but the entire property was not intensively surveyed. Nearly all of the properties within the project APE are within the boundary of this proposed district. The proposed district appears to be significant under National Register Criterion A for its role in the development of Colorado Springs. The Westside area was the earliest settled residential development in the Pikes Peak region and has experienced several periods of physical and economic growth and decline since 1859 when the area's first town, Colorado City, was founded.

4. A description of the undertaking's effects on historic properties.

SEP5285 (1815 Sheldon Avenue): The toe of slope for the US 24 improvements is estimated to extend

approximately 66 feet into the property boundary, ending 25 feet from the building. The grade difference between US 24 and the Sheldon Avenue properties and the proximity of the proposed highway ramps to the residence make construction in this area very challenging, as large construction equipment will be needed to bring in fill material, create new grades, and construct the noise wall. It would be difficult to construct the proposed action without affecting the building. In addition, the project includes moving the highway approximately 100 feet closer to the property, effectively removing the buffer between the house and the highway. At its closest distance in the southeast corner, there would be a 17-foot separation between the road (ramp) and the property boundary, widening to 47 feet at the southwest corner. While this closer proximity of the road to a residential property is common in urban neighborhoods, it represents a substantial change to the setting of this property, which is characterized by a larger-than-average lot that backs to another vacant lot, giving the existing property a more expansive feel. The undertaking also involves the acquisition of several other residences along Sheldon Avenue. Sheldon Avenue is a small street—only 1,000 feet in length—located between 21st Street and 18th Street north of US 24. The entire street is within the project APE. Two of the historic properties identified for this project that are on Sheldon Avenue (5EP5285, 5EP5288) will be acquired. Other non-historic residences along this street would also be acquired, which would leave 5EP5285 as the sole residence on the south side of the block. While the residential setting in this location has been compromised by past industrial and commercial uses out of scale with the surrounding residences, the loss of additional residential properties creates a cumulative effect to the residential setting, particularly to the south side of Sheldon Avenue, where only five residences would remain and 5EP5285 would be isolated from the other four properties by non-residential lots. In addition, the property will be affected by the construction of a noise wall on the edge of the property, which would provide a visual and noise buffer to the highway, but the wall would also change the character of the residential property by obstructing and changing the views from the house. The noise wall would be prominent in the backyard of 5EP5285 and would affect the setting of that property. Based on these impacts, it was determined that the project results in an adverse effect.

5EP5288 (1803 Sheldon Avenue): The proposed action would require acquisition of this property and demolition of the historic building. This results in an adverse effect to the property.

5EP5335 (302 South 10th Street): This building will be acquired as part of the undertaking, so there is an adverse effect to the property.

5EP5336 (301 South 10th Street): The proposed undertaking would require a total acquisition of the Chief Petroleum property. The through lanes on the US Highway 24 interchange ramps at the proposed 8th Street interchange and the reconstruction of the Midland Trail are improvements that directly encroach on the property. This results in an adverse effect to the property.

5EP5364 (Westside Historic District): The project will result in the demolition of two contributing features of the Westside Historic District, including 5EP5285 and 5EP5288, both of which are described above in Item 4. This results in an adverse effect to the proposed district.

5. An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize, or mitigate adverse effects.

In accordance with Section 800.5 of the Advisory Council Regulations, CDOT has applied the criteria of adverse effect, determining that the undertaking results in adverse effects to the properties discussed in Items 3 and 4 of this report.

Avoidance and minimization

CDOT conducted an extensive alternatives development process for this project. During each of the three screening stages in the alternatives development, impacts to historic properties were considered. The additional travel lanes along US Highway 24 that are part of the proposed action will not result in effects to historic properties. However, proposed cross street intersection improvements will affect historic properties, and the Fountain Creek floodplain creates a constraint throughout the project area since US 24 is within the flood plain for most of its stretch. In order to remove the highway from the floodplain, portions of Fountain Creek will have to be modified to make the channel wider or lower. Modifications to the floodplain result in constraints on highway design and limited alignment options for the corridor. In areas where historic properties might be affected, the ROW footprint was minimized as much as possible while still meeting design standards, capacity requirements, and minimum floodplain conditions. In most cases, effects to historic properties were avoided through design modifications. In two areas, historic properties on the north side of US 24 near the proposed US 24 interchanges with 8th Street and 21st Street could not be avoided. Efforts were made to minimize impacts to the Chief Petroleum building (5EP5336) but because the building is located less than 50 feet from the existing US 24 ROW, it will be impacted by the westbound on-ramp for US 24 from the new 8th Street interchange, and by the reconstruction of the Midland Trail, which runs behind the building and once reconstructed will encroach an additional 22 feet into the Chief Petroleum property boundary. The proposed action results in similar constraints near the proposed 21st Street interchange with US 24, where similar efforts were made to minimize effects to historic properties.

Mitigation

In consultation with SHPO and the consulting parties, FHWA and CDOT have determined that the project results in adverse effects to historic properties. Under the Section 106 process, adverse effects to historic properties must be resolved and mitigated through consultation. A Memorandum of Agreement (MOA) will be developed to outline mitigation for the project. Mitigation for the project has not yet been identified but is likely to include a combination of archival documentation and creative mitigation efforts.

6. Copies or summaries of any views provided by consulting parties and the public.

The SHPO has concurred with the lead agency's determinations of effect, and the SHPO and consulting party's written views are attached (**Attachment C**).



Preserving America's Heritage

March 16, 2011

Mr. John M. Cater
Division Administrator
FHWA – Colorado Division
12300 W. Dakota Ave., Suite 180
Lakewood, CO 80228

Ref: *Proposed US Highway 24 West Project (CDOT Project NH 0242-040)
El Paso County, Colorado*

Dear Mr. Cater:

On March 10, 2011, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. 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 (SHPO), Tribal Historic Preservation Officer, 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.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Najah Duvall-Gabriel at 202-606-8585 or via email at ngabriel@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

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

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



April 20, 2011

Mr. Edward Nichols
State Historic Preservation Officer
History Colorado
1560 Broadway, Suite 400
Denver, CO 80202

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US
Highway 24 West Environmental Assessment, El Paso County

Dear Mr. Nichols:

Enclosed for your signature is the original Memorandum of Agreement (MOA) for the CDOT Project referenced above, which will have an adverse effect on five properties eligible for the National Register of Historic Places. The sites include two residential and two commercial properties significant as examples of architecture and the Westside Historic District.

Mitigation for the project involves the development and installation of an interpretive sign that highlights the history of the US Highway 24 corridor. The MOA was reviewed in draft form by Amy Pallante of your staff and was found to be acceptable. Please sign and return the document to CDOT Senior Historian Lisa Schoch at the address indicated above.

This procedure is consistent with the process outlined in the Advisory Council on Historic Preservation's regulations, 36 CFR 800. You will receive a copy of the MOA when fully executed. If you have questions, please contact Ms. Schoch at (303) 512-4258. Thank you in advance for your prompt attention to this matter.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



April 28, 2011

Mr. John M. Cater
Colorado Division Administrator
Federal Highway Administration
12300 W. Dakota Ave. Suite 180
Lakewood, Colorado 80228

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County (SA 14387)

Dear Mr. Cater:

Enclosed for your signature is the Section 106 Memorandum of Agreement (MOA) for the project referenced above, which results in an adverse effect to five properties eligible for the National Register of Historic Places. The sites include the Westside Historic District and two residential and two commercial properties significant as good examples of architecture. Mitigation for the project involves the development and installation of an interpretive sign that highlights the history of the US Highway 24 corridor.

This procedure is consistent with the process outlined in the Advisory Council on Historic Preservation's regulations, 36 CFR 800. You will receive a copy of the document when fully executed. If you have questions or require additional information, please contact CDOT Senior Staff Archaeologist Lisa Schoch at (303) 512-4258. Thank you in advance for your prompt attention to this matter.

Very truly yours,

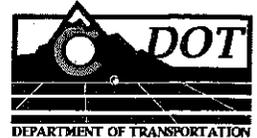

for Jane Hann, Manager
Environmental Programs Branch

Enclosure

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 20, 2011

Mr. Monnie Gore
El Paso County
Public Services Department
3275 Akers Drive
Colorado Springs, CO 80922-1547

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

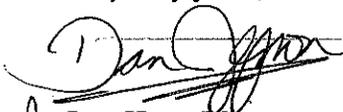
Dear Mr. Gore:

Enclosed for your review is a copy of the Memorandum of Agreement (MOA) for the Colorado Department of Transportation (CDOT) project referenced above. We previously contacted you regarding eligibility and effects determinations for historic properties in correspondence dated July 22, 2010. The project will adversely affect five historic properties, and this agreement outlines interpretive mitigation for these resources. As a local consulting party under Section 106 of the National Historic Preservation Act, we invite you to sign the document as a concurring party. As a concurring signatory, you are not responsible for the completion of the mitigation, but signing the document provides you an opportunity to participate in the resolution of adverse effects. Should you decline the opportunity to sign this agreement, however, the document will remain valid.

The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the El Paso County Public Services Department are enclosed. If you would like to participate in the agreement, please have the appropriate representative for El Paso County (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 20, 2011

Mr. Monnie Gore
El Paso County
Public Services Department
3275 Akers Drive
Colorado Springs, CO 80922-1547

*MS
OK to support
6-3-11*

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

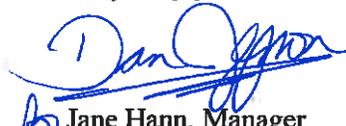
Dear Mr. Gore:

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The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the El Paso County Public Services Department are enclosed. If you would like to participate in the agreement, please have the appropriate representative for El Paso County (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 23, 2011

Ms. Erin McCauley
City of Colorado Springs
Comprehensive Planning/Land Use Section
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901-1575

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24
West Environmental Assessment, El Paso County

Dear Ms. McCauley:

Enclosed for your review is a copy of the Memorandum of Agreement (MOA) for the Colorado Department of Transportation (CDOT) project referenced above. We previously contacted you regarding eligibility and effects determinations for historic properties in correspondence dated July 22, 2010. The project will adversely affect five historic properties, and this agreement outlines interpretive mitigation for these resources. As a local consulting party under Section 106 of the National Historic Preservation Act, we invite you to sign the document as a concurring party. As a concurring signatory, you are not responsible for the completion of the mitigation, but signing the document provides you an opportunity to participate in the resolution of adverse effects. Should you decline the opportunity to sign this agreement, however, the document will remain valid.

The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the City of Colorado Springs Historic Preservation Board are enclosed. If you would like to participate in the agreement, please have the appropriate representative for the preservation board (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 23, 2011

Ms. Erin McCauley
City of Colorado Springs
Comprehensive Planning/Land Use Section
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901-1575

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24
West Environmental Assessment, El Paso County

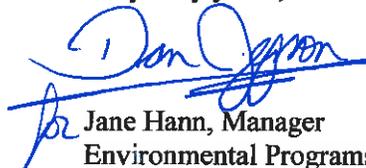
Dear Ms. McCauley:

Enclosed for your review is a copy of the Memorandum of Agreement (MOA) for the Colorado Department of Transportation (CDOT) project referenced above. We previously contacted you regarding eligibility and effects determinations for historic properties in correspondence dated July 22, 2010. The project will adversely affect five historic properties, and this agreement outlines interpretive mitigation for these resources. As a local consulting party under Section 106 of the National Historic Preservation Act, we invite you to sign the document as a concurring party. As a concurring signatory, you are not responsible for the completion of the mitigation, but signing the document provides you an opportunity to participate in the resolution of adverse effects. Should you decline the opportunity to sign this agreement, however, the document will remain valid.

The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the City of Colorado Springs Historic Preservation Board are enclosed. If you would like to participate in the agreement, please have the appropriate representative for the preservation board (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2



CITY OF COLORADO SPRINGS

June 16, 2011

Jane Hann, Manager
Environmental Programs Branch
Colorado Department of Transportation
4201 E. Arkansas Avenue
Shumate Building
Denver, CO 80222

RE: Memorandum of Agreement – CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

Dear Ms. Hann:

The Colorado Springs Historic Preservation Board met Monday, June 6, 2011 to discuss the Memorandum of Agreement (MOA) received by this office on May 24, 2011. At this time, the Board does not feel the proposed mitigation techniques proposed in the MOA adequately address the impacts of the US 24 West project.

The MOA presents only one option for mitigation – interpretive signage about the history of the area. While signage may highlight the importance of the area, the City will lose important tangible history once the buildings are demolished. The Board suggests, at the very least, analyzing the possibility of relocating those structures slated for demolition. If relocation is not an option, the Board suggests making the building materials available for salvage.

I have enclosed the unsigned MOA with this letter. If you would like to discuss other options with the Board, I would be happy to facilitate discussions or schedule a meeting to discuss the mitigation proposal.

Finally, if you have any questions please contact me at emccauley@springsgov.com or at 719-385-5369.

Cordially,

Erin McCauley, AICP LEED AP BD+C
Planner I
Land Use Review Division

C: Historic Preservation Board (email)
Dick Anderwald, Interim Planning & Development Lead (email)
Rick O'Connor, Interim Land Use Review Division Lead (email)

MEMORANDUM OF AGREEMENT

**BETWEEN the FEDERAL HIGHWAY ADMINISTRATION
AND THE COLORADO STATE HISTORIC PRESERVATION OFFICER**

**REGARDING COLORADO DEPARTMENT OF TRANSPORTATION
PROJECT NH 0242-040
US HIGHWAY 24 WEST ENVIRONMENTALASSESSMENT
EL PASO COUNTY, COLORADO**

WHEREAS, the Federal Highway Administration (FHWA) has determined that the Project NH 0242-040 results in adverse effects to five properties in El Paso County, Colorado and has consulted with the Colorado State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f); and

WHEREAS, CDOT carries out activities for federal aid transportation projects on behalf of FHWA, including consultation under Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's (Council) regulations, National Environmental Policy Act (NEPA) analysis, and construction contract administration; and FHWA has consulted with the Colorado Department of Transportation (CDOT) regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as an invited signatory; and

WHEREAS, in accordance with 36 CFR Section 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination with specified documentation and the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii); and

WHEREAS, the Section 106 consulting parties for this project—the City of Colorado Springs Historic Preservation Board and the El Paso County Public Services Department—were afforded an opportunity to review the mitigation and sign this agreement as concurring parties; and

WHEREAS, the historic properties that will be affected by the Memorandum of Agreement are:

5EP5285 (1815 Sheldon Avenue): Built in 1899, this property is significant under National Register Criterion C as a good intact example of a hipped-roof box house. The house is within the boundary of the proposed Westside Historic District and would be a contributing feature of that district.

5EP5288 (1803 Sheldon Avenue): Built in 1897, the property exhibits the defining characteristics of the Queen Anne style, including asymmetrical massing, dormers, a porch, multiple gables, and bargeboard under the gable ends. It is significant under National Register Criterion C as a good example of the Queen Anne style. The house

is within the boundary of the proposed Westside Historic District and would be a contributing element of that district.

5EP5335 (302 South 10th Street): Built in 1959, this building is significant under National Register Criterion C as a good example of the Folk Victorian architectural style. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature.

5EP5336 (301 South 10th Street): Constructed in 1950, this commercial building—known as the Chief Petroleum property-- is significant under National Register Criterion C as a good example of an early twentieth century commercial building in Colorado Springs. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature because it was built outside the period of significance for the district.

5EP5364 (Westside Historic District): A potential residential historic district was identified northwest of the intersection of Interstate 25 and US Highway 24. Based on a reconnaissance-level survey and historic research, it appears that the district could encompass as many as 60 platted subdivisions developed between 1873 and 1913, and thousands of properties. For the purposes of Section 106, a proposed boundary was assigned to this property, but the entire property was not intensively surveyed. Nearly all of the properties within the project APE are within the boundary of this proposed district. The proposed district appears to be significant under National Register Criterion A for its role in the development of Colorado Springs. The Westside area was the earliest settled residential development in the Pikes Peak region and has experienced several periods of physical and economic growth and decline since 1859 when the area's first town, Colorado City, was founded.

NOW, THEREFORE, FHWA and the Colorado SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The FHWA shall ensure that the following measures are carried out:

I. MITIGATION

A) INTEPRETIVE SIGNAGE

CDOT will develop an interpretive panel that includes information and imagery about the history of the US Highway 24 Corridor, including its use as a Native

American trail, as part of the Pikes Peak Ocean to Ocean transcontinental highway, as an important tourist route, and its current status as a state highway corridor in Colorado. The design, format, content, location, and future maintenance of the sign will be determined in consultation with the consulting parties and the SHPO.

II. DURATION

This agreement shall become effective when it is filed with the Council and shall remain in effect until the completion of the mitigation stipulations that fall under the terms of this Agreement within a five-year period. This time frame can be expanded if agreed to in writing by the signatories prior to the expiration date. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the agreement and amend it in accordance with Stipulation V below.

III. MONITORING AND REPORTING

Reporting for this agreement shall be included in the Section 106 Annual Tracking Report as provided in Section XIII (B) of the May 2010 Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Colorado State Historic Preservation Officer, and the Colorado Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal Aid Highway Program in Colorado.

IV. DISPUTE RESOLUTION

Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines, within 30 days, that such objection(s) cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by FHWA in reaching a final decision regarding the dispute.

B. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, FHWA may render a decision regarding the dispute. In reaching its decision, FHWA will take into account all comments regarding the dispute from the parties to the MOA.

C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. FHWA will

notify all parties of its decision in writing before implementing that portion of the Undertaking subject to dispute under this stipulation. FHWA's decision will be final.

V. AMENDMENTS AND NON-COMPLIANCE

If any signatory to this MOA, including any invited signatory, determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR §§800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation VI, below.

VI. TERMINATION

If an MOA is not amended following the consultation set out in Stipulation V above, it may be terminated by any signatory or invited signatory. Within 30 days following termination, the FHWA shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 CFR §800.6(c)(1) or request the comments of the Council under 36 CFR §800.7(a) and proceed accordingly.

VII. COORDINATION WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA): FHWA shall use this agreement as part of its responsibility to meet the requirements of NEPA.

Execution of this Memorandum of Agreement by FHWA and the Colorado SHPO, the submission of documentation and filing of this Memorandum of Agreement with the Council pursuant to 36 CFR Section 800.6(b)(1)(iv) prior to FHWA's approval of this undertaking, and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

SIGNATORIES:

Federal Highway Administration

By: Stephen T. Gibson Date 5/16/11
for John M. Cater, Division Administrator

Colorado State Historic Preservation Officer

By: ADWE Date 4/25/11
for Edward Nichols, State Historic Preservation Officer

INVITED SIGNATORIES:

Colorado Department of Transportation

By: Jeannette Fuchs Date 4/19/11
for Don Hunt, Executive Director

CONCURRING PARTIES:

**City of Colorado Springs
Historic Preservation Board**

_____ Date
Erin K. McCauley, Planner I

**El Paso County
Public Services Department**

_____ Date
Monnie Gore, Director

RECEIVED
MAY 2 2011
FHWA CO-DIV

CONCURRING PARTY:

**El Paso County
Public Services Department**

Max E. Knudt
for _____
Monnie Gore, Director

Date 6/6/11

PLACEHOLDER

MEMORANDUM OF AGREEMENT

**BETWEEN the FEDERAL HIGHWAY ADMINISTRATION
AND THE COLORADO STATE HISTORIC PRESERVATION OFFICER**

**REGARDING COLORADO DEPARTMENT OF TRANSPORTATION
PROJECT NH 0242-040
US HIGHWAY 24 WEST ENVIRONMENTALASSESSMENT
EL PASO COUNTY, COLORADO**

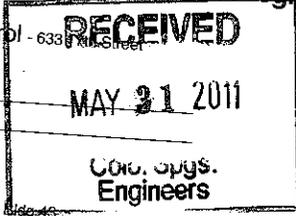
**COLORADO DEPARTMENT OF TRANSPORTATION
MAIL TRANSMITTAL - LOCATION/REGION**

(Use other side for Headquarters Complex delivery)

Deliver to the location or Region below:

- Aeronautics
- Eisenhower Tunnel
- Region 1 (Aurora)
- Region 2 (Pueblo)
- Region 3 (Grand Junction)
- Region 3 (Glenwood Springs)
- Region 3 (Craig)
- Region 4 (Greeley)
- Region 5 (Alamosa)
- Region 5 (Durango)
- Region 6 (Denver)
- Sign Shop
- Warehouse #9
- Materials/Geotechnical Branch - N Holly

- Attorney Generals Office
- FHWA
- State Accounts & Control - 633
- State Capitol
- Please indicate office
- Other
- ITS/TOC - Corp Circle
- Camp George West
 - Training Academy - Bldg 46
 - Maintenance and Operations - Bldg 45
 - Property Mgmt/Hazardous Waste - Bldg 47
 - Equipment - Bldg 83



- Region Section:**
- Region Transportation Director
 - Resident Engineer
 - Business Office
 - Coordinating
 - Design
 - EEO
 - Engineering Section
 - North East
 - South West
 - Environmental
 - Maintenance
 - Materials
 - Right of Way
 - Traffic
 - Utilities

To: (name)

Lisa Shristfeld

Date

5-23-11

From: (name or location)

Lisa Schoch

For approval

Advertised set

Revision

Per our conversation

Per your request

Proof

For your information

Award sets

Investigate and report

Other:

As Constructed

Comments:

For your US 24 files

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 20, 2011

Mr. Monnie Gore
El Paso County
Public Services Department
3275 Akers Drive
Colorado Springs, CO 80922-1547

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24 West Environmental Assessment, El Paso County

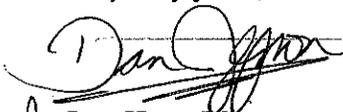
Dear Mr. Gore:

Enclosed for your review is a copy of the Memorandum of Agreement (MOA) for the Colorado Department of Transportation (CDOT) project referenced above. We previously contacted you regarding eligibility and effects determinations for historic properties in correspondence dated July 22, 2010. The project will adversely affect five historic properties, and this agreement outlines interpretive mitigation for these resources. As a local consulting party under Section 106 of the National Historic Preservation Act, we invite you to sign the document as a concurring party. As a concurring signatory, you are not responsible for the completion of the mitigation, but signing the document provides you an opportunity to participate in the resolution of adverse effects. Should you decline the opportunity to sign this agreement, however, the document will remain valid.

The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the El Paso County Public Services Department are enclosed. If you would like to participate in the agreement, please have the appropriate representative for El Paso County (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,


Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Bldg.
Denver, Colorado 80222
(303) 757-9281



May 23, 2011

Ms. Erin McCauley
City of Colorado Springs
Comprehensive Planning/Land Use Section
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901-1575

SUBJECT: Memorandum of Agreement for Signature, CDOT Project NH 0242-040, US Highway 24
West Environmental Assessment, El Paso County

Dear Ms. McCauley:

Enclosed for your review is a copy of the Memorandum of Agreement (MOA) for the Colorado Department of Transportation (CDOT) project referenced above. We previously contacted you regarding eligibility and effects determinations for historic properties in correspondence dated July 22, 2010. The project will adversely affect five historic properties, and this agreement outlines interpretive mitigation for these resources. As a local consulting party under Section 106 of the National Historic Preservation Act, we invite you to sign the document as a concurring party. As a concurring signatory, you are not responsible for the completion of the mitigation, but signing the document provides you an opportunity to participate in the resolution of adverse effects. Should you decline the opportunity to sign this agreement, however, the document will remain valid.

The MOA has been signed by the Federal Highway Administration, State Historic Preservation Officer and Colorado Department of Transportation. A copy of the document and a signature page specific to the City of Colorado Springs Historic Preservation Board are enclosed. If you would like to participate in the agreement, please have the appropriate representative for the preservation board (if not you) sign and return the signature page to CDOT Senior Historian Lisa Schoch at the address reflected on the letterhead.

You will receive a copy of the final executed document when it has been filed with the Advisory Council on Historic Preservation. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258 or via email at lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure: MOA copy and signature page

cc: Lisa Streisfeld, CDOT Region 2

MEMORANDUM OF AGREEMENT

**BETWEEN the FEDERAL HIGHWAY ADMINISTRATION
AND THE COLORADO STATE HISTORIC PRESERVATION OFFICER**

**REGARDING COLORADO DEPARTMENT OF TRANSPORTATION
PROJECT NH 0242-040
US HIGHWAY 24 WEST ENVIRONMENTALASSESSMENT
EL PASO COUNTY, COLORADO**

WHEREAS, the Federal Highway Administration (FHWA) has determined that the Project NH 0242-040 results in adverse effects to five properties in El Paso County, Colorado and has consulted with the Colorado State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f); and

WHEREAS, CDOT carries out activities for federal aid transportation projects on behalf of FHWA, including consultation under Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's (Council) regulations, National Environmental Policy Act (NEPA) analysis, and construction contract administration; and FHWA has consulted with the Colorado Department of Transportation (CDOT) regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as an invited signatory; and

WHEREAS, in accordance with 36 CFR Section 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination with specified documentation and the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii); and

WHEREAS, the Section 106 consulting parties for this project—the City of Colorado Springs Historic Preservation Board and the El Paso County Public Services Department—were afforded an opportunity to review the mitigation. The City of Colorado Springs is responsible for part of the mitigation plan and have been invited to sign this agreement as an invited signatory. The El Paso County Public Services Department has been asked to sign this agreement as a concurring party; and

WHEREAS, the historic properties that will be affected by the Memorandum of Agreement are:

5EP5285 (1815 Sheldon Avenue): Built in 1899, this property is significant under National Register Criterion C as a good intact example of a hipped-roof box house. The house is within the boundary of the proposed Westside Historic District and would be a contributing feature of that district.

5EP5288 (1803 Sheldon Avenue): Built in 1897, the property exhibits the defining characteristics of the Queen Anne style, including asymmetrical massing, dormers, a

porch, multiple gables, and bargeboard under the gable ends. It is significant under National Register Criterion C as a good example of the Queen Anne style. The house is within the boundary of the proposed Westside Historic District and would be a contributing element of that district.

5EP5335 (302 South 10th Street): Built in 1959, this building is significant under National Register Criterion C as a good example of the Folk Victorian architectural style. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature.

5EP5336 (301 South 10th Street): Constructed in 1950, this commercial building—known as the Chief Petroleum property-- is significant under National Register Criterion C as a good example of an early twentieth century commercial building in Colorado Springs. This property is within the boundary of the proposed Westside Historic District but was built outside the period of significance for the district and is considered a non-contributing feature because it was built outside the period of significance for the district.

5EP5364 (Westside Historic District): A potential residential historic district was identified northwest of the intersection of Interstate 25 and US Highway 24. Based on a reconnaissance-level survey and historic research, it appears that the district could encompass as many as 60 platted subdivisions developed between 1873 and 1913, and thousands of properties. For the purposes of Section 106, a proposed boundary was assigned to this property, but the entire property was not intensively surveyed. Nearly all of the properties within the project APE are within the boundary of this proposed district. The proposed district appears to be significant under National Register Criterion A for its role in the development of Colorado Springs. The Westside area was the earliest settled residential development in the Pikes Peak region and has experienced several periods of physical and economic growth and decline since 1859 when the area's first town, Colorado City, was founded.

NOW, THEREFORE, FHWA and the Colorado SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The FHWA shall ensure that the following measures are carried out:

I. MITIGATION

A) INTERPRETIVE SIGNAGE

CDOT shall develop and install two historic interpretive panels along the project corridor that are compatible with the greenway plan and trail along Fountain Creek. The design, format, content, location, and future maintenance of the signs will be determined in consultation with the consulting parties and the SHPO.

B) ARCHITECTURAL MATERIALS SALVAGE

Once CDOT acquires the residential properties at 1803 and 1815 Sheldon Avenue, it shall coordinate with the City of Colorado Springs Historic Preservation Board to determine whether these properties contain salvageable architectural materials (e.g., hardware, doors, molding, lighting, etc). If there are salvageable materials, CDOT shall donate these materials to the City of Colorado Springs Historic Preservation Board. The City of Colorado Springs Historic Preservation Board shall investigate partnering with a local architectural salvage firm to remove materials that can be repurposed and to publicize available materials to area residents. Materials salvaged from these properties shall not be sold for profit or advertised on EBay, Craig's List, or through any other profit-making web sites or venues

C) HISTORIC BUILDING SIGN SALVAGE

CDOT shall salvage the signage painted on the main façade of the Chief Petroleum building (5EP5336) and will donate the sign materials to the City of Colorado Springs Historic Preservation Board for their use in a future interpretive project.

II. DURATION

This agreement shall become effective when it is filed with the Council and shall remain in effect until the completion of the mitigation stipulations that fall under the terms of this Agreement within a five-year period. This time frame can be expanded if agreed to in writing by the signatories prior to the expiration date. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the agreement and amend it in accordance with Stipulation V below.

III. MONITORING AND REPORTING

Reporting for this agreement shall be included in the Section 106 Annual Tracking Report as provided in Section XIII (B) of the May 2010 Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Colorado State Historic Preservation Officer, and the Colorado Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal Aid Highway Program in Colorado.

IV. DISPUTE RESOLUTION

Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines, within 30 days, that such objection(s) cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by FHWA in reaching a final decision regarding the dispute.

B. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, FHWA may render a decision regarding the dispute. In reaching its decision, FHWA will take into account all comments regarding the dispute from the parties to the MOA.

C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. FHWA will notify all parties of its decision in writing before implementing that portion of the Undertaking subject to dispute under this stipulation. FHWA's decision will be final.

V. AMENDMENTS AND NON-COMPLIANCE

If any signatory to this MOA, including any invited signatory, determines that its terms will not or cannot be implemented or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR §§800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation VI, below.

VI. TERMINATION

If an MOA is not amended following the consultation set out in Stipulation V above, it may be terminated by any signatory or invited signatory. Within 30 days following termination, the FHWA shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 CFR §800.6(c)(1) or request the comments of the Council under 36 CFR §800.7(a) and proceed accordingly.

VII. COORDINATION WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA): FHWA shall use this agreement as part of its responsibility to meet the requirements of NEPA.

Execution of this Memorandum of Agreement by FHWA and the Colorado SHPO, the submission of documentation and filing of this Memorandum of Agreement with the Council pursuant to 36 CFR Section 800.6(b)(1)(iv) prior to FHWA's approval of this undertaking, and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

SIGNATORIES:

Federal Highway Administration

By: Stephan P. Gibson Date 11/17/11
John M. Cater, Division Administrator

Colorado State Historic Preservation Officer

By: Edward Nichols Date 10/11/11
Edward Nichols, State Historic Preservation Officer

INVITED SIGNATORIES:

Colorado Department of Transportation

By: Tom Wrona Date 9/23/2011
Tom Wrona, Regional Transportation Director, CDOT Region 2

City of Colorado Springs

By: Steve Bach Date 11-04-11
Steve Bach, Mayor

CONCURRING PARTIES

**El Paso County
Public Services Department**

By: _____ Date _____
Monnie Gore, Director

CONCURRING PARTY:

**El Paso County
Public Services Department**

Monnie Gore

Monnie Gore, Director

Date 12.15.11