

# FINDING OF NO SIGNIFICANT IMPACT



## U.S. 287 AT LAMAR RELIEVER ROUTE PROWERS COUNTY, COLORADO

CDOT PROJECT No. C2871-026 (11637)

NOVEMBER 2014



<http://www.coloradodot.info/projects/us287lamar/us287lamaroverview.html>

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U.S. Department of Transportation  
Federal Highway Administration  
and  
Colorado Department of Transportation

Submitted Pursuant to:  
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10/4/14  
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11/10/2014  
Date

### **Statute of Limitations**

The Federal Highway Administration may publish a notice in the Federal Register, pursuant to 23 United States Code §139(l), once the Finding of No Significant Impact is approved. If such notice is published, a claim arising under Federal law seeking judicial review of a permit, license, or approval issued by a Federal agency for a highway or public transportation capital project shall be barred unless it is filed within 150 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which judicial review is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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The project website is located at the following address:

<http://www.coloradodot.info/projects/us287lamar/us287lamaroverview.html>

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**November 2014**

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- C Environmental Assessment (provided electronically on CD)

# Acronyms and Abbreviations

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APE	Area of Potential Effect
APEN	Air Pollutant Emission Notice
BFE	base flood elevation
BMP	best management practice
CDOT	Colorado Department of Transportation
CDPHE	Colorado Department of Public Health and Environment
CDPS	Colorado Discharge Permit System
CLOMR	Conditional Letter of Map Revision
CPW	Colorado Parks and Wildlife
CR	County Road
CWA	Clean Water Act
EA	Environmental Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
I-25	Interstate 25
IGA	Intergovernmental Agreement
Lamar	City of Lamar
LOMR	Letter of Map Revision
NEPA	National Environmental Policy Act
ROW	right-of-way
SHPO	State Historic Preservation Officer
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
U.S. #	United States Highway #
U.S.C.	United States Code

# CHAPTER 1 INTRODUCTION



# Introduction

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The Federal Highway Administration (FHWA), in cooperation with the Colorado Department of Transportation (CDOT), prepared an Environmental Assessment (EA) to identify and assess a new alignment for U.S. Highway (U.S.) 287 and U.S. 50 through the City of Lamar (Lamar) in Prowers County, Colorado. The EA analyzes environmental impacts that could arise from the proposed highway realignment (Proposed Action) and identifies mitigation measures that will be implemented to minimize adverse impacts. The EA was completed and released for public and agency comment in September 2013 and is included as Appendix C on the attached CD.

FHWA and CDOT have considered the EA analysis and public and agency comments in the preparation of this FONSI and have selected the Proposed Action, as described in Chapter 2 of this FONSI and discussed in detail in Chapter 2 of the EA, as the Preferred Alternative. The FONSI commits to mitigation measures that will be included in the implementation of the Preferred Alternative to minimize environmental and social impacts.

This document is organized into seven chapters.

**Chapter 1** provides an overview of the project and its purpose and need.

**Chapter 2** describes the Preferred Alternative.

**Chapter 3** summarizes the environmental impacts of and committed mitigation for the Preferred Alternative.

**Chapter 4** provides updates and clarifications to the EA analysis.

**Chapter 5** describes public and agency involvement in the EA process and includes responses to public and agency comments received on the EA.

**Chapter 6** contains the Section 4(f) evaluation.

**Chapter 7** conveys the Finding of No Significant Impact.

Three appendices to the FONSI are included. **Appendix A** provides a summary of the public hearing for the EA. **Appendix B** presents agency correspondence. Appendix C contains the EA and other supporting documentation. The appendices are presented electronically on the attached CD-ROM.

## 1.1 Project Overview and Description

Safety and mobility conflicts between local traffic and trucks and other non-local traffic traveling through downtown Lamar have long concerned local officials and residents. In the 1990s, community officials approached CDOT requesting CDOT to study alternate truck routes around Lamar. In 1999, CDOT initiated a feasibility study of options to relocate through-traffic on U.S. 287 and U.S. 50 from downtown Lamar; the study, published in 2000, recommended a new route east of downtown. Federal and state funds would be used to

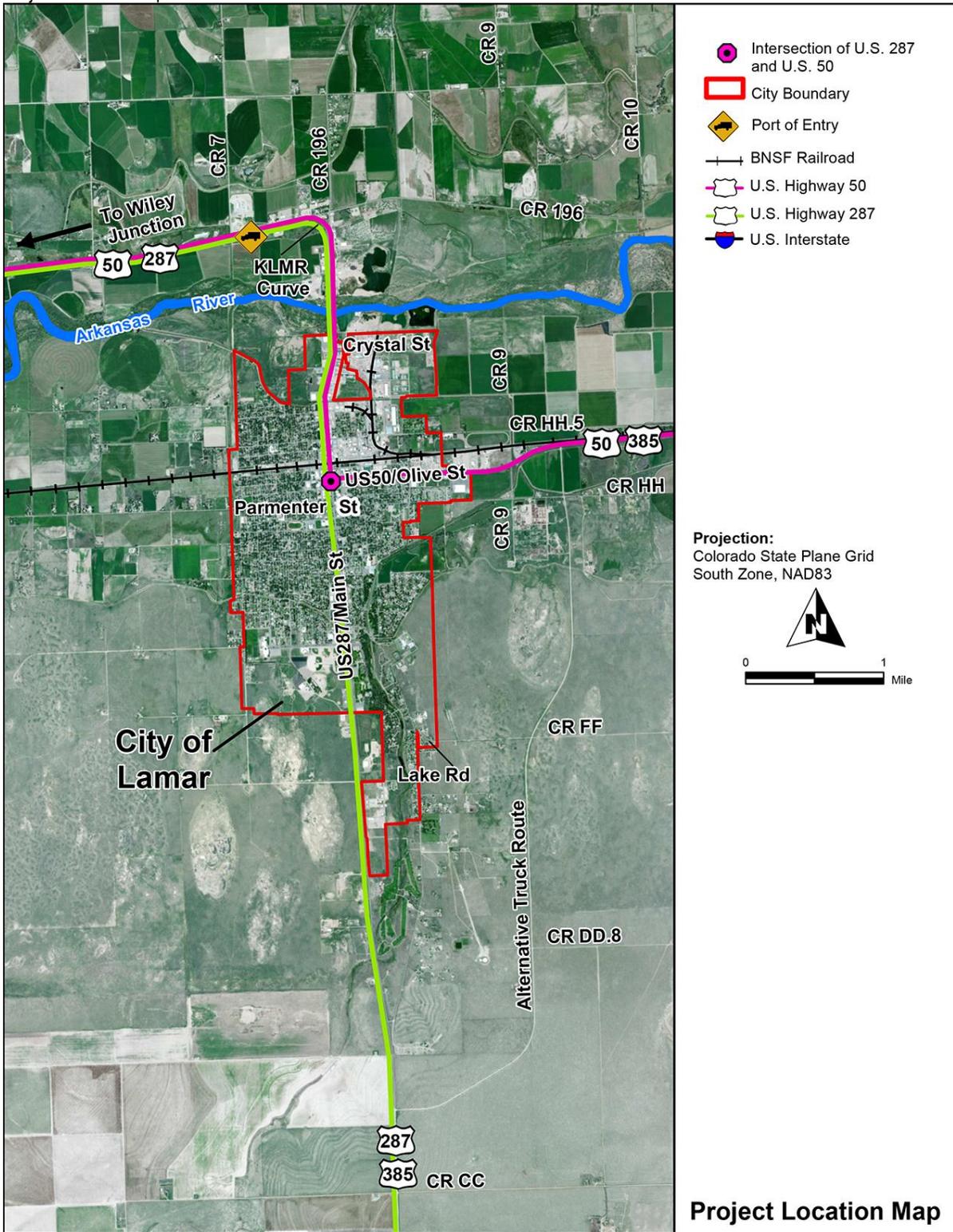
design and construct the new route, requiring the project to comply with the National Environmental Policy Act (NEPA). In 2002, FHWA and CDOT initiated the NEPA process for the U.S. 287 at Lamar Reliever Route and in 2013 completed an EA.

U.S. 287 and U.S. 50 are major routes in Lamar's transportation network, providing direct access to the downtown business district and other important local destinations (Figure 1-1). U.S. 385 is contiguous with both U.S. 287 and U.S. 50 through Lamar. These highways also serve as important economic and transportation links for regional and interstate travel (Figure 1-2). East of downtown Lamar, Prowers County constructed a gravel truck route, known as the Alternative Truck Route.

U.S. 287 is a major north-south travel route. Nationally, U.S. 287 through Lamar serves as a link on the Ports-to-Plains Trade Corridor, an economic development highway corridor between Laredo, Texas and Alberta, Canada. The Ports-to-Plains Alliance is a grassroots alliance of communities and businesses whose mission is to advocate for a robust transportation infrastructure along the existing highway segments that form the Ports-to-Plains Trade Corridor to promote economic security and prosperity throughout North America's energy and agricultural heartland. Both CDOT and FHWA are committed to support the Ports-to-Plains Alliance, as demonstrated by the reconstruction of 24 segments of the corridor through Colorado since 1991, including the recent completion of the last remaining section through the town of Kit Carson, which opened in August 2012. Regionally, U.S. 287 serves as a secondary route to Interstate 25 (I-25), connecting southeastern Colorado with the state's Front Range cities from Denver to Fort Collins. Locally, U.S. 287 acts as Lamar's Main Street, serving local residences, businesses, schools, and other community destinations.

U.S. 50 is a two-lane rural highway serving the central United States from Washington, D.C. to Sacramento, California. Regionally, U.S. 50 is one of the primary east-west travel routes in southern Colorado, linking Lamar and the Arkansas River valley with I-25 at Pueblo and Interstate 70 at Grand Junction, as well as agricultural markets in Kansas. U.S. 50 facilitates the movement of both commercial freight and agricultural goods across the region. Currently, CDOT is conducting a tiered Environmental Impact Statement studying safety and mobility improvements to the U.S. 50 corridor from the vicinity of the Kansas state line west to Pueblo. Locally, U.S. 50 operates as an important local road (Olive Street) in Lamar, providing direct access to numerous small businesses including retail, motels, restaurants, and the Lamar Workforce Center.

**FIGURE 1-1**  
Project Location Map



**Project Location Map**



The project is designed to meet local and regional mobility and safety needs as described in the following sections.

### 1.2.1 Mobility Needs

- Improve regional travel conditions and travel times for through-trips on U.S. 287 and U.S. 50.
- Improve local operations and access to businesses and services in the downtown business district on U.S. 287/Main Street.
- Accommodate the future growth of freight traffic resulting from the formalization of the Ports-to-Plains Trade Corridor.

### 1.2.2 Safety Needs

- Improve traffic and pedestrian safety in downtown by reducing conflicts between local traffic and truck and through-traffic.
- Improve local safety conditions by rerouting trucks hauling hazardous materials away from U.S. 287/Main Street and the downtown business district and the at-grade crossing of the BNSF Railway railroad tracks in downtown Lamar.

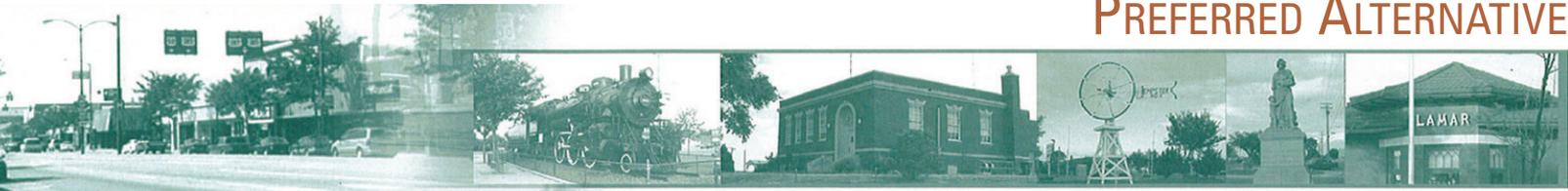


*Regional mobility is hampered by slow speeds as trucks and other vehicles traveling through downtown Lamar on U.S. 287/Main Street must slow from 65 miles per hour to 30 miles per hour and negotiate six signalized intersections, including a crossing of the BNSF Railway rail line.*



*Large trucks traveling in narrow travel lanes in downtown Lamar conflict with local traffic using parallel parking; the trucks pass within several feet of parked vehicles and create safety concerns for vehicle passengers entering and exiting their cars.*

# CHAPTER 2 PREFERRED ALTERNATIVE



## Preferred Alternative

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FHWA and CDOT have selected the Proposed Action, as described in Chapter 2 of the EA, as the Preferred Alternative. The Preferred Alternative is known as the U.S. 287 at Lamar Reliever Route (reliever route) and will relocate U.S. 287 and U.S. 50 from Main Street and Olive Street in downtown Lamar to a new alignment approximately 1 mile east of Lamar. The new highway will serve as an alternate route around downtown Lamar for non-stop regional truck and automobile traffic (Figure 2-1). U.S. 385 is contiguous with both U.S. 287 and U.S. 50 through Lamar and would also be relocated onto the reliever route.

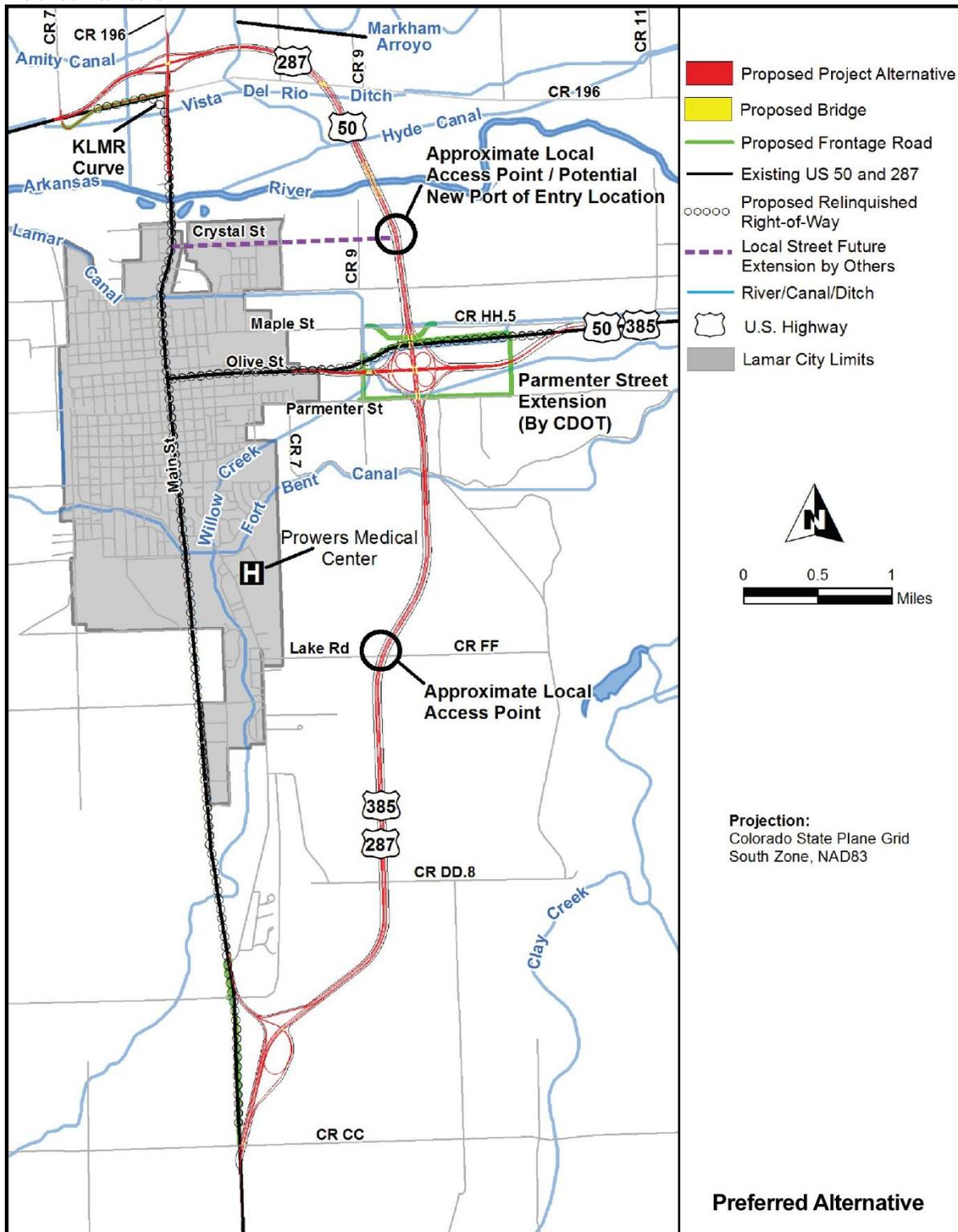
The reliever route will consist initially of a two-lane highway (interim phase) and will be expanded to four lanes (ultimate phase) as traffic conditions warrant and construction funds allow. CDOT analyzed the effects of both the two-lane and four-lane configurations in the EA, and will design and acquire right-of-way (ROW) for the ultimate phase.

The Proposed Action was selected as the Preferred Alternative because it best meets the Purpose and Need; specifically, the Preferred Alternative would enhance regional mobility by improving travel conditions and travel times for through-trips, and would reduce truck traffic on Main Street, thereby improving operations and safety on Main Street. The alternative that would have reconstructed Main Street would not meet the Purpose and Need because it would not reduce truck traffic from downtown or improve regional mobility. The alternatives that would have constructed a new alignment east of Lamar to Crystal Street and a new alignment west of Lamar would not have met the Purpose and Need as effectively as the Preferred Alternative because both alternatives would have routed through-traffic through the city and would not have improved regional mobility as well as the Preferred Alternative. Additionally, the new alignment west of Lamar would require construction of a new roadway where no roadway currently exists, and would cause greater environmental impacts than the Preferred Alternative.

### 2.1 Description of Preferred Alternative

The Preferred Alternative would improve the existing gravel Alternative Truck Route that diverges from U.S. 287 just north of County Road (CR) CC, travels approximately 1 mile east of the city, and joins U.S. 50 at an existing intersection just east of CR 9. From here, a newly constructed segment of highway would continue north, crossing over the BNSF Railway and the Arkansas River on new structures before curving west to cross over CR 196 on a bridge to reconnect with existing U.S. 287/U.S. 50 north of the city, as shown in Figure 2-1. CR 196 would remain in use as a local road in its current location, and CDOT would relinquish existing U.S. 287/Main Street (from the south project limit near CR CC to the north project limit at CR 196) and the existing section of U.S. 50 from CR HH.5 to Main Street (see Figure 2-1) to the City of Lamar and Prowers County.

**FIGURE 2-1**  
Preferred Alternative



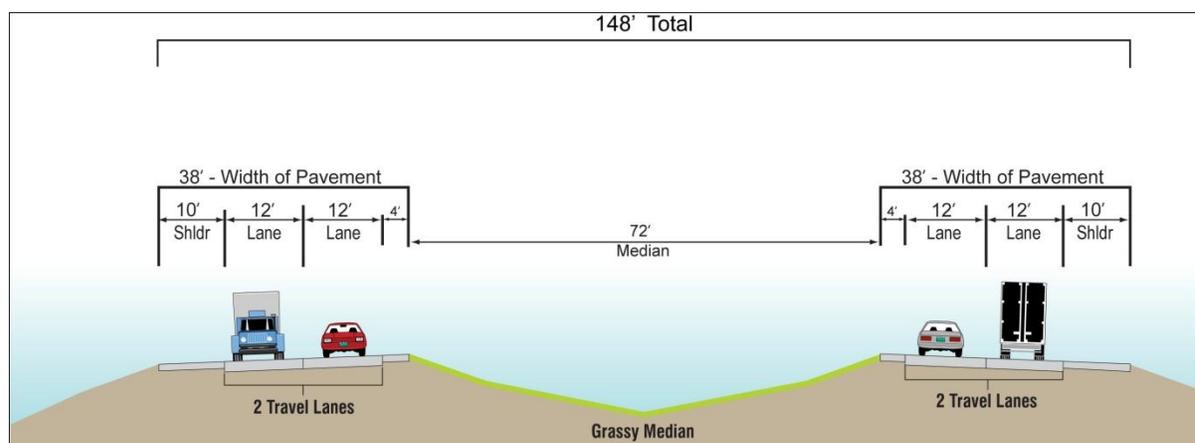
The Preferred Alternative includes three interchanges: at the southern project terminus just north of CR CC (trumpet design), east of downtown Lamar along the alignment crossing U.S. 50 (wide diamond design with directional loop ramps), and at the northern project terminus where U.S. 287/U.S. 50 intersect with CR 196 (traditional diamond design). Local accesses, which will be constructed by others, are provided for at Lake Road and Crystal Street (Figure 2-1). Since publication of the EA, the local road configuration in the vicinity of the south interchange has been modified to avoid a newly identified historic property. The south end of the new reliever route alignment has been shifted approximately 200 feet east of the alignment proposed in the EA so that the existing U.S. 287 roadway can be used as a local frontage road, and no property acquisition will be needed from the historic property (see Section 4.1.1, Modification to Preferred Alternative).

The ultimate configuration of the reliever route would consist of a divided four-lane highway with a 72-foot median (Figure 2-2). A four-lane highway, while not currently warranted by traffic volumes, would improve regional mobility in the Ports-to-Plains Trade Corridor and U.S. 50 corridor; provide flexibility to address travel needs as freight traffic increases in these two corridors; and is consistent with the Ports-to-Plains Trade Corridor vision of a four-lane divided highway.

Current traffic projections (out to 2035) do not indicate that traffic volumes will require a four-lane highway in the near-term, and CDOT intends to construct an interim two-lane highway, which would address mobility and safety concerns by providing a more appropriate high-speed route for through-traffic and reducing conflicts between local and through-traffic in downtown Lamar.

Although CDOT will acquire ROW for the ultimate phase, in the interim, the 72-foot-wide median and second set of travel lanes shown in Figure 2-2 would not be constructed. The interim phase would include two 12-foot travel lanes and two 10-foot shoulders. At-grade intersections rather than interchanges will be provided at the southern and northern termini, and the Olive Street interchange will not include directional loops. Figure 2-3 illustrates the details of the interim phase.

**FIGURE 2-2**  
Typical Cross-Section of the U.S. 287 Reliever Route for Ultimate Configuration



## 2.2 Phasing of Preferred Alternative

The Preferred Alternative will be implemented in phases as growth occurs and traffic increases in the project area and as funding becomes available. As discussed in *Section 2.1, Description of the Preferred Alternative* of this FONSI, the reliever route will be constructed initially as a two-lane highway (Figure 2-3) with intersections rather than interchanges. When traffic operations indicate a need for expansion and funding becomes available, CDOT (and/or other entities, such as local agencies) will construct the ultimate phase by adding a median and second set of lanes (Figure 2-2). CDOT will also change the three intersections to three interchanges in the ultimate phase.

It is possible that the interim phase will also be constructed in phases if funding is not adequate to construct the entire interim phase at one time. The priority of interim construction segments would be:

- Realign the east U.S. 50 segment to the south to provide adequate separation from the BNSF Railway.
- Construct the northeast portion of the reliever route across the Arkansas River and associated north and east intersections to provide a full reliever route for U.S. 50 (U.S. 287 route would remain on Main Street).
- Construct the south portion of the reliever route and associated south intersection with Main Street to provide a full reliever route for U.S. 287.

The two-lane interim phase could be in place for a number of years before the ultimate phase is completed. This approach to project implementation addresses those improvements that are needed first and provides the flexibility to implement improvements as needs arise and additional funding becomes available.

## 2.3 Cost and Funding

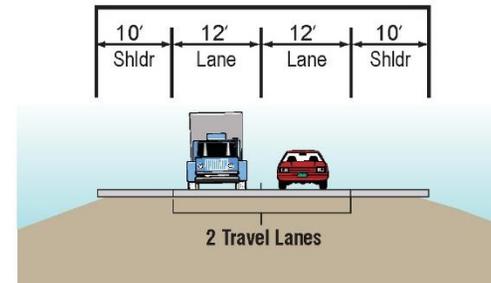
In 2010 dollars, the interim phase is estimated to cost \$70.1 million, with the ultimate phase adding an additional \$46.1 million for a total project cost of \$116.2 million. Funding will come from a mix of sources including federal and state transportation funds, Ports-to-Plains Trade Corridor program funds, and local funds (a mix of city and county). Currently, \$13.5 million is available to advance the project's design but insufficient funds are available to construct either phase. However, the project is a high priority for CDOT, the City of Lamar, and Prowers County, and all parties are actively pursuing needed funding.

## 2.4 Schedule

The availability of funding will play a major role in determining when either the interim or ultimate phase begins. If full funding were available, the project could be completed in approximately 5 years, with final design requiring about 1 year; ROW acquisition and other intergovernmental agreements requiring another year; and construction likely requiring 3 years. Completion of the EA and FONSI will allow CDOT to advance design and pursue funding for the implementation phases of the project.

**FIGURE 2-3**  
Interim Configuration (Details)

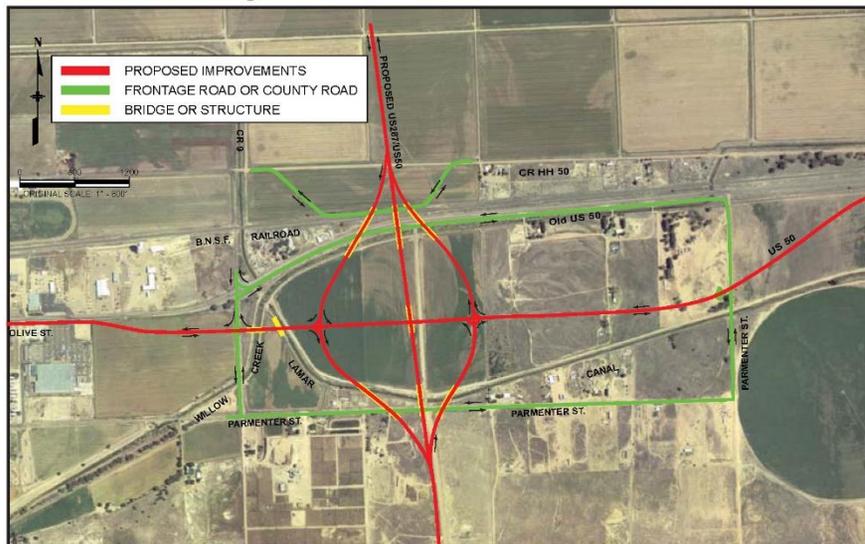
**Northern Intersection at Grade**



**Southern Intersection at Grade**



**Eastern Diamond Interchange**



# CHAPTER 3

## SUMMARY OF IMPACTS AND MITIGATION AND REQUIRED PERMITS



# Summary of Impacts and Mitigation and Required Permits

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## 3.1 Summary of Impacts and Mitigation

Table 3-1 summarizes the impacts of the Preferred Alternative and provides a detailed list of mitigation commitments that will be implemented to minimize identified impacts. All of the mitigation commitments listed in Table 3-1 apply to both the interim and the ultimate phases of construction and operations. CDOT will use Table 3-1 to track implementation of mitigation commitments through the design and construction of all phases of the Preferred Alternative. Additional information that CDOT tracks include the location of mitigation(s) in the plan sheets or project specifications, the date that mitigation is completed, the name of the person completing the mitigation, whether additional agency coordination was required, and, if so, the name of the agencies involved.

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

<b>Mitigation Commitment #</b>	<b>Mitigation Category</b>	<b>Impact</b>	<b>Commitment From Mitigation Table In Source Document</b>	<b>Responsible Party</b>	<b>Timing/Phase of Construction</b>
1	Air Quality	Fugitive dust emissions during construction.	CDOT will implement best management practices (BMPs) to control fugitive dust emissions: covering trucks hauling soil and other fine materials; stabilizing and covering stock pile areas; revegetating areas exposed for long periods; washing construction equipment to minimize offsite tracking of mud and debris; limiting construction-related vehicle speeds while off road; street sweeping; scheduling construction to minimize dust impacts.	CDOT Construction Engineering/CDOT Environmental	Throughout Construction
2	Air Quality	Fugitive dust emissions during construction.	CDOT will ensure the contractor will obtain an Air Pollutant Emission Notice (APEN) permit from the Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division, which includes a fugitive dust control plan.	CDOT Construction Engineering	After award of construction contract
3	Air Quality	Increased particulate matter less than 10 microns in diameter emissions during construction.	CDOT will develop construction equipment idling and start-up plan for reduction of non-working idling equipment and work site combustion engines.	CDOT Construction Engineering/CDOT Environmental	Throughout Construction
4	Archaeological Resources	Crossing the Arkansas River dune field, an archaeologically sensitive area with limited surface visibility.	Prior to construction, CDOT will excavate discontinuous deep trenches along the reliever route ROW centerline within the Arkansas River dune field, and an archaeologist will inspect the trenches for archaeological features.	CDOT Construction Engineering/CDOT Environmental	Final Design
5	Archaeological Resources	Crossing the Arkansas River dune field, an archaeologically sensitive area with limited surface visibility.	If previously unidentified archaeological resources are discovered during the excavation or other construction activities, work will be halted and CDOT's cultural resources manager will be contacted immediately.	CDOT Construction Engineering/CDOT Environmental	Throughout Construction

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

<b>Mitigation Commitment #</b>	<b>Mitigation Category</b>	<b>Impact</b>	<b>Commitment From Mitigation Table In Source Document</b>	<b>Responsible Party</b>	<b>Timing/Phase of Construction</b>
6	Floodplains	Constructing and operating the new alignment and river/stream crossing would disturb the Arkansas River floodplain and result in a minor rise in the Arkansas River base flood elevation (BFE)	Survey cross-sections of the Arkansas River to refine the Federal Emergency Management Agency (FEMA) effective model and proposed conditions models produced for this study.	CDOT Design Engineering	Final Design and Throughout Construction
7	Floodplains	Constructing and operating the new alignment and river/stream crossing would disturb the Arkansas River floodplain and result in a minor rise in the Arkansas River BFE	Design new bridges/structures in accordance with the CDOT Drainage Design Manual and provide the required freeboard to meet design criteria and regulatory requirements.	CDOT Design Engineering	Final Design
8	Floodplains	New structures would be constructed in or adjacent to the Willow Creek floodplain.	Design new bridges to reduce the number and size of piers required in the floodplain, thereby minimizing impacts to the stream channel and adjacent riparian areas.	CDOT Design Engineering	Final Design
9	Floodplains	New structures would be constructed in or adjacent to the Willow Creek floodplain.	Obtain from FEMA a CLOMR for Willow Creek during preliminary engineering to resolve inconsistency in mapped regulatory floodplain limits, and a Letter of Map Revision (LOMR) after construction is complete.	CDOT Design Engineering, FEMA	Final Design and Post-Construction
10	Floodplains	New structures would be constructed in or adjacent to the Willow Creek floodplain.	During final design, evaluate whether permanent water quality features and BMPs, consistent with the guidelines set by the CDOT New Development and Redevelopment Program, can be provided along Willow Creek in the project to enhance flood control.	CDOT Design Engineering	Final Design

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

<b>Mitigation Commitment #</b>	<b>Mitigation Category</b>	<b>Impact</b>	<b>Commitment From Mitigation Table In Source Document</b>	<b>Responsible Party</b>	<b>Timing/Phase of Construction</b>
11	Geology and Soils	Increased wind and water erosion during construction.	Implement BMPs to control erosion, including silt fencing, straw bales, diversion ditches, and dust palliatives.	CDOT Design Engineering and Construction Engineering	Throughout Construction
12	Geology and Soils	Increased bank erosion at Arkansas River bridge.	Stabilize banks as determined necessary during design with rip-rap or similar and by seeding with suitable native vegetation.	CDOT Design Engineering and Construction Engineering	Final Design
13	Geology and Soils	Increased wind erosion in and near dunes south of U.S. 50.	Seed disturbed areas with aggressive, drought-tolerant vegetation to stabilize soils.	CDOT Design Engineering and Construction Engineering	Throughout Construction
14	Groundwater	Water lines exist within the Preferred Alternative Footprint.	Project engineers will work with Lamar city officials to prevent impacts to utility lines.	CDOT Design Engineering	Throughout Construction
15	Hazardous Materials	Potential for impacts on previously identified hazardous material sites within the project footprint.	A site specific Initial Site Assessment will be performed during detailed project design. Mitigation will include soil and/or groundwater cleanup if necessary.	CDOT Design Engineering/CDOT Environmental	Final Design
16	Hazardous Materials	Potential for impacts on previously identified hazardous material sites within the project footprint.	CDOT will conduct a Phase 2 walk-through at the time of property acquisition to determine the location of any buried fuel tanks or other hazardous materials not previously identified.	CDOT Design Engineering/CDOT Environmental	Throughout Construction
17	Hazardous Materials	Potential for impacts on previously identified hazardous material sites within the project footprint.	If hazardous materials are encountered, CDOT will follow its Section 250 specifications in the CDOT 2011 Standard Specifications for Road and Bridge Construction.	CDOT Design Engineering and Construction Engineering	Throughout Construction

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

<b>Mitigation Commitment #</b>	<b>Mitigation Category</b>	<b>Impact</b>	<b>Commitment From Mitigation Table In Source Document</b>	<b>Responsible Party</b>	<b>Timing/Phase of Construction</b>
18	Historic Resources	Potential construction disturbance of previously unidentified sites.	CDOT will query the State Historic Preservation Officer (SHPO) COMPASS database prior to construction to ensure no new resources have been identified.	CDOT Environmental	Final Design
19	Historic Resources	Potential construction disturbance of previously unidentified sites.	If previously undiscovered historic resources are identified during construction activities, work would be halted and CDOT's cultural resources manager would be contacted immediately.	CDOT Construction Engineering/CDOT Environmental	Throughout Construction
20	Historic Resources	Crossings of eligible historic segments of Atchison, Topeka and Santa Fe Railroad, Fort Bent Canal, and Hyde Canal.	Highway crossings of irrigation ditches will be constructed to prevent permanent interruptions to delivery or impairing the quality of irrigation water.	CDOT Design Engineering and Construction Engineering	Final Design
21	Historic Resources	Crossings of eligible historic segments of Atchison, Topeka and Santa Fe Railroad, Fort Bent Canal, and Hyde Canal.	Bridges will be designed and built to span the width of the railroad and canals.	CDOT Design Engineering and Construction Engineering	Final Design
22	Historic Resources	Crossings of eligible historic segments of Atchison, Topeka and Santa Fe Railroad, Fort Bent Canal, and Hyde Canal.	BMPs will be implemented during construction to avoid and minimize impacts, including clearly marking the features and locating construction staging areas to avoid impacts to historic features.	CDOT Design Engineering and Construction Engineering	Throughout Construction
23	Historic Resources	Crossings of eligible historic segments of Atchison, Topeka and Santa Fe Railroad, Fort Bent Canal, and Hyde Canal.	CDOT will coordinate with BNSF Railway and irrigation ditch owners during final design to minimize impacts.	CDOT Design Engineering, CDOT Right-of-Way	Final Design

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

<b>Mitigation Commitment #</b>	<b>Mitigation Category</b>	<b>Impact</b>	<b>Commitment From Mitigation Table In Source Document</b>	<b>Responsible Party</b>	<b>Timing/Phase of Construction</b>
24	Historic Resources	Construction impacts to sites of concern to Native American tribes	Continue coordinating with tribal leaders during design and construction of the Preferred Alternative to ensure that no impacts to resources important to the tribes occur and that tribes are consulted if unexpected discoveries of remains or other resources of potential importance to tribes occur.	CDOT Design Engineering/CDOT Environmental	Throughout Construction
25	Irrigation	Potential for interrupted water delivery during construction	CDOT will coordinate with affected ditch companies to provide alternative conveyance systems or stage construction to avoid and/or minimize interrupting water delivery.	CDOT Design Engineering and Construction Engineering	Throughout Construction
26	Irrigation	Construct new crossings of Hyde Canal, Vista del Rio Ditch, Markham Arroyo, and the unnamed ditch and expand existing crossing of Fort Bent Canal and Lamar Canal south of U.S. 50.	Design and construct structures to cross irrigation facilities, preserve conveyance capability, and minimize interrupting water delivery.	CDOT Design Engineering and Construction Engineering	Throughout Construction
27	Irrigation	Construct new crossings of Hyde Canal, Vista del Rio Ditch, Markham Arroyo, and the unnamed ditch and expand existing crossing of Fort Bent Canal and Lamar Canal south of U.S. 50.	Permanent access to and travel along the canals will be maintained for ditch riders.	CDOT Design Engineering and Construction Engineering	Throughout Construction

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28	Irrigation	Construct new crossings of Hyde Canal, Vista del Rio Ditch, Markham Arroyo, and the unnamed ditch and expand existing crossing of Fort Bent Canal and Lamar Canal south of U.S. 50.	CDOT will coordinate design development with ditch companies to ensure compatibility with their system requirements.	CDOT Design Engineering	Throughout Construction
29	Local Economy	Highway-dependent businesses in downtown Lamar may suffer financially or relocate out of downtown Lamar.	CDOT will implement access controls on the ROW along the new alignment.	CDOT Design Engineering and Construction Engineering	Throughout Construction
30	Local Economy	Highway-dependent businesses in downtown Lamar may suffer financially or relocate out of downtown Lamar.	Main Street and Olive Street will be designated as "Business Route U.S. 287" and "Business Route U.S. 50."	CDOT Design Engineering and Construction Engineering	Throughout Construction
31	Local Economy	Highway-dependent businesses in downtown Lamar may suffer financially or relocate out of downtown Lamar.	CDOT will provide signage at the new intersections/interchanges and on the reliever route to clearly identify the reliever route and to identify access to the business district in downtown Lamar.	CDOT Design Engineering and Construction Engineering	Throughout Construction
32	Local Economy	Splitting of farm and ranch operations.	CDOT will coordinate with property owners during final design to provide access between split properties for vehicles, equipment, and livestock.	CDOT Design Engineering/CDOT Right-of-Way	Final Design

**TABLE 3-1**  
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33	Noxious Weeds	Increased vehicle usage may facilitate the spread of noxious weeds	Develop and implement a Noxious Weed Management Plan during final design that complies with CDOT guidance.	CDOT Design Engineering and Construction Engineering	Throughout Construction
34	Noxious Weeds	Increased vehicle usage may facilitate the spread of noxious weeds	Coordinate with state and local weed coordinators during final project design.	CDOT Design Engineering	Final Design
35	Noxious Weeds	Increased vehicle usage may facilitate the spread of noxious weeds	Russian thistle and tamarisk will be removed from CDOT ROW in the Arkansas River corridor.	CDOT Construction Engineering	Throughout Construction
36	Noxious Weeds	Increased vehicle usage may facilitate the spread of noxious weeds	Post-construction monitoring for noxious weeds will be conducted during the period for the restoration of the vegetative ground cover.	CDOT Construction Engineering, Maintenance, and Environmental	Post-Construction
37	Noxious Weeds	Construction activities may introduce invasive species through site disturbance.	Implement BMPs for noxious weed control during and after construction.	CDOT Construction Engineering	Throughout Construction and Post-Construction
38	Noxious Weeds	Construction activities may introduce invasive species through site disturbance.	The disturbed area will be reseeded immediately following construction with a weed-free mulch and native grass species mix.	CDOT Construction Engineering	Post-Construction
39	Paleontology	Impacts on previously unidentified paleontological resources.	If paleontological resources are identified during site disturbance activities, work will be halted and CDOT's paleontologist will be contacted immediately.	CDOT Construction Engineering/CDOT Environmental	Throughout Construction

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40	Right-of-Way	Acquire 385.30 acres of private property, including one residence and three businesses.	All property acquisition and relocation shall comply fully with the federal and state requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.	CDOT Survey and Right-of-Way	Throughout Construction
41	Right-of-Way	Acquire 125.30 acres of county land and 5.77 acres of city land.	CDOT will develop an Intergovernmental Agreement (IGA) with Prowers County and the City of Lamar detailing the land exchange regarding the relinquishment of the Alternative Truck Route and portions of U.S. 287 and the U.S. 50. Transfer of titles from one public agency to the other will occur, as denoted in the IGA.	CDOT Survey and Right-of-Way	Final Design
42	Right-of-Way	Acquire 1.35 acres of State Land Board land.	All property acquisition and relocation shall comply fully with the federal and state requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.	CDOT Survey and Right-of-Way	Final Design
43	Right-of-Way	Acquire 11.43 acres of land from the Port of Entry.	CDOT will execute an IGA with the Colorado State Patrol to detail the relocation of the Port of Entry facilities. CDOT will work with the Port of Entry to provide adequate queuing and storage space; establish a 3,000-foot separation from the Automated Vehicle Identification system to the Advanced Reader at the gore point to the Port of Entry; establish no "escape routes" for truck between Weigh-In Motion and Port of Entry; and provide adequate groundwater drainage among other considerations necessary for relocation of the Port of Entry.	CDOT Survey and Right-of-Way	Throughout Construction

**TABLE 3-1**  
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44	Riparian Areas, Wetlands, and Waters of the U.S.	Temporary and permanent impacts to waters of the United States and wetlands, and to riparian habitat areas associated with the Arkansas River.	During final design, CDOT will consider additional construction measures, such as steepening side slopes or constructing additional retaining walls where feasible, to potentially further reduce impacts to existing wetlands and potential waters of the U.S.	CDOT Design Engineering	Throughout Construction
45	Riparian Areas, Wetlands, and Waters of the U.S.	Temporary and permanent impacts to waters of the United States and wetlands, and to riparian habitat areas associated with the Arkansas River.	In both the interim and ultimate phases, retaining walls will be constructed at or near the edge of the proposed shoulder of the project in the sub-irrigated open meadow (WL-9) to reduce the project's impact to this specific wetland.	CDOT Design Engineering and Construction Engineering	Throughout Construction
46	Riparian Areas, Wetlands, and Waters of the U.S.	Impact acreages will be determined during final project design stages.	Acquire the appropriate nationwide and/or individual Clean Water Act (CWA) Section 404 permit(s). Mitigation according to United States Army Corps of Engineers (USACE) permitting requirements and CDOT guidelines. All wetlands, regardless of jurisdiction, will be replaced at a 1:1 ratio.	CDOT Design Engineering, CDOT Environmental	Final Design
47	Riparian Areas, Wetlands, and Waters of the U.S.	Impact acreages will be determined during final project design stages.	Appropriate Senate Bill 40 consultation with Colorado Parks and Wildlife (CPW) will be completed prior to construction. Impacts to riparian vegetation will be mitigated as determined during consultation with CPW (typically 1:1 tree and shrub replacement).	CDOT Design Engineering, CDOT Environmental	Final Design
48	Riparian Areas, Wetlands, and Waters of the U.S.	Impact acreages will be determined during final project design stages.	A project specific Wetland Mitigation Plan will be prepared that includes locations of permanent wetland mitigation sites identified during final design, if needed. Wetland mitigation banking credits are available from the CDOT Limon Bank located in Lincoln County, which can be used for both jurisdictional and non-jurisdictional mitigation.	CDOT Design Engineering, CDOT Environmental,	Final Design

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49	Sensitive Species	Impacts to sensitive species during bridge construction.	Schedule bridge construction seasonally to avoid nesting birds.	CDOT Construction Engineering/CDOT Environmental	Final Design and Throughout Construction
50	Sensitive Species	Impacts to sensitive species during bridge construction.	To the extent possible, schedule bridge construction seasonally to avoid fish spawning (April 15-June 30).	CDOT Construction Engineering/CDOT Environmental	Final Design and Throughout Construction
51	Sensitive Species	Impaired water quality for aquatic habitat.	Design bridge features to provide maximum water quality protection, including size and location of piers and abutments, and design to minimize scour and impacts to fish habitat.	CDOT Design Engineering and Construction Engineering	Final Design
52	Sensitive Species	Impaired water quality for aquatic habitat.	Discharge deck runoff to upland area before discharging to water bodies.	CDOT Design Engineering and Construction Engineering	Final Design
53	Sensitive Species	Wildlife strikes may increase on the highway.	Where feasible, design enlarged culverts to maintain connectivity across highway to allow small and large mammal movement.	CDOT Design Engineering	Post-Construction
54	Sensitive Species	Arkansas darter: Impaired water quality during construction.	Install water quality BMPs to ensure silt and other debris do not enter waterways.	CDOT Design Engineering and Construction Engineering	Final Design
55	Sensitive Species	Arkansas darter: Impaired water quality during construction.	Do not alter the hydrology of Markham Arroyo or the Hyde Canal.	CDOT Design Engineering and Construction Engineering	Final Design
56	Sensitive Species	Arkansas darter: Impaired water quality during construction.	Avoid or remove barriers to fish movement (i.e., waterfalls).	CDOT Design Engineering and Construction Engineering	Throughout Construction

**TABLE 3-1**  
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57	Sensitive Species	Arkansas darter: Impaired water quality during construction.	To the extent possible, time construction of bridge over the Arkansas River to avoid sedimentation of the river during spawning and egg incubation (April 15- June 30).	CDOT Construction Engineering	Throughout Construction
58	Sensitive Species	Arkansas darter: impaired water quality during construction	Coordinate with the United States Fish and Wildlife Service (USFWS) prior to final design and construction to determine whether site conditions, project description, or species status have changed.	CDOT Design Engineering/CDOT Environmental	Prior to and during final design
59	Sensitive Species	Least tern: direct loss of habitat.	Survey for suitable habitat. If suitable habitat does exist, avoid impact during the nesting season (April 15-August 19).	CDOT Design Engineering/CDOT Environmental	Construction during nesting season
60	Sensitive Species	Least tern: direct loss of habitat.	Coordinate with USFWS prior to final design and construction to determine whether site conditions, project description, or species status have changed.	CDOT Design Engineering/CDOT Environmental	Prior to and during final design
61	Sensitive Species	Lesser prairie-chicken: direct loss of habitat.	Contact CPW prior to final design and construction for updated information on leks.	CDOT Design Engineering/CDOT Environmental	Design period
62	Sensitive Species	Lesser prairie-chicken: direct loss of habitat.	When possible, avoid any leks identified in the future.	CDOT Design Engineering and Construction Engineering	Throughout Construction
63	Sensitive Species	Lesser prairie-chicken: direct loss of habitat.	Coordinate with USFWS prior to final design and construction to determine whether site conditions, project description, or species status have changed.	CDOT Design Engineering/CDOT Environmental	Prior to and during final design
64	Sensitive Species	Piping plover: direct loss of habitat.	Survey for suitable habitat at the Arkansas River. If suitable habitat does exist, avoid impact during the nesting season (May 1-June 28).	CDOT Design Engineering/CDOT Environmental	Final Design

**TABLE 3-1**  
 US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative

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65	Sensitive Species	Piping plover: direct loss of habitat.	Coordinate with USFWS prior to final design and construction to determine whether site conditions, project description, or species status have changed.	CDOT Design Engineering/CDOT Environmental	Prior to and during final design
66	Sensitive Species	Suckermouth minnow: Impaired water quality during construction.	Implement water quality BMPs during construction.	CDOT Construction Engineering	Throughout Construction
67	Sensitive Species	Suckermouth minnow: Impaired water quality during construction.	To the extent possible, time construction of bridge over the Arkansas River to avoid sedimentation of the river during spawning and egg incubation (April 15-June 30).	CDOT Construction Engineering	Throughout Construction
68	Sensitive Species	Plains leopard frog: direct loss of habitat.	To the extent possible, avoid work along canal margins May - July to minimize impact to metamorphosing larvae.	CDOT Construction Engineering	Throughout Construction
69	Sensitive Species	Plains leopard frog: direct loss of habitat.	Maintain current hydrology.	CDOT Design Engineering and Construction Engineering	Throughout Construction
70	Sensitive Species	Yellow mud turtle: direct loss of habitat.	Use BMPs to keep highway construction/operation pollutants from entering waterways.	CDOT Design Engineering and Construction Engineering	Throughout Construction
71	Sensitive Species	Yellow mud turtle: direct loss of habitat.	If possible, provide structures that will allow safe passage under the highway (see swift fox conservation measures for details).	CDOT Design Engineering and Construction Engineering	Throughout Construction
72	Sensitive Species	Texas horned lizard: direct loss of habitat.	If possible, provide structures that will allow safe passage under the highway (see swift fox conservation measures for details).	CDOT Design Engineering and Construction Engineering	Throughout Construction

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73	Sensitive Species	Massasauga: direct loss of habitat.	Maintain native range conditions in areas outside of the clear zone, within the highway ROW, that are not farmed after construction is complete.	CDOT Construction Engineering	Post-Construction
74	Sensitive Species	Bald eagle: direct loss of habitat.	Survey for nests and roosts. If found, follow CPW guidelines for buffer zones and seasonal restrictions.	CDOT Design Engineering/CDOT Environmental	Final Design
75	Sensitive Species	Bald eagle: direct loss of habitat.	Work between July 31 and October 15 if a nest is located within 0.50 mile of the project footprint.	CDOT Construction Engineering	Throughout Construction
76	Sensitive Species	Bald eagle: direct loss of habitat.	Minimize impacts to prairie dog towns.	CDOT Design Engineering and Construction Engineering	Throughout Construction
77	Sensitive Species	Bald eagle: direct loss of habitat.	Minimize removal of large cottonwood trees.	CDOT Design Engineering and Construction Engineering	Throughout Construction
78	Sensitive Species	Burrowing owl: direct loss of habitat.	To the extent possible, schedule work to occur within prairie dog town before March 15 or after October 31	CDOT Construction Engineering	Throughout Construction
79	Sensitive Species	Burrowing owl: direct loss of habitat.	If scheduling outside the nesting season is not an option, survey for active nests within prairie dog towns according to CPW recommended survey protocols.	CDOT Design Engineering/CDOT Environmental	Throughout Construction
80	Sensitive Species	Burrowing owl: direct loss of habitat.	Active nests must be avoided out to a distance of 150 feet from edge of disturbance. Install a fence to delineate this boundary.	CDOT Construction Engineering	Throughout Construction
81	Sensitive Species	Burrowing owl: direct loss of habitat.	Oversizing of culverts will be examined during design to allow for prairie dog migration.	CDOT Design Engineering	Final Design

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82	Sensitive Species	Ferruginous hawk: direct loss of habitat.	Survey for nests prior to construction. If a nest is found, follow CPW guidelines (no work within 0.5 mile of a nest from February 1 through July 15). If an inactive nest is found, remove the nest prior to construction.	CDOT Design Engineering/CDOT Environmental	Final Design
83	Sensitive Species	Western snowy plover: direct loss of habitat.	Avoid impacting sandy areas near the Arkansas River.	CDOT Construction Engineering	Throughout Construction
84	Sensitive Species	Mountain plover: direct loss of habitat.	To the extent possible, work in habitat outside of nesting season (May 30-August 15). If that is not an option, survey suitable habitat prior to work. If an active nest is found, establish a no work zone 150 feet around the nest.	CDOT Design Engineering and Construction Engineering/CDOT Environmental	Throughout Construction
85	Sensitive Species	Long-billed curlew: direct loss of habitat.	To the extent possible, work in habitat outside of nesting season (May 30-August 15). If that is not an option, survey suitable habitat prior to work. If an active nest is found, establish a no work zone 150 feet around the nest.	CDOT Design Engineering and Construction Engineering/CDOT Environmental	Throughout Construction
86	Sensitive Species	Black-tailed prairie dog: direct loss of habitat.	Follow CDOT prairie dog management policy.	CDOT Design Engineering/CDOT Environmental	Throughout Construction
87	Sensitive Species	Swift fox: direct loss of habitat.	Minimize amount of impact to habitat taken in southern one-third of project footprint.	CDOT Design Engineering and Construction Engineering	Throughout Construction

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88	Sensitive Species	Swift fox: direct loss of habitat.	Design structures that will allow safe passage under the highway. According to a study conducted by the California Department of Transportation entitled <i>Effects of Four-Land Highways on Desert Kit Fox and Swift Fox: Inferences for the San Joaquin Kit Fox Population</i> , (Clevenger, et. al., April 30, 2010), culverts or concrete box culverts should be placed as often as possible within swift fox habitat and should be a minimum of 24 inches by 24 inches in size.	CDOT Design Engineering and Construction Engineering	Throughout Construction
89	Surface Water	Water crossings could concentrate deck runoff, increase scour, accumulate debris, and cause other similar water quality impacts.	Design bridge features to provide maximum water quality protection, including size and location of piers and abutments, and design to minimize scour. These mitigation features will be designed to minimize impact on aquatic habitat.	CDOT Design Engineering and Construction Engineering	Final Design
90	Surface Water	Water crossings could concentrate deck runoff, increase scour, accumulate debris, and cause other similar water quality impacts.	Treat stormwater runoff from bridge deck using BMPs prior to discharging to adjacent water bodies.	CDOT Design Engineering	Final Design
91	Surface Water	Increase impervious surfaces	Follow CDOT's Specification for Road and Bridge Construction to implement temporary and permanent water quality BMPs.	CDOT Design Engineering	Final Design
92	Surface Water	Increase impervious surfaces	During final design, develop permanent water quality BMPs such as detention ponds or swales, consistent with the guidelines set by the CDOT New Development and Redevelopment Program, to treat stormwater runoff. The water quality impacts will be modeled to determine the appropriate permanent water quality BMPs.	CDOT Design Engineering	Final Design

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93	Surface Water	New and modified crossings of eight water bodies.	Obtain a Section 404 permit as necessary from USACE for proposed bridges and wetland impacts associated with waters of the United States.	CDOT Design Engineering and Environmental	Final Design
94	Surface Water	New and modified crossings of eight water bodies.	Submit a Pre-Construction Notification Letter to the USACE during final design to document the design of the proposed bridge and roadway approaches.	CDOT Design Engineering and Construction Engineering	Final Design
95	Surface Water	Stormwater runoff from construction activities.	During construction, implement BMPs to protect water quality, including installing silt fences, maintaining sufficient distance between soils stockpiles and water bodies, and similar actions.	CDOT Design Engineering, Construction Engineering, and Environmental	Throughout Construction
96	Surface Water	Stormwater runoff from construction activities.	Obtain Colorado Discharge Permit System (CDPS) permit from CDPHE for stormwater discharges associated with construction activities. The CDPS will require the development of a Stormwater Management Plan, to be implemented for the duration of construction.	CDOT Construction Engineering, CDOT Environmental	Final Design and Throughout Construction
97	Transportation	The reliever route would increase the length of the state highway system.	CDOT will execute an IGA with the City of Lamar and/or Prowers County to establish the terms of CDOT transferring ownership of ROW, address timing of construction of improvements, formalize partnerships, establish conditions for future capacity improvements, and define who is responsible for maintenance of the existing Main Street and Olive Street alignments. CDOT will devolve existing U.S. 287 through Lamar once the IGA is complete and the reliever route is in operation.	CDOT Design Engineering and Right-of-Way	Final Design

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98	Transportation	Temporary detours and road and access closures during construction.	CDOT will create a detour plan for construction phase, including advance signing to minimize out-of-direction travel. Access to private properties will be provided by existing county road network via Lake Road, gated access at CR 8, and realignment of local roads in the vicinity of the existing intersection between U.S. 50 and the existing gravel Alternative Truck Route.	CDOT Traffic and Safety Engineering	Final Design
99	Transportation	Temporary detours and road and access closures during construction.	CDOT will develop a public information plan to inform the public and affected businesses in advance of lane closures, detours, and construction activities to minimize traffic disruption.	CDOT Construction Engineering and Public Information Office	Final Design
100	Utilities	Potential for interrupted utility delivery during construction.	CDOT will survey for all utilities within and adjacent to the project area during final design.	CDOT Utilities	Final Design
101	Utilities	Potential for interrupted utility delivery during construction.	CDOT will coordinate all utility impacts with the City of Lamar, Prowers County, and private and public utility providers throughout project design and construction.	CDOT Utilities	Final Design and Throughout Construction
102	Utilities	Potential for interrupted utility delivery during construction.	Impacts to buried utilities may be avoided by protecting them with encasements.	CDOT Utilities	Throughout Construction
103	Utilities	Potential for interrupted utility delivery during construction.	Utilities will be relocated if they cannot be avoided.	CDOT Utilities	Throughout Construction
104	Vegetation	Disturbance to tree stands during construction	In order to protect mature cottonwood trees during construction, CDOT will install orange fencing around all trees greater than 10 inches in diameter at breast height within the project area that are not to be removed.	CDOT Construction Engineering	Throughout Construction

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105	Vegetation	Disturbance to tree stands during construction	Willows will be protected during construction by trimming them to ground level, placing down a geotextile layer, covering it with a 12-inch layer of weed-free straw, and covering it up with fill. When construction is completed, the fill, straw and geotextile blanket will be removed and the willows will grow back from the preserved root stock. The straw layer acts as an indicator layer so the equipment operator is aware he/she is approaching native ground and needs to take extra care in not grubbing out the willow root stock. During design, specific locations for willow cutting transplants will be identified.	CDOT Construction Engineering	Throughout Construction
106	Vegetation	Disturbance to shortgrass prairie.	Minimize impacts to shortgrass prairie during construction. Native seed will be used for revegetation efforts.	CDOT Construction Engineering	Throughout Construction
107	Vegetation	Disturbance to shortgrass prairie.	Limit construction-related disturbances by implementing BMPs, including locating staging and storage areas away from sensitive vegetation.	CDOT Construction Engineering	Throughout Construction
108	Visual Resources	Introduces new highway infrastructure and lighting, including elevated structures, to sparsely populated rural area.	Disturbed areas on the new alignment will be revegetated with native vegetation per consultation with city and county officials	CDOT Construction Engineering	Throughout Construction
109	Visual Resources	Introduces new highway infrastructure and lighting, including elevated structures, to sparsely populated rural area.	CDOT will coordinate with the City of Lamar and Prowers County regarding aesthetics of the Preferred Alternative.	CDOT Design Engineering and Construction Engineering	Throughout Construction

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110	Visual Resources	Introduces new highway lighting into a currently unlit rural area.	Develop lighting plan during final design that illuminates necessary areas only and incorporates fixtures that are fully shielded and aimed downward to minimize light trespass.	CDOT Design Engineering	Final Design
111	Visual Resources	Removes vegetation during construction of highway improvements.	Landscape roadway shoulders with native grasses and create naturalized areas that take advantage of local runoff to allow native vegetation, including trees and shrubs, to establish.	CDOT Construction Engineering	Throughout Construction
112	Wildlife	Loss of riparian habitat along the Arkansas River.	Coordination with CPW will occur to determine appropriate mitigation strategy for riparian losses, in accordance with Senate Bill 40 guidelines.	CDOT Design Engineering/CDOT Environmental, CPW	Throughout Construction
113	Wildlife	Loss of shortgrass habitat along the reliever route.	Restoration or enhancement of disturbed habitat after construction will be conducted to mitigate for impacts that could not be avoided.	CDOT Design Engineering/CDOT Environmental	Post-Construction
114	Wildlife	Loss of shortgrass habitat along the reliever route.	To mitigate for wildlife impacts and to prevent birds from nesting, remove vegetation within construction zone outside of nesting season.	CDOT Construction Engineering	Throughout construction
115	Wildlife	Loss of shortgrass habitat along the reliever route.	Keep vegetation mowed to 6 inches or less prior to clearing and grubbing.	CDOT Construction Engineering	Throughout construction
116	Wildlife	Loss of roosting and foraging sites in mature cottonwood trees.	Site bridge to minimize removal of mature cottonwoods.	CDOT Design Engineering	Final Design
117	Wildlife	Interrupt wildlife movement along Arkansas River.	Design bridge to provide sufficient clearance for wildlife movement.	CDOT Design Engineering	Final Design
118	Wildlife	Interrupt wildlife movement along Arkansas River.	Tamarisk and Russian olive in CDOT ROW at Arkansas River crossing will be removed.	CDOT Construction Engineering	Throughout Construction

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119	Wildlife	Wildlife strikes may increase on the highway.	Where feasible, design enlarged culverts to maintain connectivity across highway to allow small and large mammal movement.	CDOT Design Engineering and Construction Engineering	Post-Construction
120	Wildlife	ROW fencing along reliever route may inhibit wildlife movement.	In ROW not adjacent to open rangeland for cattle, install smooth bottom wire fencing to facilitate crossing under fence by pronghorn.	CDOT Construction Engineering	Post-construction
121	Wildlife	Impaired water quality for aquatic habitat.	Design bridge features to provide maximum water quality protection, including size and location of piers and abutments, and designing to minimize scour and impacts to fish habitat.	CDOT Design Engineering	Final Design
122	Wildlife	Impaired water quality for aquatic habitat.	Treat stormwater runoff from bridge deck using BMPs prior to discharging to adjacent water bodies.	CDOT Design Engineering and Construction Engineering	Throughout Construction
123	Wildlife	Impaired water quality for aquatic habitat.	Construction and installation of the bridges over the Arkansas will avoid fish spawning season from April 15 to June 30.	CDOT Construction Engineering	Throughout Construction

## 3.2 Permit Requirements

Permits and other regulatory reviews, notifications, consultations, and approvals will be required for the implementation of the Preferred Alternative. Permits, like the mitigation commitments, apply to both the interim and ultimate phases. Table 3-2 lists the permits, notifications, or concurrences needed to implement the Preferred Alternative. These are also referenced in Table 3-1 where they will be tracked through implementation.

**TABLE 3-2**  
Required Permits, Notifications, or Concurrences

Permitting Agency	Permit
Colorado Department of Public Health and Environment	CDPS General Permit for Stormwater Discharges Associated with Construction Activities (COR030000) (requires Stormwater Management Plan) CDPS General Permit for Construction Dewatering Activities (COG070000) CDPS General Permit for Stormwater Discharges Associated with Municipal Separate Storm Sewer System COR090000 (permanent water quality BMPs) Construction Permit and APEN (fugitive dust control) Demolition Permit (requires asbestos survey) CDOT will ensure that the contractor obtains the APEN and CDPS permits during preconstruction.
United States Army Corps of Engineers	Section 401 Wetlands and Water Quality Certification of the CWA (required if Section 404 Individual Permit obtained) Nationwide CWA Section 404 (less than 0.5 acre) or Individual Section 404 Permit (more than 0.5 acre)
FEMA	Conditional Letter of Map Revision (CLOMR); LOMR (if flood elevation changed due to improvements)
Colorado Division of Parks and Wildlife	SB 40 Wildlife Certification (submit 60 days in advance of construction)
City of Lamar/Prowers County	IGA to document transfer of land among agencies Construction Noise Permit (if construction violates city or county noise ordinance)
Colorado State Land Board	Special Use Permit for encroachment upon property for which CDOT has not been granted ROW or IGA to document transfer of land among agencies
City of Lamar	IGA for maintenance and transfer of ownership rights for portions of relinquished ROW
Prowers County	IGA for maintenance and transfer of ownership rights for portions of relinquished ROW and existing gravel Alternative Truck Route
Colorado State Patrol	Secure approval for relocation of Port of Entry and execute IGA for relocation of Port of Entry from existing location to an agreed upon location along the reliever route.
CDOT Transportation Commission	Approval of transfer of ownership of current U.S. 287 and U.S. 50 ROW to City of Lamar and Prowers County. Approval of new alignment for proposed reliever route.

# CHAPTER 4 UPDATES AND CLARIFICATIONS TO THE ENVIRONMENTAL ASSESSMENT



# Updates and Clarifications to the Environmental Assessment

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## 4.1 Activities and Decisions Occurring since the Release of the Environmental Assessment

Activities occurring since the release of the EA include modification to the Preferred Alternative design to avoid a newly identified historic resource, completion of consultation with the State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (NHPA), changes in ROW impacts associated with the design modification, and a change in status of the lesser prairie-chicken from a federal candidate species to a federal threatened species under the Endangered Species Act.

### 4.1.1 Modification to Preferred Alternative

The Preferred Alternative has been modified to avoid a newly identified historic property. The south end of the reliever route alignment has been shifted approximately 200 feet east of the alignment proposed in the EA so that the existing U.S. 287 roadway can be used as a local frontage road as shown in Figure 4-1. No property acquisition will be needed from the historic property. The revision to the interchange and local road configuration would only affect the historic resources analysis and ROW (discussed in sections 4.1.2 and 4.1.3 below). No other resources would be affected by this change.

### 4.1.2 Revisions to Historic Resources Evaluation

#### Revised Area of Potential Effects and Cultural Resources Survey

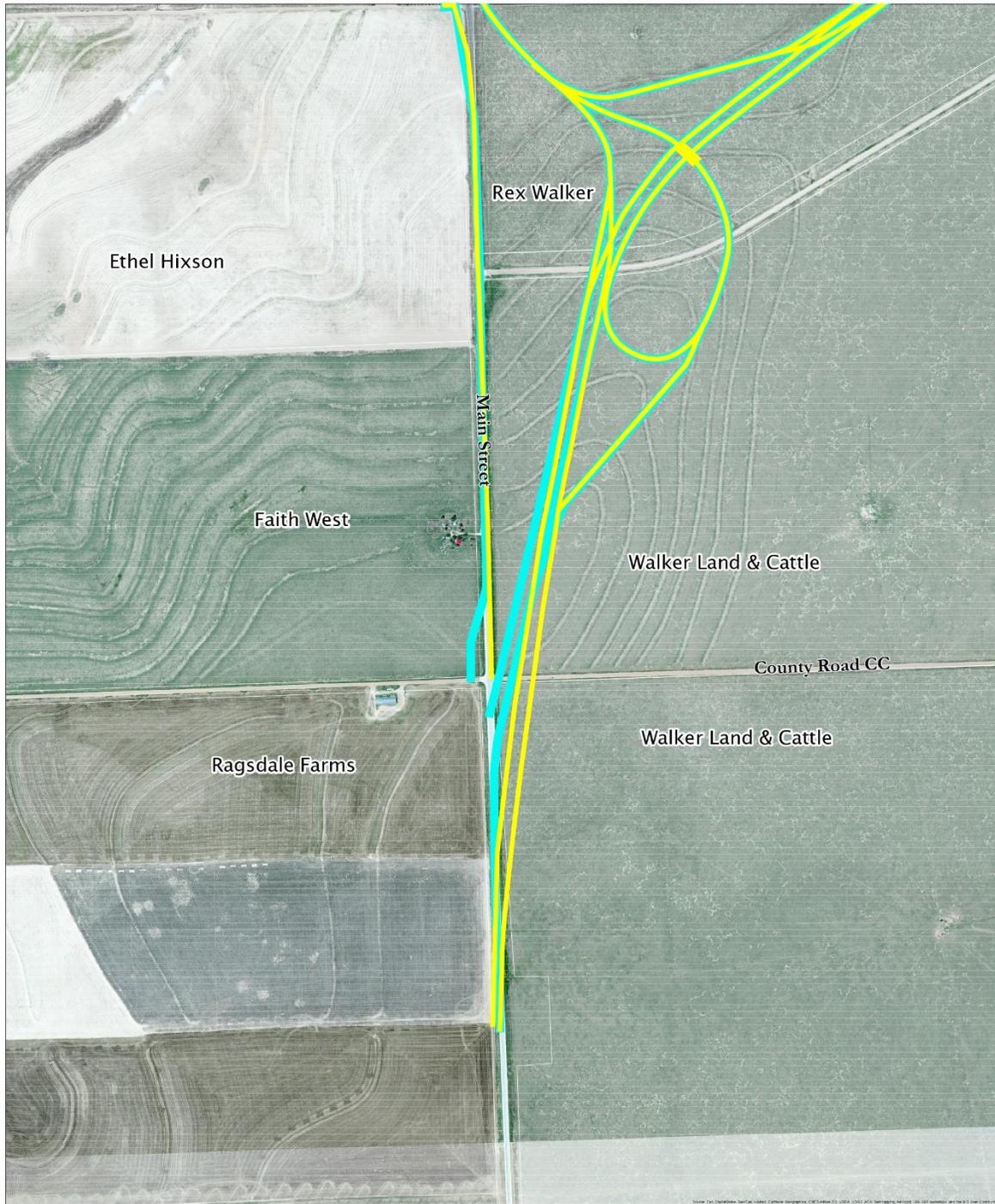
The Area of Potential Effects (APE) for historic resources was revised in February 2014 in consultation with the SHPO to include additional parcels adjacent to the reliever route alignment. An intensive-level survey of the APE was conducted in April 2014, and results were submitted to the SHPO and consulting parties in July 2014.

Thirty-two properties were documented in the APE in the April 2014 survey: seven (7) previously documented resources were re-evaluated, and twenty-five (25) resources were newly documented. Eleven (11) properties (including a single railroad with two documented segments) were evaluated as eligible for the National Register of Historic Places (NRHP) and twenty-one (21) were determined not eligible. The survey identified no changes in eligibility of any previously documented resources.

The April 2014 survey identified four properties eligible for listing in the NRHP that were not discussed in the US 287 at Lamar Reliever Route EA.

- Selby and Olive Sterrett Farm (eligible) (5PW398): The farm is historically associated with the early years of sheep raising in Prowers County and the Arkansas Valley, making it eligible under NRHP Criterion A. The farm and landscape are also illustrative of a typical 1930s sheep farm, making it eligible under Criterion C.

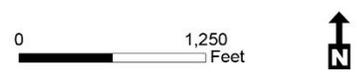
**FIGURE 4-1**  
Modification to the Preferred Alternative



**Legend**

- Parcel Boundary
- Original Preferred Alternative Alignment
- Modified Preferred Alternative Alignment

**MODIFICATION TO THE PREFERRED ALTERNATIVE**  
*US287 at LAMAR*



- Southeastern Colorado Cooperative (eligible) (5PW406): This property is associated with the mid-twentieth-century agricultural and farmers' cooperative movement in southeastern Colorado and is eligible under NRHP Criterion A. The site embodies the architectural characteristics of a farmers' cooperative and is eligible under NRHP Criterion C as well.
- Palmer House (eligible) (5PW418): This property is eligible under NRHP Criterion C for its Queen-Anne style architecture.
- West Ranch (eligible) (5PW424): This ranch is historically associated with the early years of stock and dairy cow raising in Prowers County, making it eligible under NRHP Criterion A. The farm and landscape are illustrative of a typical 1930s stock and dairy ranch, making it eligible under NRHP Criterion C.

The Big Timbers Museum (5PW58), was determined eligible previously but was not discussed in the EA and is therefore also addressed in this section. The Big Timbers Museum (5PW58) is eligible under NRHP Criterion A for its association with the development of regional telephone communication and under NRHP Criterion C as an example of the Colonial Revival style of architecture.

The Amity Canal (5PW161) was also previously determined eligible. A segment of the canal (5PW161.2) was surveyed and found to be non-supporting of the overall eligibility of the linear resource. The Amity Canal is eligible under NRHP Criterion A for its significance in the development of agriculture, stock raising, and crop production in southeastern Colorado, but the segment surveyed (5PW161.2) lacks integrity and is non-contributing to the overall eligibility of the canal.

In 2010, CDOT evaluated a section of the Lamar downtown commercial area along Main Street/US Highway 287 from Washington Street to Oak Street for historic district potential. The area was assigned site number 5PW298 and in consultation with the State Historic Preservation Office (SHPO) was determined not eligible for the NRHP based on the lack of sufficient integrity. However, Historic Downtown Lamar is working toward designation of downtown Lamar as a local historic district or listing on the NRHP. The EA noted that CDOT was continuing consultation on the downtown district, and results of the consultation would be addressed in the decision document. To date, no further developments in the designation of the downtown district as a local historic district or listing on the NRHP have occurred.

## Effects

As a result of the July 2014 consultation with the SHPO and consulting parties, the Preferred Alternative was determined to have *No Adverse Effect* with regard to the Big Timbers Museum (5PW58), the Sterrett Farm (5PW398), the Southeastern Colorado Cooperative (5PW406), and the West Ranch (5PW424) and *No Historic Properties Affected* at the Palmer House (5PW418) and Amity Canal segment (5PW161.2). The July 2014 consultation also included effect determinations for five linear resources that had previously been evaluated in the 2003 and 2008 field surveys, but were re-evaluated because the effects at these locations were determined to be greater than the segment lengths identified in the original surveys. The linear resources segments that were expanded include the Atchison, Topeka, and Santa Fe Railroad (Segments 5PW152.5 and 5PW152.6), the Lamar Canal (5PW191.1),

Fort Bent Canal (5PW192.1), the Vista Del Rio Seep (formerly irrigation) ditch (5PW193.1), and the Hyde Canal (5PW194.1). To accurately represent the segment of the Lamar Canal (5PW191) found in the APE, two previously documented segments (5PW191.1 and 5PW191.2) were combined and extended into one segment now identified as 5PW191.1.

Effect determinations for the eligible properties are presented in Table 4-1 and are further described in correspondence between CDOT and the SHPO in Appendix B, Agency Correspondence. Section 106 consultation is now complete and CDOT has identified mitigation for historic resources in Chapter 3 of this FONSI.

**TABLE 4-1**  
Effects to Eligible Historic Properties Evaluated in July 2014 Survey

Site No.	Site Name	Level of Impact	Determination of Effect
5PW58	Big Timbers Museum	No direct or indirect impact	No Adverse Effect
5PW152.5	ATSF Railroad	Direct impact	*No Adverse Effect
5PW152.6	ATSF Railroad	Direct impact	*No Adverse Effect
5PW161.2	Amity Canal	No direct impact	Non-contributing; No Historic Properties Affected
5PW191.1	Lamar Canal	Direct impact	*No Adverse Effect
5PW192.1	Fort Bent Canal	Direct impact	*No Adverse Effect
5PW193.1	Vista del Rio Seep Ditch	Direct impact	*No Adverse Effect
5PW194.1	Hyde Canal	Direct impact	*No Adverse Effect
5PW398	Sterrett Farm	No direct or indirect impact	No Adverse Effect
5PW406	Southeastern Colorado Cooperative	Direct impact	No Adverse Effect
5PW418	Palmer House	No direct or indirect impact	No Historic Properties Affected
5PW424	West Ranch	No direct impact	No Adverse Effect

\*SHPO concurred with *No Adverse Effect* to this resource in May 2011 consultation.

### 4.1.3 Revised Right-of-Way Needs

The shift of the south end of reliever route alignment to the east to avoid the newly identified historic property (Figure 4-1) would reduce private property impacts west of the reliever route by 0.50 acre and would increase private property impacts east of the reliever route by 6.9 acres. The property with increased impacts would continue to be a partial acquisition, and no new properties would be affected.

Implementing the revised Preferred Alternative would require acquisition of 535.54 acres of property (rather than 529.14 acres identified in the EA), comprising 391.70 acres of privately

owned land (rather than 385.30 acres identified in the EA) and 143.84 acres of publicly owned land, including the county-owned, existing gravel Alternative Truck Route.

Table 3-8 from the EA is revised below to reflect changes in acquisition.

**TABLE 3-8 FROM THE EA**  
Right-of-Way Impacts

Acquisitions	Full	Ownerships	Acreage	Partial	Ownerships	Acreage	Total
Public*	5	1	11.43	3	2	7.12	18.54
Agriculture	1	1	72.13	49	27	274.29	346.42
Commercial	3	3	9.31	8	7	13.00	22.31
Residential	0	--	--	10	10	22.97	22.97
Total	9	5	92.86	70	46	317.38	410.24

\*Excludes the 125.30 acres of the Prowers County existing gravel Alternative Truck Route.

Source: CH2M HILL, 2007a.

#### **4.1.4 Change in Status of Lesser Prairie-Chicken under the Endangered Species Act**

The U.S. Fish and Wildlife Service revised the status of the lesser prairie-chicken from candidate to threatened on March 27, 2014. Because no leks are present in the vicinity of the project, as discussed in the EA, the change in status of the species does not change the No Effect determination.

## **4.2 Corrections and Clarifications to the Environmental Assessment**

### **4.2.1 Description of the No Action Alternative**

Several comments on the EA noted the need for continued maintenance on U.S. 287/Main Street, which CDOT acknowledges and is responsible to conduct as part of its operations and maintenance program. The No Action Alternative analyzed in the EA accurately describes the cross-section (travel lanes, turning lanes, parking areas, intersection configurations, and signal locations) that would remain if the Preferred Alternative is not constructed but does not clarify CDOT's maintenance responsibilities. CDOT is currently redesigning Main Street and will reconstruct the street in concrete with new bulb-out sections at cross streets to enhance pedestrian crossings.

### **4.2.2 Description of Relinquishment of Main Street and Olive Street**

The EA also accurately portrays the relinquishment of U.S. 287/Main Street and U.S. 50/Olive Street to the city and/or county if the Preferred Alternative is constructed and notes that an Intergovernmental Agreement would be initiated to document the relinquishment process, also called devolution. The Intergovernmental Agreement is an agreement to transfer ownership of the roadways to the local agencies. This FONSI clarifies that, as part of this transfer process, local agencies and CDOT will assess the condition of the

roadway and bridges to ensure that they meet CDOT standards prior to the transfer. That is, if the roadways require immediate repair, CDOT would conduct these repairs – or provide funding to the local agencies to conduct repairs – before the long-term operations and maintenance of the roadways is transferred.

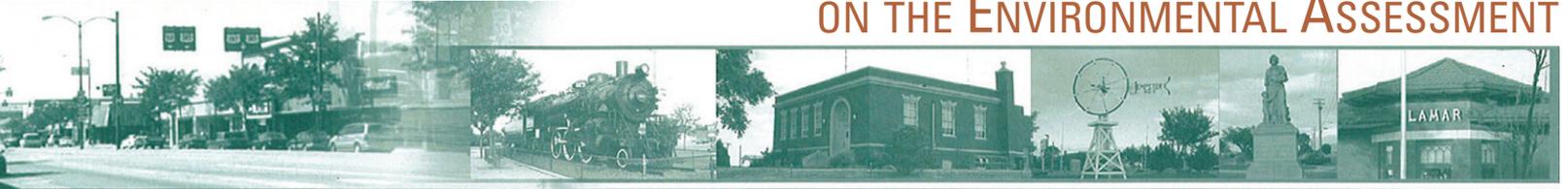
### **4.2.3 Mitigation Commitments**

The following mitigation commitments were changed or added in Table 3-1, US 287 at Lamar Reliever Route - Summary of Impacts and Mitigation for the Preferred Alternative, as a result of the public and agency comment period:

- CDOT has deleted the mitigation commitment to minimize the use of orange construction fencing to limit temporary visual impacts near historic resources because the measure was determined unnecessary.
- CDOT has added mitigation commitments to consult with the USFWS regarding the four federally protected species (piping plover, lesser prairie-chicken, least tern, and Arkansas darter) prior to final design and construction to determine whether site conditions, project description, or species status have changed.
- CDOT has revised the mitigation commitments to avoid construction during nesting season for state-listed special status bird species and during critical reproductive cycles of state-listed special status frog species, to the greatest extent reasonably possible.

# CHAPTER 5

## PUBLIC AND AGENCY INVOLVEMENT AND COORDINATION ON THE ENVIRONMENTAL ASSESSMENT



Chapter 5  
Public and Agency Involvement and  
Coordination on the Environmental  
Assessment



# Public and Agency Involvement and Coordination on the Environmental Assessment

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CDOT published the EA on September 3, 2013, which initiated a 30-day review period that concluded on October 3, 2013. During that time, comments were solicited from agencies and the public, and a public hearing was held on September 19, 2013 in Lamar.

## 5.1 Agency Involvement and Coordination

CDOT and FHWA held numerous meetings, conversations, and field trips with federal, state, and local agencies and other organizations. Representatives shared concerns and ideas about the Proposed Action, existing environmental conditions and potential environmental impacts, and applicable mitigation strategies.

The project team engaged the following agencies and organizations:

- Natural Resources Conservation Service
- United States Army Corps of Engineers
- United States Environmental Protection Agency
- United States Fish and Wildlife Service
- Colorado Department of Revenue
- Colorado Parks and Wildlife
- Colorado Department of Public Health and Environment
- Colorado Historical Society
- Colorado State Land Board
- Colorado State Patrol
- Prowers County
- City of Lamar
- Arkansas River Power Authority
- Lower Arkansas Water Management Association
- Lamar Community College
- Southeast Colorado Enterprise Development, Inc.
- Prowers County Floodplain Administrator
- BNSF Railway
- Colorado Motor Carriers Association
- Ports-to-Plains Alliance
- Lamar Chamber of Commerce

## 5.2 Tribal Consultation

In addition to governmental agencies and other organizations, FHWA and CDOT consulted with Native American tribes during project development to determine their interest in the project. Consultation with a Native American tribe recognizes the government-to-government relationship between the U.S. government and sovereign tribal groups, and federal agencies must be sensitive to the fact that historic properties of religious and cultural significance to one or more tribes may be located on ancestral, aboriginal, or ceded lands beyond modern reservation boundaries.

Seven federally recognized tribes with an established interest in Prowers County, Colorado, were invited by letter to participate in the project. Consulting tribes are offered the opportunity to identify concerns about cultural resources and comment on how the project might affect them. By describing the proposed undertaking and the nature of known cultural sites, and consulting with the interested Native American community, FHWA and CDOT strive to effectively protect areas important to Native Americans. Consulting parties received project information as it became available; documentation of consultations is included in Appendix B of this FONSI.

The Cheyenne and Arapaho Tribes of Oklahoma and the Comanche Nation of Oklahoma requested to be considered consulting parties, indicating a specific concern regarding a known Native American burial site located within the reliever route project area. As described in *Section 3.6, Historic Properties* of the EA and summarized in Table 3-1, the Proposed Action would not affect any known Native American resources, and the burial site of concern would not be affected. However, CDOT's cultural resources manager will continue coordinating with tribal leaders during design and construction of the Preferred Alternative to ensure that no unexpected discoveries of remains or other resources important to the tribes occur.

## 5.3 Public Involvement and Coordination

CDOT provided many opportunities for public involvement and input into developing the Lamar reliever route project, including public meetings, newsletters, one-on-one meetings, presentations, a telephone hotline (no longer in use), and a project website (<http://www.coloradodot.info/projects/us287lamar>). These activities are summarized in more detail in Chapter 5 of the attached EA (see Appendix C). Many of the public involvement opportunities occurred early in the EA development (in 2002 and 2003) when the project team was working actively to develop the Proposed Action. Due to changing priorities within CDOT, little progress on the reliever route project occurred between 2003 and 2010, and as a result, a long period passed between early public involvement activities and the publication of the EA. To ensure current affected property owners adjacent to the reliever route were informed of the project, CDOT sent postcards inviting them to the September 19, 2013 public hearing and notifying them of the publication of the EA. Notices of the public hearing were also provided through other methods, as described in Section 5.4 of this FONSI.

Although the reliever route is not heavily populated and minority populations are not present along the alignment, about 25 percent of Lamar households speak Spanish. To ensure that opportunities were provided to non- or limited-English speakers interested in the project, public information materials and meeting advertisements were published in both Spanish and English, and Spanish translators were provided at public meetings.

## 5.4 Environmental Assessment Availability and Public Hearing Summary

CDOT hosted a public hearing on September 19, 2013 to provide information about the EA and solicit public and agency comments on the document. Notices of the hearing were provided in the *Lamar Daily News*, the *Prowers County Ledger*, and the *Pueblo Chieftain*, on the project website, and through postcards to potentially affected property owners along the reliever route and other residents in Lamar and Prowers County. Press releases were provided to radio stations, which also provided announcement of the hearing.

The hearing included an open house with display materials illustrating the Proposed Action and providing details on the project background, purpose and need, alternatives considered, environmental impacts, proposed mitigation, and public comment opportunities. CDOT also provided an informational presentation and an opportunity for meeting attendees to provide oral comments. Members of the public, local business owners, property owners, and elected officials attended the meeting, totaling 63 people. Four people made formal comments at the microphone following the presentation and five written comment forms were submitted. Additional details of the public hearing, including copies of notices, presentation, display materials, and sign-in sheet, are contained in Appendix A.

In addition to the public hearing, letters were sent to organizations and agencies involved in the EA (see Section 5.1 of this FONSI). Agency correspondence is included in Appendix B of this FONSI.

A total of 15 comment documents were submitted by agencies and members of the public during the comment period. Comments were received at the hearing and via email, letters, and the project website. Comments centered on alternative options, economic analysis, safety, and project costs and implementation. All comments and responses to those comments are included in Section 5.5 of this FONSI.

## 5.5 Responses to Comments Received on the Environmental Assessment

At the end of the public comment period (October 3, 2013), each comment document was assigned a unique identification number. A total of 15 comments were received during the public comment period through the following methods:

- Public hearing transcript
- Comment forms
- Email
- U.S. Mail

The content of each comment has not been edited or changed in any manner. Comments from federal, state, or local agencies were given identification numbers beginning with the descriptor FSL. Comments from elected officials were given identification numbers beginning with the descriptor EO. Individual comments from residents, business owners, or other interested parties were given identification numbers beginning with the descriptor IND. Each comment document was delineated by topic to organize the responses. **Table 5-1** provides an index of

comments received. **Table 5-2** presents the comments received and responses to those comments.

**TABLE 5-1**  
Index of Comments Received

<b>Name</b>	<b>Comment Number</b>	<b>Source</b>	<b>Page</b>
<b>Comments from Federal, State, Local Agencies</b>			
John Sutherland, Lamar City Administrator	FSL-01	Comment Form	5-5
United States Fish and Wildlife Service	FSL-02	Email	5-6
United States Army Corps of Engineers	FSL-03	Letter	5-7
<b>Comments from Elected Officials</b>			
Crespin, Kirk; Lamar City Council	EO-01	Comment Form	5-9
Crespin, Kirk; Lamar City Council	EO-02	Verbal Comment	5-10
Stagner, Roger; Lamar Mayor	EO-03	Comment Form	5-11
<b>Comments from residents, business owners, and other interested parties</b>			
Augustine, Beverly	IND-01	Comment Form	5-15
Demas, George	IND-02	Verbal Comment	5-16
Harboor, Doug	IND-03	Comment Form	5-17
Hixson, Jillane	IND-04	Verbal Comment	5-18
Hixson, Jillane	IND-05	Email	5-20
Kelley, Carolyn	IND-06	Letter	5-22
Marsh, David	IND-07	Letter	5-23
Marsh, Micky	IND-08	Letter	5-24
Pruett, Leonard	IND-09	Verbal Comment	5-25

**TABLE 5-2**  
Comments Received and CDOT Response to Comments

Federal, State, and Local Agencies		
Comment	Response	
<p><b>Comment Number: FSL-01</b>      <b>Name: John Sutherland, City of Lamar Administrator</b> <b>Comment Form</b></p>	<p><b>Response to Comment #FSL-01:</b> <b>Response to Comment #FSL-01-a:</b></p> <p>The EA analyzes the impacts of the Preferred Alternative on safety, congestion, and commerce. The Preferred Alternative will allow both north-south U.S. 287 and east-west U.S. 50 through-traffic to avoid the downtown area. It will route through-traffic onto a higher speed, access-controlled highway, allowing improved travel conditions and travel times for through-trips, and accommodating future growth in freight traffic on the Ports-to-Plains Trade Corridor. As described in <i>Section 3.1, Transportation</i>, in the EA, the reduction of truck and through-traffic on Main Street and Olive Street will improve traffic operations by reducing delays from slow-moving trucks at traffic signals and reducing conflicts between local and through-traffic. The reduction of truck and through-traffic on Main Street will also improve safety downtown by minimizing conflicts with vehicles parallel parking, by reducing the number of hazardous loads traveling through town and crossing the BNSF Railway at-grade, and by creating safer conditions for pedestrians crossing streets downtown. The Preferred Alternative would provide an opportunity for the community to enhance the business environment in downtown Lamar by reducing heavy truck traffic and other through-traffic, thereby improving travel and parking conditions for local traffic accessing businesses in Lamar.</p> <p><b>Response to Comment #FSL-01-b:</b></p> <p>As described in <i>Section 4.2, Corrections and Clarifications to the Environmental Assessment</i>, in this FONSI, CDOT is responsible for the maintenance and repair of U.S. 287 and U.S. 50 through Lamar. CDOT addresses maintenance issues when the need arises and as funding becomes available. CDOT is aware of the need to replace the existing roadway surface and is seeking Surface Treatment Plan funding to address the need. If awarded, CDOT would be able to repair the pavement, curb, gutters, and medians along U.S. 287 and U.S. 50 beginning in spring 2015.</p>	
 <p><b>U.S. 287 at Lamar Reliever Route Environmental Assessment</b></p> <p><b>PUBLIC HEARING COMMENT FORM</b></p> <p>Please provide any comments you have about the U.S. 287 at Lamar Reliever Route. Your input is valuable to this project and will be evaluated by CDOT and FHWA in the decision making process. Please consider the questions listed as you prepare your comments. Comments may also be submitted at <a href="http://www.coloradodot.info/projects/us287lamar">http://www.coloradodot.info/projects/us287lamar</a>.</p> <p>Name: <u>JOHN SUTHERLAND</u>      Organization: <u>CITY OF LAMAR</u></p> <p>Address: <span style="background-color: black; color: black;">[REDACTED]</span></p> <p>Email Address: <span style="background-color: black; color: black;">[REDACTED]</span></p> <p>Do you have any comments about the project's Purpose and Need or Proposed Action?</p> <p>FSL-01-a <u>REGARDLESS OF WHETHER CDOT PURSUES A TRUCK ROUTE OR SOMETHING ELSE - THE ISSUES OF SAFETY, CONGESTION, AND COMMERCE MUST BE ADDRESSED IT WOULD BE IRRESPONSIBLE FOR CDOT TO SHIRK THEIR LEADERSHIP RESPONSIBILITY - THE CURRENT STATE OF THE</u></p> <p>FSL-01-b <u>ROAD SURFACE IN LAMAR IS EMBARRASSING, DANGEROUS - IN NEED OF IMMEDIATE REPLACEMENT!!</u></p> <p>Do you have any comments about the project's environmental impacts?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Do you have any other comments you would like us to consider?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Please leave completed comment sheet in the drop box located at the exit/entrance</p> <p>If you prefer to return this at a later time, it must be received by Thursday October 3, 2013.</p> <p>Please mail to: Caitlin McCusker, Public Involvement Manager, CH2M HILL, 9193 S. Jamaica Street, Englewood, CO, 80112 or email to: <a href="mailto:caitlin.mccusker@ch2m.com">caitlin.mccusker@ch2m.com</a> or fax to: 720.286.8602</p>		

**Comment Number: FSL-02**

**Name: United States Fish and  
Wildlife Service  
Email**

FSL-02-a

My only comment regards the consultation on the Least Tern, Piping Plover, and Lesser Prairie-chicken. We consulted on the project and in our letter to CDOT dated 10/31/11 said that as project implementation approaches, we'd likely need to re-consult to determine whether site conditions, project description, or species status have changed. I didn't see that anywhere in the document, but did see in the Mitigation section (section 3.10) that CPW would be contacted. A copy of our letter is in Appendix A, but who ever looks at the appendices?!? I think that CDOT needs to ensure that the USFWS will be re-consulted also.

**Response to Comment #FSL-02:**

**Response to Comment #FSL-02-a:**

We have added to Table 3-1 of this FONSI mitigation commitments to consult with USFWS regarding the four federally protected species prior to final design and construction to determine whether site conditions, project description, or species status have changed.

Comment Number: FSL-03

Name: United States Army Corps  
of Engineers  
*Letter*REPLY TO  
ATTENTION OFDEPARTMENT OF THE ARMY  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
200 SOUTH SANTA FE AVENUE, SUITE 301  
PUEBLO, COLORADO 81003-4270

September 19, 2013

Regulatory Division

SUBJECT: Permit Required – Action No. SPA-2013-00435-SCO, US 287 at Lamar Reliever  
Route, Arkansas River and Tributaries, Lamar, Prowers County, ColoradoMs. Lisa Streisfeld  
CDOT, Region 2  
1480 Quail Lake Loop, Suite A  
Colorado Springs, CO 80906

Dear Ms. Streisfeld:

I am writing this letter in response to your request for comments in regards to Department of the Army permit requirements for the proposed US 287 at Lamar Reliever Route Project, in Lamar, located at approximately latitude 38.0730724514968, longitude -102.61291893921, in Prowers County, Colorado. Your project consists of relocating US 287 and US 50 from downtown Lamar to a new alignment approximately 1 mile east of Lamar for a non-stop route for regional truck and automobile traffic. We have assigned Action No. SPA-2013-00435-SCO to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided in the Environmental Assessment, we have determined that a Department of the Army permit is required since the project would most likely result in the discharge of dredged/fill material into waters of the United States. Please be advised that there are potential jurisdictional waters of the U.S. located in the vicinity of the project site and it is incumbent upon you to remain informed of any changes in the Corps Regulatory Program regulations and policy as they relate to your project.

This decision is based on a preliminary jurisdictional determination (JD) that there may be waters of the United States on the project site. Preliminary JDs are advisory in nature and may not be appealed. An approved JD is an official Corps determination that “waters of the U.S.” and/or “navigable waters of the U.S.” are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the Clean Water Act. If you wish, you may request that the USACE reevaluate this case and issue an approved JD. If you request an approved JD, you may not begin work until the approved JD, which may require coordination with the Environmental

**Response to Comment #FSL-03:****Response to Comment #FSL-03-a:**

CDOT will calculate impacts to wetlands and waters of the U.S. based on the preliminary Jurisdictional Determination and will seek the appropriate nationwide or individual CWA Section 404 permit from the USACE.

FSL-03-a

**Comment Number: FSL-03  
(continued)**

**Name: United States Army Corps  
of Engineers  
Letter**

- 2 -

Protection Agency, is completed. Please contact me if you wish to request an approved JD for this case.

If you have any questions concerning our regulatory program, please contact me at 719-543-8102 or by e-mail at [Christopher.M.Grosso@usace.army.mil](mailto:Christopher.M.Grosso@usace.army.mil). At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Christopher Grosso  
Regulatory Project Manager

**Elected Officials**

**Comment**

**Response**

**Comment Number: EO-01**

**Name: Kirk Crespin, Lamar City Council**

**Comment Form**



**U.S. 287 at Lamar Reliever Route Environmental Assessment**

**PUBLIC HEARING COMMENT FORM**

Please provide any comments you have about the U.S. 287 at Lamar Reliever Route. Your input is valuable to this project and will be evaluated by CDOT and FHWA in the decision making process. Please consider the questions listed as you prepare your comments. Comments may also be submitted at <http://www.coloradodot.info/projects/us287lamar>.

Name: Kirk Crespin Organization: City of Lamar  
 Address: [Redacted] Zip Code: 81052  
 Email Address: [Redacted]

**Do you have any comments about the project's Purpose and Need or Proposed Action?**

EO-01-a

*Understand the need - concerned with economic impact and concerned with funding - City and County does not have the resources to reconstruct main street or the bridges*

**Do you have any comments about the project's environmental impacts?**

**Do you have any other comments you would like us to consider?**

EO-01-b

*Hwy 50/Hwy 287 is deteriorating rapidly who will repair/maintain before these roads are given to the City and County*

Please leave completed comment sheet in the drop box located at the exit/entrance  
 If you prefer to return this at a later time, it must be received by Thursday October 3, 2013.  
 Please mail to: Caitlin McCusker, Public Involvement Manager, CH2M HILL, 9193 S. Jamaica Street, Englewood, CO, 80112 or email to: [caitlin.mccusker@ch2m.com](mailto:caitlin.mccusker@ch2m.com) or fax to: 720.286.8602

**Response to Comment #EO-01:**

**Response to Comment #EO-01-a:**

We assume your concern over the economic impact is in relation to the City of Lamar and Prowers County's lack of resources to pay for improvements to U.S. 287 and U.S. 50. As described in *Section 4.2, Corrections and Clarifications to the Environmental Assessment*, in this FONSI, CDOT is aware of the need to replace the existing roadway surface and is seeking Surface Treatment Plan funding to address this need. If funding is secured, CDOT would be able to repair the pavement, curb and gutters, and medians along the state highways beginning in Spring 2015.

If the Preferred Alternative is constructed, upon approval by the Colorado Transportation Commission, an intergovernmental agreement will document the transfer of ownership from CDOT to the City of Lamar and/or Prowers County. The condition of the roadway and bridges will be assessed and modified to meet required CDOT standards prior to the transfer, as described in *Section 4.2, Corrections and Clarifications to the Environmental Assessment*, in this FONSI.

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction of the Interim Phase of the Preferred Alternative.

**Response to Comment #EO-01-b:**

CDOT is responsible for the maintenance and repair of U.S. 287 and U.S. 50 through Lamar. CDOT addresses maintenance issues when the need arises and as funding becomes available. As noted in response to comment EO-01-a, CDOT is aware of the need to replace the existing roadway surface and is seeking funding to repair the pavement, curb and gutters, and medians along the state highways beginning in Spring 2015.

Until the Preferred Alternative is constructed, CDOT will retain ownership and maintenance responsibilities over U.S. 287 and U.S. 50. As noted in response to comment EO-01-a, if the Preferred Alternative is constructed, an intergovernmental agreement will document the transfer of ownership from CDOT to the City of Lamar and/or Prowers County, and the roadway and bridge condition will be assessed and modified, if needed, to meet required CDOT standards prior to the transfer.

**Comment Number: EO-02**

**Name: Kirk Crespin, Lamar City Council  
Verbal Comment**

EO-02-a { My name is Kirk Crespin. I'm one of the city council members for Lamar. One of the things that I wanted to speak about is, I've been a little torn on this whole project to begin with, but the main concern that I have, and one of the things that I would like to see addressed during your decision document, when you published your decision, is that we don't know how long the funding is going to be. You've said it yourself. It could be five years; it could be ten years.

EO-02-b { Our downtown Main Street is struggling right now. It hurts, not as the economy, I'm talking about the physical Main Street, Highway 287/Highway 50. If we were not to do nothing for the next five to ten years while you find funding, that's 17,000 trucks per day. By the time the city takes over that street or any of those roads, we're going to have rubble. And that's something that I think needs to be addressed between now and the time you take that over. What is going to happen with our Main Street? Are you going to do repairs to it? Are you going to reconstruct it? I know that was in your listing as far as alternatives and one that was discarded, but I believe it does need to be addressed soon because Main Street, I know right now they're doing patchwork. And I'm not real thrilled with the patchwork, but it's something that needs to be taken care of. So that's what I would like to have addressed in that.

**Response to Comment #EO-02:**

**Response to Comment #EO-02-a:**

CDOT recognizes repairs to Main Street are needed with or without the reliever route and that truck conflicts and congestion on Main Street will continue to worsen until the reliever route can be constructed. CDOT will continue routine maintenance on U.S. 287 in Lamar while funding is being secured for future ROW acquisition and for the construction of the reliever route. CDOT is moving forward with final design so that the project is ready for ROW acquisition and construction. The construction schedule remains unknown at this time until funding is identified.

**Response to Comment #EO-02-b:**

As described in *Section 4.2, Corrections and Clarifications to the Environmental Assessment*, in this FONSI, CDOT is responsible for the maintenance and repair of U.S. 287 and U.S. 50 through Lamar. CDOT addresses maintenance issues when the need arises and as funding becomes available. CDOT is aware of the need to replace the existing roadway surface and is seeking Surface Treatment Plan funding to address the need. If awarded, CDOT would be able to repair the pavement, curb, gutters, and medians along U.S. 287 and U.S. 50 beginning in spring 2015.

Ownership of the existing U.S. 287 and U.S. 50 roadways would be transferred to the City of Lamar and/or Prowers County and documented with an Intergovernmental Agreement with CDOT once the reliever route is constructed. When CDOT relinquishes ownership of U.S. 287 and U.S. 50, the City of Lamar and/or Prowers County will assume the maintenance responsibility, including snow plowing, resurfacing, and striping. The condition of the roadway and bridges will be assessed and, if necessary, modified to meet CDOT standards prior to the transfer, as described in *Section 4.2, Corrections and Clarifications to the Environmental Assessment*, in this FONSI.

**Comment Number: EO-03**      **Name: Roger Stagner, Lamar Mayor**  
*Comment Form*



**U.S. 287 at Lamar Reliever Route Environmental Assessment**

**PUBLIC HEARING COMMENT FORM**

Please provide any comments you have about the U.S. 287 at Lamar Reliever Route. Your input is valuable to this project and will be evaluated by CDOT and FHWA in the decision making process. Please consider the questions listed as you prepare your comments. Comments may also be submitted at <http://www.coloradodot.info/projects/us287lamar>.

Name: Roger Stagner      Organization: Mayor, City of Lamar / Stagner Inc  
 Address: [REDACTED]      Zip Code: 81052  
 Email Address: [REDACTED]

**Do you have any comments about the project's Purpose and Need or Proposed Action?**

- EO-03-a { There is not enough money for the project. We are in great need of repair for our current state highway which is Lamar's Main street. The greatest concern right now is to make Main Street safe for travel.
- EO-03-b { I would propose that the medians be removed and the street lights moved to the sides.
- EO-03-c { It would give at least 5 more feet of travel area. This would increase lane side on all 4 lanes by 1 foot with a double stripe in the middle.

**Response to Comment #EO-03:**

**Response to Comment #EO-03-a:**

As described in *Section 2.3, Cost and Funding*, in this FONSI, CDOT is currently working to secure funding for design, ROW acquisition, and construction of the Preferred Alternative. CDOT has secured some funding and is moving forward with final design so that the project is ready for construction as soon as funding is obtained.

**Response to Comment #EO-03-b:**

CDOT is responsible for the maintenance and repair of U.S. 287 and U.S. 50 through Lamar. CDOT addresses maintenance issues when the need arises and as funding becomes available. CDOT is aware of the need to replace the existing roadway surface and is seeking Surface Treatment Plan funding to address the need. If awarded, CDOT would be able to repair the pavement, curb, gutters, and medians along U.S. 287 and U.S. 50 beginning in spring 2015.

**Response to Comment #EO-03-c:**

CDOT considered similar improvements to those you suggest for Main Street under the "Reconstruct Main Street" alternative. This alternative would widen the cross-section for U.S. 287/Main Street to 12-foot travel lanes, 10-foot shoulders or 12-foot parking lanes, 10-foot sidewalks, and a striped center median. As described in *Section 2.1.2, Alternative A: Reconstruct Main Street*, of the EA, this alternative was determined not to meet the project purpose and need. Downtown business patrons would continue to experience difficulty in parallel parking along Main Street and Olive Street, and pedestrians and local motorists would continue to experience conflicts with heavy truck traffic. This alternative would not reduce truck traffic downtown or improve regional mobility. Current stop conditions and speed limits would remain in place, and travel times for through-trips would not improve. Local traffic operations and safety conditions on U.S. 287/Main Street would not improve because the continued high volumes of truck traffic traveling through town would perpetuate conflicts between local and truck and through-traffic. However, once the reliever route is constructed and the City of Lamar has jurisdiction over Main Street, the City may explore the types of changes your comment describes, such as changes to the medians, street lights, and/or travel lanes.

**Comment Number: EO-03  
(Continued)**

**Name: Roger Stagner, Lamar  
Mayor  
Comment Form**

**Do you have any comments about the project's environmental impacts?**

EO-03-d

I have met with many businesses along Hwy 287 and Hwy 50. These businesses say that their revenue will be cut by at least 40%. A more accurate survey of the businesses would result in different statistics. The information claiming that only 6% of businesses are ill affected is not accurate. The statistics are 11 years old and do not show present day economics. By using sales tax figures for the statistics then you have no way of knowing the true amount of sales. For instance, large items like vehicles sold to out of state customers have the sales tax registered in the state where they are living.

I think a more accurate approach would be for you to survey the current business along Hwy 287 and Hwy 50 to see who would be affected.

Please mail to: **Caitlin McCusker, Public Involvement Manager, CH2M HILL, 9193 S. Jamaica Street, Englewood, CO, 80112** or email to: [caitlin.mccusker@ch2m.com](mailto:caitlin.mccusker@ch2m.com) or fax to: 720.286.8602

**Response to Comment #EO-03 (continued):**

**Response to Comment #EO-03-d:**

Details of the economic analysis are provided in the Economic Analysis Technical Memorandum and associated addendum and errata sheet, found in the appendix to this FONSI. The appendix is contained on the CD attached to this document, and the appendix may be viewed on the CDOT project website at <http://www.coloradodot.info/projects/us287lamar/environmental-assessment/appendix-b>.

Sales tax revenues provide an accurate measure of business sales for all businesses, outside of car dealerships, where sales tax is assessed by the county in which the vehicle is registered. The economic analysis did not conclude that 6 percent of all businesses in Lamar could be affected by routing through-traffic to the reliever route. Rather, the economic analysis concluded that 6 percent of annual business sales in Lamar could be affected by routing through-traffic to the reliever route. The data presented in the economic analysis remain representative of current business conditions in Lamar, given the recent economic recession and decline in city and county population growth.

Although not all business owners were interviewed, interviews were conducted for the business survey with 20 business owners about their perceptions of how their business might be affected by a proposed project. Many of these owners expressed similar sentiments as echoed in this comment. A summary of the opinions include the following:

- Some felt that the project would have a major negative impact and that some businesses would not survive the project. Others expressed support for the project and did not think the project will hurt downtown business. Some expressed the belief that the project would hurt their business, yet they still felt the project would be a positive development for Lamar.
- Many expressed the opinion that what happens to land uses in the vicinity of the interchanges, particularly the east interchange at U.S. 50, will have a noticeable impact on business in Lamar. Main Street businesses expressed concerns that development would occur along the new alignment and interchanges, thus drawing more customers away from downtown.
- Designating the existing road as an "Alternate Business Route" may help bring customers into town.

**Comment Number: EO-03  
(Continued)**

**Name: Roger Stagner, Lamar  
Mayor  
Comment Form**

**Response to Comment #EO-03 (continued):**

**Response to Comment #EO-03-d (continued):**

- It is important to maintain the ease of access into Lamar (e.g., flyover interchange at north and south). It will be important to make it easy for shoppers to access Main Street.
- Concerns were expressed about the current lack of safety on Main Street and potential for spills of hazardous waste materials.
- Many expressed the opinion that the City of Lamar and Prowers County do not get along well on redevelopment issues, and that the City of Lamar could use some help to get redevelopment moving forward.
- Crystal Street access and good signage on the new highway are viewed as important by some businesses.
- Some expressed concern about the changes in downtown Limon after roadway changes were implemented and fear that something similar could happen to Lamar; others commented that Limon being on the interstate was a different situation.
- Some acknowledged that the Ports-to-Plains Trade Corridor designation increases the importance of building the new highway.

As described in *Section 3.2.1, Local Economy*, in the EA, the Preferred Alternative may indirectly impact the City of Lamar's economy by attracting new businesses or relocating existing businesses from Lamar to Prowers County to be nearer their customers along the reliever route. The Preferred Alternative could indirectly affect existing highway-dependent businesses on Main Street by diverting a portion of their customer base to the reliever route. Businesses that depend heavily on through-traffic could experience a loss in sales, and some of those businesses could close or choose to relocate. The lack of other comparably sized cities within 100 miles of Lamar would minimize the effects to highway-dependent businesses; travelers needing gas, food, or other services would likely stop in Lamar because no other large cities are nearby. From a regional economic perspective, this may provide new opportunities for businesses to locate along the reliever route.

Any reduced sales at highway-dependent businesses in Lamar would likely be offset by an improved business climate for destination businesses resulting from the reduction in trucks and other through-traffic on Main Street. Additionally, unobstructed views of Lamar from the north and east interchanges and from central segments of the reliever route would provide travelers visual information about the proximity of local businesses in Lamar. Other measures, such as the provision of visible way-finding signage along the reliever route to identify the Lamar business district, the designation of Main

**Comment Number: EO-03  
(Continued)**

**Name: Roger Stagner, Lamar  
Mayor  
*Comment Form***

**Response to Comment #EO-03 (continued):**

**Response to Comment #EO-03-d (continued):**

Street and Olive Street as business routes for U.S. 287 and U.S. 50, or local restrictions on the amount of development allowed at the reliever route interchanges, could also help minimize adverse impacts on Lamar businesses. As noted in response to comment IND-01-a, the Preferred Alternative would provide many benefits to businesses and residents in downtown Lamar. The City of Lamar and Prowers County may also examine the land use zoning along the reliever route and may elect to make changes to maximize economic benefits of the Preferred Alternative upon local community commerce.

**Individuals**

**Comment Number: IND-01**

**Name: Augustine, Beverly  
Comment Form**



**U.S. 287 at Lamar Reliever Route Environmental Assessment**

**PUBLIC HEARING COMMENT FORM**

Please provide any comments you have about the U.S. 287 at Lamar Reliever Route. Your input is valuable to this project and will be evaluated by CDOT and FHWA in the decision making process. Please consider the questions listed as you prepare your comments. Comments may also be submitted at <http://www.coloradodot.info/projects/us287lamar>.

Name: Beverly J. Augustine Organization: THE LASSIE Ladies Ready To Wear  
 Address: [Redacted] Lamar, CO. Zip Code: 81052  
 Email Address: \_\_\_\_\_

**Do you have any comments about the project's Purpose and Need or Proposed Action?**

IND-01-a

We have been a business owner on Main St. in Lamar for over 60 years. Have dealt with many changes but nothing as devastating as the number of trucks (and what they convey) that go by our front door every day! Lamar is a county seat, has excellent medical facilities, a progressive Junior College and is 100 miles from any large city. We should definitely be a business hub. Certainly not so at this time.

**Do you have any comments about the project's environmental impacts?**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Do you have any other comments you would like us to consider?**

IND-01-b

Thank you for bringing the excellent presentation and information regarding the 287 Reliever Route to Lamar. The pictures clearly defined the existing problems the truck traffic cause. It is overwhelming!! We have been waiting many years for a reliever route to become a reality. Hope it can happen before there is a serious catastrophe or all businesses are forced to close! Please leave completed comment sheet in the drop box located at the exit/entrance if you prefer to return this at a later time, it must be received by Thursday October 3, 2013. Please mail to: Caitlin McCusker, Public Involvement Manager, CH2M HILL, 9193 S. Jamaica Street, Englewood, CO, 80112 or email to: [caitlin.mccusker@ch2m.com](mailto:caitlin.mccusker@ch2m.com) or fax to: 720.286.8602 Sept. 26- 2013

**Response to Comment #IND-01:**

**Response to Comment #IND-01-a:**

As you note, the Preferred Alternative addresses the issues of safety, congestion, and local commerce. The alternative will allow truck traffic on both U.S. 287 and U.S. 50 to be rerouted from the downtown area to the new highway corridor. It will route through-traffic onto a higher speed, access-controlled highway, allowing improved travel conditions and travel times for through-trips, and accommodating future growth in freight traffic on the Ports-to-Plains Trade Corridor. As described in *Section 3.1, Transportation*, in the EA, the reduction of truck and through-traffic on Main Street and Olive Street will improve operations by reducing delays from slow-moving trucks at traffic signals and reducing conflicts between local and through-traffic. Reducing truck and through-traffic on Main Street will also improve safety downtown by minimizing conflicts with vehicles parallel parking, by reducing the number of hazardous loads traveling through town and crossing the BNSF Railway at-grade, and by creating safer conditions for pedestrians crossing streets downtown. CDOT will coordinate with staff from both the City of Lamar and Prowers County to develop way-finding signage to direct visitors to the downtown commercial core or to the reliever route for through-traffic.

The diversion of truck traffic to the reliever route also would enhance general environmental conditions along Main Street by reducing vehicle noise and diesel exhaust. The removal of many trucks and most hazardous materials carriers from the center of the city would benefit neighborhoods in Lamar by improving safety and mobility for vehicles and pedestrians on Main Street and Olive Street. Downtown businesses will experience improved local travel and parking conditions due to fewer conflicts between local and truck and through-traffic downtown.

**Response to Comment #IND-01-b:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction of the Interim Phase of the Preferred Alternative.

**Comment Number: IND-02****Name: Demas, George**  
**Verbal Comment**

IND-02-a

I just would like to say the success of this whole project, the highway I have no problem with. I think it's a good location. I think it always was. But Lamar has had a problem of image for years. When you approach Lamar from the north, south, the east to the west, what's the first thing you see? It's not very -- not very enticing to want to move here, is it? Well, I want to cover this because this is part of our problem. What happens here, the success of this whole thing is going to depend on what the county commissioners, the city council does, with the zoning and the enforcement of the land use on the bypass. And I'll call it the bypass yet. It's going to depend on what they do. If they do it properly and do not allow those bypasses to become cluttered, and they're not going to help Lamar at all. It's going to be detrimental to Lamar. But if it's done properly, I think it can help Lamar immensely, be the best thing we can do to help Lamar grow.

**Response to Comment #IND-02:****Response to Comment #IND-02-a:**

As you indicated in your comment and as described in the EA *Section 3.2, Socioeconomics*, the shift in types of businesses and land use patterns away from downtown to the reliever route is a decision controlled by the City of Lamar and Prowers County. Zoning and other land use controls, which are not under the purview of CDOT, dictate whether particular land uses will be allowed along the reliever route. Prowers County could consider restricting the amount of development allowed at the reliever route interchanges, but that land use decision is under the purview of Prowers County. CDOT will coordinate with staff from both the City of Lamar and Prowers County to develop way-finding signage to direct visitors to the downtown commercial core or to the reliever route for through-traffic.

CDOT will follow the regulations regarding outdoor advertisement on the reliever route ROW to minimize visual intrusion on the landscape. More information may be found in the June, 2011, CDOT Outdoor Advertising Manual and located on the CDOT website:

<http://www.coloradodot.info/library/manuals/OUTDOOR%20ADVERTISING%20%20Control%20Manual.pdf/view>.

Comment Number: IND-03

Name: Harboor, Doug  
Comment Form



U.S. 287 at Lamar Reliever Route Environmental Assessment

**PUBLIC HEARING COMMENT FORM**

Please provide any comments you have about the U.S. 287 at Lamar Reliever Route. Your input is valuable to this project and will be evaluated by CDOT and FHWA in the decision making process. Please consider the questions listed as you prepare your comments. Comments may also be submitted at <http://www.coloradodot.info/projects/us287lamar>.

Name: Doug Harboor Organization: citizen

Address: [REDACTED] Zip Code: 81052

Email Address: \_\_\_\_\_

Do you have any comments about the project's Purpose and Need or Proposed Action?

IND-03-a [ This project is really needed.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any comments about the project's environmental impacts?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any other comments you would like us to consider?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please leave completed comment sheet in the drop box located at the exit/entrance  
If you prefer to return this at a later time, it must be received by Thursday October 3, 2013.  
Please mail to: Caitlin McCusker, Public Involvement Manager, CH2M HILL, 9193 S. Jamaica Street, Englewood, CO, 80112 or email to: [caitlin.mccusker@ch2m.com](mailto:caitlin.mccusker@ch2m.com) or fax to: 720.286.8602

**Response to Comment #IND-03:  
Response to Comment #IND-03-a:**

Your support of the project is noted. CDOT is currently working to secure funding for design, ROW acquisition, and construction.

**Comment Number: IND-04****Name: Hixson, Jillane****Verbal Comment**

IND-04-a

So I'm confused that if you don't have the funding, and considering what's happened in northern Colorado and how many millions, if not billions of highway and bridges that have to be built in northern Colorado, I guess I'm curious if it's 10, 15, 20 years, I guess. And I like the project. It's great. But to me it seems like it's just a pipe dream because if there's no funding and there's so much demand for funding for the disaster that's just had, it's hard to get excited about something that seems so far out.

IND-04-b

And I have one more question or comment. I guess in order to lend full support, it seems to me like if we had a little more cost analysis of what the west route alternative that was considered versus the east route, that seems like to be cast in concrete already. It just seems like the west route goes through a lot more sagebrush whereas the eastern route is going to go through a lot more of existing businesses and infrastructure and ponds and so forth, whereas the alternative route that has apparently been discarded as an option is just going through sagebrush. And it seems like it would be catty-corner and save a lot more miles if it was. So is there any opportunity to take a look at that particular option and the cost analysis of that west route?

**Response to Comment #IND-04:****Response to Comment #IND-04-a:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction. CDOT is moving forward with final design so that the project is ready for ROW acquisition and construction. The construction schedule remains unknown at this time until funding is identified.

**Response to Comment #IND-04-b:**

As described in EA *Section 2.1, Corridor Evaluation of Alternatives*, during the planning and scoping for the Environmental Assessment, an evaluation of alternative corridor alignments was conducted to assess whether any possible corridor alignments could meet the purpose and need for the project. The corridor alternatives evaluation compared several conceptual corridors. The evaluation criteria included the following measures:

- Operations—improve regional travel conditions and travel times for through-trips; improve local operations along Main Street
- Improved Convenience—reduce conflicts between through traffic and local traffic.
- Future Improvements—accommodate future growth of freight traffic along the Port-to-Plains corridor.
- Safety—improve traffic and pedestrian safety in downtown by reducing conflicts between local traffic and truck and through-traffic.
- Right-of-way—minimize residential and business property acquisitions
- Economics—minimize impacts to businesses resulting from construction and operations.
- Environment—avoid or minimize impacts to environmental resources

**Comment Number: IND-04  
(Continued)**

**Name: Hixson, Jillane  
Verbal Comment**

**Response to Comment #IND-04 (continued):**

**Response to Comment #IND-04-b (continued):**

Cost was not one of the evaluation criteria because the alternatives analysis focused on the ability of the alternatives to meet the project purpose and need, independent of the associated cost considerations.

The convergence of U.S. 287 and U.S. 50 with the local street network in Lamar presents mobility and safety challenges for pedestrians, local traffic, through-travelers, and heavy trucks. You are correct that U.S. 287 accounts for more traffic volume per day than U.S. 50, as shown in EA Section 1.2.3, *Mobility*. However, U.S. 50 contributed 5,600 vehicles per day to traffic volumes on Main Street in 2010 (approximately 33 percent of total traffic) and is expected to contribute 6,700 vehicles per day in 2035 (still approximately 33 percent of total traffic) under the No Action Alternative. With the percentage of truck traffic that is present on U.S. 50, U.S. 50 would contribute 804 heavy trucks per day in 2035 to the total truck traffic on Main Street.

As described in EA Section 2.1.5, *Alternative D: New Alignment West of Lamar*, a western reliever route was not identified as the Proposed Action because it did not meet the project purpose and need as well as the eastern reliever route (the Proposed Action), and it would cause greater environmental impacts than the other alternatives. The Preferred Alternative requires approximately 1.85 additional highway miles than a western reliever route. However, a western reliever route would not improve regional mobility as well as the Preferred Alternative because it would not improve regional travel conditions and travel times for through-trips on U.S. 50. While northbound-southbound through-traffic on U.S. 287 would be re-routed to the west of Lamar, westbound-eastbound through-traffic on U.S. 50 would continue to travel through downtown Lamar and would continue to experience delays from the existing traffic signals and reduced speed limit on U.S. 50/Olive Street.

**Comment Number: IND-05****Name: Jillane Hixson****Email****Public Comment: US-287 Reliever Route****.. & Letter to the Editor (Lamar Ledger & Prowers Journal)**

At the September 19, 2013, Public Hearing for the US-287 Reliever Route, held in Lamar; I asked about the "**cost comparison**" of the East vs. West - Hwy 287 reliever route alternative. The response of the CDOT representatives was "cost was not a factor, in making a determination". -  
- I am greatly concerned about this response.

It occurs to me, that a by-pass route, West of 287 (South of the Elks Lodge, angling northwest to connect US 287 between Lamar & Wiley), would be nearly 1/3 of the miles, in comparison to the proposed "East" route .... and, thus, inevitably incurring much less cost. The alternative "West" route, traversing vacant land (consisting of sand & sage brush), would also incur less cost implications in regards to disrupting and displacing a number of homes/businesses, as well as construction of additional bridges, as required with the proposed "east" route.

The response of the CDOT representatives was, that the alternative "West" route was not conducive to connecting Hwy 50. However, I would speculate, that US 287 is at least 85% - 90% of the current and projected traffic flow; especially considering that it is (will be) a major artery of Ports to Plains (north/south -- Canada/Mexico). Per my simple observations, I-70 serves the major "national" artery for east-west traffic; while Hwy 50 essentially serves "local" area traffic, a small fraction of traffic to be resolved, and thus, less likely to utilize the reliever route.

If a less costly solution could be achieved, "substantially" reducing the outlay of precious tax payer's dollars, as well as reducing the "time-line" for implementation; then the "West" route alternative should be an "imperative" factor to be considered and presented to the public, before further action and dollars are expended on engineering designs for the "east" by-pass route.

Thus, I respectfully request, that CDOT provide the "cost analysis" of the above described West" route. \$110 Million is a considerable amount of "tax payer's dollars, and considering it will be nearly 10 years before funding becomes available to bring this concept to fruition (with inflation and cost over-runs, it will most likely cost considerably more), it seems there is ample time to fully consider the alternative "west" route.

It may be well justified to remain with the "East" reliever route ... but I, for one, would like to know the logistical and cost differentials of the "West" alternative route. Therefore, by copy of my "Public Comment to CDOT, I respectfully ask the **Prowers County Commissioners to formally request, of CDOT**, to provide the above described cost comparison, so that the public can be fully informed of all alternatives.

Thank You. Jillane Hixson

**Response to Comment #IND-05:****Response to Comment #IND-05-a:**

As described in EA *Section 2.1, Corridor Evaluation of Alternatives*, during the planning and scoping for the Environmental Assessment, an evaluation of alternative corridor alignments was conducted to identify whether any possible corridor alignments could meet the purpose and need for the project. The corridor alternatives evaluation compared several conceptual corridors using the evaluation criteria listed below. Cost was not one of the evaluation criteria because the alternatives analysis focused on the ability of the alternatives to meet the project purpose and need, independent of the associated cost considerations.

The evaluation criteria included the following measures:

- Operations—improve regional travel conditions and travel times for through-trips; improve local operations along Main Street
- Improved Convenience—reduce conflicts between through traffic and local traffic.
- Future Improvements—accommodate future growth of freight traffic along the Port-to-Plains corridor.
- Safety—improve traffic and pedestrian safety in downtown by reducing conflicts between local traffic and truck and through-traffic.
- Right-of-way—minimize residential and business property acquisitions
- Economics—minimize impacts to businesses resulting from construction and operations.
- Environment—avoid or minimize impacts to environmental resources

The convergence of U.S. 287 and U.S. 50 with the local street network in Lamar presents mobility and safety challenges for pedestrians, local traffic, through-travelers, and heavy trucks. You are correct that U.S. 287 accounts for more traffic volume per day than U.S. 50, as shown in EA *Section 1.2.3, Mobility*. However, U.S. 50 contributed 5,600 vehicles per day to traffic volumes on Main Street in 2010 (approximately 33 percent of total traffic) and is expected to contribute 6,700 vehicles per day in 2035 (still approximately 33 percent of total traffic) under the No Action Alternative. With the percentage of truck traffic that is present on U.S. 50, U.S. 50 would contribute 804 heavy trucks per day in 2035 to the total truck traffic on Main Street.

IND-05-a

**Comment Number: IND-05  
(Continued)**

**Name: Jillane Hixson  
Email**

**Response to Comment #IND-05 (continued):**

**Response to Comment #IND-05-a (continued):**

As described in EA *Section 2.1.5, Alternative D: New Alignment West of Lamar*, a western reliever route was not identified as the Proposed Action because it did not meet the project purpose and need as well as the eastern reliever route (the Proposed Action), and it would cause greater environmental impacts than the other alternatives. The Preferred Alternative requires approximately 1.85 additional highway miles than a western reliever route. However, a western reliever route would not improve regional mobility as well as the Preferred Alternative because it would not improve regional travel conditions and travel times for through-trips on U.S. 50. While U.S. 287 through-traffic would be re-routed to the west of Lamar, traffic on U.S. 50 would continue to travel through downtown Lamar and would continue to experience delays from the existing traffic signals and reduced speed limit on U.S. 50/Olive Street.

**Comment Number: IND-06**

**Name: Carolyn Kelly  
Letter**

September 7, 2013

**To Whom It May Concern:**

I will be unable to attend the public hearing in Lamar on September 19, and would like to submit the following comments on environmental concerns of truck traffic in our town.

For many years Lamar citizens have had to put up with the nearly 3,000 trucks per day that clog traffic on our Main Street. The trucks spew clouds of soot and diesel fumes, which are harmful to our air quality. The trucks cause fine, gritty dust to cover our storefront awnings, and everything in town. I am very concerned about the polluted air that our citizens are breathing. I am also concerned about the hazardous materials that are being transported through our town every day.

IND-06-a

Trucks that are too heavy can cause stress on our roads, and can create cracks and potholes. The excess weight is damaging to the asphalt and concrete. I'm concerned about the constant vibration to the older buildings in our business district.

I'm very concerned about the safety of our pedestrians and other drivers. I firmly believe that the trucks drive away tourists and local citizens. I also believe that the dust, noise, traffic, and loss of serenity are affecting property values in our town.

IND-06-b

In conclusion, I want to state that Lamar desperately needs a Reliever Route to be constructed in the near future for the health, safety, and peace of mind of our citizens.

Sincerely,

*Carolyn A. Kelley*  
Carolyn A. Kelley

**Response to Comment #IND-06:**

**Response to Comment #IND-06-a:**

CDOT recognizes the high volume of truck traffic that occurs in downtown Lamar. As described in EA *Section 1.2.3, Mobility*, in 2010 on U.S. 50 east of the intersection with U.S. 287/Main Street, traffic volume totaled 5,600 vehicles per day, 670 of which were trucks. In 2010 on U.S. 287 south of the junction with U.S. 50, traffic volume totaled 15,000 vehicles per day, 1,310 of which were trucks. In 2010 on U.S. 287 north of the junction with US 50, traffic volume totaled 17,000 vehicles per day, 1,550 of which were trucks. These volumes confirm that Lamar experiences high volumes of trucks through the downtown on a daily basis.

The Preferred Alternative will construct the reliever route that you have recommended and will address the concerns that you have identified in your comment. As described in EA *Section 3.1, Transportation*, 84 percent of heavy truck, non-stop, through-traffic is forecasted to utilize the reliever route, avoiding downtown Lamar and minimizing the environmental impacts that are of concern to you.

*Chapter 3, Affected Environment and Environmental Consequences* of the EA analyzed the impacts of No Action (that is, doing nothing) and the Proposed Action on environmental and social resources, including traffic, air quality, and noise. The diversion of truck traffic to the reliever route will reduce noise, dust, and diesel exhaust on Main Street. The removal of most trucks and hazardous materials carriers from the center of the city will benefit neighborhoods in Lamar by improving safety and mobility for vehicles and pedestrians on Main Street and Olive Street and reducing wear of and damage to pavement. Downtown business patrons will experience improved travel and parking conditions due to fewer conflicts between local and truck and through-traffic, allowing for a thriving business district. Noise levels under the Preferred Alternative are predicted to be lower in the downtown area in comparison to the existing noise levels and No Action in design year 2035 due to the reduction of heavy truck traffic.

**Response to Comment #IND-06-b:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction. CDOT is moving forward with final design so that the project is ready for construction as soon as funding is obtained. The construction schedule remains unknown at this time until funding is identified.

**Comment Number: IND-07      Name: Marsh, David  
Letter**

- IND-07-a { The Alternate Truck Route has been an on-going thing since 1989, and this is 2013 and we are still no further along than we were before. This project desperately needs to be done, so you need to shit or get off the pot! The truck traffic is destroying the highway thru Lamar – not to mention causing more and more congestion downtown.
- IND-07-b { The alternate truck route should be signed as a “Truck Route”. The other route into the city of Lamar needs to be signed “Business Route” and then the State would be responsible for the “signing and plowing” of the Business District. The highway department should already know this. It sounds like they just want to put the work and cost on the county and city.
- IND-07-c { When you have meetings, you need to answer questions instead of acting like politicians and skirting around the questions and issues.

**Response to Comment #IND-07:**

**Response to Comment #IND-07-a:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction. CDOT is moving forward with final design so that the project is ready for construction as soon as funding is obtained. The construction schedule remains unknown at this time until funding is identified.

**Response to Comment #IND-07-b:**

We assume you are recommending that the proposed reliever route be signed as a truck route. As described in EA *Section 3.2, Socioeconomics*, Main Street and Olive Street will be designated as “Business Route U.S. 287” and “Business Route U.S. 50.” Additionally, CDOT will provide signage at the new intersections/interchanges and on the reliever route to clearly identify the reliever route and to identify access to the business district in downtown Lamar. Ownership of the existing U.S. 287 and U.S. 50 roadways would be transferred to the city and county once the reliever route is constructed. When CDOT relinquishes ownership of U.S. 287 and U.S. 50 to the city and/or county, the city and county will assume the maintenance responsibility, including snow plowing, resurfacing, and striping.

If you are recommending that the existing gravel alternate truck route be signed as a truck route now, CDOT can only designate a route as a truck route if it owns and maintains that route. Because the existing gravel alternative truck route is not a CDOT facility, it cannot be signed as a truck route by CDOT.

**Response to Comment #IND-07-c:**

We assume that your comment about answering questions is related to the presentation session of the public hearing. Typically, the format of a public hearing is comprised of an open house and a formal presentation. The open house forum allows attendees to ask questions of CDOT, FHWA, and consultant staff on a one-on-one basis. The formal presentation is given by CDOT, with time left at the end for individuals to provide verbal comments about the project. The intent of the verbal comment period is to provide a forum for formal comments on the EA that CDOT and FHWA consider when making a decision about the project, and formal responses are provided in this decision document. CDOT is currently unable to provide a construction schedule because full funding for the project has not yet been identified but will continue working to identify funding for construction of the Interim Phase.

**Comment Number: IND-08**

**Name: Marsh, Micky  
Letter**

IND-08-a

The Alternate Truck Route has been an on-going thing since 1989, and this is 2013 and we are still no further along than we were before. This project desperately needs to be done. The truck traffic is destroying the highway thru Lamar – not to mention causing more and more congestion downtown.

IND-08-b

The alternate truck route should be signed as a “Truck Route”. The other route into the city of Lamar needs to be signed “Business Route” and then the State would be responsible for the “signing and plowing” of the Business District. The highway department should already know this. It sounds like they just want to put the work and cost on the county and city.

IND-08-c

When you have meetings, you need to answer questions instead of acting like politicians and skirting around the questions and issues. With all the individuals present representing the various departments, there should have been more than a hand full of questions answered. I realize these meetings are to get community input, but when you have no more facts than you had at this meeting how do you expect the people to get excited and support the project? I totally agree with Mrs. Hixson. The community wants definite plans and answers.

I heard numerous individuals comment that they would either be in nursing homes or dead by the time this was completed.

**Response to Comment #IND-08:**

**Response to Comment #IND-08-a:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction. CDOT is moving forward with final design so that the project is ready for construction as soon as funding is obtained. The construction schedule remains unknown at this time until funding is identified.

**Response to Comment #IND-08-b:**

As described in EA *Section 3.2, Socioeconomics*, Main Street and Olive Street will be designated as “Business Route U.S. 287” and “Business Route U.S. 50.” Additionally, CDOT will provide signage at the new intersections/interchanges and on the reliever route to clearly identify the reliever route and to identify access to the business district in downtown Lamar. Ownership of the existing U.S. 287 and U.S. 50 roadways would be transferred to the city and county once the reliever route is constructed. When CDOT relinquishes ownership of U.S. 287 and U.S. 50 to the city and/or county, the city and county will assume the maintenance responsibility, including snow plowing, resurfacing, and striping.

**Response to Comment #IND-08-c:**

We assume that your comment about answering questions is related to the presentation session of the public hearing. Typically, the format of a public hearing is comprised of an open house and a formal presentation. The open house forum allows attendees to ask questions of CDOT, FHWA, and consultant staff on a one-on-one basis. The formal presentation is given by CDOT, with time left at the end for individuals to provide verbal comments about the project. The intent of the verbal comment period is to provide a forum for formal comments on the EA that CDOT and FHWA consider when making a decision about the project, and formal responses are provided in this decision document. CDOT is currently unable to provide a construction schedule because full funding for the project has not yet been identified. CDOT will continue working to identify funding for the construction of the Interim Phase.

**Comment Number: IND-09**      **Name: Pruett, Leonard**  
*Verbal Comment*

IND-09-a { I'm Leonard Pruett, a resident in Lamar, living here something like 30 years, and of course worked on Main Street, right in a building where we saw the trucks go up and down the street, day after day, time after time. But I'm surprised that more people didn't get up and support this project. It's been in the process many years, getting it to this stage, and I think it's very much needed. It's been needed for a long time.

IND-09-b { As some of the slides show, there's like 17,000 vehicles go up and down this street daily. There will continue to be 17,000, and I'm going to say automobiles come in and out of town daily even after the relief plan gets done, if I understood the slides correctly. So there's no way that this street can handle 34,000 automobiles a day in and out of here, when half of them or more than half of them are trucks.

IND-09-c { So I think we really need to get behind. We need to support it. I definitely want to support it and go on the record as being in support of the bypass, the relief plan, and I think it's long overdue. It's something that's been needed for a long time, and I certainly appreciate you coming down and receiving our comments.

**Response to Comment #IND-09:**

**Response to Comment #IND-09-a:**

CDOT recognizes the need for this project and is currently working to secure funding for design, ROW acquisition, and construction. CDOT is moving forward with final design so that the project is ready for construction as soon as funding is obtained. The construction schedule remains unknown at this time until funding is identified.

**Response to Comment #IND-09-b:**

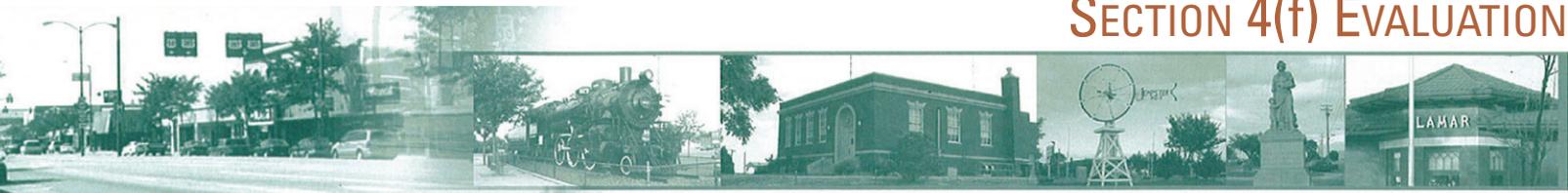
To clarify the traffic projections that you quoted in your comment, under the Preferred Alternative, traffic volumes on Main Street in the downtown business district, north of the intersection with Olive Street, equaled approximately 17,000 vehicles per day in 2010 and would equal approximately 16,900 vehicles per day in year 2035 with the reliever route in place. Under the No Action Alternative, traffic volumes in this same location on Main Street would grow to approximately 19,750 vehicles per day in 2035. The Preferred Alternative is forecasted to divert up to 84 percent of non-stop, regional truck trips and 30 percent of non-stop regional car trips from Main Street and Olive Street to the U.S. 287 reliever route. The diverted traffic volumes on the reliever route would equal approximately 2,400 vehicles per day north of U.S. 50 in year 2035.

Although both U.S. 287/Main Street and U.S. 50/Olive Street have adequate capacity to accommodate projected traffic volumes, the increased traffic would increase existing mobility problems. The lower traffic volumes on Main Street and Olive Street resulting from the rerouting of heavy trucks to the reliever route would be expected to improve the safety performance of those roads, as fewer crashes can be expected with lower traffic volumes. The diversion of many truck and car through-trips to the reliever route would improve local and regional mobility and freight delivery efficiency.

**Response to Comment #IND-09-c:**

Comment noted.

CHAPTER 6  
SECTION 4(f) EVALUATION



## Section 4(f) Evaluation

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Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, and codified in 40 United States Code Section 303, declares that “[I]t is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” These types of resources are protected under Section 4(f) and are often called Section 4(f) resources.

### 6.1 Activities and Decisions Occurring since the Release of the Section 4(f) Evaluation

CDOT continued consultation with the SHPO under Section 106 of the NHPA after the initial consultation efforts, which began in 2007. The APE for historic resources was revised in February 2014 (see Section 106 correspondence in Appendix B) in consultation with the SHPO to include additional parcels adjacent to the reliever route alignment. An intensive-level survey of the APE was conducted in April 2014. Determinations of eligibility and effect and intent to make a *de minimis* finding were submitted to the SHPO and consulting parties in July 2014, and the SHPO concurred with these determinations in July and August 2014. Section 106 consultation is now complete, and CDOT has identified mitigation for historic resources in Chapter 3 of this FONSI.

### 6.2 Section 4(f) Evaluation

The “use” of a Section 4(f) property that is minor in extent can be determined to be a *de minimis* impact. In accordance with 23 Code of Federal Regulations 774.5(d), FHWA can make a *de minimis* impact finding for historic properties if the SHPO concurs that the transportation program or project would have *No Adverse Effect* on the historic property. For projects on historic roads and bridges, use only occurs if there is an *Adverse Effect* to the historic transportation facility.

Initial field survey efforts for the Lamar Reliever Route were conducted in 2003, with updates completed in 2008 and 2009. An APE was officially identified in 2007 to reflect the proposed route and areas to be directly impacted by road construction. In 2008, CDOT identified and invited consulting parties to participate in the Section 106 consultation process. In 2009, CDOT conducted a reconnaissance survey of the downtown commercial area along US 287 through Lamar to determine the potential for a historic district. CDOT concluded, and SHPO concurred, that the downtown area identified by CDOT was not a historic district. In March 2013, CDOT submitted eligibility and effects of the three co-located highways in the project area – US 50, US 287, and US 385 – and plans to devolve portions of those highways to the local governments in exchange for construction of the new reliever route. SHPO concurred in correspondence dated April 3, 2013 that there was *No Adverse Effect* with regard to the highway devolution, and FHWA determined that there

was no use of the highway, and therefore, no Section 4(f) evaluation of the highways was needed.

In April 2014, additional survey work was completed to evaluate properties along the proposed reliever route that were not evaluated in the previous surveys. A total of 32 properties were evaluated within the project APE as part of this effort. Of these, eleven (11) were determined NRHP eligible, including five linear resources that were re-evaluated in the 2014 survey effort.

Of all the properties identified in the surveys between 2003 and 2014, there are six NRHP-eligible linear resources and one NRHP-eligible commercial property that result in a finding of *No Adverse Effect* and a use of the property that was evaluated in a *de minimis* finding. These *de minimis* impacts on these historic resources are described below in Table 6-1. No publicly owned parks, recreation areas, or wildlife or waterfowl refuges occur in the reliever route study area.

**TABLE 6-1**  
Summary of *De Minimis* Impacts to Section 4(f) Historic Resources

Site Number	Description	NRHP Eligibility	Criteria for Eligibility	Summary of Anticipated Use
5PW152.5	Segment of Atchison, Topeka, and Santa Fe Railroad	Eligible/non-supporting segment	Does not support eligibility of the resource	The impact to this railroad segment would be the demolition of the entire railroad segment, an area approximately 250 feet long by 36 feet wide (9,000 square feet), where it is crossed by the reliever route in the ultimate phase. Temporary occupation/easement would comprise an additional 40 feet (20 feet on either side of the reliever route roadway). This segment of the railroad does not support the eligibility of the entire linear resource, and demolition of this segment would not diminish potential significance of the entire linear resource. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.
5PW152.6	Segment of Atchison, Topeka, and Santa Fe Railroad	Eligible/supporting segment	Criterion A	This railroad segment would be impacted by the installation of one new bridge crossing over the railroad in the interim phase and three additional new bridge crossings (for a total of four new bridge crossings) over the railroad ROW in the ultimate phase, located in an easement approximately 760 feet long by 150 feet wide (114,000 square feet). Temporary occupation would comprise an additional 20 feet on either side of each crossing structure. Four structures constructed over the railroad would change the setting and feeling within this segment, but this crossing represents a small segment of the much larger linear resource, and the structures would not diminish potential significance of the entire linear resource. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.

**TABLE 6-1**  
 Summary of *De Minimis* Impacts to Section 4(f) Historic Resources

Site Number	Description	NRHP Eligibility	Criteria for Eligibility	Summary of Anticipated Use
5PW191.1	Segment of Lamar Canal	Eligible/ non-supporting segment	Does not support eligibility of the resource	<p>Under the interim phase, the reliever route mainline would consist of two 12-foot lanes and two 10-foot shoulders on a single bridge structure over the canal on the south side of the interchange. Under the ultimate phase, the reliever route mainline would be expanded to include two additional 12-foot lanes, one 10-foot exterior shoulder, and one 4-foot interior shoulder crossing the canal on a second bridge structure on the south side of the interchange. These structures would be in an easement approximately 1,100 feet long by 80 feet wide (88,000 square feet). Temporary occupation for construction purposes would comprise an additional 20 feet on either side of each crossing structure.</p> <p>The canal would be integrated into a box culvert that would be a maximum of 200 feet long by 12 feet wide (2,400 square feet) to carry Olive Street and interchange access ramps over the canal on the west side of the interchange. Temporary occupation for construction purposes would comprise an additional 20 feet on each side of the canal, resulting in a construction footprint 240 feet wide. CDOT would purchase a permanent easement approximately 250 feet long by 12 feet wide (3,000 square feet).</p> <p>This segment of the Lamar Canal does not support the eligibility of the entire linear resource, and the construction of structures over the canal and integration of the canal into a box culvert would not diminish the potential significance of the entire linear resource. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.</p>
5PW192.1	Segment of Fort Bent Canal	Eligible/ supporting segment	Criterion A	<p>This segment of the Fort Bent Canal would be integrated into a box culvert that would replace the existing culvert to accommodate the wider highway cross-section of the proposed reliever route. The box culvert will be approximately 84 feet by 12 feet (1,008 square feet) in the interim phase and a maximum of 194 feet by 12 feet (2,328 square feet) in the ultimate phase. Temporary occupation/ easements comprise an additional 20 feet by 12 feet (240 square feet) to each side of the canal. A permanent easement of 300 feet by 12 feet (3,600 square feet) is also needed. The integration of the canal into a box culvert would not diminish the potential significance of the entire linear resource. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.</p>

**TABLE 6-1**  
Summary of *De Minimis* Impacts to Section 4(f) Historic Resources

Site Number	Description	NRHP Eligibility	Criteria for Eligibility	Summary of Anticipated Use
5PW193.1	Segment of Vista del Rio Ditch	Eligible/ non-supporting segment	Does not support eligibility of the resource	This segment of the Vista del Rio Ditch would be integrated into a box culvert that would be approximately 84 feet long by 12 feet wide (1,008 square feet) in the interim phase and a maximum of 194 feet long by 12 feet wide (2,328 square feet) in the ultimate phase. A temporary occupation/easement of an additional 20 feet by 12 feet (240 square feet) to each side of the canal, and a permanent easement of 300 feet long and 12 feet wide (3,600 square feet), are also needed. This segment of the ditch does not support the eligibility of the entire linear resource, and the integration of the ditch into a box culvert would not diminish the potential significance of the entire linear resource. There would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.
5PW194.1	Segment of Hyde Canal	Eligible/ supporting segment	Criterion A	This segment of the Hyde Canal would be integrated into a box culvert that would be approximately 84 feet long by 12 feet wide (1,008 square feet) in the interim phase and a maximum of 194 feet long by 12 feet wide (2,328 square feet) in the ultimate phase. A temporary occupation/easement of an additional 20 feet by 12 feet (240 square feet) to each side of the canal, and a permanent easement of 300 feet long and 12 feet wide (3,600 square feet), are also needed. The integration of the canal into a box culvert would not diminish the potential significance of the entire linear resource. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.
5PW406	Southeastern Colorado Cooperative	Eligible	Criteria A and C	The current three accesses for this commercial property will be reduced to one and a temporary easement will be needed to tie into the access point. No property acquisition would occur, and the consolidation of three accesses to one would not diminish the property's ability to convey its significance. Therefore, there would be <i>No Adverse Effect</i> and a <i>de minimis</i> impact to the historic property.

### 6.3 Section 4(f) Finding

On September 30, 2014, FHWA made a finding of *de minimis* impact for each of the properties identified in Section 6.2. A copy of the signed *de minimis* is attached and included in Appendix B.

# CHAPTER 7

## FINDING OF NO SIGNIFICANT IMPACT



## **Finding of No Significant Impact**

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The U.S. 287 at Lamar Reliever Route EA and FONSI have been prepared in compliance with NEPA and other applicable environmental laws, Executive Orders, and related requirements. FHWA has determined that the Preferred Alternative described in Chapter 2.0 of this FONSI will have no significant impact on the human or natural environment. This FONSI is based on the EA and consideration of public and agency comments on the EA. The EA is contained on the attached disk in Appendix C, and responses to public and agency comments are presented in Chapter 5.0 of this FONSI. After independent evaluation of the EA and public and agency comments, FHWA and CDOT determined that the EA adequately and accurately describes the Preferred Alternative and discusses the purpose and need for the project, environmental issues and impacts of the proposed project, and the appropriate mitigation measures as summarized in Chapter 3.0 of this FONSI. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.