

3.0 PHASE 1 OF THE PREFERRED ALTERNATIVE

CDOT and FHWA identified a Preferred Alternative for the project in the FEIS, which is described in **Section 2.1.1 Final Detailed Alternatives** of this document. In this document, FHWA approves the selection of Phase 1 of the Preferred Alternative.

This section describes the project funding scenario, lists the elements included in Phase 1 improvements, explains how Phase 1 of the Preferred Alternative addresses the project Purpose and Need, discusses timing of future phases, and discloses impacts associated with Phase 1 of the Preferred Alternative.

3.1 PROJECT FUNDING SCENARIO

The Preferred Alternative is estimated to cost approximately \$760.5 million (based on preliminary design estimates in 2010 dollars) —including design, ROW acquisition, and construction — which is more than the approximately \$339.3 million currently identified for this project in the PACOG Fiscally Constrained Plan in the *Pueblo Area 2035 Long Range Transportation Plan*, as amended (PACOG, 2013). Because in a ROD the FHWA can only approve project improvements that are included in a Fiscally Constrained Plan, a phased approach is necessary. The identification of an initial phase for implementation is consistent with FHWA requirements to have funding for projects identified before final decisions are made. Phase 1 of the Preferred Alternative (as described in **Section 3.2 Description of Phase 1 Improvements** of this document) would cost between \$300 and \$315 million (2010 dollars). The elements included in Phase 1 of the Preferred Alternative are consistent with the projects, priorities, and funding identified in the Fiscally Constrained Plan. CDOT is preparing a project Financial Plan for Phase 1 of the Preferred Alternative that will be completed prior to Final Design for Phase 1 of the Preferred Alternative.

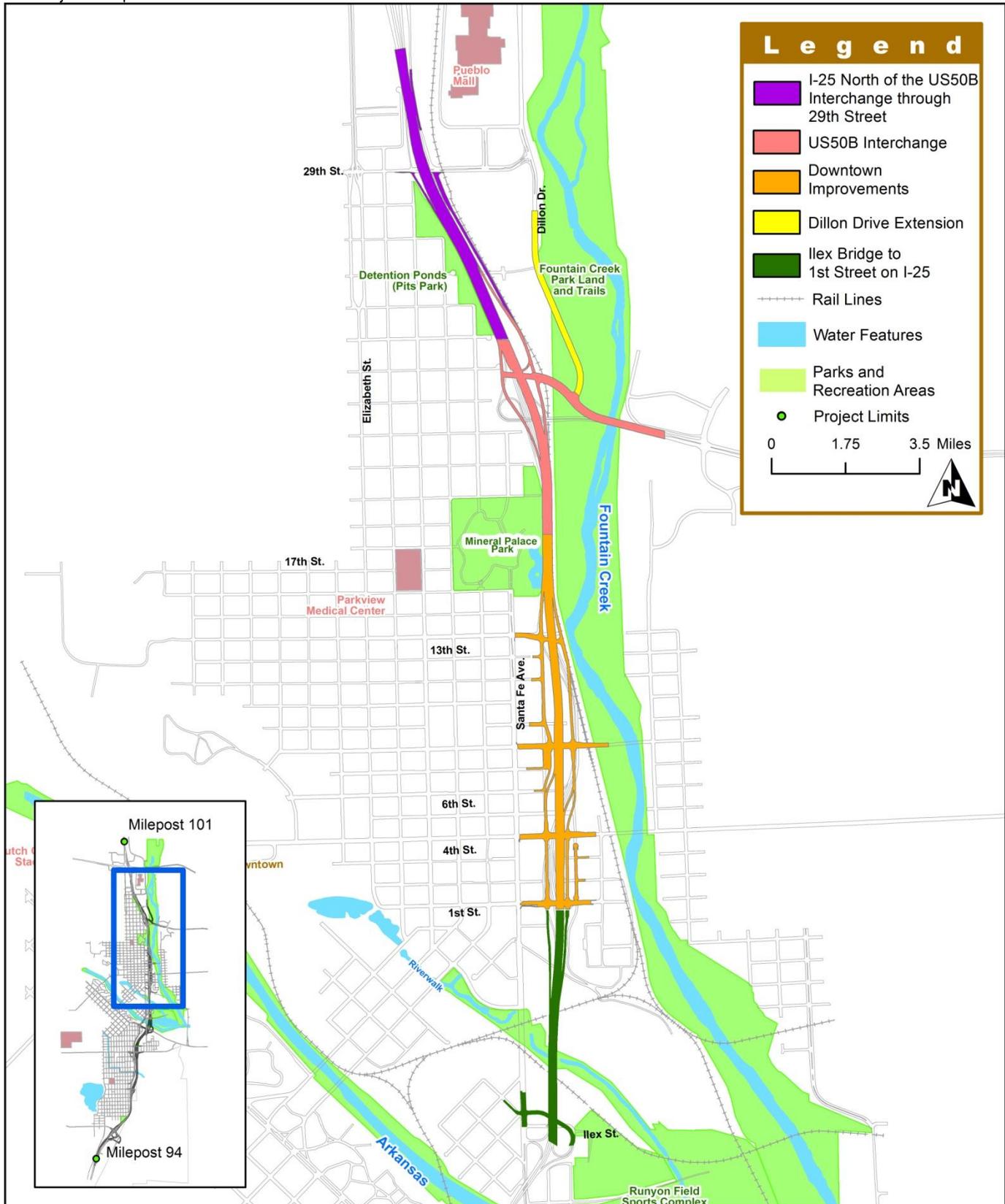
CDOT provided a one-time opportunity in 2013 to fund transportation projects through Local Agency (cities and counties) partnerships. This new effort is known as Responsible Acceleration of Maintenance and Partnerships (RAMP). This fund will provide an opportunity for local governments and CDOT to potentially move forward with projects that CDOT would not be able to fund alone. The City of Pueblo and Pueblo County applied to CDOT for RAMP funding on regionally important projects where they could provide a match in funds - including the first construction project included as part of Phase 1 of the Preferred Alternative, the Ilex Bridge to 1st Street on I-25 project, which will replace the existing bridges and widen I-25. The Ilex Bridge to 1st Street on I-25 project will receive an estimated \$68 million with \$36 million budgeted from the State of Colorado Bridge Enterprise Program (funded by State Bill 09-108 Funding Advancements for Surface Transportation and Economic Recovery [FASTER] legislation), \$22 million from RAMP, and \$10 million from FASTER Safety.

Projects that will be necessary to complete implementation of the entire Preferred Alternative but are not included in the first phased ROD may be identified in future RODs, which may be prepared as funding is identified and projects are identified in the Fiscally Constrained Plan. These future projects will be designed to minimize interim infrastructure for those parts of the project that would not have to be built if the entire Preferred Alternative were built at one time. These interim pieces come with additional impacts, which would result in irretrievable losses of labor, funding, energy, and materials, and environmental impacts such as an extended construction period resulting in more traffic delays and detours that would inconvenience residence, adjacent businesses, and community facilities. Implementation of future phases may not occur if funding beyond the initial phase cannot be identified.

3.2 DESCRIPTION OF PHASE 1 IMPROVEMENTS

Phase 1 improvements consist of five projects for highway widening and interchange reconstruction from milepost 101 south to the Ilex bridges, including a complete reconstruction of I-25 in the downtown area, as shown in **Exhibit 3-1**. This corresponds to the North Area as evaluated in the FEIS and as described in **Section 2 – Identification of the Preferred Alternative** of this document. Mitigation commitments, such as trail connections, noise walls, the Mineral Palace Park restoration plan, and water quality ponds, will be built in association with each of the five projects that comprise Phase 1 of the Preferred Alternative, as they relate geographically to the particular project (described in **Section 8 – Mitigation** of this document).

EXHIBIT 3-1
Five Projects Proposed for Phase 1 of the Preferred Alternative



The five projects proposed for Phase 1 of the Preferred Alternative and included in the amended Fiscally Constrained Plan (PACOG, 2013) are as follows:

- ❖ **Ilex Bridge to 1st Street on I-25.** The structurally deficient Ilex Viaduct will be replaced with two separate bridges. The project will maintain full access off Exit 98A to Ilex Street until future phases of construction. Preserving this existing interchange requires removal of the existing Ilex Street. To retain access to the northbound ramps, a portion of the ultimate Stanton Avenue extension is included to connect these ramps to Santa Fe Avenue. A minimal amount of I-25 reconstruction will be required to tie the ultimate bridge location (under the shifted I-25 alignment) back into the current I-25 alignment until subsequent phases of the project are constructed. Improvements to the southbound on-ramp from 1st Street and the northbound off-ramp to 1st Street are also included in this project, along with the viaduct replacement on I-25 between the Ilex Viaduct and the 1st Street Bridge. The Ilex Bridge to 1st Street on I-25 project will be the first project for construction to begin in the summer of 2014.
- ❖ **Downtown Improvements on I-25 from 13th Street to 1st Street.** This construction project is the most complex area of the entire I-25 corridor and will be the most expensive of the Phase 1 projects. The project consists of a complete widening and reconstruction of I-25, construction of a split-diamond interchange between 13th Street and 1st Street with additional exit ramps near 6th Street, and construction of one-way frontage roads between the ramps.
- ❖ **US 50B Interchange with I-25.** Planned improvements consist of reconstruction of the US 50 Bypass Interchange and the US 50B Bridge over Fountain Creek. This project also includes widening the portion of I-25 from 13th Street up to the US 50B Interchange. Due to the impacts of widening this portion, the project includes mitigation improvements to Mineral Palace Park. This mitigation could be designed and constructed prior to work on I-25 between 13th Street and US 50B.
- ❖ **I-25 North of the US 50B interchange through 29th Street.** This project includes widening I-25 from four to six lanes, constructing frontage roads, and reconstructing interchanges from north of the US 50B interchange to milepost 101 north of 29th Street.
- ❖ **Dillon Drive Extension.** The four-lane extension of Dillon Drive from 26th Street south to US 50B will provide north-south connectivity between US 50B and 29th Street and offers an off-highway alternative for local traffic.

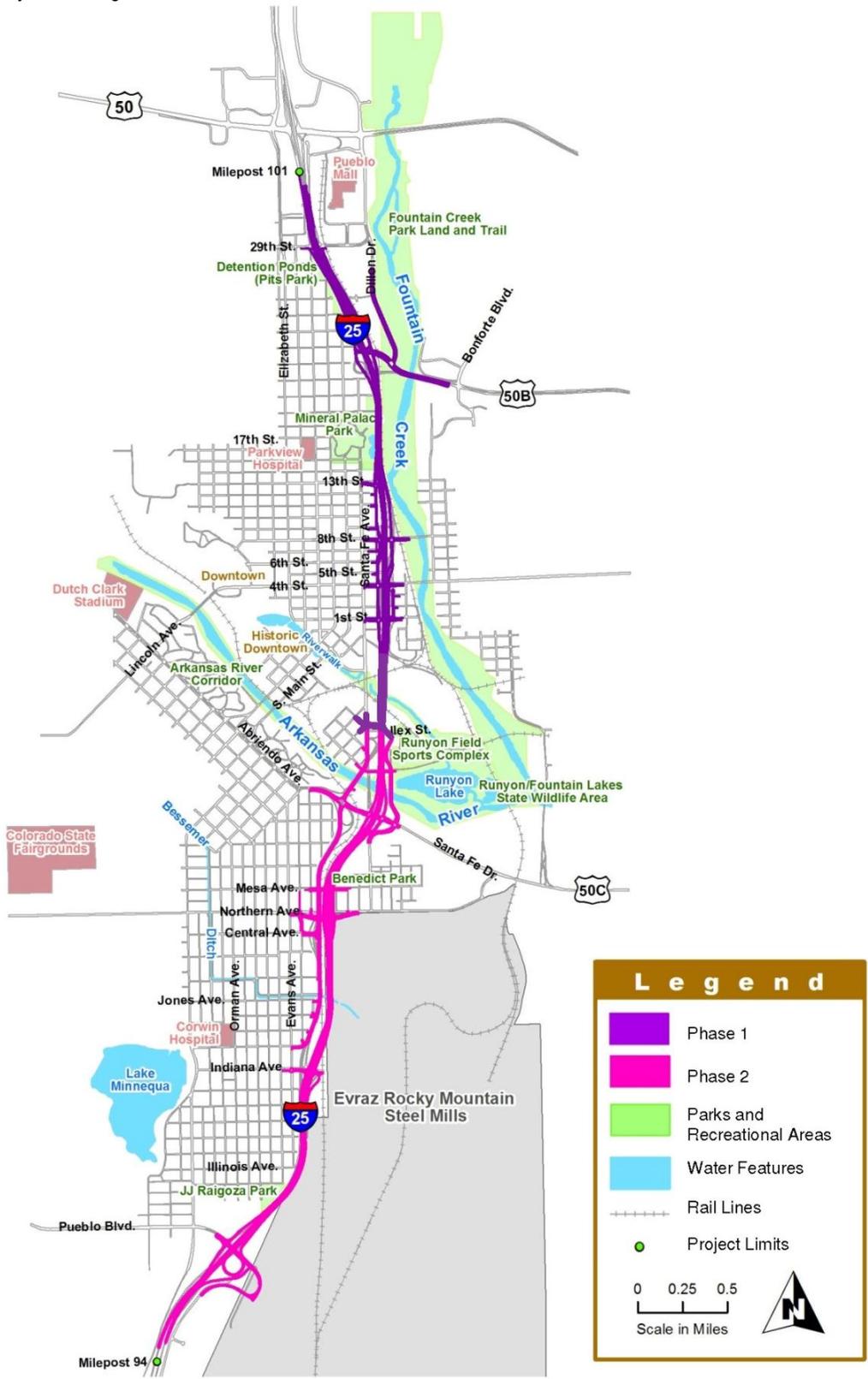
The decision regarding which elements to include in Phase 1 of the Preferred Alternative was made based on funding constraints, the project Purpose and Need, and CDOT regional priorities. The elements of Phase 1 of the Preferred Alternative were included in the first construction phase because they address many of the existing geometric deficiencies and would provide additional roadway capacity along the sections of I-25 with the most congestion.

3.3 TIMING OF FUTURE PHASES

Phase 2 of the Preferred Alternative, shown in **Exhibit 3-2**, consists of two projects that include highway widening and interchange reconstruction from the Ilex Street bridges south to milepost 94 (South Area). This corresponds to the Central Area and South Area as evaluated in the FEIS and as described in **Section 2 – Identification of the Preferred Alternative** of this document. The alignment of I-25 would be shifted east in this phase from Ilex Street to south of Indiana Avenue. Local road improvements such as Stanton Avenue, Locust Street, and the Santa Fe Avenue extension would also be included in Phase 2. The expected cost for this phase is \$437.5 million (2010 dollars¹). Due to funding limitations, the entire dollar amount required for Phase 2 of the Preferred Alternative may not be available at one time. Phase 2 does not necessarily need to be selected in its entirety in subsequent RODs. The selection of Phase 2 construction elements would be determined at the time of a subsequent ROD, considering available funding, priorities at that time, and the results of any reevaluation that may be needed.

¹ Because the year of expenditure is unknown for future phases of construction, dollar amounts for Phase 2 are reported in 2010 dollars. These costs may be understated or overstated depending on economic factors such as material costs and inflation.

EXHIBIT 3-2
Preferred Alternative Project Phasing



The timing for implementing additional projects within future phases will be determined through the statewide planning and programming process, which is carried out by CDOT in accordance with 23 CFR 450. Under those regulations, a project that involves federal funding can be implemented only if the project is included in the Statewide Transportation Improvement Program (STIP). The Colorado Department of Transportation uses Project Priority Programming Process (4P) to prioritize projects. Federal regulations (23 CFR 450.216[a] through [o]) require all states to develop a STIP. Colorado develops its STIP in cooperation with Metropolitan Planning Organizations (MPOs) such as PACOG, who have their own processes that include stakeholder outreach. CDOT Engineering regions initiate 4P, conduct priority programming, and submit projects for inclusion in the STIP. The Governor, MPOs, and the Transportation Commission have roles in approving the STIP. The final step in STIP approval is when FHWA and the Federal Transit Administration approve the STIP.

The following general considerations will be taken into account when determining the scope of future phases or specific projects.

- ❖ CDOT will consider equity issues and the need to balance the construction of improvements throughout the corridor.
- ❖ Future project phases shall have independent utility in that each element would provide transportation benefits, be a reasonable expenditure even if no additional improvements are made in the area, and have logical termini.
- ❖ If local agency funding or other reasonably available funding (such as private funds or other unexpected or nontraditional funding sources) becomes available, projects may be identified for inclusion in future RODs.
- ❖ If state and/or federal funds become available, CDOT will select projects to include in future RODs based on the following priorities: Safety, Mobility, and Community Values.

Stakeholders have a role during the statewide planning process by providing input on project priorities. Phased project design processes can be amended into the STIP between formal planning cycles by the Colorado Transportation Commission. As conditions change, either through new legislation or changes in identified funding, the Colorado Transportation Commission may include additional projects in the STIP. In reevaluating the scope of future project phases, CDOT will conduct a public information campaign and will consult with the City and PACOG. Additionally, as each individual project goes through the final design process, input would be sought from those local agencies affected, as is typical in CDOT project planning. Stakeholder input will also be sought in accordance with agreements that were developed during the NEPA process and documented in the FEIS. Once the projects have been determined for the next phase, the future ROD will identify impacts and appropriate mitigation measures that are associated with those actions.

3.4 RESPONSIVENESS TO PURPOSE AND NEED

Phase 1 of the Preferred Alternative would incrementally contribute to addressing elements of the project Purpose and Need (*Chapter 1 - Purpose and Need* of the FEIS) as described below.

❖ **Need: Address safety problems.**

- Straightening I-25 through downtown Pueblo and reconfiguring downtown access with a new split-diamond interchange between 13th Street and 1st Street with additional exit ramp access at approximately 6th Street would correct the substandard geometric deficiencies found on this section including: tight curves, steep grades, inadequate clear zones, inadequate stopping sight distances, poor ramp design and inadequate ramp lengths, ramps that connect to local streets, and insufficient shoulder widths. The geometric deficiencies on this section of I-25 result in fair to poor accident ratings.
- Widening and reconstructing I-25 between 13th Street and the US 50B Interchange would correct tight curves, steep grades, inadequate clear zones, inadequate stopping sight distances, and poor lane balance and ramp sequencing. Reconstruction of the US 50B interchange would correct deficient ramp design. The deficiencies on this section of I-25 result in fair to poor accident ratings.
- Reconfiguring access to 29th Street via a frontage road system would correct inadequate interchange spacing between the 29th Street and US 50B ramps.

❖ **Need: Address mobility problems.**

- Replacing the bridges on the Ilex Street Viaduct addresses the Purpose and Need by replacing aging bridges with low sufficiency ratings. The Ilex Street bridges have among the lowest sufficiency ratings in the 7-mile project area on I-25, and one of the existing bridges is considered structurally deficient.
- Widening I-25 from 13th Street to 1st Street would improve highway mobility by increasing capacity where the highest future congestion in the project area is forecast.
- Construction of the downtown split-diamond interchange with one way frontage roads would improve off-highway mobility by supporting east-west connectivity through downtown.
- The US 50B Interchange with I-25 reconstruction addresses the mobility element of the Purpose and Need by increasing capacity where high future congestion is forecasted.
- Construction of a pedestrian overpass near Mineral Palace Park and connection to new trails within Fountain Creek Park Land and Mineral Palace Park will increase mobility for non-motorized users.
- Widening I-25 between US 50B and 29th Street addresses the mobility element of the Purpose and Need by increasing capacity where high future congestion is forecasted.
- The four-lane extension of Dillon Drive from 26th Street south to US 50B would provide north-south connectivity between US 50B and 29th Street and offers an off-highway alternative for local traffic, which directly supports the mobility elements of the project Purpose and Need. Additionally, it will reduce traffic demand on I-25 parallel to Dillon Drive and construct sidewalks along Dillon Drive, which increases mobility for non-motorized users.

The improvements proposed in Phase 1 of the Preferred Alternative would not restrict the consideration of alternatives for other reasonably foreseeable transportation improvements. The transportation improvements to be constructed in Phase 1 of the Preferred Alternative would have independent utility in that each element would provide transportation benefits, would be a reasonable expenditure even if no additional improvements are made in the area, and would have logical termini. Because the FEIS addressed transportation needs for travel on and around I-25 through Pueblo, the study considered environmental resources on a broad scope

3.5 PHASE 1 ENVIRONMENTAL IMPACTS

The environmental impacts associated with Phase 1 of the Preferred Alternative are detailed in *Chapter 3 – Affected Environment and Environmental Consequences* of the FEIS and summarized below in **Exhibit 3-3**.

EXHIBIT 3-3

Environmental Impacts Associated with Phase 1 of the Preferred Alternative

Phase 1 Environmental Impacts
TRANSPORTATION
<ul style="list-style-type: none"> ❖ Phase 1 would upgrade interchanges to current design standards, improve interchange spacing, and provide connectivity to appropriate local streets. ❖ Phase 1 would reconstruct interchanges at US 50B and between 1st Street and 13th Street to connect I-25 to more appropriate City streets. Dillon Drive would be extended to increase off-highway local mobility for users. ❖ Phase 1 would restore off-highway connections that were removed during original I-25 construction. It would also provide alternative north-south routes for local users on Dillon Drive. ❖ Phase 1 would replace 8 bridges that have low sufficiency ratings. ❖ The improvements in Phase 1 would correct operational deficiencies and provide additional capacity on I-25 to improve congestion between 29th Street and Ilex Street to accommodate future travel demands. Construction of the project in phases would not result in any bottlenecks or unacceptable traffic conditions. ❖ Construction of Phase 1 would cause temporary impacts to the railroads during bridge construction. ❖ Phase 1 would require modifications to Transit Route 6 because it reconfigures the downtown interchange system. ❖ Pedestrian and bicycle mobility would be improved through provisions of multi-modal elements in Phase 1 such as trails and sidewalks. Construction of pedestrian trails along I-25 to the north and south and across I-25 near Mineral Palace Park would improve pedestrian and bicycle mobility. ❖ Phase 1 improvements would cause temporary impacts to traffic to businesses and residents, such as changes in access, delay caused by lane closures, out-of-direction travel incurred due to detours, and other similar unavoidable impacts caused by construction-related activities. As a result of phasing, the construction period of the project would be longer, resulting in more detours and traffic delays that would inconvenience residents and businesses during construction.
HISTORIC PROPERTIES
<ul style="list-style-type: none"> ❖ Phase 1 would have adverse effects to 24 historic resources, including the North Side Historic District and Second Ward Historic District. ❖ Phase 1 would have the potential to impact 1 "Need Data" historic archaeological site.
PARKS AND RECREATION
<ul style="list-style-type: none"> ❖ Under Phase 1, the detention ponds between 29th Street and 24th Street and Mineral Palace Park would potentially be impacted by noise without implementation of mitigation measures. ❖ Widening of I-25 adjacent to Mineral Palace Park in Phase 1 would result in a loss of 50 feet along the entire eastern edge of the park, equal to 1.69 acres (3 percent of the 50.07 acre park). Widening would also remove the northeast park road to a parking lot, 40 parking spaces, vegetation including 20 mature trees, 15 to 20 percent of Lake Clara, 40 feet of the Works Progress Administration wall around Lake Clara, and 13 percent of the maintenance yard. An informal path within the park would also be impacted. ❖ The improvements in Phase 1, including an extension of Dillon Drive to US 50B, relocation and widening of US 50B to the north, and improved 8th Street connection to the east of I-25, would require the acquisition of 6.26 acres of property from Fountain Creek Park Land property. Land acquisition from the Fountain Creek Park Land would constitute a conversion of Section 6(f) property to a transportation use.¹ ❖ Temporary detours of the Fountain Creek Trail and Thomas Phelps Creek Trail would be required to protect the public when construction is occurring above the trail.
RIGHT-OF-WAY AND RELOCATIONS
<ul style="list-style-type: none"> ❖ Construction of Phase 1 would require a total of 102 acquisitions (74 total and 28 partial). ❖ Residential property impacts from Phase 1 include 16 total acquisitions and no partial acquisitions. ❖ Commercial property impacts from Phase 1 include 28 total acquisitions and 12 partial acquisitions. ❖ Vacant undeveloped property impacts from Phase 1 include 21 total acquisitions and 5 partial acquisitions. ❖ A total of 25 businesses would be displaced by the construction of Phase 1. ❖ Public property impacts from Phase 1 include 9 total acquisitions and 11 partial acquisitions.

EXHIBIT 3-3

Environmental Impacts Associated with Phase 1 of the Preferred Alternative

Phase 1 Environmental Impacts**NOISE**

- ❖ A total of 9 representative receptors would meet or exceed CDOT's noise abatement criteria between Ilex Street and 29th Street with the implementation of Phase 1 improvements in the following summarized locations: Goat Hill – Bradford Street; Goat Hill – Kelly Avenue; Mineral Palace Park; Fountain Creek Park Land; the open field at the southeast corner of I-25 and US 50B; residences at 20th Street and Santa Fe Avenue; and 27th Street and Court Avenue. Approximately 7,660 linear feet of noise mitigation structures will be constructed by CDOT to reduce the noise impacts associated with Phase 1.
- ❖ 2,870 linear feet of noise barrier from 24th Street to 29th Street (representative receptor R37)—recommended under the benefitted receptor preference survey to be included in the future I-25 North of the United States Highway (US) 50B interchange through 29th Street construction project in Phase 1. Needs approval for design and construction pending a future, final benefitted receptor preference survey once funds are available for this individual construction project.
- ❖ 2,998 linear feet of noise barrier from approximately 13th Street to 21st Street, including Mineral Palace Park (representative receptors R27, R30)—recommended under the benefitted receptor preference survey to be included in the future US 50B interchange with I-25 construction project in Phase 1. Needs approval for design and construction pending a future, final benefitted receptor preference survey once funds are available for this individual construction project.
- ❖ 1,791 linear feet of noise barrier from approximately Beech Street to 3rd Street (representative receptors R22, R23)—approved under the noise preference survey for final design and construction to be included in the Ilex Bridge to 1st Street on I-25 construction project of Phase 1, as this construction project is expected to begin in the summer of 2014.
- ❖ Construction of Phase 1 would create temporary noise impacts.

SOCIAL RESOURCES, ECONOMIC CONDITIONS, AND ENVIRONMENTAL JUSTICE

- ❖ Phase 1 would enhance community cohesion in the Northside, Eastside, and Downtown neighborhoods through improvements to the local roadway and trail systems (e.g. the extension of Dillon Drive, construction of pedestrian trails along and across I-25, and interchange improvements). These improvements would move highway traffic off of local streets, connect neighborhoods to each other, and improve local access to retail destinations and recreational facilities. Mitigation for impacts to Mineral Palace Park would also enhance the quality of the adjacent neighborhoods.
- ❖ A total of 25 businesses would be displaced by the construction of Phase 1, and business relocations would impact employment. However, the implementation of Phase 1 would generate direct and indirect employment opportunities throughout construction.
- ❖ Economic impacts are largely tied to ROW acquisitions through loss of tax revenue and displaced businesses and residences. As a result of phasing, the construction period of the project would be lengthened, resulting in more disruptions to businesses adjacent to the corridor and detours and traffic delays that would inconvenience residents, businesses, and community facilities during construction over the course of the project. At the same time, there would be an economic benefit to the area as a result of multiple construction mobilizations and the need for additional construction workers.
- ❖ Impacts from Phase 1 would be predominantly borne by minority and low-income populations. When offsetting benefits from the project and proposed mitigation are also considered, these impacts would not be considered disproportionately high and adverse. Although residential and commercial relocations would be from within minority and low-income neighborhoods, both renters and owners will be compensated for acquisition and provided relocation benefits in accordance with the Uniform Act. Relocations would not be substantial enough to alter the composition of the neighborhood or otherwise negatively affect community cohesion. Although some jobs would be lost, many would be relocated and the project itself would generate new employment opportunities. Noise walls would be constructed to mitigate noise impacts. Visual impacts would be lessened through design consistent with New Pueblo Freeway Aesthetic Guidelines (see *Appendix C – Aesthetic Guidelines* of the FEIS). Construction-related nuisances would be greatest for the minority and low-income residents adjacent to Phase 1 construction areas, but impacts would be temporary and would be lessened through a variety of mitigations, including a Traffic Control Plan, Public Information Plan, restrictions on night-time construction, equipment requirements, signage, and well-marked detours. Minority and low-income residents serve to benefit most from the improvements that would result from Phase 1, including enhanced safety and local mobility, new pedestrian facilities and connections, the restoration of Mineral Palace Park, restored neighborhood connections, and improved community cohesion.

WETLANDS

- ❖ Phase 1 construction would result in the direct loss of 0.13 acre of wetlands.

LAND USE

- ❖ Phase 1 improvements are consistent with current and future land-use plans, including urban residential, urban mixed use, and light industrial employment centers.

EXHIBIT 3-3

Environmental Impacts Associated with Phase 1 of the Preferred Alternative

Phase 1 Environmental Impacts
VISUAL RESOURCES
<ul style="list-style-type: none"> ❖ Phase 1 improvements would alter the Fountain Creek and Downtown Neighborhood viewsheds by introducing new roadway modifications. The increased mass of the highway and presence of new elements associated with the roadway (such as noise barriers and water quality ponds) would increase the highway's visual presence on the existing neighborhoods along I-25. ❖ As a result of the longer construction period, visual impacts such as exposed soils, staging areas, and construction lighting would occur over a longer time period, resulting in additional impacts to adjacent communities.
AIR QUALITY
<ul style="list-style-type: none"> ❖ No NAAQS violations for carbon monoxide are expected as a result of Phase 1. ❖ Exceedance of NAAQS for PM₁₀ is not expected for Phase 1. ❖ MSAT emissions are proportionate to the increase in VMT in Phase 1 compared to the No Action Alternative. ❖ As a result of the longer construction period, impacts from excavation, grading, and fill work that could temporarily increase local fugitive dust and exhaust emissions, would occur over a longer time period. However, with the implementation of BMPs the effect of this impact will be negligible.
HAZARDOUS MATERIALS
<ul style="list-style-type: none"> ❖ Construction of Phase 1 would impact 4 sites of potential environmental concern: the industrial facility southwest of Dillon Drive, Cliff Brice Petroleum Warehouse Bulk Storage Plant site, Stoehr Cleaners, and the Silo Building 4392. ❖ Construction of Phase 1 would impact 4 sites with RECs: Rockwool Industries, Rampart Supply, the Pueblo MOP Yard (former Missouri Pacific Yard), and the River Street Property. ❖ All bridges replaced as part of Phase 1 may be coated with lead-based paint. ❖ As with any construction project that involves excavation, there is the potential to unearth buried construction debris during construction of Phase 1. Such unforeseen debris sometimes could include ACM that requires special handling and disposal. Special waste handling and excavation requirements would be necessary during construction.
FISH AND WILDLIFE HABITAT
<ul style="list-style-type: none"> ❖ Construction of Phase 1 would result in the direct loss of 5.04 acres of wildlife habitat. ❖ Construction of Phase 1 could result in a loss of low-quality nesting habitat for migratory birds. ❖ Construction of Phase 1 would result in noise from construction activities that could affect wildlife species, and could temporarily displace priority bird species. Construction activities could also affect wildlife by removing vegetation and wildlife habitats.
SENSITIVE SPECIES
<ul style="list-style-type: none"> ❖ Construction of Phase 1 would impact 5.04 acres of plains leopard frog habitat. ❖ Construction of Phase 1 would impact 0.13 acre of Arkansas darter habitat.
FLOODPLAINS
<ul style="list-style-type: none"> ❖ The Phase 1 improvements would result in 3.35 acres near the US 50B Bridge being inundated during a 100-year flood event, in an area not currently within the 100-year floodplain boundaries. The Dillon Drive extension would result in 2 longitudinal encroachments of the floodplain, increases in the BFE and floodplain width upstream of the new Dillon Drive embankment, and increased channel velocity below the embankment. The reconstructed US 50B Bridge would have a greater conveyance capacity, resulting in a decrease in BFE near the US 50B Bridge. Scouring and erosion may result at the US 50B Bridge.
WATER QUALITY
<ul style="list-style-type: none"> ❖ Phase 1 improvements and additional traffic on I-25 in the future will generate more pollutants. BMPs in compliance with the CDPS MS4 permit requirements are designed to decrease the amount of pollutants actually entering the waters and are expected to lower the amounts of pollutants for Phase 1 compared to the No Action Alternative. ❖ Phase 1 construction would remove vegetation and create bare surfaces that may cause erosion and sedimentation issues. Highway runoff would be collected and treated based on the area of disturbance of the project in accordance with the New Development and Redevelopment Manual. BMPs can be constructed, where appropriate, to intercept, divert, and collect surface runoff and convey accumulated runoff to an acceptable outlet point, thereby improving water quality compared to the No Action Alternative.

EXHIBIT 3-3

Environmental Impacts Associated with Phase 1 of the Preferred Alternative

Phase 1 Environmental Impacts**UTILITIES**

- ❖ Phase 1 construction would impact the above- and below-ground utility lines located adjacent to and across I-25, including those concentrated at 4th Street, 8th Street, and 29th Street.

ENERGY

- ❖ On a daily basis, the difference in energy use between Phase 1 of the Preferred Alternative and the No Action Alternative is negligible.
- ❖ Construction of the 36.07 total lane miles for Phase 1 would require 863,400 million Btu(s). Additional energy would be expended as a result of a longer construction period required for project phasing and the need to reconstruct portions of the project during later phases.

NOXIOUS WEEDS

- ❖ Ground disturbance and other construction activities in the project area could expand areas already infested with noxious weeds, spread weeds to adjacent land and wetland and riparian habitats nearby, and introduce new weed species to the project area. Construction activities in the project area would cause vegetation removal and ground disturbance.
- ❖ The potential for the spread of invasive species would increase as a result of a longer construction period resulting from phasing and the need to redisturb land when portions of the project are reconstructed during later phases.

PALEONTOLOGICAL RESOURCES

- ❖ Phase 1 would not affect any known paleontological resources.

SOILS AND GEOLOGY

- ❖ Phase 1 construction activities have the potential to encounter unstable soils or geologic hazards that would require mitigation prior to construction.

SECTION 4(f) RESOURCES

- ❖ Phase 1 would constitute a use in 23 of the 39 Section 4(f) Resources impacted by the Preferred Alternative: 19 historic properties, 2 historic districts (North Side and Second Ward), 1 historic park (Mineral Palace Park), and 1 parkland (Fountain Creek Park Land). FHWA has made a determination that there is no feasible and prudent avoidance alternative to the use of Section 4(f) property for the Preferred Alternative, as demonstrated in *Chapter 4 – Section 4(f) Evaluation* of the FEIS. Phase 1 impacts to Section 4(f) properties are, therefore, unavoidable. The Preferred Alternative incorporates all possible planning to minimize harm to Section 4(f) properties.

¹ Section 6(f)(3) assisted properties include parks and recreational facilities that have been acquired through the use of grants from the LWCF Act. Section 6(f) of the LWCF Act ensures that federal investments in the LWCF are maintained for public outdoor recreational use. The LWCF Act requires that, prior to conversion of Section 6(f)(3) assisted property, the agency proposing the conversion must evaluate all practical alternatives to the conversion and identify adequate replacement property.

ACM = asbestos containing materials

BFE = base flood elevation

BMP = Best Management Practice

Btu = British thermal unit

CDOT = Colorado Department of Transportation

CDPS = Colorado Discharge Permit System

FHWA = Federal Highway Administration

LWCF = Land and Water Conservation Fund

LWCF Act = Land and Water Conservation Fund of 1965

MS4 = Municipal Separate Storm Sewer System

MSAT = Mobile Source Air Toxics

NAAQS = National Ambient Air Quality Standards

PM₁₀ = particulate matter less than 10 microns in diameter

REC = recognized environmental conditions

ROW = right-of-way

Uniform Act = Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended

VMT = vehicle miles traveled