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Subject: Section 106 Issues Task Force Meeting

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Client: CDOT Region 1

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Project: I-70 Peak Period Shoulder Lane

Project No: 215164

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Meeting Date: August 29, 2013

Meeting Location: CDOT Golden

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Notes by: Gina McAfee/Sandy Beazley

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**ATTENDEES:** Gina McAfee, David Singer, Sandy Beazley, Lisa Schoch, Margie Nowick, Bob Bowland, Marjorie Bell, Cindy Neely, Andria Schmid, Steve Long, Eric Rothermel, JoAnn Sorensen, Chad Blackwell, Mary Jane Loevlie

**DISTRIBUTION:** Attendees, Section 106 ITF Members, Project File

## SUMMARY OF DISCUSSION:

1. Introductions
2. Section 106 process
  - a. Lisa provided an overview of the 106 process that will be followed per the I-70 Mountain Corridor Programmatic Agreement.
  - b. This group will launch/initiate the Section 106 process.
  - c. First step is defining the Area of Potential Effects (APE) for the PPSL project. Today we will discuss APE, incorporating your comments into the APE development.
  - d. This is the second project in the corridor. It is our goal to be consistent with the process that was followed for Twin Tunnels.
3. Project Overview
  - a. Gina provided a project overview.
  - b. Review of the likely components of the PPSL project (see attached handout).
    - i. Cindy asked about ROW needed at SH 103. This might only need to be temporary construction easements. This is to be determined during design with input from County and Town officials. The goal is an improvement that will not need to be sacrificed, or a minimal improvement which can be sacrificed.
    - ii. JoAnn pointed out that the project team should be open to innovative noise abatement --- berms or vegetation. Berms require considerable ROW and vegetation often proves ineffective.
    - iii. Is Section 106 being done only because this project is compatible with the ROD?
      1. Section 106 would be done regardless, since any proposed change to the interstate requires a federal action, so even if this was a separate action, Section 106 would be followed.

2. David noted that FHWA and CDOT feel that the PPSL would not preclude any action in the ROD. This is being captured in a separate white paper which will be distributed.
- iv. Points from Cindy
    1. Widening at deceleration lanes, Cindy noted that it may occur in a few places.
    2. Cindy is concerned about visual impacts from retaining walls and the potential for constructive use under Section 4(f).
      - a. Per Lisa Schoch, the Section 106 process, including development of this APE, does not have anything to do with constructive use. That is a 4(f) term. Section 106 informs 4(f), but they are two different processes.
  - v. In the PA the entire I-70 viewshed is the APE. The PA allows flexibility for it to be established/narrowed per project. The county noted a concern that this APE will set a precedent for future projects.
- c. Per Joanne, can AQ be a consideration as one of the likely components? This question has to do with the increase in capacity caused by the lane. What about health impacts if the lanes are moving closer? The project team will expand the final bullet of the Likely Components handout to read "Water quality and air quality best management practices where feasible".
  - d. Likely direct and indirect effects of PPSL project
    - i. Direct effects of construction to historic properties are unlikely because construction is planned to be minimal with up to 50% of the improvements occurring on the existing pavement. Likely no new ROW will be required.
    - ii. Indirect effects are possible resulting from the visual impacts of noise barriers, if installed, the additional pavement, signage, bridge modifications, and retaining walls.
    - iii. Noise
      1. The increase will likely be minimal, since it is so noisy now and the managed lane will only be in operation such a short period of time. The County is concerned about the incremental increases.
      2. Abatement is a challenge because of the canyon walls.
      3. David noted that innovative noise abatement will be discussed and brought into the Section 106 process.
      4. There is concern regarding the hours of operations. What if the peak period spreads? Will the use of the managed lane be expanded? This may not influence the APE, but it should not be a justification for a limited APE. There is a concern that the temporary nature of the project will somehow affect impact assessment or mitigation. David noted that the APE will be dynamic as the project definition is still

evolving. It was felt that it was worth kicking off the Section 106 process, knowing there is the potential for change, but get the conversation started.

5. Cindy asked if noise impacts to the visitor experience are considered? They can be, but from a Section 106 perspective, a key question is if any of the impacts are such that the historic property can no longer function. Or are the impacts such that the significance of the historic property is compromised. Why is the property significant? Is its quiet, serene setting a part of why it is significant?
  - a. This question was asked in regards to the water wheel. This park orients people to the water wheel, allowing the highway to fade for a moment, and this could be altered if the roadway is moved into the park.
  - b. Per Amy Pallante, if a project results in neglect of the historic property so it can no longer be used, that would be a 106 issue.
  - c. The project team also needs to look at the train behind the City Council building.
  - d. The project will consider the indirect effects on these resources, is the setting impaired?

#### 4. Draft Preliminary APE

- a. A draft preliminary APE is being proposed and discussed at this meeting, based on current known project elements. The current known project elements include some minor widening of the mainline, some retaining walls, additional signage, pull-outs, some interchange improvements and possibly noise abatement. It is acknowledged that the analyses and design for the project are continuing, and some elements may change or additional elements may be proposed. The team will adjust the APE as needed, consulting with the PA group (including SHPO) at that time. Note page references are to a mapbook and project description distributed at the meeting. Both are included in appendix of these minutes.
- b. Lisa noted the factors used in the APE development process including project scope and resource base. The project team looked at these factors when developing the APE and recognize that the APE will change based as the project develops.
- c. Cindy asked if we are using the historic context yet? Lisa provided an update on the status of the I-70 Multiple Property Documentation Form (MPDF). The MPDF passed the Colorado Review Board review in May 2012, but during the National Park Service review, it was determined that the MPDF needs significant work before it is finalized. For now, CDOT has decided to re-format it and submit it as a historic context and will consider finalizing it as an MPDF if time and budget allow in the future.

- d. Cindy asked if we are using the "I-70 Historic Context" yet? We will use the historic context for this project. This was submitted to the NPS as a Multiple Property Documentation Form (MPDF) and the comments are so voluminous that it will not go forward as a MPDF. It will be finalized as is. Lisa noted that this will be done.
- e. Empire Segment
  - i. Primarily focuses on signage impacts
  - ii. Page 3, note the Bellview Hudson mine site. Owned by the County and future plans for this site are unknown.
- f. Lawson Segment
  - i. Includes the first line of homes because there is the possibility for retaining and/or noise walls. This will account for the visual effects. Cindy notes this segment will have the greatest impact from the project.
    - 1. Can the APE be expanded to the creek in Lawson? Yes. This is for noise and line of sight visual impacts.
    - 2. Can the APE be expanded to include the Joan Drury property on the north side of I-70? Yes. --- David is concerned what the impact of the project would be at that location since there is no wall in this area and the noise will be mostly unchanged. We will check into the possible historic significance of this property.
    - 3. Amy Pallante states that the APE is the geographic area that could be affected by the project, including increase of noise. We do not have to survey everything in the APE. Lisa Schoch noted the need for a realistic APE due to budget and schedule constraints. David's recommendation is to focus in on the locations where we likely have physical improvements such as retaining walls or acceleration/deceleration lanes - at ramps and bridges. Along the mainline there is a level of confidence of the proposed improvements.
  - ii. CDOT bumped out the APE to include the properties adjacent to CR 308. Lisa is planning to go out in the field to do a reconnaissance. CDOT will be doing an intensive level survey of Dumont, Downieville, and Lawson (DDL) as part of the I-70 West Section 106 PA commitments. The schedule for this is separate from the PPSL. Will the DDL survey be able to inform the PPSL project? For the PPSL, CDOT will address what is necessary to comply with Section 106 but information from the PPSL surveys can be used in the larger inventory of DDL. Marjorie Bell has maps for the "Tour of Free America" and the Store House. Cindy and JoAnn would like to see the APE expanded to Clear Creek because there is line of sight from these homes. The APE will be expanded.
- g. Downieville/Dumont Segment
  - i. Primarily signage changes in this area

- ii. Changes at acceleration lane close to MP 234 will not affect known historic resources, but may affect the creek. No changes to the APE required.
  - iii. Expand in Dumont to capture some potentially eligible properties on the south side, underneath West Dumont Road (close to MP 235). These properties sit below the highway. Expand the APE to capture the Dumont School.
  - iv. Be aware of ditches in Dumont.
  - v. Railroad grade runs throughout the area – Lisa is coordinating to obtain historic maps to verify location of the railroad so the potential effects can be determined.
  - vi. Coordinate with the county archivist to determine where mining activity may have passed below the highway. However it is acknowledged that the resources would be no longer extant. This would be useful information for understanding the historic properties within the APE.
- h. Fall River Segment (pages 6 and 7)
- i. Maintain the important visual context since the I-70 traveler can see mining country
- i. West Idaho Springs Segment
- i. Stanley Mine has 7 levels, although they may not extend beyond the highway. This is east of MP 238.
  - ii. Extend APE to include the Maude Munroe mine --- also locally known as the Doña Juanita. This will fill in the “donut hole” on the draft preliminary APE. The Maud Munroe has local significance as one of the most visible mining features from the interstate.
  - iii. There is a mill site just east of the Frontage Road interchange. There are COMPASS entries for mines in this area.
  - iv. Check the I-70 PEIS Historic Tech Memo for mill sites that I-70 travels over. – Done.
- j. SH 103 Segment
- i. Segments of SH 103 road are NRHP eligible, further research will be required.
  - ii. Water wheel should be included in the APE. There is pedestrian access from both sides (from SH 103 and downtown Idaho Springs).
  - iii. A hydro power plant was located along the creek in this area.
  - iv. Blue Ribbon Tunnel will be researched and possibly included in the APE.
  - v. Hot springs, an NRHP site is adjacent to the highway – APE may not need to be expanded, but be aware of the site. Historically, it was an area of Native American importance.
  - vi. George Jackson discovered gold at the confluence of Clear Creek and Chicago Creek (on January 7, 1859.). A historic marker is located south on SH 103 from the SH 103/I-70 interchange. The marker is removed from the

creek confluence, although due to highway and creek modification. The precise location of the discovery is unknown.

- k. East Idaho Springs Segment
    - i. Spruce Mill site is just west of the ballpark– APE may not need to be expanded, but be aware of the site.
    - ii. Be aware of the view of the Argo Mill from the highway. This has historic importance.
  - l. Twin Tunnel Segment
    - i. Signage only – Clear Creek County wants a single signing plan for both Twin Tunnels and the PPSL projects
    - ii. This will remain in the APE, although it was previously surveyed for the Twin Tunnels project.
  - m. The draft preliminary APE will expand in these locations
    - i. Lawson (page 3)
    - ii. Dumont School (page 5)
    - iii. Maude Monroe (page 8)
    - iv. George Jackson and Blue Ribbon Tunnel (Page 9)
    - v. Water wheel (Page 10)
5. Additional information is required for:
- a. Mine sites and tunnels extending beneath the roadway
  - b. Railroad grade
  - c. Spruce Mill Site
  - d. Lawson School
  - e. George Jackson Site (near the confluence of Chicago Creek and Clear Creek)
  - f. Blue Ribbon Mine and Hot Springs site
  - g.
6. DDL survey
- a. Clear Creek wants to know how CDOT is approaching it and how it relates to the PPSL study.
  - b. Recon will be completed, a map review, and then scope development.
7. The *January 2005 PEIS Survey (Revised Reconnaissance Survey)* should be a reference. It is included in the *August 2010 Revised PEIS Technical Report*.
8. Next meeting with this group
- a. Next meeting Thursday October 8<sup>th</sup> (send a save the date) 9:30 to noon – Majestic Building. At this meeting we should have a good idea of all of the physical improvements and can discuss if the APE needs to be modified

**Action items:**

- 1. Visual analysis team and Section 106 team should review the *CSS Visual Context* work done.

2. Lisa to provide the draft "I-70 Historic Context" to the project team for their use.
3. Contact Christine Bradley to get photos of pre I-70 conditions and to get maps showing where the historic mines are.
4. Lorena/Sandy Update the likely components handout as needed, including the potential for widening at some deceleration lanes and WQ and AQ BMPs being implemented where feasible.

## LIKELY COMPONENTS OF THE PPSL PROJECT (as of 8-29-13)

-  A hybrid cross-section that utilizes the existing pavement width in as many places as possible in the corridor (with an estimate of up to half of the length of the corridor). This may reduce the need for retaining walls, but some retaining walls will still be needed to avoid private property or encroachment into Clear Creek.
-  No widening at interchange off-ramp deceleration lanes.
-  Minimal widening at interchange acceleration lanes to include sliver widening at on-ramp tapers.
-  Investigation of modifying the SH 103 bridge rather than replacing it. Also looking to see if we can design something that can be easily expanded in the future for unknown corridor improvements.
-  Trying to minimize the need to widen other bridges.
-  Minimize new signs—maximizing opportunities to use existing bridges for signs.
-  Minimize the inclusion of new emergency refuge areas. The concept is to investigate use of already existing flat areas adjacent to the existing highway and at interchanges.
-  Noise walls at locations both north and south of I-70 where residential uses are closest to the travel lanes.
-  Water quality best management practices where feasible.

