

Appendix B. Agency Coordination



Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

TELEPHONE: (303) 569-3251 • (303) 679-2300

July 22, 2013

PPSL PLT

Clear Creek County concerns:

1. Is PPSL compliant with the ROD? The apparent amount of infrastructure construction (as the term is used in the ROD) to widen the highway, build pull-outs, widen and/or reconstruct the bridge structures, and rebuild all acceleration and deceleration lanes to provide for the "new" left lane does not square with what is "non-infrastructure" based on the examples in the ROD.
2. How does CDOT intend to address the safety concerns? For example, there are concerns about inconsistency in lane balance; a 4-foot shoulder not meeting design standards or complying with CDOT's Incident Management Plan; access for emergency vehicles; safety of emergency personnel while on scene; lack of room for broken down vehicles to leave the flow of traffic; and unsafe conditions that may cause crashes, which actually increase congestion.
3. We wonder if an EA is more appropriate than a CatEx. Will the CatEx evaluation consider alternatives? How would CDOT provide enforceable mitigation measures under a CatEx?
4. How will CDOT ensure that these lanes are "temporary" or "interim"? Many of the "temporary" lanes in Birmingham, England are already permanent, and others of them are scheduled to become permanent. Given the lack of a written definition of "temporary" or "interim," will CDOT provide a written commitment (and in what form) to an end date or a trigger for an end date?
5. We are not convinced that "passive" management will keep anyone safe in our weather and terrain. Active traffic management is a key component of other PPSL projects.
6. We have the continuing goal of economic viability and livability for our communities. What other improvements measures are intended with this project? What is the timing and how will CDOT guarantee such improvements measures?

Please make note of these concerns as part of the record.

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9632
FAX (303) 757-9445



DATE: 26 November 2013

TO: David Singer

FROM: F. Nicole Peavey

SUBJECT: Paleontological assessment for Project NHPP 0703-401, I-70 EB Peak Period
Shoulder Lanes

Project NHPP 0703-401, for added I-70 eastbound Peak Period Shoulder Lanes, located between MP 233 and MP 241 on I-70 in Clear Creek County, will not require on-the-ground reconnaissance for paleontological resources.

According to the best available geologic map of the area, the proposed project is underlain by igneous and/or metamorphic bedrock, rock types whose mode of formation generally precludes preservation of organic matter. Atop that within the immediate project area are primarily Holocene alluvial deposits. These deposits are generally less than 10,000 years old and therefore are not generally paleontologically sensitive, although they may be archaeologically sensitive and should be evaluated by a qualified archaeologist. Intermingled late Pleistocene alluvial deposits have some paleontological potential, but are not well exposed in the area impacted by the project. Furthermore, I know of no previously recorded fossil localities within the proposed project limits.

As a result, paleontological clearance with no attached mitigation stipulations is recommended for project NHPP 0703-401. If paleontological resources are uncovered during project construction, I should be notified immediately.

Geologic Map Reference

Kellogg, K.S., R.R. Shroba, B. Bryant, and W.R. Premo. 2008. Geologic map of the Denver West 30' x 60' quadrangle, north-central Colorado. U.S. Geological Survey Scientific Investigations Map SIM-3000, scale 1:100,000.

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 1 -- I-70 Mountain Corridor Management Team
425 B Corporate Circle, Suite 201
Golden, CO 80401
720-497-6960
720-497-6951 Fax



December 10th, 2013

Ms. Martha Tableman
Open Space Coordinator
Clear Creek County
P.O. Box 2000
Georgetown, CO 80444

Dear Ms. Tableman:

As previously discussed and as documented in a memo prepared for the Peak Period Shoulder Lane (PPSL) project, there are possible temporary impacts to the access for the Philadelphia Mill Open Space area. There could be delays for accessing site during construction improvements at North Spring Gulch Road under I-70. However, construction personnel will be available to ensure safe access to site. This property is protected under 23 U.S.C. §138, commonly referred to Section 4(f). The implementing regulations for this law can be found at 23 CFR 774. In accordance with the implementing regulations, Clear Creek County Open Space is the official with jurisdiction over this property.

CDOT has evaluated the temporary impacts to this property, including the future "Fishing is Fun" improvements as documented in project memo and provided to you. CDOT has concluded that the temporary affects to this property do not constitute a Section 4(f) transportation use for the reasons below:

The access to the Philadelphia Mill Open Space is from North Spring Gulch Road which is in CDOT right-of-way. This road will not be closed during construction of the project but there may be restricted access or delays for road users while improvements are being made to the box culvert under I-70. These delays could restrict access for individuals using the Philadelphia Mill site and future fishing access stairway site, which are protected under Section 4(f). There would be no permanent adverse physical impacts to the Philadelphia Mill and future "Fishing is Fun" stairway site nor would the access to these recreation areas be permanently adversely affected. There could be temporary delays in accessing the sites but the protected features or attributes of the Philadelphia Mill property and Fishing is Fun stairway site and the legal access to these properties would not be temporarily or permanent impacted. The access will be maintained in the condition that existed prior to the project. There would be no change in land ownership associated with any of the PPSL improvements affecting the Philadelphia Mill site or its current access. Additionally, the temporary disruption would occur after August 2014. The improvements at the Philadelphia Mill property, including construction of the "Fishing is Fun" stairway is expected to be completed by May 2014. As a result, there would be no conflict with the construction for the Philadelphia Mill property improvements.

We are asking that you concur, by December 20th, 2013 with CDOT's findings that the temporary construction impacts to the Philadelphia Mill Open Space area, including the proposed improvements do not constitute a Section 4(f) use as outlined in 23 CFR 774.13(d).

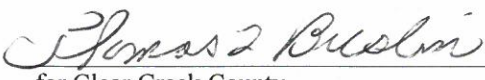
Sincerely,



David Singer
I-70 Mountain Corridor Environmental Program Manager

Concurrence:

By signing below, Clear Creek County concurs that temporary impacts to the Philadelphia Mill Open Space area, including the proposed improvements do not constitute a Section 4(f) use as outlined in 23 CFR 774.13(d).

 12/18/2013
for Clear Creek County date

CC: Sorensen
Breslin
Schmid

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 1 – I-70 Mountain Corridor
425 B Corporate Circle, Suite 201
Golden, CO 80401
720-497-6960
720-497-6951 Fax



December 10, 2013

Mr. Michael Hillman
Mayor
City of Idaho Springs
PO Box 907
Idaho Springs, CO 80452-0907

Dear Mr. Hillman:

As previously discussed and as documented in a memo prepared for the Peak Period Shoulder Lane (PPSL) project, there are three trail segments that would be temporarily affected during construction (Table 1). These trail segments are protected under 23 U.S.C. §138, commonly referred to as Section 4(f). The implementing regulations for this law can be found at 23 CFR 774. In accordance with the implementing regulations, Idaho Springs is the official with jurisdiction over these properties.

Table 1. Section 4(f) Properties and potential impact

Resource	Potential Impact
Waterwheel to Forest Service Segment of the Colorado Bikeway near SH 103	Detours during construction to maintain trail continuity and access.
Idaho Springs Trail near SH 103	Detours during construction to maintain trail continuity and access.
Scott Lancaster Memorial Trail crossing under I-70 near 27 th Place	Delays for crossing under I-70 during construction; construction personnel will be available to ensure safe crossing.

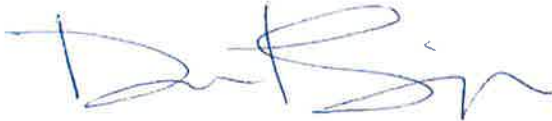
CDOT has evaluated the temporary impacts to these trail segments as documented in project memo and provided to you. CDOT has concluded that the temporary affects to these trail segments do not constitute a Section 4(f) transportation use for the reasons below:

The Waterwheel to Forest Service Trail will be routed through Idaho Springs north of I-70 and across SH 103 during the first phase of construction including the Waterwheel Park improvements. Users of the Waterwheel to Forest Service Trail, USFS Prospector Trail, and Idaho Springs Trail will be able to access these Section 4(f) trails during the first phase of construction in this area. During the second phase of construction, the users will still have access to these trails via an at-grade crossing of SH 103 south of the bridge closure. During widening activities of I-70 over the Scott Lancaster Memorial Trail, access will be restricted for short periods until construction personnel can accompany trail users safely through the construction area under I-70. Restricted access and detours associated with the PPSL improvements will be temporary and less than the time needed for constructing all of the improvements. The work near

these trails is minor and involves detours or restricted access and minor delays to ensure safe passage for trail users during construction. The trails will not be permanently removed or surface conditions temporarily or permanently adversely affected. The trail connection to the segment of Waterwheel to Forest Service Trail which is protected by Section 4(f) will be fully restored following construction of the SH 103 bridge and the condition of the connection will be at least as good as that which existed prior to the project. There will be no change in the ownership of any of the trails.

We are asking that you concur with CDOT's findings that the temporary construction impacts to the Waterwheel to Forest Service segment of the Colorado Bikeway, Idaho Spring Trails, and the Scott Lancaster Memorial Trail do not constitute a Section 4(f) use as outlined in 23 CFR 774.13(d).

Sincerely,



David Singer
I-70 Mountain Corridor Environmental Program Manager

Concurrence:

By signing below, the City of Idaho Springs concurs that temporary impacts to the Waterwheel to Forest Service segment of the Colorado Bikeway, Idaho Springs Trail, and the Scott Lancaster Memorial Trail do not constitute a Section 4(f) use as outlined in 23 CFR 774.13(d).


for City of Idaho Springs
1-14-2014
date

cc: Andi Schmid
Cindy Condon



CITY OF IDAHO SPRINGS

1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone: 303-567-4421
Fax: 303-567-4955
www.idahospringsco.com

Mr. James Bemelen
I-70 Mountain Corridor Program Manager
CDOT Region 1
425B Corporate Circle
Golden, CO 80401

Dear Jim:

The City of Idaho Springs has been using a portion of CDOT right-of-way for over twenty years as a park type facility. This land is across Clear Creek from the Charlie Tayler Water Wheel, south of I-70, east of SH 103 and just west of Milepost 240 on I-70. It includes the Greenway Trail, an interpretive sign and some flower beds. We understand that there is no lease agreement for this land that outlines under what conditions the City is allowed to continue to use this CDOT ROW as a park.

From our perspective, this land is not a significant park or recreational facility, as described in 23 Code of Federal Regulations (CFR) 774.11 (C). We understand that this means that this land is not considered a Section 4(f) property so would not be subject to the protections or requirements as outlined in 23 CFR 774.

Please let me know if you have any questions about this.

Regards,

Jack Morgan
Mayor, City of Idaho Springs

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue, Shumate Building
Denver, Colorado 80222
(303) 757-9011



January 27, 2014

Susan Linner
U.S. Fish and Wildlife Service
Ecological Services
P.O. Box 25486, DFC, (MS 65412)
Denver, Colorado 80225-0486

Attention: Ms. Alison Michael

Subject: BA for CDOT's Region 1 Eastbound I-70 Peak Period Shoulder Lane Project (C-0703-360, SA 11760), Clear Creek County, Colorado.

Dear Ms. Linner:

Region 1 of the Colorado Department of Transportation (CDOT) is proposing to add a peak period shoulder lane between the US 40/I-70 interchanges (Empire Junction) and east Idaho Springs. The project extends from mile post 230 to 243. Signage, minor widening, bridge replacement, interchange improvements and retaining walls are included in the project description.

The attached Biological Assessment (BA) will address the potential effects this project may have on federally listed species. After CDOT's review, it has been determined that this project *may affect, but is not likely to adversely affect the Canada lynx (Lynx canadensis)*.

CDOT is requesting that the US Fish and Wildlife Service review the attached document and send a written concurrence or non-concurrence with this determination.

If you have any questions please contact Francesca Tordonato at 720-497-6942 or myself at 303-512-4959.

Sincerely,

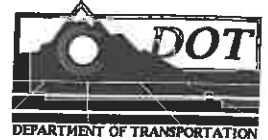
Jeff Peterson
CDOT Wildlife Specialist

cc: CDOT R1, Francesca Tordonato (cover only)
CDOT, David Singer (cover only)
HDR Engineering, Sirena Brownlee (cover only)
HDR Engineering, Sandy Deazley (cover only)

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 4, 2014

Mr. Edward C. Nichols
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Mr. Nichols:

This letter and the attached materials constitute a request for concurrence on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

Improvements associated with the PPSL include some areas of new pavement where the existing lanes and shoulders are presently not wide enough for three lanes; two emergency pull outs; ten retaining walls; one interchange reconfiguration; one overpass replacement; and signage and traffic cameras along the corridor for safety management. The project location is entirely within Clear Creek County. Including signage, the proposed 13-mile project extends from milepost (MP) 229 to 243. For more information about the project scope please see the attached survey report and effects determination memorandum.

Area of Potential Effects

The APE boundary was defined in consultation with your office and the Section 106 consulting parties in meetings held in October and December 2013. The APE generally follows the I-70 right of way (ROW) but was expanded to include properties outside the ROW based on input from the consulting parties. A detailed description of the APE is included on pages 2-3 of the enclosed report; APE maps are included on pages 13-33 of the report.

Eligibility Determinations

A field survey of the APE was completed by HDR Inc. on behalf of CDOT in September 2013, with additional fieldwork completed later in the fall. The survey resulted in the documentation of forty-seven (47) properties, including seven (7) re-evaluations of previously identified properties and eight (8) newly identified properties. The Lawson Historic District (5CC2157) individually encompasses thirty-two resources (19 contributing and 13 non-contributing properties). See Section 3, Survey Results (pp. 75-125) of the survey report for the eligibility determinations. Summary tables are included in Section 4, Summary and Conclusions (pp. 129-136).

In addition, five (5) previously-evaluated properties are addressed but not documented on re-evaluation forms. These include the Georgetown-Silver Plume Historic District (5CC3), the Lawson Depot Site

(5CC180), Idaho Springs Downtown Commercial District (5CC201), Mill City House (5CC313) and Twin Tunnels (5CC1189.3). These properties are addressed on report pp. 130-131.

Effects Determinations

Given the number of resources documented, a separate memorandum was prepared to evaluate effects to properties found to be eligible to the National Register of Historic Places (NRHP). The following table includes a summary of those determinations. The attached memorandum contains full effect determinations.

Summary Of Effect Determinations

Site No.	Name/Address	Resource Type	Previous & New NRHP Determination/ NRHP Criteria	Effect Determination
MP 229-233: Empire Junction to Lawson				
5CC.3	Georgetown-Silver Plume Historic District	Historic District, National Historic Landmark	Listed Historic District, National Historic Landmark	No Historic Properties Affected
MP 233-234: Lawson				
5CC.427.14	Central Colorado Railroad Grade, Lawson	Railroad	Supports Linear Resource Eligibility	No Historic Properties Affected
5CC.2157	Lawson Historic District	District	2013 – Recommended NRHP eligible; Contains 19 contributing and 13 non-contributing elements	No Adverse Effect
5CC.2146	W. E. Anderson Store, County Road 308, Lawson	Building	2013 –NR eligible on individual basis and contributing to Lawson Historic District	No Adverse Effect
5CC.181	Lawson School	Building	Officially Eligible on individual basis/2013 –NR eligible on individual basis and contributing to Lawson Historic District	No Adverse Effect
MP 235-238.5: Dumont to Idaho Springs				
5CC.2156	Dumont Train Depot, W Dumont Road	Building	2013- NR eligible under C for architecture	No Historic Properties Affected
5CC.313	Mill City House, 247 Co. Rd. 308, Dumont	Building	NRHP Listed	No Historic Properties Affected
5CC.427.13	Central Colorado Railroad Grade, North Spring Gulch Road	Railroad	Supports Linear Resource Eligibility	No Historic Properties Affected
5CC.339	Maude Munroe Mine/Dona Juanita	Includes standing structures	2013-NR eligible under C for Mining- Architecture/ Engineering	No Historic Properties Affected
MP 238.5-242: Idaho Springs				
5CC.328	Big Five Mine	Archaeology Site/	Officially Eligible. Re-evaluated in 2013 with revised boundaries	No Historic Properties Affected
5CC.1151.1/ 5CC.1151.2	Mt. Evans Road, State Highway 103	Linear	Officially Eligible; Portion within APE re-evaluated as Does Not Support	No Historic Properties Affected


Summary Of Effect Determinations

Site No.	Name/Address	Resource Type	Previous & New NRHP Determination/ NRHP Criteria	Effect Determination
5CC.201	Idaho Springs Downtown Commercial District	District	NRHP Listed	No Adverse Effect
5CC.229	Charlie Tayler Waterwheel	Object	Officially Not Eligible/Re-Evaluated in 2013 - NR eligible under A and F for Community Development as a commemorative property of Idaho Springs' mining heritage	No Adverse Effect
5CC.427.15	Central Colorado Railroad Grade, Idaho Springs	Railroad	Supports Linear Resource Eligibility	No Historic Properties Affected
MPs 242-243: Twin Tunnels Vicinity				
5CC.1189.3	Twin Tunnels, Interstate 70	Structure	Officially Eligible	No Adverse Effect

This information has been sent concurrently to the consulting parties identified for the project, including Clear Creek County, the Georgetown Trust for Conservation and Preservation, the Mill Creek Valley Historical Society, the City of Idaho Springs, and the Historical Society of Idaho Springs. We will notify you of their responses should they elect to submit comments.

We request your concurrence with the determinations of eligibility and effects as outlined in the attached survey report and effects memorandum. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 6, 2014

Ms. Larrice Sell
Mill Creek Valley Historical Society
P.O. Box 84
Dumont, CO 80436

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Ms. Sell:

This letter and the attached materials constitute a request for comments on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

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In addition, five (5) previously-evaluated properties are addressed but not documented on re-evaluation forms. These include the Georgetown-Silver Plume Historic District (5CC3), the Lawson Depot Site (5CC180), Idaho Springs Downtown Commercial District (5CC201), Mill City House (5CC313) and Twin Tunnels (5CC1189.3). These properties are addressed on report pp. 130-131.

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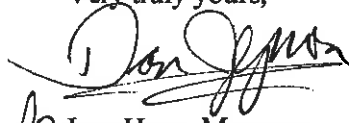
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5CC.1189.3	Twin Tunnels, Interstate 70	Structure	Officially Eligible	No Adverse Effect

This information has been sent concurrently to the SHPO and the consulting parties identified for the project, including Clear Creek County, Georgetown Trust for Conservation and Preservation, the City of Idaho Springs, and the Historical Society of Idaho Springs.

As a consulting party for this project, we welcome your comments on the eligibility and effect determinations and the mitigation approach as outlined above. Should you elect to respond, we request that you do so within thirty (30) days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. If you have questions or require additional information to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)—1 CD
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 6, 2014

Mr. Bob Bowland
Historical Society of Idaho Springs
Heritage Museum and Visitor Center
P.O. Box 1318
Idaho Springs, CO 80452-1318

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Mr. Bowland:

This letter and the attached materials constitute a request for comments on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

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MP 238.5-242: Idaho Springs				
5CC.328	Big Five Mine	Archaeology Site/	Officially Eligible. Re-evaluated in 2013 with revised boundaries	No Historic Properties Affected
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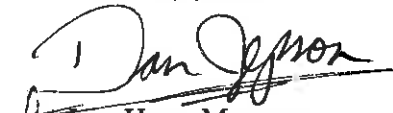
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5CC.1189.3	Twin Tunnels, Interstate 70	Structure	Officially Eligible	No Adverse Effect

This information has been sent concurrently to the SHPO and the consulting parties identified for the project, including the Georgetown Trust for Conservation and Preservation, Clear Creek County, the Mill Creek Valley Historical Society, and the City of Idaho Springs.

As a consulting party for this project, we welcome your comments on the eligibility and effect determinations and the mitigation approach as outlined above. Should you elect to respond, we request that you do so within thirty (30) days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. If you have questions or require additional information to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@dot.state.co.us.

Very truly yours,


Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)—1 CD
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 6, 2014

Ms. Cindy Condon
City of Idaho Springs
Historic Preservation Review Commission
1711 Miner Street, Box 907
Idaho Springs, CO 80452

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Ms. Condon:

This letter and the attached materials constitute a request for comments on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

Improvements associated with the PPSL include some areas of new pavement where the existing lanes and shoulders are presently not wide enough for three lanes; two emergency pull outs; ten retaining walls; one interchange reconfiguration; one overpass replacement; and signage and traffic cameras along the corridor for safety management. The project location is entirely within Clear Creek County. Including signage, the proposed 13-mile project extends from milepost (MP) 229 to 243. For more information about the project scope please see the attached survey report and effects determination memorandum.

Area of Potential Effects

The APE boundary was defined in consultation with the State Historic Preservation Officer (SHPO) and the Section 106 consulting parties in meetings held in October and December 2013. The APE generally follows the I-70 right of way (ROW) but was expanded to include properties outside the ROW based on input from the consulting parties. A detailed description of the APE is included on pages 2-3 of the enclosed report; APE maps are included on pages 13-33 of the report.

Eligibility Determinations

A field survey of the APE was completed by HDR Inc. on behalf of CDOT in September 2013, with additional fieldwork completed later in the fall. The survey resulted in the documentation of forty-seven (47) properties, including seven (7) re-evaluations of previously identified properties and eight (8) newly identified properties. The Lawson Historic District (5CC2157) individually encompasses thirty-two resources (19 contributing and 13 non-contributing properties). See Section 3, Survey Results (pp. 75-125) of the survey report for the eligibility determinations. Summary tables are included in Section 4, Summary and Conclusions (pp. 129-136).

In addition, five (5) previously-evaluated properties are addressed but not documented on re-evaluation forms. These include the Georgetown-Silver Plume Historic District (5CC3), the Lawson Depot Site

(5CC180), Idaho Springs Downtown Commercial District (5CC201), Mill City House (5CC313) and Twin Tunnels (5CC1189.3). These properties are addressed on report pp. 130-131.

Effects Determinations

Given the number of resources documented, a separate memorandum was prepared to evaluate effects to properties found to be eligible to the National Register of Historic Places (NRHP). The following table includes a summary of those determinations. The attached memorandum contains full effect determinations.

Summary Of Effect Determinations

Site No.	Name/Address	Resource Type	Previous & New NRHP Determination/ NRHP Criteria	Effect Determination
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5CC.2157	Lawson Historic District	District	2013 – Recommended NRHP eligible; Contains 19 contributing and 13 non-contributing elements	No Adverse Effect
5CC.2146	W. E. Anderson Store, County Road 308, Lawson	Building	2013 –NR eligible on individual basis and contributing to Lawson Historic District	No Adverse Effect
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Very truly yours,


Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)—1 CD
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 6, 2014

Ms. Cynthia C. Neely
Georgetown Trust for Conservation and Preservation
P.O. Box 1037
Georgetown, CO 80444

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Ms. Neely:

This letter and the attached materials constitute a request for comments on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

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Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)—1 CD
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



February 6, 2014

Ms. Beth Luther
c/o Clear Creek County
P.O. Box 2000
Georgetown, CO 80444

SUBJECT: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Dear Ms. Luther:

This letter and the attached materials constitute a request for comments on determinations of eligibility and effects to historic properties for the undertaking referenced above. The Peak Period Shoulder Lane (PPSL) project involves converting an existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods. This 10-mile long managed lane would be used only during peak periods—defined as Saturdays, Sundays and holidays—to improve travel times and enhance travel reliability and operations. The lane would be created primarily from the existing paved shoulders, with the existing mainline roadway restriped from two lanes to three.

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Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Architectural Survey and Evaluation Report (includes site forms)—1 CD
Effect Determination Memorandum

cc: David Singer, CDOT Region 1
Gina McAfee, HDR



United States Department of the Interior



FISH AND WILDLIFE SERVICE
COLORADO FIELD OFFICE/LAKEWOOD
P.O. BOX 25486, DENVER FEDERAL CENTER
DENVER, COLORADO 80225-0486

IN REPLY REFER TO:
ES/CO: CDOT
TAILS: 06E24000-2014-I-0272

FEB 13 2014

Jeff Peterson
Colorado Department of Transportation
4201 East Arkansas Avenue, Shumate Building
Denver, Colorado 80222

Dear Mr. Peterson:

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Service reviewed your January 27, 2014, biological assessment regarding the Eastbound I-70 Peak Period Shoulder Lane Project in Clear Creek County, Colorado, and its potential effects on the threatened Canada lynx (*Lynx canadensis*). The project will occur between mileposts 230 and 243 and will include signage, minor widening, bridge replacement, interchange improvements, and some retaining walls. Work is expected to begin in the summer of 2014, and the duration of the proposed work is estimated to be 12 to 15 months. Highway closures and some night work are anticipated.

The proposed action will add a peak period managed shoulder lane between the US40/I-70 interchange and east Idaho Springs. The managed lane would be used only during peak periods, defined as Saturdays, Sundays, and holidays. Between mileposts 230 and 232 and between mileposts 242 and 243, only signage will be added. The signs will be lit at all times. The managed lane will be striped, and not barrier-separated from the general purpose lanes. Between mileposts 232 and 242, I-70 will see up to 3.5 feet of widening in some areas to accommodate the new lane, and 4 to 14 feet of widening at on-ramps. The direction of widening (toward the median or toward the shoulder) was based on the amount of impact, with the option with less impact being chosen. The bridges at SH103 and exit 241 will be replaced, Water Wheel Park will be improved, and nine retaining walls will be constructed.

The majority of the project will be located within existing highway right-of-way or easements and would require minimal clearing of vegetation. Habitat adjacent to the roadway has been previously disturbed by past roadway construction activities and development.

Suitable lynx habitat lies at a distance of at least 0.4 mile north and south of the project area, but habitat adjacent to I-70 through the project corridor has not been mapped as suitable. The closest that mapped habitat approaches the corridor is in the Lawson area. No lynx crossings of I-70



have been documented east of Empire Junction, with the nearest crossing somewhere in the vicinity of Bakerville, approximately 10 miles west of the western terminus of the project.

Nine new retaining walls ranging in height from 2 to 5.8 feet will be constructed between mileposts 232 and 242. They will be located along steep slopes composed mostly of rip rap and fill with sparse vegetation. Two of these walls will be located in Lawson where the elevation is high enough to fall within the lynx's potential range. One of these walls will be 750 feet long with a maximum height of four feet and three inches. A crash barrier installed on top of the wall will raise its height by three feet and nine inches. The other wall near Lawson will be 375 feet long with a maximum height of two feet and four inches. A rail installed on top of the wall will raise its height an additional 27 inches. Residential land use in the area adjacent to the proposed walls, the year-round presence of humans, and the location at the lower range of elevation associated with lynx habitat make the use of the area by the species unlikely.


Although the barrier effect of the highway is expected to increase because of the wider footprint and walls associated with the proposed project and that marginally suitable habitat occurs in the vicinity, any use of the area by lynx is expected to be low because of a lack of habitat and moderate development along the corridor. Therefore, effects to the species due to the project are expected to be insignificant and discountable.

Given your habitat and project descriptions, the Service finds the report acceptable and concurs with your determination that the impacts resulting from the proposed project are not likely to adversely affect the continued existence of the Canada lynx.

Please note that should project plans change or if additional information regarding listed or proposed species becomes available, this determination may be reconsidered under the ESA. If the proposed project has not commenced within one year, please contact the Colorado Field Office to request an extension.

We appreciate your submitting this report to our office for review and comment. If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 236-4758.

Sincerely,



Susan C. Linner
Colorado Field Supervisor

cc: CDOT, R1 (Francesca Tordonato)
Michael

Ref: Alison\H:\My Documents\I-70\PPSL\I-70_PPSL_lynx_concur.docx

February 24, 2014



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

Re: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period
Shoulder Lane Project, Clear Creek, County (CHS #64934)

Dear Ms. Hann,

Thank you for your correspondence dated and received on February 4, 2013 by our office on November 4, 2013 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the submitted information, we do not object to the proposed Area of Potential Effects (APE) for the project. After review of the provided survey information, we concur with the recommended finding of not eligible for the National Register of Historic Places for the properties listed below.

- 5CC.2120
- 5CC.2129
- 5CC.2138
- 5CC.2142
- 5CC.2144
- 5CC.2145
- 5CC.2148
- 5CC.2149
- 5CC.2150
- 5CC.2152
- 5CC.2153

We concur with the recommended finding of eligible for the National Register of Historic Places or contributing to a National Register eligible historic district for the properties listed below.

- 5CC.181
- 5CC.2157 The site form states that the historic district is significant under National Register Criterion A for Community Planning and Development. Was the historic district evaluated under National Register Criterion C for Architecture or Landscape Architecture?
- 5CC.182
- 5CC.229
- 5CC.328
- 5CC.339
- 5CC.2121
- 5CC.2122
- 5CC.2123
- 5CC.2125
- 5CC.2126
- 5CC.2127
- 5CC.2128
- 5CC.2131
- 5CC.2133
- 5CC.2137
- 5CC.2139
- 5CC.2140
- 5CC.2141
- 5CC.2146
- 5CC.2147
- 5CC.2151
- 5CC.2154
- 5CC.2156
- 5CC.1189.3

We concur that the segments below retain integrity and support the overall National Register eligibility of the entire linear resource.

- 5CC.427.13
- 5CC.427.14
- 5CC.427.15

We concur that the segment below does not retain integrity and does not support the overall National Register eligibility of the entire linear resource.

- 5CC.1151.2

We are not able to concur with the recommended finding of National Register eligibility for the properties listed below.

- 5CC.2124 We do not concur that the addition renders the property non-contributing to the Lawson Historic District/5CC.2157. The property retains historic form and cohesiveness to contribute to the overall historic district. In our opinion, the property retains enough integrity to convey the significance under National Register Criterion A. (Note: this property is not discussed in the survey report.)
- 5CC.2132, 5CC.2134, 5CC.2135, 5CC.2136. These properties were recommended as not eligible and non-contributing to the Lawson Historic District/5CC.2157 because they did not fall within the period of significance for Community and Planning. Was the property evaluated under any other area of significance, such as Recreation or Architecture?
- 5CC.2155 The site form does not evaluate whether or not this property could be significant under National Register Criterion D for the information that it may yield on how the patrons used the tunnel. According to *National Register Bulletin (36): Guidelines for Evaluating and Registering Historical Archeological Sites and Districts*, the surveyed property can be considered historic archaeology which is described as site, which is defined as “as the location of a significant event or of historical human occupation or activity.” The Bulletin also states that “the location must possess historical, cultural, or archeological value regardless of the value of any existing building or structure.” Even though associated structures are gone from the property, is there potential to yield information from the springs/tunnels themselves?

After review of the provided information, we concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106 for the properties listed below

- 5CC.3
- 5CC.427/Central Colorado Railroad Grade, including segments 5CC.427.13, 5CC.427.14, and 5CC.427.15.
- 5CC.2156
- 5CC.313
- 5CC.339
- 5CC.328
- 5CC.1189.3

After review of the provided information, we concur with the recommended finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 for the properties listed below.

- 5CC.201
- 5CC.229

After review of the provided information, we are not able to concur with the recommended assessment of effect and recommend the finding below.

- 5CC.1151, including segment 5CC.1151.2. The entire of 5CC.1151 is eligible for the National Register of Historic Places. The scope of work within the segment, which does not support, does have the potential to affect. However, in our opinion the effect is not adverse. We recommend a finding of *no adverse effect* [36 CFR 800.5(b)] finding for resource 5CC.1151.

After review of the provided information, we do not concur with the recommended finding of effect for resource 5CC.2157/Lawson Historic District (including 5CC.2146 and 5CC.181) and have additional information questions below.

- Please provide a photo montage of the view of Lawson towards the highway including the proposed retaining wall and proposed signage and lighting.
- What alternatives, as suggested in the DLD & Empire Junction – Area of Special Attention Report of the I-70 Mountain Corridor CSS, to the solid retaining wall were considered? Was there any consideration of planning vegetation between the solid retaining wall and the Lawson community, as suggested in the DLD & Empire Junction – Area of Special Attention Report?

Resource 5CC.2154 was recommended as contributing to a potential historic district but was not included in the assessment of adverse effect. Please provide information in regards to the assessment of adverse effect.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols
State Historic Preservation Officer

Georgetown Trust

for Conservation and Preservation, Inc.

February 25, 2014

Lisa Schoch, Senior Staff Historian
Environmental Programs Branch
4201 East Arkansas, Shumate Building
Denver, CO 80222

Dear Lisa,

Thank you for the opportunity to comment on the Determination of Eligibility and Effects, CDOT project NHPP 0703-401, Peak Period Shoulder Land Project here in Clear Creek County. The consultant team did an excellent job in investigating the resources suggested by the 106 consulting parties. The work appears thorough and thoughtful. As an independent viewer, I concur with the findings of no adverse effect to the properties described. The extended wall in Lawson is an important element in that determination.

The sign plan distributed in your packet would have been an issue of some concern as visual clutter detracts from the context of the entire area. My understanding is that that plan has been substantially modified through the CSS process currently in progress for the project. The more limited signage approach is more in character with the setting.

Sincerely,



Cynthia C. Neely
Executive Director



Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

TELEPHONE:

• (303) 679-2300

March 4, 2014

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

RE: Determinations of Eligibility and Effects, CDOT project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County

Ms. Hann,

Clear Creek County Offices has received your letter and materials regarding a request for comments on determinations of eligibility and effects to historic properties for the Peak Period Shoulder Lane (PPSL) Project. The undertaking involves converting the existing eastbound shoulder of I-70 between the I-70/US 40 interchange and east Idaho Springs into a managed travel lane during peak traffic periods – defined as Saturdays, Sundays, and holidays-to improve travel times and enhance travel reliability and operations.

We concur with your Eligibility Determinations and Effect Determinations, however, we would also like to encourage CDOT to continue to find ways to minimize visual impact that the proposed signage could impose on the identified historic properties to the extent possible.

Please contact Frederick Rollenhagen, Planning Manager at 303-679-2360 or frollenhagen@co.clear-creek.co.us for more information if necessary.

Sincerely,

The Clear Creek Board of County Commissioners


Tom Hayden, Chairman


Timothy J. Mauck


Phil Buckland

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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



March 10, 2014

Mr. Edward C. Nichols
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Additional Information, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek County (CHS #64934)

Dear Mr. Nichols:

In your response letter of February 24, 2014, regarding the project referenced above, you requested additional information or clarification regarding a number of properties identified in the APE. This letter contains responses related to your comments and also includes an update on the overall scope of work.

Comments/Responses Regarding Eligibility

Lawson Historic District (5CC2157): You asked if the Lawson Historic District was evaluated under National Register of Historic Places Criterion C for Architecture. Significance under Criterion C for architecture was considered for the district. The primary construction boom in Lawson occurred during a fairly narrow period and Lawson displays several architectural styles and vernacular forms representative of the period. However, the architectural styles and forms in Lawson vary even within this period and do not represent a cohesive and recognizable assemblage of architectural styles and forms, particularly compared to other communities in the Clear Creek drainage, such as Georgetown and Idaho Springs. The Lawson District was also evaluated under Criterion C for landscape architecture. Although a few individual parcels within the district have extant or remnant vernacular landscapes, there is no evidence of a cohesive vernacular or designed landscape throughout the district. For these reasons, the district was not found to be significant under Criterion C.

1853 County Road 308 (5CC2124): You recommended that this property should be a contributing feature to the Lawson Historic District. CDOT has reviewed the property and agrees that it contributes to the overall Lawson Historic District. As outlined in our February 6, 2014, letter, the project results in *no adverse effect* to the overall Lawson Historic District. Including 5CC2124 as a contributing feature does not change this effect determination.

1924 County Road 308 (5CC2132, 5CC2134, 5CC2135, 5CC2136): You requested clarification regarding whether this property is significant in the areas of Recreation and Architecture. Although the site forms for these properties did not discuss these areas of significance, the discussion of these properties in the survey report concluded that recreational development in the 1930s was not a significant theme. Relative to Criterion C, the four cabins are examples of log kit residences. Access to these properties was limited due to tall fences, but using the county tax assessor's file photographs in combination with portions of the buildings visible during fieldwork, changes to all the buildings could be seen. The building at 5CC2132, which fronts the road, appears to have had two side additions. 5CC2135 has had a rear, shed-roof addition. 5CC2136 has had a large side addition with roof extended, and its multi-light casement windows replaced with sliders or single or double hung sash ones. However, it

appears that many of these modifications were made over 50 years ago. Based on this, the property containing the four cabins may be significant in the area of architecture under Criterion C as good examples of log kit residences and is considered eligible. Given their location south of County Road 308 and the highway, there would be no direct effects to these properties. Indirect effects would be similar to those outlined for the overall Lawson Historic District. For these reasons, the project would result in *no adverse effect*.

Blue Ribbon Tunnel (SCC2155): You requested that CDOT evaluate the tunnel property under National Register Criterion D for potential to yield additional information about how patrons used the tunnel. Archival research has already revealed how the tunnel was used for both recreational and commercial purposes and that the tunnel is significant under Criterion A in the area of Commerce for representing commercialization and consumption of mineral water in Idaho Springs in the late 19th and early 20th centuries. It is unlikely that the tunnel opening, which is adjacent to the flow of Clear Creek, would yield information beyond what was covered for this survey effort, or that wasn't available in other archival sources. For these reasons, CDOT has determined that the tunnel is not significant under Criterion D, and that overall the tunnel is not eligible as noted in our initial submittal.

Comments/Responses Regarding Effects

Mount Evans Highway (SCC1151): You recommended a finding of *no adverse effect* to this historic highway. CDOT agrees that this is a more appropriate finding.

Lawson Historic District (SCC2157): You requested additional information regarding the proposed retaining wall and proposed signage and lighting to assist in your review:

Retaining Wall

Attached is a photo simulation of a view from County Road 308 to the highway where a retaining wall will be installed. In this location the highway is visible from the district and is elevated above the properties. The retaining wall does not significantly change the view to the highway or the visual setting of the district in this area. This photo simulation only shows one location where there will be a wall at the Lawson district but visually represents the appearance of other proposed retaining wall locations in the district.

You also requested information about the alternatives that were considered *in lieu* of a retaining wall at the Lawson historic district location. Two alternatives were considered, as follows:

Fill Slope: The 3.5-foot widening required adjacent to the Lawson Historic District could be accomplished with a fill slope instead of a retaining wall but a fill slope would have required parcel acquisitions from as many as sixteen properties in Lawson, some of which are contributing features of the district. This alternative would have required additional impacts to the historic district and was not selected.

W-Beam Guardrail: Another alternative involves affixing a W-beam type guardrail along the top part of a retaining wall along I-70. The disadvantage of a guardrail is that it would provide no noise abatement. Noise levels are a concern to local residents and the 2 to 4 decibel reduction achieved by the concrete retaining wall is considered an asset to the community representatives on the I-70 technical team.

Landscaping was also considered in this location to soften the view of the retaining wall. The slope is south-facing so it is very dry and would be difficult to grow anything without irrigation. There is no irrigation source in this location and the steep slope would make watering difficult. All of the existing vegetation is located at the toe of slope of private backyards.

Signage

With regard to signage, there have been changes to the overall scope (see below) that have resulted in changes to the Lawson Historic District location. The sign proposed at milepost 233.1 has been removed from the scope. There is a new sign east of the County Road 308 underpass, east of the district's eastern boundary and outside of any viewsheds or viewscapes that include Lawson. No lighting will be added near the Lawson district. CDOT still supports its finding of "*no adverse effect*" for 5CC2157.

72 W. Dumont Road (5CC2154): You requested an effect determination for this property, which was identified as a contributing resource to a potential Dumont Historic District but was not evaluated for effects in our February submittal. At this location there will be no direct or indirect (noise, visual) effects resulting from the project. As noted in our previous submittal, there may be a Dumont historic district where the majority of buildings are north of the interstate (and outside the current project area) and a few properties are located south of the interstate, including 72. W. Dumont Road and the Dumont Depot (5CC2156), which was determined individually eligible. CDOT will not be completing a separate site form for a proposed Dumont district for this project. For the purposes of this consultation and because a Dumont district has not been defined, the property at 5CC2154 is also considered individually eligible and the project would result in a finding of *no historic properties affected* for this resource.

Change to Project Scope

Since we consulted with you in early February 2014, there have been some minor changes and refinement to the project scope involving signage and proposed rock cuts.

Signage

In response to input received at the January 27, 2014 Technical Team meeting, the signing plan was revised. The following overhead signs have been eliminated from areas where they were visible from historic resources. These signs were included in Attachment B of our February submittal.

Table 1: Summary of Sign Removals in the Vicinity of Historic Resources

MP	Sign Type	Historic Resource
233.25	ATM Sign	Lawson Historic District: the sign was located adjacent to the historic district boundary, although shielded from view by topography.
234.95	ATM Sign	Dumont Depot: the sign was visible from the Dumont Depot if visitors were looking north towards the highway.
238.5	ATM Sign	Stanley Mill: the sign was visible from the Stanley Mill for visitors looking east.
239.5	ATM Sign	SH 103: this sign was visible from SH 103 as it crosses over I-70.

Rock Cuts

Two rock cuts may be required as a result of the Proposed Action; their locations are shown in Figure 1. Note that other options are still being examined at these locations which may just include installation of bolts and wire mesh to serve as rock fall mitigation. Both options (rock cutting and bolts with wire mesh) are still being examined by the project team at this time.

The westernmost rock cut, estimated to be 500 feet long and 50 feet high, would be visible from the southeastern edge of the Idaho Springs Commercial District. Figure 2 shows the view of the rock cut from Miner Street, at the west end of the bridge over Clear Creek.

While these rock cuts would be visible from the Idaho Springs Downtown Commercial Historic District, they are located in an area featuring an existing rock cut and the additional cuts would not alter the view toward the highway and would not affect the view to Idaho Springs and its historic district. Therefore the

Figure 1. Rock Cut Locations

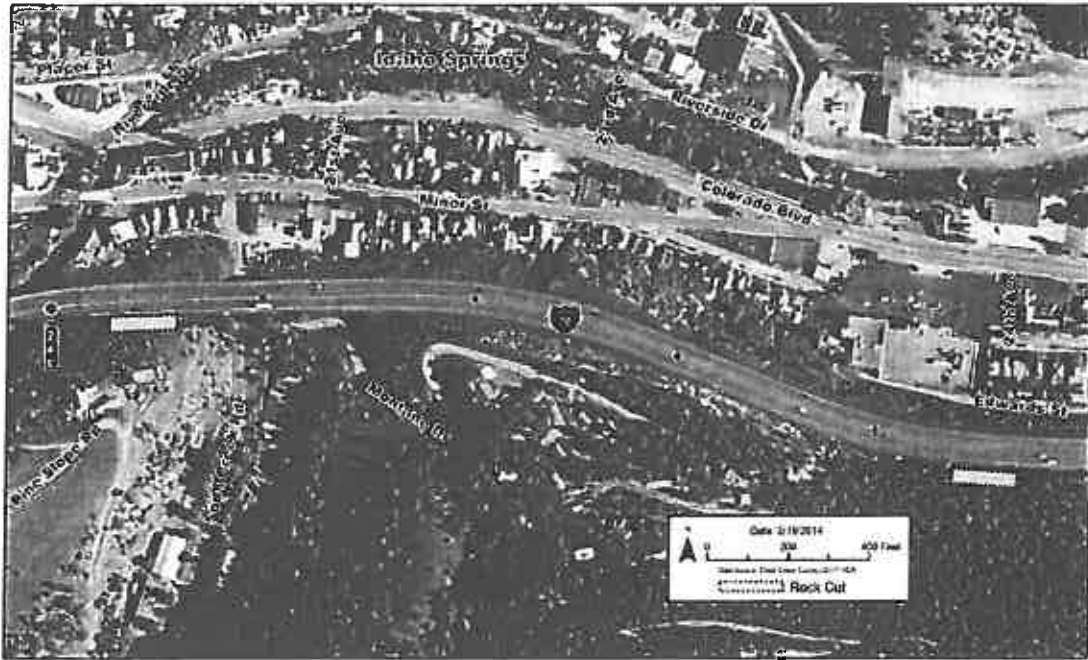
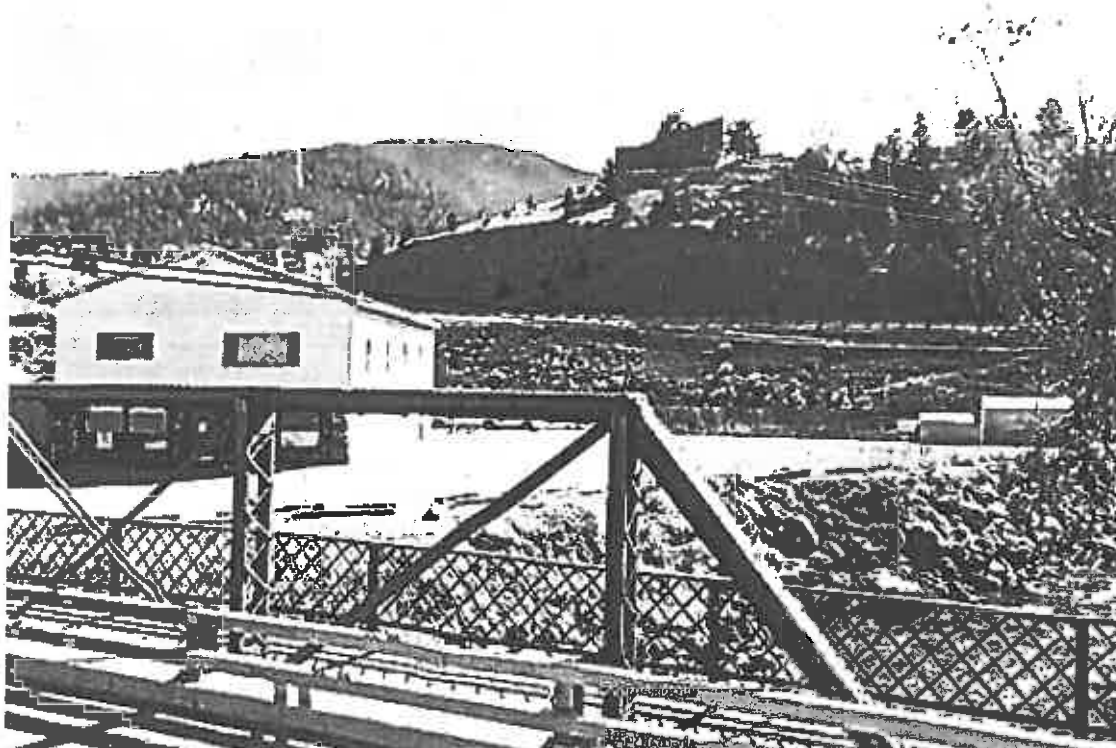


Figure 2. Rock Cut Locations as seen from Idaho Springs



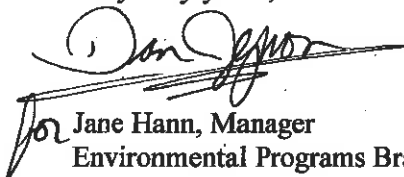
View of the western rock cut area from Miner Street, on the bridge over Clear Creek. The rock cut would occur on the existing cut area in the center of the photo.

previously submitted *no adverse effect* determination for the Idaho Springs Downtown Commercial Historic District would not change.

This information has been copied to the consulting parties identified for the project, including Clear Creek County, the Georgetown Trust for Conservation and Preservation, the Mill Creek Valley Historical Society, the City of Idaho Springs, and the Historical Society of Idaho Springs.

We request your concurrence with the additional information and determinations of eligibility and effects as outlined herein. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Lawson retaining wall photos

cc: David Singer, CDOT Region 1
 Gina McAfee, HDR
 Larrice Sell, Mill Creek Valley HS
 Robert Bowland, Historical Society of Idaho Springs
 Cindy Condon, City of Idaho Springs HPC
 Cindy Neely, Georgetown Trust
 JoAnn Sorenson, Clear Creek County

Existing View



Proposed View with Retaining Wall



March 17, 2014



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

Re: Additional Information: Determinations of Eligibility and Effects, CDOT Project NHPP 0703-401, Peak Period Shoulder Lane Project, Clear Creek, County (CHS #64934)

Dear Ms. Hann,

Thank you for your additional information correspondence dated March 10, 2013 and received on March 11, 2014 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the submitted information, we concur with your recommendations in regards to National Register eligibility and effects for resources:

- 5CC.2157/Lawson Historic District
- 5CC.2124/1853 County Road 308
- 5CC.2132, 5CC.2134, 5CC.2135, 5CC.2136/1924 County Road 308
- 5CC.2155/Blue Ribbon Tunnel
- 5CC.2154/72 W. Dumont Road
- 5CC.1151/Mount Evans Highway
- 5CC.201/Idaho Springs downtown Commercial Historic District

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols
State Historic Preservation Officer

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 3/18/14		4. Sheet 1 of 2	
1. Name of Project Eastbound I-70 Peak Period Shoulder Lane		5. Federal Agency Involved FHWA			
2. Type of Project Transportation		6. County and State Clear Creek County, CO			
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 3/18/14		2. Person Completing Form BOYD BYELICH	
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form)		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated 81 Average Farm Size 461	
5. Major Crop(s) GRASS		6. Farmable Land in Government Jurisdiction Acres: 0 %		7. Amount of Farmland As Defined in FPPA Acres: 0 %	
8. Name Of Land Evaluation System Used 2007 AG CENSUS		9. Name of Local Site Assessment System NONE		10. Date Land Evaluation Returned by NRCS 3/28/14	
PART III (To be completed by Federal Agency)		Alternative Corridor For Segment			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		0.31			
B. Total Acres To Be Converted Indirectly, Or To Receive Services		0			
C. Total Acres In Corridor		98.1			
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		0			
B. Total Acres Statewide And Local Important Farmland		98.1			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		100			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		0			
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)		0			
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))		Maximum Points			
1. Area in Nonurban Use	15	12			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	0			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	0			
8. On-Farm Investments	20	0			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	10			
TOTAL CORRIDOR ASSESSMENT POINTS		160	32	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)		160	32	0	0
TOTAL POINTS (Total of above 2 lines)		260	32	0	0
1. Corridor Selected: A	2. Total Acres of Farmlands to be Converted by Project: 0.13	3. Date Of Selection: 3/18/14	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		

5. Reason For Selection:

A Categorical Exclusion and Context Sensitive Solution process has been used during project development. The project team and stakeholders have worked together to maximize the existing roadway, thereby minimizing the total amount of roadway widening. As a result, environmental impacts have been lessened, including impacts to farmlands.

Signature of Person Completing this Part:

Sandy Beazley

DATE

3/18/14

NOTE: Complete a form for each segment with more than one Alternate Corridor



COLORADO

Department of Transportation

Region 1
Planning & Environmental
425A Corporate Circle
Golden, CO 80401

April 14, 2014

Ms. Rena Brand
U.S. Army Corps of Engineers, Omaha District
Denver Regulatory Office, Regulatory Specialist
9307 S. Wadsworth Boulevard
Littleton, CO 80128

Re: Request for Nation Wide Permit 3a: Maintenance Activities for Proposed Peak Period Shoulder Lane Improvements Project

Dear Ms. Brand:

The Colorado Department of Transportation (CDOT) is requesting concurrence from the U.S. Army Corps of Engineers (USACE) Denver Regulatory Office that the impacts to waters of the United States (Waters) identified within the Eastbound I-70 Peak Period Shoulder Lane (PPSL) Project study area can proceed, with no Pre-Construction Notification (PCN) required. The project is located between milepost 230 and milepost 243. A project description and location map are included in Attachment A.

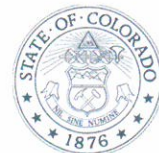
Impacts: There are no anticipated impacts to wetlands resulting from implementation of the Proposed Action.

One waters of the U.S., Clear Creek, would be directly impacted in one location; west of the State Highway 103 interchange (Township 3S, Range 73W, Section 35). In this location, a retaining wall, the base of which sits in the creek, would be reconstructed (refaced) and lined with boulders to eliminate the potential for scour. This work is necessary as the existing wall, which was constructed over thirty years ago, is deteriorating and existing scour is introducing sediment to Clear Creek. This wall is approximately 400-feet long and the new face could be up to 16-inches wide, resulting in a maximum of 500 square feet (0.01 acres) of fill in Clear Creek. Photographs of the existing wall are included in Attachment A.

Construction impacts in this location would include approximately 4,000 square feet of temporary impacts because of construction personnel working in Clear Creek. There would be no equipment in the water as the wall would be reconstructed from above.

Mitigation: The following mitigations measures will be implemented:

- Prohibit construction equipment from entering the ordinary high water mark (2-year floodplain) except where identified on design plans.



- Replacement of rip-rap along Clear Creek will be closely monitored to ensure that additional fill, beyond what is included in the Section 404 permit, is not placed within the ordinary high water mark.
- All equipment will be refueled within designated refueling containment areas away from the ordinary high water mark.

Federally Listed Species and Historic Resources: Threatened and endangered species were evaluated in the Eastbound I-70 PPSL Project Biological Assessment. CDOT has determined that this project may affect, but is not likely to adversely affect the Canada lynx (*Lynx canadensis*). USFWS concurred with this finding in a letter dated February 13, 2014. Historic resources were analyzed in the Eastbound I 70 PPSL Cultural Resources Report. The State Historic Preservation Officer concurred with eligibility and effects detailed in technical memo on March 17, 2014.

CDOT respectfully request your concurrence that project impacts to waters of the U.S. can proceed with no PCN required. CDOT will comply with all General and Regional Conditions of this Nationwide Permit. Should any project detail change in the future that would trigger any of the Notification requirements, CDOT would prepare and submit to your office a modification letter or appropriate PCN.

Should you have any questions or require additional information, please do not hesitate to contact me at the telephone number shown below or by reply to this email. Thank you in advance for your time and consideration.

Sincerely,



Francesca Tordonato
CDOT Region 1 Senior Biologist
425A Corporate Circle
Golden, CO 80401
720-497-6942
francesca.tordonato@state.co.us

cc David Singer, I-70 Mountain Corridor Environmental Program Manager
Project file

Attachments: Project Description, Location, and Photos



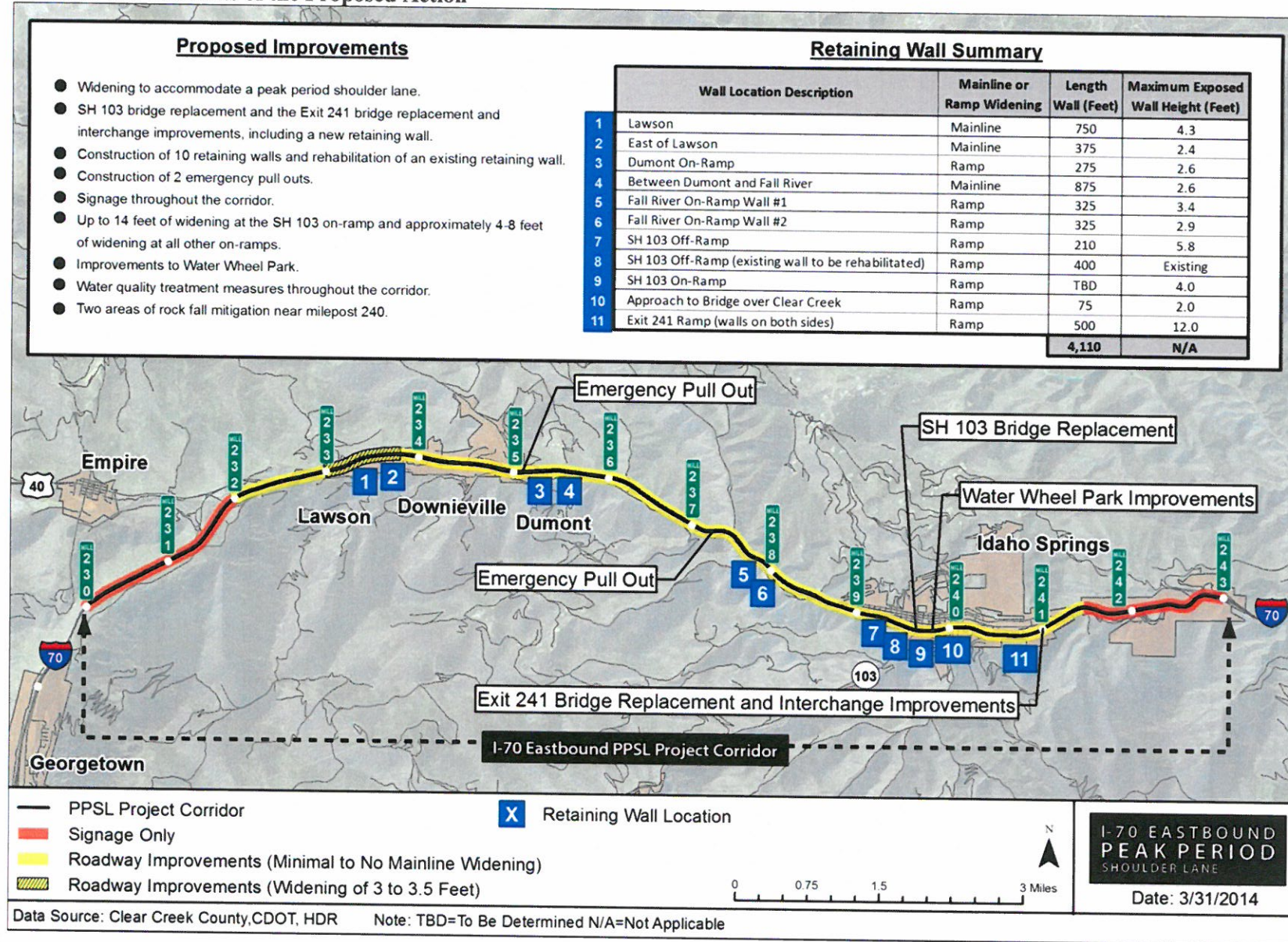
Attachment A: Project Description, Location, and Photos

Project Description:

The Proposed Action adds a peak period shoulder lane between the US 40/I-70 interchange and east Idaho Springs, in the eastbound direction only. It is intended to be an interim solution to peak period congestion as identified in the Interstate 70 (I-70) Programmatic Environmental Impact Statement (PEIS) Record of Decision (ROD) Preferred Alternative Minimum Program. It is an expanded use of the existing transportation infrastructure. This managed lane would be used during peak periods, defined as Saturdays, Sundays, and holidays, improving travel times, travel reliability, and operations. The 13-mile project extends from milepost (MP) 230 to MP 243, with improvements proposed as follows.

- MP 230 to MP 232: signage improvements only. Signage would notify motorists of the status of the managed lane, entrance and exit points, and cost.
- MP 232 to MP 242: roadway improvements, including up to 3.5 feet of widening at select areas to accommodate the managed lane, up to 14 feet of widening at the State Highway 103 (SH 103) on-ramp, and 4 feet to 8 feet of widening at all other on-ramps in the corridor; replacement of the existing SH 103 bridge and the Exit 241 bridge (with interchange improvements); construction of two pull outs for emergency refuge purposes; improvements to Water Wheel Park; signage; rock cuts in two locations; water quality treatment measures; and construction of 10 new retaining walls.
- MP 242 to MP 243: signage improvements only.

Location and Elements of the Proposed Action



Attachment:

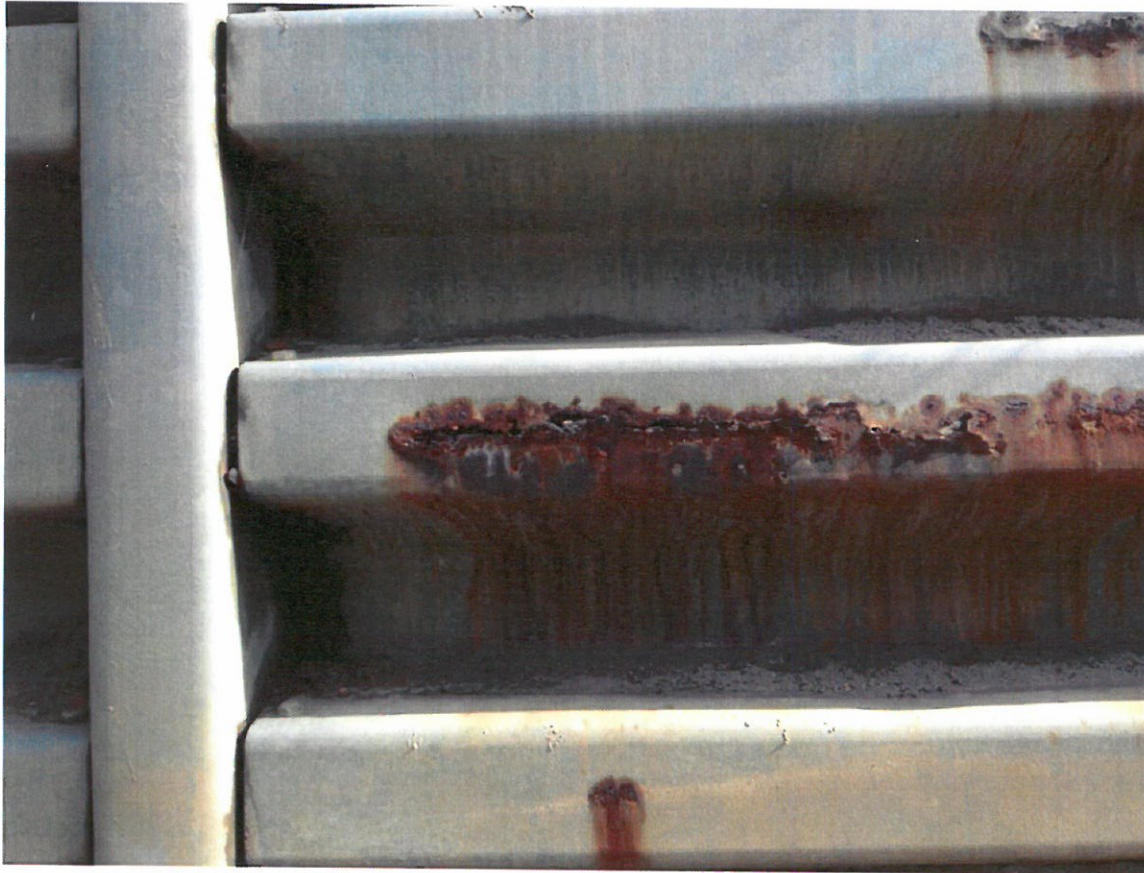
Request for Nation Wide Permit 3a: Maintenance Activities Concurrence for Proposed Peak Period Shoulder Lane Improvements Project

Page 5 of 6

Overview of the Crib Wall near SH 103



Deterioration of the existing crib wall



Base of the crib wall within Ordinary High Water Mark

