

Highway

9

# Frisco to Breckenridge

ENVIRONMENTAL IMPACT STATEMENT

## State Highway 9 Record of Decision

Prepared for:

**Colorado Department  
of Transportation**

**Federal Highway  
Administration**

Prepared by:

**Carter#Burgess**





# **Record of Decision**

for

**State Highway 9  
Frisco to Breckenridge  
Summit County, Colorado**

**STA 009A-021  
FHWA-CO-EIS-02-01-F**

US Department of Transportation  
Federal Highway Administration - Colorado Division  
Colorado Department of Transportation

May 2004

<b>CONVERSION FACTORS</b>		
1 meter	=	3.281 feet
1 kilometer	=	0.622 miles
1 hectare	=	2.471 acres
1 kilogram	=	2.205 pounds
1 foot	=	0.305 meters
1 mile	=	1.609 kilometers
1 acre	=	0.405 hectares
1 pound	=	0.454 kilograms

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## List of Acronyms

BMPs	Best Management Practices
℄	Centerline
CDOT	Colorado Department of Transportation
CDOW	Colorado Division of Wildlife
CEQ	Council on Environmental Quality
DEIS	Draft Environmental Impact Statement
DSP&P	Denver, South Park and Pacific Railroad
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
HOV	High Occupancy Vehicle
LOS	Level of Service
MIS	Management Indicator Species
MSE	Mechanically Stabilized Earth
NEPA	National Environmental Policy Act
NFS	National Forest System
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
RECAT	Regional Erosion Control Advisory Team
ROD	Record of Decision
SH	State Highway
SHPO	State Historic Preservation Office
STIP	Statewide Transportation Improvement Program
SWMP	Stormwater Management Plan
TDM	Transportation Demand Management
TMO	Transportation Management Organization
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service





## 1.0 DECISION

The purpose of this Record of Decision (ROD) is to document the Federal Highway Administration's (FHWA) decision on improvements to a 14.5-kilometer (9-mile) stretch of State Highway (SH) 9 between the northern limits of the Town of Frisco and the southern limits of the Town of Breckenridge in Summit County, Colorado (see **Figure 1**). This ROD has been prepared in compliance with FHWA Regulation 23 CFR 771, Council on Environmental Quality (CEQ) Regulations 40 CFR 1500-1508, and the requirements of the National Environmental Policy Act of 1970 (NEPA), as amended. FHWA and the Colorado Department of Transportation (CDOT) hereby identify the Preferred Alternative as documented in the *State Highway 9 Final Environmental Impact Statement & 4(f) Evaluation*, March 2004 as the Selected Alternative.

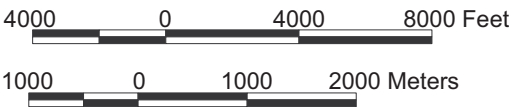
The Selected Alternative for transportation improvements to SH 9, as described in the Final Environmental Impact Statement (FEIS), is a four-lane reduced section roadway including necessary turn lanes, acceleration/deceleration lanes, curb and gutter, medians, and shoulders between Frisco (milepost 97) and Breckenridge (milepost 85). The goals are to improve safety and mobility and to minimize corridor physical impacts. The Selected Alternative is also the environmentally preferred alternative that meets purpose and need and satisfies the goals established for the project.

The existing SH 9 is primarily a two-lane rural principal arterial. Traveling southbound, SH 9 transitions from a four-lane suburban arterial within the Town of Frisco to a very wide two-lane arterial just south of Main Street in Frisco. It then narrows to a physically constrained two-lane rural mountainous roadway near Dillon Reservoir to Summit High School (Swan Mountain Road). At that point it transitions to a more standard two-lane rural roadway. Just south of Gateway Drive, SH 9 is a four-lane roadway with one through lane and one passing lane in each direction. There are frequent unsignalized driveways with auxiliary lanes that merge together and are difficult for a driver to distinguish. SH 9 then transitions back to a two-lane rural arterial for approximately 3.2 kilometers (2 miles) before widening to a three-lane roadway with two of the lanes in the southbound direction. Finally, SH 9 transitions into a two-lane urban collector with high pedestrian volumes, on-street parallel parking within the Town of Breckenridge.



**LEGEND**

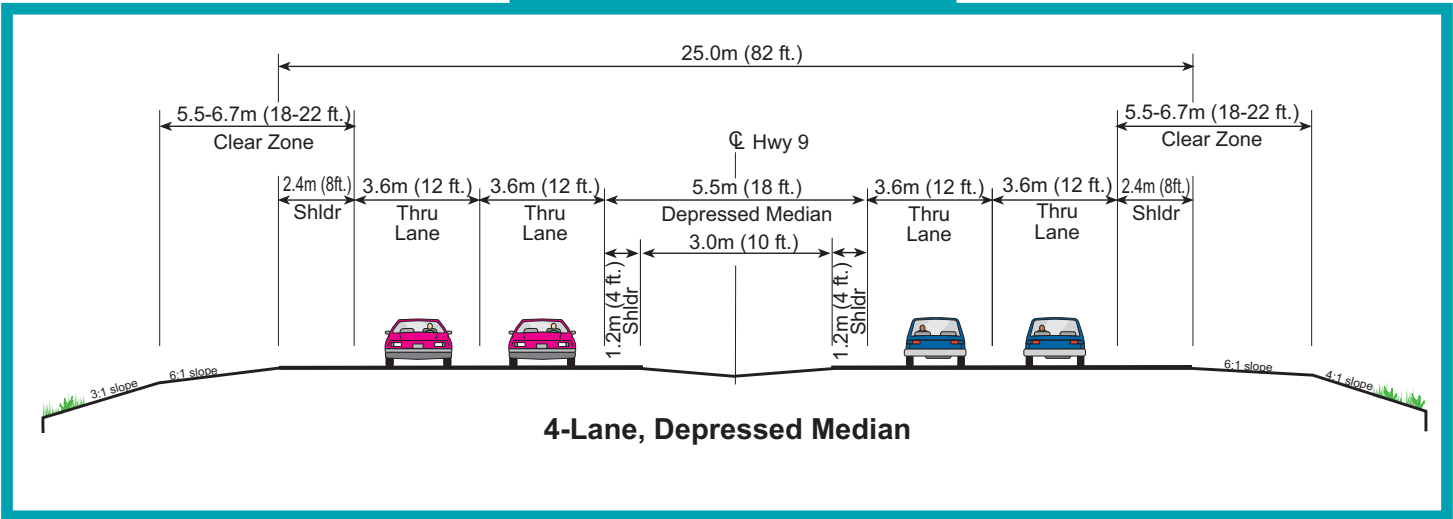
- Highway/Interstate
- Other Roads
- Project Limits



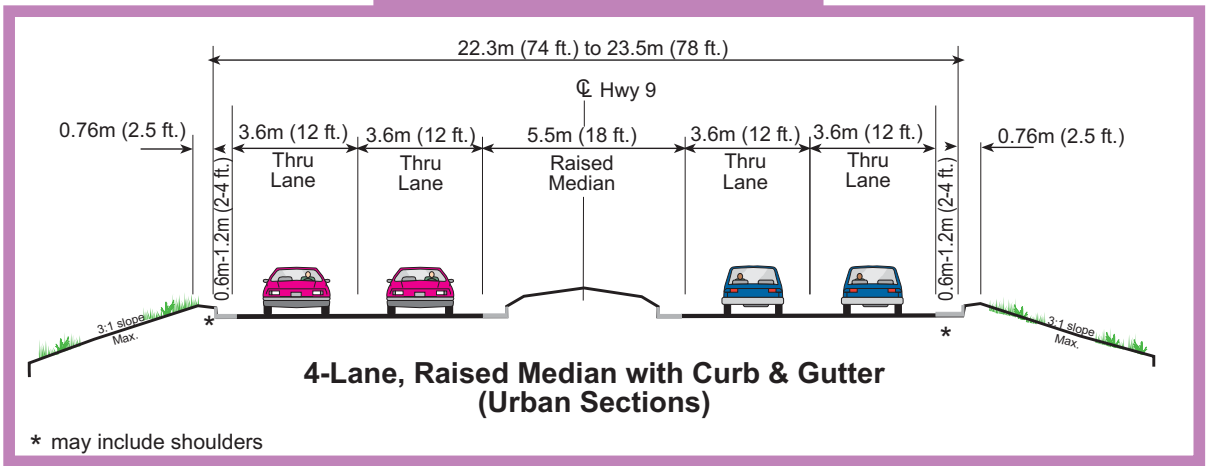
The Selected Alternative consists of highway improvements, intersection improvements, transit, pedestrian and bicycle improvements, and a transportation demand management program including bus priority signals. The major components of the Selected Alternative are summarized below and described in greater detail in the SH 9 FEIS.

- Four 3.6-meter (12-foot) travel lanes between Frisco and Breckenridge, including a 5.5-meter (18-foot) median at its widest. Medians are a depressed rural median, a raised median or a barrier-protected median. **Figure 2** and **Figure 3** illustrate the different sections and layout for the improvements.
- Redesignation of SH 9 from Main Street to Park Avenue in Breckenridge. The section will be four lanes with a center turn lane from North Park Avenue to Ski Hill Road. An entrance to the parking facility for the future intermodal center is included. No improvements are assumed south of Ski Hill Road, except at the South Park Avenue and Main Street intersection.
- A roundabout at the North Park Avenue and Main Street intersection in Breckenridge. This replaces the current T-intersection. The roundabout intersection includes a two-lane southbound bridge allowing through traffic to move freely to Park Avenue (SH 9). The roundabout was designed to accommodate truck movement through the intersection. Northbound travelers on Main Street wishing to access Park Avenue will be directed to utilize French Street located one block south of the North Park Avenue and Main Street intersection (see **Figure 3**).
- Improvements to the South Park Avenue and Main Street intersection in Breckenridge. The intersection will be reconfigured to move the northbound “through” traffic onto Park Avenue (SH 9) instead of Main Street. Northbound SH 9 traffic will be required to make a conscious decision to turn right onto Main Street. A SH 9/Park Avenue southbound access to northbound Main Street is provided by a left turn lane.
- Improvements to the SH 9 and Main Street intersection in Frisco. At the request of the Town of Frisco, the existing single left turn lane onto Main Street from northbound SH 9 will remain the configuration as far into the future as possible, rather than the dual left-turn lanes presented in the FEIS. Future options at this location will be coordinated with the Town of Frisco and further explored during design, weighing the operational and safety impacts.

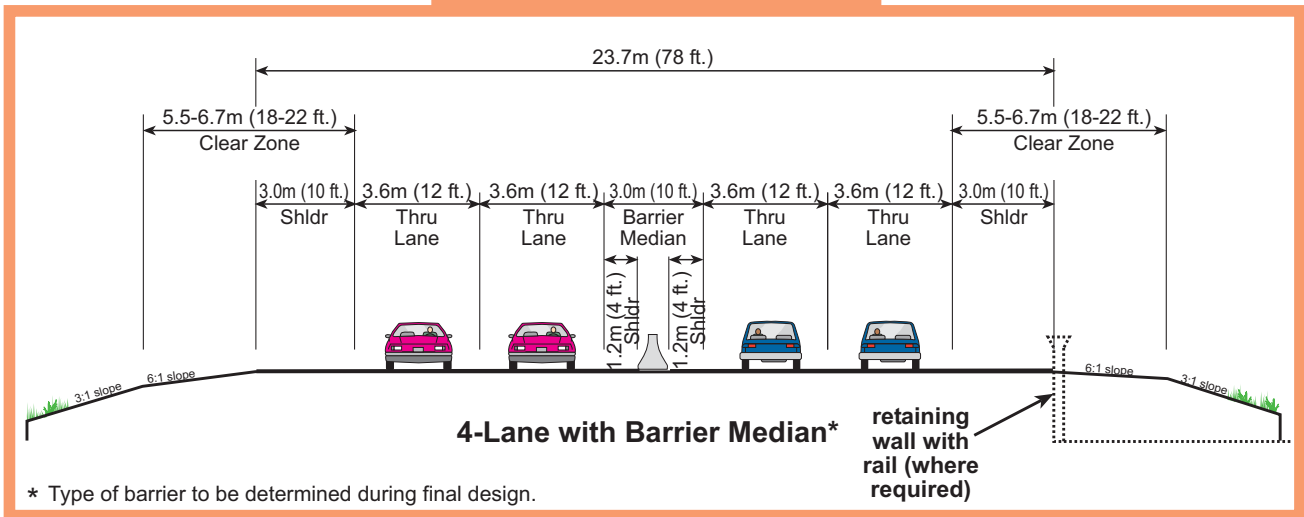
## Typical Section A

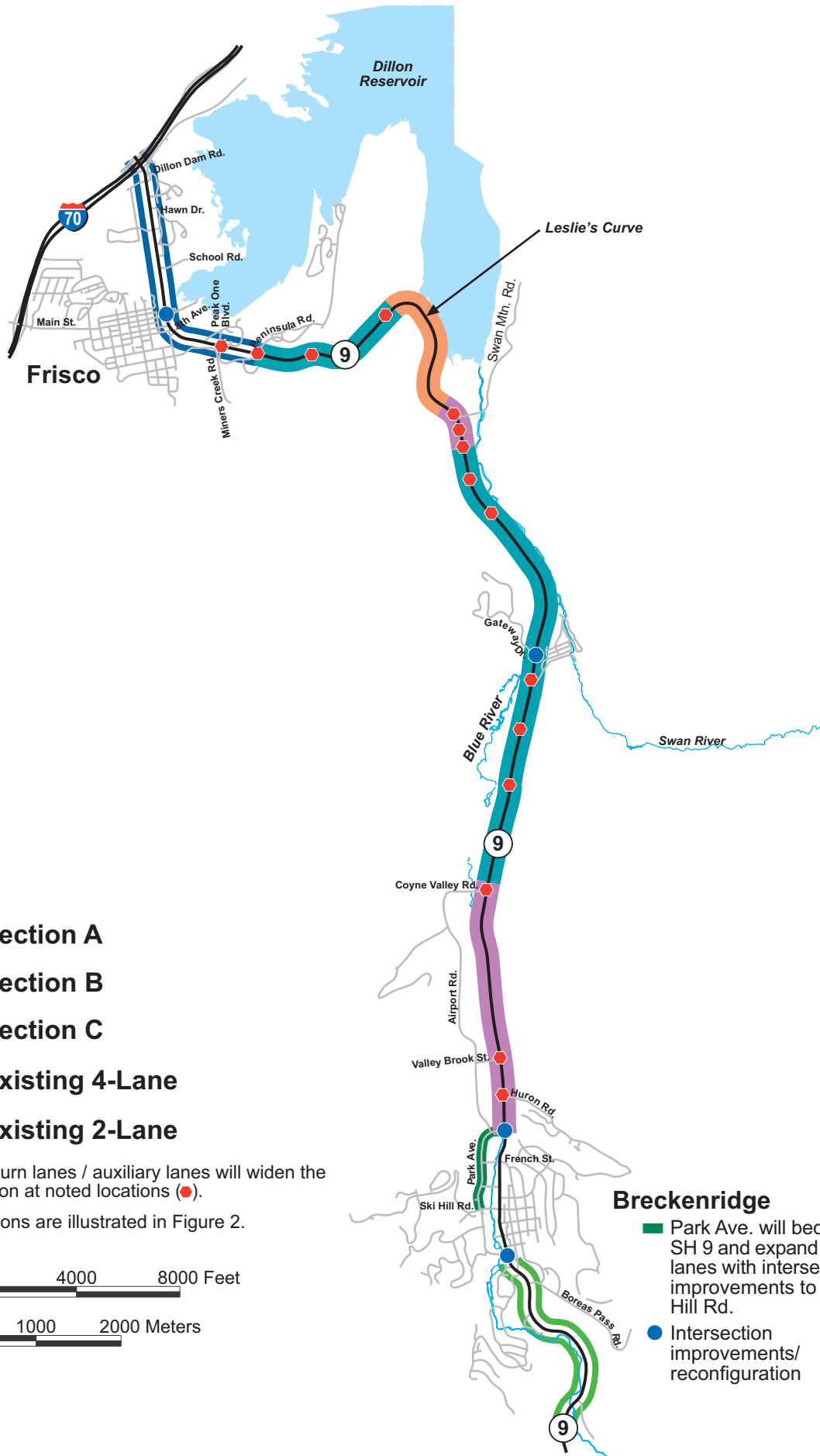


## Typical Section B



## Typical Section C

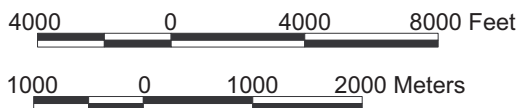




- Section A
- Section B
- Section C
- Existing 4-Lane
- Existing 2-Lane

**Note:** Necessary turn lanes / auxiliary lanes will widen the typical section at noted locations (●).

**Note:** These Sections are illustrated in Figure 2.



**Breckenridge**

- Park Ave. will become SH 9 and expand to 4-lanes with intersection improvements to Ski Hill Rd.
- Intersection improvements/reconfiguration

- Transit Improvements. Area transit stops will be upgraded through coordination with Summit Stage. Transit stop amenities included with the Selected Alternative are information kiosks, signs and bicycle racks. At transit stops with shoulders, the shoulders will be widened to 3.6 meters (12 feet) as a pullout to allow buses to move out of the stream of traffic.
- Pedestrian and Bicycle Improvements. The Selected Alternative will provide a raised median area near the high school and along SH 9 at the Swan Mountain Road intersection for pedestrian safety. Widening of shoulders along stretches of SH 9 will provide safer conditions for bicyclists traveling in the roadway. Pedestrian crossings and signal accommodations will be improved at key crossings. The bikeway between Frisco and Breckenridge will be maintained and in some areas improved by moving the bikeway away from the highway to a safer alignment.
- Transportation Demand Management. TDM strategies will be implemented to make the most efficient use of existing facilities by reducing the actual demand placed on these facilities. TDM strategies associated with the Selected Alternative include bus priority signals (this allows buses to jump ahead of a line of cars at signalized intersections), transit stop amenities, and Transportation Management Organization (TMO) funding and programs.
- Access Management Plan. Private access to and from SH 9 will be modified, relocated, combined, restricted and/or closed per criteria outlined in the *Colorado State Highway Access Code* for the assigned category.

### **1.1. Resolution of Unresolved Issues from the FEIS**

The SH 9 Corridor between Frisco and Breckenridge is no longer under consideration for tolling per the CDOT Colorado Tolling Enterprise and will not be carried forward for further evaluation of toll financial feasibility at this time.

### **1.2. Project Funding Scenario**

The approximate capital cost for the Selected Alternative is \$54 million (year 2000 dollars). The cost per mile is approximately \$6 million.

The current 2020 Statewide Transportation Plan identifies approximately \$33 million for SH 9 from Frisco to Breckenridge. The SH 9 project is also identified in the Statewide Transportation Improvement Program (STIP). Final design and construction will occur as funding becomes available. The long-range plan is

refreshed every five years to reflect changes in funding limits and priorities. If current funding limits persist, it may take longer than 20 years for all of the elements contained within the Selected Alternative to be fully realized.

At this time, CDOT has identified a project for immediate design and construction based on the current State Transportation Improvement Program funds available. These funds are identified by fiscal year (FY) as follows: \$6.5 million for FY 2004; \$800,000 for FY 2005; and \$7.7 million for FY 2006-2008. This first project, scheduled for FY 2004 is in Breckenridge and includes the following components:

- A new roundabout intersection at North Park Avenue and Main Street,
- Widening SH 9 to four through lanes between Valley Brook Drive and the North Park roundabout, and
- Improvements to the South Park Avenue and Main Street intersection.

## 2.0 ALTERNATIVES CONSIDERED

The SH 9 – Frisco to Breckenridge Final Environmental Impact Statement (FEIS) was signed in March 2004. The project commenced with the publishing of the notice of intent to prepare an EIS in the Federal Register on March 23, 1999. In May 2002 the DEIS was made available to the public for a 75-day public comment period concluding on August 15, 2002. The FEIS was available for public review and comment for 30-days, from March 19, 2004 to April 19, 2004 with a public hearing on April 7, 2004. **Appendix A** documents the comments received during the period and the responses to those comments.

The purpose of the SH 9 – Frisco to Breckenridge project is to improve transportation along SH 9 by decreasing travel time, improving safety, and supporting the transportation needs of local and regional travelers while minimizing impacts to the surrounding environment and communities. In general, the need for this project can be categorized into four major areas: roadway capacity and mobility; safety; growth; and transit.

### 2.1 Alternatives Evaluated in DEIS

The Draft EIS, published in May 2002, describes the process used to identify the range of reasonable alternatives fully assessed (see Chapter 2.0 of the DEIS for a

complete analysis of all alternatives assessed). Reasonable alternatives that were fully evaluated in the Draft EIS include:

- **No-Action Alternative.** This alternative assumed completion only of those transportation projects that were committed or programmed by CDOT, or the Towns of Frisco and Breckenridge, Summit County or Summit Stage. This alternative was fully assessed as an alternative and for use as a “baseline” against which other alternatives were evaluated.
- **Alternative 1 – Four-Lane Full-Width Median.** This alternative included four through-lanes and either a depressed rural median, a raised median or a barrier-protected median, shoulder improvements, and intersection improvements. The goal of Alternative 1 was to improve safety and mobility. This alternative did not preclude future transportation options beyond the scope of this study.
- **Alternative 2 – Four-Lane Full-Width Median Bus/HOV.** This alternative was identical to Alternative 1 in its physical characteristics with a designated bus and/or High Occupancy Vehicle (HOV) lane. During peak periods, possibly on weekdays only, the use of the outside lane would be limited to buses and carpools with two or more people in a vehicle. By encouraging diverse travel modes, the goals of this alternative were to improve safety and mobility and to provide enhanced operations for HOVs during peak periods.
- **Alternative 3 – Four-Lane Reduced Section (Selected).** Alternative 3, identified as the Preferred Alternative in the Final EIS, is identical to Alternative 1 in the number and use of through lanes. It varies from Alternative 1 in that the width of the median and shoulders are reduced. The reduced median results in a reduced total section width. The goal of this alternative is to improve safety and mobility while minimizing corridor physical impacts.
- **Alternative 4 – Enhanced Two-Lane.** Alternative 4 was similar to the No-Action Alternative. The two through lanes would be similar to existing conditions. In addition, a median (raised or depressed) would be added for safety purposes. Some additional acceleration and deceleration lanes also were included. The goals of the alternative were to improve safety and to minimize corridor physical impacts. This alternative did not meet the Purpose and Need for the SH 9 project.



## 2.2. Alternatives Evaluated in FEIS

Based on comments received on the DEIS and input from project advisory groups and resource agencies, FHWA and CDOT identified Alternative 3 of the DEIS as the alternative that best met the SH 9 Purpose and Need, project goals, community needs, and that minimized environmental impacts. An abbreviated FEIS was prepared identifying Alternative 3 as the Preferred Alternative. An abbreviated FEIS format was most appropriate given the minimal controversy regarding this project at the time the DEIS was published, the minor comments received during the review period, and the completeness of the DEIS. Comments received did not substantially modify any of the alternatives or the environmental analysis in the DEIS.

The FEIS Preferred Alternative was determined by comparing the findings of all the social, economic, and environmental impacts of the alternatives, and public comments received on the DEIS. **Table 1** presents the results of the alternatives decision process used to identify the FEIS Preferred Alternative.

## 2.3. Selected Alternative

The Selected Alternative best meets the project purpose and need, and goals for transportation improvements to SH 9. Additionally, it has broad public and agency support and best meets the communities desire for safety and mobility improvements with minimal environmental impacts.

## 2.4. Environmentally Preferred Alternative

Based on the analysis presented in the DEIS and in the FEIS, the Selected Alternative is the least environmentally damaging alternative which meets the Purpose and Need for roadway capacity and mobility, safety, growth and transit for the design year of 2020. While Alternative 4 has fewer environmental impacts it does not meet purpose and need for the project. The purpose of the SH 9 project is to improve transportation along SH 9 by decreasing travel time, improving safety, and supporting the transportation needs of local and regional travelers while minimizing impacts to the surrounding environment and communities.

**Table 1  
Preferred Alternative Decision Matrix**

Criteria	No-Action Alternative	Alternative 1 Four-lane full-width median	Alternatives Alternative 2 Four-lane full-width median bus/HOV	Preferred Alternative Four-lane, reduced section	Alternative 4 Enhanced two-lane*
Identify the alternatives that best meet the project purpose and need	●	○	◐	○	●
Identify the Least Environmentally Damaging Practicable Alternative in accordance with Section 404 of the Clean Water Act (b)(1) Guidelines	◐	●	●	◐	●
Identify the Environmentally Preferred Alternative in accordance with CEQ	●	◐	◐	○	◐
Identify the alternatives that are feasible to build	N/A	◐	◐	◐	○
Identify the alternatives that are affordable or can be financed over an acceptable period	N/A	●	●	◐	◐
Identify the alternatives that meet the needs or objectives of social, economic and environmental concerns	●	◐	◐	○	●
Identify the alternatives with the most public acceptance	●	◐	◐	○	●
Identify the alternatives that best fits the long-term vision	●	○	○	◐	●
Identify the alternatives that best avoids, minimizes, and mitigates impacts to Section 4(f) properties	○	●	●	◐	◐

<b>Legend</b>			
○	◐	●	N/A
Most Desirable	→	Least Desirable	Not Applicable

\* Does not meet purpose and need for the project

Alternative 4 was fully evaluated in the DEIS based on community input. Although Alternative 4 does not meet the purpose and need for the project, the Breckenridge Town Council and the Upper Blue Planning Commission felt strongly that it should be carried forward in the DEIS. The Breckenridge Town Council and the Upper Blue Planning Commission argued convincingly that as the only roadway alternative to widening SH 9 to four lanes, the general public would want to see a full and complete evaluation on the Enhanced Two-Lane Alternative.

Therefore, of the alternatives that address the purpose and need for the project, the Selected Alternative is environmentally preferred. The Selected Alternative has been developed to avoid and minimize environmental impacts and enhance the environment. Further avoidance, minimization and enhancement may occur during final design.

### **3.0 SECTION 4(f) PROPERTIES**

The SH 9 Frisco to Breckenridge EIS process included three years of coordination with the Town of Frisco, Town of Breckenridge, Summit County, United States Forest Service, White River National Forest, Colorado Outdoor Parks and Recreation, State Historic Preservation Officer (SHPO), United States Army Corps of Engineers, and other agencies responsible for the administration of Section 4(f) properties within the study area. In addition to the public meetings, several smaller staff-level coordination meetings were held with Town, USFS and county representatives to explain the project's alternatives and impacts in greater detail as well as to discuss mitigation remedies for individual properties. In addition, coordination was conducted with the U.S. Department of the Interior.

The intent of the Section 4(f) requirement is to avoid impacts to public parks, recreation areas, wildlife refuges, and historic sites, unless there is no "feasible and prudent alternative". The Section 4(f) Evaluation demonstrated that there were no feasible and prudent alternatives that completely avoided use of Section 4(f) properties that also met the purpose and need for this project. The Selected Alternative meets the project purpose and need while minimizing harm to Section 4(f) properties.

There are six historic properties eligible for listing on the National Register of Historic Places (NRHP) including one Historic District, and 50 park and recreation properties located within the study area. The Selected Alternative

impacts the use of nine Section 4(f) properties including seven of the parks/recreational areas and two of the historic properties.

Following is a discussion of why avoidance is not a feasible and prudent alternative. **Table 2**, at the end of this section, provides a summary for the Selected Alternative of the impacts to use and mitigation of the nine Section 4(f) properties.

### **3.1. Frisco-Farmer's Korner - Blue River Bikeway**

The Selected Alternative would require bikeway relocations to mitigate impacted segments of the trail and to accommodate safety issues and roadway reconstruction at Leslie's Curve and at Parkway Center-Corkscrew Park. Any reconstruction of the bikeway within existing right-of-way at Leslie's Curve would not avoid additional impact to the historic Dillon Placer Mine (5ST883) traversed by the existing bike route. Shifting the North Park Avenue intersection to avoid impacts to the bikeway would result in additional impacts to the Parkway Center-Corkscrew Park and would not provide a safe roadway intersection. Local steep topography and the existence of the Blue River channel compress the available land for alternate bikeway relocation within the existing right-of-way. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available. By realigning the bikeway away from the highway a safer and more aesthetic alignment is created. The section of relocated bikeway will be replaced at a greater than 1:1 ratio and abandoned bikeway asphalt will be removed and restored with native seeding. At the Parkway Center-Corkscrew Park the relocated portion of trail will be at a 2:1 ratio.

### **3.2. Denver, South Park and Pacific Railroad (DSP&P) Grade (5ST395.4)**

The Selected Alternative requires a total land acquisition of 36 meters (120 feet) or 0.6% of the Railroad grade to construct roadway, toe slope and clear zone. Shifting the alignment to the east would result in a greater take of the Frisco Nordic Center Park and Recreation Area, while more of the historic grade would be altered by any westward shift in the proposed roadway alignment. Thus, there are no prudent and feasible alternatives that meet the purpose and need of this project and avoid the use of the DSP&P Railroad grade.

### **3.3. Frisco Nordic Center Park and Recreation Area**

The Selected Alternative would require modification of the existing access to the Frisco Nordic Center Park and Recreation Area and require acquisition of a narrow strip of land parallel to SH 9 consisting of 3.0 hectares (7.5 acres) to accommodate roadway safety realignments, shoulder, and toe slope construction with a maintenance buffer. Relocation of approximately 496 meters (1,625 feet) of snowshoe trail and 122 meters (400 feet) of hiking trail are also required. This take represents 3.4% of the entire recreation property. Altering the proposed alignment by moving the roadway west, away from the property, would create a safety design deficiency and would not be compliant with current design standards. Moving the roadway to the west or north also would result in a greater taking of the historic DSP&P Railroad grade (5ST395.4). No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.4. Peninsula Recreation Area: Dickey Day Use Area**

The entrance to the Dickey Day Use Area would require modification of undeveloped portions of the Day Use Area where roadway toe slope construction and maintenance clear zone are needed. The Selected Alternative would take a narrow strip of land parallel to SH 9 consisting of 0.45 hectare (1.1 acre). This take represents 0.4% of the entire recreation property. Any westward shift in the alignment would result in safety standard deficiencies to SH 9. Shifting the alignment to the east would impact more area within the Peninsula Recreation Area and Frisco Nordic Center Park and Recreation Area. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.5. Dillon Placer Mine (5ST883)**

Cut slopes required to accommodate proposed highway alignment with the Selected Alternative would impact a 25-square-meter (269-square-foot) portion of the northeast corner of the sluicing site. This new right-of-way area is within the sluicing site and has already been disturbed by past construction of the Frisco-Farmer's Korner-Blue River Bikeway. The impacted area constitutes less than 0.2% of the entire historic property. Local rugged topography and the presence of Dillon Reservoir physically prevent avoidance of the property. Moving the roadway to the west would directly impact more of the historic Dillon Placer Mine (5ST883), significantly expanding the hillside area under cut

slope. Alternatively, moving the roadway to the east physically encroaches on the waters of Dillon Reservoir and creates larger direct impacts to the Dillon Reservoir Recreational Management Area property (discussed below) and its locally sensitive environment. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.6. Dillon Reservoir Recreational Management Area: Blue River Inlet Area**

The Selected Alternative would require a safety realignment of the roadway where retaining wall structures and fill slopes would impact portions of the property along Dillon Reservoir. The total direct impacts to this property are 0.89 hectare (2.2 acres). This take constitutes 0.9% of the entire property. Moving the roadway to the west would directly impact more of the historic Dillon Placer Mine (5ST883), significantly expanding the hillside area under cut slope. Alternatively, moving the roadway to the east physically encroaches on the waters of Dillon Reservoir, creating larger direct impacts to the Dillon Reservoir Recreational Management Area property and its locally sensitive environment, and challenges the feasibility of construction techniques with excessive costs. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.7. Tatum Tracts Park**

The Selected Alternative would require 0.75 hectare (1.9 acres) for toe slope stabilization and clear zone for the highway improvements. This take constitutes 14.1% of the park. The location of the Blue River precludes moving the roadway alignment further east and results in a much larger direct impact to Tatum Tracts Park. A westward shift to the realignment tightens the roadway curvature and reduces safety standards further. A westward shift results in more impacts to Fourmile Bridge Open Space and Recreation Area and the adjacent Curtis Open Space. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.8. Fourmile Bridge Open Space and Recreation Area**

The Selected Alternative would require 0.12 hectare (0.31 acre) of property take along a narrow strip of land adjacent to the existing right-of-way to accommodate a maintenance clear zone for roadway shoulders and toe slopes. The take constitutes 1.3% of the entire property. Shifting the roadway to the

west results in taking of more property at Fourmile Bridge, Curtis Open Space, the Farmer's Korner-Blue River Bikeway, and the Dredge Piles Along the Blue River (5ST763). Additionally, a westward shift would reduce the safety realignment at this segment of SH 9 by tightening roadway curvature. Moving the roadway to the east would result in a more severe taking of the Tatum Tracts Park property and would cause avoidable impacts to the Blue River and its ecosystem. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

### **3.9. Parkway Center-Corkscrew Park**

The Selected Alternative would directly impact 0.064 hectare (0.159 acre) of park land for the west abutment of the proposed North Park Avenue bridge, a contributing element to the roundabout intersection. This represents 2% of the entire park. The steep topography of the eastern highway edge constrains any eastward realignment of the bridge template due to extensive cut slopes. Any eastward shift in the footprint of the road and bridge increases the direct take at the other half of the Parkway Center-Corkscrew Park property located east of SH 9. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Based upon the above considerations, it is determined that there are no feasible and prudent alternatives to the use of land from the Frisco-Farmer's Korner-Blue River Bikeway, the DSP&P Railroad grade (5ST395.4), the Frisco Nordic Center Park and Recreation Area, the Peninsula Recreation Area - Dickey Day Use Area, the Dillon Placer Mine (5ST883), the Dillon Reservoir Recreational Management Area: Blue River Inlet, the Tatum Tracts Park, the Fourmile Bridge Open Space and Recreation Area, and the Parkway Center - Corkscrew Park. The proposed action includes all possible planning to minimize harm to these Section 4(f) properties resulting from such use.

**Table 2**  
**Section 4(f) Properties: Impacts to Use and Mitigation for the Selected Alternative**

Name of Property	Type of Property	Direct Impacts/Use	Mitigation
Frisco-Farmer's Korner-Blue River Bikeway	Recreation	<ul style="list-style-type: none"> <li>Relocation of 332 meters (1,090 feet) from roadside to hillside north of Leslie's Curve; Relocation of 107 meters (350 feet) bikeway at North Park Avenue.</li> </ul>	<ul style="list-style-type: none"> <li>At Leslie's Curve relocate bikeway away from the existing roadway to increase safety, remove the bikeway from active traffic lanes; increase path width to 4 meters (12 feet), attempt to increase new grade-separated crossings to 5 meters (15 feet) width; and enhance the route mobility and aesthetic view shed. The relocated route on National Forest System (NFS) land would replace the old bikeway at a greater than 1:1 ratio. Abandoned bikeway asphalt will be removed and seeded with a native, weed-free seed mix. The trail system in the vicinity of bridge construction at Parkway Center-Corkscrew Park consists of two parallel trail spurs; one trail runs at stream level under the existing bridge and will be rebuilt in place, and the other connects at street level to a mid-street crossing. A 107-meter (350-foot) segment of bikeway would be relocated adjacent to the new bridge and North Park Avenue alignment to connect the existing path with the future signalized intersection at Airport Road. The replacement trail easement would be approximately 222 meters (728 feet) in length or a 2:1 ratio replacement.</li> </ul>
DSP&P Railroad Grade (5ST395.4)	Historic	<ul style="list-style-type: none"> <li>37 meters (120 feet) take (0.6% of entire resource impacted). SHPO determination of <b>No Adverse Effect</b>.</li> </ul>	<ul style="list-style-type: none"> <li>The remaining disturbed area will be restored to the original aesthetic character and reseeded with a native, weed-free seed mix.</li> </ul>
Frisco Nordic Center Park and Recreation Area	Recreation	<ul style="list-style-type: none"> <li>3.0 hectares (7.5 acres) take of narrow strip of undeveloped land parallel to SH 9 (3.4% of entire resource impacted).</li> </ul>	<ul style="list-style-type: none"> <li>Toe slopes and surface disturbances will be minimized while maintaining safety standards and erosion control. Remaining disturbed areas will be reseeded with a native, weed-free seed mix and restored to the original aesthetic character. Any disturbed trails would be replaced at a mutually agreeable site.</li> </ul>



**Table 2 (continued)**  
**Section 4(f) Properties: Impacts to Use and Mitigation for the Selected Alternative**

Name of Property	Type of Property	Direct Impacts/Use	Mitigation
Peninsula Recreation Area—Dickey Day Use Area	Recreation	<ul style="list-style-type: none"> <li>0.45 hectare (1.1 acres) take of narrow strip of undeveloped land parallel to SH 9 (0.04% of entire resource impacted).</li> </ul>	<ul style="list-style-type: none"> <li>A left-turn lane off of SH 9 and north- and south-bound acceleration lanes have been designed to increase traffic safety and turning mobility for facility users of recreational vehicles and vehicles towing trailers. The remaining disturbed terrain will be reseeded with a native, weed-free seed mix and restored to the original aesthetic character.</li> </ul>
Dillon Placer Mine (5ST883)	Historic	<ul style="list-style-type: none"> <li>25 square meters (269 square feet) take (0.2% of entire resource impacted). SHPO determination of <b>No Historic Property Affected.</b></li> </ul>	<ul style="list-style-type: none"> <li>The abandoned bikeway asphalt will be removed per coordination with Summit County Open Space and Trails Department and the resulting construction disturbances will be restored to the original terrain character and aesthetic appearance. This relocation does not impact delineated wetlands nor does it impact proposed wetland mitigation sites. CDOT will consult with Summit County during final design on whether a segment of abandoned bikeway near the Dillon Placer Mine should remain intact to function as a historic interpretive pathway spur.</li> </ul>
Dillon Reservoir Recreational Management Area: Blue River Inlet	Recreation Management Area	<ul style="list-style-type: none"> <li>0.89 hectare (2.2 acres) take (0.9% of resource within the study area impacted).</li> </ul>	<ul style="list-style-type: none"> <li>Retaining walls and bikeway relocation would minimize permanent impacts to terrain, fens, reservoir, and scenic appearance of this portion of the study area. Restoration of the original terrain character, reseeded, and aesthetics will be implemented.</li> </ul>

**Table 2 (continued)**  
**Section 4(f) Properties: Impacts to Use and Mitigation for the Selected Alternative**

Name of Property	Type of Property	Direct Impacts/Use	Mitigation
Tatum Tracts Park	Park	<ul style="list-style-type: none"> <li>0.77 hectare (1.9 acres) take of narrow strip of undeveloped land parallel to SH 9 (14.1% of entire resource impacted).</li> </ul>	<ul style="list-style-type: none"> <li>Installation of an improved parking facility for two to four vehicles to be constructed at an agreeable location for fishing access. Landscape the northeast bank of Blue River with appropriate trees and shrubbery. Remaining disturbed areas will be reseeded with a native, weed-free seed mix and restored to the original aesthetic character. A replacement parcel located along the Blue River in north Breckenridge of 0.45 hectare (1.1 acres) will be transferred by CDOT to local agencies as partial mitigation for taking of parkland at Tatum Tracts Park and Parkway Center-Corkscrew Park.</li> </ul>
Fourmile Bridge Open Space and Recreation Area	Recreation	<ul style="list-style-type: none"> <li>0.13 hectare (0.31 acre) take of narrow strip of undeveloped land parallel to SH 9 (1.3% of entire resource impacted).</li> </ul>	<ul style="list-style-type: none"> <li>Remaining disturbed areas will be reseeded with a native, weed-free seed mix and restored to the original aesthetic character.</li> </ul>
Parkway Center—Corkscrew Park	Park	<ul style="list-style-type: none"> <li>0.064 hectare (0.159 acre) take (2% of entire resource impacted).</li> </ul>	<ul style="list-style-type: none"> <li>Remaining disturbed areas will be reseeded with a native, weed-free seed mix, landscaped, and restored to the original aesthetic character. Wetland mitigation will occur within this segment of the Blue River. A replacement parcel located adjacent to the park along the Blue River area of 0.45 hectare (1.1 acres) will be transferred by CDOT to local agencies as partial mitigation for taking of parkland at Tatum Tracts Park and Parkway Center-Corkscrew Park.</li> </ul>

#### 4.0 MEASURES TO MINIMIZE HARM

All practicable means to avoid or minimize environmental harm from the Selected Alternative have been adopted. Mitigation measures adopted to minimize harm to the environment were discussed in detail in Chapter 3.0 of the FEIS.

A summary of mitigation measures is presented in **Table 3**.

**Table 3**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Land Use and Zoning	<ul style="list-style-type: none"> <li>• No mitigation for land use and zoning impacts is required. Any new, unanticipated development that would possibly be spurred by any improvements would have to meet any guidelines or restrictions set forth in the appropriate master or comprehensive plan for the local jurisdiction. The local town and county jurisdictions are responsible for managing land use, zoning, and growth including:               <ol style="list-style-type: none"> <li>1. Land use boards could control development through the local planning process</li> <li>2. Stipulate in zoning and land use plans that development occur in currently developed areas and near existing access points</li> <li>3. Adopt, at the local level, access control and open space regulations</li> <li>4. Implement “smart growth” planning policies to encourage density in development, especially near transit centers and stops</li> <li>5. Plan future infrastructure needs to allow higher-density development</li> </ol> </li> </ul>
Farmland	<ul style="list-style-type: none"> <li>• Because no Prime and Unique Farmlands or soils of State and Local Importance are within the study area, no mitigation is required.</li> </ul>
Social	<ul style="list-style-type: none"> <li>• No mitigation is required.</li> </ul>
Right-of-Way	<ul style="list-style-type: none"> <li>• In full compliance with the <i>Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</i>, as amended, CDOT will provide assistance to any eligible owner or tenant in relocating their business or residence at the time of displacement. Relocation benefits are available to all eligible residential and business relocatees without discrimination.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Right-of-Way (cont'd.)	<ul style="list-style-type: none"> <li>• CDOT will be available to explain the relocation process regarding acquisition of housing or businesses at public meetings on the design of the Selected Alternative and once the right-of-way/relocation process begins.</li> <li>• Right-of-way from the USFS would be acquired through a new easement agreement. This is consistent with existing management prescriptions and will not require an amendment to the White River National Forest Land and Resources Management Plan. Right-of-way from the Town of Breckenridge, Town of Frisco, Summit County and Denver Municipal Water Board would need to be acquired. Right-of-way from private parties will be acquired through the negotiation process.</li> </ul>
Economic	<ul style="list-style-type: none"> <li>• No mitigation is required.</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• Traffic Operations               <ul style="list-style-type: none"> <li>○ Periodic review of signal progression plans is recommended to ensure that the growth in traffic volume is accommodated and LOS maintained (for a complete discussion on LOS, see Section 1.3.3 and Section 3.6.4 of the DEIS, May 2002). For traffic signals along SH 9 (that are not part of a coordinated system or are isolated) emerging technologies that allow real-time traffic management may be implemented, as long as they are not cost prohibitive and are feasible within the SH 9 corridor. In addition, as development occurs and traffic volumes increase along SH 9, progression analysis can be conducted to assess the appropriateness and location of new traffic signals along the study area to ensure smooth traffic operations. Results of the progression analysis can assist in identifying sections where consolidation of access would be considered (see FEIS Section 3.6.1.3). Future development along SH 9 will be encouraged to utilize the local street network and access SH 9 at existing access points.</li> <li>○ Pedestrian-friendly improvements and treatments at transit stops, such as Tiger Run, will contribute to safe pedestrian access, will enhance the transit experience and help reduce congestion. During the EIS process the local transit providers and other stakeholders prepared a <i>Summit County Transportation Demand Management (TDM) Plan</i>. A strategy included in the plan was the formation of a TMO. One objective of a TMO is to result in overall better transit service and access to alternate modes of travel. CDOT will participate in funding a TMO as a partner with the Town of Frisco, the Town of Breckenridge, Summit County, and private industry. Funding will be available for two years and will be programmed as improvements are designed and constructed on the corridor. Funding will be available within ten years following the signing of the ROD.</li> </ul> </li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Transportation (continued)	<ul style="list-style-type: none"> <li>• Safety               <ul style="list-style-type: none"> <li>○ Improving substandard shoulders and adding a median or median barrier substantially improves safety along SH 9. By widening SH 9 to four lanes, a reduction in accidents per kilometer of approximately 40 to 60% is anticipated. Advanced signage and increased size of street name signs for better visibility at key intersections along SH 9 will provide additional safety. Use of variable message signs to indicate roadway, traffic operation, weather conditions, etc. are planned. Locations and number of signs will be determined based on discussions with police, maintenance, and the Towns during final design.</li> </ul> </li> <li>• Street lighting in select locations, such as intersections, bus stops, and the Gold Hill parking lot is considered as a mitigation measure to improve safety. CDOT will work with representatives from the Towns of Breckenridge and Frisco and from Summit County to ensure the suitability of the mitigation measure(s) for the community (see FEIS Section 1.4.9).</li> <li>• Access               <ul style="list-style-type: none"> <li>○ CDOT will follow standards in the <i>CDOT Design Manual</i> for appropriate intersection construction/reconstruction. Changes in access will be evaluated by the CDOT Access Control Manager.</li> <li>○ The following mitigation measures will be considered to alleviate access control impacts and will be verified by the SH 9 access management/control plan.                   <ul style="list-style-type: none"> <li>– Conduct progression analysis to identify areas for access consolidation.</li> <li>– Restrict left-turn movements from side street/access locations where safety and/or traffic operations are an issue. The location of restricted turn movements will be verified by the access management plan.</li> <li>– Provide median breaks along SH 9 at approximately 0.8 kilometer (0.5 mile) intervals to limit out of direction travel.</li> <li>– Evaluate the need for left-turn movements on SH 9 at right-in/right-out locations.</li> <li>– CDOT will work with Summit County, as needed, on access issues as the commercial area around Swan Mountain Road and SH 9 is redeveloped.</li> </ul> </li> </ul> </li> <li>• The local jurisdictions should examine construction of roadways not adjacent to SH 9 to connect access points/streets to reduce out of direction travel and direct traffic to existing and future signalized locations.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
<p>Pedestrian and Bicycle Facilities</p>	<ul style="list-style-type: none"> <li>• The following mitigation measures will be implemented by CDOT for pedestrians and bicyclists:               <ul style="list-style-type: none"> <li>○ Improve pedestrian crossings and signal accommodations at key crossings. This can include median refuges, pre-intersection signing and striping at crosswalks.</li> <li>○ Pedestrian crossing improvements on the southern end of South Park Avenue and Main Street intersection.</li> <li>○ CDOT will work with the planners from the County, the Town of Frisco and the Town of Breckenridge on future signalized pedestrian crossings of SH 9 during the design stages of each highway project on SH 9. Local funding participation for the implementation of the pedestrian crossings will be encouraged. CDOT will hold an open house prior to the finalization of each of its design projects to notify the public of the upcoming improvements.</li> </ul> </li> <li>• These measures may be implemented by the local jurisdictions or by private developers to further improve conditions for pedestrians and bicyclists:               <ul style="list-style-type: none"> <li>○ An additional bikeway along SH 9 from Dickey Drive to Swan Mountain Road. In this location, bicyclists currently are redirected south on the bikeway away from the residential/retail area. As this area develops, it might be better served by two bikeways, one along SH 9 and a second in its current location.</li> <li>○ Pedestrian improvements at the high school to facilitate pedestrian access to transit stops.</li> <li>○ Grade-separated pedestrian crossings.</li> </ul> </li> <li>• The following are mitigation measures which the Town and Breckenridge Ski Resort are recommending and will be responsible for implementing:               <ul style="list-style-type: none"> <li>○ Mitigation for Watson/Sawmill Parking Lots—The ski area’s master plan commits to constructing a skiway which will bring skiers down from Peak 8 to the parking lots via a tunnel under Park Avenue. This grade-separated pedestrian crossing will provide a safe haven for pedestrians needing to cross Park Avenue to get to their vehicles. Additionally, the Town and Ski Resort have discussed installing a sidewalk from the auxiliary parking lot just to the north to this tunnel under Park Avenue to allow people to park and walk to the proposed intermodal center at Watson/Sawmill parking lots. This mitigation measure should reduce the number of vehicle/pedestrian conflicts in this area.</li> </ul> </li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Pedestrian and Bicycle Facilities (continued)	<ul style="list-style-type: none"> <li>○ Mitigation for Four O'clock Ski Run—Currently, during the ski season, some skiers ski down Four O'clock Run to Park Avenue and then cross Park Avenue to get back to their vehicles. With the construction of the skiway (see above), skiers will now be able to ski down to the tunnel under Park Avenue, greatly diminishing the number of skiers/pedestrians needing to cross at grade on Park Avenue. This mitigation measure should reduce the number of vehicle/pedestrian conflicts in this area.</li> <li>○ Mitigation for F Lot Pedestrian Crossing to the Village at Breckenridge—This is a congested pedestrian area due to skiers and shoppers parking and walking to the village. To mitigate this situation, the Town and the Ski Resort are planning in the future to install an above-grade walkway. There would be a structure constructed on F Lot that would allow pedestrians to walk above Park Avenue via an elevated crosswalk to the existing plaza of the village. The existing plaza grade is already about 6 to 8 meters (20 to 25 feet) above Park Avenue which lends itself well to an above-grade crossing. This mitigation measure should reduce the number of vehicle/pedestrian conflicts in this area.</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>● Dust emissions will be minimized during construction by implementation of techniques to control dust, such as regular use of dust palliative within construction-disturbed areas. CDOT will periodically sweep SH 9 to reduce particulates associated with winter sanding. Summit County and the towns of Frisco and Breckenridge also could implement street sweeping following sanding operations.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>● Based on noise mitigation analysis, six walls are recommended for inclusion with the Selected Alternative and will be re-analyzed during final design to determine the final feasibility and reasonableness as well as impacts on mountain views and neighborhood acceptability.</li> </ul>
Water Resources and Water Quality	<ul style="list-style-type: none"> <li>● Mitigation during the CDOT project design incorporates elements that are intended, as practical, to avoid impacts to water resources, such as:               <ul style="list-style-type: none"> <li>○ final design changes may allow movement of the overall road alignment away from sensitive resources;</li> <li>○ narrowing the total roadway width (“footprint”) by steepening side slopes, or constructing walls rather than side slopes;</li> <li>○ narrowing the roadway footprint at a stream crossing by using a bridge instead of a culvert; and</li> <li>○ incorporating permanent water quality features, such as sediment basins.</li> </ul> </li> <li>● Creation of the project SWMP to be followed by the contractor during construction.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Water Resources and Water Quality (continued)	<ul style="list-style-type: none"> <li>• With the Selected Alternative, most of laws and regulations noted in FEIS Section 2.3.3 will apply and, therefore, a variety of BMPs will be required. Most CDOT water quality BMPs are contained in the department's <i>Standard Specification for Road and Bridge Construction</i>, specifically Section 107.25, "Water Quality Control," and Section 208, "Erosion Control," and the CDOT <i>Erosion Control and Stormwater Guide</i> utilized during design and construction by the contractor. Additional examples of BMPs are included in FEIS Section 3.10.7.</li> <li>• Current CDOT policies include consideration of permanent BMPs in highway design.</li> <li>• Both short- and long-term impacts to water resources will be evaluated by CDOT biologists, hydraulic engineers, and landscape architects. Impacts in certain locations can be minimized during design by steepening side slopes, by constructing retaining walls, by minor alignment shifts, and by changes in template width.</li> <li>• CDOT procedures require that any connections to existing roadway drainage systems must be analyzed for impacts and approved. CDOT has committed to coordinating with local entities regarding how best to protect local water resources.</li> <li>• CDOT RECATs regularly evaluate projects and provide advice to correct or improve water quality features and procedures.</li> <li>• CDOT maintenance crews are responsible for removing any temporary BMPs used during construction and for maintaining any permanent water quality structures. After construction, permanent BMPs and maintenance BMPs should mitigate increases in winter sanding operations. Maintenance BMPs, such as highway sweeping, will be utilized and CDOT has committed to collect and dispose of no less than 25% of the sand/salt mixture placed on SH 9 in the 14.5-kilometer (9-mile) study area during winter maintenance operations. The remainder of applied sand generally is eroded off the roadway before maintenance crews can sweep it. Using the average figure from Table 2-8 of the FEIS, this reflects recapture of approximately 783 tons of traction sand from the Selected Alternative design.</li> <li>• Ongoing maintenance activities in and near wetlands, streams, or other sensitive areas require coordination with CDOT environmental staff to insure that the necessary permits are received and appropriate procedures are followed.</li> <li>• Appropriate BMPs will be implemented, where practicable, by CDOT and the project contractor. BMPs include:             <ul style="list-style-type: none"> <li>○ Temporary structural BMPs include: limiting the amount of disturbed ground, interim ground stabilization (e.g., mulch, mulch tackifier, or temporary revegetation), limiting slope length, surface roughening, dikes and swales that divert and direct runoff, temporary sediment barriers and entrapment facilities (e.g., erosion control logs, silt fence), slope drains, inlet and outlet protection, berms and diversions to keep clean water away from construction sites, and infiltration-evaporation areas.</li> </ul> </li> </ul>



**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Water Resources and Water Quality (continued)	<ul style="list-style-type: none"> <li>○ Temporary non-structural BMPs include: consideration of site constraints (e.g., slope stability, drainage, and constructability), training programs for construction personnel and project manager (including designated erosion control supervisors), timely notification of construction commencement for drinking water and wastewater treatment plants along affected streams, proper on-site storage of materials, proper positioning of staging areas and haul roads, controlling the movement and access of construction equipment, proper designation of concrete wash-out areas, construction timing, seeding and mulching, topsoil preservation and reuse, and regular maintenance and inspection of existing temporary and permanent BMPs.</li> <li>○ Permanent structural BMPs include: grass buffer strips and grass-lined swales, porous pavement areas, detention (dry) basins, retention (wet) ponds, slope drains, sand filters, infiltration and evaporation trenches and basins, constructed wetlands, redirecting runoff away from nearby waters, energy-dissipating devices (e.g., riprap, drop structures), sediment vaults, water quality vaults and inlets, retaining walls, and riprap.</li> <li>○ Permanent non-structural BMPs include: landscaping and vegetative practices, revegetation, correct usage of pesticides, herbicides and fertilizers, public education and participation, training programs, street sweeping, dredging of accumulated materials in permanent basins, specified stream setbacks, water quality monitoring programs, spill contingency planning, and construction timing. CDOT maintenance is working on partnership with local governments to pick up excess roadside traction sand after snow events. Chemical de-icer use along the corridor has been minimized.</li> <li>○ Stream-related BMPs include: analysis of bridge and culvert design to ensure that stream hydraulics do not prevent fish passage, limiting construction activities to low-flow periods with a maximum of four crossings per day, conducting work from above the stream rather than in the stream channel, limiting equipment work areas, incorporating in-stream rocks and similar features that improve aquatic habitat, restoring and enhancing riparian vegetation, using bioengineering techniques and limiting the amount of riprap bank stabilization, maintaining natural streambed materials, and creating low-flow channels for fish passage.</li> </ul>
Wetlands	<ul style="list-style-type: none"> <li>● CDOT commits to replacing 0.396 hectare (0.979 acre) of directly impacted wetlands at a series of seven mitigation sites located within the study area and within the Blue River watershed on at least a 1:1 basis. The replacement wetlands will have functions and values similar to the impacted wetlands. As each project is constructed along the corridor, wetland mitigation design for each project's impacts will be submitted to the USACE for final approval. The wetland mitigation sites are located at the following: <ul style="list-style-type: none"> <li>○ Drainage West of Leslie's Curve</li> <li>○ South of Dillon Reservoir</li> </ul> </li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Wetlands (cont'd.)	<ul style="list-style-type: none"> <li>○ Blue River Crossing at Tiger Run</li> <li>○ South of Coyne Valley Road</li> <li>○ North of Highlands Drive Between Wetlands 41 and 42</li> <li>○ North of Highlands Drive Adjacent to Wetland 43</li> <li>○ North Park Avenue</li> <li>● During final design every effort will be made to minimize temporary impacts to wetlands due to construction work zones.</li> <li>● CDOT will commit, by redesign or improved technology, to avoidance of additional permanent impacts to fens and will involve USACE in final design and wetland impact mitigation.</li> <li>● In designated temporary work areas, and where appropriate, wetland trees and shrubs will be trimmed to ground line, not grubbed, then covered with a geo-textile fabric and an additional layer of straw. This will define existing topographical elevations and protect wetland rootstock and seed banks. Areas will then be covered with a minimum of 0.61 meter (2 feet) of clean fill. As soon as possible, all temporary fill will be removed to an upland location. If possible, temporary fill of wetlands will occur during periods when plants are dormant or toward the end of the growing season. If necessary, over-seeding with native wetland species and the transplanting of salvaged trees and shrubs will occur. Locally grown and/or collected nursery stock also may be used.</li> </ul>
Vegetation and Wildlife	<ul style="list-style-type: none"> <li>● Vegetation - The following BMPs will help reduce and mitigate the impacts to vegetation: <ul style="list-style-type: none"> <li>○ Implementing construction phasing in order to minimize the length of time that disturbed soils are unvegetated.</li> <li>○ Avoiding to the extent possible wetlands and riparian vegetation communities.</li> <li>○ Placing temporary fencing or barriers to prevent accidental vegetation disturbance outside of the construction zone.</li> <li>○ Salvaging suitable topsoil for use in revegetation.</li> <li>○ Implementing temporary and permanent erosion control measures to prevent soil loss and erosion.</li> <li>○ Using retaining walls, as appropriate, to minimize total roadway template width and to limit toe of slope impacts.</li> <li>○ Reseeding the medians. However, within CDOT's safety guidelines, the community can landscape, provide irrigation, and maintain vegetation if more extensive landscaping is desired.</li> </ul> </li> <li>● Noxious Weeds - A weed management plan was prepared in accordance with the Colorado Noxious Weed Act and other directives to control and prevent weed infestation and spread. CDOT will consult with the County Weed Coordinator during construction. BMPs include:</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Vegetation and Wildlife (continued)	<ul style="list-style-type: none"> <li>○ Minimizing the area of disturbance and the length of time that disturbed soils are exposed.</li> <li>○ Reseeding disturbed areas with appropriate native, weed-free seed mixes incrementally throughout construction.</li> <li>○ Using certified weed-free mulches and straw bales for erosion control.</li> <li>○ Using seed packaged with proper labeling showing germination, purity, and percent non-noxious weed content, and requiring seed contractor to supply a statement certifying that the seed has been tested by a recognized laboratory for seed testing within the last six months and has been found to contain no noxious weeds, as required by Colorado state law.</li> <li>○ Limiting the use of fertilizers that may favor weeds over native species.</li> <li>○ Using periodic inspections and spot controls to prevent weed establishment. If weeds do invade an area, use the Integrated Weed Management process to selectively combine management techniques (biological, chemical, mechanical, and cultural) to control the particular weed species per <i>CDOT's Integrated Weed Management Plan (1999-2000)</i> and the Weed Management Plan prepared specifically for this project.</li> <li>○ Following Summit County guidelines for weed management on impacted areas.</li> <li>● Wildlife - Conservation measures will be incorporated, when applicable, to reduce impacts to wildlife, including Forest Service Management Indicator Species (MIS). Mitigation includes: <ul style="list-style-type: none"> <li>○ Minimizing disturbance to native plant communities.</li> <li>○ Minimizing tree removal.</li> <li>○ Clearing and grubbing will be conducted in a manner to avoid impacts to migratory birds. Areas will be surveyed to protect bird nesting habitat.</li> <li>○ Stabilizing disturbed areas and re-establishing native vegetation communities following construction.</li> <li>○ Replacing disturbed or lost wetland habitats.</li> <li>○ Avoiding the use of palatable plants in the revegetation of highway medians and rights-of-way.</li> <li>○ Installing a bridge at the SH 9 crossing of the Blue River, just south of milepost 91, with an upland bench above the high-water line to allow movement under the highway by amphibians, reptiles, and small and medium sized mammals such as river otter, coyotes, fox, rabbits, voles, and other rodents. Planned replacement of culverts with a bridge at the Blue River SH 9 crossing will benefit movement of fish.</li> <li>○ Although not a mitigation measure, a wildlife crossing at Gold Hill (near milepost 91.5) will be evaluated.</li> </ul> </li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Vegetation and Wildlife (continued)	<ul style="list-style-type: none"> <li>○ Constructing a new bridge at the North Park Avenue roundabout to allow continued wildlife movement along the Blue River.</li> <li>○ Using signage to alert motorists to wildlife crossing areas.</li> <li>○ Coordinating final wildlife mitigation with resource agencies including the CDOW, USFS, USFWS, Towns of Frisco and Breckenridge, and Summit County Open Space Department.</li> <li>● Aquatic Resources:               <ul style="list-style-type: none"> <li>○ Using BMPs during bridge construction to minimize short-term increases in sediment levels.</li> <li>○ Using BMPs listed in the Water Resources and Water Quality section of this table.</li> <li>○ Coordinating with CDOW on the timing of work in or adjacent to streams to minimize impacts to spawning fish (low-flow period from mid-September to mid-November).</li> </ul> </li> </ul>
Floodplains	<ul style="list-style-type: none"> <li>● BMPs will be followed to reduce temporary and permanent impacts to the Blue River floodplain. Specific BMPs to be used in the study area will not be determined until final design. Specific control measures to be used in the study area will include:               <ul style="list-style-type: none"> <li>○ A hydraulic study per 23 CFR 650 subpart A was conducted for the Selected Alternative to determine floodplain impacts (see FEIS Chapter 2.0 for a summary of floodplain encroachment and FEIS Appendix F for the study). The study determined that the improvements will have less than a 0.3-meter (1-foot) rise in water elevation, and therefore do not have a significant floodplain impact.</li> <li>○ Implementing erosion, sedimentation and revegetation techniques as well as the use of standard CDOT erosion control measures to minimize impacts to the floodplain, streambanks and shoulders. All disturbed areas will be appropriately reseeded with native plants, or protected from erosion by the placement of riprap per standard engineering specifications.</li> <li>○ Adhering to CDOT hydraulic design criteria for major and minor storm drainage structures.</li> <li>○ Coordinating with Summit County on any encroachment of the floodplain, and adherence to hydraulic design criteria.</li> <li>○ Securing a floodplain permit if necessary.</li> <li>○ Avoiding longitudinal and significant encroachments into the floodplains, during final design.</li> <li>○ Avoiding any changes in historical flow paths.</li> <li>○ Adhering to all FEMA requirements and conformance of all hydraulic designs to the requirements of 23 CFR 650.</li> <li>○ Adhering to CDOT recommendations for the design of 50- to 100-year flood event capacity.</li> </ul> </li> </ul>
Wild and Scenic Rivers	<ul style="list-style-type: none"> <li>● Since no wild or scenic rivers are located in the study area, no mitigation is required.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Threatened, Endangered and Sensitive Species	<ul style="list-style-type: none"> <li>• Impacts to wetland and aquatic habitat suitable for boreal toad colonization will first be avoided if possible, then minimized, and impacted areas replaced (see the Wetland Finding in FEIS Appendix E).</li> <li>• Prior to construction, boreal toad surveys will be conducted in areas of suitable habitat.</li> <li>• Planned improvements in highway drainage, construction of sediment control measures and use of BMPs will reduce the introduction of roadway pollutants into aquatic habitats suitable for use by boreal toads, northern leopard frog, tiger salamander, and Colorado River cutthroat trout.</li> <li>• Planned mitigation of wetlands impacted by road improvements will reduce impacts to fox sparrow habitat.</li> <li>• Planned replacement of culverts with a bridge at the Blue River/SH 9 crossing (milepost 90.8) will benefit movement of boreal toad, northern leopard frog, tiger salamander, lynx, marten, wolverine, and Colorado River cutthroat trout.</li> <li>• Prompt revegetation of disturbed areas with native vegetation will follow construction.</li> <li>• Coordination of conservation measures with the CDOW, USFS, USFWS, Summit County, and local landowners.</li> </ul>
Visual Character	<ul style="list-style-type: none"> <li>• CDOT will follow measures outlined in the <i>Aesthetic Study and Design Guidelines</i> prepared for this project and will continue coordination with the local jurisdictions. CDOT will have a public meeting displaying design prior to each major construction project on the corridor. Mitigation measures to maintain a natural-looking appearance and enhance the visual character of SH 9 include:               <ul style="list-style-type: none"> <li>○ All new buildings, shelters, structures, signing, lighting, etc., related to future transit centers or highway improvements will be reviewed and coordinated with the Towns of Frisco and Breckenridge, Summit County and the USFS. All new elements to the highway will be consistent with local architectural standards, local guidelines, and CDOT safety specifications.</li> <li>○ Improvements and new highway elements introduced in Developed Recreation Complexes (Management Prescription area 8.21) within the USFS shall harmonize with the natural setting to the extent possible, to be consistent with the <i>White River National Forest Plan</i>.</li> <li>○ Revegetate disturbed areas as determined to be feasible and as consistent with adjacent landscape features while still adhering to safety requirements necessary in clear zones. Use native species for revegetation where feasible. Coordinate with local municipalities and other large landowners to replace important landscaping features.</li> </ul> </li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Visual Character (continued)	<ul style="list-style-type: none"> <li>○ Slope modifications in 'cut' areas can be completed in a manner that maintains or accentuates foreground views. Visual variety can be achieved by undulating finished grades and creating pockets for native plant material. Rock outcroppings could remain exposed where possible.</li> <li>○ Upslope 'cut' conditions may be texturized, terraced or stepped to allow for revegetation. CDOT will coordinate with local jurisdictions on treatment options within reasonable and feasibility guidelines. Access and sufficient widths must be met to accommodate maintenance activities. Wall materials may include mechanically stabilized earth (MSE) or reinforced earth walls.</li> <li>○ Other retaining walls may be required near Dillon Reservoir and the Blue River. Possible textures, colors and aesthetic elements will be coordinated with local officials and be consistent with local planning guidelines.</li> <li>○ Provide architectural interest into retaining and noise wall design. Wall materials (e.g., wood, stone, masonry) and design will be coordinated with CDOT, local landowners, community officials and USFS landscape architect. The aesthetic treatments can be designed to harmonize with the surrounding landscape.</li> <li>○ Accomplish vegetation alteration outside the USFS management area, but visible from within the area, in a manner that does not reduce the scenic quality of that area. Clearing of existing trees, both evergreen and deciduous, will be done to accommodate the proposed section with detail added to the plans. To avoid a 'wall' effect, selective clearing shall take place at the edge of cut to transition the vegetation height and density at the edge. Prior to this activity, treeline and removals will be coordinated with a Forest Service representative and/or Summit County, Breckenridge or Frisco planners where there is open space. This approach can allow for new plantings of varying size/height trees by the local community to establish a natural edge.</li> </ul>
Historic Properties	<ul style="list-style-type: none"> <li>● See Table 2.</li> <li>● Based on the results of a literature search and field survey conducted within the study area, no significant impacts to paleontological resources are anticipated. If any fossils are uncovered within the study area during construction, work in the immediate vicinity will cease. The CDOT staff paleontologist will be notified and the material will be evaluated for scientific importance by a qualified paleontologist.</li> </ul>
Hazardous Waste	<ul style="list-style-type: none"> <li>● Further site investigation will be conducted prior to construction where right-of-way acquisition is anticipated.</li> <li>● The contractor will comply with Section 250, Environmental, Health and Safety Management of the CDOT Standard Specifications when applicable. Specific project mitigation is unknown at this time but will be incorporated into project plans, as required, when more detailed design information becomes available.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Resource	Mitigation Measures
Construction	<ul style="list-style-type: none"> <li>• Language will be included in construction bid plans that contractors shall provide copies of all required permits and clearances prior to work commencing on each breakout project per CDOT Standard Specifications (1999) Sections 107.62 and 107.05. Any contractor facilities within the project limits or off site, including but not limited to stockpile or staging areas, borrow pits, and asphalt or concrete preparation sites, will be evaluated at each breakout project development stage for environmental clearance and permitting needs.</li> <li>• Air Quality               <ul style="list-style-type: none"> <li>○ Suppress dust through watering or dust palliative.</li> <li>○ Control dust by sweeping within the work zone and impacted work areas.</li> <li>○ Stabilize stockpile areas.</li> <li>○ Revegetate exposed areas incrementally throughout construction.</li> </ul> </li> <li>• Noise               <ul style="list-style-type: none"> <li>○ When possible, construct noise walls (determined to be feasible and reasonable during design stages) prior to construction.</li> <li>○ Use noise blankets on equipment and quiet-use generators.</li> <li>○ Avoid nighttime activities in residential areas.</li> <li>○ CDOT will work with the community and local government representatives on disclosing the tradeoffs of length of time of the total construction project versus impacts of minimizing construction during high volumes or minimizing at night to limit noise. CDOT, where feasible and practicable, will limit construction staging in residential areas.</li> <li>○ Conduct pile driving and other high-noise activities during daytime construction.</li> </ul> </li> <li>• Water Quality</li> <li>• Implement temporary and permanent BMPs for erosion control as required by local and state permitting requirements. These may include: surface roughening, mulching, weed-free revegetation, interim ground stabilization, and roads and weed-free soil stockpiles.</li> <li>• Implement temporary and permanent BMPs for sediment control as required by local and state permitting requirements. These may include: implementation of planned drainages such as detention basins to capture sand runoff, slope-length and runoff considerations, slope diversions and dikes, swales, sediment barriers, straw bales, and silt fences.</li> </ul>

**Table 3 (continued)**  
**Summary of Mitigation Measures for the Selected Alternative**

Construction (continued)	<ul style="list-style-type: none"> <li>○ Implement temporary and permanent BMPs for drainageway protection as required by local and state permitting requirements. These may include: waterway crossing practices, temporary crossings and diversions, stability practices, conveyance controls, outlet and inlet protection measures.</li> <li>○ Treat contaminated trench dewatering.</li> <li>○ Adhere to the limits established in the 402 Permit.</li> <li>○ Avoid impact to wetlands or other areas of important habitat value in addition to those impacted by the project itself.</li> <li>○ Control and prevent concrete washout and construction wastewater. As projects are designed, the proper specifications will be adhered to and reviewed to ensure adequacy in the prevention of water pollution by concrete washout.</li> <li>○ Install permanent storm water quality BMPs in accordance with CDOT's Municipal Separate Storm Sewer (MS4) program requirements.</li> <li>○ Adhere to guidelines set up in the SWMP.</li> <li>● Traffic Control Measures             <ul style="list-style-type: none"> <li>○ Develop traffic management plans.</li> <li>○ Maintain traffic flow during peak travel times by minimizing lane closures.</li> <li>○ Limit construction during peak traffic periods on holiday weekends.</li> <li>○ Coordinate detour routes to avoid overloading local streets with detour traffic.</li> <li>○ Detours will be planned and coordinated with local agencies and will be in place for the duration of construction activity for all disrupted bikeway or recognized trails.</li> <li>○ Maintain access to local businesses/residences.</li> <li>○ Coordinate with emergency service providers to minimize delays and ensure access to properties.</li> <li>○ Use signage to announce/advertise timing of road closures.</li> </ul> </li> <li>● Visual             <ul style="list-style-type: none"> <li>○ Visual impacts will be evaluated for each breakout project during the project final design stage. Mitigation measures will be defined and implemented on a per-project basis.</li> </ul> </li> </ul>
Section 4(f)	<ul style="list-style-type: none"> <li>● See Table 2 for mitigation measures.</li> </ul>



## 5.0 MONITORING/ENFORCEMENT PROGRAM

Both the FHWA and CDOT will monitor this project to ensure that mitigation measures contained in the ROD (and subsequent permits) are implemented.

Copies of this ROD will be provided to both responsible public agencies and CDOT project personnel. Commitments within this document will be implemented through the inclusion of these measures in the construction plans for projects in this area. CDOT will maintain information on implementation to inform the public or interested commenting agencies, upon request, of the progress in carrying out the adopted mitigation measures.

The decision-making process will continue during preliminary and final design. As the design process continues, more detailed design decisions and more specific commitments will be made to minimize both environmental impacts and impacts to adjacent property owners. In partnership with local agencies, the citizen involvement process will include a public outreach program, including the holding of Design Public Hearings where plans will be presented and comments received.

CDOT will continue to coordinate with Summit County, Town of Frisco, Town of Breckenridge, Summit Stage, Breckenridge Ski Resort, Colorado Division of Wildlife, Colorado Historical Society, United States Forest Service, United States Fish and Wildlife Service, and United States Army Corps of Engineers throughout the design and construction phases.

All permits required for the project will be coordinated with the appropriate jurisdiction and obtained prior to construction. Required permits are likely to include the following:

- Section 402 Permit/NPDES
- Programmatic or Individual SB 40 Certification
- Section 401 Certification
- Section 404 Permit
- Stormwater Permit
- Migratory Bird Treaty Act Permit
- Construction Access Permits
- Permits from Local Jurisdictions
- Conditional Letter of Map Revision and Letter of Map Revision
- Easements
- Access Permits and Authorizations
- Survey Permits
- Utility Permits

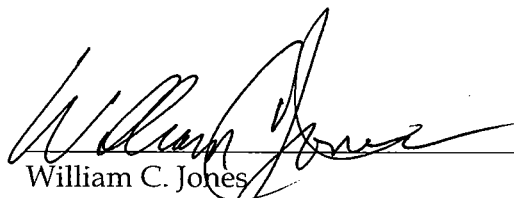
## 6.0 COMMENTS ON FEIS

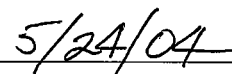
The Notice of Availability for the Final EIS was published in the *Federal Register* on March 19, 2004 with a comment due date of April 19, 2004. A total of 20 comments were received from federal and local agencies, and local residents during this period and at the public hearing held on April 7, 2004 at the Summit High School in Breckenridge, Colorado. A total of 45 people signed in at the hearing.

All comments received have been reviewed and responded to (see Appendix A). None of the comments received required a change in the assessment of impacts, alternatives or mitigation as presented in the FEIS and ROD. FHWA has considered all comments received on the FEIS in reaching decisions documented in this ROD.

## 7.0 CONCLUSION

Based on information contained in the *State Highway 9 Final Environmental Impact Statement & 4(f) Evaluation*, and this Record of Decision, I conclude that the decision reached on the State Highway 9 - Frisco to Breckenridge project is in the best overall public interest, uses all practicable means to restore and enhance the quality of the human environment and avoids or minimizes any possible adverse effects. Based on considerations identified in the Section 4(f) Evaluation, I also conclude that there are no feasible and prudent alternatives to the use of Section 4(f) protected lands and that the proposed action includes all possible planning to minimize harm to the identified Section 4(f) properties resulting from such use.

  
\_\_\_\_\_  
William C. Jones  
Division Administrator, Colorado Division  
Federal Highway Administration

  
\_\_\_\_\_  
Date

## Appendix A

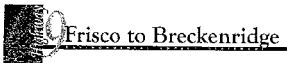
### Comment Letters and Responses



## Comment Index

Comment No.	Name of Commenter	City	Date
<b>Public Written Letters</b>			
1	Gordon W. Miner	Frisco	4/7/04
2	Doug Malkan		
3	Vicky Valar	Breckenridge	
4	Sam McCleneghan		4/7/04
5	Leigh Girvin	Breckenridge	4/7/04
6	Mark Leidal	Breckenridge	4/8/04
7	Gerry Hibbard	Frisco	4/11/04
8	Bobby Craig		4/19/04
9	Dana Laverdiere	Breckenridge	4/19/04
10	Richard Bauder		4/19/04
11	John and Linda Ebright		4/23/04
<b>Agencies/Groups</b>			
12	Roger McCarthy, Breckenridge Ski Resort	Breckenridge	4/19/04
13	Ernie Blake, Mayor, Town of Breckenridge	Breckenridge	4/14/04
14	Stephen V. Hill, Summit County	Frisco	4/16/04
15	Town of Frisco Council and Staff	Frisco	4/16/04
16	Heide Andersen, Town of Breckenridge Open Space and Trails Planner III	Breckenridge	4/19/04
17	Anthony Curtis, US Army Corps of Engineers	Frisco	3/24/04
18	Larry Svoboda, US Environmental Protection Agency	Denver	4/22/04
19	J. Richard Newton, US Forest Service	Silverthorne	4/29/04
<b>Public Verbal Comments</b>			
20	Dana and Joshua Laverdiere	Breckenridge	4/14/04
21	Judith Conway		4/7/04

**Comment #1:**



**COMMENT SHEET**

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and **post-marked by April 19, 2004**, to be part of the official public record. You must include your name and address for it to be a formal comment.

COMMENT *Sound Wall should continue past water Ranch  
To include Wooden Canoe - One and the same subsection.*

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Name: *GORDON W. MINER*  
Address: *P.O. Box 599, FARMER*  
Phone: *668-0301*  
E-Mail Address: *gordonminer@yahoo.com*  
Date: *4/7/04*

*GORDON MINER@YAHOO.COM  
www.hw9friscotobreck.com*

**Response #1:**

Noise mitigation measures will be re-analyzed during final design of the Selected Alternative to determine the final feasibility, reasonableness and the desire of all those affected. At that time CDOT would address changing conditions to assess an extension of the noise wall past Wooden Canoe.

**Comment #2:**



**COMMENT SHEET**

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and **post-marked by April 19, 2004**, to be part of the official public record. You must include your name and address for it to be a formal comment.

**COMMENT**

I am a homeowner out of CR 400 and very upset you are proposing to close my access to Hwy 9 on the subdivision's south access. We need access both left and right. The left turn is necessary to access the town. There should be an entrance lane for left and right. Without this access our subdivision would be in danger given a fire which could cut off access to the north entrance.

People in the CR 400 subdivision use CR 400 south entrance daily and year-round. Please preserve a right-in, right-out access.

Name: Doug Malkow  
 Address: 362 Shekel Ln.  
 Phone: 453 6695  
 E-Mail Address: dougmalkow@yahoo.com  
 Date:

www.hwy9friscotobreck.com

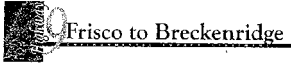
**Response #2:**

This access will remain open as a right-in/ right-out access providing adequate access for emergencies.

As appropriate, CDOT will create periodic breaks in the median to allow for safe U-turns for drivers to change travel direction.

According to safety, engineering design and the CDOT *State Highway Access Code* design standards, CDOT will attempt to space these breaks approximately 0.8 kilometer (0.5 mile) apart on SH 9 so that out-of-direction vehicular travel is limited.

**Comment #3:**



**COMMENT SHEET**

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and **post-marked by April 19, 2004**, to be part of the official public record. You must include your name and address for it to be a formal comment.

*Proposed Bumper Sticker:*

COMMENT " PRAY FOR ME, I DRIVE HWY 9 BRECK "

A very long process but worth the effort.  
The preferred Alternative # 3 is a good choice. Now all we have to do is figure out how to get it done with little or no ~~no~~ Highway funds left. A toll road is an absolute no-no, as there is no alternate route to avoid the toll. As I drive Hwy. 6 Dillon to Keystone, that road improvement solution looks much cheaper than the varied road you are proposing for Hwy. 9. I was in Aspen 2 weeks ago and see their project is almost completed. We are over-built and still have dangerous Hwy. 9 to contend with for years to come. I too was rear-ended at the County Commons stoplight headed North bound with injuries last march....

Name: Vicky Kalar  
Address: 8to Gold Hill Rd. Breck. CO 80424  
Phone: 970-453-7286  
E-Mail Address:  
Date:

www.hwy9friscotobreck.com

**Response #3:**

FHWA and CDOT would like to thank you for participating in the SH 9 EIS project. Your input has been very helpful.

The Preferred Alternative (Alternative 3) has been carried forward as the Selected Alternative in the Record of Decision (ROD).

The SH 9 Corridor between Frisco and Breckenridge is no longer under consideration for tolling per the CDOT Colorado Tolling Enterprise and will not be carried forward for further evaluation of toll financial feasibility at this time.



**Comment #4:**



**COMMENT SHEET**

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and **post-marked by April 19, 2004**, to be part of the official public record. You must include your name and address for it to be a formal comment.

4a COMMENT I strongly feel that if additional ROW is needed from M.M. 91.5 - 92.5 it should shift west of not east. The easterly side has will have more impacts. The westerly side has no residences at all.

4b d) This project costs too much it is too far off based on available \$\$\$ it should be sealed back - work within existing ROW & make a safer enhanced 2 lane highway. This hwy could be made safer more efficient & user friendly with a far less expenditure of source dollars!

Name: Sam McCreighton  
 Address: 15098 Hwy 9  
 Phone: 453 6360  
 E-Mail Address: DUCKBLIND LODGE @ COMCAST.NET  
 Date: 4/7/04

www.hwy9friscotobreck.com

**Response #4:**

4a: The final design process will provide the details needed to determine where the most efficient right-of-way acquisition would occur with the least impacts.

4b: The need for four lanes of capacity is described in the Purpose and Need chapter (Chapter 1) of the DEIS and summarized in the Executive Summary of the FEIS.

**Comment #5:**



**COMMENT SHEET**

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and **post-marked by April 19, 2004**, to be part of the official public record. You must include your name and address for it to be a formal comment.

COMMENT *Alt 3 comments:*

5a Overall - This project is too big, has too many environmental impacts, too many noise & takings impacts, ~~road~~ is unnecessarily wide, and is overkill. We don't need an Interstate between Frisco & Breckenridge.

*It is also too expensive and is so far in the future as to be impractical to try to plan now.*

*In the meanwhile, we are losing opportunities to make small incremental improvements to increase traffic flow & safety while we wait until we can afford to implement this grand plan. An enhanced 2-lane rd is adequate!*

5b *On a detailed note, another light (too many lights) at Coyne Valley Road is unnecessary. The Town of Breck has an opportunity to reroute that road as it passes through their McCain property*

Name: LEIGH S. BROWN	+ connect it to the road at Silver Shovel. Do this and eliminate one extra stop light.
Address: POB 7462 Breck	
Phone: 453-8319	
E-Mail Address:	
Date: 4/7/04	

**Response #5:**

5a: Alternative 4, the enhanced two-lane alternative, was fully evaluated in the DEIS based on community input. However, this alternative did not meet purpose and need for the project. The Preferred Alternative (Alternative 3 - four-lane reduced section) was determined by comparing the findings of all social, economic and environmental impacts of the alternatives, and public comments received on the DEIS. See section 1.1, page 1-1 of the FEIS or Chapter 1.0 of the DEIS for more information on the identification of the Preferred Alternative.

The Preferred Alternative was carried forward in the ROD as the Selected Alternative to improvements to SH 9 from Frisco to Breckenridge.

5b: The signalization at Coyne Valley Road is a temporary solution to traffic warrants until the Town of Breckenridge finalizes their planning for the McCain property. It is possible that the Town may choose to reroute the road through this parcel in lieu of a traffic signal.

## Comment #6:

-----Original Message-----

**From:** Mark Leidal [mailto:mark.leidal@silverthorne.org]

**Sent:** Thursday, April 08, 2004 11:01 AM

**To:** Schlaefer, Jill

**Subject:** Re: SH 9 - Frisco to Breckenridge EIS

Jill - Thanks for the opportunity to comment on the Frisco to Breckenridge EIS. I did attend the open house at the Summit County High School on April 7.

I live on Mars berry Way in the Highlands at Breckenridge adjacent to the golf course. I am concerned with the noise impacts of the ever increasing traffic on Highway 9. The section of road adjacent to the Highlands is already at the 4 lane width, so that will not have any impact, and there is already a traffic signal at Tiger Road that provides access. However, due to the super elevation of the road and the prevailing winds from the west, traffic noise can very much be an issue within the Highlands neighborhood. This includes the area between Tiger Road and Fairview Boulevard.

I understand that noise walls are part of the plan for the area south of Fairview Boulevard, however there is already an existing berm in that area. I would also suggest additional berming between Tiger Road and Fairview or some type of noise mitigation for the residents and golf course to the east of the Highway. Even if the road were super elevated to the west towards the commercial/industrial areas it would lessen the impact on the residents of the Highlands, Fairview, and Silver Shekel. The road is pretty straight through this section, so I am not sure why it is currently super elevated towards the east allowing the neighborhood to experience the noise of the all four lanes of traffic. I would encourage you to stand on Mars berry Way for the portion of Mars berry that parallels the Highway to experience this impact.

I would also suggest with the addition of a new traffic signal at Fairview Boulevard, that the traffic speeds through this section be reduced to further reduce the noise impacts and increase the safety of those traveling at a high rate of speed into a signalized intersection.

Thank you for your consideration.

Mark Leidal  
Community Development Director  
Town of Silverthorne  
970-262-7362

217 Marksberry Way  
Box 4678  
Breckenridge, Colorado 80424  
970-453-4664

## Response #6:

The super elevation of SH 9 is due to a slight curve in this section. A change in super elevation, which may not even be possible, will be explored in final design, but as of now has not been determined. However, any change in super elevation would have virtually no effect on the noise level for structures 300 or 400 feet away. Noise barrier walls are normally most effective within the immediate noise wall "shadow" from the noise source, typically less than 200 feet away. They are not as effective for homes further away from the highway or if the homes are elevated above the highway source.

As part of the EIS, noise impacts were identified in the Noise Study for the Draft EIS in the Highlands and Breckenridge Golf Course areas, however, the evaluation for a noise barrier was at your neighborhood, but did not meet CDOT's criteria for feasibility or reasonableness (See Section 4.9 of the SH 9 DEIS and Section 3.9 of the SH 9 FEIS for more detailed information). As a result, a noise barrier was not recommended at this time. The super elevation of the roadway will be addressed during final design, at which time CDOT will reevaluate the feasibility and reasonableness criteria to see if noise mitigation is warranted in this area.

CDOT will work together with the neighborhoods on noise issues.

Currently, a signal is proposed at Fairview Boulevard. Based on current level of design, no speed limit changes have been identified for this area. Speed limits will be part of the final design process.

Comment #7:

 Frisco to Breckenridge

COMMENT SHEET

Thank you for attending the SH 9 FEIS public hearing and for providing your comment. Your comment must be submitted today or mailed to the address on the other side and post-marked by April 19, 2004, to be part of the official public record. You must include your name and address for it to be a formal comment.

COMMENT

See ATTACHED LETTER.

Name: GERRY HIBBARD  
Address: 505 KOKOPALLE CT FRISCO  
Phone: 303 884 7621  
E-Mail Address: G.EROLD.HIBBARD@MWHGLOBAL.COM  
Date: 4/14/04

www.hwy9friscotobreck.com

Response #7:

See next page.

**Comment #7 (continued)**

April 11,2004

Ms Jill Schlaefer  
Project Manager  
CDOT Region 1  
18500 East Cofax Avenue  
Aurora,Co 80011

Ms. Schlaefer,

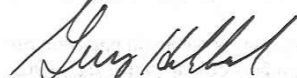
I am the President of the Home Owners Association of Water Dance, Wooden Canoe in Frisco. This HOA has 55 single family homes of which 14 directly face Highway 9 and are impacted by the noise and visual impact of the Highway 9 project.

It is my understanding that CDOT is proposing a barrier for section MIT06. After reviewing the Highway 9 Frisco to Breckenridge Final Environmental Impact Statement & 4(f) Evaluation , I would like to request CDOT consider extending the noise walls, berms etc. from Water Dance Drive to the end of this property approximately 922 feet to the adjacent Nordic Center property.

The Board of Directors for Water Dance Wooden Canoe Home Owners Association is meeting April 23, 2004 and Highway 9 project will be discussed.

I look forward to further discussions on this matter. Please feel free to contact me directly at 303 884 7621.

Yours truly,



Gerry Hibbard  
President  
Water Dance Wooden Canoe HOA  
505 Kokopelli Ct  
PO Box 1909  
Frisco,Co 80443  
gerald.hibbard@mwhglobal.com  
303 884 7621

**Response #7 (continued)**

Noise mitigation measures will be re-analyzed during final design of the Selected Alternative to determine the final feasibility, reasonableness and the desire of all those affected. At that time CDOT would address changing conditions to assess an extension of the noise wall past Wooden Canoe.

**Comment #8:**

-----Original Message-----

**From:** Bobby Craig [mailto:araparch@colorado.net]  
**Sent:** Monday, April 19, 2004 5:45 PM  
**To:** Schlaefer, Jill  
**Subject:** SH 9 EIS

Ms. Jill Schlaefer  
CDOT Region 1

Dear Jill,  
I am opposed to preferred alternative 3. As a member of the citizens advisory group , the overwhelming consensus I heard from the group was to maintain the ability to provide some form of fixed guideway mass transit in the corridor's future. Alternative 4 , the enhanced two lane option, is the only one which would allow for this mass transit. We should be planning, securing ROW, and pursuing funding for the mass transit during the next twenty years. We can then start construction in twenty years and be finished in thirty years. We want to encourage people to live in and to visit Summit County. Their motorized vehicles and associated impacts should be discouraged and alternatives provided. Think outside of the asphalt, the future of our children and their land is at stake.

Bobby Craig  
Arapahoe Architects, P.C.  
ph. (970) 453-8474  
fx. 453-8474  
[araparch@colorado.net](mailto:araparch@colorado.net)

**Response #8:**

The Citizens Advisory Group (CAG) met jointly with the Technical Working Group (TWG) on August 21, 2002 (please see the FEIS Volume 1, Section 1.3.1, last paragraph of page 1-6 and continuing on page 1-7 which provides a brief summary of the meeting). During the meeting group members had an opportunity to ask project staff questions and each member was given the opportunity to state their Preferred Alternative. The consensus of the group was support for Alternative 3.

We agree that at earlier CAG meetings, support was expressed for some form of fixed guideway mass transit in the corridor's future. Alternatives 1 and 2 include median width that would accommodate future transit improvements. These two alternatives were developed to respond to public suggestions supporting a fixed guideway transit solution. These two alternatives have more environmental impacts than Alternative 3 (the Preferred Alternative).

You have stated that Alternative 4, the enhanced two-lane, is the only one which would allow for this mass transit. However, as defined in the DEIS, mass transit is not a component of Alternative 4. The local communities may reserve land for future transportation options described in DEIS Section 2.7.2.1, last bullet on page 2-47.

Transit improvements are part of the Preferred Alternative as described in the FEIS Section 1.4.4 – Transit Improvements, page 1-27 continuing on page 1-28. Strategies designed to make the most efficient use of existing transportation facilities by reducing demand on these facilities are part of the Preferred Alternative as described in FEIS Section 1.4.5 – Transportation Demand Management, page 1-28 continuing on page 1-29.

**Comment #9:**

4/19/2004 10:42 AM

**Schlaefer, Jill**

**From:** Laverdiere, Dana [danal@townofbreckenridge.com]  
**Sent:** Monday, April 19, 2004 10:42 AM  
**To:** Schlaefer, Jill  
**Subject:** Hwy 9 Frisco to Breck

Jill-  
Thank you for the information packet regarding the Highway 9 proposal in relation to Farmer's Grove Subdivision and my home at 9 Zoe court.  
When the study was originally conducted, my home at Farmer's Grove was not yet constructed. The original sound wall proposed in front of Farmer's Grove south of Jarelle Drive will need to be extended South to cover the additional homes in Farmer's Grove Subdivision. My home is on 9 Zoe Court, the furthest most South East home in the subdivision. I am asking for consideration of an extension of the currently proposed sound wall.

In addition. The current vacant lot south of Farmer's Grove, and North of Dickey Drive is in the planning phase of a new subdivision, Farmer's Grove II. This may also need to be taken in to consideration, when determining the length of this sound barrier.

If you have any questions, please let me know.  
Thank you in advance for your consideration.

Dana Laverdiere  
Human Resources Generalist  
Town of Breckenridge  
(970) 547-3156

**Response #9:**

Noise mitigation measures will be reanalyzed during final design of the Selected Alternative to determine the final feasibility, reasonableness, and the desire of all those affected. At that time, CDOT will address changing conditions to assess an extension of the noise wall for the entire Farmer's Grove neighborhood. Also see response to Comment #19.

**Comment #10:**

Page 1 of 1

**Schlaefer, Jill**

**From:** RICHARD BAUDER [paulwbau@colorado.net]  
**Sent:** Monday, April 19, 2004 4:02 PM  
**To:** Schlaefer, Jill  
**Subject:** HWY 9 FRISCO TO BRECK---ROUDABOUT

JILL SCHLAFER  
PROJECT MANAGER  
CDOT REGION 1

JILL,

The removal of the Northbound left-hand turn from Main Street to North Park Avenue has been a concern of mine. Thank you for mentioning the need to direct Northbound travelers to use French Street in your March, 2004, Issue No. 5. Early and adequate signage visible on Main Street, in conjunction with a stop light at French Street, should help mitigate the loss of mobility Northbound to Park Avenue from the Roundabout.

I ask that you continue to consider the current and future traffic access and mobility required for the Parkway Shopping Center to successfully provide its daily local services. Please consider these growing needs in balance with your efforts to provide solutions to the seasonal traffic demands your design and construction process addresses. Thank you.

RICHARD BAUDER  
PARKWAY CENTER  
OPERS PARTNERS, LLC  
970-453-9660  
970-453-6244 fax

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**Response #10:**

Traffic studies conducted by the Town of Breckenridge and CDOT, and in conjunction with other in-town projects, have proposed French Street for access to the Parkway Center. Improved and new signalization at French and Main Streets and Airport Road and Park Avenue will provide additional mobility to the Parkway Center complex and northbound transition.



---

**Comment #11:**

**From:** john ebright [mailto:jeebright12002@yahoo.com]  
**Sent:** Fri 4/23/2004 9:07 AM  
**To:** jill.schlaefer@dot.state.co.us; brian.l.pinkerton@dot.state.co.us; Lostracco, Jeanette A.  
**Cc:**  
**Subject:** Hwy 9 to Breckenridge

To all

We have recently purchased a lot in the Highlands and are planning on building a home next year.

We strongly support the final recommendation to SH 9 and encourage that construction begin as soon as possible.

For all the reasons mentioned in the reports, but primarily safety particularly in the Winter months, this project should be put on the fast track to completion.

As future homeowners, we appreciate all the work the committee has done on this project.

John and Linda Ebright

**Response #11:**

FHWA and CDOT would like to thank you for your comment on the SH 9 EIS project. We appreciate your support. The first project for immediate design and construction will be in Breckenridge and will include: a new roundabout intersection at North Park Avenue and Main Street, widening SH 9 to four through lanes between Valley Brook Drive and the North Park roundabout, and improvements to the South Park Avenue and Main Street intersection.

Comment #12:



Ms. Jill Schlaefer  
Project Manager  
CDOT Region 1  
18500 East Colfax Avenue  
Aurora, CO 80011

Dear Ms. Schlaefer,

With regard to the Highway 9 - Frisco to Breckenridge EIS, the Towns of Breckenridge and Frisco and the Breckenridge Ski Resort support Alternative 3; the preferred alternative.

After reviewing the EIS and all the alternatives, we believe that Alternative 3 best addresses the safety issues on Highway 9 and meets both present and future travel demands. Further, when considered in conjunction with the proposed widening to two lanes of the Frisco Main Street/ I-70 access, Alternative 3 provides the needed Roadway for continued economic viability and community service in Summit County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger McCarthy', written over a horizontal line.

Roger McCarthy  
Senior Vice President and  
Chief Operating Officer  
Keystone and Breckenridge Ski Resorts

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Response #12:

FHWA and CDOT would like to thank Breckenridge Ski Resort for participating in the SH 9 EIS project. Your input has been very helpful.

The Preferred Alternative (Alternative 3) has been carried forward as the Selected Alternative in the ROD.

Comment #13:



April 14, 2004

Ms. Jill Schlaefer  
Project Manager  
CDOT Region 1  
18500 E. Colfax Avenue  
Aurora, CO 80011

Re: State Highway 9 Final EIS

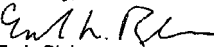
Dear Ms. Schlaefer,

With regard to the Highway 9, Frisco to Breckenridge Final EIS, the Town of Breckenridge, would like to express our continued support for Alternative 3, the preferred alternative.

After reviewing the Final EIS and all the alternatives, we still believe Alternative 3 best addresses the safety issues on Highway 9 and meets both present and future travel demands. Further when considered in conjunction with the proposed widening to two lanes of the Frisco Main Street/ I-70 access, Alternative 3 provides the needed roadway for continued economic viability and community service in Summit County.

We appreciate all of your hard work, and feel it was a very fair and comprehensive process where in the appropriate alternative was chosen. We look forward to working with CDOT to make improved Highway 9 a reality.

Sincerely,

  
Ernie Blake  
Mayor

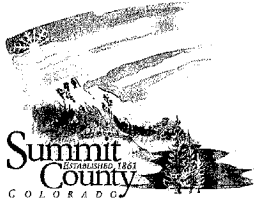
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Response #13:

FHWA and CDOT would like to thank the Town of Breckenridge for participating in the SH 9 EIS project. Your input has been very helpful.

The Preferred Alternative (Alternative 3) has been carried forward as the Selected Alternative in the ROD.

**Comment #14:**



**FACILITIES AND TRANSPORTATION**

970-668-4200  
fax 970-668-4225  
Post Office Box 5660  
0037 SCR 1005  
Peak One Drive  
Frisco, Colorado 80443

April 16, 2004

Jill Schlaefer  
Project Manager  
CDOT Region 1  
18500 East Colfax Avenue  
Aurora, Co. 80111  
Jill.schlaefer@dot.state.co.us

Dear Ms. Schlaefer:

**14a** Thank you for the opportunity to provide technical comments and suggestions on the Final EIS for SH9. This has certainly been a monumental effort and you and the CDOT and Carter and Burgess staffs should be commended for keeping this project on track. We look forward to seeing the Record of Decision next month.

Summit County's comments and suggestions are as follows:

- 14b** Consistent with recommendations made on February 12, 2004, the following access modifications are suggested:
- Access #36- should remain a right in/right out (emergency access, vehicle counts, etc.)
  - Access #37- this may be a temporary signal depending on Breckenridge's future efforts to extend Coyne Valley Road to the north
  - Access #44- can eliminate (this is a new recommendation and reflects the fact the house on this property has been removed.)
  - Access #45- can eliminate (gravel pit access no longer required)
  - Access #53- should be reflected as a private drive since a new single family home being constructed at this point
  - Access #64- keep available for fire access and possibly move the bike path higher on the hillside
- 14c** As a broader more philosophical comment, the Board of County Commissioners would like to emphasize their support for minimizing the number of signalized intersections on Highway 9 through coordination of access points and the use of roadways that parallel

**Response #14:**

**14a:** FHWA and CDOT would like to thank Summit County for participating in the SH 9 EIS project. Your input has been very helpful.

**14b:** All of these have been adjusted for the Access Management Plan.

**14c:** The reduction of signals has been achieved to the greatest extent possible. The Jarelle Drive/Dickey Drive alternatives will continue to be explored during the development process with those land owners.

**Comment #14 (continued):**

Highway 9. In particular the Board would like CDOT to consider other alternatives to a signalized light at Jarrell Drive.

14d Regarding recreational facilities and open space and parks within Summit County's jurisdiction, please incorporate the following mitigation measures in the Record of Decision issued by the FHWA:

1. Relocation of the Frisco – Farmer's Korner Recreational Pathway (recpath) at Leslie's Curve.
  - The relocated section of recpath should be built to the design specifications for recpaths outlined in Chapter 5 of the Summit County Land Use and Development Code, including a width of twelve feet with two-foot gravel shoulders.
  - The alignment for the relocated recpath may include portions of the Iron Springs Open Space property owned by Summit County Government. The alignment should be based on the best on-the-ground location, taking into account the minimization of environmental impacts and the maximization of the recreational experience for recpath users.
  - The new recpath should be built before highway construction obliterates the existing recpath adjacent to Highway 9, so that a viable through route for pedestrians and cyclists exists during construction.
  - The bridge across the drainage ravine/Iron Springs Creek on the relocated section of recpath should be fifteen feet in width if possible.
  - Abandoned portions of the pathway on the County's Iron Springs Open Space property should have the asphalt removed, re-graded to a natural contour, and reseeded with a native, weed-free seed mix.
  - Summit County Government should be consulted at the time of final design about whether a segment of the abandoned recpath near the Dillon Placer Mine should remain intact to function as a historic interpretive pathway spur.
2. A parking facility for 2-4 vehicles should be constructed on the Tatum Tracts Open Space Park property for public fishing access. Landscaping on the western and northeastern banks of the Blue River with appropriate trees and shrubbery should be planted.
3. Reseed construction areas adjacent to County-owned open space properties along the highway corridor (Iron Springs, Lakeview, Tatum Tracts, Fourmile Bridge) with a native, weed-free seed mix and restore to the original aesthetic character.
4. Design and construct a safe crossing to connect the Frisco to Breckenridge recreational pathway to the proposed Swan Mountain pathway. CDOT should consider the potential for making this connection via a grade separated crossing.
5. Design and construct a safe crossing for the Colorado Trail where it crosses Highway 9 at the Revette Drive intersection.
  - This crossing needs to include a safe harbor for pedestrians using the Colorado Trail and preferably timing of the stoplights to the north and south so that a sufficient gap in traffic to allow pedestrians to cross is provided.
6. Creation of a crossing that is wide enough to realistically accommodate the crossing of wildlife via installation of a highway bridge over the Blue River at Milepost 90.7

**Response #14 (continued):**

**14d:**

1. The Frisco-Farmer's Korner Recreational Pathway will be relocated on USFS license agreement per CDOT bicycle criteria. Every attempt to conform to Summit County requirements will be made as practicable. Also see Table 2 of the ROD.
2. See Table 2 of the ROD.
3. Added "weed-free" to mitigation corridor-wide.
4. CDOT commits to improving pedestrian crossings and signal accommodations at key crossings, including median refuges, pre-intersection signing and striping. This will be incorporated into final design as practicable.
5. CDOT agrees and will coordinate with Summit County.
6. See Table 3 of the ROD for wildlife mitigation (page 21).

**Comment #14 (continued):**

as described in the Wildlife Crossing Technical Memorandum dated February 2004 prepared by CDOT.

- Summit County Government owns open space parks immediately adjacent to both sides of this location. The highway bridge should be designed and constructed to provide a large enough opening along the Blue River so that a natural-feeling crossing that is used by wildlife is created.

**14e** Finally, Summit County Government, through its open space protection program, is committed to continue to work cooperatively with CDOT to secure land conservation property interests that are needed for the wildlife crossing underpass immediately north of Gold Hill, as described in the Wildlife Crossing Technical Memorandum dated February 2004 prepared by CDOT.

Sincerely,



Stephen V. Hill  
Assistant Summit County Manager

Cc: Sue Boyd  
Todd Robertson  
Jeff Nielson  
Scott Reed  
Ric Pocius

**Response #14 (continued):**

**14e:** CDOT is still pursuing and will conduct a Technical Feasibility Study to determine constructability of a wildlife crossing in this location (also see page 3-20 of the FEIS).

Comment #15:



TOWN of FRISCO

P.O. Box 4100 • Frisco, Colorado 80443

TO: Jill Schlaefer, CDOT Project Manager  
FROM: Town of Frisco Council and Staff  
Date: April 16, 2004  
RE: **State Highway 9 Final Environment Impact Statement and 4(f) Evaluation**

The Town of Frisco would like to thank you for allowing us to be part of this process for the past few years. We feel our input has been welcomed and considered for which we are greatly appreciative. We feel confident these final comments will be treated in the same manner.

TOWN OF FRISCO COMMENTS:

- 15a • A comment on page 1-2 alludes to the fact that Alternative 3 would be a safer option than Alternatives 1, 2 and 4. The Town of Frisco disagrees that Alternative 3 is safer than Alternative 1. The Town of Frisco has supported both Alternatives 1 and 3 throughout this process and had greater support towards Alternative 1 for safety reasons, which provided for a wider median; moreover, this alternative also provided rights-of-way for mass transit in the future. From our understanding and comments made by Brian Pinkerton, a wider median would provide a greater safety factor than a narrower one. The Town would like to see this comment reflect the fact that Alternative 1 is safer than Alternative 3 due to the wider median.
- 15b • Figure 1-3, **Preferred Alternative Layout**, shows an existing 4-lane section in the Town of Frisco from Miners Creek Road to Peninsula Road. The existing 4-lane section through Frisco ends at Miners Creek Road. The existing section between Miners Creek Road and Peninsula Road is a single lane in each direction with either acceleration or deceleration lanes on each side. The Town thought that Typical Section B was to be used between the two intersections. At previous Aesthetic meetings for the EIS, the Town had supplied details of treatments to be used in the medians.

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(970) 668-5276 • Fax: (970) 668-0677 • Denver Direct: (303) 893-1855 • www.townoffrisco.com

Response #15:

- 15a: Correct. Alternative 1 would be safer. The intent of the sentence in the FEIS is that safety is improved to an acceptable level with Alternative 3 compared to the other build alternatives. The meaning was that the wider median alternatives (1 and 2) were safer, but Alternative 3 still improved safety, while Alternative 4 improved safety the least.
- 15b: These will be incorporated into the final design process per *SH 9 Aesthetic Study and Design Guidelines* prepared by CDOT.

**Comment #15 (continued):**

- 15c • In Table 1-1, **Intersection Improvements for the Preferred Alternative**, the location CR 1004 states that no deceleration lanes will be provided for the southbound direction. This was discussed at the Highway 9 Access Management meeting, the Town feels very strongly about the inclusion of a southbound right turn lane at this location. One reason given at the Highway 9 Access Management meeting was the sound impacts to Frisco Bay Townhomes due to the lane being closer to the property. According to Figure 3-3, **Sound Wall Locations**, a sound wall adjacent to the Frisco Townhomes is proposed. The Town would like to see further study into this matter, taking into consideration turning movements and conflicts with through traffic.
- 15d • Section 1.4.2.1, **SH 9 and Main Street in Frisco**, discusses the option of a dual-left turn northbound on to Main Street. The Town of Frisco is opposed to this configuration. We appreciate that it is stated that "Options at this location will be coordinated with the Town of Frisco and further explored during the design, weighing the operation and safety impacts", but the inclusion of this option without the operational solutions makes the Town uncomfortable. Our Town Engineer feels the distance to merge the dual lane turning traffic and merge the southbound right turn lane traffic is too short of a distance and will cause more operational problems than we already see with the existing configuration. Considering the capacity issue, the Frisco Town Engineer feels that an alternative configuration other than that shown in Figure 1-7, **Frisco – SH 9 and Main Street Intersection**, can provide a single turn lane with the same amount of storage.
- 15e • Town staff could find no mention of the dual turn lane to I-70 anywhere in the document. We feel this is an integral part in increasing the capacity of Highway 9, as well as to relieve congestion within Frisco. If this is mentioned in the document please point it out to us, and if not, we ask that it be included.
- 15f • Figure 4-2, **Section 4(f) Parcel Takes: MP 92 to MP 96**, shows the parcel acquisition of 7.5 Acres of the Peninsula Recreation Area. In negotiating for the property, the Town would like the minimum amount of property necessary to accommodate the alignment.

Again thank you for the continual consideration you have provided throughout this process. If you have any questions concerning these comments, please contact Tim Mack, Public Works Director, at (970)-668-0836, ext. 318.

**Response #15 (continued):**

- 15c: This will be incorporated into the final design process.
- 15d: The EIS describes the worst-case impacts for the greater width of double lefts. It was discussed during the access management meetings that the single left will be maintained as far into the future as possible.
- 15e: On-ramps to I-70 are outside the SH 9 EIS study area and scope. They are being addressed as an independent Categorical Exclusion project.
- 15f: This will be incorporated into the final design process.



**Comment #16:**

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April 19, 2004

Jill Schlaefer  
Colorado Department of Transportation, Region 1  
18500 East Colfax Avenue  
Aurora, CO 80011

Dear Ms. Schlaefer:

The Town of Breckenridge ("Town") Community Development Department would like to offer the following comments with respect to the State Highway 9 Final Environmental Impact Statement & 4(f) Evaluation:

General

- 16a • The inset on Figure 1-5 does not match with its Figure 1-9 enlargement. The southbound main street directionals don't completely correspond.
- 16b • Figure 4-3 does not show the existing ROW on the map.

Open Space and Trails

- 16c • In section 1.4.6.2, the first sentence in the third paragraph reads, "roadway alignments and safety issues may require relocation of portions of the existing bikeway and will be determined during final." This obviously needs to be reworded, as this document is the final, and the relocations have not been completely determined. Also, the last sentence of this paragraph references bridge underpass issues with respect to flooding. It is important to take snow mounds into account during design as well, since cyclists will ride under the bridges over hard-pack snow in the spring. If the new bridge underpass has the same stand-over height as the existing one, this should not be a problem.
- 16d • If any portions of the bikepath ultimately remain on the east side of the Blue River where retaining walls or significant slopes will be located, there needs to be consideration of the safety of bikepath users during times when the road is being plowed for snow.
- 16e • The Best Management Practices should include a reference to considering and avoiding impacts from highway plowing and maintenance to the use of the bikepath for Nordic skiing in the winter. Currently, the use of bikepath by Nordic skiers is limited because of the road debris that ends up on the path, which both damages skis and impacts the experience.
- 16f • It would be useful to either incorporate recreational use compatibility into the wildlife crossing at Gold Hill or place a pedestrian signal in the vicinity of the Colorado Trail crossing. Currently the lighted crossing is far enough away that hikers, cyclists and equestrians cross the highway in a undesignated and dangerous location.
- 16g • The mitigation for the Tanum Tracts property "take" includes landscaping the northeast bank of the Blue River with appropriate trees and shrubbery. The final landscaping location on the property should not necessarily be limited to the northeast bank. The final planning of this mitigation measure should be coordinated with the Summit County and Town open space department staff.

**Response #16:**

- 16a: Although the arrows do not match exactly, the flow of traffic and laneage is the same.
- 16b: Sorry for the omission. The ROW line corresponds approximately to the grey roadway lines as in the other figures.
- 16c: The last of word of the sentence should be "design." This will be determined in final design.
- 16d: Any relocated bikepath on the east side will be evaluated for impacts as a result of snow removal.
- 16e: CDOT will coordinate with the Town of Breckenridge to establish practical BMPs to reduce impacts to bike path from snowplowing.
- 16f: Shared recreational use is not compatible with a wildlife crossing. CDOT will work with the County on providing a safe harbor for pedestrians using the Colorado Trail and timing of signals to the north and south so that sufficient gaps in traffic allow pedestrians to cross safely.
- 16g: Please see mitigation in Table 2 of the ROD and the concurrence letter dated July 1, 2002 in Appendix C of the FEIS.

**Comment #16 (continued):**

- 16h • CDOT should consider dedication to the Town of a narrow strip of land on the east side of the Blue River running the length of our whitewater park (French Creek confluence to Valley Brook Road). This could be figured into the 4(f) mitigation measures. From an open space and trails perspective, this land would be more useful than the replacement parcel mentioned in the FEIS.
- 16i • In section 4.2.1.3, the third paragraph discusses the relocation of the bikepath from the east side of the Blue River to the west side in the stretch between Valley Brook Road and Coyne Valley Road. The Community Development Department appreciates the flexibility that CDOT is allowing us with respect to the final bikepath alignment, but we would like to mention that in this process, the aesthetics and experience for bikepath users need to be maintained. Issues such as landscaping (both to provide some aesthetic relief and for a wind block), configuration, safety, and compatibility with winter use need to be addressed through the relocation evaluation process.

Aesthetics

- 16j • Alternatives for highway signage poles should be considered, as the Town wishes to minimize the urban look of large signs.
- 16k • The Town would like to have input on the pattern and color used for concrete in raised medians. Utilizing a pattern and color similar to the stamped concrete retaining walls as specified in the report is desired. Maintenance will be considered in the final selection.

Sincerely,

Heide Andersen  
Open Space and Trails Planner III, AICP  
Town of Breckenridge  
150 Ski Hill Road  
Breckenridge, CO 80424  
Ph: 970.547.3110  
Fax: 970.547.3132  
Email: heide@townofbreckenridge.com

**Response #16 (continued):**

- 16h:** CDOT has already committed to the transfer of 1.1 acre of park replacement property to the Town of Breckenridge per the FEIS. See letter of concurrence dated August 30, 2003 in Appendix C of the FEIS.
- 16i:** Based on two letters of concurrence with the Town of Breckenridge CDOT will utilize the Block 11 parcel for the relocation (see letter dated February 12, 2002 in Appendix C and letter dated June 16, 2003 in Appendix D – both are in Volume 2 of the FEIS). The Town Manager concurred with this option with no mention of additional CDOT responsibility for landscaping.
- 16j:** This has been addressed in the *Aesthetic Study and Design Guidelines* prepared by CDOT for the project. To obtain a copy contact Jill Schlaefer, CDOT Project Manager, at 303-757-9655.
- 16k:** This has been addressed in the *Aesthetic Study and Design Guidelines* prepared by CDOT for the project. To obtain a copy contact Jill Schlaefer, CDOT Project Manager, at 303-757-9655.

**Comment #17:**

**Schlaefer, Jill**

**From:** Curtis, Anthony C SPK [Anthony.C.Curtis@usace.army.mil]  
**Sent:** Wednesday, March 24, 2004 5:20 PM  
**To:** Schlaefer, Jill  
**Subject:** RE: SR9 FEIS Comments

Jill:

I have reviewed the Final Environmental Impact Study for SR9 Frisco to Breckenridge and have the following comments.

- 17a 1. As stated in my comments to the DEIS dated December 4, 2003, I am still concerned that all alternatives to avoid impacts to the fen complex have been addressed. In several meetings with CDOT representatives, I was told that the alignment was not fully engineered and that CDOT thought avoidance could be accomplished.
- 17b 2. I am concerned that indirect impacts have not been fully addressed. Examples include the discussion on the management of traction sand through storm water improvement is weak, based on what is and has been occurring in the watershed. I am also concerned that although mag chloride is not presently being used, if that policy changes, what effect the chemical will have on the aquatic habitat adjacent to the project, such as the fen complex.
- 17c 3. With regard to SWMP's, it is not clear that the proposed impacts to waters has been fully considered. I am not sure how effective SWMP's can be built without additional impacts.
- 17d 4. Section 3.10.3 addresses compensatory wetland mitigation at a ratio of 1:1. As stated in my comments to the DEIS, this is premature. An example would be if an impact to a fen is permitted, the ratio would be significantly more, based on the documented history of creating fens.
- 17e 5. The provided maps/photos/drawings do not accurately illustrate present highway location, proposed location and wetlands. I made this same comment to the DEIS.

Each of the items above will require addressing was we begin any permit actions.

Tony

Tony Curtis  
 Frisco Colorado Regulatory Office  
 Suite 202  
 301 West Main Street  
 P.O. Box 607  
 Frisco, CO 80443

Tele: 970.668.9676  
 Fax: 970.668.3150

May is America's Wetland Month.

Wetlands are among the Earth's most important ecosystems, providing many benefits, including food and habitat for fish and wildlife; flood protection; erosion control; food for human consumption; water quality improvement; and opportunities for recreation, education and research.

**Response #17:**

- 17a: CDOT will commit, by redesign or improved technology, to avoidance of additional permanent impacts to fens and will involve USACE in final design and wetland impact mitigation.
- 17b: Indirect impacts caused by roadway runoff and maintenance sanding/deicing practices will be addressed specifically with the USACE during preconstruction design.
- 17c: SWMP BMP structures and potential impacts will be addressed specifically with the USACE during preconstruction design.
- 17d: Compensatory wetland mitigation on a minimum ratio of 1:1. CDOT may make use of tree and shrub buffers for mitigation over 1:1.
- 17e: Detailed wetland finding, delineation of impacts and roadway plans will be addressed specifically with the USACE during preconstruction design.

Comment #18:



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8917  
<http://www.epa.gov/region08>  
APR 22 2004

Ref: 8EPR-N

William C. Jones  
Division Administrator, Colorado Division  
Federal Highway Administration  
555 Zang Street, Suite 250  
Lakewood, Colorado 80228

Jeffrey R. Kullman  
Regional Transportation Director  
Colorado Department of Transportation  
Region 1  
18500 East Colfax Avenue  
Aurora, CO 80011

RE: Comments on State Highway 9 Final EIS  
CEQ # 020205

Dear Messrs. Jones and Kullman:

The Environmental Protection Agency (EPA), Region 8, received the State Highway 9, Frisco to Breckenridge Final Environmental Impact Statement (FEIS), March, 2004. The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) propose to improve a 9-mile stretch of State Highway 9 between the towns of Frisco and Breckenridge in Summit County, Colorado.

We did not have time to do an in depth review of this document. We wish to acknowledge the revision of the water quality section. It is far superior to the section in the draft EIS. We would like to express our appreciation for the time staff has taken to consider and address concerns expressed in our earlier scoping letter as well as formal comments on the DEIS. Many of those concerns have been addressed and eliminated. We commend CDOT and FHWA on their efforts to accommodate wildlife crossings, and avoid wetland impacts. However, we have an issue on wetland impacts (comment # 70r) that we think still deserves to be addressed.

We appreciate the effort made by Carter Burgess to look at the potential worst case wetland impacts from future access on private properties (FEIS memo Page 123) which were assessed at 0.25 acre. However, the CDOT response to our concern was that they "have no



Response #18:

CDOT requires that before access construction in CDOT right-of-way can begin, all identified state and federal permits be obtained. CDOT inspects each access request to assess impacts as a result of granting access. This would include a 404 permit from the USACE if identified as needed by CDOT.

**Comment #18 (continued):**

authority to restrict future accesses based on potential off CDOT right-of-way wetland impacts." (FEIS Page 118) We believe that limiting access, in general, is a positive design concept to consider as access points tend to deteriorate highway quality. We understand the next steps will be to develop an Access Management Plan (AMP). CDOT should at a minimum incorporate our wetland concerns into the AMP so that their future access permit decisions do not conflict with requirements of the Clean Water Act, which include the avoidance and minimization of adverse impacts to waters of the U.S., including wetlands. Recent CDOT access permits in Summit County have removed less damaging alternatives for road development into private parcels and have resulted in significant impacts to the remaining wetland resource base in the Blue River basin, which are under increased threat from urban development pressure. Highlighting the need for better access management decisions through increased awareness of wetland permitting requirements on future access points would potentially remove additional adverse impacts associated with the road corridor. Also, if wetlands can't be avoided for access, the AMP should consider permitting only access points in wetlands that have less footprint impacts, such as limiting to right-in and right-out only access designs versus a full intersection design.

We would also like to express support for the abbreviated version of the Final FEIS. We understand that CDOT and FHWA are trying this method out on this project. We found it easy to review and a good alternative to reprinting information that has not changed.

Thank you for your time considering our concerns with future access impacts. If you have any questions on the enclosed comments, please contact Sarah Fowler at 303-312-6192.

Sincerely,



Larry Svoboda  
Director, NEPA Program

**Comment #19:**



United States  
Department of  
Agriculture

Forest  
Service

White River  
National  
Forest

Dillon Ranger District  
P.O. Box 620  
688 Blue River Parkway  
Silverthorne, CO 80498  
(970) 468-5400  
FAX (970) 468-7735

File Code: 1950  
Date: April 29, 2004

RECEIVED MAY 06 2004

Jill Schlaefer  
Project Manager  
Colorado Department of Transportation  
18500 East Colfax  
Aurora, CO 80111

Dear Ms. Schlaefer:

Thank you for the opportunity to review and comment on the Final Environmental Impact Statement (FEIS) for State Highway 9 – Frisco to Breckenridge.

The Forest Service, as a cooperating agency for the project, reviewed the Abbreviated FEIS and 4(f) Evaluation (November 2003) before it was published in the Federal Register. Our comments made at that time have been addressed in the FEIS. Nonetheless, it is worth emphasizing our concern for mitigation to recreation and wildlife resources in the project corridor.

19a The relocation of the Frisco-Farmers Korner Recreation Pathway near Iron Springs will require close coordination between the Forest Service, Summit County and CDOT based upon on-the-ground location taking into account the minimization of environmental impacts and the maximization of the recreation experience for trail users. To that extent CDOT should construct the relocated recreation path before obliterating the existing path adjacent to Highway 9, to allow safe and continued use of the recreation path. Because of the visual sensitivity of the recreation path being adjacent to the highway, the abandoned section should be reclaimed as soon as possible with appropriate design standards to address removal of the asphalt, regrading, and seeding with native weed free seed mix.

19b We strongly endorse the mitigation related to the wildlife crossing near Gold Hill. Specifically, we encourage the construction of a wildlife crossing underpass, using arched culverts, immediately north of Gold Hill as described in the Wildlife Crossing Technical Memorandum dated February 2004 prepared by CDOT. Additionally, we support the creation of a wildlife crossing via installation of a highway bridge over the Blue River at milepost 90.7 to mitigate potential impacts resulting from highway widening.

**Response #19:**

19a: CDOT will coordinate closely with the Forest Service and Summit County regarding the relocation of the Frisco-Farmer's Korner-Blue River Bikeway. As stated in the mitigation, all abandoned asphalt will be removed and reseeded with a native, weed-free seed mix. If practicable, the bikeway will be constructed ahead of roadway construction; however, complex phasing in this area may not allow it. Bikeway continuity using detours is committed to in the construction mitigation section (see page 27 of ROD).

19b: While not a mitigation measure, CDOT is still pursuing and will conduct a Technical Feasibility Study to determine constructability of a wildlife crossing near Gold Hill as described in the Wildlife Crossing Technical Memorandum, February 2004.




Comment #19 (continued):

19c Finally a correction is needed regarding the potential impacts to lynx. In Section 3.15 Threatened, Endangered and Sensitive Species, page 3-23, the FEIS states the "Preferred Alternative would **not affect** [emphasis added] ... lynx." The April 5, 2003 letter from the U.S. Fish and Wildlife Service to CDOT (attached) states ... "the project, as proposed may disturb lynx habitat and or disrupt lynx movement. ... The Service concludes that the proposed development is not likely to have adverse effects to the lynx." We recommend that the FEIS be corrected to clarify the impacts to lynx and accurately reflect the determination from USFWS letter.

Thank you for the opportunity to comment. Please contact me if you have any questions on our comments.

Sincerely,

  
J. RICHARD (RICK) NEWTON  
District Ranger

Enclosure

Response #19 (continued):

19c: The Draft EIS, May 2002, describes in detail the impacts to lynx for each of the evaluated alternatives (see page 4-77 and 4-78). This section concludes, based on the April 5, 2002 letter from USFWS, that none of the build alternatives are likely to adversely affect lynx. The Selected Alternative has the least impacts of the build alternatives that meet the project's purpose and need. However, you are correct in emphasizing that the proper language in reference to the affects to lynx stated in the April 5, 2002 USFWS letter is "...not likely to have adverse effects to the lynx." The use of the phrasing, "would not affect" in the context of a summary paragraph cited on page 3-23 of the FEIS, did not fully express the determination by the USFWS in regards to the lynx. At this point the FEIS text cannot be changed. The edits listed herein constitute changes to the specified text of the FEIS.

As mentioned in your previous comment, the bridge replacement near milepost 91 will allow for wildlife movement under the highway. While not a mitigation measure, CDOT is still pursuing the feasibility of constructing an additional wildlife crossing near Gold Hill, which also will afford wildlife movement under the highway. Coordination of final wildlife mitigation will occur with CDOW, USFS, USFWS, the Towns, and County.

Comment #19 (continued):



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ecological Services  
Colorado Field Office  
755 Parfet Street, Suite 361  
Lakewood, Colorado 80215

FYI m  
RECEIVED MAY 06 2004

REPLY REFER TO:  
ES/CO: T&E/CDOT/lynx  
Mail Stop 65412

APR 5 2002

Rebecca Vickers  
Colorado Department of Transportation  
4201 East Arkansas Avenue, Empire Park B-400  
Denver, Colorado 80222

Dear Ms. Vickers:

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 the Canada lynx, *Lynx canadensis*, (lynx) impact assessment report submitted with your letter of February 11, 2002. This report regards the State Highway 9 (SH9) Frisco to Breckenridge Improvement Project in Summit County, Colorado. The project, as proposed, may disturb lynx habitat and/or disrupt lynx movement through the area.

The forested, undisturbed landscape adjacent to the project area is known to be historically occupied by lynx and more recent data indicate that lynx continue to use this surrounding terrain although lynx activity near the road or other development is not known. Human development and SH9 already present a significant barrier to wildlife movement through the Blue River valley, and may preclude use by lynx. Increased development and traffic are projected in the area whether or not the highway is improved. Less developed and more likely lynx movement corridors across the valley occur near Hoosier Pass south of the project area, and near Officer's Gulch north of the project area. The Service therefore concludes that the proposed development is not likely to have adverse effects to the lynx. In addition, CDOT currently proposes to construct a wildlife underpass near Gold Hill north of Breckenridge in order to further reduce impacts of the highway. We encourage CDOT to continue to pursue its construction as it could benefit all wildlife in the area and improve the safety of the highway.

If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 275-2370.

Sincerely,

LeRoy W. Carlson  
Colorado Field Supervisor

pc: CDOT (J. Powell)

Reference: A:\item\CDOT\2002\B-1



**Comment #20:**



**Contact Sheet**

**Date:** 04/14/04

**Name:** Jill Schlaefer

**Agency/Company:** CDOT R-1

**Type of Communication:** phone calls

**Purpose:** Noise Concerns at Farmer's Grove

**Contact Person:** Dana and Joshua Laverdiere, POBox 6331, Breckenridge 80424  
970-453-6270(w) 970-547-3156 (h)

**Action Taken:** Messages received from both Dana and Joshua regarding their concerns over sound barriers needed for their neighborhood, Farmer's Grove. The subdivision started construction in 2002 and is expanding this year to include 7-10 more homes centered on Jarelle Drive. Noise readings taken in this area for the SH9 DEIS in 2002 noted 8 first line residential receivers at that time. Existing noise levels were 63-64. The year 2020 predicted noise levels are 66-69, with 2 receivers at Dickey Dr at 68-69. Noise barrier analyses indicate that this Farmer's Grove area is a mitigation candidate.

Spoke briefly about the proposed highway development in that area including problematic signalization, access, and noise. Will send brochure to help explain noise regs and will forward copy of the noise report.

**Response #20:**

See adjacent response under "Action Taken." Also see response to Comment #9.

Comment #21:

2

1

2

P R O C E E D I N G S

3

THE REPORTER: If you just want to state your name?

4

MS. CONWAY: Yeah, Judith H. Conway.

5

THE REPORTER: Can you spell that?

6

MS. CONWAY: Last name C-o-n-w-a-y.

7

I guess after looking at the, you know, the plans and what has gone along, my sense is that what really needs to happen is no alternative.

10

11

And, let's see, I'm basing that on the fact that the propositions that they have up there they've determined are answering questions or issues that they have. And I guess I'm seeing the building -- the potential building of this road as really not addressing any of those issue and actually creating more problems than there really are.

17

21a 18 In terms of safety, it's unfathomable that you  
19 are going to have a four-lane road and that human beings  
20 being what they are, aren't going to drive more risky,  
21 they are going to drive faster, there is going to be  
22 passing particularly in inclement weather which is a  
23 potential up here eight to nine months out of the year.

24

You know, given the alcohol that's consumed in this country, and it's an ongoing problem, drunken

25

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970-468-9415

Response #21:

21a: Safety was part of the purpose and need for the improvements to SH 9. The accident rate for the study area exceeds the statewide average. The no-action alternative and alternative 4 would increase accident potential along SH 9 due the increase in driver frustration, the lack of passing opportunities resulting in more risky passing, inadequate intersections to handle the volume of traffic and insufficient number of through lanes to maintain mobility. Alternative 3, the Selected Alternative, adds a second through lane which allows drivers to pass when desired. This minimizes driver frustration and improves intersections by providing auxiliary lanes. The conversions from a two-lane section to a four-lane divided section may result in a reduction in accident per kilometer of approximately 40% to 60%. The Selected Alternative improves the safety of SH 9 by providing wider shoulders, a median or median barrier, a second lane allowing safer passing opportunity and provides adequate capacity for the projected travel demand.

**Comment #21 (continued):**

3

1 driving, at least with the highway the way it is right  
2 now, and the density of the traffic that goes in and out  
3 of here is actually a plus. Because it forces people to  
4 get in line behind one another and avoid reckless  
5 passing, reckless speeding, because there is no place to  
6 go.

21b 7 And the more -- the bigger the road is, the more  
8 people are going to come. That's just the way it is. I  
9 mean, look at -- you know, the term "rush hour", you  
10 know, is something that they felt the freeways were  
11 going to mitigate, and it hasn't. I mean, it's just  
12 gridlock. And, you know, I think to force that upon,  
13 you know, the people that like to call this home who  
14 actually have come up here to escape that -- I just left  
15 a city of 14.5 million people, you know, and all that  
16 congestion, all that noise, all that pollution  
17 potentially, crime.

18 I mean, the taxes up here are going to have to go  
19 up to support the growth and the repercussions of  
21c 20 putting this highway in. The noise for the people that  
21d 21 have homes near this road is going to increase. The  
22 wildlife up here -- we just killed a moose here two days  
23 ago. Somebody hit it with a car. And, you know, we  
24 haven't invited any of the animals to these meetings.  
25 You know, this is totally a human endeavor. And, you

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**Response #21 (continued):**

**21b:** Additional capacity was needed on SH 9 based on existing travel conditions as well as the projected growth in Summit County. With the projected increase in population and employment in the study area, Summit County could experience substantial increases in development of residential and commercial land uses irrespective of which SH 9 alternative was selected. The additional capacity improves the level of service of the roadway for residents and visitors alike. There is the potential for the number of vehicles per day to increase on SH 9 due to the additional capacity and operational efficiency, however community time would be improved because travel times would become more efficient.

**21c:** Section 3.9 (page 3-8 to 3-12) of the SH 9 FEIS identifies six noise mitigation locations. Noise mitigation measures will be re-analyzed during final design of the Selected Alternative to determine the final feasibility, reasonableness and the desire of all those affected. At that time CDOT will address changing conditions along the corridor.

**21d:** CDOT is still pursuing and will conduct a Technical Feasibility Study to determine constructability of a wildlife crossing in the vicinity of Gold Hill as described in the Wildlife Crossing Technical Memorandum, February 2004. In addition, the bridge replacement near milepost 91 will allow for wildlife movement under the highway.

Comment #21 (continued):

4

1 know -- and people that come up here to bicycle, you  
2 know, just the noise, the light pollution, you know,  
3 it's just a negative thing.

4 And it seems as though, you know, the response to  
5 do this, where I understand CDOT this is their charge,  
6 they really end up becoming less part of the solution  
7 and more of the problem, because it just never -- it  
8 never ends and it grows.

9 I mean, recreation up here is really going to,  
10 you know, the solitude. The reason people come up here  
11 is just going to -- over time it's just going to  
12 vaporize. I mean, look at Central City, look at Black  
13 Hawk, look at Vail, you know, sitting there on the  
14 highway. It just -- you know, this is just a small  
15 town, and I just want to know where can we run, where  
16 can you go anymore, you know, and just find peace and  
17 recreation and, you know, the beauty and the solitude.

18 I guess to me it seems as though the people  
19 making these decisions are doing it from cubicles in  
20 Washington which is ultimately where the final decision  
21 for this is. And I think, you know, they need to come  
22 out here and observe the way things are now and try and  
23 get a grasp on the negative side of a decision to put  
24 this road in.

21e 25 I guess, you know, the other thing, too, is this

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Response #21 (continued):

21e: Construction of the Selected Alternative would result in short-term construction impacts throughout the construction period. Reconstruction and widening of SH 9 presents the potential for decreased mobility during construction, dust, noise, runoff, traffic congestion, temporary restricted access to businesses and residences, and visual intrusions to motorists and residents. Chapter 3 of the FEIS lists the mitigation measures to be implemented by CDOT for impacts during construction.

Comment #21 (continued):

5

1 project would be no easy project as it is and the  
2 completion of it in the limited space that we have up  
3 here there is no alternative roads. The construction  
4 and the impact while this road is being, you know,  
5 expanded is just going to be intolerable, absolutely  
6 intolerable.

7 THE REPORTER: Is that all?

8 MS. CONWAY: Yeah.

9 (A break was taken from 4:33 p.m. to 4:35 p.m.)

10 MS. CONWAY: To continue, I guess I have concerns  
11 about the obvious increase of traffic that's going to be  
12 brought up here. And once we get all that traffic, you  
13 know, coming into the town of Breckenridge, where are we  
14 going to put all these cars? They are already absorbing  
21f 15 the free parking lots for more retail right now. And,  
16 you know, my fear is that it's, like, you know, this  
17 ball starts rolling and now you've got the road and now  
18 you've got all the traffic into Breckenridge. Well, now  
19 we have to build multistory garages at the base of the  
20 mountains to accommodate this traffic, which is blight.  
21 It's an eyesore. I mean, they've got the multi-car  
22 parking down at Vail, and it just -- it's just not  
23 pretty, and it just takes away, you know, from the whole  
24 atmosphere up here.  
25 So I guess that's -- you know, it's short

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970-468-9415

Response #21 (continued):

21f: The Town of Breckenridge is responsible for addressing parking practices within the Town. Please see the *Summit County Transportation Demand Management- Final Report*, October 2000 available from the Town of Breckenridge.

Comment #21 (continued):

6

1 thinking to get the traffic to Breckenridge and no  
2 thought to the impact of when we get them there.  
3 (Judith Conway's statement was concluded at 4:36  
4 p.m.)

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