

September 27, 2011

James Bemelen
I-70 Mountain Corridor Program Manager
Colorado Department of Transportation
18500 East Colfax Ave.
Aurora, CO 80011

Dear Mr. Bemelen:

Colorado Trout Unlimited (CTU) offers the following comments on the Scope of an Environmental Assessment, currently under preparation by the Federal Highways Administration and Colorado Department of Transportation, to support planning for the Twin Tunnels Project (Project).

We understand that the Project involves improvements to I-70 in the vicinity of Idaho Springs, Colorado. Some 3 to 4 miles of highway will be affected through development of a third lane for traffic in the east bound direction. The east bound tunnel will be expanded through drilling to accommodate likely increased flows. An existing access road will be improved to handle traffic during construction. Ultimately, this road will be used for recreational and local transportation purposes, following completion of construction.

CTU has been an active participant in the planning for the I-70 Inter-mountain Corridor having membership on the Collaborative Effort and the Streams, Wetlands, Ecological Enhancement Program (SWEEP). The Consensus Recommendation developed by the Collaborative Effort, which ultimately became the Agencies' Preferred Alternative, placed certain restrictions on capacity development for I-70 until other prescribed work was completed. In other cases work was allowed to proceed, particularly if the primary purposes of the proposal were to enhance transportation safety. CTU believes that the Twin Tunnels Project is consistent with the Consensus Recommendation and work should move forward.

However, while Project development may be appropriate the nature of the environment in the Project area is such that the potential for significant environmental impacts exists unless careful planning and implementation procedures are followed. Specifically CTU believes the following issues must be incorporated into scope of studies being conducted:

1. The rock in the area proposed for construction has the potential to be highly mineralized. Hence there's potential for leaching of minerals through the construction period with likely contamination to Clear Creek. The EA must determine the mineral profile of the rock and, if found to be of concern, develop mitigation commitments that will insure

- minimal releases to the Creek. Any rock excavated from the existing tunnel must be disposed of in a way that will assure no release of minerals to the natural environment.
2. Studies during the Programmatic EIS process identified the potential that mine waste soils may have been used as road bed material. In the project area. Construction of additional facilities in the Project area has the potential to further disturb contaminated soils resulting in additional localized pollution. The EA must determine whether toxic materials are in existing road bed material and a plan developed for how such material will be managed.
 3. Clear Creek parallels I-70 through the entire project area. Over time the Creek has been adversely affected by historic highway development. The Project has the potential to further degrade the stream with the development of additional lanes. In spite of previous insults anecdotal information indicates that there are aquatic resources present. These include a variety of trout and other fishes, macro-invertebrates and minimal habitat. The SWEEP was created during the Programmatic EIS process to deal specifically with impacts to aquatic resources and the development of mitigation to counter those impacts. The agencies should organize a SWEEP team that will investigate the potential for improving this reach of stream, using best biological principles.
 4. CDOT has indicated that a near-by service road will be improved to facilitate detouring traffic. Following construction this improved road will be used primarily for recreational enhancement along the Clear Creek Greenbelt. While CDOT has stated their belief that this improvement is a separate project outside the scope of studies for the Project, based on no need for federal funding, that position cannot be sustained from the standpoint of NEPA. Clearly, the improvements being proposed are directly "connected" to the Project and would not be implemented "but for" the Project.
 5. The Programmatic EIS calls for studies that address the feasibility of a commuter rail system as a means of transportation growth in the I-70 Corridor. The programmatic decision indicates that early work will not proceed in ways that would preclude the development of this rail system. This EA must demonstrate that the proposed improvements in the Project will not preclude development of a rail system from either a technical or financial point of view.

Colorado Trout Unlimited looks forward to working with the agencies on this Project. It's implementation will bring needed improvements to Interstate 70 and overall transportation in the corridor. Our coordinator for this project is:

Gary W. Frey
Transportation Coordinator
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Sincerely

A handwritten signature in blue ink that reads "David Nickum". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

David Nickum
Executive Director
Colorado Trout Unlimited