

1.0 Introduction

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This chapter describes the history of the Interstate 270 (I-270) corridor and proposed I-270 Corridor Improvements Project (project). It also summarizes the process for preliminarily identifying a preferred alternative for the corridor. The project evaluates ways to modernize the highway to improve safety and travel efficiency. Located in the City and County of Denver (Denver), Unincorporated Adams County, and the City of Commerce City (Commerce City), I-270 is a key segment of Colorado's transportation system and part of the National Highway System—a network of roads critical to the nation's economy, mobility, and defense. The project covers the full 6.5-mile stretch of I-270, from the Interstate 25 (I-25)/United States Highway 36 (US 36) interchange to Interstate 70 (I-70) (Figure 1-1).

1.1 History of the I-270 Corridor

I-270 in Colorado is a controlled-access interstate highway with two through lanes in each direction between I-25/US 36 and I-70 in Denver and Commerce City. It has a posted speed limit of 55 miles per hour (mph). The project limits include the I-270 interchanges with Interstate 76 (I-76), York Street, Vasquez Boulevard, and Quebec Street.

The first section of I-270, I-70 to Vasquez Boulevard, began construction in 1965 and was completed in 1968. Two years later, I-270 was extended from Vasquez Boulevard to I-76. The remainder of westbound I-270, I-76 to I-25/US 36, was completed in 1999. The eastbound section between I-25/US 36 and I-76, including new bridges over Washington Street and Clear Creek, was completed in March 2002. In 2005, a flyover ramp was constructed, connecting I-25 southbound to I-270 eastbound.

The bridges along westbound I-270 over Washington Street were replaced and finished in 1998. Since I-270 was completed, there have been no major projects to update the interstate. The majority of work that has been done on I-270 has included repaving and maintenance projects, including bridge maintenance.

Figure 1.1 I-270 Corridor Improvements Project Limits



1.2 National Environmental Policy Act (NEPA) Process

Congress enacted NEPA in December 1969, and President Nixon signed it into law on January 1, 1970. NEPA was the first major comprehensive environmental law in the United States and established this country's national environmental policies.

Under federal law, NEPA applies to any proposed action or transportation project that has a federal nexus, including, but not limited to, instances where federal funds are involved, federal permits or approvals are required, or new or revised access to the interstate system is

included. This is done through a thorough process that allows the public to understand and comment on the benefits and impacts of the project.

Federal agencies are required by NEPA to prepare an Environmental Assessment (EA) for federal actions when it is not known whether those actions will significantly affect the quality of the human and natural environment. An Environmental Impact Statement (EIS) is prepared for major federal actions that could significantly affect the quality of the human and natural environment. EISs are intended to disclose the effects of a project at a stage in the project where decision making can still be shaped by the environmental analysis and agency and public comments.

On January 20, 2025, President Trump signed Executive Order (EO) 14148, Initial Rescissions of Harmful Executive Orders and Actions, and EO 14154, Unleashing American Energy. These two EOs revoked EO 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (January 20, 2021), and EO 14008, Tackling the Climate Crisis at Home and Abroad (January 27, 2021). Subsequently on January 29, 2025, Secretary Duffy signed a Memorandum for Secretarial Offices and Heads of Operating Administrations, Implementation of Executive Orders Addressing Energy, Climate Change, Diversity, and Gender. On February 25, 2025, the Council on Environmental Quality (CEQ) published an Interim Final Rule removing the CEQ's NEPA implementing regulations, effective April 11, 2025 (90 *Federal Register* 10610). As a result of these actions, the Federal Highway Administration (FHWA) will not include greenhouse gas emissions and climate change analyses in the federal environmental review process. Any purported greenhouse gas emissions and climate change impacts will not be considered in the federal decision. Accordingly, no greenhouse gas emissions or climate change analyses are included in this Draft EIS.

In addition, these EOs revoked EO 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023). Subsequently on January 21, 2025, President Trump signed EO 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity. This EO revoked EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994). On February 25, 2025, the CEQ published an Interim Final Rule removing the CEQ's NEPA implementing regulations, effective April 11, 2025 (90 *Federal Register* 10610). As a result of these actions, all federal environmental justice requirements are revoked and no longer apply to the federal environmental review process. FHWA, Federal Transit Administration (FTA), and Federal Railroad Administration's Joint NEPA regulations (23 Code of Federal Regulations [CFR] part 771) and the agencies' Interim Final Guidance on "Section 139 Environmental Review Process: Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision" (December 17, 2024) do not require an environmental justice analysis. Accordingly, no analysis of environmental justice is included in this Draft EIS. Any purported environmental justice impacts will not be considered in the federal decision. Social, economic, and community impacts will continue to be disclosed where applicable in accordance with 23 CFR 771.

As a result of EO 14148, EO 14154, EO 14173, and the removal of the CEQ's regulations, all federal greenhouse gas, climate change, and environmental justice requirements are revoked and no longer applicable to the federal environmental review process. Accordingly, this Draft

EIS does not consider public comments regarding greenhouse gases, climate change, or environmental justice.

On February 19, 2025, CEQ issued a memorandum, *Implementation of the National Environmental Policy Act*, which acknowledged that the Fiscal Responsibility Act of 2023 amended NEPA to clarify that EISs must analyze and disclose the “reasonably foreseeable environmental effects of the proposed agency action.” CEQ encouraged Federal agencies to “analyze the reasonably foreseeable effects of the proposed action consistent with section 102 of NEPA, which does not employ the term ‘cumulative effects;’ [...] and the agencies should consider] ‘reasonably foreseeable’ effects, regardless of whether or not those effects might be characterized as ‘cumulative.’” On February 25, 2025, the Council on Environmental Quality (CEQ) published an Interim Final Rule removing CEQ’s NEPA implementing regulations, effective April 11, 2025 (90 Fed. Reg. 10610). As a result, an analysis was conducted in accordance with NEPA, FHWA implementing regulations (23 CFR 771), Section 139 (23 USC 139), and the Fiscal Responsibility Act of 2023 (Pub. L. No. 118-5, 137 Stat. 10). Further, the U.S. Supreme Court issued its decision in *Seven County Infrastructure Coalition v. Eagle County, Colorado*, which held the focus of NEPA is the project at hand, not other separate projects. 605 U.S. ____ (May 29, 2025). Consistent with current federal law and regulations, this DEIS will analyze reasonably foreseeable effects. Accordingly, no analysis of cumulative effects is included in this DEIS. Direct and indirect effects are still considered to the extent that they are reasonably foreseeable. Any purported cumulative effects will not be considered in the federal decision.

On July 3, 2025, FHWA, FRA, and FTA issued a joint Interim Final Rule (IFR) updating 23 CFR part 771. The IFR modifies the joint regulations implementing NEPA to be consistent with the removal of regulations previously issued by CEQ, the amendments to NEPA included in the section of the Fiscal Responsibility Act of 2023 known as the Building United States Infrastructure through Limited Delays and Efficient Reviews (BUILDER) Act of 2023, and amendments regarding efficient environmental reviews included in the Infrastructure Investment and Jobs Act of 2021.

Per 23 CFR 771.138(c)(1), the FHWA Colorado Division Administrator signature on this EIS certifies that the Administration has considered the factors mandated by 23 CFR 771.138; that this EIS reflects the Administration’s expert judgment and documents the most important considerations required by the statute and within the applicable timeline and page limits; and that any considerations addressed briefly or left unaddressed were, in the Administration’s judgment, comparatively unimportant.

1.3 History of the I-270 Corridor Improvements Project

Citing its significance as a freight corridor, in 2002, the Colorado Department of Transportation (CDOT) and the Denver Regional Council of Governments (DRCOG) recommended widening I-270 from four to six lanes by 2025, and the agencies later identified widening I-270 and rebuilding the I-270/Vasquez Boulevard interchange in DRCOG’s 2040 Fiscally Constrained Regional Transportation Plan. In early 2020, CDOT included widening I-270 between I-76 and I-70 in the first phase of projects of their 10-year vision. The Colorado Transportation Investment Office (CTIO), ranked I-270 fourth among its top priority corridors for Express Lanes, placing it after three sections of I-25 in the Denver metropolitan area.

FHWA and CDOT began the NEPA process in 2020, initially anticipating an EA. Moving into 2023, CDOT determined a more detailed environmental review was needed and requested that an EIS be prepared. The lead agencies are now preparing an EIS to evaluate potential improvements to the I-270 corridor, which includes evaluating both general-purpose lanes and Express Lanes.

The project will tie into the I-25/US 36 and I-70 system interchanges, but improvements to these interchanges are part of projects on I-25 and I-70 and will be designed and approved separately.

A Notice of Intent (NOI) to prepare an EIS was published in the *Federal Register* on August 20, 2024. The NOI begins the two-year timeline to complete the NEPA process as required by 40 CFR 1501.10.

1.4 Agency Involvement and Coordination

Roles and responsibilities for agencies involved in the EIS process are described in 42 United States Code (USC) 4336a Timely and Unified Federal Reviews, 23 CFR Part 771 Environmental Impact and Related Procedures, and 23 USC Part 139 Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision. FHWA is the lead agency for this EIS process (42 USC 4336a(a)(1)(A)), which is the agency that has project approval or disapproval authority. CDOT is the joint lead agency for this EIS process (23 USC 139(c)(3)), which is a project sponsor that is a state entity receiving funds under Title 23 or Title 49 Chapter 53 for the project. Agencies are defined as any agency, department, or other unit of Federal, State, local, or Tribal government.

Cooperating Agencies are any Federal, State, Tribal, or local agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal and are designated by the lead agency (42 USC 4336a(a)(2)). Cooperating Agencies for this EIS include the United States Environmental Protection Agency (EPA) and United States Army Corps of Engineers (USACE).

Participating Agencies are Federal, State, local, or federally recognized Indian Tribal governmental units that may have an interest in the proposed project that are invited by the lead agency (23 CFR 771.107). Participating Agencies for this EIS include:

- Adams County
- Commerce City
- Denver
- Colorado Department of Public Health and Environment (CDPHE) - Air Pollution Control Division
- Colorado Parks and Wildlife (CPW)
- Colorado State Patrol
- Denver Regional Council of Governments (DRCOG)
- Federal Transit Administration (FTA)
- Mile High Flood District (MHFD)
- Northern Cheyenne Tribe
- Pawnee Nation of Oklahoma
- Public Utilities Commission
- Regional Transportation District (RTD)
- United States Fish and Wildlife Service (USFWS)

1.5 Alternatives

CDOT developed a range of potential alternatives for I-270 improvements, including no improvements, minimal infrastructure improvements without added highway capacity, and alternatives that added one or two travel lanes in each direction, which could be operated as transit-only, general-purpose, or Express Lanes.

A two-level alternatives evaluation process was used to screen the alternatives based on the project's Purpose and Need and goal (see Chapter 2.0, Purpose and Need), and two Build Alternatives were carried forward for detailed analysis in the Draft EIS:

- Three General-Purpose Lanes Alternative
- Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative

The No Action Alternative is also fully evaluated as a baseline for comparison.

FHWA allows lead agencies to preliminarily identify a preferred alternative at the Draft EIS stage or to wait until the Final EIS is published (23 USC 139). FHWA and CDOT have preliminarily identified the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative as the Preferred Alternative in this document.

Additional information on the alternatives development and evaluation process for the Build Alternatives and on the preliminary identification of the Preferred Alternative decision is included in Chapter 3.0, Alternatives Considered, and Appendix B, *Alternatives Development Technical Report*.

1.6 Next Steps after the Draft EIS

CDOT will refine the Preferred Alternative, update analyses (if necessary), and refine mitigation measures based on public input and ongoing coordination with agencies that have special expertise and jurisdiction over specific resources. The results of these additional refinements will be incorporated into the Final EIS. The Final EIS will also include all comments received about the Draft EIS during the public comment period, along with responses to those comments.

The final step in the NEPA process is the preparation of a decision document, anticipated to be a Record of Decision (ROD), that will document FHWA's decision for the project, including selection of a preferred alternative. The decision document will identify funding for the approved action consistent with the fiscally constrained section of the DRCOG 2050 Metro Vision Regional Transportation Plan (MVRTP) (DRCOG, 2024).

At this time, it is anticipated that a combined Final EIS/ROD will be completed per 49 USC 304a and 23 USC 139(n)1, Accelerated Decisionmaking in Environmental Reviews.

1.7 Project Construction Timeline

Funding constraints will limit the ability to fully construct the selected preferred alternative at one time. Pending the completion of this EIS process, the first phase would address key structural deficiencies and support future phases by advancing mainline segments to the full

selected preferred alternative footprint. Construction would begin in 2027, after project permits are received. This first phase would include:

Bridges:

- Eastbound and westbound I-270 bridges over the South Platte River
- Eastbound and westbound I-270 bridges over the Burlington Ditch
- Eastbound and westbound I-270 bridges over Brighton Boulevard/Union Pacific Railroad (UPRR)/BNSF Railway (BNSF)
- Eastbound and westbound I-270 bridges over East 60th Avenue and BNSF

Mainline roadway sections reconstructed to full width:

- Section between the South Platte River and Burlington Ditch bridges
- Section between the Brighton Boulevard/UPRR/BNSF bridges and East 60th Avenue/BNSF bridges

CDOT anticipates that the full buildout of the project would require no more than two additional phases beyond the first phase and could be completed within five years of when the first phase of construction starts, pending funding.

1.8 How to Stay Involved

The best ways to be involved in project decision making are to attend public meetings and comment on this document. There are several ways to provide comments.

- Attend a public hearing on the Draft EIS. They will include exhibits about the project, team members to answer questions, and the opportunity to comment in writing, by talking into a microphone in front of peers, which is recorded by a court reporter, or speaking to a court reporter in private. CDOT will also hold virtual public meetings with the same presentation for those who are unable to attend an in-person public hearing. Information on dates, times, and locations of public meetings that will be held during the public review period will be included on the project website (<https://www.codot.gov/projects/studies/i270study>).
- Use the project website to comment. CDOT has posted links to the Draft EIS and its attachments, including technical reports, at <https://www.codot.gov/projects/studies/i270study>. You can make comments on this document by submitting a form through the website.
- Provide written comments by e-mail. Comments can be submitted through e-mail at cdot_i270@state.co.us.
- Provide written comments by mail. You can write comments and mail them to: Colorado Department of Transportation, in care of I-270 Project Team, at 4670 Holly Street, Denver, CO 80216.

After the comment period has closed, the lead agencies will review and consider all comments received. Based on public input, agency coordination, and any new information, they may make corrections, additions, or other refinements to the EIS, including, but not limited to, mitigation measures and the Preferred Alternative. These updates and responses to public and agency comments will be documented in the Final EIS.

CDOT will continue to keep the public informed about decision making and opportunities for additional input. If you provide your name and address when you comment, the project team will add you to the project mailing list, which allows you to receive regular updates. If you have no comments on this document but would still like to stay informed, you may join the mailing list by logging onto the project website at <https://www.codot.gov/projects/studies/i270study> or by calling the project hotline at 303-512-4270.