

Section 106 Consultation



HISTORY *Colorado*

JUN 03 2019

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

Re: Determinations of Eligibility, CDOT Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnel, Clear Creek County (HC #76031)

Dear Ms. Hann:

Thank you for your correspondence dated May 21, 2019 and received on May 24, 2019 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project. We concur that segment SCC.427.1 is *non-supporting* to the overall eligibility of the resource, and that SCC.261, SCC.1189.3, SCC.1813, SCC.2540, SCC.2542, SCC.2543, SCC.2545, SCC.2548, SCC.2549, 5JF.7443, 5JF.7444, 5JF.7446, and 5JF.7447 are *not eligible* for the National Register of Historic Places (NRHP).

We concur that 5JF.7445 is *eligible* for the NRHP, and that SCC.2546 and SCC.2547 are being treated as eligible for the purposes of Section 106.

If we may be of further assistance, please contact Jason O'Brien, Section 106 Compliance Manager, at (303) 866-2673 or Jason.obrien@state.co.us.

Sincerely,


Steve Turner, AIA
State Historic Preservation Officer

OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

303-866-3392 • Fax 303-866-2711 • E-mail: ohp@state.co.us • Internet: www.historycolorado.org

History Colorado, 1200 Broadway, Denver, CO 80203

HistoryColorado.org



HISTORY *Colorado*

JUN 03 2019

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

Re: Determinations of Eligibility, CDOT Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnel, Clear Creek County (HC #76031)

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We concur that 5JF.7445 is *eligible* for the NRHP, and that SCC.2546 and SCC.2547 are being treated as eligible for the purposes of Section 106.

If we may be of further assistance, please contact Jason O'Brien, Section 106 Compliance Manager, at (303) 866-2673 or Jason.obrien@state.co.us.

Sincerely,


Steve Turner, AIA
State Historic Preservation Officer

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History Colorado, 1200 Broadway, Denver, CO 80203

HistoryColorado.org

STATE OF
COLORADO

Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us>

Fwd: Section 106 - I-70 Floyd Hill/Veterans Memorial Tunnel - Central City

1 message

Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us>

Thu, Jun 13, 2019 at 11:32 AM

To: Mandy Whorton <Mandy.Whorton@peakconsultingco.com>, Ashley Bushey <bushey@pinyon-env.com>, Chase Taylor <taylor@pinyon-env.com>

FYI for the project file.....

Vanessa Henderson

I-70 Mountain Corridor Environmental Program Manager

P 720.497.6924
425A Corporate Circle
Golden, CO 80401vanessa.henderson@state.co.us | <https://www.codot.gov/>

----- Forwarded message -----

From: **Lindsey Flewelling** <LFlewelling@cityofcentral.co>

Date: Thu, Jun 13, 2019 at 11:25 AM

Subject: Section 106 - I-70 Floyd Hill/Veterans Memorial Tunnel - Central City

To: Schoch - CDOT, Lisa <lisa.schoch@state.co.us>

Cc: Vanessa Henderson <vanessa.henderson@state.co.us>

Lisa,

Our Historic Preservation Commission met last night. They were presented with the information that had been sent about the I-70 project and made a determination to decline to comment on the eligibility determinations for historic resources. We appreciate being part of the consulting process, and look forward to hearing more about the effects of this CDOT project.

Thank you!

Lindsey Flewelling

Historic Preservation & Code Enforcement Officer

7/5/2019

State.co.us Executive Branch Mail - Fwd: Section 106 - I-70 Floyd Hill/Veterans Memorial Tunnel - Central City

Central City

141 Nevada Street, P.O. Box 249

Central City, CO 80427

303 582 5251 x524



STATE OF
COLORADO

Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us>

Fwd: I 70 Floyd Hill to Veterans Memorial Tunnel

1 message

Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us>
To: Vanessa Henderson - CDOT <vanessa.henderson@state.co.us>

Fri, Jul 5, 2019 at 12:40 PM

For project file....

Vanessa Henderson
I-70 Mountain Corridor Environmental Program Manager



P 720.497.6924
425A Corporate Circle
Golden, CO 80401

vanessa.henderson@state.co.us | <https://www.codot.gov/>

----- Forwarded message -----

From: **Schoch - CDOT, Lisa** <lisa.schoch@state.co.us>
Date: Thu, Jun 20, 2019 at 10:41 AM
Subject: Fwd: I 70 Floyd Hill to Veterans Memorial Tunnel
To: Vanessa Henderson <vanessa.henderson@state.co.us>
Cc: Ashley Bushey <Bushey@pinyon-env.com>

FYI--

Lisa Schoch
Senior Historian, Section 4(f) Specialist
Environmental Programs Branch



2829 West Howard Place, Denver, CO 80204
P 303.512.4258 | F 303.757.9445
lisa.schoch@state.co.us
www.coloradodot.info | www.codot.gov | www.cotrip.org

----- Forwarded message -----

From: **Cynthia Neely** <ccneely@yahoo.com>
Date: Wed, Jun 19, 2019 at 6:03 PM
Subject: I 70 Floyd Hill to Veterans Memorial Tunnel
To: Lisa Schoch <lisa.schoch@state.co.us>

Dear Ms. Schoch,

Thank you for including me in the reviews of the documentation for the Determinations of Eligibility, CDOT Project NHPP 0703-445, I 70 Floyd Hill to Veterans Memorial Tunnel, Clear Creek County. This is a thorough and impressive piece of work. Ashley Bushey and the staff at Pinyon Environmental Inc. should be complimented on the detail, depth of research and thoughtfulness in the breath of the study and the conclusions drawn. The discussion of characteristics of "mountain subdivisions" was particularly interesting as it is, as yet, uncharted territory. We appreciate the willingness to expand the Area of Potential Effect to consider the visual impacts on distant structures.

I concur with the determinations.

Cynthia C. Neely, Project Manager
Box 532
Georgetown, CO 80444

720 201 7161



COLORADO
Department of Transportation
Division of Transportation Development

Environmental Programs Branch
2829 W. Howard Pl., 4th Floor
Denver, CO 80204
(303) 757-9281

December 19, 2019

Mr. Steve Turner
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Determinations of Eligibility (Archaeological Resources), Project NHPP 0703-446, I-70
Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment, Clear Creek
County (HC #76031)

Dear Mr. Turner:

Enclosed for your review is the archaeological resources survey report and associated site forms for the project referenced above. The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA), in cooperation with local communities, are analyzing a portion of I-70 west of Denver. The project corridor was originally part of a Tier 1 NEPA study extending along a 140-mile segment of I-70 from C-470 to Glenwood Springs; the Floyd Hill project was specifically called out as a future phased undertaking in the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) completed for that action. This letter and the enclosed materials constitute a request for concurrence with determinations of National Register of Historic Places (NRHP) eligibility for archaeological resources within the Area of Potential Effects. Please note that consultation with your office regarding historic resources was completed in May and June 2019.

Project Overview

The purpose of the project is to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. The Proposed Action addresses specific improvements defined in the ROD, including providing three-lane capacity for westbound I-70 from Floyd Hill to the Veterans Memorial Tunnels; a multimodal trail and frontage road between US Highway 6 and Idaho Springs; and physical and/or operational improvements to four interchanges: Floyd Hill/Beaver Brook (Exit 248) near the top of Floyd Hill; Floyd Hill/Hyland Hills (Exit 247); US 6 junction (Exit 244) near the base of Floyd Hill; and Hidden Valley/Central City (Exit 243). The project would also improve curves through the corridor, consistent with the recommended 55 mph design speed. Additional details regarding project description, location, Proposed Action, and APE are presented in the enclosed excerpt from the Historic Resources Eligibility Report (the entirety of which was provided to your staff during the earlier history compliance consultation).

Area of Potential Effects (APE)

A draft Area of Potential Effects (APE) was reviewed at a Section 106 Issue Task Force (ITF) Meeting on April 4, 2018. A revised APE that included SHPO and consulting party recommendations was discussed at the second Section 106 ITF meeting on February 28, 2019. The archaeology APE, which is generally the area within 200 ft. on either side of the interstate right-of-way through the corridor, is described in detail on p. 1 of the enclosed report.

Determinations of Eligibility

Nine archaeological resources are present within the APE, including two previously recorded sites, three newly recorded properties, and four newly recorded isolated finds. Summary data is included in the following table.


Site Number	Description	Location (T/R/Sec.)	NRHP Assessment
<i>Previously Recorded Sites</i>			
5CC389	Prehistoric lithic scatter	3S/72W/32	Eligible
5CC425	Historic foundations	3S/72W/33	Not Eligible
<i>Newly Recorded Sites</i>			
5CC2587	Mining – Prospect pits and tailings	3S/72W/31	Not Eligible
5CC2588	Push piles	4S/72W/12	Not Eligible
5CC2589	Mining – Two prospect pits	4S/72W/3	Not Eligible
<i>Newly Recorded Isolated Finds</i>			
5CC2590	Aqua Glass Bottle Base	3S/72W/31	Not Eligible
5CC2591	Mining – Prospect Pit	3S/72W/31	Not Eligible
5CC2592	Rock Alignment	4S/72W/3	Not Eligible
5CC2593	Rock Alignment	4S/72W/2	Not Eligible

Of the nine properties, only one (5CC389) is recommended as NRHP eligible. The site was identified and first documented in the late 1980s as a multi-component prehistoric/historic locality; only the prehistoric component was subsequently determined to be a contributing/supporting element. CDOT concurs with the existing assessment and recommends that 5CC389 retain its eligible status. As described in detail in the enclosed report and site forms, the remaining resources do not meet minimum criteria for NRHP eligibility.

This information has been sent concurrently to the Northern Cheyenne Tribe, a consulting tribal nation for the project.

We request your concurrence with the determinations of eligibility as reflected above and in the accompanying documents. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Archaeologist Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Archaeology Survey Report
Site Forms
Excerpt from Historic Resources Report

cc: Vanessa Henderson, I-70 Mountain Corridor Environmental Manager



Jane Hann
Environmental Programs Branch
Colorado Department of Transportation
2829 W. Howard Pl.
Denver, CO 80204

JAN 02 2020

Re: Eligibility Determinations for CDOT Project NHPP 0703-446; I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment, Clear Creek County (HC#76031)

Dear M. Hann:

Thank you for your correspondence dated 19 December 2019 and received by our office on 26 December 2019 regarding the review of the above referenced project under Section 106 of the National Historic Preservation Act.

After review of the documentation provided, we concur with the following recommended eligibility determinations:

- That site 5CC.389 is *eligible* for listing to the National Register of Historic Places (NRHP).
- That sites 5CC.425, 5CC.2587, 5CC.2588, and 5CC.2589 are *not eligible* for listing to the NRHP.
- That isolates 5CC.2590, 5CC.2591, 5CC.2592, and 5CC.2593 are *not eligible* for listing to the NRHP.

We note that your letter requested only concurrence on determinations of eligibility, not effect to historic properties. We look forward to continued consultation concerning effect to historic properties of the subject undertaking.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Lindsay Johansson, Section 106 Compliance Manager, at (303) 866-4678 or lindsay.johansson@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Steve Turner".

Steve Turner, AIA
State Historic Preservation Officer



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 27, 2020

Mr. Steve Turner
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-446, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties (HC #76031)

Dear Mr. Turner:

This letter and the attached documents constitute a request for concurrence with determinations of effects and comments on modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 249 and MP 241, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

Consultation on the APE and eligibility determinations were initiated in correspondence dated May 21, 2019. In a letter dated June 3, 2019, your office agreed with the APE and provided concurrence with the determinations of eligibility contained within the corridor Eligibility Report submitted at that time.

APE Modifications

The APE was recently expanded to accommodate a minor change in design to add wildlife fencing east of the original APE. The proposed fencing will extend from the Floyd Hill/Homestead Road interchange (MP 247) east to Soda Creek Road (MP 249); it will reduce wildlife-vehicle collisions in the Beaver Brook area and funnel animals toward a safe crossing under I-70 at Soda Creek Road. No easements or right-of-way acquisitions will be necessary to accommodate the work. A discussion of the APE modifications is contained in Section 5.1.2 of the enclosed report.

Determinations of Effects

The project will result in *no adverse effect* for the following resources, as outlined in Section 6.0 of the report:

- 5CC.427 (5CC427.1) Colorado Central Railroad
- 5CC.1184 (5CC1184.1 & 5CC.1184.4) US Highway 6
- 5CC.2002 (5CC.202.1 & 5CC2002.2) US Highway 6 and Highway 40
- 5CC2546 Hyland Hills Subdivision
- 5CC.247 Saddleback Ridge Estates Subdivision

The project will result in *no historic properties affected* for the following resources, also outlined in Section 6.0 of the report:

- 5CC259 Floyd Hill Railroad Depot
- 5CC261 Floyd Hill Stage Station
- 5CC454.1 Wagon Road
- 5CC698 Idaho Springs Work Center
- 5CC1078 Clear Creek Bridge F-15-D
- 5CC1081 Clear Creek Bridge CLR314-W0.7
- 5CC1813 Peoriana Motel
- 5CC1189.3 Twin Tunnels
- 5CC1996 Seaton Mountain Electric Company Hydroelectric Plant and Flume
- 5CC1998 The Tunnel Inn Service Station and Lunch Room/Kermitts Roadhouse
- 5CC2000 Bell Property
- 5CC2339 1998 East Idaho Springs Road
- 5CC2418 6 & 40 Fireplace Lounge
- 5CC2513 Colorado Boulevard Commercial Historic District
- 5CC2540 Kjeldgaard Residence
- 5CC2542 Brandt Residence, 23 Brandt Lane
- 5CC2543 Francis Residence, 283 Tonn Valley Drive
- 5CC2545 Anderson Residence
- 5CC2549 Thurlow Residence
- 5JF4793 / 5JF4793.1 / 5JF4793.2 Road
- 5JF7443 Hakes Residence, 33180 US Highway 40
- 5JF7445 Mesa LLC Property, 33160 Highway 40
- 5JF7447 Stauffer Residence, 403 Quarter Circle Lane
- 5JF7446 Elmgreen Residence, 344 Crooked Pine Trail
- 5JF7444 Elmgreen Ranch, 355 Crooked Pine Trail

We request your concurrence with the effects determinations summarized above and in the report, as well as on modifications to the APE. We ask that your response include references to individual property names and site numbers given that CDOT uses correspondence as the record of Section 106 consultation.

Should you have questions or require additional information to complete your review, please contact CDOT Senior Historian Lisa Schoch at lisa.Schoch@state.co.us or (303) 512-4258.

Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Ms. Lynette Hailey
Black Hawk Historic Preservation Commission
P.O. Box 68
Black Hawk, CO 80422

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Hailey:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

Consultation on the APE and eligibility determinations were initiated in correspondence to the State Historic Preservation Office (SHPO) dated May 21, 2019 and a letter to you dated May 22, 2019. In a letter dated June 3, 2019, SHPO agreed with the APE and provided concurrence with the determinations of eligibility contained within the corridor Eligibility Report submitted at that time.

APE Modifications

The APE was recently expanded to accommodate a minor change in design to add wildlife fencing east of the original APE. The proposed fencing will extend from the Floyd Hill/Homestead Road interchange (MP 247) east to Soda Creek Road (MP 249); it will reduce wildlife-vehicle collisions in the Beaver Brook area and funnel animals toward a safe crossing under I-70 at Soda Creek Road. No easements or right-of-way acquisitions will be necessary to accommodate the work. A discussion of the APE modifications is contained in Section 5.1.2 of the enclosed report.

Determinations of Effects

The project will result in *no adverse effect* for the following resources, as outlined in Section 6.0 of the report:

- 5CC427 (5CC427.1) Colorado Central Railroad
- 5CC1184 (5CC1184.1 & 5CC1184.4) US Highway 6
- 5CC2002 (5CC202.1 & 5CC2002.2) US Highway 6 and Highway 40
- 5CC2546 Hyland Hills Subdivision
- 5CC247 Saddleback Ridge Estates Subdivision

The project will result in *no historic properties affected* for the following resources, also outlined in Section 6.0 of the report:

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- 5CC698 Idaho Springs Work Center
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- 5CC2339 1998 East Idaho Springs Road
- 5CC2418 6 & 40 Fireplace Lounge
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- 5CC2540 Kjeldgaard Residence
- 5CC2542 Brandt Residence, 23 Brandt Lane
- 5CC2543 Francis Residence, 283 Tonn Valley Drive
- 5CC2545 Anderson Residence
- 5CC2549 Thurlow Residence
- 5JF4793 / 5JF4793.1 / 5JF4793.2 Road
- 5JF7443 Hakes Residence, 33180 US Highway 40
- 5JF7445 Mesa LLC Property, 33160 Highway 40
- 5JF7447 Stauffer Residence, 403 Quarter Circle Lane
- 5JF7446 Elmgreen Residence, 344 Crooked Pine Trail
- 5JF7444 Elmgreen Ranch, 355 Crooked Pine Trail

As a Section 106 consulting party, we welcome your comments with the determinations of effect and modifications to the APE as summarized in this letter and the attached report. Should you elect to respond, we request that you do so within thirty (30) days of receipt of these materials. Given the current public health crisis, you will only receive these materials electronically and because CDOT staff has limited access to the office in Denver, so we request that you submit your comments via Email to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional clarification, please contact Ms. Schoch at (303)512-4258 or lisa.schoch@state.co.us.

Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Mr. Alex Thome
Central City Historic Preservation Commission
P.O. Box 249
Central City, CO 80427

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Mr. Thome:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

Consultation on the APE and eligibility determinations were initiated in correspondence to the State Historic Preservation Office (SHPO) dated May 21, 2019 and a letter to you dated May 22, 2019. In a letter dated June 3, 2019, SHPO agreed with the APE and provided concurrence with the determinations of eligibility contained within the corridor Eligibility Report submitted at that time.

APE Modifications

The APE was recently expanded to accommodate a minor change in design to add wildlife fencing east of the original APE. The proposed fencing will extend from the Floyd Hill/Homestead Road interchange (MP 247) east to Soda Creek Road (MP 249); it will reduce wildlife-vehicle collisions in the Beaver Brook area and funnel animals toward a safe crossing under I-70 at Soda Creek Road. No easements or right-of-way acquisitions will be necessary to accommodate the work. A discussion of the APE modifications is contained in Section 5.1.2 of the enclosed report.

Determinations of Effects

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- 5CC1184 (5CC1184.1 & 5CC1184.4) US Highway 6
- 5CC2002 (5CC202.1 & 5CC2002.2) US Highway 6 and Highway 40
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- 5CC247 Saddleback Ridge Estates Subdivision

The project will result in *no historic properties affected* for the following resources, also outlined in Section 6.0 of the report:

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- 5CC261 Floyd Hill Stage Station
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- 5CC698 Idaho Springs Work Center
- 5CC1078 Clear Creek Bridge F-15-D
- 5CC1081 Clear Creek Bridge CLR314-W0.7
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- 5CC2542 Brandt Residence, 23 Brandt Lane
- 5CC2543 Francis Residence, 283 Tonn Valley Drive
- 5CC2545 Anderson Residence
- 5CC2549 Thurlow Residence
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Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

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

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Breece:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

Consultation on the APE and eligibility determinations were initiated in correspondence to the State Historic Preservation Office (SHPO) dated May 21, 2019 and a letter to you dated May 22, 2019. In a letter dated June 3, 2019, SHPO agreed with the APE and provided concurrence with the determinations of eligibility contained within the corridor Eligibility Report submitted at that time.

APE Modifications

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Determinations of Effects

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- 5CC427 (5CC427.1) Colorado Central Railroad
- 5CC1184 (5CC1184.1 & 5CC1184.4) US Highway 6
- 5CC2002 (5CC202.1 & 5CC2002.2) US Highway 6 and Highway 40
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- 5CC1996 Seaton Mountain Electric Company Hydroelectric Plant and Flume
- 5CC1998 The Tunnel Inn Service Station and Lunch Room/Kermitts Roadhouse
- 5CC2000 Bell Property
- 5CC2339 1998 East Idaho Springs Road
- 5CC2418 6 & 40 Fireplace Lounge
- 5CC2513 Colorado Boulevard Commercial Historic District
- 5CC2540 Kjeldgaard Residence
- 5CC2542 Brandt Residence, 23 Brandt Lane
- 5CC2543 Francis Residence, 283 Tonn Valley Drive
- 5CC2545 Anderson Residence
- 5CC2549 Thurlow Residence
- 5JF4793 / 5JF4793.1 / 5JF4793.2 Road
- 5JF7443 Hakes Residence, 33180 US Highway 40
- 5JF7445 Mesa LLC Property, 33160 Highway 40
- 5JF7447 Stauffer Residence, 403 Quarter Circle Lane
- 5JF7446 Elmgreen Residence, 344 Crooked Pine Trail
- 5JF7444 Elmgreen Ranch, 355 Crooked Pine Trail

As a Section 106 consulting party, we welcome your comments with the determinations of effect and modifications to the APE as summarized in this letter and the attached report. Should you elect to respond, we request that you do so within thirty (30) days of receipt of these materials. Given the current public health crisis, you will only receive these materials electronically and because CDOT staff has limited access to the office in Denver, so we request that you submit your comments via Email to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional clarification, please contact Ms. Schoch at (303)512-4258 or lisa.schoch@state.co.us.

Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

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

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445,
I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Luther:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

Consultation on the APE and eligibility determinations were initiated in correspondence to the State Historic Preservation Office (SHPO) dated May 21, 2019 and a letter to you dated May 22, 2019. In a letter dated June 3, 2019, SHPO agreed with the APE and provided concurrence with the determinations of eligibility contained within the corridor Eligibility Report submitted at that time.

APE Modifications

The APE was recently expanded to accommodate a minor change in design to add wildlife fencing east of the original APE. The proposed fencing will extend from the Floyd Hill/Homestead Road interchange (MP 247) east to Soda Creek Road (MP 249); it will reduce wildlife-vehicle collisions in the Beaver Brook area and funnel animals toward a safe crossing under I-70 at Soda Creek Road. No easements or right-of-way acquisitions will be necessary to accommodate the work. A discussion of the APE modifications is contained in Section 5.1.2 of the enclosed report.

Determinations of Effects

The project will result in *no adverse effect* for the following resources, as outlined in Section 6.0 of the report:

- 5CC427 (5CC427.1) Colorado Central Railroad
- 5CC1184 (5CC1184.1 & 5CC1184.4) US Highway 6
- 5CC2002 (5CC202.1 & 5CC2002.2) US Highway 6 and Highway 40
- 5CC2546 Hyland Hills Subdivision
- 5CC247 Saddleback Ridge Estates Subdivision

The project will result in *no historic properties affected* for the following resources, also outlined in Section 6.0 of the report:

- 5CC259 Floyd Hill Railroad Depot
- 5CC261 Floyd Hill Stage Station
- 5CC454.1 Wagon Road
- 5CC698 Idaho Springs Work Center
- 5CC1078 Clear Creek Bridge F-15-D
- 5CC1081 Clear Creek Bridge CLR314-W0.7
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- 5CC1996 Seaton Mountain Electric Company Hydroelectric Plant and Flume
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- 5CC2339 1998 East Idaho Springs Road
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Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Ms. Elaine Hayden, President
Evergreen Mountain Area Historical Society
P.O. Box 703
Evergreen, CO 80437

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445,
I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Hayden:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

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Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Mr. Bret Johnson
Gilpin County Historic Preservation Advisory Committee
203 Eureka Street
Central City, CO 80427

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Mr. Johnson:

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Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Ms. Genevieve Palmer
Historical Society of Idaho Springs
Heritage Museum and Visitor Center
P.O. Box 1318
Idaho Springs, CO 80452-1318

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445,
I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Palmer:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

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Determinations of Effects

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Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Mr. Dennis Dempsey, Planning and Zoning Department
Jefferson County
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3550

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445,
I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Mr. Dempsey:

This letter and the attached documents constitute a request for comments on determinations of effects and modifications to the Area of Potential Effects (APE) for the project referenced above. The undertaking, located in the I-70 Mountain Corridor between milepost (MP) 241 and 249, proposes to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. It involves a proposed third lane from the top of Floyd Hill through the Veterans Memorial Tunnels (VMT), adding a trail and frontage road between VMT and US 6, and curve safety improvements. A detailed project description appears in Section 2.0 of the enclosed effects report.

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for Jane Hann, Manager
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Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Ms. Mary Jane Loevlie
Argo Holdings, LLC
P.O. Box 1201
Idaho Springs, CO 80452

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Loevlie:

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cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.



Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

August 28, 2020

Ms. Cindy Neely
P.O. Box 532
Georgetown, CO 80444

SUBJECT: Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Neely:

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Determinations of Effects

The project will result in *no adverse effect* for the following resources, as outlined in Section 6.0 of the report:

- 5CC427 (5CC427.1) Colorado Central Railroad
- 5CC1184 (5CC1184.1 & 5CC1184.4) US Highway 6
- 5CC2002 (5CC202.1 & 5CC2002.2) US Highway 6 and Highway 40
- 5CC2546 Hyland Hills Subdivision
- 5CC247 Saddleback Ridge Estates Subdivision

The project will result in *no historic properties affected* for the following resources, also outlined in Section 6.0 of the report:

- 5CC259 Floyd Hill Railroad Depot
- 5CC261 Floyd Hill Stage Station
- 5CC454.1 Wagon Road
- 5CC698 Idaho Springs Work Center
- 5CC1078 Clear Creek Bridge F-15-D
- 5CC1081 Clear Creek Bridge CLR314-W0.7
- 5CC1813 Peoriana Motel
- 5CC1189.3 Twin Tunnels
- 5CC1996 Seaton Mountain Electric Company Hydroelectric Plant and Flume
- 5CC1998 The Tunnel Inn Service Station and Lunch Room/Kermitts Roadhouse
- 5CC2000 Bell Property
- 5CC2339 1998 East Idaho Springs Road
- 5CC2418 6 & 40 Fireplace Lounge
- 5CC2513 Colorado Boulevard Commercial Historic District
- 5CC2540 Kjeldgaard Residence
- 5CC2542 Brandt Residence, 23 Brandt Lane
- 5CC2543 Francis Residence, 283 Tonn Valley Drive
- 5CC2545 Anderson Residence
- 5CC2549 Thurlow Residence
- 5JF4793 / 5JF4793.1 / 5JF4793.2 Road
- 5JF7443 Hakes Residence, 33180 US Highway 40
- 5JF7445 Mesa LLC Property, 33160 Highway 40
- 5JF7447 Stauffer Residence, 403 Quarter Circle Lane
- 5JF7446 Elmgreen Residence, 344 Crooked Pine Trail
- 5JF7444 Elmgreen Ranch, 355 Crooked Pine Trail

As a Section 106 consulting party, we welcome your comments with the determinations of effects and modifications to the APE as summarized in this letter and the report. Should you elect to respond, we request that you do so within thirty (30) days of receipt of these materials. Given the current public health crisis, you will only receive these materials electronically; because CDOT staff has limited access to the office in Denver, we request that you submit your comments via email to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional clarification, please contact Ms. Schoch via email or (303)512-4258.

Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Enclosure: I-70 Floyd Hill to Veterans Memorial Tunnels Historic Resources Effects Report

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting Group
Chase Taylor, Pinyon Environmental, Inc.

From: [Henderson - CDOT, Vanessa](#)
To: [Mandy Whorton; bushey@pinyon-env.com](#)
Cc: [Lisa Schoch - CDOT](#)
Subject: Fwd: I-70 Floyd Hill EA Section 106 Effects Review
Date: Thursday, September 3, 2020 1:09:43 PM
Attachments: [CoverLetter_Neely_Aug2020.pdf](#)
[21292_Floyd Hill Effects Report-Final-08282020 - Copy.pdf](#)

FYI from Cindy. Please be prepared to discuss the Archaeo report where the walls were surveyed/discussed at the 106 ITF meeting (assuming Mandy can do this). Thanks!

Vanessa Henderson
I-70 Mountain Corridor Environmental Program Manager



P 720.497.6924
425A Corporate Circle
Golden, CO 80401

vanessa.henderson@state.co.us | <https://www.codot.gov/>

----- Forwarded message -----

From: **Schoch - CDOT, Lisa** <lisa.schoch@state.co.us>
Date: Tue, Sep 1, 2020 at 11:08 AM
Subject: Fwd: I-70 Floyd Hill EA Section 106 Effects Review
To: Vanessa Henderson - CDOT <vanessa.henderson@state.co.us>

FYI
Lisa Schoch
Environmental Protection Specialist, Senior Historian, and Section 4(f) Specialist
Environmental Programs Branch



2829 West Howard Place, Denver, CO 80204
P 303.512.4258 | F 303.757.9445
lisa.schoch@state.co.us
www.coloradodot.info | www.codot.gov | www.cotrip.org



----- Forwarded message -----

From: **Cynthia Neely** <ccneely@yahoo.com>
Date: Tue, Sep 1, 2020 at 9:36 AM
Subject: Re: I-70 Floyd Hill EA Section 106 Effects Review
To: Schoch - CDOT, Lisa <lisa.schoch@state.co.us>
Cc: Amy Saxton <asaxton@clearcreekcounty.us>

Thanks Lisa,

Good to hear from you. Hope all is well.

I will, of course, review this document. Off the top I see one concern in that the alternatives have dramatically different impacts in the central area of the project from the Hwy 6 interchange to the Hidden Valley interchange. There are numerous short segments of railroad wall that would be obliterated by the Tunnel with south frontage road option. This area is planned to be the Hidden Valley Open Space Park incorporating the Greenway trail with fishing and hiking opportunities. I don't know that those walls, some somewhat hidden in the woods, were inventoried. They are part of the story to tell in the park. The other alternatives would leave these resources intact.

I also noticed that the Mountain corridor context was not used as a resource? We can discuss at the ITF.

See you soon.

Cindy

Cynthia C. Neely, Project Manager

Box 532

Georgetown, CO 80444

720 201 7161

On Monday, August 31, 2020, 02:12:31 PM MDT, Schoch - CDOT, Lisa <lisa.schoch@state.co.us> wrote:

Hi Cindy:

Attached is a cover letter and effects report for this project. I will be send a poll soon to set up the next ITF meeting.

I hope you are well--

Thanks
Lisa
Lisa Schoch

Environmental Protection Specialist, Senior Historian, and Section 4(f) Specialist
Environmental Programs Branch



2829 West Howard Place, Denver, CO 80204
P 303.512.4258 | F 303.757.9445

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HISTORY *Colorado*

Ms. Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
2829 W. Howard Pl., 4th Floor
Denver, Colorado 80204

RE: I-70 Floyd Hill to Veterans Memorial Tunnels
Historic Resources Effects Technical Report
Clear Creek and Jefferson Counties, Colorado
CDOT Project NHPP 0703-446
History Colorado No. 76031

Dear Ms. Hann:

Thank you for your correspondence that our office received on August 28, 2020, regarding the review of the above referenced project under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR Part 800.

We have reviewed all documentation submitted for this project, including the report titled “I-70 Floyd Hill to Veterans Memorial Tunnels: Historic Resources Effects Technical Report” (MC.CH.R204). We understand the project area of potential effects (APE) was recently modified to include proposed wildlife fencing. The modified APE, identified as APE-3, is outlined and discussed in section 5.1.2 of the submitted report. We agree the defined APE-3 is appropriate for the undertaking.

As outlined in section 6.0 of the report, we concur the project will result in *no adverse effect* for the following resources:

- 5CC.427 (5CC427.1)—Colorado Central Railroad
- 5CC.1184 (5CC1184.1 & 5CC.1184.4)—US Highway 6
- 5CC.2002 (5CC.202.1 & 5CC2002.2)—US Highway 6 and Highway 40
- 5CC.2546—Hyland Hills Subdivision
- 5CC.2547—Saddleback Ridge Estates Subdivision

We also concur the project will result in *no historic properties affected* for the following properties:

- 5CC.259—Floyd Hill Railroad Depot
- 5CC.261—Floyd Hill Stage Station
- 5CC.454.1—Wagon Road
- 5CC.698—Idaho Springs Work Center
- 5CC.1078—Clear Creek Bridge F-15-D

- 5CC.1081—Clear Creek Bridge CLR314-W0.7
- 5CC.1189.3—Twin Tunnels
- 5CC.1813—Peoriana Motel
- 5CC.1996—Seaton Mountain Electric Company Hydroelectric Plant and Flume
- 5CC.1998—The Tunnel Inn Service Station and Lunch Room/Kermitts Roadhouse
- 5CC.2000—Bell Property
- 5CC.2339—1998 East Idaho Springs Road
- 5CC.2418—6 & 40 Fireplace Lounge
- 5CC.2513—Colorado Boulevard Commercial Historic District
- 5CC.2540—Kjeldgaard Residence
- 5CC.2542—Brandt Residence, 23 Brandt Lane
- 5CC.2543—Francis Residence, 283 Tonn Valley Drive
- 5CC.2545—Anderson Residence
- 5CC.2549—Thurlow Residence
- 5JF.4793 / 5JF.4793.1 / 5JF.4793.2—Road
- 5JF.7443—Hakes Residence, 33180 US Highway 40
- 5JF.7444—Elmgreen Ranch, 355 Crooked Pine Trail
- 5JF.7445—Mesa LLC Property, 33160 Highway 40
- 5JF.7446—Elmgreen Residence, 344 Crooked Pine Trail
- 5JF.7447—Stauffer Residence, 403 Quarter Circle Lane

As no historic properties will be adversely affected, no further consultation is necessary regarding historic properties. However, should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR §60.4) in consultation with our office pursuant to 36 CFR §800.13. Also, should the consulted-upon scope of the work change, please contact our office for continued consultation under Section 106 of the National Historic Preservation Act.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Mitchell K. Schaefer, Section 106 Compliance Manager, at (303) 866-2673 or mitchell.schaefer@state.co.us.

Sincerely,

Steve Turner, AIA
State Historic Preservation Officer

ST/mks



Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

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

October 5, 2020

Lisa Schoch, Senior Historian
Environmental Protection Specialist
CDOT Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

Dear Ms. Schoch,

Thank you for the opportunity for Clear Creek County to respond to the Section 106 review: Determination of Effects and Modifications of the APE for Project NHPP 0703-445: I70 Floyd Hill to Veterans Memorial Tunnels. The County appreciates the thoroughness with which Ashley Bushey of Pinyon Engineering has completed the identification of eligible cultural resources in the Area of Potential Effect. The County is in agreement with the modification to the APE.

The County is in agreement with all findings of no adverse impact except to the Colorado Central Railroad 5CC.427.1., a Section 4(f) cultural resource. The objection relates to the impact of the "South Frontage Road" option on this cultural resource in the Central Section of the project, from the Hidden Valley to the Highway 6 interchange.

The eligibility determination indicated that the portion of the Colorado Central Railroad, which in its entirety is an eligible lineal resource, is "non-supporting" throughout the length of this project. The County disagrees. While this may be true at either end of the project, it is assuredly not true in the central section. The Greenway trail is on this rail bed which sits undisturbed in its original location with remnants of railroad walls. As the railbed is part of a long planned Hidden Valley Open Space Park, a Section 4(f) public recreational resource, it is an ideal location to interpret the history of the Colorado Central to recreational users. The County does not want to lose that opportunity.

The effects analysis postulates that all alternatives have the same or similar impacts on the resource. This is not true. The South Frontage Road through the central section of the project is actually not a frontage road. It is Highway 6 westbound, which means it will be used by and constructed for substantial truck traffic, including every westbound truck departing from the Frei Quarry, which will have to use the "South Frontage Road" under that design. The maps in the effect analysis do not coincide with the visual simulations prepared for the 20% design by the Project Engineer. The effects analysis seems to indicate that the Greenway would survive with the South Frontage Road in place with walls intact. The simulations tell a different story. The South Frontage Road/Highway 6 will require cutting into the mountainside on the south with retaining walls ranging from 10 – 12 feet in height for the length of the central section on the south side of the creek. This eliminates historic railroad retaining walls and any access to the mountainside. The required width of the road moves the Greenway off the railbed onto a platform along the creek bounded by the fill wall of the road. Any opportunities for cultural resource interpretation or recreational use are eliminated.

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As the Officials with Jurisdiction, Clear Creek County as the owner of the 4(f) property objects to the “South Frontage Road” option as it does not meet the Section 4(f) requirement that: “The use of Section 4(f) resources is only permitted if no feasible and prudent alternative to the use can be identified”. The two other alternatives, “North Frontage Road” and “Canyon Viaduct” are both prudent and feasible alternatives.

CDOT has indicated that the Floyd Hill project may be redesigned to a significant degree in the final design phase. Will the Determination of Effects be revisited at that time?

Clear Creek County appreciates being included in this deliberation.

Thank you,

Amy Saxton,

A handwritten signature in black ink, appearing to read 'Amy Saxton', with a long horizontal flourish extending to the right.

Strategic & Community Planning Division Director
Clear Creek County
PO Box 2000
405 Argentine Street
Georgetown, CO 80444
303-679-4238 (o)
303-877-0579 (m)



COLORADO
Department of Transportation
Division of Transportation Development

Environmental Programs Branch
2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

December 8, 2020

Ms. Amy Saxton
Strategic & Community Planning Division Director
Clear Creek County
PO Box 2000
Georgetown, CO 80444

SUBJECT: CDOT Response, Section 106 Determinations of Effects and APE Modifications, Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek and Jefferson Counties

Dear Ms. Saxton:

Thank you for your correspondence dated October 5, 2020 regarding CDOT's determinations of effects and Area of Potential Effects (APE) modifications for the project referenced above. This letter constitutes CDOT's response to your questions and concerns regarding the undertaking.

You indicated that Clear Creek County agrees with CDOT's modified APE and with the effects determinations, with the exception of the significance of and effects to the Colorado Central Railroad (Segment 5CC427.1). You questioned CDOT's analysis of the overall segment as *non-supporting* and also disagreed with the effects determination for the railroad. The following responses are organized according to your concerns about the significance or eligibility of the railroad, the effects analysis, evaluation of the resource as a Section 4(f) property, and concerns about future Section 106 consultation.

1. Eligibility Determination

You disagreed that the railroad segment (5CC427.1) lacks integrity and is a *non-supporting* part of the overall Colorado Central Railroad. We would like to clarify that when we consulted with you regarding our submittal of resource eligibility determinations in May 2019, we did not receive comments from your office regarding the railroad so we assumed there were no concerns regarding its eligibility status.

With regard to the significance of the railroad, linear resources generally exhibit greater length than width and in some cases extend across multiple counties and are many miles long. Over the years, the Colorado Office of Archaeology and Historic Preservation (OAHP) has worked to develop a methodology for recording linear resources that involves evaluating the entire resource for historic significance, while evaluating individual segments to determine if the segment has enough integrity to convey the significance of the overall resource. CDOT adopted this approach, which is outlined in its general Section 106 Programmatic Agreement developed to guide how CDOT conducts regulatory compliance for its projects statewide.

The National Register of Historic Places (NRHP) evaluates significance as it relates to the following criteria: Criterion A (association or linkage to events important in the past); Criterion B (association or linkage to individuals important in the past); Criterion C (properties significant as representatives of the manmade expression of culture or technology); and Criterion D (properties significant for ability to yield important information about prehistory or history). Integrity is the ability of a property to convey

significance. The NRHP recognizes seven aspects of integrity (setting, location, design, materials, workmanship, feeling, association) and provides guidance on how to evaluate both significance and integrity. In order for a resource to be eligible to the NRHP, it must have both significance and integrity. For more specific information regarding how to evaluate historic properties, please visit the following link: <https://www.nps.gov/subjects/nationalregister/publications.htm> and click on **How to Apply the National Register Criteria for Evaluation (NRB 15)** under the link to bulletins.

Consultant Pinyon Environmental documented segment 5CC427.1 for this project in 2018. The overall railroad was determined to be historically significant and therefore eligible to the NRHP in 1990. It is significant under Criterion A in the area of Transportation for its association with the Colorado Central Railroad, which is one of the earliest railroads in Colorado. Under Criterion B, it is significant for its association with William A.H. Loveland, one of Colorado's early leaders in rail transportation. It is not significant under Criteria C or D. In an effort to better understand the entire railroad segment in the project APE, Pinyon evaluated a 5.75-mile segment of the railroad, some of which was previously documented as shorter segments and some is no longer extant. The documentation involved an evaluation of previous recordings, archival research including historic mapping, walking the alignment in the field, taking photos, and evaluating the condition of the railroad using NRHP guidance regarding integrity. Based on this evaluation, Pinyon determined that much of this segment was no longer extant due to a variety of factors—removal of rail-related elements, erosion by Clear Creek, paving and use as a road and trail, and removal due to road and highway construction. As part of this extensive archival and field review, Pinyon recommended to CDOT that overall, the segment they evaluated lacked integrity. This means that even though there are some sections of the railroad corridor that have some extant rail features, such as retaining walls, this segment as a whole does not have enough integrity, as defined by the NRHP, to convey or support the significance of the entire railroad resource.

You disagreed with the determination that the segment lacks integrity, particularly in the central section where there are areas where retaining walls are still extant. As we noted in our consulting party/Section 106 Issue Task Force (ITF) meetings, our determination that this segment as a whole lacks integrity does not preclude Clear Creek County from interpreting the railroad as a historic resource—the overall railroad is considered historically significant and our evaluation was undertaken through the lens of compliance. Our evaluation still recognizes the overall railroad as a historic property and our analysis of the segment has no bearing on how you interpret this resource as part of the Clear Creek Greenway.

We continue to support the evaluation of the segment as *non-supporting* and gained State Historic Preservation Officer (SHPO) concurrence with that finding. We have included the SHPO response for your review and have copied them on this response to you so they are aware of your concerns regarding this resource.

2. Effects Determination

You also disagreed with the effects determination to the overall railroad, stating that not all the alternatives result in the same effect to the railroad. When we evaluate effects to linear resources, we evaluate the effects to the *segment* and then analyze how the effects to the segment affect the *overall* resource. In this case, the segment was determined to be *non-supporting*, so we did not provide a great deal of analysis regarding *how* it would be affected under the different alternatives because under Section 106, the outcome and effect to the *overall* railroad would be the same.

The Greenway trail, which is generally constructed over segments of the historic railroad bed, would be reconstructed from asphalt to concrete by all of the Project alternatives. The trail itself would not change alignment under the alternatives, with the exception of the Tunnel Alternative, North Frontage Road Option, where the trail would be lowered near Sawmill Gulch (along the same general horizontal alignment with a retaining wall) to meet Americans with Disability Act (ADA) standards.

For the Canyon Viaduct Alternative and Tunnel Alternative, South Frontage Road Option, this non-ADA compliant segment of the trail would remain in place, and a new ADA-compliant trail would be constructed on the north side of Clear Creek, connected by two pedestrian bridges over the creek. We noted on page 6 of the effects report that although the alignment of the Greenway trail would be the same under all the alternatives, the relationship between the Greenway and frontage road is different for the Tunnel Alternative, South Frontage Road Option, where the Greenway trail would be closer to the frontage road alignment. In the report, we did not specifically address the railroad retaining walls because, from a Section 106 compliance perspective, they are part of a *non-supporting* segment of the overall railroad and whether they are affected would not change the effects determination to the *entire* railroad. However, we understand that the potential loss of the wall remnants, the change in relationship of the Greenway trail with the frontage road and the creek, and the severance of the Greenway from Hidden Valley Open Space by the frontage road is of great concern to the county's local interpretation of the history and its recreational use. The current preferred alternative is the Canyon Viaduct Alternative, which would locate the frontage road on the north side of the canyon in the existing I-70 pavement, far from the Greenway and what remains of the railroad resource.

Based on our determination that railroad segment 5CC427.1 is *non-supporting*, we continue to support the determination that the project results in *no adverse effect* to the overall Colorado Central Railroad (5CC427).

3. Section 4(f)

With regard to your comments on Section 4(f), although sections of the Clear Creek Greenway trail were built on segments of the railroad alignment, this consultation is about the railroad as a historic property, where the Official with Jurisdiction is the SHPO. In addition, because the project resulted in a finding of *no adverse effect* under Section 106, CDOT may evaluate it under Section 4(f) *de minimis* per 23 CFR 774.3(b) or as an exception for transportation facilities under 23 CFR 774.13(a). Under these two Section 4(f) evaluation types, there is not a requirement to evaluate avoidance alternatives.

4. Future Section 106 Consultation

In your letter you asked if CDOT will re-visit its effects determinations if there are future design changes to the project. In general, CDOT views Section 106 as a dynamic consultation process. When there are changes to project scope or design that result in different effects to properties or identification of new properties, CDOT re-opens Section 106 consultation to address these updates. We will be in contact with you if there are changes in the future that warrant additional consultation.

If you have questions, please contact Senior Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,

for Jane Hann, Manager
Environmental Program Branch

Enclosures:

SHPO Correspondence, 9/24/20

cc: Vanessa Henderson, CDOT Region 1
Mandy Whorton, Peak Consulting
Office of Archaeology & Historic Preservation



Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

TELEPHONE: (303) 679-2300

May 10, 2021

Lisa Schoch, Senior Historian
Environmental Protection Specialist
CDOT Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

SUBJECT: CDOT Response, Section 106 Determinations of Effects and APE Modifications,
Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek
and Jefferson Counties

Dear Ms. Schoch,

Thank you for your letter on December 8, 2020 in response to the Clear Creek County concerns with the impact of the South Frontage Road option of the Floyd Hill project on historical and recreational resources in the Hidden Valley Open Space Park. Clear Creek County continues to maintain that the South Frontage Road option renders historical interpretation and recreational activities impossible in the park: 1) creating an adverse impact to an eligible historic resource under Section 106 of the National Historic Preservation Act (NHPA)(16 U.S.C. 470) and its regulations at 36 CFR § 800; and 2) constituting a violation of Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 U.S.C. §303 and 23 U.S.C. §138) and its regulations at 23 CFR 774. Clear Creek County is considered a consulting party under the NHPA. And, as owner of the subject public park and recreation area, the county is considered an official with jurisdiction under Section 4(f) thus requiring coordination with the County and requiring the County's written concurrence of a finding of no adverse effects prior to making a "de minimis" impact findings (23 CFR 774.5(b)). Clear Creek County does not concur with the agencies' findings with respect to NHPA and 4(f).

Historically, in Clear Creek County, the Colorado Central Railroad extended from the Jefferson County border to Bakerville. The Railroad sites that remain are the engineering marvel of the Georgetown Loop, three rail stations devoted to alternative uses, and scarce sections of railbed. The south side of the creek between the Highway 6 junction and Hidden Valley interchange is one of those visible remaining segments. The Railroad Corridor is a determined National Register of Historic Places (National Register) eligible lineal resource. The procedure then is to determine whether a given project has an adverse impact on the segments of the Railroad Corridor that remain and contribute to the determination of its eligibility. The review of the historic resources for the Floyd Hill Project determined that the majority of the Railroad Corridor through the entire Floyd Hill project limits no longer contributed to the eligibility of the resource. However, as Point 1 in your letter indicates, some sections of the Colorado Central Railroad corridor in the project "have extant rail features, such as retaining walls." Clear Creek County would add that those features also include the existing railroad bed that runs in its original location adjacent to those historic retaining walls. These features, which meet the National Register criteria of contributing to "setting, materials, workmanship and feeling of place," are located in the central section of the Floyd Hill Project on the south side of Clear Creek between the Hidden Valley and Highway 6 interchanges. That

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historic retaining walls. These features, which meet the National Register criteria of contributing to “setting, materials, workmanship and feeling of place,” are located in the central section of the Floyd Hill Project on the south side of Clear Creek between the Hidden Valley and Highway 6 interchanges. That central section is the specific place that would be obliterated by the South Frontage Road Alternative. The contributing segment, when interpreted, is significant enough to give the recreationalist a sense of its use and importance in the past. A South Frontage Road, which is actually an extension of Highway 6, would destroy these features.

Point 2 in your letter asserts that “the trail itself would not change alignment under the alternatives.” That is false. The trail, the Colorado Peak to Plains Regional Trail/Clear Creek Greenway, currently sits in the middle of the railbed with ample space (10 -15 feet) between each the trail and mountainside with the historical walls on the south, and the trail and Clear Creek on the north. The trail itself is 10-foot-wide and occupies the center of the railbed making it quite evident that the biker or hiker is on a previous transportation corridor. According to the visual simulations of the South Frontage Alternative, and the 30% design plans provided by CDOT, a frontage road would be at least 30 feet wide, more than the width of the railbed. The 10-foot trail would be pushed to the extreme edge of the creek, as a 5-foot distance is required from 30 feet of “frontage road.” The proposed frontage road and trail create a 45-foot swath which destroys not only the entire railbed but also the accompanying historic walls which, according to the CDOT visual simulation, will be replaced by a concrete retaining wall on the mountainside. To simply say “(it) would be closer to the frontage road” is erroneous. Further, the “frontage road” referenced in your response is not designed as a mere frontage road. It is designed as the westbound extension of Highway 6. Every truck headed west on Highway 6 or from the Frye Quarry must use that road. The trail will exist as an attachment to a very busy highway extension. The Railroad Corridor contributing segment will be eliminated. Each time a smaller, but very visible segment is destroyed, the integrity of the National Register resource is diminished, which constitutes an “adverse impact” As a consulting party under the NHPA, the County has made the jurisdictional determination that the South Frontage Road alternative will have an adverse impact on the eligible cultural resource.

Point 3 of your letter asserts that the entire responsibility for Section 4(f) is covered by the high-level review of historic resources under NHPA Section 106. Clear Creek County does not agree. Section 4(f) requirements under regulations at 23 CFR 774 stipulate that FHWA and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- 1) There is no feasible and prudent avoidance alternative to the use of land; and the action includes all possible planning to minimize harm to the property resulting from such use;
OR
- 2) The Administration determines that the use of the property will have a de minimis impact.

The Federal Highway Administration states that “Any project that affects Section 4(f) land must include a Section 4(f) assessment.” **Assessments under Section 106 and Section 4(f) must be conducted separately.** Despite that a Section 106 assessment was conducted, CDOT/FHWA cannot avoid an assessment under Section 4(f). Section 4(f) prohibits both the actual taking of land from the protected property and constructive use of the property – where a project’s proximity to the Section 4(f) resource substantially impairs the normal use of the land. As we noted, the “frontage road” is not actually designed

Lisa Schoch, Senior Historian

May 10, 2021

Page 3

as a mere frontage road and every truck heading West must use that road. Further, the trail will exist as an attachment to this now busy road. It is clear that the location of this new busy road impairs the normal use of the land, which is generally a quiet and scenic hiking trail along the historic railbed. Further, the concrete walls will disrupt recreational fishing, picnickers, and access for hikers and bikers. In summary, the use and enjoyment of the land as is would not be maintained for current or future generations. Instead of a nature trail, it will be a concrete jungle.

Further, Section 4(f) requires that if the alternatives include the land from the Section 4(f) resource, the alternative that is prudent and feasible and that has the least overall impact on the resource, including mitigation measures, must be selected. As you mentioned in your letter, the proposed frontage road would be at least 30 feet wide, more than the width of the historic railbed, and the 10-foot trail would be pushed to the edge of the creek. As such, the entire railbed and its historic walls would be destroyed, and the trail that currently occupies the railbed would be destroyed and misplaced. The design indicates that the concrete walls will be required along the mountainside and in many areas along the trail leaving no space for the recreational fisherman, picnickers, or mountain access for hikers, much less 4(f) protection or cultural resource interpretation. This isn't an alternative that uses only *some* of the 4(f) land, it uses/destroys the *entirety* of the 4(f) land and any possible cultural resource interpretation.

Further, wildlife impacts have not been adequately considered. Concrete walls are more prohibitive of animals crossing and using the land, trail, and creek. Page 20 of the Floyd Hill Master Plan (FH MP) discusses the significant amount of wildlife movement on Floyd Hill. Elk migration patterns are depicted along I-70, and mule deer migration corridors are located adjacent to nearby I-70. Page 23 of the FH MP includes a map of wildlife in the area and their migration patterns. Based on our interpretation of the map, mule deer and lynx populations will be significantly impacted by the Floyd Hill project. Not only will the species located within the creek be adversely impacted, but the proposed frontage road itself endangers wildlife on the south side preventing it from reaching the creek and preventing use and enjoyment of the 4(f) open space resource by eliminating wildlife, thus affecting the public park recreationalists utilizing the 4(f) property.

We are pleased that viable alternatives are already being evaluated, and initially appear to be the preferred alternatives for this project. This outcome is our hope on behalf of Clear Creek County, and perhaps in the future this discussion will be moot. However, despite this potential favorable outcome, Clear Creek County does not waive its right to challenge the application and compliance with 4(f) and Section 106 with respect to FHWA/CDOT determinations.

Sincerely,

CLEAR CREEK BOARD OF COUNTY COMMISSIONERS


George Marlin, Chairman


Randall Wheelock, Commissioner


Sean C. Wood, Commissioner

Lisa Schoch, Senior Historian

May 10, 2021

Page 4

cc: Peter Lichtman, Clear Creek County Attorney's Office
Rebecca Almon, Ireland Stapleton Pryor & Pascoe, PC



Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

TELEPHONE: (303) 679-2300

May 10, 2021

Lisa Schoch, Senior Historian
Environmental Protection Specialist
CDOT Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

SUBJECT: CDOT Response, Section 106 Determinations of Effects and APE Modifications,
Project NHPP 0703-445, I-70 Floyd Hill to Veterans Memorial Tunnels, Clear Creek
and Jefferson Counties

Dear Ms. Schoch,

Thank you for your letter on December 8, 2020 in response to the Clear Creek County concerns with the impact of the South Frontage Road option of the Floyd Hill project on historical and recreational resources in the Hidden Valley Open Space Park. Clear Creek County continues to maintain that the South Frontage Road option renders historical interpretation and recreational activities impossible in the park: 1) creating an adverse impact to an eligible historic resource under Section 106 of the National Historic Preservation Act (NHPA)(16 U.S.C. 470) and its regulations at 36 CFR § 800; and 2) constituting a violation of Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 U.S.C. §303 and 23 U.S.C. §138) and its regulations at 23 CFR 774. Clear Creek County is considered a consulting party under the NHPA. And, as owner of the subject public park and recreation area, the county is considered an official with jurisdiction under Section 4(f) thus requiring coordination with the County and requiring the County's written concurrence of a finding of no adverse effects prior to making a "de minimis" impact findings (23 CFR 774.5(b)). Clear Creek County does not concur with the agencies' findings with respect to NHPA and 4(f).

Historically, in Clear Creek County, the Colorado Central Railroad extended from the Jefferson County border to Bakerville. The Railroad sites that remain are the engineering marvel of the Georgetown Loop, three rail stations devoted to alternative uses, and scarce sections of railbed. The south side of the creek between the Highway 6 junction and Hidden Valley interchange is one of those visible remaining segments. The Railroad Corridor is a determined National Register of Historic Places (National Register) eligible lineal resource. The procedure then is to determine whether a given project has an adverse impact on the segments of the Railroad Corridor that remain and contribute to the determination of its eligibility. The review of the historic resources for the Floyd Hill Project determined that the majority of the Railroad Corridor through the entire Floyd Hill project limits no longer contributed to the eligibility of the resource. However, as Point 1 in your letter indicates, some sections of the Colorado Central Railroad corridor in the project "have extant rail features, such as retaining walls." Clear Creek County would add that those features also include the existing railroad bed that runs in its original location adjacent to those historic retaining walls. These features, which meet the National Register criteria of contributing to "setting, materials, workmanship and feeling of place," are located in the central section of the Floyd Hill Project on the south side of Clear Creek between the Hidden Valley and Highway 6 interchanges. That

"Honoring Our Past, While Designing Our Future"

historic retaining walls. These features, which meet the National Register criteria of contributing to “setting, materials, workmanship and feeling of place,” are located in the central section of the Floyd Hill Project on the south side of Clear Creek between the Hidden Valley and Highway 6 interchanges. That central section is the specific place that would be obliterated by the South Frontage Road Alternative. The contributing segment, when interpreted, is significant enough to give the recreationalist a sense of its use and importance in the past. A South Frontage Road, which is actually an extension of Highway 6, would destroy these features.

Point 2 in your letter asserts that “the trail itself would not change alignment under the alternatives.” That is false. The trail, the Colorado Peak to Plains Regional Trail/Clear Creek Greenway, currently sits in the middle of the railbed with ample space (10 -15 feet) between each the trail and mountainside with the historical walls on the south, and the trail and Clear Creek on the north. The trail itself is 10-foot-wide and occupies the center of the railbed making it quite evident that the biker or hiker is on a previous transportation corridor. According to the visual simulations of the South Frontage Alternative, and the 30% design plans provided by CDOT, a frontage road would be at least 30 feet wide, more than the width of the railbed. The 10-foot trail would be pushed to the extreme edge of the creek, as a 5-foot distance is required from 30 feet of “frontage road.” The proposed frontage road and trail create a 45-foot swath which destroys not only the entire railbed but also the accompanying historic walls which, according to the CDOT visual simulation, will be replaced by a concrete retaining wall on the mountainside. To simply say “(it) would be closer to the frontage road” is erroneous. Further, the “frontage road” referenced in your response is not designed as a mere frontage road. It is designed as the westbound extension of Highway 6. Every truck headed west on Highway 6 or from the Frye Quarry must use that road. The trail will exist as an attachment to a very busy highway extension. The Railroad Corridor contributing segment will be eliminated. Each time a smaller, but very visible segment is destroyed, the integrity of the National Register resource is diminished, which constitutes an “adverse impact” As a consulting party under the NHPA, the County has made the jurisdictional determination that the South Frontage Road alternative will have an adverse impact on the eligible cultural resource.

Point 3 of your letter asserts that the entire responsibility for Section 4(f) is covered by the high-level review of historic resources under NHPA Section 106. Clear Creek County does not agree. Section 4(f) requirements under regulations at 23 CFR 774 stipulate that FHWA and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- 1) There is no feasible and prudent avoidance alternative to the use of land; and the action includes all possible planning to minimize harm to the property resulting from such use;
OR
- 2) The Administration determines that the use of the property will have a de minimis impact.

The Federal Highway Administration states that “Any project that affects Section 4(f) land must include a Section 4(f) assessment.” **Assessments under Section 106 and Section 4(f) must be conducted separately.** Despite that a Section 106 assessment was conducted, CDOT/FHWA cannot avoid an assessment under Section 4(f). Section 4(f) prohibits both the actual taking of land from the protected property and constructive use of the property – where a project’s proximity to the Section 4(f) resource substantially impairs the normal use of the land. As we noted, the “frontage road” is not actually designed

Lisa Schoch, Senior Historian

May 10, 2021

Page 3

as a mere frontage road and every truck heading West must use that road. Further, the trail will exist as an attachment to this now busy road. It is clear that the location of this new busy road impairs the normal use of the land, which is generally a quiet and scenic hiking trail along the historic railbed. Further, the concrete walls will disrupt recreational fishing, picnickers, and access for hikers and bikers. In summary, the use and enjoyment of the land as is would not be maintained for current or future generations. Instead of a nature trail, it will be a concrete jungle.

Further, Section 4(f) requires that if the alternatives include the land from the Section 4(f) resource, the alternative that is prudent and feasible and that has the least overall impact on the resource, including mitigation measures, must be selected. As you mentioned in your letter, the proposed frontage road would be at least 30 feet wide, more than the width of the historic railbed, and the 10-foot trail would be pushed to the edge of the creek. As such, the entire railbed and its historic walls would be destroyed, and the trail that currently occupies the railbed would be destroyed and misplaced. The design indicates that the concrete walls will be required along the mountainside and in many areas along the trail leaving no space for the recreational fisherman, picnickers, or mountain access for hikers, much less 4(f) protection or cultural resource interpretation. This isn't an alternative that uses only *some* of the 4(f) land, it uses/destroys the *entirety* of the 4(f) land and any possible cultural resource interpretation.

Further, wildlife impacts have not been adequately considered. Concrete walls are more prohibitive of animals crossing and using the land, trail, and creek. Page 20 of the Floyd Hill Master Plan (FH MP) discusses the significant amount of wildlife movement on Floyd Hill. Elk migration patterns are depicted along I-70, and mule deer migration corridors are located adjacent to nearby I-70. Page 23 of the FH MP includes a map of wildlife in the area and their migration patterns. Based on our interpretation of the map, mule deer and lynx populations will be significantly impacted by the Floyd Hill project. Not only will the species located within the creek be adversely impacted, but the proposed frontage road itself endangers wildlife on the south side preventing it from reaching the creek and preventing use and enjoyment of the 4(f) open space resource by eliminating wildlife, thus affecting the public park recreationalists utilizing the 4(f) property.

We are pleased that viable alternatives are already being evaluated, and initially appear to be the preferred alternatives for this project. This outcome is our hope on behalf of Clear Creek County, and perhaps in the future this discussion will be moot. However, despite this potential favorable outcome, Clear Creek County does not waive its right to challenge the application and compliance with 4(f) and Section 106 with respect to FHWA/CDOT determinations.

Sincerely,

CLEAR CREEK BOARD OF COUNTY COMMISSIONERS


George Marlin, Chairman


Randall Wheelock, Commissioner


Sean C. Wood, Commissioner

Lisa Schoch, Senior Historian

May 10, 2021

Page 4

cc: Peter Lichtman, Clear Creek County Attorney's Office
Rebecca Almon, Ireland Stapleton Pryor & Pascoe, PC

Tribal Consultation



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman Dave Archambault II
Standing Rock Sioux Tribal Council
P.O. Box D
Fort Yates, ND 58538

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Archambault:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (5CC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

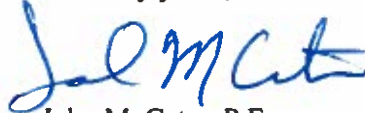
We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have specific interest in the I-70 Floyd Hill Improvement

project, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American Consultation Liaison, Dan Jepson, **within 30 days** via US Mail, fax or email, as listed at the bottom of that sheet. The 30-day period has been established to encourage your participation at this early stage in project development. Failure to respond within that time frame will not prevent your tribe from entering consultation at a later date. However, studies and decision making will proceed and it may be difficult to reconsider previous determinations or findings, unless significant new information is introduced.

If you have questions or concerns about the project or the role of your tribe in the consultation process, please contact Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us, or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or stephanie.gibson@dot.gov.

Thank you for considering this request for consultation.

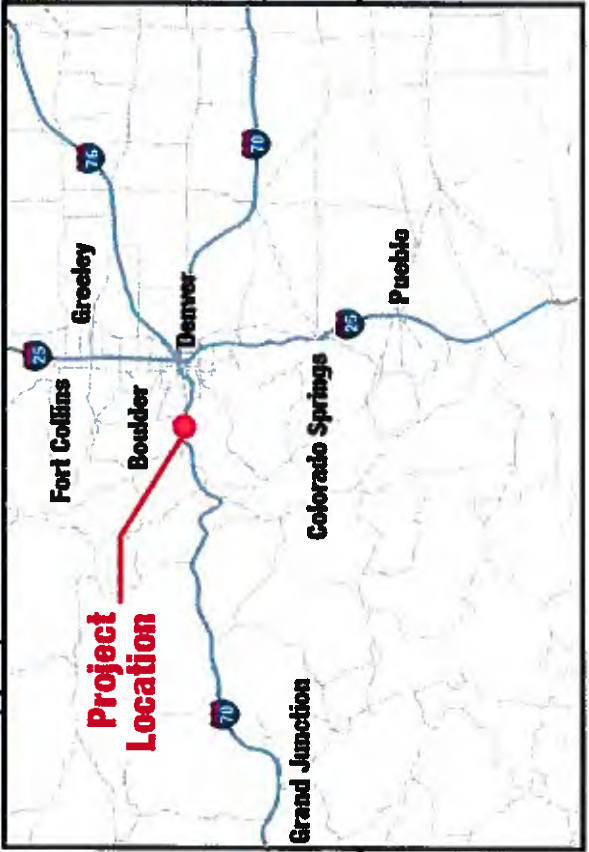
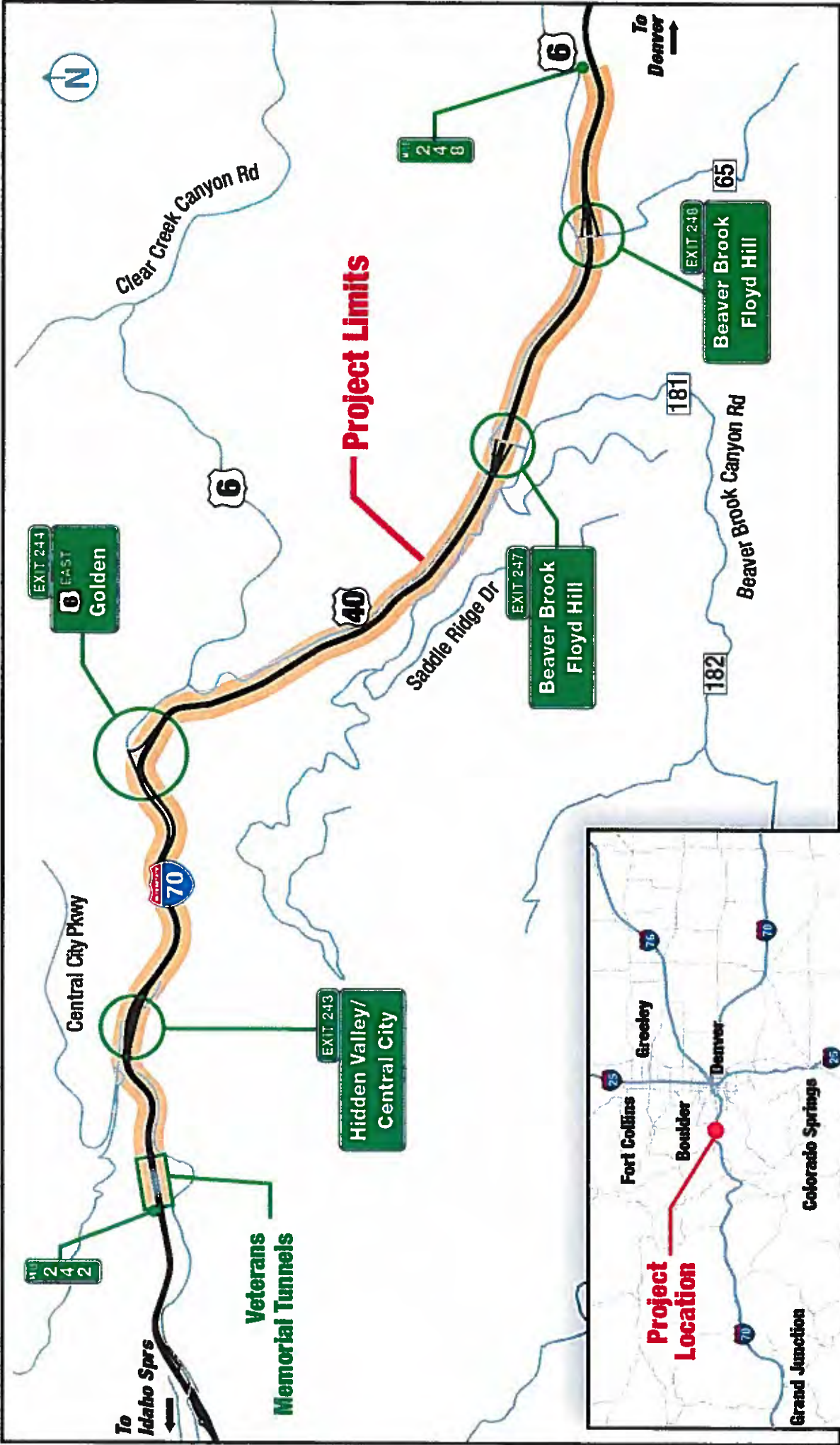
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Jon Eagle, THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes No If yes, please explain.

Please complete and return this form within 30 days via US Mail, fax or email to:

Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman Roy B. Brown
Northern Arapaho Business Council
Northern Arapaho Tribe
P.O. Box 396
Fort Washakie, WY 82514

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Brown:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (5CC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have specific interest in the I-70 Floyd Hill Improvement project, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American Consultation Liaison, Dan Jepson, **within 30 days** via US Mail, fax or email, as listed at the bottom of that sheet. The 30-day period has been established to encourage your participation at this early stage in project development. Failure to respond within that time frame will not prevent your tribe from entering consultation at a later date. However, studies and decision making will proceed and it may be difficult to reconsider previous determinations or findings, unless significant new information is introduced.

If you have questions or concerns about the project or the role of your tribe in the consultation process, please contact Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us, or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or stephanie.gibson@dot.gov.

Thank you for considering this request for consultation.

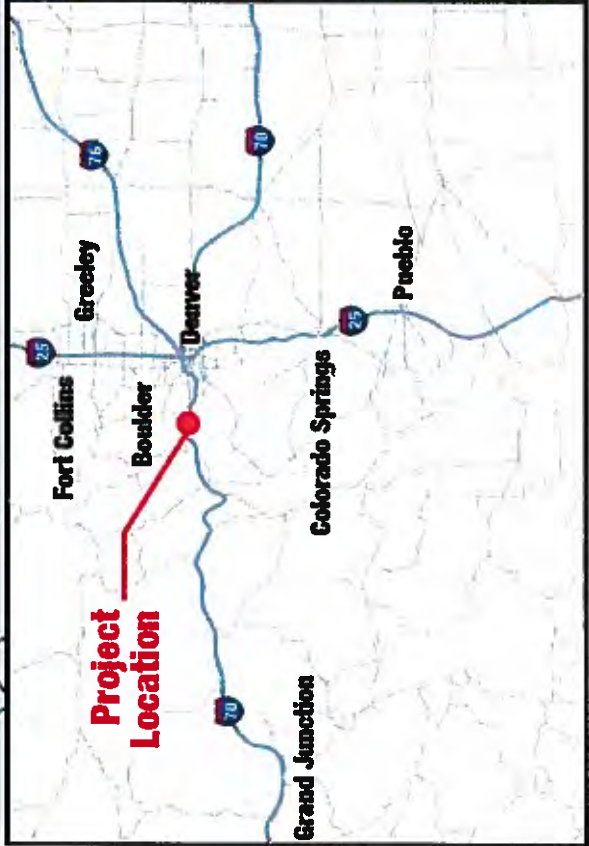
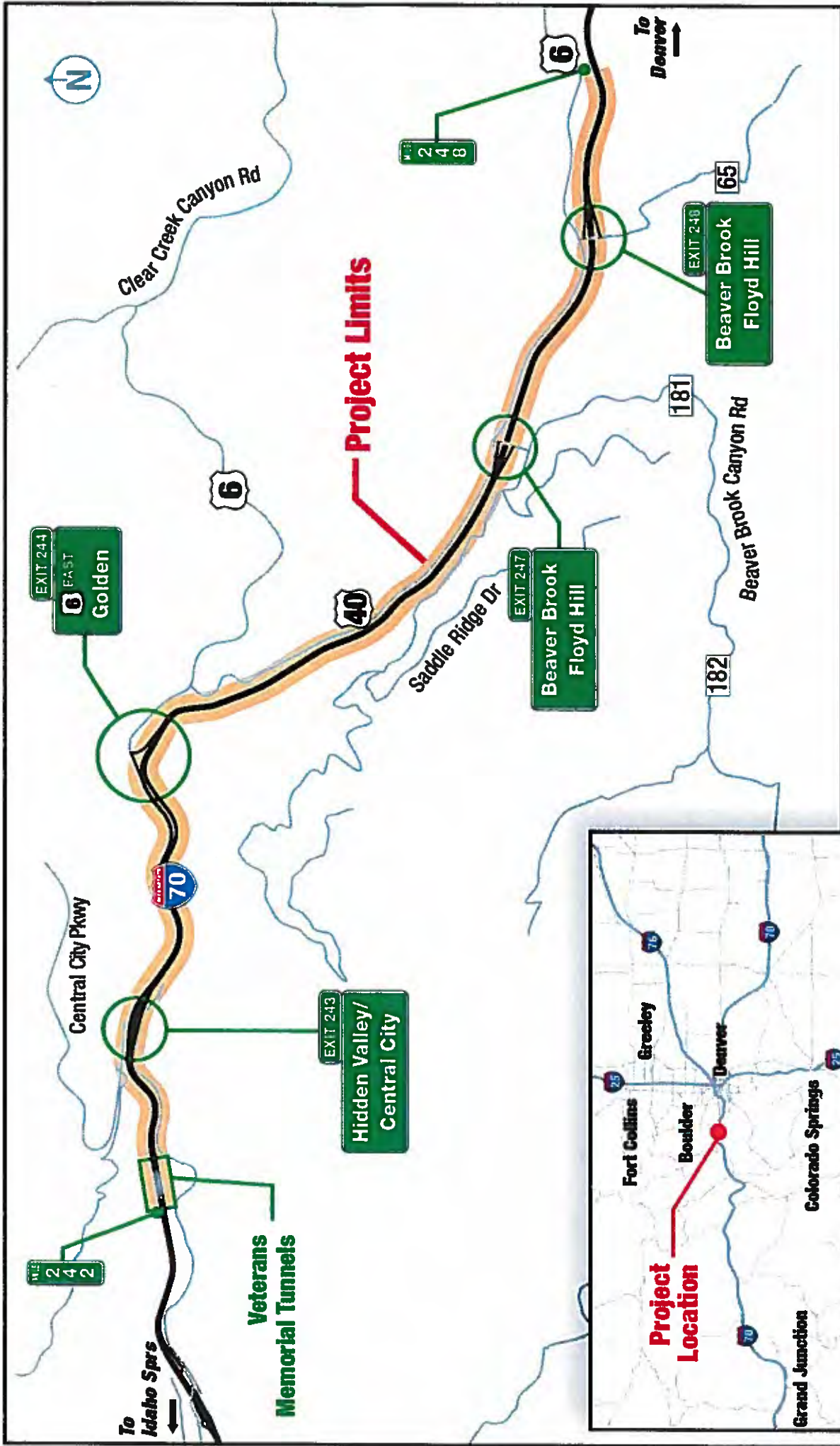
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Yufna Soldier Wolf, THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

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Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division
November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman Harold Cuthair
Ute Mountain Ute Tribe
P.O. Box 248
Towaoc, CO 81334

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Cuthair:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (5CC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

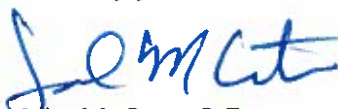
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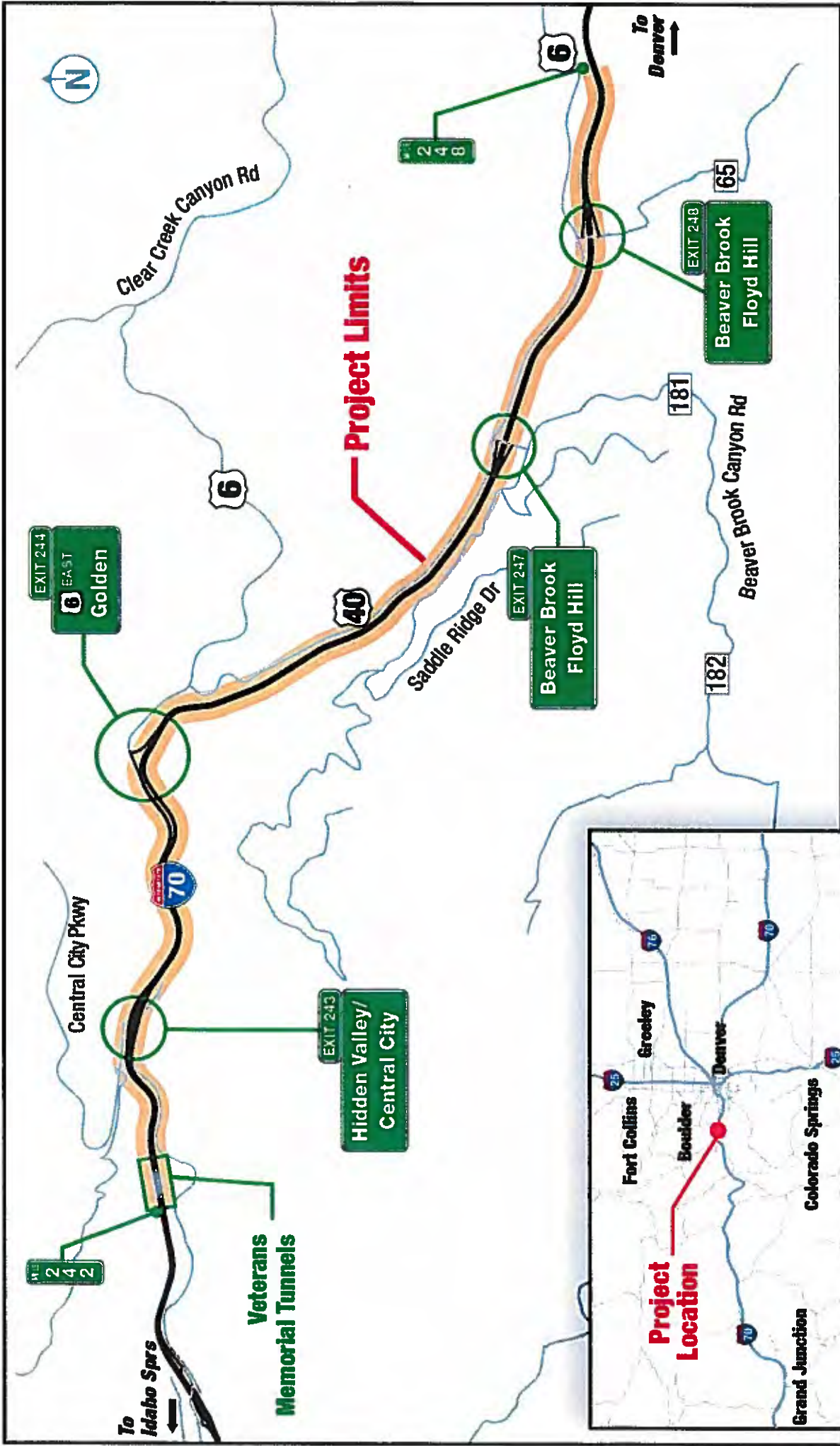
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Terry Knight, Sr., THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [is / is not] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

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Name and Title

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Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman Luke Duncan
Ute Indian Tribe (Uintah & Ouray Reservation)
P.O. Box 190
Fr. Duchesne, UT 84026

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Duncan:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

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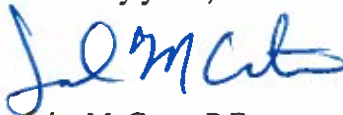
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If you have questions or concerns about the project or the role of your tribe in the consultation process, please contact Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us, or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or stephanie.gibson@dot.gov.

Thank you for considering this request for consultation.

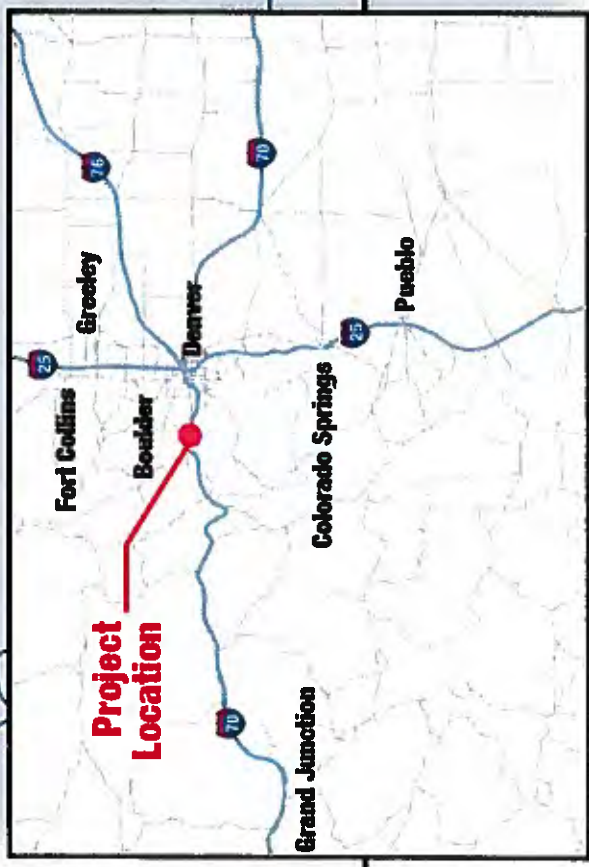
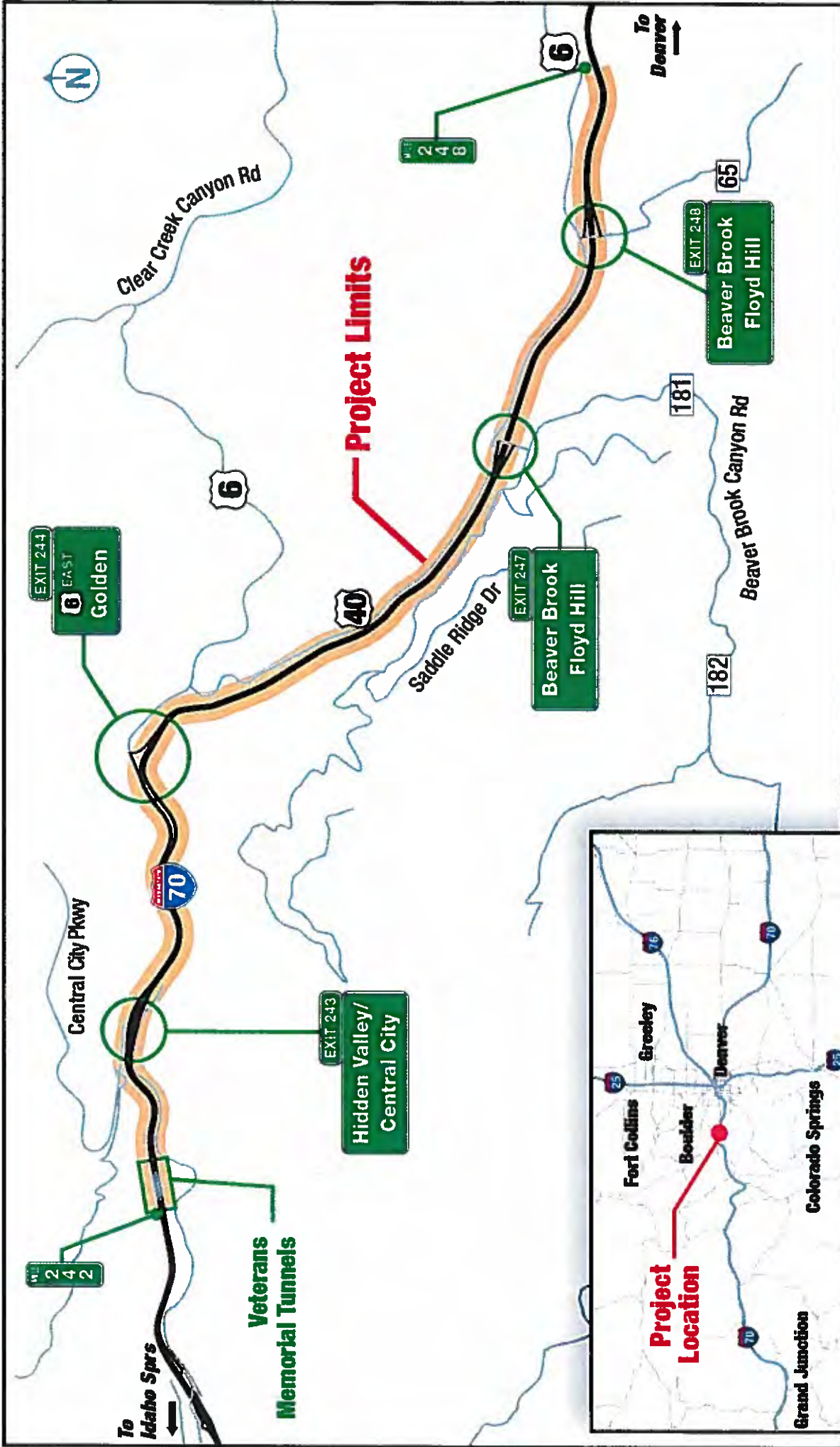
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Betsy Chapoose, NAGPRA Representative



I-70 Floyd Hill to Veterans Memorial Tunnels



**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes No If yes, please explain.

Please complete and return this form within 30 days via US Mail, fax or email to:

Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

November 6, 2017

Chairman Clement Frost
Southern Ute Indian Tribe
P.O. Box 737, MS #73
Ignacio, CO 81137

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Frost:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (5CC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

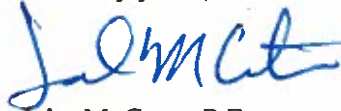
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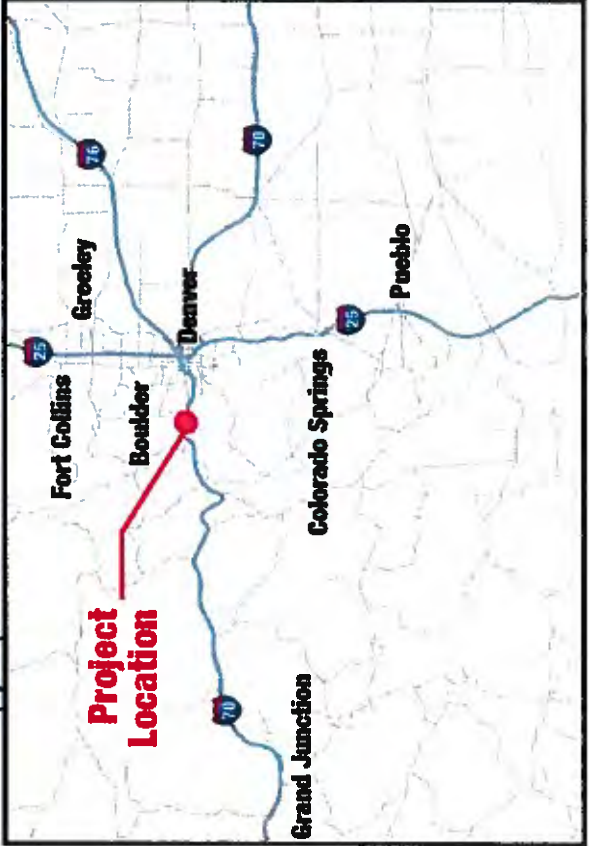
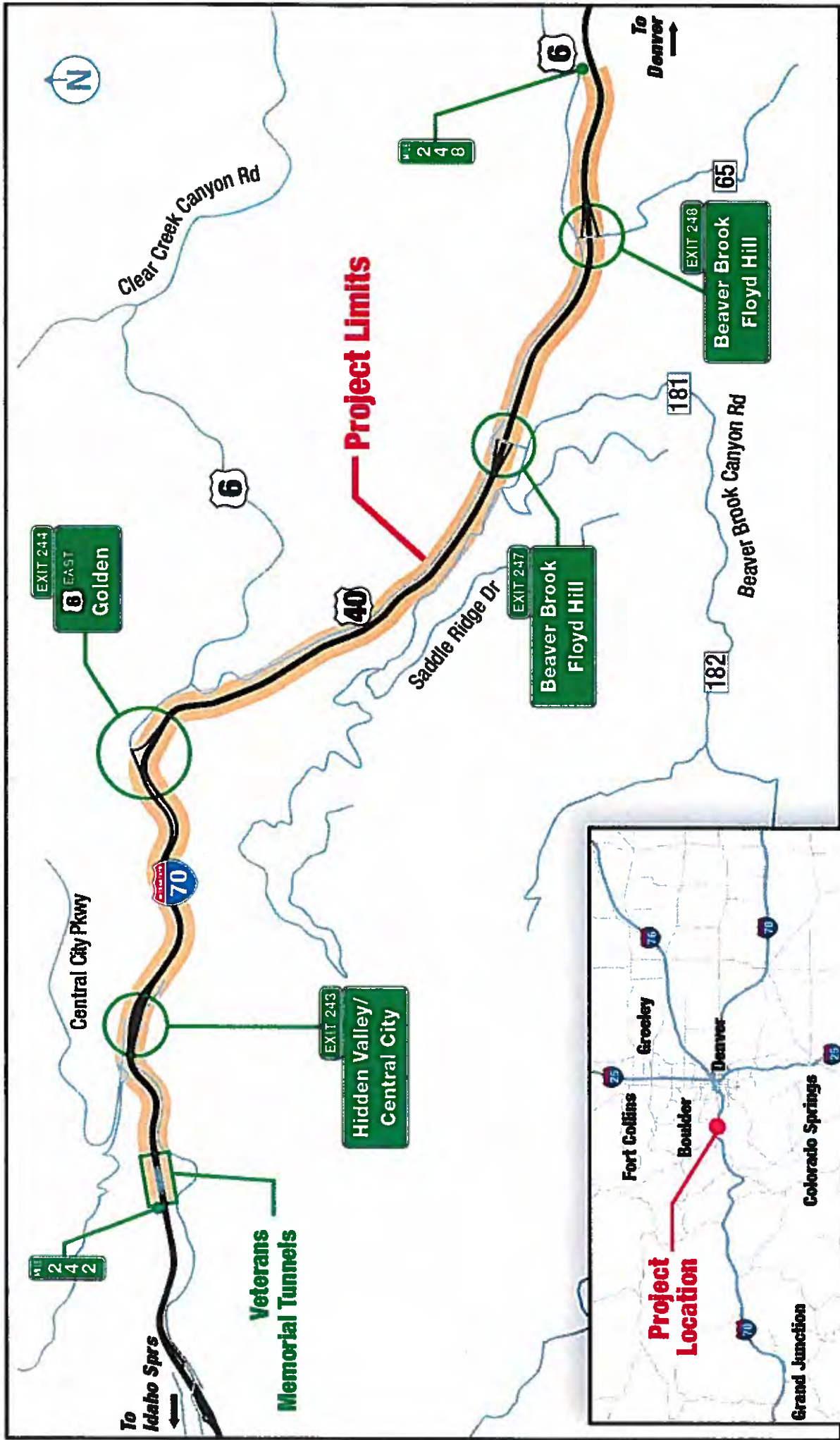
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Cassandra Atencio, NAGPRA Coordinator



I-70 Floyd Hill to Veterans Memorial Tunnels



**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [is / is not] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

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SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

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Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Governor Eddie Hamilton
Cheyenne & Arapaho Business Committee
Cheyenne & Arapaho Tribes of Oklahoma
P.O. Box 38
Concho, OK 73022

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Governor Hamilton:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

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Thank you for considering this request for consultation.

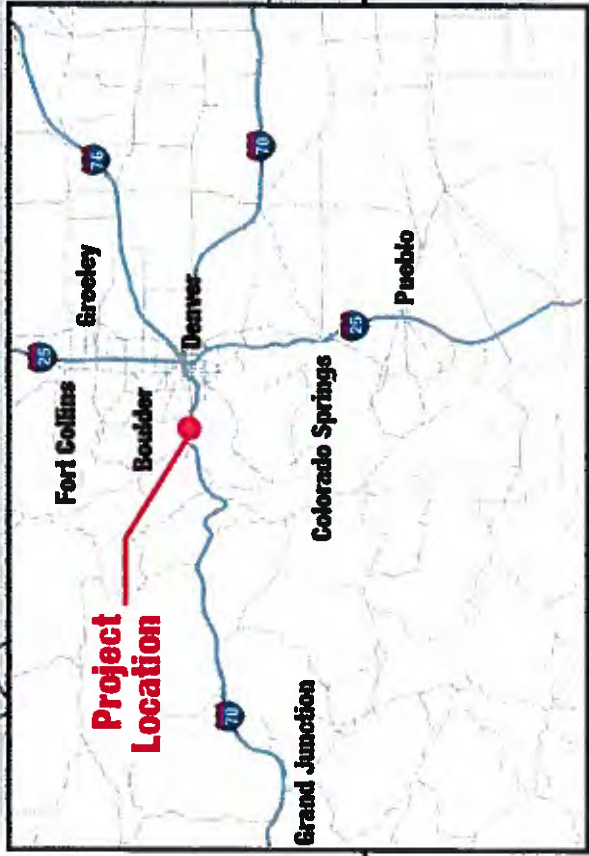
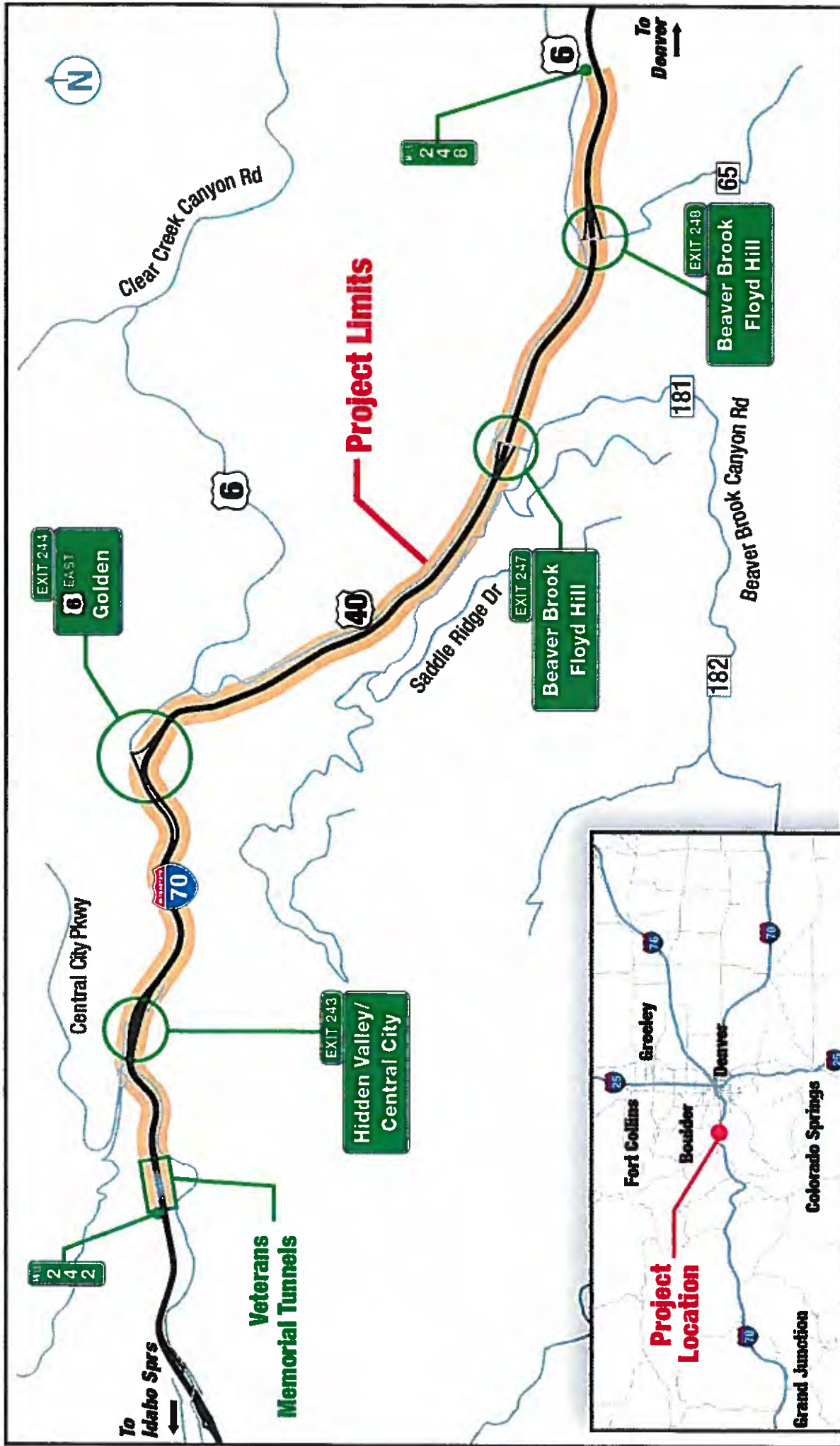
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Virginia Richey, THPO
Federico Mosqueda, Sr, Vocational Rehabilitation Program
Karen Little-Coyote, Cultural Heritage Program



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
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Environmental Programs Branch
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U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division
November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

President L. Jace Killsback
Northern Cheyenne Tribal Council
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear President Killsback:

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Thank you for considering this request for consultation.

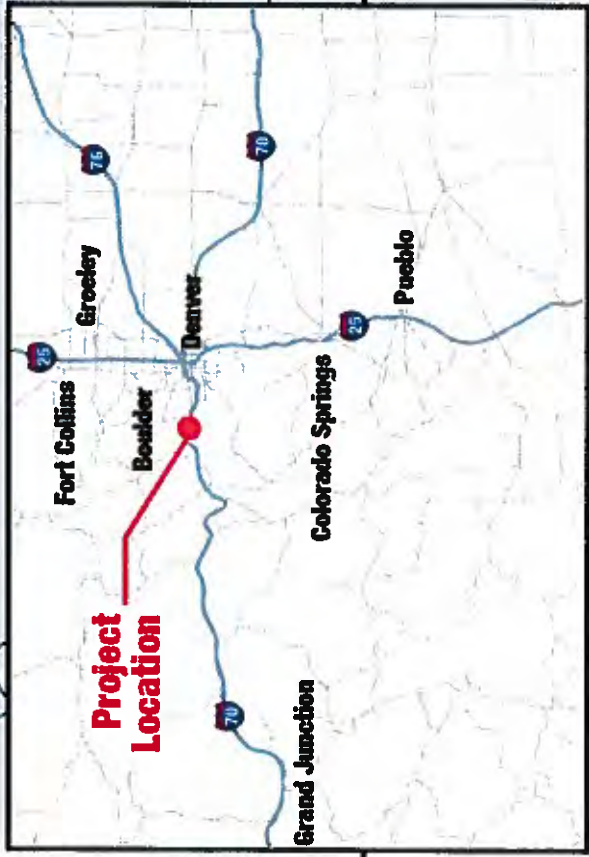
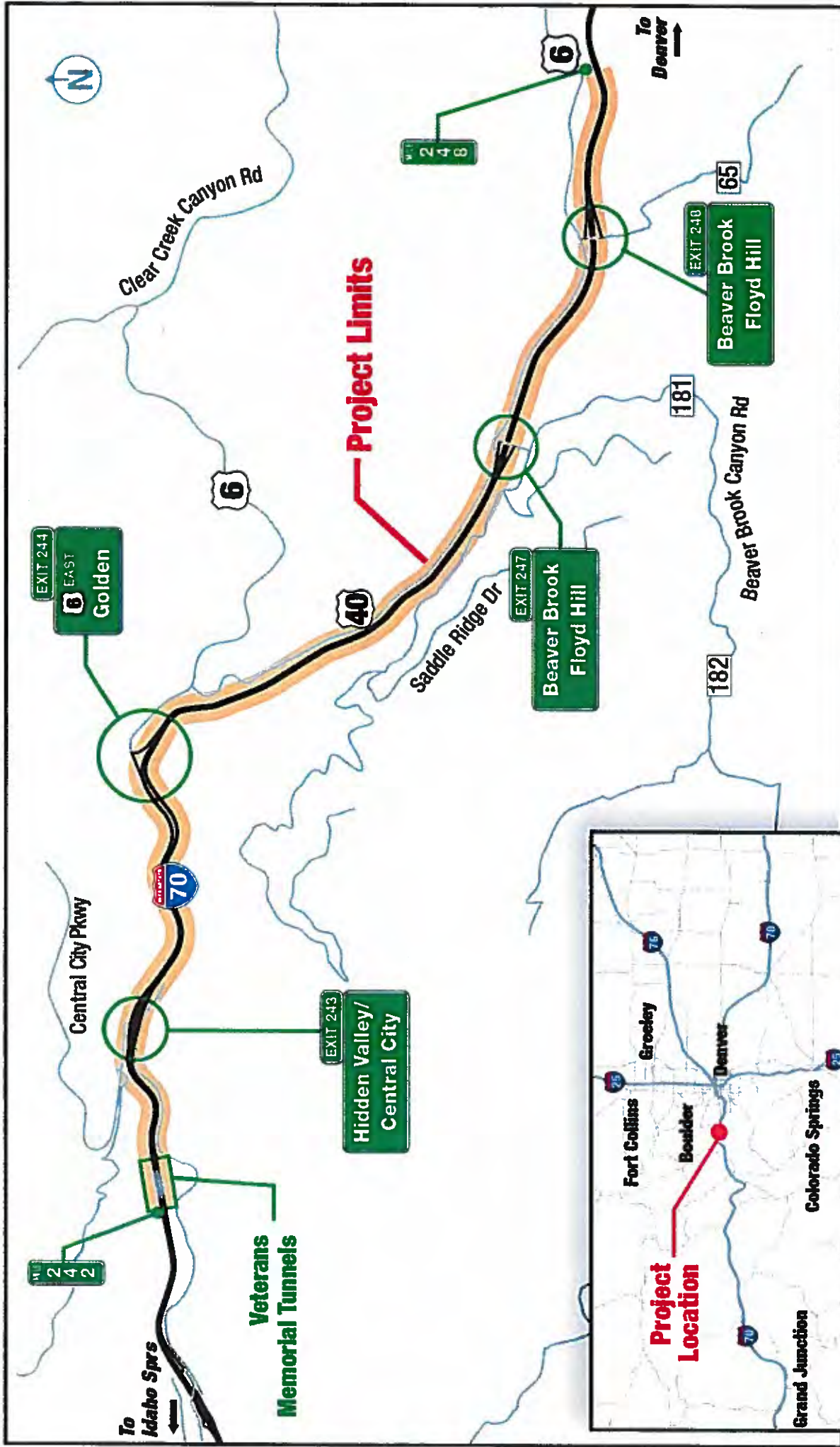
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Teanna Limpy, THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

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U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman Matthew Komalty
Kiowa Business Committee
Kiowa Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Komalty:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

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Thank you for considering this request for consultation.

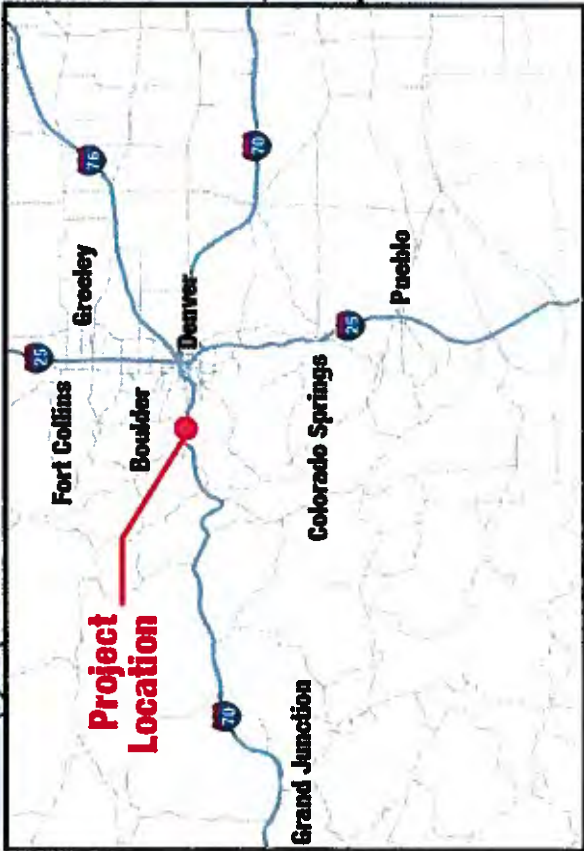
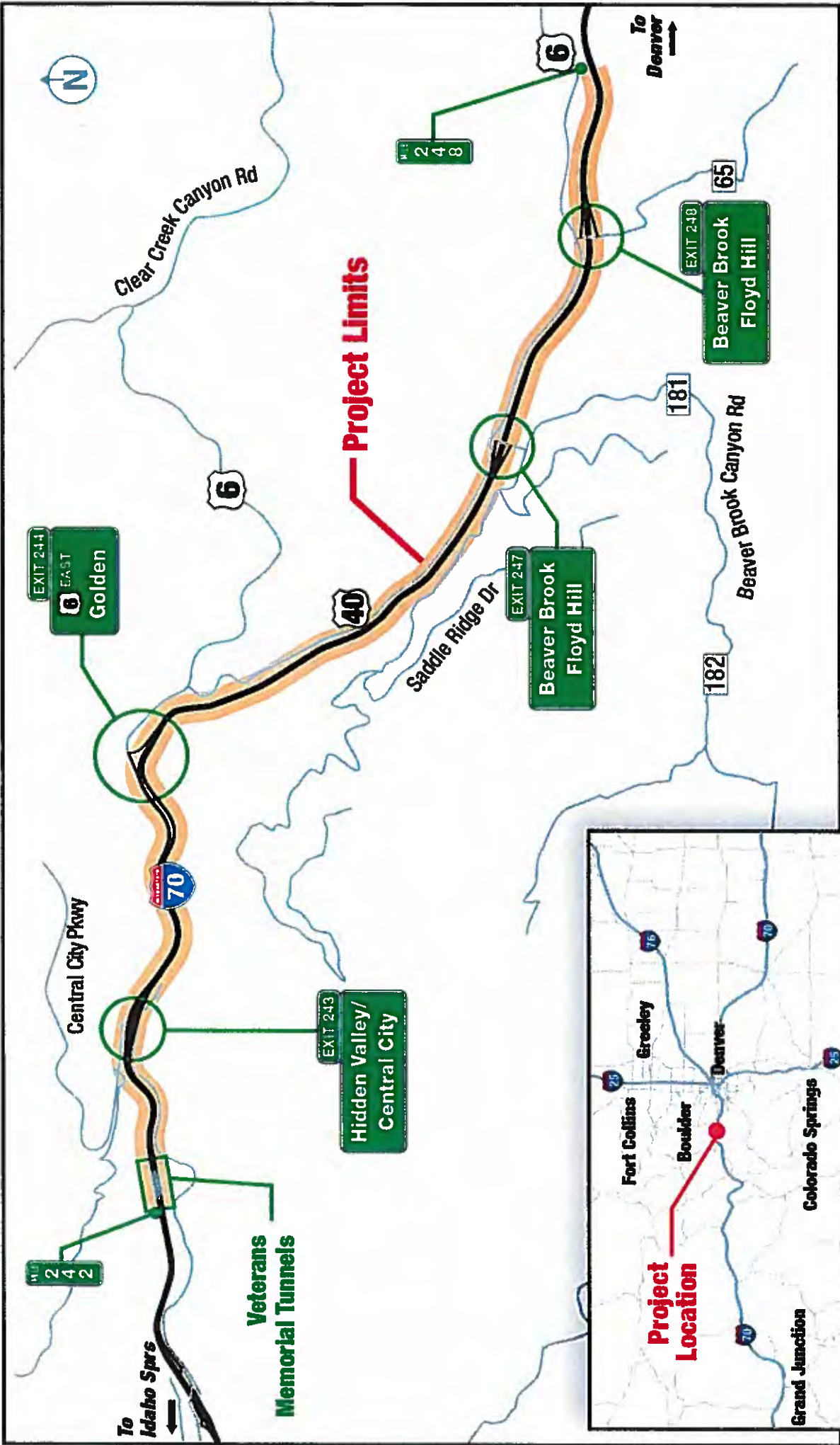
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Ivy Smith, THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [is / is not] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

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Environmental Programs Branch
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Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

President William Kindle
Rosebud Sioux Tribe
P.O. Box 430
Rosebud, SD 57570

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear President Kindle:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (SCC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have specific interest in the I-70 Floyd Hill Improvement

project, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American Consultation Liaison, Dan Jepson, **within 30 days** via US Mail, fax or email, as listed at the bottom of that sheet. The 30-day period has been established to encourage your participation at this early stage in project development. Failure to respond within that time frame will not prevent your tribe from entering consultation at a later date. However, studies and decision making will proceed and it may be difficult to reconsider previous determinations or findings, unless significant new information is introduced.

If you have questions or concerns about the project or the role of your tribe in the consultation process, please contact Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us, or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or stephanie.gibson@dot.gov.

Thank you for considering this request for consultation.

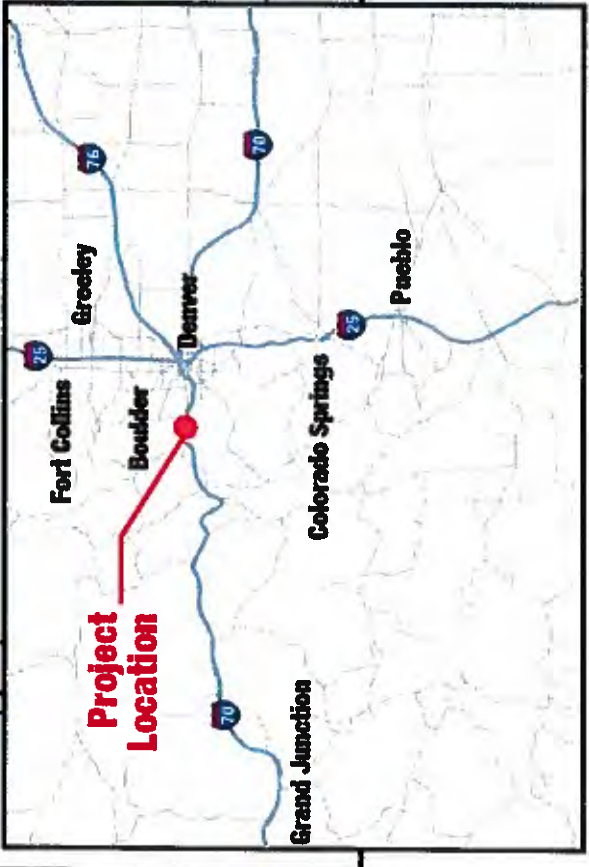
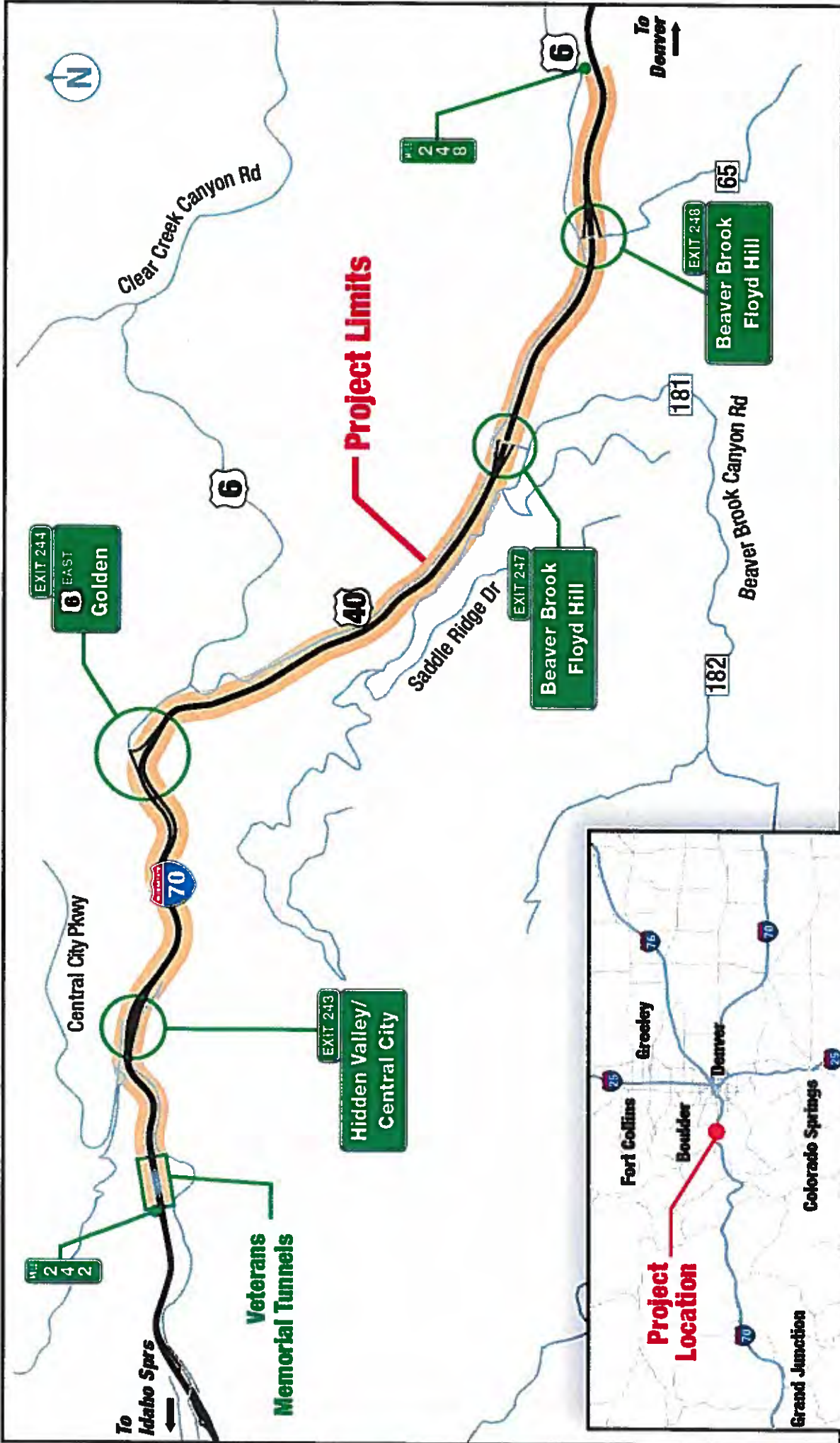
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Russell Eagle Bear, THPO



CDOT
CO

I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes No If yes, please explain.

Please complete and return this form within 30 days via US Mail, fax or email to:

Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division
November 6, 2017

12300 West Dakota Ave., Suite 180
Lakewood, CO 80228
720-963-3000

Chairman William Nelson
Comanche Tribal Business Committee
Comanche Nation of Oklahoma
P.O. Box 908
Lawton, OK 73502

**SUBJECT: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial
Tunnels Environmental Assessment, Clear Creek County, Colorado**

Dear Chairman Nelson:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing documentation to address the effects of proposed improvements to an approximately six-mile segment of Interstate 70 (I-70) in Clear Creek County, Colorado. The project proposes to improve westbound highway operations, capacity, travel time reliability, replace a deficient bridge structure, and improve roadway geometry to achieve a 55 mile per hour design speed. Three conceptual alignment alternatives will be evaluated within the corridor, which is part of a much longer segment of I-70 through Colorado's central Rocky Mountains for which a Programmatic Environmental Impact Statement was completed in 2011. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action.

FHWA will serve as the lead agency for this undertaking and CDOT staff will facilitate the tribal consultation process. As a consulting party under the Section 106 regulations, you are offered the opportunity to identify concerns and comment on how the project might affect cultural resources. If it is found that the project will impact cultural resources that are eligible for inclusion on the National Register of Historic Places and are of religious or cultural significance to your tribe, your role in the consultation process would include participation in resolving how best to avoid, minimize, or mitigate those impacts. It is our hope that by describing the proposed undertaking we can be more effective in protecting areas important to American Indian people.

The project corridor (reflected on the enclosed map) is in a generally undeveloped portion of the Rocky Mountain Front Range. The entire I-70 right-of-way within the project limits was surveyed for historic and archaeological resources under previous projects. One site exhibiting evidence of Native American occupation (5CC339, determined eligible for the National Register of Historic Places) is known to exist within the project corridor. However, it is unlikely the site will be directly or indirectly impacted by construction associated with the proposed improvements. Additional inventory of areas beyond the highway right-of-way may be necessary. Tribes that elect to become consulting parties for the undertaking will be notified of the results of additional historic properties survey and asked to comment on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. If you have specific interest in the I-70 Floyd Hill Improvement project, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American Consultation Liaison, Dan Jepson, **within 30 days** via US Mail, fax or email, as listed at the bottom of that sheet. The 30-day period has been established to encourage your participation at this early stage in project development. Failure to respond within that time frame will not prevent your tribe from entering consultation at a later date. However, studies and decision making will proceed and it may be difficult to reconsider previous determinations or findings, unless significant new information is introduced.

If you have questions or concerns about the project or the role of your tribe in the consultation process, please contact Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us, or FHWA Colorado Division Environmental Program Manager Stephanie Gibson at (720) 963-3013 or stephanie.gibson@dot.gov.

Thank you for considering this request for consultation.

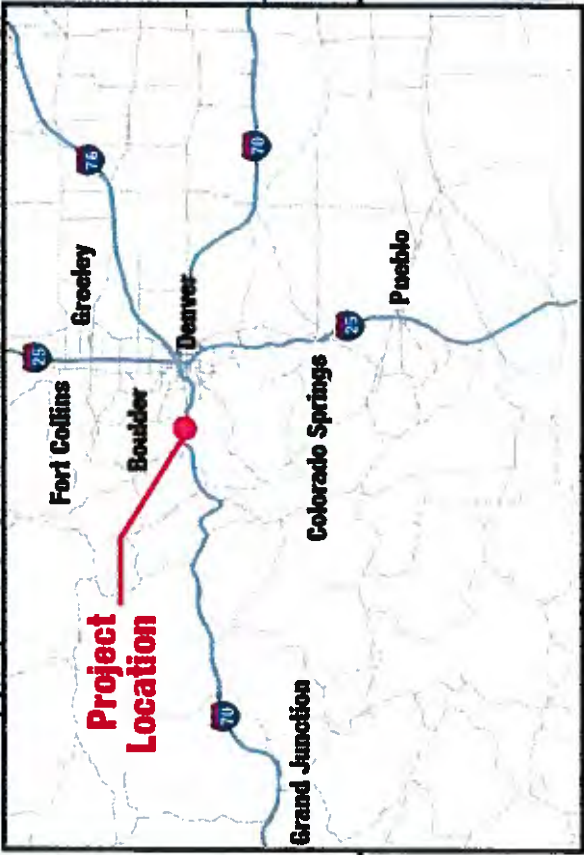
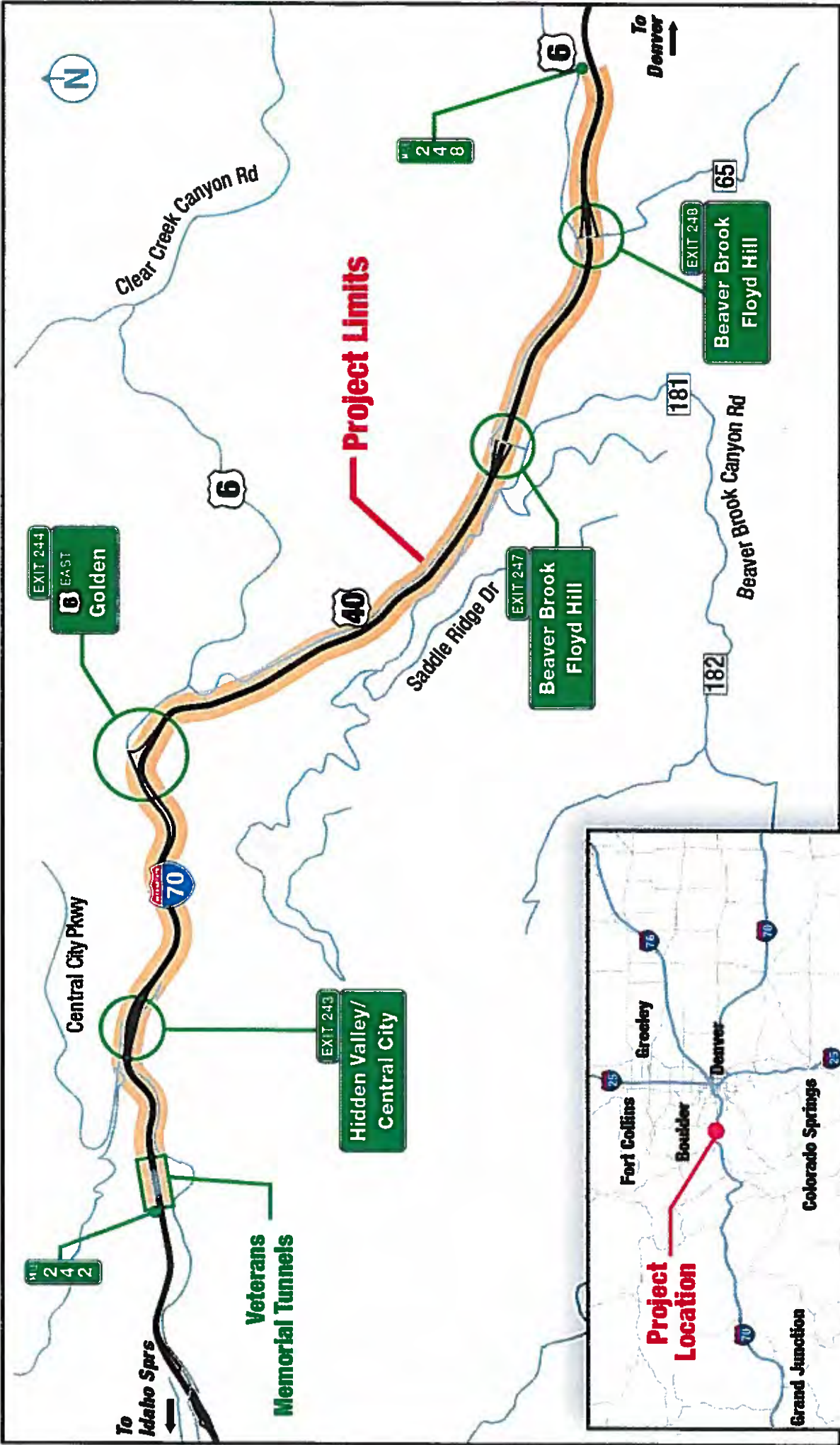
Sincerely yours,



John M. Cater, P.E.
Division Administrator

Enclosures: Map showing project area
Consultation Interest Response Form

cc: Stephanie Gibson, FHWA
Kelly Larson, FHWA
Vanessa Henderson, CDOT Region 1
Dan Jepson, CDOT Environmental Programs
Jason Bright, Atkins
Martina Callahan, THPO



I-70 Floyd Hill to Veterans Memorial Tunnels

**FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM**

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The _____ Tribe [**is / is not**] (*circle one*) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: _____
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes No If yes, please explain.

Please complete and return this form within 30 days via US Mail, fax or email to:

Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us

FEDERAL HIGHWAY ADMINISTRATION/COLORADO DEPARTMENT OF TRANSPORTATION
SECTION 106 TRIBAL CONSULTATION INTEREST RESPONSE FORM

PROJECT: I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment

The Northern Cheyenne Tribe Tribe is is not] (circle one) interested in becoming a consulting party for the Colorado Department of Transportation project referenced above, for the purpose of complying with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). If your tribe will be a consulting party, please answer the questions below.

Signed: Teranna Limpy, THPO
Name and Title

CONSULTING PARTY STATUS [36 CFR §800.2(c)(3)]

Do you know of any specific sites or places to which your tribe attaches religious and cultural significance that may be affected by this project?

Yes No If yes, please explain the general nature of these places and how or why they are significant (use additional pages if necessary). Locational information is not required.

The entire project area is ancestral Cheyenne lands occupied previously.

SCOPE OF IDENTIFICATION EFFORTS [36 CFR §800.4(a)(4)]

Do you have information you can provide us that will assist us in identifying sites or places that may be of religious or cultural significance to your tribe?

Yes No If yes, please explain.

Request cultural survey be completed with a representative from the tribe to ensure potential traditional cultural properties will be properly identified and interpreted for evaluation for eligibility.

CONFIDENTIALITY OF INFORMATION [36 CFR §800.11(c)]

Is there any information you have provided here, or may provide in the future, that you wish to remain confidential?

Yes No If yes, please explain.

Please complete and return this form within 30 days via US Mail, fax or email to:

Dan Jepson, Section 106 Native American Liaison
Colorado Department of Transportation
Environmental Programs Branch
4201 E. Arkansas Ave., Shumate Bldg.
Denver, CO 80222
FAX: (303) 757-9445
Email: daniel.jepson@state.co.us



TRIBAL HISTORIC PRESERVATION
P.O. BOX 167
CONCHO, OKLAHOMA 73022

1-800-247-4612 Toll Free
405-422-7484 Telephone

Stephanie

November 27, 2017
THPO ID # 1288

US Dept. of Transportation
John M. Cater
12300 West Dakota Ave, Suite 180
Lakewood, CO 80228

RE: Request for Section 106 Consultation, I-70, Floyd Hill to Veterans Memorial Tunnels
Environmental Assessment, Clear Creek County, Colorado

On behalf of the Tribal Historic Preservation Office of the Cheyenne and Arapaho Tribes, thank you for the notice of the referenced project. I have reviewed your Consultation request under Section 106 of the National Historic Preservation Act regarding the project proposal and comment as follows:

At this time, it is determined to be categorized as **No Properties**; however, if at any time during the project implementation inadvertent discoveries are made that reflect evidence of traditional cultural properties (TCP) such as: ceremonial or celebration objects, stone rings, villages, burial mounds, battlefield artifacts, or human remains please cease work immediately, in area of discovery and notify the Cheyenne Arapaho THPO Office within 72 hours.

In addition, if inadvertent discoveries are made; pursuant to Title 36 Code of Federal Regulation Part 800.13, as amended; you will also be required to make arrangements for a professional archaeologist to visit the site of discovery and assess the potential significance of any artifacts or features that were unearth. If human remains are discovered State and Tribal NAGPRA representatives will be contacted and protocols will be executed.

Please contact me at (405) 422-7484 or vrichey@c-a-tribes.org, if you have any questions or concerns. Alternate contact is Micah Looper; she can be reached directly at (405) 422-7416 or mdemery@c-a-tribes.org. Thank you again for your notification!

Best Regards,

A handwritten signature in cursive script that reads "Virginia Richey".

Virginia Richey
Tribal Historic Preservation Office/THPO

COMANCHE NATION



Federal Highway Administration Colorado Division
Attn: Dan Jepson
12300 West Dakota Ave., Suite 180
Colorado 80228

December 5, 2017

Re: Request for Section 106 Consultation, I-70, Floyd Hill to
Veterans Memorial Tunnels Environmental Assessment,
Clear Creek County, Colorado

Dear Mr. Jepson:

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of "**No Properties**" have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana ,Technician
#6 SW "D" Avenue , Suite C
Lawton, OK. 73502



Kiowa Tribe
Office of Historic Preservation
P.O. Box 50
Carnegie, OK 73015

December 15, 2017

John M. Carter
Division Administrator
FHA-Colorado Division
12300 Dakota Ave, Suite 180
Lakewood, CO 80228

RE: Section 106 Consultation and Review for proposed improvements to approximately six mile segment of I-70 in Clear Creek County, Colorado

Dear Mr. Carter,

The Kiowa Tribe Office of Historic Preservation has received the information and materials requested for our Section 106 Review and Consultation. Section 106 of the National Historic Preservation Act of 1966 (NHPA), and 36 CFR Part 800 requires consultation with the Kiowa Tribe.

Given the information provided, you are hereby notified that the proposal project location should have minimal potential to adversely affect any known Archaeological, Historical, or Sacred Kiowa sites. Therefore, in accordance with 36 CFR 800.4(d) (1), you may proceed with your proposed project. However, please be advised undiscovered properties may be encountered and must be immediately reported to the Kiowa Tribe Office of Historic Preservation under both the NHPA and NAGPRA regulations.

This information is provided to assist you in complying with 36 CFR Part 800 for Section 106 Consultation procedures. Please retain this correspondence to show compliance. Should you have any questions, please do not hesitate to contact me at kellie@tribaladmins-services.org. Thank you for your time and consideration.

Sincerely,

Kellie J. Lewis
Acting Tribal Historic Preservation Officer (THPO)

Phone: (405) 435-1650

Kellie J. Lewis
Acting Tribal Historic Preservation Officer (THPO)
kellie@tribaladmins-services.org Alt. Phone: (405) 203-2874



COLORADO
Department of Transportation
Division of Transportation Development

Environmental Programs Branch
2829 W. Howard Pl., 4th Floor
Denver, CO 80204
(303) 757-9281

December 19, 2019

Ms. Teanna Limpy, THPO
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043

SUBJECT: Determinations of National Register of Historic Places Eligibility (Archaeological Resources), I-70 Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment, Clear Creek County, Colorado

Dear Ms. Limpy:

In December 2017, the Northern Cheyenne Tribe expressed interest in participating in the Colorado Department of Transportation (CDOT) project referenced above as a Section 106 consulting party. The project has been largely inactive for much of the past year due to funding issues, but in that time additional tasks have nonetheless been completed specific to historic preservation compliance. Toward that end, enclosed for your review and comment is the archaeological resources survey report completed for the undertaking.

Project Overview

The purpose of the project is to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area, located in the Rocky Mountain foothills west of Denver. The Proposed Action addresses specific improvements, including providing three-lane capacity for westbound I-70 from Floyd Hill to the Veterans Memorial Tunnels; a multimodal trail and frontage road between US Highway 6 and Idaho Springs; and physical and/or operational improvements to four interchanges: Floyd Hill/Beaver Brook (Exit 248) near the top of Floyd Hill; Floyd Hill/Hyland Hills (Exit 247); US 6 junction (Exit 244) near the base of Floyd Hill; and Hidden Valley/Central City (Exit 243). The project location is shown on pp. 3-6 of the enclosed report.

Determinations of Eligibility

Nine archaeological resources are present within the Area of Potential Effects, including two previously recorded sites, three newly recorded properties, and four newly recorded isolated finds. Summary data is included in the table on the following page.

Of the nine properties, only one (5CC389) is recommended as eligible for the National Register of Historic Places (NRHP). The site was identified and first documented in the late 1980s as a multi-component prehistoric/historic locality; only the prehistoric component was subsequently determined to be a contributing/supporting element. CDOT concurs with the existing assessment and recommends that 5CC389 retain its NRHP *eligible* status. As described in detail in the enclosed report, the remaining resources do not meet minimum criteria for NRHP eligibility. Given that 5CC389 is the only property in

Site Number	Description	Location (Township/Range/Section)	NRHP Assessment
<i>Previously Recorded Sites</i>			
5CC389	Native American lithic scatter	3S/72W/32	Eligible
5CC425	Historic foundations	3S/72W/33	Not Eligible
<i>Newly Recorded Sites</i>			
5CC2587	Mining – Prospect pits and tailings	3S/72W/31	Not Eligible
5CC2588	Push piles	4S/72W/12	Not Eligible
5CC2589	Mining – Two prospect pits	4S/72W/3	Not Eligible
<i>Newly Recorded Isolated Finds</i>			
5CC2590	Aqua Glass Bottle Base	3S/72W/31	Not Eligible
5CC2591	Mining – Prospect Pit	3S/72W/31	Not Eligible
5CC2592	Rock Alignment	4S/72W/3	Not Eligible
5CC2593	Rock Alignment	4S/72W/2	Not Eligible

the project area containing evidence of Native American occupation and use, only that site form is enclosed (which includes the 2019 Re-Visitation Form as well as past documentation). We would be happy to provide you with copies of the remaining site forms specific to historic resources, at your request.

This information has been sent concurrently to the Colorado State Historic Preservation Officer for review and compliance purposes.

As a Section 106 consulting tribe, we are providing you the opportunity to review the enclosed documentation and submit comments related to the site eligibility determinations, at your discretion. Effects to 5CC389 have not been determined at this time; we will provide you with information in that regard when it becomes available. If you elect to submit comments, we request you do so within 30 days of receipt of these materials. You may send comments via US Mail to the address on the letterhead or submit them by email to CDOT Senior Archaeologist Dan Jepson at daniel.jepson@state.co.us. If you have questions or require additional information in order to complete your review, please email Mr. Jepson or contact him by phone at (303) 757-9631.

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Archaeology Survey Report
5CC389 Site Form

cc: Vanessa Henderson, I-70 Mountain Corridor Environmental Manager
Stephanie Gibson, FHWA Environmental Program Manager



Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us>

Fwd: I-70 Floyd Hill

1 message

Jepson - CDOT, Daniel <daniel.jepson@state.co.us>
To: Vanessa Henderson - CDOT <vanessa.henderson@state.co.us>

Tue, Sep 22, 2020 at 8:37 AM

Vanessa -

Below is the thread for inclusion in Appendix C of the I-70 Floyd Hill to VMT EA, per my earlier email; I recommend it be inserted after pg. 79 of the appendix (following the December 2019 letter to the Northern Cheyenne Tribe THPO). Thanks

Dan

Dan Jepson, Senior Archaeologist
Cultural Resources Section Manager
Environmental Programs Branch



2829 W. Howard Pl., Denver, CO 80204
(303) 757-9631 (office); (303) 828-6776 (mobile)
daniel.jepson@state.co.us | www.codot.gov/programs/environmental

----- Forwarded message -----

From: **Jepson - CDOT, Daniel** <daniel.jepson@state.co.us>
Date: Mon, Feb 3, 2020 at 11:55 AM
Subject: Re: I-70 Floyd Hill
To: Teanna Limpy <teanna.limpy@cheyennenation.com>
Cc: Gibson, Stephanie P <stephanie.gibson@dot.gov>

Hello Ms. Limpy -

Thank you for your response regarding the National Register of Historic Places eligibility determinations for the I-70 Floyd Hill to Veteran's Memorial Tunnels EA. Specific to your inquiry about isolated finds 5CC2592 and 5CC2593: both rock alignments appear to be historic-era walls related either to the mining industry and/or as transportation features (isolated find forms are attached in a single file). That determination was made based on their relation to the areas in which they reside (following the slope contours), coupled with the general ubiquity of mining and transportation-related features in the areas close to I-70 and US Highway 40. One wall is very short (ca. 6-ft. long) and appears to have been a retaining wall, whereas the other is lengthy (in excess of 100-ft. long) with no immediately apparent utility. My apologies for not contacting you sooner about these features, but the field archaeologists determined--using their professional judgment and experience, in addition to the nature of the project area--that they are most likely expedient/transitory Euro-American features related to the mineral extraction or transportation industries.

In addition, attached for your review is the letter received from the Colorado State Historic Preservation Officer concurring with CDOT's National Register eligibility determinations for the project. Please let me know if you continue to have questions about 5CC2592 and 5CC2593, and/or would like to pursue the matter of their antiquity/function further. I appreciate your time, thank you -

Regards,

Dan Jepson

Dan Jepson, Senior Archaeologist

Cultural Resources Section Manager
Environmental Programs Branch



2829 W. Howard Pl., Denver, CO 80204
(303) 757-9631
daniel.jepson@state.co.us | www.codot.gov/programs/environmental

On Fri, Jan 31, 2020 at 5:21 PM Teanna Limpy <teanna.limpy@cheyennenation.com> wrote:

Mr. Jepsen,

I have reviewed the information provided with your letter received in our office on December 30, 19, regarding the I-70 Floyd Hill to Veterans Memorial Tunnels EA. In reference to site 5CC389, we have determined that this site is eligible under criterion D. Please provide my office additional information for newly recorded sites 5CC2592 and 5CC2593. Additionally, how was a determination made based on the "rock alignments" without requesting a recommendation from tribes. It was determined to be historic prior to be sent to my office with this information.

Thanks,

TEANNA LIMPY |THPO

Northern Cheyenne Tribe

P.O. Box 128 |Lame Deer, MT. 59043

W:: (406) 477-4839/4838 | C::(406) 850-7691

2 attachments

I-70 Floyd Hill SHPO Correspondence (Jan '20).pdf
299K

5CC2592 & 5CC2593 IF Forms.pdf
2108K



COLORADO
Department of Transportation
Division of Transportation Development

Environmental Programs Branch
2829 W. Howard Pl., 4th Floor
Denver, CO 80204
(303) 757-9281

December 19, 2019

Mr. Steve Turner
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Determinations of Eligibility (Archaeological Resources), Project NHPP 0703-446, I-70
Floyd Hill to Veteran's Memorial Tunnels Environmental Assessment, Clear Creek
County (HC #76031)

Dear Mr. Turner:

Enclosed for your review is the archaeological resources survey report and associated site forms for the project referenced above. The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA), in cooperation with local communities, are analyzing a portion of I-70 west of Denver. The project corridor was originally part of a Tier 1 NEPA study extending along a 140-mile segment of I-70 from C-470 to Glenwood Springs; the Floyd Hill project was specifically called out as a future phased undertaking in the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) completed for that action. This letter and the enclosed materials constitute a request for concurrence with determinations of National Register of Historic Places (NRHP) eligibility for archaeological resources within the Area of Potential Effects. Please note that consultation with your office regarding historic resources was completed in May and June 2019.

Project Overview

The purpose of the project is to improve travel time reliability, safety, and mobility, and address deficient infrastructure on westbound I-70 through the Floyd Hill area. The Proposed Action addresses specific improvements defined in the ROD, including providing three-lane capacity for westbound I-70 from Floyd Hill to the Veterans Memorial Tunnels; a multimodal trail and frontage road between US Highway 6 and Idaho Springs; and physical and/or operational improvements to four interchanges: Floyd Hill/Beaver Brook (Exit 248) near the top of Floyd Hill; Floyd Hill/Hyland Hills (Exit 247); US 6 junction (Exit 244) near the base of Floyd Hill; and Hidden Valley/Central City (Exit 243). The project would also improve curves through the corridor, consistent with the recommended 55 mph design speed. Additional details regarding project description, location, Proposed Action, and APE are presented in the enclosed excerpt from the Historic Resources Eligibility Report (the entirety of which was provided to your staff during the earlier history compliance consultation).

Area of Potential Effects (APE)

A draft Area of Potential Effects (APE) was reviewed at a Section 106 Issue Task Force (ITF) Meeting on April 4, 2018. A revised APE that included SHPO and consulting party recommendations was discussed at the second Section 106 ITF meeting on February 28, 2019. The archaeology APE, which is generally the area within 200 ft. on either side of the interstate right-of-way through the corridor, is described in detail on p. 1 of the enclosed report.

Determinations of Eligibility

Nine archaeological resources are present within the APE, including two previously recorded sites, three newly recorded properties, and four newly recorded isolated finds. Summary data is included in the following table.


Site Number	Description	Location (T/R/Sec.)	NRHP Assessment
<i>Previously Recorded Sites</i>			
5CC389	Prehistoric lithic scatter	3S/72W/32	Eligible
5CC425	Historic foundations	3S/72W/33	Not Eligible
<i>Newly Recorded Sites</i>			
5CC2587	Mining – Prospect pits and tailings	3S/72W/31	Not Eligible
5CC2588	Push piles	4S/72W/12	Not Eligible
5CC2589	Mining – Two prospect pits	4S/72W/3	Not Eligible
<i>Newly Recorded Isolated Finds</i>			
5CC2590	Aqua Glass Bottle Base	3S/72W/31	Not Eligible
5CC2591	Mining – Prospect Pit	3S/72W/31	Not Eligible
5CC2592	Rock Alignment	4S/72W/3	Not Eligible
5CC2593	Rock Alignment	4S/72W/2	Not Eligible

Of the nine properties, only one (5CC389) is recommended as NRHP eligible. The site was identified and first documented in the late 1980s as a multi-component prehistoric/historic locality; only the prehistoric component was subsequently determined to be a contributing/supporting element. CDOT concurs with the existing assessment and recommends that 5CC389 retain its eligible status. As described in detail in the enclosed report and site forms, the remaining resources do not meet minimum criteria for NRHP eligibility.

This information has been sent concurrently to the Northern Cheyenne Tribe, a consulting tribal nation for the project.

We request your concurrence with the determinations of eligibility as reflected above and in the accompanying documents. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Archaeologist Dan Jepson at (303) 757-9631 or daniel.jepson@state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Archaeology Survey Report
Site Forms
Excerpt from Historic Resources Report

cc: Vanessa Henderson, I-70 Mountain Corridor Environmental Manager

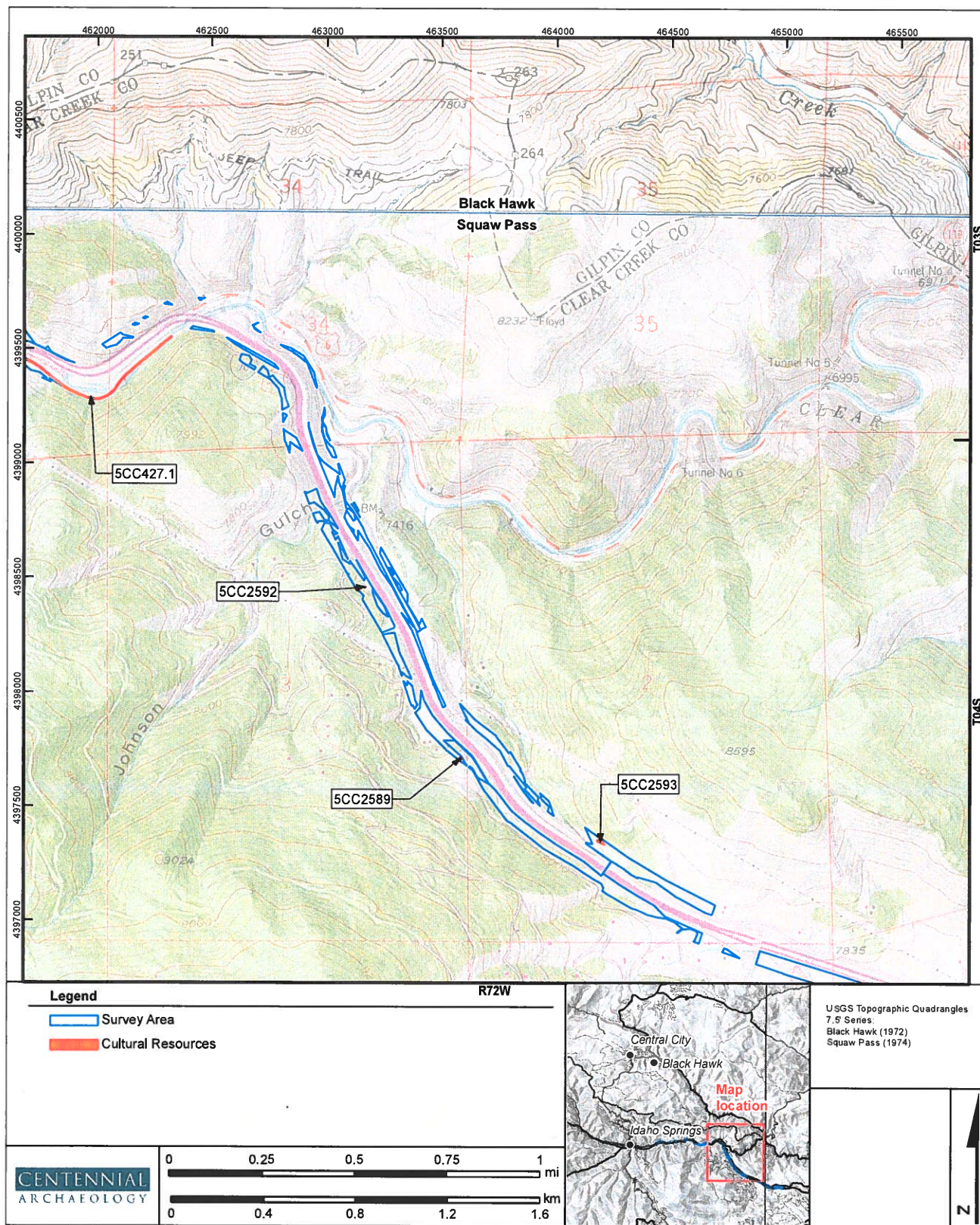
COLORADO CULTURAL RESOURCE SURVEY
Archaeological Isolated Find/Feature Form

OAHF 1408
 Rev. 11/10

This form is not to be used for phenomena that are eligible for the National Register or are part of the built environment. To be *only* used for phenomena that meet the requirements of the recorder's definition as provided below. A map at 1:24,000 scale with IF clearly plotted must be attached.

1. Site Number: 5CC2592		2. Temporary Resource Number: CA8519		3. County: Clear Creek	
4. Recorder's Definition of Isolated Find: Fourteen or fewer prehistoric artifacts or 49 or fewer historic artifacts in spatial association and situated within a 30-meter area without associated features. A single depression or isolated feature not indicative of habitation without associated artifacts or other structures or features is also regarded as an IF.					
5. PM	6	Township	4S	Range	72W
		Section	3		
If section is irregular, explain alignment method: N/A					
6. USGS Quad: Squaw Pass (1974)				7. Elevation: 7555 ft	
8. UTM Coordinates:		Datum used	<input type="checkbox"/> NAD 27	<input checked="" type="checkbox"/> NAD 83	<input type="checkbox"/> WGS 84
Zone: 13;		463167	mE	4398458	mN
9. UTM Source:		<input checked="" type="checkbox"/> Corrected GPS/rectified survey (<5m error)		<input type="checkbox"/> Uncorrected GPS	<input type="checkbox"/> Map template
Other (explain):		N/A			
10. Landowner: Mark L. and Jennifer Lund, 955 Elk Valley Dr, Evergreen CO 80439					
11. Describe Artifact(s) and their distribution: None					
<input checked="" type="checkbox"/> No artifacts					
12. Describe Feature (include dimensions): A short, linear alignment of dry laid stones was found in this locale. The alignment appears to be a small retaining wall. It consists of five irregular courses of angular granite cobbles that appear to have been locally sourced. The wall is 2 ft tall x 6 ft long and is oriented northwest/southeast following the contour of the slope. A single course may continue to the northwest for approximately 3 ft. No artifacts were found in association with this alignment and it does not appear to be related to a road grade or any other feature. No related features are shown on the 1877 GLO survey plat for the area or on the 1957 Squaw Pass topographic map.					
<input type="checkbox"/> No features					
13. Cultural Affiliation and Justification: Unknown Historic					
14. Time Period and Justification: Unknown Historic					
15. Relevant environmental information (e.g., elevation, topography, soils, vegetation, nearby water source): A linear pile of granite cobbles was found on the forested slope of the Saddleback Ridge Estates subdivision. Vegetation in the area consists of Douglas fir, mountain mahogany, and assorted grasses and forbs. The nearest water is an unnamed intermittent tributary of Clear Creek. Soil is sandy loam. I-70 is 31 m to the east.					
16. Is this isolate located in a cultural landscape?		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
If yes, describe: N/A					
17. Why is this isolated find not eligible for the National Register? The IF is a small, dry-laid rock alignment of unknown age and purpose. It is not depicted on historic maps of the area and is interpreted as a minor, expedient structure. No associations with historically significant persons or events are known to exist and it does not meet Criterion A or B. Structurally it is a simple alignment common to the region. It is not representative of a major feat of engineering or a particular period or method of construction precluding it from eligibility under Criterion C. Further investigation is unlikely to generate additional information important to history and it does not meet Criterion D.					
18. Additional Information (e.g., narrative, drawings, photographs, sketch map; attach extra pages if desired): See attached photographs.					
19. Artifacts Collected?		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
If yes, provide repository information: N/A					
20. Report Title and Project Number: <i>Class III Archaeological Inventories for the I-70 Floyd Hill to Veterans Memorial Tunnels Project in Clear Creek and Jefferson Counties, Colorado</i>					
21. Recorder and Affiliation: C. Kinneer - Centennial Archaeology LLC, 970-225-6575					
Date: 6/20/2019					

Colorado Historical Society - Office of Archaeology & Historic Preservation
 1560 Broadway, Suite 400 Denver, CO 80202
 303-866-3395



USGS map at 1:24,000 scale showing location of 5CC2592.



IF 5CC2592. Close view of rock alignment, facing west. C. Kinneer, 6/20/19.



IF 5CC2592. View of rock alignment, facing west. C. Kinneer, 6/20/19.

COLORADO CULTURAL RESOURCE SURVEY
Archaeological Isolated Find/Feature Form

OAHF 1408
 Rev. 11/10

This form is not to be used for phenomena that are eligible for the National Register or are part of the built environment. To be *only* used for phenomena that meet the requirements of the recorder's definition as provided below. A map at 1:24,000 scale with IF clearly plotted must be attached.

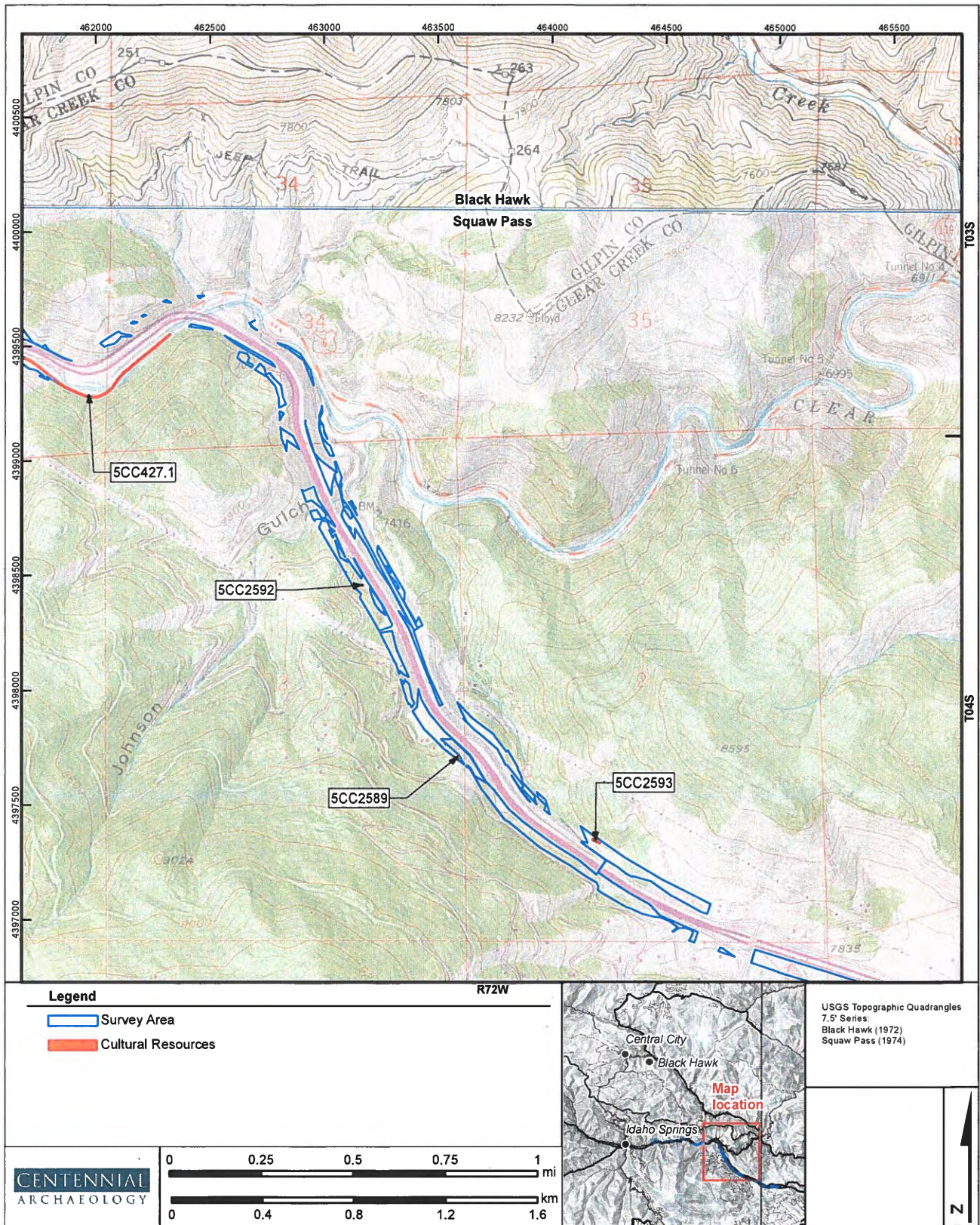
1. Site Number: 5CC2593		2. Temporary Resource Number: CA8518		3. County: Clear Creek	
4. Recorder's Definition of Isolated Find: Fourteen or fewer prehistoric artifacts or 49 or fewer historic artifacts in spatial association and situated within a 30-meter area without associated features. A single depression or isolated feature not indicative of habitation without associated artifacts or other structures or features is also regarded as an IF.					
5. PM	6	Township	4S	Range	72W
		Section	2		
				SE	¼
				SW	¼
If section is irregular, explain alignment method: N/A					
6. USGS Quad: Squaw Pass (1974)				7. Elevation: 7857 ft	
8. UTM Coordinates:		Datum used	<input type="checkbox"/> NAD 27	<input checked="" type="checkbox"/> NAD 83	<input type="checkbox"/> WGS 84
Other:					
Zone:	13	454192	mE	4397344	mN
9. UTM Source:		<input checked="" type="checkbox"/> Corrected GPS/rectified survey (<5m error)		<input type="checkbox"/> Uncorrected GPS	<input type="checkbox"/> Map template
Other (explain):		N/A			
10. Landowner: Terry, Jerry, and Joan Harper, 37895 US HWY 40, Evergreen CO 80439.					
11. Describe Artifact(s) and their distribution: None					
<input checked="" type="checkbox"/> No artifacts					
12. Describe Feature (include dimensions): IF 5CC8518 is a linear pile of granite cobbles measuring approximately 115 ft long x 3 ft wide and ranging in height from 1 ft to 1.5 ft. The rock alignment parallels a local road grade but appears to be distinct and is therefore considered to be a sperate resource. The cobbles and boulders in the alignment are uncut and appear to have been dry laid. They are heavily overgrown with vegetation and some appear to have fallen out of place or been disturbed. No evidence of a building or other structure (aside from I-70/the historic alignment of U.S. 40 in this area) appears on historic maps consulted for this resource. These maps are the 1877 GLO survey plat for Township 4 South – Range 72 West (available through the BLM) and the 1957 and 1974 Squaw Pass USGS quadrangle maps.					
<input type="checkbox"/> No features					
13. Cultural Affiliation and Justification: Unknown Historic					
14. Time Period and Justification: Unknown Historic					
15. Relevant environmental information (e.g., elevation, topography, soils, vegetation, nearby water source): A linear pile of granite cobbles was found on the forested slope of the northeast slope of the surrounding valley. The area is part of Floyd Hill. The site is situated near the base of a small, unnamed drainage. The resource is 45 m north of U.S. Highway 40 and 90 m north of I-70. Vegetation includes ponderosa pine, mountain mahogany, rabbitbrush, and assorted grasses and forbs. Soil is gravelly sandy loam derived from granitic parent material.					
16. Is this isolate located in a cultural landscape?		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
If yes, describe: N/A					
17. Why is this isolated find not eligible for the National Register? The IF is a small, dry-laid rock alignment of unknown age and purpose. It is not depicted on historic maps of the area and is interpreted as a minor, expedient structure. No associations with historically significant persons or events are known to exist and it does not meet Criterion A or B. Structurally it is a simple alignment common to the region. It is not representative of a major feat of engineering or a particular period or method of construction precluding it from eligibility under Criterion C. Further investigation is unlikely to generate additional information important to history and it does not meet Criterion D.					
18. Additional Information (e.g., narrative, drawings, photographs, sketch map; attach extra pages if desired): See attached photographs.					
19. Artifacts Collected?		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
If yes, provide repository information: N/A					

20. Report Title and Project Number: *Class III Archaeological Inventories for the I-70 Floyd Hill to Veterans Memorial Tunnels Project in Clear Creek and Jefferson Counties, Colorado*

21. Recorder and Affiliation: C. Kinneer - Centennial Archaeology LLC, 970-225-6575

Date: 6/20/2019

Colorado Historical Society - Office of Archaeology & Historic Preservation
1560 Broadway, Suite 400 Denver, CO 80202
303-866-3395



USGS map at 1:24,000 scale showing location of 5CC2593.



IF 5CC2593. View of rock alignment, facing northeast from center. C. Kinneer, 6/20/19.



IF 5CC2593. View of rock alignment, facing northeast from west end. C. Kinneer, 6/20/19.

Air Quality Conformity Determination



COLORADO
Department of Transportation

Environmental Programs Branch
2829 West Howard Place
Denver, CO 80204

September 1, 2020

Mr. Richard Coffin, Air Quality Planner
Planning and Policy Program, Air Pollution Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246

SUBJECT: Air Quality Conformity Determination, CDOT Project NHPP 0703-446, I-70 Floyd Hill to Veterans Memorial Tunnels Environmental Assessment, Jefferson and Clear Creek Counties

Dear Mr. Coffin:

The Colorado Department of Transportation (CDOT), in cooperation with the Federal Highway Administration (FHWA), is preparing an Environmental Assessment (EA) for the project referenced above, which extends to the eastern edge of Idaho Springs. The purpose of the undertaking is to improve travel time reliability, safety, and mobility, and address deficient infrastructure between I-70 milepost (MP) 241 and MP 249. Proposed improvements include:

- Adding a third westbound travel lane to the existing two-lane section, from the current three-lane to two-lane drop (approximately MP 246) through the Veterans Memorial Tunnels.
- Constructing a new frontage road between the US Highway 6 interchange and Hidden Valley/Central City interchange.
- Improving interchanges and intersections throughout the project area.
- Improving design speeds and stopping sight distance on horizontal curves.
- Improving the multimodal trail (Clear Creek Greenway) between US 6 and the Veterans Memorial Tunnels.
- Reducing animal-vehicle conflicts and improving wildlife connectivity with new and/or improved wildlife overpasses or underpasses.

The project will be released as an EA under the National Environmental Policy Act regulations; the attached air quality technical report is being provided for your review. The transportation conformity requirements of 40 CFR 93 apply to this undertaking because the eastern portion is located in Jefferson County, even though most improvements will occur in Clear Creek County. Jefferson County is included in the Denver Metro/North Front Range ozone nonattainment area, the Denver-Boulder Metropolitan Area carbon monoxide (CO) maintenance area, and the Denver Metro particulate matter of 10 microns in diameter or smaller (PM₁₀) maintenance area.

Project Level and Regional Conformity

A qualitative analysis of CO and PM₁₀ was conducted along I-70 and at the Beaver Brook/Floyd Hill interchange (Exit 248), which is located in Jefferson County, a maintenance area for both pollutants. A portion of the project is in the Denver Metro PM₁₀ maintenance area; conformity requirements apply there. However, a quantitative PM₁₀ analysis is not required because the project does not meet any of the conditions in 40 CFR 93.123(b)(1):

- Project does not create a new highway that has a significant number of diesel vehicles.
- Project does expand a highway, but it does not lead to a significant increase in the number of diesel vehicles, as the percentage of diesel vehicles is expected to remain the same at 3.5% from existing to future years (CDOT, 2020c).
- Project does not affect any signalized intersections, nor are there any intersections with a significant numbers of diesel vehicles; the percentage of diesel vehicles is expected to remain the same at 3.5% from existing to future years (CDOT, 2020c).
- Project does not add or expand bus or rail terminals or transfer points.
- Project's applicable implementation plan does not contain locations, areas, or categories of sites as sites of violation or possible violation.

A portion of the project is in the Denver-Boulder Metropolitan Area CO maintenance area; conformity requirements apply there. However, a quantitative CO analysis is not required because the project does not meet any of the conditions in 40 CFR 93.126(a)(1):

- Project's applicable implementation plan does not contain locations, areas, or categories of sites as sites of violation or possible violation.
- Project does not affect intersections that are at Level-of-Service D, E, or F, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes related to the project. This trigger only applies to signalized intersections. The Beaver Brook/Floyd Hill intersection with County Road 65 is not and would not be signalized.
- Project does not contain one of the top three intersections with the highest traffic volumes or the worst Level-of-Service listed in the applicable implementation plan.

Jefferson County is a nonattainment area for ozone. However, project-level analysis of ozone was not required because ozone is not modeled at the project level.

Ozone, CO, and PM₁₀ are modeled on a regional basis. For the portion of this project for which conformity applies, it is modeled by Denver Regional Council of Governments (DRCOG). This project is in DRCOG's 2040 Metro Vision Regional Transportation Plan (MVRTP) (I-70: Vicinity of US-6 and Floyd Hill). Only the I-70 westbound bridge over US 6 portion of the project has been included in the 2020-2023 approved Transportation Improvement Program (TIP) (TIP ID: 2008-103). The majority of improvements are outside of air quality maintenance and nonattainment areas. Project funding for construction must be identified, and the project included in the current TIP, prior to approval of the project and signature of the decision document.

Other Air Quality Considerations

Mobile Source Air Toxics (MSATs)

CDOT and FHWA have determined this project has low potential for MSAT impacts. Therefore, a qualitative assessment was conducted. The projected average annual daily traffic (AADT) of the Action Alternatives is less than 70,000 in 2040.

Greenhouse Gases

To evaluate greenhouse gases, Level-of-Service at the Beaver Brook/Floyd Hill interchange was compared for each alternative. Standard language and calculations, provided by CDOT, were used for the greenhouse gas analysis.

Construction Emissions

Impacts to air quality during construction were evaluated qualitatively and draw on experiences from recent construction projects in the study area.

Mr. Coffin
September 1, 2020
Pg. 3

Summary

The proposed project conforms to the purpose of the applicable State Implementation Plans for ozone, CO and PM₁₀. The project will not:

- Cause or contribute to any new violation of the any NAAQS in any area;
- Increase the frequency or severity of any existing violation of any NAAQS in any area; or
- Delay timely attainment of any NAAQS or other milestones in any area.

If you concur with the results of the air quality analysis and the conclusions regarding conformity for this project, please sign below and return this letter to Rose Waldman, CDOT Air Quality Program Manager, by September 17, 2020. If you have questions regarding this correspondence or the associated documentation, please contact Ms. Waldman at (303) 757-9016, or rose.waldman@state.co.us.

Very truly yours,

for Jane Hann, Manager
Environmental Programs Branch

Attachment: I-70 Floyd Hill to Veterans Memorial Tunnels Air Quality Technical Report (August 2020)

cc: Vanessa Henderson, CDOT I-70 Mountain Corridor Environmental Program Manager
Dale Wells, Air Pollution Control Division, Technical Services Program

I concur:  _____ 9/21/2020
Richard Coffin, Air Quality Planner Date

Correspondence - Natural Resources Conservation Service



COLORADO

Department of Transportation

Region 1

West Program Engineering
425A Corporate Circle
Golden, CO 80401

January 3, 2019

T. Riley Dayberry, Assistant State Soil Scientist
Natural Resources Conservation Service
PO Box 25426
Denver, CO 80225

Subject: I-70 Floyd Hill to Veterans Memorial Tunnels - Farmland Consultation

Dear Mr. Dayberry,

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration, in cooperation with local communities and other agencies, is preparing the Interstate 70 (I-70) Floyd Hill to Veterans Memorial Tunnels Environmental Assessment to identify and assess transportation improvements on the westbound I-70 Mountain Corridor near Floyd Hill. The purpose of the Project is to improve travel time reliability, safety, and mobility, and address the deficient infrastructure on westbound I-70 through the Floyd Hill area of the I-70 Mountain Corridor.

The Project is located on I-70 between milepost (MP) 248 (one mile east of the Floyd Hill/Beaver Brook interchange) and Exit 241 (near the Idaho Springs/Colorado Boulevard interchange, west of the Veterans Memorial Tunnels) (see Attachment 1). CDOT has identified a Study Area for the Environmental Assessment of 500 feet on each side of the existing I-70 pavement to account for potential direct and indirect effects of the Project. Most of the Study Area is within Clear Creek County although a small portion (about one-half mile) extends east into Jefferson County.

The Proposed Action addresses specific highway improvements defined in the 2011 *I-70 Mountain Corridor Record of Decision*, including providing three-lane capacity for westbound I-70 from Floyd Hill to the Veterans Memorial Tunnels; a multimodal trail and frontage road between U.S. Highway 6 (US 6) and Idaho Springs; and physical and/or operational improvements to four interchanges—the Floyd Hill/Beaver Brook exit (Exit 248), the Floyd Hill/Hyland Hills exit (Exit 247), the junction with US 6 (Exit 244), and the Hidden Valley/Central City exit (Exit 243). The project will also flatten curves through the corridor to improve safety as well as meet the goal of the recommended 55 miles per hour (mph) design speed from the 2016 *I-70 Mountain Corridor Design Speed Study*.

The purpose of this letter is to coordinate with the Natural Resources Conservation Service regarding compliance with the Farmland Protection Policy Act (FPPA) of 1981. While most of the land within the Study Area is within existing CDOT right-of-way and has previously been disturbed, and none of the lands are currently used or planned for agriculture, CDOT identified two small areas of Farmland of Statewide Importance from desktop survey of soil maps (Attachment 2):



- **Lone Rock-Breece gravelly sandy loams, 2 to 9 percent slopes (45.4 acres, 3.7% of the Study Area)** - At the west end of the Study Area, generally following the roadway corridor and encompassing parts of Colorado Boulevard and Spruce Lane and the off ramps at Exit 241a as well as the area of disturbed land to the north of I-70, between Clear Creek and the roadway;
- **Cumulic Cryaquolls, 0 to 3 percent slopes (19.9 acres, 1.6% of the Study Area)** - Towards the eastern end of the Study Area, to the south side of eastbound I-70, north of Clear Creek High School and Elmgreen Park, east of exit 247 and Homestead Road but not extending as far east as Elmgreen Lane.

Based on recent correspondence with your office (as part of the Westbound I-70 Peak Period Shoulder Lane Project), the Floyd Hill Project appears to be exempt from the FPPA, including completion of form NRCS-CPA-106, as the lands within the Study Area are within existing rights-of-way or already committed to urban development. We request your concurrence with this conclusion.

Please feel free to contact me by phone at 720.497.6924 or by email at vanessa.henderson@state.co.us if you require additional information.

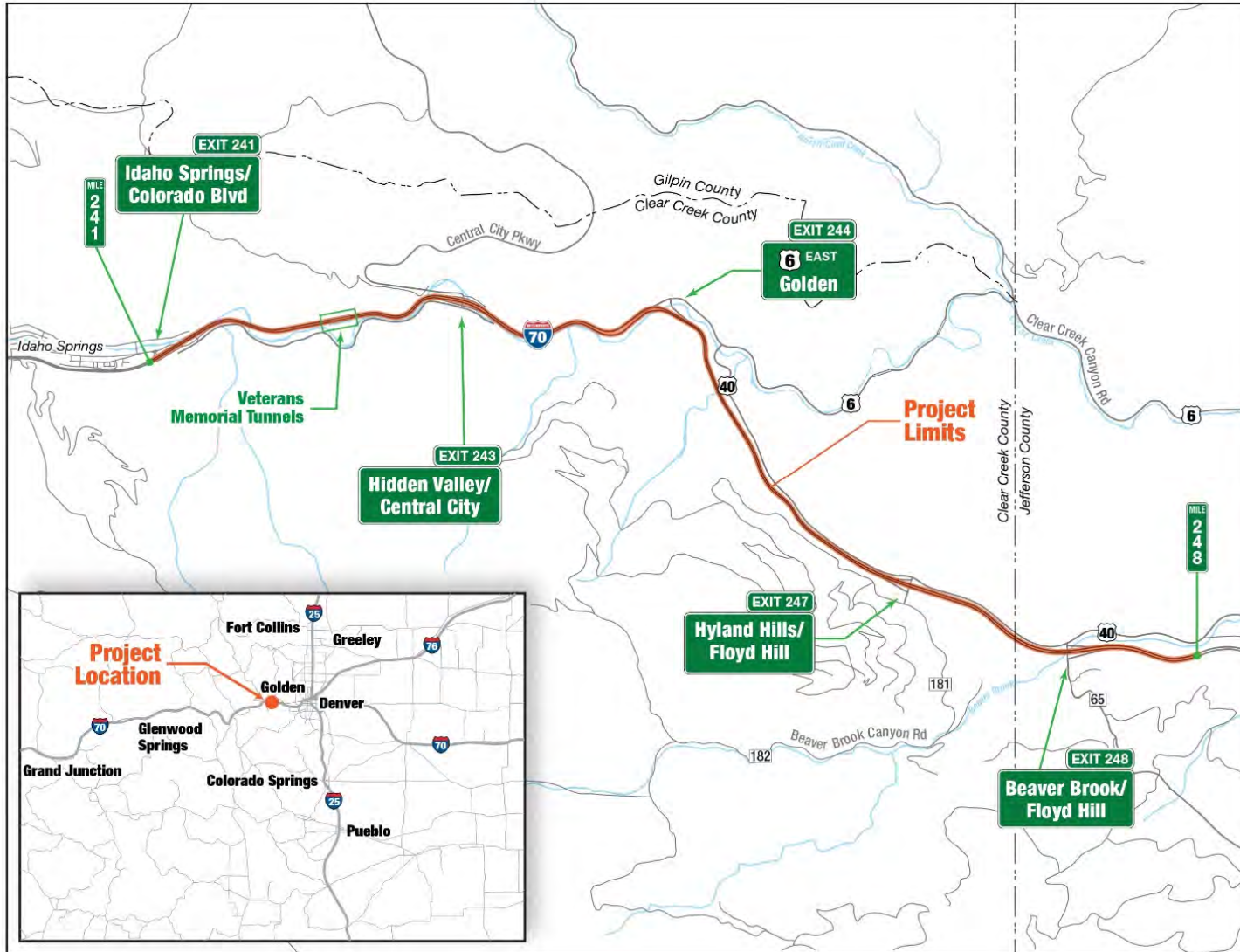
Sincerely,



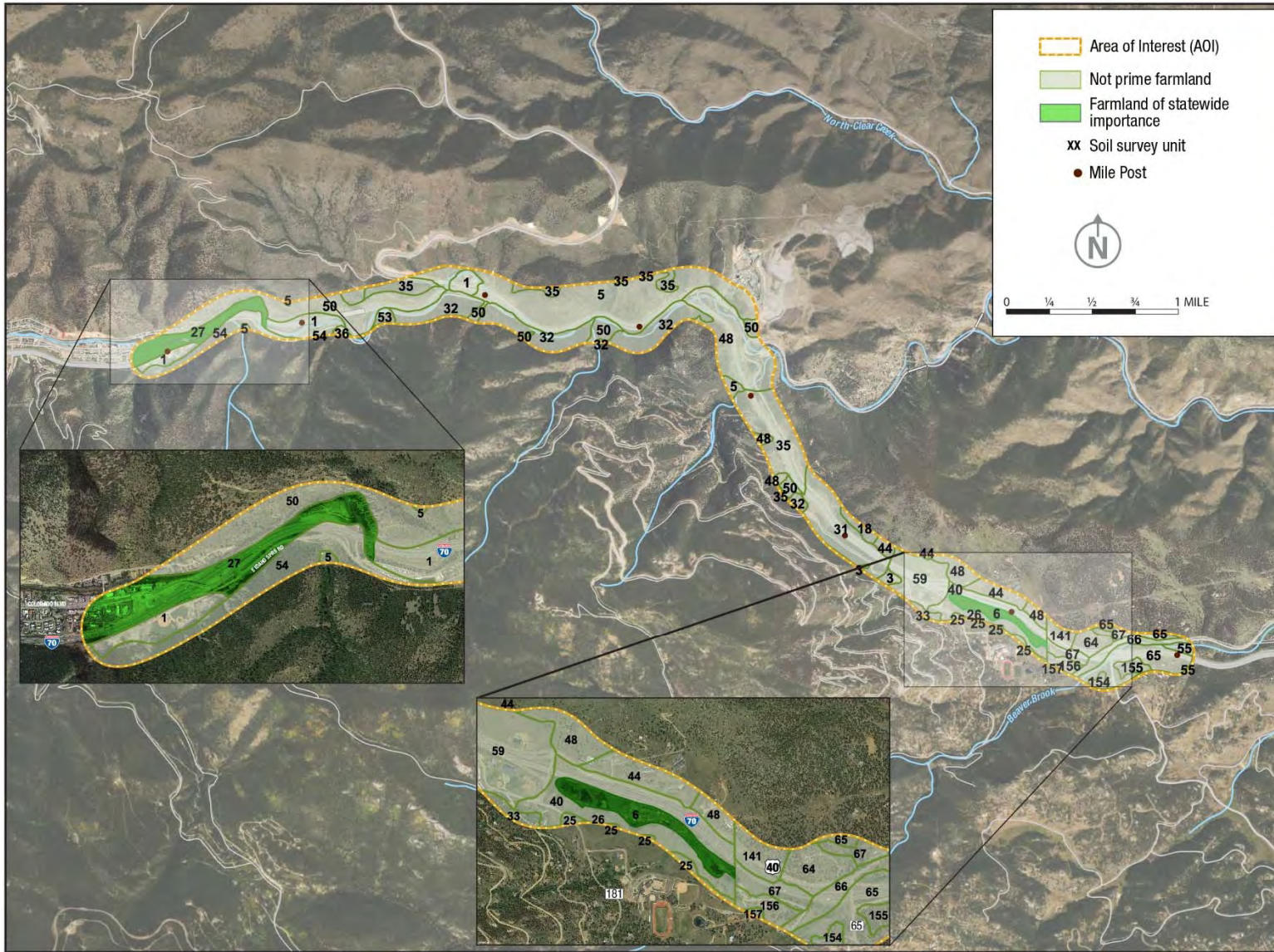
Vanessa Henderson
I-70 Mountain Corridor Environmental Manager



Attachment 1. Project Location



Attachment 2. Farmland Classification





Natural Resources Conservation Service
Denver Federal Center
Building 56, Room 2604
P.O. Box 25426
Denver, CO 80225

SUBJECT: Farmland Protection Policy Act

January 4th, 2019

Vanessa Henderson
I-70 Mountain Corridor Environmental Planner
CDOT
425A Corporate Circle
Denver, CO 80401

RE: I-70 Floyd Hill to Veterans Memorial Tunnels – Farmland Consultation

Dear Ms. Henderson,

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to non-agricultural use. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland.

For the purpose of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to the FPPA requirements does not have to be currently used for cropland. Projects are subject to the FPPA requirements if they may irreversibly convert farmland to non-agriculture use and are completed by a federal agency or with assistance from a federal agency.

All improvements included in this project occur in either areas that are previously developed or reserved for development, or occur in existing rights-of-way, and are exempt from the FPPA. NRCS encourages the use of accepted erosion control practices during the construction of this project.

If you have any further questions, please call at (720) 544-2855.

Thank you,

A handwritten signature in black ink, appearing to read "T. Riley Dayberry".

T. Riley Dayberry
Asst. State Soil Scientist
Thomas.dayberry@co.usda.gov

cc:

Clint Evans – State Conservationist, NRCS, Denver CO
Eugene Backhaus - State Resource Conservationist, NRCS, Denver CO
William Shoup - State Soil Scientist, NRCS, Denver CO



Correspondence and Meetings - Water Quality

From: Granato, Gregory <ggranato@usgs.gov>
Sent: Friday, December 21, 2018 9:28 AM
To: Gayler, Jillian <Jillian.Gayler@atkinsglobal.com>
Cc: Eggers, Tammy <Tammy.Eggers@atkinsglobal.com>; Zufall, Joseph <Joseph.Zufall@atkinsglobal.com>; Halouska, Troy <Troy.Halouska@atkinsglobal.com>; Mandy Whorton <mandy.whorton@peakconsultingco.com>; Gregory Granato <ggranato@usgs.gov>; Marc Leisenring <MLEisenring@geosyntec.com>; Rachel Hansgen - CDOT <rachel.hansgen@state.co.us>; Susan Jones <susan.jones@dot.gov>
Subject: Re: [EXTERNAL] SELDM Modeling for Colorado I-70 Corridor

Hi Jillian:

I'm glad you dug into the manuals. Hopefully, we can connect or this email will suffice, conversation by phone tag may not be optimal.

To answer your questions, Yes SELDM is the designated model for water-quality assessment by the Federal Highway Administration and for CO DOT and yes SELDM is designed for providing planning-level estimates of concentrations, flows, and loads upstream of the highway, from the highway (with and without BMP treatment) and downstream of the highway. It has been used for EIS assessments, MS4/NPDES permits, and TMDLs by various DOTs. Because it is a lumped-parameter model that simulates runoff using the area, drainage length, drainage slope, and imperviousness (you can use the basin development factor as well but imperviousness is probably sufficient).

SELDM was developed by the USGS in cooperation with FHWA. We had a lot of EPA input and had State DOTs (including people in CO DOT) as beta testers so we have buy in there. A few years ago we had a class in CO that was attended by a local regional EPA person, many CO State regulators. In our recent training in OR, we also had the CO DOT (Rachel) and a state regulator (and a number of other interested people from both agencies in CO that could not attend in OR). Based on the feedback from both classes, SELDM results will be well received by the regulatory community out there.

If you can do online shopping, you can run the SELDM interface. Rachel Hansgen from CO DOT (cc'd) just took the class in OR and can testify that they were running SELDM within the first few hours of the class. A click-by-click screen-by-screen tutorial for the interface is available in Appendix 4 of the manual "Navigating the Graphical User Interface" at <https://pubs.usgs.gov/tm/04/c03/>

SELDM is easy to use because we have done much of the work for you. When you type in the latitude and longitude you get estimates of precipitation, prestorm flow and some water quality.

I suggest going to the SELDM website to pull the available datasets; unfortunately, we are moving to a different web design so the page may move (and be prettier but less useful); I'd go and harvest materials as soon as possible.

I'd suggest you use the newest version of SELDM v 1.0.3 currently available at:

<https://newengland.water.usgs.gov/dev/g1/Software/SELDM/index.html>

Upstream basin properties and refined streamflow estimates:

You can delineate the upstream basin and get SELDM statistics by using StreamStats

<https://streamstats.usgs.gov/ss/>

If you select the name of a nearby town StreamStats will zoom in. If you want to do a local streamflow estimate click on a gage. SELDM uses the proportion of zero flows and the average, standard deviation and skew of the logs of non-zero flows. You can get these for gages with more than 3 years of record by clicking on a gage in streamstats and selecting the StreamStats Gage page. Convert them to CFM to enter them in SELDM. You can keep regional values for the other statistics as they are only used to assess hydrologic similarity.

To get basin properties, zoom in till you see the blue stream cells and click on one at the point of interest click continue, select basin characteristics. Choose CSL1085LFP, DRNAREA, LC11IMP, and LFPLENGTH, to get all the upstream basin properties. Use a -1 for the BDF to use the imperviousness equation.

(note Colorado has a stormwater model option, but that is not SELDM, I think it is hydraulics for bridge/culvert design (which may be helpful to some of your other engineers on the project).

A detailed description of the upstream basin properties is available in Appendix 2 of the SELDM user manual available at <https://pubs.usgs.gov/tm/04/c03/>

Background water quality:

Do all water quality (except pH if you decide to play with speciation) in log space.

We have commonly found that upstream concentrations during stormflow exceed water-quality criteria more frequently than allowed (probably because instream criteria were determined based on baseflow assumptions). If you are at or near a mining site, then you actually may find that highway-runoff dilutes upstream concentrations and there is no meaningful change in water quality caused by the highway.

Here is information about background (upstream) water quality.

Granato, G.E., Carlson, C.S., and Sniderman, B.S., 2009, Methods for development of planning-level stream-water-quality estimates at unmonitored sites in the conterminous United States:

Washington, D.C., U.S. Department of Transportation, Federal Highway Administration, FHWA-HEP-09-003, 53 p.

<https://newengland.water.usgs.gov/dev/g1/DOT/FHWA-HEP-09-003/FHWA-HEP-09-003.pdf>

If you get the CD ROM iso it has the results of data pulls from about 24,000 stations and almost 2 million samples nationwide.

To do a transport curve see:

Granato, G.E., 2006, Kendall-Theil Robust Line (KTRLine--version 1.0)—A visual basic program for calculating and graphing robust nonparametric estimates of linear-regression coefficients between two continuous variables: Techniques and Methods of the U.S. Geological Survey, book 4, chap. A7, 31 p. <http://pubs.usgs.gov/tm/2006/tm4a7/> That report has recorded video-tutorials.

You can search for data at your location by typing in the nearest town at:

<https://maps.waterdata.usgs.gov/mapper/index.html>

For example I put in Gypsum CO and found

USGS 09070000 EAGLE RIVER BELOW GYPSUM, CO. with 417 water-quality samples

and USGS 09069000 EAGLE RIVER AT GYPSUM, CO with 1,098 water-quality samples right in town.

If I pan up and down I-70 I find a lot of stations with a lot of water-quality data on the main stem and on many of the tributaries coming in from the hills.

If new (post 1995) metals data collected over a large range of flows is available, then I'd simulate it directly with a transport curve.

If such data is not readily available, I'd use a suspended sediment transport curve (there is usually a lot of SSC data) and bed sediment chemistry to get stormflow metals by using a dependent relationship to SSC.

Deacon, J.R., and Driver, N.E., 1999, Distribution of trace elements in streambed sediment associated with mining activities in the Upper Colorado River Basin, Colorado, USA, 1995-96: Archives of Environmental Contamination and Toxicology vol.37, p.7-18.

This report has a lot of metals data on-line

Horowitz, A.J., and Stephens, V.C., 2008, The effects of land use on fluvial sediment chemistry for the conterminous U.S. -- Results from the first cycle of the NAWQA Program: Trace and major elements, phosphorus, carbon, and sulfur, Science of the total environment, v. 400, Issues 1-3, August 2008, pp. 290-314, doi:10.1016/j.scitotenv.2008.04.027.

For sediment quality also look at:

Geochemistry of sediments in the US from the NURE-HSSR database

<https://mrdata.usgs.gov/nure/sediment/>

Geochemistry of stream sediments from NURE-HSSR

<https://mrdata.usgs.gov/geochemistry/nuresed.html>

For soil data that you can use as a surrogate

GEOCHEMICAL AND MINERALOGICAL MAPS FOR SOILS OF THE CONTERMINOUS U.S.

If you look at the maps you can see your area is "hot" in terms of soil-metal concentrations

<https://mrdata.usgs.gov/soilgeochemistry/#/periodictable>

The geochemical and mineralogical data for the conterminous United States were published by Smith and others (2013) and are available as digital download files at <http://pubs.usgs.gov/ds/801/>

This paper is an example of metal simulations (without local metals data)

Granato, G.E., and Jones, S.C., 2017, Estimating risks for water-quality exceedances of total-copper from highway and urban runoff under predevelopment and current conditions with the Stochastic Empirical Loading and Dilution Model (SELDM): in Proceedings of the 2017 World Environmental & Water Resources Congress, Sacramento, CA, May 21-25, 2017, Reston, VA, American Society of Civil Engineers, 15 p.

<http://ascelibrary.org/doi/abs/10.1061/9780784480601.028>

free at <https://newengland.water.usgs.gov/dev/g1/Reports/GranatoJones2017TotalCopper-ASCE.pdf>

The Granato & Jones (2017) paper converted sediment metal to whole water. For an initial planning-level analysis, however, I would use suspended sediment in an upstream transport curve and sediment chemistry and not worry about the conversion to whole-water (or dissolved) metals described in that paper

Example Water-Quality Transport Curve Poster On Line

<https://newengland.water.usgs.gov/dev/g1/DOT/FHWA-HEP-09-003/FHWA-HEP-09-003-Plate.pdf>

Highway Runoff:

We provide the highway-runoff statistics as well the current version of the highway-runoff database is:

Granato, G.E., Desmarais, K.L., Smith, K.P., Weaver, J.C., Glover-Cutter, K.M., Stonewall, A.J., and Fitzgerald, S.A., 2018, Highway-Runoff Database (HRDB) Version 1.0.0b: U.S. Geological Survey data release, <https://doi.org/10.5066/P9YG44VQ>.

The dataset was compiled from 37 studies as documented in 113 scientific or technical reports. The dataset includes data from 242 highway sites across the country. It includes data from 6,837 storm events. The dataset includes 106,441 concentration values with data for 414 different water-quality constituents.

If you have done a highway runoff study in the area, then you can enter your statistics. If not, I'd look at the soil maps at <https://mrddata.usgs.gov/soilgeochemistry/#/periodictable> and pick highway-runoff sites from the HRDB that are also in metal hotspots (sites in northern CA, OR, and WA with more than 10-15 samples may be good choices based on soil chemistry).

The report

Granato, G.E., and Cazenias, P.A., 2009, Highway-Runoff Database (HRDB Version 1.0)--A data warehouse and preprocessor for the stochastic empirical loading and dilution model: Washington, D.C., U.S. Department of Transportation, Federal Highway Administration, FHWA-HEP-09-004, 57 p. available at:

https://pubs.usgs.gov/sir/2009/5269/disc_content_100a_web/FHWA-HEP-09-004.pdf

provides background and a A click-by-click screen-by-screen tutorial for the interface.

BMP treatment:

We provide BMP treatment performance: See:

Granato, G.E., 2014, Statistics for stochastic modeling of volume reduction, hydrograph extension, and water-quality treatment by structural stormwater runoff best management practices (BMPs): U.S. Geological Survey Scientific Investigations Report 2014–5037, 37 p.

<http://pubs.usgs.gov/sir/2014/5037/>

Given that you may be using different BMPs and the BMP performance is highly variable, you may want to use the median of medians among all the BMPs. We used this approach on several of the recent TRB reports available from the web page.

Metal Speciation:

Because dissolved metals data are sketchy (clean sampling problems, filtering artifacts, higher proportion of censored data, and many fewer samples) I suggest simulating whole water upstream, from the highway, and downstream.

For a 1st level estimate you may be able to look at the whole-water values. If you are in a mining area upstream is likely to be orders of magnitude above commonly used standards.

If you have to do dissolved, then you can simulate downstream exceedances by using the adverse effects ratio (or you can probably do a first-level approximation by applying an average ratio to the whole-water outputs). You can use something fancy like a geochemical speciation model, a bioligand model, or some literature values for distribution coefficients. If your site is like other places in CO I'm familiar with, then sediment concentrations are very high pH is high, and hardness is high. For example average values at USGS 09069000 EAGLE RIVER AT GYPSUM, CO are 64.4 (although range is 993 mg/L), 6.8, and (range 2.4), and 285 mg/L (range 908 mg/L), respectively. Sediment tends to go up with upstream flow, pH commonly is random, and hardness goes down, you can simulate them with transport curve, random, and transport curve if it turns out this way at/near your site.) I'm not recommending Eagle River without knowing your site, just find a similar site with many samples over a large range.

Again, even given my limited knowledge of the area, I'd expect large upstream metal concentrations. I'd also expect a low proportion of dissolved metals up and downstream of the highway, so you can probably use sediment metals to approximate whole-water metals.

Conclusion

It may look like a lot, but each step should be well within reach of a new scientists/engineer with ambition. Whomever does the analysis will pick up a lot of transferable skills and hydrologic, water quality, and statistical knowledge that can be used on many stormwater projects (whether they include SELDM or not). For example the KTRLLine has been used for many different applications in many fields I dis not anticipate. Reading this email, it may look like a lot of work, but you can be up and running fairly quickly. Once you have your inputs you can enter them within an hour and run the model in about 2 minutes. All the work for the MA copper paper (Granato and Jones, 2017), which included development of the fancy metal methods, and writing the rough draft took about a week.

If your engineering education did not include a fair dose of statistics, I'd suggest a cartoon guide to statistics, the cartoon introduction to statistics (both have their merits), and Helsel and Hirsch (<https://pubs.usgs.gov/twri/twri4a3/>). Mother nature is stochastic not deterministic, knowing statistics can save you from bad design or analysis.

Once you get going we can discuss methods to simulate highways that follow a stream or river. Hope this helps.

Greg

Gregory E. Granato
Hydrologist
U.S. Geological Survey, New England Science Center
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Northborough, MA 01532
email: ggranato@usgs.gov
<https://www.usgs.gov/staff-profiles/gregory-granato>
phone: 508 490 5055
fax: 508 490 5068

On Thu, Dec 20, 2018 at 6:11 PM Gayler, Jillian <Jillian.Gayler@atkinglobal.com> wrote:

Greg,

Thanks for setting time to discuss a couple of questions regarding SELDM modeling. As a follow up, we discussed:

1. SELDM is appropriate for mountain corridors
2. Marc Leisenring is your recommended consultant who has used SELDM in the past.
 - a. [Here's a link to his company info page](#)
 - b. Email: MLeisenring@Geosyntec.com
 - c. Phone: 971-271-5904

I also do have a couple of follow up questions:

1. Water Quality Constituents: The project site is located at a historic mine, with constituents of concern being zinc, cadmium, copper, and lead. I have not found any information in the SELDM main manual or appendices on how the model can handle the constituent;, do you still think SELDM is an applicable approach?

Thanks and happy holidays!

Jillian Gayler *EIT*

Engineer I, Water Resources

Mountain

West

7202580154 2083102110



7604 Technology Way, Suite 400 Denver, Colorado, 80237

Main Banner Image



Company



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Floyd Hill Project Overview and Water Quality Discussion Meeting Notes – 6/14/2018

1. Attendees

Jim Ford	Black Hawk
Neil Ogden	CDOT
Vanessa Henderson	CDOT
Josh Giovannetti	CDOT
Lauren Boyle	CDOT

2. Project Overview/Summary

- a. Creek Realignment
- b. Walked through the roll plots to provide an overview of the current project concept.

3. Water Quality Discussion

- a. Current data/information
 - i. Black Hawk water intake and infiltration gallery for the Hidden Valley Water Treatment Plant south of Central City Parkway structure. Measures turbidity of surface water and at water intake. Treatment plant at Dory Hill above the Ameristar (north Clear Creek) is currently a redundant system, but both are needed for future projected growth. This redundancy may allow some flexibility for shutting down the Central City Parkway Plant for short durations during construction if needed. Both feed into town from separate water basins.
 - ii. Measuring constantly: Ammonia, pH, temperature, turbidity
 - iii. Other tests need to be sent to lab. CDOT has been sampling near Central City intake since the Twin Tunnels project, which can be used for baseline data.
- b. Sanding vs Mag Chloride
 - i. CDOT communicated that traction sand has not been used east of Twin Tunnels for a year.
 - ii. Jim expressed Mag Chloride has not been an issue to date with Water Quality at the Hidden Valley plant.
- c. Project Considerations/Feedback
 - i. Project Layout
 1. Support keeping the Greenway trail on south side to keep people away from plant. There was a previous easement through the plant.

2. Support project "straightening" curves along I-70 to reduce truck overturning. Trucks overturning on the curves between the tunnels and the plant are a concern because petroleum or other hazardous products may enter the creek, which could then enter the plant at the intake.
3. Creek realignment length = 1200 ft with 50-60 ft lateral shift

ii. Construction Feedback

1. Primary concern is sediment from both storm events and construction within creek. The realignment of the creek will require close coordination since the water intake is not far downstream from that location.
2. Communication is key in addition to having the right contractor.
3. Other plant can provide additional capacity if increase of creek sedimentation is known and communication is provided beforehand to plan for additional storage. Dependent on drought conditions.
4. Peak Weekends include: July 4th, Christmas, New Year's, Mother's Day
5. Twin Tunnels Project Reflection: Communication could have been increased with the contractor because they were only notified during events (increases in turbidity) rather than in advance of potential events.

4. Other items

5. Actions/Next Steps

Summary of Action Items	Responsibility	Status
1. Determine operational needs and closure parameters of the Black Hawk intake at Hidden Valley during construction and creek realignment.	Black Hawk - Jim	In progress
2. Invite Jim Ford to next Tech Team meeting and SWEEP ITF.	CDOT - Vanessa	TT invite sent; SWEEP ITF not scheduled yet, but added to invitee list
3. Send length of creek realignment	CDOT - Neil	Done, added to notes above
4. Jim Ford to send Tim Steele Contact to CDOT	Black Hawk - Jim	In progress

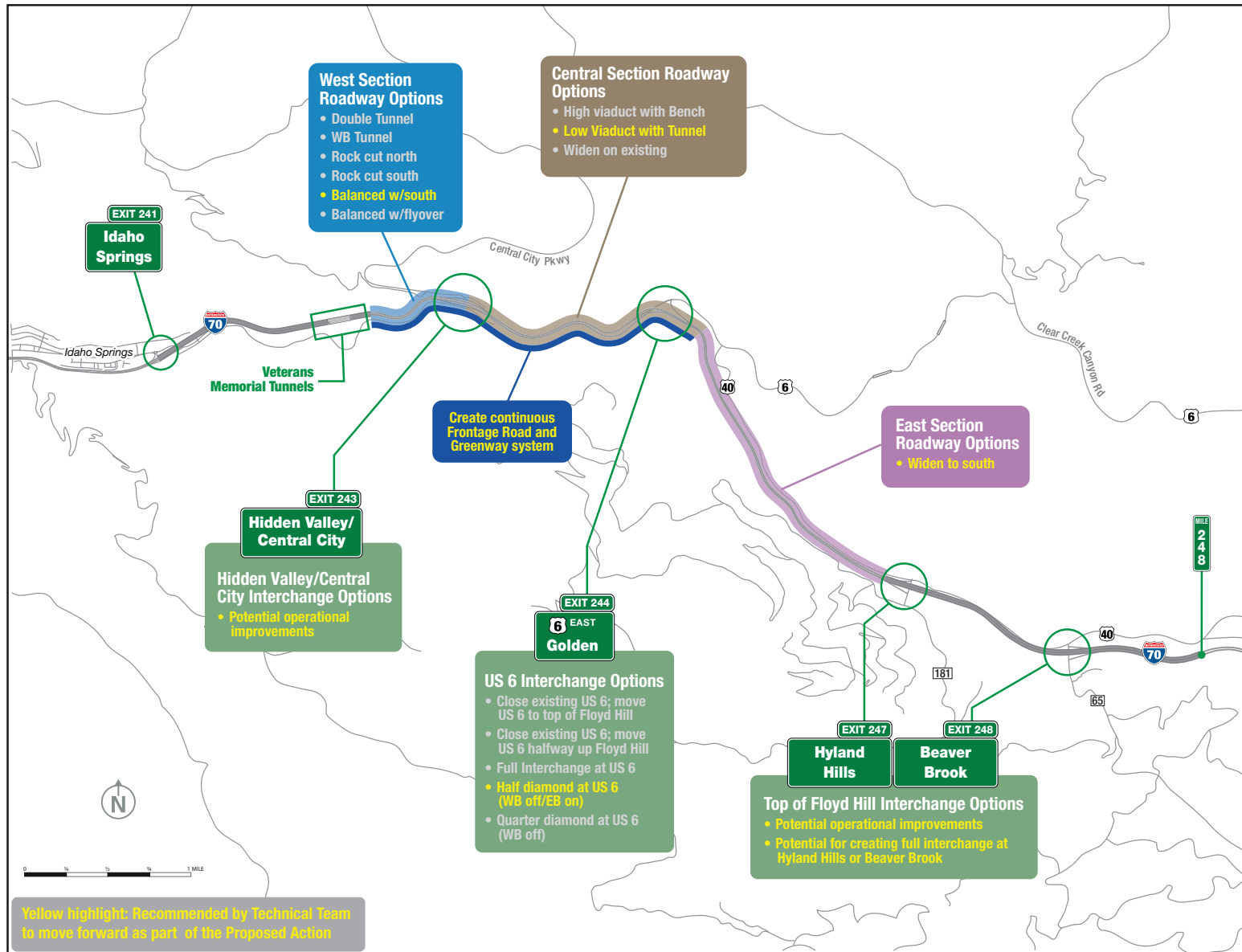


Floyd Hill
Project Overview and Water Quality Discussion
Meeting Agenda – 6/14/18

1. Introductions
2. Project Overview/Summary
 - a. Creek Realignment
3. Water Quality Discussion
 - a. Current data/information
 - b. Sanding vs Mag chloride
 - c. Project Considerations/Feedback
4. Other items
5. Actions/Next Steps



Major Elements of Proposed Action Considered



DKA+T

CDOT VETERANS MEMORIAL TUNNELS WATER QUALITY UPDATE 2012-2017

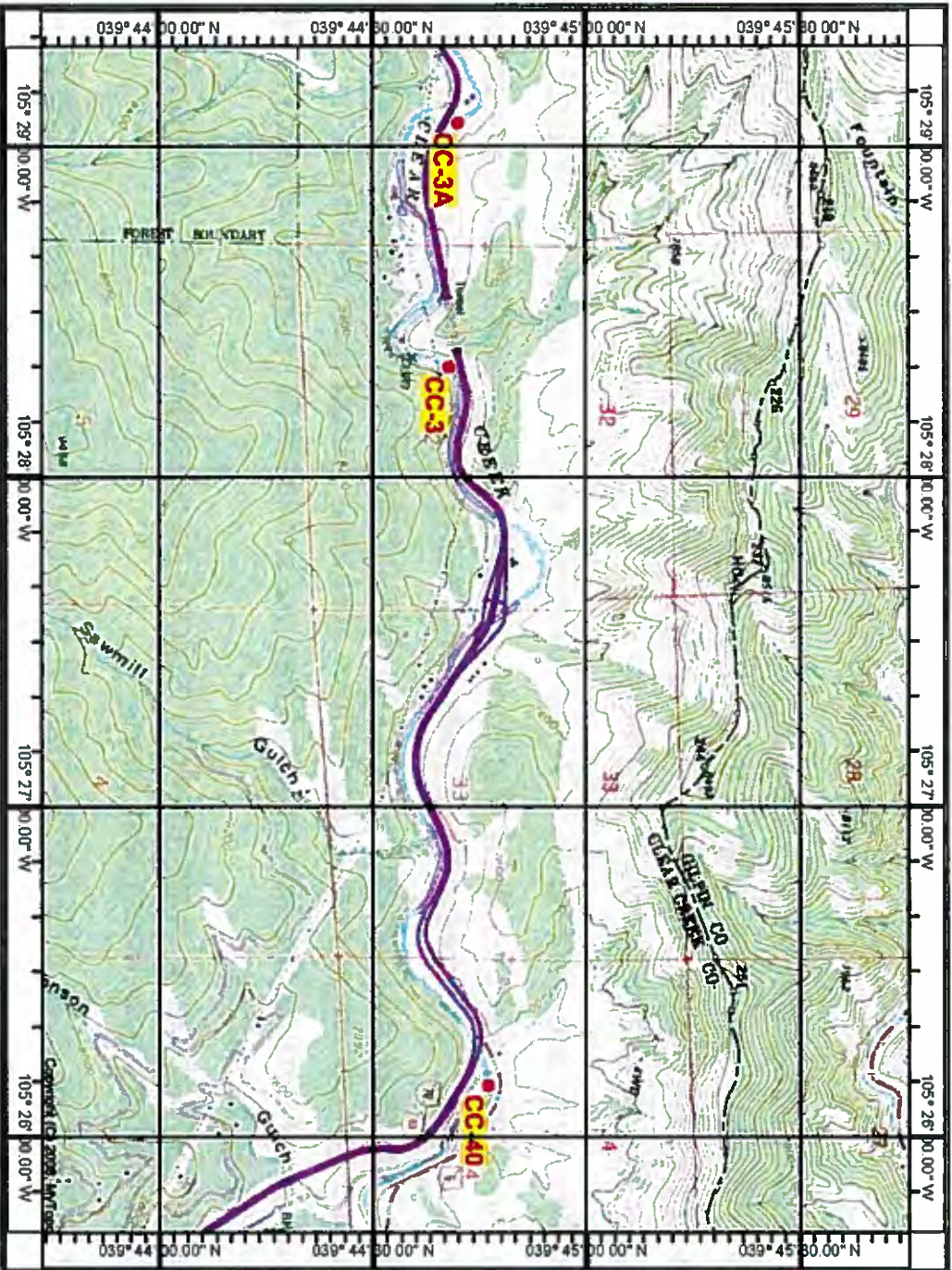
May 2018

Executive Summary

- A paired set of I-70 water quality monitoring stations was established on Clear Creek in the two mile Hidden Valley area in 2001 to quantify water quality changes caused by I-70
- These stations are located at the east portal of the Veterans Memorial Tunnel (CC-3) and at the gaging station near the Two Bears Tavern (CC-4)
- The stations were operated for the I-70 Twin Tunnels widening project from 2012 to 2017
- Storm runoff event samples show that concentrations of suspended solids, phosphorus, and trace metals typically decrease from upstream (CC-3) to downstream (CC-4) in this segment
- A few samples show an increase in concentrations indicating I-70 runoff can impact Clear Creek water quality under certain conditions, including runoff from Floyd Hill
- Maximum summertime stream temperatures are similar at CC-3 and CC-4, with CC-4 being higher in some instances
- Conductivity and chloride concentrations typically increase from upstream to downstream in the Hidden Valley segment of Clear Creek
- There has been an increasing trend of higher winter chloride at downstream Station CC-4

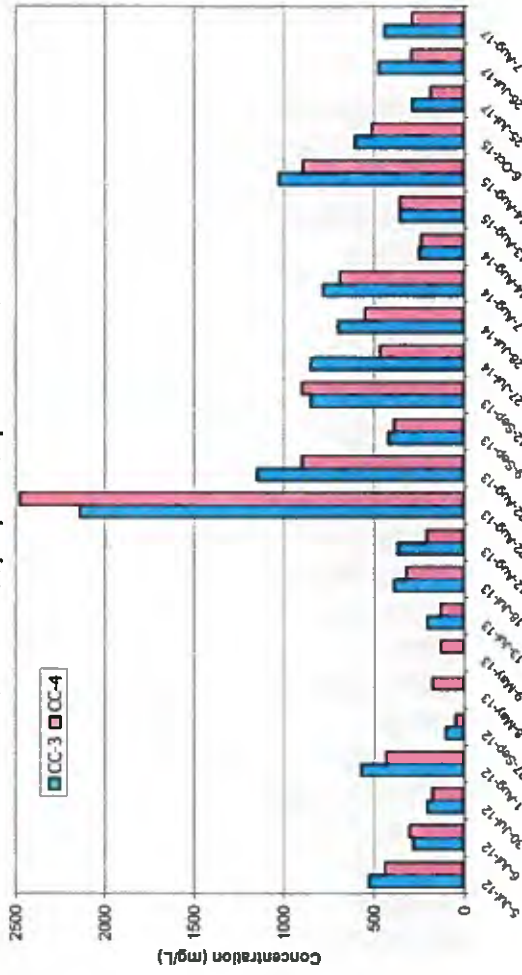


Clear Creek Hidden Valley Area Monitoring Locations

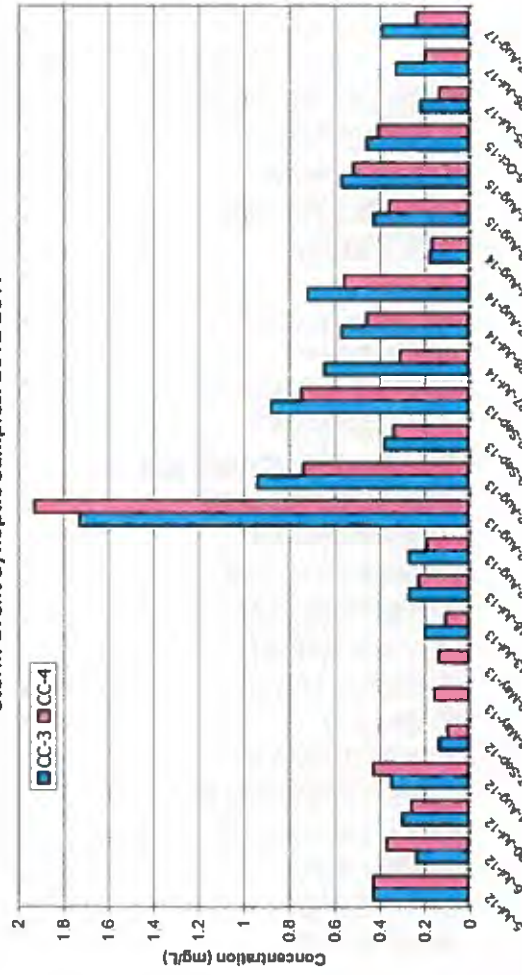


Clear Creek Hidden Valley Area Storm Event Data Results Suspended Solids and Phosphorus

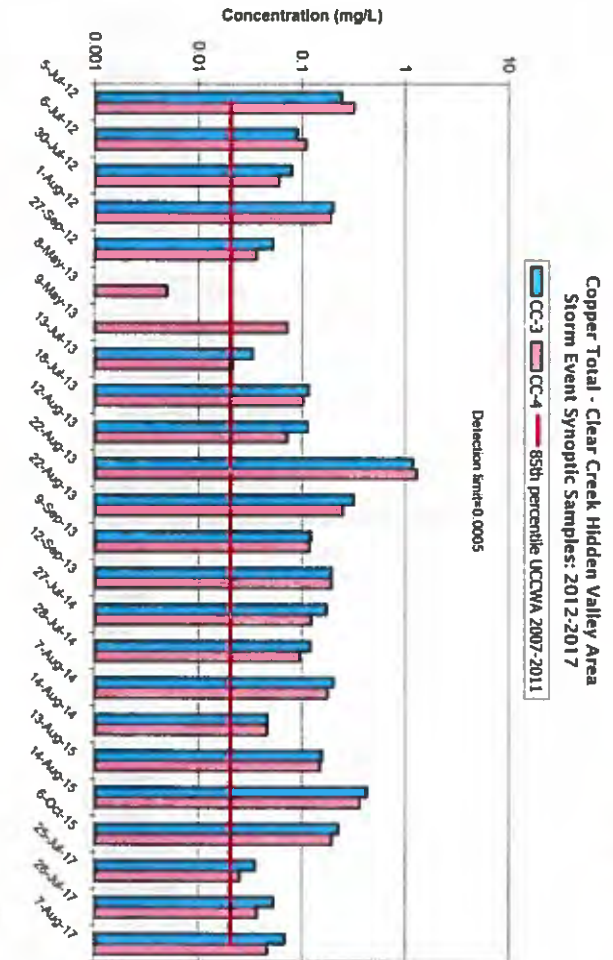
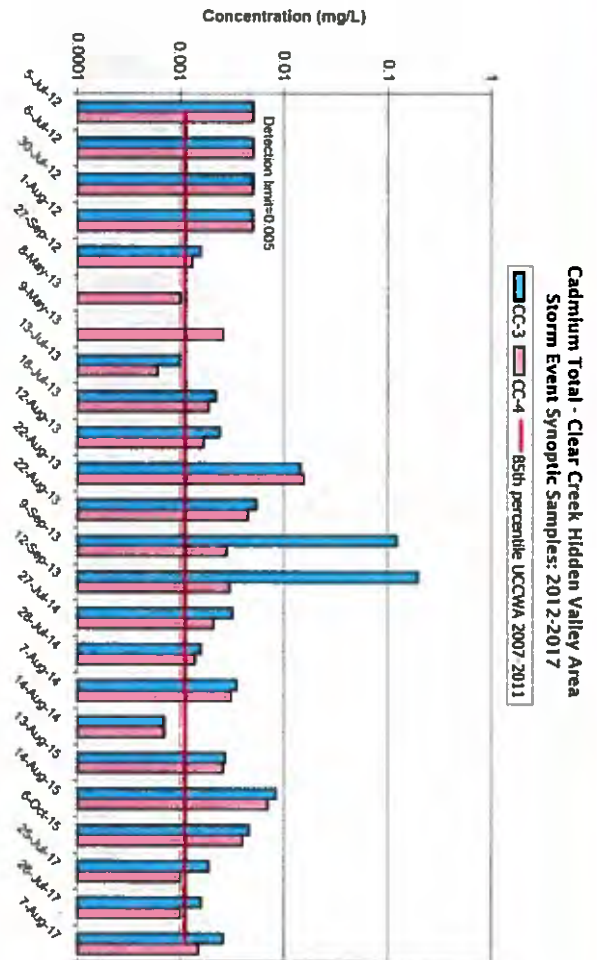
Suspended Solids - Clear Creek I-70 Hidden Valley Area
Storm Event Synoptic Samples: 2012-2017



Phosphorus Total - Clear Creek I-70 Hidden Valley Area
Storm Event Synoptic Samples: 2012-2017

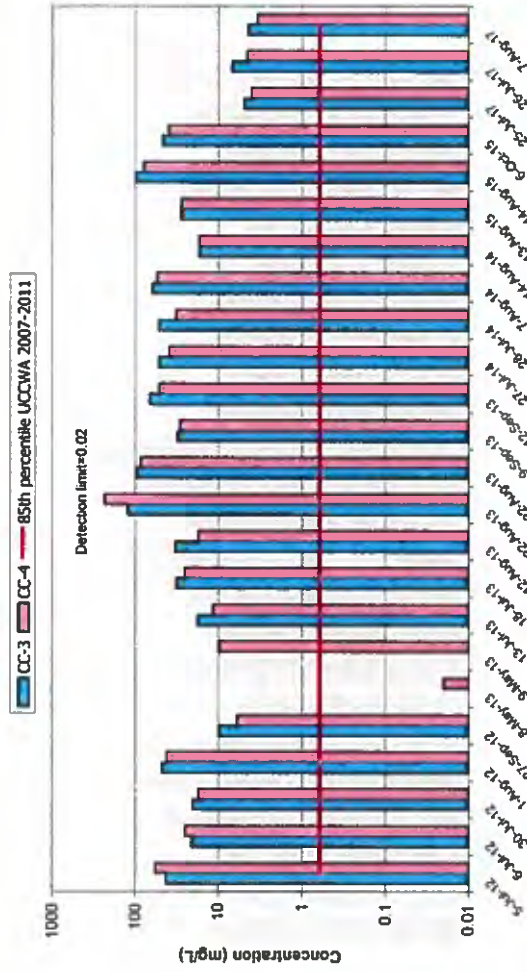


Clear Creek Hidden Valley Area Storm Event Data Results Cadmium and Copper

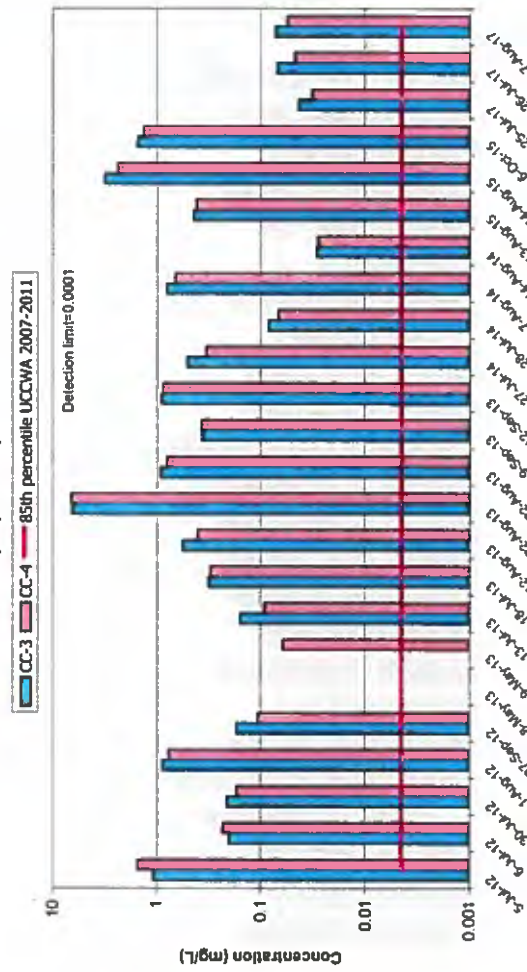


Clear Creek Hidden Valley Area Storm Event Data Results Iron and Lead

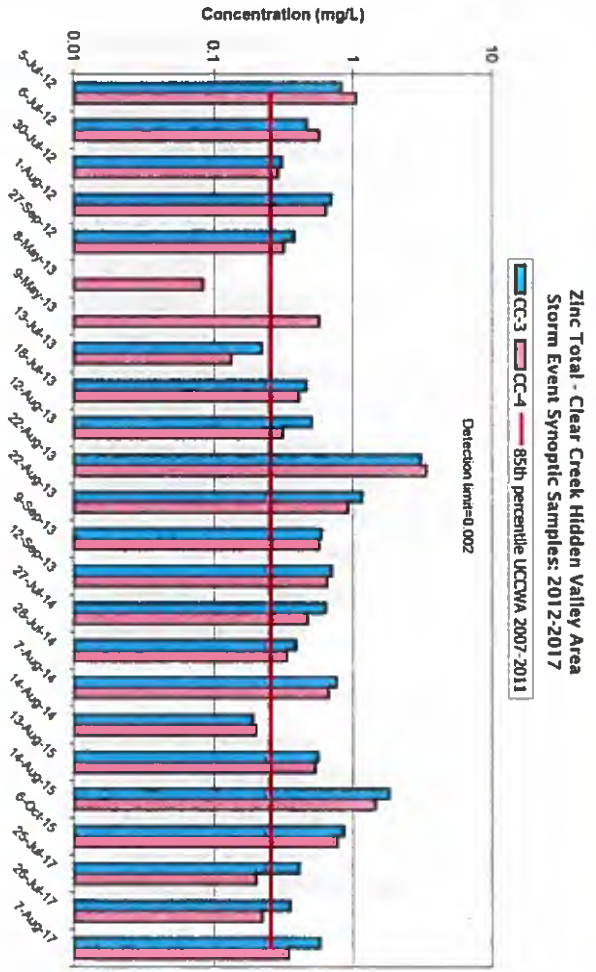
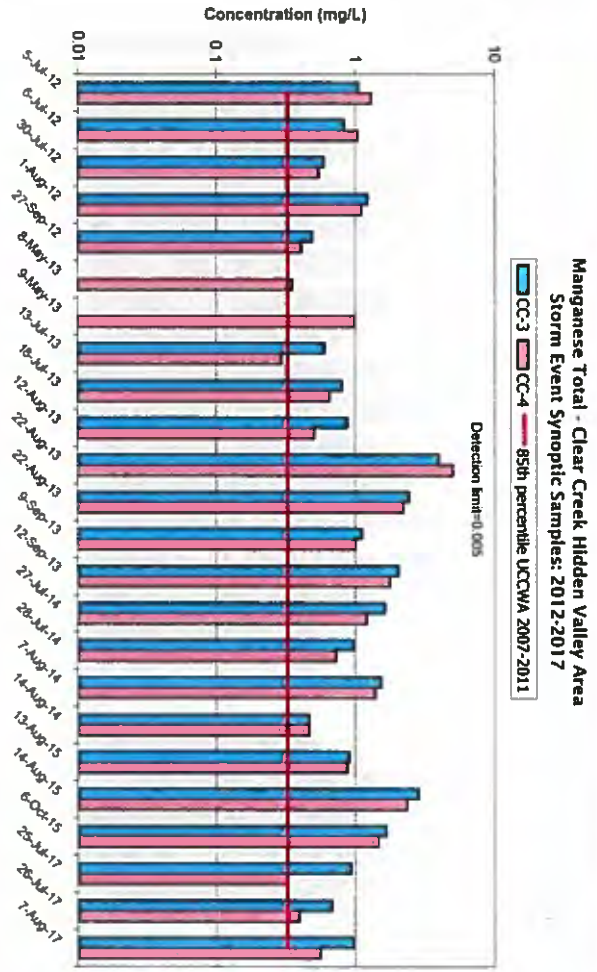
Iron Total - Clear Creek Hidden Valley Area
Storm Event Synoptic Samples: 2012-2017



Lead Total - Clear Creek Hidden Valley Area
Storm Event Synoptic Samples: 2012-2017

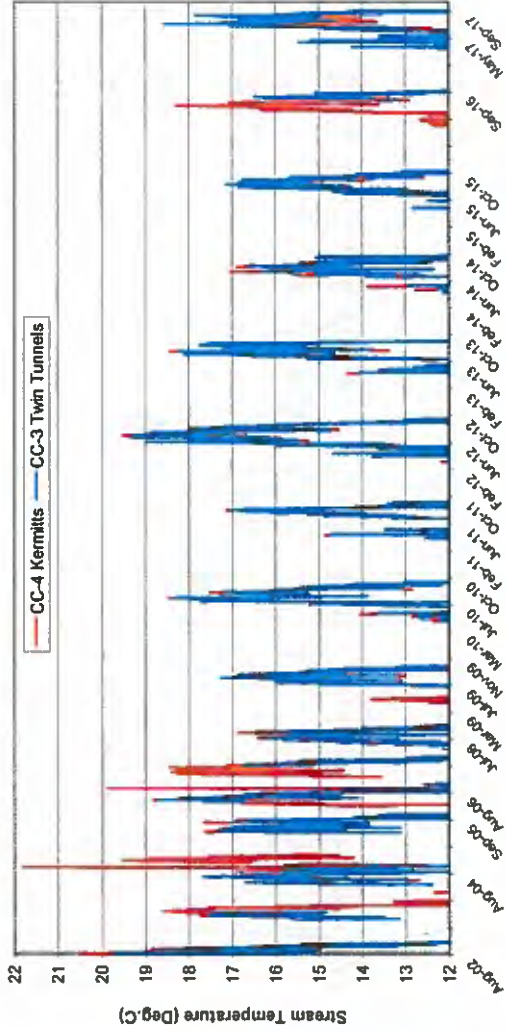


Clear Creek Hidden Valley Area Storm Event Data Results Manganese and Zinc

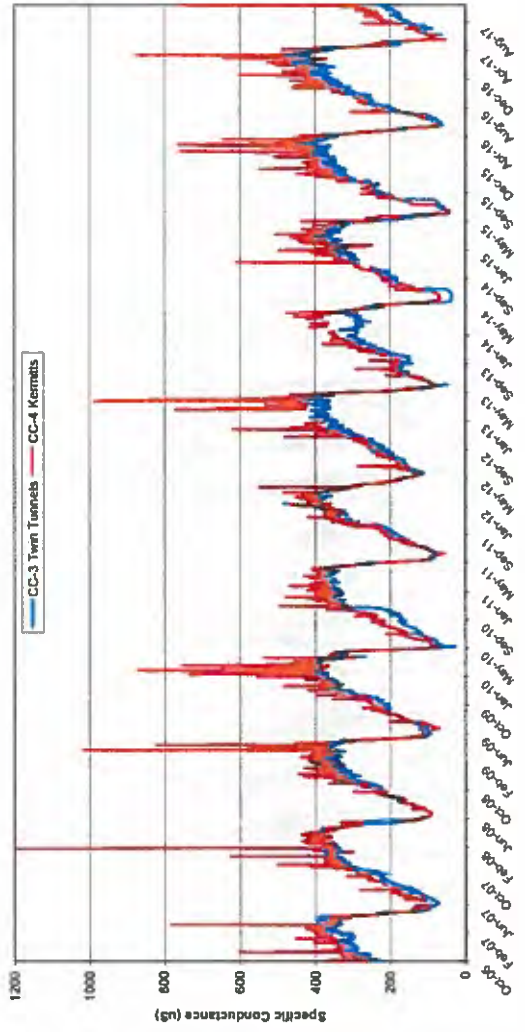


Clear Creek Hidden Valley Area Data Results Maximum Stream Temperature and Conductivity

Clear Creek Maximum Daily Stream Temperature
Hidden Valley Stations CC-3 and CC-4: Summer 2002 to 2017

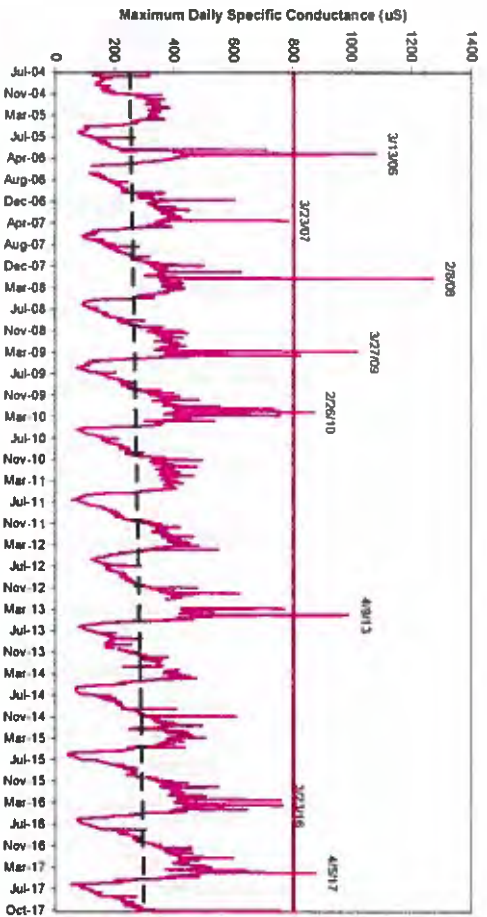


Clear Creek Maximum Daily Conductivity
Hidden Valley Stations CC-3 and CC-4: 2006 to 2017

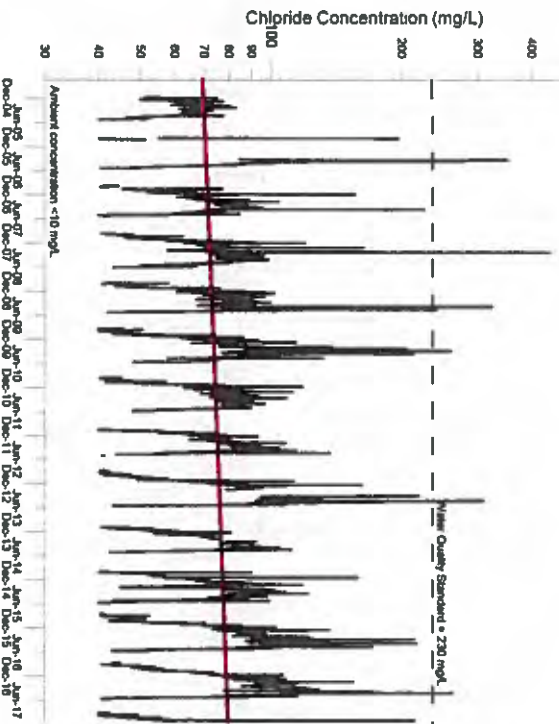


Clear Creek Hidden Valley Area Data Trends Station CC-4 Maximum Specific Conductance and Chloride

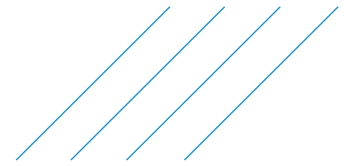
Clear Creek at Kernitts (CC-4) Maximum Specific Conductance
July 2004 to November 2017



Clear Creek at Kernitts (CC-4)
Winter Chloride Concentration: 2004-2017



Correspondence - Section 6(f)



Memo

To: Project File

From: Carol Coates	Email: carol.coates@atkinsglobal.com
Date: 11 January 2019	Phone: 720-475-7029
Ref: CDOT Project # 21912	cc: Mandy Whorton, Troy Halouska

Subject: I-70 Floyd Hill to Veterans Memorial Tunnels, Section 6(f) Clearance

Project Description

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration, in cooperation with local communities and other agencies, are conducting the Interstate 70 (I-70) Floyd Hill to Veterans Memorial Tunnels Environmental Assessment as a Tier 2 National Environmental Policy Act process. The purpose of the Project is to improve travel time reliability, safety, and mobility, and address the deficient infrastructure on westbound I-70 through the Floyd Hill area of the I-70 Mountain Corridor.

Project Location

The project is located on I-70 between milepost 248 (just east of the Floyd Hill/Beaver Brook interchange) and Exit 241 (Idaho Springs/Colorado Boulevard, west of the Veterans Memorial Tunnels). It is located mostly within Clear Creek County with the eastern end located within Jefferson County.

Section 6(f)

Section 6(f) of the Land and Water Conservation Fund Act (36 Code of Federal Regulations [CFR] 59) protects recreational lands planned, acquired, or developed with Land and Water Conservation Fund monies. The National Park Service and Colorado Parks and Wildlife supplied information for the inventory of Section 6(f) resources. Data provided by these agencies identified no recreational properties funded with Land and Water Conservation Fund monies within or adjacent to the project area. This information was confirmed by Lindsey Edgar, CDOT Section 6(f) Program Manager, in an email sent to Vanessa Henderson, CDOT I-70 Mountain Corridor Environmental Manager, on September 20, 2017 (see attached).

Coates, Carol

From: Halouska, Troy <Troy.Halouska@atkinglobal.com>
Sent: Friday, September 21, 2018 1:21 PM
To: Mandy Whorton
Subject: FW: 21912 Floyd Hill: Draft Environmental Scoping Meeting NotesForm for Review

Troy K. Halouska
Denver NEPA Team Lead, Senior Project Manager

ATKINS

7604 Technology Way | Suite 400 | Denver, CO 80237
Office: [303.221.7275](tel:303.221.7275) | Direct: [303.214.0833](tel:303.214.0833) | Cell: [720.371.5519](tel:720.371.5519)
Email: troy.halouska@atkinglobal.com | Web: www.atkinglobal.com

From: Halouska, Troy
Sent: Tuesday, July 17, 2018 1:59 PM
To: Behrad, Anahita <Anahita.Behrad@atkinglobal.com>
Subject: Re: 21912 Floyd Hill: Draft Environmental Scoping Meeting NotesForm for Review

Perfect. Thanks.

Sent from my iPhone

On Jul 17, 2018, at 1:57 PM, Behrad, Anahita <Anahita.Behrad@atkinglobal.com> wrote:

For your records.

Anahita Behrad *ENV SP*
Senior Planner II, EcoSciences
North America
Engineering, Design and Project Management
Tel: +1 720 475 7039 Mob: +1 760 485 9462

Atkins, member of the SNC-Lavalin Group
7604 Technology Way, Suite 400, Denver, CO 80237

From: Henderson - CDOT, Vanessa [<mailto:vanessa.henderson@state.co.us>]
Sent: Wednesday, September 20, 2017 7:01 PM
To: Wallis, Carrie <Carrie.Wallis@atkinglobal.com>; Behrad, Anahita <Anahita.Behrad@atkinglobal.com>
Subject: Fwd: 21912 Floyd Hill: Draft Environmental Scoping Meeting NotesForm for Review

FYI.....Lindsay verified with the full project limits and no Section 6(f).

Vanessa Henderson
I-70 Mountain Corridor Environmental Manager



P 720.497.6924
425A Corporate Circle
Golden, CO 80401

vanessa.henderson@state.co.us | <https://www.codot.gov/>

----- Forwarded message -----

From: **Edgar - CDOT, Lindsay** <lindsay.edgar@state.co.us>
Date: Wed, Sep 20, 2017 at 5:00 PM
Subject: Re: 21912 Floyd Hill: Draft Environmental Scoping Meeting NotesForm for Review
To: "Henderson - CDOT, Vanessa" <vanessa.henderson@state.co.us>

Hi Vanessa,

I reviewed the study area (MP 242 - MP 248) on OTIS for any Section 6(f) parcels/park boundaries and did not see any.

Thanks!

Lindsay Edgar
Planning and Environmental Linkages, Section 4(f) and 6(f) Program Manager



[4201 E. Arkansas Ave.](#), Shumate Bldg, Denver, CO 80222
P: [303.512.4157](tel:303.512.4157) lindsay.edgar@state.co.us



On Wed, Sep 20, 2017 at 1:20 PM, Henderson - CDOT, Vanessa <vanessa.henderson@state.co.us> wrote:

Hi Everyone -

Thank you to everyone who was able to participate in the scoping meeting that was held last week. I know some of you had conflicts and were unable to attend; however, please feel free to send me anything you would like to be sure is considered as we start this NEPA process.

Attached are the draft meeting notes and the draft environmental scoping form. For those of you who attended, please review and make sure we didn't miss anything or misinterpret anything you said. For those of you who weren't able to attend, please

review and send any additional information we should include. I did get some feedback after the meeting that was incorporated into these meeting notes and the scoping form, so you may think you didn't hear some things during the meeting and you'd be right.

Please provide comments by COB Friday, October 6th. I've attached the Word versions, so feel free to use track changes if you'd like or you can just reply back to me with thoughts and I'll get them incorporated. I'll get the finalized meeting notes and scoping form sent out the following week.

Thanks again for your help with this project!
Vanessa

Vanessa Henderson
I-70 Mountain Corridor Environmental Manager



P [720.497.6924](tel:720.497.6924)
[425A Corporate Circle](#)
[Golden, CO 80401](#)

vanessa.henderson@state.co.us | <https://www.codot.gov/>

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