I-270 Corridor Improvements

Final Environmental Impact Statement and Record of Decision - I-270 Corridor Improvements Project

Appendix A

Consultation

NOTE: This appendix is not able to be included with the Final EIS/ROD due to accessibility requirements. If you would like a copy of this appendix, please contact the project team at cdot_i270@state.co.us or 303-512-4270.

CDOT is dedicated to providing an accessible experience for everyone. While we are continuously improving our standards, some complex items in this document, such as certain figures and images, are difficult to create with fully accessible parameters to all users. If you need help understanding any part of this document, we are here to assist and have resources to provide additional accessibility assistance to any requests. Please email us at CDOT_Accessibility@state.co.us to request an accommodation, and a member of our I-270 Engineering Program will schedule a time to review the content with you. To learn more about accessibility at CDOT, please visit the Accessibility at CDOT webpage on the CDOT Website.

SECTION 106

History Colorado

February 17, 2026

Lisa Streisfeld
Environmental Manager
Colorado Department of Transportation
Region 1
2829 W. Howard Pl.
Denver, CO 80204
roneva.keel@state.co.us

RE: Determinations of Effect, and Section 4(f) Evaluation, Interstate 270 Corridor Improvements Project, Commerce City, Adams County, SA #s 23198 and 25611 (HC #79271)

Dear Ms. Streisfeld:

Thank you for your recent correspondence dated February 5, 2026, received by our office February 6, 2026, requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR Part 800. Our office has reviewed the submitted materials, and we offer the following comment.

Assessment of Effects
CDOT is seeking new determinations of effect of the undertaking on five previously-identified and evaluated properties within the Area of Potential Effect, due to changes in the project footprint. The properties in question are 5AM.465.9; 5AM.464.21; 5AM.472.41; 5AM.4044; and 5AM.4119.

We concur with CDOT's finding that the revised undertaking, as described, will continue to have no adverse effect on these five properties.

Section 4(f) Evaluation
Because the revised undertaking will continue to have no adverse effect on historic properties, the *de minimis* finding originally suggested by CDOT in 2024 remains valid, and we continue to agree that it is appropriate for this project.

Should unidentified historic properties or unanticipated effects to historic properties be discovered in the course of the undertaking, work must be interrupted in order to complete consultation with our office and other consulting parties 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.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or other consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for providing the opportunity to comment. If you have any questions, please contact Joseph Saldibar, Architectural Services Manager at (303) 842-5619 or by email at joseph.saldibar@state.co.us.

Sincerely,

Dr. Holly Kathryn Norton

Digitally signed by Dr. Holly Kathryn Norton
Date: 2026.02.18 10:33:58 -07'00'

(for) Dawn DiPrince
State Historic Preservation Officer

COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Place,
Denver, CO 80204

February 5, 2026

Dawn DiPrince
Executive Director and State Historic Preservation Officer
History Colorado, Office of Archaeology and Historic Preservation
1200 Broadway
Denver, CO 80203

Subject: UPDATE: I-270 Corridor Improvements Environmental Impact Statement, Section 106 Effects, and Section 4(f) Notification, Commerce City, Adams County, Colorado; CDOT SA #23198 & 25611 (HC #79271)

Dear Ms. DiPrince,

This letter and the attached documents constitute an update under Section 106 of the National Historic Preservation Act of 1966, as amended (per 36 CFR § 800), concerning the Colorado Department of Transportation (CDOT)'s I-270 Corridor Improvements Project (Project). We request concurrence on updated effect determinations related to changes in the Project's environmental footprint. CDOT previously coordinated this project with your office in a letter dated November 26, 2024, and received concurrence with CDOT's determination of *no adverse effect* to properties of historic significance in a letter from your office dated December 5, 2024 (see attached correspondence).

There are no changes to the project methodology, APE, or eligibility determinations for this project. Project designs have advanced since the previous consultation and the Project now requires additional and expanded easements on properties within the existing APE: Burlington Ditch segment (5AM.465.9), Sand Creek Junction (5AM.4119), CB&Q/BNSF railroad segment (5AM.464.21), DP/UP railroad segment (5AM.472.41), and Suncor (5AM.4044). Additionally, the Project now involves the replacement of an existing storm sewer pipe that outfalls into the Burlington Ditch (see attached easement exhibit).

Project Description and Updates

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198 and History Colorado #79271), although the EA was never finalized or approved by the FHWA. In 2023, CDOT determined a more detailed environmental review was needed and requested that an Environmental Impact Statement (EIS) be prepared. The EIS examines a wider range of alternatives, including the no action alternative and two build alternatives: the three general-purpose lanes alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. CDOT coordinated the Section 106 Effects of these alternatives with your office in 2024, as noted above.

Since the previous Section 106 consultation, project designs have advanced, resulting in adjustments to easements throughout the project corridor. These include minor increases in the size of easements needed on historic properties. Additionally, Project updates include the replacement of an existing storm sewer pipe within the boundary of the Burlington Ditch (5AM.465.9). With the exception of the pipe replacement, no additional work will take place on the new or expanded easements; additions to the easements are for construction and maintenance access.

Table 1. Summary of Easement Changes

Easement Number	Previous Easement Needs based on 2024 SHPO consultation*	Updated Easement Needs as of 2026	Notes
Resource: Burlington Ditch (5AM.465.9). Exhibit 1.			
TE 3-05	2.87 ac (0.07 ac within resource boundary)	2.25 ac (0.00 within resource boundary)	Easement NO LONGER NEEDED within resource boundary
TE 3-06	0.10 ac (0.10 ac within resource boundary)	0.3 ac (0.27 ac within resource boundary)	Northern portion of easement was removed from boundary of historic resource; easement was expanded across ditch for temporary construction access
TE 3-07	0.03 ac (0.03 ac within resource boundary)	0.03 ac (0.03 ac within resource boundary)	NO CHANGE
TE 3-08	1.04 ac (0.87 ac within resource boundary)	1.10 ac (0.87 ac within resource boundary)	Expanded easement area; no change of easement size within resource boundary
TE 3-15	0.21 ac (0.10 ac within resource boundary)	0.23 ac (0.10 within resource boundary)	Expanded easement area; no change of easement size within resource boundary
PE 3-03	0.09 ac (0.01 ac within resource boundary)	0.16 ac (0.00 ac within resource boundary)	Easement NO LONGER NEEDED within resource boundary
PE 3-04	0.00 ac	0.16 ac (0.01 ac within resource boundary)	New PE within historic resource boundary
Resource: CB&Q/BNSF Segment – Brush Line (5AM.464.21). Exhibit 2.			
TE 4-04	0.14 ac (0.02 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.11 ac within resource boundary)	2.34 ac (0.11 ac within resource boundary)	No expansion within resource boundary; see below for expansions within DP/UP segment (5AM.472.41)
TE 4-08	0.06 ac (0.02 ac within resource boundary)	1.53 ac (0.05 ac within resource boundary)	Expanded easement area with 0.03 ac expansion within resource boundary
Resource: DP/UP Segment – Greeley Line (5AM.472.41). Exhibit 2.			
TE 4-04	0.14 ac (0.05 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.21 ac within resource boundary)	2.34 ac (0.26 ac within resource boundary)	Expanded easement area with 0.05 ac expansion within resource boundary
Resource: Suncor (5AM.4044). Exhibit 2.			
TE 4-03	0.00 ac (0.00 ac within resource boundary)	0.14 ac (0.14 ac within resource boundary)	New effect on historic property; easement shifted to include resource boundary

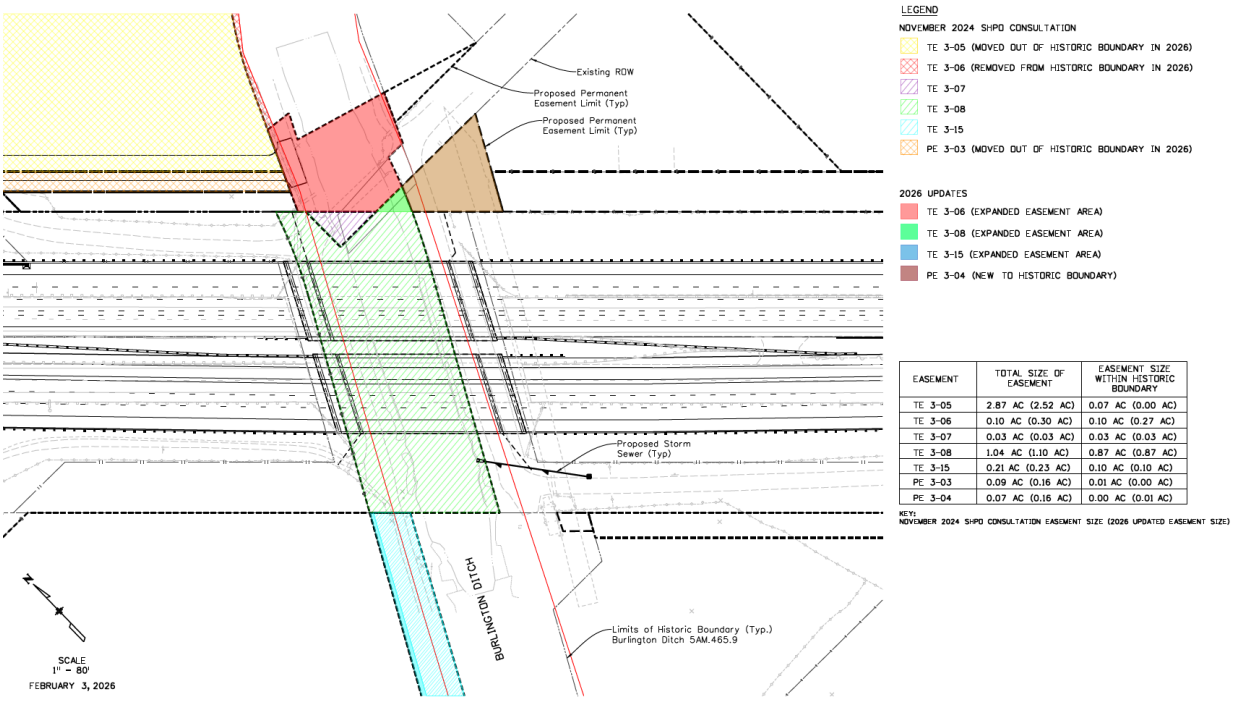
Table 1. Previous Easement Needs based on November 2024 SHPO consultation. Parentheses indicate the acreage totals within the boundaries of the historic resource. TE=Temporary Easement; PE=Permanent Easement.

Updated Project Effects

In 2024, CDOT assessed the potential effects of the three I-270 EIS alternatives on the 78 age-eligible historic properties within the APE. At that time, CDOT made a finding of *no historic properties affected* for 67 properties determined not eligible for the NRHP and a finding of *no adverse effect* for 11 properties determined eligible for the NRHP. For this update, CDOT only evaluated the following NRHP-eligible properties affected by the Project changes described above.

Burlington Ditch/O'Brien Canal (5AM 465, including segment 5AM.465.9): As coordinated for the Project in 2024, proposed improvements under the two build alternatives include replacing the two existing three-span continuous steel plate girder bridges (E-17-IF and E-17-IG) that carry I-270 over the Burlington Ditch/O'Brien Canal at this location. In 2024, your office concurred with CDOT's finding of *no adverse effect*.

When previously coordinated, CDOT determined this work would require approximately 1.17 acres of temporary easements and 0.01 acres of permanent easement within the historic ditch boundary. Updates to the Project design now require approximately 1.27 acres of temporary easements and 0.01 acres of permanent easement. Additionally, the project will replace an existing storm sewer pipe that outfalls within the resource boundaries. These changes would not modify or alter the character-defining features of the ditch or the ditch riders' roads. All construction impacts are temporary, and the ditch will be returned to pre-construction conditions at project end. There would be no permanent change to the integrity of location, design, or workmanship to the ditch and only one very minor change to the materials with the replacement of the storm sewer pipe. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.



EASEMENT	TOTAL SIZE OF EASEMENT	EASEMENT SIZE WITHIN HISTORIC BOUNDARY
TE 3-05	2.87 AC (2.52 AC)	0.07 AC (0.00 AC)
TE 3-06	0.10 AC (0.30 AC)	0.10 AC (0.27 AC)
TE 3-07	0.03 AC (0.03 AC)	0.03 AC (0.03 AC)
TE 3-08	1.04 AC (1.10 AC)	0.87 AC (0.87 AC)
TE 3-15	0.21 AC (0.23 AC)	0.10 AC (0.10 AC)
PE 3-03	0.09 AC (0.16 AC)	0.01 AC (0.00 AC)
PE 3-04	0.07 AC (0.16 AC)	0.00 AC (0.01 AC)

Figure 1 Burlington Ditch Exhibit (Exhibit 1 in Attachments). Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements.

CB&Q/BNSF – Brush Line (5AM.464, including segment 5AM.464.21); DP/UP Segment – Greeley Line (5AM.472, including segment 5AM.472.41); and Sand Creek Junction (5AM.4119): These three railroad resources are interconnected, consisting of two rail lines intersecting at a junction under I-270

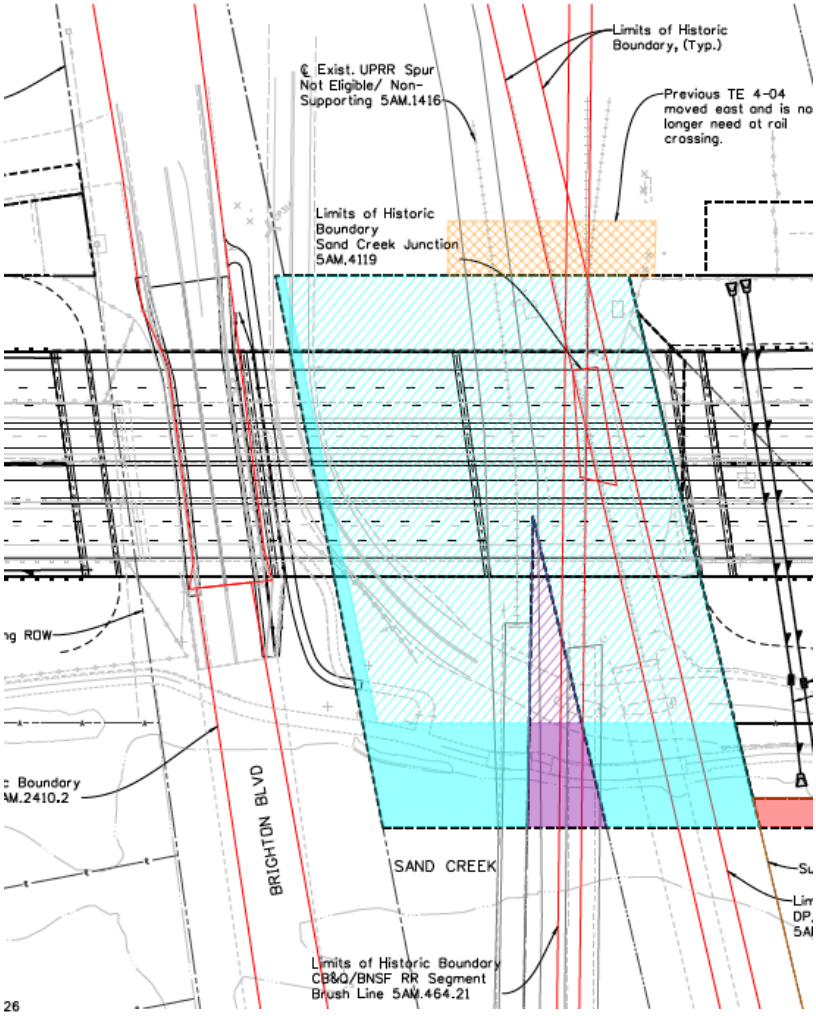


Figure 2 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red lines indicate boundary limits of historic linear resources. Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements. Yellow hatched area at north end of image has been removed from the project.

about 180 feet southeast of Brighton Boulevard. Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265, the CB&Q/BNSF Railroad, and DP/UP Railroad, as well as Sand Creek Junction. In 2024, your office concurred with CDOT's finding of *no adverse effect*.

When previously coordinated, CDOT determined this work would require small temporary easements totaling approximately 0.39 acres. As shown on Exhibit 2 (see attachment), the location of these easements has expanded on the west and south end of the project area and an easement on the north end (TE 4-04) has been removed completely, resulting in a slight overall increase to approximately 0.42 acres. These very small temporary easements would be for construction access and would be returned to pre-construction conditions once bridge construction is complete. The only changes to the Project from the previous coordination would be the exact size and location of the easements; there would be no permanent change to the integrity of location, materials, design, or workmanship of the railroad resources. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.

Suncor (5AM.4044): In 2024, Suncor was assumed eligible to the NRHP for the purposes of Section 106. Project updates require a small temporary easement of approximately 0.14 acres along the northeast corner of the property, adjacent to 60th Avenue (TE 4-03). This easement is in an already disturbed area where there are not developed refinery improvements. This easement would be for construction access only, and the

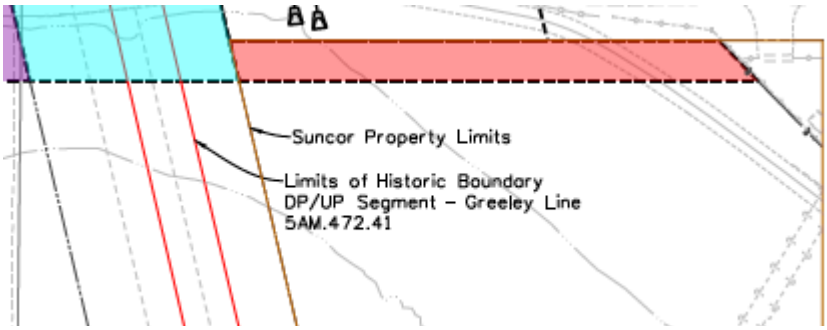


Figure 3 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red indicates new easement on Suncor property (5AM.4044), which has been assumed eligible for the purposes of Section 106.

Project would return the affected area to pre-existing conditions prior to project end. CDOT makes a determination of *no adverse effects*.

In addition to the changes noted above, the Project proposes to replace two existing storm sewer pipes that run roughly north to south, east of and adjacent to the DP/UP segment (5AM.472.41) (see Exhibit 2). Although these pipes are within the APE, the pipes and outfalls are outside the boundaries of any historic resources and will not have any effects to adjacent resources.

Section 4(f) Notifications

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], the FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made such a determination for ten historic properties in the previous 2024 coordination with your office. On August 20, 2025, FHWA confirmed the *de minimis* finding, which includes the properties considered here.

Due to the *no adverse effect* determinations for the Project updates considered herein, FHWA intends to make a *de minimis* finding for the updated project effects.

We request your concurrence with CDOT's updated determinations of effects outlined above, and your acknowledgement that FHWA may apply the de minimis under Section 4(f) for the resources above. If you require additional information, please contact CDOT Region 1 Historian Roneva Keel at 303-512-4244 or roneva.keel@state.co.us.

Sincerely,

Lisa Streisfeld

Digitally signed by Lisa Streisfeld
Date: 2026.02.06 12:51:27 -07'00'

Lisa Streisfeld
CDOT Region 1 Environmental Manager

Enclosures: *Attachment 1. 2024 Section 106 Consultation – SHPO Concurrence*

Attachment 2. 2024 Section 106 Consultation – Eligibility and Effects Letter

Attachment 3. Easement Exhibit 1: Burlington Ditch

Attachment 4. Easement Exhibit 2: Railroads and Suncor

Attachment 5. APE

COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Place,
Denver, CO 80204

February 5, 2026

Heather Vidlock, Planning Manager
Commerce City Community Development Department
7887 E. 60th Ave.
Commerce City, CO 80022

Jenni Hall
Director, Adams County Community and Economic Development
4430 S. Adams County Parkway
Brighton, CO

Kara Hahn
Principal Planner, Denver Landmark Preservation Commission
City and County of Denver
201 W. Colfax Ave., Dep. 25
Denver, CO 80202

Subject: UPDATE: I-270 Corridor Improvements Environmental Impact Statement and Section 106 Effects, Commerce City, Adams County, Colorado; CDOT SA #23198 & 25611 (HC #79271)

Dear Ms. Vidlock, Ms. Hall, and Ms. Hahn,

This letter is a request for comments under continued Section 106 consultation concerning the Colorado Department of Transportation (CDOT)'s I-270 Corridor Improvements Project (Project). CDOT previously consulted on the project with the State Historic Preservation Office (SHPO) and consulting parties on November 26, 2024. At this time, we are providing you with project updates, which involve some minor adjustments in the size and location of some easements and the replacement of storm sewer pipes not identified in the previous correspondence. CDOT is responsible for carrying out Section 106 on FHWA's behalf for this project. We are contacting you as consulting parties.

There are no changes to the project methodology, Area of Potential Effects (APE), or eligibility determinations for this project. Project designs have advanced since the previous consultation and the Project now requires additional and expanded easements on properties within the existing APE: Burlington Ditch segment (5AM.465.9), Sand Creek Junction (5AM.4119), CB&Q/BNSF railroad segment (5AM.464.21), DP/UP railroad segment (5AM.472.41), and Suncor (5AM.4044). Additionally, the Project now involves the replacement of an existing storm sewer pipe that outfalls into the Burlington Ditch (see attached easement exhibit).

Project Description and Updates

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198 and

History Colorado #79271), although the EA was never finalized or approved by the FHWA. In 2023, CDOT determined a more detailed environmental review was needed and requested that an Environmental Impact Statement (EIS) be prepared. The EIS examines a wider range of alternatives, including the no action alternative and two build alternatives: the three general-purpose lanes alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. CDOT coordinated the Section 106 Effects of these alternatives with the SHPO in 2024, as noted above.

Since the previous Section 106 consultation, project designs have advanced, resulting in adjustments to easements throughout the project corridor. These include minor increases in the size of easements needed on historic properties. Additionally, Project updates include the replacement of an existing storm sewer pipe within the boundary of the Burlington Ditch (5AM.465.9). With the exception of the pipe replacement, no additional work will take place on the new or expanded easements; additions to the easements are for construction and maintenance access.

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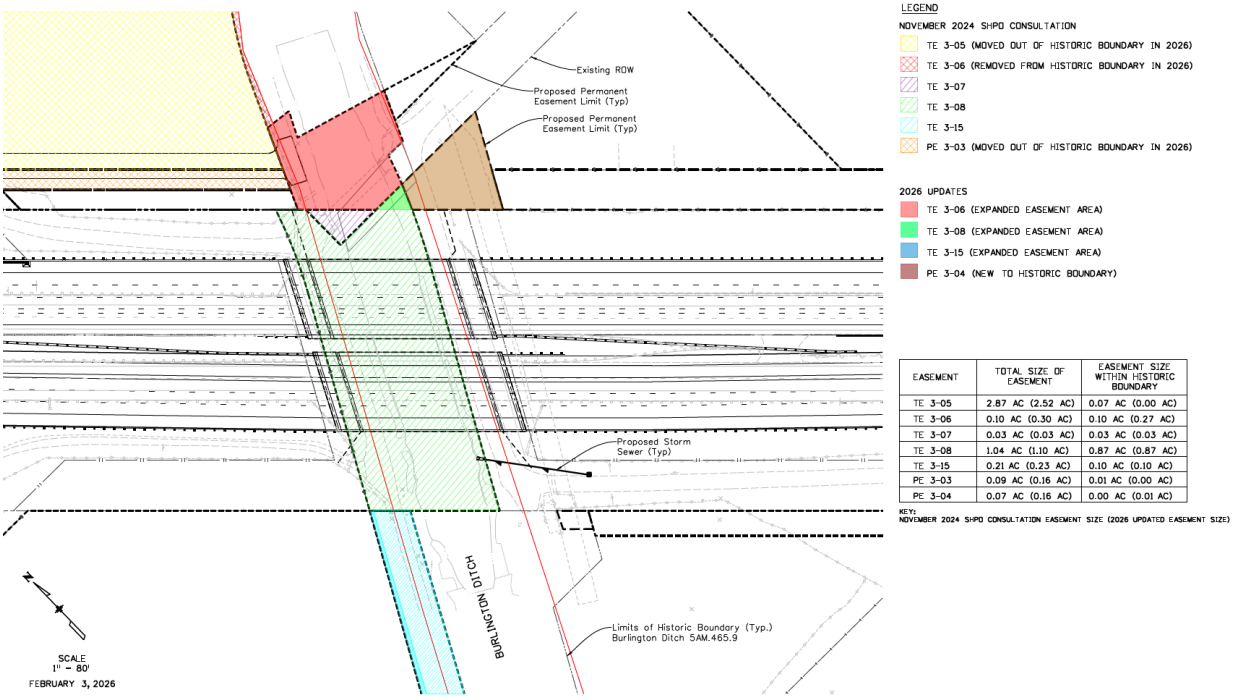

Figure 1 Burlington Ditch Exhibit (Exhibit 1 in Attachments). Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements.

When previously coordinated, CDOT determined this work would require approximately 1.17 acres of temporary easements and 0.01 acres of permanent easement within the historic ditch boundary. Updates to the Project design now require approximately 1.27 acres of temporary easements and 0.01 acres of permanent easement. Additionally, the project will replace an existing storm sewer pipe that outfalls within the resource boundaries. These changes would not modify or alter the character-defining features of the ditch or the ditch riders' roads. All construction impacts are temporary, and the ditch will be returned to pre-construction conditions at project end. There would be no permanent change to the integrity of location, design, or workmanship to the ditch and only one very minor change to the materials with the replacement of the storm sewer pipe. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.

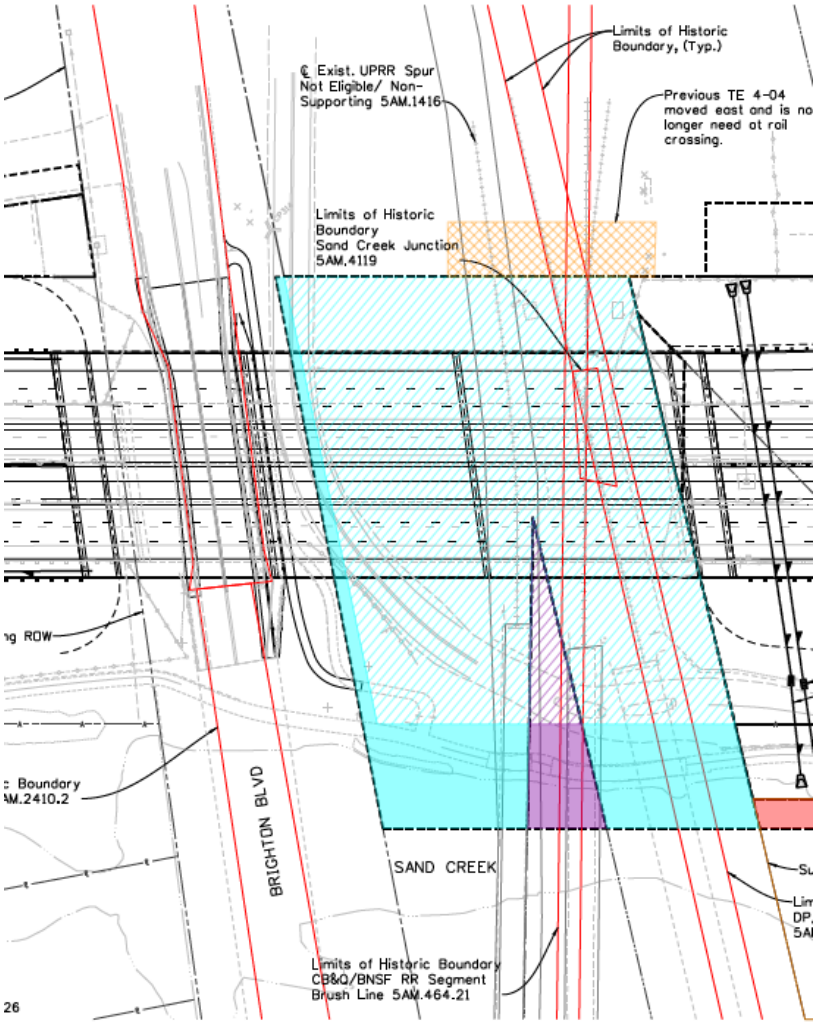

Figure 2 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red lines indicate boundary limits of historic linear resources. Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements. Yellow hatched area at north end of image has been removed from the project.

CB&Q/BNSF – Brush Line (5AM.464, including segment 5AM.464.21); DP/UP Segment – Greeley Line (5AM.472, including segment 5AM.472.41); and Sand Creek Junction (5AM.4119): These three railroad resources are interconnected, consisting of two rail lines intersecting at a junction under I-270 about 180 feet southeast of Brighton Boulevard. Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265, the CB&Q/BNSF Railroad, and DP/UP Railroad, as well as Sand Creek Junction. In 2024, the SHPO concurred with CDOT's finding of *no adverse effect*.

When previously coordinated, CDOT determined this work would require small temporary easements totaling approximately 0.39 acres. As shown on Exhibit 2 (see attachment), the location of these easements has expanded on the west and south end of the project area and an easement on the north end (TE 4-04) has been removed completely, resulting in a slight overall increase to approximately 0.42 acres. These very small temporary easements would be for construction access and would be returned to pre-construction conditions once bridge construction is complete. The only changes to the Project from the previous coordination would be the exact size and location of the easements; there would be no

permanent change to the integrity of location, materials, design, or workmanship of the railroad resources. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.

Suncor (5AM.4044): In 2024, Suncor was assumed eligible to the NRHP for the purposes of Section 106. Project updates require a small temporary easement of approximately 0.14 acres along the northeast corner of the property, adjacent to 60th Avenue (TE 4-03). This easement is in an already disturbed area where there are not developed refinery improvements. This easement would be for construction access only, and the Project would return the affected area to pre-existing conditions prior to project end. CDOT makes a determination of *no adverse effects*.

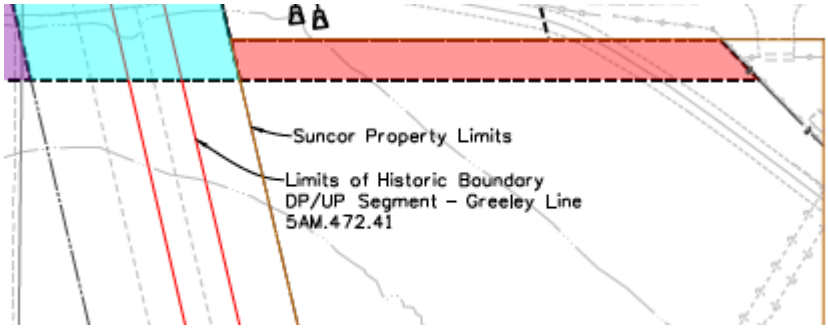

Figure 3 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red indicates new easement on Suncor property (5AM.4044), which has been assumed eligible for the purposes of Section 106.

In addition to the changes noted above, the Project proposes to replace two existing storm sewer pipes that run roughly north to south, east of and adjacent to the DP/UP segment (5AM.472.41) (see Exhibit 2). Although these pipes are within the APE, the pipes and outfalls are outside the boundaries of any historic resources and will not have any effects to adjacent resources.

We request your comments on CDOT's updated determinations of effects outline above. Please submit your comments **no later than March 7, 2026.** If we do not hear from you within 30 days, we will assume you have no comments. To expedite our process, please respond if you have no comments as quickly as possible. If you require additional information, please contact CDOT Region 1 Historian Roneva Keel at 303-512-4244 or roneva.keel@state.co.us.

Sincerely,

Lisa Streisfeld
CDOT Region 1 Environmental Manager

Enclosures: *Attachment 1. 2024 Section 106 Consultation – SHPO Concurrence*

Attachment 2. 2024 Section 106 Consultation – Eligibility and Effects Letter

Attachment 3. Easement Exhibit 1: Burlington Ditch

Attachment 4. Easement Exhibit 2: Railroads and Suncor

Attachment 5. APE

History Colorado

December 5, 2024

Lisa Streisfeld
Region 1 Environmental Manager
Colorado Dept. of Transportation
2829 W. Howard Place
Denver, Colorado 80204
Email: barbara.stocklin@state.co.us

RE: I-270 Corridor Improvements Environmental Impact Statement, Section 106 and Section 4(f), Commerce City, Adams County, and City and County of Denver, STU 2706-043, Subaccount #23198 (HC#79271)

Dear Ms. Streisfeld:

Thank you for your recent correspondence dated and received November 26, 2024, requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation (NHPA) and its implementing regulations 36 CFR Part 800. Our office has reviewed the submitted materials, and we offer the following comments.

In 2021, the Federal Highway Administration and CDOT proposed improvements along the Interstate 270 corridor under a draft Environmental Assessment (EA). It is our understanding that in 2023, CDOT determined a more detailed environmental review was needed and prepared an Environmental Impact Statement (EIS). Additional Section 106 consultation is required for the I-270 EIS given that several years have passed since the prior coordination for the draft I-270 EA; a wider range of alternatives are under consideration; and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA.

Identification of Historic Properties
We agree the revised area of potential effect (APE) and survey methodology are appropriate for the undertaking.

We remain in concurrence with the determinations of eligibility and findings as stated in our letter of March 5, 2021 (HC#79271). This particularly applies to six (6) properties that were re-recorded for the EIS: 5AM.465.9; 5AM.2410.2; 5AM.3924.2; 5AM.4114; 5AM.4116; and 5AM.4117.

We also concur with your determinations that five (5) additional properties—5AM.4317, 5AM.4318, 5AM.4319, 5AM.4320, and 5AM.4321—are not eligible for the National Register of Historic Places. Accordingly, we concur with your finding the undertaking as described will result in no historic properties affected, pursuant to 36 CFR 800.4(d)(1), to those five properties.

History Colorado

Section 4(f)
We acknowledge FHWA may use a de minimis finding for the undertaking to comply with Section 4(f) of the U.S. Department of Transportation Act and its implementing regulations 23 CFR Part 774.

Should unidentified historic properties or unanticipated effects to historic properties be discovered in the course of the undertaking, work must be interrupted in order to complete consultation with our office and other consulting parties 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.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact Mitchell K. Schaefer, Section 106 Compliance Manager, at (303) 866-2673 or by email at mitchell.schaefer@state.co.us.

Sincerely,

Patrick A. Eidman Digitally signed by Patrick A. Eidman
Date: 2024.12.12 16:13:23 -07'00'

(for) Dawn DiPrince
State Historic Preservation Officer

COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Pl.
Denver, CO 80204

November 26, 2024

Ms. Dawn DiPrince
State Historic Preservation Officer
History Colorado
1200 Broadway, Denver, CO 80203

SUBJECT: I-270 Corridor Improvements Environmental Impact Statement, Section 106 and Section 4(f), Commerce City, Adams County, and City and County of Denver, STU 2706-043, Subaccount #25611

Dear Ms. DiPrince,

At this time, we are requesting concurrence on Determinations of National Register of Historic Places (NRHP) eligibility and effects made under Section 106 of the National Historic Preservation Act of 1966 (Section 106) for the *I-270 Corridor Improvements Environmental Impact Statement* (I-270 EIS). The I-270 EIS proposes improvements along an approximately 6.5 mile long controlled-access interstate highway between I-25 and I-70, located in Commerce City, unincorporated Adams County, and the City and County of Denver. The Section 106 process applies since the Federal Highway Administration (FHWA) is providing federal funding and approvals for anticipated improvements included in the I-270 EIS. The Colorado Department of Transportation (CDOT) is completing the Section 106 process on behalf of FHWA, consistent with the 2014 Section 106 Programmatic Agreement among FHWA, CDOT, the Colorado State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation, as amended in 2024 (*2014 Amended Section 106 Programmatic Agreement*). CDOT's Section 106 findings are summarized in the enclosed *Historic Resources Report: I-270 Corridor Improvements Environmental Impacts Statement (I-270 Historic Resources Report*).

Background

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198, and History Colorado #79271), although the EA was never finalized or approved by FHWA. Moving into 2023, CDOT determined a more detailed environmental review was needed and requested that an EIS be prepared. The EIS examines a wider range of alternatives, including the no action alternative, and two build alternatives: the three general-purpose lane alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. The footprints of the two build alternatives advanced under the I-270 EIS are similar to the preferred alternative coordinated through the Section 106 process for the draft EA in 2021. However, additional Section 106 consultation is required for the I-270 EIS given that several years have passed since the prior coordination for the draft I-270 EA; a wider range of alternatives are under consideration; and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA. For additional information, refer to Section 2, "Project Description and Area of Potential Effects," of the enclosed *I-270 Historic Resources Report.*

Area of Potential Effects and Section 106 Methodology

CDOT's Section 106 methodology for the I-270 EIS is consistent with *2014 Amended Section 106 Programmatic Agreement*. Based on the alternatives and designs considered under the I-270 EIS, this report presents a slightly amended Area of Potential Effects (APE) for historic properties as compared to the I-270 draft EA. The APE

includes: the project footprints for all three I-270 EIS alternatives and the associated I-270 rights-of-way; areas where noise receptors are present; and all areas where proposed improvements may directly or indirectly cause alterations in the character or use of historic properties. Refer to Section 2. B "Area of Potential Effects" and Appendix C. "Area of Potential Effects Maps" of the enclosed *I-270 Historic Resources Report* for additional information. CDOT also conducted additional historic property identification efforts and evaluations of National Register of Historic Places (NRHP) eligibility for the I-270 EIS. The I-270 EIS includes additional and modified alternatives from the I-270 draft EA, and there have been changes in bridge designs and refinement of ramp designs since 2021. As such, CDOT performed a new evaluation of the I-270 EIS alternatives in terms of their effects on historic properties. CDOT's efforts to identify historic properties and evaluate effects for the I-270 EIS are summarized below, with more detailed information provided in the *I-270 Historic Resources Report.*

Historic Property Identification and Significance Evaluations

In 2021, when CDOT was preparing a draft EA for the I-270 corridor, the agency identified a total of 71 historic architectural and linear properties built in 1976 or earlier within the project APE, and found 11 of these properties NRHP eligible. CDOT further determined that the improvements anticipated under the draft EA would not cause any adverse effects to historic properties. Additional information on these resources is found in Section 3, "Research Design and Methodology," and on Table 1 of the enclosed *I-270 Historic Resources Report;* the Section 106 consultation completed for the draft I-270 EA is also included as Appendix A of the report.

For CDOT's Section 106 evaluation of the I-270 EIS, CDOT identified 78 age-eligible properties within the APE for the I-270 EIS. This includes the 70 previously recorded historic resources considered by the draft EA, plus eight (8) additional properties, as shown on Table 2 of the enclosed *I-270 Historic Resources Report.* This includes five (5) properties within the APE dating from 1976 to 1980 (with 1980 being the extended age-cutoff for properties to be considered for potential NRHP significance under the EIS). In terms of the 59 previously evaluated properties determined NRHP *not eligible* under the 2021 draft EA, three (3) properties dating from 1973 and 1974 were re-confirmed *not eligible* in 2024 using Office of History and Archaeology (OAHP) Revisitation Forms. For the remaining 57 previously surveyed NRHP *not eligible* properties, CDOT is relying on their prior *not eligible* determinations without any further reevaluation, consistent with the *2014 Amended Section 106 Programmatic Agreement*.

In terms of the 11 properties in the I-270 EIS that were previously determined NRHP *eligible,* CDOT re-evaluated three discrete segments of three (3) NRHP *eligible* (or assumed eligible) linear resources in 2024: Burlington Ditch (5AM.465.9), Brighton Boulevard (5AM.2410.2) and Vasquez Boulevard (5AM.3924.2). These linear segments were reevaluated on OAHP survey forms to provide clarifications and correct inaccuracies on prior survey forms. The overall NRHP eligibility of these linear resources and the *supporting* and *non-supporting* status of these segments did not change from 2021, For the five (5) other previously surveyed NRHP eligible linear resources, CDOT is assuming that their overall NRHP eligibility also remains unchanged, and that the *non-supporting* and *supporting* status of their associated segments remain consistent with prior NRHP eligibility determinations as reflected in History Colorado's Compass database without additional survey work in 2024. The three (3) individually eligible (or treat as eligible) properties within the APE also remain eligible without re-survey in 2024: Suncor Energy (5AM.4044), Plastics, Inc. (5AM.4047), and Sand Creek Junction (5AM.4119). Site visits and review of these properties in 2024 did not reveal any significant changes that warranted completion of additional OAHP survey forms.

For the 11 NRHP eligible properties discussed above, CDOT will rely on prior eligibility determinations for an additional five (5) years from this Section 106 coordination, consistent with the *2014 Amended Section 106 Programmatic Agreement*. Given that this letter is written in late 2024 and that the Final EIS is anticipated to be published in 2025, CDOT is requesting your concurrence that CDOT can rely on the NRHP eligible determinations for these 11 NRHP eligible properties through 2030. For more information on CDOT's NRHP

eligibility determinations for the I-270 EIS, please refer to Section 4, "Historic Property Identification and Significance Evaluations," and Tables 1-3 of the enclosed *I-270 Historic Resources Report*.

Determination of Effects

CDOT assessed the potential impacts of the three I-270 EIS alternatives on the 78 age-eligible historic properties within the APE.. CDOT made a finding of "No Historic Properties Affected" for 67 NRHP not eligible properties, and a finding of "No Adverse Effect" for 11 NRHP eligible properties. None of the alternatives considered under the EIS are anticipated to cause adverse effects to historic properties. CDOT has done substantial due diligence to avoid direct impacts to historic properties, and to place bridge piers and other vertical structural elements outside the boundaries of historic linear resources. For the 11 NRHP eligible properties, CDOT obtained conceptual design drawings and preliminary right-of-way (including easement) information to conduct its assessment of effects on historic properties. A property by property assessment of effects for the 11 NRHP eligible properties is found in Section 5.A. "Determinations of Effect" of the *I-270 Historic Resources Report;* Table 4 of the report delineates the effect findings for all 78 age-eligible historic properties within the APE for all three alternatives considered under the I-270 EIS.

While the above discussion of effects focuses on non-archaeological resources, the enclosed *I-270 Historic Resources Report* also summarizes of the potential effects of the I-270 EIS alternatives on archaeological resources. Substantial efforts to identify and evaluate the historical significance of archaeological properties occurred in 2019-2021 as part of the draft I-270 EA. This included an archaeological survey and assessment of the study corridor conducted by ERO Resources Corporation on behalf of CDOT. When CDOT transitioned to an EIS level analysis in 2023 and 2024, CDOT studied the APE and the two build alternatives to determine if additional archaeological survey and documentation work would be needed. As a result of this analysis, CDOT determined no further archaeological fieldwork was needed for the I-270 EIS based on the earlier archaeological identification efforts that were completed as well as extensive prior disturbance within the modified APE, confirmed by field inspection in May 2024. Consequently, similar to the draft EA, CDOT has determined that a "No Historic Properties Affected" finding is appropriate for the draft I-270 EIS for archaeological resources. Refer to Section 3.C. "Archaeology" of the enclosed *I-270 Historic Resources Report* for additional information.

As individual projects move forward under an approved EIS and Record of Decision (ROD), CDOT archaeologists and historians will re-assess specific project information as it is developed to determine if additional research and investigations are needed for cultural resources. CDOT archaeologists and historians will also review designs for individual projects advanced under the I-270 EIS to determine if effects to historic properties need to be re-evaluated and whether additional Section 106 consultation is warranted.

Section 4(f) Notification of *De Minimis* Impact

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires special consideration of park and recreation lands, wildlife and waterfowl refuges, and *historic sites* during transportation project development. The law is implemented by the FHWA and the Federal Transit Administration through the regulation 23 Code of Federal Regulations (CFR) 774. A *de minimis* impact involves the use of Section 4(f) property that is generally minor in nature, results in a determination of *no adverse effec*t, the SHPO has been notified of FHWA's intent to make a de minimis impact determination, and FHWA has considered the views of any consulting parties participating in the Section 106 consultation.

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made a finding of "No Adverse Effect" for the 11 NRHP eligible properties located within the Area of Potential Effects for the three EIS Alternatives as reflected in Table 4 of the *I-270 Historic Resources Report*. This finding reflects a conclusion that the effects would not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship,

feeling or association as described in 36 CFR § 800.5(a)(1). The analysis in this report has identified a potential new direct and/or temporary transportation use for 10 of these NRHP eligible historic sites as reflected in Table 5 of the *I-270 Historic Resources Report.* Due to the "No Adverse Effect" determinations, FHWA plans to make a Section 4(f) *de minimis* finding for these 10 historic properties:

1. 5AM.464, including 5AM.464.21, Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF)
2. 5AM.465, including, 5AM.465.9, Burlington Ditch
3. 5AM.472, including, 5AM.472.41, Denver Pacific/Union Pacific RR Greeley Line
4. 5AM.1292, including 5AM.1292.2, Gardner Ditch - Gardener Ditch - Heller Ditch
5. 5AM.1298, including 5AM.1298.3, Chicago Burlington & Quincy Railroad – Market Street Line
6. 5AM.2410, including 5AM.2410.2 and 5AM.3924, Brighton Boulevard
7. 5AM.3924, including 5AM.3924.2 and 5AM.3924.3, Vasquez Boulevard/US 6
8. 5AM.4044, Suncor Energy
9. 5AM.4101, including 5AM.4101.2, York Street
10. 5AM.4119, Sand Creek Junction

CONCLUSION

CDOT plans to simultaneously send this correspondence, including the enclosed *I-270 Historic Resources Report,* to the following consulting parties: City of Commerce, City and County of Denver, and Adams County. If we received substantive information from any of these consulting parties, CDOT will share this information with your office. At this time, we hereby request your concurrence with our Section 106 determinations of NRHP eligibility and effects listed in Table 4 of the enclosed *I-270 Historic Resources Report* (with appendices). This includes CDOT's determination that it is appropriate to rely on the eligibility determinations for the 11 NRHP eligible properties identified for this I-270 EIS (as delineated in the enclosed report) without further survey through 2030. In addition, we also request your concurrence with our Section 106 determination of No Historic Properties Affected for archaeological historic properties."

At this time, we are also providing formal notification that FHWA plans to make a Section 4(f) de minimis finding for the 10 historic properties outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Barbara Stocklin-Steely at 303-797-9397 or at Barbara.stocklin@state.co.us.

Sincerely,

Susie

Digitally signed by Susie Hagie
Date: 2024.11.26 14:25:38 -07'00'

Lisa Streisfeld
Region 1 Environmental Manager

Enclosures:
Historic Resources Report: I-270 Corridor Improvements Environmental Impact Statement, November 2024

STATE OF COLORADO

Stocklin - CDOT, Barbara <barbara.stocklin@state.co.us>

Fwd: I-270 Environmental Impact Statement - Section 106 Consultation for Historic Properties

1 message

Stocklin - CDOT, Barbara <barbara.stocklin@state.co.us> Tue, Nov 26, 2024 at 3:52 PM
To: cdplanner@c3gov.com, jbrasel@c3gov.com

Hi, You are receiving this email since the entity you represent is considered a consulting party under Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800). More information on the Section 106 process can be found here: https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf

This email specifically relates to the potential for improvements developed under the I-270 Environmental Impact Statement (EIS) to affect historic properties. CDOT is sending information to you simultaneously with the State Historic Preservation Office. This submission is focused on the National Register of Historic Places eligibility of properties within the Area of Potential Effects for the I-270 EIS and the potential effects that improvements may have on these historic properties.

As part of this process, we are soliciting any comments you may have regarding historic properties that may be affected by improvements considered by the above-referenced EIS. CDOT is completing the Section 106 process on behalf of the Federal Highway Administration, and has concluded that the project will not adversely affect significant historic properties. The submittal package providing more information on the EIS alternatives being considered and the potential for these alternatives to affect historic properties can be found here: https://drive.google.com/drive/folders/1wGciM9Fuw67qYJQZjMLhu9mtVrU_ZHF9?usp=sharing

Please review the attached materials, and if you would like to provide comments, **please do so no later than Wed. December 26, 2024**. If we do not hear from you by that date, we will assume you have chosen not to comment on CDOT's findings. If you are not the right person to complete this review, then please forward to the correct person(s).

If you have additional questions or concerns, please advise.

Thank you, Barbara

Barbara Stocklin-Steely, MS
Senior Historian, Region 1 Planning and Environmental

COLORADO
Department of Transportation

P (303) 757-9397
barbara.stocklin@state.co.us | www.codot.gov
2829 W. Howard Place, Denver, CO 80204

We are not here merely to make a living. We are here to enrich the world. Woodrow Wilson

Historic Resources Report:

I-270 Corridor Improvements Environmental Impact Statement

Federal Project No.: STU 2706-046

CDOT Project Code: 25611

Identification Number: FHWA-CO-EIS-24-001

Supplement to the January 2021 *Historic Resources Inventory and Determination of Effects and Historic Section 4(f) Report* (Draft I-270 Environmental Assessment)

CDOT Region 1 History, November 2024

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1. Introduction

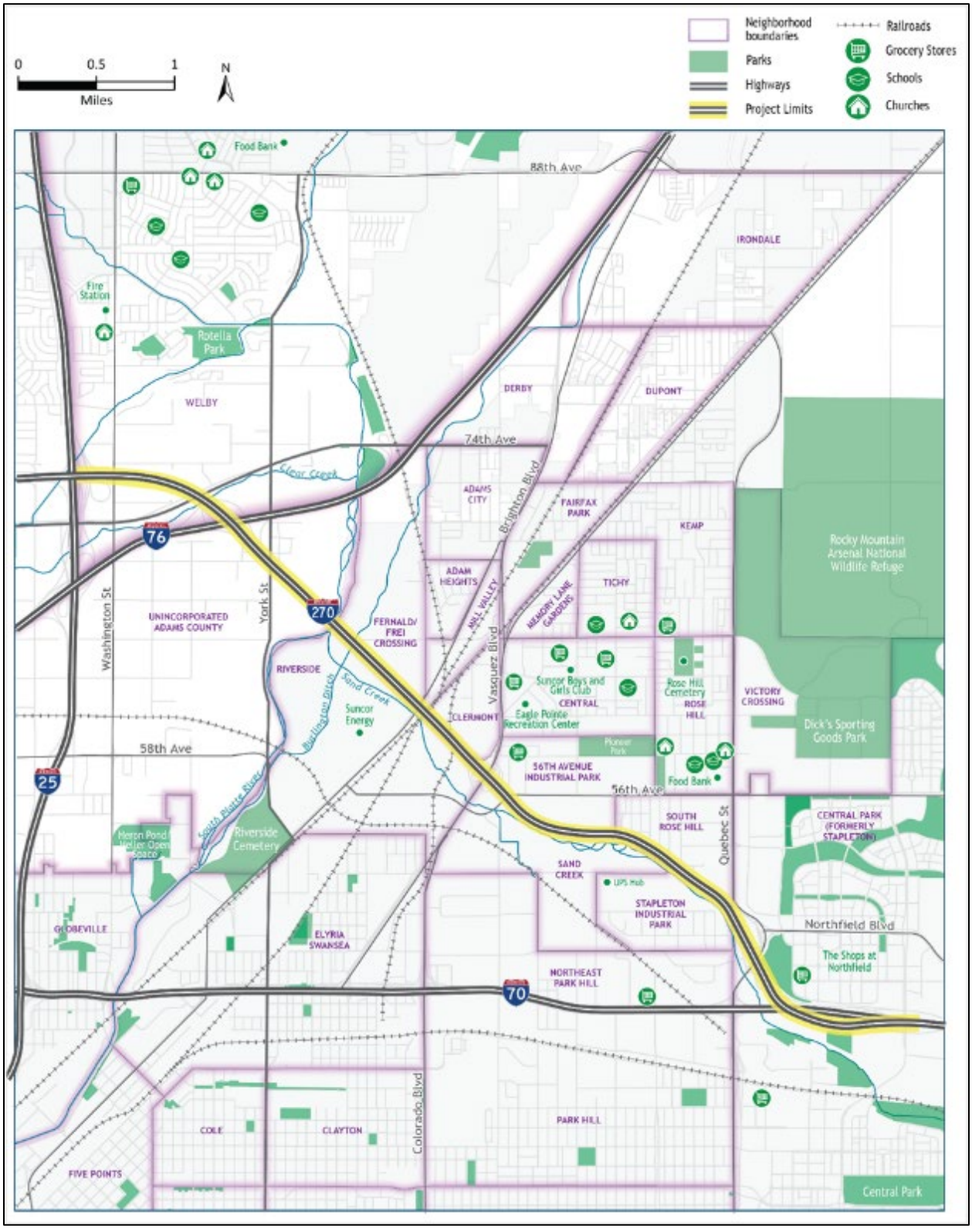
The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing an Environmental Impact Statement (EIS) to evaluate potential improvements along the Interstate 270 (I-270) corridor. I-270 in Colorado is an approximately 6.5 mile controlled-access interstate highway with two through lanes in each direction between I-25 and I-70 in central Denver and Commerce City (Figure 1). CDOT, on behalf of FHWA, is responsible for ensuring that the EIS complies with Section 106 of the National Historic Preservation Act (36 Code of Federal Regulations [CFR] 800). The Section 106 process requires federally agencies to consider the effects of projects that they carry out, assist, fund, permit, license or approve on historic properties. In Colorado, projects can follow the Section 106 process delineated in the *2024 Amended Section 106 Programmatic Agreement Among the FHWA, Advisory Council on Historic Preservation (ACHP), the Colorado State Historic Preservation Officer (SHPO), and CDOT Regarding Compliance with Section 106* (Section 106 PA).

FHWA and CDOT previously proposed improvements along the I-270 corridor under an anticipated Environmental Assessment (EA) in 2020 and 2021. The project proposed widening shoulders, and adding a travel lane, express lane, and possibly an additional auxiliary lane in each direction. CDOT established an Area of Potential Effects (APE) for the proposed project; developed a historic context and detailed methodology; identified 71 properties dating from 1976 or earlier within the APE, and evaluated their historical significance; and made either "No Historic Properties Affected" or "No Adverse Effect" determinations for these properties. In 2021, CDOT completed the Section 106 process for the proposed EA (CDOT project #23198, and History Colorado #79271). History Colorado concurred with CDOT's Section 106 findings, including its evaluations of historical significance and effects under the Section 106 process. The prior Section 106 coordination, including the January 2021 *Historic Resources Inventory and Determination of Effects and Historic Section 4(f) Report (2021 Historic Resources Report*), is provided in Appendix A. 2021 Section 106 Consultation on I-270 Draft Environmental Assessment of this report.

Moving into 2023, CDOT determined a more detailed environmental review was needed and requested that an EIS be prepared. The EIS examined a wider range of alternatives, including no action alternatives, and is advancing two build alternatives: the three general-purpose lane alternative and the two-general purpose lanes and one express lane that accommodates transit alternative.

The footprints of the two build alternatives advanced under the EIS are similar to the singular preferred project alternative coordinated through the Section 106 process in 2021 with minor differences, such as revised bridge designs, many at historic linear resources, and some new elements. The EIS build alternatives place a greater emphasis on bicycle and pedestrian connectivity across I-270, and minimization of environmental and community impacts. Additional Section 106 coordination is required as part of the EIS given that several years have passed since the prior coordination occurred, a wider range of alternatives are under consideration, and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA design. Based on the alternatives and designs considered under the EIS, this report presents an amended APE, additional identification efforts and evaluations of National Register of Historic Places (NRHP) eligibility, and updated effect determinations.

Figure 1. I-270 Corridor EIS Project Limits



2. Project Description and Area of Potential Effects

I-270 in Colorado is a controlled-access interstate highway with two through lanes in each direction between I-25 and I-70 in central Denver and Commerce City (Figure 1). It has a posted speed limit of 55 miles per hour (mph). The project limits include the I-270 interchanges with I-76, York Street, Vasquez Boulevard, and Quebec Street. The project will tie into the I-25 and I-70 system interchanges, but improvements to these interchanges are part of projects on I-25 and I-70 and will be designed and approved separately.

The purpose of the I-270 Corridor Improvements Project is to implement transportation solutions that modernize the I-270 Corridor to accommodate existing and forecasted transportation demands. The project needs are:

- Traveler safety on the corridor,
- Travel time and reliability,
- Transit on the corridor,
- Bicycle and pedestrian connectivity across I-270, and
- Freight operations.

In addition to addressing project needs, CDOT, FHWA, and Cooperating and Participating Agencies have established a key project goal: to minimize environmental and community impacts resulting from the project.

A. Alternatives

The EIS has developed a range of potential alternatives for I-270 improvements. The alternatives range from no improvements to minimal infrastructure improvements without added highway capacity to alternatives that added one or two travel lanes in each direction, which could be operated as transit, general-purpose, or managed lanes (Express Lanes). A two-level alternatives evaluation process was used to screen the alternatives based on the project's purpose and need and goal, and two build alternatives were carried forward for detailed analysis in the EIS:

- Three General-Purpose Lanes Alternative (Alternative 2)
- Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative (Alternative 2)

The No Action Alternative is also fully evaluated as a baseline for comparison (Alternative 1).

(1) No Action Alternative

The No Action Alternative would maintain the existing highway configuration of two general-purpose travel lanes in each direction. Bridges and pavement would continue to be repaired but underlying infrastructure deficiencies would remain. Figure 2 and Figure 3 illustrate the typical section west (Figure 2) and east (Figure 3) of Vasquez Boulevard. Median and shoulder widths vary in the existing condition and would continue to vary under the No Action Alternative. The No Action Alternative would include substantial ongoing maintenance and the rehabilitation of existing structures, including a

number of bridges reaching the end of their useful life. Previously programmed improvements would move forward under this alternative, including direct connects between I-270 and I-25/US 36; I-270 and I-70; and Vasquez Blvd and 60th Ave. An Adams County led project to widen York Street from two to four lanes from 58th Ave. to 88th Ave. is also anticipated, as well as possible operational improvements on I-25 North from 84th Ave. to 104th Ave. Because this alternative does not directly improve the I-270 roadway, it is not expected to reduce crash rates, or improve travel time and reliability. In addition, it would not improve transit or freight operations on the corridor. This alternative is retained for comparison to build alternatives.

Figure 2. No Action Alternative (west of Vasquez Boulevard) Cross Section

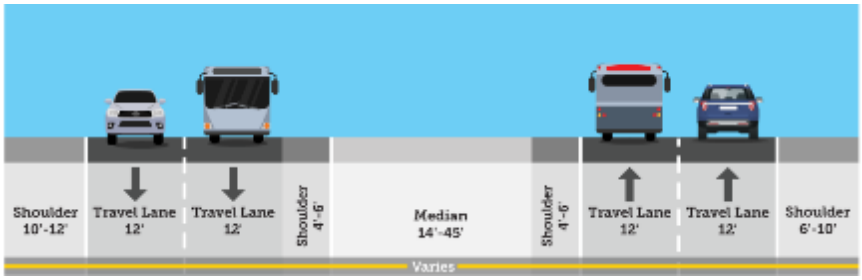
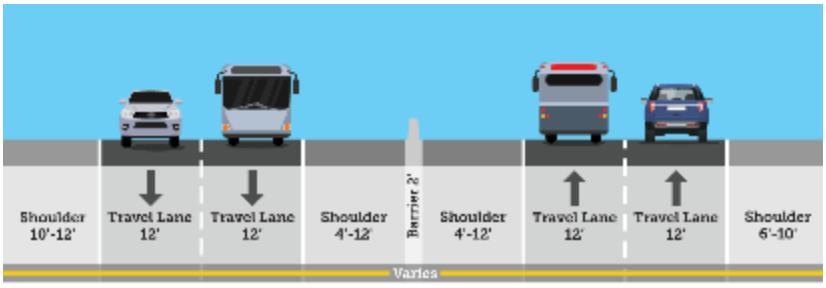


Figure 3. No Action Alternative (east of Vasquez Boulevard) Cross Section



(2) Build Alternatives

The build alternatives include improving the operational and physical conditions of the I-270 highway; reconfiguring interchanges and ramps; enhancing transit on the corridor; improving bicycle and pedestrian access across I-270; replacing deficient bridges and other infrastructure; and providing modern drainage, water quality, intelligent transportation systems (ITS), and other supporting infrastructure. Both add one new travel lane in each direction and have similar footprints, varying primarily how the additional travel operates. The footprints of the two build alternatives, including potential rights-of-way (ROW) and easements are shown in Appendix B. Footprints of the Two Build Alternatives and Right-of-way Exhibits

(3) Three General-Purpose Lanes Alternatives

This alternative would reconstruct I-270 to provide three general-purpose lanes in each direction as shown in Figure Figure 4 an Figure 5 below.

Figure 4. Cross Section of Three General-Purpose Lanes Alternative

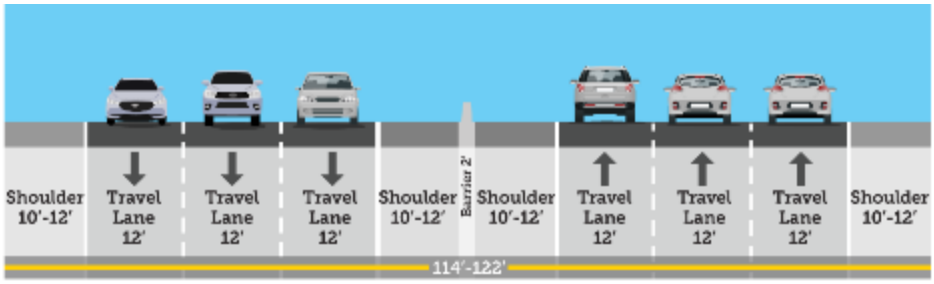


Figure 5. Three General-Purpose Lanes Alternative Map

This alternative would:

- Reconstruct pavement and travel lanes.
- Add one general-purpose lane in each direction between I-25 and I-70.
- Improve shoulders.
- Add one continuous auxiliary lane in each direction between the I-76 and Vasquez Boulevard on-ramps and off-ramps.
- Redesign the I-270 on-ramps and off-ramps at I-76, York Street, Vasquez Boulevard, and Quebec Street to provide adequate acceleration and deceleration lanes to meet design standards and address safety issues along the corridor.

- Consolidate the I-76 off-ramps to eastbound I-270 to merge onto I-270 at a single location.
- Separate the westbound I-76 and York Street shared exit to provide two separate exit ramps.
- Reconfigure the Vasquez Boulevard interchange to a partial cloverleaf, including the addition of a northbound Vasquez Boulevard to eastbound I-270 on-ramp.
- Replacing the existing I-270 major structures over the Burlington Ditch, Brighton Boulevard, and East 60th Avenue that have reached the end of their useful life. These bridges are replaced to meet bridge standards, accommodate additional travel lanes, accommodate future bicycle and pedestrian improvements, and enhance lighting.
- New RTD bus stop at Quebec Street and South Sandcreek Drive.
- Improved wayfinding along arterial streets and at trail junctions to better connect the communities and businesses to the trail network.
- Improved user visibility around curves along the Sand Creek Regional Greenway trail to better accommodate e-bikes and improved lighting at all arterial overpasses.
- Replacing the York Street bridge to include a 10-foot multi-use path and 5-foot sidewalk as well as added crosswalks, curb ramps, improved lighting, and pedestrian indicators at the ramp terminal traffic signals.
- Replacing the existing I-270 bridges over the South Platte River Trail. Reconfiguration of the South Platte River Trail crossing under I-270 to improve user visibility around curves, increase vertical clearance from the I-270 overpass, and enhance lighting.
- New multi-use path and underpasses on the east side of Vasquez Boulevard through the interchange with enhanced lighting. This multi-use path provides a new connection to the Sand Creek Regional Greenway and extends north to East 58th Place.
- New multi-use path on the east side of the Vasquez Boulevard bridge over Sand Creek connecting users from the East 56th Avenue and Vasquez Boulevard intersection to a new connection to the Sand Creek Regional Greenway. This multi-use path requires replacement of the Vasquez Boulevard bridge over Sand Creek to accommodate this multi-use path.
- New multi-use path on the west side of the Vasquez Boulevard bridge over Sand Creek connecting users from the East 56th Avenue and Vasquez Boulevard intersection to a new connection to the Sand Creek Regional Greenway. This multi-use path requires replacement of the Vasquez Boulevard bridge over Sand Creek to accommodate this multi-use path.
- New multi-use spur connecting the proposed north-south Vasquez Boulevard multi-use trail to the East 56th Avenue and South Sandcreek Drive intersection.
- New multi-use path in the southeast corner of East 56th Avenue and South Sandcreek Drive. This multi-use path matches the existing sidewalk on the East 56th Avenue bridge over Sand Creek and provides two new connections to the Dahlia Trailhead; one connection at the midpoint of the Dahlia Trailhead parking lot and a second connection at the Dahlia Trailhead access road on South Sandcreek Drive.
- Replacing the existing I-270 bridge over East 56th Avenue. Reconstruct East 56th Avenue under I-270 to improve user visibility around curves, add two 6-foot sidewalks, add on-street bicycle lanes, and enhance lighting. The eastern sidewalk connects users north of I-270 to the existing sidewalk south of I-270 which provides existing access to the Dahlia Trailhead. The western

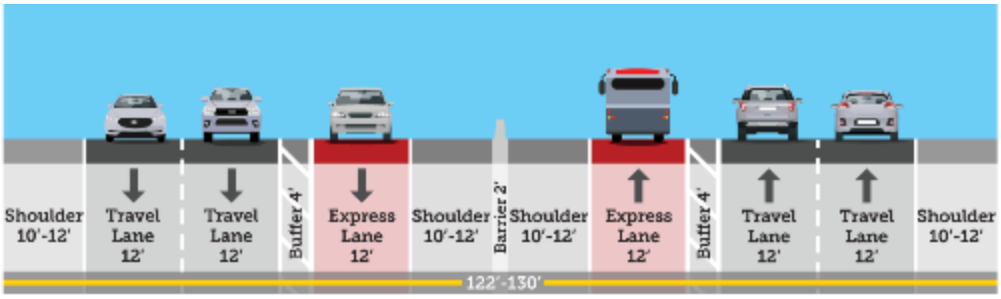
sidewalk connects the proposed north-south multi-use path on Vasquez Boulevard to the intersection improvements at East 56th Avenue and South Sandcreek Drive.

- Intersection improvements at East 56th Avenue and South Sandcreek Drive that include ADA compliant curb ramps, crosswalks, and enhanced lighting. These intersection improvements provide a new bicycle and pedestrian connection to the Dahlia Trailhead.
- Intersection improvements at the East 56th Avenue and Eudora Street intersection that include ADA compliant curb ramps, crosswalks, and enhanced lighting.
- A new 10-foot-wide bicycle and pedestrian overpass over I-270 and South Sandcreek Drive approximately halfway between East 56th Avenue and Quebec Street connecting the Sand Creek Regional Greenway to North Sandcreek Drive.

(a) Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative

This alternative would reconstruct I-270 with two general-purpose lanes and one Express Lane in each direction as shown in Figure 6 and Figure 7 below. Transit vehicles and high-occupancy vehicles (three or more people) could travel in the Express Lane, free of charge. Other travelers, including freight trucks, who choose to pay a fee could also use the new Express Lane.

Figure 6. Cross Section of Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative



This alternative would:

- Reconstruct pavement and travel lanes.
- Add one Express Lane in each direction that accommodates transit.
- Improve shoulders.
- Add one continuous auxiliary lane in each direction between the I-76 and Vasquez Boulevard on-ramps and off-ramps.
- Redesign the I-270 on-ramps and off-ramps at I-76, York Street, Vasquez Boulevard, and Quebec Street to provide adequate acceleration and deceleration lanes to meet design standards and address safety issues along the corridor.
- Consolidate the I-76 off-ramps to eastbound I-270 to merge onto I-270 at a single location.
- Separate the westbound I-76 and York Street shared exit to provide two separate exit ramps.
- Reconfigure the Vasquez Boulevard interchange to a partial cloverleaf, including the addition of a northbound Vasquez Boulevard to eastbound I-270 on-ramp.

- Replacing the existing I-270 major structures over the Burlington Ditch, Brighton Boulevard, and East 60th Avenue that have reached the end of their useful life. These bridges are replaced to meet bridge standards, accommodate additional travel lanes, accommodate future bicycle and pedestrian improvements, and enhance lighting.
- New RTD bus stop at Quebec Street and South Sandcreek Drive.
- Improved wayfinding along arterial streets and at trail junctions to better connect the communities and businesses to the trail network.
- Improved user visibility around curves along the Sand Creek Regional Greenway trail to better accommodate e-bikes and improved lighting at all arterial overpasses.
- Replacing the York Street bridge to include a 10-foot multi-use path and 5-foot sidewalk as well as added crosswalks, curb ramps, improved lighting, and pedestrian indicators at the ramp terminal traffic signals.
- Replacing the existing I-270 bridges over the South Platte River Trail. Reconfiguration of the South Platte River Trail crossing under I-270 to improve user visibility around curves, increase vertical clearance from the I-270 overpass, and enhance lighting.
- New multi-use path and underpasses on the east side of Vasquez Boulevard through the interchange with enhanced lighting. This multi-use path provides a new connection to the Sand Creek Regional Greenway and extends north to East 58th Place.
- New multi-use path on the east side of the Vasquez Boulevard bridge over Sand Creek connecting users from the East 56th Avenue and Vasquez Boulevard intersection to a new connection to the Sand Creek Regional Greenway. This multi-use path requires replacement of the Vasquez Boulevard bridge over Sand Creek to accommodate this multi-use path.
- New multi-use path on the west side of the Vasquez Boulevard bridge over Sand Creek connecting users from the East 56th Avenue and Vasquez Boulevard intersection to a new connection to the Sand Creek Regional Greenway. This multi-use path requires replacement of the Vasquez Boulevard bridge over Sand Creek to accommodate this multi-use path.
- New multi-use spur connecting the proposed north-south Vasquez Boulevard multi-use trail to the East 56th Avenue and South Sandcreek Drive intersection.
- New multi-use path in the southeast corner of East 56th Avenue and South Sandcreek Drive. This multi-use path matches the existing sidewalk on the East 56th Avenue bridge over Sand Creek and provides two new connections to the Dahlia Trailhead; one connection at the midpoint of the Dahlia Trailhead parking lot and a second connection at the Dahlia Trailhead access road on South Sandcreek Drive.
- Replacing the existing I-270 bridge over East 56th Avenue. Reconstruct East 56th Avenue under I-270 to improve user visibility around curves, add two 6-foot sidewalks, add on-street bicycle lanes, and enhance lighting. The eastern sidewalk connects users north of I-270 to the existing sidewalk south of I-270 which provides existing access to the Dahlia Trailhead. The western sidewalk connects the proposed north-south multi-use path on Vasquez Boulevard to the intersection improvements at East 56th Avenue and South Sandcreek Drive.
- Intersection improvements at East 56th Avenue and South Sandcreek Drive that include ADA compliant curb ramps, crosswalks, and enhanced lighting. These intersection improvements provide a new bicycle and pedestrian connection to the Dahlia Trailhead.

- Intersection improvements at the East 56th Avenue and Eudora Street intersection that include ADA compliant curb ramps, crosswalks, and enhanced lighting.
- A new 10-foot-wide bicycle and pedestrian overpass over I-270 and South Sandcreek Drive approximately halfway between East 56th Avenue and Quebec Street connecting the Sand Creek Regional Greenway to North Sandcreek Drive.

Figure 7. Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative Map

B. Area of Potential Effects

The Section 106 process requires CDOT, on behalf of FHWA, to delineate an APE for the various alternatives considered under this EIS. Per 36 CFR 800.16(d), the APE is the "geographic area(s) within which an undertaking may directly or indirectly cause alterations in the character of use of historic properties…." For this EIS, the APE includes the 6.5 mile corridor of I-270 (and associated ROW) between I-25 on the north and I-70 on the south, similar to the APE defined for the EA action in 2021. Continued project design since consultation in 2021 resulted in refinements of the project footprint and inclusion of new design elements, requiring an update to the project APE. The APE defined by CDOT covers all three EIS alternatives and includes all of the areas included in the 2021 APE, plus some minimal expansion areas where new project elements are anticipated. The APE includes:

- The footprint of the proposed design, including the associated right-of-way of I-270, including areas where work is proposed at interchanges where I-270 connects with I-76 on the west, I-25 on the north, and I-70 on the south.
- Locations where the project would result in changes to ramps between interchanges, including difference in heights, width, alignment, in comparison to current ramps.
- Areas where water quality improvements, embankments, noise walls, retaining walls, barriers, and construction staging are anticipated.
- Areas where the *I-270 Corridor Improvements Environmental Impact Statement, Traffic Noise Technical Report* (2024) identified noise impacts due to proposed build alternatives considered by this EIS.
- Full parcels where the anticipated design is outside of or on the right-of-way line. This includes parcels where temporary easements (TE), permanent easements (PE), and/or ROW are required.
- Parcels adjacent to the I-270 ROW where direct or indirect impacts are anticipated, such as residential properties identified as noise receptors for the widened roadway and properties adjacent to where significant roadway widening is planned.
- Logical segments of linear features that intersect the I-270, such as railroads and ditches, with the potential to be impacted by roadway widening, bridge replacements, interchange improvements, or other proposed work items.

The APE is more limited on the southeast side of the I-270 right-of-way where Sand Creek parallels I-270 because no impacts to known or potential historic properties are expected south of I-270 or to Sand Creek. A detailed APE Mapbook is included in Appendix C. Area of Potential Effects Maps. This mapbook depicts the APE for improvements under the I-270 EIS, and highlights areas where the APE is differentiated from the APE for the draft 2021 EA.

3. Research Design and Methodology

The Section 106 process requires CDOT, on behalf of FHWA, to determine the scope of identification efforts and to identify historic properties. The federal agency is required to "make a reasonable and good faith effort to carry out appropriate identification efforts…" (36 CFR 800.4(b)(1)). This includes identifying potential historic properties within the APE and evaluating their historic significance, which requires applying the eligibility criteria for listing in the NHRP found in 36 CFR part 63 (more information at: https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf). Typically, a property must be 50 years of age, meet one or more NRHP significance criteria, and retain integrity to be eligible for listing on the NRHP. Refer to the *2021 Historic Resources Report* (Appendix A. 2021 Section 106 Consultation on I-270 Draft Environmental Assessment) for additional information on how NRHP criteria were applied to multiple properties 45 years of age or more within the 2021 draft EA covering the same I-270 corridor as this EIS.

In 2021, when CDOT was preparing a draft EA for the I-270 corridor, the agency identified a total of 71 historic architectural and linear properties built in 1976 or earlier within the project APE. This included 51 properties evaluated in 2021and 20 properties previously recorded as part of other surveys. Survey forms for these 71 properties are found on the History Colorado COMPASS database, and summary information is included in the *2021 Historic Resources Report* found in Appendix A. 2021 Section 106 Consultation on I-270 Draft Environmental Assessment

A. Updates Since 2021 Analysis

To transition to this EIS, CDOT performed an updated records search of the APE on August 1, 2024. This included a review of COMPASS, History Colorado's database of previously recorded historic sites and CDOT's historic sites viewer. This review revealed the 71 previously recorded properties highlighted in the *2021 Historic Resources Report*, as well as three (3) previously recorded NRHP not eligible bridges inadvertently omitted from the 2021 draft EA survey efforts: 5AM.2683, E-17-IN, Dahlia St. Underpass Westbound; 5AM.2691, E-17-IO, Dahlia St. Underpass Eastbound; and 5DV.10970, E-17-HD, CO-35 Bridge over Sand Creek. Table 1 lists out these 74 previously evaluated properties; their locations are also shown in Appendix C. Area of Potential Effects Maps

After CDOT made the decision to prepare an EIS for the I-270 Corridor, CDOT historians reexamined the Section 106 efforts completed in 2021 to determine what additional identification efforts would be required. CDOT used History Colorado Office of Archaeology and Historic Preservation (OAHP) survey forms for the survey and re-survey efforts discussed in the bullets below. As a result of CDOT's evaluation of the EIS:

(1) General Updates:

- CDOT adjusted the APE boundaries from 2021 to 2024 as discussed in the prior section of this report.

- Because the final I-270 EIS is expected by 2025, CDOT historians applied a five-year construction buffer to adjust the age-cutoff for properties subject to identification efforts and historic significance evaluations from 1976 to 1980.
- A review of the historic context included in the 2021 Historic Resources Report proved sufficient to facilitate NRHP eligibility evaluations of newly identified properties since the histories and property types recorded in 2025 are similar to those evaluated in 2021.
- NRHP eligibility evaluations were also assisted by other cultural resources surveys listed in the 2021 Historic Resources report, as well as the more recent 2022 Historic Cultural Resource Survey Report for Vasquez Blvd. (US 6): I-270 to 64th Ave. (CDOT # 22922, History Colorado #80982), coordinated with the SHPO in 2022.
- Intersecting roads were surveyed and evaluated in 2021 in cases where major improvements were anticipated to these roadway and the roads themselves are at least 45 years of age, namely Brighton Boulevard and York Street.
- The connector road between 56th Ave. and Dahlia St. (labelled as Dahlia St.) where an I-270 overpass is proposed for replacement was not surveyed in 2021 or 2024 given that this connector road was built c. 1969 as part of I-270 construction, is only about 1,000 feet in length, and has no known historic significance.

(2) Previously Evaluated Properties – Eligible and Treat as Eligible:

- One architectural property was previously determined NRHP eligible, Plastics, Inc, recorded as 5AM.404 in 2021. Given that no change to the property was observed in 2024, CDOT has determined this property remains eligible without additional survey, and will be considered to remain eligible for an additional five years (through 2030).
- One railroad junction was previously determined NRHP eligible, Sand Creek Junction, recorded as 5AM.4119 in 2021. Similar to the bullet above, no change to the property was observed in 2024, CDOT has determined this property remains eligible without additional survey, and will be considered to remain eligible for an additional five years (through 2030).
- CDOT identified 10 segments (i.e., smaller lengths) of eight linear properties (overall linear properties were either previously determined NRHP eligible or assumed to be NRHP eligible) in 2021. At that time, CDOT formally determined whether these segments were "supporting" or "non-supporting" of the overall longer linear resource's significance. CDOT recorded one segment each of the following seven linear properties: CB&Q Railroad, 5AM.464.21; Burlington Ditch, 5AM.465.9; Denver Pacific Railroad, 5AM.472.41; Gardner Ditch, 5AM.1292.2; Market Street Railroad, 5AM.1298.3; and York St., 5AM.4101.2. This also included recordation of two segments or sections of Vasquez Blvd., 5AM.3924.2 and 4AM.3924.3, and Brighton Blvd., 5AM.2410.1 and 5AM.2410.2 CDOT is relying on the prior supporting/non-supporting status for all previously surveyed segments through 2030. However, some OAHP survey forms were prepared for previously recorded linear segments in 2024 as noted in the following bullets.
- For two of the previously recorded linear segments, Brighton Blvd., 5AM.2410.2 and Vasquez Blvd.,5AM.3924.2, prior survey forms for each of them included a boundary description and mapping that showed these segments contiguous with other previously recorded segments of

the same resource; however, the legal locational information and related data provided on the survey form showed discrepancies in the boundaries and other minor inaccuracies. There has been no change in the condition of these two segments or their intended dimensions (length and width) since their prior recordation in 2020/2021. Because of the discrepancies noted above, CDOT completed 1405 OAHP Revisitation Forms for these two resources to update the locational information, GIS data and to make minor corrections. The segments retain their supporting status in 2024, which is assumed to be retained through 2030.

- The boundary description, mapping and locations data provided on previous survey forms of Burlington Ditch, 5AM.465.9, have major discrepancies. In addition, it was unclear on these prior survey forms whether the intended segment boundary was intended to include the full extent of the earthen ditch from bank to bank and the historic ditch rider roads on either side. As a result, CDOT re-recorded the segment (and created new GIS data) in 2024 to clarify that the segment width (via Universal Transverse Mercator [UTM] points and geographic information system [GIS] data) encompasses not only the ditch, but also the ditch rider roads on either side of the canal. CDOT re-recorded the segment in 2024 on a set of 1400/1418 OAHP survey forms, and found that the segment remains supporting of the NRHP eligible Burlington Ditch. CDOT also assumes the supporting status will remain through 2030.
- One resource, Suncor Energy, was officially determined "Needs Data" in 2021 given the expansive size of the site and the inability to gain access to the property. For Section 106 purposes, CDOT treated this property as NRHP eligible for Section 106 purposes in 2021 and has made the same finding in 2024 (assumed through 2030).

(3) Previously Evaluated Properties – Not Eligible:

- For the 62 properties previously determined officially NRHP not eligible (In 2021, and prior to that time), no substantive changes were observed. As such, these properties retain their not eligible status into the future, consistent with CDOT's Section 106 PA.
- The exception to the above bullet is the three previously surveyed properties that were determined NRHP not eligible in 2021, but that were not 50 years of age at the time of that evaluation. These properties have now reached the 50-year age threshold, and as such, these three properties require re-reevaluation per the Section 106 PA. As a result, CDOT reevaluated these three properties using OAHP Form 1405 and include: 5AM.4114, 5AM.4116 and 5AM.4117 (refer to survey forms in Appendix D. Historic Property Site Forms (submitted separately)).

(4) Newly Evaluated Properties:

- As a result of the passage of time, five (5) newly identified properties dating from 1980 or earlier were identified within the APE and require evaluation as potential historic resources using OAHP Form 1403. These five properties were recorded as 5AM.4317 through 5AM.4321, were determined NRHP not eligible, and are depicted in Table 2 below.
- For the five newly evaluated properties, CDOT consultants performed property specific historic research, which is reflected on the completed survey forms included in Appendix D. Historic Property Site Forms (submitted separately)

(5) Interstate 270 and Associated Features:

Sand Creek Drive and I-270 were not surveyed in 2021 for the draft EA. Both properties are over 50 years of age, built in the late 1960s to early 1970s, and are part of the interstate highway system. Sand Creek Drive was built at the same time as I-270, serves as a frontage road, and is within the I-270 right-of-way. As such, Sand Creek Drive and I-270 remain subject to the *Section 106 Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System* adopted by the ACHP in 2005. Numerous bridges along the I-270 corridor within the APE have been replaced since 1998. One bridge, E-17-AT, is a 1940 steel stringer bridge US 6 (Vasquez Boulevard) over Sand Creek just south of the I-270/US 6 interchange. This bridge is in poor condition and is proposed for replacement under this I-270 EIS. This bridge was previously recorded as 5AM.1363 and determined NRHP not eligible under the 2002 Colorado Historic Bridge Inventory (official).

There are eleven additional I-270 bridges, dating from 1968 to 1970, which are slated for replacement as part of this EIS:

- E-17-IC, 1970, a continuous steel girder underpass of I-270 at York Street
- E-17-ID and E-17-IE, 1969, prestressed concrete girder bridges I-270 over S. Platte River
- E-17-IF and E-17-IG, 1969, continuous steel girder bridges I-270 over Burlington Ditch
- E-17-IH and E-17-II, 1969, continuous steel girder bridges I-270 over Brighton Blvd., E. 60th Ave., and Burlington Northern Santa Fe Railway (BNSF) and Union Pacific Railway (UP)
- E-17-IJ and E-17-IK, 1970, continuous steel girder bridges I-270 over service road and the BNSF Railroad (historic Market Street Line)
- E-17-IN and E-17-IO, 1968, continuous tee-beam concrete bridges I-270 over Dahlia Street/56th Avenue connector

The eleven bridges slated for replacement are part of I-270, and thus are also subject to the *Section 106 Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System*. Two of the bridges, 5AM.2683 and 5AM.2691, are also considered officially not eligible as noted above. All of the eleven bridges slated for replacement are also common bridge types exempt from Section 106 review under the ACHP *2012 Program Comment Issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges*. These bridges are shown on the APE map book in Appendix C. Area of Potential Effects Maps (numbers 77-88).

The two latter bridges listed above, E-17-IN and E-17-IO, were previously evaluated under the 2014 CDOT Historic Bridge Inventory. They were recorded as 5AM.2683 and 5AM.2691 respectively, and found to be NRHP not eligible under CDOT's Historic Bridge Inventory (confirmed by History Colorado letter of May 13, 2014). Another bridge, E-17-HD, dating from 1962 and recorded as 5DV.10970 on CO-35 (Quebec Street) over Sand Creek is also within the project APE, but is not slated for replacement. This bridge was also found to be NRHP not eligible under CDOT's 2014 Historic Bridge Inventory.

For all of the reasons discussed above, I-270, Sandcreek Drive and the bridges associated with I-270 are exempt from Section 106 review, and are not discussed further in this report. The impacts of proposed I-270 bridge replacements on other historic features, such as railroads and ditches, remain subject to Section 106 review under the EIS, and are covered in this report.

Table 1. Previously Recorded Properties in Compass within the APE (Extant Properties Only)

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.464 **-5AM.464.21**	**Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF)** **–Brush Line (26)**	Between E. 56th Ave. and I-270 in Commerce City	1881-1882	Assume overall resource eligible Supporting segment (2021)
5AM.465 **-5AM.465.9**	**Burlington Ditch** **Burlington Ditch/O'Brien Canal (18)**	Between South Platte River near Franklin St. and E. 74th Ave. in Commerce City	1886 1886	Officially eligible (2022) Supporting segment (2021), ***Supporting Segment (2024 – OAHP 1400/1418)***
5AM.472 **-5AM.472.41**	**Denver Pacific/Union Pacific Railroad** **Segment – Greeley Line (28)**	Between E. 56th Ave. and I-270 in Commerce City	1870	Assume overall resource eligible Supporting segment (2021)
5AM.1292 **-5AM.1292.2**	**Gardner Ditch – Gardener Ditch – Heller Ditch** **Gardener's Ditch Segment (17)**	Between 6610 and 6750 York Street	1861 1861	Officially eligible (2010) Non-supporting segment (2021)
5AM.1298 **-5AM.1298.3**	**Market St. Railroad** **Market St. Railroad Segment (30)**	60th Ave. to Dahlia Street in Commerce City	1911-1913	Assume overall resource eligible Supporting segment (2021)
5AM.1363	Sand Creek Bridge – E-17-AT (37)	Vazquez Blvd./US 6 over Sand Creek	1940	Officially not eligible (2002)
5AM.1416	Union Pacific Railroad (UPRR) Bridge – COMC-4A-02-RR (23)	UPRR Bridge, Suncor Siding over E. 60th Ave. and Sand Creek (associated with 5AM.4121.1)	c. 1960	Officially not eligible (2002)

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.1417	UPRR Bridge – COMC-4A-02-RR (24)	CB&Q/BNSF over E. 60th Ave. and Sand Creek (associated with 5AM.464.21)	c. 1938	Officially not eligible (2002)
5AM.1418	BNSF Railroad Bridge – COMC-5A-03-RR (25)	Denver Pacific/UPRR Greeley Line over E. 60th Avenue and Sand Creek (associated with 5AM.472.41)	c. 1970	Officially not eligible (2002)
5AM.1842	Kammerzell Residence (62)	5360 Magnolia Street, Commerce City	1954	Officially not eligible (2007)
5AM.1843	The Nationwide Fabrication (63)	5311 Niagara Street, Commerce City	1954	Officially not eligible (2007)
5AM.1845	N/A (48)	5410 Krameria Street, Commerce City	1954	Officially not eligible (2007)
5AM.1846	N/A (56)	6470 E. 53rd Way, Commerce City	1954	Officially not eligible (2007)
5AM.1847	The Barraza Residence (49)	6320 E. 54th Avenue, Commerce City	1939	Officially not eligible (2007)
5AM.1848	The Vilchis Residence (50)	6330 E. 54th Avenue, Commerce City	1944	Officially not eligible (2007)
5AM.1849	Overnite Transportation Company Business (43)	5200 E. 56th Avenue, Commerce City	1962	Officially not eligible (2021)
5AM.1850	The Beco Equipment Co. (38)	5555 Dahlia Street, Commerce City	1960	Officially not eligible (2021)
5AM.1891	Doyle House – Beals Res. (66)	6820 E 52nd Place, Commerce City	1954	Officially not eligible (2007)
5AM.1892	Quintana Residence (67)	6830 E. 52nd Place, Commerce City	1952	Officially not eligible (2007)
5AM.1893	N/A (52)	6411 E. 53rd Way, Commerce City	1953	Officially not eligible (2007)
5AM.1894	Callahan House – Gonzales Residence (54)	6415 E. 53rd Way, Commerce City	1954	Officially not eligible (2007)
5AM.1895	Titsworth House – Boren Residence (55)	6481 E. 53rd Way, Commerce City	1954	Officially not eligible (2007)

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.1899	Funk House – Klingbell Residence – Klingbell Trucking Co. (45)	5431 Krameria Street, Commerce City	1951	Officially not eligible (2007)
5AM.1904	Johnson Residence (51)	5401 Locust Street, Commerce City	1955	Officially not eligible (2007)
5AM.1905	Berk Residence (59)	5350 Magnolia Street, Commerce City	1952	Officially not eligible (2007)
5AM.1906	Morse – Cruz Residence (61)	5366 Magnolia Street, Commerce City	1952	Officially not eligible (2007)
5AM.1907	Ray Residence – Oleson Res (57)	5360 Monaco Street, Commerce City	1954	Officially not eligible (2007)
5AM.2410	**Brighton Boulevard/CO-265**		1890s	Assume overall resource eligible
-5AM.2410.1	**Brighton Boulevard Segment (21)**	York St. to just south of I-270 overpass		Supporting segment (2016)
-5AM.2410.2	**Brighton Boulevard Segment (89)**	Just south of I-270 overpass extending north to the junction with US 6/US 85 in Commerce City		Supporting segment (2021), **Supporting segment (2024 – OAHP 1405)**
5AM.2683*	E-17-IN, Dahlia St. Underpass Westbound (78)	Dahlia Street and I-270 Westbound	1968	Not eligible under 2014 CDOT Historic Bridge Inventory
5AM.2691*	E-17-IO, Dahlia St. Underpass Eastbound (79)	Dahlia Street and I-270 Eastbound	1968	Not eligible under 2014 CDOT Historic Bridge Inventory
5AM.3924	**Vasquez Blvd./U.S. Highway 6/U.S. Highway 85/CO-2**			Assume overall resource eligible
-5AM.3924.2	**Vasquez Blvd. Segment (36)**	Between E. 52nd Avenue and I-270 interchange in Commerce City	1932-1938	Non-supporting segment (2021), ***Non-supporting segment (2024 – OAHP 1405)***
-5AM.3924.3	**Vasquez Blvd. Segment (37)**	Between I-270 interchange and I-76 in Commerce City	1932-1938	Non-supporting segment (2021 & 2022)

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.4031	Larusso Subdivision (2)	E. 68th Place on north, I-270 on east, E. 68th Ave. on south, and the back edge of properties fronting Race St. on west.	1942-1970	Officially not eligible (2021)
5AM.4032	Sherwood House (3)	2101 E. 68th Avenue	1944	Officially not eligible (2021)
5AM.4034	Teegee & Company, LLC (4)	2180 E. 68th Avenue	1922	Officially not eligible (2021)
5AM.4035	Di Giacomo-Slagel House (8)	6820 York Street	c.1955	Officially not eligible (2021)
5AM.4036	King House (9)	6776 York Street	c.1905	Officially not eligible (2021)
5AM.4037	King House (10)	6780 York Street	c.1900	Officially not eligible (2021)
5AM.4038	Weland House (11)	6750 York Street	c.1925	Officially not eligible (2021)
5AM.4039	Chapman-Depinto House (12)	6702 York Street	1963	Officially not eligible (2021)
5AM.4040	Royston House (13)	6700 York Street	1955	Officially not eligible (2021)
5AM.4041	NA (14)	6690 York Street	1953	Officially not eligible (2021)
5AM.4042	Chaplinskiy House (16)	6610 York Street	c.1910	Officially not eligible (2021)
5AM.4043	Kuhns House (15)	6620 York Street	1905	Officially not eligible (2021)
5AM.4044	**Suncor Energy (20)**	3875 E. 56th Avenue/5800 and 5801 Brighton Blvd.	1930, c.1937, 1949, 1953, c.1978	Officially needs data (2021)/Treat as eligible (2021)
5AM.4045	Denver Oil (29)	4100 E. 60th Avenue, Commerce City	1922	Officially not eligible (2021)
5AM.4046	Domenico Transportation Services Building (33)	5699 Dexter Street, Commerce City	1964	Officially not eligible (2021)

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.4047	**Plastics, Inc. (34)**	5701 Dexter Street, Commerce City	c.1947	Officially eligible (2021)
5AM.4048	Marquez House (68)	6860 E. 52nd Place, Commerce City	1966	Officially not eligible (2021)
5AM.4049	Duran House (70)	5251 Oneida Street, Commerce City	1955	Officially not eligible (2021)
5AM.4050	Applegarth House (71)	5250 Oneida Street, Commerce City	1955	Officially not eligible (2021)
5AM.4070	Corner Stone Truck Repair (40)	5790 Dahlia Street, Commerce City	c. 1966	Officially not eligible (2021)
5AM.4101 **-5AM.4101.2**	**York Street** **Segment of York St. (5)**	York Street between E. 66th Avenue and E. 74th Avenue in Adams County	1882	Assume overall resource eligible Non-supporting segment (2021)
5AM.4107	NA (1)	7141 Lafayette Street	1976	Officially not eligible (2021)
5AM.4108	NA (6)	6875 Columbine Street	1950-1959	Officially not eligible (2021)
5AM.4109	Martinez House (7)	6824 Columbine Street	1937	Officially not eligible (2021)
5AM.4110	Semmaterials Energy Partners, LLC. (32)	4310 E 60th Ave., Commerce City	1953	Officially not eligible (2021)
5AM.4111	United Asphalts, Inc. (31)	4306 E 60th Ave., Commerce City	1965	Officially not eligible (2021)
5AM.4112	Stewart & Stevenson Power Products (39)	5820 Dahlia Street, Commerce City	1946	Officially not eligible (2021)
5AM.4113	Western Material Handling (42)	5678 Eudora Street, Commerce City	c.1960	Officially not eligible (2021)
5AM.4114	Wagner Rents: The CAT Rental Store (44)	5455 Holly Street, Commerce City	1973	Officially not eligible (2021) ***Not eligible (2024 – OAHP 1405)***

OAHP Resource Number	Resource Name (Number on APE Map)	Address	Construction Date	National/State Register Evaluation (Last Date of Evaluation)
5AM.4115	E&K Trucking, Inc. (46)	5421 Krameria Street, Commerce City	1975	Officially not eligible (2021)
5AM.4116	Masek Golf Cars (64)	5345 Newport Street, Commerce City	1973	Officially not eligible (2021) ***Not eligible (2024 – OAHP 1405)***
5AM.4117	Denver Truck & Trailer (65)	5280 Newport Street, Commerce City	1974	Officially not eligible (2021) ***Not eligible (2024 – OAHP 1405)***
5AM.4118	E. 64th Avenue Bridge over Burlington Ditch/O'Brien Canal (19)	N/A	c.1910-1930	Officially not eligible (2021)
5AM.4119	**Sand Creek Junction (27)**	Crossing point of CB&Q/BNSF Brush Line and DP/UP Greeley Line in Commerce City	1882	Officially eligible (2021)
5AM.4121.1	Union Pacific Railroad Siding at Suncor Energy (22)	Between E. 56th Avenue and I-270 in Commerce City	c.1930s-1940s	Officially not eligible (2021)
5AM.4122	Keller (41)	5665, 5775 Eudora and 5675 Eudora Street, Commerce City	1967	Officially not eligible (2021)
5AM.4144	NA (47)	5450 Krameria Street, Commerce City	1960	Officially not eligible (2021)
5AM.4145	Hernandez House (53)	5400 Locust Street, Commerce City	1954	Officially not eligible (2021)
5AM.4146	Colombo House (58)	5401 Magnolia Street, Commerce City	c.1935	Officially not eligible (2021)
5AM.4147	NA (60)	5358 Magnolia Street, Commerce City	c. 1960	Officially not eligible (2021)
5AM.4148	Duran House (69)	6870 E. 52nd Place, Commerce City	1955	Officially not eligible (2021)
5DV.10970*	E-17-HD, CO-35 (Quebec St.) Bridge over Sand Creek (77)	Quebec St. over Sand Creek	1962; 1978	Officially not eligible (2014)

Note:

** These three bridges were determined not eligible under the 2014 CDOT Historic Bridge Inventory, although this is not reflected in the History Colorado COMPASS database. CDOT determined these bridges not eligible and the SHPO concurred in a letter dated 9/22/14. These bridge recordings were not called out in the January 2021 Historic Resources Report, but since they were previously surveyed and evaluated for historical significance, they are included in Table 1.*

Properties that are either officially NRHP eligible or "treat as eligible" for Section 106 purposed related to this EIS are shaded on this table.

B. Archival Research and Field Methods

Five properties were newly surveyed and three were re-evaluated within the APE. The eight surveyed properties were architectural; no linear resources were included in the evaluation. Field survey was conducted on April 18, 2024, by Ashley Bushey, Peak Environmental, and Whitney Roberts, CDOT History Intern, two architectural historians/historians who meet or exceed the Secretary of the Interior's Professional Qualification Standards in the areas of History and/or Architectural History. Permission to enter properties was not requested, and therefore field evaluations were completed from the public right-of-way including roads and the Sand Creek Trail. Private parking lots were not entered unless the business served the public (i.e., a restaurant), as most properties surveyed contained industrial operations and therefore did not enable entrance to parking areas. At least three sides of each property were accessed. Photographs were taken of the property including its relationship to adjacent infrastructure, each accessible side of the main building and outbuildings as well as their relationship to property features including fencing, vegetation, signage, and parking areas. The historic resource boundary for each resource was identified as its legal parcel limits.

A range of archival data was consulted to develop understanding of property development and historic associations for the five newly evaluated resources. Adams County Assessor records formed the basis of the research process; providing a date of construction for main buildings and most outbuildings. Date(s) of construction, additions, and demolitions were further refined through review of historic and contemporary aerial images and topographic maps accessed from Netronline Historic Aerials. Assessor records provided the current property owner and the most recent sale, including book and page number of the deed or other instrument of transfer recorded with the Adams County Clerk & Recorder. Chain of title research was performed for most surveyed properties to establish the original owner and to provide insight into use or function of properties during key periods. Additional ownership information, property function, and property development was informed by the 1967 Colorado Department of Highways right-of-way plans for the construction of I-270 (Federal Aid Project No I 270-6(2)290). Property tenants, owners, or operations were further informed through consultation of telephone book(s) available through the Denver Public Library Western History Collection.

Detailed information on individual properties was informed through historic newspaper articles sourced online through Colorado Historic Newspapers, contemporary newspaper articles available online, individual business websites, United States Census data sourced online through Family Search, recent real estate listings, and a range of publications sourced through Google Books including directories of chemical producers, asphalt manufacturers, construction suppliers, etc. As several properties remained under individual or family ownership for decades, LinkedIn profiles also provided information on length of individual association.

Limited additional research was completed for the re-evaluated properties beyond a review of Adams County Assessor data and aerial images to review date(s) of construction and development of the property. As no changes in the properties were identified and no industry changes occurred to create a different perspective on the architectural type or potential connections of these resources to themes, events, or persons in history, further investigation was not completed.

C. Archaeology

CDOT assessed the potential effects of I-270 EIS improvements on archaeological historic properties based on the build alternatives being considered. Substantial efforts to identify and evaluate the historic significance of archaeological historic properties occurred in 2019-2021, including an archaeological survey and assessment of the study corridor conducted on behalf of CDOT (ERO Resources Corporation 2021*[1]). This report includes a detailed methodology, a general land use history, and a file search of OAHP records and literature review of information on previously conducted archaeological surveys and previously recorded archaeological sites. The report also documents the results of a pedestrian archaeological survey and subsurface exploratory testing of areas within the APE considered to have the potential for intact subsurface cultural deposits. Because the archaeological assessment of the APE identified no archaeological historic properties eligible for or listed on the National Register, CDOT determined a finding of "No Historic Properties Affected" was appropriate for the undertaking in June 2021; SHPO concurred with this finding in July 2021.

In 2023 and 2024, CDOT transitioned to an EIS level analysis for the I-270 corridor that considered additional alternatives. To that end, following CDOT's prior established methodology developed to identify archaeological historic properties within the I-270 APE, CDOT studied the APE and build alternatives to determine if additional archaeological survey and documentation work was needed. As a result of this desktop analysis and field inspection of the APE in May 2024, CDOT determined no further archaeological fieldwork was necessary at this time based on the prior effort and extensive prior disturbance within the APE.. Consequently, CDOT has determined that a "No Historic Properties Affected" finding remains appropriate for the undertaking in terms of Archaeological Resources. As individual projects move forward under an approved EIS and more specific construction plans and right-of-way information are developed for phased breakout projects, additional archaeological review and/ or archaeological fieldwork may be necessary to evaluate the potential effects of the undertaking on archaeological historic properties, in consultation with the SHPO.

[1] **Archaeological Assessment: Interstate 270 Corridor Improvements, Adams and Denver Counties, Colorado.* Prepared by ERO Resources Corporation, Denver, on behalf of Jacobs Engineering Group, and submitted to the Colorado Department of Transportation, Region 1 (January 2021)

4. Historic Property Identification and Significance Evaluations

This section summarizes survey work performed for the I-270 EIS. Because the final EIS is expected by 2025, CDOT historians applied a five-year construction buffer to adjust the age-cutoff for properties subject to historic significance evaluations from 1976 to 1980. As a result, CDOT surveyed five additional properties, with the findings depicted in Table 2, and described in more detail in Section 4A of this report. Similarly, CDOT re-visited or re-evaluated the NRHP eligibility of six previously evaluated properties as discussed in Section 3 of this report, with the results depicted in Table 3, and described further below.

Table 2. Newly Recorded Properties in APE (OAHP Architectural Form 1403)

OAHP Resource #	Resource name (# on APE Map)	Address	Construction Date	OAHP Survey Form No. & National/State Register Evaluation (2024)
5AM.4317	Truck Parks Inc./Waste Connections of Colorado (72)	4150 E. 60th Ave. Commerce City	1977; 1985; 1992; 2007; c. 2010.	Not Eligible (2024)
5AM.4318	Pepper Tank Co./BKEP Materials (73)	5022 E. 60th Ave. Commerce City	1978	Not Eligible (2024)
5AM.4319	Lucero/Hernandez House (74)	6800 E. 52nd Pl. Commerce City	c. 1978	Not Eligible (2024)
5AM.4320	Forklift Systems, Inc./Industrial Battery Service Property (75)	6852 N. York St. Adams County	1977	Not Eligible (2024)
5AM.4321	Clear Creek Valley Business Park (76)	7154 N. Washington St. Commerce City	c. 1980	Not Eligible (2024)

Table 3. Re-evaluated Properties in APE (OAHP Revisitation Form 1405 Unless Otherwise Noted)

OAHP Resource #	Resource name (# on APE Map)	Address	Construction Date	National/State Register Evaluation (2024)
5AM.465.9	Burlington Ditch/O'Brien Canal (18)	Between South Platte River near Franklin St. and E. 74th Ave., Commerce City	1886	Supporting segment (2021) Supporting Segment (2024 – OAHP 1400/1418)
5AM.2410.2	Brighton Boulevard/CO-265 segment (21)	Approx. 441 feet SW from the I-270 overpass ending at the junction with US 6/US 85, Commerce City	1890s	Supporting segment (2021) Supporting segment (2024)
5AM.3924.2	Vasquez Blvd./U.S. 6/U.S. 85/CO-2 (36)	Between E. 52nd Avenue and I-270 interchange, Commerce City	1932-1938	Non-supporting segment (2021) Non-supporting segment (2024)

OAHP Resource #	Resource name (# on APE Map)	Address	Construction Date	National/State Register Evaluation (2024)
5AM.4114	Wagner Rents: The CAT Rental Store (44)	5455 Holly St., Commerce City	1973	Officially not eligible (2021) Not Eligible (2024)
5AM.4116	Masek Golf Cars (64)	5345 Newport St., Commerce City	1973	Officially not eligible (2021) Not Eligible (2024)
5AM.4117	Denver Truck & Trailer (65)	5280 Newport Street, Commerce City	1974	Officially not eligible (2021) Not Eligible (2024)

A. Newly Evaluated Properties in APE

A summary of the findings for the five newly evaluated properties within the I-270 EIS is provided below. For more information, please refer to the survey forms included in Appendix D. Historic Property Site Forms (submitted separately)

(1) 5AM.4317 – Truck Parts, Inc., 1977 (4150 E. 60th Ave., APE Map #72)

Description and Summary

The property consists of an approximately 17 acre industrial site on the south side of I-270, consisting of multiple industrial buildings constructed from the late 1970s through early 2000s. reflecting use first as a trucking facility and truck service garage, then for methanol production location, and a gas-to-liquid research/manufacturing location. The complex contains a concrete service garage constructed in 1977, an office building constructed in 1985, and additional buildings added in 1992, 2007, and ca. 2010. Manufacturing infrastructure, including tanks, were added to the property in 1984, and operations were expanded through 2005. Manufacturing infrastructure was removed in 2020.

Significance Assessment

The resource does not meet NRHP criteria. The site is not associated with the post-war boom Commerce City experienced in residential, commercial, and industrial development, typically defined by the period from 1945–1975, as the primary uses of the site developed after 1975. The resource does not demonstrate innovative practices in trucking or exceptional importance of the business or location in the broader trucking industry. Therefore, the resource is not significant under Criterion A. No significant individuals were identified associated with the property's development and use and, therefore, the resource is not significant under Criterion B. The primary building on the property, and the only one dating to the historic period, is a no-style concrete truck service garage, and is not significant under Criterion C. The property has been fully disturbed through development and redevelopment over the past 50 years, and has no potential for information potential; thus, it does not meet Criterion D.

Figure 8. View Looking North at 1977 Service Garage, 5AM.4317

(2) 5AM.4318 – Pepper Tank Company, 1978 (5022 E. 60th Ave., APE Map #73)

Description and Summary

The resource occupies a triangular shaped approximately 1.85 acre property south of East 60th Avenue and I-270. The primary building on the property is a metal frame storage warehouse and office, constructed in 1978. Emulsion tanks and associated manufacturing infrastructure were added by 1984. A detention or retention pond was added by 1991. Additional manufacturing infrastructure was added until approximately 2004. Development on the property didn't begin until the late 1970s, with the Pepper Tank Company as the original owner of the facility. The property currently functions as an asphalt manufacturing site under the management of Ergon Asphalt & Emulsions, Inc.

Significance Assessment

The resource does not meet NRHP criteria. The subject property was developed as an addition to the sizeable regional holdings of the Pepper Tank Company, an expansive water tank manufacturing company with multiple locations in Commerce City. Developed in the late 1970s, the site developed a couple decades after the initial expansion of the company, and other industrial developments in the area. Research did not identify critical developments or innovative processes influential in the oil or asphalt industry connected to operations at this site. Therefore, the resource is not significant under Criterion A. The Pepper Tank Company was established and initial operated by immigrant and entrepreneur Joseph E. Pepper. The subject site, however, was developed after Pepper's death in 1966 and therefore does not hold association with the founder of the Pepper Tank Company. Therefore, the resource is not significant under Criterion B. The primary building on the property is an un-stylistic metal frame building which may be prefabricated. The building does not demonstrate connections to a particular period, style, or method of construction. The larger site contains a system of tanks used in the manufacture of asphalt and emulsions. Therefore, the resource is not significant under Criterion C. The property was fully disturbed in the 1970s and 1980s to accommodate construction of the current industrial site and has been in use and operation since. Construction and manufacturing methods on the

site are common. The property is unlikely to yield additional information important to history or prehistory. Therefore, the resource is not significant under Criterion D.

Figure 9. View Looking South at 1978 Building, 5AM.4318

(3) 5AM.4319 – Lucero/Hernandez House, ca. 1978 (6800 E. 52nd Pl., APE Map #74)

Description and Summary

This is a residential parcel with a ranch type house constructed ca. 1978. The property is located within Lot 1 of Thuringer's Subdivision No. 2. The subdivision developed in the mid-to-late 1950s, and the original stucco house and frame shed on this property were constructed during this period. In 1967, right-of-way plans for the construction of I-270 record this property was owned by Lupe and Juanita Sainz. The stucco house and frame shed owned by the Sainz were demolished to accommodate construction of I-270. The original property parcel included a little more than a half-acre; the remaining parcel after right-of-way acquisition contained approximately 5,862 square feet (0.13 acre). The current house was constructed ca. 1978 on a remainder parcel after the construction of I-270 was completed. An addition was added to the west side of the ca. 1978 house, likely by 1984. Deed research indicates the subject parcel was sold by Felix and Mary Hernandez to Julia Lucero in December 1976, and that the house was constructed by Julia Lucero.

Significance Assessment

The resource does not meet NRHP criteria. Commerce City experienced considerable growth in population, residential subdivision construction, and commercial/industrial investment during the post-World War II period between 1945–1975. Though connected to post-war residential subdivision development, the resource and its associated subdivision do not demonstrate significant evidence of subdivision planning or development and therefore the resource is not significant under Criterion A. The resource was owned by Julia Lucero when the current house was constructed ca. 1978 and when the addition on the west side of the house was constructed ca. 1984. Additional information on the productive life of Julia Lucero was not identified, suggesting Lucero did not provide contributions to the community that could be considered significant under National Register Criteria. Therefore, the

resource is not significant under Criterion B. The resource is a late example of a Ranch-type residence and is not significant under Criterion C. The resource is unlikely to yield additional information important to history or prehistory and therefore is not significant under Criterion D.

Figure 10. View Looking South at ca. 1978 House, 5AM.4319

(4) 5AM.4320 – Forklift Systems, Inc., 1977 (6852 N. York St., APE Map #75)

Description and Summary

The property contains a 9,000 square foot double tee pre-stressed and precast concrete panel industrial building, which functions as both office and warehouse. The building includes two loading docks located on the south side and a large garage door suitable for large equipment access on the east side. The office/warehouse building was constructed in 1977, though historic aerials maps demonstrate the original building was the east section of the current building and was expanded to its current footprint by 1984. The original owner or the original business operating from the subject property was not identified. Though no source was identified tying the Forklift Systems, Inc. business to this property when constructed in 1977, the LinkedIn page for Chuck Halaska records him as the owner and president of Forklift Systems, Inc. from 1978–2000. It is possible the company is the original owner of the subject resource; it is also possible the company acquired the property as a later owner in the 1980s.

Significance Assessment

The resource does not meet NRHP criteria. Adams County demonstrated significant growth in both residential and commercial/industrial development beginning after World War II and continuing through the 1970s. The office/warehouse building represents continued commercial and industrial development into the modern period. The original business or industrial function of the property was not identified. Therefore, the resource is not significant under Criterion A. No individuals associated with the property during the historic period were identified. Therefore, the resource is not significant under Criterion B. The primary building on the property, the office/warehouse, is a non-stylistic, Double Tee Precast Concrete building constructed in box form with a flat roof. The type is common for industrial buildings within Colorado and is a relatively late example of the type. This building is not

significant under Criterion C. The property is unlikely to yield new information important to history and is not significant under Criterion D.

Because the resource does not demonstrate significance under National Register criteria, the resource is determined **not eligible** for inclusion on the National Register of Historic Places.

Figure 11. View Looking Northeast at 1977 Building, 5AM.4320

(5) 5AM.4321 – Clear Creek Valley Business Park, c. 1980 (7154 N. Washington St, APE Map #76)

Description and Summary

The 4.3 acre property on the south side of I-270 contains two single story brick commercial buildings containing business rental units. The two buildings are recorded by the Adams County Assessor as constructed in 1974 and 1980; however, neither building is present on an aerial image dating to 1980. Both buildings appear on an aerial image from 1984, indicating they were constructed ca. 1980. Deed research indicates the property containing the Clear Creek Valley Business Park was transferred by Augustine Yantorno to the Center Land Company in 1960. The Center Land Company, later Center Land Properties, was founded by Augustine "August" Yantorno, Carl Center Yantorno, and Frank Arthur Yantorno in 1960 to buy properties for lease and rental management. The Yantorno family is best known for the Center Greenhouse founded by Pietro Yantorno in Adams County in 1889. Pietro, father to August, came to Colorado from Italy in the 1880s; his Center Greenhouse became a Colorado Centennial Farm in 2014. Center Land Properties, according to the company website, was founded in 1964, the year of August's death. Center Land Properties is the current owner of the Clear Creek Business Park. Both properties – Center Land Company and Center Land Properties – remain owned by the Yantoro family.

Significance Assessment

The resource does not meet NRHP criteria. Development of light commercial properties in Commerce City experienced a boom in the Post-World War II period, generally defined as 1945–1975; this property is a late example dating outside the initial period of growth. The Clear Creek Valley Business Park is not significant under Criterion A. The Clear Creek Valley Business Park is associated with the Yantorno

family, which produced several significant individuals in Colorado history, primarily Pietro Yantorno who founded the Center Greenhouse and Augustine "August" Yantorno who founded the Center Land Company. Both men, however, had died prior to construction of the Clear Creek Business Park in the early 1980s. Therefore, the property is not associated with persons significant in history and is not significant under Criterion B. The Clear Creek Valley Business Park buildings are non-stylistic buildings constructed in brick with little architectural detailing. Therefore, the property is not significant under Criterion C. The property is not likely to yield information important to history or prehistory and the resource is not significant under Criterion D.

Figure 12. View Looking Northeast at ca. 1980 Clear Creek Valley Business Park, 5AM.4321

B. Re-Evaluated Properties in the APE Re-Evaluated Properties in the APE

A summary of the findings for six properties re-evaluated for NRHP eligibility under the I-270 EIS is provided below. Three of the properties were first recorded in 2021 but were not 50 years of age at that time, and are now being re-visited given that they have reached the 50-year threshold (5AM.4114, 5AM.4116, and 5AM.4117). The fourth and fifth resources, a segment of Brighton Blvd. (5AM.2410.2) and a segment of Vasquez Boulevard (5AM.3924.2) were re-visited on an OAHP Form 1405 due to data and GIS errors. Lastly, a new set of OAHP Forms 1400/1418 were completed for Burlington Ditch (5AM.465.9) due to a change in the width of the linear resource. The survey forms are included in Appendix D. Historic Property Site Forms (submitted separately)

(1) 5AM.4114 – Wagner Rents, 1973 (5455 Holly St., APE Map #44)

This one-story, L-shaped corrugated metal warehouse dates from 1973, with a late 1970s southeast addition and two more buildings added to the site in the 1990s. The complex did not meet NRHP criteria in 2021, and the passage of time has not revealed new information that would find this property NRHP eligible now that it is 50 years of age. An OAHP re-visitation form was completed, and the property was found to remain NRHP not eligible.

Figure 13. View Facing North Looking at 1973 Warehouse, 5AM.4114

(1) 5AM.4116 – Masek Golf Cars, 1973 (5345 Newport St., APE Map #64)

This is a double tee pre-stressed and precast concrete panel 1- and 2-story service garage and office, from 1973. The building was NRHP not eligible in 2021 and the passage of time has not created a different perspective or revealed new information that would find this property NRHP eligible now that it is 50 years of age. The OAHP re-visitation form found the property remaining NRHP not eligible.

Figure 14. View Looking Northwest at 1973 Office and Garage, 5AM.4116

(2) 5AM.4117 – Denver Truck & Trailer, 1974 (5280 Newport St., APE Map #65)

This two-story, L-shaped metal warehouse and office was built in 1974, and contains multiple garage bays on the I (west), south, and east elevations. A large shed addition built between 1978 and 1991 extends from the east elevation. The building was not found to meet NRHP criteria in 2021 and the passage of time has not created a different perspective or revealed new information that would find this property NRHP eligible now that it is 50 years of age. An OAHP re-visitation form was prepared. The property remains NRHP not eligible.

Figure 15. View Looking Northeast at 1974 Warehouse and Office, 5AM.4117

(3) 5AM.2410.2 – Brighton Blvd./CO-265, 1890s (SW of the I-270 overpass north to US 6, APE Map #21)

An approximately 1.2 mile segment of Brighton Blvd. (CO-265) was recorded in 2021 as 5AM.2410.2. The boundary description and mapping on the 2021 survey form indicates that the segment begins at US 6 and extending diagonally southwest of I-270 to the northern terminus of segment 5AM.2410.1. Unfortunately, the legal locational information and related data (UTM coordinates) on the survey form incorrectly showed the segment's southern terminus about 216 feet north of the northern terminus of 5AM.2410.1. This inadvertently left a substantial gap between the two recorded segments (as currently depicted in the Compass database), with the portion of Brighton Blvd. crossing through I-270 right-of-way not included in either segment. A re-visitation form was prepared to correct the legal locational information and related data. A site visit did not reveal any substantive changes to Brighton Blvd. since its 2021 recording that would change the segment's contributing status.

Figure 16. View Looking Northeast on Brighton Blvd. at I-270 Overpass, 5AM.2410.2

(4) 5AM.3924.2 – Vasquez Blvd./U.S. 6/U.S. 85/CO-2 (Between E. 52nd Ave. and I-270 interchange in Commerce City, APE Map #36)

This approximately 0.8 mile segment of Vasquez Blvd. (US 6/US 85/CO-2) was recorded in 2021, and the description indicates that the recordation was intended to correspond with the southern boundary of 5AM.3924.3, an adjacent segment of Vasquez Blvd. to the north. Unfortunately, the legal locational information and related data (UTM coordinates) on the survey form incorrectly show the segment's northern terminus approximately 100 feet south of the southern terminus of 5AM.2410.3, leaving a gap between the two recorded segments (as currently depicted in the Compass database), with the portion of Vasquez Blvd. beneath the I-270 overpass excluded from both segments in entirety. A re-visitation form was prepared to correct these errors in 2024, confirming the segment's non-contributing status.

Figure 17. View Looking Southwest on Vasquez Blvd. south of I-270, 5AM.3924.2

(5) 5AM.465.9 – Burlington Ditch/O-Brien Canal (Between CO-224 and South Platte River in Commerce City, APE Map #18)

This approximately 2.3 mile segment of the Burlington Ditch has been recorded multiple times since 2007 (most recently in 2021), with varying widths and descriptions. Most of the prior surveys and mapping in the Compass database show a segment width of about 50 feet, and exclude the ditch rider roads. Several earlier recordings also include UTM points that are outside the canal limits altogether. In 2024 for this EIS, CDOT re-recorded this segment using OAHP 1400/1418 survey forms; this recording clarifies the segment width as approximately 120 to 125 feet to accommodate the ditch and its flanking ditch rider roads. This evaluation also found the canal eligible under NRHP Criterion A for agriculture and irrigation history and NRHP Criterion C as a major engineered irrigation system in the Denver basin.

Figure 18. View Looking South on the West Ditch Riders Road of Burlington Canal, 5AM.465.9

5. Determinations of Effect and Section 4(f) Evaluations

The Section 106 process requires federal agencies to determine how historic properties might be affected by a project and whether any of those effects would be considered adverse. "Adverse Effects" are those that diminish characteristics qualifying a property for inclusion in the NRHP, and can include physical destruction of a property, but also other types of effects such as (but not limited to) alteration of a property, removal of a property from its original location, change in the character of a property's use or historic setting, or introduction of new visual or audible elements (see 36 CFR 800.5(a)(1)).

If the federal agency finds that NRHP eligible properties are not present (i.e., NRHP not eligible properties) or that historic properties are present but will not be affected (at all) by proposed EIS improvements, then the agency may make a "No Historic Properties Affected" finding. CDOT, acting on behalf of FHWA, can find that proposed EIS improvements along the I-270 corridor will also result in an "Adverse Effect" or "No Adverse Effect" finding for NRHP eligible properties. A "No Adverse Effect" occurs when a proposed federal undertaking may cause an affect to a NRHP eligible historic property but these changes do not adversely affect the characteristics that qualify the property for inclusion in the NRHP. The effect findings for both the 2021 draft EA and 2024 EIS are summarized in Table 4 below. The 2024 effect findings for the 11 NRHP eligible properties are discussed in more detail in Section 5.A. below. CDOT's effect analysis considers all three alternatives considered by the I-270 EIS.

Section 4(f) of the Department of Transportation Act of 1966, as amended, and codified in 49 United States 15 Code (U.S.C.) § 303, declares that "[i]t is the policy of 16 the United States Government that special effort should be made to preserve the natural beauty of the 18 countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." FHWA has adopted regulations to ensure its compliance with Section 4(f) (23 CFR 774). A property is considered a historic site under Section 4(f) if it is on or determined eligible for listing on the NRHP. Section 4(f) prohibits FHWA from approving the use of a historic site of national, state, or local significance unless a determination is made that 1) there is no feasible and prudent avoidance alternative to use of land from the property, AND the action includes all possible planning to minimize harm to the property resulting from such use; OR the use of the property, including any measures to minimize harm, will have a de minimis impact on the property. There are three types of Section 4(f) uses: direct use, temporary use, and constructive use. Because this project would not result in any constructive uses, this type of use is not discussed further. Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires special consideration when a potential project requires use of park and recreation lands, wildlife and waterfowl refuges, and/or historic sites is identified during transportation project development. The law is implemented by the FHWA through the regulation 23 CFR 774. Section 4(f) determinations as they relate to historic sites (i.e., NRHP eligible historic properties) are summarized in Section 5.B. below.

A. Determinations of Effect

All 78 properties 45 years of age or more within the APE were assessed for potential "Adverse Effects" under the Section 106 process based on review of the conceptual-level project designs for the three EIS design alternatives (refer to Table 4). This includes the 70 properties previously evaluated under the 2021 draft EA and associated Historic Resources Report (that report counted two linear segments as two separate resources when they are really segments of a singular resource), the three (3) previously surveyed bridges with site numbers omitted from the 2021 draft EA, and the five (5) newly identified age-eligible properties in 2024 (see Table 2 above). Although the alternatives considered under this EIS include some differences from the preferred design alternative considered under the 2021 draft EA, the overall project footprints are similar. In applying the criteria of "Adverse Effect," CDOT found that the project would not adversely affect any significant historic properties. CDOT's effect analysis considers all three alternatives considered by the I-270 EIS.

(1) No Historic Properties Affected Determinations

In 2021, CDOT found 59 age-eligible properties NRHP not eligible, and made an effect finding of "No Historic Properties Affected' for these 59 properties. In 2024, CDOT found an additional five (5) properties NRHP not eligible and identified three (3) previously surveyed not eligible bridges. Although the proposed roadway widening largely occurs within existing highway right-of-way, new property acquisitions, and permanent and temporary easements are needed from several NRHP not eligible properties as delineated in the 2021. Anticipated changes to these properties anticipated by the two build alternatives range from (but are not limited to) removal or alterations of not eligible bridges; intersection improvements and ramp realignments; new water quality ponds, retaining walls, and noise walls; and pedestrian and bicycle improvements. Including the three previously surveyed bridges with site numbers, CDOT has made a finding of "No Historic Properties Affected" for the 67 NRHP not eligible properties as listed on Table 4 below.

(2) No Adverse Effect Determinations

CDOT has determined the same 11 properties NRHP eligible under the draft 2024 EIS study as under the draft EA in 2021. This includes the two officially eligible individual properties, Plastics, Inc., 5AM.4047, and Sand Creek Junction (5AM.4119). Suncor Energy (5AM.4044), a property with a "Needs Data" finding is treated as NRHP eligible for Section 106 purposes. In terms of linear resources, it should be noted that CDOT, consistent with the Section 106 PA, evaluates the effects of proposed improvements on overall linear resource rather than on individual segments of linear resources (consistent with History Colorado linear policies). As such, Vasquez Blvd. and Brighton Blvd. are considered individual linear resources even though two linear segments of each linear resource intersects the proposed APE. In 2021 individual linear segments of these two roadways were incorrectly counted as individual eligible resources. The eight NRHP eligible linear resources within the project's APE include:

- Chicago Burlington & Quincy/Burlington Northern Santa Fe Railroad – Brush Line (5AM.464, including supporting segment 5AM.464.21);
- Burlington Ditch/O'Brien Canal, (5AM.465, including supporting segment 5AM.465.9);

- Denver Pacific/Union Pacific Railroad – Greeley Line (5AM.473, including supporting segment 5AM.472.41);
- Chicago, Burlington & Quincy Market Street Line (5AM.1298 including supporting segment 5AM.1298.3);
- Brighton Boulevard/State Highway 265 (5AM.2410, including supporting segments 5AM.2410.1 and 5AM.2410.2);
- Gardener's Ditch (5AM.12292, including non-supporting segment 5AM.1292.2);
- Vasquez Boulevard/U.S. Highway 6/U.S. Highway 85/State Highway 2 (5AM.3924, including non-supporting segments 5AM.3924.2 and 5AM.3924); and
- York Street (5AM.4101, including segment 5AM.4101.2).

Based on conceptual design provided for the I-270 EIS, CDOT has made a finding of "No Adverse Effect" for the 11 NRHP eligible properties. These findings apply to all three alternatives:

- The No Action Alternative proposes no new construction, widening or bridge replacements, instead focusing on maintaining and repairing existing interstate highway assets. This alternative also does not trigger new right-of-way or easements from the NRHP eligible properties. Because the No Action Alternative does not propose any change—direct or indirect—to the 11 historically significant properties, CDOT has determined that this alternative results in a "No Adverse Effect" finding for the 11 eligible properties.
- A more detailed analysis of the two build alternatives also resulted in findings of "No Adverse Effect" for the 11 NRHP eligible properties. The effects findings for the 11 eligible properties are found in Table 4. RW and easements, and new transportation uses anticipated within the boundaries of NRHP eligible properties are summarized in Table 5. The following sections provide a more detailed discussion of effects anticipated on the 11 NRHP eligible properties.

Table 4. Effect Determinations for Age-Eligible Extant Properties within the APE

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.464* -5AM.464.21	Chicago Burlington & Quincy/Burlington Northern Santa Fe RE (CB&Q/BNSF) (26) Brush Line (26)	Assume overall resource eligible Supporting segment (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.465* -5AM.465.9	Burlington Ditch (18) Burlington Ditch/O'Brien Canal (18)	Officially eligible (2022) Supporting segment (2024)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.472* -5AM.472.41	Denver Pacific/Union Pacific Railroad (28) Segment – Greeley Line (28)	Assume overall resource eligible Supporting segment (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.1292* -5AM.1292.2	Gardner Ditch - Gardener Ditch - Heller Ditch (17) Gardener's Ditch Segment (17)	Officially eligible (2010) Non-supporting segment (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.1298*	Market St. Railroad (30)	Assume overall resource eligible	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
-5AM.1298.3	Market St. Railroad Segment (30)	Supporting segment (2021)				
5AM.1363	Sand Creek Bridge - E-17-AT (37)	Officially not eligible (2002)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1416	Union Pacific Railroad (UPRR) Bridge - COMC-4A-02-RR (23)	Officially not eligible (2002)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.1417	UPRR Bridge - COMC-4A-02-RR (24)	Officially not eligible (2002)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1418	BNSF Railroad Bridge - COMC-5A-03-RR (25)	Officially not eligible (2002)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1842	Kammerzell Residence (62)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1843	The Nationwide Fabrication (63)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1845	N/A (48)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1846	N/A (56)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1847	The Barraza Residence (49)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1848	The Vilchis Residence (50)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1849	Overnite Transportation Company Business (43)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1850	The Beco Equipment Co. (38)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.1891	Doyle House - Beals Residence (66)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1892	Quintana Residence (67)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1893	N/A (52)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1894	Callahan House - Gonzales Residence (54)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1895	Titsworth House - Boren Residence (55)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1899	Funk House - Klingbell Residence - Klingbell Trucking Co. (45)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1904	Johnson Residence (51)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1905	Berk Residence (59)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1906	Morse - Cruz Residence (61)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.1907	Ray Residence - Oleson Residence (57)	Officially not eligible (2007)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.2410* 6AM.2410.15 AM.2410.2	Brighton Boulevard/CO-265 (21) Brighton Blvd. segment (89) Brighton Blvd. segment (21)	Assume overall resource eligible Supporting segment (2016) Supporting segment (2021 and 2024)*	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.2683	E-17-IN, Dahlia St. Underpass Westbound (78)	Not eligible under 2014 CDOT Historic Bridge Inventory**	Not Evaluated	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.2691	E-17-IO, Dahlia St. Underpass Eastbound (79)	Not eligible under 2014 CDOT Historic Bridge Inventory**	Not Evaluated	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.3924* -5AM.3924.2 -5AM.3924.3	Vasquez Blvd./U.S. Highway 6 (35-36) Segment (35) Segment (36)	Assume overall resource eligible Non-supporting segment (2021 and 2024) Non-supporting segment (2021 and 2022)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.4031	Larusso Subdivision (2)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4032	Sherwood House (3)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.4034	Teegee & Company, LLC (4)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4035	Di Giacomo-Slagel House (8)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4036	King House (9)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4037	King House (10)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4038	Weland House (11)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4039	Chapman-Depinto House (12)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4040	Royston House (13)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4041	NA (14)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4042	Chaplinskiy House (16)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4043	Kuhns House (15)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.4044*	Suncor Energy (20)	Officially needs data (2021)/Treat as eligible	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.4045	Denver Oil (29)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4046	Domenico Transportation Services Building (33)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4047*	Plastics, Inc. (34)	Officially Eligible (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.4048	Marquez House (68)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4049	Duran House (70)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4050	Applegarth House (71)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4070	Corner Stone Truck Repair (40)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4101* 5AM.4101.2	York Street (5) York Street segment (5)	Assume overall resource eligible Non-supporting segment (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.4107	NA (1)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.4108	NA (6)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4109	Martinez House (7)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4110	Semmaterials Energy Partners, LLC. (32)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4111	United Asphalts, Inc. (31)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4112	Stewart & Stevenson Power Products (39)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4113	Western Material Handling (42)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4114	Wagner Rents: The CAT Rental Store (44)	Officially not eligible (2021) *Not eligible (2024)*	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4115	E&K Trucking, Inc. (46)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4116	Masek Golf Cars (64)	Officially not eligible (2021) *Not eligible (2024)*	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.4117	Denver Truck & Trailer (65)	Officially not eligible (2021) *Not eligible (2024)*	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4118	E. 64th Avenue Bridge over Burlington Ditch/O'Brien Canal (19)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4119*	Sand Creek Junction (27)	Officially eligible (2021)	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
5AM.4121.1	Union Pacific Railroad Siding at Suncor Energy (22)	Not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4122	Keller (41)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4144	NA (47)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4145	Hernandez House (53)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4146	Colombo House (58)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4147	NA (60)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4148	Duran House (69)	Officially not eligible (2021)	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

				Effect Determinations 2024		
OAHP Resource Number	**Resource Name (Number on APE Map)**	**National/State Register Evaluation (Last Date of Evaluation)**	**Effect Determinations 2021 Environmental Assessment**	**1. No Action Alternative**	**2. General Purpose Lane Alternative**	**3. General Purpose Lanes and 1 Express Lane with Transit**
5AM.4317	Truck Parks Inc./Waste Connections of Colorado (72)	Not eligible (2024)	Not Applicable	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4318	Pepper Tank Co./BKEP Materials (73)	Not eligible (2024)	Not Applicable	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4319	Lucero/Hernandez House (74)	Not eligible (2024)	Not Applicable	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4320	Forklift Systems, Inc./Industrial Battery Service Property (75)	Not eligible (2024)	Not Applicable	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5AM.4321	Clear Creek Valley Business Park (76)	Not eligible (2024)	Not Applicable	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected
5DV.10970	E-17-HD, CO-35 (Quebec St.) Bridge over Sand Creek (77)	Officially not eligible (2014)**	Not Evaluated	No Historic Properties Affected	No Historic Properties Affected	No Historic Properties Affected

Note: Shaded properties are either officially NRHP eligible or "treat as eligible" for purposes of the Section 106 evaluation for this EIS.

Table 5. Right of Way and Easements Anticipated for NRHP Eligible Properties under the Two Build Alternatives

OAHP Resource Number	Resource Name (Number on APE Map)	National/State Register Evaluation (Last Date of Evaluation)	Other Use of Historic Property	Rights-of-Way (ROW) or New Permanent Easement (PE) Estimated	Temporary Construction Easement (TE) or other Temporary Use Estimated
5AM.464 -5AM.464.21	Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF) (26) -Segment	Assume overall resource eligible Supporting segment (2021)	X	X	TE 4-04 (.02 acre) TE 4-05 (.11 ace) TE 4-08 (.02 acre)
5AM.465 -5AM.465.9	Burlington Ditch (18) -Segment	Officially eligible (2022) Supporting Segment (2021)	X	PE 3-03 (.01 acre)	TE 3-05 (.07 acre) TE 3-06 (.10 acre) TE 3-07 (.03 acre) TE 3-08 (.87 acre) TE 3-15 (.10 acre)
5AM.472 -5AM.472.41	Denver Pacific/Union Pacific RR —Greeley Line (28) -Segment	Overall resource eligible Supporting segment (2021)	X	X	TE 4-04 (.03 acre) TE 4-05 (.21 acre)
5AM.1292 -5AM.1292.2	Gardner Ditch - Gardener Ditch - Heller Ditch (17) -Gardener's Ditch Segment	Officially eligible (2010) Non-supporting segment (2021)	.08 acre within existing I-270 RW	.01 acre (PE 2-04) .01 acre (PE 3-08) Up to 10 square feet of RW (RW 3-06)	X
5AM.1298 -5AM.1298.3	Chicago, Burlington & Quincy, Market St. Line (30) -Market St. Railroad Segment	Overall resource eligible Supporting segment (2021)			TE 5-09 (.32 acre)
5AM.2410	Brighton Boulevard/CO-265 (21)	Overall resource eligible	1.5 acres within historic boundary of Brighton Blvd.	X	X

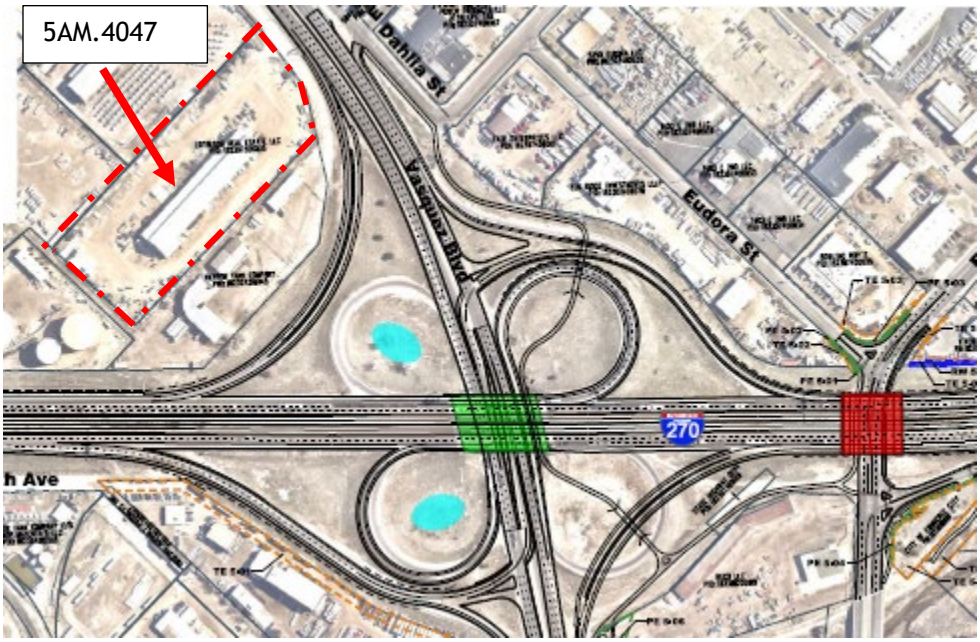
OAHP Resource Number	Resource Name (Number on APE Map)	National/State Register Evaluation (Last Date of Evaluation)	Other Use of Historic Property	Rights-of-Way (ROW) or New Permanent Easement (PE) Estimated	Temporary Construction Easement (TE) or other Temporary Use Estimated
-5AM.2410.2	-Brighton Blvd. segment	Supporting segment (2021) Supporting segment (2024)			
5AM.3924 -5AM.3924.2 -5AM.3924.3	Vasquez Blvd./US 6 (35-36) -Segment (35) -Segment (36)	Assume eligible Non-supporting segment (2021) Non-supporting segment (2021 and 2022)	8.82 acres within the historic boundary of Vasquez Boulevard: 4.84 acres within 5AM.3924.2 and 3.98 acres within 5AM.3924.3.	X	X
5AM.4044	Suncor Energy (20)	Officially needs data (2021)/Treat as eligible	X	X	11,800 square feet or .27 acre (TE 4-09)
5AM.4047	Plastics, Inc. (34)	Officially Eligible (2021)	X	X	X
5AM.4101 -5AM.4101.2	York Street (5) -York Street segment	Overall resource eligible Non-supporting segment (2021)	2.4 acres	X	X
5AM.4119	Sand Creek Junction (27)	Officially eligible (2021)	X	X	TE 4-05 (.05 acre)

(3) 5AM.4047 – Plastics, Inc., 5701 Dexter Street, Commerce City (APE Map #34)

The building located at 5701 Dexter Street was constructed around 1947 as an industrial production shed by the Pepper Tank Company. The property is surrounded by commercial properties to the north, west, and south, and is buffered from I-270 by these properties. The building embodies the distinctive characteristics of a postwar manufacturing production shed and is NRHP eligible under Criterion C.

Proposed improvements in the vicinity of Plastics, Inc. were discussed and illustrated in the 2021 Historic Resources Report and have not changed substantially under the two EIS build options. Nearby improvements include alterations to southbound Vasquez Boulevard ramp to westbound I-270 and removal of the northwest clover leaf ramp from westbound I-270 to southbound Vasquez Blvd. All work would be limited to the east boundary of Dexter Street, with no alterations to Dexter Street (including local business access to the Plastics property), and no ROW or easements required from this project. Refer to Figure 19 below. Improvements considered under the two build options result in a **"No Adverse Effect"** determination or this property.

Figure 19. Proposed Work under the Two EIS Build Options Adjacent to 5AM.4047



Note: The dashed red lines indicate the historic property boundary for Plastics, Inc., 5AM.4047

(1) 5AM.4044 – Suncor Energy, Inc., Commerce City (APE Map #20)

Suncor Energy is the conglomeration of two historic oil refineries that began operating on this site in 1930 and is the only operating oil refinery remaining in Colorado. The facility is spread out over three parcels (5800 Brighton Rd., 5801 Brighton Blvd., and 3875 East 56th Ave.) just south of Sand Creek, bisected by Brighton Blvd., the BNSF Railroad, and the UP Railroad. Suncor Energy is potentially eligible for listing in the National Register under *Criterion A: Industry* for its association with oil refining in Colorado and the commercial and industrial development of this part of Commerce City. Because

further research and survey is required to effectively determine National Register eligibility and integrity, Suncor Energy was classified as *Needs Data* in 2021. For Section 106 review purposes, the property is assumed eligible to the NRHP.

Proposed impacts to the Suncor property were discussed and illustrated in the 2021 Historic Resources Report, and are essentially the same under the EIS. A temporary easement will be needed from the northwest corner of the Suncor parcel at 3875 E. 56th Avenue to reconstruct a small portion of the existing Sand Creek Recreation Trail. The proposed temporary easement, TE 4-09, is estimated at 11,800 square feet (.27 acre) under the EIS. The area where work is occurring on the Suncor site is on the north side of Sand Creek in an already disturbed area where there are not developed refinery improvements. The project will return the affected area to pre-existing conditions prior to project end. Similar to the draft EA, the proposed two EIS build alternatives will result in a **"No Adverse Effect"** determination for this property. The location of this easement is shown in Appendix B.

Footprints of the Two Build Alternatives and Right-of-way Exhibits on sheets 4 of the exhibits for each of the build alternatives.

(5) 5AM.1292, Including Segment 5AM.1292.2, Gardener's Ditch (APE Map #17)

Gardener's Ditch was constructed between 1861 and 1863. Public Service Company of Colorado (PSCo) purchased and abandoned this approximately 865-long segment of the ditch in the early 2000s, with the historic ditch boundary now located within I-270 RW and on private property. It is located at I-270 just east of York Street between the south property line of 6610 York Street and the northern right-of-way of I-270. Since the late 1960s until the early 2000s, the ditch waters were carried in an underground pipe under the I-270 highway and right-of-way. Open portions of the ditch segment survive on both the north and south sides of the I-270 RW. The Gardener's Ditch is officially NRHP eligible, and is significant under *Criterion A* for its association with early irrigation and agriculture in Denver. Previously in 2021, CDOT determined that the subject ditch segment no longer retains integrity of setting, materials, design, workmanship, feeling, or association, and is not recognizable as an irrigation ditch. It was determined to be a non-supporting segment of the Gardener's Ditch, with SHPO concurrence.

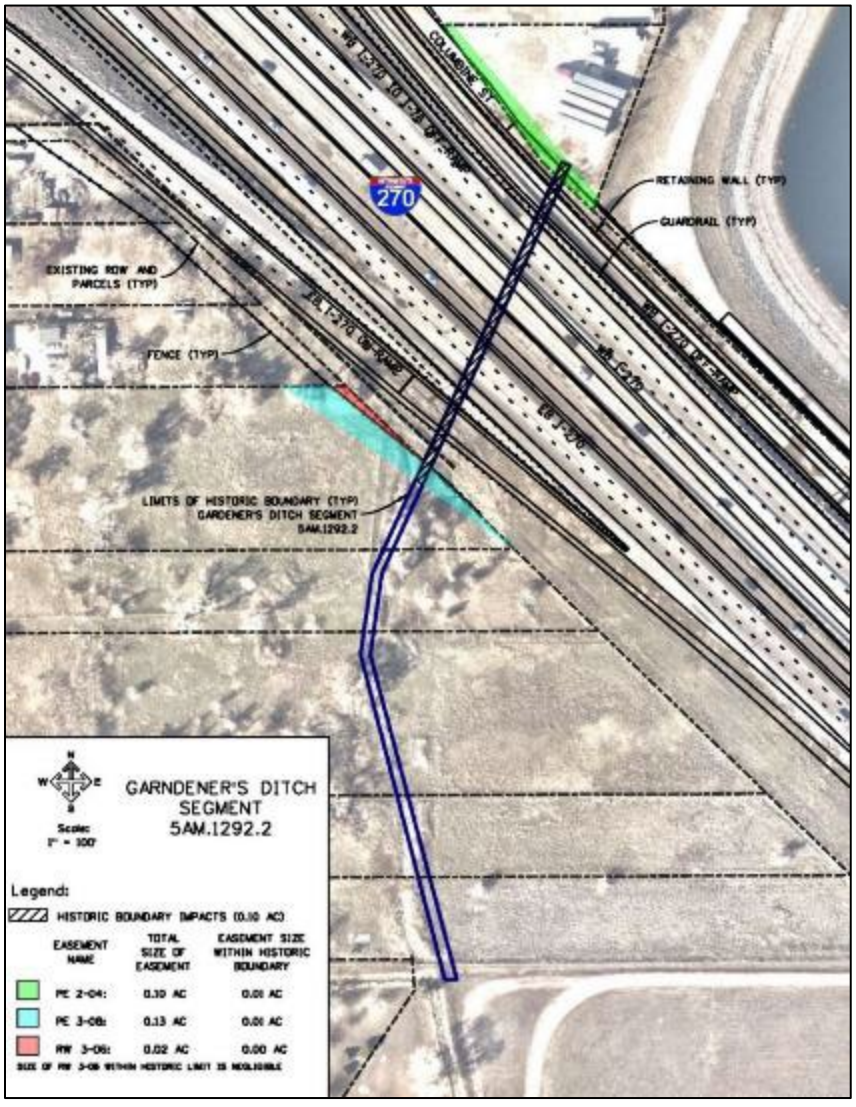
Under the two proposed build alternatives, the proposed improvements at Gardener's Ditch will alter the interchange at I-270 and York Street (located a few hundred feet west of the ditch), and require adjustments to the I-270 off- and on-ramps for York Street where the ditch segment is located. The proposed improvements will also require relocation of Columbine Street to the north, a street that generally runs in a northwest to southeast direction parallel to the north side of I-270; this realignment of Columbine Street will require construction of a retaining wall and will also impact the Gardener's Ditch on the north side of I-270. Widening of the I-270 mainline itself will also require removal of the current non-historic I-270 culvert that historically carried Gardener's Ditch beneath I-270.

The majority of the proposed improvements at Gardener's Ditch are located within existing I-270 RW. The proposed improvements have the potential to impact up to an approximately 375' length of the ditch. This amounts to approximately .1 acre of the abandoned Gardener's Ditch, most of which (approximately .08 acre) was already located in a culvert under current I-270. On the north side of I-270, PE-2-04 will permanently impact approximately .01 acre of the ditch on private property, and this

easement is needed to accommodate re-construction and future maintenance of relocated Columbine Street. On the south side of I-270, RW-3-06 and PE-3-08 are required to accommodate construction and future maintenance of a drainage swale and fence, impacting 10 square feet or less and approximately .01 acre of the abandoned open portion of the ditch, respectively. Figure 20 below shows proposed impacts to Gardener's Ditch.

In 2021, CDOT made a "No Adverse Effect" finding related to the impact of the draft EA's preferred alternative to Gardener's Ditch. The impacts to Gardener's Ditch are the same for both EIS build alternatives, and are similar to those previously evaluated by the draft EA. Segment 5AM.1292.2 of Gardener's Ditch is a heavily altered non-supporting segment, and the impacts caused by the two EIS build alternatives will cause minimal change to Gardener's Ditch as compared to existing conditions. As such, CDOT has made a **"No Adverse Effect"** determination to Gardener's Ditch, 5AM.1292 (which includes the non-supporting segment 5AM.1292.2).

Figure 20. Impact of the Two EIS Build Options on Gardener's Ditch, 5AM.1292.2



** Impact to Gardener's Ditch as a result of RW-3-05 is nominal, estimated at 10 square feet or less.*

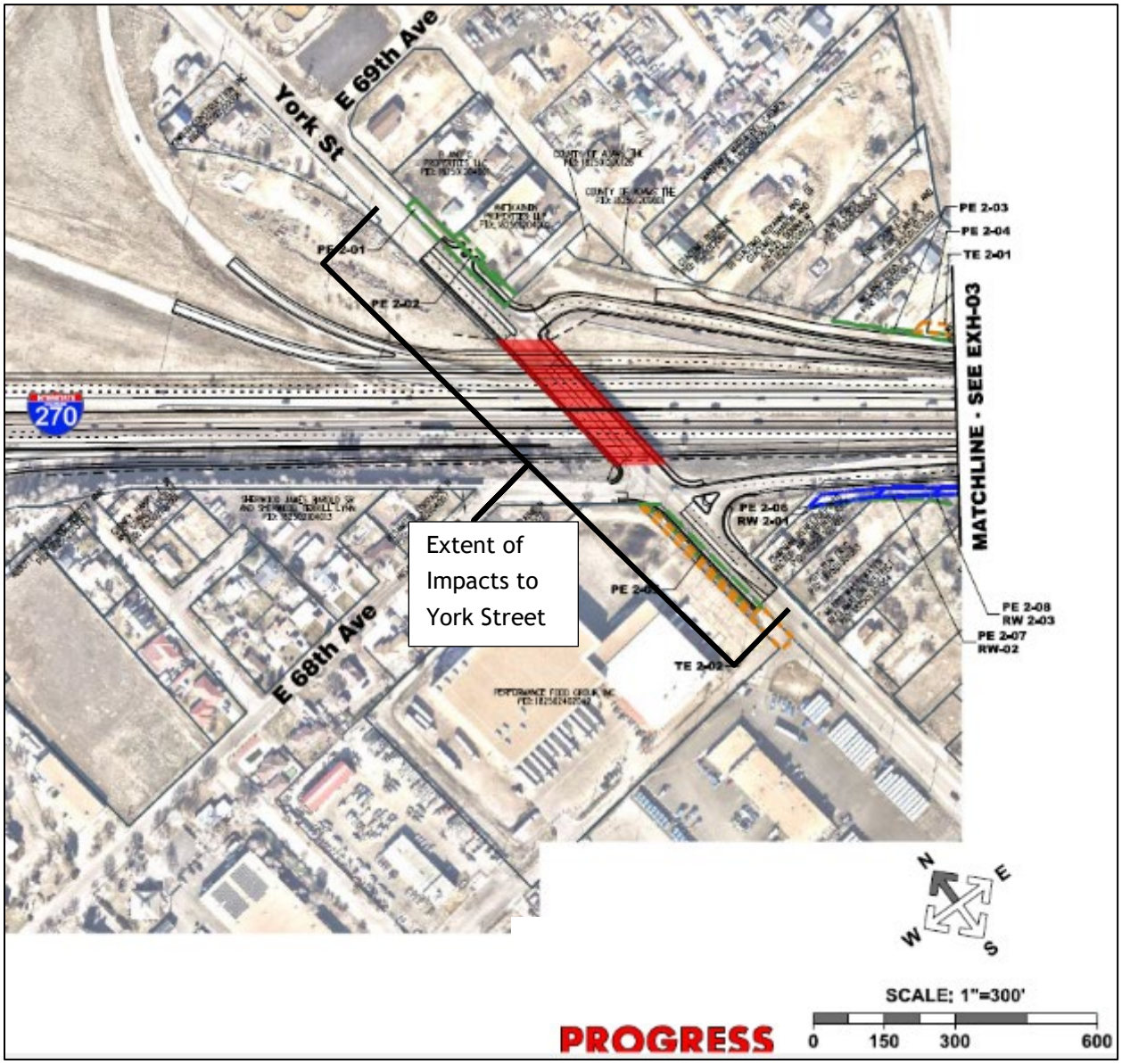
(6) 5AM.4101, Including Segment 5AM.4101.2, York Street (APE Map #5)

York Street was first built as a county farm to market road in the 1880s and was designated as SH 224 in the early twentieth century, although it no longer carries this designation. This segment is approximately 1 mile in length, extending from E. 66th and E. 74th Avenues, and the width is approximately 70 feet. The entire length of York Street is assumed significant under *Criterion A* as a farm-to-market road. However, in 2021, CDOT found that this segment of York Street had been substantially widened and altered over the years, and that it was non-supporting of the assumed overall significance of the York Street linear resource.

Under the two proposed build alternatives, the I-270 and York Street interchange would be reworked, and approximately a .24 mile length of York Street segment 5AM.4101.2 would be improved. The two build alternatives both propose to replace the existing 1970 continuous steel girder underpass of I-270 at York Street (E-17-IC) with a new wider structure; widen the York Street roadway both north and south of the new I-270 bridge to transition the adjacent roadway to the wider bridge configuration; redesign the I-270 and- on- and off-ramp terminals at York Street; and add curb and gutter, curb ramps and sidewalks to areas where work is occurring along York Street. Overall, the project will impact approximately 2.4 acres of the historic boundary of York Street. Some easements from adjacent private property will be needed to accomplish the improvements. The area of impacts to York Street are shown in Figure 21 below.

In 2021, CDOT made a "No Adverse Effect" finding related to the impact of the draft EA's preferred alternative to York Street. The impacts to York Street are slightly greater under the EIS than the draft EA, but are the same for both build EIS alternatives. Segment 5AM.4101.2 of York Street was previously found non-supporting with severe integrity loss, and the impacts caused by either of the two build alternatives will cause minimal change to York Street as compared to existing conditions. The project will not change the alignment, nor will it substantially widen or change the overall character of the overall assumed NRHP eligible York Street resource. As such, CDOT has made a **"No Adverse Effect"** determination for York Street, 5AM.4101 (including non-supporting segment 5AM.4101.2).

Figure 21. Impact of the Two EIS Build Options on York Street, 5AM.4101.2



(7) 5AM.465, Including Segment 5AM.465.9, Burlington Ditch/O'Brien Canal (Map Label 18)

The Burlington Ditch/O'Brien Canal (Burlington Ditch) was constructed in 1886 by the Burlington Ditch Company and is owned and operated by the Farmer's Reservoir & Irrigation Company (FRICO). The Ditch is significant under NRHP Criteria A and C for its contributions to agriculture and as an extensive engineering feat, with a period of significance from 1886-1909. The 2.35 mile segment that intersects the APE for this EIS ranges from approximately 115 to 125 feet wide, including the canal and historic ditch rider road to the east and the west. An elevated commuter rail line is located 70 feet east of the ditch. The canal embankment has been reinforced with large concrete and stone rubble through this area.

Proposed improvements under the two build alternatives include replacing the two existing three-span continuous steel plate girder bridges (E-17-IF and E-17-IG) that carry I-270 over the Burlington Ditch/O'Brien Canal at this location. These two 1969 bridges are each 40 feet in width and approximately 217 feet in length. The two center piers of each of the bridges are located inside the historic ditch boundary, between the ditch and ditch rider roads on either side of and partially within the embankment of the Burlington Ditch. Refer to Figure 22 below. The existing bridges and their associated piers and concrete abutment walls would be removed and replaced with a new pair of variable depth steel plate girder bridges, as shown in Figure 24:

- The new bridges would be single-span (instead of three-span), approximately 140 feet in total length, spanning completely over the historic ditch boundary.
- The two new spans would be situated on new concrete vertical abutment walls located on FRICO property outside (but within 2.5 to 6 feet of) the historic ditch boundary. No intermediary piers will be required within the historic ditch boundary like the current bridges.
- The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative (Alternative 2) and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative (Alternative 3). Refer to Figure 23 below.
- While the current steel girder bridges are approximately 4.5 inches in depth, the depth of the new bridge spans would vary from approximately 3.2 feet to 6.8 feet, given that they are variable depth single span units. The bridge clearance over the ditch would be a couple feet less than current conditions, but the clearance over the ditch rider roads would not change.
- The historic ditch access roads will be used during construction to remove the existing bridge components and install the proposed bridges. The ditch access roads will be returned to pre-construction conditions upon completion of construction.
- Construction fencing will be placed at the top of the Burlington Ditch slopes within the project area, protecting the existing bank, riprap, and ditch itself.
- The existing riprap surrounding the existing bridge piers will be temporarily removed to allow the existing bridge piers will be removed. Upon removal of existing bridge piers, the existing riprap will be reset to pre-construction conditions and the contractor will install construction fencing at the top of the ditch embankment for the remainder of construction to protect the earthen ditch.
- In accordance with FRICO requirements, the contractor will implement protection measures during construction to prevent debris from construction activities from entering into the canal . The intent is to protect the integrity of the ditch.
- There is an existing east-west oriented private property access road on the west side of the Burlington ditch which requires relocation. This property access road is outside the historic boundary except where it connects to the western ditch access road within historic limits. This property access road is planned to be relocated approximately 70 feet north and re-connect to the ditch access road. The ditch rider roads will not be improved or realigned, and no substantial regrading of these roads is anticipated.
- The Contractor shall arrange for a Pre-Construction environmental specific meeting to include protection measures for the ditch, and the Contractor shall submit a baseline report to the

project engineer that documents the existing conditions of the historically significant ditch prior to initiation of construction activities. The Contractor shall use this photo documentation for restore the temporarily impacted historic features to pre-construction and historically appropriate conditions after construction is complete.

While a pair of single span bridges was also proposed under the 2021 draft EA, a different bridge type with slightly different dimensions was considered by that action. Similar to the 2021 draft EA, CDOT will need a combination of permanent and temporary easements from FRICO to complete the bridge removal and replacement work. Given that the FRICO owned property is wider than the historic ditch boundary as defined by the 2024 updated survey forms for 5AM.465.9, only a portion of the required easements include work and lands within the historic boundary of Burlington Ditch. Temporary easements that are partially or entirely within the historic ditch boundary include: TE 3-05, TE 3-06, TE 3-07, TE 3-08 and TE 3-15; cumulatively, this amounts to approximately 1.17 acres of temporary easements within the historic ditch boundary. Refer to Table 5 and Figure 25 for additional information. Work associated with bridge removal and construction will require cranes and will largely occur within TE 3-08 immediately underneath I-270. Approximately .01 acres of PE 3-03 will involve work within the historic ditch boundary to reconnect the relocated private property access road to the western ditch rider's road.

The removal of the existing bridge piers will require limited direct construction work within the historic boundary. Indirect effects would include removing the existing bridge spans and placing the abutments for the two new bridges outside of the historic boundary. The proposed changes under the two build alternatives would not change or alter the character-defining features of the ditch or the ditch riders' roads. All construction impacts are temporary, and the ditch will be returned to pre-construction conditions at project end. The Burlington Ditch has historically been crossed by several bridges and the current I-270 bridges have been in place since the 1960s. Replacing one set of non-historic bridges with another wider set of bridges would not significantly impact the resource's integrity of setting, feeling, or association. Removal of the current piers will improve the historic integrity of Burlington Ditch by removing non-historic elements from the historic boundary. There would be no permanent change to the integrity of location, materials, design, or workmanship to the ditch. Because the historic integrity would not be significantly impacted, the ditch would still be able to convey its significance under NRHP Criteria A and C. Similar to the 2021 EA, the two EIS build options would result in a **"No Adverse Effect"** determination for the Burlington Ditch/O'Brien Canal (5AM.465, which includes the supporting segment 5AM.465.9).

Figure 22. View Looking South at I-270 Bridges with Intermediary Piers within the Historic Boundary of Burlington Ditch, 5AM.465.9

Figure 23. Bridge Sections for the Two EIS Build Alternatives over Burlington Ditch, 5AM.465.9

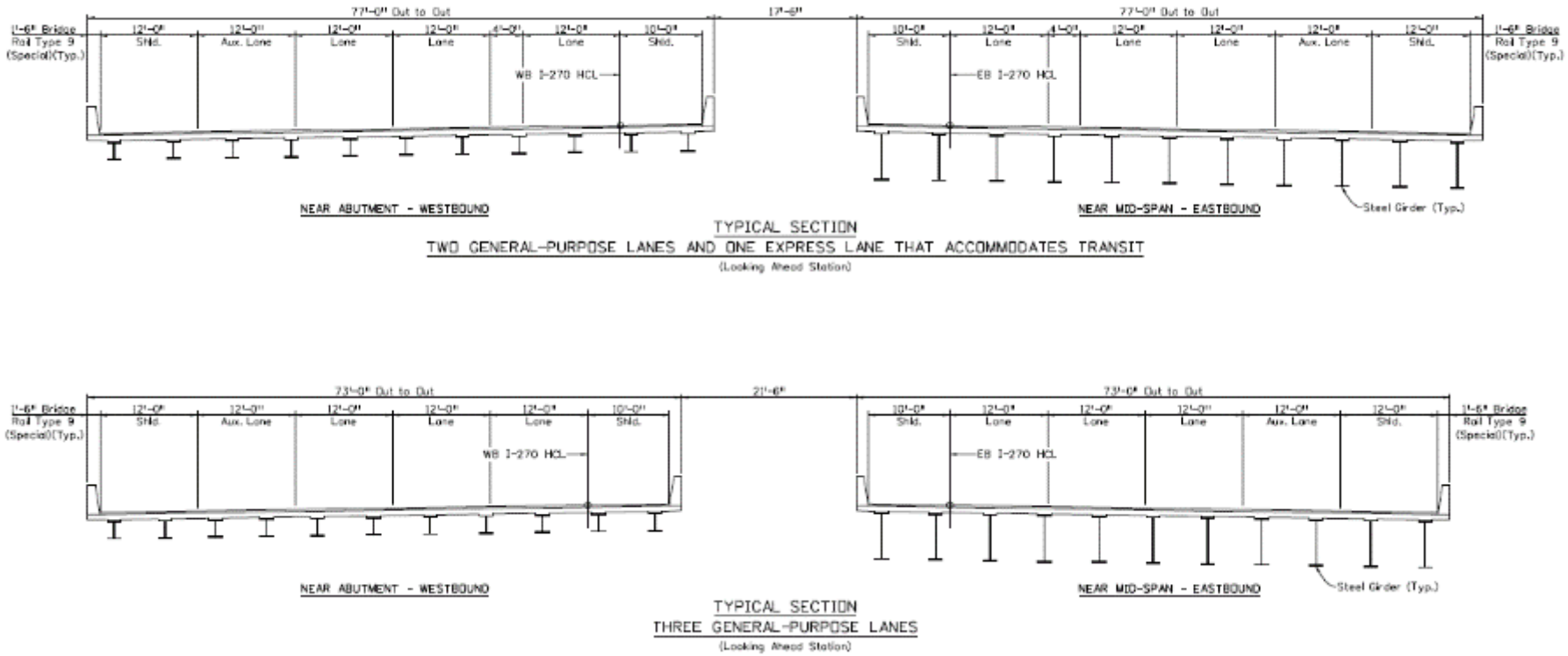


Figure 24. Bridge Plans at Burlington Ditch, 5AM.465.9

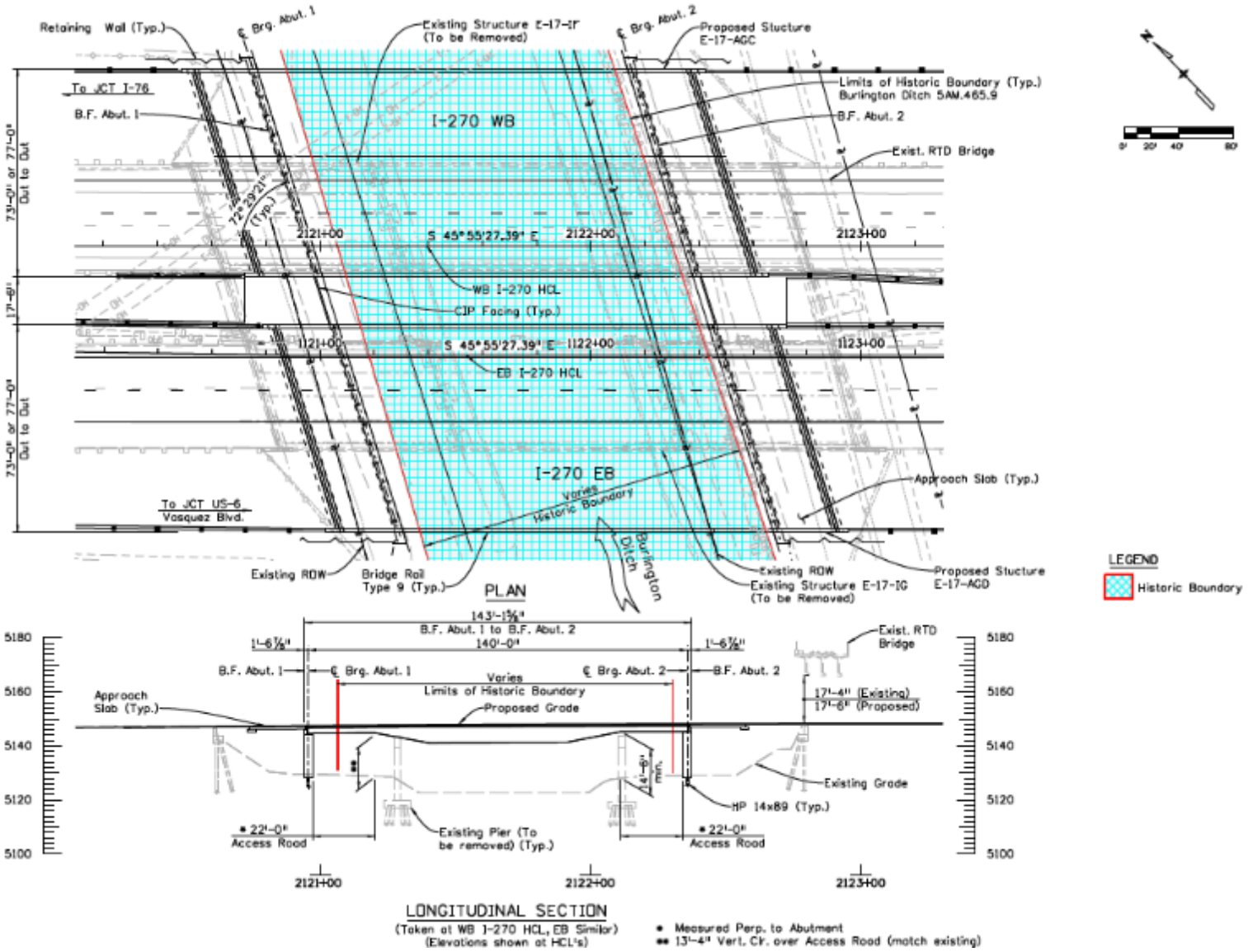
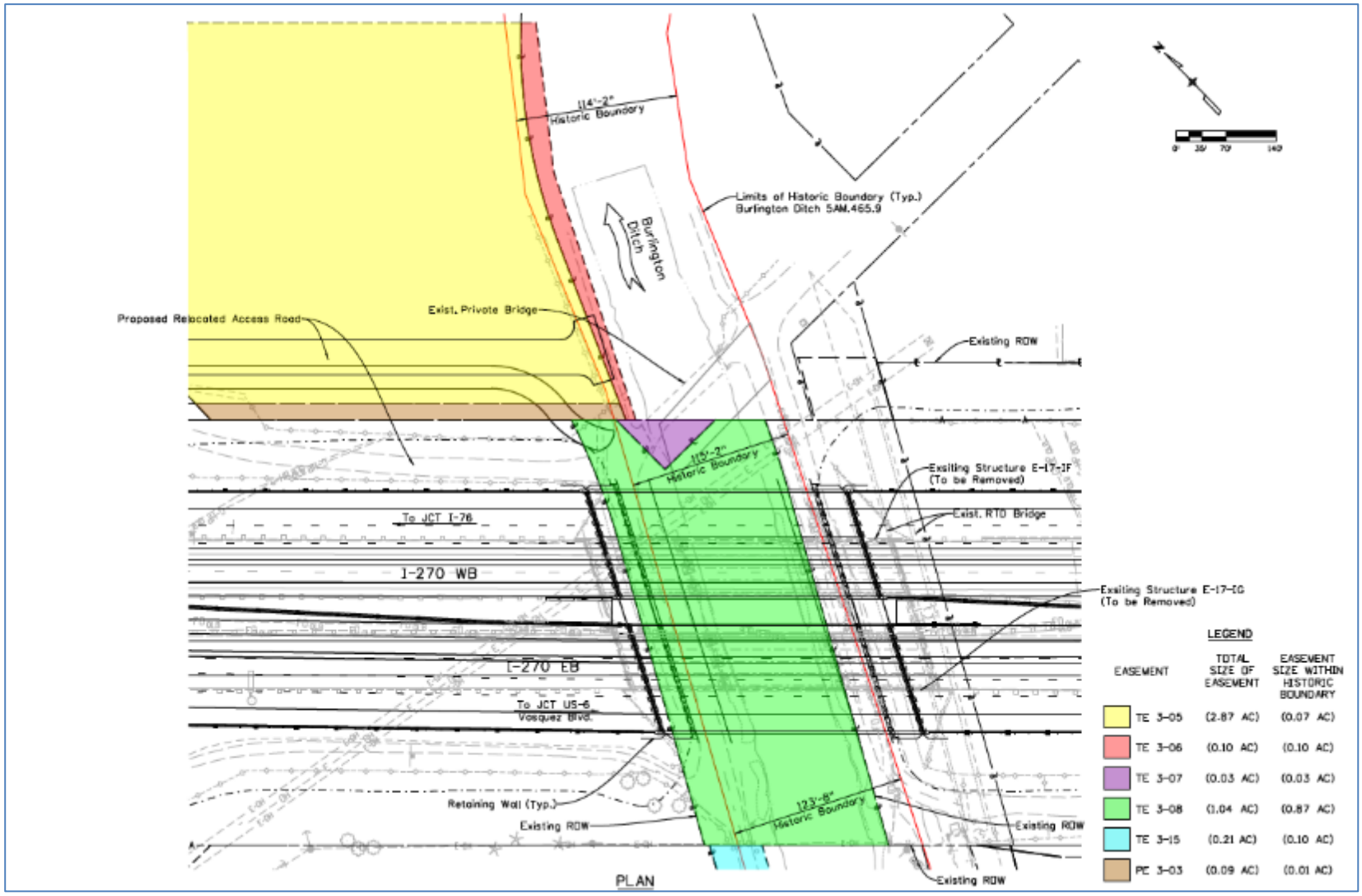


Figure 25. Rights-of-Way and Easement Diagram at Burlington Ditch, 5AM.465.9



(8) 5AM.2410, Including segments 5AM.2410.1 and 5AM.2410.2, Brighton Boulevard/State Highway 265 (Map Label #21 and #89)

Brighton Boulevard/SH 265 (Brighton Blvd.) was first built as a county road in the late 19th century. I-270 crosses over Brighton Boulevard west of the Union Pacific and Burlington Northern Santa Fe railroads at Sand Creek Junction, with no interchange or other associated I-270 improvements at this location. Two segments of Brighton Boulevard fall within the project APE (5AM.2410.1 and 5AM.2410.2), although all of the proposed construction work related to the two EIS build options is anticipated to be within 5AM.2410.2. The historic segment width varies but is about 72 to 75 feet in width under I-270, which corresponds closely with the historic RW width of Brighton Blvd./State Highway 265. This width contrasts with the current RW width of Brighton Blvd. at I-270, which is approximately 150 feet wide. The Brighton Boulevard/SH 265 is significant under NRHP Criterion A as a state highway that served as an important regional farm-to-market road and as an important artery for farms and ranches in the Brighton area to markets and shipping centers in Denver. The period of significance for Brighton Boulevard is 1890-1930. Both of the subject segments are supporting of the overall significance of 5AM.2410.

Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265, the CB&Q/BNSF (5AM.464.21) and DP/UP railroads (5AM.472.41), as well as Sand Creek Junction (5AM.4119). Under the two EIS options, the existing bridges carrying I-270 over Brighton Boulevard would be replaced as follows:

- A new four-span pair of precast concrete girder bridges will cross Brighton Blvd., and the railroads (including Sand Creek Junction). Refer to Figure 28 below.
- The new bridge spans will be approximately 6.25 feet deep, a negligible .75 foot deeper than the current spans. The vertical clearance over Brighton Blvd. will remain unchanged.
- For each bridge pair, the four new spans will vary from 75 to 100 feet in length.
- The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current configuration. This includes removal of one set of piers within the historic boundary of Brighton Boulevard and a new pier that will be set back outside of the historic boundary. Refer to Figure 26 and Figure 28 below.
- Proposed Abutment 1 and Pier 2 flank Brighton Boulevard, but will be located within the Brighton Blvd. RW but outside of the historic boundary of Brighton Boulevard.
- The new bridge is estimated to be 510 feet in length total, while the current bridge is approximately 370 feet long.
- The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative (Alternative 2) and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative (Alternative 3). Refer to Figure 27 below.

Under the preferred alternative considered under the draft EA in 2021, CDOT proposed a single two-span concrete or steel girder bridge rather than a bridge pair to carry traffic on the widened I-270 roadway. The proposed bridge configuration under the two EIS build alternatives differs from the prior proposal. However, similar to the 2021 EA plan, the new bridges would be built over existing Brighton

Boulevard ROW with no improvements proposed for Brighton Blvd. itself other than temporary construction impacts, replacement of Abutment 1 and Pier 1 just outside of the road's historic boundary, and rebuilding the curb and gutter and sidewalks on either side of the roadway under the new bridge. Upon completion of the abutment, pier, curb and gutter, and sidewalk construction, Brighton Boulevard travel lanes will be placed back to existing configuration and returned to pre-construction conditions. No widening or other improvements to Brighton Boulevard are anticipated. The total impacts to Brighton Blvd., represented by the blue shaded area of the roadway's historic boundary in Figure 28 amounts to up to 1.5 acres.

Similar to the 2021 EA evaluation, the construction of the new bridge would not have a direct effect to the highway segment because the new pier and bridge abutment would be outside of the historic boundary and no additional improvements to the Brighton Blvd. roadway are included in the proposed action. There would be no change to the integrity of location, materials, design, or workmanship to the highway. A change would occur with new wider bridges spanning the historic resource, but this would not alter the character-defining features of the road. Brighton Boulevard/SH 265 has historically been crossed by other bridges and the current I-270 bridges have been in place since the 1960s. Replacing one set of non-historic bridges with another would not significantly impact the resource's integrity of setting, feeling, or association. Because the historic integrity of Brighton Boulevard would not be significantly impacted, the highway would still be able to convey its significance as a regional farm to market route under Criterion A. As a result, the project would result in a **"No Adverse Effect"** determination for Brighton Boulevard/State Highway 265 (5AM.2410, which includes the supporting segments 5AM.2410.1 and 5AM.2410.2).

Figure 26. View Looking Southwest on Brighton Boulevard at I-270 (Showing Existing Bridge Abutment and Pier Flanking the Roadway)

Figure 27. Bridge Sections for the Two EIS Build Alternatives over Brighton Boulevard and Three Railroad Resources (5AM.464, 5AM.472, and 5AM.411)

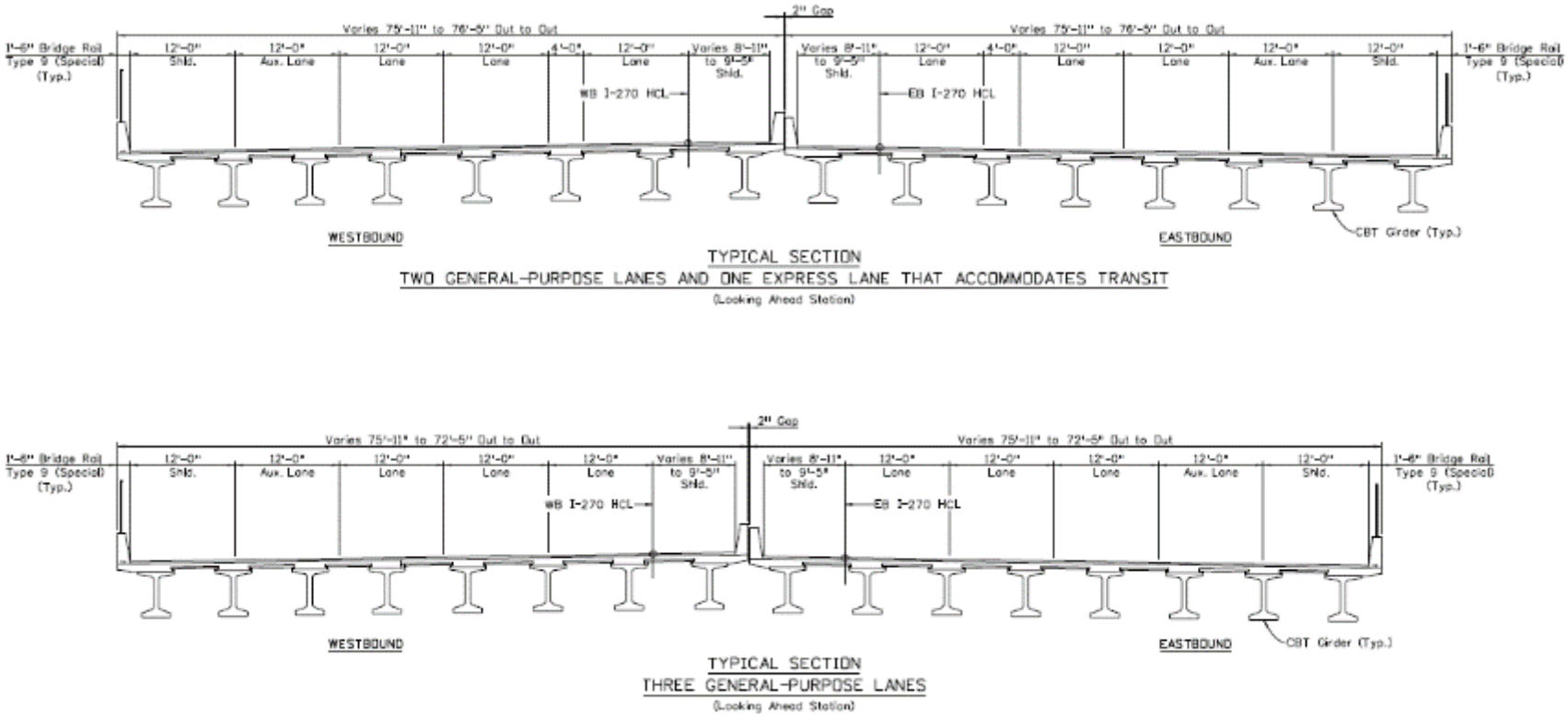
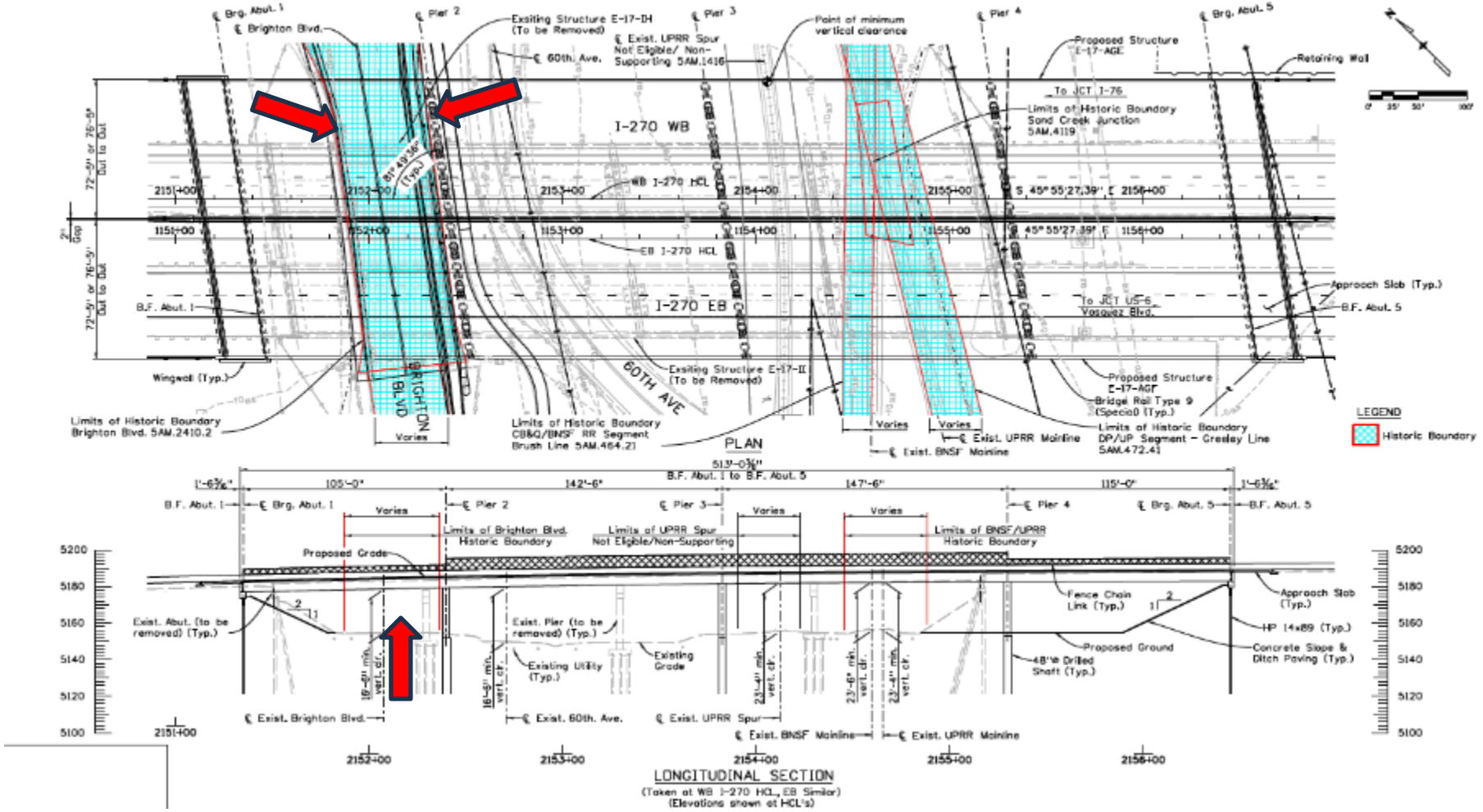


Figure 28. Bridge Plans for the Two EIS Build Alternatives at Brighton Boulevard (Also the CB&Q/BNSF and DP/UP Railroads, and Sand Creek Junction to the Southeast)



Note: The Historic Boundary of Brighton Blvd., 5AM.2101.2, is outlined in red, shaded in blue hatch, and depicted by thick arrows. The current and proposed bridge over Brighton Blvd. also crosses over three historic railroad resources covered later in this report. The blue shaded area for Brighton Blvd. is the area of impact for this historic resource, amounting to up to 1.5 acres.

(9) 5AM.464, Including Segment 5AM.464.21, CB&Q/BNSF – Brush Line (Map Label #26)

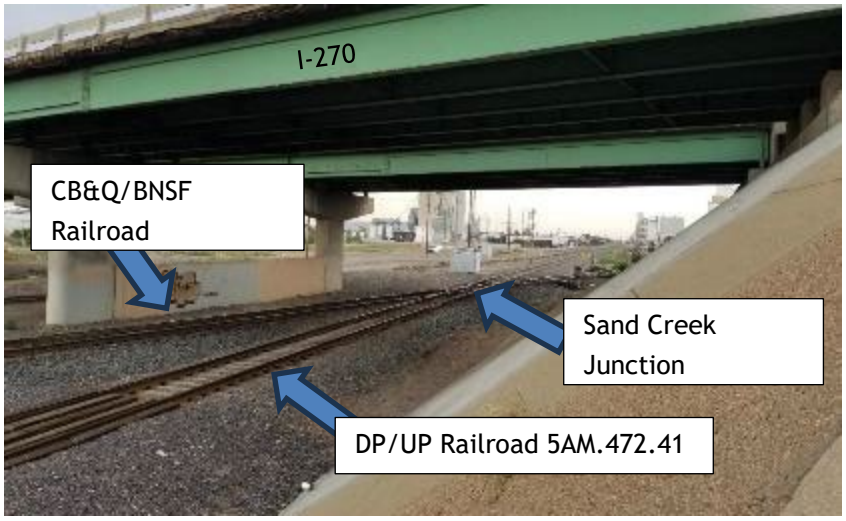
(10) 5AM.472, Including Segment 5AM.472.41, DP/UP – Greeley Line (Map Label #28)

(11) 5AM.4119 – Sand Creek Junction (Map Label #27)

These three railroad resources are discussed together since they are interconnected, consisting of two rail lines intersecting at a junction under I-270 about 180 feet southeast of Brighton Boulevard (as shown in 29 and Figure 30 below). The CB&Q/BNSF Brush Line (5AM.464) was constructed in 1882 and is owned by the BNSF. The documented segment (5AM.464.21) of this line is 4,488 feet long and approximately 15 feet wide. This rail line intersects the DP/UP Railroad – Greeley Line (5AM.472) at Sand Creek Junction (5AM.4119) directly beneath I-270. The total length of the recorded segment 5AM.472.42 is 4,120 feet and the width is approximately 15 feet at I-270. The historic boundaries for the two railroads are significantly narrower than the existing RW for the two railroad lines owned by BNSF and UP Railroads. The third transportation resource, Sand Creek Junction was constructed in 1882. It is an X-shaped railroad junction at the crossing of the CB&Q/BNSF Brush Line (5AM.464) and the DP/UP Greeley Line (5AM.472), and is approximately 60 feet long by 20 feet wide.

All three resources are significant under NRHP Criterion A for their association with early railroad development in Colorado. The CB&Q/BNSF Brush Line (5AM.464) provided the first direct rail connection between Denver and Chicago, and influenced the growth of several Colorado towns. The DP/UP Greeley Line (5AM.472) was the first railroad in Denver, providing a connection to the UP Transcontinental Railroad in Cheyenne, Wyoming. The recorded segments for these two railroads, 5AM.464.21 and 5AM.472.41, are both supporting of the Criterion A significance for the overall railroad resources. Sand Creek Junction (5AM.4119) was an important junction of these two early rail lines, and is individually significant under Criterion A for its association with early railroad transportation in Colorado and for promoting industrial development of Commerce City after World War II.

Figure 29. Location of CB&Q/BNSF (5AM.464.21) and DP/UP (5AM.472.41) Railroads, and Sand Creek Junction (5AM.4119) under I-270



Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265,

the CB&Q/BNSF (5AM.464.21) and DP/UP railroads (5AM.472.41), as well as Sand Creek Junction (5AM.4119). Under the two EIS options, the existing bridges carrying I-270 over the three railroad resources would be replaced as follows:

- A new four-span pair of precast concrete girder bridges will cross over Brighton Blvd., and the two railroads (including Sand Creek Junction). Refer to Figure 30 below.
- The new bridge spans will be approximately 6.25 feet deep, a negligible .75 foot deeper than the current spans. The vertical clearance over Brighton Blvd. will remain unchanged.
- For each bridge pair, the four new spans will vary from 75 to 100 feet in length.
- The new bridge is estimated to be 510 feet in length total, while the current bridge is approximately 370 feet long.
- The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current configuration. Refer to Figure 30 below.
- The existing eastern sloped concrete abutment which supports the existing bridge pair is located proximal to the DP/UP railroad (5AM.462.41); it will be removed and replaced with a new bridge pier located 30 feet further east (or away) from the historic railroad boundary as shown in Figure 30. This pier will support spans from both of the new bridges (east and westbound).
- The concrete pier closest to CB&Q/BNSF Railroad 5AM.464.21 as shown in 29 above will be replaced with a new pier located more than 40 feet further west (or away from) the historic boundary of this railroad line. This pier will support spans from both of the new bridges (east and westbound).
- The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative (Alternative 2) and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative (Alternative 3). Refer to Figure 27 above.

Under the preferred alternative considered under the draft EA in 2021, CDOT proposed a single two-span concrete or steel girder bridge rather than a bridge pair to carry traffic on the widened I-270 roadway. The proposed bridge configuration under the two EIS build alternatives differs from the prior proposal. However, similar to the 2021 EA plan, the new bridge piers and abutments would be built outside of the historic boundaries of the three railroad resources. Proposed Pier 4 is the closest vertical bridge element to the historic railroad resources, located 30 feet or more east of the historic boundary of the DP/UP Railroad (5AM.462.41) at its closest point.

The proposed action would not result in any changes or modifications to the CB&Q/BNSF (5AM.464), DP/UP railroads (5AM.472), or Sand Creek Junction (5AM.4119). No tracks will be moved, horizontal or vertical alignments or railroad grades changed. The railroads will remain in operation during project construction. Also, no new permanent vertical bridge components, such as piers or abutments, will be built within the historic boundaries of these three resources. Temporary fencing and flagging may be required to meet railroad standards when bridge replacement work is underway. In addition, the Build Alternatives will require TE (or temporary use agreements) that will overlap the historic boundaries of the three railroad resources, assuming that existing railroad use agreements cannot be utilized. This includes TE 4-04, TE 4-05 and TE 4-08. A small portion of TE 4-04, .02 acre and .03 acre, intersects

5AM.464.21 and 5AM.472.41, respectively. Similarly, TE 4-05 will intersect .11 acre of 5AM.464.21; .21 acre of 5AM.472.41; and .05 acre (the entirety) of 5AM.4119. In addition, TE 4-08 includes .02 acre of land from 5AM.464.21. These very small temporary easements are needed to remove the existing bridge piers and abutments flanking the three railroad resources, to replace the overhead bridge spans, and to provide temporary crossing of the railroads for construction purposes. The railroad RW will be returned to pre-construction conditions once bridge construction is complete. Refer to Figure 31 for additional information on temporary easements.

Similar to the 2021 EA evaluation, the construction of the new bridges would not have a direct permanent effect to the three railroad resources CB&Q/BNSF (5AM.464), DP/UP railroads (5AM.472), or Sand Creek Junction (5AM.4119). The new bridge piers and abutments would be built outside of the historic boundaries of these resources, and as described above no physical changes to the historic railroad grades, horizontal or vertical alignments, ballast, or tracks are anticipated. As such, there would be no change to the integrity of location, materials, design, or workmanship of these resources. A change would occur with new wider bridges spanning the historic resources, but this would not alter their character-defining features. The three railroad resources are and have historically crossed or been crossed by many other bridges along their routes, and the current I-270 bridges have been in place since the 1960s. Replacing one set of non-historic bridges with another would not significantly impact the resources' integrity of setting, feeling, or association. The EIS bridge proposal for the two Build Options has also shifted the new bridge piers and abutments further away from the three historic resources than the bridge piers and abutments of the current bridge pair. For all of these reasons, the three historic railroad resources will still be able to convey their transportation significance under NRHP Criterion A at project end. As a result, the two proposed EIS Build Options have resulted in a **"No Adverse Effect"** determination for the CB&Q/BNSF railroad (5AM.464, including 5AM.464.21), the DP/UP railroad (5AM.472, including 5AM.472.41), and Sand Creek Junction (5AM.4119).

Figure 30. Bridge Plans for the Two EIS Build Alternatives at the CB&Q/BNSF and DP/UP Railroads, and Sand Creek Junction (Also Brighton Boulevard to the Northwest)

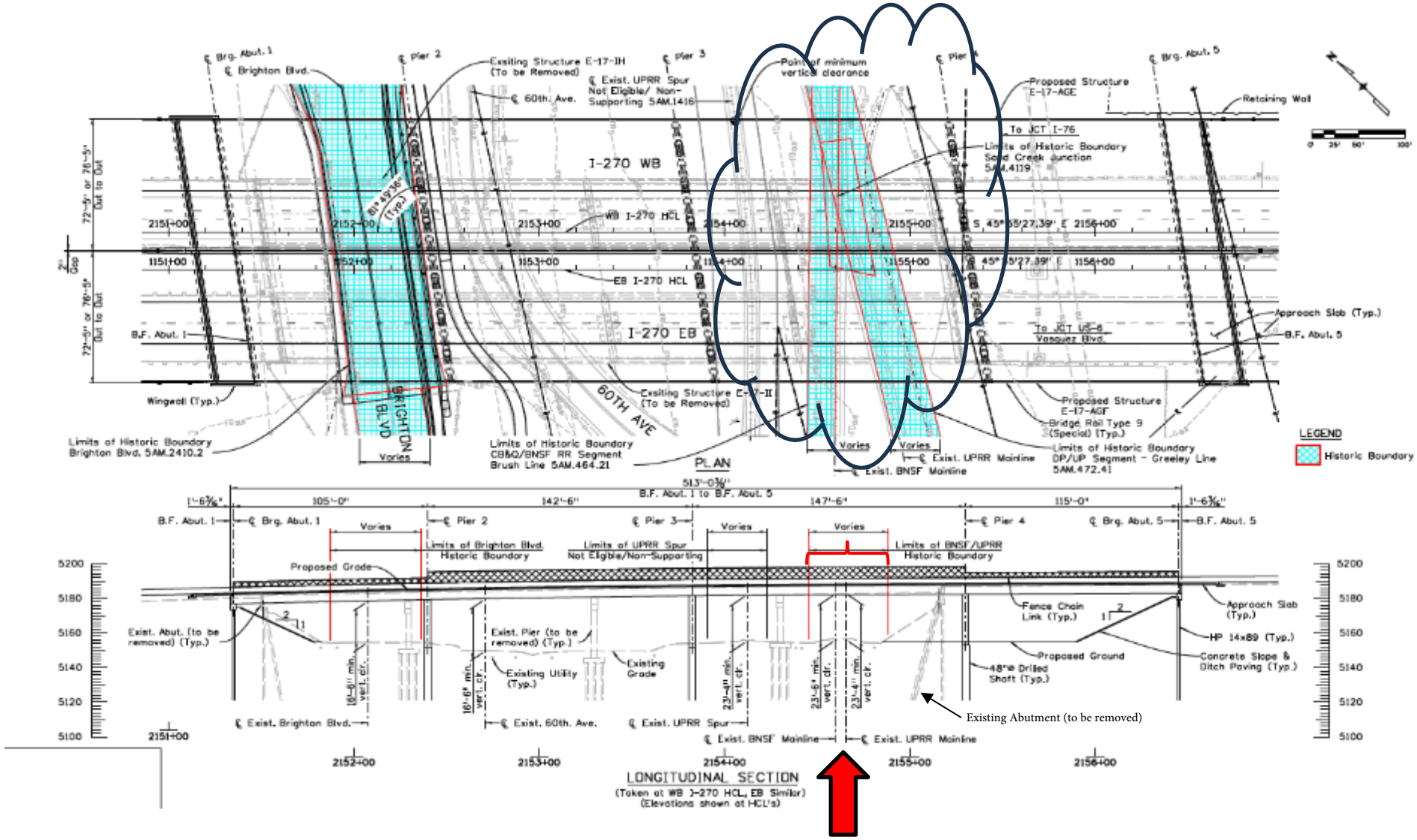
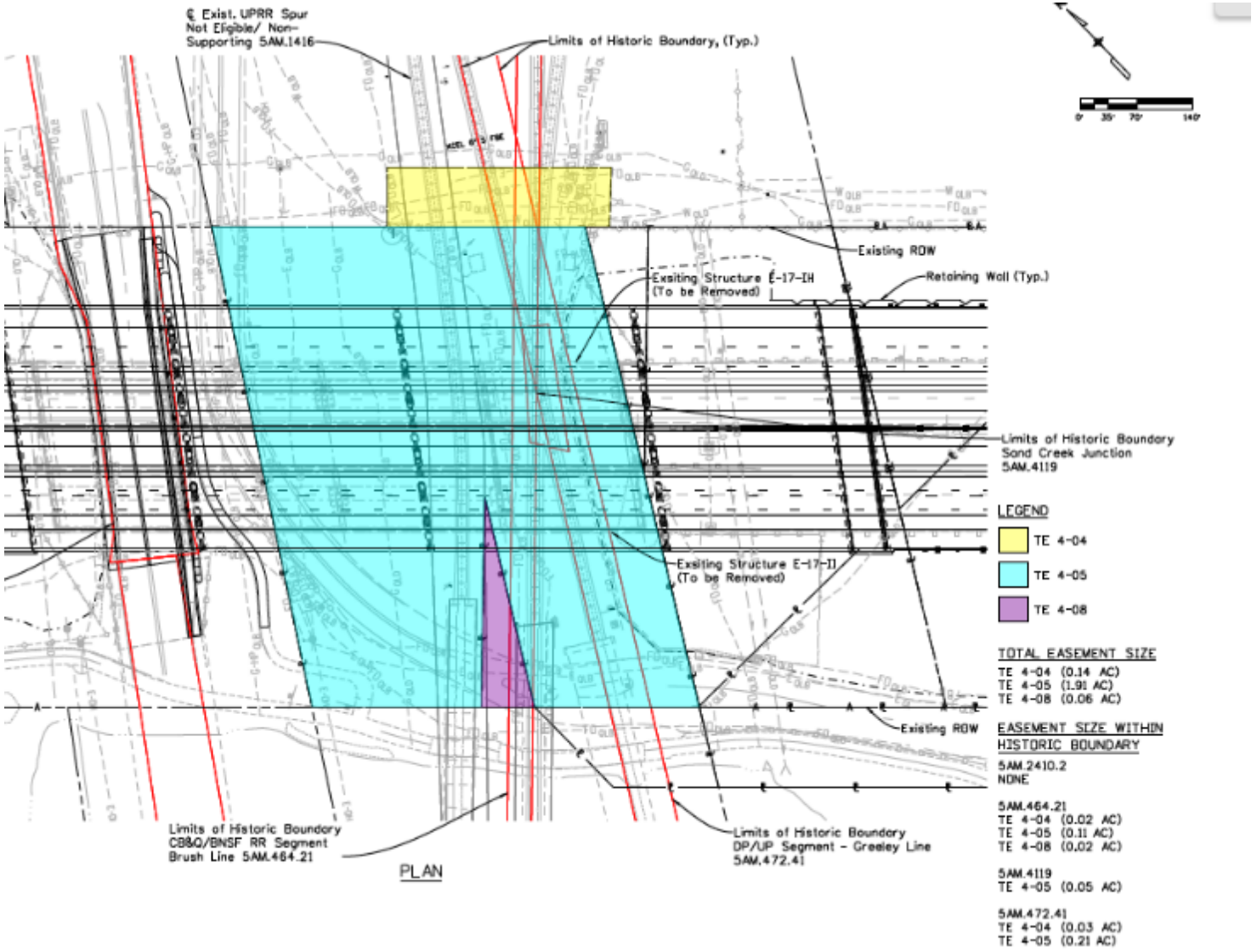


Figure 31. Temporary Easements (or Use Agreements) Required at the CB&Q/BNSF and DP/UP Railroads, and Sand Creek Junction



(12) 5AM.1298, Including 5AM.1298.3, CB&Q – Market Street Line (Map Label #30)

The CB&Q Market Street line was constructed between 1911 and 1913 and is currently owned by the BNSF. This railroad crosses I-270 northeast of Vasquez Boulevard/US 6/US 85/SH 2, and is located between E. 56th Avenue and E. 60th Avenue. The total length is 2,850 feet and the width is about 30 feet at I-270. The CB&Q/BNSF Market Street line is significant under NRHP Criterion A for its association with early commerce and industry in Denver. It served as a connection between downtown Denver, the industrial area northeast of the city, and the CB&Q Brush Line, which led to eastern Colorado and Midwestern markets. This segment supports the overall NRHP eligibility of the linear resource.

Proposed improvements under the two EIS Build options include replacing the two 5-span 1970 steel plate girder bridges (E-17-IJ and E-17-IK) that span over the CB&Q, E. 60th Avenue on the west side of the railroad and an access road on the east side of the rail line. Refer to Figure 32 below. The existing bridges will be replaced with a new pair of 5-span precast concrete girder bridges. Under the two EIS options, the existing bridges carrying I-270 over the CB&Q will include:

- The new bridge spans will be approximately 5 feet deep, approximately 1 foot deeper than the current spans. The vertical clearance over the CB&Q will remain unchanged.
- For each bridge pair, the five new spans will vary from 55 to 90 feet in length, compared to the existing spans which vary from 55 to 75 feet in length. Refer to Figure 34 below.
- The new bridge is estimated to be 405 feet in length total, while the current bridge is approximately 340 feet long.
- The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current configuration. Refer to Figure 34 below.
- The two sets of concrete piers that currently flank the railroad will be replaced with new concrete piers 3 and 4, which will be a minimum, of 14 and 18 feet from the historic railroad boundary of the CB&Q. Pier 3 is located in the same approximately location as the existing piers on the west side of the rail line, while Pier 4 is located several feet further east of the current piers on the east side of the rail line (further away from the historic boundary. No piers or vertical bridge elements will be placed within the historic boundary of the CB&Q Market Street line. Refer to Figure 34.
- The current bridges are approximately 40 feet wide, while the new bridges will be wider. The new bridge pair will be approximately 84 to 85 feet wide for the Three General-Purpose Lanes Alternative (Alternative 2) and approximately 79 to 89 feet in width, under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative (Alternative 3). Refer to **Error! Reference source not found.** below.

Under the preferred alternative considered under the draft EA in 2021, CDOT proposed a single two-span steel girder bridge rather than the current proposal for a five-span bridge pair to carry traffic on the widened I-270 roadway. The proposed bridge configuration under the two EIS build alternatives differs from the prior proposal. However, similar to the 2021 EA plan, the new bridge piers and abutments would be built outside of the historic boundaries of the historic CB&Q Market Street line and at least one of the new piers would be further away from the historic boundary than it is presently. No tracks will be moved, horizontal or vertical alignments or railroad grades changed. The railroads will

remain in operation during project construction. Temporary fencing and flagging may be required to meet railroad standards when bridge replacement work is underway. A TE of approximately 1.63 acres is anticipated from the railroad during construction, provided that existing railroad use agreements cannot be utilized. Approximately .32 acres of TE 5-09 is located within the historic boundary of the CB&Q Market Street line. This one temporary easement is needed to remove the existing bridge piers flanking the railroad, to replace the overhead bridge spans, and to provide temporary crossing of the railroads for construction purposes. The railroad RW will be returned to pre-construction conditions once bridge construction is completed. Refer to Figure 35 for additional information on TE 5-09.

Similar to the 2021 EA evaluation, the construction of the new bridge pair would not have a direct permanent effect to the CB&Q Market Street Line, 5AM.1298. The new bridge piers would be built outside of the historic boundaries of the rail line, and as described above no physical changes to the historic railroad grades, horizontal or vertical alignments, ballast, or tracks are anticipated. As such, there would be no change to the integrity of location, materials, design, or workmanship of these resources. A change would occur with new wider bridges spanning the historic resources, but this would not alter their character-defining features. This railroad line has historically crossed or been crossed by many other bridges along their routes, and the current I-270 bridges have been in place since the 1970. Replacing one set of non-historic bridges with another would not significantly impact the resource's integrity of setting, feeling, or association. The EIS bridge proposal for the two Build Options has also located the new bridge piers further away from the historic rail line than the current bridge piers. The historic railroad CB&Q Market Street Line will still be able to convey its transportation significance under NRHP Criterion A at project end. As a result, the two proposed EIS Build Options have resulted in a **"No Adverse Effect"** determination for the CB&Q Market Street Line, 5AM.1298 (including 5AM.1298.3.

Figure 32. View of CB&Q/BNSF Railroad, Market Street Line (5AM.1298.3) at I-270

Figure 33. Bridge Sections for the Two EIS Build Alternatives over CB&Q Market Street Line, 5AM.1298.3

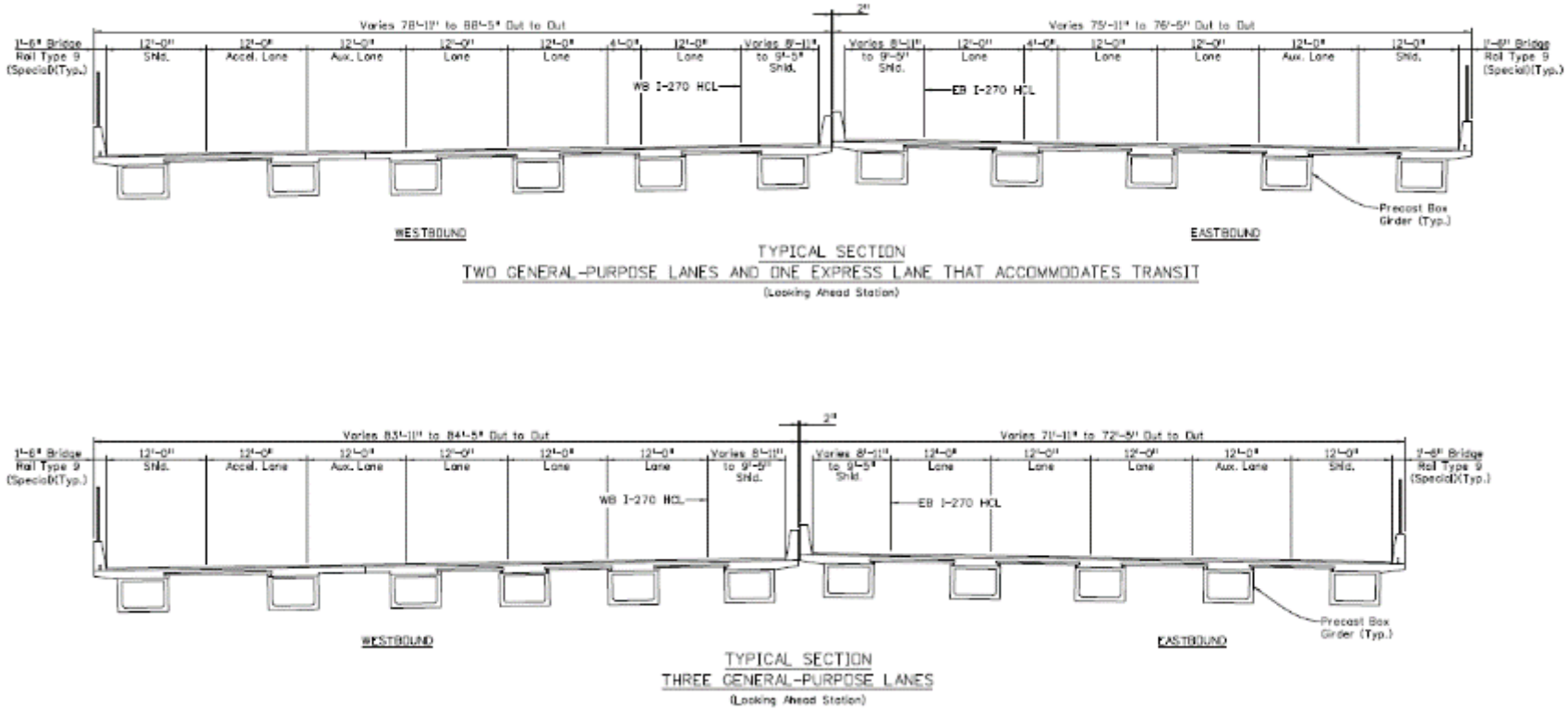


Figure 34. Bridge Plans for the Two EIS Build Alternatives at the CB&Q Market Street Line, 5AM.1298.3

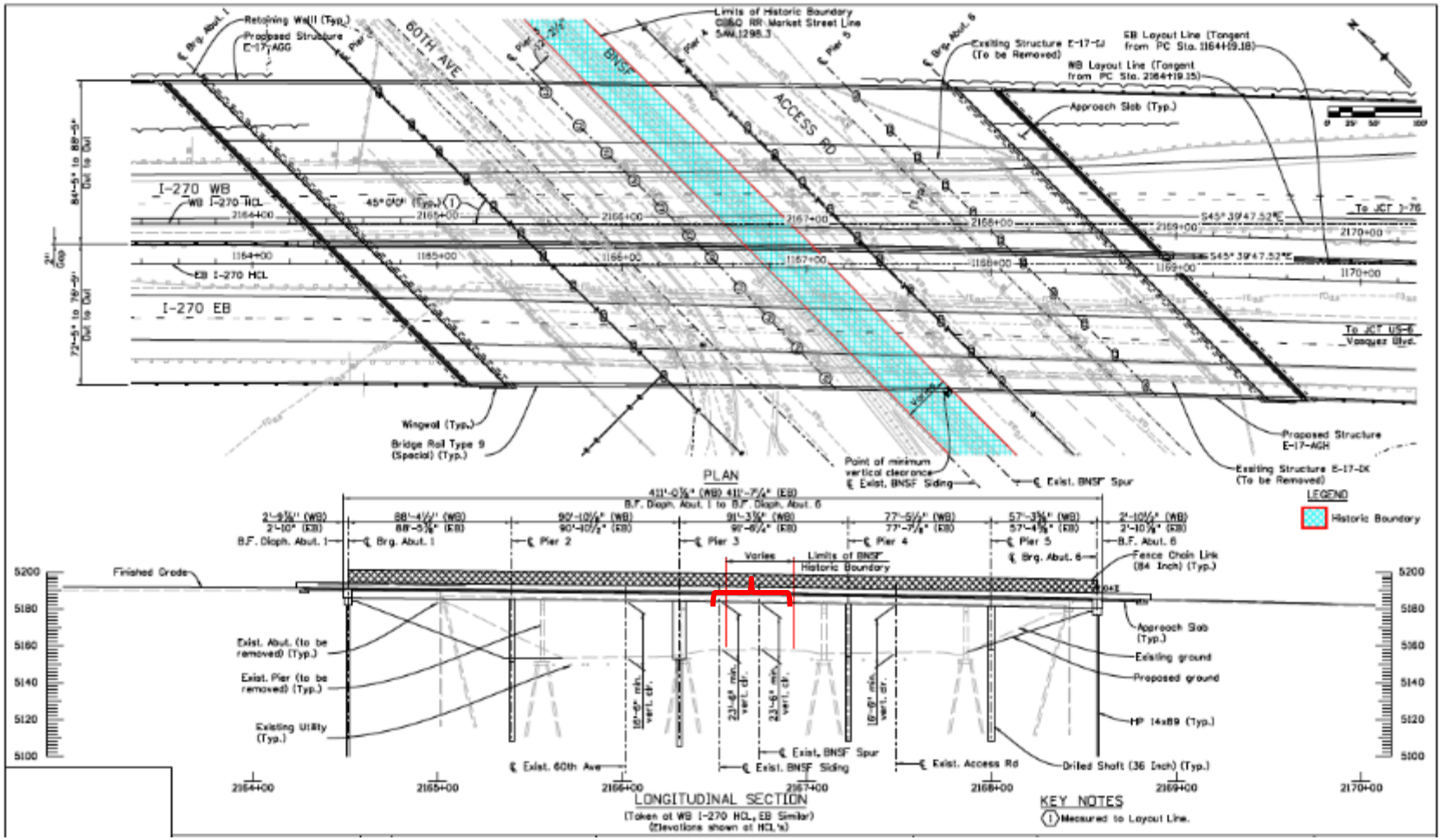
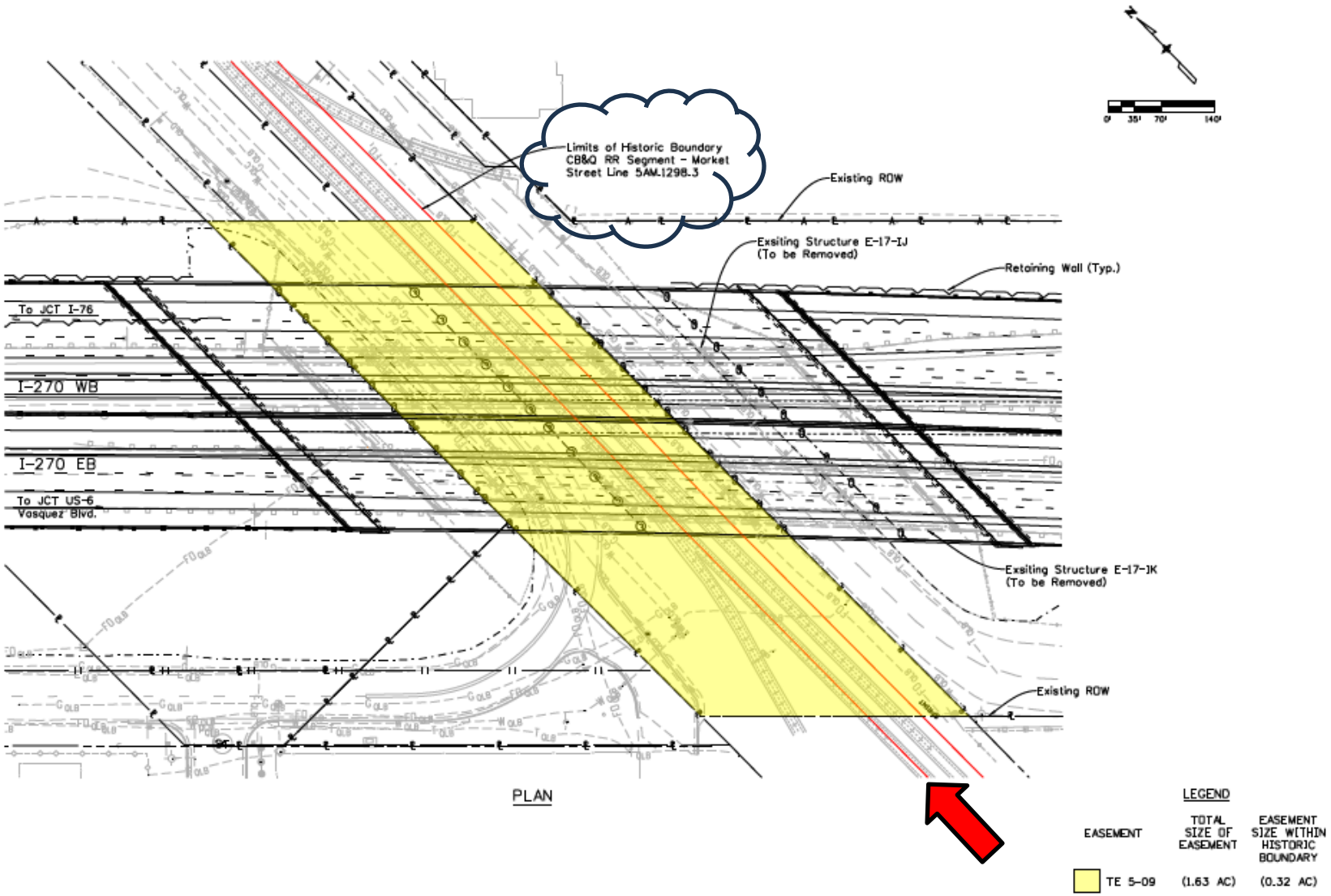


Figure 35. Temporary Easements (or Use Agreements) Required at the CB&Q Market Street Line, 5AN.1298.3



(13) 5AM.3924, Including 5AM.3924.2 and 5AM.3924.3 – Vasquez Boulevard/U.S. Highway 6/U.S. Highway 85/State Highway 2 (Map Label # 36)

Vasquez Boulevard/US 6/US 85/SH 2 (Vasquez Boulevard) originally functioned as a farm-to-market road providing local farmers access to the factories and railroads located in Denver and surrounding towns in the nineteenth and early twentieth centuries. I-270 crosses over Vasquez Boulevard via E-17-WZ, a concrete girder bridge dating from 2000. Two segments of Vasquez Boulevard are located within the APE for the two EIS Build Options, 5AM.3924.2, which extends from the north side of I-270 south to E. 52nd Avenue and is about 105 feet in width; and 5AM.3924.3, a contiguous segment which begins on the north end of 5AM.3924.2 and extends north approximately 3.5 miles to I-76. E-17-AT, a 1940 steel stringer bridge on Vasquez Boulevard over Sand Creek is located within the limits of 5AM.3924.2. This bridge, 5AM.1363, was previously determined NRHP not eligible (2002). Vasquez Boulevard, both north and south of I-270, has been widened multiple times in the mid-twentieth century, with the most significant change occurring between 1960 and 1965 when a cloverleaf interchange was built at the present-day junction with I-270. he section of US 6 in northeastern Colorado is significant under NRHP Criterion A as an early farm-to-market road and state highway that provided primary access for farmers. Both segments are heavily altered and are non-supporting of the historic significance of Vasquez Boulevard. Refer to Figure 36 below.

Figure 36. View Facing Southwest on Vasquez Boulevard at I-270 Interchange

Proposed improvements to Vasquez Boulevard/US 6/US 85/SH 2 include rebuilding the interchange with I-270; redesigning on- and off-ramps between I-270 and Vasquez Boulevard; reconfiguring the current cloverleaf interchange to a partial cloverleaf, including the addition of a northbound Vasquez Boulevard to eastbound I-270 on-ramp; building improved bicycle and pedestrian sidewalk connections across I-270 at Vasquez Boulevard, including a new multi-use path; adding new auxiliary lanes on I-270 over Vasquez Boulevard (Three General-Purpose Lanes, Alternative 2); and replacing 5AM.3924.2, the 1940 steel stringer bridge over Sand Creek mentioned above. Rebuilding of Vasquez Boulevard with new pavement, raised medians, sidewalks, and curb and gutter is anticipated along an approximately .55 mile extent of the highway from approximately E. 56th Avenue on the south to about 500 feet north of E. 58th Place on the north. It is assumed all features on Vasquez Blvd within this extent will be

permanently impacted, removed, and reconstructed. However, the existing I-270 bridge, piers, and abutments over Vasquez Boulevard will remain. Refer to Figure 37 and 38 below.

Proposed improvements on Vasquez Boulevard will occur within existing highway RW. These proposed improvements would result in total impact area of approximately 4.84 acres within the historic boundary of Vasquez Boulevard segment 5AM.3924.2 and approximately 3.98 acres within the historic boundary of Vasquez Boulevard segment 5AM.3924.3. Refer to Figure 37 and 38 below. Both 5AM.3924.2 and 5AM.3924.3, where the proposed improvements will occur, have experienced severe alterations and integrity loss to the extent that they are non-supporting of the NRHP Criterion A of the overall resource Vasquez Boulevard resource. The proposed EIS build alternatives propose further changes to these two non-supporting segments of Vasquez Boulevard, but are not proposing any major changes to the vertical or horizontal alignment of the roadway. As a result, the project would result in a **"No Adverse Effect"** determination to Vasquez Boulevard/US 6/US 85/SH 2 (5AM.3924, which includes the non-supporting segments 5AM.4101.2 and 5AM.4101.3).

Figure 37. EIS Build Alternatives Impacts to Vasquez Boulevard, 5AM.3924.2

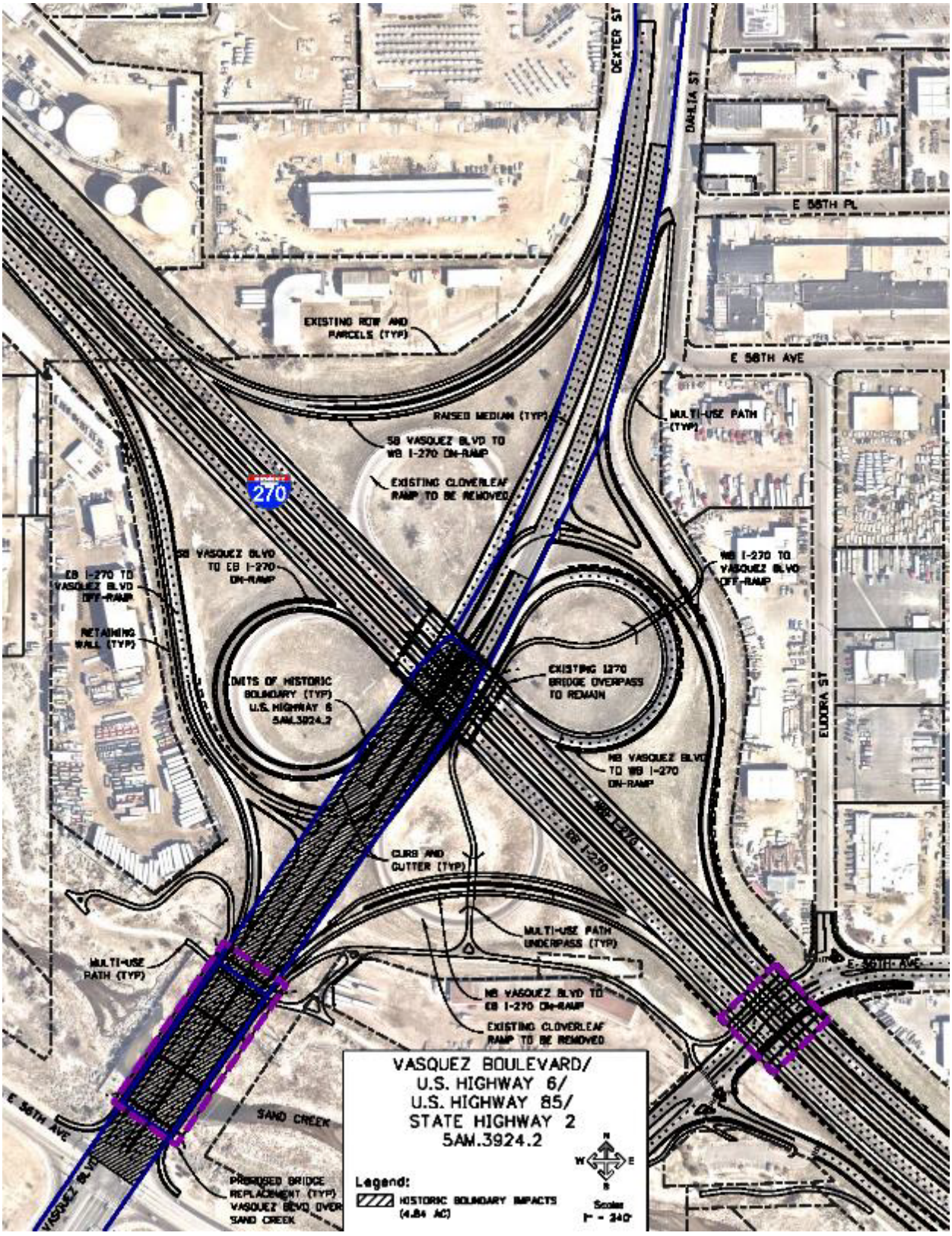
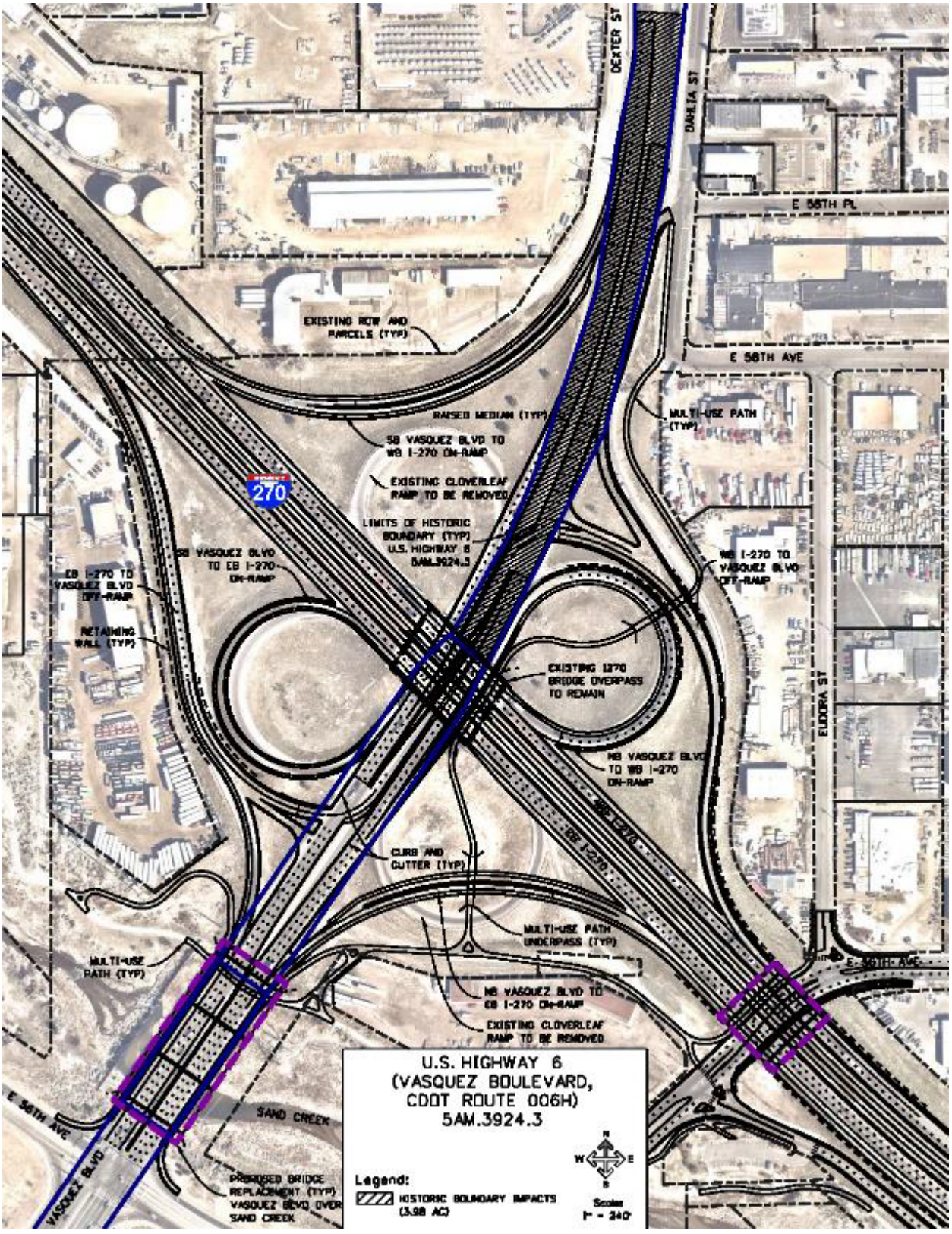


Figure 38. EIS Build Alternatives Impacts to Vasquez Boulevard, 5AM.3924.3



B. Section 4(f)

Section 4(f) of the Department of Transportation Act of 1966, as amended, and codified in 49 U.S.C. § 303, declares that "[i]t is the policy of 16 the United States Government that special effort should be made to preserve the natural beauty of the 18 countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." FHWA has adopted regulations to ensure its compliance with Section 4(f) (23 CFR 774). A property is considered a historic site under Section 4(f) if it is on or determined eligible for listing on the NRHP.

Section 4(f) prohibits FHWA from approving the use of a historic site of national, state, or local significance unless a determination is made that 1) there is no feasible and prudent avoidance alternative to use of land from the property, AND the action includes all possible planning to minimize harm to the property resulting from such use; OR the use of the property, including any measures to minimize harm, will have a *de minimis* impact on the property. There are three types of Section 4(f) uses: direct use, temporary use, and constructive use. Because this project would not result in any constructive uses, this type of use is not discussed further.

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made a finding of "No Adverse Effect" to the 11 NRHP eligible properties located within the Area of Potential Effects for the two EIS Build Alternatives as reflected in Table 4 above. This finding reflects a conclusion that the effects would not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association as described in 36 CFR § 800.5(a)(1). The analysis in this report has identified a potential new direct and/or temporary transportation use for 10 of these NRHP eligible historic sites as reflected in Table 5 of this report. Due to the "No Adverse Effect" determinations, FHWA plans to make a Section 4(f) *de minimis* finding for these 10 historic properties:

- 5AM.464, including 5AM.464.21, Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF)
- 5AM.465, including, 5AM.465.9, Burlington Ditch
- 5AM.472, including, 5AM.472.41, Denver Pacific/Union Pacific RR Greeley Line
- 5AM.1292, including 5AM.1292.2, Gardner Ditch - Gardener Ditch - Heller Ditch
- 5AM.1298, including 5AM.1298.3, Chicago Burlington & Quincy Railroad – Market Street Line
- 5AM.2410, including 5AM.2410.2 and 5AM.3924, Brighton Boulevard
- 5AM.3924, including 5AM.3924.2 and 5AM.3924.3, Vasquez Boulevard/US 6
- 5AM.4044, Suncor Energy
- 5AM.4101, including 5AM.4101.2, York Street
- 5AM.4119, Sand Creek Junction

COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Pl.
Denver, CO 80204

November 26, 2024

Ms. Dawn DiPrince
State Historic Preservation Officer
History Colorado
1200 Broadway, Denver, CO 80203

SUBJECT: I-270 Corridor Improvements Environmental Impact Statement, Section 106 and Section 4(f), Commerce City, Adams County, and City and County of Denver, STU 2706-043, Subaccount #25611

Dear Ms. DiPrince,

At this time, we are requesting concurrence on Determinations of National Register of Historic Places (NRHP) eligibility and effects made under Section 106 of the National Historic Preservation Act of 1966 (Section 106) for the *I-270 Corridor Improvements Environmental Impact Statement* (I-270 EIS). The I-270 EIS proposes improvements along an approximately 6.5 mile long controlled-access interstate highway between I-25 and I-70, located in Commerce City, unincorporated Adams County, and the City and County of Denver. The Section 106 process applies since the Federal Highway Administration (FHWA) is providing federal funding and approvals for anticipated improvements included in the I-270 EIS. The Colorado Department of Transportation (CDOT) is completing the Section 106 process on behalf of FHWA, consistent with the 2014 Section 106 Programmatic Agreement among FHWA, CDOT, the Colorado State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation, as amended in 2024 (*2014 Amended Section 106 Programmatic Agreement*). CDOT's Section 106 findings are summarized in the enclosed *Historic Resources Report: I-270 Corridor Improvements Environmental Impacts Statement (I-270 Historic Resources Report*).

Background

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198, and History Colorado #79271), although the EA was never finalized or approved by FHWA. Moving into 2023, CDOT determined a more detailed environmental review was needed and requested that an EIS be prepared. The EIS examines a wider range of alternatives, including the no action alternative, and two build alternatives: the three general-purpose lane alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. The footprints of the two build alternatives advanced under the I-270 EIS are similar to the preferred alternative coordinated through the Section 106 process for the draft EA in 2021. However, additional Section 106 consultation is required for the I-270 EIS given that several years have passed since the prior coordination for the draft I-270 EA; a wider range of alternatives are under consideration; and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA. For additional information, refer to Section 2, "Project Description and Area of Potential Effects," of the enclosed *I-270 Historic Resources Report.*

Area of Potential Effects and Section 106 Methodology

CDOT's Section 106 methodology for the I-270 EIS is consistent with *2014 Amended Section 106 Programmatic Agreement*. Based on the alternatives and designs considered under the I-270 EIS, this report presents a slightly amended Area of Potential Effects (APE) for historic properties as compared to the I-270 draft EA. The APE

includes: the project footprints for all three I-270 EIS alternatives and the associated I-270 rights-of-way; areas where noise receptors are present; and all areas where proposed improvements may directly or indirectly cause alterations in the character or use of historic properties. Refer to Section 2. B "Area of Potential Effects" and Appendix C. "Area of Potential Effects Maps" of the enclosed *I-270 Historic Resources Report* for additional information. CDOT also conducted additional historic property identification efforts and evaluations of National Register of Historic Places (NRHP) eligibility for the I-270 EIS. The I-270 EIS includes additional and modified alternatives from the I-270 draft EA, and there have been changes in bridge designs and refinement of ramp designs since 2021. As such, CDOT performed a new evaluation of the I-270 EIS alternatives in terms of their effects on historic properties. CDOT's efforts to identify historic properties and evaluate effects for the I-270 EIS are summarized below, with more detailed information provided in the *I-270 Historic Resources Report.*

Historic Property Identification and Significance Evaluations

In 2021, when CDOT was preparing a draft EA for the I-270 corridor, the agency identified a total of 71 historic architectural and linear properties built in 1976 or earlier within the project APE, and found 11 of these properties NRHP eligible. CDOT further determined that the improvements anticipated under the draft EA would not cause any adverse effects to historic properties. Additional information on these resources is found in Section 3, "Research Design and Methodology," and on Table 1 of the enclosed *I-270 Historic Resources Report;* the Section 106 consultation completed for the draft I-270 EA is also included as Appendix A of the report.

For CDOT's Section 106 evaluation of the I-270 EIS, CDOT identified 78 age-eligible properties within the APE for the I-270 EIS. This includes the 70 previously recorded historic resources considered by the draft EA, plus eight (8) additional properties, as shown on Table 2 of the enclosed *I-270 Historic Resources Report.* This includes five (5) properties within the APE dating from 1976 to 1980 (with 1980 being the extended age-cutoff for properties to be considered for potential NRHP significance under the EIS). In terms of the 59 previously evaluated properties determined NRHP *not eligible* under the 2021 draft EA, three (3) properties dating from 1973 and 1974 were re-confirmed *not eligible* in 2024 using Office of History and Archaeology (OAHP) Revisitation Forms. For the remaining 57 previously surveyed NRHP *not eligible* properties, CDOT is relying on their prior *not eligible* determinations without any further reevaluation, consistent with the *2014 Amended Section 106 Programmatic Agreement*.

In terms of the 11 properties in the I-270 EIS that were previously determined NRHP *eligible,* CDOT re-evaluated three discrete segments of three (3) NRHP *eligible* (or assumed eligible) linear resources in 2024: Burlington Ditch (5AM.465.9), Brighton Boulevard (5AM.2410.2) and Vasquez Boulevard (5AM.3924.2). These linear segments were reevaluated on OAHP survey forms to provide clarifications and correct inaccuracies on prior survey forms. The overall NRHP eligibility of these linear resources and the *supporting* and *non-supporting* status of these segments did not change from 2021, For the five (5) other previously surveyed NRHP eligible linear resources, CDOT is assuming that their overall NRHP eligibility also remains unchanged, and that the *non-supporting* and *supporting* status of their associated segments remain consistent with prior NRHP eligibility determinations as reflected in History Colorado's Compass database without additional survey work in 2024. The three (3) individually eligible (or treat as eligible) properties within the APE also remain eligible without re-survey in 2024: Suncor Energy (5AM.4044), Plastics, Inc. (5AM.4047), and Sand Creek Junction (5AM.4119). Site visits and review of these properties in 2024 did not reveal any significant changes that warranted completion of additional OAHP survey forms.

For the 11 NRHP eligible properties discussed above, CDOT will rely on prior eligibility determinations for an additional five (5) years from this Section 106 coordination, consistent with the *2014 Amended Section 106 Programmatic Agreement*. Given that this letter is written in late 2024 and that the Final EIS is anticipated to be published in 2025, CDOT is requesting your concurrence that CDOT can rely on the NRHP eligible determinations for these 11 NRHP eligible properties through 2030. For more information on CDOT's NRHP

eligibility determinations for the I-270 EIS, please refer to Section 4, "Historic Property Identification and Significance Evaluations," and Tables 1-3 of the enclosed *I-270 Historic Resources Report*.

Determination of Effects

CDOT assessed the potential impacts of the three I-270 EIS alternatives on the 78 age-eligible historic properties within the APE.. CDOT made a finding of "No Historic Properties Affected" for 67 NRHP not eligible properties, and a finding of "No Adverse Effect" for 11 NRHP eligible properties. None of the alternatives considered under the EIS are anticipated to cause adverse effects to historic properties. CDOT has done substantial due diligence to avoid direct impacts to historic properties, and to place bridge piers and other vertical structural elements outside the boundaries of historic linear resources. For the 11 NRHP eligible properties, CDOT obtained conceptual design drawings and preliminary right-of-way (including easement) information to conduct its assessment of effects on historic properties. A property by property assessment of effects for the 11 NRHP eligible properties is found in Section 5.A. "Determinations of Effect" of the *I-270 Historic Resources Report;* Table 4 of the report delineates the effect findings for all 78 age-eligible historic properties within the APE for all three alternatives considered under the I-270 EIS.

While the above discussion of effects focuses on non-archaeological resources, the enclosed *I-270 Historic Resources Report* also summarizes of the potential effects of the I-270 EIS alternatives on archaeological resources. Substantial efforts to identify and evaluate the historical significance of archaeological properties occurred in 2019-2021 as part of the draft I-270 EA. This included an archaeological survey and assessment of the study corridor conducted by ERO Resources Corporation on behalf of CDOT. When CDOT transitioned to an EIS level analysis in 2023 and 2024, CDOT studied the APE and the two build alternatives to determine if additional archaeological survey and documentation work would be needed. As a result of this analysis, CDOT determined no further archaeological fieldwork was needed for the I-270 EIS based on the earlier archaeological identification efforts that were completed as well as extensive prior disturbance within the modified APE, confirmed by field inspection in May 2024. Consequently, similar to the draft EA, CDOT has determined that a "No Historic Properties Affected" finding is appropriate for the draft I-270 EIS for archaeological resources. Refer to Section 3.C. "Archaeology" of the enclosed *I-270 Historic Resources Report* for additional information.

As individual projects move forward under an approved EIS and Record of Decision (ROD), CDOT archaeologists and historians will re-assess specific project information as it is developed to determine if additional research and investigations are needed for cultural resources. CDOT archaeologists and historians will also review designs for individual projects advanced under the I-270 EIS to determine if effects to historic properties need to be re-evaluated and whether additional Section 106 consultation is warranted.

Section 4(f) Notification of *De Minimis* Impact

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires special consideration of park and recreation lands, wildlife and waterfowl refuges, and *historic sites* during transportation project development. The law is implemented by the FHWA and the Federal Transit Administration through the regulation 23 Code of Federal Regulations (CFR) 774. A *de minimis* impact involves the use of Section 4(f) property that is generally minor in nature, results in a determination of *no adverse effec*t, the SHPO has been notified of FHWA's intent to make a de minimis impact determination, and FHWA has considered the views of any consulting parties participating in the Section 106 consultation.

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made a finding of "No Adverse Effect" for the 11 NRHP eligible properties located within the Area of Potential Effects for the three EIS Alternatives as reflected in Table 4 of the *I-270 Historic Resources Report*. This finding reflects a conclusion that the effects would not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship,

feeling or association as described in 36 CFR § 800.5(a)(1). The analysis in this report has identified a potential new direct and/or temporary transportation use for 10 of these NRHP eligible historic sites as reflected in Table 5 of the *I-270 Historic Resources Report.* Due to the "No Adverse Effect" determinations, FHWA plans to make a Section 4(f) *de minimis* finding for these 10 historic properties:

1. 5AM.464, including 5AM.464.21, Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF)
2. 5AM.465, including, 5AM.465.9, Burlington Ditch
3. 5AM.472, including, 5AM.472.41, Denver Pacific/Union Pacific RR Greeley Line
4. 5AM.1292, including 5AM.1292.2, Gardner Ditch - Gardener Ditch - Heller Ditch
5. 5AM.1298, including 5AM.1298.3, Chicago Burlington & Quincy Railroad – Market Street Line
6. 5AM.2410, including 5AM.2410.2 and 5AM.3924, Brighton Boulevard
7. 5AM.3924, including 5AM.3924.2 and 5AM.3924.3, Vasquez Boulevard/US 6
8. 5AM.4044, Suncor Energy
9. 5AM.4101, including 5AM.4101.2, York Street
10. 5AM.4119, Sand Creek Junction

CONCLUSION

CDOT plans to simultaneously send this correspondence, including the enclosed *I-270 Historic Resources Report,* to the following consulting parties: City of Commerce, City and County of Denver, and Adams County. If we received substantive information from any of these consulting parties, CDOT will share this information with your office. At this time, we hereby request your concurrence with our Section 106 determinations of NRHP eligibility and effects listed in Table 4 of the enclosed *I-270 Historic Resources Report* (with appendices). This includes CDOT's determination that it is appropriate to rely on the eligibility determinations for the 11 NRHP eligible properties identified for this I-270 EIS (as delineated in the enclosed report) without further survey through 2030. In addition, we also request your concurrence with our Section 106 determination of No Historic Properties Affected for archaeological historic properties."

At this time, we are also providing formal notification that FHWA plans to make a Section 4(f) de minimis finding for the 10 historic properties outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Barbara Stocklin-Steely at 303-797-9397 or at Barbara.stocklin@state.co.us.

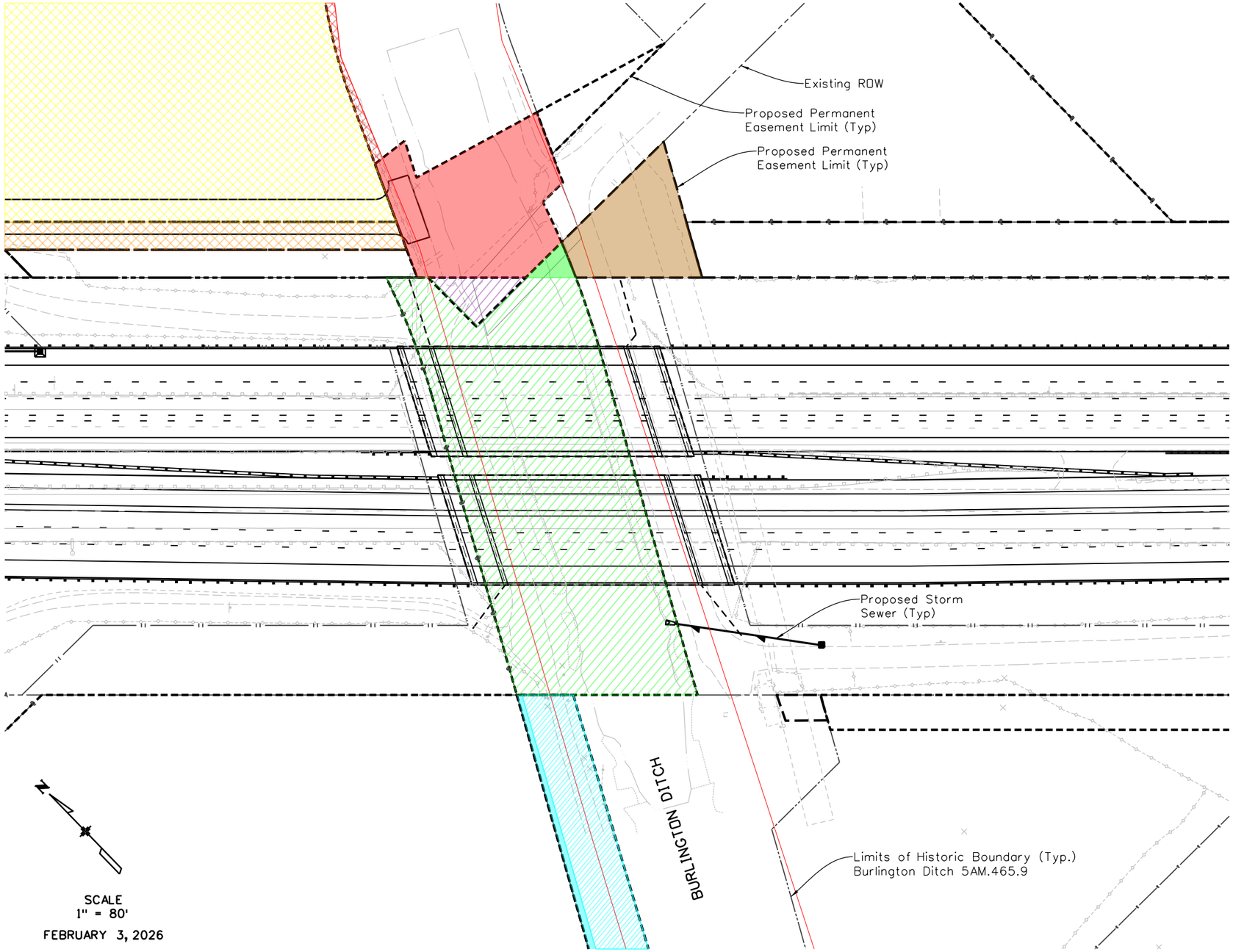
Sincerely,

Susie

Digitally signed by Susie Hagie
Date: 2024.11.26 14:25:38 -07'00'

Lisa Streisfeld
Region 1 Environmental Manager

Enclosures:
Historic Resources Report: I-270 Corridor Improvements Environmental Impact Statement, November 2024



LEGEND

NOVEMBER 2024 SHPO CONSULTATION

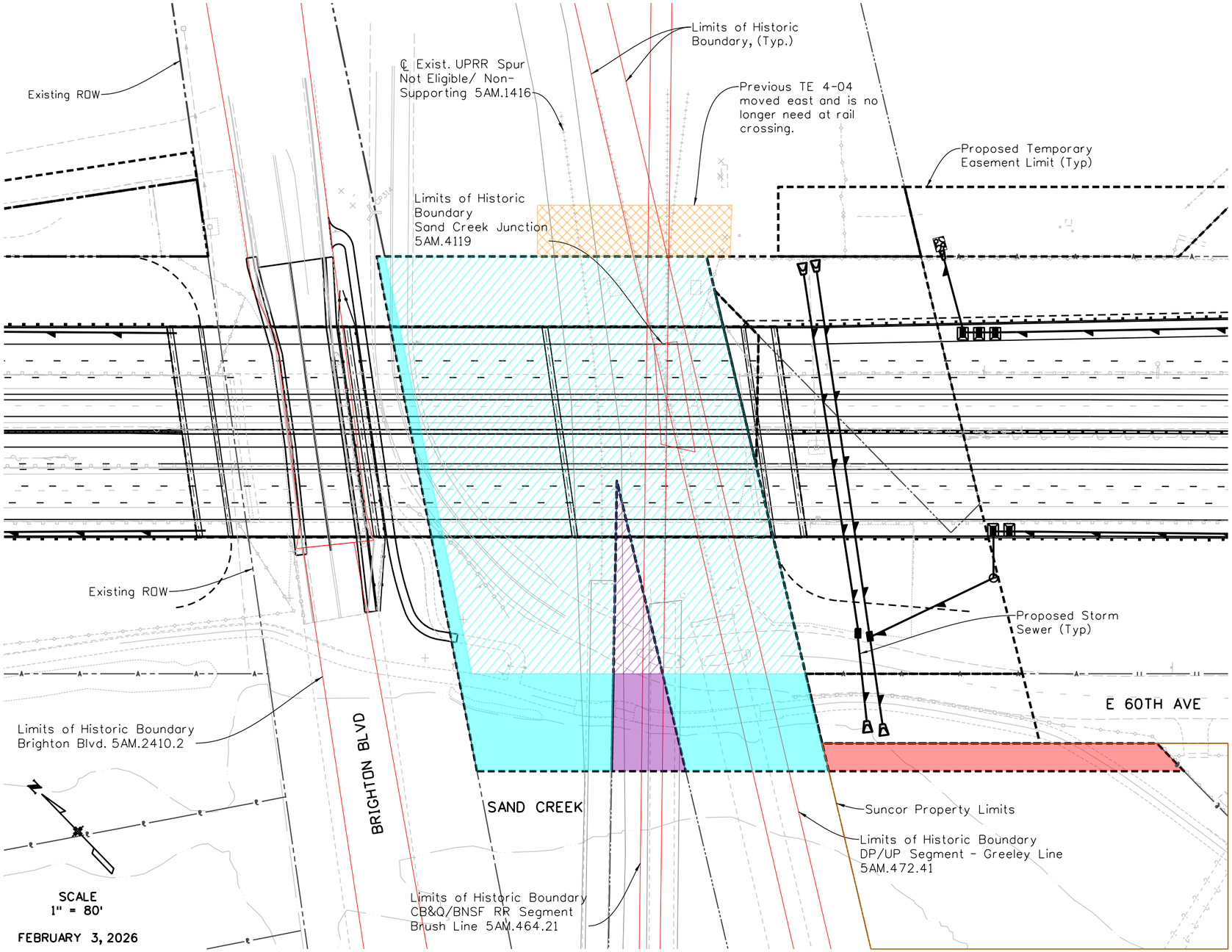
- TE 3-05 (MOVED OUT OF HISTORIC BOUNDARY IN 2026)
- TE 3-06 (REMOVED FROM HISTORIC BOUNDARY IN 2026)
- TE 3-07
- TE 3-08
- TE 3-15
- PE 3-03 (MOVED OUT OF HISTORIC BOUNDARY IN 2026)

2026 UPDATES

- TE 3-06 (EXPANDED EASEMENT AREA)
- TE 3-08 (EXPANDED EASEMENT AREA)
- TE 3-15 (EXPANDED EASEMENT AREA)
- PE 3-04 (NEW TO HISTORIC BOUNDARY)

EASEMENT	TOTAL SIZE OF EASEMENT	EASEMENT SIZE WITHIN HISTORIC BOUNDARY
TE 3-05	2.87 AC (2.52 AC)	0.07 AC (0.00 AC)
TE 3-06	0.10 AC (0.30 AC)	0.10 AC (0.27 AC)
TE 3-07	0.03 AC (0.03 AC)	0.03 AC (0.03 AC)
TE 3-08	1.04 AC (1.10 AC)	0.87 AC (0.87 AC)
TE 3-15	0.21 AC (0.23 AC)	0.10 AC (0.10 AC)
PE 3-03	0.09 AC (0.16 AC)	0.01 AC (0.00 AC)
PE 3-04	0.07 AC (0.16 AC)	0.00 AC (0.01 AC)

KEY:
NOVEMBER 2024 SHPO CONSULTATION EASEMENT SIZE (2026 UPDATED EASEMENT SIZE)



LEGEND

NOVEMBER 2024 SHPO CONSULTATION

- TE 4-04 (MOVED OUT OF HISTORIC BOUNDARY IN 2026)
- TE 4-05
- TE 4-08

2026 UPDATES

- TE 4-03 (NEW TO HISTORIC BOUNADRY)
- TE 4-05 (EXPANDED EASEMENT AREA)
- TE 4-08 (EXPANDED EASEMENT AREA)

EASEMENT	TOTAL SIZE OF EASEMENT	EASEMENT SIZE WITHIN HISTORIC BOUNDARY		
		SUNCOR PROPERTY 5AM.4044	5AM.464.21	5AM.472.41
TE 4-03	0.39 AC (0.14 AC)	0.00 AC (0.14 AC)	—	—
TE 4-04	0.14 AC (0.00 AC)	—	0.02 AC (0.00 AC)	0.03 AC (0.00 AC)
TE 4-05	1.91 AC (2.34 AC)	—	0.11 AC (0.11 AC)	0.21 AC (0.26 AC)
TE 4-08	0.06 AC (1.53 AC)	—	0.02 AC (0.05 AC)	—

KEY:
NOVEMBER 2024 SHPO CONSULTATION EASEMENT SIZE (2026 UPDATED EASEMENT SIZE)

Area of Potential Effects (APE) Map

Overview

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
- Officially Not Eligible
- Vacant or Under 50 Years of Age
- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

N

0 0.5 Miles

Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

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Area of Potential Effects (APE) Map

Sheet 1 of 7

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
- Officially Not Eligible
- Vacant or Under 50 Years of Age
- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

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0 500

Feet

Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

Area of Potential Effects (APE) Map

Sheet 2 of 7

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
- Officially Not Eligible
- Vacant or Under 50 Years of Age
- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

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Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

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Area of Potential Effects (APE) Map

Sheet 3 of 7

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
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- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

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Feet

Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

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Area of Potential Effects (APE) Map

Sheet 4 of 7

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
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- Vacant or Under 50 Years of Age
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- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

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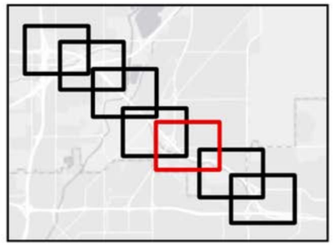
Area of Potential Effects (APE) Map

Sheet 5 of 7



- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
- Officially Not Eligible
- Vacant or Under 50 Years of Age
- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

N

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Feet

Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

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Area of Potential Effects (APE) Map

Sheet 6 of 7

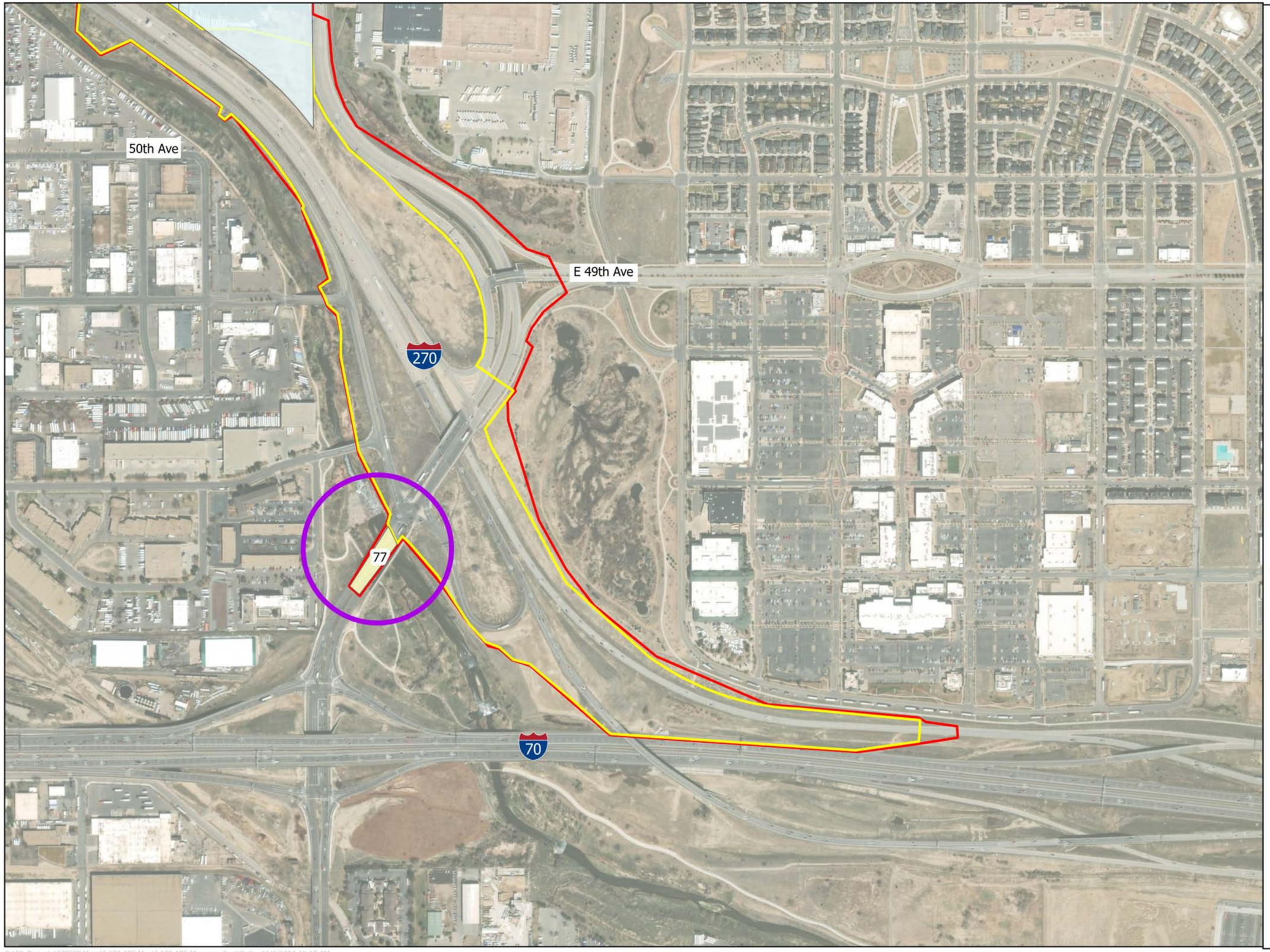
- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
- Officially Not Eligible
- Vacant or Under 50 Years of Age
- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

N

0 500

Feet

Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.



Area of Potential Effects (APE) Map

Sheet 7 of 7

- Officially Eligible/Supporting Linear Segment
- Officially Eligible/ Non¬ Supporting Linear Segment
- Officially Needs Data (Treat as Eligible)
- Recommended Not Eligible
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- Excluded
- Common Post-1945 Concrete and Steel Bridges
- Area of Potential Effects (APE)
- Project Footprint
- Areas of Expansion from 2021 APE to 2024 APE

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Note: The APE and Project Footprint are concurrent along parts of the map. In these areas, only the APE is visible. Map revised 11/4/2024.

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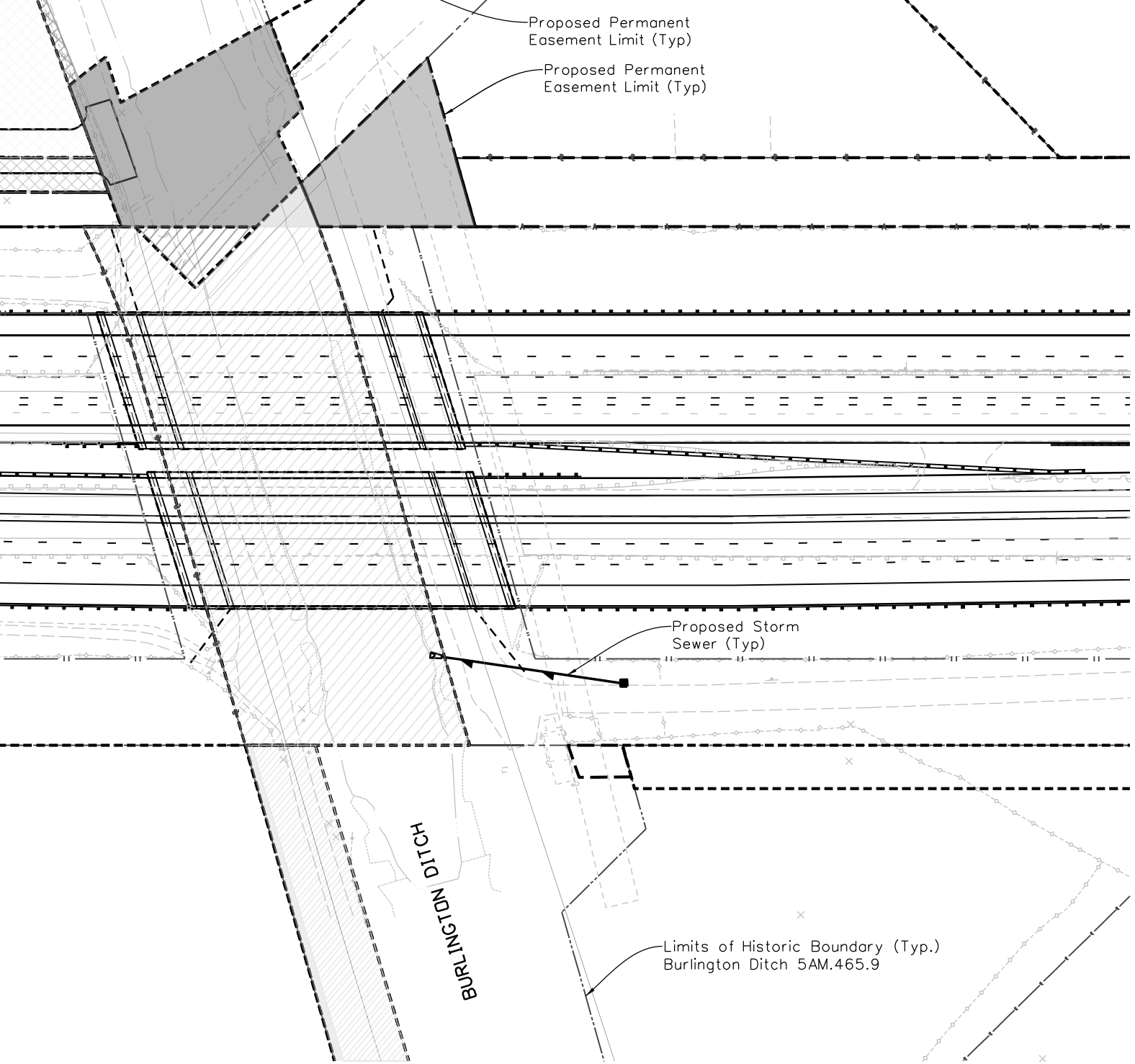
Table 1. I-270 Corridor Improvements (25611) Summary of Easement Changes

Easement Number	Previous Easement Needs based on 2024 SHPO consultation*	Updated Easement Needs as of 2026	Notes
Resource: Burlington Ditch (5AM.465.9). Exhibit 1.			
TE 3-05	2.87 ac (0.07 ac within resource boundary)	2.25 ac (0.00 within resource boundary)	Easement NO LONGER NEEDED within resource boundary
TE 3-06	0.10 ac (0.10 ac within resource boundary)	0.3 ac (0.27 ac within resource boundary)	Northern portion of easement was removed from boundary of historic resource; easement was expanded across ditch for temporary construction access
TE 3-07	0.03 ac (0.03 ac within resource boundary)	0.03 ac (0.03 ac within resource boundary)	NO CHANGE
TE 3-08	1.04 ac (0.87 ac within resource boundary)	1.10 ac (0.87 ac within resource boundary)	Expanded easement area; no change of easement size within resource boundary
TE 3-15	0.21 ac (0.10 ac within resource boundary)	0.23 ac (0.10 within resource boundary)	Expanded easement area; no change of easement size within resource boundary
PE 3-03	0.09 ac (0.01 ac within resource boundary)	0.16 ac (0.00 ac within resource boundary)	Easement NO LONGER NEEDED within resource boundary
PE 3-04	0.00 ac	0.16 ac (0.01 ac within resource boundary)	New PE within historic resource boundary
Resource: CB&Q/BNSF Segment – Brush Line (5AM.464.21). Exhibit 2.			
TE 4-04	0.14 ac (0.02 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.11 ac within resource boundary)	2.34 ac (0.11 ac within resource boundary)	No expansion within resource boundary; see below for expansions within DP/UP segment (5AM.472.41)
TE 4-08	0.06 ac (0.02 ac within resource boundary)	1.53 ac (0.05 ac within resource boundary)	Expanded easement area with 0.03 ac expansion within resource boundary
Resource: DP/UP Segment – Greeley Line (5AM.472.41). Exhibit 2.			
TE 4-04	0.14 ac (0.05 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.21 ac within resource boundary)	2.34 ac (0.26 ac within resource boundary)	Expanded easement area with 0.05 ac expansion within resource boundary
Resource: Suncor (5AM.4044). Exhibit 2.			
TE 4-03	0.00 ac (0.00 ac within resource boundary)	0.14 ac (0.14 ac within resource boundary)	New effect on historic property; easement shifted to include resource boundary

Table 1. Previous Easement Needs based on November 2024 SHPO consultation. Parentheses indicate the acreage totals within the boundaries of the historic resource. TE=Temporary Easement; PE=Permanent Easement.



TE 3-07

TE 3-08

TE 3-15

PE 3-03 (MOVED OUT OF HISTORIC BO

2026 UPDATES

TE 3-06 (EXPANDED EASEMENT AREA)

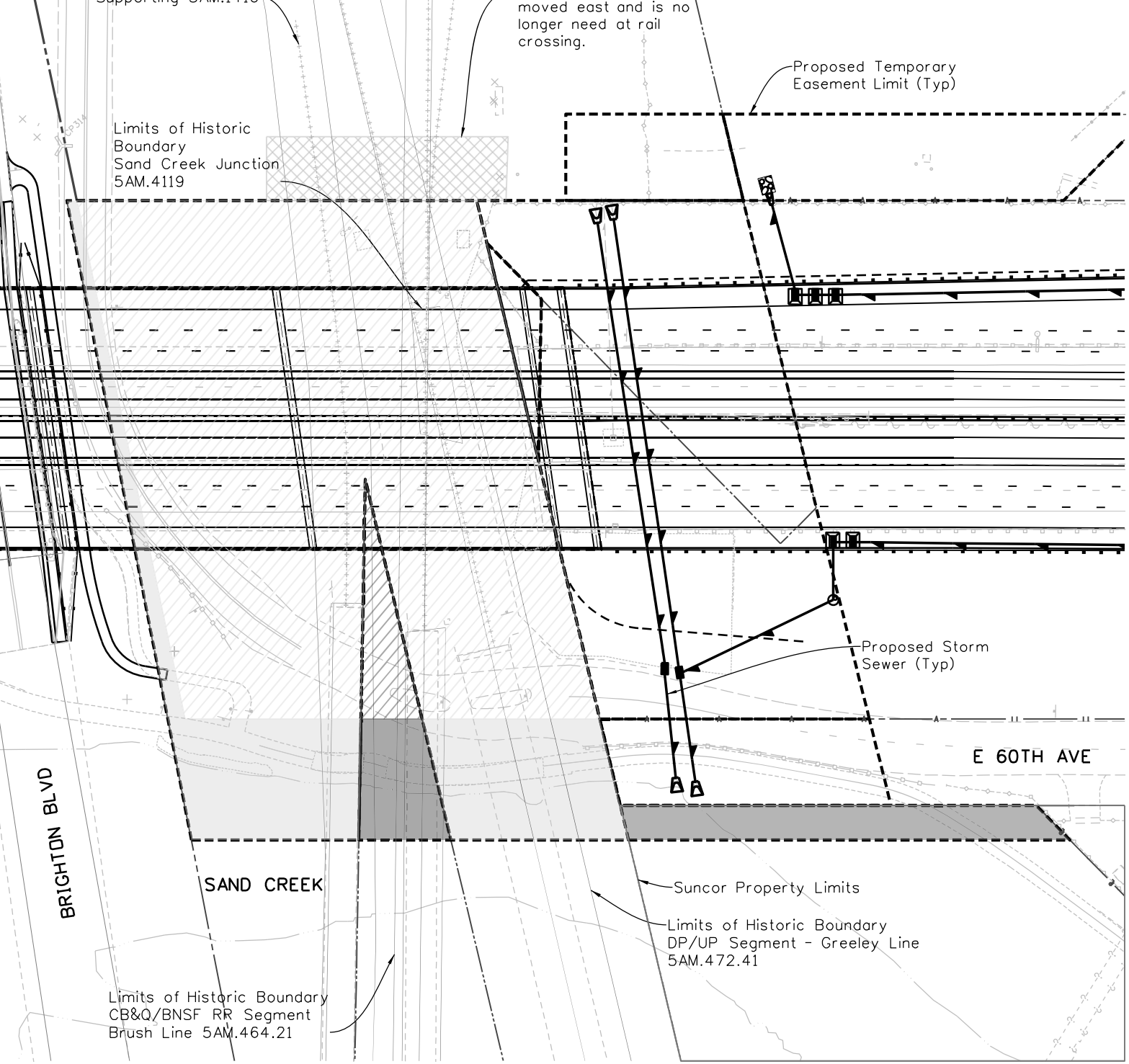
TE 3-08 (EXPANDED EASEMENT AREA)

TE 3-15 (EXPANDED EASEMENT AREA)

PE 3-04 (NEW TO HISTORIC BOUNDARY

EASEMENT	TOTAL SIZE OF EASEMENT	EA WIT
TE 3-05	2.87 AC (2.52 AC)	0.07
TE 3-06	0.10 AC (0.30 AC)	0.10
TE 3-07	0.03 AC (0.03 AC)	0.03
TE 3-08	1.04 AC (1.10 AC)	0.87
TE 3-15	0.21 AC (0.23 AC)	0.10
PE 3-03	0.09 AC (0.16 AC)	0.01
PE 3-04	0.07 AC (0.16 AC)	0.00

KEY:
NOVEMBER 2024 SHPO CONSULTATION EASEMENT SIZE (



TE 4-05

TE 4-08

2026 UPDATES

TE 4-03 (NEW TO HISTORIC BOUNADRY)

TE 4-05 (EXPANDED EASEMENT AREA)

TE 4-08 (EXPANDED EASEMENT AREA)

EASEMENT	TOTAL SIZE OF EASEMENT	E SUNCOR PI 5AM.4
TE 4-03	0.39 AC (0.14 AC)	0.00 AC (
TE 4-04	0.14 AC (0.00 AC)	—
TE 4-05	1.91 AC (2.34 AC)	—
TE 4-08	0.06 AC (1.53 AC)	—

KEY:
NOVEMBER 2024 SHPO CONSULTATION EASEMENT SIZE (

78th Ave
York St
76
74th Ave
72nd Ave
64th Ave
Quebec Pkwy
58th Ave
Brighton Blvd
Vasquez Blvd
50th Ave
1
5
6
75
7
8
2
3
80
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13
12
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16
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71st Ave
Washington St
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270
76

270
76
York St
70th Ave
69th Wy
Franklin St
Columbine St
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Colorado Blvd

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56th Ave
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Holly St
Kearney St
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Leyden St
Monaco St
Newport St
53rd Pl
Quebec St
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E 49th Ave
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COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Place,
Denver, CO 80204

February 5, 2026

Dawn DiPrince
Executive Director and State Historic Preservation Officer
History Colorado, Office of Archaeology and Historic Preservation
1200 Broadway
Denver, CO 80203

Subject: UPDATE: I-270 Corridor Improvements Environmental Impact Statement, Section 106 Effects, and Section 4(f) Notification, Commerce City, Adams County, Colorado; CDOT SA #23198 & 25611 (HC #79271)

Dear Ms. DiPrince,

This letter and the attached documents constitute an update under Section 106 of the National Historic Preservation Act of 1966, as amended (per 36 CFR § 800), concerning the Colorado Department of Transportation (CDOT)'s I-270 Corridor Improvements Project (Project). We request concurrence on updated effect determinations related to changes in the Project's environmental footprint. CDOT previously coordinated this project with your office in a letter dated November 26, 2024, and received concurrence with CDOT's determination of *no adverse effect* to properties of historic significance in a letter from your office dated December 5, 2024 (see attached correspondence).

There are no changes to the project methodology, APE, or eligibility determinations for this project. Project designs have advanced since the previous consultation and the Project now requires additional and expanded easements on properties within the existing APE: Burlington Ditch segment (5AM.465.9), Sand Creek Junction (5AM.4119), CB&Q/BNSF railroad segment (5AM.464.21), DP/UP railroad segment (5AM.472.41), and Suncor (5AM.4044). Additionally, the Project now involves the replacement of an existing storm sewer pipe that outfalls into the Burlington Ditch (see attached easement exhibit).

Project Description and Updates

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198 and History Colorado #79271), although the EA was never finalized or approved by the FHWA. In 2023, CDOT determined a more detailed environmental review was needed and requested that an Environmental Impact Statement (EIS) be prepared. The EIS examines a wider range of alternatives, including the no action alternative and two build alternatives: the three general-purpose lanes alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. CDOT coordinated the Section 106 Effects of these alternatives with your office in 2024, as noted above.

Since the previous Section 106 consultation, project designs have advanced, resulting in adjustments to easements throughout the project corridor. These include minor increases in the size of easements needed on historic properties. Additionally, Project updates include the replacement of an existing storm sewer pipe within the boundary of the Burlington Ditch (5AM.465.9). With the exception of the pipe replacement, no additional work will take place on the new or expanded easements; additions to the easements are for construction and maintenance access.

Table 1. Summary of Easement Changes

Easement Number	Previous Easement Needs based on 2024 SHPO consultation*	Updated Easement Needs as of 2026	Notes
Resource: Burlington Ditch (5AM.465.9). Exhibit 1.			
TE 3-05	2.87 ac (0.07 ac within resource boundary)	2.25 ac (0.00 within resource boundary)	Easement NO LONGER NEEDED within resource boundary
TE 3-06	0.10 ac (0.10 ac within resource boundary)	0.3 ac (0.27 ac within resource boundary)	Northern portion of easement was removed from boundary of historic resource; easement was expanded across ditch for temporary construction access
TE 3-07	0.03 ac (0.03 ac within resource boundary)	0.03 ac (0.03 ac within resource boundary)	NO CHANGE
TE 3-08	1.04 ac (0.87 ac within resource boundary)	1.10 ac (0.87 ac within resource boundary)	Expanded easement area; no change of easement size within resource boundary
TE 3-15	0.21 ac (0.10 ac within resource boundary)	0.23 ac (0.10 within resource boundary)	Expanded easement area; no change of easement size within resource boundary
PE 3-03	0.09 ac (0.01 ac within resource boundary)	0.16 ac (0.00 ac within resource boundary)	Easement NO LONGER NEEDED within resource boundary
PE 3-04	0.00 ac	0.16 ac (0.01 ac within resource boundary)	New PE within historic resource boundary
Resource: CB&Q/BNSF Segment – Brush Line (5AM.464.21). Exhibit 2.			
TE 4-04	0.14 ac (0.02 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.11 ac within resource boundary)	2.34 ac (0.11 ac within resource boundary)	No expansion within resource boundary; see below for expansions within DP/UP segment (5AM.472.41)
TE 4-08	0.06 ac (0.02 ac within resource boundary)	1.53 ac (0.05 ac within resource boundary)	Expanded easement area with 0.03 ac expansion within resource boundary
Resource: DP/UP Segment – Greeley Line (5AM.472.41). Exhibit 2.			
TE 4-04	0.14 ac (0.05 ac within resource boundary)	0.00 ac (0.00 ac within resource boundary)	REMOVED from project
TE 4-05	1.91 ac (0.21 ac within resource boundary)	2.34 ac (0.26 ac within resource boundary)	Expanded easement area with 0.05 ac expansion within resource boundary
Resource: Suncor (5AM.4044). Exhibit 2.			
TE 4-03	0.00 ac (0.00 ac within resource boundary)	0.14 ac (0.14 ac within resource boundary)	New effect on historic property; easement shifted to include resource boundary

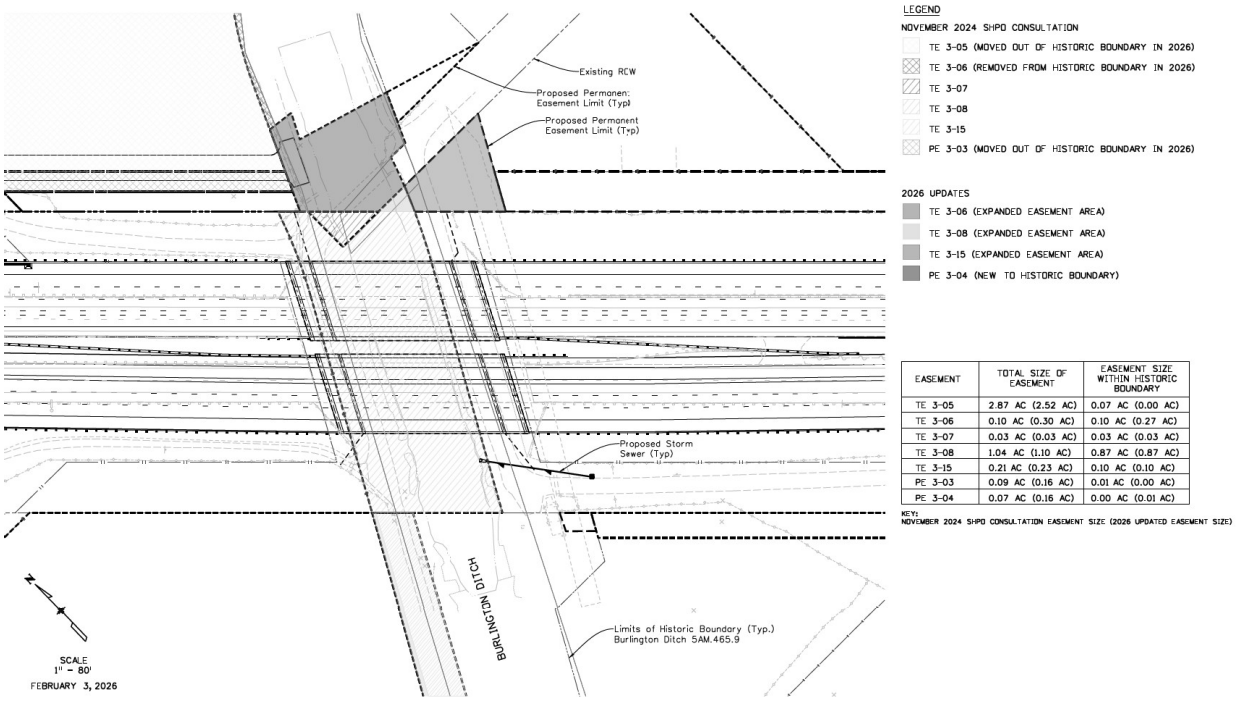
Table 1. Previous Easement Needs based on November 2024 SHPO consultation. Parentheses indicate the acreage totals within the boundaries of the historic resource. TE=Temporary Easement; PE=Permanent Easement.

Updated Project Effects

In 2024, CDOT assessed the potential effects of the three I-270 EIS alternatives on the 78 age-eligible historic properties within the APE. At that time, CDOT made a finding of *no historic properties affected* for 67 properties determined not eligible for the NRHP and a finding of *no adverse effect* for 11 properties determined eligible for the NRHP. For this update, CDOT only evaluated the following NRHP-eligible properties affected by the Project changes described above.

Burlington Ditch/O'Brien Canal (5AM 465, including segment 5AM.465.9): As coordinated for the Project in 2024, proposed improvements under the two build alternatives include replacing the two existing three-span continuous steel plate girder bridges (E-17-IF and E-17-IG) that carry I-270 over the Burlington Ditch/O'Brien Canal at this location. In 2024, your office concurred with CDOT's finding of *no adverse effect*.

When previously coordinated, CDOT determined this work would require approximately 1.17 acres of temporary easements and 0.01 acres of permanent easement within the historic ditch boundary. Updates to the Project design now require approximately 1.27 acres of temporary easements and 0.01 acres of permanent easement. Additionally, the project will replace an existing storm sewer pipe that outfalls within the resource boundaries. These changes would not modify or alter the character-defining features of the ditch or the ditch riders' roads. All construction impacts are temporary, and the ditch will be returned to pre-construction conditions at project end. There would be no permanent change to the integrity of location, design, or workmanship to the ditch and only one very minor change to the materials with the replacement of the storm sewer pipe. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.



EASEMENT	TOTAL SIZE OF EASEMENT	EASEMENT SIZE WITHIN HISTORIC BOUNDARY
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PE 3-03	0.09 AC (0.16 AC)	0.01 AC (0.00 AC)
PE 3-04	0.07 AC (0.16 AC)	0.00 AC (0.01 AC)

Figure 1 Burlington Ditch Exhibit (Exhibit 1 in Attachments). Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements.

CB&Q/BNSF – Brush Line (5AM.464, including segment 5AM.464.21); DP/UP Segment – Greeley Line (5AM.472, including segment 5AM.472.41); and Sand Creek Junction (5AM.4119): These three railroad resources are interconnected, consisting of two rail lines intersecting at a junction under I-270

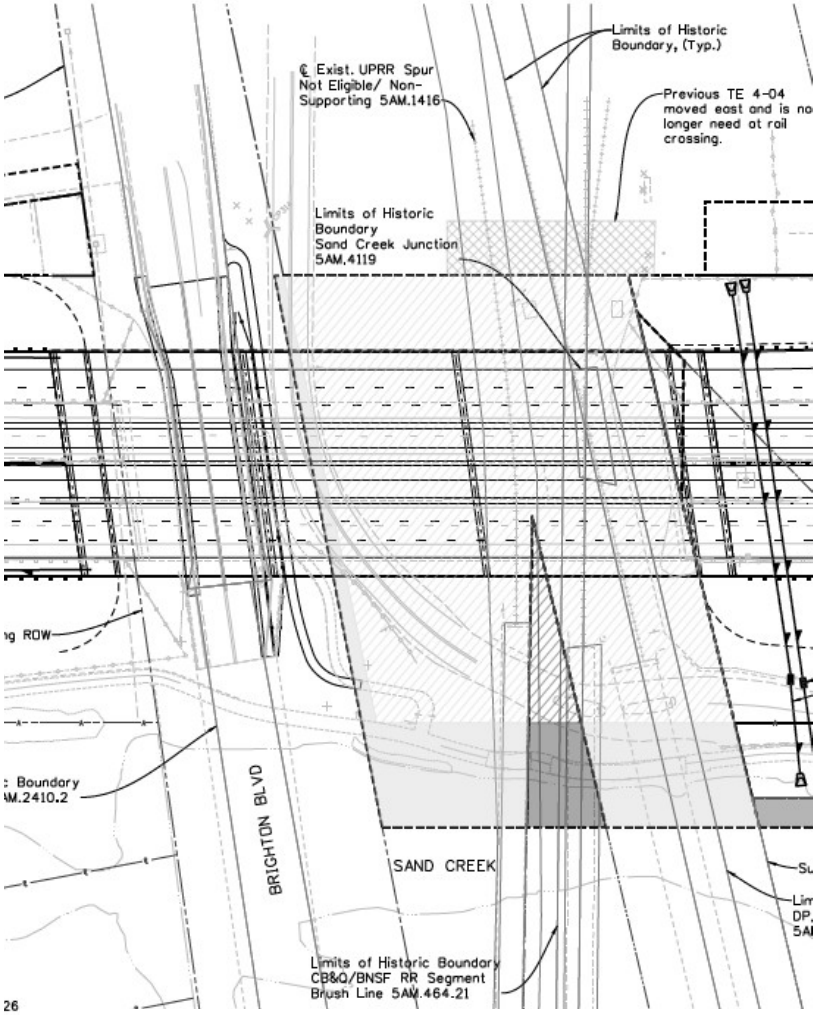


Figure 2 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red lines indicate boundary limits of historic linear resources. Hatched colors indicate areas on which CDOT received SHPO concurrence during 2024 consultation. Solid colors indicate areas of expanded easements. Yellow hatched area at north end of image has been removed from the project.

about 180 feet southeast of Brighton Boulevard. Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265, the CB&Q/BNSF Railroad, and DP/UP Railroad, as well as Sand Creek Junction. In 2024, your office concurred with CDOT's finding of *no adverse effect*.

When previously coordinated, CDOT determined this work would require small temporary easements totaling approximately 0.39 acres. As shown on Exhibit 2 (see attachment), the location of these easements has expanded on the west and south end of the project area and an easement on the north end (TE 4-04) has been removed completely, resulting in a slight overall increase to approximately 0.42 acres. These very small temporary easements would be for construction access and would be returned to pre-construction conditions once bridge construction is complete. The only changes to the Project from the previous coordination would be the exact size and location of the easements; there would be no permanent change to the integrity of location, materials, design, or workmanship of the railroad resources. Because the historic integrity would not be significantly impacted, CDOT makes a determination of *no adverse effects*.

Suncor (5AM.4044): In 2024, Suncor was assumed eligible to the NRHP for the purposes of Section 106. Project updates require a small temporary easement of approximately 0.14 acres along the northeast corner of the property, adjacent to 60th Avenue (TE 4-03). This easement is in an already disturbed area where there are not developed refinery improvements. This easement would be for construction access only, and the

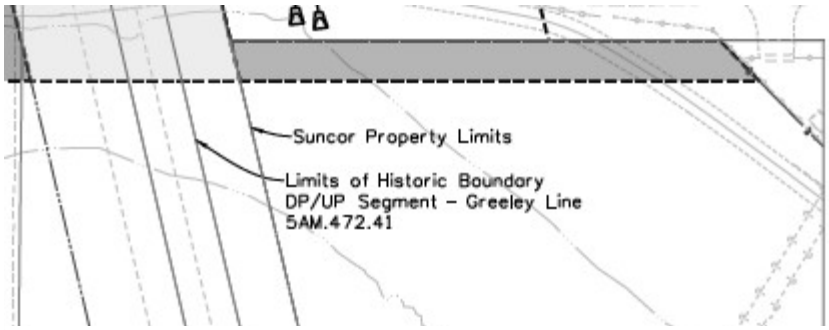


Figure 3 Railroad and Suncor Exhibit (see Exhibit 2 in Attachments for full context). Red indicates new easement on Suncor property (5AM.4044), which has been assumed eligible for the purposes of Section 106.

Project would return the affected area to pre-existing conditions prior to project end. CDOT makes a determination of *no adverse effects*.

In addition to the changes noted above, the Project proposes to replace two existing storm sewer pipes that run roughly north to south, east of and adjacent to the DP/UP segment (5AM.472.41) (see Exhibit 2). Although these pipes are within the APE, the pipes and outfalls are outside the boundaries of any historic resources and will not have any effects to adjacent resources.

Section 4(f) Notifications

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], the FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made such a determination for ten historic properties in the previous 2024 coordination with your office. On August 20, 2025, FHWA confirmed the *de minimis* finding, which includes the properties considered here.

Due to the *no adverse effect* determinations for the Project updates considered herein, FHWA intends to make a *de minimis* finding for the updated project effects.

We request your concurrence with CDOT's updated determinations of effects outlined above, and your acknowledgement that FHWA may apply the de minimis under Section 4(f) for the resources above. If you require additional information, please contact CDOT Region 1 Historian Roneva Keel at 303-512-4244 or roneva.keel@state.co.us.

Sincerely,

Lisa Streisfeld

Digitally signed by Lisa Streisfeld
Date: 2026.02.06 12:51:27 -07'00'

Lisa Streisfeld
CDOT Region 1 Environmental Manager

Enclosures: *Attachment 1. 2024 Section 106 Consultation – SHPO Concurrence*

Attachment 2. 2024 Section 106 Consultation – Eligibility and Effects Letter

Attachment 3. Easement Exhibit 1: Burlington Ditch

Attachment 4. Easement Exhibit 2: Railroads and Suncor

Attachment 5. APE

Colorado Department of Transportation

Historic Section 4(f) *De Minimis* Use Clearance Form

CDOT Request for *De Minimis* Finding

Based upon the information provided and this analysis below, CDOT believes that the Section 4(f) use of this property is considered *de minimis* as defined in 23 CFR 774.17.

Barbara Starkie-Stuyfzand 01/10/25

Lisa Streisfeld, Environmental Manager **Date**
CDOT Region 1

FHWA *De Minimis* Finding

LINDSAY BLAIR EDGAR Digitally signed by LINDSAY BLAIR EDGAR
Date: 2025.08.20 16:57:41 -06'00'

John M. Cater, PE **Date**
Division Administrator
FHWA Colorado Division

Project Information

Date: January 9, 2025	**Region:** 1
Project Title: I-270 Corridor Improvements	**Project Location:** Commerce City, Adams County, and City and County of Denver
Project Number: STU 2706-046 (Subaccount #25611)	**Project Route: Interstate 270 (I-270)**
Lead Agency: FHWA	**NEPA Class:** EIS
Project Description: This project will implement improvements along an approximately 6.5 mile controlled-access interstate highway. Two altenatives under consideration, Three General-Purpose Lane Alternative and Two General-Purpose Lanes and One Express Lane that Acommodates Transit Alternative, will require impacts and use of historic sites. The Three General Purpose Lane alternative would widen the four-lane divided highway (two-lanes in each direction) to accommodate an additional general-purpose lane in each direction, widen shoulders, add a continuous auxiliary lane in each direction between I-76 and Vasquez Boulevard ramps, redesign I-270 on- and off-ramps at several locations, replace major bridges that have reached the end of their useful life, implement intersection iimprovements at several locations, add a new bicycle and pedestrian overpass over I-270 between E. 56th Avenue and Quebec Streey, build new multi-use paths, and make other pedestrian and bicycle improvements. The Two General Purpose Lane and One Express Lane that Acommodates Transit Alternative would add one express lane in each direction for transit	

and high-occupancy vehicles, widen shoulders, add a continuous auxility lane in each direction between I-76 and Vasquez Boulevard ramps, redesign I-270 on- and off-ramps in several locations, replace major bridges that have reached the end of their useful life, implement intersection improvements at several locations, add a new bicycle and pedestrian overpass over I-270 between E. 56th Avenue and Quebec Street, build new multi-use paths, and make other pedestrian and bicycle impovements

Resource Information

Section 4(f) Resource: 10 properties. See below and attached supplemental table for more information. ☒ **For historic, check box if clearing multiple properties and attach table.**	**Type of 4(f) Resource:** Historic Property
Official with Jurisdiction: SHPO	

De Minimis Documentation:

1. **Describe the Section 4(f) property and the attributes and features that qualify it for Section 4(f) protection;**

There are 10 Section 4(f) properties with a transportation use under this project. This includes (1) the Chicago Burlington & Quincy/Burlington Northern Santa Fe Railroad (CB&Q/BNSF) Brush Line (5AM.464, including 5AM.464.21). The recorded segment of this rail line is approximately 4,488 feet long and 15 feet wide, consisting of a single standard gauge track with wood ties and crushed rock ballast. It crosses Sand Creek on a concrete box beam bridge. The Brush Line, completed in 1882, provided Denver with its first direct rail connection to Chicago, and was essential to Denver's late 19th and early 20th century economic growth and development as a rail hub. This rail line is eligible for the National Register under Criterion A for these reasons. Its original location/alignment and standard gauge track composition adjacent to and intersecting other rail lines contributes to its integrity of design, feeling, and association. Segment 5AM.464.21 contributes to the overall Criterion A significance of the CB&Q/BNSF rail line. The second historic resource (2) is Burlington Ditch/O'Brien Canal (5AM.465, including 5AM.465.9). The recorded segment of the ditch consists of an approximately 12,415 foot long by 123 foot wide earthen ditch flanked by parallel gravel ditch rider roads on either side; these features qualify the property for National Register listing. The Burlinton Ditch/O'Brien Canal dates from 1886, and is significant under National Register Criterion A, for its association with early irrigation and agricultural activity northeast of Denver. Segment 5AM.465.9 conributes to the overall Criterion A significance of the ditch. The third historic resource (3) is Denver Pacific/Union Pacific Railroad Greeley Line (5AM.472, including 5AM.472.41). The segment of the rail line recorded for this project is a 4,120 foot long section of track with a varying width up to 30 feet where it is double tracked over Sand Creek on a concrete box beam bridge; the rail segment features woodrn ties and crushed rock ballast. This 1870 line connected Denver to Cheyenne, Wyoming, and the transcontinental railroad. This line is significant under Critetrion A for its association with the early rail development of Colorado and Denver. Its location/alignment and

standard gauge track composition adjacent to and intersecting other rail lines contribute to its integrity of design, feeling and association. Segment 5AM.472.41 supports the overall Criterion A significance of 5AM.472. The fourth (4) historic resource is Gardner Ditch (5AM.1292, including 5AM.1292.2). The segment recorded for this project is an abandoned section of ditch, approximately 865 feet long by about 6 feet wide. The recorded section of ditch includes a piped section under I-270 and open earthern ditch extending south of the interstate through what was once agricultural fields. Gardener's Ditch, completed by 1863, is one of the earliest irrigation ditches in the Denver area, and meets National Register Criterion A since it was important to early development of agriculture of the region. The recorded segment was abandoned c. 2004, and the piped and largely filled-in earthern sections make this segment non-supporting of the overall resource's Criterion A significance. The fifth (5) historic property is the CB&Q Market Street Rail Line (5AM.1298, including 5AM.1298.3). The recorded segment is an 2,850 foot long by approximately 30-foot segment, consisting of both standard gauge single and double track, with wooden ties and crushed rock ballast. It crosses Sand Creek on a timber stringer bridge. The Market Street Line meets National Register Criterion A as an important connecting line between downtown Denver and the industrial area to the northeast, spurring substantial industrial development along Market Street in Denver. Its location/alignment and standard gauge track composition are features that qualify the rail line for the National Register. Segment 5AM.1298.3 was found to supports the overall Criterion A significance of the rail line. The sixth (6) historic property is Brighton Boulevard (5AM.2410, including segment 5AM.2410.2). The recorded segment consists of an approximately 1.2 mile segment, approximately 52 feet wide, encompassing two travel lanes with shoulders. This farm-to-market road dates from the 1880s, and became part of the state highway system after World War II as CO-265. The highway is significant under Criterion A as an early transportation link for agricultural goods between northeastern Adams County and Denver, and as important roadway link for oil and gas facilities after World War II. The recorded segment, 5AM.2410.2 is supporting of the roadway's overall Criterion A significance. The seventh (7) property is Vasquez Boulevard/CO-6 (5AM.3924, including segments 5AM.3924.2 and 5AM.3924.3). The two segments accommodate a four-lane divided highway with the two segments meeting at I-270; together, they are approximately 1.9 mile in length. Vasquez Blvd. became part of US 6 in 1947, with the cloverleaf interchange at I-270 dating from the early 1960s. Vasquez Boulevard was built as a late 19th century farm-to-market road providing local farmers access to Denver markets. US 6 is significant under Criterion A as a major intercontinental route and as a regional farm-to-market route. The two recorded segments are non-supporting of the highway's overall significance given that they were added to US 6 relativly late and have been heavily altered post-1960. The eighth (8) historic resource is Suncor Energy (5AM.4044), an approximately 231-acre oil refinery complex dating from 1930. The complex is significant under Criterion A for its early association with Continental Oil and for its association with the Fort Collins-Wellington oil field, one of the largest oil discoveries in Colorado. Buildings and structures on the property date from the 1930s to the present, and were not surveyed due to restricted access; as such, CDOT is unclear if the property retains historic integrity, and assessed its significance as "Needs Data." The property was treated as National Register eligible under Criterion A for Section 106 purposes. The ninth (9) historic resource is York Street (5AM.4101, including segment 5AM.4101.2). York Street is a four-lane roadway, first built as a county farm to market road in the 1880s, then receiving a state highway designation by the late 1930s, and later decommissioned as a state highway. Consistent with State Historic Preservation Office linear resource policies, York Street is assumed to be National Register eligible under Criterion A given that it is as an important artery for farms and ranches near Welby, connecting them to the Union Stockyards and rail shipping centers in the Denver environs. The recorded segment, 5AM.4101.2, has been significantly widened

and improved over the decades, with the most notable changes being 1960s overpasses built to carry York Street over I-270 and I-76. The recorded segment, 5AM.4101.2, is non-supporting of the overall assumed Criterion A significance of York Street. The tenth (10) historic resource is Sand Creek Junction, an approximately 60-foot long by 20-foot wide railroad junction, dating from 1882; this junction accommodates the "X" crossing of 5AM.461 CB&Q/BNSF) Brush Line and 5AM.472 Denver Pacific/Union Pacific Railroad Greeley Line, two of the earliest railroad lines in the Denver area. This junction became a center for railroad yards and activities in the late 19th and early 20th centuries, and prompted other industrial activity in the Commerce City area in the 20th century. Sand Creek Junction is significant under Criterion A, with its defining features consisting of the "X' crossing of the two railroads, and the composition of steel tracks, wooden ties, and crushed stone ballast at this crossing.

2. Describe the impacts to the Section 4(f) property, and why they are considered *de minimis* as defined by 23 CFR 774.17. Include all avoidance, minimization and mitigation or enhancement measures.

The project impacts for the two build alternatives generally consist of replacing existing bridges on I-270 spanning over or under historic linear resources, with multiple small temporary easements needed to accommodate construction of proposed improvements on I-270, with a few instances where permanent easements or right-of-way are required. Overall, direct impacts to historic resources have been minimized or avoided to the extent feasible. Consistent with Colorado State Historic Preservation Office policies, Section 106 effects analyses for linear resources apply to the entire resource, not to individual segments of those resources. Under the two build alternatives, the existing pair of four-span bridges carrying I-270 over (1) CB&Q/BNSF Brush Line (5AM.464), (3) Denver Pacific/Union Pacific Railroad Greeley Line (5AM.472), (6) Brighton Boulevard (5AM.2410), and (10) Sand Creek Junction (5AM.4119) will be replaced with a new four-span bridge. All new bridge piers will be outside the defined historic boundaries of these four resources. While the new bridged will be wider than the current bridged, several sets of bridge piers will move further away from the historic boundaries of these four historic linear features than current bridge piers. The proposed bridge replacement work will require reconstruction of curb and gutter and flanking sidewalks along Brighton Boulevard, affecting approximately 1.5 acres of the historic boundary of Brighton Boulevard. Temorary use of the three railroad resources will also be required to accommodate the replacement of the I-270 bridges that span over these resources, although no impacts to historic tracks, ties or ballast are anticipated; once bridge construction is completed, the three railroad resources will be returned to pre-construction conditions. CDOT made a "no adverse effect" determination under the Section 106 process for these four properties given that the project will not substantially affect their character-defining features. In terms of (2) the Burlington Ditch/O'Brien Canal (5AM.465), both I-270 build alternatives propose to replace the existing three-span pair of bridges carrying I-270 over this resource with two single-span bridges. The two center piers that are currently located within the historic boundary of the ditch will be removed. The new bridges carrying I-270 over the ditch will be wider than the current bridges, and temporary use of the historic ditch rider roads will be needed to accommodate the bridge replacement construction. While temporary easements will be required for this work and one small permanent easement is needed to reconnect roadways, no permanent infrastructure within the historic ditch boundary, or changes to the earthen ditch or its associated ditch rider roads is needed. Protection measures, such as temporary fencing, will also be in place to protect historic ditch features during construction. Because of the sensitive bridge design and proposed protection measures, CDOT determined that the project would have "no adverse effect" on the Burlington Ditch/O'Brien Canal (5AM.465). In terms of (4)

Gardner (or Gardener) Ditch, the two build alternatives both propose to alter the interchange at I-270 and York Street, just west of the ditch. Associated ramp location adjustments and the actual widening of I-270 itself will require additional impacts to the ditch on the north side of I-270 . Most of the impacts will occur within existing I-270 rights-of-way where the ditch is currently piped under the highway. Additional permanent easements and/or right-of-way requiring use of the ditch will be needed on both the north and south side of I-270 to accommodate I-270 improvements, including a new drainage swale and fence on the south side of the highway. The overall impacts to the ditch amount to approximately .02 acre of impact, and given that the affected ditch segment is already heavily altered and non-supporting of the overall Criterion A significance of Gardner's Ditch, CDOT made a "no adverse effect" finding for this resource under the Section 106 process. Both EIS build options call for replacement of a pair of five-span I-270 bridges spanning over (5) CB&Q Market Street Line (5AM.1298). While the new pair of bridges will be wider than the current pair, the closest concrete bridge piers to the rail line will be a minimum of 14 feet from its historic boundary. While a temporary easement (or use) will be needed to accommodate the replacement of the I-270 bridges within the historic boundary, no impacts to the historic tracks, ties or ballast are anticipated, and once bridge construction is completed the resource will be returned to pre-construction conditions. Because the proposed bridge replacement does not alter the character-defining features of this rail line, CDOT made a "no adverse effect" finding for 5AM.1298. Both of the two build alternatives of the EIS will cause impacts to (6) Vasquez Boulevard/US 6 (5AM.3924). Proposed work includes rebuilding the interchange with I-270; redesigning on- and off-ramps between I-270 and Vasquez Boulevard; reconfiguring the current cloverleaf interchange to a partial cloverleaf; building improved bicycle and pedestrian sidewalk connections across I-270 at Vasquez Boulevard, including a new multi-use path; adding new auxiliary lanes on I-270 over Vasquez Boulevard (Three General-Purpose Lanes, Alternative 2); and replacing the National Register not eligible 1940 steel stringer bridge on Vasquez Boulevard over Sand Creek. Rebuilding of Vasquez Boulevard with new pavement, raised medians, sidewalks, and curb and gutter is anticipated along an approximately .55 mile extent of the highway. The proposed improvements under the two build alternatives will impact nearly nine acres of Vasquez Boulevard; however, the portions of Vasquez Boulevard that will be impacted have already experienced severe alterations in recent decade. As a result of prior alterations, the two affected segments of Vasquez Boulevard were found to be non-supporting of the highway's overall Criterion A significance. Because the portions of Vasquez Boulevard to be affected by the proposed improvement are heavily altered, CDOT determined that the two build alernatives would result in "no adverse effect' to Vasquez Boulevard (5AM.3924) and its Criterion A significance. A small temporary easement will be needed from the northwest corner of (7) Suncor Energy, Inc. (5AM.4044) in order to reconstruct a small portion of the existing Sand Creek Recreation Trail that will be affected by I-270 construction anticipated under either build alternative. The area where work is occurring on the Suncor site is on the north side of Sand Creek in an already disturbed area where there are no developed refinery improvements. The project will return the affected area to pre-existing conditions prior to project end. As a result, CDOT made a "No Adverse Effect" determination for this property. Under the two EIS build alternatives, an approximately .24 length of (9) York Street (5AM.4101) would be improved. The two build alternatives both propose to replace the existing underpass of I-270 at York Street with a new wider structure; to widen the York Street roadway both north and south of the new I-270 bridge to transition the adjacent roadway to the wider bridge configuration; to redesign the I-270 and- on- and off-ramp terminals at York Street; and to add curb and gutter, curb ramp sand sidewalks to areas where work is occurring along York Street. Overall, the project will impact approximately 2.4 acres

of the historic boundary of York Street. Segment 5AM.4101.2 of York Street was previously found non-supporting of the road's overall significance given significant alterations to this segment of York Street since 1960. The impacts caused by either of the two build alternatives will cause minimal change to York Street as compared to existing conditions. The project will not change the road's alignment, nor will it substantially widen or change the overall character of the overall assumed National Register eligible York Street resource. As such, CDOT has made a "No Adverse Effect" determination for York Street, 5AM.4101.

3. **For historic resources, attach Section 106 Documentation. Include SHPO concurrence with project-level findings (Determinations of Eligibility and Findings of Effect) and Programmatic Agreement Memos for archaeological resources. Also include the letter to SHPO notifying them of *de minimis*.**

    a. **Date of SHPO written concurrence of No Adverse Effect determination:**

    December 5, 2024

    b. **Date of CDOT *de minimis* notification:**

    November 26, 2024

Form prepared by: Barbara Stocklin-Steely, CDOT Region 1 Senior Historian

Attach all required documentation as described above.

Historic Section 4(f) De Minimis Use Clearance Form – Supplemental Table

OAHP Resource Number	Resource Name (Number on APE Map)	Effect Summary/Determination	List of Easements (TE and PE), Right-of-way (RW)
5AM.464 5AM.472 5AM.4119	Chicago Burlington & Quincy/Burlington Northern Santa Fe (CB&Q/BNSF) Brush Line Denver Pacific/Union Pacific Railroad Greeley Line Sand Creek Junction	These three railroad resources are discussed together since they are interconnected, consisting of two rail lines intersecting at a junction under I-270 about 180 feet southeast of Brighton Boulevard. Under the two EIS build options, the existing bridges carrying I-270 over the three railroad resources would be replaced as follows: • A new four-span pair of precast concrete girder bridges will cross over Brighton Blvd., and the two railroads (including Sand Creek Junction). • The new bridge spans will be approximately 6.25 feet deep, a negligible .75 foot deeper than the current spans. The vertical clearance over Brighton Blvd. will remain unchanged. • The new bridge is estimated to be 510 feet in length total, while the current bridge is approximately 370 feet long. • The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current configuration. • The existing eastern sloped concrete abutment which supports the existing bridge pair is located proximal to the DP/UP railroad (5AM.462.41); it will be removed and replaced with a new bridge pier located 30 feet further east (or away) from the historic railroad boundary. This pier will support spans from both of the new bridges (east and westbound). • The concrete pier closest to CB&Q/BNSF Railroad 5AM.464.21 will be replaced with a new pier located more than 40 feet further west (or away from) the historic boundary of this railroad line. This pier will support spans from both of the new bridges (east and westbound). • The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative. The proposed action would not result in any changes or modifications to the CB&Q/BNSF (5AM.464), DP/UP railroads (5AM.472), or Sand Creek Junction	TE 4-04 (.02 acre) TE 4-05 (.11 ace) TE 4-08 (.02 acre) TE 4-04 (.03 acre) TE 4-05 (.21 acre) TE 4-05 (.05 acre)

		(5AM.4119). No tracks will be moved, horizontal or vertical alignments or railroad grades changed. The railroads will remain in operation during project construction. Also, no new permanent vertical bridge components, such as piers or abutments, will be built within the historic boundaries of these three resources. Temporary fencing and flagging may be required to meet railroad standards when bridge replacement work is underway. In addition, the Build Alternatives will require TE (or temporary use agreements) that will overlap the historic boundaries of the three railroad resources, assuming that existing railroad use agreements cannot be utilized. This includes TE 4-04, TE 4-05 and TE 4-08. A small portion of TE 4-04, .02 acre and .03 acre, intersects 5AM.464.21 and 5AM.472.41, respectively. Similarly, TE 4-05 will intersect .11 acre of 5AM.464.21; .21 acre of 5AM.472.41; and .05 acre (the entirety) of 5AM.4119. In addition, TE 4-08 includes .02 acre of land from 5AM.464.21. These very small temporary easements are needed to remove the existing bridge piers and abutments flanking the three railroad resources, to replace the overhead bridge spans, and to provide temporary crossing of the railroads for construction purposes. The railroad RW will be returned to pre-construction conditions once bridge construction is complete. The two proposed EIS Build Options resulted in a **"No Adverse Effect"** determination for the CB&Q/BNSF railroad (5AM.464, including 5AM.464.21), the DP/UP railroad (5AM.472, including 5AM.472.41), and Sand Creek Junction (5AM.4119).	

5AM.465	Burlington Ditch (18)	Proposed improvements under the two build alternatives include replacing the two existing three-span continuous steel plate girder bridges (E-17-IF and E-17-IG) that carry I-270 over the Burlington Ditch/O'Brien Canal. These two 1969 bridges are each 40 feet in width and approximately 217 feet in length. The two center piers of each of the bridges are located inside the historic ditch boundary, between the ditch and ditch rider roads on either side of and partially within the embankment of the Burlington Ditch. The existing bridges and their associated piers and concrete abutment walls would be removed and replaced with a new pair of variable depth steel plate girder bridges. In summary: • The new bridges would be single-span (instead of three-span), approximately 140 feet in total length, spanning completely over the historic ditch boundary. • The two new spans would be situated on new concrete vertical abutment walls located on FRICO (ditch owner) property outside (but within 2.5 to 6 feet of) the historic ditch boundary. No intermediary piers will be required within the historic ditch boundary like the current bridges. • The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative. • While the current steel girder bridges are approximately 4.5 inches in depth, the depth of the new bridge spans would vary from approximately 3.2 feet to 6.8 feet, given that they are variable depth single span units. The bridge clearance over the ditch would be a couple feet less than current conditions, but the clearance over the ditch rider roads would not change. • The historic ditch access roads will be used during construction to remove the existing bridge components and install the proposed bridges. The ditch access roads will be returned to pre-construction conditions upon completion of construction. • Construction fencing will be placed at the top of the Burlington Ditch slopes within the project area, protecting the existing bank, riprap, and ditch itself. • The existing riprap surrounding the existing bridge piers will be temporarily removed to allow the existing bridge piers will be removed. Upon removal of existing bridge piers, the existing riprap will be reset to pre-construction conditions and the contractor will install construction	PE 3-03 (.01 acre) TE 3-05 (.07 acre) TE 3-06 (.10 acre) TE 3-07 (.03 acre) TE 3-08 (.87 acre) TE 3-15 (.10 acre)

		fencing at the top of the ditch embankment for the remainder of construction to protect the earthen ditch. • The contractor will implement protection measures during construction to prevent debris from construction activities from entering into the canal . The intent is to protect the integrity of the ditch. • There is an existing east-west oriented private property access road on the west side of the Burlington ditch which requires relocation. This property access road is outside the historic boundary except where it connects to the western ditch access road within historic limits. This property access road is planned to be relocated approximately 70 feet north and re-connect to the ditch access road. The ditch rider roads will not be improved or realigned, and no substantial regrading of these roads is anticipated. • The Contractor shall arrange for a Pre-Construction environmental meeting to include protection measures for the ditch, and the Contractor shall submit a baseline report to the project engineer that documents the existing conditions of the historically significant ditch prior to initiation of construction activities. The Contractor shall use this photo documentation for restore the temporarily impacted historic features to pre-construction and historically appropriate conditions at project end. Temporary easements that are partially or entirely within the historic ditch boundary include: TE 3-05, TE 3-06, TE 3-07, TE 3-08 and TE 3-15; cumulatively, this amounts to approximately 1.17 acres of temporary easements within the historic ditch boundary. Work associated with bridge removal and construction will require cranes and will largely occur within TE 3-08 immediately underneath I-270. Approximately .01 acres of PE 3-03 will involve work within the historic ditch boundary to reconnect the relocated private property access road to the western ditch rider's road. The two EIS build options resulted in a **"No Adverse Effect"** determination for the Burlington Ditch/O'Brien Canal (5AM.465, which includes the supporting segment 5AM.465.9).	

5AM.1292	Gardner Ditch - Gardener Ditch - Heller Ditch (17)	Under the two proposed build alternatives, the proposed improvements at Gardener's Ditch will alter the interchange at I-270 and York Street (located a few hundred feet west of the ditch), and require adjustments to the I-270 off- and on-ramps for York Street where the ditch segment is located. The proposed improvements will also require relocation of Columbine Street to the north, a street that generally runs in a northwest to southeast direction parallel to the north side of I-270; this realignment of Columbine Street will require construction of a retaining wall and will also impact the Gardener's Ditch on the north side of I-270. Widening of the I-270 mainline itself will also require removal of the current non-historic I-270 culvert that historically carried Gardener's Ditch beneath I-270. The majority of the proposed improvements at Gardener's Ditch are located within existing I-270 RW. The proposed improvements have the potential to impact up to an approximately 375' length of the ditch. This amounts to approximately .1 acre of the abandoned Gardener's Ditch, most of which (approximately .08 acre) was already located in a culvert under current I-270. On the north side of I-270, PE-2-04 will permanently impact approximately .01 acre of the ditch on private property, and this easement is needed to accommodate re-construction and future maintenance of relocated Columbine Street. On the south side of I-270, RW-3-06 and PE-3-08 are required to accommodate construction and future maintenance of a drainage swale and fence, impacting 10 square feet or less and approximately .01 acre of the abandoned open portion of the ditch, respectively. Segment 5AM.1292.2 of Gardener's Ditch is a heavily altered non-supporting segment, and the impacts caused by the two EIS build alternatives will cause minimal change to Gardener's Ditch as compared to existing conditions. As such, CDOT has made a **"No Adverse Effect"** determination for Gardener's Ditch, 5AM.1292 (which includes the non-supporting segment 5AM.1292.2).	08 acre of new use of historic ditch within existing I-270 RW RW 3-06 (up to 10 square feet) PE 2-04 (.01 acre) PE 3-08 (.01 acre)

5AM.1298	CB&Q Market St. Railroad	Proposed improvements under the two EIS build options include replacing the two 5-span 1970 steel plate girder bridges (E-17-IJ and E-17-IK) that span over the CB&Q Market Street line. The existing bridges will be replaced with a new pair of 5-span precast concrete girder bridges. Under the two EIS options: • The new bridge spans will be approximately 5 feet deep, approximately 1 foot deeper than the current spans. The vertical clearance over the CB&Q will remain unchanged. • For each bridge pair, the five new spans will vary from 55 to 90 feet in length, compared to the existing spans which are 55 to 75 feet in length. • The new bridge is estimated to be 405 feet in length total, while the current bridge is approximately 340 feet long. • The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current locations. • The two sets of concrete piers that currently flank the railroad will be replaced with new concrete piers 3 and 4, which will be a minimum, of 14 and 18 feet from the historic railroad boundary of the CB&Q. Pier 3 is located in the same approximate location as the existing piers on the west side of the rail line, while Pier 4 is located several feet further east of the current piers on the east side of the rail line. No piers or vertical bridge elements will be placed within the historic boundary of the rail line. • The current bridges are approximately 40 feet wide, while the new bridges will be wider. The new bridge pair will be approximately 84 to 85 feet wide for the Three General-Purpose Lanes Alternative and approximately 79 to 89 feet in width, under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative. Temporary fencing and flagging may be required to meet railroad standards when bridge replacement work is underway. A TE of approximately 1.63 acres is anticipated during construction, provided that existing railroad use agreements cannot be utilized. Approximately .32 acres of TE 5-09 is located within the historic boundary of the CB&Q Market Street line. This TE is needed to remove the existing bridge piers flanking the railroad, to replace the overhead bridge spans, and to provide temporary crossing of the railroads for construction purposes. The railroad RW will be returned to pre-construction conditions once bridge construction is completed. The two proposed EIS Build Options resulted in a “No Adverse Effect” determination for the CB&Q Market Street Line, 5AM.1298 (including 5AM.1298.3).	TE 5-09 (.32 acre)

5AM.2410	Brighton Boulevard/CO-265	Proposed improvements under the two EIS Build options include replacing the two 1969 four-span continuous steel girder bridges (E-17-IH and E-17-II) that carry I-270 over Brighton Boulevard/SH 265, the CB&Q/BNSF (5AM.464.21) and DP/UP railroads (5AM.472.41), as well as Sand Creek Junction (5AM.4119). Under the two EIS options, the existing bridges carrying I-270 over Brighton Boulevard would be replaced as follows: • A new four-span pair of precast concrete girder bridges will cross Brighton Blvd., and the railroads (including Sand Creek Junction). • The new bridge spans will be approximately 6.25 feet deep, a negligible .75 foot deeper than the current spans. The vertical clearance over Brighton Blvd. will remain unchanged. • For each bridge pair, the four new spans will be 75 to 100 feet in length. • The existing bridge abutments and piers will be removed, and the new bridge pier and abutment locations will vary from the current locations. This includes removal of one set of piers within the historic boundary of Brighton Blvd. and a new pier set back outside of the historic boundary. • Proposed Abutment 1 and Pier 2 flank Brighton Boulevard, but be outside the historic boundary of Brighton Boulevard. • The new bridge is estimated to be 510 feet in length total, while the current bridge is approximately 370 feet long. • The current bridges are approximately 40 feet wide, while the new bridges will be wider, approximately 73 feet in width under the Three General-Purpose Lanes Alternative and approximately 77 feet wide under the Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative. The new bridges would be built over existing Brighton Boulevard RW with no improvements proposed for Brighton Blvd. itself other than temporary construction impacts, replacement of Abutment 1 and Pier 2 just outside of the road's historic boundary, and rebuilding the curb and gutter and sidewalks on either side of the roadway under the new bridge. Brighton Boulevard travel lanes will be placed back to existing configuration and returned to pre-construction conditions. No widening or other improvements to Brighton Boulevard are anticipated. The total impacts to Brighton Blvd. amounts to up to 1.5 acres. The project resulted in a **"No Adverse Effect"** determination for Brighton Boulevard/State Highway 265 (5AM.2410, which includes the supporting segments 5AM.2410.1 and 5AM.2410.2).	1.5 acres of new use within historic Brighton Blvd. boundary

5AM.3924	Vasquez Blvd./U.S. Highway 6	Proposed improvements to Vasquez Boulevard/US 6/US 85/SH 2 include: • Rebuilding the interchange with I-270; • Redesigning on- and off-ramps between I-270 and Vasquez Boulevard; • Reconfiguring the current cloverleaf interchange to a partial cloverleaf, including the addition of a northbound Vasquez Boulevard to eastbound I-270 on-ramp; • Building improved bicycle and pedestrian sidewalk connections across I-270 at Vasquez Boulevard, including a new multi-use path; • Adding new auxiliary lanes on I-270 over Vasquez Boulevard (Three General-Purpose Lanes, Alternative 2); and • replacing 5AM.3924.2, the 1940 steel stringer bridge over Sand Creek. • Rebuilding of Vasquez Boulevard with new pavement, raised medians, sidewalks, and curb and gutter along an approximately .55 mile extent of the highway from approximately E. 56th Avenue on the south to about 500 feet north of E. 58th Place on the north. It is assumed all features on Vasquez Blvd within this extent will be permanently impacted, removed, and reconstructed. However, the existing I-270 bridge, piers, and abutments over Vasquez Boulevard will remain. Proposed improvements on Vasquez Boulevard will occur within existing highway RW. These proposed improvements would result in total impact area of approximately 4.84 acres within the historic boundary of Vasquez Boulevard segment 5AM.3924.2 and approximately 3.98 acres within the historic boundary of Vasquez Boulevard segment 5AM.3924.3. The project resulted in a **"No Adverse Effect"** determination to Vasquez Boulevard/US 6/US 85/SH 2 (5AM.3924, which includes the non-supporting segments 5AM.4101.2 and 5AM.4101.3).	8.82 acres of new use within historic boundary of Vasquez Blvd.: 4.84 acres within 5AM.3924.2 and 3.98 acres within 5AM.3924.3

5AM.4044	Suncor Energy (20)	A temporary easement will be needed from the northwest corner of the Suncor parcel at 3875 E. 56th Avenue to reconstruct a small portion of the existing Sand Creek Recreation Trail. The proposed temporary easement, TE 4-09, is estimated at 11,800 square feet (.27 acre) under the EIS. The area where work is occurring on the Suncor site is on the north side of Sand Creek in an already disturbed area where there are not developed refinery improvements. The project will return the affected area to pre-existing conditions prior to project end. The two EIS build alternatives will result in a **"No Adverse Effect"** determination for this property.	TE 4-09 (11,800 square feet or .27 acre)
5AM.4101	York Street	Under the two proposed build alternatives, the I-270 and York Street interchange would be reworked, and approximately a .24 mile length of York Street would be improved. The two build alternatives both propose to replace the existing 1970 continuous steel girder underpass of I-270 at York Street (E-17-IC) with a new wider structure; widen the York Street roadway both north and south of the new I-270 bridge to transition the adjacent roadway to the wider bridge configuration; redesign the I-270 and- on- and off-ramp terminals at York Street; and add curb and gutter, curb ramps and sidewalks where work is occurring along York Street. The project will impact approximately 2.4 acres of the historic boundary of York Street. Segment 5AM.4101.2 of York Street was previously found non-supporting, and the impacts caused by either of the two build alternatives will cause minimal change as compared to existing conditions. The project will not change the alignment, nor will it substantially widen or change the overall character of the overall assumed National eligible York Street resource. CDOT has made a **"No Adverse Effect"** determination for York Street, 5AM.4101 (including non-supporting segment 5AM.4101.2).	2.4 acres of new use within historic boundary of York Street

Key: TE= Temporary Construction Easement; PE-Permanent Easement; RW=Right-of-Way

History Colorado

December 5, 2024

Lisa Streisfeld
Region 1 Environmental Manager
Colorado Dept. of Transportation
2829 W. Howard Place
Denver, Colorado 80204
Email: barbara.stocklin@state.co.us

RE: I-270 Corridor Improvements Environmental Impact Statement, Section 106 and Section 4(f), Commerce City, Adams County, and City and County of Denver, STU 2706-043, Subaccount #23198 (HC#79271)

Dear Ms. Streisfeld:

Thank you for your recent correspondence dated and received November 26, 2024, requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation (NHPA) and its implementing regulations 36 CFR Part 800. Our office has reviewed the submitted materials, and we offer the following comments.

In 2021, the Federal Highway Administration and CDOT proposed improvements along the Interstate 270 corridor under a draft Environmental Assessment (EA). It is our understanding that in 2023, CDOT determined a more detailed environmental review was needed and prepared an Environmental Impact Statement (EIS). Additional Section 106 consultation is required for the I-270 EIS given that several years have passed since the prior coordination for the draft I-270 EA; a wider range of alternatives are under consideration; and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA.

Identification of Historic Properties
We agree the revised area of potential effect (APE) and survey methodology are appropriate for the undertaking.

We remain in concurrence with the determinations of eligibility and findings as stated in our letter of March 5, 2021 (HC#79271). This particularly applies to six (6) properties that were re-recorded for the EIS: 5AM.465.9; 5AM.2410.2; 5AM.3924.2; 5AM.4114; 5AM.4116; and 5AM.4117.

We also concur with your determinations that five (5) additional properties—5AM.4317, 5AM.4318, 5AM.4319, 5AM.4320, and 5AM.4321—are not eligible for the National Register of Historic Places. Accordingly, we concur with your finding the undertaking as described will result in no historic properties affected, pursuant to 36 CFR 800.4(d)(1), to those five properties.

History Colorado

Section 4(f)
We acknowledge FHWA may use a de minimis finding for the undertaking to comply with Section 4(f) of the U.S. Department of Transportation Act and its implementing regulations 23 CFR Part 774.

Should unidentified historic properties or unanticipated effects to historic properties be discovered in the course of the undertaking, work must be interrupted in order to complete consultation with our office and other consulting parties 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.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact Mitchell K. Schaefer, Section 106 Compliance Manager, at (303) 866-2673 or by email at mitchell.schaefer@state.co.us.

Sincerely,

Patrick A. Eidman Digitally signed by Patrick A. Eidman
Date: 2024.12.12 16:13:23 -07'00'

(for) Dawn DiPrince
State Historic Preservation Officer

COLORADO
Department of Transportation
Region 1
Planning & Environmental
2829 W. Howard Pl.
Denver, CO 80204

November 26, 2024

Ms. Dawn DiPrince
State Historic Preservation Officer
History Colorado
1200 Broadway, Denver, CO 80203

SUBJECT: I-270 Corridor Improvements Environmental Impact Statement, Section 106 and Section 4(f), Commerce City, Adams County, and City and County of Denver, STU 2706-043, Subaccount #25611

Dear Ms. DiPrince,

At this time, we are requesting concurrence on Determinations of National Register of Historic Places (NRHP) eligibility and effects made under Section 106 of the National Historic Preservation Act of 1966 (Section 106) for the *I-270 Corridor Improvements Environmental Impact Statement* (I-270 EIS). The I-270 EIS proposes improvements along an approximately 6.5 mile long controlled-access interstate highway between I-25 and I-70, located in Commerce City, unincorporated Adams County, and the City and County of Denver. The Section 106 process applies since the Federal Highway Administration (FHWA) is providing federal funding and approvals for anticipated improvements included in the I-270 EIS. The Colorado Department of Transportation (CDOT) is completing the Section 106 process on behalf of FHWA, consistent with the 2014 Section 106 Programmatic Agreement among FHWA, CDOT, the Colorado State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation, as amended in 2024 (*2014 Amended Section 106 Programmatic Agreement*). CDOT's Section 106 findings are summarized in the enclosed *Historic Resources Report: I-270 Corridor Improvements Environmental Impacts Statement (I-270 Historic Resources Report*).

Background

FHWA and CDOT proposed improvements along the I-270 corridor under a draft Environmental Assessment (EA) in 2021. CDOT completed the Section 106 process for the proposed EA (CDOT project #23198, and History Colorado #79271), although the EA was never finalized or approved by FHWA. Moving into 2023, CDOT determined a more detailed environmental review was needed and requested that an EIS be prepared. The EIS examines a wider range of alternatives, including the no action alternative, and two build alternatives: the three general-purpose lane alternative and the two-general purpose lanes and one express lane that accommodates transit alternative. The footprints of the two build alternatives advanced under the I-270 EIS are similar to the preferred alternative coordinated through the Section 106 process for the draft EA in 2021. However, additional Section 106 consultation is required for the I-270 EIS given that several years have passed since the prior coordination for the draft I-270 EA; a wider range of alternatives are under consideration; and the preliminary designs developed by the EIS include some modifications and differences from the 2021 draft EA. For additional information, refer to Section 2, "Project Description and Area of Potential Effects," of the enclosed *I-270 Historic Resources Report.*

Area of Potential Effects and Section 106 Methodology

CDOT's Section 106 methodology for the I-270 EIS is consistent with *2014 Amended Section 106 Programmatic Agreement*. Based on the alternatives and designs considered under the I-270 EIS, this report presents a slightly amended Area of Potential Effects (APE) for historic properties as compared to the I-270 draft EA. The APE

includes: the project footprints for all three I-270 EIS alternatives and the associated I-270 rights-of-way; areas where noise receptors are present; and all areas where proposed improvements may directly or indirectly cause alterations in the character or use of historic properties. Refer to Section 2. B "Area of Potential Effects" and Appendix C. "Area of Potential Effects Maps" of the enclosed *I-270 Historic Resources Report* for additional information. CDOT also conducted additional historic property identification efforts and evaluations of National Register of Historic Places (NRHP) eligibility for the I-270 EIS. The I-270 EIS includes additional and modified alternatives from the I-270 draft EA, and there have been changes in bridge designs and refinement of ramp designs since 2021. As such, CDOT performed a new evaluation of the I-270 EIS alternatives in terms of their effects on historic properties. CDOT's efforts to identify historic properties and evaluate effects for the I-270 EIS are summarized below, with more detailed information provided in the *I-270 Historic Resources Report.*

Historic Property Identification and Significance Evaluations

In 2021, when CDOT was preparing a draft EA for the I-270 corridor, the agency identified a total of 71 historic architectural and linear properties built in 1976 or earlier within the project APE, and found 11 of these properties NRHP eligible. CDOT further determined that the improvements anticipated under the draft EA would not cause any adverse effects to historic properties. Additional information on these resources is found in Section 3, "Research Design and Methodology," and on Table 1 of the enclosed *I-270 Historic Resources Report;* the Section 106 consultation completed for the draft I-270 EA is also included as Appendix A of the report.

For CDOT's Section 106 evaluation of the I-270 EIS, CDOT identified 78 age-eligible properties within the APE for the I-270 EIS. This includes the 70 previously recorded historic resources considered by the draft EA, plus eight (8) additional properties, as shown on Table 2 of the enclosed *I-270 Historic Resources Report.* This includes five (5) properties within the APE dating from 1976 to 1980 (with 1980 being the extended age-cutoff for properties to be considered for potential NRHP significance under the EIS). In terms of the 59 previously evaluated properties determined NRHP *not eligible* under the 2021 draft EA, three (3) properties dating from 1973 and 1974 were re-confirmed *not eligible* in 2024 using Office of History and Archaeology (OAHP) Revisitation Forms. For the remaining 57 previously surveyed NRHP *not eligible* properties, CDOT is relying on their prior *not eligible* determinations without any further reevaluation, consistent with the *2014 Amended Section 106 Programmatic Agreement*.

In terms of the 11 properties in the I-270 EIS that were previously determined NRHP *eligible,* CDOT re-evaluated three discrete segments of three (3) NRHP *eligible* (or assumed eligible) linear resources in 2024: Burlington Ditch (5AM.465.9), Brighton Boulevard (5AM.2410.2) and Vasquez Boulevard (5AM.3924.2). These linear segments were reevaluated on OAHP survey forms to provide clarifications and correct inaccuracies on prior survey forms. The overall NRHP eligibility of these linear resources and the *supporting* and *non-supporting* status of these segments did not change from 2021, For the five (5) other previously surveyed NRHP eligible linear resources, CDOT is assuming that their overall NRHP eligibility also remains unchanged, and that the *non-supporting* and *supporting* status of their associated segments remain consistent with prior NRHP eligibility determinations as reflected in History Colorado's Compass database without additional survey work in 2024. The three (3) individually eligible (or treat as eligible) properties within the APE also remain eligible without re-survey in 2024: Suncor Energy (5AM.4044), Plastics, Inc. (5AM.4047), and Sand Creek Junction (5AM.4119). Site visits and review of these properties in 2024 did not reveal any significant changes that warranted completion of additional OAHP survey forms.

For the 11 NRHP eligible properties discussed above, CDOT will rely on prior eligibility determinations for an additional five (5) years from this Section 106 coordination, consistent with the *2014 Amended Section 106 Programmatic Agreement*. Given that this letter is written in late 2024 and that the Final EIS is anticipated to be published in 2025, CDOT is requesting your concurrence that CDOT can rely on the NRHP eligible determinations for these 11 NRHP eligible properties through 2030. For more information on CDOT's NRHP

eligibility determinations for the I-270 EIS, please refer to Section 4, "Historic Property Identification and Significance Evaluations," and Tables 1-3 of the enclosed *I-270 Historic Resources Report*.

Determination of Effects

CDOT assessed the potential impacts of the three I-270 EIS alternatives on the 78 age-eligible historic properties within the APE.. CDOT made a finding of "No Historic Properties Affected" for 67 NRHP not eligible properties, and a finding of "No Adverse Effect" for 11 NRHP eligible properties. None of the alternatives considered under the EIS are anticipated to cause adverse effects to historic properties. CDOT has done substantial due diligence to avoid direct impacts to historic properties, and to place bridge piers and other vertical structural elements outside the boundaries of historic linear resources. For the 11 NRHP eligible properties, CDOT obtained conceptual design drawings and preliminary right-of-way (including easement) information to conduct its assessment of effects on historic properties. A property by property assessment of effects for the 11 NRHP eligible properties is found in Section 5.A. "Determinations of Effect" of the *I-270 Historic Resources Report;* Table 4 of the report delineates the effect findings for all 78 age-eligible historic properties within the APE for all three alternatives considered under the I-270 EIS.

While the above discussion of effects focuses on non-archaeological resources, the enclosed *I-270 Historic Resources Report* also summarizes of the potential effects of the I-270 EIS alternatives on archaeological resources. Substantial efforts to identify and evaluate the historical significance of archaeological properties occurred in 2019-2021 as part of the draft I-270 EA. This included an archaeological survey and assessment of the study corridor conducted by ERO Resources Corporation on behalf of CDOT. When CDOT transitioned to an EIS level analysis in 2023 and 2024, CDOT studied the APE and the two build alternatives to determine if additional archaeological survey and documentation work would be needed. As a result of this analysis, CDOT determined no further archaeological fieldwork was needed for the I-270 EIS based on the earlier archaeological identification efforts that were completed as well as extensive prior disturbance within the modified APE, confirmed by field inspection in May 2024. Consequently, similar to the draft EA, CDOT has determined that a "No Historic Properties Affected" finding is appropriate for the draft I-270 EIS for archaeological resources. Refer to Section 3.C. "Archaeology" of the enclosed *I-270 Historic Resources Report* for additional information.

As individual projects move forward under an approved EIS and Record of Decision (ROD), CDOT archaeologists and historians will re-assess specific project information as it is developed to determine if additional research and investigations are needed for cultural resources. CDOT archaeologists and historians will also review designs for individual projects advanced under the I-270 EIS to determine if effects to historic properties need to be re-evaluated and whether additional Section 106 consultation is warranted.

Section 4(f) Notification of *De Minimis* Impact

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires special consideration of park and recreation lands, wildlife and waterfowl refuges, and *historic sites* during transportation project development. The law is implemented by the FHWA and the Federal Transit Administration through the regulation 23 Code of Federal Regulations (CFR) 774. A *de minimis* impact involves the use of Section 4(f) property that is generally minor in nature, results in a determination of *no adverse effec*t, the SHPO has been notified of FHWA's intent to make a de minimis impact determination, and FHWA has considered the views of any consulting parties participating in the Section 106 consultation.

Consistent with Section 4(f) regulations [23 CFR 774.5(a)(ii)) and 774.7 (b)], FHWA can make a *de minimis* finding when a use of a historic property results in a "No Adverse Effect" determination under the Section 106 process. CDOT made a finding of "No Adverse Effect" for the 11 NRHP eligible properties located within the Area of Potential Effects for the three EIS Alternatives as reflected in Table 4 of the *I-270 Historic Resources Report*. This finding reflects a conclusion that the effects would not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship,

feeling or association as described in 36 CFR § 800.5(a)(1). The analysis in this report has identified a potential new direct and/or temporary transportation use for 10 of these NRHP eligible historic sites as reflected in Table 5 of the *I-270 Historic Resources Report.* Due to the "No Adverse Effect" determinations, FHWA plans to make a Section 4(f) *de minimis* finding for these 10 historic properties:

1. 5AM.464, including 5AM.464.21, Chicago Burlington & Quincy/Burlington Northern Santa Fe RR (CB&Q/BNSF)
2. 5AM.465, including, 5AM.465.9, Burlington Ditch
3. 5AM.472, including, 5AM.472.41, Denver Pacific/Union Pacific RR Greeley Line
4. 5AM.1292, including 5AM.1292.2, Gardner Ditch - Gardener Ditch - Heller Ditch
5. 5AM.1298, including 5AM.1298.3, Chicago Burlington & Quincy Railroad – Market Street Line
6. 5AM.2410, including 5AM.2410.2 and 5AM.3924, Brighton Boulevard
7. 5AM.3924, including 5AM.3924.2 and 5AM.3924.3, Vasquez Boulevard/US 6
8. 5AM.4044, Suncor Energy
9. 5AM.4101, including 5AM.4101.2, York Street
10. 5AM.4119, Sand Creek Junction

CONCLUSION

CDOT plans to simultaneously send this correspondence, including the enclosed *I-270 Historic Resources Report,* to the following consulting parties: City of Commerce, City and County of Denver, and Adams County. If we received substantive information from any of these consulting parties, CDOT will share this information with your office. At this time, we hereby request your concurrence with our Section 106 determinations of NRHP eligibility and effects listed in Table 4 of the enclosed *I-270 Historic Resources Report* (with appendices). This includes CDOT's determination that it is appropriate to rely on the eligibility determinations for the 11 NRHP eligible properties identified for this I-270 EIS (as delineated in the enclosed report) without further survey through 2030. In addition, we also request your concurrence with our Section 106 determination of No Historic Properties Affected for archaeological historic properties."

At this time, we are also providing formal notification that FHWA plans to make a Section 4(f) de minimis finding for the 10 historic properties outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Barbara Stocklin-Steely at 303-797-9397 or at Barbara.stocklin@state.co.us.

Sincerely,

Susie

Digitally signed by Susie Hagie
Date: 2024.11.26 14:25:38 -07'00'

Lisa Streisfeld
Region 1 Environmental Manager

Enclosures:
Historic Resources Report: I-270 Corridor Improvements Environmental Impact Statement, November 2024

HISTORIC SECTION 4(F)

Colorado Department of Transportation

Historic Section 4(f) *De Minimis* Use Clearance Form

CDOT Request for *De Minimis* Finding

Based upon the information provided and this analysis below, CDOT believes that the Section 4(f) use of this property is considered *de minimis* as defined in 23 CFR 774.17.

Roneva Keel Digitally signed by Roneva Keel Date: 2026.03.09 10:30:10 -06'00' 3/9/26

Roneva Keel, CDOT Region 1 Historian for
Lisa Streisfeld, Environmental Manager
CDOT Region 1

Date

FHWA *De Minimis* Finding

LINDSAY BLAIR EDGAR Digitally signed by LINDSAY BLAIR EDGAR Date: 2026.03.17 11:30:23 -06'00'

John M. Cater, PE
Division Administrator
FHWA Colorado Division

Date

Project Information

Date: March 9, 2026	**Region:** 1
Project Title: I-270 Corridor Improvements	**Project Location:** Commerce City, Adams County, and City and County of Denver
Project Number: STU 2706-043 (Subaccount #25611)	**Project Route: Interstate 270 (I-270)**
Lead Agency: FHWA	**NEPA Class:** EIS

Project Description:

Update to 2025 de minimis documentation: The following documentation updates de minimis documentation previously sent to your office on January 9, 2025 (attached). Since CDOT's previous de minimis finding was documented, project designs have advanced, resulting in adjustments to easements throughout the project corridor. These include minor increases in the size of easements needed on historic 4(f) properties. CDOT coordinated these changes with the SHPO in a letter dated February 5, 2026, and the SHPO concurred with CDOT's finding of "no adverse effects" in a letter dated February 17, 2026 (attached). This de minimis finding documents the changes to specific easements on four of the ten historic 4(f) properties identified in the previous de minimis documentation (see attached for all ten). The easement needs and de minimis finding for the remaining properties remain unchanged by these project updates.

Project Description: This project will implement improvements along an approximately 6.5 mile controlled-access interstate highway. Two alternatives under consideration, Three General-Purpose Lane Alternative and Two General-Purpose Lanes and One Express Lane that Acommodates Transit Alternative, will require impacts and use of historic sites. The Three General Purpose Lane alternative would widen the four-lane divided highway (two-lanes in each direction) to accommodate an additional general-purpose lane in each direction, widen shoulders, add a continuous auxiliary lane in each direction between I-76 and Vasquez Boulevard ramps, redesign I-270 on- and off-ramps at several locations, replace major bridges that have reached the end of their useful life, implement intersection iimprovements at several locations, add a new bicycle and pedestrian overpass over I-270 between E. 56th Avenue and Quebec Streey, build new multi-use paths, and make other pedestrian and bicycle improvements. The Two General Purpose Lane and One Express Lane that Acommodates Transit Alternative would add one express lane in each direction for transit and high-occupancy vehicles, widen shoulders, add a continuous auxility lane in each direction between I-76 and Vasquez Boulevard ramps, redesign I-270 on- and off-ramps in several locations, replace major bridges that have reached the end of their useful life, implement intersection improvements at several locations, add a new bicycle and pedestrian overpass over I-270 between E. 56th Avenue and Quebec Street, build new multi-use paths, and make other pedestrian and bicycle impovements

Resource Information

Section 4(f) Resource: 4 properties. See below and attached supplemental table for more information. ☒ **For historic, check box if clearing multiple properties and attach table.**	**Type of 4(f) Resource:** Historic Property
Official with Jurisdiction: SHPO	

De Minimis Documentation:

1. **Describe the Section 4(f) property and the attributes and features that qualify it for Section 4(f) protection;**

There are 10 Section 4(f) properties with a transportation use under this project; the de minimis finding for these properties was previously coordinated with your office in the attached correspondence. This de minimis documents updates to easements on 4 of the properties previously coordinated with your office. These properties include: (1) the Chicago Burlington & Quincy/Burlington Northern Santa Fe Railroad (CB&Q/BNSF) Brush Line (5AM.464, including 5AM.464.21). The recorded segment of this rail line is approximately 4,488 feet long and 15 feet wide, consisting of a single standard gauge track with wood ties and crushed rock ballast. It crosses Sand Creek on a concrete box beam bridge. The Brush Line, completed in 1882, provided Denver with its first direct rail connection to Chicago, and was essential to Denver's late 19th and early 20th

century economic growth and development as a rail hub. This rail line is eligible for the National Register under Criterion A for these reasons. Its original location/alignment and standard gauge track composition adjacent to and intersecting other rail lines contributes to its integrity of design, feeling, and association. Segment 5AM.464.21 contributes to the overall Criterion A significance of the CB&Q/BNSF rail line. The second historic resource (2) is Burlington Ditch/O'Brien Canal (5AM.465, including 5AM.465.9). The recorded segment of the ditch consists of an approximately 12,415 foot long by 123 foot wide earthen ditch flanked by parallel gravel ditch rider roads on either side; these features qualify the property for National Register listing. The Burlinton Ditch/O'Brien Canal dates from 1886, and is significant under National Register Criterion A, for its association with early irrigation and agricultural activity northeast of Denver. Segment 5AM.465.9 conributes to the overall Criterion A significance of the ditch. The third historic resource (3) is Denver Pacific/Union Pacific Railroad Greeley Line (5AM.472, including 5AM.472.41). The segment of the rail line recorded for this project is a 4,120 foot long section of track with a varying width up to 30 feet where it is double tracked over Sand Creek on a concrete box beam bridge; the rail segment features woodrn ties and crushed rock ballast. This 1870 line connected Denver to Cheyenne, Wyoming, and the transcontinental railroad. This line is significant under Critetrion A for its association with the early rail development of Colorado and Denver. Its location/alignment and standard gauge track composition adjacent to and intersecting other rail lines contribute to its integrity of design, feeling and association. Segment 5AM.472.41 supports the overall Criterion A significance of 5AM.472. The fourth (4) historic resource is Suncor Energy (5AM.4044), an approximately 231-acre oil refinery complex dating from 1930. The complex is significant under Criterion A for its early association with Continental Oil and for its association with the Fort Collins-Wellington oil field, one of the largest oil discoveries in Colorado. Buildings and structures on the property date from the 1930s to the present, and were not surveyed due to restricted access; as such, CDOT is unclear if the property retains historic integrity, and assessed its significance as "Needs Data." The property was treated as National Register eligible under Criterion A for Section 106 purposes.

2. **Describe the impacts to the Section 4(f) property, and why they are considered *de minimis* as defined by 23 CFR 774.17. Include all avoidance, minimization and mitigation or enhancement measures.**

The project impacts for the two build alternatives generally consist of replacing existing bridges on I-270 spanning over or under historic linear resources, with multiple small temporary easements needed to accommodate construction of proposed improvements on I-270, with a few instances where permanent easements or right-of-way are required. Overall, direct impacts to historic resources have been minimized or avoided to the extent feasible. Consistent with Colorado State Historic Preservation Office policies, Section 106 effects analyses for linear resources apply to the entire resource, not to individual segments of those resources. Under the two build alternatives, the existing pair of four-span bridges carrying I-270 over (1) CB&Q/BNSF Brush Line (5AM.464) and (3) Denver Pacific/Union Pacific Railroad Greeley Line (5AM.472) will be replaced with a new four-span bridge. All new bridge piers will be outside the defined historic boundaries of these four resources. While the new bridged will be wider than the current bridges, several sets of bridge piers will move further away from the historic boundaries of these four historic linear features than current bridge piers. The proposed bridge replacement work will require reconstruction of curb and gutter and flanking sidewalks along Brighton Boulevard, affecting approximately 1.5 acres of the historic boundary of Brighton Boulevard, as described in the de minimis documentation of 2025 (attached). Temporary use of the railroad resources will also be required to accommodate the replacement of the I-270 bridges that span over these resources, although no impacts to historic tracks, ties or ballast are anticipated; once bridge

construction is completed, the railroad resources will be returned to pre-construction conditions. CDOT made a "no adverse effect" determination under the Section 106 process for these four properties given that the project will not substantially affect their character-defining features. In terms of (2) the Burlington Ditch/O'Brien Canal (5AM.465), both I-270 build alternatives propose to replace the existing three-span pair of bridges carrying I-270 over this resource with two single-span bridges. The two center piers that are currently located within the historic boundary of the ditch will be removed. The new bridges carrying I-270 over the ditch will be wider than the current bridges, and temporary use of the historic ditch rider roads will be needed to accommodate the bridge replacement construction. While temporary easements will be required for this work and one small permanent easement is needed to reconnect roadways, no permanent infrastructure within the historic ditch boundary, or changes to the earthen ditch or its associated ditch rider roads is needed. Protection measures, such as temporary fencing, will also be in place to protect historic ditch features during construction. Because of the sensitive bridge design and proposed protection measures, CDOT determined that the project would have "no adverse effect" on the Burlington Ditch/O'Brien Canal (5AM.465). A small temporary easement will be needed from the northwest corner of (4) Suncor Energy, Inc. (5AM.4044) in order to reconstruct a small portion of the existing Sand Creek Recreation Trail that will be affected by I-270 construction anticipated under either build alternative. The area where work is occurring on the Suncor site is on the north side of Sand Creek in an already disturbed area where there are no developed refinery improvements. The project will return the affected area to pre-existing conditions prior to project end. As a result, CDOT made a "No Adverse Effect" determination for this property

3. **For historic resources, attach Section 106 Documentation. Include SHPO concurrence with project-level findings (Determinations of Eligibility and Findings of Effect) and Programmatic Agreement Memos for archaeological resources. Also include the letter to SHPO notifying them of *de minimis*.**

    a. **Date of SHPO written concurrence of No Adverse Effect determination:**

    February 17, 2026

    b. **Date of CDOT *de minimis* notification:**

    February 5, 2026

Form prepared by: Roneva Keel, CDOT Region 1 Historian

Attach all required documentation as described above.

History Colorado

February 17, 2026

Lisa Streisfeld
Environmental Manager
Colorado Department of Transportation
Region 1
2829 W. Howard Pl.
Denver, CO 80204
roneva.keel@state.co.us

RE: Determinations of Effect, and Section 4(f) Evaluation, Interstate 270 Corridor Improvements Project, Commerce City, Adams County, SA #s 23198 and 25611 (HC #79271)

Dear Ms. Streisfeld:

Thank you for your recent correspondence dated February 5, 2026, received by our office February 6, 2026, requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR Part 800. Our office has reviewed the submitted materials, and we offer the following comment.

Assessment of Effects
CDOT is seeking new determinations of effect of the undertaking on five previously-identified and evaluated properties within the Area of Potential Effect, due to changes in the project footprint. The properties in question are 5AM.465.9; 5AM.464.21; 5AM.472.41; 5AM.4044; and 5AM.4119.

We concur with CDOT's finding that the revised undertaking, as described, will continue to have no adverse effect on these five properties.

Section 4(f) Evaluation
Because the revised undertaking will continue to have no adverse effect on historic properties, the *de minimis* finding originally suggested by CDOT in 2024 remains valid, and we continue to agree that it is appropriate for this project.

Should unidentified historic properties or unanticipated effects to historic properties be discovered in the course of the undertaking, work must be interrupted in order to complete consultation with our office and other consulting parties 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.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or other consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for providing the opportunity to comment. If you have any questions, please contact Joseph Saldibar, Architectural Services Manager at (303) 842-5619 or by email at joseph.saldibar@state.co.us.

Sincerely,

Dr. Holly Kathryn Norton

Digitally signed by Dr. Holly Kathryn Norton
Date: 2026.02.18 10:33:58 -07'00'

(for) Dawn DiPrince
State Historic Preservation Officer

NON-HISTORIC SECTION 4(F)

Colorado Department of Transportation

Section 4(f) Temporary Occupancy Exception [23 CFR 774.13(d)] Clearance Form

Based upon the information provided and this analysis, CDOT understands that this project's temporary occupancy of the Section 4(f) property described below satisfies the conditions set forth in 23 CFR 774.13(d).

Veronica Reid, Section 4(f) Specialist
CDOT Region 1

11/25/2024
Date

Project Information

Date: November 25, 2024	**Region:** 1
Project Title: I-270 Corridor Environmental Impact Statement	**Project Location:** Adams County, Commerce City, City and County of Denver
Project Number: NHPP 2706-046 [subaccount # 25611]	**Project Route:** Interstate 270
Lead Agency: CDOT	**NEPA Class:** EIS
Project Description: The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing an Environmental Impact Statement (EIS) to evaluate potential improvements to the Interstate 270 (I-270) corridor. The project limits include 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (Figure 1). There are two Build Alternatives being evaluated under the EIS: 1) Three General-Purpose Lanes Alternative: would add a general-purpose travel lane in each direction between I-25 and I-70 for a total of three general-purpose lanes in each direction through the corridor and would repair or replace deficient infrastructure. Figure 2 illustrates the typical section for this proposed build alternative. 2) Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use the new Express Lane. Figure 3 illustrates the typical section for this proposed build alternative. Additional improvements proposed under both Build Alternatives include: 1) Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez Boulevard, and Quebec Street interchanges. 2) Adding a new eastbound I-270 ramp from northbound	

Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange. 3) Reconstructing bridges that have reached the end of their useful life. 4) Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps. 5) Reconstructing existing pavement and travel lanes. And 6) Improving shoulders.

Resource Information

Section 4(f) Resource: South Platte River Trail	**Type of 4(f) Resource:** Recreational Area
Official with Jurisdiction: Adams County Parks, Recreation, and Cultural Arts	
Resource Function/Significance: The South Platte River Trail is a regional trail for the Denver Metro Area, running north to south from Brighton to Littleton. The trail connects with the Sand Creek Greenway just south of I-270 in Adams County and parallels the South Platte River on its west side as it crosses under the highway. The trail is used for recreation and commuting.	

Temporary Occupancy Exception Conditions:

(1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;

Occupancy of the trail would be less than overall duration to construct the project and there would be no change in ownership of the land. Only temporary construction easements would be needed to construct proposed improvements.

(2) Scope of the work will be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;

The segment of the South Platte River Trail approaching and crossing under I-270 would be temporarily impacted as a result of either of the Build Alternatives to accommodate replacement of the I-270 bridges over the South Platte River. Additionally, there would be improvements to the trail alignment and profile to address existing substandard vertical clearances, grades, and curves. The proposed alignment will be ADA-accessible, improves blind curves, and increases vertical clearances under I-270. Spur connections from the new trail alignment to the Sand Creek Regional Greenway pedestrian bridge will be provided. The spur to be constructed south of the pedestrian bridge will provide ADA-accessible access to the pedestrian bridge. The spur to be constructed north of the pedestrian bridge will provide access to the pedestrian bridge but will not be ADA-accessible, matching existing grades. Temporary easements overlapping the trail are needed to construct the proposed trail improvements (Figure 4).

(3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;

A temporary trail would be constructed to maintain continuity along the trail during construction because there is not a feasible detour route that utilizes existing sidewalks. Figure 4 provides two options for temporary trail detours. Protective measures would be in place to protect trail users along the temporary trail from construction activities

required to construct the new bridge and trail. Additionally, flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users. Several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders, and trail users would not be able to utilize the I-270 underpass during these times for safety reasons. These overnight closures would occur outside of Adam's County's established trail operating hours of 5 a.m. to 11 p.m., and full access along the temporary trail would be restored during the established operating hours.

(4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and

All disturbed portions of the trail would be reconstructed and areas around the trail would be restored in accordance with the project mitigation plan. The trail would be reopened following construction at this location.

(5) There is documented (written) agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

The Director of Adams County Parks, Recreation, and Cultural Arts concurred in writing on November 22, 2024. The signed concurrence letter is attached.

Form prepared by: Veronica Reid

Attach Official with Jurisdiction Concurrence

Send form to FHWA Area Engineer and FHWA Environmental Manager
For Non-Historic Section 4(f), please enter information into the SharePoint tracking database: Section 4(f) Tracking

Figure 1 - I-270 Corridor Improvements Project Limits

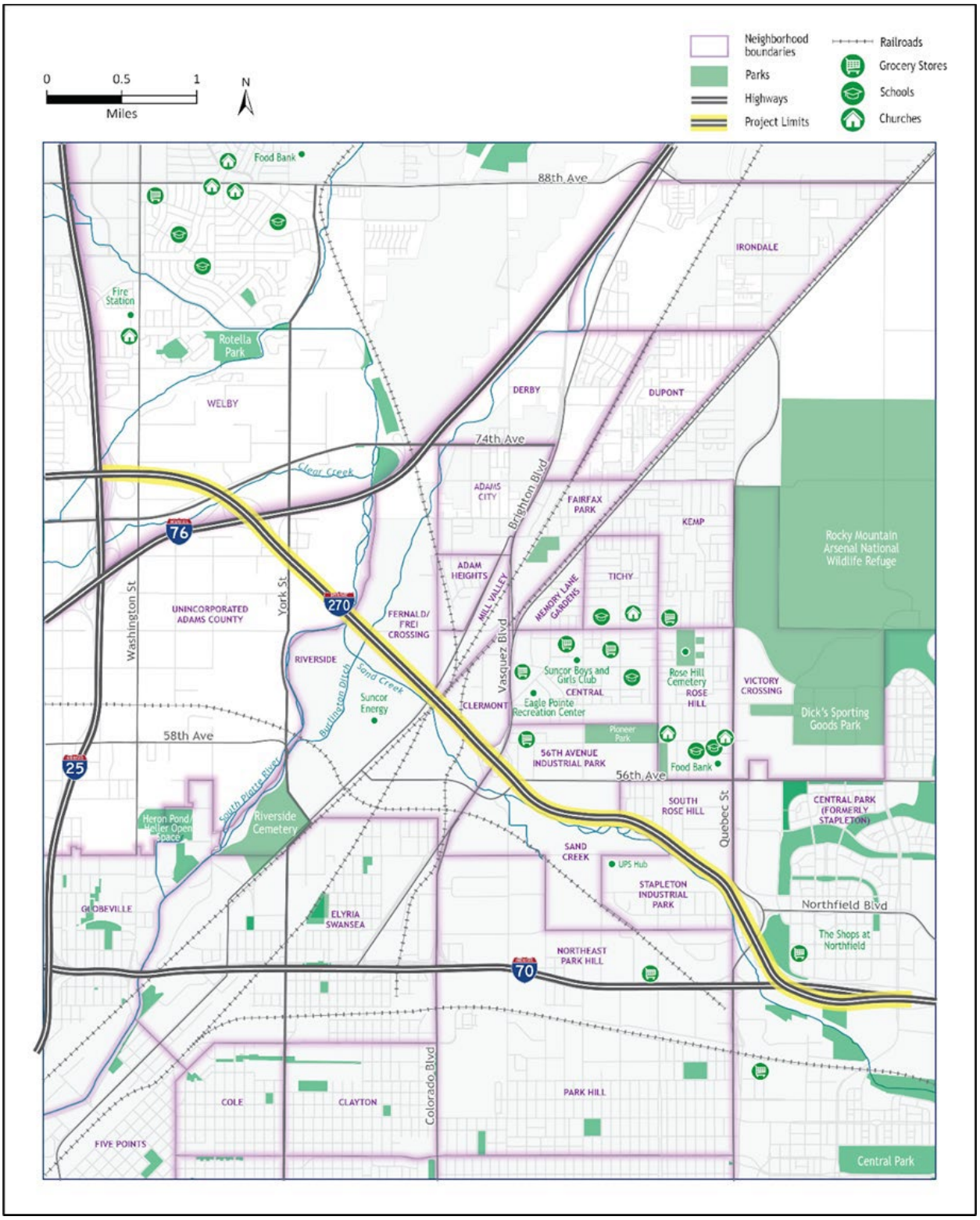


Figure 2 - Three General-Purpose Lanes Alternative

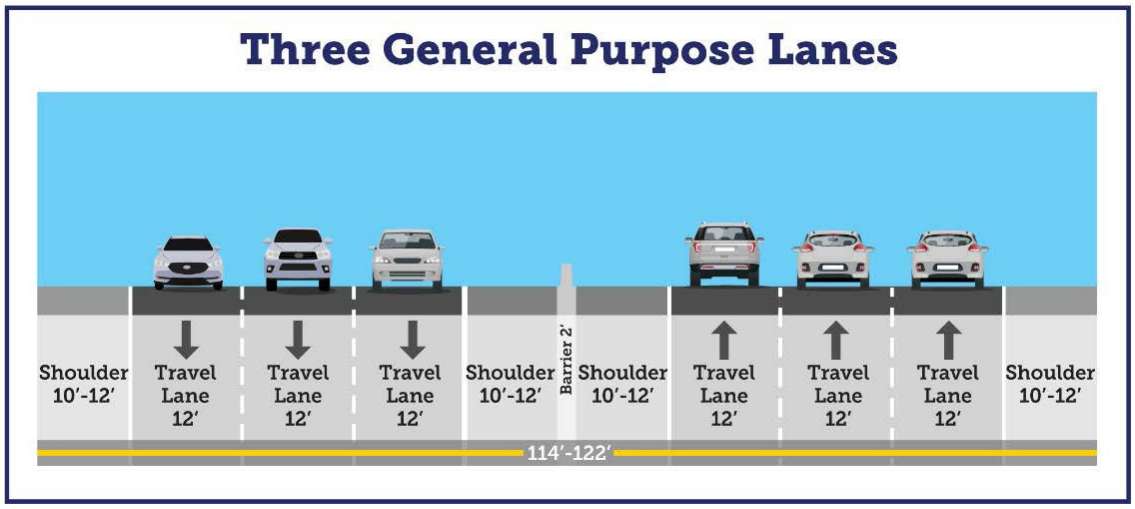


Figure 3 - Two General-Purpose Lanes and One Express Land that Accommodates Transit Alternative

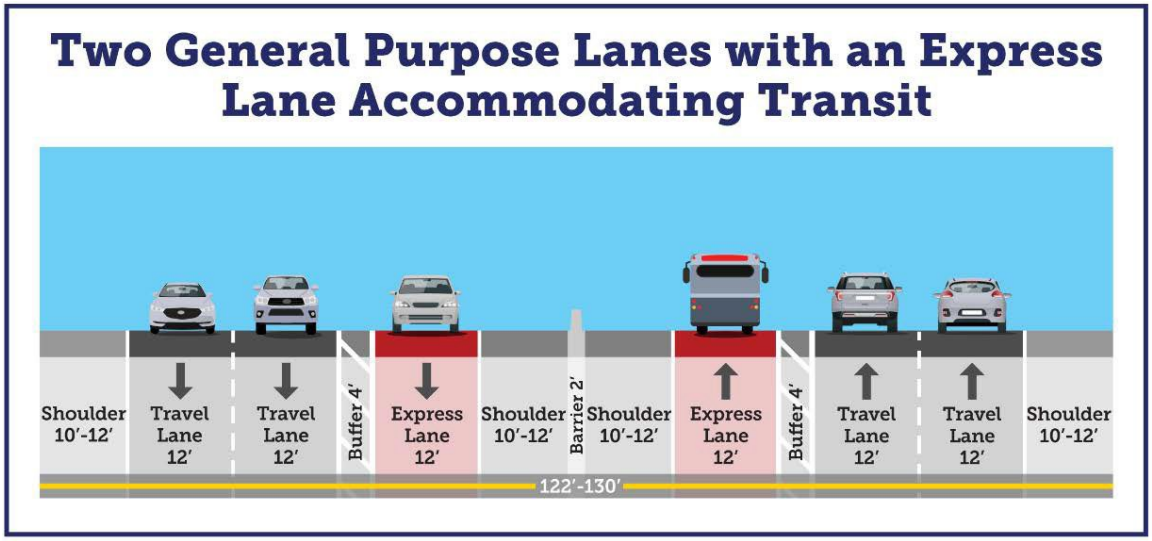
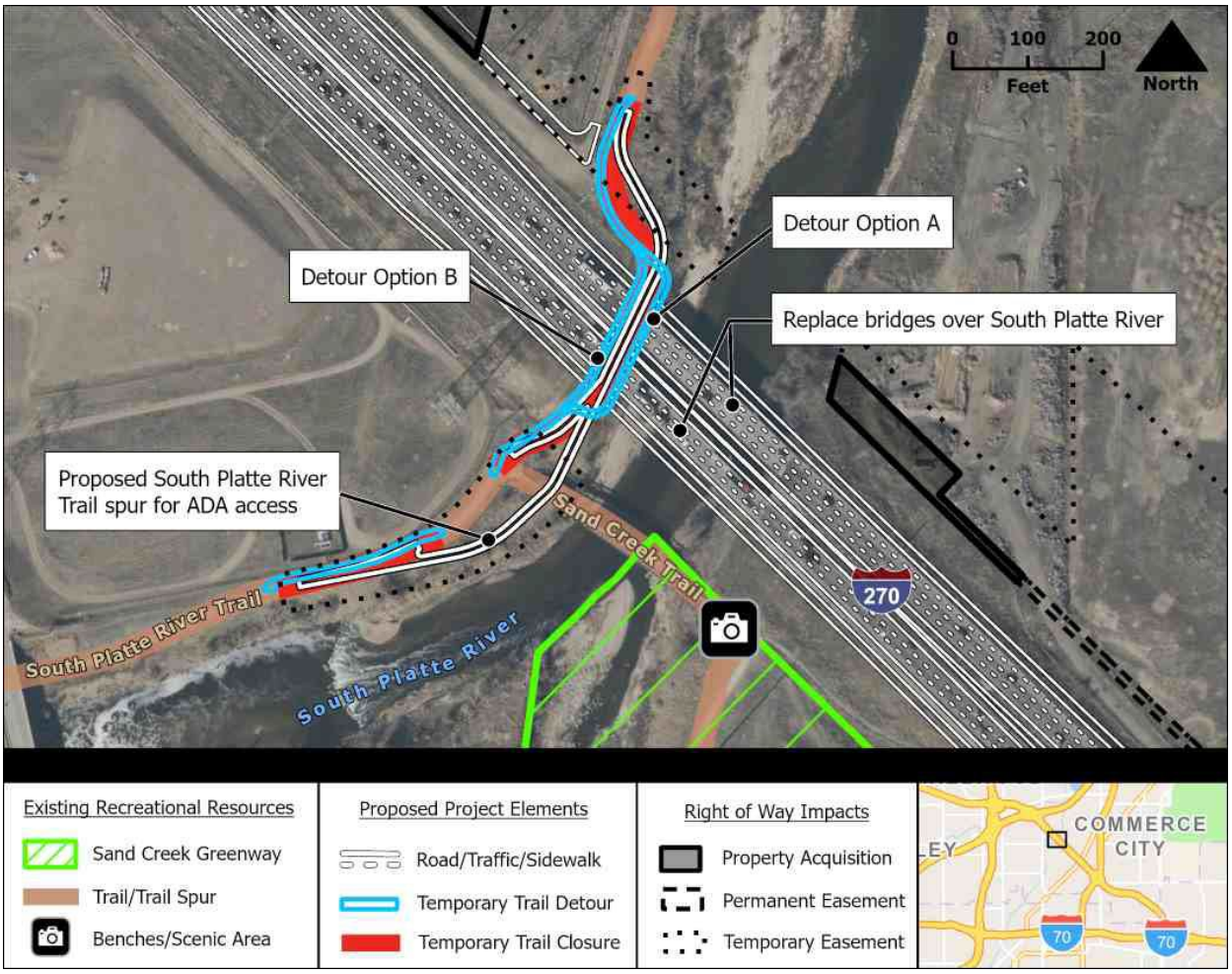


Figure 4 – South Platte River Trail I-270 Underpass



COLORADO
Department of
Transportation
Region 1
2829 W. Howard Pl.
Denver, CO 80204

October 10, 2024

Byron Fanning, Director
Adams County Parks and Open Space
9755 Henderson Rd
Brighton, CO 80601

RE: I-270 Corridor Environmental Impact Statement (NHPP 2706-046 [subaccount # 25611])
Request for Concurrence for Section 4(f) Temporary Occupancy of South Platte River Trail

Dear Mr. Fanning:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are preparing an Environmental Impact Statement (EIS) to evaluate potential improvements to the Interstate 270 (I-270) corridor. The project limits include 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (Figure 1). This letter and enclosure constitute a request for your review and concurrence, as the Official with Jurisdiction (OWJ), for a Section 4(f) temporary occupancy of the South Platte River Trail. Below is a description of the project Build Alternatives, an explanation of Section 4(f), and the Section 4(f) use of the trail.

Build Alternatives
There are two Build Alternatives, including a No Action Alternative, which are being evaluated under the EIS. The Build Alternatives and typical roadway cross sections are summarized below:

1. **Three General-Purpose Lanes**
   The Three General-Purpose Lanes Alternative would add a general-purpose travel lane in each direction between I-25 and I-70 for a total of three general-purpose lanes in each direction through the corridor and would repair or replace deficient infrastructure. Figure 2 illustrates the typical section for this proposed build alternative.
2. **Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative**
   The Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use

the new Express Lane. Figure 3 illustrates the typical section for this proposed build alternative.

Additional improvements proposed under both Build Alternatives include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez Boulevard, and Quebec Street interchanges.
- Adding a new eastbound I-270 ramp from northbound Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange.
- Reconstructing bridges that have reached the end of their useful life.
- Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps.
- Reconstructing existing pavement and travel lanes.
- Improving shoulders.

Figure 1

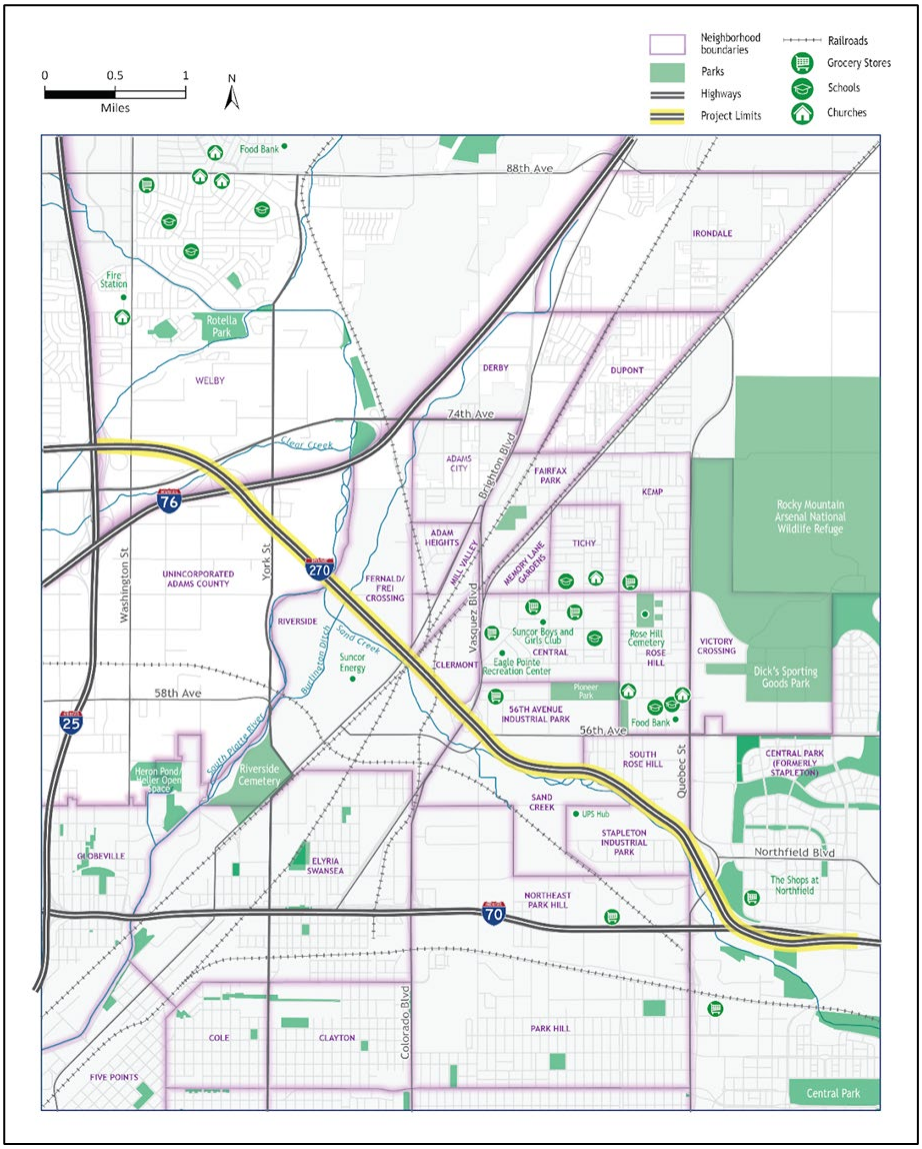


Figure 2

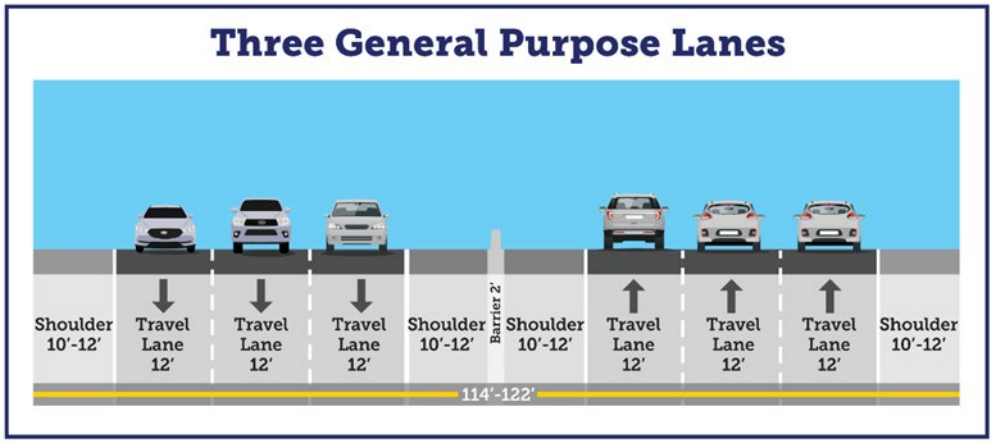
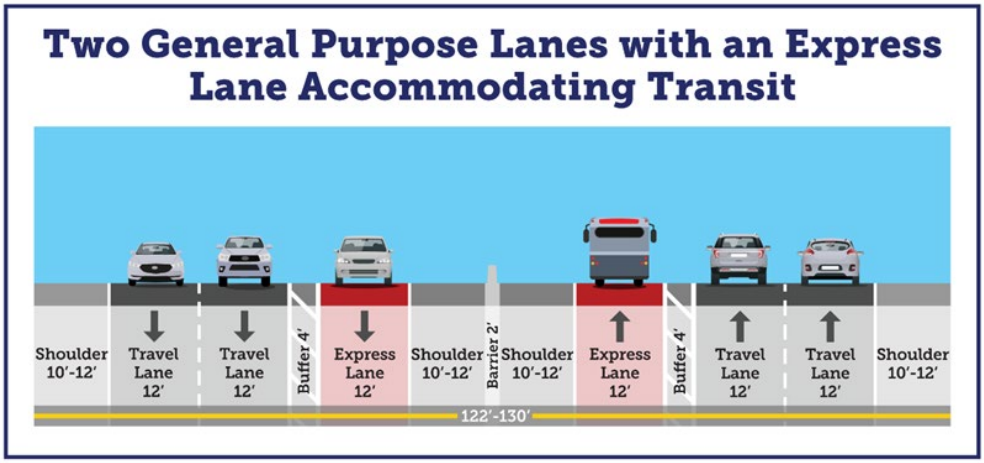


Figure 3



Section 4(f)

Section 4(f) was created when the United States Department of Transportation (USDOT) was formed in 1966. It is codified in Title 49 United States Code (U.S.C.) Section 303 [Section 4(f) of the USDOT Action of 1966] and Title 23 U.S.C. Section 138, and in the implementing regulations 23 Code of Federal Regulations (CFR) 774. Section 4(f) affords special protection to parks and recreational resources when these resources are impacted by federally funded transportation projects. The South Platte River Trail is a recreational resource for which Section 4(f) applies.

There are various exceptions to the Section 4(f) requirements including temporary occupancies (23 CFR 774.13(d)). This exception can be applied when the following criteria are met:

1. Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
2. Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;

3. There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4. The land being used must be fully restored, i.e., the property must be returned to a condition that is at least as good as that which existed prior to the project; and
5. There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Below is a description of the impacts to the South Platte River Trail and proposed mitigation, and how the criteria set forth under 23 CFR 774.13(d) are met.

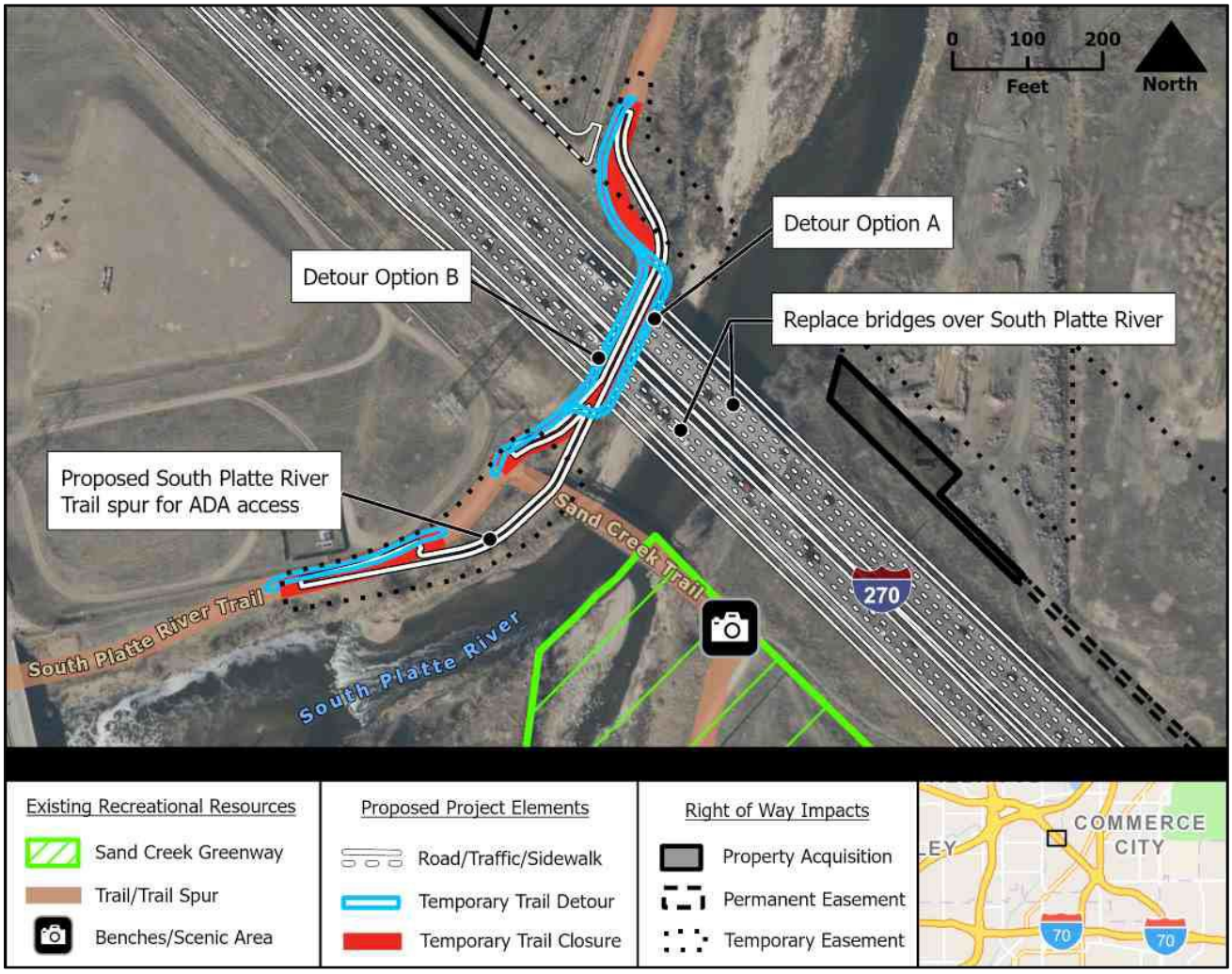
Section 4(f) Use of the South Platte River Trail
The South Platte River Trail is a major regional trail for the Denver Metro Area, running north to south from Brighton to Littleton. The trail connects with the Sand Creek Greenway just south of I-270 in Adams County, and parallels the South Platte River on its west side as it crosses under the highway. The trail has two notable access points within the study area: The York Trailhead located at the intersection of 64th Avenue and York Street, south of I-270, and the Fernald Trailhead at the intersection of Colorado Boulevard and 70th Avenue, north of I-270.

The segment of the South Platte River Trail approaching and crossing under I-270 would be temporarily impacted as a result of either of the Build Alternatives to accommodate replacement of the I-270 bridges over the South Platte River. Additionally, there would be improvements to the trail alignment and profile to address existing substandard vertical clearances, grades, and curves. The proposed alignment will be ADA-accessible, improves blind curves, and increases vertical clearances under I-270. Spur connections from the new trail alignment to the Sand Creek Regional Greenway pedestrian bridge will be provided. The spur to be constructed south of the pedestrian bridge will provide ADA-accessible access to the pedestrian bridge. The spur to be constructed north of the pedestrian bridge will provide access to the pedestrian bridge but will not be ADA-accessible, matching existing grades. Temporary easements overlapping the trail are needed to construct the proposed trail improvements (**Figure 4**). CDOT would ensure Adams County's trail specifications are incorporated into the design for reconstruction of the trail.

There is not a feasible detour option in this area that would utilize existing sidewalks to maintain access along the South Platte River Trail. Therefore, a temporary trail would need to be constructed and **Figure 4** shows two options for temporary trail alignments. Option A would detour trail users closer to the South Platte River, away from the bridge abutments and permanent trail realignment. Option B would detour trail users closer to the existing abutment by installing a temporary concrete barrier or shoring to protect pedestrians and bicyclists. Either temporary trail option would be constructed prior to beginning bridge girder installation to ensure adequate vertical clearance is maintained between the temporary trail and the bottom of the new girders. Protective measures would be in place to protect trail users along the temporary trail from construction activities required to construct the new bridge and trail. Additionally, flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users.

Several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders, and trail users would not be able to utilize the I-270 underpass during these times for safety reasons. These overnight closures would occur outside Adams County's established trail operating hours of 5 a.m. to 11 p.m. and full access along the temporary trail would be restored during established operating hours. No full closures would occur within established hours of use.

Figure 4



CDOT believes the impacts to the South Platte River Trail meet the requirements for a Section 4(f) temporary occupancy exception. The trail will be occupied for a shorter duration than the overall 36-month estimated construction timeframe and there will be no adverse impacts on either a temporary or permanent basis. The area around the trail will be fully restored, cleaned of debris from construction and revegetated in accordance with the mitigation plan. Overnight closures to accommodate bridge replacement will not affect the protected activities, features, or attributes of the trail because they will occur outside of established operating hours. Clear signage will be installed to alert trail users about detours and Adams

County will be notified at least two weeks prior to the start of trail closures so that they may notify the public.

To acknowledge receipt of this letter and your concurrence with the impacts and determinations listed above, please provide your signature below. If you have questions, please contact me at 303-757-9926 or veronica.reid@state.co.us.

Sincerely,

Veronica Reid
Section 4(f) Specialist
CDOT Region 1 Planning and Environmental

I concur with the sections of this letter referring to the South Platte Trail:

11/22/2024

J. Byron Fanning, Director
Adams County Parks, Open Space & Cultural Arts

Date

Colorado Department of Transportation

Non-Historic Section 4(f) *De Minimis* Use Clearance Form

CDOT Request for *De Minimis* Finding

Based upon the information provided and this analysis below, CDOT believes that the Section 4(f) use of this property is considered *de minimis* as defined in 23 CFR 774.17.

Veronica Reid

Veronica Reid, Section 4(f) Specialist
CDOT Region 1

5/19/2026
Date

FHWA *De Minimis* Finding

LINDSAY BLAIR EDGAR

Digitally signed by LINDSAY BLAIR EDGAR
Date: 2026.06.08 11:13:59 -06'00'

John M. Cater, PE
Division Administrator
FHWA Colorado Division

Date

Project Information

Date: May 11th, 2026	**Region:** 1
Project Title: I-270 Corridor Project and Environmental Impact Statement	**Project Location:** 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (Figure 1 in Attachment A).
Project Number: NHPP 2706-046 (25611)	**Project Route:** I-270
Lead Agency: Colorado Department of Transportation (CDOT)	**NEPA Class:** Environmental Impact Statement (EIS)

Project Description: The Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative is documented as the selected alternative within the Final EIS (FEIS)/Record of Decision (ROD) Document. This alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use the new Express Lane. Figure 2 in Attachment A illustrates the typical section for the alternative. Additional improvements include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez

Boulevard, and Quebec Street interchanges.

- Adding a new eastbound I-270 ramp from northbound Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange.
- Reconstructing bridges that have reached the end of their useful life.
- Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps.
- Reconstructing existing pavement and travel lanes.
- Improving shoulders.

Resource Information

Section 4(f) Resource: Dahlia Trailhead	**Type of 4(f) Resource:** Recreational Area
Official with Jurisdiction: City of Commerce City; Sand Creek Regional Greenway Partnership	

De Minimis Documentation:

1. **Describe the Section 4(f) property and the attributes and features that qualify it for Section 4(f) protection;**

   The Dahlia Trailhead is a feature of the Sand Creek Trail. It is located at the intersection of 56th Avenue and Sand Creek Drive. The trailhead provides access to the Sand Creek Trail and includes a paved parking lot, benches, and bike racks.

2. **Describe the impacts to the Section 4(f) property, and why they are considered *de minimis* as defined by 23 CFR 774.17. Include all avoidance, minimization and mitigation or enhancement measures.**

   Impacts are shown in Figure 3, Attachment A. New sidewalk is proposed along the east side of East 56th Avenue and south side of South Sandcreek Drive, which would connect to the Dahlia Trailhead parking lot on the north side and the access to the trailhead off South Sandcreek Drive. The new sidewalk connections would provide additional safe access for bicyclists and pedestrians to the trailhead and the Sand Creek Trail. This work may temporarily impact existing paved areas of the trailhead parking lot at points of tie in. A permanent easement would be acquired from the Sand Creek Greenway, which encompasses the Dahlia Trailhead, for the new sidewalk, and a small portion of the Dahlia Trailhead paved parking is within the proposed easement where the sidewalk would tie in (approximately 80 square feet). Additionally, the trailhead parking area is encompassed within a temporary easement to be acquired from the Sand Creek Greenway for construction access.

   The trailhead would remain open during construction, with a minimum of 25 percent (approximately 6 spaces) of the existing parking area being available for public use. Public access down to the Sand Creek Trail from the trailhead parking area would be maintained and an existing gate at the southwest corner would be kept open for maintenance access. Signage would be installed at the trailhead and along the nearby trail segment that would clearly

communicate the expected construction timeline and would be regularly maintained to ensure the information remains accurate and up to date. The SCRGP would be notified at least 6 weeks in advance of construction requiring use of the parking area to determine if there are any scheduled events. Use of the parking area for construction access would not be permitted during events requiring use of the parking area.

All disturbances would be restored to pre-construction conditions following construction activities at the Dahlia Trailhead.

3. **For parks, recreational facilities, and wildlife and waterfowl refuges:**

   a. **Describe the Public Outreach that has been or is being conducted; and**

      An in-person public hearing and open house for the I-270 Corridor Draft Environmental Impact Statement (DEIS) was held on January 8, 10, and 13, 2026. The exhibits contained a board explaining Section 4(f) resource impacts and proposed mitigation and requesting feedback (Attachment B). The public hearing comment form included the following question:

      - Do you have any concerns with the proposed impacts to the South Platte River Trail, Sand Creek Trail, and Dahlia Trailhead, taking into account the proposed minimization and mitigation strategies?

      The exhibits and comment form were also made available through the project website. There were no comments received pertaining to the trail impacts and proposed mitigation described in the DEIS, and this letter.

   b. **Include written concurrence from the official with jurisdiction over the 4(f) resource with the *de minimis* determination.**

      The Sand Creek Regional Greenway Partnership provided written concurrence on May 8th, 2026; The City of Commerce City provided written concurrence on May 13th, 2026. The signed letter is included in Attachment C.

Form prepared by: Veronica Reid

Attach all required documentation as described above.
For Non-Historic Section (f), please enter information into the SharePoint tracking database: Section 4(f) Tracking

Attachment A – Figures

Figure 1 - I-270 Corridor Improvements Project Limits

Figure 2 – Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative

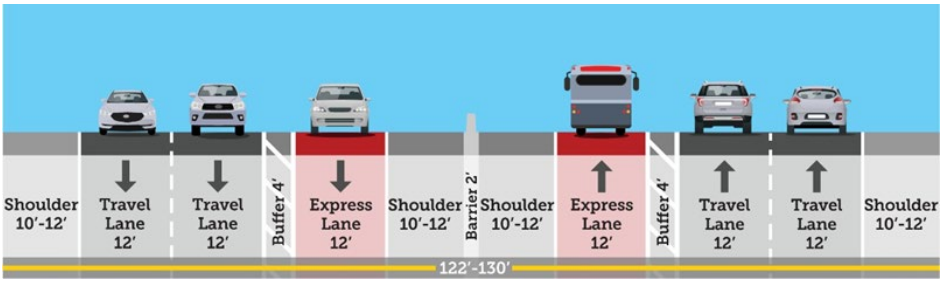
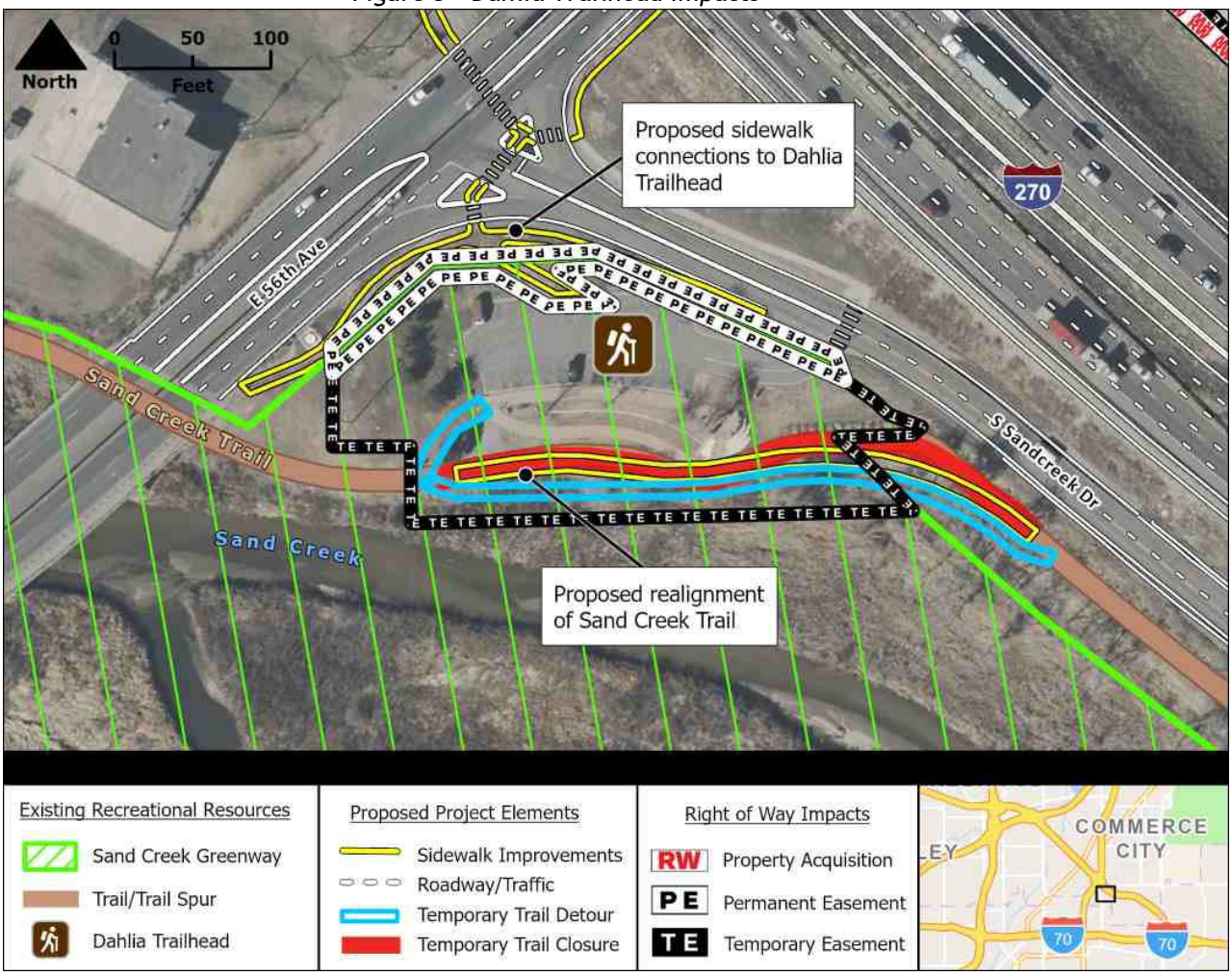


Figure 3 – Dahlia Trailhead Impacts



Attachment B – Request for Public Comments

Environmental Resources

Recreational Resources

South Platte River Trail and Sand Creek Trail

There will be temporary impacts to the South Platte River Trail at I-270, and the Sand Creek Trail at multiple locations for bridge replacements and trail safety improvements. Trail user access will be maintained via constructed temporary trails around the work zone. At bridge replacement locations, several overnight full closures between 11 p.m. and 5 a.m. will be needed for safety reasons. Areas adjacent to the Sand Creek Trail within the greenway open space would be temporarily disturbed during construction activities. All disturbed areas would be fully restored.

Dahlia Trailhead (East 56th Avenue and South Sandcreek Drive)

New sidewalks will be added along East 56th Avenue and South Sandcreek Drive adjacent to the Dahlia Trailhead. The Sand Creek Trail near the trailhead would also be improved. During this time, up to 75% of parking spaces within the trailhead parking area would be temporarily used for construction access, with remaining parking spaces kept open to the public.

Provide your feedback about these impacts and mitigations using the comment form

The Federal Highway Administration is planning to make a *de minimis* finding for this project.

A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f) of the U.S. Department of Transportation Act of 1966.

Refer to Chapter 3, Alternatives Considered, of the Draft Environmental Impact Statement (DEIS).

Recursos Ambientales

Recursos Recreativos

Sendero del río South Platte y sendero de Sand Creek

Habrá impactos temporales en el sendero del río South Platte en la I-270 y en el sendero de Sand Creek en múltiples ubicaciones debido a los reemplazos de puentes y mejoras de seguridad en los senderos. Se mantendrá el acceso para los usuarios del sendero a través de senderos temporales construidos alrededor de la zona de trabajo. En las ubicaciones de reemplazo de puentes, serán necesarios varios cierres totales nocturnos entre las 11 p.m. y las 5 a.m. por razones de seguridad. Las áreas adyacentes al sendero de Sand Creek dentro del espacio abierto de la vía verde se verán temporalmente afectadas durante las actividades de construcción. Todas las áreas afectadas serán completamente restauradas.

Inicio del sendero Dahlia (East 56th Avenue y South Sandcreek Drive)

Se añadirán nuevas aceras a lo largo de East 56th Avenue y South Sandcreek Drive adyacentes al inicio del sendero Dahlia. El sendero de Sand Creek cerca del punto de inicio también será mejorado. Durante este tiempo, hasta el 75% de los espacios de estacionamiento dentro del área del inicio del sendero se utilizarán temporalmente para el acceso de la construcción y los espacios restantes se mantendrán abiertos al público.

Proporcione sus comentarios sobre estos impactos y mitigaciones utilizando el formulario de comentarios.

La Administración Federal de Carreteras planea realizar una determinación de impacto mínimo (*de minimis*) para este proyecto.

Un impacto *de minimis* es aquel que, después de tomar en cuenta las medidas de evasión, minimización, mitigación y mejora, no resulta en un efecto adverso para las actividades, características o atributos que califican a un parque, área recreativa o refugio para protección bajo la Sección 4(f) de la Ley del Departamento de Transporte de los EE. UU. de 19663

Consulte el Capítulo 4 (Análisis ambiental) del Proyecto de Declaración de Impacto Ambiental (DEIS).

Attachment C – Commerce City Written Concurrence

COLORADO
Department of Transportation

Region 1 Planning and Environmental
2829 W Howard Pl
Denver, CO 80204

Chad Redin, Director
Commerce City Parks, Recreation and Golf
7887 East 60th Avenue
Commerce City, CO 80022

Monique "Mo" Fair, Executive Director
Sand Creek Regional Greenway Partnership
3990 Ulster Street
Denver, CO 80207

March 25, 2026

RE: I-270 Corridor Project and Environmental Impact Statement (NHPP 2706-046 [subaccount # 25611]) – Request for Concurrence with Section 4(f) *de minimis* impacts to Sand Creek Regional Greenway Trail ("Sand Creek Trail") and Dahlia Trailhead

Dear Mr. Redin and Ms. Fair:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are conducting an Environmental Impact Statement (EIS) which evaluates potential improvements to the Interstate 270 (I-270) corridor ("Build Alternatives"). The project limits include 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (**Figure 1 in Attachment A**). This letter is to request your concurrence, as the officials with jurisdiction, with impacts to the Sand Creek Trail and Dahlia Trailhead, considered to be *de minimis* under Section 4(f).

Description of Build Alternatives

There are two Build Alternatives, including a No Action Alternative, which are being evaluated in the EIS. The Build Alternatives and typical roadway cross sections are summarized below:

1. **Three General-Purpose Lanes**
   The Three General-Purpose Lanes Alternative would add a general-purpose travel lane in each direction between I-25 and I-70 for a total of three general-purpose lanes in each direction through the corridor and would repair or replace deficient infrastructure. **Figure 2 in Attachment A** illustrates the typical section for this proposed build alternative.

2. **Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative**
   The Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use the new Express Lane. **Figure 3 in Attachment A** illustrates the typical section for this proposed build alternative.

Additional improvements proposed under both Build Alternatives include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez Boulevard, and Quebec Street interchanges.
- Adding a new eastbound I-270 ramp from northbound Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange.
- Reconstructing bridges that have reached the end of their useful life.
- Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps.
- Reconstructing existing pavement and travel lanes.
- Improving shoulders.

Section 4(f) Impacts to the Sand Creek Trail and Dahlia Trailhead

Section 4(f) was created when the United States Department of Transportation (USDOT) was formed in 1966. It is codified in Title 49 United States Code (U.S.C.) Section 303 [Section 4(f) of the USDOT Action of 1966] and Title 23 U.S.C. Section 138, and in the implementing regulations 23 Code of Federal Regulations (CFR) 774. Section 4(f) affords special protection to parks and recreational resources when these resources are impacted by federally funded transportation projects. The Sand Creek Trail and Dahlia Trailhead are recreational resources for which Section 4(f) applies.

The Sand Creek Trail is a significant regional trail, connecting to multiple other trails, neighborhoods and schools in the metro area. Beginning at its connection point with the South Platte River Trail just west of the Burlington Ditch, it parallels I-270 and the Sand Creek throughout the project limits. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway. The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive provides access to the Sand Creek Trail and includes a paved parking lot, benches, and bike racks. A Section 4(f) *de minimis* impact is defined as "one that, after taking into account any measures to minimize harm, results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f)."

Below is a description of the impacts to the Sand Creek Trail and Dahlia Trailhead from west to east along the project corridor. Impacts are the same between Build Alternatives. **Attachment A** includes figures that show impacts at each location.

Sand Creek Trail West of Brighton Boulevard

An underground pipe outfall is proposed to be installed to the west of Brighton Boulevard under the trail. The pipe outfall would extend from I-270 to Sand Creek, within the permanent easement footprint shown in **Figure 4 in Attachment A**. Approximately 100 feet of the Sand Creek Trail is within proposed temporary and permanent easements needed for construction and future maintenance of the outfall. There is a parcel just to the west that is a capped remediation site and cannot be excavated into. Additionally, the pipe installation will require very deep excavation that will need to remain open, with trail occupancy expected for approximately 1 month. For these reasons, a sharp temporary trail detour with 90 degree turns around the excavation site is the most feasible option to maintain continuity for trail users, and would require bicyclists to dismount and walk the detour. To accommodate the detour, a small

section at the end of an adjacent retaining wall may be removed. The temporary trail detour would largely match existing grade and would be a minimum of 9 feet wide and approximately 120 feet. Barrier would be installed along the edge of the excavation hole, adjacent to temporary trail detour path for safety. Finally, signage would be placed a considerable distance to the east and west of this trail closure point warning users of a required bicycle dismount point due to the sharp turns. Once segments of the outfall pipe under and directly adjacent to the existing trail are installed, the excavation would be backfilled and the trail would be replaced and re-opened for continued use.

Sand Creek Trail at Brighton Boulevard/East 60th Avenue

A spur trail providing a connection to the Sand Creek Trail from Brighton Boulevard would be temporarily closed during replacement of the I-270 bridges that span over Brighton Boulevard, East 60th Avenue, and the Union Pacific and Burlington/Northern Santa Fe Railroads (**Figure 5 in Attachment A**). The spur trail is in close proximity to existing bridge piers to be removed and reconstructed, creating a need to close the trail temporarily during bridge construction. Additional work requiring the temporary spur trail closure includes reconstruction of an existing retaining wall along the west side of the spur trail to accommodate the new bridge pier locations. The spur trail would be reconstructed and its connection to Brighton Boulevard would be improved as part of the project. East 60th Avenue is further away from existing piers than the spur trail which provides a safe and feasible location for a trail detour. Therefore, to maintain access from Brighton Boulevard to the Sand Creek Trail, a temporary trail would be constructed to detour trail users onto East 60th Avenue by installing a temporary concrete barrier to protect pedestrians and bicyclists, installing temporary pavement on the east side of East 60th Avenue, and shifting vehicle traffic onto the temporary pavement to accommodate vehicle traffic. In addition, signage would be placed strategically along East 60th Avenue to warn oncoming drivers about the change in roadway configuration. The spur trail would be reopened following construction in this area.

Sand Creek Trail at Vasquez Boulevard

Approximately 470 feet of the trail approaching and crossing under Vasquez Boulevard would be temporarily closed to accommodate the replacement of the Vasquez Boulevard bridge over Sand Creek and installation of new, 10-foot-wide sidewalk connections between Sand Creek Trail and the east and west sides of Vasquez Boulevard (**Figure 6 in Attachment A**). The west sidewalk connection would be constructed within transportation right-of-way; however, the east sidewalk connection requires a temporary easement for construction and permanent easement for maintenance of the new sidewalk. Approximately 60 feet of the Sand Creek Trail is within the proposed permanent easement where the new sidewalk connection would tie into the trail.

Temporary trails would be constructed to maintain access along the Sand Creek Trail. **Figure 6** shows two options for temporary trail alignments under the Vasquez Boulevard bridge. Option A would detour trail users closer to Sand Creek, away from the bridge abutments and Option B would detour trail users closer to the existing abutment by installing a temporary concrete barrier or shoring to protect pedestrians and bicyclists. Either temporary trail option would be constructed prior to beginning bridge girder installation to ensure adequate vertical clearance is maintained between the temporary trail and the bottom of the new girders. Protective measures would be in place to protect trail users along the temporary trail from construction activities required to construct the new bridge and trail. Flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the

minimum standard width to accommodate both users. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Several overnight closures of the temporary trail under the Vasquez Boulevard bridge would be required to accommodate placement of the bridge girders, and trail users would not be able to travel under Vasquez Boulevard during these times for safety reasons. These overnight closures would occur outside established trail operating hours of 5 a.m. to 11 p.m., and full access along the temporary trail would be restored during established operating hours. The OWJs and the public would be notified at least two weeks prior to overnight closures. During overnight closures, signage would be placed at the nearest trail access points to inform users. This signage would be removed when construction activities allow safe use of the trail, and no later than 5 a.m. daily. The trail would be restored in the original alignment and reopened following construction at this location.

Sand Creek Trail and Dahlia Trailhead

Approximately 400 feet of the trail would be temporarily closed adjacent to the Dahlia Trailhead to accommodate realigning the trail (**Figure 7 in Attachment A**). A temporary easement is needed to construct these improvements, and approximately 280 feet of the trail is within the proposed easement. The trail realignment would address an existing blind curve along the trail which creates a safety issue. A temporary trail would be constructed that would maintain access from the Dahlia Trailhead parking area to the trail and detour users around the construction area. The trail would be reopened following construction at this location.

New sidewalk is proposed along the east side of East 56th Avenue and south side of South Sandcreek Drive, which would connect to the Dahlia Trailhead parking lot on the north side and the access to the trailhead off South Sandcreek Drive. The new sidewalk connections would provide additional safe access for bicyclists and pedestrians to the trailhead and the Sand Creek Trail. This work may temporarily impact existing paved areas of the trailhead parking lot at points of tie in. A permanent easement would be acquired from the Sand Creek Greenway, which encompasses the Dahlia Trailhead, for the new sidewalk, and a small portion of the Dahlia Trailhead paved parking is within the proposed easement where the sidewalk would tie in (approximately 80 square feet). Additionally, the trailhead parking area is encompassed within a temporary easement to be acquired from the Sand Creek Greenway for construction access.

The trailhead would remain open during construction, with a minimum of 25 percent (approximately 6 spaces) of the existing parking area being available for public use. Public access down to the Sand Creek Trail from the trailhead parking area would be maintained and an existing gate at the southwest corner would be kept open for maintenance access. Signage would be installed at the trailhead and along the nearby trail segment that would clearly communicate the expected construction timeline and would be regularly maintained to ensure the information remains accurate and up to date. The SCRGP would be notified at least 6 weeks in advance of construction requiring use of the parking area to determine if there are any scheduled events. Use of the parking area for construction access would not be permitted during events requiring use of the parking area.

All disturbances would be restored to pre-construction conditions following construction activities at the Dahlia Trailhead.

Sand Creek Trail Between East 56th Avenue to Krameria Street

Underground pipe outfalls extending between I-270 and the Sand Creek would be installed under the Sand Creek Trail at eight locations between approximately 900 feet east of East 56th Avenue to Krameria Street (**Figures 8 and 9 in Attachment A**). This work would occur completely within CDOT right-of-way and would be completed in a manner that would allow trail continuity to be maintained within the established operating hours of 5 a.m. to 11 p.m. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Sand Creek Trail at East 53rd Way

A pedestrian overpass is being proposed that would connect with the Sand Creek Trail south of I-270, cross over South Sand Creek Drive and I-270 and connect with North Sand Creek Drive at East 53rd Way north of I-270. An approximately 800-foot-long segment of the Sand Creek Trail would be closed during installation of the pedestrian overpass and for reconstruction of the trail. An area of temporary construction staging would be needed south of the closed portion of trail to construct water quality improvements (**Figure 10 in Attachment A**).

A temporary trail would be constructed to detour trail users around the construction area and maintain access along the Sand Creek Trail. The trail would be reopened following reconstruction of the trail and construction of the pedestrian bridge.

Minimization, Mitigation, and Enhancement Measures

The following measures have been documented in the I-270 Corridor Draft Environmental Impact Statement and will be incorporated into the project at appropriate phases:

- Access along the existing Sand Creek Trail shall be maintained where possible, using signs and flaggers as needed. Where closures are necessary to complete construction activities, temporary trails shall be constructed to maintain access along trails during construction and the following measures shall be implemented:
    - Commerce City and the Sand Creek Regional Greenway Partnership shall be notified at least two weeks prior to closure.
    - Signage shall be installed at strategic locations along and off the trail (access points, parking areas, trailheads, etc.), and shall clearly communicate the expected construction timeline, and closure and detour areas. Signs shall be maintained as needed to ensure information remains accurate and up to date.
    - Flaggers and signage shall be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users.
    - Impacted trail segments shall be reconstructed and reopened immediately following trail-disturbing construction activities.
- Overnight closures of the trail at Vasquez Boulevard and I-270 to accommodate bridge replacement will not affect the protected activities, features, or attributes of the trail because they will occur outside of established operating hours. To accommodate the commuting public, the trail underpass at Vasquez Boulevard will reopen at 5:00 am and remain open until 11:00 pm.

    - Commerce City and the Sand Creek Regional Greenway Partnership will be notified at least two weeks prior to overnight closures of the underpass so that they may notify the public.
- Commerce City's trail specifications shall be incorporated into the design for all locations where the Sand Creek Trail is being reconstructed.
- All disturbed areas within the Sand Creek Greenway shall be fully restored following construction. Removed vegetation shall be replaced on at least a 1:1 basis.
- Dahlia Trailhead shall remain open for recreational use during construction, and all disturbances to the trailhead shall be restored following construction at that location.

Opportunity for Public Comment

CFR 774.5 (b) states that, prior to making a *de minimis* determination for impacts to parks and recreation areas, public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property must be provided. This requirement can be satisfied in conjunction with other public involvement procedures, such as a comment period provided on a NEPA document.

An in-person public hearing and open house for the I-270 Corridor Draft Environmental Impact Statement (DEIS) was held on January 8, 10, and 13, 2026. The exhibits contained a board explaining Section 4(f) resource impacts and proposed mitigation and requesting feedback (**Attachment B**). The public hearing comment form included the following question:

- Do you have any concerns with the proposed impacts to the South Platte River Trail, Sand Creek Trail, and Dahlia Trailhead, taking into account the proposed minimization and mitigation strategies?

The exhibits and comment form were also made available through the project website. There were no comments received pertaining to the trail impacts and proposed mitigation described in the DEIS, and this letter.

Officials With Jurisdiction Concurrence

Based on the information presented above, FHWA is considering making a Section 4(f) *de minimis* finding for impacts to the Sand Creek Trail and Dahlia. To acknowledge receipt of this letter and your concurrence that, after consideration of measures to minimize harm, the impacts to the Section 4(f) resources are *de minimis*, please provide your signature below. If you have questions, please contact me at 303-757-9926 or veronica.reid@state.co.us.

Sincerely,

Veronica Reid
Section 4(f) and Section 6(f) Specialist

CDOT Region 1 Planning and Environmental

Attachments:

Attachment A – Figures
Attachment B – Public Hearing Exhibit

As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin Digitally signed by Chad Redin Date: 2026.05.13 11:26:44 -06'00'

Chad Redin, Commerce City Parks, Recreation, and Golf Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership Date

Attachment C – Sand Creek Regional Greenway Partnership Written Concurrence

COLORADO
Department of Transportation

Region 1 Planning and Environmental
2829 W Howard Pl
Denver, CO 80204

Chad Redin, Director
Commerce City Parks, Recreation and Golf
7887 East 60th Avenue
Commerce City, CO 80022

Monique "Mo" Fair, Executive Director
Sand Creek Regional Greenway Partnership
3990 Ulster Street
Denver, CO 80207

March 25, 2026

RE: I-270 Corridor Project and Environmental Impact Statement (NHPP 2706-046 [subaccount # 25611]) - Request for Concurrence with Section 4(f) *de minimis* impacts to Sand Creek Regional Greenway Trail ("Sand Creek Trail") and Dahlia Trailhead

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Additional improvements proposed under both Build Alternatives include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez Boulevard, and Quebec Street interchanges.
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The Sand Creek Trail is a significant regional trail, connecting to multiple other trails, neighborhoods and schools in the metro area. Beginning at its connection point with the South Platte River Trail just west of the Burlington Ditch, it parallels I-270 and the Sand Creek throughout the project limits. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway. The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive provides access to the Sand Creek Trail and includes a paved parking lot, benches, and bike racks. A Section 4(f) *de minimis* impact is defined as "one that, after taking into account any measures to minimize harm, results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f)."

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Sand Creek Trail West of Brighton Boulevard

An underground pipe outfall is proposed to be installed to the west of Brighton Boulevard under the trail. The pipe outfall would extend from I-270 to Sand Creek, within the permanent easement footprint shown in **Figure 4 in Attachment A**. Approximately 100 feet of the Sand Creek Trail is within proposed temporary and permanent easements needed for construction and future maintenance of the outfall. There is a parcel just to the west that is a capped remediation site and cannot be excavated into. Additionally, the pipe installation will require very deep excavation that will need to remain open, with trail occupancy expected for approximately 1 month. For these reasons, a sharp temporary trail detour with 90 degree turns around the excavation site is the most feasible option to maintain continuity for trail users, and would require bicyclists to dismount and walk the detour. To accommodate the detour, a small

section at the end of an adjacent retaining wall may be removed. The temporary trail detour would largely match existing grade and would be a minimum of 9 feet wide and approximately 120 feet. Barrier would be installed along the edge of the excavation hole, adjacent to temporary trail detour path for safety. Finally, signage would be placed a considerable distance to the east and west of this trail closure point warning users of a required bicycle dismount point due to the sharp turns. Once segments of the outfall pipe under and directly adjacent to the existing trail are installed, the excavation would be backfilled and the trail would be replaced and re-opened for continued use.

Sand Creek Trail at Brighton Boulevard/East 60th Avenue

A spur trail providing a connection to the Sand Creek Trail from Brighton Boulevard would be temporarily closed during replacement of the I-270 bridges that span over Brighton Boulevard, East 60th Avenue, and the Union Pacific and Burlington/Northern Santa Fe Railroads (**Figure 5 in Attachment A**). The spur trail is in close proximity to existing bridge piers to be removed and reconstructed, creating a need to close the trail temporarily during bridge construction. Additional work requiring the temporary spur trail closure includes reconstruction of an existing retaining wall along the west side of the spur trail to accommodate the new bridge pier locations. The spur trail would be reconstructed and its connection to Brighton Boulevard would be improved as part of the project. East 60th Avenue is further away from existing piers than the spur trail which provides a safe and feasible location for a trail detour. Therefore, to maintain access from Brighton Boulevard to the Sand Creek Trail, a temporary trail would be constructed to detour trail users onto East 60th Avenue by installing a temporary concrete barrier to protect pedestrians and bicyclists, installing temporary pavement on the east side of East 60th Avenue, and shifting vehicle traffic onto the temporary pavement to accommodate vehicle traffic. In addition, signage would be placed strategically along East 60th Avenue to warn oncoming drivers about the change in roadway configuration. The spur trail would be reopened following construction in this area.

Sand Creek Trail at Vasquez Boulevard

Approximately 470 feet of the trail approaching and crossing under Vasquez Boulevard would be temporarily closed to accommodate the replacement of the Vasquez Boulevard bridge over Sand Creek and installation of new, 10-foot-wide sidewalk connections between Sand Creek Trail and the east and west sides of Vasquez Boulevard (**Figure 6 in Attachment A**). The west sidewalk connection would be constructed within transportation right-of-way; however, the east sidewalk connection requires a temporary easement for construction and permanent easement for maintenance of the new sidewalk. Approximately 60 feet of the Sand Creek Trail is within the proposed permanent easement where the new sidewalk connection would tie into the trail.

Temporary trails would be constructed to maintain access along the Sand Creek Trail. **Figure 6** shows two options for temporary trail alignments under the Vasquez Boulevard bridge. Option A would detour trail users closer to Sand Creek, away from the bridge abutments and Option B would detour trail users closer to the existing abutment by installing a temporary concrete barrier or shoring to protect pedestrians and bicyclists. Either temporary trail option would be constructed prior to beginning bridge girder installation to ensure adequate vertical clearance is maintained between the temporary trail and the bottom of the new girders. Protective measures would be in place to protect trail users along the temporary trail from construction activities required to construct the new bridge and trail. Flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the

minimum standard width to accommodate both users. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Several overnight closures of the temporary trail under the Vasquez Boulevard bridge would be required to accommodate placement of the bridge girders, and trail users would not be able to travel under Vasquez Boulevard during these times for safety reasons. These overnight closures would occur outside established trail operating hours of 5 a.m. to 11 p.m., and full access along the temporary trail would be restored during established operating hours. The OWJs and the public would be notified at least two weeks prior to overnight closures. During overnight closures, signage would be placed at the nearest trail access points to inform users. This signage would be removed when construction activities allow safe use of the trail, and no later than 5 a.m. daily. The trail would be restored in the original alignment and reopened following construction at this location.

Sand Creek Trail and Dahlia Trailhead

Approximately 400 feet of the trail would be temporarily closed adjacent to the Dahlia Trailhead to accommodate realigning the trail (**Figure 7 in Attachment A**). A temporary easement is needed to construct these improvements, and approximately 280 feet of the trail is within the proposed easement. The trail realignment would address an existing blind curve along the trail which creates a safety issue. A temporary trail would be constructed that would maintain access from the Dahlia Trailhead parking area to the trail and detour users around the construction area. The trail would be reopened following construction at this location.

New sidewalk is proposed along the east side of East 56th Avenue and south side of South Sandcreek Drive, which would connect to the Dahlia Trailhead parking lot on the north side and the access to the trailhead off South Sandcreek Drive. The new sidewalk connections would provide additional safe access for bicyclists and pedestrians to the trailhead and the Sand Creek Trail. This work may temporarily impact existing paved areas of the trailhead parking lot at points of tie in. A permanent easement would be acquired from the Sand Creek Greenway, which encompasses the Dahlia Trailhead, for the new sidewalk, and a small portion of the Dahlia Trailhead paved parking is within the proposed easement where the sidewalk would tie in (approximately 80 square feet). Additionally, the trailhead parking area is encompassed within a temporary easement to be acquired from the Sand Creek Greenway for construction access.

The trailhead would remain open during construction, with a minimum of 25 percent (approximately 6 spaces) of the existing parking area being available for public use. Public access down to the Sand Creek Trail from the trailhead parking area would be maintained and an existing gate at the southwest corner would be kept open for maintenance access. Signage would be installed at the trailhead and along the nearby trail segment that would clearly communicate the expected construction timeline and would be regularly maintained to ensure the information remains accurate and up to date. The SCRGP would be notified at least 6 weeks in advance of construction requiring use of the parking area to determine if there are any scheduled events. Use of the parking area for construction access would not be permitted during events requiring use of the parking area.

All disturbances would be restored to pre-construction conditions following construction activities at the Dahlia Trailhead.

Sand Creek Trail Between East 56th Avenue to Krameria Street
Underground pipe outfalls extending between I-270 and the Sand Creek would be installed under the Sand Creek Trail at eight locations between approximately 900 feet east of East 56th Avenue to Krameria Street (**Figures 8 and 9 in Attachment A**). This work would occur completely within CDOT right-of-way and would be completed in a manner that would allow trail continuity to be maintained within the established operating hours of 5 a.m. to 11 p.m. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Sand Creek Trail at East 53rd Way
A pedestrian overpass is being proposed that would connect with the Sand Creek Trail south of I-270, cross over South Sand Creek Drive and I-270 and connect with North Sand Creek Drive at East 53rd Way north of I-270. An approximately 800-foot-long segment of the Sand Creek Trail would be closed during installation of the pedestrian overpass and for reconstruction of the trail. An area of temporary construction staging would be needed south of the closed portion of trail to construct water quality improvements (**Figure 10 in Attachment A**).

A temporary trail would be constructed to detour trail users around the construction area and maintain access along the Sand Creek Trail. The trail would be reopened following reconstruction of the trail and construction of the pedestrian bridge.

Minimization, Mitigation, and Enhancement Measures

The following measures have been documented in the I-270 Corridor Draft Environmental Impact Statement and will be incorporated into the project at appropriate phases:

- Access along the existing Sand Creek Trail shall be maintained where possible, using signs and flaggers as needed. Where closures are necessary to complete construction activities, temporary trails shall be constructed to maintain access along trails during construction and the following measures shall be implemented:
    - Commerce City and the Sand Creek Regional Greenway Partnership shall be notified at least two weeks prior to closure.
    - Signage shall be installed at strategic locations along and off the trail (access points, parking areas, trailheads, etc.), and shall clearly communicate the expected construction timeline, and closure and detour areas. Signs shall be maintained as needed to ensure information remains accurate and up to date.
    - Flaggers and signage shall be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users.
    - Impacted trail segments shall be reconstructed and reopened immediately following trail-disturbing construction activities.
- Overnight closures of the trail at Vasquez Boulevard and I-270 to accommodate bridge replacement will not affect the protected activities, features, or attributes of the trail because they will occur outside of established operating hours. To accommodate the commuting public, the trail underpass at Vasquez Boulevard will reopen at 5:00 am and remain open until 11:00 pm.

  - Commerce City and the Sand Creek Regional Greenway Partnership will be notified at least two weeks prior to overnight closures of the underpass so that they may notify the public.
- Commerce City's trail specifications shall be incorporated into the design for all locations where the Sand Creek Trail is being reconstructed.
- All disturbed areas within the Sand Creek Greenway shall be fully restored following construction. Removed vegetation shall be replaced on at least a 1:1 basis.
- Dahlia Trailhead shall remain open for recreational use during construction, and all disturbances to the trailhead shall be restored following construction at that location.

Opportunity for Public Comment

CFR 774.5 (b) states that, prior to making a *de minimis* determination for impacts to parks and recreation areas, public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property must be provided. This requirement can be satisfied in conjunction with other public involvement procedures, such as a comment period provided on a NEPA document.

An in-person public hearing and open house for the I-270 Corridor Draft Environmental Impact Statement (DEIS) was held on January 8, 10, and 13, 2026. The exhibits contained a board explaining Section 4(f) resource impacts and proposed mitigation and requesting feedback (**Attachment B**). The public hearing comment form included the following question:

- Do you have any concerns with the proposed impacts to the South Platte River Trail, Sand Creek Trail, and Dahlia Trailhead, taking into account the proposed minimization and mitigation strategies?

The exhibits and comment form were also made available through the project website. There were no comments received pertaining to the trail impacts and proposed mitigation described in the DEIS, and this letter.

Officials With Jurisdiction Concurrence

Based on the information presented above, FHWA is considering making a Section 4(f) *de minimis* finding for impacts to the Sand Creek Trail and Dahlia. To acknowledge receipt of this letter and your concurrence that, after consideration of measures to minimize harm, the impacts to the Section 4(f) resources are *de minimis*, please provide your signature below. If you have questions, please contact me at 303-757-9926 or veronica.reid@state.co.us.

Sincerely,

Veronica Reid
Section 4(f) and Section 6(f) Specialist

CDOT Region 1 Planning and Environmental

Attachments:

Attachment A - Figures
Attachment B - Public Hearing Exhibit

As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin, Commerce City Parks, Recreation, and Golf Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership May 8, 2026 Date

Attachments:

Attachment A - Figures
Attachment B - Public Hearing Exhibit

As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin, Commerce City Parks, Recreation, and Golf — Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership — May 8, 2026 — Date

Colorado Department of Transportation

Non-Historic Section 4(f) *De Minimis* Use Clearance Form

CDOT Request for *De Minimis* Finding

Based upon the information provided and this analysis below, CDOT believes that the Section 4(f) use of this property is considered *de minimis* as defined in 23 CFR 774.17.

Veronica Reid

Veronica Reid, Section 4(f) Specialist
CDOT Region 1

5/19/2026
Date

FHWA *De Minimis* Finding

LINDSAY BLAIR EDGAR Digitally signed by LINDSAY BLAIR EDGAR
Date: 2026.06.08 11:08:25 -06'00'

John M. Cater, PE
Division Administrator
FHWA Colorado Division

Date

Project Information

Date: May 11th, 2026	**Region:** 1
Project Title: I-270 Corridor Project and Environmental Impact Statement	**Project Location:** 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (Figure 1 in Attachment A).
Project Number: NHPP 2706-046 (25611)	**Project Route:** I-270
Lead Agency: Colorado Department of Transportation (CDOT)	**NEPA Class:** Environmental Impact Statement (EIS)

Project Description: The Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative is documented as the selected alternative within the Final EIS (FEIS)/Record of Decision (ROD) Document. This alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use the new Express Lane. Figure 2 in Attachment A illustrates the typical section for the alternative. Additional improvements include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez

Boulevard, and Quebec Street interchanges.

- Adding a new eastbound I-270 ramp from northbound Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange.
- Reconstructing bridges that have reached the end of their useful life.
- Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps.
- Reconstructing existing pavement and travel lanes.
- Improving shoulders.

Resource Information

Section 4(f) Resource: Sand Creek Trail	**Type of 4(f) Resource:** Recreational Trail
Official with Jurisdiction: City of Commerce City; Sand Creek Regional Greenway Partnership	

De Minimis Documentation:

1. **Describe the Section 4(f) property and the attributes and features that qualify it for Section 4(f) protection;**

   The Sand Creek Trail is a significant regional trail, connecting to multiple other trails, neighborhoods and schools in the metro area. Beginning at its connection point with the South Platte River Trail just west of the Burlington Ditch, it parallels I-270 and the Sand Creek throughout the project limits. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway.

2. **Describe the impacts to the Section 4(f) property, and why they are considered *de minimis* as defined by 23 CFR 774.17. Include all avoidance, minimization and mitigation or enhancement measures.**

Impacts

Below is a description of the impacts to the Sand Creek Trail from west to east along the project corridor. Impacts are shown in Figures 3 through 9 in Attachment A.

Sand Creek Trail West of Brighton Boulevard

An underground pipe outfall is proposed to be installed to the west of Brighton Boulevard under the trail. The pipe outfall would extend from I-270 to Sand Creek, within the permanent easement footprint shown in Figure 3 in Attachment A. Approximately 100 feet of the Sand Creek Trail is within proposed temporary and permanent easements needed for construction and future maintenance of the outfall. There is a parcel just to the west that is a capped remediation site and cannot be excavated into. Additionally, the pipe installation will require very deep excavation that will need to remain open, with trail occupancy expected for approximately 1 month. For these reasons, a sharp temporary trail detour with 90 degree turns around the excavation site is the most feasible option to maintain continuity for trail users, and would require bicyclists to dismount and walk the detour. To accommodate the detour, a small

section at the end of an adjacent retaining wall may be removed. The temporary trail detour would largely match existing grade and would be a minimum of 9 feet wide and approximately 120 feet. Barrier would be installed along the edge of the excavation hole, adjacent to temporary trail detour path for safety. Finally, signage would be placed to the east and west of this trail closure point warning users of a required bicycle dismount point due to the sharp turns. Once segments of the outfall pipe under and directly adjacent to the existing trail are installed, the excavation would be backfilled and the trail would be replaced and re-opened for continued use.

Sand Creek Trail at Brighton Boulevard/East 60th Avenue

A spur trail providing a connection to the Sand Creek Trail from Brighton Boulevard would be temporarily closed during replacement of the I-270 bridges that span over Brighton Boulevard, East 60th Avenue, and the Union Pacific and Burlington/Northern Santa Fe Railroads (Figure 4 in Attachment A). The spur trail is in close proximity to existing bridge piers to be removed and reconstructed, creating a need to close the trail temporarily during bridge construction. Additional work requiring the temporary spur trail closure includes reconstruction of an existing retaining wall along the west side of the spur trail to accommodate the new bridge pier locations. The spur trail would be reconstructed and its connection to Brighton Boulevard would be improved as part of the project. East 60th Avenue is further away from existing piers than the spur trail which provides a safe and feasible location for a trail detour. Therefore, to maintain access from Brighton Boulevard to the Sand Creek Trail, a temporary trail would be constructed to detour trail users onto East 60th Avenue by installing a temporary concrete barrier to protect pedestrians and bicyclists, installing temporary pavement on the east side of East 60th Avenue, and shifting vehicle traffic onto the temporary pavement to accommodate vehicle traffic. In addition, signage would be placed strategically along East 60th Avenue to warn oncoming drivers about the change in roadway configuration. The spur trail would be reopened following construction in this area.

Sand Creek Trail at Vasquez Boulevard

Approximately 470 feet of the trail approaching and crossing under Vasquez Boulevard would be temporarily closed to accommodate the replacement of the Vasquez Boulevard bridge over Sand Creek and installation of new, 10-foot-wide sidewalk connections between Sand Creek Trail and the east and west sides of Vasquez Boulevard (Figure 5 in Attachment A). The west sidewalk connection would be constructed within transportation right-of-way; however, the east sidewalk connection requires a temporary easement for construction and permanent easement for maintenance of the new sidewalk. Approximately 60 feet of the Sand Creek Trail is within the proposed permanent easement where the new sidewalk connection would tie into the trail.

Temporary trails would be constructed to maintain access along the Sand Creek Trail. Figure 6 shows two options for temporary trail alignments under the Vasquez Boulevard bridge. Option A would detour trail users closer to Sand Creek, away from the bridge abutments and Option B would detour trail users closer to the existing abutment by installing a temporary concrete barrier or shoring to protect pedestrians and bicyclists. Either temporary trail option would be

constructed prior to beginning bridge girder installation to ensure adequate vertical clearance is maintained between the temporary trail and the bottom of the new girders. Protective measures would be in place to protect trail users along the temporary trail from construction activities required to construct the new bridge and trail. Flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Several overnight closures of the temporary trail under the Vasquez Boulevard bridge would be required to accommodate placement of the bridge girders, and trail users would not be able to travel under Vasquez Boulevard during these times for safety reasons. These overnight closures would occur outside established trail operating hours of 5 a.m. to 11 p.m., and full access along the temporary trail would be restored during established operating hours. The OWJs and the public would be notified at least two weeks prior to overnight closures. During overnight closures, signage would be placed at the nearest trail access points to inform users. This signage would be removed when construction activities allow safe use of the trail, and no later than 5 a.m. daily. The trail would be restored in the original alignment and reopened following construction at this location.

Sand Creek Trail at Dahlia Trailhead

Approximately 400 feet of the trail would be temporarily closed adjacent to the Dahlia Trailhead to accommodate realigning the trail (Figure 6 in Attachment A). A temporary easement is needed to construct these improvements, and approximately 280 feet of the trail is within the proposed easement. The trail realignment would address an existing blind curve along the trail which creates a safety issue. A temporary trail would be constructed that would maintain access from the Dahlia Trailhead parking area to the trail and detour users around the construction area. The trail would be reopened following construction at this location. All disturbances would be restored to pre-construction conditions following construction activities at the Dahlia Trailhead.

Sand Creek Trail Between East 56th Avenue to Krameria Street

Underground pipe outfalls extending between I-270 and the Sand Creek would be installed under the Sand Creek Trail at eight locations between approximately 900 feet east of East 56th Avenue to Krameria Street (Figures 7 and 8 in Attachment A). This work would occur completely within CDOT right-of-way and would be completed in a manner that would allow trail continuity to be maintained within the established operating hours of 5 a.m. to 11 p.m. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Sand Creek Trail at East 53rd Way

A pedestrian overpass is being proposed that would connect with the Sand Creek Trail south of I-270, cross over South Sand Creek Drive and I-270 and connect with North Sand Creek Drive at East 53rd Way north of I-270. An approximately 800-foot-long segment of the Sand Creek Trail

would be closed during installation of the pedestrian overpass and for reconstruction of the trail. An area of temporary construction staging would be needed south of the closed portion of trail to construct water quality improvements (Figure 9 in Attachment A).

A temporary trail would be constructed to detour trail users around the construction area and maintain access along the Sand Creek Trail. The trail would be reopened following reconstruction of the trail and construction of the pedestrian bridge.

Mitigation, Minimization, and Enhancement Measures

The following measures will be incorporated into the project at appropriate phases:

- Access along the existing Sand Creek Trail shall be maintained where possible, using signs and flaggers as needed. Where closures are necessary to complete construction activities, temporary trails shall be constructed to maintain access along trails during construction and the following measures shall be implemented:
    - Commerce City and the Sand Creek Regional Greenway Partnership shall be notified at least two weeks prior to closure.
    - Signage shall be installed at strategic locations along and off the trail (access points, parking areas, trailheads, etc.), and shall clearly communicate the expected construction timeline, and closure and detour areas. Signs shall be maintained as needed to ensure information remains accurate and up to date.
    - Flaggers and signage shall be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users.
    - Impacted trail segments shall be reconstructed and reopened immediately following trail-disturbing construction activities.
- Overnight closures of the trail at Vasquez Boulevard and I-270 to accommodate bridge replacement will not affect the protected activities, features, or attributes of the trail because they will occur outside of established operating hours. To accommodate the commuting public, the trail underpass at Vasquez Boulevard will reopen at 5:00 am and remain open until 11:00 pm.
    - Commerce City and the Sand Creek Regional Greenway Partnership will be notified at least two weeks prior to overnight closures of the underpass so that they may notify the public.
- Commerce City's trail specifications shall be incorporated into the design for all locations where the Sand Creek Trail is being reconstructed.
- All disturbed areas within the Sand Creek Greenway shall be fully restored following construction. Removed vegetation shall be replaced on at least a 1:1 basis.

3. For parks, recreational facilities, and wildlife and waterfowl refuges:

a. Describe the Public Outreach that has been or is being conducted; and

An in-person public hearing and open house for the I-270 Corridor Draft Environmental Impact Statement (DEIS) was held on January 8, 10, and 13, 2026. The exhibits contained a board explaining Section 4(f) resource impacts and proposed mitigation and requesting feedback (Attachment B). The public hearing comment form included the following question:

- Do you have any concerns with the proposed impacts to the South Platte River Trail, Sand Creek Trail, and Dahlia Trailhead, taking into account the proposed minimization and mitigation strategies?

The exhibits and comment form were also made available through the project website. There were no comments received pertaining to the trail impacts and proposed mitigation described in the DEIS, and this letter.

b. Include written concurrence from the official with jurisdiction over the 4(f) resource with the *de minimis* determination.

The Sand Creek Regional Greenway Partnership provided written concurrence on May 8th, 2026; The City of Commerce City provided written concurrence on May 13th, 2026. The signed letters are included in Attachment C.

Form prepared by: Veronica Reid

Attach all required documentation as described above.
For Non-Historic Section (f), please enter information into the SharePoint tracking database: Section 4(f) Tracking

Attachment A – Figures

Figure 1 - I-270 Corridor Improvements Project Limits

Figure 2 – Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative

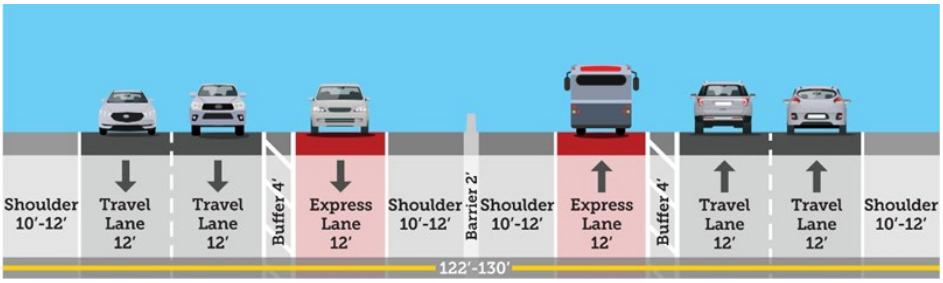


Figure 3 - Sand Creek Trail West of Brighton Boulevard Impacts

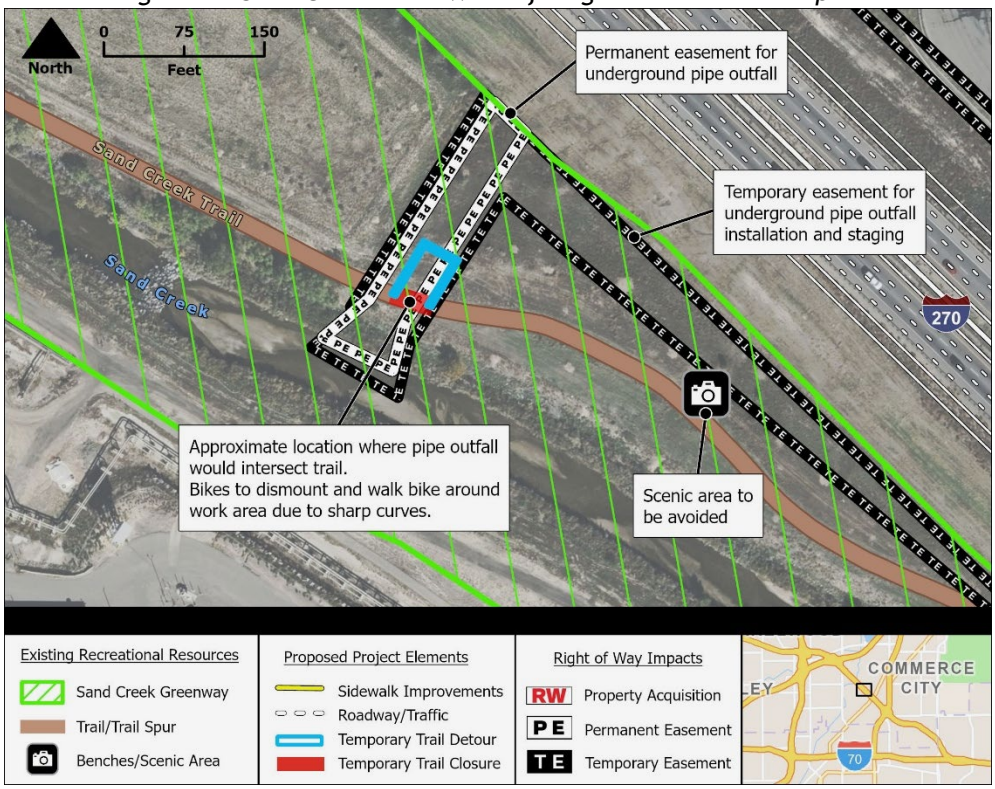


Figure 4 - Sand Creek Trail at Brighton Boulevard Impact

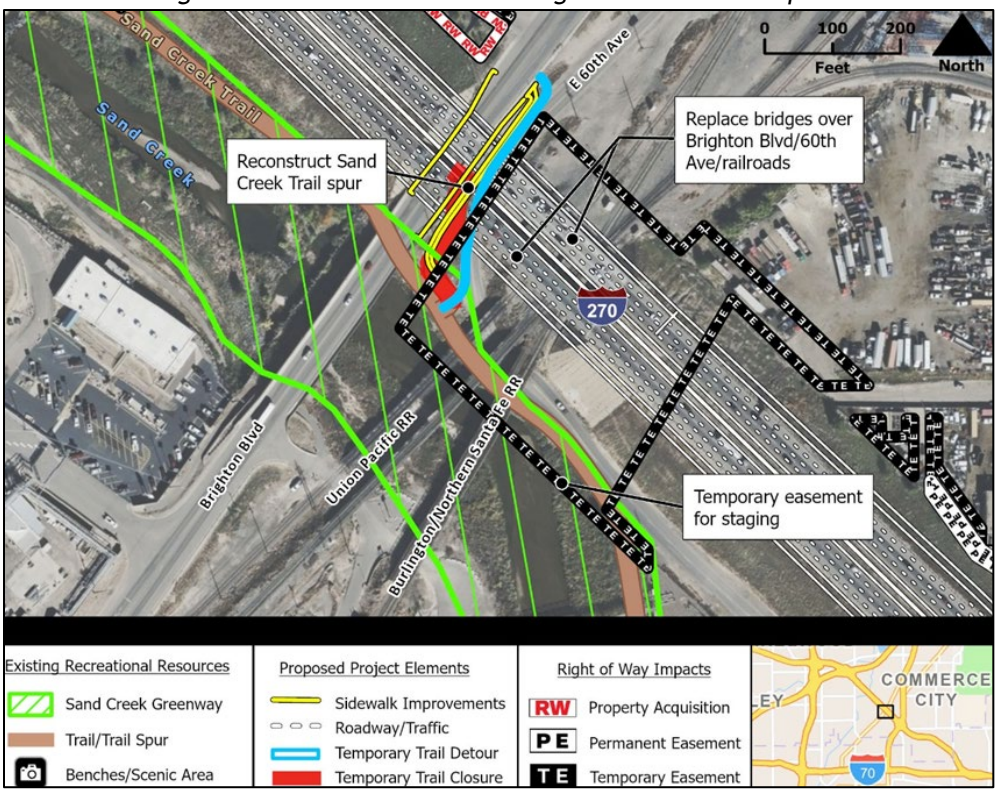


Figure 5 - Sand Creek Trail at Vasquez Boulevard Impacts

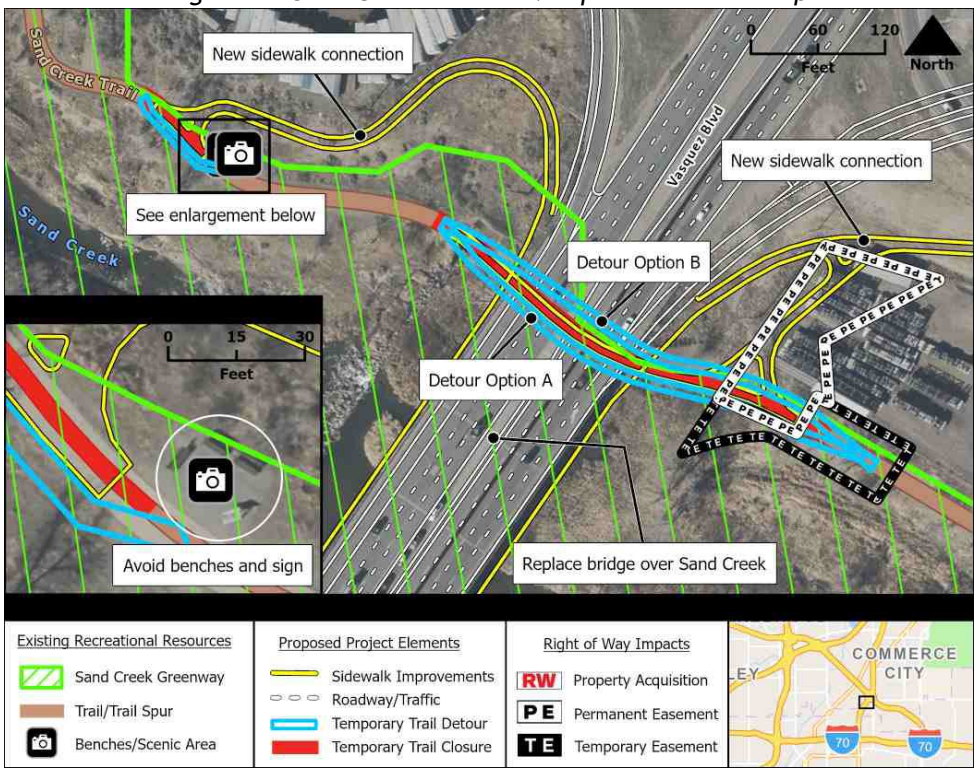


Figure 6 - Sand Creek Trail and Dahlia Trailhead Impacts

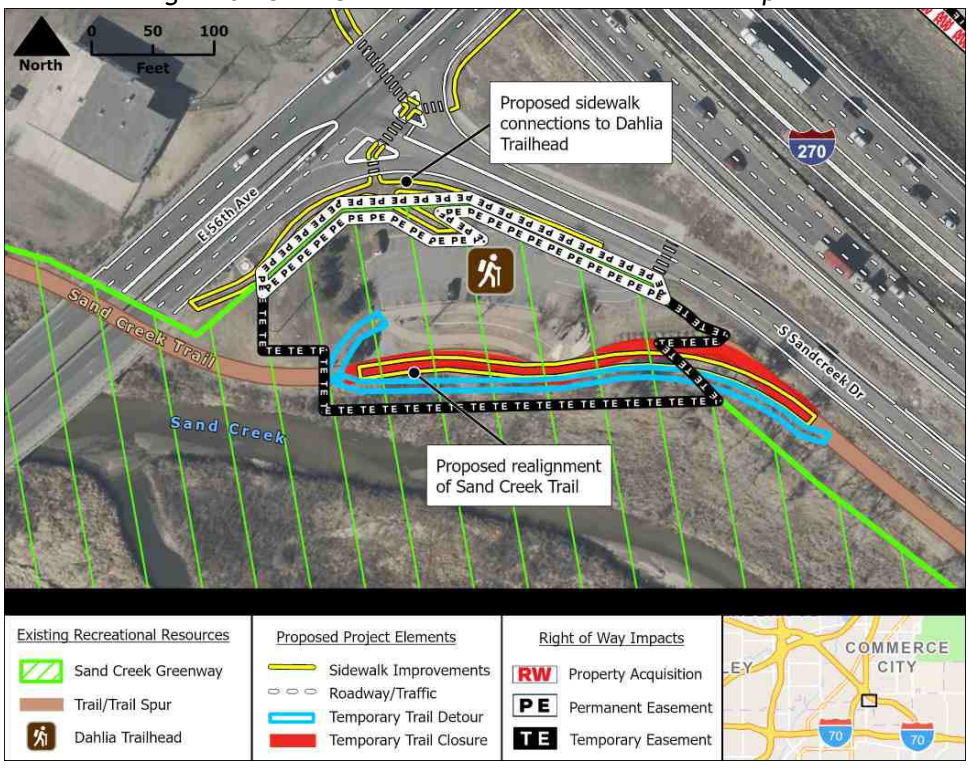


Figure 7 - Sand Creek Trail Impacts Between East 56th Avenue and Krameria Street (1 of 2)

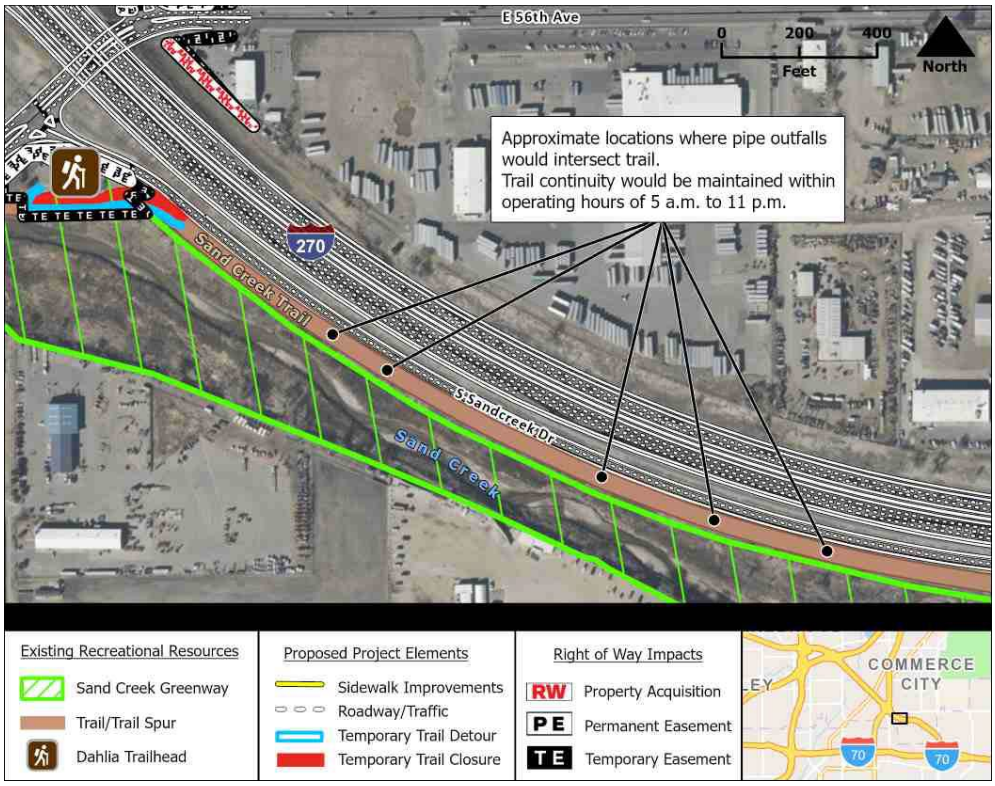
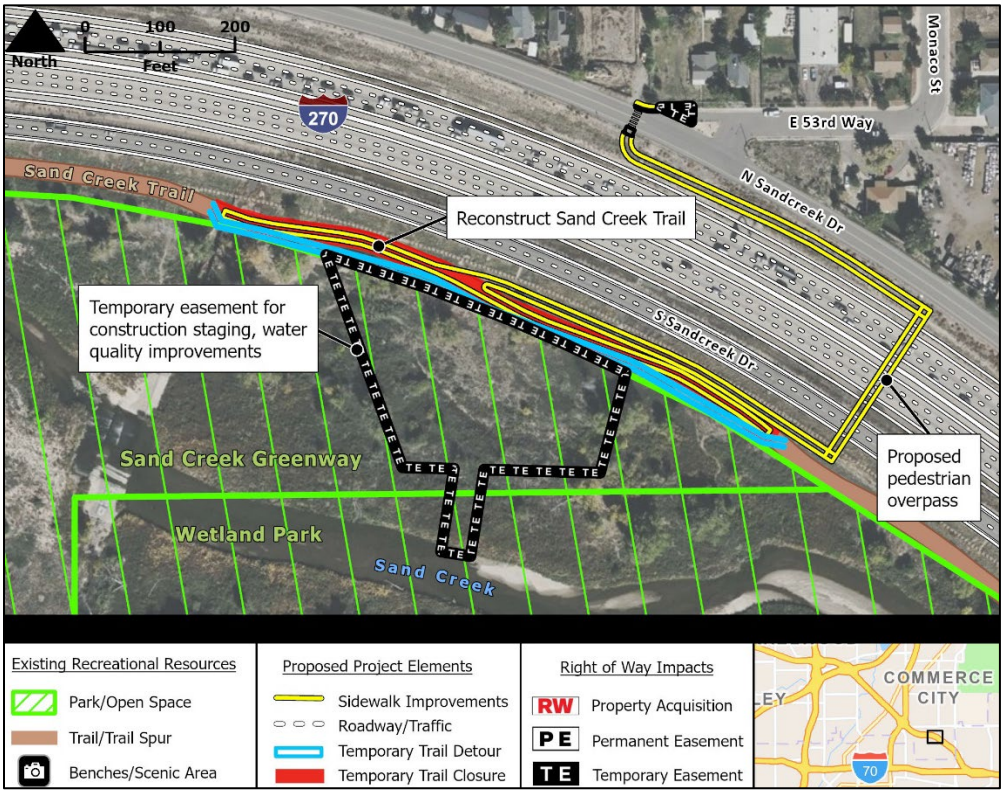


Figure 8 - Sand Creek Trail Impacts Between East 56th Avenue and Krameria Street (2 of 2)

Figure 9 - Sand Creek Trail at East 53rd Way Impacts



Attachment B – Request for Public Comments

Environmental Resources

Recreational Resources

South Platte River Trail and Sand Creek Trail

There will be temporary impacts to the South Platte River Trail at I-270, and the Sand Creek Trail at multiple locations for bridge replacements and trail safety improvements. Trail user access will be maintained via constructed temporary trails around the work zone. At bridge replacement locations, several overnight full closures between 11 p.m. and 5 a.m. will be needed for safety reasons. Areas adjacent to the Sand Creek Trail within the greenway open space would be temporarily disturbed during construction activities. All disturbed areas would be fully restored.

Dahlia Trailhead (East 56th Avenue and South Sandcreek Drive)

New sidewalks will be added along East 56th Avenue and South Sandcreek Drive adjacent to the Dahlia Trailhead. The Sand Creek Trail near the trailhead would also be improved. During this time, up to 75% of parking spaces within the trailhead parking area would be temporarily used for construction access, with remaining parking spaces kept open to the public.

Provide your feedback about these impacts and mitigations using the comment form

The Federal Highway Administration is planning to make a *de minimis* finding for this project.

A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f) of the U.S. Department of Transportation Act of 1966.

Refer to Chapter 3, Alternatives Considered, of the Draft Environmental Impact Statement (DEIS).

Recursos Ambientales

Recursos Recreativos

Sendero del río South Platte y sendero de Sand Creek

Habrá impactos temporales en el sendero del río South Platte en la I-270 y en el sendero de Sand Creek en múltiples ubicaciones debido a los reemplazos de puentes y mejoras de seguridad en los senderos. Se mantendrá el acceso para los usuarios del sendero a través de senderos temporales construidos alrededor de la zona de trabajo. En las ubicaciones de reemplazo de puentes, serán necesarios varios cierres totales nocturnos entre las 11 p.m. y las 5 a.m. por razones de seguridad. Las áreas adyacentes al sendero de Sand Creek dentro del espacio abierto de la vía verde se verán temporalmente afectadas durante las actividades de construcción. Todas las áreas afectadas serán completamente restauradas.

Inicio del sendero Dahlia (East 56th Avenue y South Sandcreek Drive)

Se añadirán nuevas aceras a lo largo de East 56th Avenue y South Sandcreek Drive adyacentes al inicio del sendero Dahlia. El sendero de Sand Creek cerca del punto de inicio también será mejorado. Durante este tiempo, hasta el 75% de los espacios de estacionamiento dentro del área del inicio del sendero se utilizarán temporalmente para el acceso de la construcción y los espacios restantes se mantendrán abiertos al público.

Proporcione sus comentarios sobre estos impactos y mitigaciones utilizando el formulario de comentarios.

La Administración Federal de Carreteras planea realizar una determinación de impacto mínimo (*de minimis*) para este proyecto.

Un impacto *de minimis* es aquel que, después de tomar en cuenta las medidas de evasión, minimización, mitigación y mejora, no resulta en un efecto adverso para las actividades, características o atributos que califican a un parque, área recreativa o refugio para protección bajo la Sección 4(f) de la Ley del Departamento de Transporte de los EE. UU. de 19663

Consulte el Capítulo 4 (Análisis ambiental) del Proyecto de Declaración de Impacto Ambiental (DEIS).

Attachment C – Commerce City Written Concurrence

COLORADO
Department of Transportation

Region 1 Planning and Environmental
2829 W Howard Pl
Denver, CO 80204

Chad Redin, Director
Commerce City Parks, Recreation and Golf
7887 East 60th Avenue
Commerce City, CO 80022

Monique "Mo" Fair, Executive Director
Sand Creek Regional Greenway Partnership
3990 Ulster Street
Denver, CO 80207

March 25, 2026

RE: I-270 Corridor Project and Environmental Impact Statement (NHPP 2706-046 [subaccount # 25611]) – Request for Concurrence with Section 4(f) *de minimis* impacts to Sand Creek Regional Greenway Trail ("Sand Creek Trail") and Dahlia Trailhead

Dear Mr. Redin and Ms. Fair:

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) are conducting an Environmental Impact Statement (EIS) which evaluates potential improvements to the Interstate 270 (I-270) corridor ("Build Alternatives"). The project limits include 6.5 miles of I-270 between the I-270/Interstate 25 (I-25) Interchange northeast to the I-270/Interstate 70 (I-70) Interchange in the southwest, crossing through the City and County of Denver, Commerce City, and Adams County (**Figure 1 in Attachment A**). This letter is to request your concurrence, as the officials with jurisdiction, with impacts to the Sand Creek Trail and Dahlia Trailhead, considered to be *de minimis* under Section 4(f).

Description of Build Alternatives

There are two Build Alternatives, including a No Action Alternative, which are being evaluated in the EIS. The Build Alternatives and typical roadway cross sections are summarized below:

1. **Three General-Purpose Lanes**
   The Three General-Purpose Lanes Alternative would add a general-purpose travel lane in each direction between I-25 and I-70 for a total of three general-purpose lanes in each direction through the corridor and would repair or replace deficient infrastructure. **Figure 2 in Attachment A** illustrates the typical section for this proposed build alternative.

2. **Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative**
   The Two General-Purpose Lanes and One Express Lane that Accommodates Transit Alternative would reconstruct I-270 with two general-purpose lanes, add one new travel lane in each direction through the corridor, and repair or replace deficient infrastructure. The new lane would be operated as an Express Lane. Transit vehicles and high-occupancy vehicles (3 or more people) could travel in the Express Lane free of charge. Freight trucks, and other travelers who choose to pay a fee could also use the new Express Lane. **Figure 3 in Attachment A** illustrates the typical section for this proposed build alternative.

Additional improvements proposed under both Build Alternatives include:

- Lengthening and/or redesigning exit and entrance ramps at the I-76, York Street, Vasquez Boulevard, and Quebec Street interchanges.
- Adding a new eastbound I-270 ramp from northbound Vasquez Boulevard and reconstructing the Vasquez Boulevard interchange.
- Reconstructing bridges that have reached the end of their useful life.
- Providing sidewalks at existing crossings of I-270 at York Street, Vasquez Boulevard, and Dahlia Street where there are gaps.
- Reconstructing existing pavement and travel lanes.
- Improving shoulders.

Section 4(f) Impacts to the Sand Creek Trail and Dahlia Trailhead

Section 4(f) was created when the United States Department of Transportation (USDOT) was formed in 1966. It is codified in Title 49 United States Code (U.S.C.) Section 303 [Section 4(f) of the USDOT Action of 1966] and Title 23 U.S.C. Section 138, and in the implementing regulations 23 Code of Federal Regulations (CFR) 774. Section 4(f) affords special protection to parks and recreational resources when these resources are impacted by federally funded transportation projects. The Sand Creek Trail and Dahlia Trailhead are recreational resources for which Section 4(f) applies.

The Sand Creek Trail is a significant regional trail, connecting to multiple other trails, neighborhoods and schools in the metro area. Beginning at its connection point with the South Platte River Trail just west of the Burlington Ditch, it parallels I-270 and the Sand Creek throughout the project limits. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway. The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive provides access to the Sand Creek Trail and includes a paved parking lot, benches, and bike racks. A Section 4(f) *de minimis* impact is defined as "one that, after taking into account any measures to minimize harm, results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f)."

Below is a description of the impacts to the Sand Creek Trail and Dahlia Trailhead from west to east along the project corridor. Impacts are the same between Build Alternatives. **Attachment A** includes figures that show impacts at each location.

Sand Creek Trail West of Brighton Boulevard

An underground pipe outfall is proposed to be installed to the west of Brighton Boulevard under the trail. The pipe outfall would extend from I-270 to Sand Creek, within the permanent easement footprint shown in **Figure 4 in Attachment A**. Approximately 100 feet of the Sand Creek Trail is within proposed temporary and permanent easements needed for construction and future maintenance of the outfall. There is a parcel just to the west that is a capped remediation site and cannot be excavated into. Additionally, the pipe installation will require very deep excavation that will need to remain open, with trail occupancy expected for approximately 1 month. For these reasons, a sharp temporary trail detour with 90 degree turns around the excavation site is the most feasible option to maintain continuity for trail users, and would require bicyclists to dismount and walk the detour. To accommodate the detour, a small

section at the end of an adjacent retaining wall may be removed. The temporary trail detour would largely match existing grade and would be a minimum of 9 feet wide and approximately 120 feet. Barrier would be installed along the edge of the excavation hole, adjacent to temporary trail detour path for safety. Finally, signage would be placed a considerable distance to the east and west of this trail closure point warning users of a required bicycle dismount point due to the sharp turns. Once segments of the outfall pipe under and directly adjacent to the existing trail are installed, the excavation would be backfilled and the trail would be replaced and re-opened for continued use.

Sand Creek Trail at Brighton Boulevard/East 60th Avenue

A spur trail providing a connection to the Sand Creek Trail from Brighton Boulevard would be temporarily closed during replacement of the I-270 bridges that span over Brighton Boulevard, East 60th Avenue, and the Union Pacific and Burlington/Northern Santa Fe Railroads (**Figure 5 in Attachment A**). The spur trail is in close proximity to existing bridge piers to be removed and reconstructed, creating a need to close the trail temporarily during bridge construction. Additional work requiring the temporary spur trail closure includes reconstruction of an existing retaining wall along the west side of the spur trail to accommodate the new bridge pier locations. The spur trail would be reconstructed and its connection to Brighton Boulevard would be improved as part of the project. East 60th Avenue is further away from existing piers than the spur trail which provides a safe and feasible location for a trail detour. Therefore, to maintain access from Brighton Boulevard to the Sand Creek Trail, a temporary trail would be constructed to detour trail users onto East 60th Avenue by installing a temporary concrete barrier to protect pedestrians and bicyclists, installing temporary pavement on the east side of East 60th Avenue, and shifting vehicle traffic onto the temporary pavement to accommodate vehicle traffic. In addition, signage would be placed strategically along East 60th Avenue to warn oncoming drivers about the change in roadway configuration. The spur trail would be reopened following construction in this area.

Sand Creek Trail at Vasquez Boulevard

Approximately 470 feet of the trail approaching and crossing under Vasquez Boulevard would be temporarily closed to accommodate the replacement of the Vasquez Boulevard bridge over Sand Creek and installation of new, 10-foot-wide sidewalk connections between Sand Creek Trail and the east and west sides of Vasquez Boulevard (**Figure 6 in Attachment A**). The west sidewalk connection would be constructed within transportation right-of-way; however, the east sidewalk connection requires a temporary easement for construction and permanent easement for maintenance of the new sidewalk. Approximately 60 feet of the Sand Creek Trail is within the proposed permanent easement where the new sidewalk connection would tie into the trail.

Temporary trails would be constructed to maintain access along the Sand Creek Trail. **Figure 6** shows two options for temporary trail alignments under the Vasquez Boulevard bridge. Option A would detour trail users closer to Sand Creek, away from the bridge abutments and Option B would detour trail users closer to the existing abutment by installing a temporary concrete barrier or shoring to protect pedestrians and bicyclists. Either temporary trail option would be constructed prior to beginning bridge girder installation to ensure adequate vertical clearance is maintained between the temporary trail and the bottom of the new girders. Protective measures would be in place to protect trail users along the temporary trail from construction activities required to construct the new bridge and trail. Flaggers and signage would be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the

minimum standard width to accommodate both users. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Several overnight closures of the temporary trail under the Vasquez Boulevard bridge would be required to accommodate placement of the bridge girders, and trail users would not be able to travel under Vasquez Boulevard during these times for safety reasons. These overnight closures would occur outside established trail operating hours of 5 a.m. to 11 p.m., and full access along the temporary trail would be restored during established operating hours. The OWJs and the public would be notified at least two weeks prior to overnight closures. During overnight closures, signage would be placed at the nearest trail access points to inform users. This signage would be removed when construction activities allow safe use of the trail, and no later than 5 a.m. daily. The trail would be restored in the original alignment and reopened following construction at this location.

Sand Creek Trail and Dahlia Trailhead

Approximately 400 feet of the trail would be temporarily closed adjacent to the Dahlia Trailhead to accommodate realigning the trail (**Figure 7 in Attachment A**). A temporary easement is needed to construct these improvements, and approximately 280 feet of the trail is within the proposed easement. The trail realignment would address an existing blind curve along the trail which creates a safety issue. A temporary trail would be constructed that would maintain access from the Dahlia Trailhead parking area to the trail and detour users around the construction area. The trail would be reopened following construction at this location.

New sidewalk is proposed along the east side of East 56th Avenue and south side of South Sandcreek Drive, which would connect to the Dahlia Trailhead parking lot on the north side and the access to the trailhead off South Sandcreek Drive. The new sidewalk connections would provide additional safe access for bicyclists and pedestrians to the trailhead and the Sand Creek Trail. This work may temporarily impact existing paved areas of the trailhead parking lot at points of tie in. A permanent easement would be acquired from the Sand Creek Greenway, which encompasses the Dahlia Trailhead, for the new sidewalk, and a small portion of the Dahlia Trailhead paved parking is within the proposed easement where the sidewalk would tie in (approximately 80 square feet). Additionally, the trailhead parking area is encompassed within a temporary easement to be acquired from the Sand Creek Greenway for construction access.

The trailhead would remain open during construction, with a minimum of 25 percent (approximately 6 spaces) of the existing parking area being available for public use. Public access down to the Sand Creek Trail from the trailhead parking area would be maintained and an existing gate at the southwest corner would be kept open for maintenance access. Signage would be installed at the trailhead and along the nearby trail segment that would clearly communicate the expected construction timeline and would be regularly maintained to ensure the information remains accurate and up to date. The SCRGP would be notified at least 6 weeks in advance of construction requiring use of the parking area to determine if there are any scheduled events. Use of the parking area for construction access would not be permitted during events requiring use of the parking area.

All disturbances would be restored to pre-construction conditions following construction activities at the Dahlia Trailhead.

Sand Creek Trail Between East 56th Avenue to Krameria Street

Underground pipe outfalls extending between I-270 and the Sand Creek would be installed under the Sand Creek Trail at eight locations between approximately 900 feet east of East 56th Avenue to Krameria Street (**Figures 8 and 9 in Attachment A**). This work would occur completely within CDOT right-of-way and would be completed in a manner that would allow trail continuity to be maintained within the established operating hours of 5 a.m. to 11 p.m. Additionally, flaggers would be utilized if construction activities, such as moving equipment across the trail, require a short closure (no more than 15 minutes) and management of trail traffic.

Sand Creek Trail at East 53rd Way

A pedestrian overpass is being proposed that would connect with the Sand Creek Trail south of I-270, cross over South Sand Creek Drive and I-270 and connect with North Sand Creek Drive at East 53rd Way north of I-270. An approximately 800-foot-long segment of the Sand Creek Trail would be closed during installation of the pedestrian overpass and for reconstruction of the trail. An area of temporary construction staging would be needed south of the closed portion of trail to construct water quality improvements (**Figure 10 in Attachment A**).

A temporary trail would be constructed to detour trail users around the construction area and maintain access along the Sand Creek Trail. The trail would be reopened following reconstruction of the trail and construction of the pedestrian bridge.

Minimization, Mitigation, and Enhancement Measures

The following measures have been documented in the I-270 Corridor Draft Environmental Impact Statement and will be incorporated into the project at appropriate phases:

- Access along the existing Sand Creek Trail shall be maintained where possible, using signs and flaggers as needed. Where closures are necessary to complete construction activities, temporary trails shall be constructed to maintain access along trails during construction and the following measures shall be implemented:
    - Commerce City and the Sand Creek Regional Greenway Partnership shall be notified at least two weeks prior to closure.
    - Signage shall be installed at strategic locations along and off the trail (access points, parking areas, trailheads, etc.), and shall clearly communicate the expected construction timeline, and closure and detour areas. Signs shall be maintained as needed to ensure information remains accurate and up to date.
    - Flaggers and signage shall be utilized to manage bicyclists and pedestrians if the temporary trail cannot be constructed to the minimum standard width to accommodate both users.
    - Impacted trail segments shall be reconstructed and reopened immediately following trail-disturbing construction activities.
- Overnight closures of the trail at Vasquez Boulevard and I-270 to accommodate bridge replacement will not affect the protected activities, features, or attributes of the trail because they will occur outside of established operating hours. To accommodate the commuting public, the trail underpass at Vasquez Boulevard will reopen at 5:00 am and remain open until 11:00 pm.

    - Commerce City and the Sand Creek Regional Greenway Partnership will be notified at least two weeks prior to overnight closures of the underpass so that they may notify the public.
- Commerce City's trail specifications shall be incorporated into the design for all locations where the Sand Creek Trail is being reconstructed.
- All disturbed areas within the Sand Creek Greenway shall be fully restored following construction. Removed vegetation shall be replaced on at least a 1:1 basis.
- Dahlia Trailhead shall remain open for recreational use during construction, and all disturbances to the trailhead shall be restored following construction at that location.

Opportunity for Public Comment

CFR 774.5 (b) states that, prior to making a *de minimis* determination for impacts to parks and recreation areas, public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property must be provided. This requirement can be satisfied in conjunction with other public involvement procedures, such as a comment period provided on a NEPA document.

An in-person public hearing and open house for the I-270 Corridor Draft Environmental Impact Statement (DEIS) was held on January 8, 10, and 13, 2026. The exhibits contained a board explaining Section 4(f) resource impacts and proposed mitigation and requesting feedback (**Attachment B**). The public hearing comment form included the following question:

- Do you have any concerns with the proposed impacts to the South Platte River Trail, Sand Creek Trail, and Dahlia Trailhead, taking into account the proposed minimization and mitigation strategies?

The exhibits and comment form were also made available through the project website. There were no comments received pertaining to the trail impacts and proposed mitigation described in the DEIS, and this letter.

Officials With Jurisdiction Concurrence

Based on the information presented above, FHWA is considering making a Section 4(f) *de minimis* finding for impacts to the Sand Creek Trail and Dahlia. To acknowledge receipt of this letter and your concurrence that, after consideration of measures to minimize harm, the impacts to the Section 4(f) resources are *de minimis*, please provide your signature below. If you have questions, please contact me at 303-757-9926 or veronica.reid@state.co.us.

Sincerely,

Veronica Reid
Section 4(f) and Section 6(f) Specialist

CDOT Region 1 Planning and Environmental

Attachments:

Attachment A – Figures
Attachment B – Public Hearing Exhibit

As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin Digitally signed by Chad Redin Date: 2026.05.13 11:26:44 -06'00'

Chad Redin, Commerce City Parks, Recreation, and Golf Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership Date

Attachment C – Sand Creek Regional Greenway Partnership Written Concurrence

COLORADO
Department of Transportation

Region 1 Planning and Environmental
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Denver, CO 80204

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Sincerely,

Veronica Reid
Section 4(f) and Section 6(f) Specialist

CDOT Region 1 Planning and Environmental

Attachments:

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As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin, Commerce City Parks, Recreation, and Golf Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership May 8, 2026 Date

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Attachment A - Figures
Attachment B - Public Hearing Exhibit

As the parties responsible for the management of the Section 4(f) properties identified in this letter, I concur with the determination listed above.

Chad Redin, Commerce City Parks, Recreation, and Golf — Date

Monique "Mo" Fair, Sand Creek Regional Greenway Partnership — May 8, 2026 — Date