



## Section 4(f) and Section 6(f) Resources Technical Memorandum

**PREPARED FOR:** CDOT Region 1  
**COPY TO:** FHWA CO Division  
**PREPARED BY:** EA Team  
**DATE:** August 4, 2021

### 1.0 Introduction

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado, primarily between Interstate 25 (I-25) and Interstate 70 (I-70) (Figure 1). CDOT and FHWA are preparing an Environmental Assessment for the project, referred to as the I-270 Corridor Improvements project. Sections 1 and 2 of the EA, and EA Appendix A, contain the project setting and a detailed description of alternatives.

This technical memorandum presents the technical analysis, findings, and any applicable mitigation measures related to nonhistoric Section 4(f) and Section 6(f) resources. For information on historic Section 4(f) resources, refer to the *Historic Resources Inventory and Determination of Effects and Historic Section 4(f) Report* (Mead & Hunt 2021).

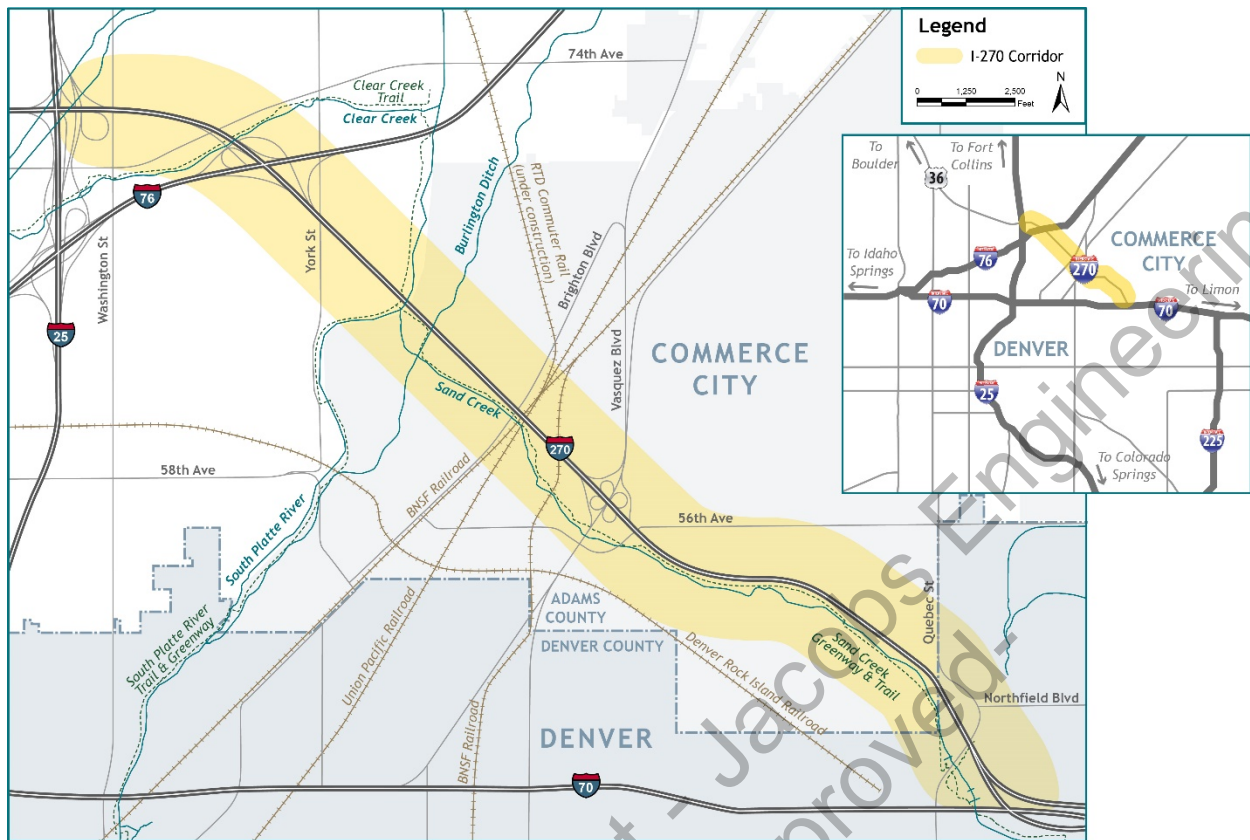


Figure 1. Project Location

Source: Jacobs

## 2.0 Federal Regulatory Context

Section 4(f) of the Department of Transportation Act of 1966, codified at 23 *United States Code* (U.S.C.) 138 and 49 U.S.C. 303, stipulates that the FHWA and other Department of Transportation agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless either of the following conditions apply:

- There is no feasible and prudent avoidance alternative to the use of land, and the action includes all possible planning to minimize harm to the property resulting from such use.
- The administration determines that the use of the property will have a *de minimis* impact.

Section 6(f)(3) of the Land and Water Conservation Fund (LWCF) Act of 1965 contains provisions to protect properties that are purchased or improved with grants from the LWCF. Section 6(f) applies to all projects that could involve temporary or permanent conversion of the use of these public outdoor recreational properties (CDOT 2021).

## 3.0 Methods

This section describes the methods used to inventory and map Section 4(f) properties (such as publicly owned parks, recreational facilities, nationally significant historic sites, and wildlife refuges) or Section 6(f) properties (those that have received LWCF grants). For information on historic Section 4(f) resources, refer to the *Historic Resources Inventory and Determination of Effects and Historic Section 4(f) Report* (Mead & Hunt 2021). The analysis will consider impacts, including right-of-way acquisitions, to these properties.

### 3.1 Data Gathering

The following information has been gathered from local and county governments, the state LWCF grant database, Colorado Trail Explorer, aerial maps, and other resources to analyze potential impacts:

- Officially designated existing or planned public parks, recreation areas (including trails), open spaces, and wildlife or waterfowl refuges, including those where agencies having ownership have taken substantial steps toward implementation
- Other multiuse properties where the agency having jurisdiction over the land determines that the area of the property affected by the project has a primary recreational purpose or function and are considered significant for purposes of use as a park, recreation area, or refuge
- LWCF grant information provided by CDOT, Colorado Parks and Wildlife (CPW), and the National Park Service, as well as potentially a Section 6(f) boundary map from CPW
- A map based on GIS data, which was developed to help visually synthesize this information with the proposed project facilities

### 3.2 Analysis Approach

The analysis of impacts will consider if and how the proposed alternatives would do the following:

- Use a Section 4(f) property. A Section 4(f) “use” occurs when one of the following criteria is met:
  - Land from a Section 4(f) property is permanently incorporated into a transportation facility; land will be considered permanently incorporated into a transportation project when it has been purchased as right-of-way or sufficient property interests have been otherwise acquired for the purpose of project implementation.
  - There is temporary use of property that is adverse in terms of the Section 4(f) statute’s preservationist purpose. Under the FHWA regulations (23 *Code of Federal Regulations* 774.13(d)), a temporary occupancy of property does not constitute a use of a Section 4(f) property when the following conditions are satisfied:
    - The occupancy must be of temporary duration (that is, shorter than the period of construction) and not involve a change in ownership of the property.
    - The scope of work must be minor, with only minimal changes to the protected resource.
    - There are no permanent adverse physical effects to the protected resource, nor will there be temporary or permanent interference with activities, features, or attributes of the property.
    - The land being used must be fully restored to a condition that is at least as good as that which existed prior to the proposed project.
    - There must be documented agreement of the officials with jurisdiction over the Section 4(f) resource regarding the above conditions.
  - There is no permanent incorporation of land from a Section 4(f) property, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection are substantially impaired. This is called a constructive use of the property.
- Affect Section 4(f) properties by determining whether impacts qualify under the *de minimis* Section 4(f) use.

- Require an Individual Section 4(f) analysis that includes avoidance alternatives, discussion of prudent and feasible, least-harm analysis, minimization, and mitigation related to Section 4(f) properties.
- Include the development of a new alternative(s) as an avoidance alternative(s) if necessary.
- Affect any property encumbered by Section 6(f) of the LWCF grants by converting it to transportation use or having a temporary nonconforming use on the property.

### 3.3 Study Area

The geographic analysis area includes the parks, recreational facilities, and wildlife refuges that lie within 0.5 mile of the study area, as well as any directly accessible by the proposed changes. The study area for Section 6(f) resources includes existing improvements constructed through LWCF grants. The study area for Section 4(f) resources includes existing and planned potential Section 4(f) resources.

### 4.0 Existing Conditions

This section discusses existing and planned recreational resources identified in the *Community Understanding Report* (CDOT 2021) that are protected by Section 4(f) and Section 6(f). No wildlife refuges exist in the area. Refer to Figure 2 for a visual representation of existing resources and Table 1 for a summary of all existing and planned resources in the study area.

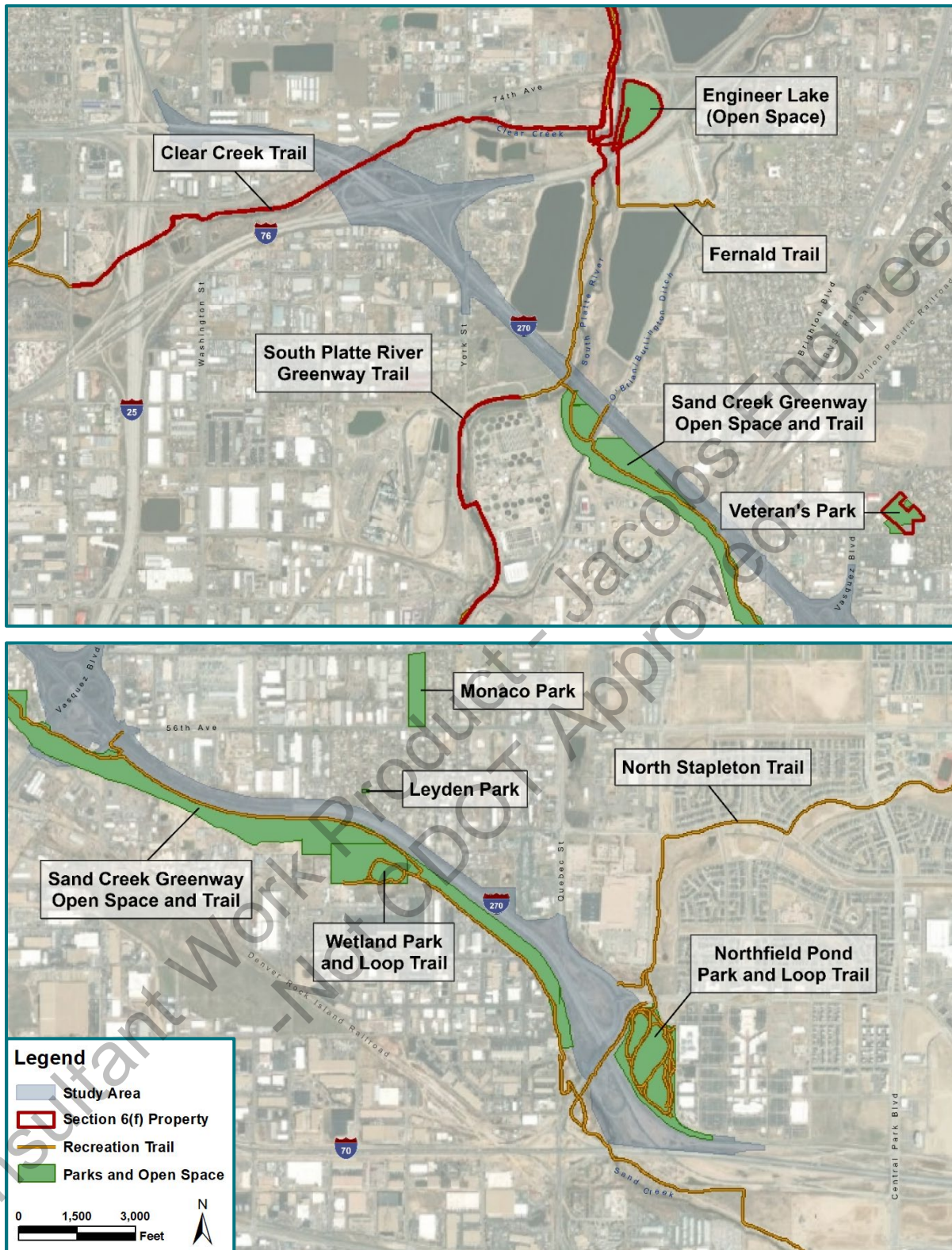


Figure 2. Existing Section 4(f) and Section 6(f) Resources  
 Source: CDOT

## 4.1 Existing Section 4(f) and Section 6(f) Resources

### 4.1.1 Trails

#### ***Clear Creek Trail***

The Clear Creek Trail runs parallel to Clear Creek and crosses under I-270, north of the I-76 interchange and east of East 70<sup>th</sup> Avenue. The trail is 23 miles total in length and primarily hard-surfaced, beginning in the City of Golden and ending at its connection to the South Platte River Greenway Trail north of I-270 in Adams County. There is one access point in the study area via a short segment of South Platte River Greenway Trail, which connects to the Fernald Trail northeast of the I-270 and I-76 interchange (CDOT 2021).

The *Adams County Colorado Open Space, Parks & Trails Master Plan* (Adams County 2012) identifies the Clear Creek Trail as an important recreational feature within the county's trail system, used for bicyclists, pedestrians, and equestrians. In addition, the segment of the trail crossing through the study area is encumbered by LWCF grants (CDOT OTIS n.d.). It is therefore subject to both Section 4(f) and Section 6(f). The Clear Creek Corridor adjacent to the trail is formally designated as open space and not primarily used for recreational activities (Adams County 2012). Therefore, it is not protected Section 4(f) land.

#### ***South Platte River Greenway Trail***

The South Platte River Greenway Trail is a major regional trail for the Denver metropolitan 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 64<sup>th</sup> Avenue and York Street, south of I-270, and the Fernald Trailhead at the intersection of Colorado Boulevard and 70<sup>th</sup> Avenue, north of I-270.

Both Adams County and the Greenway Foundation have identified the South Platte River Greenway Trail as a major regional trail, providing many connections throughout the Denver metropolitan area (Adams County 2012) (The Greenway Foundation n.d.). It is therefore subject to Section 4(f). Portions of the trail north and south of I-270 are encumbered by LWCF grants and subject to Section 6(f). However, the LWCF-encumbered boundary ends roughly 0.2 mile south and 0.7 mile north of I-270, leaving the portion immediately adjacent to I-270 unencumbered (CDOT OTIS n.d.).

#### ***Fernald Trail***

The Fernald Trail is located south of I-76 and east of the I-270/I-76 interchange. The short trail connects Clear Creek Trail and South Platte River Trail to Engineer Lake and neighborhoods to the east via the trailhead west of the East 70<sup>th</sup> Avenue and Colorado Boulevard intersection. The portion of the trail that crosses the South Platte River and runs south from Engineer Lake is encumbered by LWCF grants and subject to Section 6(f). The portion running west from the trailhead is not encumbered. The Fernald Trail is in Adams County jurisdiction; however, it is listed on the *Commerce City Park, Trail & Open Space System Map & Guide* as a multiuse path (Commerce City 2012a). The trail is not discussed in any Adams County planning documentation. Because of its Commerce City designation and importance as a connection trail to major recreational trails, the Fernald Trail is subject to Section 4(f).

#### ***Sand Creek Greenway Trail***

The Sand Creek Greenway Trail begins at its connection point with the South Platte River Trail just east of the I-76 interchange. The trail parallels I-270 on the south and Sand Creek on the north and crosses the creek just west of Quebec Street. Portions of the trail cross through roadway right-of-way along I-270. There are three access points within the study area. These include the Dahlia Trailhead at the intersection of 56<sup>th</sup> Avenue and Sand Creek Drive, the Wetland Park Loop trailhead at the east end of

East 52<sup>nd</sup> Avenue, and the corner of 50<sup>th</sup> Avenue and Pontiac Street. All of the named access points are on the south side of I-270.

The Sand Creek Greenway Trail is an important regional trail, connecting to multiple other trails, neighborhoods, and schools in the metropolitan area. Major recreational uses include hiking, biking, equestrian use, and bird-watching along the greenway. The Sand Creek Corridor adjacent to the trail is formally designated as open space and is not primarily used for recreational activities (Adams County 2012). Therefore, only the trail is protected by Section 4(f) (FHWA 2012).

#### ***Wetland Park Loop Trail***

Wetland Park in Commerce City connects with the Sand Creek Greenway Trail at the east end of East 52<sup>nd</sup> Avenue, south of I-270. The property contains a wetland area, a short concrete loop trail accessible by a paved trailhead at the southwest corner, and some amenities, including two picnic shelters. Commerce City confirmed in an email that Wetland Park is designated open space and not a recreational park (Ferguson, pers. comm. 2021). Therefore, it is not subject to Section 4(f) requirements (FHWA 2012).

However, the loop trail within Wetland Park is a Section 4(f) resource because it provides access to the Sand Creek Greenway Trail and likely accommodates the same recreational users.

#### ***North Stapleton Trail***

The North Stapleton Trail parallels Quebec Street on the east side, traveling from its connection with the Sand Creek Trail south of I-270, past Northfield Pond Park, and ending at the Northfield Athletic Complex south of East 56<sup>th</sup> Avenue. Users of the North Stapleton Trail can access the Rocky Mountain Greenway Trail to the north, which travels to the Prairie Gateway Open Space and the Rocky Mountain Arsenal Wildlife Refuge (CDOT 2021). The City and County of Denver identifies the Northfield Stapleton Trail as an off-street, concrete bikeway (Denver 2021). Based on its designation and importance as an access route to recreational facilities, the trail is subject to Section 4(f).

#### ***Northfield Pond Park Trail System***

Northfield Pond Park in the City and County of Denver is located at the northeast corner of the I-270/Quebec Street interchange. The property contains natural wetland habitat, benches, and a short, unpaved trail system. It was also part of Denver's Stapleton Redevelopment Project and initially only intended to function for stormwater detention and water quality. However, it was expanded to public use as a passive park allowing users to observe urban wildlife (Kopperl and Lamson 2012). There are multiple access points to Northfield Pond Park on the east side from Spruce Way and Yosemite Way, and from the North Stapleton Trail along the west side of the property.

During a meeting between CDOT and Denver that took place October 27, 2020, it was discussed whether Northfield Pond Park is subject to Section 4(f). Denver agreed that while the property contains recreational amenities, notably the trails, it functions primarily as a natural area and for water quality (DOTI, pers. comm. 2020). Therefore, the trail system is subject to Section 4(f), but the adjacent Northfield Pond Park is not.

### **4.1.2 Parks**

#### ***Engineer Lake***

Engineer Lake is located southeast of the I-76/CO-224 (East 74<sup>th</sup> Avenue) interchange in Commerce City. The Fernald Trail provides access to picnic shelters and fishing areas on the west side of the lake. Engineer Lake is owned by Adams County and designated a natural area facilitating passive recreation (Adams County 2012). Because the primary purpose of the property is not for recreation, it is not Section 4(f)-protected land. However, Engineer Lake is encumbered by LWCF grants and is therefore subject to Section 6(f) (CDOT OTIS n.d.).

### **Veterans Memorial Park**

Veterans Memorial Park is located northeast of the I-270/Vasquez Boulevard interchange, between Parkway Drive and East 60<sup>th</sup> Avenue in Commerce City. The 2.6-acre park is open to the public and provides a playground and restrooms (Commerce City 2021a). The Eagle Pointe Recreation Center is to the west of the outdoor park on the same property and is also open to the public. The recreation center provides a variety of health and fitness services, including gym equipment and classes, a pool and steam room, and racquetball courts. Users are required to purchase a membership or admission fee to use the facility (Commerce City 2021b).

Both Veterans Memorial Park and the Eagle Pointe Recreation Center are owned and maintained by Commerce City, and therefore subject to Section 4(f). In addition, LWCF grants encumber a portion of Veterans Memorial Park and the entire Eagle Pointe Recreation Center, including its parking lot to the south (CDOT OTIS n.d.). These areas within the larger property are subject to Section 6(f).

### **Monaco Park**

Monaco Park is located north of I-270, at the northeast quadrant of Monaco Street and East 56<sup>th</sup> Avenue in Commerce City. The park is owned by Commerce City, open to the public, and designated as a community park. Amenities include a playground, picnic shelters, restrooms, and volleyball and basketball courts (Commerce City 2010). The purpose of this park is primarily for recreational activity; it is therefore subject to Section 4(f).

### **Leyden Park**

Leyden Park is located just north of I-270, on the east side of Leyden Street between East 54<sup>th</sup> and East 55<sup>th</sup> Avenues in Commerce City. The park is owned by Commerce City, is open to the public, and is designated as a pocket park. Amenities include a playground and picnic shelters (Commerce City 2010). The purpose of this park is primarily for recreational activity; it is therefore subject to Section 4(f).

## **4.2 Planned Section 4(f) and Section 6(f) Resources**

Two trails proposed to be constructed in the study area have been identified as potential Section 4(f) resources.

### **4.2.1 Town Center Greenway**

Commerce City named the Town Center Greenway as a proposed trail in *Walk.Bike.Fit Commerce City: A Multi-Modal Active Transportation Plan*. The concrete bike path would parallel the east side of Vasquez Boulevard and travel north from the Dahlia Street Trailhead to East 66<sup>th</sup> Avenue. It would include improvements to the bike/pedestrian passageway under I-270 at Dahlia, a paved hike/bike path in the median between Dahlia Street and Vasquez Boulevard, and enhancements to the pedestrian crossing of Sand Creek Trail at the Dahlia Street Trailhead (Commerce City 2012b).

The Town Center Greenway would be constructed on public property that is open to the public. The future trail would serve as an important north/south link from the Sand Creek Trail to community destinations east of Vasquez Boulevard, and accommodate bicyclists and pedestrians. For these reasons, including its formal designation in the *Walk.Bike.Fit Transportation Plan*, this planned trail is subject to Section 4(f).

### **4.2.2 O'Brien Canal Trail**

The *Adams County Colorado Open Space, Parks & Trails Master Plan* (Adams County 2012) lists the O'Brien Canal Trail as a proposed "mid-term priority trail" extending nearly 8 miles from the Sand Creek Trail and South Platte River Trail junction, along the O'Brien/Burlington Ditch road, to 104<sup>th</sup> Avenue. The plan also identifies this trail as a primary component of proposed parks, open space, and trail development and enhancements within Adams County. In addition, *Walk.Bike.Fit Commerce City:*



A *Multi-Modal Active Transportation Plan* identifies this future path as a priority trail segment of the Northern Range Loop Trail. However, because the portion within the study area would be constructed on property that is currently privately owned, it does not meet the requirements to be a Section 4(f) resource. Further, Commerce City has confirmed that it does not have funding or a timeline for construction (Ferguson, pers. comm. 2021).

Table 1. Existing and Planned Section 4(f) and Section 6(f) Resources

Resource Name	Location and Description	Official with Jurisdiction	Section 6(f)
<b>Trails</b>			
Clear Creek Trail	Connects to South Platte River Trail just north of I-76. Parallels Clear Creek and crosses I-270 just north of the I-76 interchange. Allows hiking, biking, and equestrian use.	Adams County	Yes
South Platte River Greenway Trail	Travels north-south from Thornton to Littleton, passing through the study area along west side of the South Platte River. Crosses I-270 near the confluence with Sand Creek just south of the highway. Allows hiking, biking, and equestrian use.	Adams County	Yes
Fernald Trail	Located south of I-76 and east of the I-270/I-76 interchange. The short trail connects Clear Creek Trail and South Platte River Trail to Engineer Lake and neighborhoods to the east via the trailhead west of the East 70 <sup>th</sup> Avenue and Colorado Boulevard intersection.	Adams County	Yes
Sand Creek Greenway Trail	Parallels the south side of I-270 from South Platte River Trail traveling southeast, eventually terminating in Aurora. Allows hiking, biking, and equestrian use; identified in the <i>Adams County Colorado Open Space, Parks &amp; Trails Master Plan</i> as a bird-watching area.	Commerce City and Sand Creek Regional Greenway Partnership	No
Town Center Greenway (planned)	Would parallel the east side of Vasquez Boulevard, traveling north from the Dahlia Street Trailhead, under I-270, ending at East 66 <sup>th</sup> Avenue in Commerce City. A proposed concrete pedestrian bike path to improve bike/pedestrian passageway under I-270 at Dahlia. Enhances the pedestrian crossing of Sand Creek Trail at the Dahlia Street Trailhead. Includes a paved hike/bike path in the median between Dahlia Street and Vasquez Boulevard.	Commerce City	No
Wetland Park Loop Trail <sup>a</sup>	Wetland Park is located at the east end of 52 <sup>nd</sup> Avenue south of I-270. The short loop trail in the park is accessible by a trailhead at the southwest corner and provides access to picnic shelters in the property and to the Sand Creek Greenway.	Commerce City	No
North Stapleton Trail	Off-street concrete bikeway that parallels the east side of Quebec Street from a connection with Sand Creek Trail south of I-270, traveling northeast and ending at the Northfield Athletic Complex south of East 56 <sup>th</sup> Avenue. Connects users to Northfield Pond Park and the Rocky Mountain Greenway Trail, which provides access to the Prairie Gateway Open Space and the Rocky Mountain Arsenal Wildlife Refuge.	City and County of Denver	No
Northfield Pond Park trail system <sup>b</sup>	Short, unpaved trail system within Northfield Pond Park, located northeast of the I-270/Quebec Street interchange. The trail system provides access to sitting areas and views of wetland habitat. There are access points from the neighborhood to the east and from the North Stapleton Trail running along the west side.	City and County of Denver	No

Table 1. Existing and Planned Section 4(f) and Section 6(f) Resources

Resource Name	Location and Description	Official with Jurisdiction	Section 6(f)
<b>Parks</b>			
Engineer Lake <sup>c</sup>	Southeast of I-76 and East 74 <sup>th</sup> Avenue in Commerce City. Accessible by the South Platte River Trail and the Fernald Trail connections southwest of the property. Users have access to picnic shelters and a fishing area on the west side of the lake.	Adams County	Yes
Veterans Memorial Park	A 2.6-acre park approximately 0.5 mile north of I-270 adjacent to the east side of Vasquez Boulevard between Parkway Drive and 60 <sup>th</sup> Avenue in Commerce City. Amenities include an outdoor playground, picnic areas, restrooms, and access to Commerce City's Eagle Pointe Recreation Center for an admission fee.	Commerce City	Yes
Monaco Park	North of I-270 at Monaco Street and East 56 <sup>th</sup> Avenue in Commerce City. Designated as a community park. Amenities include a playground, picnic shelters, restrooms, and volleyball and basketball courts.	Commerce City	No
Leyden Park	North of I-270 in Commerce City, between East 54 <sup>th</sup> and East 55 <sup>th</sup> Avenues along Leyden Street. Designated as a pocket park. Amenities include a playground and picnic shelters.	Commerce City	No

Source: CDOT

<sup>a</sup> Commerce City confirmed in an email to CDOT that Wetland Park adjacent to the loop trail is designated open space and not a recreational park (Ferguson, pers. comm. 2021). Therefore, it is not subject to Section 4(f).

<sup>b</sup> The City and County of Denver confirmed during a meeting with CDOT that Northfield Pond Park, adjacent to the recreational trail system, is designated natural area and not a recreational park (DOTI, pers. comm. 2020). Therefore, it is not subject to Section 4(f).

<sup>c</sup> Engineer Lake is formally designated as a "natural area facilitating passive recreation" (Adams County 2012). Therefore, it is not subject to Section 4(f), though it is a Section 6(f) property.

## 5.0 Impacts Analysis

This section identifies and discusses any uses of nonhistoric Section 4(f) and Section 6(f) resources resulting from the Proposed Action and No Action Alternative.

### 5.1 No Action Alternative

The No Action Alternative would have no impacts to Section 4(f) or Section 6(f) resources.

### 5.2 Proposed Action

The Proposed Action would result in temporary impacts to two Section 4(f) trails: the South Platte Greenway Trail and the Sand Creek Greenway Trail (Figure 3). No other impacts to Section 4(f) or Section 6(f) resources would occur.

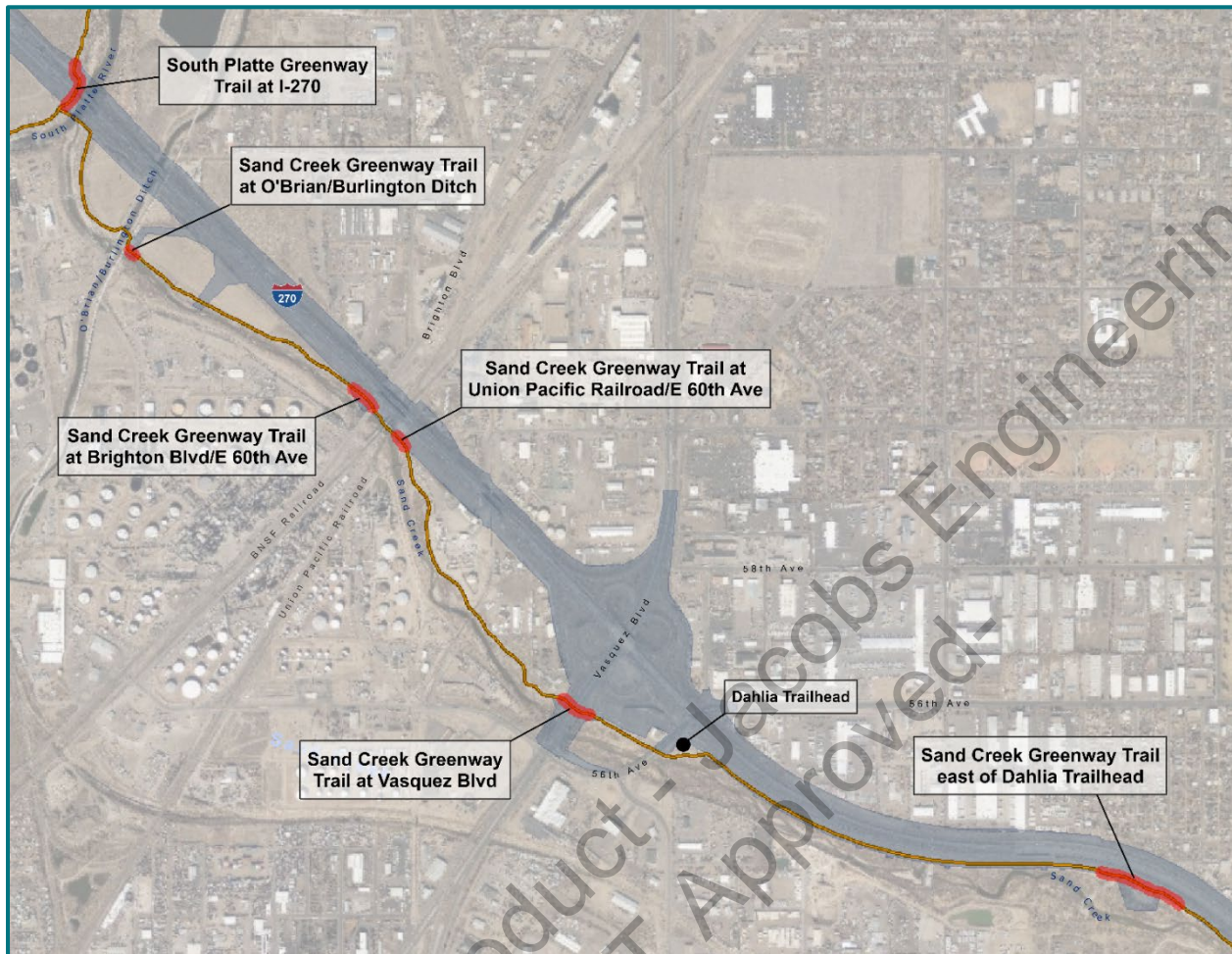


Figure 3. Overview of Trail Impact Areas

Source: CDOT

### 5.2.1 South Platte River Greenway Trail

Approximately 650 feet of the South Platte River Greenway Trail approaching and crossing under I-270 would be temporarily impacted to accommodate replacement of the I-270 bridges over the South Platte River. A temporary asphalt trail would be constructed to detour users away from the original alignment toward the river to accommodate placement of the new bridge abutment (Figure 4). The temporary trail would be at grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders, and it would meet trail standards for grade and slope requirements. The detour would be in place for up to 9 months of the anticipated 36-month construction time frame. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. These overnight closures would occur outside the established operating hours for the trail, and full access would be restored during operating hours. Adams County's daily hours of operations are between 5 a.m. and 11 p.m. (Adams County n.d.). The trail would be replaced following construction, and the alignment may shift slightly downslope from the existing alignment to meet vertical clearance requirements under the girders. Reconstructed portions of the trail would be designed in coordination with Adams County to address an existing "blind" curve on the north side of I-76, and to meet the county's trail design standards.

Impacts to the South Platte River Greenway Trail, limited to installment of the temporary trail detour, meet the requirements for a Section 4(f) temporary occupancy exception. Adams County, the official with jurisdiction, concurred in writing with this determination on April 6, 2021. Overnight closures

occurring outside established operating hours are not considered to be a Section 4(f) use because there would be no effect on the protected activities, features, or attributes.



Figure 4. South Platte Greenway Trail Impacts

Source: Jacobs

### 5.2.2 Sand Creek Greenway Trail

There would be temporary impacts to five separate segments of the Sand Creek Greenway Trail during construction. These are listed from west to east.

- O'Brien/Burlington Ditch:** Approximately 50 feet of the Sand Creek Greenway Trail directly east of the O'Brien/Burlington Ditch would be temporarily impacted to accommodate installation of an underground pipe outfall to Sand Creek. This segment of trail would be occupied for up to 1 week and would be replaced in the original alignment following construction. An asphalt temporary trail would detour users upslope and around the existing disturbed trail segment (Figure 5). A short (2- to 3-foot) wall exists along the north side of the existing trail. The temporary trail would be constructed to overcome the wall via a ramp and would meet standard grade and slope requirements to avoid slip hazards.
- Brighton Boulevard/East 60<sup>th</sup> Avenue:** Approximately 400 feet of the Sand Creek Greenway Trail approaching the Brighton Boulevard bridge over Sand Creek would be temporarily impacted for up to 4 months during construction of a new retaining wall along eastbound I-270. The affected portion of the trail would be replaced in the original alignment following construction. To maintain access, a temporary asphalt trail would detour users closer to Sand Creek and under Brighton Boulevard (Figure 6). The location of the toe of fill for the temporary trail would be taken into consideration during preliminary design to reduce fill impacts to Sand Creek. In addition, Mile High Flood District would be coordinated with to remove a portion of the aboveground drop structure directly west of Brighton Boulevard and adjacent to the existing path because it is a hazard to trail users.

- **UPRR/East 60<sup>th</sup> Avenue:** Approximately 200 feet of the Sand Creek Greenway Trail directly east of the UPRR over East 60<sup>th</sup> Avenue would be temporarily impacted to accommodate installation of a pipe outfall underneath the existing trail. The associated construction would take up to 1 week, and the trail would be replaced in the original alignment following construction. During construction, a signed on-street detour would be in place to direct trail users along East 60<sup>th</sup> Avenue, which is a low-volume roadway (Figure 7). A temporary concrete barrier would be in place to protect pedestrians and bicyclists, and temporary pavement would be added to the north side of East 60<sup>th</sup> Avenue to accommodate vehicle traffic. In addition, signage would be placed strategically along East 60<sup>th</sup> Avenue to warn oncoming drivers about the narrowed road ahead.
- **Vasquez Boulevard:** Approximately 400 feet of the Sand Creek Greenway Trail approaching and crossing under Vasquez Boulevard would be temporarily impacted during construction to accommodate replacement of the Vasquez Boulevard bridge over Sand Creek. A temporary asphalt trail would be in place to detour users away from the existing abutment, toward Sand Creek, to allow for new abutment installation (Figure 8). Efforts would be made to avoid the drop structure to the west of the bridge in the design of the temporary trail. The detour would be in place for up to 9 months of the anticipated 36-month construction time frame. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. Overnight closures would occur only outside the established operating hours for the trail, and full access would be restored during operating hours. Operating hours for the Sand Creek Trail are daily, from sunup to sundown (Sand Creek Regional Greenway Partnership 2013); however, the trail would be open from 5 a.m. to 10 p.m. as a standard to accommodate commuters. The trail would be restored in the original alignment following construction.
- **East of Dahlia Street Trailhead:** Approximately 1,000 feet of Sand Creek Greenway Trail east of the Dahlia Street Trailhead and north of Wetland Park would be temporarily impacted during installation of underground drainage pipes. A temporary asphalt trail would be in place for up to 1 month to maintain continuity for trail users. The final location of the temporary trail would be determined during construction and adjusted to account for placement of the pipes and phasing, and to avoid trees (Figure 9). The trail would be restored in the original alignment following construction.

Temporary trails at all locations would be at grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders. Design is conceptual and would be refined and field adjusted as needed to achieve trail safety standards for grade and slope, and to minimize impacts to vegetation and avoid trees.

The impacts to the Sand Creek Greenway Trail, limited to installment of the temporary trail detour, meet the requirements for a Section 4(f) temporary occupancy exception. The officials with jurisdiction, Commerce City and Sand Creek Regional Greenway Partnership, concurred in writing with this determination on June 30 and July 6, 2021, respectively (Attachment 1). Overnight closures occurring outside established operating hours are not considered to be a Section 4(f) use because there would be no effect on the protected activities, features, or attributes.



Figure 5. Sand Creek Greenway Trail Impacts - O'Brien/Burlington Ditch

Source: Jacobs

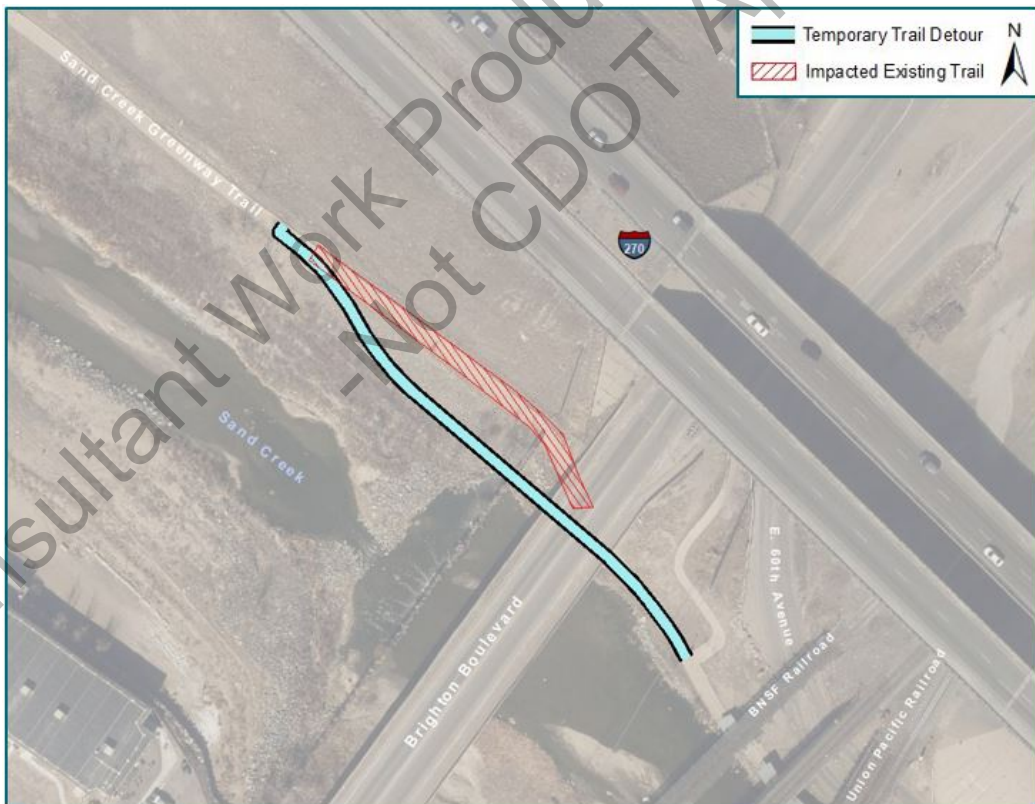


Figure 6. Sand Creek Greenway Trail Impacts – Brighton Boulevard/East 60<sup>th</sup> Avenue

Source: Jacobs

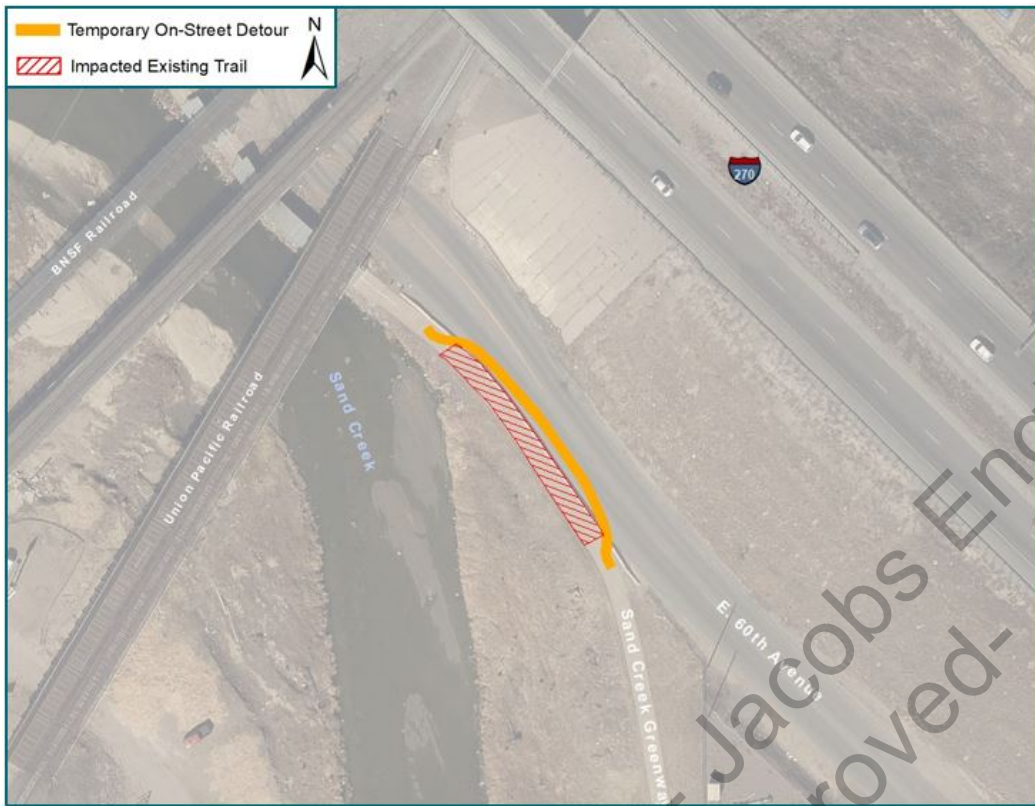


Figure 7. Sand Creek Greenway Trail Impacts – Union Pacific Railroad/East 60<sup>th</sup> Avenue  
Source: Jacobs



Figure 8. Sand Creek Greenway Trail Impacts – Vasquez Boulevard  
Source: Jacobs

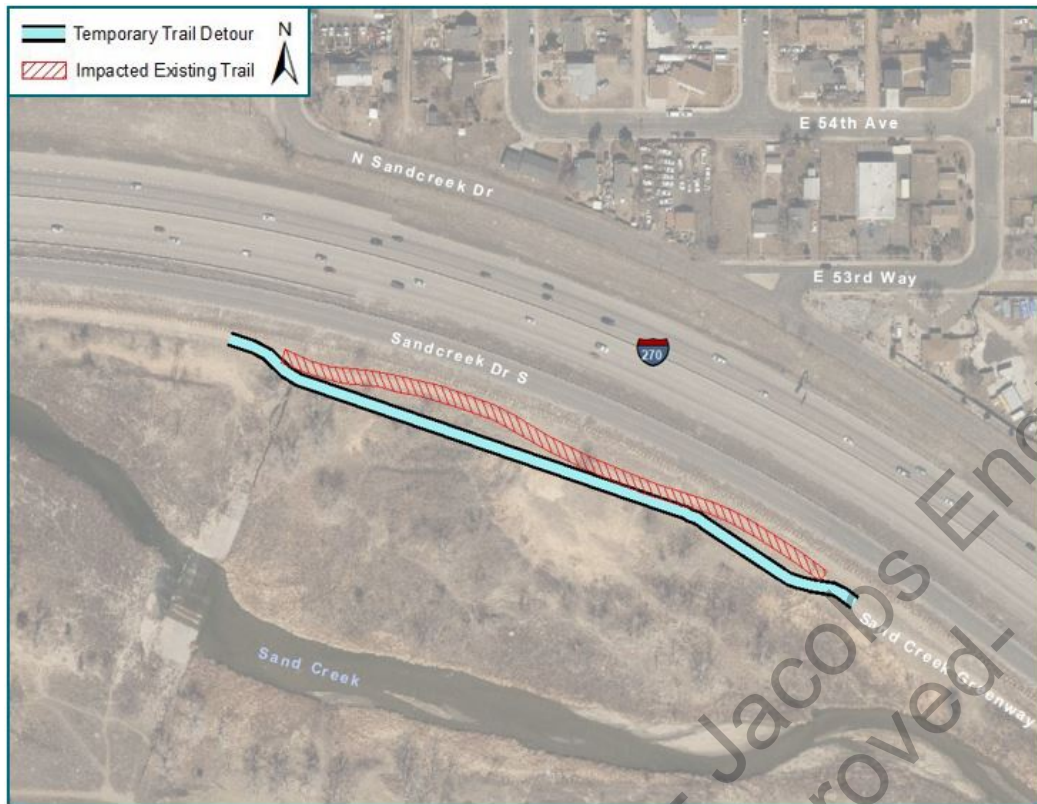


Figure 9. Sand Creek Greenway Trail Impacts – East of Dahlia Street Trailhead

Source: Jacobs

## 6.0 Mitigation Measures

Temporary impacts to the South Platte River Trail and the Sand Creek Greenway Trail could occur because of the Proposed Action. The recommended mitigation measures that would be implemented for the Proposed Action are summarized in Table 2.



Table 2. Mitigation Measures

Activity Triggering Mitigation	Location of Activity	Impact	Mitigation Commitment	Responsible Branch	Timing/Phase That Mitigation Would Be Implemented
Nonhistoric Section 4(f)	South Platte River Trail at I-270 and Sand Creek Trail at the following locations: O'Brien/Burlington Ditch, Brighton Boulevard/East 60 <sup>th</sup> Avenue, UPRR/East 60 <sup>th</sup> Avenue, Vasquez Boulevard, and east of Dahlia Street Trailhead	Construction of temporary trails to maintain access	<p>Construction activities resulting in temporary trail impacts will occur during winter months and low-flow conditions. Temporary trails at all locations will be at grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders and will meet trail safety standards.</p> <p>Clear signage will be installed to alert trail users about detours. The Region 1 Section 4(f) Specialist will coordinate between the Contractor and Adams County, Sand Creek Regional Greenway Partnership, and Commerce City (OWJs) on signage design and placement. OWJs will be coordinated with during implementation of the public information systems to include trail disruptions and be given at least 2 weeks' notice prior to trail closures.</p>	CDOT Engineering and contractor	Preconstruction, during construction
Nonhistoric Section 4(f)	South Platte River Trail at I-270 and Sand Creek Trail at the following locations: O'Brien/Burlington Ditch, Brighton Boulevard/East 60 <sup>th</sup> Avenue, UPRR/East 60 <sup>th</sup> Avenue, Vasquez Boulevard, and east of Dahlia Street Trailhead	Construction of temporary trails to maintain access, and reconstruction of the affected portions of trail	<p>Reconstructed portions of the South Platte River Trail at I-270 will be designed in coordination with Adams County to address an existing "blind" curve on the north side of I-76, and to meet the county's trail design standards.</p> <p>Mile High Flood District will be coordinated with to remove a portion of the aboveground drop structure in Sand Creek, directly west of Brighton Boulevard and adjacent to the existing Sand Creek Trail, to improve safety for users along the temporary and permanent trails.</p> <p>Commerce City's trail specifications will be incorporated into the design for all Sand Creek Trail replacement locations.</p> <p>Following construction, all impacted trail segments will be fully restored and cleaned of debris from construction in accordance with their previous condition and left as good as or better than they were before construction began.</p>	CDOT Engineering and contractor	Preconstruction, during construction

Table 2. Mitigation Measures

Activity Triggering Mitigation	Location of Activity	Impact	Mitigation Commitment	Responsible Branch	Timing/Phase That Mitigation Would Be Implemented
Nonhistoric Section 4(f)	South Platte River Trail at I-270 and Sand Creek Trail at Vasquez Boulevard	Multiple overnight closures of existing and temporary alignments of trails to accommodate new bridge girder installation	<p>Full closures will occur outside established operating hours, and the temporary trails will reopen promptly inside established operating hours:</p> <ul style="list-style-type: none"> <li>• South Platte River Trail operating hours are daily, 5 a.m. to 11 p.m.</li> <li>• Sand Creek Trail operating hours are daily, from 5 a.m. to 10 p.m.</li> </ul>	Contractor	During construction

OWJ = official with jurisdiction

## 7.0 Stakeholder Coordination

Stakeholder meetings to discuss the South Platte Greenway and Sand Creek Greenway Trails were held in January and February 2021. Stakeholders provided feedback on the proposed temporary detours to mitigate trail closures during construction. Participating agencies included Adams County, Bicycle Colorado, Commerce City, the Greenway Foundation, the Mile High Flood District, and the Sand Creek Regional Greenway Partnership. Official with jurisdiction letters were distributed to Adams County, Commerce City, and the Sand Creek Greenway Partnership between March and May 2021. Adams County concurred in writing in April, Commerce City in June, and the Sand Creek Regional Greenway Partnership in July 2021.

## 8.0 References

- Adams County. 2012. *Adams County Colorado Open Space, Parks & Trails Master Plan*. November 16. <http://www.adcogov.org/sites/default/files/Parks%2C%20Open%20Space%20and%20Trails%20Plan.pdf>.
- Adams County. n.d. *Rules and Regulations for Adams County Parks, Open Space & Cultural Arts (POSCA)*. Accessed March 2021. [https://www.adcogov.org/sites/default/files/Park%20Rules%20and%20Regulations%20Adams%20County\\_0.pdf](https://www.adcogov.org/sites/default/files/Park%20Rules%20and%20Regulations%20Adams%20County_0.pdf).
- City and County of Denver (Denver). 2021. "Denver Moves: Bicycles Program." Denvergov.org. <https://www.denvergov.org/Government/Departments/Department-of-Transportation-and-Infrastructure/Programs-Services/Bicycles>.
- Colorado Department of Transportation (CDOT). 2021. "CDOT Section 6(f) Clearance Process". Codot.gov. <https://www.codot.gov/programs/environmental/section-6-f/cdot-section-6-f-clearance-process>.
- Colorado Department of Transportation (CDOT). 2021. *Community Understanding Report*.
- Colorado Department of Transportation (CDOT) Online Transportation Information System (OTIS). n.d. *LWCF Project Parcels* [GIS data]. Accessed August 2021. <https://dtdapps.coloradodot.info/MapView/>.
- Commerce City. 2010. *City of Commerce City Comprehensive Plan*. C3gov.com. <https://www.c3gov.com/home/showpublisheddocument?id=798>.
- Commerce City. 2012a. *Park, Trail & Open Space System Map & Guide*.
- Commerce City. 2012b. *Walk.Bike.Fit Commerce City: A Multi-Modal Active Transportation Plan*. <https://www.c3gov.com/home/showdocument?id=4392>.
- Commerce City. 2021a. "Eagle Pointe Recreation Center." C3gov.com. <https://recreation.c3gov.com/recreation-centers-pools/eagle-pointe-recreation-center>.
- Commerce City. 2021b. "Veterans Memorial Park." C3gov.com. <https://www.c3gov.com/Home/Components/FacilityDirectory/FacilityDirectory/46/294>.
- Denver Department of Transportation Infrastructure (DOTI). 2020. Personal communication with CDOT. October 27.
- Federal Highway Administration (FHWA). 2012. *Section 4(f) Policy Paper*. July 20. <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>.
- Ferguson, Tracy, Commerce City. 2021. Personal communication with George Woolley, Jacobs. January 11.
- Kopperl, Jayne D., and Doug A. Lamson. 2012. "Stapleton's Northfield Ponds - Landscape Architecture, Ecology and Engineering." Abstract. World Environmental and Water Resources Congress 2007.

American Society of Civil Engineers Library. April.  
<https://ascelibrary.org/doi/10.1061/40927%28243%29260>.

Mead & Hunt. 2021. *Historic Resources Inventory and Determination of Effects and Historic Section 4(f) Report*.

Sand Creek Regional Greenway Partnership. 2013. "Our Greenway." Sandcreekgreenway.org.  
<https://sandcreekgreenway.org/our-greenway/>.

The Greenway Foundation. n.d. "River and Trail Information." Thegreenwayfoundation.org.  
<https://www.thegreenwayfoundation.org/river-amp-trail-info.html>.

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-

Consultant Work Product - Jacobs Engineering  
Not CDOT Approved

Attachment 1  
Official with Jurisdiction Letters

## 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 McCall, Section 4(f) Specialist  
CDOT Region 1

07/21/2021

Date

#### Project Information

<b>Date:</b> July 21, 2021	<b>Region:</b> 1
<b>Project Title:</b> I-270 Corridor Project	<b>Project Location:</b> Commerce City, City and County of Denver, and Adams County
<b>Project Number:</b> STU 2706-043 [subaccount # 23198]	<b>Project Route:</b> Interstate 270
<b>Lead Agency:</b> CDOT	<b>NEPA Class:</b> EA
<b>Project Description:</b> CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70). The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. See attached Section 4(f) OWJ concurrence letter for detailed project description. Approximately 650 feet of the South Platte River Greenway Trail approaching and crossing under I-270 would be temporarily impacted to accommodate replacement of the I-270 bridges over the South Platte River. A temporary asphalt trail will be constructed to detour users away from the original alignment towards the river to accommodate placement of the new bridge abutment. The detour would be in place for up to 9 months of the anticipated 36-month construction timeframe. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. These overnight closures will occur outside of the established operating hours for the trail, and full access will be restored during operating hours. Adams County's daily hours of operations are between 5:00 a.m. and 11:00 p.m.	

#### Resource Information

<b>Section 4(f) Resource:</b> South Platte Greenway Trail	<b>Type of 4(f) Resource:</b> Recreational Area
<b>Official with Jurisdiction:</b> Adams County Parks and Open Space	
<b>Resource Function/Significance:</b> The South Platte River Greenway Trail is a major regional trail for the Denver Metro Area, running north to south from Brighton to Littleton and providing connections to multiple other recreational parks and trails.	

### 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;**

The trail will be occupied for up to 9 months, which is less than the anticipated 36-month timeframe to complete the project. There will be no change in ownership.

- (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;**

Impacts to the trail will be temporary and there will be no significant permanent changes. The trail will be replaced following construction, and the alignment may shift slightly downslope from existing to meet vertical clearance requirements under the girders.

- (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;**

Project activities will occur during winter months and a temporary ADA-accessible trail will be in place at all times to maintain access. 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, including a map of the detour and expected closure dates.

- (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**

The area around the trail will be fully restored, cleaned of debris from construction and replanted with grass in accordance with its previous condition, or better than it was before construction began.

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

The OWJ provided written concurrence with this determination on 04/06/2021. The letter is attached.

Form prepared by: Veronica McCall

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](#)

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-





# COLORADO

## Department of Transportation

Region 1

2829 W. Howard Pl.  
Denver, CO 80204

April 6, 2021

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

RE: I-270 Corridor Environmental Assessment (STU 2706-043 [subaccount # 23198])  
Request for Concurrence for Section 4(f) Temporary Occupancy of South Platte Greenway Trail

Dear Mr. Fanning:

CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70) (Figure 1). This letter and enclosure constitute a request for your review and concurrence, as the Official with Jurisdiction, for a Section 4(f) temporary occupancy of the South Platte Greenway Trail. Below is a description of the Proposed Action, an explanation of Section 4(f), and the Section 4(f) use of the trail.

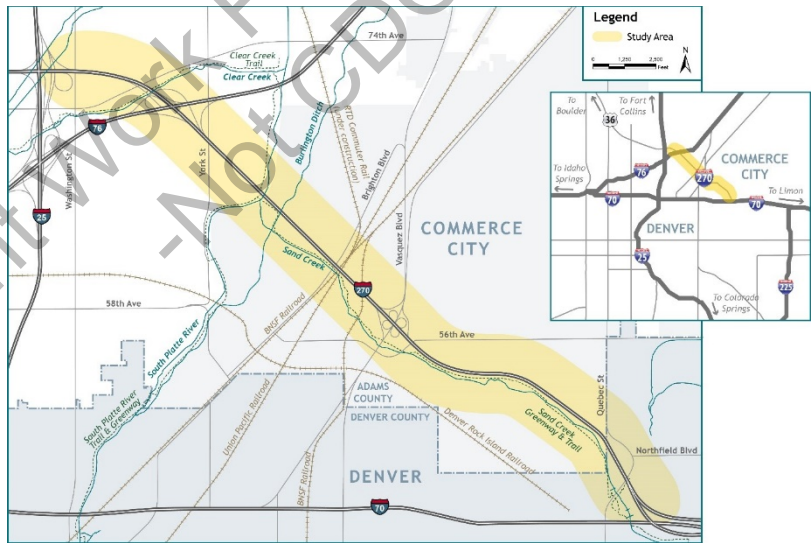


Figure 1



### Proposed Action Description

The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. The Proposed Action elements are shown in Figure 2 and listed below:

- Widening of I-270 mainline, with a typical roadway section of one 10- to 12-foot inside shoulder, one 12-foot travel lane to be added to operate as either an express of general purpose lane, two 12-foot general purpose lanes, and one 12-foot outside shoulder. A 12-foot auxiliary lane would extend in both directions of I-270 for approximately 1.8 miles between the I-270/York Street and I-270/Vasquez Boulevard interchanges.
- Consolidation of I-76 ramps to eastbound I-270 into a collector ramp.
- Replacement of I-270 bridge over York Street with a new, 16-foot-wider two-span bridge to accommodate a future direct connect with I-76. Lengthening of York Street/I-76 on-ramp to tie into future widening of York Street by Adams County.
- Replacement of both bridges over South Platte River with a new single structure, 50 feet wider and 20 feet longer in span than existing.
- Replacement of the three-span I-270 bridge structures over Brighton Boulevard, East 60th Avenue, and the BNSF and UPRR railroads with wider two-span structures.
- Reconfiguration of I-270/Vasquez Boulevard interchange, including removal of the westbound I-270 to southbound Vasquez Boulevard and eastbound I-270 to northbound Vasquez Boulevard exit loop ramps, and replacement of these movements with signalized intersections at ramp terminals. A new northbound Vasquez to eastbound I-270 movement would be provided.
- Replacement of I-270 bridge over E 56<sup>th</sup> Avenue, and improvements to 56<sup>th</sup> Avenue including flattening of the curve at Eudora Street, widening sidewalks to 8 feet on the western side, and addition of a 4-foot-wide on-street bike lane and attached 6-foot-wide sidewalk on the eastern side.
- Addition of a new sidewalk network at I-270/Vasquez Boulevard to connect the Sand Creek Greenway Trail to the sidewalk along northbound Vasquez Boulevard.
- Retaining walls to contain fill or cut slopes, varying in height from 5 feet to 30 feet, in various locations throughout the corridor.
- Intelligent Transportation System (ITS) improvements including variable message signs, traffic cameras, ramp metering, weather monitoring station, and tolling infrastructure for the express lane operational option.



I-270 Corridor Environmental Assessment  
 Request for Concurrence for Section 4(f) Temporary Occupancy of South Platte Greenway Trail

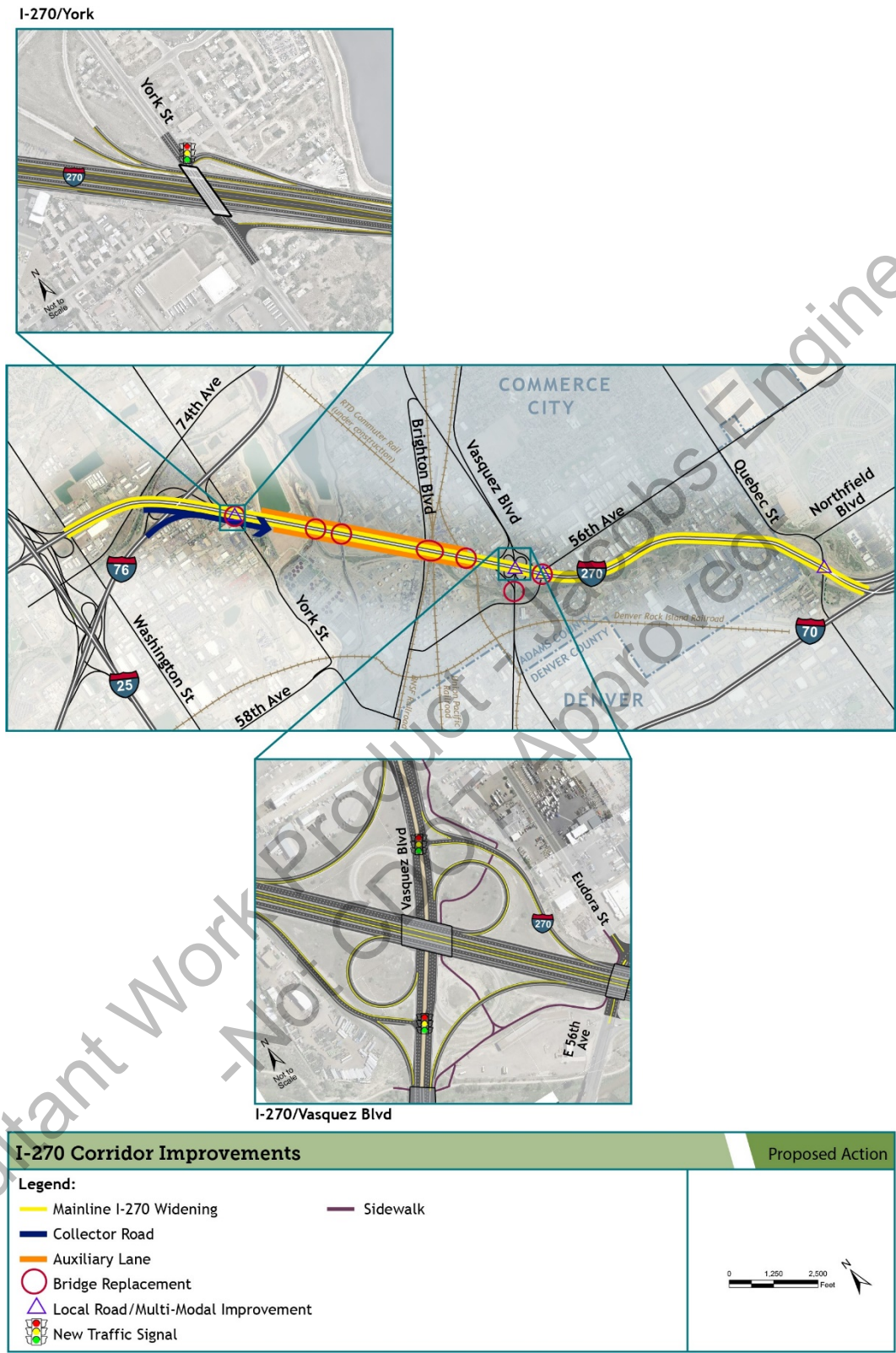


Figure 2



### 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 Greenway 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 Greenway Trail and proposed mitigation, and how the criteria set forth under 23 CFR 774.13(d) are met.

### South Platte Greenway Trail

The South Platte River Greenway 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.

Approximately 650 feet of the South Platte River Greenway Trail approaching and crossing under I-270 would be temporarily impacted to accommodate replacement of the I-270 bridges over the South Platte River. A temporary asphalt trail will be constructed to detour users away from the original alignment towards the river to accommodate placement of the new bridge abutment (Figure 3). The detour would be in place for up to 9 months of the anticipated 36-month construction timeframe. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. These overnight closures will occur outside of the established operating hours for the trail, and full access will be restored during operating hours. Adams County's daily hours of operations are between 5:00 a.m. and 11:00 p.m. The trail will be replaced following



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of South Platte Greenway Trail

construction, and the alignment may shift slightly downslope from existing to meet vertical clearance requirements under the girders. Additionally, because there is presently a blind curve on the north side of I-76, efforts will be made to improve sight lines in the final trail design and improve user safety to the greatest extent possible. Finally, CDOT will coordinate with Adams County to ensure the County's concrete trail specifications are incorporated into the trail replacement design.

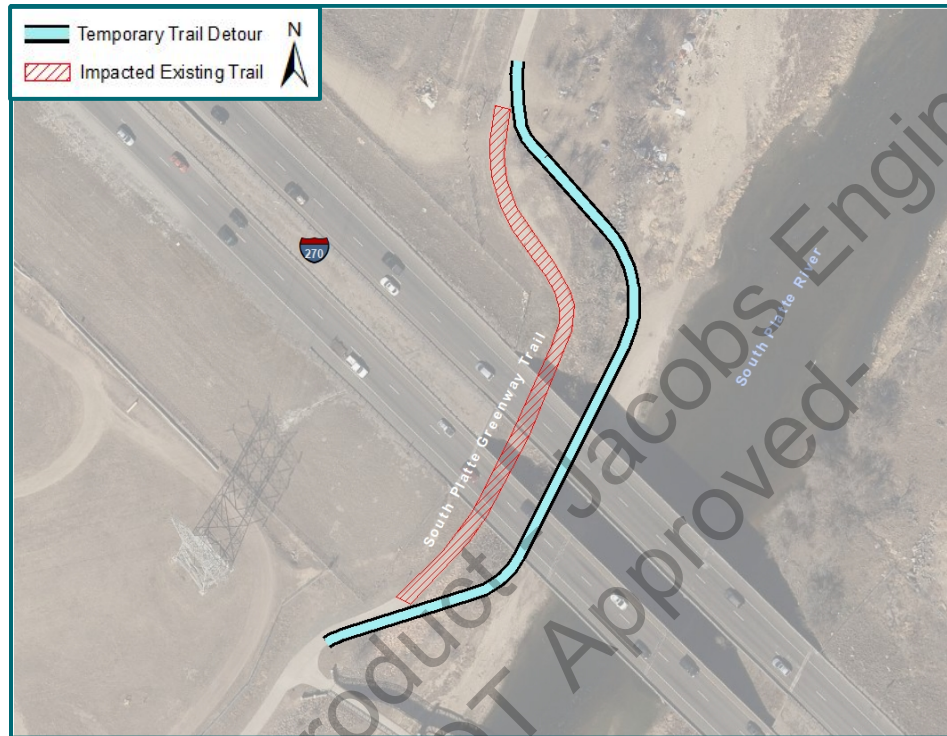


Figure 3

CDOT believes the impacts to the South Platte Greenway 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 replanted with grass in accordance with its previous condition, or better than it was before construction began. To mitigate impacts to recreational users during construction, activities will occur during winter months and a temporary ADA-accessible trail will be in place at all times to maintain access. 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, including a map of the detour and expected closure dates. Finally, Adams County will be notified at least two weeks prior to the start of trail closures so that they may notify the public via social media and website posts.

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.mccall@state.co.us.



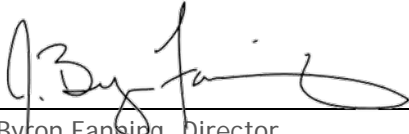
I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of South Platte Greenway Trail

Sincerely,



Veronica McCall  
Section 4(f) Specialist  
CDOT Region 1 Planning & Environmental

I concur:



Byron Fanning, Director  
Adams County Parks and Open Space

4/14/21

Date

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-





# COLORADO

## Department of Transportation

Region 1

2829 W. Howard Pl.  
Denver, CO 80204

June 30, 2021

Carolyn Keith, Director of Parks, Recreation and Golf  
City of Commerce City  
7887 East 60<sup>th</sup> Avenue  
Commerce City, CO 80022

RE: I-270 Corridor Environmental Assessment (STU 2706-043 [subaccount # 23198])  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

Dear Ms. Keith:

CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70) (Figure 1). This letter and enclosure constitute a request for your review and concurrence, as the Official with Jurisdiction, for a Section 4(f) temporary occupancy of the Sand Creek Greenway Trail. Below is a description of the Proposed Action, an explanation of Section 4(f), and the Section 4(f) use of the trail.

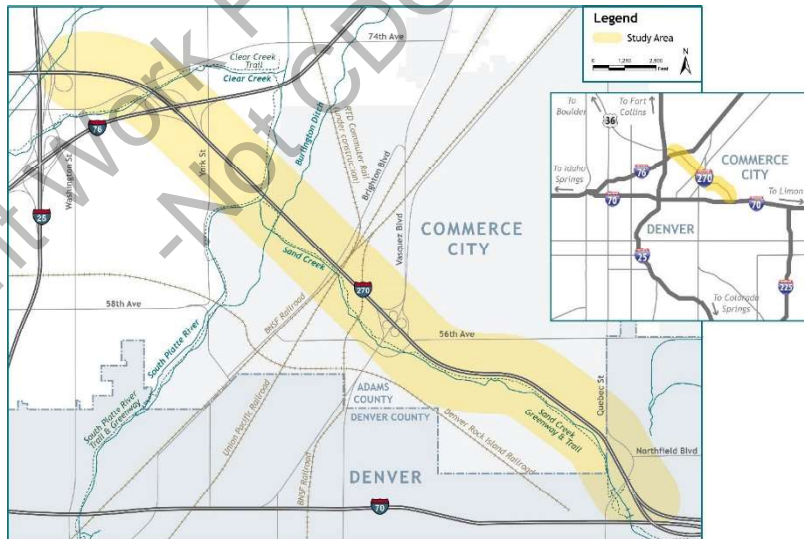


Figure 1



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

**Proposed Action Description**

The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. The Proposed Action elements are shown in Figure 2 and listed below:

- Widening of I-270 mainline, with a typical roadway section of one 10- to 12-foot inside shoulder, one 12-foot travel lane to be added to operate as either an express of general purpose lane, two 12-foot general purpose lanes, and one 12-foot outside shoulder. A 12-foot auxiliary lane would extend in both directions of I-270 for approximately 1.8 miles between the I-270/York Street and I-270/Vasquez Boulevard interchanges.
- Consolidation of I-76 ramps to eastbound I-270 into a collector ramp.
- Replacement of I-270 bridge over York Street with a new, 16-foot-wider two-span bridge to accommodate a future direct connect with I-76. Lengthening of York Street/I-76 on-ramp to tie into future widening of York Street by Adams County.
- Replacement of both bridges over South Platte River with a new single structure, 50 feet wider and 20 feet longer in span than existing.
- Replacement of the three-span I-270 bridge structures over Brighton Boulevard, East 60th Avenue, and the BNSF and UPRR railroads with wider two-span structures.
- Reconfiguration of I-270/Vasquez Boulevard interchange, including removal of the westbound I-270 to southbound Vasquez Boulevard and eastbound I-270 to northbound Vasquez Boulevard exit loop ramps, and replacement of these movements with signalized intersections at ramp terminals. A new northbound Vasquez to eastbound I-270 movement would be provided.
- Replacement of I-270 bridge over E 56<sup>th</sup> Avenue, and improvements to 56<sup>th</sup> Avenue including flattening of the curve at Eudora Street, widening sidewalks to 8 feet on the western side, and addition of a 4-foot-wide on-street bike lane and attached 6-foot-wide sidewalk on the eastern side.
- Addition of a new sidewalk network at I-270/Vasquez Boulevard to connect the Sand Creek Greenway Trail to the sidewalk along northbound Vasquez Boulevard.
- Retaining walls to contain fill or cut slopes, varying in height from 5 feet to 30 feet, in various locations throughout the corridor.
- Intelligent Transportation System (ITS) improvements including variable message signs, traffic cameras, ramp metering, weather monitoring station, and tolling infrastructure for the express lane operational option.





I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

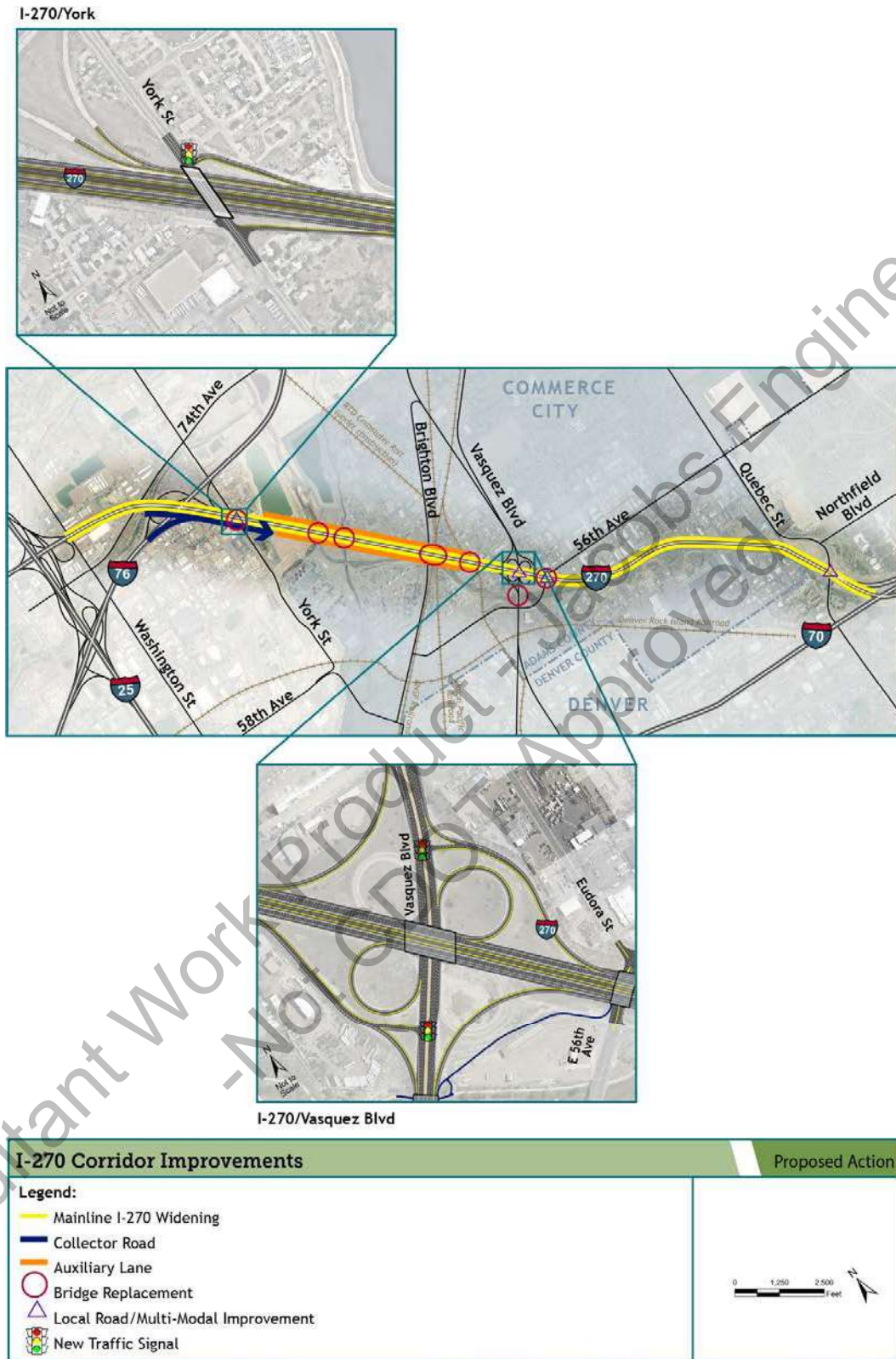


Figure 2



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

### 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 Sand Creek Greenway 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 Sand Creek Greenway Trail and proposed mitigation, and how the criteria set forth under 23 CFR 774.13(d) are met.

### Sand Creek Greenway Trail

The Sand Creek Greenway 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 east of the I-76 interchange, it parallels I-270 on the south and Sand Creek on the north, and crosses the creek just west of Quebec Street. Portions of the trail cross through roadway right-of-way along I-270. There are three access points within the study area. These include The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive, the Wetland Park Loop trailhead at the east end of E. 52nd Avenue, and the corner of 50th Avenue and Pontiac Street. All of the named access points are on the south side of I-270. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway.

During construction of the Proposed Action, there would be temporary impacts to five separate segments of the Sand Creek Greenway Trail. These are discussed below from west to east and shown in Figures 3 through 7.

1. **O'Brian/Burlington Ditch:** Approximately 50 feet of the Sand Creek Greenway Trail directly east of the O'Brian/Burlington Ditch would be temporarily impacted to



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

accommodate installation of an underground pipe outfall to Sand Creek. This segment of trail would be occupied for up to one week and will be replaced in the original alignment following construction. An asphalt temporary trail will detour users upslope and around the existing disturbed trail segment (Figure 3). A short (2-3 foot) wall exists along the north side of the existing trail. The temporary trail will be constructed to overcome the wall via a ramp, and will meet standard grade and slope requirements to avoid slip hazards.

2. **Brighton Boulevard/East 60<sup>th</sup> Avenue:** Approximately 400 feet of the Sand Creek Greenway Trail approaching the Brighton Boulevard bridge over Sand Creek would be temporarily impacted for up to four months during construction of a new retaining wall along eastbound I-270. The affected portion of the trail will be replaced in the original alignment following construction. To maintain access, a temporary asphalt trail will detour users closer to Sand Creek and under Brighton Boulevard (Figure 4). The location of the toe of fill for the temporary trail will be taken into consideration during preliminary design to reduce fill impacts to Sand Creek. Additionally, Mile High Flood District will be coordinated with to remove a portion of the above-ground drop structure directly west of Brighton Blvd and adjacent to the existing path because it is a hazard to trail users.
3. **Union Pacific Railroad/East 60<sup>th</sup> Avenue:** Approximately 200 feet of the Sand Creek Greenway Trail directly east of the Union Pacific Railroad over East 60<sup>th</sup> Avenue would be temporarily impacted to accommodate installation of a pipe outfall underneath the existing trail. The associated construction would take up to one week and the trail will be replaced in the original alignment following construction. During construction, a signed on-street detour will be in place to direct trail users along East 60<sup>th</sup> Avenue, which is a low volume roadway (Figure 5). A temporary concrete barrier will be in place to protect pedestrians and bicyclists, and temporary pavement will be added to the north side of East 60<sup>th</sup> Avenue to accommodate vehicle traffic. Additionally, signage will be placed strategically along East 60<sup>th</sup> Avenue to warn oncoming drivers about the narrowed road up ahead.
4. **Vasquez Boulevard:** Approximately 400 feet of the Sand Creek Greenway Trail approaching and crossing under Vasquez Boulevard would be temporarily impacted during construction to accommodate replacement of the Vasquez Boulevard bridge over Sand Creek. A temporary asphalt trail will be in place to detour users away from the existing abutment, towards Sand Creek, to allow for new abutment installation (Figure 6). Efforts will be made to avoid the drop structure to the west of the bridge in the design of the temporary trail. The detour would be in place for up to 9 months of the anticipated 36-month construction timeframe. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. Overnight closures will only occur outside of the established operating hours for the trail, and full access will be restored during operating hours. Operating hours for the Sand Creek Trail are daily, from sunup to sundown, however the trail will be open from 5:00 am to 10:00 pm as a standard to accommodate commuters. The trail will be restored in the original alignment following construction.



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

5. **East of Dahlia Trailhead:** Approximately 1,000 feet of Sand Creek Greenway Trail east of the Dahlia Trailhead and north of Wetland Park would be temporarily impacted during installation of underground drainage pipes. A temporary asphalt trail will be in place for up to one month to maintain continuity for trail users (Figure 7). The final location of the temporary trail would be determined during construction and adjusted based on placement of the pipes and phasing, and to avoid trees. The trail will be restored in the original alignment following construction.

The temporary trail detour maps are below. Design is conceptual and will be refined and field-adjusted as needed to achieve trail safety standards for grade and slope, and to minimize impacts to vegetation and avoid trees.

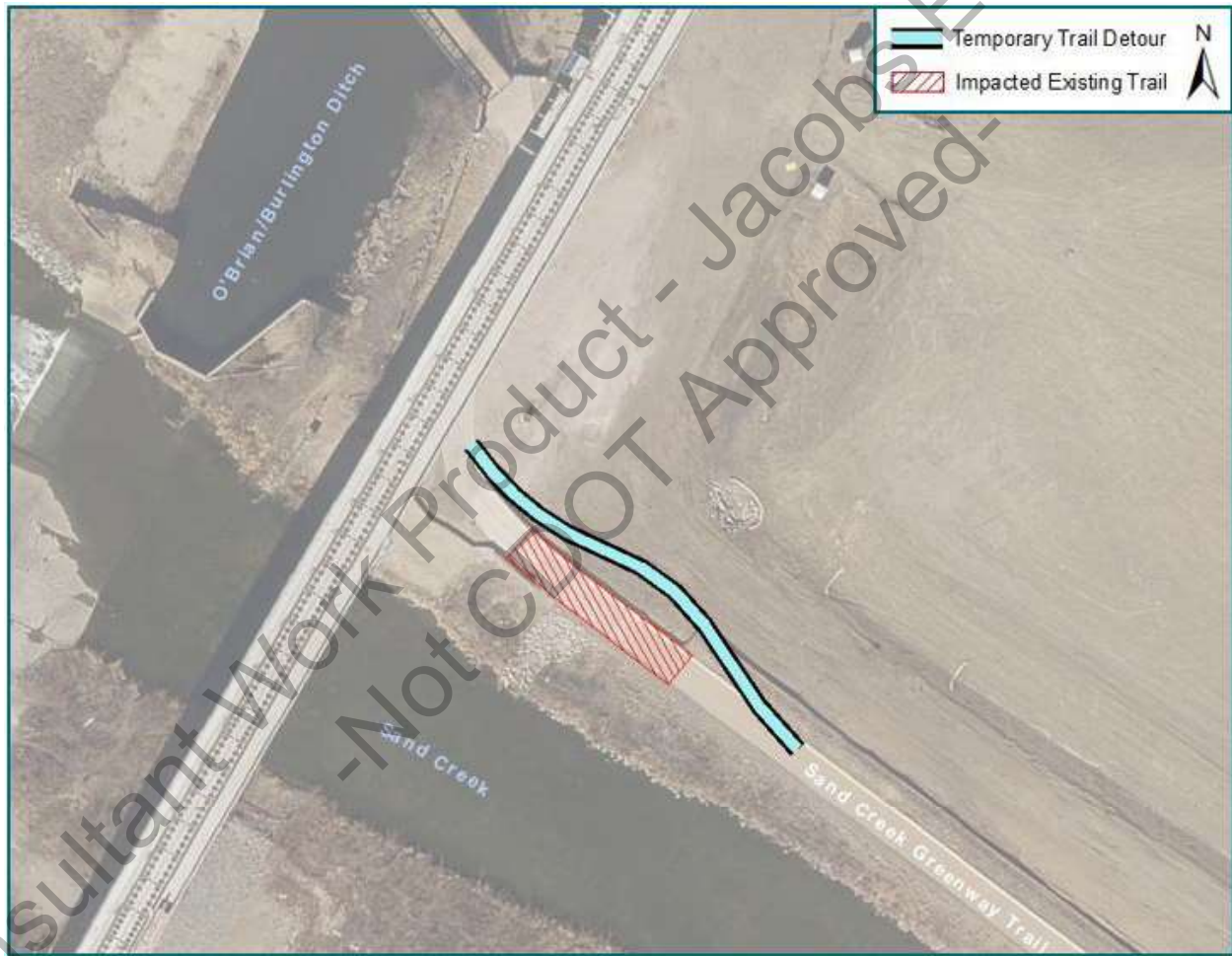


Figure 3



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

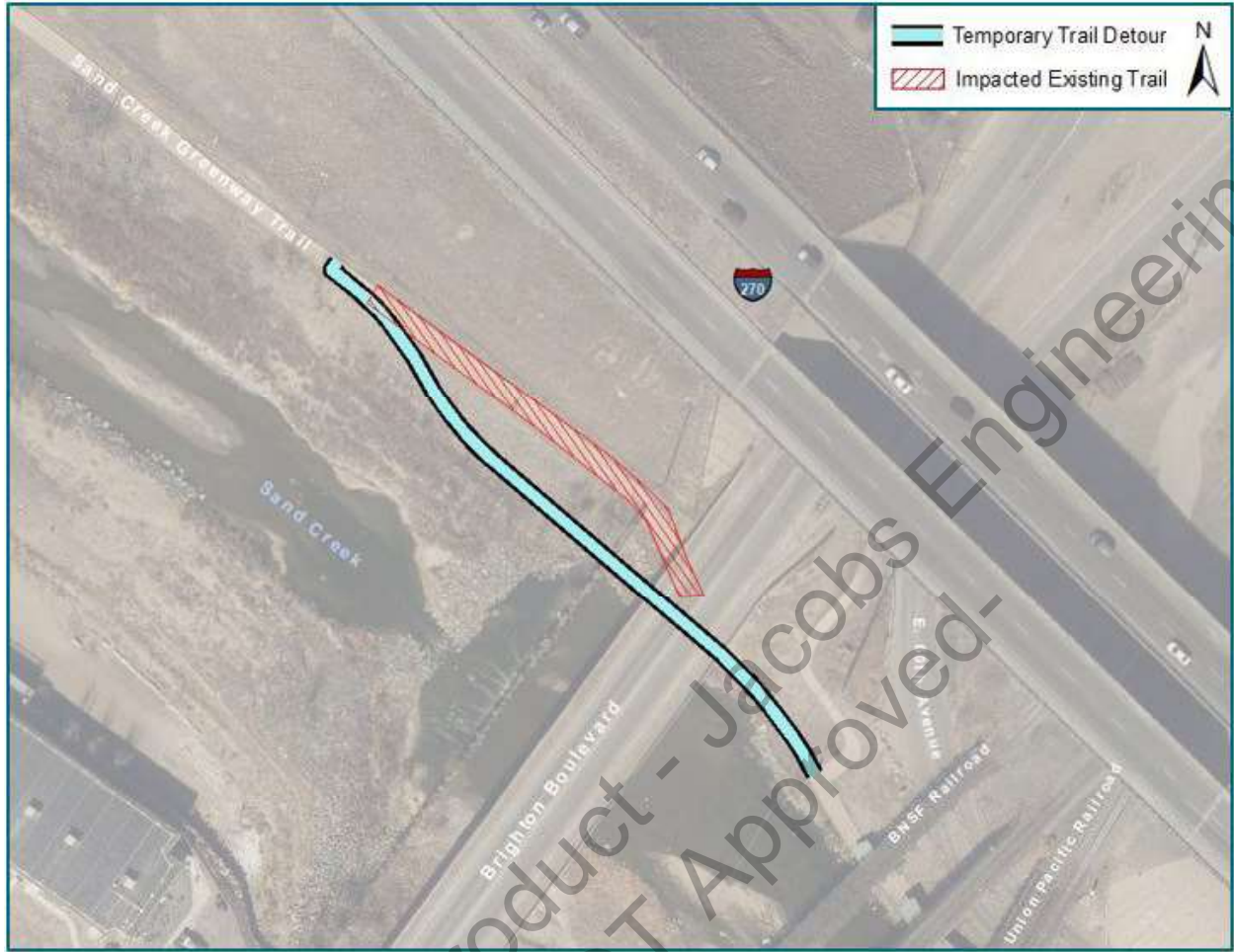


Figure 4

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

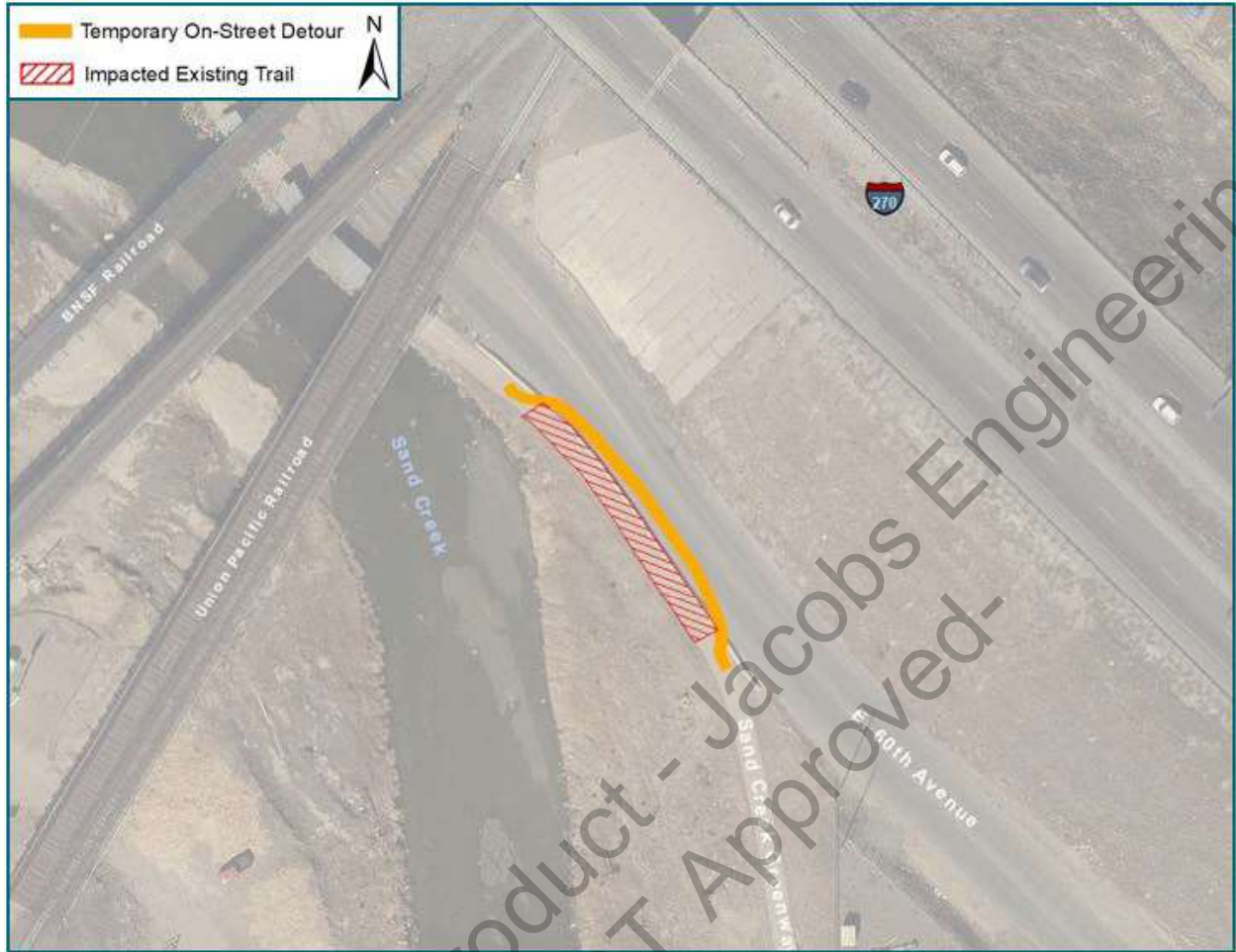


Figure 5



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

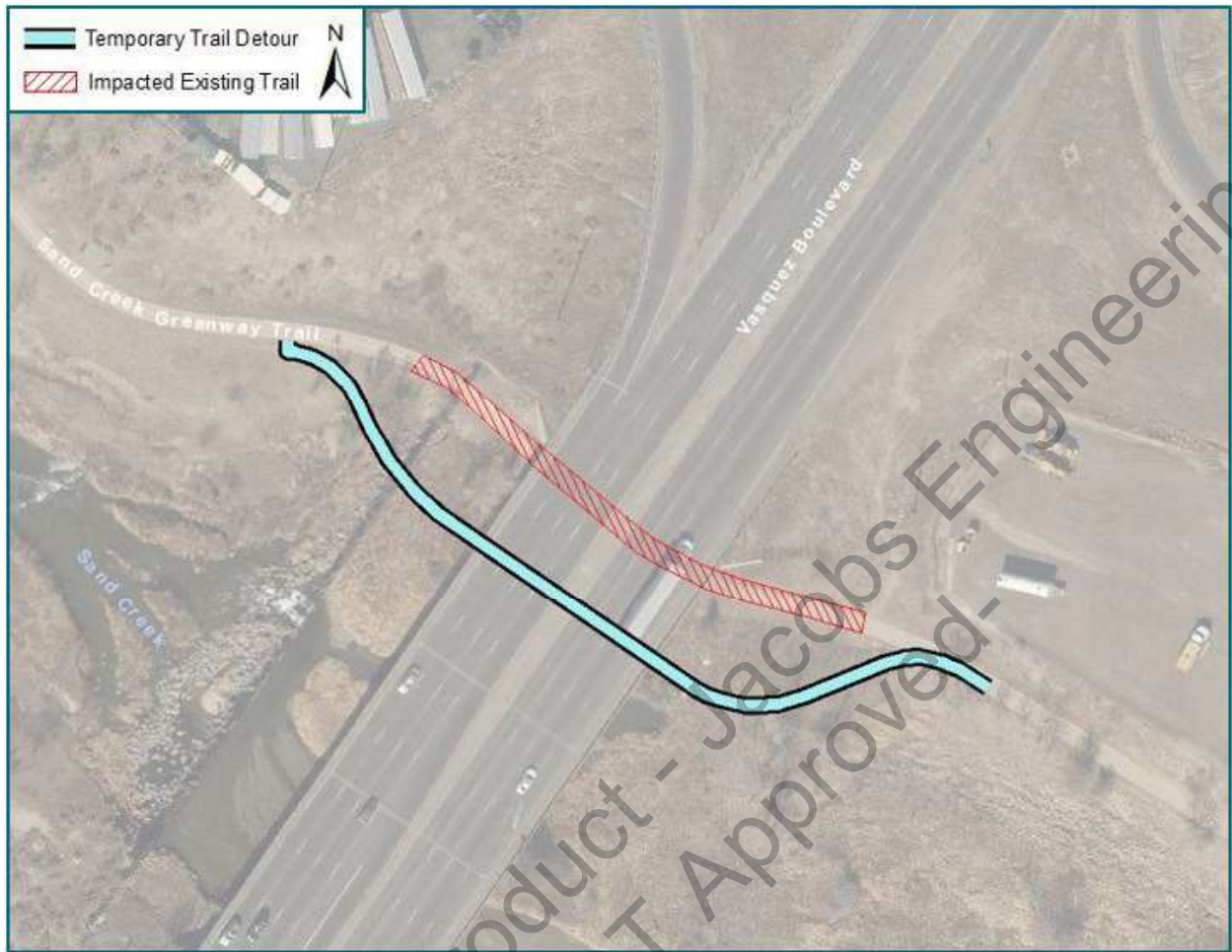


Figure 6

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

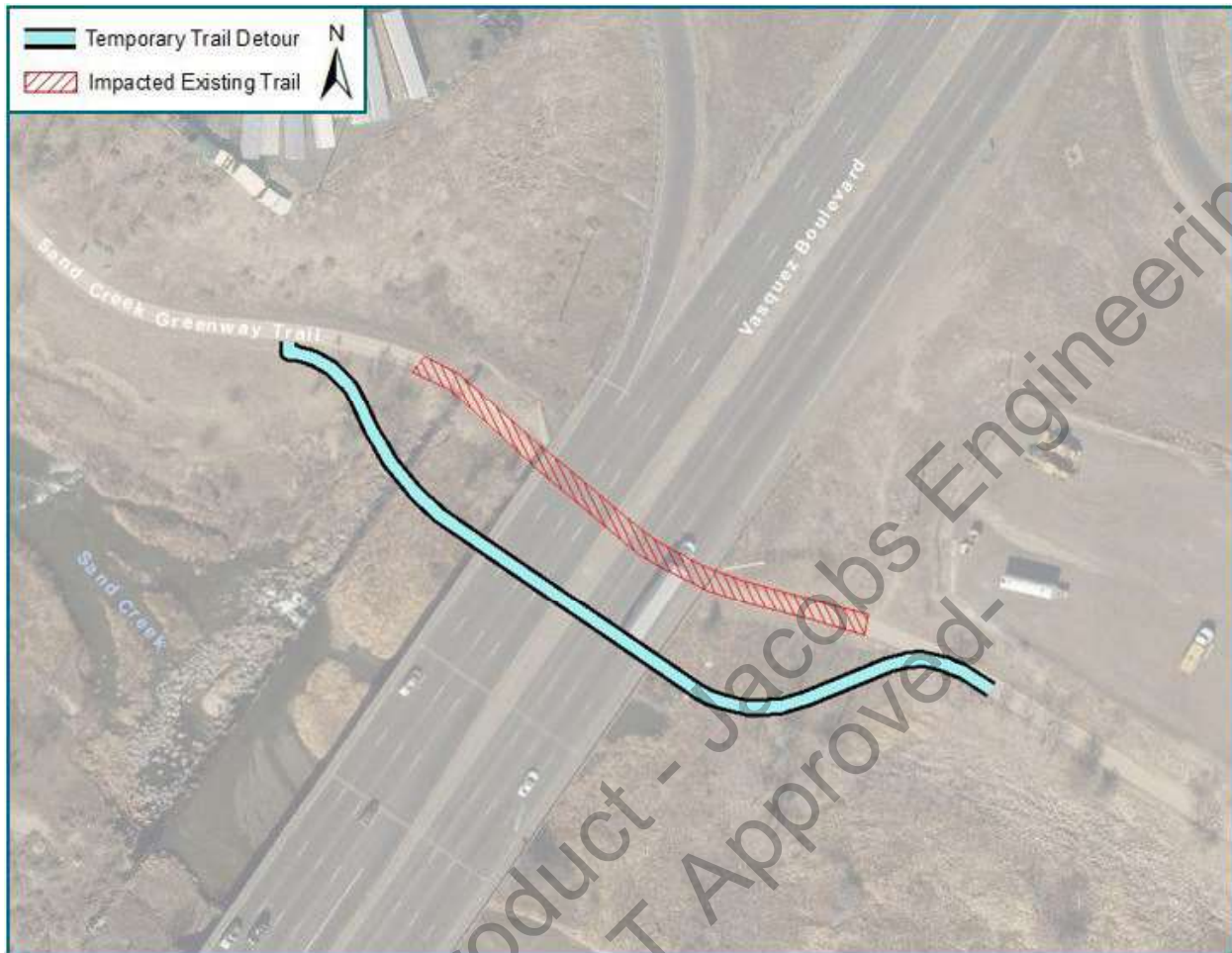


Figure 7

CDOT believes the impacts to the Sand Creek Greenway Trail meet the requirements for a Section 4(f) Temporary Occupancy Exception. All trail locations 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. All trail locations will be fully restored and cleaned of debris from construction in accordance with its previous condition, or better than it was before construction began. CDOT will coordinate with Commerce City's Capital Projects Manager, Tony Jaramillo, to ensure the City's trail specifications are incorporated into the design for replacement of the trail. Trees and vegetation along the trail will be protected in place wherever possible, and if necessary to remove, will be replaced at least 1:1, or reseeded, per the project vegetation mitigation plan. If any mature trees must be removed, the lost tree will be replaced with multiple saplings to make up for the age and size lost. To mitigate impacts to recreational users during construction, activities will occur during winter months and low-flow conditions, and a temporary ADA-accessible trail will be in place at all times to maintain access. Temporary trails at all locations will be at-grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders, and will meet trail standards for grade and slope requirements. 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 at



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

Vasquez Boulevard and I-270 will reopen at 5:00 am and remain open until 10:00 pm. Signage will be installed at strategic locations along, and off of the trail (access points, parking areas, trail heads, etc.), and will clearly communicate the expected construction timeline, and closure and detour areas. The Region 1 Section 4(f) Specialist will coordinate with the contractor and Commerce City on design and placement for signs, including maintenance of the signs throughout the project and ensuring accurate information (i.e. dates listed). CDOT plans to conduct stakeholder outreach during implementation of the public information systems with real-time updates for all planned disruptions, including trail systems, and will coordinate with Commerce City on their needs. Finally, Commerce City will be notified at least two weeks prior to the start of trail closures so that they may notify the public via social media and website posts.

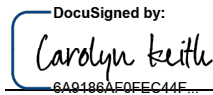
To acknowledge receipt of this letter and your concurrence with the impacts and determinations listed above, please provide your signature below. If you have questions, please contact me at 303-757-9926 or veronica.mccall@state.co.us.

Sincerely,



Veronica McCall  
Section 4(f) Specialist  
CDOT Region 1 Planning & Environmental

I concur:

DocuSigned by:  
  
6A9186AF0FEC44E...

6/30/2021 | 10:59 AM MDT

Carolyn Keith, Director of Parks, Recreation and Golf  
City of Commerce City

Date

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



**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 McCall, Section 4(f) Specialist  
CDOT Region 1

07/21/2021

Date

**Project Information**

<b>Date:</b> July 21, 2021	<b>Region:</b> 1
<b>Project Title:</b> I-270 Corridor Project	<b>Project Location:</b> Commerce City, City and County of Denver, and Adams County
<b>Project Number:</b> STU 2706-043 [subaccount # 23198]	<b>Project Route:</b> Interstate 270
<b>Lead Agency:</b> CDOT	<b>NEPA Class:</b> EA
<b>Project Description:</b> CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70). The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. See attached Section 4(f) OWJ concurrence letter for detailed project description. During construction of the Proposed Action, there would be temporary impacts to five separate segments of the Sand Creek Greenway Trail: O'Brian/Burlington Ditch, Brighton Boulevard/East 60 <sup>th</sup> Ave, Union Pacific Railroad/East 60 <sup>th</sup> Ave, Vasquez Blvd, and east of Dahlia Trailhead. All areas except Union Pacific Railroad/East 60 <sup>th</sup> Ave will receive an ADA-accessible, temporary asphalt trail to detour users away from the impacted trail segment. The Union Pacific Railroad/East 60 <sup>th</sup> Ave location will received a signed, on-street detour to direct users along E 60 <sup>th</sup> Ave. A temporary concrete barrier will be in place to protect pedestrians and bicyclists, and temporary pavement will be added to the north side of East 60th Avenue to accommodate vehicle traffic. Additionally, signage will be placed strategically along East 60th Avenue to warn oncoming drivers about the narrowed road up ahead. The affected trail segment at Vasquez Blvd will require several overnight closures of the temporary trail to accommodate replacement of the bridge girders. Overnight closures will only occur outside of the established operating hours for the trail, and full access will be	

restored during operating hours. Operating hours for the Sand Creek Trail are daily, from sunup to sundown, however the trail will be open from 5:00 am to 10:00 pm as a standard to accommodate commuters.

## Resource Information

<b>Section 4(f) Resource:</b> Sand Creek Greenway Trail	<b>Type of 4(f) Resource:</b> Recreational Area
<b>Official with Jurisdiction:</b> Commerce City Parks and Recreation, Sand Creek Regional Greenway Partnership	
<b>Resource Function/Significance:</b> The Sand Creek Greenway Trail is a significant regional trail, connecting to multiple other trails, neighborhoods and schools in the metro area. Major recreational uses include hiking, biking, and equestrian use.	

## 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;**

All trail locations will be occupied for a shorter duration than the overall 36-month estimated construction timeframe. There will be no change in ownership.

- (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;**

Impacts to the existing trail segments will be temporary and all will be replaced in their original alignment following construction.

- (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;**

Project activities will occur during winter months and temporary ADA-accessible trails or detours will be in place at all times to maintain access. Overnight closures at Vasquez Blvd 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, including a map of the detour and expected closure dates.

- (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 areas around the trail segments will be fully restored, cleaned of debris from construction and replanted with grass in accordance with its previous condition, or better than it was before construction began. Trees and vegetation along the trail will be protected in place wherever possible, and if necessary to remove, will be replaced at

least 1:1, or reseeded, per the project vegetation mitigation plan. If any mature trees must be removed, the lost tree will be replaced with multiple saplings to make up for the age and size lost.

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

Commerce City concurrence in writing on 06/30/2021, and Sand Creek Regional Greenway Partnership concurrence in writing on 07/06/2021. Both letters are attached.

**Form prepared by:** Veronica McCall

**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](#)**

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



# COLORADO

Department of  
Transportation

Region 1

2829 W. Howard Pl.  
Denver, CO 80204

June 30, 2021

Carolyn Keith, Director of Parks, Recreation and Golf  
City of Commerce City  
7887 East 60<sup>th</sup> Avenue  
Commerce City, CO 80022

RE: I-270 Corridor Environmental Assessment (STU 2706-043 [subaccount # 23198])  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

Dear Ms. Keith:

CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70) (Figure 1). This letter and enclosure constitute a request for your review and concurrence, as the Official with Jurisdiction, for a Section 4(f) temporary occupancy of the Sand Creek Greenway Trail. Below is a description of the Proposed Action, an explanation of Section 4(f), and the Section 4(f) use of the trail.

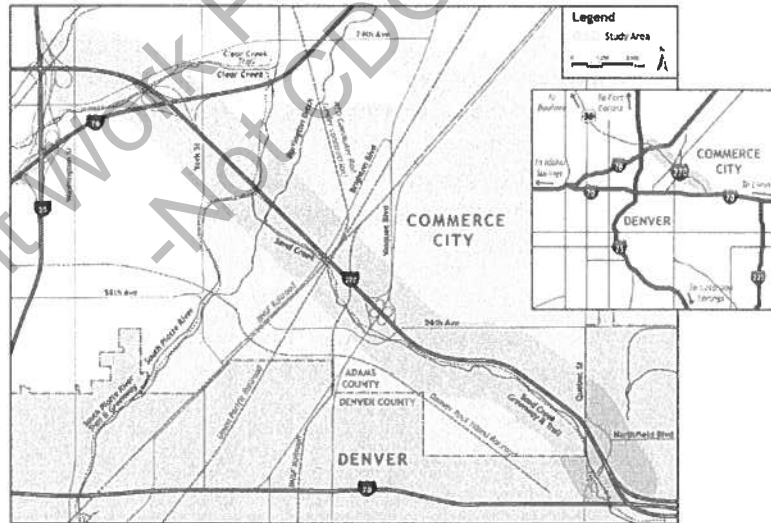


Figure 1



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

Proposed Action Description

The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. The Proposed Action elements are shown in Figure 2 and listed below:

- Widening of I-270 mainline, with a typical roadway section of one 10- to 12-foot inside shoulder, one 12-foot travel lane to be added to operate as either an express or general purpose lane, two 12-foot general purpose lanes, and one 12-foot outside shoulder. A 12-foot auxiliary lane would extend in both directions of I-270 for approximately 1.8 miles between the I-270/York Street and I-270/Vasquez Boulevard interchanges.
- Consolidation of I-76 ramps to eastbound I-270 into a collector ramp.
- Replacement of I-270 bridge over York Street with a new, 16-foot-wider two-span bridge to accommodate a future direct connect with I-76. Lengthening of York Street/I-76 on-ramp to tie into future widening of York Street by Adams County.
- Replacement of both bridges over South Platte River with a new single structure, 50 feet wider and 20 feet longer in span than existing.
- Replacement of the three-span I-270 bridge structures over Brighton Boulevard, East 60th Avenue, and the BNSF and UPRR railroads with wider two-span structures.
- Reconfiguration of I-270/Vasquez Boulevard interchange, including removal of the westbound I-270 to southbound Vasquez Boulevard and eastbound I-270 to northbound Vasquez Boulevard exit loop ramps, and replacement of these movements with signalized intersections at ramp terminals. A new northbound Vasquez to eastbound I-270 movement would be provided.
- Replacement of I-270 bridge over E 56<sup>th</sup> Avenue, and improvements to 56<sup>th</sup> Avenue including flattening of the curve at Eudora Street, widening sidewalks to 8 feet on the western side, and addition of a 4-foot-wide on-street bike lane and attached 6-foot-wide sidewalk on the eastern side.
- Addition of a new sidewalk network at I-270/Vasquez Boulevard to connect the Sand Creek Greenway Trail to the sidewalk along northbound Vasquez Boulevard.
- Retaining walls to contain fill or cut slopes, varying in height from 5 feet to 30 feet, in various locations throughout the corridor.
- Intelligent Transportation System (ITS) improvements including variable message signs, traffic cameras, ramp metering, weather monitoring station, and tolling infrastructure for the express lane operational option.



I-270 Corridor Environmental Assessment  
 Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

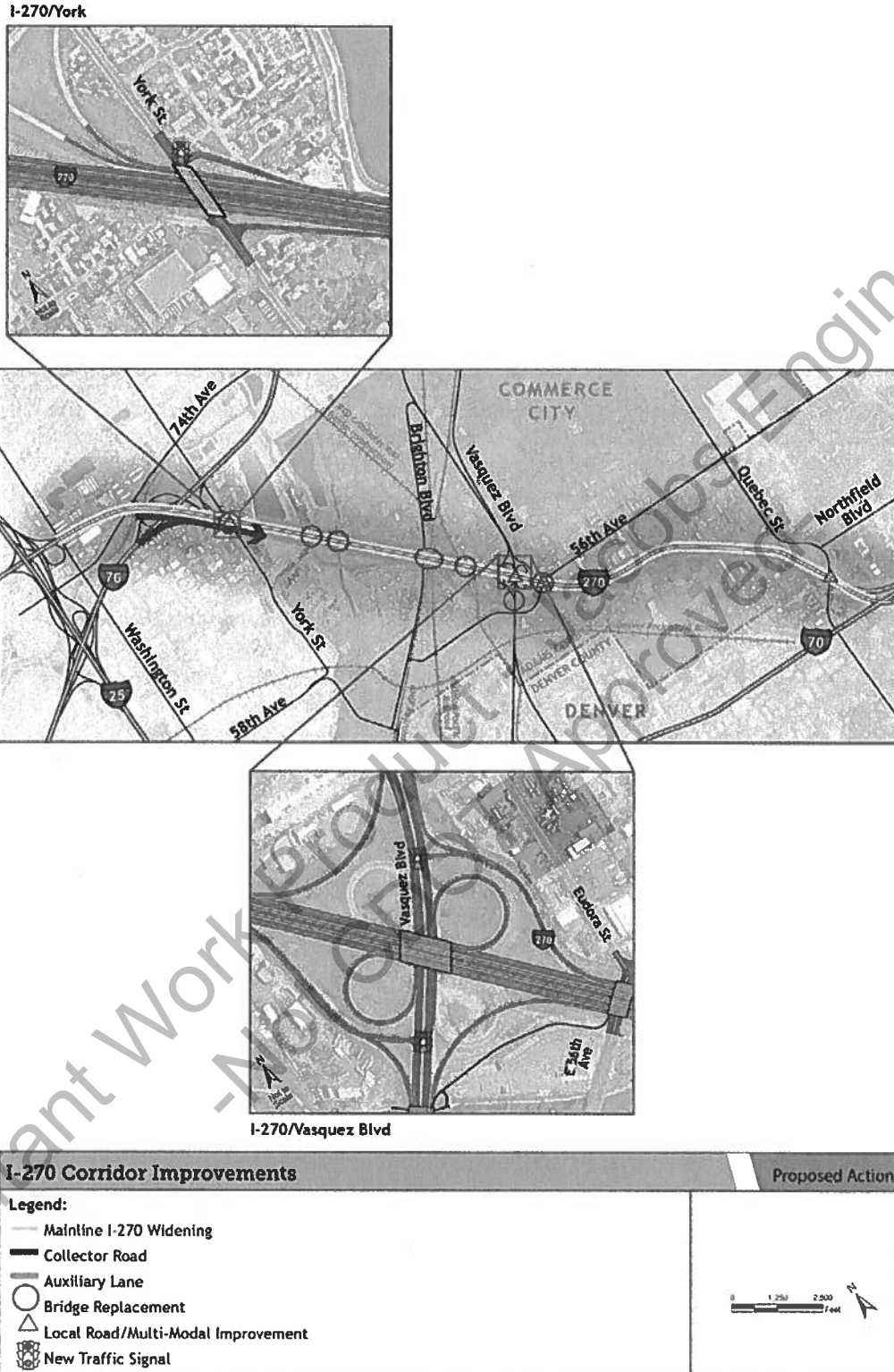


Figure 2



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

**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 Sand Creek Greenway 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 Sand Creek Greenway Trail and proposed mitigation, and how the criteria set forth under 23 CFR 774.13(d) are met.

**Sand Creek Greenway Trail**

The Sand Creek Greenway 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 east of the I-76 interchange, it parallels I-270 on the south and Sand Creek on the north, and crosses the creek just west of Quebec Street. Portions of the trail cross through roadway right-of-way along I-270. There are three access points within the study area. These include The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive, the Wetland Park Loop trailhead at the east end of E. 52nd Avenue, and the corner of 50th Avenue and Pontiac Street. All of the named access points are on the south side of I-270. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway.

During construction of the Proposed Action, there would be temporary impacts to five separate segments of the Sand Creek Greenway Trail. These are discussed below from west to east and shown in Figures 3 through 7.

1. **O'Brian/Burlington Ditch:** Approximately 50 feet of the Sand Creek Greenway Trail directly east of the O'Brian/Burlington Ditch would be temporarily impacted to





## I-270 Corridor Environmental Assessment

## Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

accommodate installation of an underground pipe outfall to Sand Creek. This segment of trail would be occupied for up to one week and will be replaced in the original alignment following construction. An asphalt temporary trail will detour users upslope and around the existing disturbed trail segment (Figure 3). A short (2-3 foot) wall exists along the north side of the existing trail. The temporary trail will be constructed to overcome the wall via a ramp, and will meet standard grade and slope requirements to avoid slip hazards.

2. **Brighton Boulevard/East 60<sup>th</sup> Avenue:** Approximately 400 feet of the Sand Creek Greenway Trail approaching the Brighton Boulevard bridge over Sand Creek would be temporarily impacted for up to four months during construction of a new retaining wall along eastbound I-270. The affected portion of the trail will be replaced in the original alignment following construction. To maintain access, a temporary asphalt trail will detour users closer to Sand Creek and under Brighton Boulevard (Figure 4). The location of the toe of fill for the temporary trail will be taken into consideration during preliminary design to reduce fill impacts to Sand Creek. Additionally, Mile High Flood District will be coordinated with to remove a portion of the above-ground drop structure directly west of Brighton Blvd and adjacent to the existing path because it is a hazard to trail users.
3. **Union Pacific Railroad/East 60<sup>th</sup> Avenue:** Approximately 200 feet of the Sand Creek Greenway Trail directly east of the Union Pacific Railroad over East 60<sup>th</sup> Avenue would be temporarily impacted to accommodate installation of a pipe outfall underneath the existing trail. The associated construction would take up to one week and the trail will be replaced in the original alignment following construction. During construction, a signed on-street detour will be in place to direct trail users along East 60<sup>th</sup> Avenue, which is a low volume roadway (Figure 5). A temporary concrete barrier will be in place to protect pedestrians and bicyclists, and temporary pavement will be added to the north side of East 60<sup>th</sup> Avenue to accommodate vehicle traffic. Additionally, signage will be placed strategically along East 60<sup>th</sup> Avenue to warn oncoming drivers about the narrowed road up ahead.
4. **Vasquez Boulevard:** Approximately 400 feet of the Sand Creek Greenway Trail approaching and crossing under Vasquez Boulevard would be temporarily impacted during construction to accommodate replacement of the Vasquez Boulevard bridge over Sand Creek. A temporary asphalt trail will be in place to detour users away from the existing abutment, towards Sand Creek, to allow for new abutment installation (Figure 6). Efforts will be made to avoid the drop structure to the west of the bridge in the design of the temporary trail. The detour would be in place for up to 9 months of the anticipated 36-month construction timeframe. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. Overnight closures will only occur outside of the established operating hours for the trail, and full access will be restored during operating hours. Operating hours for the Sand Creek Trail are daily, from sunup to sundown, however the trail will be open from 5:00 am to 10:00 pm as a standard to accommodate commuters. The trail will be restored in the original alignment following construction.



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

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The temporary trail detour maps are below. Design is conceptual and will be refined and field-adjusted as needed to achieve trail safety standards for grade and slope, and to minimize impacts to vegetation and avoid trees.

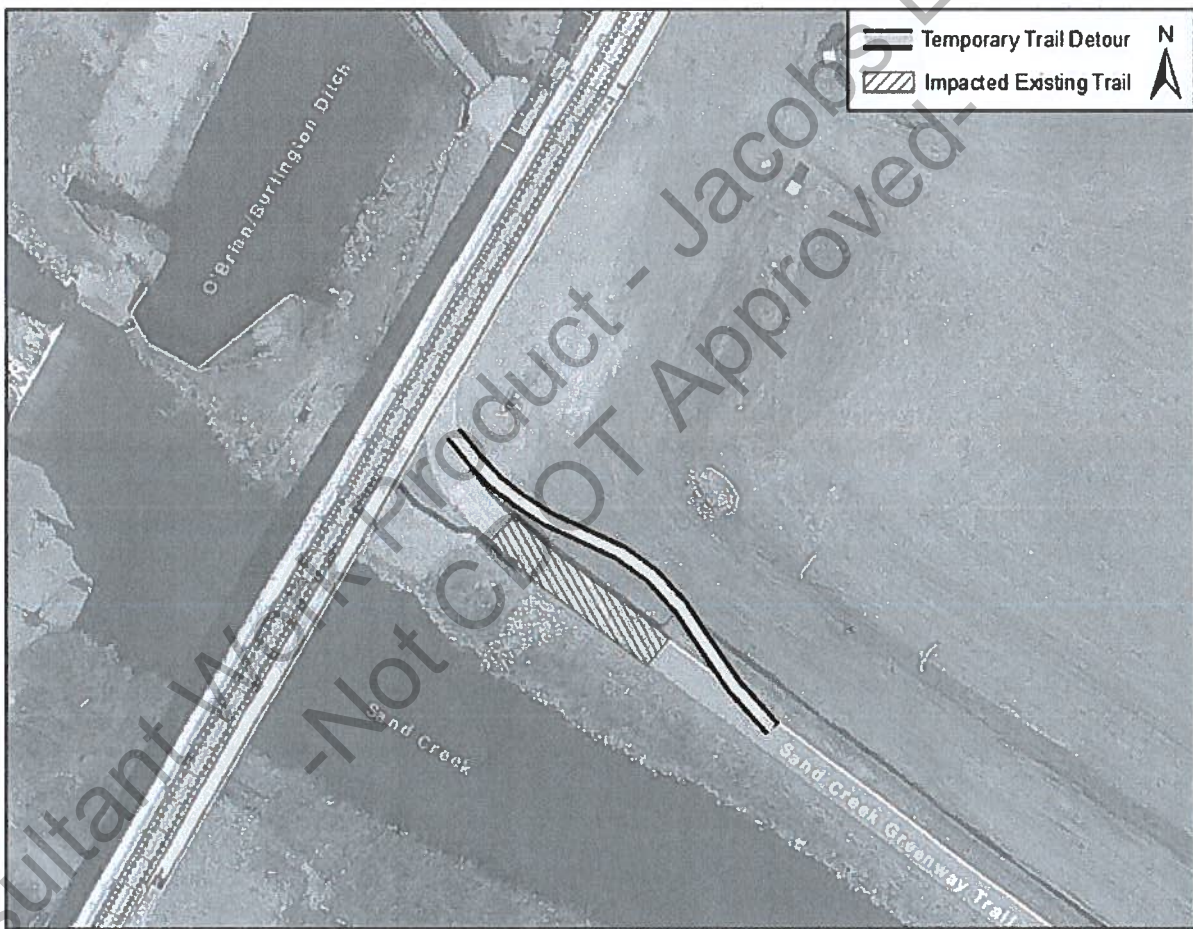


Figure 3



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

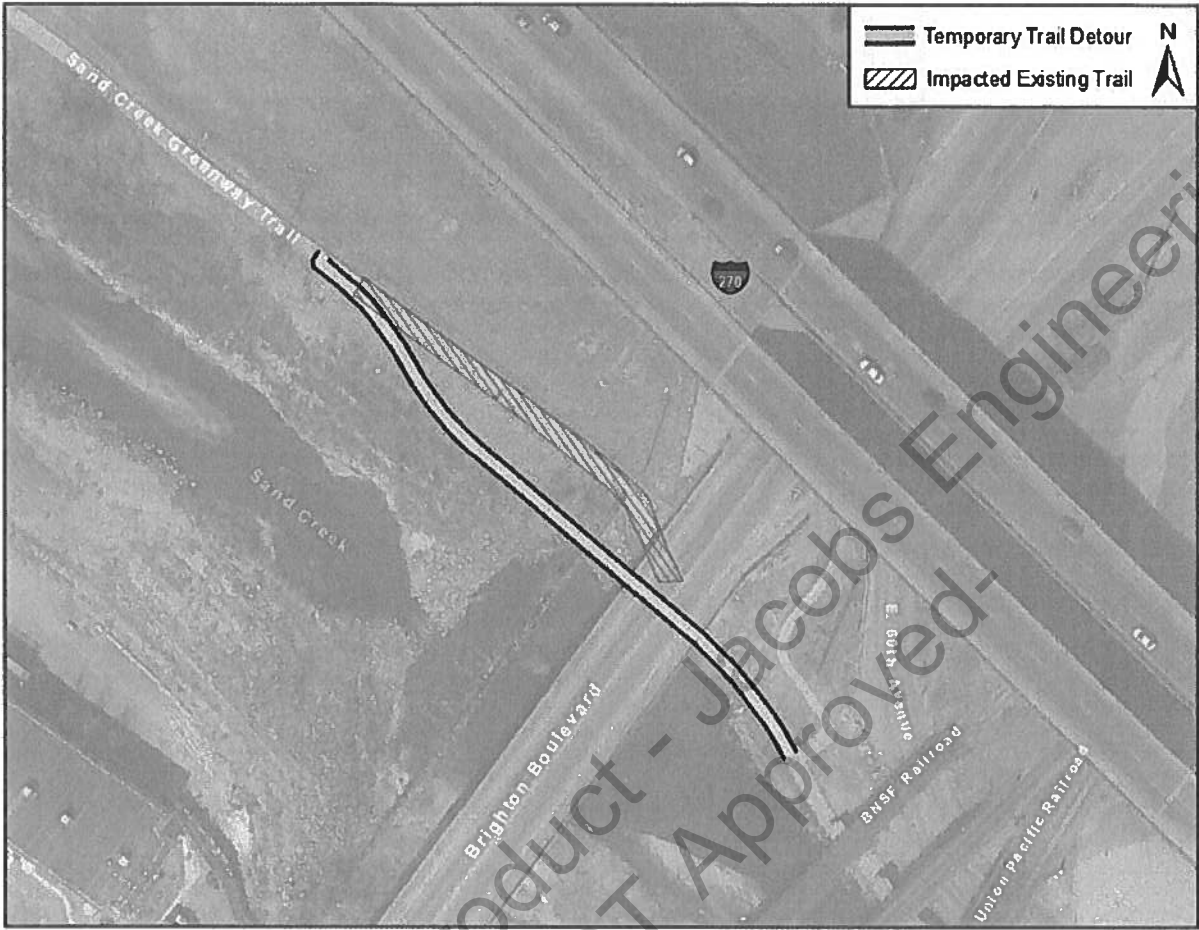


Figure 4

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail



Figure 5



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

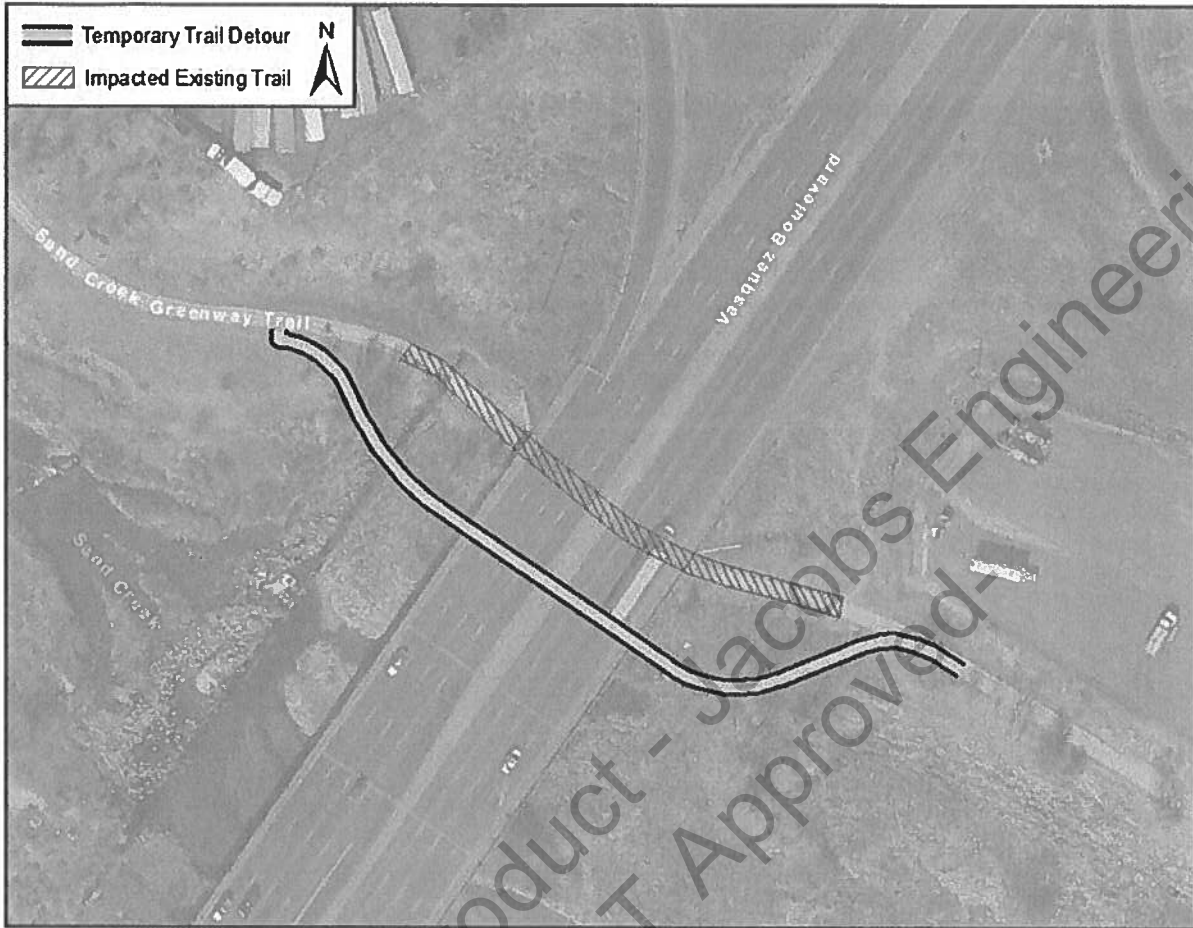


Figure 6

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail



Figure 7

CDOT believes the impacts to the Sand Creek Greenway Trail meet the requirements for a Section 4(f) Temporary Occupancy Exception. All trail locations 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. All trail locations will be fully restored and cleaned of debris from construction in accordance with its previous condition, or better than it was before construction began. CDOT will coordinate with Commerce City's Capital Projects Manager, Tony Jaramillo, to ensure the City's trail specifications are incorporated into the design for replacement of the trail. Trees and vegetation along the trail will be protected in place wherever possible, and if necessary to remove, will be replaced at least 1:1, or reseeded, per the project vegetation mitigation plan. If any mature trees must be removed, the lost tree will be replaced with multiple saplings to make up for the age and size lost. To mitigate impacts to recreational users during construction, activities will occur during winter months and low-flow conditions, and a temporary ADA-accessible trail will be in place at all times to maintain access. Temporary trails at all locations will be at-grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders, and will meet trail standards for grade and slope requirements. 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 at



I-270 Corridor Environmental Assessment  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

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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.mccall@state.co.us.

Sincerely,



Veronica McCall  
Section 4(f) Specialist  
CDOT Region 1 Planning & Environmental

I concur:

DocuSigned by:  
  
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6/30/2021 | 10:59 AM MDT

Carolyn Keith, Director of Parks, Recreation and Golf  
City of Commerce City

Date



Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-





# COLORADO

## Department of Transportation

Region 1

2829 W. Howard Pl.  
Denver, CO 80204

July 6, 2021

Monique "Mo" Fair, Executive Director  
Sand Creek Regional Greenway Partnership  
7350 East 29th Ave., Suite 300  
Denver, CO 80238

RE: I-270 Corridor Environmental Assessment (STU 2706-043 [subaccount # 23198])  
Request for Concurrence for Section 4(f) Temporary Occupancy of Sand Creek Greenway Trail

Dear Ms. Fair:

CDOT and the Federal Highway Administration (FHWA), in conjunction with local partners Adams County and Commerce City, are proposing improvements to 6 miles of Interstate 270 (I-270) in Adams County, Commerce City, and the City and County of Denver, Colorado between Interstate 25 (I-25) and Interstate 70 (I-70) (Figure 1). This letter and enclosure constitute a request for your review and concurrence, as the Official with Jurisdiction, for a Section 4(f) temporary occupancy of the Sand Creek Greenway Trail. Below is a description of the Proposed Action, an explanation of Section 4(f), and the Section 4(f) use of the trail.

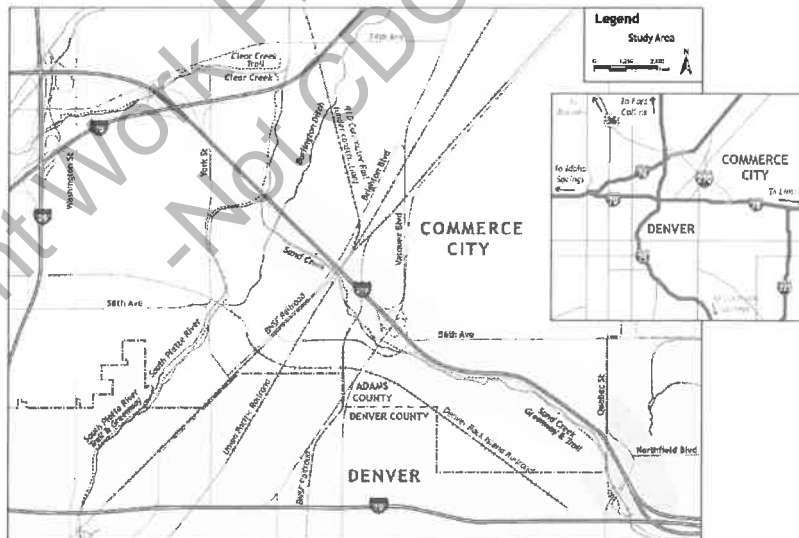


Figure 1



### Proposed Action Description

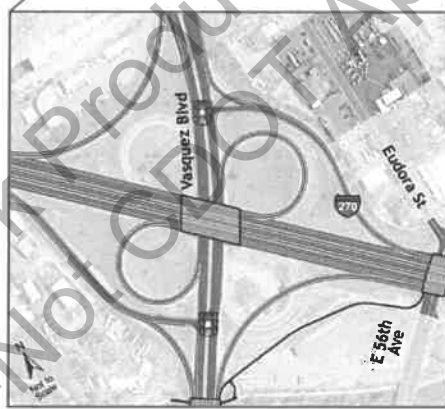
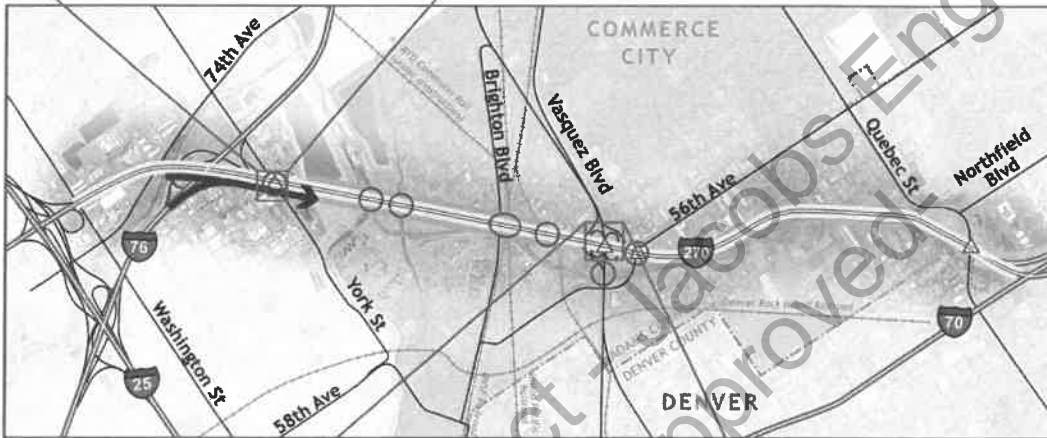
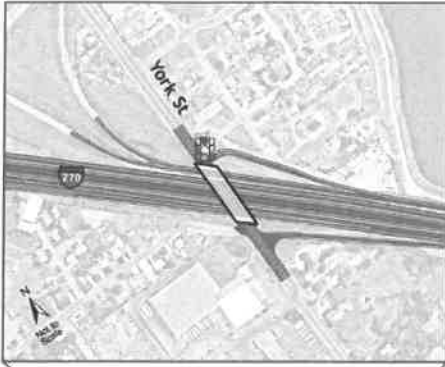
The Proposed Action would include mainline, interchange, bridge, drainage, multi-modal, and Intelligent Transportation System (ITS) improvements that modernize the I-270 corridor and directly address the project needs. The Proposed Action elements are shown in Figure 2 and listed below:

- Widening of I-270 mainline, with a typical roadway section of one 10- to 12-foot inside shoulder, one 12-foot travel lane to be added to operate as either an express or general purpose lane, two 12-foot general purpose lanes, and one 12-foot outside shoulder. A 12-foot auxiliary lane would extend in both directions of I-270 for approximately 1.8 miles between the I-270/York Street and I-270/Vasquez Boulevard interchanges.
- Consolidation of I-76 ramps to eastbound I-270 into a collector ramp.
- Replacement of I-270 bridge over York Street with a new, 16-foot-wider two-span bridge to accommodate a future direct connect with I-76. Lengthening of York Street/I-76 on-ramp to tie into future widening of York Street by Adams County.
- Replacement of both bridges over South Platte River with a new single structure, 50 feet wider and 20 feet longer in span than existing.
- Replacement of the three-span I-270 bridge structures over Brighton Boulevard, East 60th Avenue, and the BNSF and UPRR railroads with wider two-span structures.
- Reconfiguration of I-270/Vasquez Boulevard interchange, including removal of the westbound I-270 to southbound Vasquez Boulevard and eastbound I-270 to northbound Vasquez Boulevard exit loop ramps, and replacement of these movements with signalized intersections at ramp terminals. A new northbound Vasquez to eastbound I-270 movement would be provided.
- Replacement of I-270 bridge over E 56<sup>th</sup> Avenue, and improvements to 56<sup>th</sup> Avenue including flattening of the curve at Eudora Street, widening sidewalks to 8 feet on the western side, and addition of a 4-foot-wide on-street bike lane and attached 6-foot-wide sidewalk on the eastern side.
- Addition of a new sidewalk network at I-270/Vasquez Boulevard to connect the Sand Creek Greenway Trail to the sidewalk along northbound Vasquez Boulevard.
- Retaining walls to contain fill or cut slopes, varying in height from 5 feet to 30 feet, in various locations throughout the corridor.
- Intelligent Transportation System (ITS) improvements including variable message signs, traffic cameras, ramp metering, weather monitoring station, and tolling infrastructure for the express lane operational option.



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I-270/York



I-270/Vasquez Blvd

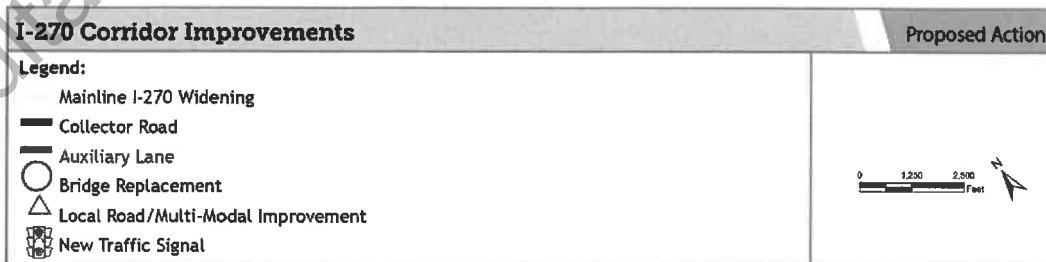


Figure 2



### 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 Sand Creek Greenway 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 Sand Creek Greenway Trail and proposed mitigation, and how the criteria set forth under 23 CFR 774.13(d) are met.

### Sand Creek Greenway Trail

The Sand Creek Greenway 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 east of the I-76 interchange, it parallels I-270 on the south and Sand Creek on the north, and crosses the creek just west of Quebec Street. Portions of the trail cross through roadway right-of-way along I-270. There are three access points within the study area. These include The Dahlia Trailhead at the intersection of 56th Avenue and Sand Creek Drive, the Wetland Park Loop trailhead at the east end of E. 52nd Avenue, and the corner of 50th Avenue and Pontiac Street. All of the named access points are on the south side of I-270. Major recreational uses include hiking, biking, equestrian use, and bird watching along the greenway.

During construction of the Proposed Action, there would be temporary impacts to five separate segments of the Sand Creek Greenway Trail. These are discussed below from west to east and shown in Figures 3 through 7.

1. **O'Brian/Burlington Ditch:** Approximately 50 feet of the Sand Creek Greenway Trail directly east of the O'Brian/Burlington Ditch would be temporarily impacted to



accommodate installation of an underground pipe outfall to Sand Creek. This segment of trail would be occupied for up to one week and will be replaced in the original alignment following construction. An asphalt temporary trail will detour users upslope and around the existing disturbed trail segment (Figure 3). A short (2-3 foot) wall exists along the north side of the existing trail. The temporary trail will be constructed to overcome the wall via a ramp, and will meet standard grade and slope requirements to avoid slip hazards.

2. **Brighton Boulevard/East 60<sup>th</sup> Avenue:** Approximately 400 feet of the Sand Creek Greenway Trail approaching the Brighton Boulevard bridge over Sand Creek would be temporarily impacted for up to four months during construction of a new retaining wall along eastbound I-270. The affected portion of the trail will be replaced in the original alignment following construction. To maintain access, a temporary asphalt trail will detour users closer to Sand Creek and under Brighton Boulevard (Figure 4). The location of the toe of fill for the temporary trail will be taken into consideration during preliminary design to reduce fill impacts to Sand Creek. Additionally, Mile High Flood District will be coordinated with to remove a portion of the above-ground drop structure directly west of Brighton Blvd and adjacent to the existing path because it is a hazard to trail users.
3. **Union Pacific Railroad/East 60<sup>th</sup> Avenue:** Approximately 200 feet of the Sand Creek Greenway Trail directly east of the Union Pacific Railroad over East 60<sup>th</sup> Avenue would be temporarily impacted to accommodate installation of a pipe outfall underneath the existing trail. The associated construction would take up to one week and the trail will be replaced in the original alignment following construction. During construction, a signed on-street detour will be in place to direct trail users along East 60<sup>th</sup> Avenue, which is a low volume roadway (Figure 5). A temporary concrete barrier will be in place to protect pedestrians and bicyclists, and temporary pavement will be added to the north side of East 60<sup>th</sup> Avenue to accommodate vehicle traffic. Additionally, signage will be placed strategically along East 60<sup>th</sup> Avenue to warn oncoming drivers about the narrowed road up ahead.
4. **Vasquez Boulevard:** Approximately 400 feet of the Sand Creek Greenway Trail approaching and crossing under Vasquez Boulevard would be temporarily impacted during construction to accommodate replacement of the Vasquez Boulevard bridge over Sand Creek. A temporary asphalt trail will be in place to detour users away from the existing abutment, towards Sand Creek, to allow for new abutment installation (Figure 6). Efforts will be made to avoid the drop structure to the west of the bridge in the design of the temporary trail. The detour would be in place for up to 9 months of the anticipated 36-month construction timeframe. Because the girders span the entire trail, several overnight closures of the temporary trail would be required to accommodate placement of the bridge girders. Overnight closures will only occur outside of the established operating hours for the trail, and full access will be restored during operating hours. Operating hours for the Sand Creek Trail are daily, from sunup to sundown, however the trail will be open from 5:00 am to 10:00 pm as a standard to accommodate commuters. The trail will be restored in the original alignment following construction.



5. **East of Dahlia Trailhead:** Approximately 1,000 feet of Sand Creek Greenway Trail east of the Dahlia Trailhead and north of Wetland Park would be temporarily impacted during installation of underground drainage pipes. A temporary asphalt trail will be in place for up to one month to maintain continuity for trail users (Figure 7). The final location of the temporary trail would be determined during construction and adjusted based on placement of the pipes and phasing, and to avoid trees. The trail will be restored in the original alignment following construction.

The temporary trail detour maps are below. Design is conceptual and will be refined and field-adjusted as needed to achieve trail safety standards for grade and slope, and to minimize impacts to vegetation and avoid trees.

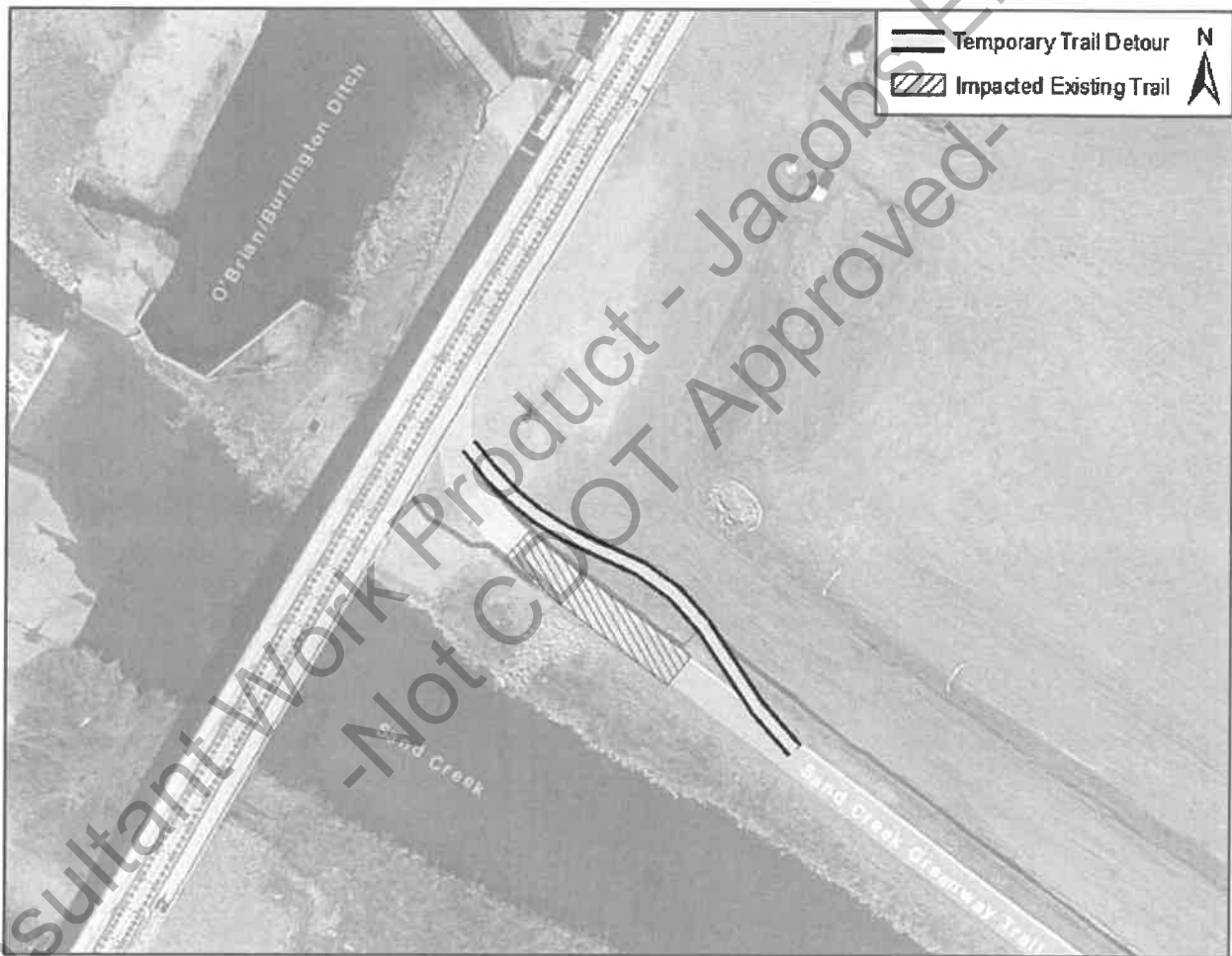


Figure 3

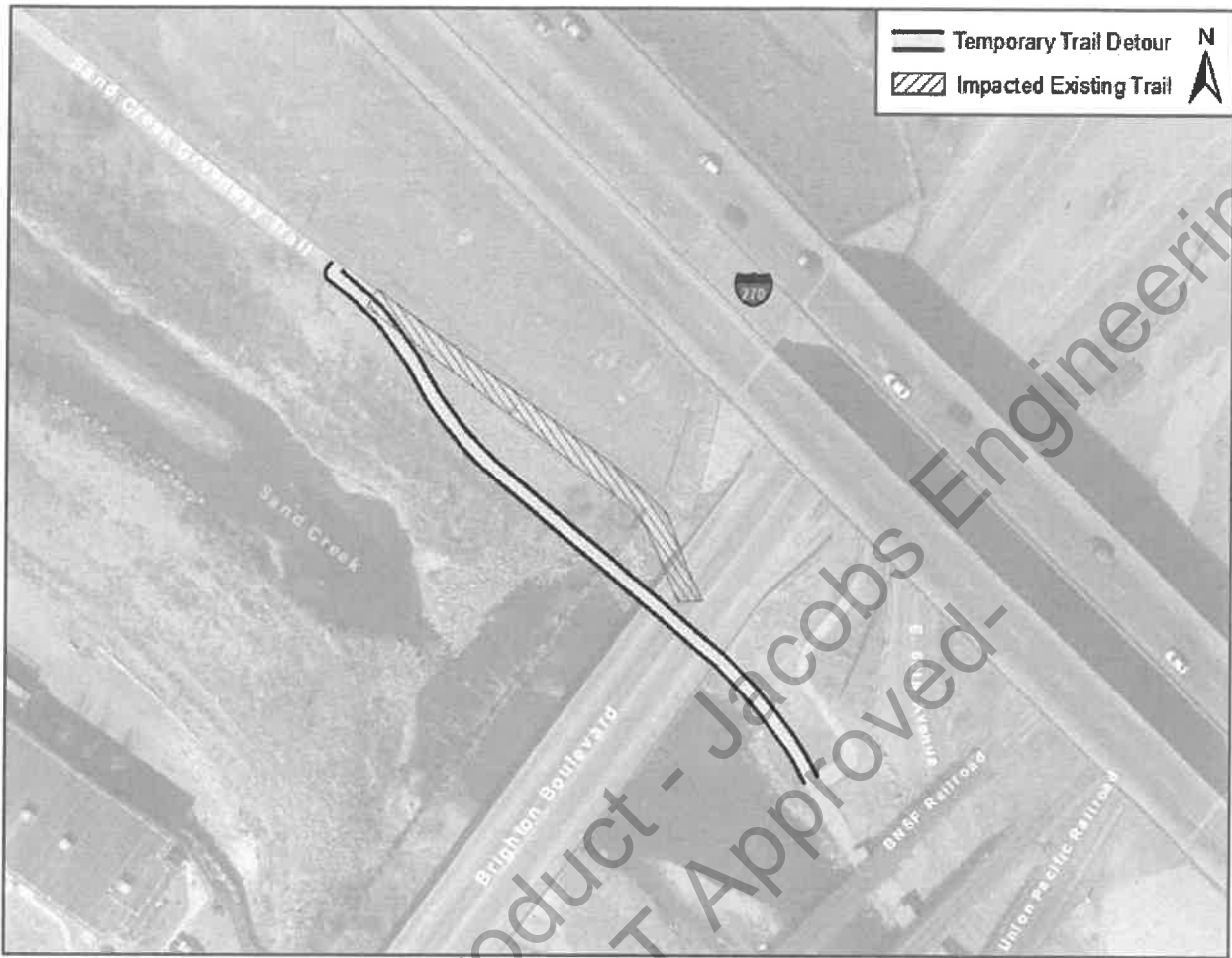


Figure 4

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-



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Figure 5







Figure 6

Consultant Work Product - Jacobs Engineering  
-Not CDOT Approved-





Figure 7

CDOT believes the impacts to the Sand Creek Greenway Trail meet the requirements for a Section 4(f) Temporary Occupancy Exception. All trail locations 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. All trail locations will be fully restored and cleaned of debris from construction in accordance with its previous condition, or better than it was before construction began. CDOT will coordinate with Commerce City's Capital Projects Manager, Tony Jaramillo, to ensure the City's trail specifications are incorporated into the design for replacement of the trail. Trees and vegetation along the trail will be protected in place wherever possible, and if necessary to remove, will be replaced at least 1:1, or reseeded, per the project vegetation mitigation plan. If any mature trees must be removed, the lost tree will be replaced with multiple saplings to make up for the age and size lost. To mitigate impacts to recreational users during construction, activities will occur during winter months and low-flow conditions, and a temporary ADA-accessible trail will be in place at all times to maintain access. Temporary trails at all locations will be at-grade, 10 feet wide with 1-foot buffer shoulders on each side to accommodate two riders, and will meet trail standards for grade and slope requirements. 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 at



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Vasquez Boulevard and I-270 will reopen at 5:00 am and remain open until 10:00 pm. Signage will be installed at strategic locations along, and off of the trail (access points, parking areas, trail heads, etc.), and will clearly communicate the expected construction timeline, and closure and detour areas. The Region 1 Section 4(f) Specialist will coordinate with the contractor and the Sand Creek Regional Greenway Partnership on design and placement for signs, including maintenance of the signs throughout the project and ensuring accurate information (i.e. dates listed). CDOT plans to conduct stakeholder outreach during implementation of the public information systems with real-time updates for all planned disruptions, including trail systems, and will coordinate with the Sand Creek Regional Greenway Partnership on their needs. Finally, the Sand Creek Regional Greenway Partnership will be notified at least two weeks prior to the start of trail closures so that they may notify the public via social media and website posts.

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.mccall@state.co.us.

Sincerely,



Veronica McCall  
Section 4(f) Specialist  
CDOT Region 1 Planning & Environmental

I concur:



Monique "Mo" Fair, Executive Director  
Sand Creek Regional Greenway Partnership

7/6/21

Date

