



Appendix F
Agency Correspondence

Jepson, Daniel

From: Schoch, Lisa
Sent: Wednesday, July 20, 2011 4:34 PM
To: jsorensen@co.clear-creek.co.us; bluther@co.clear-creek.co.us; mayor@idahosprings.co.com; James_Lindberg@nthp.org; jabowland08@gmail.com; Pallante, Amy (Amy.Pallante@chs.state.co.us); Amy_Cole@nthp.org; peidman@coloradopreservation.org; Bemelen, James P; Attardo, Chuck (Charles); Jepson, Daniel; Mandy.Whorton@CH2M.com; MaryJo.Vobejda@CH2M.com; Gibson, Stephanie P; Urban, Melinda
Subject: Meeting Availability, Twin Tunnels Environmental Assessment & Section 106

Dear Consulting Parties:

Many of you were involved in the development of the Section 106 Programmatic Agreement (PA) for the Interstate 70 Mountain Corridor, which was executed in 2008. As you know, the PA outlines how Section 106 will be conducted for Tier 2 NEPA projects along the I-70 corridor, and stipulates consulting party involvement early in the scoping process for all such projects. The first Tier 2 undertaking on the corridor has been identified.

In February 2011 CDOT held a design workshop known as "Tunnel Visioning" with a team of stakeholders and technical experts to discuss mobility issues at the Twin Tunnels just east of Idaho Springs. This effort resulted in a series of improvement concepts for the tunnel location, which is a focal point for congestion and delay along Interstate 70. CDOT is currently in the process of scoping the project in preparation for the development of an Environmental Assessment (EA), and would like to set up a meeting with you to provide more information about the project and also discuss next steps as the Section 106 process is initiated.


Please provide your availability for the months of August and September. We will attempt to accommodate everyone's schedule but please understand that may not be possible. Once a date has been decided upon, we will provide more information about a location and time for the meeting. You have been identified as the primary contact for your consulting party, but we welcome participation by other members of your organization.

Thank you for your assistance.

Lisa Schoch

LISA SCHOCH, SENIOR HISTORIAN
ENVIRONMENTAL PROGRAMS BRANCH
COLORADO DEPARTMENT OF TRANSPORTATION
4201 EAST ARKANSAS AVENUE
DENVER, CO 80222
303-512-4258

**TRIBAL MAILING LIST
I-70 Twin Tunnels EA**

Tribal Chiefs (Primary Contact):	Send Copy of Letter and Attachments to:
<p>Ms. Janice Prairie Chief-Bosell, Chairwoman Cheyenne and Arapaho Tribes of Oklahoma P.O. Box 38 Concho, OK 73022</p>	<p>Mr. Dale Hamilton, Arapaho Director Cultural Heritage Program Cheyenne and Arapaho Tribes of Oklahoma P.O. Box 145 Concho, OK 73022</p> <p>Ms. Karen Little-Coyote, Cheyenne Director Cultural Heritage Program Cheyenne and Arapaho Tribes of Oklahoma P.O. Box 145 Concho, OK 73022</p>
<p>Mr. Ronald Twohatchet, Chairman Kiowa Business Committee Kiowa Tribe of Oklahoma P.O. Box 369 Carnegie, OK 73015</p>	<p>Mr. Jame Eskew, NAGPRA Representative Kiowa Tribe of Oklahoma P.O. Box 369 Carnegie, OK 73015</p>
<p>Ms. Kim Harjo, Chairwoman Northern Arapaho Business Council Northern Arapaho Tribe P.O. Box 396 Fort Washakie, WY 82514</p>	<p>Ms. Darlene Conrad Tribal Historic Preservation Officer Northern Arapaho Tribe P.O. Box 396 Ft. Washakie, WY 82514</p>
<p>Mr. Leroy Spang, President Northern Cheyenne Tribal Council Northern Cheyenne Tribe P.O. Box 128 Lame Deer, MT 59043</p>	<p>Mr. Conrad Fisher Tribal Historic Preservation Officer Northern Cheyenne Tribe P.O. Box 128 Lame Deer, MT 59043</p>
<p>Mr. Rodney Bordeaux, President Rosebud Sioux Tribe P.O. Box 430 Rosebud, SD 57570</p>	<p>Mr. Terry Gray, NAGPRA Coordinator Rosebud Sioux Tribe SGU Heritage Center P.O. Box 675 Mission, SD 57555</p>
<p>Mr. Charles Murphy, Chairman Standing Rock Sioux Tribal Council Standing Rock Sioux Tribe P.O. Box D Fort Yates, ND 58538</p>	<p>Ms. Was'te Win Young Tribal Historic Preservation Officer Standing Rock Sioux Tribe P.O. Box D Fort Yates, ND 58538</p>
<p>Ms. Pearl Casias, Chairwoman Southern Ute Indian Tribe P.O. Box 737 Ignacio, CO 81137</p>	<p>Mr. Neil Cloud, NAGPRA Representative Southern Ute Indian Tribe P.O. Box 737 Ignacio, CO 81337</p>
<p>Ms. Irene Cuch, Chairwoman Uintah & Ouray Tribal Business Committee Ute Indian Tribe P.O. Box 190 Ft. Duchesne, UT 84026</p>	<p>Ms. Betsy Chapoose, Director Cultural Rights & Protection Office Ute Indian Tribe P.O. Box 190 Ft. Duchesne, UT 84026</p>
<p>Mr. Gary Hayes, Chairman Ute Mountain Ute Tribe P.O. Box 248 Towaoc, CO 81334</p>	<p>Mr. Terry Knight Tribal Historic Preservation Officer Ute Mountain Ute Tribe P.O. Box 468 Towaoc, CO 81334</p>
<p>CH2M Hill, Inc. & Consultant (Send copies of one letter and one mailing list to):</p>	
<p>Chuck Attardo, Region 1 RPEM</p>	
<p>Ms. Mandy Whorton, Senior Environmental Planner CH2M Hill 9191 S. Jamaica St. Englewood, CO 80112</p>	



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

Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Ms. Kim Harjo, Chairwoman
Northern Arapaho Business Council
Northern Arapaho Tribe
P.O. Box 396
Fort Washakie, WY 82514

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Ms. Harjo:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

The agencies are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 2.5-mile segment of I-70 containing tunnels ("Twin Tunnels") and sharp curves near the community of Idaho Springs in Clear Creek County. The purpose of the project is to improve eastbound highway safety, operation, and reliability. During periods of high traffic volume during summer and winter, the Twin Tunnels is a bottleneck and the focal point of eastbound congestion in the corridor, causing miles of backups as travelers return to Denver and surrounding destinations. The Twin Tunnels project proposes to add a third eastbound travel lane between the Idaho Springs East Interchange (milepost 241) to the base of Floyd Hill (milepost 244) where a three-lane highway section currently exists. The project includes widening the eastbound bore of the Twin Tunnels. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed aerial map set for a view of the project study area.

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

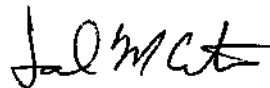
As shown on the enclosed map set, the project area is located in a largely undeveloped mountainous corridor. The draft Area of Potential Effects (APE) established for cultural resource studies, as reflected by the red dashed lines, includes the existing I-70 right-of-way (ROW) as well as areas north and south of the right-of-way. The APE encompasses the entire area subject to direct and indirect impacts from the project. The I-70 ROW was intensively surveyed for historic properties under a previous CDOT project, but a comprehensive inventory and assessment of the entire APE will be conducted as part of the environmental documentation. One previously documented site eligible for the National Register of Historic Places (NRHP) exhibits evidence of Native American occupation (5CC389) (reflected on p. 7 of the map set). Proposed modifications to the interstate in that area will occur exclusively on the south side, and consequently the site will be completely avoided. We will provide the results of additional historic properties survey to you along with a request for comments on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

We are committed to ensuring that tribal governments are informed of and involved in decisions that may impact places with cultural significance. Per Stipulation 5 of the PA, if you have specific interest in the Twin Tunnels EA, please complete and return the enclosed Consultation Interest Response Form to CDOT Native American consultation liaison Dan Jepson **within 60 days** via US Mail, fax or Email, as listed at the bottom of that sheet. The 60-day period has been established to encourage your participation at this early stage in project development. Failure to respond within this time frame will not prevent your tribe from entering consultation at a later date. However, studies and decision making will proceed and it may be difficult to reconsider previous determinations or findings, unless significant new information is introduced.

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

Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

Enclosures: APE map set
Programmatic Agreement
Consultation Interest Response Form

cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
D. Conrad, Northern Arapaho Tribe



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September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Mr. Rodney Bordeaux, President
Rosebud Sioux Tribe
P.O. Box 430
Rosebud, SD 57570

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Mr. Bordeaux:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

The agencies are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 2.5-mile segment of I-70 containing tunnels ("Twin Tunnels") and sharp curves near the community of Idaho Springs in Clear Creek County. The purpose of the project is to improve eastbound highway safety, operation, and reliability. During periods of high traffic volume during summer and winter, the Twin Tunnels is a bottleneck and the focal point of eastbound congestion in the corridor, causing miles of backups as travelers return to Denver and surrounding destinations. The Twin Tunnels project proposes to add a third eastbound travel lane between the Idaho Springs East Interchange (milepost 241) to the base of Floyd Hill (milepost 244) where a three-lane highway section currently exists. The project includes widening the eastbound bore of the Twin Tunnels. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed aerial map set for a view of the project study area.

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

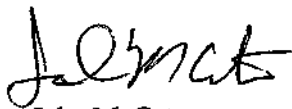
As shown on the enclosed map set, the project area is located in a largely undeveloped mountainous corridor. The draft Area of Potential Effects (APE) established for cultural resource studies, as reflected by the red dashed lines, includes the existing I-70 right-of-way (ROW) as well as areas north and south of the right-of-way. The APE encompasses the entire area subject to direct and indirect impacts from the project. The I-70 ROW was intensively surveyed for historic properties under a previous CDOT project, but a comprehensive inventory and assessment of the entire APE will be conducted as part of the environmental documentation. One previously documented site eligible for the National Register of Historic Places (NRHP) exhibits evidence of Native American occupation (5CC389) (reflected on p. 7 of the map set). Proposed modifications to the interstate in that area will occur exclusively on the south side, and consequently the site will be completely avoided. We will provide the results of additional historic properties survey to you along with a request for comments on our eligibility and effects determinations. Any information you may have regarding places or sites important to your tribe that are located within or near the project area would assist us in our efforts to comprehensively identify and evaluate cultural resources.

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Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

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cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
T. Gray, SGU Heritage Center



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Lakewood, Colorado 80228
720-963-3000
720-963-3001

Mr. Leroy Spang, President
Northern Cheyenne Tribal Council
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Mr. Spang:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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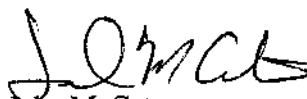
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Division Administrator

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C. Fisher, Northern Cheyenne Tribe



U.S. Department
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**Federal Highway
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Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Mr. Ronald Twohatchet, Chairman
Kiowa Business Committee
Kiowa Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Mr. Twohatchet:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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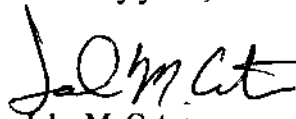
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John M. Cater
Division Administrator

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J. Eskew, Kiowa Tribe of Oklahoma



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720-963-3000
720-963-3001

Ms. Janice Prairie Chief-Bosell, Chairwoman
Cheyenne and Arapaho Tribes of Oklahoma
P.O. Box 38
Concho, OK 73022

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Ms. Prairie Chief-Bosell:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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

Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

Enclosures: APE map set
Programmatic Agreement
Consultation Interest Response Form

cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
D. Hamilton, Cultural Heritage Program
K. Little-Coyote, Cultural Heritage Program



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

Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Mr. Charles Murphy, Chairman
Standing Rock Sioux Tribal Council
Standing Rock Sioux Tribe
P.O. Box D
Fort Yates, ND 58538

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Mr. Murphy:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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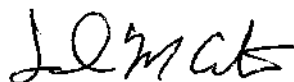
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Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

Enclosures: APE map set
Programmatic Agreement
Consultation Interest Response Form

cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
W. Young, Standing Rock Sioux Tribe



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

Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Ms. Pearl Casias, Chairwoman
Southern Ute Indian Tribe
P.O. Box 737
Ignacio, CO 81137

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Ms. Casias:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

The agencies are preparing an Environmental Assessment (EA) that will address the effects of proposed improvements to a 2.5-mile segment of I-70 containing tunnels ("Twin Tunnels") and sharp curves near the community of Idaho Springs in Clear Creek County. The purpose of the project is to improve eastbound highway safety, operation, and reliability. During periods of high traffic volume during summer and winter, the Twin Tunnels is a bottleneck and the focal point of eastbound congestion in the corridor, causing miles of backups as travelers return to Denver and surrounding destinations. The Twin Tunnels project proposes to add a third eastbound travel lane between the Idaho Springs East Interchange (milepost 241) to the base of Floyd Hill (milepost 244) where a three-lane highway section currently exists. The project includes widening the eastbound bore of the Twin Tunnels. Pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), FHWA and CDOT are documenting the potential social, economic and environmental consequences of this action. Please refer to the enclosed aerial map set for a view of the project study area.

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

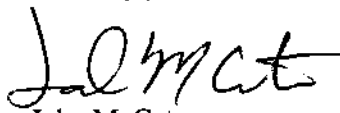
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Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

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cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
N. Cloud, Southern Ute Indian Tribe



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

Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Ms. Irene Cuch, Chairwoman
Uintah & Ouray Tribal Business Committee
Ute Indian Tribe
P.O. Box 190
Ft. Duchesne, UT 84026

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Ms. Cuch:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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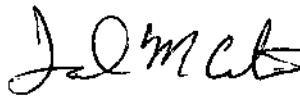
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Thank you for considering this request for consultation.

Sincerely yours,



John M. Cater
Division Administrator

Enclosures: APE map set
Programmatic Agreement
Consultation Interest Response Form

cc: M. Urban & S. Gibson, FHWA
C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
B. Chapoose, Ute Indian Tribe



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

Colorado Division

September 30, 2011

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000
720-963-3001

Mr. Gary Hayes, Chairman
Ute Mountain Ute Tribe
P.O. Box 248
Towaoc, CO 81334

Subject: Request for Section 106 Consultation; Interstate 70 Twin Tunnels Expansion
Environmental Assessment, Clear Creek County, Colorado

Dear Mr. Hayes:

Earlier this year the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) completed a Programmatic Environmental Impact Statement (PEIS) and Record of Decision for proposed improvements to a 140-mile segment of Interstate 70 through north-central Colorado. Under Section 106 of the National Historic Preservation Act (NHPA), FHWA and CDOT consulted with Native American tribal governments, including yours, during the lengthy PEIS process. That consultation resulted in the execution of a Programmatic Agreement (PA) that guides how the agencies will conduct consultation with consulting Tribes for all future transportation undertakings in the corridor. A copy of the PA is enclosed for your review. The first major project in the I-70 Mountain Corridor is presently being studied, as described below.

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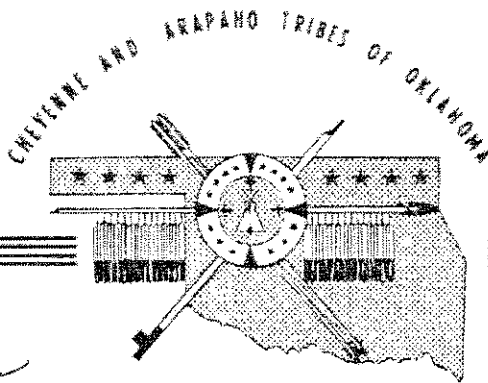


John M. Cater
Division Administrator

Enclosures: APE map set
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C. Attardo, CDOT Region 1
D. Jepson, CDOT Env. Programs
M. Whorton, CH2M Hill
T. Knight, Ute Mountain Ute Tribe

ADMINISTRATION
&
MANAGEMENT



P.O. Box 38
Concho, Oklahoma 73022
(405) 262-0345

October 13, 2011

-TO
John M. Carter
Division Administrator
12300 W. Dakota Ave, Ste. 180
Lakewood, Colorado 80228

RE: TCNS # /Project No. *Mountain Corridor Project / I-70 Twin Tunnels*

To Whom It May Concern:

On behalf the Cheyenne and Arapaho Tribes, greetings and thank you for notice of the referenced project. I have reviewed your Consultation Request under section 106 of the National Historic Preservation Act regarding the project proposal and commented as followed.

- _____ The Cheyenne and Arapaho Tribes have no interest in this area geographically. There is no likelihood of eligible properties of religious and cultural significant to the Cheyenne and Arapaho Tribes in the proposed project site.
- _____ The Cheyenne and Arapaho Tribes have an objection or request additional project information. The Cheyenne and Arapaho Tribes require the following addition information in order to provide a finding of effect this proposed undertaking:
- _____
- _____ No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify the Cheyenne and Arapaho Tribes.
- _____ No Adverse effect. The Cheyenne and Arapaho Tribes have identified properties of cultural and religious significance within the area of effect that are believed to be eligible for listing in the National Register, for which there would be no adverse effect as a result of the proposed project.
- _____ Adverse effect. The Cheyenne and Arapaho Tribes have identified properties of cultural and religious significance within the area potential effect that are eligible for listing in the National Register. The Cheyenne and Arapaho Tribes believe that the proposed project would cause an adverse effect on these properties.

Best Regards,

Margaret Anguse

~~Lynnette Gray~~

Tribal Historic Preservation Officer (Acting)
Planning and Development
Cheyenne and Arapaho Tribes of Oklahoma
100 Red Moon Circle, Box 38
Concho, Oklahoma 73022
v. (405) 422-7622
f. (405) 422-1199
e. lgray@c-a-tribes.org

Note: No cultural or religious sites have been identified in the affected area, but may exist. Any findings of significant archaeological origin should be reported to the Tribes immediately.

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

PROJECT: I-70 Twin Tunnels Environmental Assessment

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

Signed: Janice L. Boswell, Governor
Name and Title

Janice Prairie Chief-Boswell, Governor

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

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

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

The Cheyenne and Arapaho were once inhabitants of Colorado. Many former camp sites exist as do battle and burial sites.

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

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

Yes No If yes, please explain.

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

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

Yes No If yes, please explain.

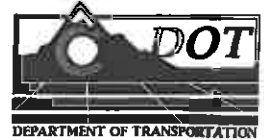
Please complete and return this form within 60 days via US Mail, fax or Email to:

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

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



December 20, 2011

Mr. Edward C. Nichols
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Determinations of Eligibility and Effects and Notification of Section 4(f) *De minimis*, I-70 Twin Tunnels Environmental Assessment, Clear Creek County

Dear Mr. Nichols:

This letter and the attached materials constitute a request for concurrence on determinations of eligibility and effects to historic properties for the project referenced above, which involves improvements to Interstate 70 between the East Idaho Springs interchange (milepost 241.1) and the base of Floyd Hill (milepost 244.2, the I-70/US Highway 6 interchange). This project is being documented by the Federal Highway Administration and the Colorado Department of Transportation as an Environmental Assessment.

The project involves adding a third eastbound travel lane between the east Idaho Springs interchange and the base of Floyd Hill (approximately 3 miles), including widening the Twin Tunnels to accommodate the additional lane and provide at least minimal shoulders. The third lane is proposed for the eastbound (south) side of the highway and can be accommodated without encroachment into Clear Creek or its floodplains. In addition to the roadway widening, the project will flatten the curve at Hidden Valley, which exhibits a high accident rate; the eastbound I-70 bridge over Clear Creek at Hidden Valley will also be replaced as part of the curve modification. Retaining walls will be required in a number of locations, but those visible from the roadway will not exceed 10 feet in height. Walls below the roadway will range in height from 2 to 20 feet. No improvements are planned for the westbound travel lanes at this time.

Boring the wider tunnel requires closing the eastbound tunnel to traffic and providing a detour during construction. CDOT proposes to upgrade a portion of the old US Highway 6/40 and use a connecting portion of current County Road (CR) 314 for the detour. The detour would begin just west of the tunnel entrance and follow segments of old US 6/40 and CR 314 adjacent to Clear Creek, then rejoin I-70 near Hidden Valley where the CR 314 and interstate grades are similar. Upgrading the detour route includes minor widening and repaving, reinforcing the Clear Creek bridge to handle interstate traffic loads, and constructing transitions to CR 314.

Area of Potential Effects

The Area of Potential Effects (APE) for the project was developed in consultation with SHPO staff and the Section 106 consulting parties for this project at a meeting held in Idaho Springs September 16, 2011. Refer to pages 1-5 of the attached report for a detailed description and maps of the APE.

Eligibility Determinations

A total of twenty-one properties (including segments of linear resources) were identified in the APE. Eligibility determinations for these resources are summarized in the table below; for more detailed information refer to the attached site forms. *Please note that some of the resources identified in the APE*

were also identified in the APE for the I-70 Frontage Road Project (C 0703-378), a separate undertaking submitted concurrently for your review. Due to the overlap of resources, a single set of forms is provided to accommodate the Section 106 review for both undertakings.

Resource Name	Site Number	Eligibility Determination
Prehistoric lithic scatter and historic foundation (destroyed)	5CC389	Eligible
Colorado Central Railroad (segment)	5CC427, segment 5CC427.1	Overall railroad eligible, non-supporting segment
Colorado Central Railroad (segment)	5CC427, segment 5CC427.5	Overall railroad eligible, non-supporting segment
Idaho Springs Work Center	5CC698	Not Eligible
Clear Creek Bridge (US 6/40)*	5CC1078	Not Eligible
Clear Creek Bridge (US 6/40)*	5CC1081	Not Eligible
Mine complex	5CC1128	Not Eligible
US Highway 6 (segment)	5CC1184.4	Overall highway eligible, non-supporting segment
Interstate 70 Twin Tunnels	5CC1189.3	Eligible
Mine complex	5CC1994	Not Eligible
Mine complex	5CC1995	Not Eligible
Seaton Mountain Electric Company Power Plant and Flume	5CC1996	Not Eligible
Mine	5CC1997	Not Eligible
Kermitts Roadhouse/Tunnel Inn Service Station & Lunch Room	5CC1998	Not Eligible
Historic Terraces	5CC1999	Not Eligible
Bell Family Residence	5CC2000	Not Eligible
Silver Spruce Mill	5CC2001	Not Eligible
US Highway 6/40	5CC2002, segment 5CC2002.1	Overall highway eligible; non-supporting segment
US Highway 6/40	5CC2002, segment 5CC2002.2	Overall highway eligible; non-supporting segment
Rock shelter	5CC2003	Need data
Mine complex	5CC2004	Not Eligible

*These bridges were determined officially not eligible as part of CDOT's 2000 Statewide Historic Bridge Inventory. Consequently, no site forms are attached for review.

Twin Tunnels (5CC1189.3): A Cultural Resources Re-Visitation Form was completed to clarify the historic property boundary for this resource. The boundary is based on the original construction plans for the tunnel and encompasses the footprint of the structure (including the length, width, and vertical height of the tunnels), the portal facades, associated retaining walls, and the earth fill on the immediate portal openings. A more detailed description is included in the attached site form. CDOT requests concurrence with the property boundary.

Effects Determinations

Twin Tunnels (5CC1189.3): The project will widen the eastbound bore of the Twin Tunnels to accommodate three travel lanes, shoulders, and evacuation walkways (see photo simulations below). The proposed roadway section ranges from a minimum of 48 feet to a maximum of 56 feet, which corresponds to a 51- or 61-foot-wide tunnel (approximately 20-35 percent larger than the existing 29-foot roadway). The height of the tunnel will also increase to ensure clearance for vehicles in the new outside lane, with an increase from the existing 17'7" high point to 29' for the 48-foot roadway, and 32' tall for the 56-foot

roadway. CDOT plans to make a final decision on the tunnel width in the Environmental Assessment process as more cost and geotechnical information becomes available. However, the relative difference in tunnel widening does not change the overall effect to the historic tunnel complex. In addition to the wider bore, the face of the tunnels would be modified to become more three-dimensional and “soften” the opening (see artist’s rendering, below). The existing flat portal at the tunnel entrance exacerbates drivers’ perceptions of the narrowness of the tunnel, and this “tunnel effect” is considered by experts to reduce the capacity of the Twin Tunnels by as much as 30 percent. That is, redesigning the entrance increases capacity independent of the additional lane. Regardless, the proposed tunnel improvements result in an *adverse effect* to the historic characteristics of the tunnel, including its design, materials, workmanship, and feeling.

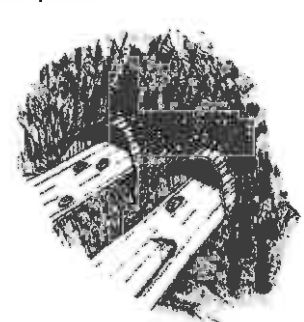
Existing Twin Tunnels
(looking eastbound)



Simulation of widened tunnel and
roadway approach



Artist’s rendering of redesigned
tunnel portal



US Highway 6/40 (5CC2002.1): As noted above, the project involves using a portion of the old US Highway 6/40 as a construction detour during tunnel boring. The western portion of 5CC2002.1 provides access to a CDOT maintenance facility as well as recreational (fishing and rafting) access, but does not provide any through movements. This portion of 5CC2002.1 continues about 1,000 feet to the east, crosses the Clear Creek Bridge (5CC1081), and at that point becomes CR 314. CR 314 serves local and through traffic and carries an average of 100 to 1,300 vehicles per day, with the higher volumes associated with weekend recreational trips and heavier traffic volumes on I-70. CR 314 and 5CC2002.1 are on the same alignment until just west of the Hidden Valley interchange, where CR 314 continues east on the south side of I-70 while 5CC2002.1 follows Clear Creek across I-70 to the north.

The detour would follow the entire length of 5CC2002.1 by routing two lanes of eastbound I-70 along the 5CC2002.1 alignment, around the tunnels to the south, and reconnecting to I-70 west of the Hidden Valley interchange where 5CC2002.1 crosses I-70 (and CR 314 continues east). To use this detour, the Twin Tunnels project would rebuild the portion of the old US Highway 6/40 west of the Clear Creek Bridge (5CC1081), upgrade that bridge to carry interstate traffic, and construct a transition (on-ramp) between CR 314 and I-70 to the east. The detour would operate as a two-lane, one-way roadway on which speeds would be limited to 35 mph. During use of the detour, CR 314 would be closed. However, due to the realignment of I-70 to address a tight curve west of Hidden Valley, a small length of CR 314 needs to be realigned slightly to the south, which will occur as part of the Twin Tunnels project. Because the construction and use of the detour route and the realignment of CR 314 affects a segment of 5CC2002.1 that does not support the overall historic significance of US Highway 6/40, the project results in *no adverse effect* to the overall length of US Highway 6/40 (5CC2002).

Colorado Central Railroad (5CC427.1): Two segments of 5CC427 are located within the APE, of which segment 5CC427.5 is on the north side of I-70 at the west end. Only a short segment is recorded in this location. Segment 5CC427.1, located east of the detour route and south of I-70, follows CR 314, which would continue to operate as a county road. The railroad will not be directly or indirectly affected by the project. Because both of these recorded segments are outside of the direct improvement area and

these segments do not support the significance of the Colorado Central Railroad, the determination for the overall railroad (5CC427) is *no historic properties affected*.

Archaeological Site (5CC389): This site is located on the north side of the westbound I-70 lanes. No improvements will occur in this location. Because the property can be avoided and will not be subject to direct effects, *no historic properties will be affected*.

US Highway 6 (5CC1184.4): A small segment of US Highway 6 is recorded at the east end of the APE. The project improvements end at the current US 6 ramp and would not affect this segment. Because this recorded segment is located outside of the direct improvement area and segment 5CC1184.4 does not support the significance of historic US Highway 6, the project results in *no historic properties affected* with regard to the overall highway resource (5CC1184).

Archaeological Site (5CC2003): This small sheltered site is recommended as needing additional data in the form of small-scale excavations prior to completion of a final eligibility determination. However, because the site is located north of I-70 and therefore beyond the area proposed for improvements, there will be no direct effects to 5CC2003. Consequently no additional actions are recommended at this time.

None of the other identified properties meet National Register eligibility criteria. Under Section 106, therefore, the project results in *no historic properties affected* for 5CC1078, 5CC1081, 5CC1128, 5CC1994, 5CC1995, 5CC1996, 5CC1996, 5CC1997, 5CC1999, 5CC2000, 5CC2001, 5CC2004, 5CC698, and 5CC1198.

Notification of Section 4(f) De Minimis Determination

This project has been determined to have *no adverse effect* to US Highways 6 & 40 (5CC2002/5CC2002.1). Based on the information outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

This information has been sent concurrently to the consulting parties for this project, including Clear Creek County, the City of Idaho Springs, the Historical Society of Idaho Springs, the Arapaho and Roosevelt National Forests, Colorado Preservation Inc., and the Cheyenne and Arapaho Tribes of Oklahoma (the only participating tribal government). We will notify you of their responses should they elect to submit comments.

We request your concurrence with the determinations of eligibility and effects as outlined above. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@dot.state.co.us.

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Survey Report
Site Forms

cc: David Singer, CDOT Region 1
Mandy Whorton, CH2M Hill



HISTORY *Colorado*

January 10, 2012

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Avenue
Denver, CO 80222

Re: Determination of Eligibility and Effects, and Notification of Section 4(f) De minimis, I-70 Twin Tunnels Environmental Assessment, Clear Creek County. (CHS #60284)

Dear Ms. Hann,

Thank you for your correspondence dated December 20, 2011 and received by our office on December 27, 2011 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed Area of Potential Effects (APE). We concur with the recommended findings of National Register eligibility for the resources listed below.

- 5CC.389
- 5CC.427.5
- 5CC.1189.3
- 5CC.698
- 5CC.1128
- 5CC.1184.4
- 5CC.1994
- 5CC.1995
- 5CC.1996
- 5CC.1997
- 5CC.1998
- 5CC.1999
- 5CC.2000
- 5CC.2001
- 5CC.2002.1
- 5CC.2002.2
- 5CC.2003
- 5CC.2004

We have additional questions in regards to the resources listed below.

- 5CC.427.1. The Re-Visitation Form is recommending a change from the previous determination of supporting of the overall National Register eligibility to now non-supporting of the overall National Register eligibility. According to item 10 of the instructions for the Re-Visitation Form: “Eligibility: Indicate the most recent National Register eligibility assessment. Remember, if you are changing the assessment, you must fill out a *Management Data Form* and appropriate component form(s).” In order to better evaluate the change in status, we recommend completion of a new Management Data Form with a Linear Component Form. Please note that the loss of railroad tracks and ties does not automatically result in a segment no longer supporting the overall eligibility of an entire linear resource. There are examples of railroad grades changed to “rails to trails” that remain eligible for the National Register.

In order to better understand the assessment of adverse effect for the project, has CDOT developed alternatives that would avoid or minimize the potential adverse effects? We also recommend that 5CC.427.1 be recorded on a Management Data Form with a Linear Component Form in order for staff to better understand why the evaluation of National Register eligibility is changing. The information is needed in order to evaluate the potential effects to the entire resource 5CC.427.

As a general note, the submitted site forms are from the suite of site forms that are no longer recommended for use by our office. We recommend that the current versions of the site forms (dated post January 1, 2011) be used for future projects.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

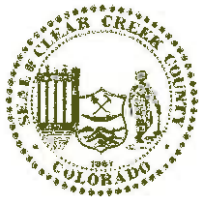
Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols
State Historic Preservation Officer





Clear Creek County

POST OFFICE BOX 2000
GEORGETOWN, COLORADO 80444

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

January 17, 2012

Jane Hann, Manager
Environmental Programs Branch
4201 East Arkansas, Shumate Building
Denver, Colorado 80222

RE: Determinations of Eligibility and Effects and Notifications of Section 4 (f) De Minimus, Interstate 70 Twin Tunnels, Clear Creek County, and

Determinations of Eligibility and Effects and Notifications of Section 4 (f) De Minimus, Interstate 70 Frontage Road, Clear Creek County

Dear Ms. Hann:

Thank you for submitting the report on historic resources prepared by Centennial Archaeology in keeping with Section 106 and Section 4(f) for the two I-70 projects in the Twin Tunnels area for Clear Creek County review. We appreciate the opportunity to comment on the report.

In general, the County concurs with the conclusions of report for a determination of an adverse effect on the Twin Tunnels themselves and a de minimus Section 4(f) impact on other historic resources for the Twin Tunnels project and a no adverse effect and a de minimus Section 4(f) impact for historic resources in the APE for the Frontage Road project. We understand the Section 4(f) review pertained to historic resources only and did not include recreational resources. We were surprised at the lack of management recommendations for the mitigation of the adverse impact. The Twin Tunnels, completed in 1961, represent the height of tunnel engineering of the period and feature the unique and distinctive Art Deco portals. Mitigation of adverse impact should include an HAER level recordation of the structure and an effort to make the new portal visually compatible with the partner westbound portal and reflective of the original design.

Although we concur with the overall determinations of the impact of the projects we do have a following concerns with the other aspects of the report, particularly as these reports tend to be used in future work.

1. Historical accuracy: The document contains a number of inaccuracies in historical information, e.g. Idaho Springs did not have a population of 12,000 in 1860 and the first road up Floyd Hill was built in 1862 not 1908. The bibliography does not reference the Guide for Evaluating Historic Resources in the I 70 Mountain Corridor by Eric Twitty which was prepared specifically for use in Section 106 and Section 4(f) reviews in the I70 Mountain Corridor. Use of this document would have provided more accurate information for the general history and evaluation of specific sites.

"Honoring Our Past, While Designing Our Future"

2. Specific sites: The determination of the Doghouse Rail Bridge as a resource of no concern is not in keeping with the current attention to similar structures in the adjacent US Forest. How the Doghouse Rail Bridge is to be altered is an important concern to the Clear Creek County Greenway project as the area is to be used as a recreational node in the future. The site and flume remnants of the Seaton Power Plant deserve recognition. It is not impacted in this project, but is the site of a facility that played an important role in the development of power generation in Clear Creek and should be acknowledged in interpretation.

In addition, although there are identifications of rock shelters, we did not find discussion of what locals sometimes refer to as “lookouts” in the I-70 corridor – one of which can be seen in the project area, above Kermit's Roadhouse.

3. Management recommendations: In general there were no management recommendations, even in the case of the adverse impact. The management section on all mining sites was identical. Mine site evaluations did not appear to use the evaluation tools from the historic context.

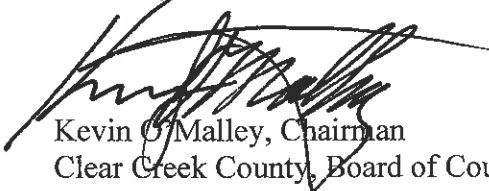
4. Completion: The report indicates that the survey of the APE was never completed.

5. Greenway: The report states that greenway improvements for the entire length of the road between East Idaho Springs and the Hidden Valley Interchange are a part of Phase 2 of the Frontage Road project. This is not the case, as Greenway improvements will take place in Phase 1 of the Frontage Road project.

As a further recommendation, the I-70 Section 106 Programmatic Agreement - Section VI discusses mitigation measures that include interpretation plans and efforts. Clear Creek County would like to begin a discussion of this interpretive project at our next consulting party meeting.

Again, thank you for the opportunity to comment on the Centennial Archaeology Report.

Sincerely,

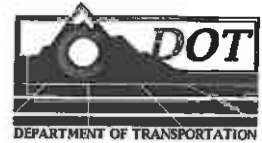
A handwritten signature in black ink, appearing to read "Kevin O'Malley", is written over the typed name and title.

Kevin O'Malley, Chairman
Clear Creek County, Board of County Commissioners

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



March 9, 2012

Mr. Edward C. Nichols
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Additional Section 106 Information, I-70 Twin Tunnels Environmental Assessment, Clear Creek County (CHS #60284)

Dear Mr. Nichols:

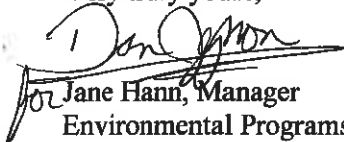
Thank you for your response dated January 10, 2012 regarding CDOT's eligibility and effects determinations for the project referenced above. You requested additional information about the Colorado Central Railroad (5CC427) and the Twin Tunnels (5CC1189.3).

Colorado Central Railroad (5CC427): In the survey report, CDOT determined that the segment 5CC427.1 lacks integrity because it has been converted to a paved bicycle path in this location. Your staff disagreed and noted that loss of railroad tracks and ties does not automatically result in a loss of integrity, and that many railroads converted to recreational use through the "rails to trails" program remain National Register eligible. CDOT reviewed the information about the railroad segment and noted that the segment still follows the original railroad alignment and retains some of its structural elements, including portions of a stone retaining wall. For these reasons, CDOT agrees with the assessment that the segment retains integrity and a new site form was not completed. As noted in our December 20, 2011, correspondence regarding this issue, the railroad segment will not be directly or indirectly affected by the undertaking, and therefore, the finding of *no historic properties affected* remains applicable.

Twin Tunnels (5CC1189.3): You requested information about alternatives that would minimize or avoid impacts to the Twin Tunnels complex. Enclosed is information concerning avoidance alternatives and measures to minimize harm as outlined in the draft Section 4(f) Evaluation of the Twin Tunnels EA.

We request your concurrence that the determinations of effects outlined for the Colorado Central Railroad (5CC427) is still appropriate. If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@dot.state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosure: Draft Avoidance Alternatives/Minimization Information

cc: David Singer, CDOT Region 1
Mandy Whorton, CH2M Hill
Kevin O'Malley, Clear Creek County Commissioners

- 1 ▪ It compromises the project to a degree that it is unreasonable to proceed with the project in light of
- 2 the stated purpose and need.
- 3 ▪ It results in unacceptable safety or operational problems.
- 4 ▪ After reasonable mitigation it still causes:
 - 5 ○ Severe social, economic or environmental impacts.
 - 6 ○ Severe disruption to established communities.
 - 7 ○ Severe disproportionate impacts to minority or low income populations.
 - 8 ○ Severe impacts to environmental resources protected under other federal statutes.
- 9 ▪ It results in additional construction, maintenance, or operational costs of an extraordinary magnitude.
- 10 ▪ It causes other unique problems or unusual factors.
- 11 ▪ It involves multiple factors (listed above) that while individually minor, collectively cause unique
- 12 problems or impacts of extraordinary magnitude.

13 4.8.1 Avoidance Alternatives

14 As described in Section 4.6, the Proposed Action would result in a use of three Section 4(f) properties.
 15 Alternatives that would avoid Section 4(f) properties must be identified and evaluated [23 CFR 774.7(a)].
 16 The following alternatives would avoid any use of identified Section 4(f) properties in the Twin Tunnels
 17 study area. These alternatives were evaluated and eliminated as not being prudent and feasible:

- 18 ○ No Action Alternative
- 19 ○ I-70 Mountain Corridor PEIS Alternatives (specific corridor alternatives)
- 20 ○ Idaho Springs Northern Bypass Alternative

21 The following alternatives would avoid impact to the Twin Tunnels (5CC1189.3), but would not avoid the
 22 other identified Section 4(f) properties in the Twin Tunnels study area. One of these alternatives is
 23 deemed to be prudent and feasible and is discussed in more detail in the Least Harm Analysis in this
 24 Chapter.

- 25 ○ Third Bore South of the Existing Twin Tunnels Alternative
- 26 ○ Flyover Viaduct South of the Existing Twin Tunnels Alternative

27 The following alternatives would not avoid impact to the Twin Tunnels (5CC1189.3), but would avoid
 28 one or more of the other identified Section 4(f) properties in the Twin Tunnels study area. These
 29 alternatives were evaluated and eliminated as not being prudent and feasible:

- 30 ○ Construct improvements using the westbound tunnel as the detour
- 31 ○ Close the eastbound lanes for periods of time while the tunnel is being blasted
- 32 ○ Use CR 314 for only one eastbound lane

33 The seven avoidance alternatives listed above and the reason they are not feasible and/or prudent are
 34 discussed below.



1 4.8.1.1 No Action Alternative

2 The No Action Alternative would completely avoid the identified Section 4(f) properties in the Twin
3 Tunnels study area. However, this alternative would not address the issues with congestion and safety
4 as described for the project purpose and need. Based on this, the No Action Alternative does not meet
5 the project purpose and need and is therefore not feasible and prudent.

6 4.8.1.2 I-70 Mountain Corridor PEIS Alternatives

7 The I-70 Mountain Corridor PEIS evaluated a number of corridor alternatives, some of which may avoid
8 use of the Section 4(f) properties in the Twin Tunnels study area. These include aviation alternatives,
9 alternate routes, transportation management (such as travel demand management and pedestrian and
10 bicycle facilities), localized highway improvements, fixed guideway transit, rubber tire transit and
11 highway elements such as flex lanes and a movable median. In all cases, these corridor alternatives do
12 not meet the Twin Tunnels purpose and need. None of these alternatives would remove enough traffic
13 from I-70 to address the project's mobility needs. The mobility needs and issues of dramatic congestion
14 in the eastbound direction would remain. In addition, none of these alternatives would address the
15 problematic operational characteristics of sharp curves or real and perceived narrowness of the tunnels.
16 For these reasons, these corridor alternatives are not considered feasible and prudent. More detail about
17 these alternatives is contained in the I-70 Mountain Corridor PEIS, Section 3.14.7 (CDOT, 2011).

18 4.8.1.3 Idaho Springs Northern Bypass Alternative

19 This alternative was developed during the Idaho Springs Visioning process and would relocate I-70 to the
20 north of the Twin Tunnels area, thus avoiding any use of the identified Section 4(f) properties in the Twin
21 Tunnels study area.

22 This alternative, as shown on Figure 4-5, deviates from the current I-70 alignment at the Hidden Valley
23 interchange and climbs up on the hillside north of I-70. This alternative would completely bypass Idaho
24 Springs by placing a new alignment north of the city rejoining the current I-70 alignment at the west
25 Idaho Springs interchange. This alternative is similar to an alternative considered in the I-70 Mountain
26 Corridor PEIS as a parallel route north of Idaho Springs between Fall River Road and the Hidden Valley
27 Interchange. However, this alternative would replace I-70 with a four lane highway.

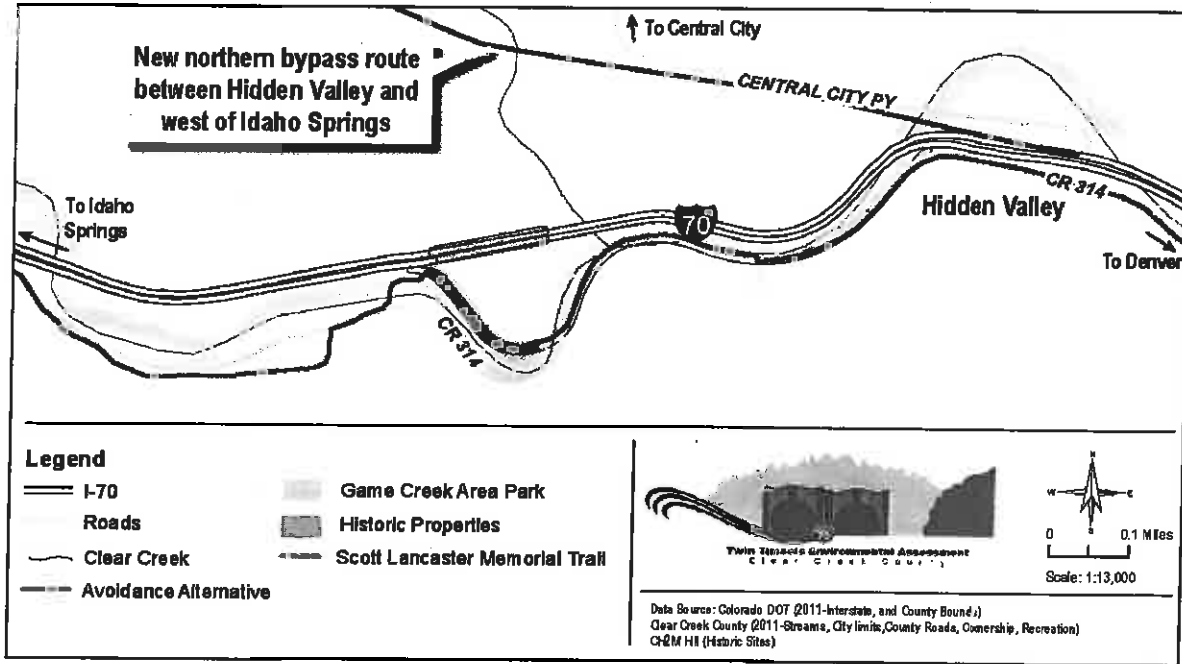
28 The bypass alignment follows an area of extreme topography which would result in large cuts and fills.
29 The alternative requires a ten percent grade to tie into the existing I-70 interchanges at Hidden Valley and
30 west Idaho Springs. This grade is well over the standard AASHTO criteria for mountainous terrain.
31 Substantial excavations would be required including 80-foot cuts in numerous locations and 100-foot
32 deep earth fills. These large excavations would produce substantial spoil material with the potential for
33 mineralization. The area north of Idaho Springs is also riddled with mine shafts and tunnels,
34 substantially increasing the difficulty of construction. Some of the mine shafts and tunnels may also be
35 classified as historic. A number of high-clearance bridges would be required including a 460-foot high
36 bridge in one location.

37 A complex interchange would be required at the existing Hidden Valley interchange to accommodate the
38 I-70 business route, the new I-70 alignment, Central City Parkway, and the I-70 frontage road. The
39 existing canyon terrain may not accommodate the required footprint for this complex interchange. The
40 new I-70 alignment would also be parallel to the Central City Parkway, requiring either relocation of the
41 Parkway, a viaduct, or an additional interchange at the top of the ridge. This new alignment would be
42 highly visible to the residents of Idaho Springs and could have severe economic impacts to Idaho Springs
43 because the retail establishments in Idaho Springs would no longer be easily visible and accessible to
44 travelers on I-70.



- 1 From a technical perspective, the improvements that would be needed at the Hidden Valley interchange
- 2 are deemed not to be feasible due to the constraints of the surrounding topography. This factor coupled
- 3 with the severe construction, operational and safety problems associated with this avoidance alternative
- 4 are cumulatively of an extraordinary magnitude. For this reason, this alternative is not feasible and
- 5 prudent.

Figure 4-5. Idaho Springs Northern Bypass Alternative



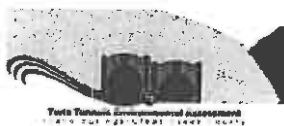
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7 **4.8.1.4 Third Bore South of Existing Twin Tunnels Alternative (Concept Package 7)**

8 This alternative was developed during the Tunnel Visioning process as Concept Package 7 and was
 9 analyzed in the PEIS (at the corridor concept level) as the Preferred Alternative at this location. The
 10 alternative is a modified version of the alternative analyzed in the PEIS. The design for the new tunnel
 11 bore was shifted further to the south to maintain 100 feet of separation from the existing eastbound
 12 tunnel. This was deemed necessary to maintain the structural integrity of the existing tunnel.

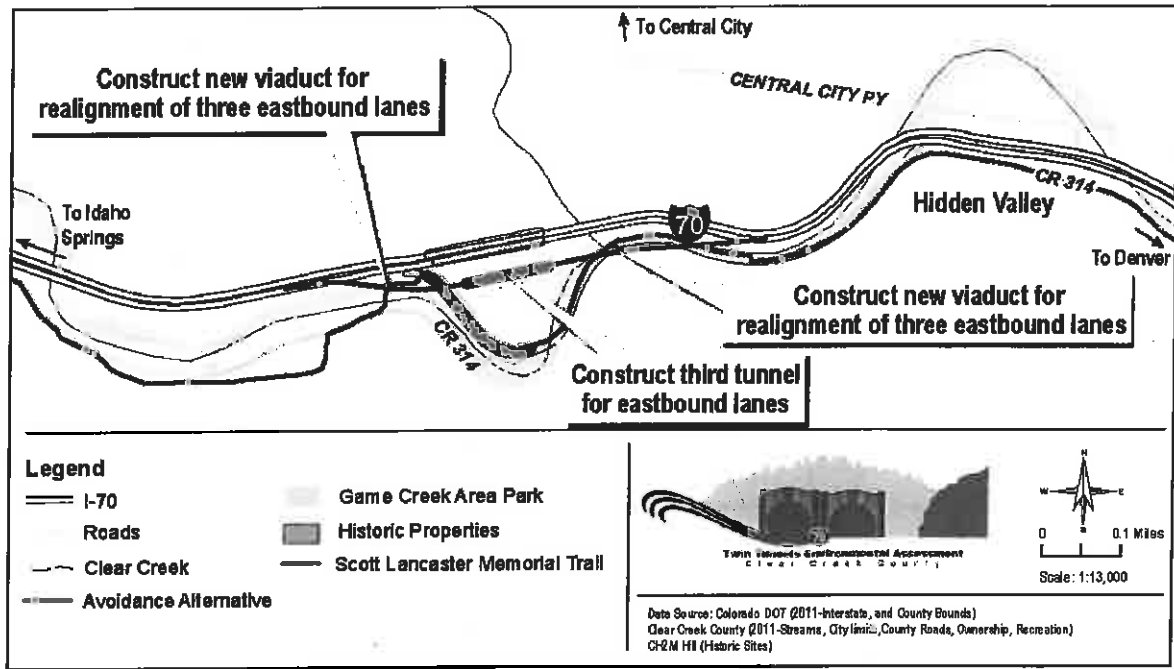
13 This alternative involves realigning an approximately 3/4-mile segment of eastbound I-70 and constructing
 14 a third bore to accommodate a third tunnel south of the existing tunnels. The third tunnel would
 15 accommodate three eastbound lanes with improved shoulders. The existing eastbound tunnel would be
 16 converted for use as an additional westbound lane. Other elements of this alternative would include
 17 curve flattening at one location and a third eastbound lane from Idaho Springs eastern most interchange
 18 to the bottom of Floyd Hill.

19 The new tunnel would be approximately 750 feet long and 56 feet wide. A 1400- foot long viaduct east of
 20 the new tunnel would cross over Clear Creek and CR 314 along a roughly parallel alignment for nearly
 21 100 feet. West of the tunnel, a 700-foot long viaduct could cross over the planned Game Check Area Park,
 22 the Scott Lancaster Bridge, and Clear Creek before rejoining the existing I-70 alignment.



- 1 This alternative meets the purpose and need and could feasibly be constructed. This alternative would
- 2 have direct, indirect, and temporary impacts to surrounding community and natural resources. However,
- 3 the combination of a tunnel and viaducts serve to minimize some severe impacts that would result from
- 4 constructing more of the realignment at-grade, while creating others. The cost of constructing this
- 5 alternative is estimated to be between 110 and 140 percent higher than the Proposed Action and operation
- 6 and maintenance costs associated with the viaducts would also be higher. Although these costs are
- 7 substantially higher than the Proposed Action, they are not deemed to be of extraordinary magnitude.
- 8 This alternative is shown below in Figure 6 and discussed in more detail in the Section 4.10 *What*
- 9 *alternative results in the least harm?*

Figure 4-6. Third Bore South of Existing Twin Tunnels Alternative (Concept Package 7)



10 **4.8.1.5 Flyover Viaduct South of Existing Twin Tunnels Alternative**

11 This alternative involves constructing a flyover viaduct south of the tunnels for new eastbound lanes and
 12 converting the existing tunnels for westbound traffic (see Figure 4-7). This alternative was developed
 13 during the Tunnel Visioning process as Concept Package 5. The flyover would be located on the south
 14 side of the land mass through which the Twin Tunnels pass and would avoid use of the Twin Tunnels.

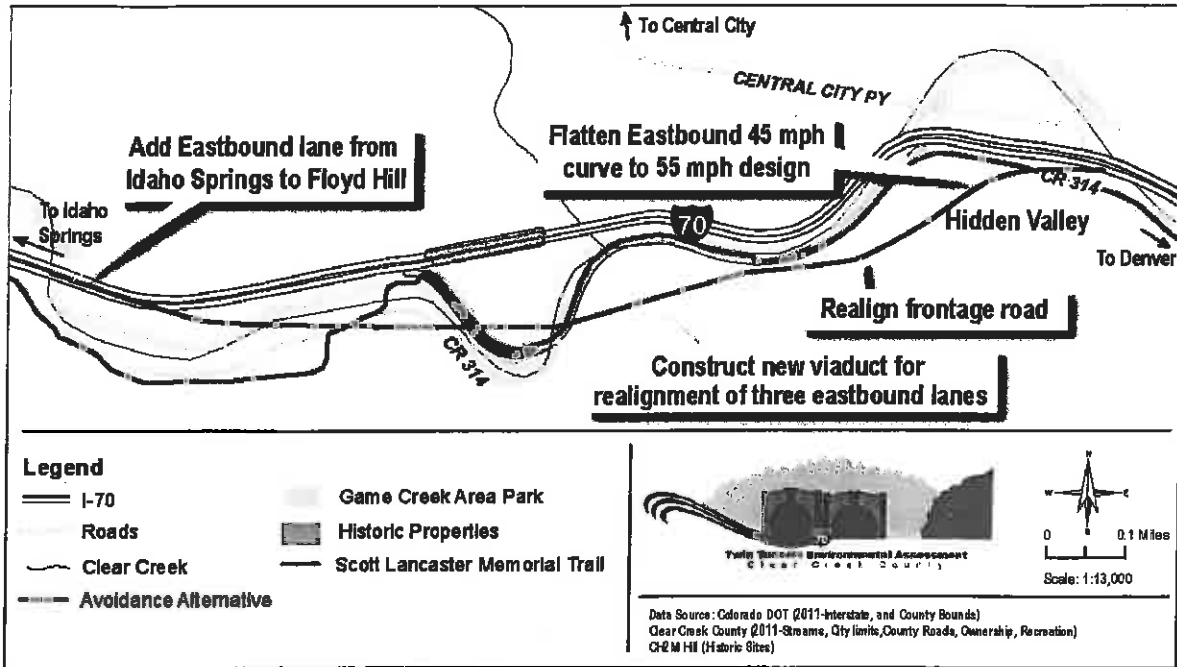
15 This alternative requires four new bridge crossings of Clear Creek, which are a water quality concern and
 16 could substantially degrade the future recreational experience of people fishing and rafting in Clear
 17 Creek. There are currently high quality riparian areas along Clear Creek which are higher quality
 18 because I-70 is in the tunnel.

19 This alternative would cross over the Scott Lancaster Memorial Trail at four locations and would cross
 20 over the planned Game Check Area Park. The Game Check Area Park is a relatively unique location
 21 along the Clear Creek Greenway in that traffic on I-70 is not audible. The recreational value of this parcel
 22 would be substantially diminished with this flyover alternative.



1

Figure 4-7. Flyover Viaduct South of the Existing Twin Tunnels



2

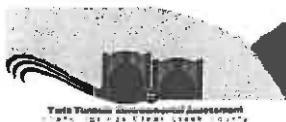
3 Because it crosses the land mass over the Twin Tunnels partially at grade, it disturbs the current
 4 movement corridor for big game including bighorn sheep. This could result in herd isolation and loss of
 5 individual populations of bighorn sheep.

6 This alternative requires seven percent grades which exceeds AASHTO standard design criteria for
 7 mountainous terrain. The alternative requires a long viaduct structure which is undesirable because of
 8 freezing concerns, resulting in unsafe conditions, especially at a seven percent grade. The seven percent
 9 grades are unusually problematic in this situation because there would be a seven percent upgrade
 10 followed by a seven percent downgrade. These steep grades combined with the long viaduct structure
 11 and increased potential for icing would result in the development of a severely unsafe segment of the
 12 interstate system with limited detour options in the event of an incident. Maintenance and emergency
 13 response issues are also a concern as a result.

14 These multiple factors (severe safety associated with the seven percent grade on a long viaduct
 15 structure, substantial adverse effects to the bighorn sheep movement corridor and herd
 16 viability, and recreational impacts to Clear Creek) cumulatively cause impacts of an
 17 extraordinary magnitude. This alternative is not feasible and prudent.

18 **4.8.1.6 Construct improvements using the westbound tunnel as the detour**

19 This alternative assumes that while the eastbound tunnel is being widened, all lanes of I-70 traffic will use
 20 the westbound tunnel. The lanes in the westbound tunnel will be reconfigured to carry one lane each
 21 direction. This detour would be in operation 24 hours a day, 7 days a week for 4 to 5 months at least. This
 22 alternative would avoid use of the Scott Lancaster Memorial Trail and the historic US Highway 6/40
 23 route.



1 Major traffic delays would result, especially since the only route around this bottleneck would be US 285
2 to SH 9. This route would increase the distance between C-470 and Frisco (which is 59 miles on I-70) to
3 111 miles, almost doubling the distance. This alternative route consists primarily of a two lane,
4 mountainous roadway, which already carries heavy directional traffic during the same periods as I-70
5 since it also provides access to and from mountain recreational destinations. Any additional traffic from
6 I-70 would substantially overload US 285.

7 Peak period delays on I-70 (calculated for April/May and September to November) would occur much
8 of the weekend. Volumes would exceed the capacity of the one lane in each direction through the Twin
9 Tunnels for between four to seven hours on Friday, three to five hours on Saturday and four to ten hours
10 on Sundays. Congested conditions on I-70 would last additional hours. The length of this congestion
11 would be substantial and likely exceed what is currently experienced by eastbound traffic on I-70 during
12 winter and summer peak periods. Currently, there are numerous occasions when there is a continuous
13 line of slow moving eastbound traffic between the Eisenhower/Johnson Tunnels and Twin Tunnels.
14 Backups in the westbound direction currently occur on Saturday morning (particularly in the winter) on
15 Floyd Hill due to the reduction in through lanes from three to two. One lane in the westbound direction
16 through the Twin Tunnels would create backups extending for five miles or more on Sunday afternoons.
17 Much longer queues could be expected on Fridays and Saturdays.

18 Safety would be a major issue, particularly if there is an accident in the westbound tunnel. The severe
19 congestion discussed above would increase the probability of rear-end and side-swipe crashes. The
20 provision of emergency services would be severely impaired.

21 The substantial travel delays during construction would severely discourage non-essential trips such as
22 recreational travelers who might otherwise visit mountain communities. Additionally, the provision of
23 goods and services to Clear Creek County would be substantially impaired. The economic impact of this
24 alternative to Clear County and other mountain communities during peak summer periods would be
25 substantial.

26 This alternative is not feasible and prudent because of unacceptable safety and operational problems (to
27 the regular I-70 commuter, emergency service providers and recreational travelers both on I-70 and the
28 only feasible alternate route which is US 285) and severe social and economic impacts.

29 **4.8.1.7 Close the eastbound lanes for periods of time while the tunnel is being blasted**

30 This alternative consists of closing the eastbound lanes for six to seven months while the tunnel is being
31 blasted. It would avoid use of the Scott Lancaster Memorial Trail and the historic US Highway 6/40
32 route.

33 This alternative would result in long backups of traffic, substantially increasing congestion in the
34 eastbound direction. Potential detours include routing eastbound traffic over Guanella Pass or SH 9.
35 Neither of these roadways could handle noticeable increases in volume. The economic impact of this
36 extreme congestion would be substantial. Many travelers would avoid using I-70 and there would likely
37 be a noticeable reduction in both in state and out of state tourist traffic.

38 This alternative is not feasible and prudent because of unacceptable and severe operational problems and
39 severe economic impacts to the provision of goods and services along this segment of I-70.

40 **4.8.1.8 Use CR 314 for only one eastbound lane**

41 This alternative assumes CR 314 would be used for only one eastbound lane and the remainder of the
42 pavement on CR 314 would be open for recreational use associated with the Scott Lancaster Memorial
43 Trail. It would avoid use of the Scott Lancaster Memorial Trail. It would still result in a use of the
44 historic US Highway 6/40 route.



- 1 The impacts of this alternative would be similar to closing the eastbound lanes for periods of time while
 2 the tunnel is being blasted, except that the capacity of I-70 would be cut by 50% in the eastbound
 3 direction, rather than stopped altogether. This alternative would result in long backups of traffic,
 4 substantially increasing congestion in the eastbound direction. Traffic diversions would likely occur,
 5 affecting routes such as those over Guanella Pass or SH 9. Neither of these roadways could handle
 6 noticeable increases in volume. The economic impact of this congestion would be substantial.
- 7 This alternative is not feasible and prudent because of unacceptable and severe operational problems and
 8 severe economic impacts to the provision of goods and services along this segment of I-70.

9 4.9 What measures to minimize harm have been included?

10 The following measures to minimize harm have been included in the Proposed Action:

- 11 • Pedestrians and bicyclists will be accommodated during the detour period. Along the frontage
 12 road, an 8-foot barrier separated multi-use path will be provided. Between the Doghouse Rail
 13 Bridge and the water treatment plant, pedestrian and bicycle traffic will be rerouted to the
 14 frontage road during the detour.
- 15 • After interstate traffic is returned to the I-70 corridor, the Scott Lancaster Memorial Trail will be
 16 returned to existing conditions.
- 17 • CDOT will coordinate with Clear Creek County to determine a desirable post-detour condition
 18 for the game check area.
- 19 • The design will incorporate shoulder widths that are less than the AASHTO standards.
- 20 • The design will incorporate retaining walls to minimize Section 4(f) uses.
- 21 • [Need to add mitigation measures for the Twin Tunnels based on the updates to the
 22 Programmatic Agreement]

23 4.10 What alternative results in the least harm?

24 This section provides a least overall harm analysis in accordance with 23 CFR 774.3(c)(1). FHWA may
 25 only approve the alternative that causes the least overall harm. Least overall harm is determined by the
 26 following factors:

- 27 • The ability to mitigate the adverse impacts to each Section 4(f) property;
- 28 • The relative severity of the remaining harm, after mitigation, to the protected activities, attributes
 29 or features that qualify each property for protection;
- 30 • The relative significance of each property;
- 31 • The view of the officials with jurisdiction over the property;
- 32 • The degree to which each alternative meets the purpose and need for the project;
- 33 • The magnitude, after mitigation, of any adverse impacts to resources not protected by Section
 34 4(f); and



1 Substantial differences in cost among the alternatives.
 2 Two feasible and prudent alternatives have been identified and are evaluated in this least overall harm
 3 section: the Proposed Action and Concept Package 7, which is the Preferred Alternative as identified in
 4 the I-70 Mountain Corridor PEIS/ROD (CDOT, 2011). Concept Package 7, which was developed during
 5 the Tunnel Visioning process, is described in Section 4.8 of this chapter as the Third Bore South of the
 6 Existing Twin Tunnels Alternative. Because Concept Package 7 was not evaluated in this EA, the
 7 preliminary finding of effect on significant historic properties has not been submitted to the SHPO for
 8 review.

9 **4.10.1 Summary of Section 4(f) Use by Alternative**

10 Table 4-2 contains a summary of Section 4(f) uses by Alternative.

Table 4-2. Section 4(f) Summary

Property	Use from Proposed Action	Use from Concept Package 7
Twin Tunnels (5CC1189.3)	Permanent use of land: Would require reconstruction and widening of the eastbound tunnel. This would alter the design, materials, workmanship, and feeling of this historic property resulting in a Section 106 finding of <i>adverse effect</i> .	No use. Would not have any physical impact to the boundary of the Twin Tunnels historic property. The direction of vehicular travel within the eastbound tunnel would change, but this would not affect the design, materials, workmanship, or feeling of this historic property. A Section 106 finding of <i>no historic properties affected</i> would be anticipated.
US Highway 6/40 (5CC2002)	De minimis: The eastbound I-70 detour would temporarily route interstate traffic onto a portion of old US 6/40. Through the Section 106 process, the reconstruction and use of 5CC201.1 as a temporary detour route were deemed to have <i>no adverse effect</i> to the overall length of US Highway 6/40 (5CC2002) because this segment does not support the overall historic significance of US Highway 6/40 (5CC2002). This is considered a <i>de minimis</i> impact under Section 4(f).	De minimis: Construction of a viaduct for the realignment of eastbound I-70 would permanently remove of a portion of 5CC2002.1 near the new west tunnel portal. Additionally, the viaduct east of the tunnel would span over the top of the historic resource for up to 700 feet. Within this segment, multiple sets of piers from the viaduct would be needed on both sides of the roadway. The vertical clearance would be approximately 25 feet. This would have <i>no adverse effect</i> to the overall length of US Highway 6/40 (5CC2002) because this segment does not support the overall historic significance of US Highway 6/40 (5CC2002). This would be considered a <i>de minimis</i> impact under Section 4(f).
Scott Lancaster Memorial Trail	Temporary use: The eastbound I-70 detour would temporarily route interstate traffic onto a segment of the trail owned by Clear Creek County. Approximately 1/3 mile of the trail would be closed for up to a 10-month period between December 2012 and October 2013. During this time, pedestrian and bicycle traffic between the water treatment plant and the Doghouse Rail Bridge would be re-routed to the frontage road in an on-street condition.	Permanent use of land: Construction of a viaduct connecting to the new west tunnel portal would require permanent relocation of the Scott Lancaster Bridge and realignment of between 500 and 1000 feet of the Scott Lancaster Memorial Trail. Approximately 0.4 acre of the Clear Creek County parcel for the trail would be permanently incorporated for transportation use.





HISTORY Colorado

March 19, 2012

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Avenue
Denver, CO 80222

Re: Additional Section 106 Information, I-70 Twin Tunnels Environmental Assessment, Clear Creek County (CHS #60284)

Dear Ms. Hann,

Thank you for your correspondence dated March 9, 2012 and received by our office on March 14, 2012 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we concur that segment 5CC.427.1 retains integrity and support the overall eligibility of the entire linear resource 5CC.427. We concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106 for this resource. Thank you for the additional information in regards to the alternatives to avoid or minimize effects to resource 5CC.1189.3. We concur with the recommended finding of *adverse effect* [36 CFR 800.5(a)(1)] under Section 106 for resource 5CC.1189.3. We look forward to consultation under 36 CFR 800.6.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols
State Historic Preservation Officer

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch
4201 East Arkansas Avenue
Shumate Building
Denver, Colorado 80222
(303) 757-9281



May 21, 2012

SUBJECT: Revised Area of Potential Effects, Interstate 70 Twin Tunnels Environmental Assessment, Clear Creek County

Dear Section 106 Consulting Party:

This letter and the attached materials constitute a request for comments on a revised Area of Potential Effects (APE) and effects determinations for the project referenced above. As you are aware from previous correspondence, the undertaking involves improvements to a segment of I-70 west of the base of Floyd Hill (the I-70/US Highway 6 interchange), including expansion of the eastbound bore of the Twin Tunnels to include a third lane.

Section 106 Consultation Summary

In September 2011, CDOT and Federal Highway Administration (FHWA) representatives met with Amy Pallante of SHPO and the local consulting parties to develop an APE for the corridor, which extended from milepost 241.4.-244.5. In some places the boundary coincided with the current I-70 right-of-way (ROW) on either side of the roadway, while in others it expanded to as much as 200 feet beyond the ROW. The APE also included the entire East Idaho Springs interchange area and the US 6 interchange and surrounding area (including Kermitts Roadhouse). In December 2011, CDOT submitted eligibility and effects determinations to SHPO and the consulting parties, and in March 2012, CDOT responded to SHPO with additional information regarding one of the eligible properties (SCC427, the Colorado Central Railroad). Since that time CDOT has extended the project limits west along I-70 past Idaho Springs to milepost 238.5, to include locations for a series of signs to alert drivers of an upcoming managed lane. The sign plan includes seven signs—three within the extended APE, and four within the original APE.

APE Boundary Revision

Attached are two sets of aerial maps. The set labeled "Managed Lane Signing and Striping Plan" shows the approximate location of all the signs within the new project limits and the overall APE (including the extension to the west), and also provides a visual for the appearance of the signs. The second attachment, labeled "Revised APE," provides an overview of the APE extension to the west, the sign locations within that area, and a visual simulation of the size and appearance of the signs from the driver's perspective. CDOT conducted a field review of the sign locations within the extended project limits to determine how to define the extended APE. The results of that survey are documented in the second attachment. Based on the results of the field survey and the fact that the signs will be installed within the highway median, CDOT determined that the extended APE should be limited to the highway ROW and therefore no intensive level survey was necessary.

Effects Determinations

All of the signs will be installed in the median and thus within existing highway ROW; in some locations the signs will be installed near existing highway structures. In the original section of the APE, the National Register of Historic Places (NRHP) eligible properties include a prehistoric lithic scatter and historic foundation (SCC389), the Colorado Central Railroad (SCC427), US Highway 6 (SCC1184), Twin

Tunnels (5CC1189.3), and US Highway 6/40 (5CC2002). The signs will not directly or indirectly affect any of these NRHP eligible properties, thus resulting in a finding of *no historic properties affected*.


With regard to the extended APE, an analysis of views toward and away from the sign locations at select points on both sides of the highway indicate that the signs will not be visually prominent; they will blend in with existing signage within and near the City of Idaho Springs and along the interstate. Based on the fact that the signs will be installed within highway ROW as well as on the results of the field review, CDOT has determined that the sign installation will result in *no historic properties affected* within the extended APE.

This information has been sent concurrently to the SHPO for formal Section 106 review. We will provide you with the SHPO response when received.

As a Section 106 consulting party, we welcome your comments on the revised APE and the effects determinations as outlined above. Should you elect to respond, we request your comments within 30 days of receipt of these materials. Because this submittal has been sent electronically, it is acceptable (at your discretion) to send comments via Email; if you prefer to mail hard copy comments, please use the address present on the letterhead. If we do not receive a response within the 30-day time frame, we will assume you do not have comments on these materials.

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

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Attachment 1 (Managed Lane Signing and Striping Plan)
Attachment 2 (Revised APE)

cc: David Singer, CDOT Region 1
Mandy Whorton, CH2M Hill



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Unit Leader Initials:	
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LEFT

press Toll License Plate Toll
EXPRESS LANE ENTRANCE
 1 MILE
TOLL

Static Sign with Toll/No Toll VMS

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LEFT

press Toll License Plate Toll

EXPRESS LANE ENTRANCE

1/2 MILE

NO TOLL

Static Sign with Toll/No Toll VMS

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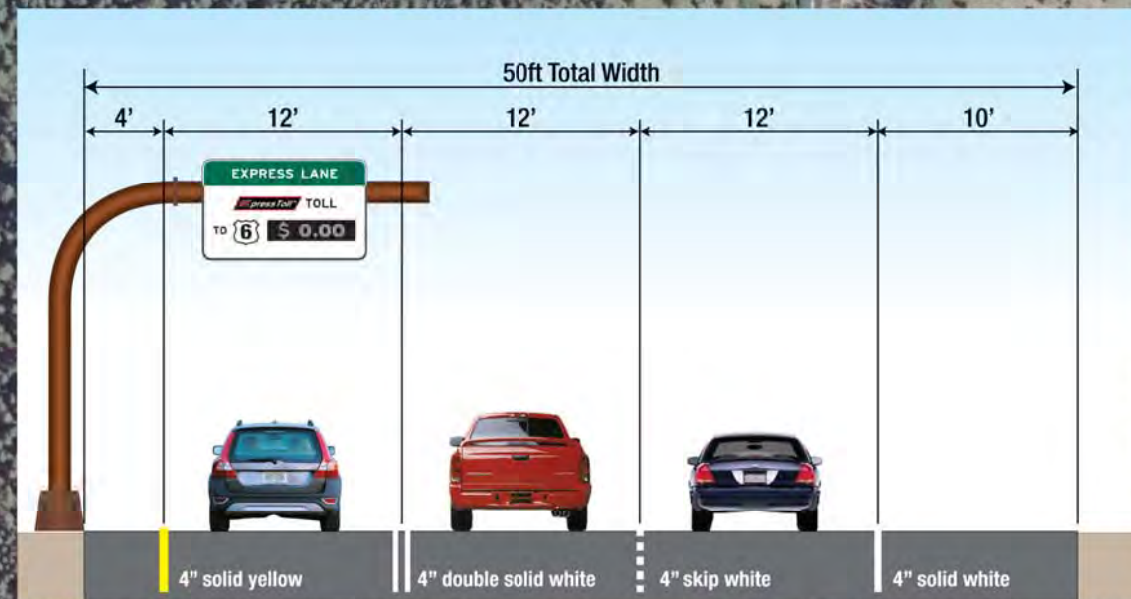
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License Plate Toll
ADDITIONAL FEES MAY APPLY



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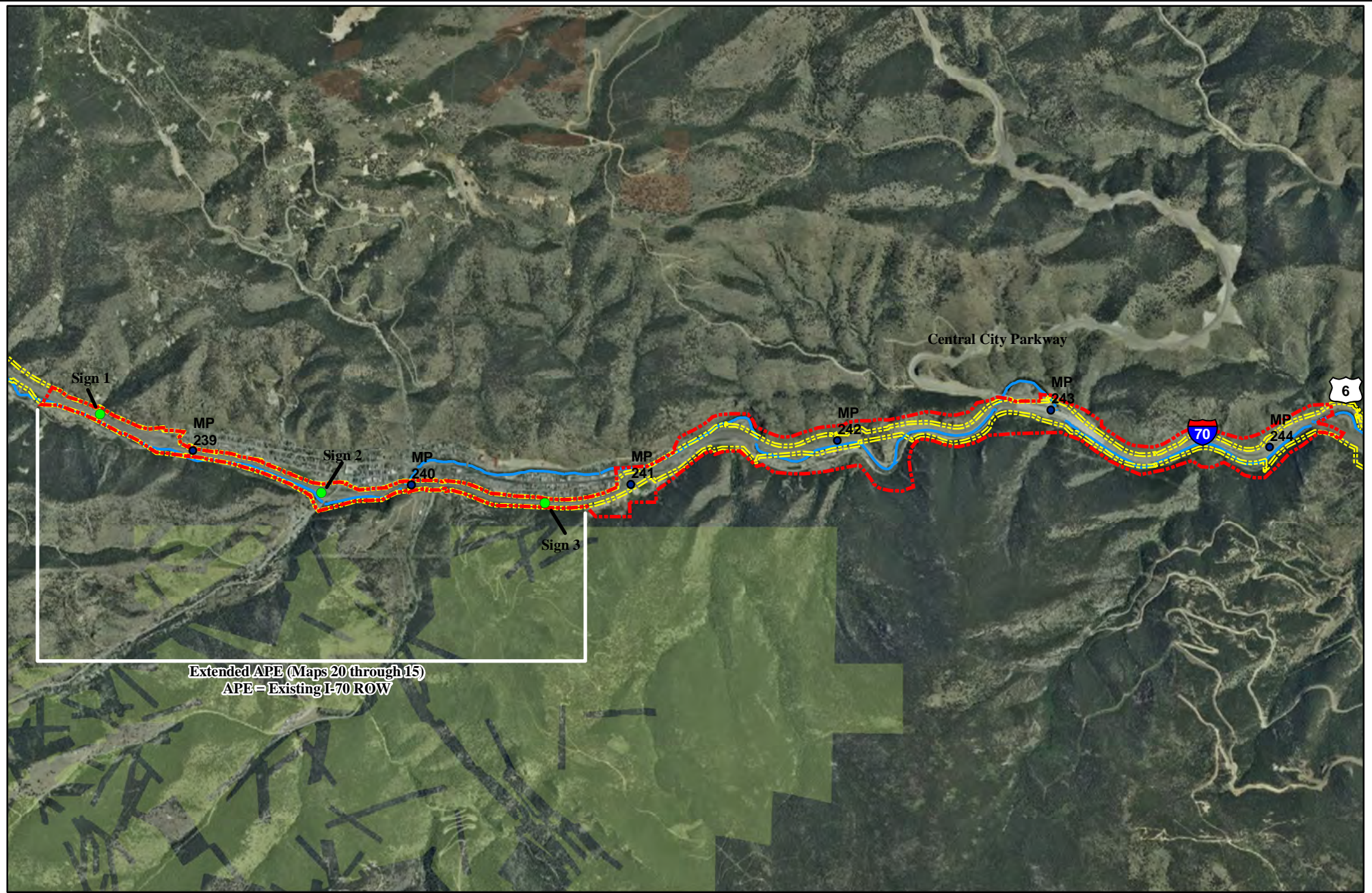
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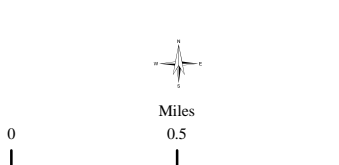
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Sheet Number: 11 of 11



Extended APE (Maps 20 through 15)
 APE - Existing I-70 ROW

Legend



-  Clear Creek
-  Existing I-70 Right of Way
-  Mileposts
-  Area of Potential Effect
-  Arapahoe and Roosevelt National Forest
-  Managed Lane Sign Location (in I-70 median)

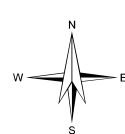
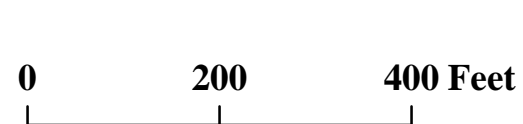


Twin Tunnels Environmental Assessment
Revised Area of Potential Effect
May 2012

Vicinity Map



Legend

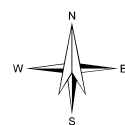


- Clear Creek
- Existing I-70 Right of Way
- Mileposts
- Managed Lane Sign Location
- Area of Potential Effect



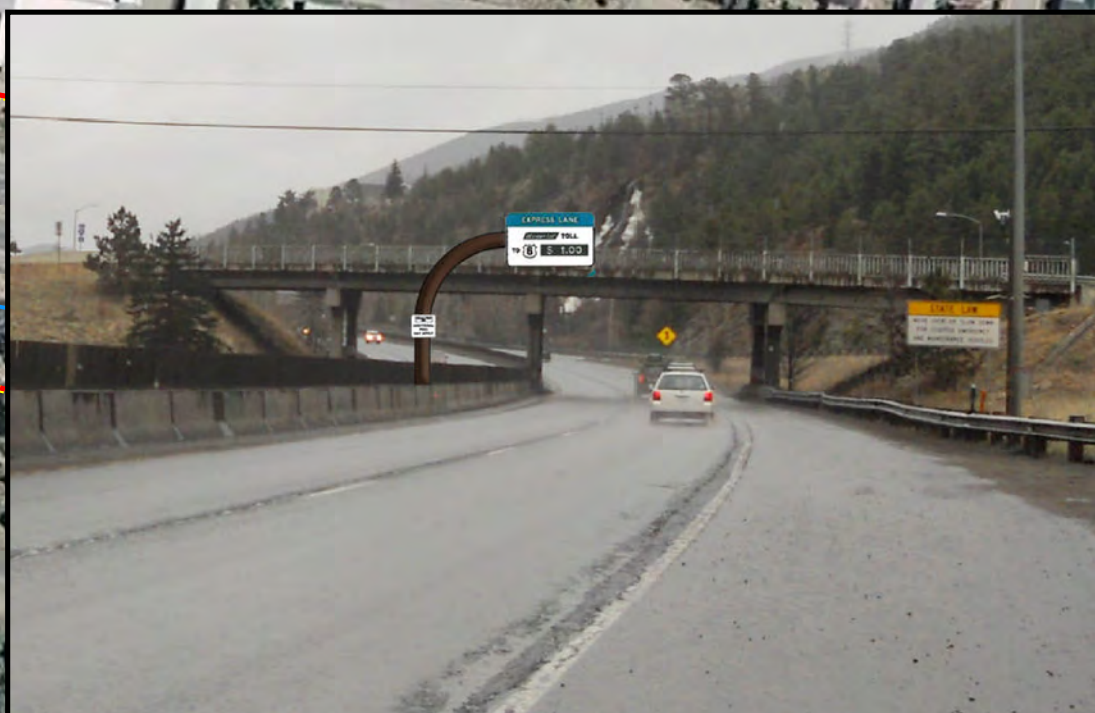
Legend

0 200 400 Feet



-  Clear Creek
-  Existing I-70 Right of Way
-  Mileposts
-  Managed Lane Sign Location
-  Area of Potential Effect

**Twin Tunnels Environmental Assessment
 Revised Area of Potential Effect
 May 2012**



Simulation of sign 2 from eastbound I-70 at Chicago Creek Rd over I-70



View south toward Chicago Creek Rd bridge over I-70 from intersection of Idaho St and Chicago Creek Rd



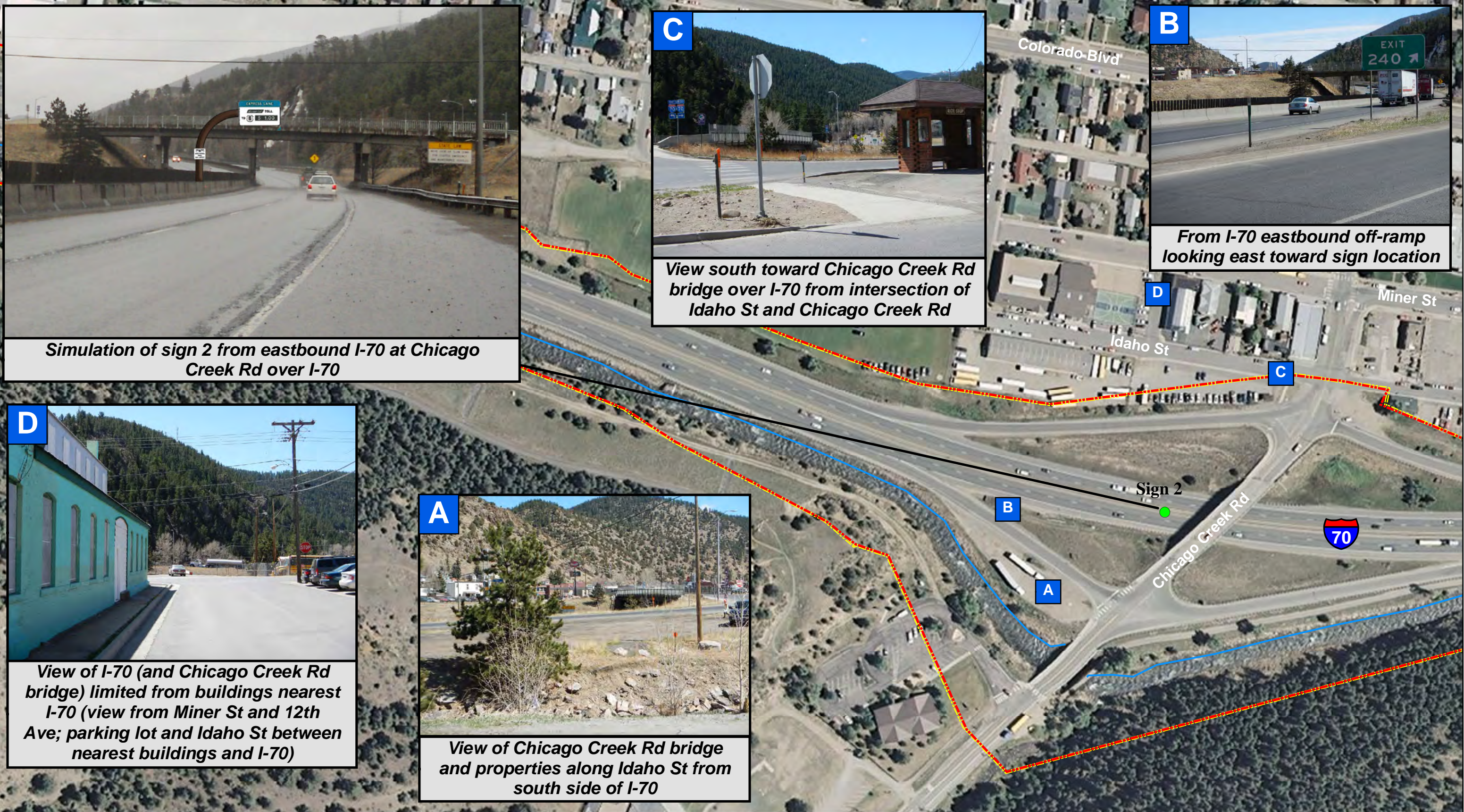
From I-70 eastbound off-ramp looking east toward sign location



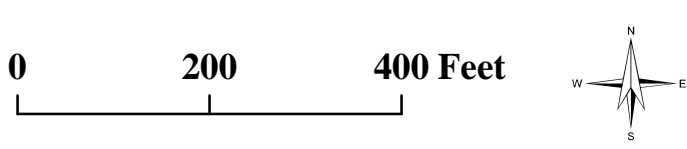
View of I-70 (and Chicago Creek Rd bridge) limited from buildings nearest I-70 (view from Miner St and 12th Ave; parking lot and Idaho St between nearest buildings and I-70)



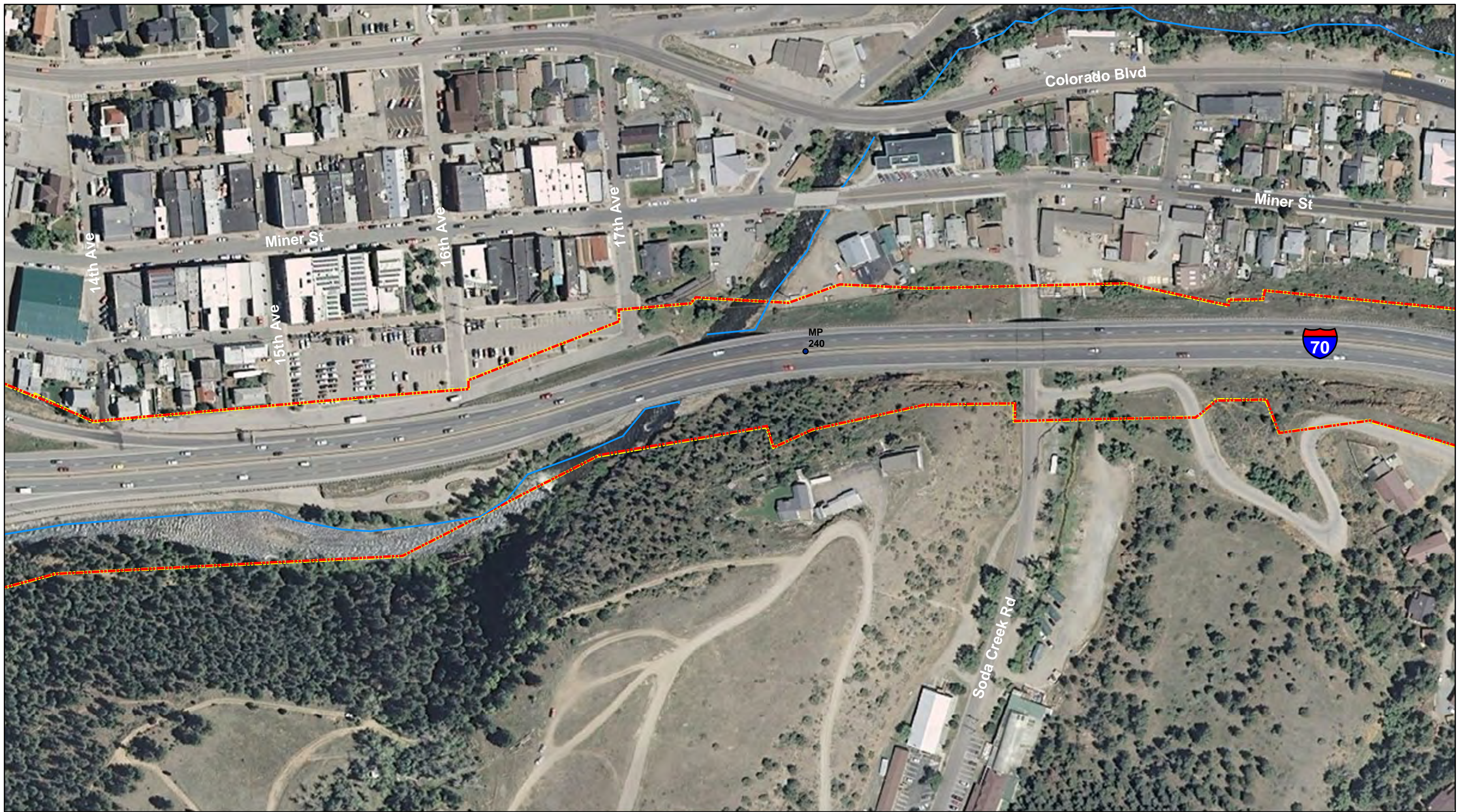
View of Chicago Creek Rd bridge and properties along Idaho St from south side of I-70



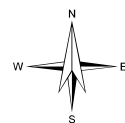
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- Clear Creek
- Existing I-70 Right of Way
- Mileposts
- Managed Lane Sign Location
- Area of Potential Effect



Legend



-  Clear Creek
-  Existing I-70 Right of Way
-  Mileposts
-  Managed Lane Sign Location
-  Area of Potential Effect

Twin Tunnels Environmental Assessment
Revised Area of Potential Effect
May 2012



Simulation of sign 3 from eastbound I-70



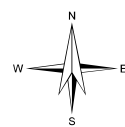
Looking southeast toward I-70 from Riverside Dr





View from properties along Miner St toward I-70

Legend

0 200 400 Feet

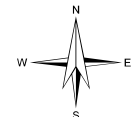
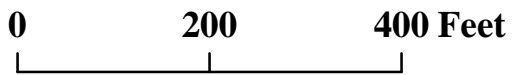


-  Clear Creek
-  Existing I-70 Right of Way
-  Mileposts

-  Managed Lane Sign Location
-  Area of Potential Effect



Legend



- Clear Creek
- Existing I-70 Right of Way
- Managed Lane Sign Location
- Area of Potential Effect
- Mileposts

**Twin Tunnels Environmental Assessment
Revised Area of Potential Effect
May 2012**



United States
Department of
Agriculture

Forest
Service

Arapaho and Roosevelt
National Forests and
Pawnee National Grassland

2150 Centre Avenue, Building E
Fort Collins, CO 80526-8119
Voice: (970) 295-6600 TDD: (970) 295-6794
Web: www.fs.usda.gov/arp
Fax: (970) 295-6696

File Code: 2360

Date: May 22, 2012


Dan Jepson
Environmental Programs Branch
Colorado Department of Transportation
4201 East Arkansas Avenue
Shumate Building
Denver, CO 80222

Dear Mr. Jepson:

Thank you for your correspondence regarding the I70 – Twin Tunnels Environmental Assessment, Revised Area of Potential Effect (APE), received by email on May 21, 2012. I have reviewed the provided materials documenting the extension of the APE includes the locations of a series of signs designed to alert drivers to the managed lanes. I concur that the extension of the APE is sufficient to consider the effects to historic properties from this project. As the extended APE is located within the highway right of way, I also concur with your determination of “no historic properties adversely affected.”

I appreciate the opportunity to comment on these changes in the project. If you have questions regarding these comments, please feel free to contact Forest Archaeologist, Sue Struthers at (970)295-6622. Written questions or comments may be sent to Ms. Struthers at the address above or electronically at ssruthers@fs.fed.us.

Sincerely,


GLENN P. CASAMASSA
Forest Supervisor

cc: Carol Kruse





HISTORY Colorado

May 30, 2012

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Avenue
Denver, CO 80222

Re: Revised Area of Potential Effects, Interstate 70 Twin Tunnels Environmental Assessment, Clear Creek County (CHS #60284)

Dear Ms. Hann,

Thank you for your correspondence dated May 18, 2012 and received by our office on May 23, 2012 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

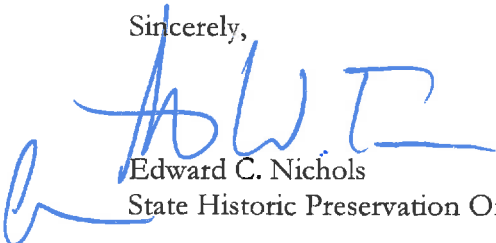
After review of the provided information, we do not object with the proposed revised Area of Potential Effects for the project. After review of the scope of work and assessment of adverse effect, we are not able to concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106 for the project. In our opinion, the installation of the signs will have a visual effect to the properties eligible for the National Register within the APE; however, that effect is not adverse. We believe a finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 would be more appropriate for the proposed project.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols
State Historic Preservation Officer

Meeting Summary

Project: Twin Tunnels EA

Purpose: Wildlife/Aquatics Issues Meeting

Date Held: October 18, 2011

Location: Twin Tunnels - Onsite

Attendees: **JACOBS:** Bob Quinlan, Francesca Tordonato
CDOT: Jim Eussen, Jeff Peterson
CP&W: Todd Schmidt, Ty Petersburg
PKM Design Group: Chuck Schrader

Copies: Attendees, File

Summary of Discussion:

This meeting was held to discuss issues and potential impact avoidance and minimization, and mitigation related to wildlife and fisheries potentially impacted by construction and operation of the Twin Tunnels project.

Wildlife

- ▶ According to Colorado Parks and Wildlife (CPW), although the Twin Tunnels land bridge serves as a wildlife movement corridor, it is not a significant link that is used for seasonal migration.
- ▶ Twin Tunnels construction could affect bighorn sheep lambing if, in fact, bighorn sheep lamb in the area. CPW will check. CPW recommends commencing construction after mid-June, if lambing turns out to be a concern.
- ▶ Bighorn sheep are the primary concern regarding large mammal movement and potential impacts during construction.
- ▶ The bighorn sheep seldom use the land bridge to access the south side of I-70 and when they do move to the south side of I-70 they rarely cross old US 40 or Clear Creek.
- ▶ Bighorn sheep usually stay on the north side of I-70, but will occasionally cross the land bridge to feed/rest in the areas between old US 40 and I-70.
- ▶ There is concern about the bighorn sheep population due to low lamb survival rates related to disease and other factors. Currently, recruitment and decline in bighorn sheep population is a major issue. As a result of low recruitment, the age structure of the population tends to be top heavy with older bighorns.
- ▶ Due to the population decline, road mortality becomes a major concern (Ty mentioned that up to 10 percent of the population can be lost each year due to road mortality).

- ▶ CPW indicated that bighorn sheep tend to congregate near the west portal of the westbound tunnel. This presents a situation where the bighorn sheep and vehicles have reduced sight site distances at this location resulting in increased bighorn/vehicle collisions. Although the westbound tunnel and lanes are not a component to this project, CPW and CDOT would like to explore potential opportunities to mitigate this situation.
- ▶ Two Bighorn Sheep research projects are currently being conducted by CPW. One involves bighorn movement and lambing activities in the area and one involves exploring density dependent issues (they moved ewes to other populations to see if it had any effect on lamb recruitment).
- ▶ CPW recommends the establishment of a fenced barrier (at least 10') on the north side of the detour road. In addition, CPW recommends retaining as much vegetation as possible adjacent to old US 40 to discourage sheep from going down to the roadside once the detour is being utilized (salt is a major attractant).
- ▶ Not many bighorn sheep cross I-70, apparently because of the median.
- ▶ Bats would not be considered an issue. Any bats in the area would most likely inhabit the remote mine shafts.

Aquatics

- ▶ CPW indicated the concern for providing access to rafters and anglers. Wherever feasible there access points should be established along Clear Creek.
- ▶ As for the doghouse bridge replacement/rehab, CPW recommends avoidance during June, July, and early August to avoid impacts to the rafting industry.
- ▶ Also for any instream disturbance, need to be cognizant of brown trout spawning season which begins late-Sept or early October and the swim up is usually May/June. Bridge work should be completed by that time to prevent sedimentation from impacting redds.
- ▶ CPW recommend retaining as much riparian vegetation as possible (and avoid/minimize impacts to wetland/riparian habitat adjacent to Clear Creek).

Action Items:

- ▶ Ty Petersburg will check on the timing and where bighorn sheep lamb in the Twin Tunnels area.
- ▶ Provide Ty Petersburg a document showing overall project scheduled.
- ▶ Obtain information from Sherri (former CPW biologist) regarding specific mitigation strategies to reduce sheep vehicle mortality near the west portal of the westbound tunnel.
- ▶ The project team should also obtain information from Lance Carpenter (CPW biologist) about other sensitive wildlife species that could potentially occur within the project area.
- ▶ A separate onsite meeting will be scheduled with Paul Winkle (CPW aquatic biologist) to discuss potential impacts and mitigation strategies for Clear Creek.

Meeting Summary

Project: Twin Tunnels EA

Purpose: Wildlife/Bighorn Sheep Meeting

Date Held: December 6, 2011

Location: Twin Tunnels - Onsite

Attendees: **JACOBS:** Bob Quinlan, Francesca Tordonato
CDOT: Jim Eussen
CPW: Sherri Huwer
Atkins: Wes Goff

Copies: Attendees, File

Summary of Discussion:

This meeting was held to discuss issues and potential impact avoidance and minimization measures, and habitat enhancement opportunities related to wildlife (specifically bighorn sheep) potentially impacted by construction of the Twin Tunnels project and temporary detour along old US 40. This field visit was also used to review wildlife impact avoidance and enhancement recommendations provided by Sherri Huwer (CPW) and discuss possible fencing strategies to minimize/avoid vehicle collisions with deer and sheep.

Potential opportunities to decrease sheep/vehicle collisions and sheep entanglement in barbed wire fencing on the north side I-70 outside the west portal of the tunnel:

- ▶ Sherri recommended removing the existing fence north of I-70, west of the west tunnel portal to approximately the CBC. Sheep have been caught in this fence.
- ▶ Sherri does not recommend replacing the fence. There is concern that the landowner (Richard Young) may request that the existing fence stay in place because the area has been used by cattle. If the fence cannot be removed, CPW recommends replacing it with fencing that is more wildlife friendly and the CPW publication, *Fencing with Wildlife in Mind*, is a good resource for specific fencing recommendations.
- ▶ Sheep like to come down to the north side of I-70 just west of the tunnel to lick salt off the shoulder of the highway and graze on vegetation. On average, one sheep per year is hit by a vehicle at this location. In order to improve a driver's ability to see

sheep (when vehicles exit the west bound tunnel) it is recommended that some of the trees, primarily junipers and pines, be removed. This will hopefully improve motorists' ability to detect sheep as they exit the tunnel. Specific areas of tree removal were marked on an aerial.

US 40 Detour- recommended mitigation strategies to keep sheep off old US 40 while the detour is in place. In addition, specific strategies were also discussed to decrease wildlife/vehicle collisions along the detour.

- ▶ Several fencing strategies were discussed and it was recommended that a 10 foot fence be placed only on the north side of US 40. Sheep are not known to cross Clear Creek because the habitat on the south side of the land bridge is densely forested and not attractive to sheep. The concern is that deicing liquids and salt placed on the road during the detour may attract sheep down to the roadway. As a result, a 10 foot fence would be placed to exclude sheep from the roadway. The fence would be placed on the south side of the ditch and would run approximately from the west side of the tunnel to the Dog House Bridge or existing house near the creek (the house is being acquired by Clear Creek).
- ▶ The ten foot fence that will be placed on US 40 is temporary and will be removed after traffic is no longer being diverted onto the detour.
- ▶ Fencing both sides of the US 40 detour could be detrimental to deer and other wildlife if they get caught on the roadway and can't escape. As a result, it is recommended that fencing be placed only on the north side of the road. The creek (during high flows) will likely be a deterrent for deer crossing from the south.
- ▶ If deer/vehicle collisions become problematic- fencing on the south side of the road may be warranted.
- ▶ The existing vegetation at the edge of pavement on the north side of US 40 will be removed to improve visibility and detection of wildlife for drivers. In addition, lighting will be used on the detour to improve safety and detection of wildlife on the roadway.
- ▶ Sherri recommended that we contact Ty Petersburg and Todd Schmidt to discuss other potential mitigation strategies.

Potential Improvements for Wildlife Connectivity

- ▶ Part of the proposed action for the Twin Tunnels project is replacing the eastbound bridge over Clear Creek just west of Hidden Valley.
- ▶ When this bridge is replaced, there is opportunity to improve movement for wildlife under the bridge. There is currently a bench under the east side of the bridge that allows wildlife to pass (we have noticed tracks under the bridge) but there is large rip rap on the south side that is not favorable for wildlife movement. In general, when the bridge is replaced, this bench will be maintained and extended to maintain the

existing crossing. The approach on the upstream side of Clear Creek will also be improved to allow animals to move more freely. (the upstream side of the creek is steep and there is large riprap).

Action Items:

- ▶ Jim Eussen will coordinate with Region 1 ROW staff to contact Richard Young to discuss the removal of the fence.

Update: 12/29/11- Region 1 ROW contacted Richard Young to discuss the removal of this fence. The fence has been there since the 60s or 70s and the landowner is requesting that it be kept in place because this is the only fence that keeps his cattle off I-70. The landowner does not have a fence agreement with CDOT. The existing fence is not on the CDOT ROW line (but is within CDOT ROW). In addition to changing the type of fence, there is opportunity to move the current location.

- ▶ Francesca will contact Ty, Todd and Sherri to discuss the placement/location of the fence (as well as type of fence they recommend).

Meeting Summary

Project: Twin Tunnels EA

Purpose: Wildlife Mitigation Strategies

Date Held: January 13, 2012

Location: Twin Tunnels - Onsite

Attendees: **JACOBS:** Francesca Tordonato
CDOT: Jim Eussen
CP&W: Todd Schmidt
Atkins: Wes Goff

Copies: Attendees, File

Summary of Discussion:

This meeting was held to discuss fencing recommendations and wildlife mitigation strategies for the Twin Tunnels Project.

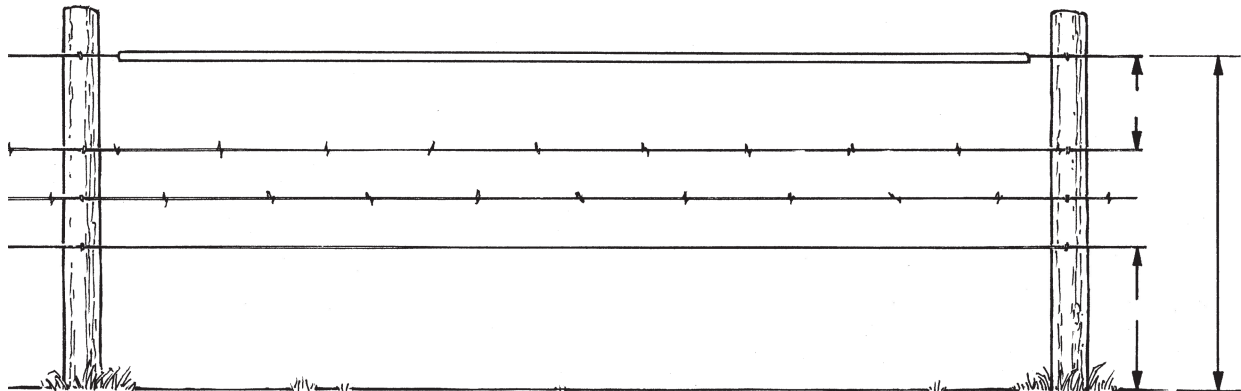
Wildlife mitigation strategies previously discussed were reviewed in the field. These included, temporary fencing, wildlife movement and the opportunity for enhancement at the Hidden Valley Bridge, replacing the existing fence just west of the west portal on the north side of I-70, and enhancing wildlife movement/connectivity at a concrete box culvert (CBC) near mile marker (mm) 242.

Opportunities for enhancement at the Hidden Valley Bridge

- ▶ When the Hidden Valley Bridge is replaced, there is opportunity to improve movement for wildlife under the bridge. There is currently a bench under the east side of the bridge that allows wildlife to pass (we have noticed tracks under the bridge) but there is large rip rap on the south side that is not favorable for wildlife movement. In general, when the bridge is replaced, this bench will be maintained and extended to maintain the existing crossing. The approach on the upstream side of Clear Creek will also be improved to allow animals to move more freely (the upstream side of the creek is steep and there is large riprap).

Potential opportunities to decrease sheep/vehicle collisions and sheep entanglement in barbed wire fencing on the north side I-70 outside the west portal of the tunnel:

- ▶ In a previous onsite meeting with CPW, Sherri Huwer recommended removing the existing barbed wire fence north of I-70, west of the west tunnel portal to approximately the CBC. Sheep have been caught in this fence. CDOT Region 1 contacted the landowner (Richard Young) to discuss the removal of this fence. Richard Young is requesting that the existing fence stay in place because it is the only fence that keeps his cattle off I-70.
- ▶ Because the fence cannot be removed the existing fence will be replaced with fencing that is more wildlife friendly. The following design is recommended:



Graphic from Colorado Division of Wildlife: Fencing with Wildlife in Mind, 2009 (Page 7)

- ▶ CPW recommends a height of top rail or wire should be 42" or less; at least 12" between the top two wires; and at least 16" between the bottom wire or rail and the ground. Posts should be at minimum 16' intervals, and durable markers (white) should be placed in incremental sections on the fence- per the example on page 8 of the publication to increase visibility. The friendliest fences for wildlife are very visible and allow wild animals to easily jump over to slip under the wires or rails.
- ▶ The fence should have smooth wire or rounded rail for the top and smooth wire on the bottom.
- ▶ The location of the fence was discussed- CPW recommends replacing the fence and not changing the location. The new wildlife friendly fence will be placed in the same location as the old fence. It is recommended that the fence be replaced from the west portal of the tunnels down to Clear Creek.

Opportunities to enhance wildlife movement/connectivity at a concrete box culvert (CBC) near MM 242.

- ▶ The existing barbed wire fence crosses one intermittent drainage just west of the west portal near MM 242. There is a concrete box culvert (CBC) at this location that carries flows from this drainage under I-70 and discharges to Clear Creek.

Enhancement opportunities at this location are being proposed to enhance wildlife movement/connectivity. The CBC currently has a concrete bottom and the discharge point at Clear Creek has a steep drop-off.

- ▶ When the fence is replaced, it is recommended that the drainage be left open- and instead of fencing across the drainage (like the existing condition) the fence will be tied into the CBC to encourage wildlife usage.
- ▶ A natural substrate on the bottom of this CBC is recommended to promote usage by wildlife. The CBC should be retrofitted to provide a more natural substrate on the bottom and baffles should be installed to retain sediment and prevent scour.

Quinlan, Robert E.

From: Eussen, James [James.Eussen@DOT.STATE.CO.US]
Sent: Thursday, March 22, 2012 3:51 PM
To: Quinlan, Robert E.
Cc: McAfee, Gina L.; Attardo, Chuck (Charles); Singer, David
Subject: RE: Greenback BA

Hey Bob,

As Gina mentioned – a no effect was appropriate for the project.

Jim

From: Quinlan, Robert E. [mailto:Robert.Quinlan@jacobs.com]
Sent: Thursday, March 22, 2012 1:47 PM
To: Eussen, James
Cc: McAfee, Gina L.; Attardo, Chuck (Charles); Singer, David
Subject: RE: Greenback BA

Hello Jim!.....any new development on this?
Thanks,
Bob

*Robert E. Quinlan
Senior Project Manager
Jacobs Engineering Group
707 17th Street, Suite 2300
Denver, Colorado 80202
Office: (303) 820-5283*

From: Eussen, James [mailto:James.Eussen@DOT.STATE.CO.US]
Sent: Tuesday, February 28, 2012 11:08 AM
To: Quinlan, Robert E.
Cc: McAfee, Gina L.; Attardo, Chuck (Charles); Singer, David
Subject: Greenback BA

Bob,

I need you to stop work on the Greenback BA/letter you're preparing for USFWS for the Twin Tunnels. I want to talk with the project team and FHWA about a justification for a No Effect.

I'll be in touch.

Jim

*James Eussen
Environmental Manager
CDOT Region 1
18500 E. Colfax Ave
Aurora, CO 80111
(303) 365-7041*

5/1/2012

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