

#### **4.0 SECTION 4(f) PROPERTIES**

*This Section Is Unchanged From The 2001 ROD*

The October 2002 Selected Alternative (Revised Selected Alternative) does not result in any changes to the effects on Section 4(f) properties from the August 2001 ROD Selected Alternative.

The *South I-25 Corridor and US 85 Corridor EIS* process included two years of coordination with the Town of Castle Rock, Douglas County, State Historic Preservation Officer (SHPO), Colorado State Parks, United States Army Corps of Engineers (USACE), and other agencies responsible for the administration of Section 4(f) properties within the study area. In addition to the public meetings, several smaller staff-level coordination meetings were held with Douglas County and Castle Rock representatives to explain the project's alternatives and impacts in greater detail. An informal meeting with SHPO staff to discuss the alternatives and the impacts on historic Section 4(f) properties was conducted on March 30, 2000.

Meetings were also held with the Castle Rock Historic Preservation Council on March 30, 2000, and the USACE on April 5, 2000. Several meetings were held with trails groups to discuss planning and impacts.

Six properties that were affected by the August 2001 ROD Selected Alternative are affected in the same manner by the Revised Selected Alternative:

- Denver and Rio Grande Railroad (D&RG) (5DA921.1)
- High Line Canal Trail
- Spring Gulch Equestrian Facility
- Cherokee Ranch Conservation Easement
- Cherokee Ranch Historic District (5DA708)
- Atchison, Topeka & Santa Fe Railway (AT&SF) (5DA922.1)

The intent of the Section 4(f) requirement is to avoid impacts to public parks, recreation areas, wildlife refuges, and historic sites, unless there is no "feasible and prudent alternative". The Section 4(f) Evaluation demonstrated that there were no feasible and prudent alternatives that completely avoided use of Section 4(f) properties that also met the purpose and need for this project. The Revised Selected Alternative meets the project purpose and need while minimizing harm to Section 4(f) properties.

Following is a discussion of why avoidance is not a feasible and prudent alternative and what steps were taken to minimize harm to the Section 4(f) properties.

#### **4.1 DENVER AND RIO GRANDE RAILROAD (5DA921.1) AT MP 182.3**

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the D&RG Railroad (currently operating as the Union Pacific Railroad). Because the railroad and I-25 cross one another at this point in Castle Rock and because the existing piers are preventing widening of I-25, no other feasible alternatives that avoid use of this resource are available. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Ensuring that the railroad segment in the impact area will be fully documented prior to construction
- Ensuring that the areas temporarily disturbed by construction will be restored to their original condition
- Providing just compensation for all land acquisitions

#### **4.2 HIGH LINE CANAL TRAIL**

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the High Line Canal Trail. Because the trail follows the High Line Canal (which passes beneath US 85 in a concrete culvert at this location) and crosses the highway at-grade, moving the alignment in any direction does not avoid the use of land. Any improvements in this area result in a use of trail property. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Designing the alternatives with the least possible ROW width to minimize taking part of the trail
- Enhancing the trail with a grade-separated trail crossing of US 85
- Ensuring that the areas temporarily disturbed by construction will be restored to their original condition
- Providing just compensation for all land acquisitions

### 4.3 SPRING GULCH EQUESTRIAN FACILITY

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the Spring Gulch Equestrian Facility along US 85. The property taken under both alternatives is at the base of a steep embankment; this property is not currently used for equestrian training. Use of this property does not impact operation of the facility. Moving the alignment to the west would have impacted a functional segment of the High Line Canal, potentially impacted the High Line Canal Trail, and would have required the removal of several large warehouse/commercial buildings along US 85. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Designing the alternatives with the least possible ROW width to minimize taking part of the resource
- Coordinating construction with facility operation to produce the least amount of disturbance possible to use of the facility
- Realigning the portion of the fence that is impacted
- Relocating overhead utilities
- Realigning entrance gate and signing to the area
- Replacing disturbed vegetation
- Paving the driveway entrance 15 meters (50 feet) from US 85 to provide safe exit of longer vehicles
- Providing a left-turn lane into the facility from southbound US 85
- Providing just compensation for all land acquisitions

### 4.4 CHEROKEE RANCH CONSERVATION EASEMENT

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the Cherokee Ranch Conservation Easement. Shifting the alignment to the south to avoid the conservation easement was not feasible for two reasons. First, a left-turn storage length of 73.2 meters (240 feet) was required on SH 67 between US 85 and the Burlington Northern Santa Fe Railroad tracks. This storage length was based on projected (2020) traffic volumes at the SH 67/US 85 Intersection. This storage must be located between the railroad and the intersection to avoid forcing vehicles to stop on the railroad tracks. By shifting the US 85 alignment to the south, this storage length was not accommodated, thus creating a safety hazard. In addition, three businesses border US 85 in Sedalia. Moving the alignment to the south required the relocation of these businesses. Sedalia is a small rural community and these businesses are an integral part of the town. Their removal would cause disruption to community cohesiveness. Alternatives to move the railroad line were examined but were determined not prudent due to costs (approximately \$19 million, not including ROW) and community and business disruption. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Designing the alternatives with the least possible ROW width to minimize use of property from the Cherokee Ranch Conservation Easement
- Enhancing wildlife crossings along US 85 and Cherokee Ranch
- Ensuring that the areas temporarily disturbed by construction will be restored to their original condition using Douglas County seed mix for reseeding
- Providing just compensation for all land acquisitions

#### **4.5 CHEROKEE RANCH HISTORIC DISTRICT (5DA708)**

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the Cherokee Ranch Historic District. Shifting the alignment to the south to avoid the Historic District is not feasible for two reasons. First, a left-turn storage length of 73.2 meters (240 feet) is required based on projected traffic volumes at the SH 67 and US 85 Intersection. This storage must be located between the railroad and the intersection to avoid forcing vehicles to stop on the railroad tracks. By shifting the US 85 alignment to the south, this storage length is not accommodated, thus creating a safety hazard. In addition, three businesses border US 85 in Sedalia. Moving the alignment to the south requires removing these buildings. Sedalia is a small rural community and these businesses are integral to the town. The building removal would cause disruption to community cohesiveness. Alternatives to move the railroad line were examined but were determined not prudent due to costs (approximately \$19 million, not including ROW) and community and business disruption. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Designing the alternatives with the least possible ROW width to minimize use of property from the Cherokee Ranch Historic District
- Preserving the historic gate and its immediate landscaping by moving it to a new location beyond the construction zone (implement through a memorandum of agreement with the SHPO)
- Ensuring that this feature of the historic district has been fully documented prior to moving
- Ensuring that the areas temporarily disturbed by construction will be restored to their original condition
- Providing just compensation for all land acquisitions

#### **4.6 ATCHISON AND SANTA FE RAILWAY (5DA922.1) AT SH 67**

*This Section Is Unchanged From The 2001 ROD*

The Revised Selected Alternative results in a use of land from the AT&SF Railway (currently operating as the Burlington Northern Santa Fe Railroad). The railroad runs the full length of US 85; therefore, moving the road to another location does not avoid impacts to this resource. Passing over or under the railroad is not feasible due to the close proximity of homes and business and the intersection of SH 67 and US 85. No prudent and feasible alternatives that meet the purpose and need of this project and that avoid impacting this resource are available.

Efforts to minimize harm by the Revised Selected Alternative to this Section 4(f) property include:

- Designing the alternatives with the least possible ROW width to minimize use of property from the D&RG Railroad.
- Providing just compensation for all land acquisitions

Based upon the above considerations, it is determined that there are no feasible and prudent alternatives to the use of land from the D&RG Railroad, the High Line Canal Trail, the Spring Gulch Equestrian Facility, the AT&SF Railway, Cherokee Ranch Conservation Easement, or Cherokee Ranch Historic District. The proposed action includes all possible planning to minimize harm to these Section 4(f) properties resulting from such use.