

# 6.0 SECTION 4(f) EVALUATION

## TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
<a href="#"><u>6.0 SECTION 4(f) EVALUATION</u></a>	1
<a href="#"><u>6.1 INTRODUCTION</u></a>	1
<a href="#"><u>6.2 PROPOSED ACTION</u></a>	2
<a href="#"><u>6.2.1 No-Action Alternative</u></a>	2
<a href="#"><u>6.2.2 Preferred Alternative</u></a>	2
<a href="#"><u>6.2.3 Other Alternative</u></a>	4
<a href="#"><u>6.3 SECTION 4(f) PROPERTIES</u></a>	5
<a href="#"><u>6.3.1 I-25 Corridor Section 4(f) Properties Potentially Affected</u></a>	6
<a href="#"><u>6.3.2 US 85 Corridor Section 4(f) Properties Potentially Affected</u></a>	8
<a href="#"><u>6.4 IMPACTS TO SECTION 4(f) PROPERTIES</u></a>	9
<a href="#"><u>6.4.1 No-Action Alternative Section 4(f) Properties Impacts</u></a>	9
<a href="#"><u>6.4.2 Preferred Alternative and Other Alternative Section 4(f) Properties Impacts</u></a>	9
<a href="#"><u>6.5 AVOIDANCE ALTERNATIVES</u></a>	14
<a href="#"><u>6.5.1 No-Action Alternative Avoidance Measures</u></a>	22
<a href="#"><u>6.5.2 Preferred Alternative and Other Alternative Avoidance Measures</u></a>	22
<a href="#"><u>6.6 MEASURES TO MINIMIZE HARM</u></a>	23
<a href="#"><u>6.6.1 No-Action Alternative Measures to Minimize Harm</u></a>	24
<a href="#"><u>6.6.2 Preferred Alternative and Other Alternative Measures to Minimize Harm</u></a>	24
<a href="#"><u>6.7 COORDINATION</u></a>	26
<a href="#"><u>6.8 FINAL SECTION 4(f) STATEMENT</u></a>	26

## 6.1 INTRODUCTION

Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303), declares that "It is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."

Section 4(f) applies to publicly owned lands that are managed as parks and recreation areas, wildlife or waterfowl refuges, and to all significant historic sites regardless of ownership. Section 6(f) applies to lands and improvements that are purchased under the Land and Water Conservation Fund. No Section 6(f) properties are within the study area and, therefore, Section 6(f) is not included in this evaluation.

Impacts to Section 4(f) properties resulting from the need to improve the I-25 Corridor and US 85 Corridor must be avoided if possible. If avoidance is not feasible and prudent, then all possible planning to minimize harm to

these properties must be included in the project, in compliance with Section 4(f) of the Department of Transportation Act of 1966 P.L. 89-670, 80 Stat. 934 (as amended 1983, 1987).

Section 4(f) specifies that the Secretary (of Transportation) may approve a transportation program or project (other than any project for a park road or parkway under Section 204 of Title 23) requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- There is no prudent and feasible alternative to using that land
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use.

The FHWA has adopted regulations on Section 4(f) to guide implementation of this section of federal law. These regulations are outlined in 23CFR 771.135 and discuss when the FHWA may rule that a property is protected under Section 4(f). This regulation clarifies that the requirements of Section 4(f) apply to publicly owned land of a public park, recreation area, wildlife or waterfowl refuge. It also discusses that Section 4(f) applies to significant historic sites only when they are on or eligible for the National Register of Historic Places (NRHP) and any land from an historic site of national, state, or local significance unless the FHWA determines otherwise. Historic properties are eligible for the NRHP if they meet one or more of the following criteria:

- a. are associated with events that have made a significant contribution to the broad patterns of our history
- b. are associated with lives of persons significant in our past
- c. embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
- d. have yielded, or may be likely to yield, information important in prehistory or history

NRHP sites are also protected by Section 106 of the National Historic Preservation Act (NHPA). This act requires federal agencies to consult with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) regarding the effect of their undertaking on historic properties. This Section 4(f) Evaluation summarizes and incorporates the ongoing results of this consultation process.

None of the archaeological sites have been determined eligible for the NRHP, therefore, they are not included in this evaluation. The identified paleontological sites are not located on federal lands, are not listed on the NRHP, and are thus not considered Section 4(f).

The FHWA (Division Administrator) is responsible for determining that this project meets criteria and procedures set forth in this regulation.

## **6.2 PROPOSED ACTION**

The purpose of the South I-25 Corridor and US 85 Corridor Environmental Impact Statement (EIS) is to develop a transportation solution that addresses transportation capacity inadequacies and safety problems in the I-25 Corridor and US 85 Corridor, while avoiding or minimizing adverse environmental impacts. Refer to Chapter 1.0, *Purpose and Need*, for a complete description of the purpose and need for this project.

FHWA, in conjunction with the Colorado Department of Transportation (CDOT), proposes to widen and improve 27.2 kilometers (17 miles) of I-25 between C-470 at milepost (MP) 195 and the southern limit of Castle Rock at MP 178, and 25.8 kilometers (16 miles) of US 85 between C-470 at MP 200 and Castle Rock MP 184. Figure 6.1 shows the project vicinity map. The Final EIS (FEIS) proposes three alternatives for the I-25 Corridor and the US 85 Corridor. These alternatives are briefly described here. For a complete description of the alternatives refer to Chapter 2.0, *Alternatives*.

### **6.2.1 No-Action Alternative**

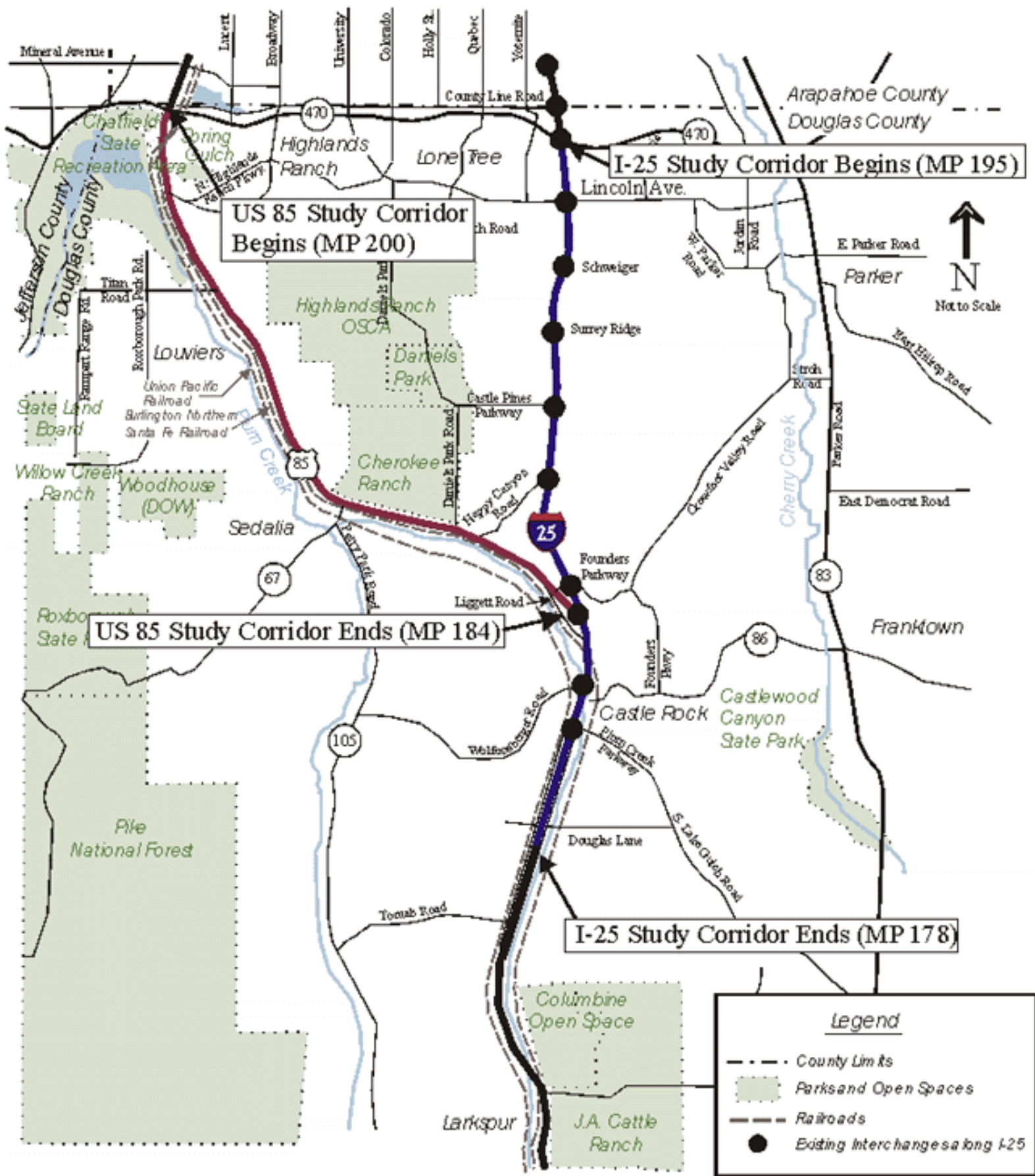
This alternative includes no major improvements other than previously committed Early-Action projects, the Douglas Lane Interchange, and minor safety and maintenance improvements.

### **6.2.2 Preferred Alternative**

The Preferred Alternative consists of various improvements to the I-25 Corridor and US 85 Corridor such as mainline widening, mainline realignment, and interchange reconfiguration. All Early-Action projects and the Douglas Lane Interchange are included in this alternative. Major components of the Preferred Alternative along the I-25 Corridor include:

- Eight lanes (six through lanes and two climbing lanes) between C-470 and Meadows/Founders Parkway
- Six lanes between Meadows/Founders Parkway and Douglas Lane

**Figure 6.1**  
**I-25 Corridor and US 85 Corridor Vicinity Map**



- Reconstruction of the Schweiger Interchange into a half diamond (improve northern ramps and remove southern ramps)

- Reconstruction of the Surrey Ridge Interchange into a three-quarter diamond (improve southern ramps and northbound entrance ramp; remove southbound exit ramp)
- Car pool lot (accommodating 500 spaces) in northeast quadrant of the I-25 and Castle Pines Parkway Interchange
- Minor I-25 realignment to the east between Wolfensberger Road and Liggett Road
- Construction of a new Union Pacific Railroad bridge south of the existing bridge

Major components of the Preferred Alternative along the US 85 Corridor include:

- Six lanes between C-470 and Highlands Ranch Parkway
- Four lanes between Highlands Ranch Parkway and Meadows Parkway
- US 85/State Highway (SH) 67 Intersection reconfiguration
- Sedalia frontage road
- US 85 minor realignment at Cook Ranch (MP 195.4)
- Bicycle/pedestrian facility along US 85
- Grade-separated crossing under US 85 for High Line Canal
- Enhanced wildlife crossings

### **6.2.3 Other Alternative**

The Other Alternative consists of all elements included in the Preferred Alternative and additional improvements along the I-25 Corridor and US 85 Corridor. Some of the additional improvements include actions that will be funded by other agencies or private sectors. All Early-Action projects and the Douglas Lane Interchange are included in this alternative. Major components of the Other Alternative along the I-25 Corridor include:

- Eight lanes (six through lanes and two climbing lanes) between C-470 and Meadows/Founders Parkway
- Six lanes between Meadows/Founders Parkway and Douglas Lane
- Diamond interchange at proposed Rampart Range Development
- Reconstruction of the Surrey Ridge Interchange to a diamond interchange
- Removal of Schweiger Interchange ramps

- Frontage road on the east side of I-25 from Castle Pines Parkway to proposed Rampart Range Interchange (connection provided to Surrey Ridge Road and Schweiger)
- Castle Pines Parkway Interchange reconstruction with loop ramp in southeast quadrant
- Car pool lot (accommodating 500 spaces) in northeast quadrant of the I-25 and Castle Pines Parkway Interchange
- Happy Canyon Road Bridge widening
- Minor I-25 realignment to the east between Wolfensberger Road and Liggett Road
- Construction of a new Union Pacific Railroad bridge south of the existing bridge

Major components of the Other Alternative along the US 85 Corridor include:

- Six lanes between C-470 and Titan Road
- Four lanes between Titan Road and Meadows Parkway
- US 85/SH 67 Intersection reconfiguration
- Sedalia frontage road
- US 85 minor realignment at Cook Ranch (MP 195.4)
- Bicycle/pedestrian facility along US 85
- Grade-separated crossing under US 85 for High Line Canal
- Enhanced wildlife crossings

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

Seventeen properties within the area of potential effect (APE) are protected under Section 4(f). The proposed improvements do not result in a Use or Constructive Use of land from 11 of these properties. Properties within the APE not impacted by any of the alternatives or improvement options include:

- Centennial Trail
- Castle Rock Baseball Field and Park Complex
- Front Street Trail

- East Plum Creek Trail
- Stewart Residence (5DA1258)
- Denver and Rio Grande (D&RG) Railroad Depot (5DA216)
- Chatfield State Park
- High Line Canal (5DA600)
- Chatfield East Park
- Cook Ranch (5DA914)
- Sedalia Water Tank (5DA1385)

The above properties are not impacted by the project, and are not discussed in this Final Section 4(f) Properties Evaluation. Two properties, Cook Ranch (5DA914) and a segment of the High Line Canal (5DA600), were included in the Draft Section 4(f) Evaluation, but have been removed from the Final Section 4(f) Evaluation.

**High Line Canal (5DA600).** FHWA and SHPO have determined that the proposed action results in no effect to the High Line Canal. This segment of the High Line Canal where the canal passes beneath US 85 in a concrete culvert has officially been determined a non-contributing segment of the High Line Canal.

**Cook Ranch (5DA914).** As described in the Supplemental Section 4(f) Evaluation, none of the alternatives in the FEIS will take property from Cook Ranch. The Preferred Alternative and the Other Alternative realign US 85 away from the property. The FHWA and SHPO have determined that this will have no effect to Cook Ranch.

Six Section 4(f) properties may be affected by the FEIS alternatives. Figure 6.2 and Table 6.1 identify these properties.

**Table 6.1**  
**Section 4(f) Properties Potentially Affected**

Property Number*	Property Name	Corridor Location	Property Type
1	Denver and Rio Grande Railroad (5DA921.1)	I-25	Historic
2	High Line Canal Trail	US 85	Recreation
3	Spring Gulch Equestrian Facility	US 85	Recreation
4	Cherokee Ranch Conservation Easement	US 85	Wildlife refuge
5	Cherokee Ranch Historic District (5DA708)	US 85	Historic
6	Atchison, Topeka & Santa Fe Railway (5DA922.1)	US 85	Historic

\*Property number corresponds to numbers on Figure 6.2.

### 6.3.1 I-25 Corridor Section 4(f) Properties Potentially Affected

### 6.3.1.1 Denver and Rio Grande Railroad (5DA921.1)

The D&RG Railroad, currently operating as the Union Pacific Railroad, runs parallel to the west side of US 85 throughout most of the project area. It generally follows Plum Creek between Douglas County's northern boundary and Castle Rock. At Castle Rock, it crosses I-25 and then continues south. It is a standard gauge rail constructed of steel and timber with concrete and timber bridges. The standard gauge rail replaced the original narrow gauge rail in 1881. The D&RG held a virtual monopoly on the lucrative trade between Colorado Springs and Denver until 1881, when the railroad agreed to share its line with the Atchison, Topeka and Santa Fe (AT&SF) Railway. Over the years, the railroad contributed greatly to the growth of Douglas County ranching as well as merchandising, lumbering, and coal mining. The railroad remains in operation today and retains much of its original alignment throughout the Plum Creek valley. This segment of the D&RG Railroad is eligible for the NRHP because of its connection to the early transportation and development of the area, and because it follows the original right-of-way (ROW) and maintains integrity of design (Criterion a). Segment 5DA922.3 is not affected by the project and is not discussed in this Final Section 4(f) Evaluation.

**Figure 6.2**  
**Section 4(f) Properties within the I-25 Corridor and US 85 Corridor**





Legend:	
1	D&RG Railroad (5DA921.1)
2	High Line Canal Trail
3	Spring Gulch Equestrian Facil.
4	Cherokee Ranch Conservation Easement
5	Cherokee Ranch Historic Dist. (5DA708)
6	AT&SF Railway (5DA922.1)



### 6.3.2 US 85 Corridor Section 4(f) Properties Potentially Affected

#### 6.3.2.1 High Line Canal Trail

The High Line Canal Trail is approximately 120 kilometers (75 miles) long, and follows the High Line Canal. It includes both paved and unpaved segments and is used for walking, running, biking, and horseback riding. The trail crosses US 85 at-grade approximately 1.1 kilometers (0.7 mile) south of C-470, at MP 199.6. The trail begins at Waterton Canyon and the South Platte River and extends to I-70 and Tower Road. This section of the trail is unpaved and is maintained by the Highlands Ranch Metro District.

#### 6.3.2.2 Spring Gulch Equestrian Facility

Spring Gulch Equestrian Facility encompasses 42.5 hectares (105 acres) and is open to the public for equestrian training and competitive activities. It is located on the east side of US 85 at MP 199.0. In 1999, 8,565 visitors used the facility. The property is owned by the United States Army Corps of Engineers (USACE), is leased to Colorado State Parks, and is maintained and operated by Chatfield State Park. Access to the facility is from US 85. This facility is divided into two distinct areas by a flood control dam built by the USACE. The upper area, where most of the recreation occurs, is not visible from US 85. The lower area, adjacent to US 85, consists of the access road, a few jumps, and a trail that loops around the dam back to the upper recreation area. The land directly adjacent to US 85 is very steep and is not used for recreation.

#### 6.3.2.3 Cherokee Ranch Conservation Easement

The Cherokee Ranch Conservation Easement includes 1,270.8 hectares (3,140 acres) of Cherokee Ranch north of US 85. The property borders US 85 for approximately 3.2 kilometers (2 miles) in the vicinity of Sedalia between approximately MP 190.7 and MP 188.3. This property is privately owned with a publicly owned no-build easement. While not officially designated as a wildlife refuge, it is included in this evaluation due to its current use as a potential refuge. Approximately 400 elk live on Cherokee Ranch year-round. In addition, an active golden eagle nest has been documented on the ranch. The purchase of this conservation easement was part of

Douglas County's overall plan to maintain community buffers through open space and support the region's biologically diverse environment.

#### **6.3.2.4 Cherokee Ranch Historic District (5DA708)**

Cherokee Ranch Historic District includes approximately 1,330 hectares (3,280 acres). The district borders US 85 for approximately 3.2 kilometers (2 miles) in the vicinity of Sedalia between approximately MP 190.4 and MP 188.3. It was listed on the NRHP in 1994 because of its significant association with local exploration and settlement of the area, as well as the property's wide variety of types, periods, and methods of construction (Criterion a and Criterion c). Twenty-six contributing and 10 non-contributing resources are within the historic district. Two contributing resources exist within the APE. The first is a decorative stone and wrought iron gate at the ranch entrance in Sedalia. The gate was designed by Burnam Hoyt between 1925 and 1926. It consists of two stone piers on either side of Rattlesnake Road connected to a stone wall. A sign supported by two metal poles bears the name "Cherokee Ranch." A ponderosa pine is planted on each side of the gate. The second contributing resource is Rattlesnake Road. It is the original road leading into the ranch, and was built by Elmer Blunt and his son Ray in 1924. The road has never been paved and is no longer in use.

#### **6.3.2.5 Atchison, Topeka, and Santa Fe Railway (5DA922.1)**

The AT&SF Railway, currently operating as the Burlington Northern Santa Fe Railroad, runs parallel to the west side of US 85 throughout most of the project area. It is a standard gauge rail constructed of steel track on wooden ties set in rock ballasts. The grade is approximately 1.2 meters (4 feet) high and 7.6 meters (25 feet) across. These segments, built in 1887, are a significant portion of the AT&SF company line into Denver from Colorado Springs and Pueblo. The AT&SF's entry into the Colorado market enhanced the state's transportation and accessibility to the rest of the nation, and provided competition to other lines. These segments of the AT&SF Railway are eligible for the NRHP because of their connection to the area's early transportation and development, and because they follow the original ROW and maintain the integrity of design (Criterion a).

### **6.4 IMPACTS TO SECTION 4(f) PROPERTIES**

Two types of impacts to designated Section 4(f) properties require evaluation and determination:

- A direct impact to a Section 4(f) property (park or historic property) resulting from taking of a portion of or all of the property
- Any action by the project, while not amounting to a direct taking, that would "substantially impair" the current use of the resource by such intrusions as ecology, noise, air, or visual impacts, as well as vibration impacts, could constitute a "constructive use" of the Section 4(f) property.

An evaluation of impacts to those Section 4(f) properties identified in Table 6.1 is presented by corridor. Two linear properties, the D&RG Railroad (5DA921.1) and the AT&SF Railway (5DA922.1) pass through both corridors. For a complete description of the alternatives, refer to Chapter 2.0, *Alternatives*. Coordination for this project has occurred with representatives of CDOT, FHWA, SHPO, Douglas County, Colorado State Parks, Town of Castle Rock, USACE, and various local agencies and private groups.

Six Section 4(f) properties within the project area require land acquisition by the project. Table 6.2 summarizes

the Section 4(f) properties land acquisition required.

#### 6.4.1 No-Action Alternative Section 4(f) Properties Impacts

No properties protected under Section 4(f) are taken by the No-Action Alternative.

#### 6.4.2 Preferred Alternative and Other Alternative Section 4(f) Properties Impacts

##### 6.4.2.1 I-25 Corridor Section 4(f) Properties Impacts

This section considers potential impacts to the one Section 4(f) property within the I-25 Corridor APE (D&RG Railroad) by the Preferred Alternative and the Other Alternative.

**Table 6.2**  
**Section 4(f) Properties Land Acquisition**

Property Name	Figure Number	Corridor Location	Property Type	Project Take
Denver and Rio Grande Railroad (5DA921.1)	6.3	I-25/US 85	Historic	870 m (2,850 ft)
High Line Canal Trail	6.4	US 85	Recreation	124 m (410 ft)
Spring Gulch Equestrian Facility	6.5	US 85	Recreation	0.2 ha (0.6 ac)
Cherokee Ranch Conservation Easement	6.6	US 85	Wildlife Refuge	6.5 ha (15.9 ac)
Cherokee Ranch Historic District (5DA708)	6.6	US 85	Historic	5.1 ha (12.5 ac)
AT&SF Railway (5DA922.1)	6.7	I-25/US 85	Historic	4.3 m (14 ft)

##### Denver and Rio Grande Railroad (5DA921.1) at MP 182.3

The Preferred Alternative and the Other Alternative result in acquisition from the D&RG Railroad. The existing railroad bridge over I-25 is not wide enough to accommodate the proposed expansion of I-25 to six lanes. Therefore, a new bridge is included in the Preferred Alternative and Other Alternative to be constructed approximately 14 meters (46 feet) south of the existing bridge. This requires the realignment of the railroad resulting in demolition of the existing (non-contributing) bridge and approximately 215 meters (705 feet) of the existing railroad bed. An additional 655 meters (2,145 feet) of the railroad bed will be abandoned. In all, 870 meters (2,850 feet) of the historic railroad bed is taken by this project. Figure 6.3 shows impact locations. The FHWA and SHPO have determined that this action will result in an adverse affect on the historic railroad bed.

##### 6.4.2.2 US 85 Corridor Section 4(f) Properties Impacts

This section considers potential impacts to Section 4(f) properties along US 85 by the Preferred Alternative and the Other Alternative. The proposed improvements to US 85 result in a use of land from five properties protected by Section 4(f).

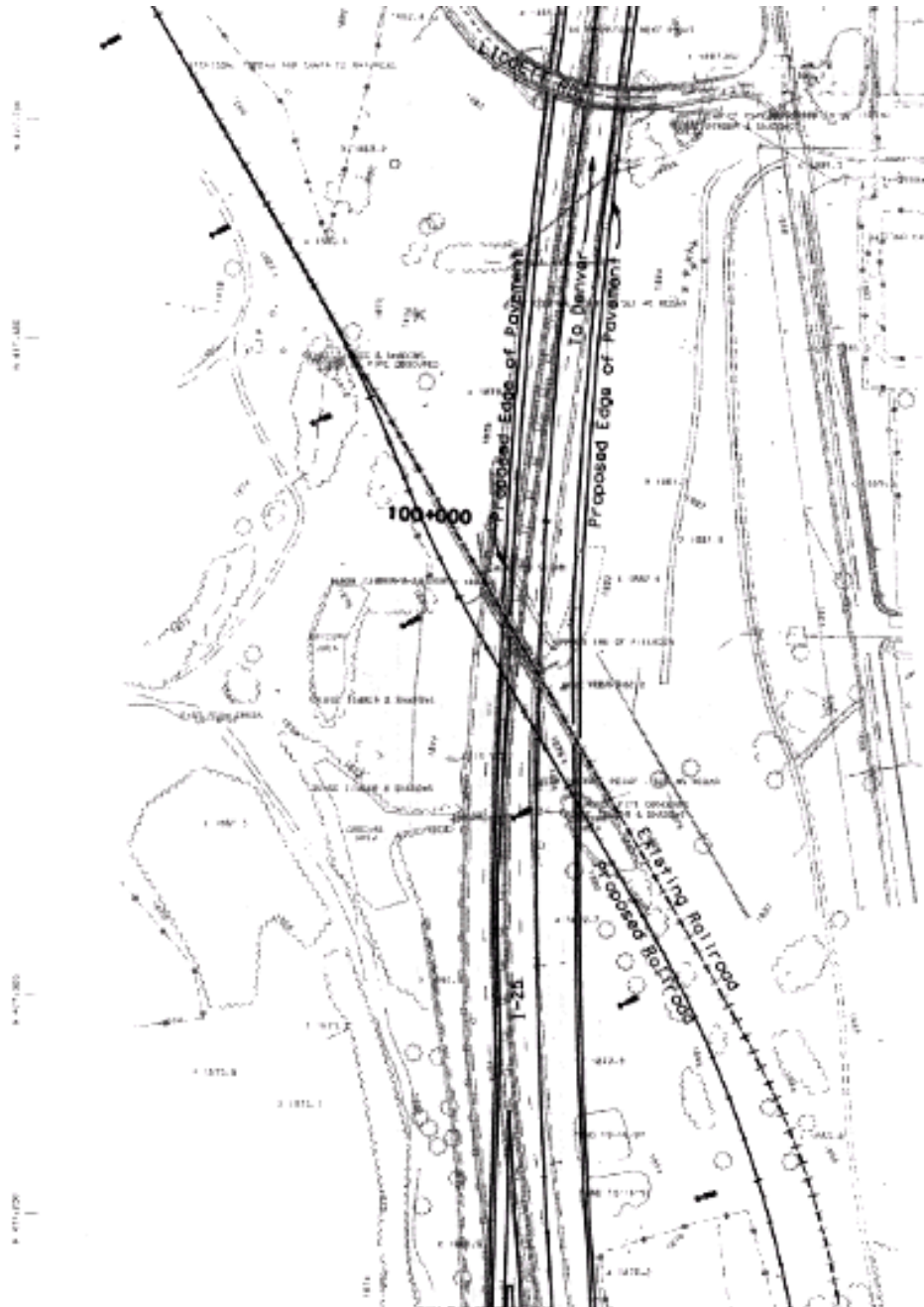
##### High Line Canal Trail

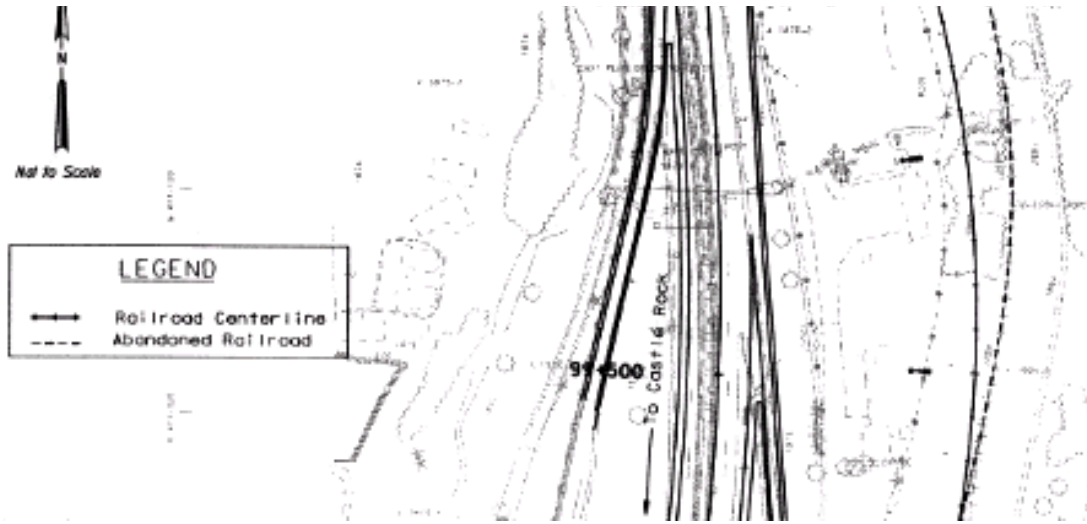
The Preferred Alternative and the Other Alternative take approximately 124 meters (410 feet) of the High Line Canal trail including 47 meters (155 feet) west of US 85 and 77 meters (255 feet) east of US 85. This take is approximately 0.1 percent of the entire trail. The Preferred Alternative and the Other Alternative include a grade-separated bicycle/pedestrian facility under US 85 at this location. Figure 6.4 illustrates the impact locations.

### Spring Gulch Equestrian Facility

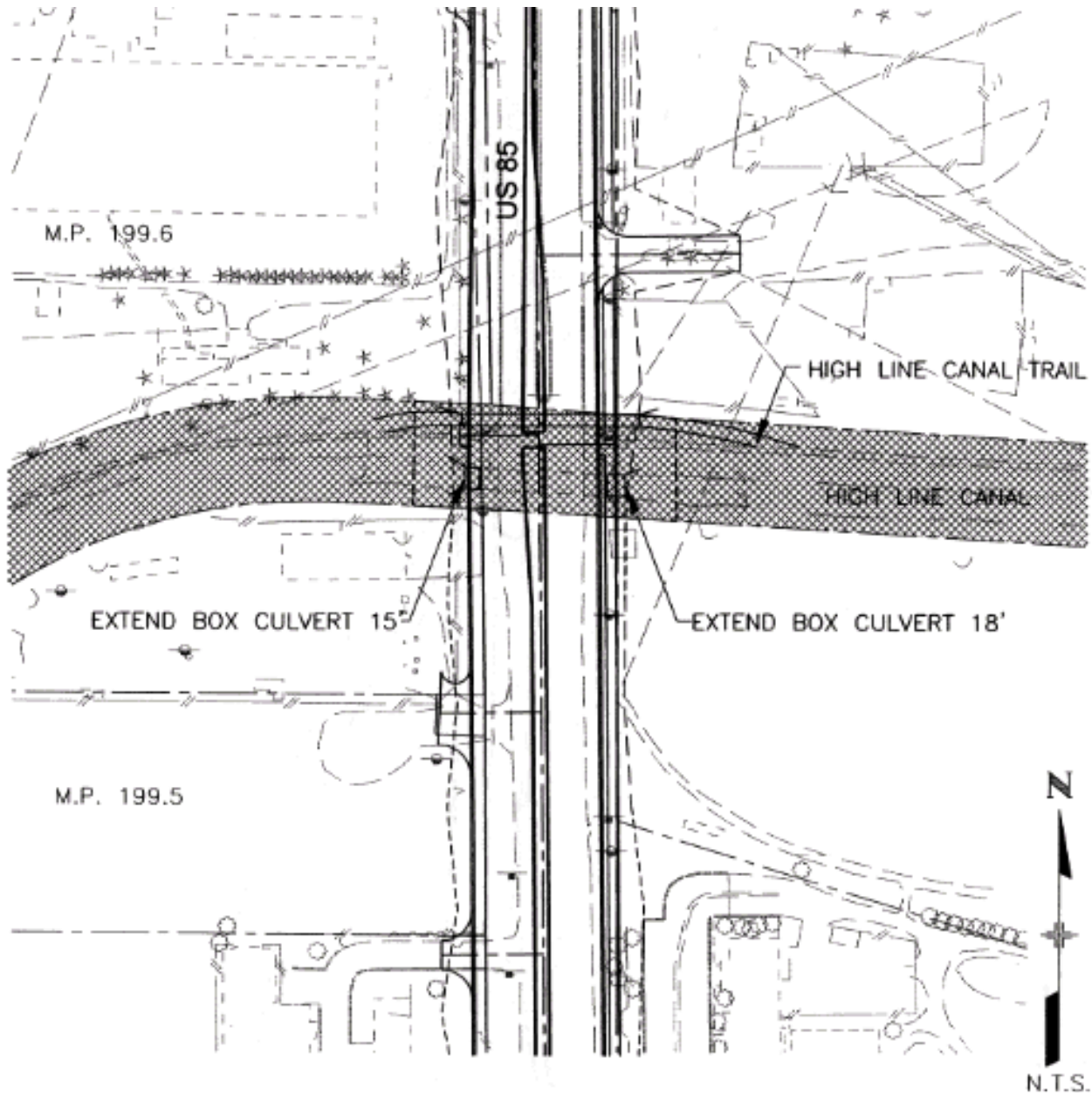
The Preferred Alternative and the Other Alternative take approximately 0.2 hectare (0.6 acre) of the Spring Gulch Equestrian Facility where it borders US 85. This take is approximately 0.6 percent of the entire facility. The land directly impacted under this alternative is not used for equestrian recreation, as it is a steep embankment. Figure 6.5 identifies the area of impact to the Spring Gulch Equestrian Facility.

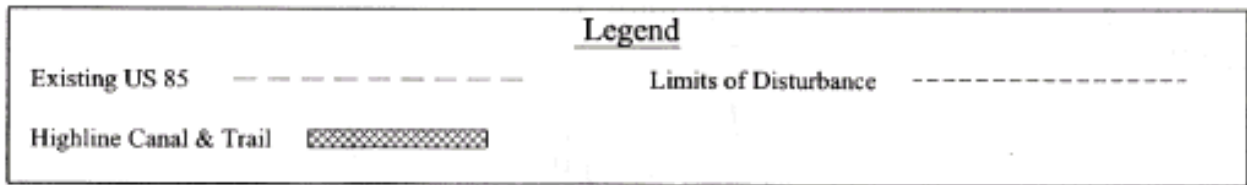
**Figure 6.3**  
**Preferred Alternative and Other Alternative**  
**Denver and Rio Grande Railroad Potential Impacts (5DA921.1)**



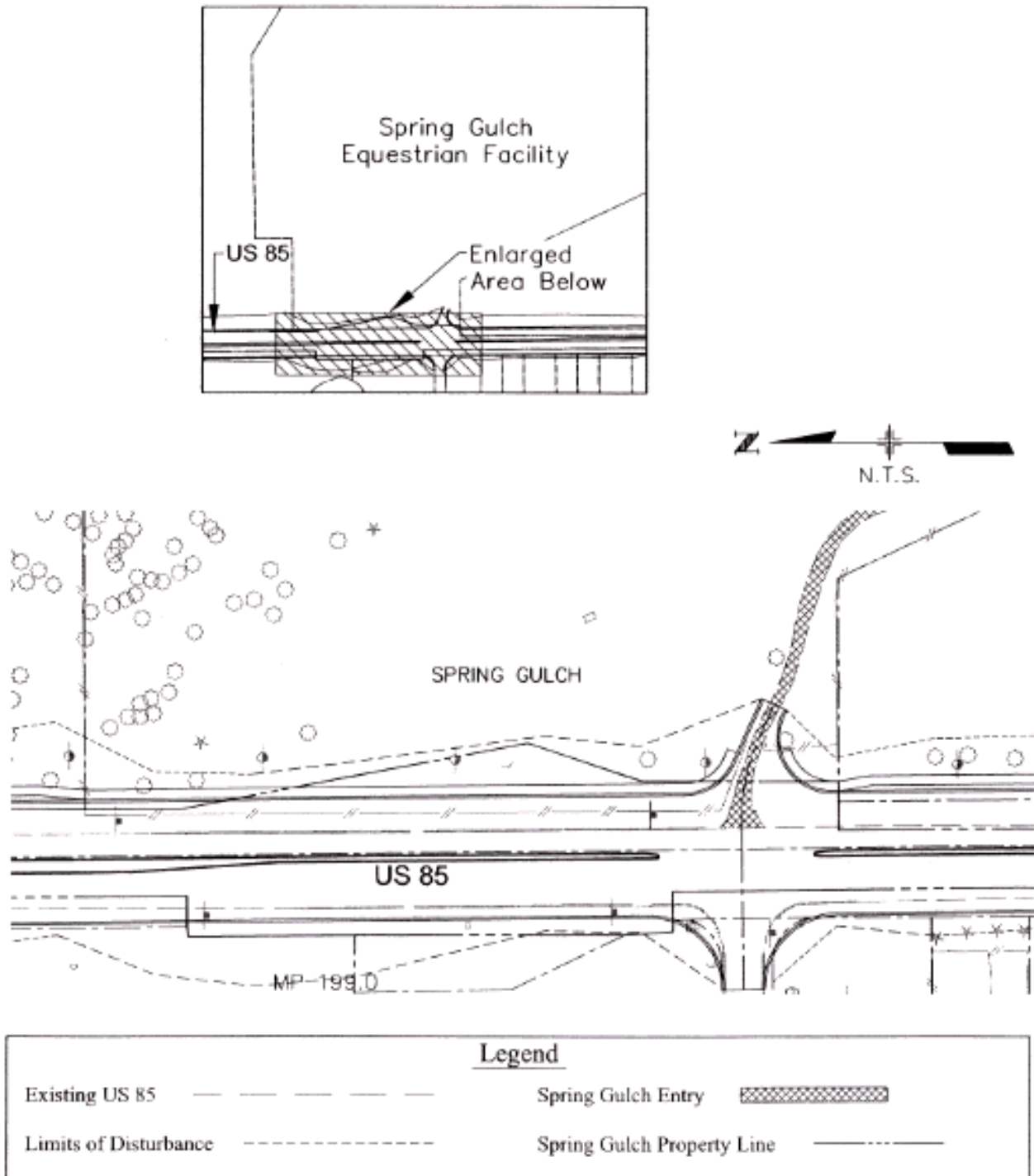


**Figure 6.4**  
**Preferred Alternative and Other Alternative**  
**High Line Canal and High Line Canal Trail Potential Impacts**  
**US 85 at MP 199.55**





**Figure 6.5**  
**Preferred Alternative and Other Alternative**  
**Spring Gulch Equestrian Facility Potential Impacts**  
**US 85 at MP 199**



## **Cherokee Ranch Conservation Easement**

The Preferred Alternative and the Other Alternative take approximately 6.4 hectares (15.7 acres) of the Cherokee Ranch Conservation Easement. This take is approximately 0.5 percent of the entire easement. Figure 6.6a through Figure 6.6e identify the area of impact to the Cherokee Ranch Conservation Easement.

## **Cherokee Ranch Historic District (5DA708)**

The Preferred Alternative and the Other Alternative take approximately 5.1 hectares (12.5 acres) of this site, including an historic gate and a segment of road. This take is approximately 0.4 percent of the entire district. The original main gate and a segment of Rattlesnake Road, both built between 1925 and 1926, and contributing elements of the district, are within the construction zone. Figure 6.6a through Figure 6.6e identify the area of impact to the Cherokee Ranch Historic District. The FHWA and SHPO have determined that this action will result in an adverse affect on the original main gate and on the Rattlesnake Road.

## **Atchison, Topeka & Santa Fe Railway (5DA922.1)**

The Preferred Alternative and the Other Alternative proposed improvements to the existing railroad crossing on SH 67 and result in a take of property. These improvements include widening and replacing the current road base. The railroad crossing remains at-grade. The future build alternatives take approximately 4.3 meters (14 feet) of the railroad including approximately 2.7 meters (9 feet) west of SH 67 and approximately 1.6 meters (5 feet) east of SH 67. Total impacts, including temporary construction, are approximately 21.3 meters (69.9 feet) west of the existing roadway and 18.3 meters (60 feet) east of the existing roadway. Figure 6.7 identifies the area of impact to the AT&SF Railway. The FHWA and SHPO have determined that this action will result in no adverse affect to historic properties because the overall use and historic value of the railroad will not change.

## **6.5 AVOIDANCE ALTERNATIVES**

Properties protected under Section 4(f) must not be taken unless there is no feasible and prudent alternative to the use of such land. In addition, the program or project must include all planning to minimize harm to Section 4(f) properties.

An evaluation process considered more than 80 different alternatives for I-25 and US 85 and reduced the number of alternatives to those that are most reasonable and best able to meet the project objectives. This evaluation process has involved extensive public/agency coordination since the project began in October 1998. Coordination included meetings with community groups, agencies, developers, landowners, special interest groups, and the general public. The alternatives evaluated in this FEIS are those determined to best meet the purpose and need of this project (see Chapter 1.0, *Purpose and Need*), while avoiding, to the maximum extent possible, impacts to Section 4(f) properties.

This section evaluates measures and alternatives that may be available to avoid impacts to Section 4(f) properties. Avoidance alternatives for each resource are listed by corridor.

### **Figure 6.6a** **Preferred Alternative and Other Alternative**

**Cherokee Ranch Conservation Easement and Historic District (5DA708)**

**US 85 Between MP 190.6 and MP 190.3**

**(1 of 5)**

**Figure 6.6b**

**Preferred Alternative and Other Alternative**

**Cherokee Ranch Conservation Easement and Historic District (5DA708)**

**US 85 Between MP 190.3 and MP 188.2**

**(2 of 5)**

**Figure 6.6c**

**Preferred Alternative and Other Alternative**

**Cherokee Ranch Conservation Easement and Historic District (5DA708)**

**US 85 Between MP 190.3 and MP 188.2**

**(3 of 5)**

**Figure 6.6d**

**Preferred Alternative and Other Alternative**

**Cherokee Ranch Conservation Easement and Historic District (5DA708)**

**US 85 Between MP 190.3 and MP 188.2**

**(4 of 5)**

**Figure 6.6e**

**Preferred Alternative and Other Alternative**

**Cherokee Ranch Conservation Easement and Historic District (5DA708)**

**US 85 Between MP 190.3 and MP 188.2**

**(5 of 5)**

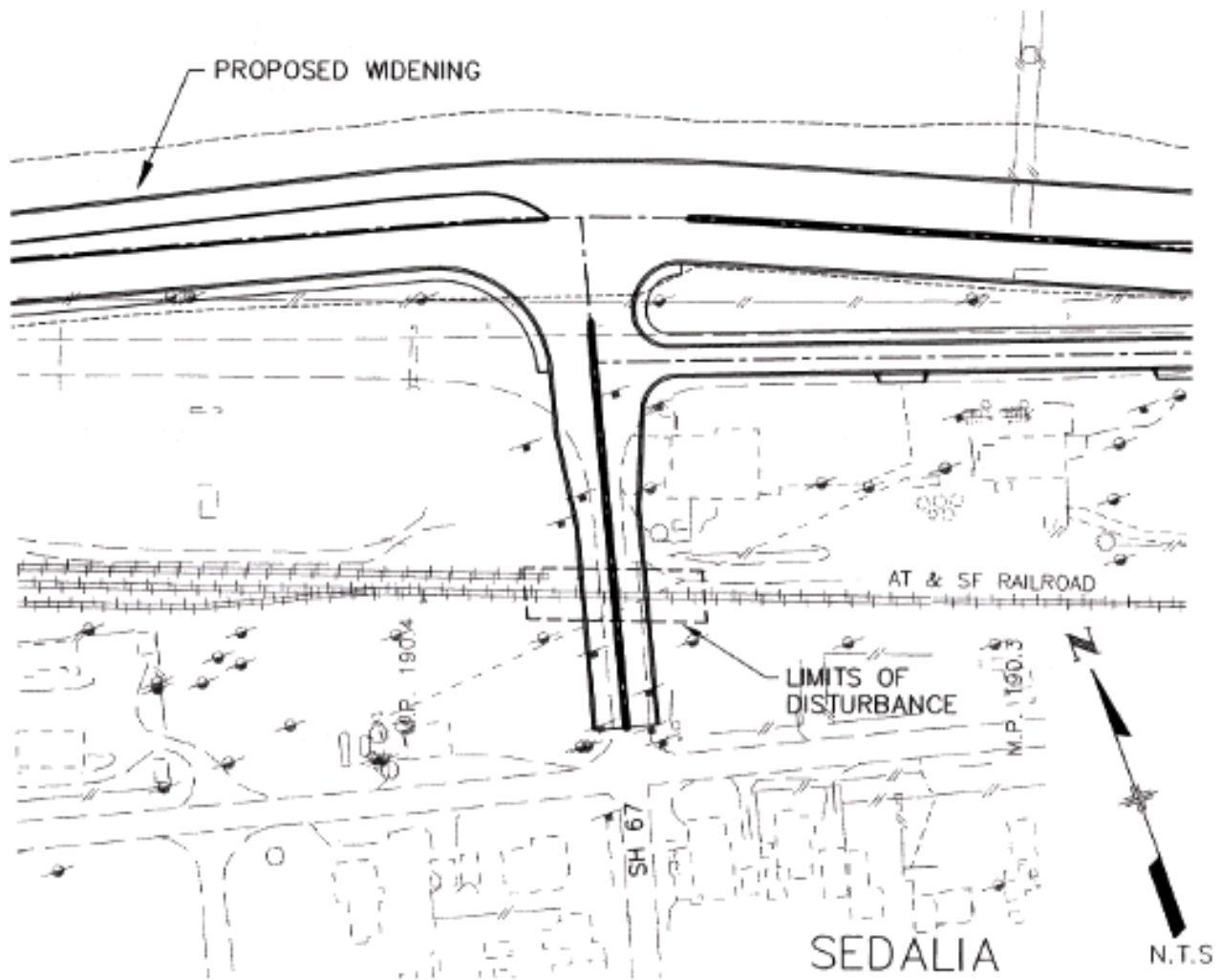
**Figure 6.7**

**Preferred Alternative and Other Alternative**

**Atchison, Topeka & Santa Fe Railway (5DA922.1) Potential Effects**

**US 85 at MP 190.4**





Legend	
Existing US 85	-----
Limits of Disturbance	-----

**6.5.1 No-Action Alternative Avoidance Measures**

No properties protected under Section 4(f) are impacted under the No-Action Alternative. Therefore, no avoidance measures are required.

**6.5.2 Preferred Alternative and Other Alternative Avoidance Measures**

**6.5.2.1 I-25 Corridor Avoidance Measures**

**Denver and Rio Grande Railroad (5DA921.1) at MP 182.3**

The Preferred Alternative and the Other Alternative result in a use of property from the D&RG 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.

### **6.5.2.2 US 85 Corridor Avoidance Measures**

#### **High Line Canal Trail**

The Preferred Alternative and the Other Alternative result in a use of property 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.

#### **Spring Gulch Equestrian Facility**

The Preferred Alternative and the Other Alternative result in a use of property 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 impacts a functional segment of the High Line Canal, potentially impacts the High Line Canal Trail, and requires 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.

#### **Cherokee Ranch Conservation Easement**

The Preferred Alternative and the Other Alternative result in a use of land from the Cherokee Ranch Conservation Easement. Shifting the alignment to the south to avoid the conservation easement is not feasible for two reasons. First, a left-turn storage length of 73.2 meters (240 feet) is required on SH 67 between US 85 and the Burlington Northern Santa Fe Railroad tracks. This storage length is 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 is not accommodated, thus creating a safety hazard. In addition, three businesses border US 85 in Sedalia. Moving the alignment to the south requires the relocation of these businesses. Sedalia is a small rural community and these businesses are an integral part of the town. Their removal causes 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.

### **Cherokee Ranch Historic District (5DA708)**

The Preferred Alternative and the Other Alternative result 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.

### **Atchison and Santa Fe Railway (5DA922.1) at SH 67**

The Preferred Alternative and the Other Alternative result in a use of the land from the AT&SF Railway. 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.

## **6.6 MEASURES TO MINIMIZE HARM**

This section discusses measures to minimize harm and mitigate the impacts of the FEIS alternatives on each Section 4(f) property determined to be required for the transportation improvements. All properties protected by Section 4(f) that are used by a federal transportation project must include all possible planning to minimize harm to those properties if they cannot be avoided by a feasible and prudent alternative. Table 6.3 at the end of this section summarizes the measures for minimizing harm and the mitigation for each property impacted by the alternatives.

### **6.6.1 No-Action Alternative Measures to Minimize Harm**

No property protected under Section 4(f) is taken under the No-Action Alternative; therefore, there are no measures to minimize harm.

### **6.6.2 Preferred Alternative and Other Alternative Measures to Minimize Harm**

#### **6.6.2.1 I-25 Corridor Measures to Minimize Harm**

### **Denver and Rio Grande Railroad (5DA921.1) at MP182.3**

Efforts to minimize harm by the Preferred Alternative and Other Alternative to this Section 4(f) property include:

- Ensuring that the railroad segment in the impact area has been 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

#### **6.6.2.2 US 85 Corridor Measures to Minimize Harm**

##### **High Line Canal Trail**

Efforts to minimize harm by the Preferred Alternative and the Other 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

##### **Spring Gulch Equestrian Facility**

Efforts to minimize harm by the Preferred Alternative and the Other 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

### **Cherokee Ranch Conservation Easement**

Efforts to minimize harm by the Preferred Alternative and the Other 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

### **Cherokee Ranch Historic District (5DA708)**

Efforts to minimize harm by the Preferred Alternative and the Other 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

### **Atchison, Topeka and Santa Fe Railway (5DA922.1)**

Efforts to minimize harm by the Preferred Alternative and the Other 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

In addition to the mitigation strategies listed in this document, the FHWA and CDOT will continue to take all steps necessary to reduce and minimize impacts to the Section 4(f) properties during the design phase. Measures may include constructing and replacing sidewalks and appropriate landscaping within the corridors.

## **6.7 COORDINATION**

This project and the alternatives under consideration have been coordinated over the past two years with the Town of Castle Rock, Douglas County, SHPO, Colorado State Parks, USACE, and other agencies responsible for the administration of Section 4(f) properties within the South I-25 Corridor and US 85 Corridor EIS project 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. Coordination letters are located at the end of this Final Section 4(f) Properties Evaluation.

## **6.8 FINAL SECTION 4(f) STATEMENT**

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, and the proposed action includes all possible planning to minimize harm to these Section 4(f) properties resulting from such use.

### **Table 6.3 Proposed Mitigation to Impacted Section 4(f) Properties within the I-25/US 85 Corridors Project Area**

Property Name	Corridor Location	Property Type	Proposed Mitigation
D&RG Railroad (5DA921.1) at MP 182.3 Eligible to the NRHP under Criterion a and Criterion c	I-25	Historic	Design alternative with the least possible ROW width to minimize impact from overpass construction. Ensure this segment of the railroad has been fully documented prior to construction. Ensure that areas temporarily disturbed by construction are restored to their original condition.
High Line Canal Trail	US 85	Recreation	Design alternative with least possible ROW width to minimize take of property from the High Line Canal Trail. Enhance trail with potential grade-separated trail crossing of US 85. Ensure that areas temporarily disturbed by construction are restored to their original condition.
Spring Gulch Equestrian Facility	US 85	Recreation	Design alternative with the least possible ROW width to minimize taking part of the resource. Coordinate construction with facility operation to produce the least amount of disturbance possible to use of the facility. Realign the portion of the fence that is impacted. Relocate overhead utilities. Realign the entrance gate and signing to the area. Replace disturbed vegetation. Provide a left-turn lane into the facility from southbound US 85. Pave the entrance 15 meters (50 feet) from US 85 to provide safer exit for long vehicles.
Cherokee Ranch Conservation Easement	US 85	Wildlife Refuge	Design alternative with least possible ROW width to minimize take of property. Narrow road cross sections through area. Enhance wildlife crossings along US 85 and Cherokee Ranch. Ensure that areas temporarily disturbed by construction are restored to their original condition using Douglas County seed mix for reseeded.
Cherokee Ranch Historic District (5DA708) Two contributing resources impacted by the Build Alternative: Main Gate & Rattlesnake Road Nominated under Criterion a	US 85	Historic	Design alternative with least possible ROW width to minimize take of property. Remove pedestrian bike trail on the north side of US 85 to reduce the use of property. Narrow road cross sections through area. Preserve the historic gate and its immediate landscaping by moving it to a new location beyond the construction zone. Implement mitigation measures through a memorandum of agreement with the SHPO. Ensure that this feature of the historic district has been fully documented prior to moving including photographic recordation. Ensure that areas temporarily disturbed by construction are restored to their original condition using Douglas County seed mix for reseeded.
AT&SF Railway (5DA922.1) Eligible to NRHP, Criterion a	US 85	Historic	Design alternative with least possible ROW width to minimize take of property.