

Finding of No Significant Impact Vasquez Boulevard | I-270 to 64th Avenue

Project Number: CO 006A-069, Project Code: 22922

Commerce City, Colorado

Lead Agencies:



March 2024

Finding of No Significant Impact (FONSI)

The Federal Highway Administration (FHWA) has determined that the Proposed Action described in the Environmental Assessment (EA) and this Finding of No Significant Impact (FONSI) will have no significant impact on the human or natural environment. This FONSI is based on the EA and the proposed mitigation, which FHWA has independently evaluated and determined to adequately and accurately discuss the need, environmental issues, and impact of the project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. FHWA takes full responsibility for the accuracy, scope, and content of the EA and FONSI.

Submitted by:

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March 12, 24

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Date

The Federal Highway Administration may publish a notice in the Federal Register, pursuant to 23 United States Code (USC) § 139(l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

Table of Contents

1	Introduction	1
1.1	Project Location	1
1.2	What is the Purpose of the Project?	1
1.3	What are the Needs for the Project?	2
2	What is the Proposed Action?.....	5
2.1	Vasquez Boulevard/60 th Avenue	5
2.2	Vasquez Boulevard/62 nd Avenue.....	5
2.3	Local Road Connections.....	9
2.4	Pedestrian Facilities.....	9
3	What Has Been Done Since the EA was Published?.....	12
3.1	Public Meeting and EA Review Period	12
3.2	Historic Resources	13
4	Project Funding.....	13
5	What Changes Have Been Made to the EA?.....	14
5.1	Mitigation Commitments.....	14
6	What Comments Were Received on the EA during the Public Comment Period?	16

Tables

Table 1.	Summary of Changes to Mitigation Commitments	14
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Figures

Figure 1.	Project Location and Study Area	3
Figure 2.	Existing Sidewalks and RTD Bus Stops	4
Figure 3.	Proposed Action	6
Figure 4.	Proposed Action- Vasquez Boulevard/60 th Avenue Intersection	7
Figure 5.	Existing Conditions- Vasquez Boulevard/60 th Avenue Intersection.....	7
Figure 6.	Proposed Action- Vasquez Boulevard/62 nd Avenue Intersection.....	8
Figure 7.	Existing Conditions- Vasquez Boulevard/62 nd Avenue Intersection	8
Figure 8.	Proposed Local Road Connections.....	10
Figure 9.	Proposed Action- Sidewalk Improvements	11

Appendices

Appendix A.	Mitigation Tracking Spreadsheet
Appendix B.	Vasquez Boulevard I-270 to 64th Avenue Environmental Assessment and Appendices
Appendix C.	Public Involvement Since Publication of the Environmental Assessment
Appendix D.	Public Comments and Responses from the Environmental Assessment Public Review
Appendix E.	State Historic Preservation Office and Consulting Parties Correspondence Since Publication of the Environmental Assessment

Acronyms and Abbreviations

BNSF	Burlington Northern Santa Fe
CDOT	Colorado Department of Transportation
CDPHE	Colorado Department of Health and Environment
CPW	Colorado Parks and Wildlife
DRCOG	Denver Regional Council of Governments
EA	Environmental Assessment
EHSM	Environmental, Health and Safety Management
FONSI	Finding of No Significant Impact
FHWA	Federal Highway Administration
GHG	greenhouse gas
I-270	Interstate 270
MHGP	Mile High Greyhound Park
MSAT	mobile source air toxics
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
PEC	potential environmental condition
PEL	Planning and Environmental Linkage
ROW	right-of-way
RTD	Regional Transportation District
SHPO	State Historic Preservation Office
SWMP	Stormwater Management Plan
SH 2	State Highway 2
US 6	United States Highway 6
USFWS	United States Fish and Wildlife Service

1 Introduction

This FONSI completes the National Environmental Policy Act (NEPA) process for the Vasquez Boulevard Interstate 270 [I-270] to 64th Avenue Project (the Project). It conveys the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) decision to implement the Proposed Action for the Project and provides updates to the Project since the release of the Environmental Assessment (EA).

1.1 Project Location

CDOT and FHWA propose transportation improvements along Vasquez Boulevard (United States Route 6 [US 6]) from 58th Avenue (just north of the I-270 interchange) to 64th Avenue, within the City of Commerce City (Commerce City) in Adams County, Colorado. Commerce City is a suburb in the northern Denver metropolitan area, located in Adams County. The Project extends along Vasquez Boulevard from 58th Avenue to south of the Burlington Northern Santa Fe (BNSF) railroad tracks, which is just north of 64th Avenue. West of Vasquez Boulevard, the Project extends approximately from Clermont Street, between the on-ramp to I-270 and just north of 60th Avenue. East of Vasquez Boulevard, the Project includes Parkway Drive and 62nd Avenue. Vasquez Boulevard serves as a principal arterial in Commerce City and provides access to I-270.

Land uses surrounding the Project are zoned for commercial, industrial, mixed use, public (parks and recreation) and residential. To the west of Vasquez Boulevard, there are large warehouse properties comprised of industrial distribution centers. To the northeast of the Study Area, there is an area being redeveloped by the Urban Renewal Authority of Commerce City and Greyhound Park Flats LLC known as the Mile High Greyhound Park (MHGP). This site is currently being redeveloped into a mixed-use area in the heart of Commerce City. With land devoted to residential, retail/commercial, open space and multi-cultural/educational uses, the property is poised to help revitalize the area and enhance its place as an important community hub. Construction is being completed in phases and is now well underway, with new and ongoing progress visible on the site. Directly to the east of Vasquez Boulevard there is a commercial center with food and shopping opportunities followed by well-established neighborhoods and the Veterans Memorial Park.

The extents of the Study Area and surrounding land use is shown in **Figure 1**. A map showing the existing sidewalks and Regional Transportation District (RTD) bus stops in the Project area are shown in **Figure 2**.

1.2 What is the Purpose of the Project?

The Purpose and Need was informed by the previous Vasquez Boulevard Planning and Environmental Linkages (PEL) Study and the existing transportation conditions identified throughout the Study Area. This study can be found at:

<https://www.codot.gov/projects/studies/study-archives/vasquez-pel-study>.

The Purpose of the Project is to improve vehicular and pedestrian facilities to enhance connectivity along this vital north-south local transportation corridor. Improvements would link and move people and goods and adapt to future travel demands.

1.3 What are the Needs for the Project?

The current roadway geometry and operations, combined with the lack of safe pedestrian facilities, no longer accommodates existing or future travel demand. Project improvements are needed to:

- improve operations for vehicles and freight
- improve safety
- improve pedestrian connections

Data collected in the corridor justified the Needs which are discussed further in the EA.

Figure 1. Project Location and Study Area

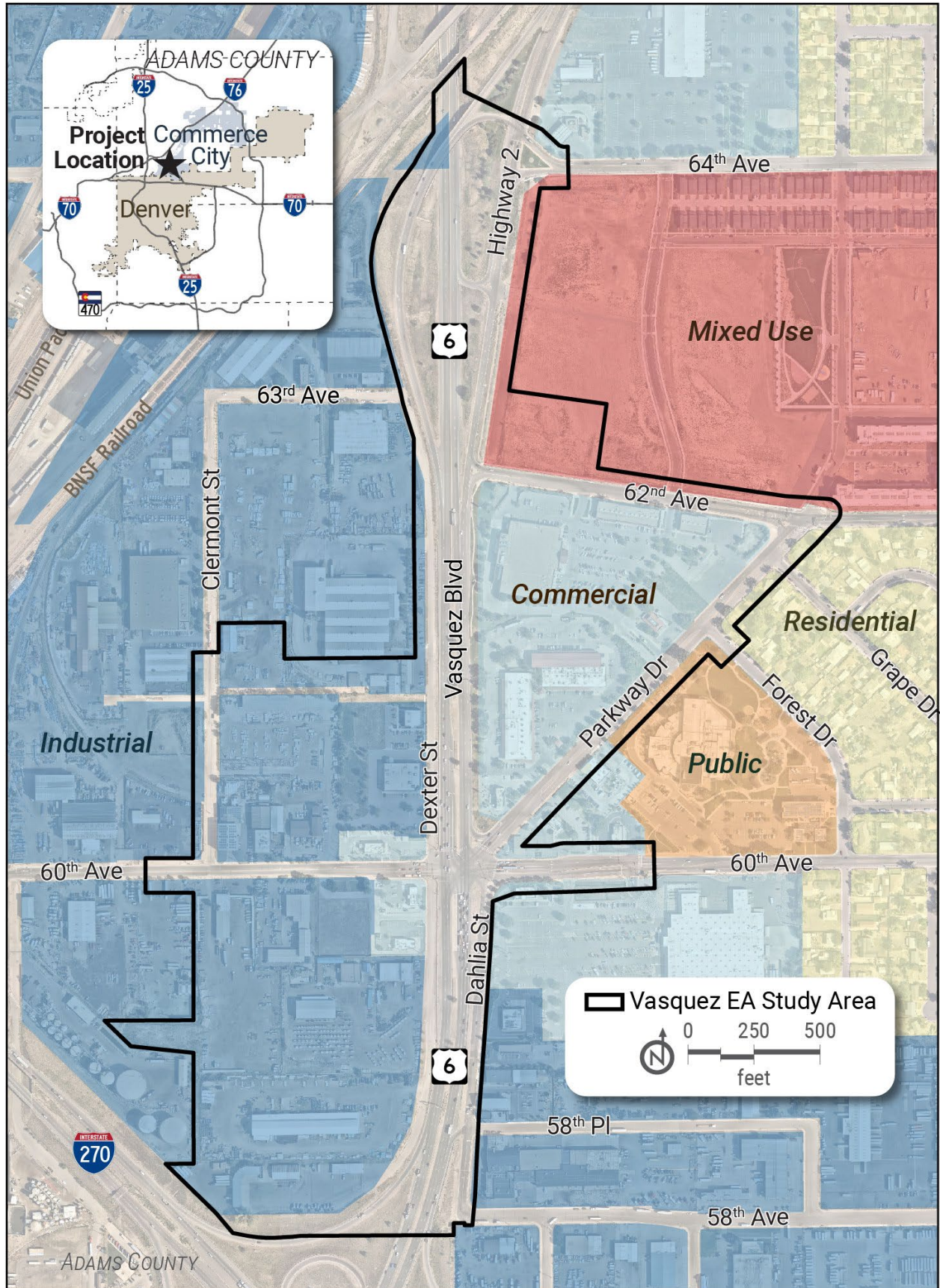
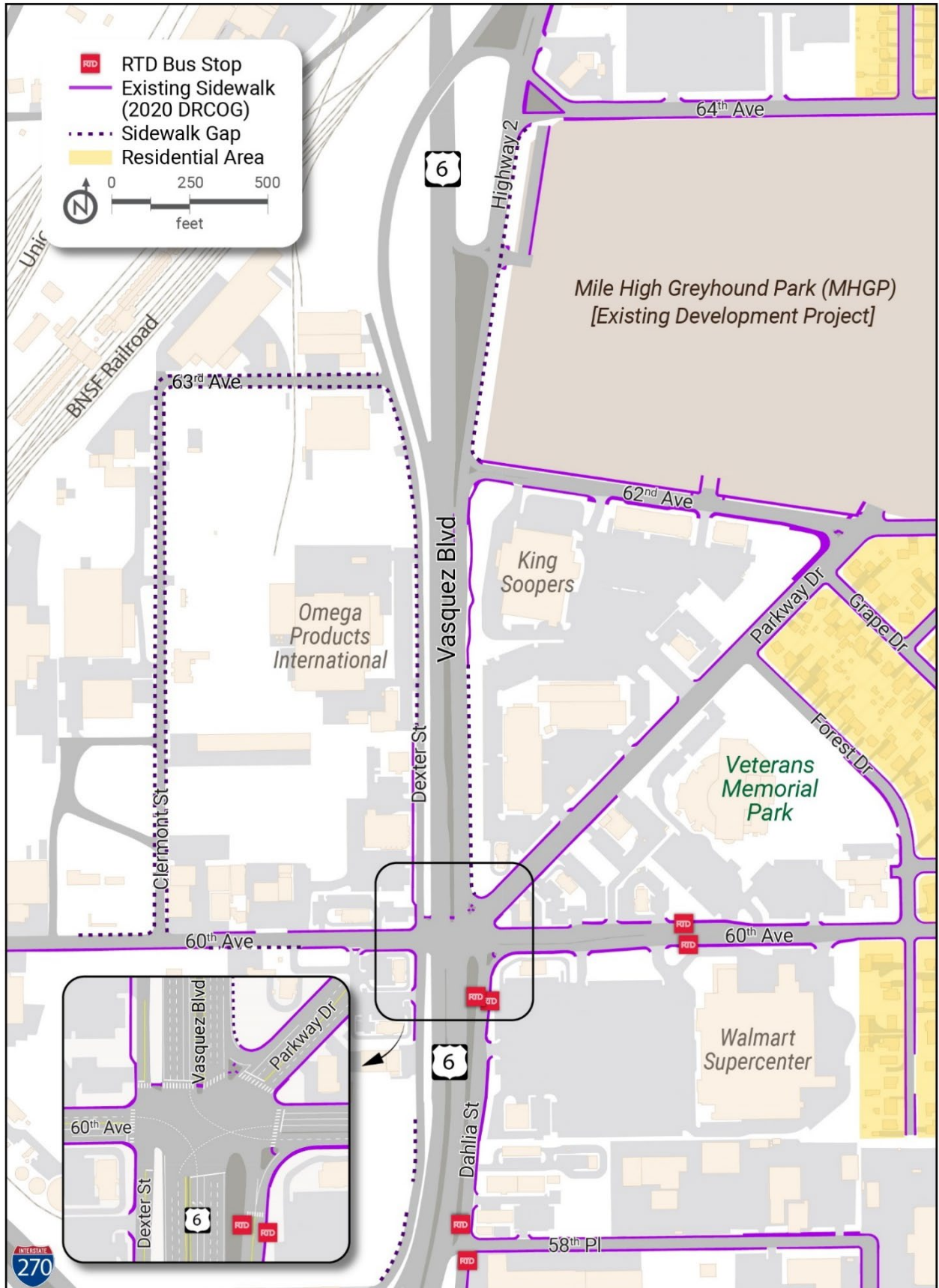


Figure 2. Existing Sidewalks and RTD Bus Stops



2 What is the Proposed Action?

The Proposed Action includes improvements at the Vasquez Boulevard/60th Avenue and Vasquez Boulevard/62nd Avenue intersections, as well as the local street network and pedestrian facilities (Figure 3).

2.1 Vasquez Boulevard/60th Avenue

The Proposed Action for the Vasquez Boulevard/60th Avenue intersection includes (Figure 4):

- Only right turn movements to northbound Vasquez Boulevard from Parkway Drive. No access to other roads.
 - All movements entering Parkway Drive remain open as currently structured.
- All outbound movements from Vasquez Boulevard/60th Avenue to frontage roads remain as exists now, but inbound movements are restricted.
 - Right turn only from southeast frontage road (Dahlia Street).
 - Right turn only from northwest frontage road (Dexter Street).
 - No movement out from southwest frontage road and all southbound movements allowed as currently structured.
- Two new local road connections to Clermont Street west of Vasquez Boulevard for full access between frontage roads and 60th Avenue.
- Corner curb bulb-outs at the Parkway/Forest intersection to deter drivers from mistaking Forest Drive as an alternate route to 60th Avenue.
 - The bulb-outs and crosswalk would provide visual indication of Forest Drive as a neighborhood street.
- Driveways on 60th Avenue, Parkway Drive and frontage roads remain as currently structured or have minor changes.
- Restriping of existing crosswalks and new pedestrian refuges for improved safety and accessibility of pedestrian infrastructure.

The existing conditions for the Vasquez Boulevard/60th Avenue intersection are shown in Figure 5.

2.2 Vasquez Boulevard/62nd Avenue

The Proposed Action for the Vasquez Boulevard/62nd Avenue intersection includes (Figure 6):

- A new traffic signal to provide movement from Parkway Drive to Vasquez Boulevard.
 - Traffic signal provides full access to/from 62nd Avenue and Vasquez Boulevard/Northbound Highway 2.
- Southbound Highway 2 off ramp remains in existing configuration.
- Continuous green time for southbound traffic on Vasquez Boulevard and the State Highway 2 (SH 2) off ramp without stopping at the signal for 62nd Avenue traffic.

The existing conditions for the Vasquez Boulevard/62nd Avenue intersection are shown in Figure 7.

Figure 3. Proposed Action

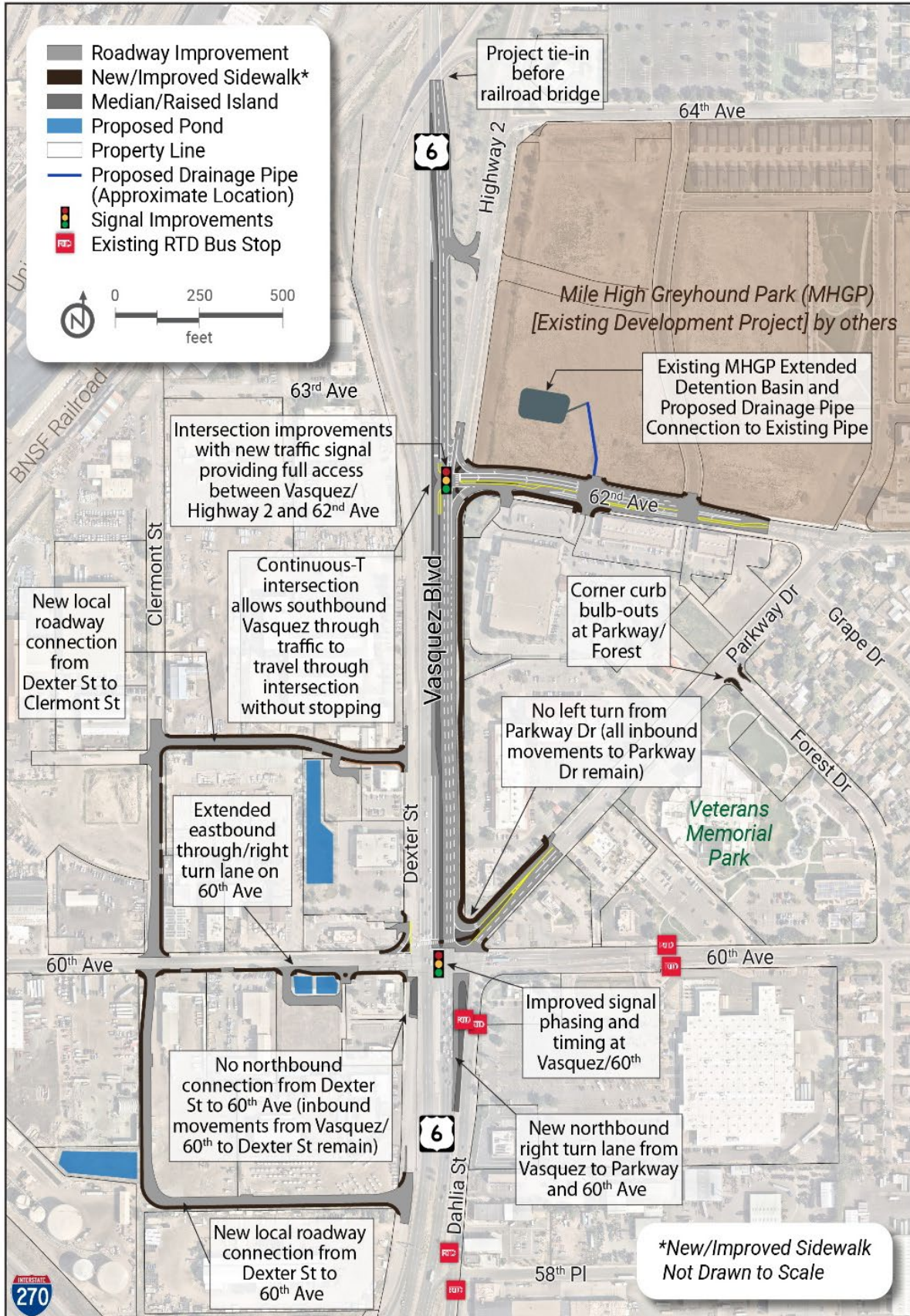


Figure 4. Proposed Action- Vasquez Boulevard/60th Avenue Intersection

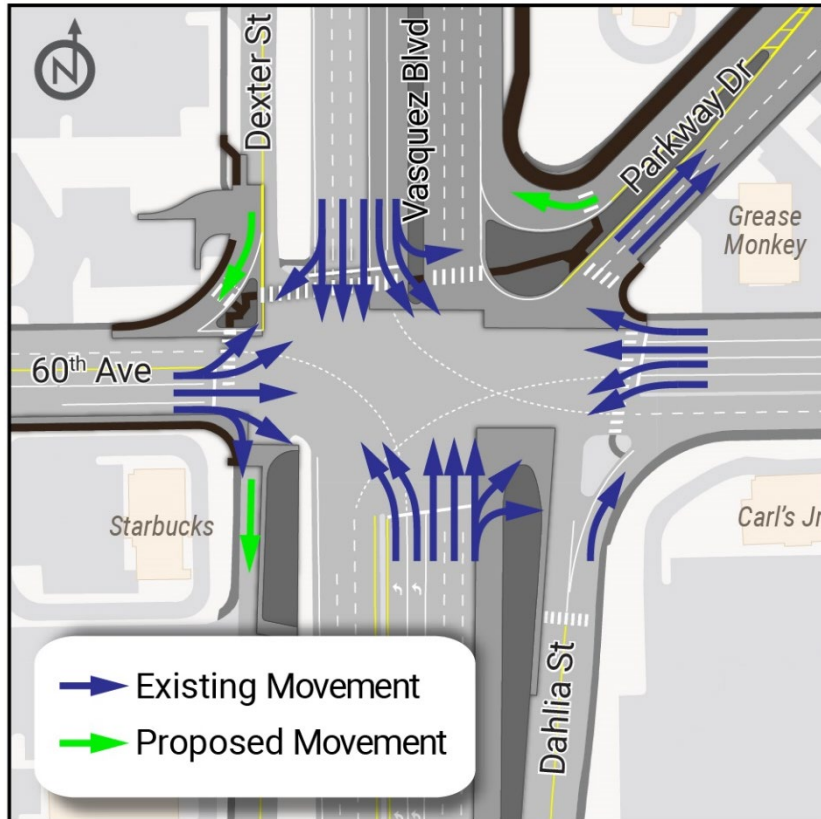


Figure 5. Existing Conditions- Vasquez Boulevard/60th Avenue Intersection

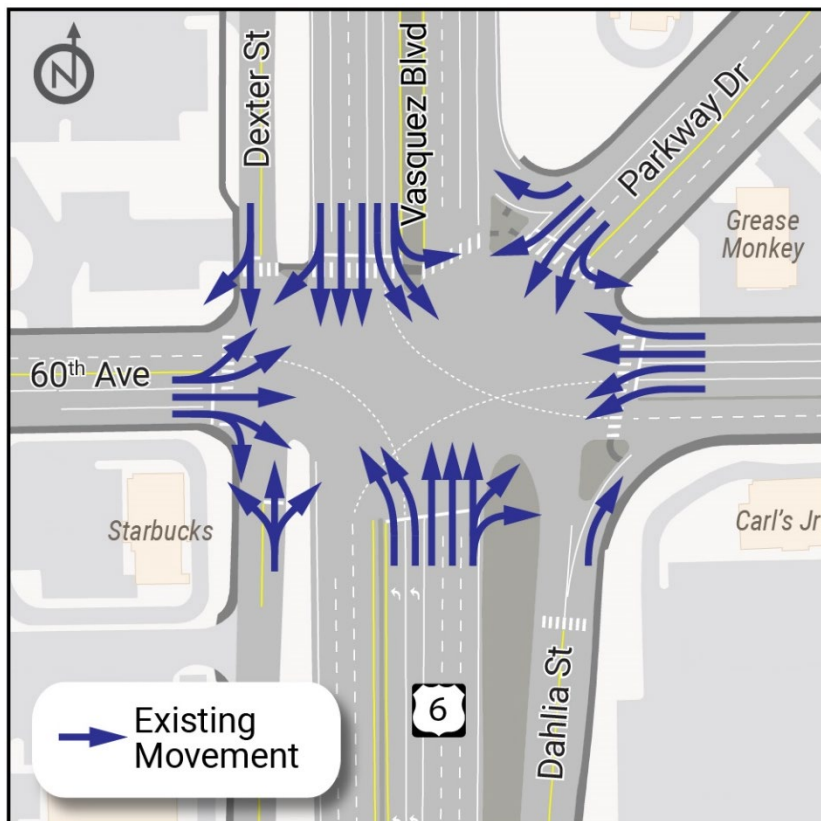
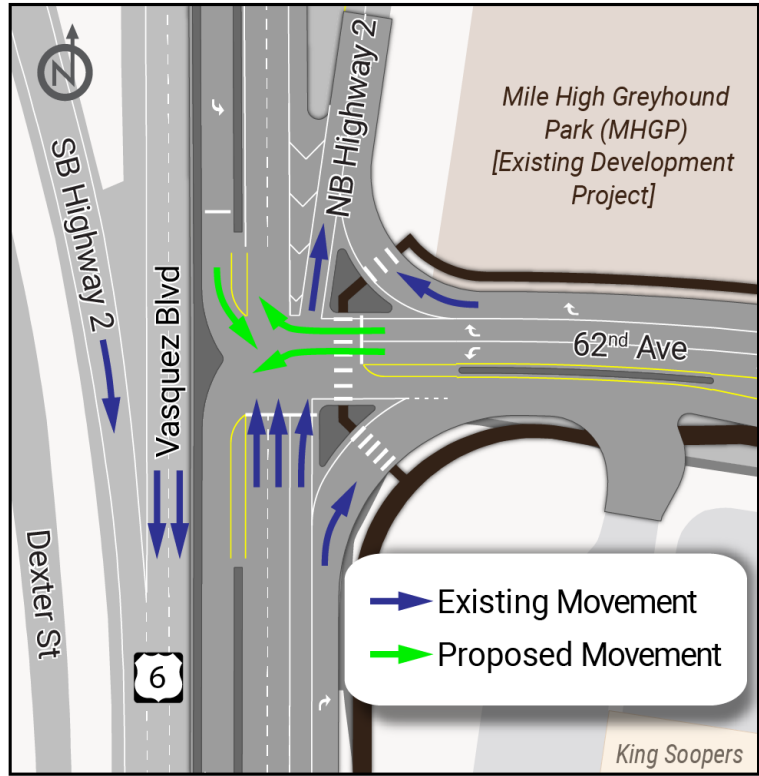
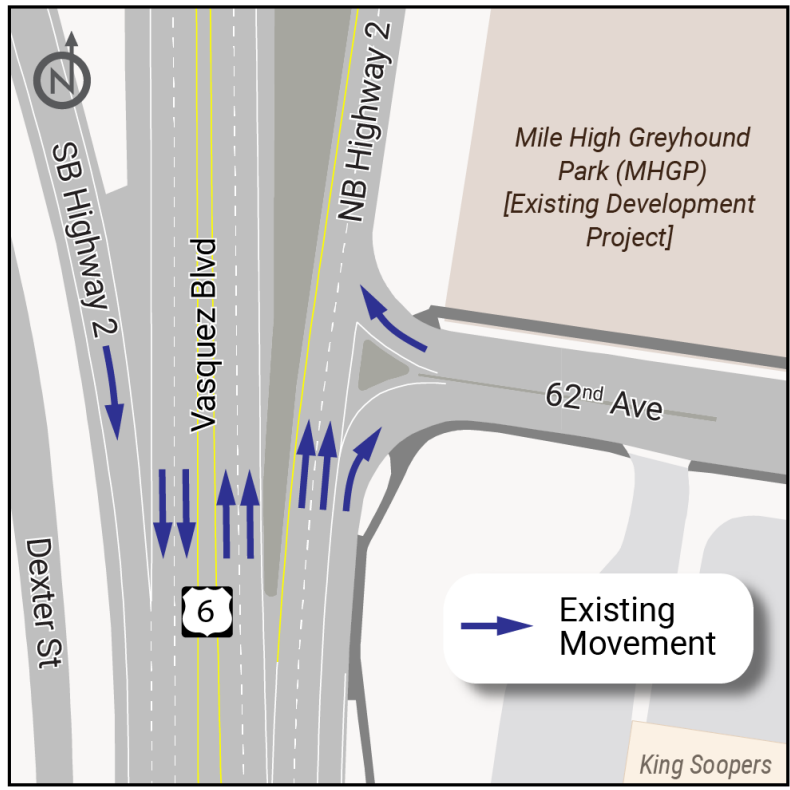


Figure 6. Proposed Action- Vasquez Boulevard/62nd Avenue Intersection



NOTE: SB= southbound, NB=northbound

Figure 7. Existing Conditions- Vasquez Boulevard/62nd Avenue Intersection



NOTE: SB= southbound, NB=northbound

2.3 Local Road Connections

The new local roadway connections west of Vasquez Boulevard would enhance the local circulation and pedestrian connectivity of the local street network, and are shown in **Figure 8**. The new roadways are two-lane, two-way local roads with the potential for direct property driveway access as approved by Commerce City. In order to improve operations at the Vasquez Boulevard/60th Avenue eight-legged intersection, it was necessary to remove access options and turning movements, simplifying the intersection. The new roadways provide safer operations for local transportation while maintaining access to properties. The new connections would reduce congestion and improve safety by providing alternate local routes and reducing the turning movements at and adjacent to the complicated intersection. While the new local roadway connections would enhance the circulation in the area west of Vasquez Boulevard, they are not expected to substantially change the traffic volume on any of the existing roads. These new local road connections would be open for traffic prior to construction of the improvements at the Vasquez Boulevard/60th Avenue intersection in order to maintain continuous local access and alternate routes.

2.4 Pedestrian Facilities

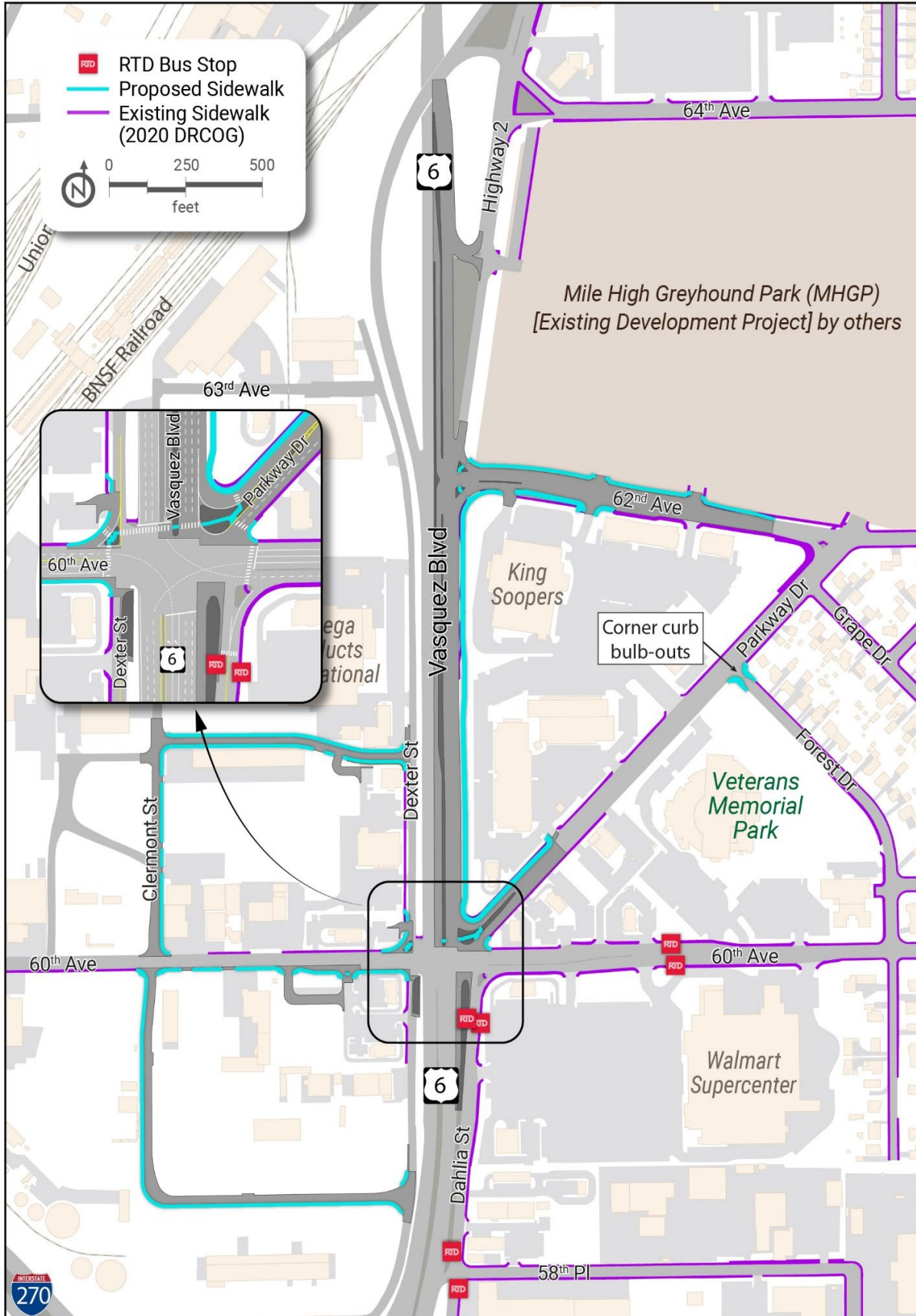
As part of the Proposed Action, sidewalk improvements and expansions are planned along 60th Avenue, 62nd Avenue, Clermont Street, and the new local street connections on the west side of Vasquez Boulevard (**Figure 9**). In order to address the lack of access to the RTD stop on Dahlia Street, a bulb-out for pedestrian refuge was included as part of the Project. Corner curb bulb-outs added at the Parkway/Forest Drive intersection would reduce the pedestrian crossing distance across Forest Drive and provide visual indication of Forest Drive as a neighborhood street. The sidewalk would be expanded along Vasquez Boulevard where there is a gap between Parkway Drive and the start of the King Soopers property. There would be improved signal phasing and timing at the Vasquez Boulevard/60th Avenue intersection for safer and more comfortable pedestrian crossings. The addition of the sidewalks would provide connectivity along the Study Area for pedestrian/bicycle travel by filling gaps in the existing sidewalk network. These connections would allow for residential areas to connect to bus facilities, commercial properties, parks, and trails in the area. For example, residents in the new residential neighborhoods of the MHGP redevelopment would be able to utilize the sidewalk along Vasquez Boulevard to travel to the businesses surrounding the Vasquez Boulevard/60th Avenue intersection and have safer access to bus stops in the area.

The addition of the sidewalks and improved crosswalks would allow for enhanced connectivity from the residential neighborhoods to regional trails in the area.

Figure 8. Proposed Local Road Connections



Figure 9. Proposed Action- Sidewalk Improvements



3 What Has Been Done Since the EA was Published?

3.1 Public Meeting and EA Review Period

The EA was signed on October 31, 2023. The comment period was from November 9, 2023 to December 15, 2023. A public open house was held on November 15, 2023 at the Eagle Pointe Recreation Center, 6060 Parkway Drive, Commerce City, CO 80022 from 5:00 pm to 7:00 pm. More than forty people attended the public open house. Light dinner, childcare, and Spanish and American Sign Language translation were provided to improve accessibility.

The EA review period and public open house were advertised in the following ways:

- Mailed postcards in English and Spanish on November 6, 2023 to 825 constituents who live or own property in the Project Area
- Distributed the CDOT news release to Denver area media list on November 9, 2023 to 600 recipients
- Posted the CDOT news release online to the CDOT News Page at <https://www.codot.gov/news> on November 9, 2023 and shared the CDOT news release with Commerce City staff for their distribution
- Posted an informational flyer on November 9, 2023 at the Eagle Pointe Recreation Center
- Emailed the 487 contacts on the Project contact list on November 9, 2023 in English only and on November 15, 2023 in English and Spanish
- Posted highlights and contents from the news release on CDOT social media channels, including Facebook on and X (previously known as Twitter) on November 9, 2023
- Commerce City placed two variable message boards on November 14, 2023 (one at 60th Avenue about two blocks east of Vasquez Boulevard and one at the southeast corner of the Vasquez Boulevard/60th Avenue intersection).

Printed versions of the EA and comment sheets were available at the Eagle Pointe Recreation Center for the duration of the review period for those who preferred to review the document and/or submit comments offline. A digital version of the EA was made available on the CDOT Project web page beginning November 9, 2023 and all displays and handouts from the public open house were posted to the Project web page the day after the meeting.

Public comments were accepted in the following ways:

- Using the comment form on the Project web page at <https://www.codot.gov/projects/vasquezimprovements>
- By submitting a hand-written comment form at the public open house meeting on November 15, 2023
- Emailing the Project team at dot_vasquez_i270to64@state.co.us or emailing individual Project team members
- Mailing to CDOT, Attn: Matthew Fink, Project Manager, CDOT Region 1, 4670 Holly Street, Denver, CO 80216

- Phone calls to Matthew Fink, Project Manager, CDOT Region 1 at 303-398-6767

The EA and appendices are included in **Appendix B** of this FONSI. Documentation related to notification of the EA availability and the in-person public open house are contained in **Appendix C** of this FONSI.

3.2 Historic Resources

During the EA public review period, a comment was received (comment #16 in **Appendix D** of this FONSI) that provided additional information regarding two properties (5AM.4046 and 5AM.4073) that CDOT identified during the consultation for Section 106. The letter also requested reconsideration of whether these properties are eligible for historic designation based on the additional information provided.

CDOT reviewed the additional historical information and determined that the information does not provide new evidence of significance under Criterion A or Criterion B of the National Register of Historic Places (NRHP) as they relate to either property. In a letter dated December 22, 2023, CDOT provided the comments to the State Historic Preservation Office (SHPO) for their review of the additional historic information. The SHPO concurred in a letter dated January 18, 2024, that 5AM.4046 and 5AM.4073 remain not eligible for inclusion in the NRHP under any of the four Criteria for Evaluation (see 36 CFR § 60.4).

The additional historical information was also provided to the consulting parties (Adams County and Commerce City) by CDOT in a letter dated December 22, 2023. Commerce City responded that they had no comments. No comments were received from Adams County.

Correspondence for the consultation is included in **Appendix E** of this FONSI.

4 Project Funding

The Project is estimated to cost approximately \$27 million. The full funding for this project has been secured through a combination of several local, state, and federal sources. The Project has acquired the Denver Regional Council of Governments (DRCOG) Transportation Improvement Program funds that consist of Federal Congestion Mitigation and Air Quality Improvement funds. CDOT's Regional Priority Program and Commerce City funding was used as a match to secure this funding. Other funding sources include Commerce City Highway User Tax Fund, General Funds, US Senate Congressionally Directed Spending funds, CDOT strategic 10-year Highway Safety Improvement Program funds, and National Highway Freight Program funds.

The project is listed in the DRCOG fiscally constrained Regional Transportation Plan as Intersection Improvements at Vasquez Boulevard and 60th Avenue. The project is currently listed in the 2040-2050 staging period; however, an amendment is currently being processed by DRCOG to move the funding into the 2020-2029 staging period. This amendment is anticipated to be approved by the DRCOG Board in or around May 2024.

5 What Changes Have Been Made to the EA?

The following corrections and clarifications to the EA and relevant technical appendices are provided. The EA and appendices are included in **Appendix B** of this FONSI.

5.1 Mitigation Commitments

Table 1 summarizes the changes which have been made to the mitigation commitments since the publication of the EA. These changes were made after consideration of stakeholder feedback and the public comments, and the results of the updated right-of-way (ROW) analysis. The revised FONSI mitigation commitments are included in **Appendix A** of this FONSI.

Table 1. Summary of Changes to Mitigation Commitments

Resource	Summary
Transportation Resources	Commerce City was added as a responsible party to collaborate in the coordination of road closures and detours during construction for FONSI Mitigation Commitments #1 and #2.
Air Quality	No change
Noise	A requirement for the Contractor to obtain CDOT approval of the Noise Mitigation Plan prior to construction was added to FONSI Mitigation Commitment #6. A commitment to follow the Final Construction Noise Mitigation Plan and details about the municipal and state codes addressing unreasonable noise were added to FONSI Mitigation Commitment #7.
Environmental Justice	No change
Recreational Resources	Veterans Memorial Park was added as the specific name of the park with the Section 6(f) impact and Colorado Parks and Wildlife (CPW) was added as the agency to coordinate with prior to construction in FONSI Mitigation Commitment #12.
Hazardous Materials	Potential Environmental Conditions was spelled out for the first use of the acronym PECs in FONSI Mitigation Commitment #13. CDOT's Standard Specifications for Road and Bridge Construction was added as the source document for Section 250 in FONSI Mitigation Commitment #16. Specification 250 was replaced with Section 250 in FONSI Mitigation Commitment #17. Mitigation commitment #20 was revised to specify that the contractor shall coordinate with CDOT during the preparation of the Materials Management Plan (MMP).
Utilities	Additional details about utility relocation were added to FONSI Mitigation Commitment #21 and #22. These changes describe that utility identification and coordination is ongoing. This includes a description of generally when relocations will occur and what agency/party will be responsible for the relocation.
Biological Resources	The responsible party for FONSI Mitigation Commitment #24 was changed from CDOT to the Contractor. This is because the contractor will be responsible for prairie dog surveys prior to construction. CDOT's Standard Specifications for Road and Bridge Construction was added as the source document for Section 240 in FONSI Mitigation Commitment #25. The responsible party was changed from CDOT to CDOT and Contractor for FONSI Mitigation Commitment #25 and #27.

Resource	Summary
Water Quality	For FONSI Mitigation Commitment #29, the responsible party was changed from CDOT to CDOT and Contractor, and the mitigation timing/phase was changed from Pre-Construction to Construction. This is because CDOT will determine the final location of the water quality facilities and the Contractor will construct them. The responsible party for FONSI Mitigation Commitment #30 was changed from CDOT to the Contractor. This is because the spill prevention plan will be prepared by the Contractor prior to construction to establish standard operating procedures and require employee training to minimize the accidental release of pollutants that could contaminate stormwater runoff. The responsible party for FONSI Mitigation Commitment #31 was changed from CDOT to CDOT and Contractor. This is because the Contractor will be responsible for implementing the stormwater management plan (SWMP). FONSI Mitigation Commitment #31 was also revised to include a requirement to follow the SWMP during all construction activities.
Visual Resources	The responsible party for FONSI Mitigation Commitment #32 was changed from CDOT to CDOT and Contractor. This is because CDOT will determine locations for new trees and the Contractor will plant the trees. The mitigation timing/phase was changed from Pre-Construction to Construction.
Archaeological Resources	CDOT Standard Specification 107.23 was revised to be Section 107.23 of the CDOT Standard Specification for Road and Bridge Construction in FONSI Mitigation Commitment #33.
Paleontological Resources	CDOT Standard Specification 107.23 was revised to be Section 107.23 of the CDOT Standard Specification for Road and Bridge Construction in Mitigation Commitment #35.
Right-of-Way	FONSI Mitigation Commitment #37 has been revised with updated acreages of property acquisition needed for project ROW. The updates are a result of additional design detail since the EA. In addition to property owners, tenants were added to also receive assistance from a CDOT Right-of-Way Specialist. The description of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 was also removed.

6 What Comments Were Received on the EA during the Public Comment Period?

During the EA comment period from November 9 through December 15, 2023, seventeen (17) comment submissions were received from Project stakeholders and the general public. The majority of comments were submitted through a comment form during the public meeting and others were sent via email and made via phone. Comments have been documented as originally written by the author. The project team, including CDOT and FHWA, reviewed the comments. Comments and responses to comments and questions can be found in the table included in **Appendix D** of this FONSI. Note that the comments in the EA Comments and Responses table were transcribed verbatim.