April 18, 2024

Mr. Brian Welch, AICP
Acting Assistant General Manager, Planning
Regional Transportation District
1560 Broadway, Suite 700
Denver, CO 80202

Re: NEPA Approval for the East Colfax Avenue Bus Rapid Transit (BRT) Project, Denver and Aurora, CO

Dear Mr. Welch:

Thank you for providing the environmental documentation for the East Colfax Avenue BRT project (Project) located in Denver and Aurora, CO. The project involves construction of a 9.9-mile-long BRT system to serve East Colfax Avenue between downtown Denver and the existing RTD R Line LRT Colfax Station at I-225 in Aurora, CO. The Project includes a curbside-running alignment in the existing 15th and 17th Streets on-street bus lanes between Denver Union Station and Civic Center, a center-running alignment in dedicated bus-only lanes along East Colfax Avenue between Civic Center and Yosemite Street, and a curbside-running alignment in mixed-flow traffic through Aurora between Yosemite Street and the existing RTD R Line LRT Colfax Station at I-225.

FTA Capital Investment Grants (CIG) program funds are being requested to construct the Project. RTD, as the direct recipient of federal funds, is working in coordination with the City and County of Denver (CCD) and the City of Aurora (COA) to implement this Project. RTD is responsible for coordinating and overseeing CCD as the subrecipient of federal funds. CCD’s Department of Transportation and Infrastructure (DOTI) is responsible for the design, construction, and implementation mitigation measures for the Project.

A Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act was executed by FTA, Colorado State Historic Preservation Officer, and Advisory Council on Historic Preservation on April 5, 2024. The MOA outlines the Stipulations to be followed to address the visual adverse effect of the Project on historic properties. In addition, permits and mitigation will be obtained prior to and/or complied with during construction based on the findings of the NEPA evaluation as identified in the Categorical Exclusion Worksheet for the project.

Based on the documentation provided by your office, FTA concurs with the finding that the proposed project meets the definition of a Categorical Exclusion pursuant to 23 CFR §771.118(d) other. If you have any questions regarding this finding, please contact Tracey MacDonald in my office at tracey.macdonald@dot.gov or (303)362-2386. Please keep FTA informed of any additional changes to the project should they occur.

Sincerely,

Cindy Terwilliger
Regional Administrator
FTA Region 8
CATEGORICAL EXCLUSION WORKSHEET

FTA Region 8 provides this Categorical Exclusion (CE) worksheet to help project sponsors (recipients) comply with the National Environmental Policy Act (NEPA). The information collected will help to better define the project scope for environmental analysis, identify potential impacts, and determine if other environmental laws and permits apply. If sufficiently completed, it can enable FTA to determine that the project does not result in significant environmental impacts and meets the criteria for a CE. All activities and projects to be supported with federal funds require a NEPA environmental finding as a prerequisite to award of funds.

This CE Worksheet should be completed for C-List projects involving construction and all D-List projects. **If a C-List project does not involve construction, you do not need to complete this worksheet.** All parts below must be completed prior to FTA review. Compliance with other environmental requirements must also be completed before FTA will issue a determination that the project meets the criteria for a CE. Certain project activities may not begin until this process is complete. For guidance on completing this worksheet, please refer to the CE Worksheet Instructions.

Prior to transmitting a grant application, complete and submit this CE Worksheet using the CE Worksheet Instructions allowing sufficient time for FTA review, especially if other environmental laws or permits apply. For assistance, please contact your assigned FTA Region 8 Pre-Award Manager, or you may call the office at 303-362-2400. To “check” a box, double-click on the box and select “checked” under default value.

**PART A: PROJECT INFORMATION**

<table>
<thead>
<tr>
<th>Project Sponsor</th>
<th>FTA Application No/FAIN</th>
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<tbody>
<tr>
<td>Regional Transportation District (RTD)</td>
<td>CIG – Small Starts Funding</td>
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<td>Project Contact (include mailing address, email address and phone number)</td>
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<tr>
<td>Brian Welch, AICP</td>
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<td>Acting Assistant General Manager, Planning</td>
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<td>Denver, CO 80202</td>
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<td><a href="mailto:brian.welch@rtd-denver.com">brian.welch@rtd-denver.com</a></td>
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<td>303.299.2404</td>
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<tr>
<td>Project Title</td>
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<td>East Colfax Avenue Bus Rapid Transit (BRT) Project</td>
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<td>The City and County of Denver (CCD), in coordination with the Regional Transportation District (RTD) are proposing a Bus Rapid Transit (BRT) system that would serve East Colfax Avenue between downtown Denver and the existing RTD R Line Light Rail Transit (LRT) Colfax Station at Interstate 225 (I-225) in Aurora (Project). The Project qualifies as a Categorical Exclusion (CE) per the Federal Transit Administration (FTA), which is the lead federal agency for this undertaking. The City of Aurora (COA), and the Denver Regional Council of Governments (DRCOG) are active Project participants along with numerous public and private stakeholders. The CCD and RTD implemented a robust stakeholder involvement program as a part of the Project and will continue to work with stakeholders as design advances, funding is obtained, and construction is initiated.</td>
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<td>The Project has completed preliminary design for BRT operations, including the identification of routing and station locations (35). The East Colfax Avenue BRT would run on existing, heavily traveled bus routes and would serve downtown Denver at the western end of the corridor, communities and businesses along East Colfax Avenue, the Anschutz Medical Campus at I-225 and East Colfax Avenue in the east. Specifically, the 9.9-mile-long Project would include:</td>
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• Reliable BRT service (combined bus Route 15/15L) operating 24 hours per day, 7 days per week. This would include three service patterns all serving Denver Union Station (DUS) and three patterns that diverge at the eastern project terminus in the COA (including bus turnarounds at the RTD R Line LRT Colfax Station, Tower Road, and the R Line Aurora Metro Center Station). Two patterns would occur with 15-minute headways and one pattern with a 10-minute headway to provide a composite 4.3-minute BRT headway from DUS to the RTD R Line LRT Colfax Station. Connection between Civic Center Station and the Decatur/Federal Station is also provided via Route 16 (Figure 1).

![Figure 1. BRT Service Routing and Travel Headways](image)

- Curbside-running alignment in existing 15th Street and 17th Street on-street bus lanes between DUS and Civic Center (East Colfax Avenue/Broadway), ~1.4 miles.
- Center-running alignment in dedicated bus-only lanes between Civic Center (East Colfax Avenue/Broadway) and East Colfax Avenue/Yosemite Street ~5.5 miles.
- Curbside-running alignment in mixed-flow traffic through COA between East Colfax Avenue/Yosemite Street and the existing RTD R Line LRT Colfax Station at I-225 ~3.0 miles.
- Upgraded signals to provide Transit Signal Priority (TSP) throughout the center-running section.
- Branded service, stations, and vehicles.
- Thirty-five (35) station locations with an average spacing of 0.32 miles.
- Enhanced station amenities including level boarding platforms, high-quality shelters, off-board fare collection, lighting, security features, real-time system traveler information, protection from traffic and weather, and public art opportunities.
- The COA has contributed funding for upgraded station improvements at certain locations between Yosemite Street and I-225 along East Colfax Avenue. At East Colfax Avenue and Havana Street, a station design similar to those planned in the center-running alignment section in Denver, but with a curbside alignment, would be located at the corner of East Colfax Avenue and Havana Street. In addition, level boarding platforms are planned at the intersections of East Colfax Avenue and Peoria Street, Moline Street, and the RTD R Line Colfax Station. The level boarding platforms would be constructed where the existing 15L shelters are currently located at these three locations, and the 15L shelters would be attached on top of each new platform.
- Dual northbound left-turn lanes on Colorado Boulevard at the intersections of East 13th Avenue and East 17th Avenue to improve traffic operations and travel times within the project area. An approximate 5-foot southbound travel lane shift would be required for the turn lane improvements. These improvements
consist of widening of the roadway at the intersection by 10 feet. The added lane width would be accomplished by removal of the existing 5-foot median and shifting the existing curb line 5 feet to the west at both intersections.

A map of the project area and stations is shown below. Additional project description is provided in each technical memorandum, attached.
PART C: ENVIRONMENTAL EVALUATION

1. Land Use and Zoning

Is the proposed project incompatible or inconsistent with existing or future land use and/or zoning in the project area? Describe the surrounding land use and zoning. Provide a map with project location and surrounding land uses.

☐ NO
☐ YES

The land use study area encompasses the entire BRT system, including the curbside-running alignment within existing operational ROW (i.e., 15th and 17th Streets between DUS and Civic Center/Broadway and East Colfax Avenue between Yosemite Street and the existing RTD R Line LRT Colfax Station) and the physical improvements along East Colfax Avenue between Broadway and Yosemite Street. Land uses were generally evaluated within one city block on either side of East Colfax Avenue and 15th and 17th Streets.

The Project would result in minimal direct impacts to land use, as it is compatible with the existing and adopted future land use/transportation plans and zoning requirements for this land use study area. Direct impacts include a total of nine (9) partial right-of-way acquisitions and 30 temporary construction easements (see Section 2 below) to accommodate station improvements along East Colfax Avenue between Broadway and Yosemite Street (e.g., Americans with Disabilities Act (ADA) compliance, curb ramp installation). The Land Use analysis is further summarized in the Project Technical Memorandum for Land Use.
2. Land/Property Acquisition, Relocation, Leases and Easements

Does the proposed project require any land/property acquisition, easement or permit? Note: for acquisitions over $1 million, FTA concurrence with the property’s valuation is also required (see Circular 5010.E). Explain.

☐ NO  ☒ YES

A total of nine (9) partial right-of-way acquisitions and 30 temporary construction easements are required for the Project (see Property Acquisition table), mainly to accommodate construction activities, sidewalk improvements, and enhanced curb ramp configuration to comply with ADA standards. In addition, the implementation of left-turn lanes at the intersections of Colorado Boulevard and East 13th and East 17th Avenues would require temporary construction easements and partial right-of-way acquisitions. Property acquisitions would not result in a change in land use or require any full parcel acquisitions. Property acquisitions and easements would not exceed $1 million. All land/property acquisition will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC Chapter 61).
3. Environmental Justice

Is the proposed project located in a neighborhood containing minority or low-income residents or businesses? If yes, will it result in disproportionately high and adverse impacts? Explain.

☐ NO
☒ YES

The Environmental Justice (EJ) methodology includes outreach to minority and low-income populations to encourage minority and low-income populations to articulate issues and provide opportunities for meaningful involvement throughout the Project. The methodology also establishes a baseline to determine potential impacts and benefits to EJ populations. Documentation includes existing ethnicity and income to identify EJ populations as well as transit-dependent populations in the EJ study area. The EJ study area for this assessment is defined by US Census Tracts and more specifically the Block Groups located within and adjacent to the corridor. A total of 48 Census Block Groups comprises the EJ study area.

The majority of the 48 Block Groups have been identified as EJ populations. The Project improvements would require minor partial property acquisitions and temporary construction easements (see Section 2 above) along East Colfax Avenue and Colorado Boulevard at East 13th and East 17th Avenues; however, these populations would not experience disproportionately high and/or adverse impacts and would benefit from the Project. There would be no displacements of residents or businesses due to Project implementation.

The benefits to both EJ and non-EJ populations would include improved mobility and safety with heightened cross-connectivity to other transit routes and modes that operate near the EJ study area. The inclusion of security measures (i.e., monitoring cameras) at the stations would enhance safety of all transit users. Additionally, the improvements to upgrade the sidewalks and curb ramps to be ADA compliant would benefit all populations. The EJ analysis is further summarized in the Project Technical Memorandum for Environmental Justice.
4. **Cultural, Historic and Archaeological Resources**

Are there any cultural, historic or archaeological resources on or near the proposed project site? If yes and the proposed project has the potential to affect such resources, the Section 106 process must be followed, and a Section 4(f) evaluation may be required. Explain, including what steps were taken to make the determination.

- [ ] NO
- [x] YES

If YES resources are present, does Section 106 apply? Explain.

- [ ] NO
- [x] YES – Provide Section 106 Consultation Documentation

If YES resources are present, does Section 4(f) apply? Explain.

- [ ] NO
- [x] YES – Provide Section 4(f) Evaluation

FTA initiated Section 106 consultation on the Project in February 2021 providing SHPO and Consulting Parties the APE and methodology. SHPO agreed to the APE and proposed methodology in March 2021. In April 2022, the APE was modified to show the BRT Route terminating at DUS with no new stations along 15th and 17th Streets, rather than at Auraria. A total of 426 historic resources were identified within the APE based on a search of the SHPO’s COMPASS database. There are 23 officially NRHP eligible and NRHP listed, national and/or local historic landmark properties, and 400 treat has eligible properties (1976 or older). No previously documented archaeological sites were identified within the APE. Three segments of East Colfax Avenue, and six individual properties along Colorado Boulevard near 13th and 17th Avenues were surveyed for the Project. Other identified resources include sandstone curbs, terracotta nameplates, brick-lined sewers, and streetcar tracks.

FTA asked SHPO for concurrence on eligibility and effects of installing new BRT signature stations at 15 center-running locations in Denver and new BRT signature stations on the sidewalk at Havana Street (on the north and south sides of East Colfax Avenue) in Aurora. The remaining station/stop locations would maintain the existing 15L Route shelters, including at Civic Center (Broadway/Colfax) station located within the Civic Center historic district. SHPO and Consulting Parties did not concur with FTA’s finding of no adverse effect for the signature BRT stations.

From May 2022 through September 2023, FTA continued to consult with SHPO, Consulting Parties, and ACHP to come to an agreement on effects. FTA maintained that the corridor has an incongruent pattern of development resulting in an eclectic, but nonetheless incohesive collection of ages and individual architectural styles that do not constitute a district and whose individual eligibility is not contingent on the setting in which they are located. The properties would not lose integrity to the extent that they would not be eligible for listing in the NRHP. The introduction of a new visual element does not change the character of any property’s use nor diminish the integrity of a property’s historic architectural features, any more than has the existing more modern construction that has occurred to date along East Colfax Avenue.

With no resolution on effects, FTA sent a letter to ACHP requesting their review and opinion on the project’s effects on September 18, 2023. ACHP provided their opinion in a letter on October 18, 2023. Based on ACHP’s letter, and while it remained FTA’s opinion that the project would not have an adverse effect to historic properties, FTA revised it’s finding to *adverse effect*, to keep the project moving and avoid additional delays and costs.

In November 2023, FTA met with ACHP, SHPO and Consulting Parties to discuss mitigation for the visual adverse effects of the stations. The mitigation discussed was sent to all for review and comment; hearing none, FTA moved forward with developing the Memorandum of Agreement (MOA), which was sent out for review in mid-January 2024. After 3 months of consultation, agreement was finally reached on the appropriate mitigation for the visual adverse effect, as well as treatment for other resources on April 1, 2024. The MOA was executed on April 5, 2024.
In December 2023, FTA also consulted with SHPO and Consulting Parties on impacts associated with the addition of a second left turn lane on Colorado Boulevard at 13th and 17th Avenues. Agreement was reached that only one property was eligible and the project results in a no adverse effect, with no mitigation required.

Under Section 4(f), FTA has made a de minimis impact determination for the property on Colorado Boulevard (SDV.55356) as a sliver of ROW is needed to accommodate the lane shift to implement the left turn lane at 13th Avenue. There are no other uses of section 4(f) properties; the new BRT stations do not result in a constructive use from the minor visual adverse effect.

5. Visual/Aesthetics
Will the proposed project degrade the existing visual/aesthetic character or quality of the site, its surroundings, and/or recognized view sheds? Explain.

☐ NO
☐ YES

The use of the existing bus routes would minimize the impacts to visual character of the project area by retrofitting roadway infrastructure to accommodate BRT. The following discusses specific visual context and/or impacts by Project section:

- **Denver Union Station to Civic Center Station:** This section would include minimal improvements, including minor signage and branding installations; therefore, no visual impacts are anticipated.

- **Civic Center Station/ Broadway to Yosemite Street:** Except for the Civic Center/ Broadway and Yosemite Stations, where bus turning movements require placement of stations along the sidewalk where the current enhanced 15L shelters are located, this section would include the replacement of existing curb-side enhanced shelters with center-running platforms and canopies in a dedicated bus-only lane in the center of the roadway. Enhanced station amenities would include level-boarding platforms with ADA ramps; high-quality shelters; off-board fare collection; lighting; security features; real-time system traveler information; protection from traffic and weather; and public art opportunities. Key design considerations include sufficient seating for users; a high level of transparency for safety and security; ADA adherence; and a canopy to provide protection from the elements. Stakeholder input indicated a preference for designs that emphasize visual permeability through an open design and the use of clear paneling to preserve important views (including those of businesses located along the corridor). The total height of the proposed stations, inclusive of a 13-inch platform, is 19.7 feet. The stations are designed to keep viewsheds open to and from local businesses. Because East Colfax Avenue is a highly urban corridor containing a wide mix of historic and modern elements, the selected station design option that would best meet these design objectives is the asymmetrical arch (shown in graphic below without coloring, signage or branding elements). This asymmetrical arch design would create a richness in the urban fabric and reflect the diversity of the larger community, and integrate well with other community and transportation facilities, including DUS, the Denver International Airport, the Denver Center for the Performing Arts, Mile High Stadium, and bridges over I-25.
Enhanced stations at Pennsylvania Street and Downing Street are located within a protected viewshed, City Park Natural History Museum View Plane; however, design elements would comply with the height restrictions outlined in Chapter 10 of Denver Revised Municipal Code: Article IV. Restriction on Structures Within Areas Necessary to Preserve Mountain Views. Based on the surrounding urban fabric it is unlikely that the stations would be visible from the viewshed.

Improvements in this section would result in several partial acquisitions and temporary construction easements (see Section 2 above) to accommodate sidewalk and curb enhancements; however, the impacts would not result in a change in land use. The signature BRT stations would result in a minor change in the visual character at the 15 locations.

- **Yosemite Street to I-225**: This section would incorporate existing shelters and introduce a signature BRT station at Havana Street, similar to the station design in the Denver section, but on the sidewalk. Station improvements include level boarding platforms at the intersections of East Colfax Avenue and Peoria Street, Moline Street, and the RTD R Line LRT Colfax Station. The enhanced shelters in this section would be upgraded to BRT standards, including the addition of branding/signage, route/schedule information, and off-board fare collection.
Improvements in this section would result in several partial acquisitions and temporary construction easements (see Section 2 above) to accommodate sidewalk improvements, curb enhancements, and shelter placement; however, the impacts would not result in a change in land use and would maintain visual consistency with the existing curb-side bus service, except at the Havana station location where a signature BRT station would be installed along the sidewalk (north and south sides of E. Colfax Avenue).

- **Colorado Boulevard at East 13th and East 17th Avenues:** This section would include minor roadway improvements for the installation of northbound turn lanes at these two locations. Improvements in this section would result in partial property acquisitions for right-of-way and temporary construction easements (see Section 2 above) to accommodate sidewalk improvements, curb enhancements, and roadway alignment; however, the impacts would not result in a change in land use and would maintain visual consistency with the existing roadway configuration.

Overall, the Project maintains compatibility with the visual character of this urbanized transportation corridor and provides continuity and placemaking within the project area. However, the proposed station canopies required by the signature BRT stations introduce new visual elements adjacent to historic properties along East Colfax Avenue where previously none existed resulting in a minor adverse visual effect (see Section 4, Cultural, Historic, Archaeological Resources). In areas where new elements would be introduced, the Project would improve safety and access for users with enhanced lighting and additional station options; would incorporate a design that emphasizes visual permeability to preserve important views; incorporates public art at the stations; and would contribute to the visual enhancement, continuity, and placemaking of the project area’s character with aesthetically articulated design elements that provide a more comfortable passenger experience.
6. Park and Recreation Resources

Are there any public parks and/or recreation resources on or near the proposed project area that would be impacted? If the proposed project has the potential to impact publicly owned parks or recreation areas, a Section 4(f) evaluation may be required. If a park is funded with LWCF funds, Section 6(f) may apply. Explain.

☐ NO
☐ YES

If YES, does Section 4(f) apply? Explain.

☐ NO
☐ YES – Provide Section 4(f) Evaluation

If YES, does Section 6(f) apply? Explain.

☐ NO
☐ YES – Provide documentation

The parks and recreation study area includes one city block on either side of the corridor along 15th and 17th Streets between DUS and Civic Center Station (East Colfax Avenue and Broadway), and East Colfax Avenue between Civic Center Station and the RTD R-Line LRT Colfax Station (just east of Potomac Street at I-225). In addition, the parks and recreation study area includes one city block around the dual northbound left-turn lanes on Colorado Boulevard at the intersections of East 13th and East 17th Avenues.

A total of 14 parks and recreational facilities and resources exist within the parks and recreation study area. None of the 14 facilities are Section 6(f) resources. Per FTA guidance, it is assumed all the parks and recreation facilities within the parks and recreation study area are Section 4(f) resources. No park properties would be acquired or impacted because of implementation of the Project.

Overall, there would be beneficial impacts on parks and recreation due to improved access to these facilities, as further summarized in the Project Technical Memorandum for Parks and Recreational Facilities including Section 4(f) and Section 6(f) Resources.
7. **Noise and Vibration**

Are there any noise and/or vibration sensitive receptors located near the proposed project that would be impacted? Explain.

- NO
- YES

Potential operational noise and vibration impacts, as well as construction noise and vibration impacts resulting from the Project were evaluated. For the purpose of this evaluation, the resource-specific study area encompasses all sensitive receptors that could be potentially impacted by Project improvements within the project area.

*Noise Analysis:*

The Project General Noise Assessment concluded that there would be no impacts (moderate or severe) to noise-sensitive receptors along East Colfax Avenue. In accordance with the FTA Noise and Vibration Manual, since no noise impacts are anticipated with the Project, a Detailed Noise Assessment is not required.

As a mitigation measure to reduce potential traffic congestion that could be caused by the removal of automobile capacity along East Colfax Avenue, additional north-bound left-turn lanes are proposed at the southern approaches to Colorado Boulevard’s intersections with East 13th and East 17th Avenues. The existing roadway configurations at both turn lane locations have five-foot-wide raised medians separating the northbound left-turn lanes from the southbound travel lanes along Colorado Boulevard. To limit the distance that the southbound travel lanes would need to shift to accommodate a new 10-foot turn lane, and to minimize any noise impacts that could result from the shift, the raised medians would be removed and replaced with painted double yellow lines. In total, the southbound travel lanes would be shifted five feet to the west, which would not result in a perceptible decibel increase for adjacent receptors.

*Vibration Analysis:*

The main campus for National Jewish Health is located at the southwest corner of East Colfax Avenue and Colorado Boulevard. The Neustadt Building, located within the 100-foot screen line receptor houses highly sensitive microscopes. The closest point of the building evaluated is 75 feet from the centerline of East Colfax Avenue, indicating that the RMS Velocity level based on distance alone is no greater than 60 VdB at any location within the structure. Furthermore, in accordance with the adjustments outlined in the FTA General Vibration Assessment, the 5-story structure would provide floor-to-floor attenuation at approximately -2 dB per floor, reducing the existing ground-borne vibration levels adequately below the max L, threshold (60 VdB) typical for the high-power optical microscope criterion curve.

There is no history of complaints from National Jewish Health with regards to vibration along East Colfax Avenue. Furthermore, the Project would effectively consolidate existing bus counts away from the exterior travel lanes to the interior center-running BRT lanes. This amounts to an effective 10-foot distancing of buses from all adjacent properties, which amounts to an effective 3 VdB decrease in most instances—a far larger decrease than the potential VdB increase that could be caused by the addition of two buses per hour along the segment.

There are no other potential vibration-sensitive receptors within the 100-foot study area for vibration. Detailed information regarding the noise and vibration analysis can be found in the Project Noise and Vibration Impacts Assessment.

Temporary noise and vibration impacts could result from activities associated with the construction of new stations, utility relocation, grading, excavation, demolition, and installation of systems components. CCD and COA noise ordinances would be followed during construction to minimize noise impacts.
8. **Air Quality**

Is the proposed project located in an Environmental Protection Agency (EPA)-designated non-attainment or maintenance area?

☐ NO

☒ YES – indicate the criteria pollutant and contact FTA to determine if a hot spot analysis is necessary.

☐ Carbon Monoxide (CO)
☐ Sulfur Dioxide (SO₂)
☐ Lead (Pb)
☐ Nitrogen Dioxide (NO₂)
☒ Ozone (O₃)
☐ Particulate Matter (PM₁₀)
☐ Particulate Matter (PM₂.₅)

Does the proposed project require a conformity analysis or regional analysis under 40 CFR Part 93?

☒ NO

☐ YES

If the non-attainment area is also in a metropolitan area, is the proposed project required to be and included in the MPO’s air quality conformity analysis for the Transportation Improvement Program (TIP)?

☐ NO

☒ YES – Date of FHWA/FTA conformity finding: May 4, 2016

The Project is included in the Denver Regional Council of Governments (DRCOG) 2022-2025 TIP.

As a part of the air quality analysis for the Project, FTA’s Transit Greenhouse Gas Emissions Estimator, version 3.0, was used to estimate the lifecycle greenhouse gas (GHG) emissions and energy use associated with the construction, operations, and maintenance phases of the Project. Project specifics were input into the Gas Emissions Estimator to estimate metric tons (MT) of carbon dioxide equivalents (CO₂eq) from the Project. Long-term operations of the Project would include the operation of 14 buses per hour for 14 hours per day, and an additional 4 buses per hour operating 10 hours per day. Based on the one-way trip mileage of 9.9 miles per trip, Project operations would generate approximately 1,705,572 BRT-miles per year. For the purposes of the analysis, all buses are modeled as being diesel fueled and no assumptions are made about incorporating alternative-fueled or electric-powered buses in the fleet. In addition to adding BRT-miles, the Project would also reduce passenger vehicle miles traveled (VMT) by 12,786,374 miles per year; these miles represent the displaced emissions and are assumed to be miles that would otherwise be traveled by gasoline-powered vehicles. The passenger vehicle decrease compared to the project operations expected mileage would result in a net decrease in CO₂ as a direct result of the Project.

A summary of results with the emissions estimator tabs—including inputs and outputs are included in the Project Greenhouse Gas Emissions Summary.
9. **Hazardous Materials**

Is there any known or potential contamination at the proposed project site that would be impacted? Describe the steps taken to make the determination (Phase I ESA, etc.) and results. Note the mitigation and clean-up measures that will be taken to remove hazardous materials from the project site, if applicable.

- [ ] NO
- [x] YES

The hazardous materials study area encompasses East Colfax Avenue and small areas of Colorado Boulevard at East 13<sup>th</sup> and East 17<sup>th</sup> Avenues, the associated right-of-way (ROW), and limits of disturbance, including portions of adjoining properties requiring partial acquisitions and temporary construction easements (see Section 2 above). Hazardous materials, regulated facilities, and potential impacts were identified based on where ground disturbance may occur, and identified by review of selected publicly available local, state, and federal records.

A total of 80 facilities were identified and further reviewed for impacts to the Project, resulting in five facilities having a high potential to impact Project activities related to ground disturbance. The remaining facilities have a low potential to impact Project activities.

There is a potential to encounter impacted media in select locations throughout the hazardous materials study area due to the presence of five facilities with a high potential to impact project activities. Given the urbanized nature of the hazardous materials study area and presence of regulated facilities, workers should be alert for visual or olfactory signs of petroleum products, hazardous materials, or suspect asbestos-containing materials (ACM), including Regulated Asbestos-Contaminated Soil (RACS). If impacted soil or groundwater is identified, work should stop immediately. The preparation of a Project-specific and adherence to agency-developed Materials Management Plan, RACS Management Plan, and a Health and Safety Plan may be required for ground-disturbing activities.

If groundwater is encountered during excavation activities, water generated should be analyzed before discharge in accordance with a Colorado Department of Public Health and Environment-Water Quality Control Division Colorado Discharge Permit System General Permit. If regulated constituents in the water exceed the Colorado Surface Water Standards and/or permit limits, the water must be either treated before being discharged to a water of the State or property transported and disposed off-site.

The findings of this evaluation are based on preliminary information and are not intended to replace more detailed studies such as individual site assessments (e.g., Phase I Environmental Site Assessment) and subsurface soil and groundwater investigations. Other technical studies may be required to determine the presence of site contamination prior to utility relocation, temporary construction access, and/or ROW acquisition. Potential facilities may extend beyond those identified due to updated regulatory information, illegal dumping practices, and a lack of compliance with storage tank registration and hazardous waste generator programs, or incomplete environmental records.

Additional information can be found in the Project Technical Memorandum for Hazardous Materials.
10 Farmland

Are there any prime or unique farmlands located at the proposed project site that would be impacted? Explain.

☑️ NO

☐ YES

No prime or unique farmland is located along East Colfax Avenue between Broadway and Yosemite Street. Soils designated as “prime farmland if irrigated” and “farmland of statewide important” are located east of Yosemite Street; however, the Project area is located in a Census-designated Urbanized Area and exempt from compliance with the Farmland Protection Policy Act.


11 Floodplains

Is the proposed project located within the Federal Emergency Management Agency (FEMA) 100-year floodplain, 500-year floodplain or within the floodway? If yes, this project may require further evaluation under EO 11988 and EO 13960. Explain.

☐ NO

☑️ YES

Limits of the 100-year floodplain using FEMA maps, National Flood Insurance Program (NFIP) and FIRMS were utilized to identify Special Flood Hazard Areas (SFHAs). The Project crosses the 100-year floodplain of Westerly and Toll Gate Creeks, the two major drainageways in the project area. However, there are no proposed Project improvements that would result in impacts to the 100-year floodplain. There are no known flooding risks as a result of the Project. There are no anticipated impacts to the natural and beneficial floodplain values. There is no proposed change to overall impervious area draining to Westerly Creek or Toll Gate Creek resulting from the Project. Additionally, there is currently no proposed work to the Westerly Creek or Toll Gate Creek channels themselves. Therefore, no floodplain mitigation measures are required. Additional information is provided in the Project Technical Memorandum for Water Resources and Water Quality.
12 Water Resources and Water Quality

Are there any surface or ground water resources present, including an EPA-designated sole source aquifer (SSA), near the proposed project that would be impacted? Explain.

☐ NO
☒ YES

There are two surface water bodies located within the project area, Westerly Creek, and Toll Gate Creek. Depth to groundwater within the project area is anticipated at least 20-feet below surface grade. This Project is located within the Denver Basin Aquifer, which is comprised of the Dawson, Denver, Arapahoe, and Laramie-Fox Hills Aquifers. Due to aquifers located at a depth of approximately 20-80 feet and relatively shallow construction activities associated with the Project, it is not expected that construction activities associated with the Project would result in impacts to water resources or water quality. Best management practices will be implemented during construction to minimize construction runoff from entering the stormwater drainage system and impacting surface waters. Permanent water quality planters will be constructed to improve water quality within the project area.

Water resources and quality are further discussed in the Project Technical Memorandum for Water Resources and Water Quality.

Is there an increase in impervious surface (e.g., roofs, driveways, streets, parking lots, etc.) or restored pervious surface greater than one acre? If YES, a NPDES/storm water permit may be needed and must be acquired prior to construction. Explain.

☒ NO
☐ YES

The impervious surface area for the Project would slightly decrease from 371.6 acres to 371.5 acres. Additionally, the Project will incorporate water quality planters to treat stormwater runoff and satisfy the water quality requirements established in the Mile High Flood Control District Urban Storm Drainage Criteria Manual, Volume 3, Stormwater Quality the City and County of Denver Municipal Separate Storm Sewer System (MS4) Permit No. COS000001 and the City of Aurora MS4 Permit No. COS000003 issued by the Colorado Department of Public Health and Environment (CDPHE). It is anticipated that there would be a net decrease in constituent runoff impacts. There are no permanent WQ requirements for the Project, but the Project will voluntarily incorporate “green infrastructure” elements (WQ BMPs) such as water planters to treat currently untreated stormwater runoff.

Specifically, during construction, the contractor will do the following in coordination with CCD and COA:

- Implement a stormwater management plan that specifies temporary best management practices to avoid and minimize soil erosion, sedimentation, and overflow from construction site runoff (for example, silt socks, silt fences, and detention facilities, if applicable).
- Develop and implement a spill control plan to layout protocols to avoid and minimize the unwanted release of substances during construction as part of a Materials Management Plan.
### 13 Wetlands and Waters of the U.S.

Are there any wetlands or waters of the U.S. on or adjacent to the proposed project area that would be temporarily or permanently impacted? Explain.

- [ ] NO
- [ ] YES

If YES, is a permit from the US Army Corps of Engineers required? Explain.

- [ ] NO
- [ ] YES

There are two surface water bodies located within the project area: Westerly Creek and Toll Gate Creek. No wetlands or riparian habitat are associated with Westerly Creek. Toll Gate Creek includes wetlands and riverine habitat. No impacts would occur to either creek, including wetlands associated with Toll Gate Creek. Project area wetlands and Waters of U.S. are summarized in the Project Technical Memorandum for Biological Resources.

### 14 Threatened and/or Endangered Species

Are there any listed threatened and/or endangered species (plant or animal) or critical habitat present on or near the proposed project area that would be impacted? How was this determined? If yes, Section 7 of the Endangered Species Act may apply. Explain.

- [ ] NO
- [ ] YES

Federally listed threatened or endangered species are protected under the ESA. A list of federally listed endangered, threatened, proposed and candidate species was obtained from the USFWS online IpaC System. Seven federally listed and numerous state-listed species have the potential to occur in, or be impacted by, the Project.

The pallid sturgeon (*Scaphirhynchus albus*; federally listed as endangered [FE]), the Piping Plover (*Charadrius melodus*; federally listed as threatened [FT]), the western prairie fringed orchid (*Platanthera praeclara*; FT), and Whooping Crane (*Grus americana*; FE) are included because they may occur downstream of the biological resources study area and could be impacted by projects that result in water depletions to the South Platt River or its tributaries. To address the effects depletions may have on federally listed species that depend on the river for their survival, agencies and organizations in Colorado, including public water suppliers, participate in the South Platte Water Related Activities Program (SPWRAP). If water for this project is sourced from a public water source within the South Platte River basin, the potential effects to downstream species would presumably be addressed through SPWRAP.

Habitat and distribution of the gray wolf (*Canis lupis*; FE), Ute ladies’-tresses orchid (*Spiranthes diluvialis*; FT) and the Monarch Butterfly (*Danaus plexippus*; federally listed candidate [FC]) were reviewed and the potential for occurrence in the study area was assessed. The gray wolf and Ute ladies’-tresses orchid have no potential to occur in, or be affected by, the Project. The biological resources study area is located within an urbanized transportation corridor and does not contain suitable habitat for these two species. However, the monarch butterfly has the potential to migrate through the study area.

The monarch butterfly is a candidate species and is not yet listed or proposed for listing under the ESA. There are generally no Section 7 consultation requirements for candidate species. Additional information is found in the in the Project Technical Memorandum for Biological Resources.
15 Natural and Biological Resources

Are there any natural areas, biological resources (fish, birds, wildlife and habitat) or sensitive areas present on or near the proposed project area that would be impacted? If the proposed project has the potential to impact wildlife or waterfowl refuges, a Section 4(f) evaluation may be required. Explain.

☐ NO
☒ YES

If YES, does Section 4(f) apply? Explain.

☐ NO
☒ YES – Provide Section 4(f) Evaluation

State-listed species and Special Concern Species are protected under Colorado state law. Based on a review of Colorado Parks and Wildlife (CPW) Species Activity Mapping data and the Colorado Natural Heritage Program (CNHP) Tracking List, numerous State Endangered (SE), State Threatened (ST), and Special Concern (SC) species have the potential to be impacted by work occurring in the City and County of Denver. However, the biological resources study area is located within an urban transportation corridor and review of aerial and ground-based photography indicates that the biological resources study area does not contain suitable habitat for these species. Other special status species include “species of greatest conservation need” in CPW’s State Wildlife Action Plan, species considered rare or vulnerable by the CNHP, and USFWS Birds of Conservation Concern. However, no special status animals, plants, or habitats are likely to occur in the biological resources study area because it is located within an urban transportation corridor characterized by disturbed and non-native habitats.

A total of 19 larger upland trees may be impacted due to the expectation of ground disturbance where they are planted (See the Biological Resources Technical Memorandum).

Mitigation of potential impacts to biological resources include:

- Tree retention, protection, removal, and replacement will be performed in accordance with the CCD and the COA Tree Policies.
- Vehicles and equipment shall be free of soil and debris capable of transporting noxious weed seeds or invasive species onto the site. Additional equipment required for construction shall also be certified prior to being brought onto the project site.
- If construction activities occur during the nesting season, the contractor shall perform work in compliance with the MBTA, including nest surveys, timing restrictions, and avoidance buffers.
- If an active nest containing eggs or young birds is found, the tree or shrub containing the active nest shall remain undisturbed and protected until the nest becomes inactive. The nest shall be protected by placing fence (plastic) a minimum distance of 50 feet from each nest to be undisturbed. This buffer dimension may be changed if determined appropriate and approved by CPW.

No mitigation is necessary for sensitive habitats (including wetlands and riparian areas) or threatened and endangered and sensitive species and their habitats.
16 Traffic and Parking

Does the proposed project have the potential to permanently impact traffic and/or parking (on and off street) in the project area? Explain.

☐ NO
☒ YES

The East Colfax Avenue Bus Rapid Transit (BRT) Transportation Report summarizes analysis of the Project’s effects on the movement of buses and vehicles through the Transportation study area. The Transportation study area includes streets between Broadway and I-225, from East 13th Avenue to East 17th/18th Avenues. This analysis was completed per state-of-the-practice methods as identified by the Colorado Department of Transportation and the Federal Transit Administration, addressing measures of effectiveness such as bus travel times, bus ridership, vehicle travel times, vehicle delay, and traffic diversion.

Bus Travel Times & Ridership

Upon opening, people riding the bus would experience travel times up to 15-minutes faster than current travel times when traveling between Broadway and I-225. People commuting the average trip length of three miles along the corridor would experience five minutes of travel time savings. By 2040, this travel time savings would grow to 30-minutes between Broadway and I-225 and 10-minutes for people commuting the average trip length of three miles.

Because of the bus-only lanes, bus travel times would be highly reliable during all hours of the day. Without the Project, people riding the bus would experience much longer travel times than current conditions (up to 30-minutes longer between Broadway and I-225 by 2040). The Project’s reduction in bus travel times is a significant contributor to the expected bus ridership increase of 24-31 percent such that the East Colfax Avenue BRT’s weekday transit ridership would exceed 32,000 rides per day by 2040 (versus 24,450 in 2019).

Vehicle Travel Times, Delay, & Diversion

Modeling indicates that vehicle travel times would grow by 2040 without the Project. Repurposing a travel lane from East Colfax Avenue to a bus-only lane would result in increased ridership, helping to alleviate traffic in the Transportation study area. However, the lane reduction may encourage drivers to utilize different streets, such as East 13th, 14th, 17th, or 18th Avenues. Typical traffic diversion during the peak hour to these streets would be 125- to 270-vehicles per corridor per hour (or two to five vehicles per minute). This shift in traffic volume would result in increased travel times for people driving through the Transportation study area of up to one minute per mile traveled. People commuting the average trip length of three miles along the corridor in the peak direction would experience up to three more minutes of travel time. For people driving during off-peak times or in the opposite direction of peak traffic, travel times would be relatively unaffected.

The number of intersections in the Transportation study area at which people driving would experience longer delays because of the Project would be small relative to the total number of signalized intersections in the Transportation study area.

Actions to Address Congestion & Safety

Traffic mitigations to improve vehicle flow will be implemented at locations to ensure that increases in vehicle travel time are minimized, including signage and striping at East 17th Avenue and Park Boulevard, and dual north-bound left turns at the intersections of East 13th Avenue and Colorado Boulevard and East 17th Avenue and Colorado Boulevard.
**Utilities**

Are there any utilities that could be impacted by the proposed project? Explain.

- [ ] NO
- [x] YES

An inventory of the existing utility infrastructure was completed to document a clear understanding of the utility constraints within the project area. Physical inventory of utilities at the Denver station locations between Broadway and Yosemite was performed in 2021, and between Yosemite and the RTD R Line LRT Colfax station at I-225 in May and July 2023.

Subsurface utility engineering (SUE) Quality Level D (QLD) data was collected for the project area. Utility data was obtained from utility owner provided records, as-builts, key maps, and other documentation. In Denver, the center running station locations were investigated in the field using a suite of advanced geophysical equipment to develop more certain utility mapping. These have been depicted based on professional judgement to Quality Level C (QLC) and/or Quality Level B (QLB).

Major utilities identified in the project area include:

- Xcel Energy electric transmission lines and substations (below ground);
- Xcel Energy electric distribution, including three phase or mainline primary (below ground);
- Xcel Energy high pressure gas lines;
- Denver Water or Aurora Water conduit lines at least 24 inches or greater in diameter and/or irregular shaped pipes;
- Asbestos cement water lines;
- Denver Department of Transportation and Infrastructure (DOTI) or Aurora Water sanitary sewers at least 18 inches in diameter;
- Vitrified clay pipe sewer lines, of any size;
- Sewer and water pump stations or force main sewers (note: a portion of historic brick storm sewer was identified beneath East Colfax Ave. between Jackson Street and Colorado Boulevard using City and County of Denver Geographic Information System (GIS) information); and
- Fiber backbone for ITS or national/regional networks, duct banks, and/or joint communications trenches (below ground).

Storm sewer impacts are excluded from this analysis as this type of utility is evaluated as part of the drainage analysis. Existing utilities are further summarized in Project Technical Memorandum for Utilities.

This utility analysis based on 30-60% design progress and one of the initial steps to identify, and when reasonable, avoid or minimize utility impacts. As design progresses, the team will continue to refine the civil and station platform design. The team will facilitate one-on-one meetings with each utility owner to confirm existing and planned utility facilities in the project area and develop an approach to address these potential utility conflicts. In many cases, the existing utility infrastructure can be protected in place.

The team will work closely with the utility owners to confirm minimum clearance and any issues the utility owner may have during construction. When relocations or adjustments are required, utility owner meetings will specifically address timing, cost responsibility, and new location.

Additional subsurface utility engineering investigations (QLA test holes) will be completed during final design to confirm the depth of some key utility facilities. The utility coordination effort, test hole data, and latest design would be compiled in final utility relocation plans and project special provisions. Utility agreements will also be drafted and distributed to utility owners to confirm impacts and responsibilities during construction.
Special attention is given to coordinate the BRT’s construction effort with other planned utility projects within the project area. Denver Water has programmed the replacement of the East Colfax Avenue water line between June 2023 through December 2024. This capital improvement project would replace aging infrastructure (a portion installed in 1880) on portions of East Colfax Avenue between Broadway and Xenia.

18 Construction Impacts

Will the proposed project result in impacts (e.g., noise, air, water, staging, parking, traffic detours, etc.) during construction? Explain.

☐ NO
☒ YES – Provide mitigation commitments

The majority of construction would occur at the BRT station locations. To reduce impacts to the travelling public and surrounding residents and businesses, the Project has drafted a preliminary high-level phasing plan that includes five construction “blocks” (or areas of work), with the intent to complete the majority of work that impacts traffic in one block before moving onto the next block. The contractor has been brought onboard to refine this approach and optimize construction phasing to maximize the reduction of impacts. Further constraints can also be placed on the contractor to limit concurrent construction on adjacent primary north-south routes within each block. No construction would occur at the eight curbside stops between DUS and Civic Center Station. The five initial proposed construction blocks include the following 27 stations/stops:

1) Broadway to Williams Street (~1.2 miles) – three center arch stations; two platforms each
2) Williams Street to Jackson Street (~1.2 miles) – three center arch stations; two platforms each
3) Jackson Street to Niagara Street (~1.8 miles) – six center arch stations; two platforms each
4) Niagara Street to Yosemite Street (~1.4 miles) – three center arch stations; two platforms each. One side station at Yosemite; two enhanced 15L shelters
5) Yosemite Street to I-225 (~3.0 miles) – eleven side stations; seven level boarding platforms with one of the side stations the arch design at Havana EB/WB platforms

Anticipated construction impacts and detailed mitigation commitments are outlined in the Project Technical Memorandum for Construction Impacts. Construction mitigation commitments address the following:

- Economic Impact and Business Access
- Pedestrians, Bicyclists and Vehicular Traffic
- Construction Traffic
- First Responder Routing
- Major Traffic Generators
- Transit Operations
- Noise and Vibration
- Water Quality
- Air Quality
- Trees
19 Public Outreach and Agency Coordination

Was any public outreach and/or agency coordination conducted? Explain.

☐ NO
☒ YES

Public outreach and stakeholder coordination has been an integral part of the preliminary engineering/NEPA phase of the Project. Since 2021 (and many years prior to that under previous studies), the Project engaged thousands of key stakeholders and community members to share project updates and solicit feedback as part of an iterative process that has informed the project approach, station design concepts, BRT naming elements, branding, and more. Public outreach and stakeholder coordination will continue through the final design and construction phases of the Project.

The Project Team worked closely with key community and communications partners, including the Business Improvement Districts, CCD, COA and RTD to promote events via social media and other communications channels. A variety of tactics, in line with RTD’s Public Participation Plan, used to engage the public include, but are not limited to:

- Virtual public engagement room
- Press releases
- Email blasts
- Website and Social media updates
- Flyer distribution
- Multilingual radio ads
- Stakeholder group and advisory committee interviews
- Public meetings

In addition to community workshops or open houses, the Project Team utilized or leveraged a variety of in-person events to disseminate information and gather feedback. Events included movie nights sponsored by the East Colfax Avenue Business District, business improvement district events, neighborhood association meetings, the Health and Resource Fair, and target audience events.

Specifically, the Project Team engaged certain communities whose members possess unique lived experiences and perspectives. A series of three design workshops were held for members of the disabled and aging communities with support from the Denver Commission for People with Disabilities, the Colorado Cross-Disability Coalition and the Denver Commission for Aging, and promotion by the Colorado Center for Aging. The Project Team also engaged with representatives from the Residences at Franklin Park (designed for individuals over 62) to promote the workshops specifically within that community, as well as to provide a low-technology way for collecting feedback from residents who were less comfortable accessing online meetings and surveys.

Opportunities for in-person communication have included surveys and small group workshops. Major touchpoints held include:

- Touchpoint #1: July 2021 - Project Reorientation
- Touchpoint #2: Sept 2021 - Station Design Themes
- Touchpoint #3: November 2021 - Targeted Design Workshops with Aging, Disability and Developer/Business Communities
- Touchpoint #4: Feb 2022 - Refined Station Design Themes & Branding
- Touchpoint #5: August 2022- Refined Stations designs, streetscape enhancements, public art and traffic/parking analysis insights
- Touchpoint #6: April 2023- Refined Stations designs, streetscape enhancements, branding, multi-modal integration and public art
- Touchpoint #7: June 2023- Movement along the Corridor (transit, vehicle, ped/bike and parking)

In general, feedback collected during outreach activities indicates support for the Project and design, however there is some concern for the loss of east and westbound travel lanes impacting traffic on adjacent streets. Stakeholder and public input has informed the NEPA process and application to the FTA for Federal Small Starts funding. Public Outreach and Agency Coordination activities are summarized in the Project Technical Memorandum for Public Involvement.

<table>
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<th>20 Safety and Security</th>
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<tr>
<td>Are any measures required for the safe and secure operation of the proposed project after its construction? Explain.</td>
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The safety and security plan for the Project after implementation includes improved pedestrian scale lighting throughout the project area as well CCTV (closed circuit television) cameras on each platform and lighting under the canopies at stations and along the platform length. These measures would help to ensure a safe and secure pedestrian and rider experience.

CCD, in coordination with RTD, would implement the FTA Safety and Security Certification process, which identifies and minimizes threats to the public during operation of the Project. The documents for managing this process are anticipated to include the following:

- Design basis manual, which includes Crime Prevention Through Environmental Design and other safety and security criteria.
- Safety and Security Certification Plan
- Updated Certified Items List (CIL)
- Design criteria conformance checklists – Operations and maintenance training CIL or checklist
21 State and Local Permits, Policies and Ordinances

Does the proposed project require compliance with any applicable state and local permits, policies and ordinances? Explain.

☐ NO
☒ YES

Policies/Ordinances include:

Visual
- Denver Revised Municipal Code, Chapter 10, Article IV. Restrictions On Structures Within Areas Necessary to Preserve Mountain Views, Section 10-56
- Denver Revised Municipal Code, Chapter 10, Article V. Restrictions on Structures in The Civic Center Area, Sec. 10-81. City and County of Denver Executive Order 123, Chapter 8 – City Tree Preservation
- City of Aurora Municipal Code, Section 146-4.7, Landscape, Water Conservation, Storm Water Management

Traffic Operations
- Obtain and comply with CCD’s Street Occupancy Permit
- Obtain and comply with the COA’s Street Occupancy Permit. Traffic control plans must be submitted with a COA Public Improvement Permit.

Water Quality
- Implement a stormwater management plan that specifies temporary best management practices to avoid and minimize soil erosion, sedimentation, and overflow from construction site runoff (for example, silt socks, silt fences, and detention facilities, if applicable).
- Develop and implement a spill control plan to layout protocols to avoid and minimize the unwanted release of substances during construction as part of a Materials Management Plan.
- Erosion and sediment control requirements are stated in the COA “Rules and Regulations Regarding Stormwater (Quality) Discharge for Construction Activities.”

Noise and Vibration
- Compliance with the CCD noise ordinance (Denver Code of Ordinances, Section 36).
- Third-party vibration monitoring including a baseline report and mitigation strategies should those thresholds be exceeded.
- Compliance with Section 94-107 and Chapter 146 of the Aurora City Code. Work between sundown and sunrise may be authorized by the Project Manager if adequate lighting is available and noise would not disturb nearby residents or businesses.

Public Outreach
- Contractor to implement a public involvement plan, including outreach strategies to inform stakeholders about construction-related issues such as noise and detours.
- Website updates

Air Quality
- CCD would ensure the contractor is in compliance with federal and state air quality standards for fugitive dust control, as required in the Standard Specifications for Construction, General Contract Conditions (CCD, 2011).
• CCD will contractually require a Construction Air Quality Control Plan and Fugitive Dust Control Plan. CCD will also monitor Air Quality through the Denver Department of Public Health and Environment (DDPHE) throughout construction.
• CCD, in coordination with the contractor, will develop measures to minimize exhaust emissions and exposure to exhaust emissions.
• Compliance with City of Aurora Municipal Code Sec. 135-35. OGMP—Protection of air quality

**Hazardous Materials**
• CCD will ensure the contractor develops and implements a Health and Safety Plan to protect workers.
• CCD will ensure that the contractor complies with Occupational Safety and Health Administration requirements for construction workers who may be exposed to hazardous materials.
• A trained and certified asbestos inspector will be present to clear any material before it is moved or disturbed.
• CCD will ensure the contractor develops and implements a Materials Management Plan, to ensure that removal and disposal of hazardous materials follows all federal, state, and local requirements.
• All utilities will be treated as live until confirmed otherwise.
• If undocumented contamination is discovered, construction activities will cease until it is determined, in coordination with CCD, and other appropriate regulatory agencies, that work can proceed without risk of injury to persons or the environment.
• Compliance with COA Roadway Design and Construction Specifications Manual (City of Aurora, 2023).

**Environmental Justice**
• CCD, in coordination with RTD and the contractor, with input from businesses adjacent to the Project limits, will prepare and implement a Public Information Plan (PIP) that includes a plan for minimizing and mitigating impacts to local businesses.
• CCD will ensure the contractor implements the PIP, which includes outreach strategies to inform stakeholders, including environmental justice populations about construction activities and related issues.

**Utilities**
• Disruption of service provided by the existing utilities infrastructure will be limited to the extent possible.
• Temporary interruptions in utility service will be coordinated with utility owners, affected property owners and tenants.
• CCD will ensure the contractor implements the PIP, which will include the following outreach strategies to inform stakeholders about construction-related issues such as the disruption of utility service.

**Biological Resources**
• Noxious Weeds – Vehicles and equipment shall be free of soil and debris capable of transporting noxious weed seeds or invasive species onto the site. Additional equipment required for construction shall also be certified prior to being brought onto the project site.
• Tree retention, protection, removal, and replacement will be performed in accordance with the CCD and the COA Tree Policies.

**Cultural, Historic and Archaeological Resources**
• During construction, if previously unidentified historic and/or archaeological resources are encountered, the Contractor shall stop work and notify CCD/RTD and Aurora. Work activities will not proceed until formal notification is received from FTA, as additional consultation with SHPO may be warranted. See executed MOA (4/5/2024) included in Cultural Resources Technical Memorandum.

**Paleontological Resources**
• During construction, if paleontological resources are encountered, the Contractor shall stop work and notify CCD/RTD and Aurora. Work activities will not proceed until formal notification is received from FTA.
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Note: CE Worksheet must be signed by the Recipient of Funds