

ENVIRONMENTAL ASSESSMENT
FOR THE
COLORADO FOREST HIGHWAY 81
TARRYALL CREEK ROAD
IMPROVEMENT PROJECT
PARK COUNTY, COLORADO



U.S. Department of Transportation
Federal Highway Administration
Central Federal Lands Highway Division
Lakewood, Colorado

May 2002



**METRIC TO ENGLISH/ENGLISH TO METRIC
CONVERSION FACTORS (APPROXIMATE)**

When You Know:	Multiply By:	To Find:
meters (m)	3.281	feet
feet (ft)	0.3048	meters
kilometers (km)	0.621	miles
miles (mi)	1.609	kilometers
hectares (ha)	2.471	acres
acres (ac)	0.405	hectares

LIST OF ACRONYMS AND ABBREVIATIONS USED IN THIS DOCUMENT

AADT	Annual Average Daily Traffic	km/h	Kilometers per hour
BLM	Bureau of Land Management	MA	Management Area
CDOT	Colorado Department of Transportation	MP	Mile post
CDOW	Colorado Division of Wildlife	mph	Miles per hour
CDPOR	Colorado Division of Parks and Outdoor Recreation	NEPA	National Environmental Policy Act
CDPS	Colorado Discharge Permit System	NHPA	National Historic Preservation Act
CFR	Code of Federal Regulations	NPS	National Park Service
CNHP	Colorado Natural Heritage Program	NRHP	National Register of Historic Places
CR	County Road	P.L.	Public Law
DNR	Colorado Department of Natural Resources	PCHPAC	Park County Historic Preservation Advisory Commission
EA	Environmental Assessment	SEE	Social, Environmental, and Economic (Study Team)
ESA	Endangered Species Act	SHPO	Colorado State Historic Preservation Office
FH	Forest Highway	SWA	State Wildlife Area
FHWA	Federal Highway Administration	U.S.C.	United States Code
Forest Service	National Forest Service	USACE	U.S. Army Corps of Engineers
FWS	Fish and Wildlife Service	USDA	U.S. Department of Agriculture

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Federal Highway Administration
Central Federal Lands Highway Division

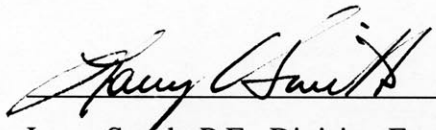
In Cooperation with
Colorado Department of Transportation
USDA Forest Service
Park County, Colorado

ENVIRONMENTAL ASSESSMENT
Pursuant to 42 U.S.C. 4332(2)(c)

For
Rehabilitation and Reconstruction of
Colorado Forest Highway 81
Tarryall Creek Road (Park County Road 77)
Park County, Colorado

Additional information may be obtained from:

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FHWA, Central Federal Lands Highway Division

5/13/02

Date

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ABSTRACT

The Central Federal Lands Highway Division of the Federal Highway Administration, in cooperation with the Forest Service, the Colorado Department of Transportation, and Park County, Colorado, is considering reconstruction, resurfacing, restoration, and rehabilitation of a portion of the Tarryall Creek Road. Road improvements are needed to correct structural deficiencies in the roadway and improve inadequate parking areas. A No Action Alternative and an Action Alternative are evaluated. The Federal Highway Administration's preferred alternative (Action Alternative) includes reconstructing the existing 6.1 to 7.3-meter (20- to 24-foot) road to a consistent 7.3-meter (24-foot) wide paved surface (10-foot lanes with 2-foot shoulders) throughout. In addition, the Action Alternative would include one realignment shift and improvements to parking areas. The anticipated effects on social, economic, and environmental resources are discussed in this Environmental Assessment. The proposed project would have a direct impact to 0.85 ha (2.08 ac) of wetlands and 1.02 ha (2.52 ac) of riparian areas. The Federal Highway Administration is currently consulting with the Fish and Wildlife Service under Section 7 of the Endangered Species Act. The Fish and Wildlife Service is considering the Federal Highway Administration's finding that the proposed action may affect, but is not likely to adversely affect the lynx.

Public Comment: If you wish to comment on the Environmental Assessment, you may send comments as described below. The comment period will close on June 21, 2002. Any comments received after this date may not be considered. Please note that names and addresses of people who comment become part of the public record. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. All submissions from organizations, businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public review in their entirety.

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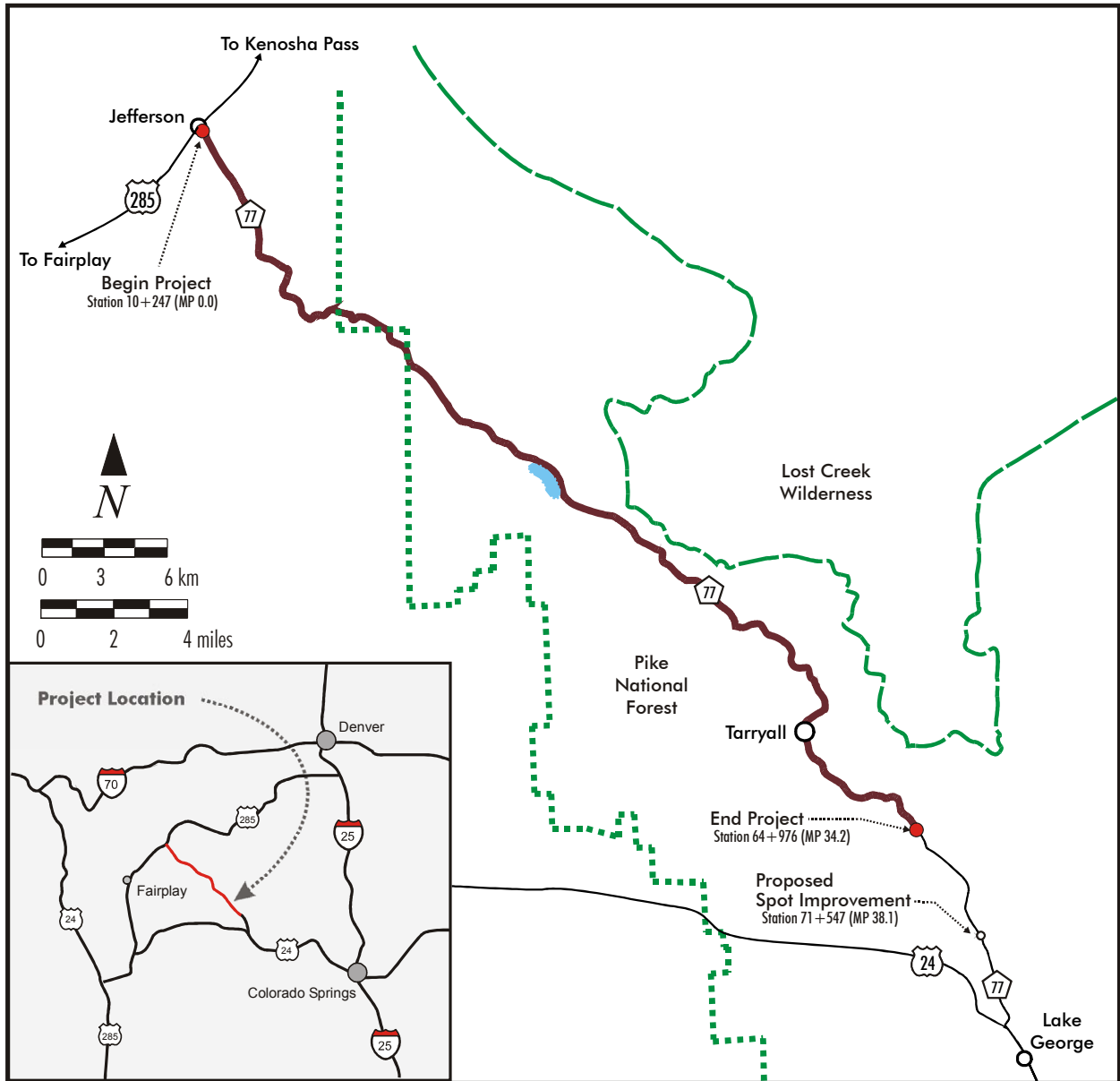
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INTRODUCTION

Colorado Forest Highway (FH) 81, Tarryall Creek Road (known locally as Park County Road 77), connects the communities of Jefferson and Lake George. The Central Federal Lands Highway Division of the Federal Highway Administration (FHWA), in cooperation with the Forest Service, the Colorado Department of Transportation (CDOT), and Park County, Colorado, is considering reconstruction, resurfacing, restoration, and rehabilitation of a portion of the Tarryall Creek Road. The proposed improvements would begin at Jefferson, at the U.S. Highway 285 junction, and extend 54.7 km (34.2 mi) to the southeast, ending at County Road (CR) 211, about 10.0 km (6.2 mi) past the community of Tarryall (Figure 1).

Tarryall Creek Road is an all-season road maintained by Park County. The road functions as a rural collector road between U.S. Highway 285 and U.S. Highway 24, providing access to about 80,900 ha (200,000 ac) of the Pike National Forest and to numerous ranches, resorts, and residences located on private lands within and outside the Forest. The road meets the eligibility criteria for Federal funding under the Forest Highway Program.

FOREST HIGHWAY PROGRAM AGENCIES

The Forest Highway Program is administered by a three-agency group known as the Program Agencies. In Colorado, the Program Agencies are the FHWA, the Forest Service, and the CDOT. The function of the Program Agencies is to maintain an active Forest Highway Program and to make major decisions concerning projects in the Program. Roads designated for reconstruction and rehabilitation under the Forest Highway Program are selected at an annual Program Agency meeting. To meet the criteria for classification as a Forest Highway, the routes selected are those that serve both the National Forests and the State or County, and have the greatest need for improvement. Tarryall Creek Road was placed in the Forest Highway Program in 1991. The proposed construction project covered by this Environmental Assessment (EA) is programmed for funding available in fiscal year 2004.

SOCIAL, ECONOMIC, AND ENVIRONMENTAL STUDY TEAM

This EA was developed with public and interagency involvement. Coordination included public meetings, interagency meetings, field reviews, and correspondence. To aid in coordination and project development, a Social, Economic, and Environmental (SEE) Study Team was established consisting of one or more members from each of the Program Agencies with the exception of the CDOT, which is represented by Park County. The function of the SEE Study Team is to guide the proposal through the project development process and to provide a point of contact within each agency.

The points of contact within each agency are:

Edward DeCleva, Environmental Protection Specialist, FHWA, 303-716-2290

John Knowles, Project Manager, FHWA, 303-716-2149

Sara Mayben, District Ranger, South Park Ranger District, 719-836-2031

Rick Peters, Road and Bridge Director, Park County, 719-836-4277

UNITS OF MEASUREMENT

In accordance with Federal mandate, design and construction of this proposed project will be in metric units. The equivalent English units (shown in parentheses) are generally not exact.

DECISION PROCESS

This EA evaluates two alternatives—a No Action Alternative and an Action Alternative—for improving the condition of Tarryall Creek Road and associated parking areas, and the potential impacts that could result from implementing each alternative. [Chapter 1](#) discusses the purpose and need for the project. [Chapter 2](#) discusses the two alternatives. [Chapter 3](#) discusses the affected environment, and includes an analysis of the environmental consequences for each alternative. [Chapter 4](#) discusses mitigation for the proposed project. [Chapter 5](#) discusses consultation and coordination for this EA. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the Council on Environmental Quality (40 CFR 1500), and FHWA regulations (23 CFR 771). The FHWA will determine whether the environmental consequences of the proposed action require preparation of an Environmental Impact Statement or a Finding of No Significant Impact. Either of these documents would be approved by the FHWA Division Engineer.

COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

The FHWA will comply with all applicable federal, state, and local regulations when implementing the improvements to Tarryall Creek Road. In addition, the FHWA will comply with all applicable Forest Service guidelines, provisions, acts, and regulations for the management of forest resources. Regulatory requirements for the proposed project are expected to include the permits and approvals in [Table 1](#).

Table 1. Permits, stipulations, or approvals required for the Tarryall Creek Road Project.

Permits, Stipulations, or Approvals	Purpose
National Forest Service (Forest Service)	
Letter of Consent (Federal Land Policy and Management Act 36 CFR 251)	To allow the FHWA to use public lands administered by the Forest Service for road purposes, which would be acquired by Park County for road right-of-way.
Mineral Material Permit	To allow the FHWA to take borrow material, if needed, from public lands administered by the Forest Service.
Timber Settlement	To allow the FHWA to harvest commercial timber on public lands before disturbance. Harvesting would be conducted only to clear the area necessary for road construction.
Fish and Wildlife Service (FWS)	
Section 7 Consultation (Endangered Species Act 50 CFR 402)	To ensure that FHWA actions would not jeopardize the continued existence of threatened or endangered species, or result in the destruction or modification of critical habitat.
U.S. Army Corps of Engineers (USACE)	
404 Permit (Clean Water Act 33 CFR 320)	To allow the FHWA to discharge dredged or fill material into waters of the U.S., including wetlands. Implementation of the preferred alternative would require a 404 permit because there would be impact to wetlands. The FHWA will submit a 404-permit application to the USACE prior to construction of this proposed project and would mitigate all wetlands unavoidably affected by the proposed action.
Colorado Department of Public Health and Environment	
401 Certification (Clean Water Act 40 CFR 121)	To certify that any activity requiring a federal license or permit that may result in any discharge into waters of the U.S. would not cause or contribute to a violation of state surface water quality standards.
Colorado Discharge Permit System (CDPS)	To allow discharge of storm water from 2 ha (5 ac) or more to state waters. A stormwater management plan would be prepared as part of the CDPS permit process to address construction-related sediment and erosion control plans. In addition, a construction dewatering permit also may be needed.
Advisory Council on Historic Preservation	
Section 106 Review (National Historic Preservation Act 36 CFR 800)	To consult with the Colorado State Historic Preservation Office, the Park County Historic Preservation Advisory Commission, affected landowners, and the Advisory Council on Historic Preservation for potential effects to historic properties.

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CHAPTER 1. PURPOSE OF AND NEED FOR ACTION

The purpose of improving Tarryall Creek Road is to correct roadway deficiencies. The current conditions cause maintenance to be a continual logistical and financial burden for Park County. Park County's maintenance costs on Tarryall Creek Road in 2001 were about \$235,000 (Park County 2002).

Tarryall Creek Road is a critical link in Park County's transportation system. The road serves several hundred full-time residents and many part-time residents that live along the road. In addition, thirteen County or Forest roads connect to Tarryall Creek Road, augmenting its function and importance as a rural collector road. Several businesses, ranches, and other commercial operations and interests depend on the road for access. Tarryall Creek Road also is an important administrative route for the Pike National Forest, accessing approximately 80,900 ha (200,000 ac) of Forest Service administered public lands, including the Lost Creek Wilderness Area, five campgrounds, and eight trailheads. The recreation opportunities in the area include hiking, driving for pleasure, viewing scenery and wildlife, photography, horseback riding, camping, picnicking, ski touring, backpacking, hunting, and fishing.

Throughout the next 20 years, traffic volumes for Tarryall Creek Road are anticipated to increase by about 1.7 percent per year, regardless of whether the road is improved. The Annual Average Daily Traffic (AADT) is expected to increase from the current level of 550 vehicles per day to 824 vehicles per day in 2024 (a 20-year period from the anticipated 2004 beginning of construction was used for traffic projections).

Rough and inconsistent driving conditions exist on Tarryall Creek Road. The existing chip seal is potholed and deteriorated, and the underlying base material is contaminated with dirt. Surface and subsurface drainage is poor, which contributes to the pavement deterioration. The roadway width ranges from 6.1 to 7.3 m (20 to 24 ft), and shoulders are substandard or lacking in many locations. Other deficient conditions on Tarryall Creek Road that need improvement include:

- Drainage structures, including ditches and culverts, are undersized and in poor repair.
- Inconsistent roadway width and lack of shoulders in many locations present operational and safety problems such as edge raveling and consequent narrowing of pavement.
- Sections of the road have inadequate or inconsistent roadway alignment and geometrics, resulting in poor drivability, unsafe curves within linear sections of roadway with high operating speeds, and inadequate sight distances for drivers in several places, especially at connector roads.
- Sections of the road have poor driving surfaces, including potholing of the surface and breakdown of the edges, caused by inadequate subsurface construction.
- The bridge over Tarryall Creek (below Tarryall Reservoir) is too narrow to provide safe two-way traffic flow for medium and heavy trucks, and recreational vehicles.

Improving Tarryall Creek Road to an appropriate 20-year design standard would correct the road's deficiencies, ease Park County's road maintenance burden, and meet the Forest Service's management goals for transportation and administration.

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CHAPTER 2. ALTERNATIVES

This chapter describes the alternatives under consideration for improvements to Tarryall Creek Road. During the scoping process, the alternatives for meeting the project purpose and need were developed by an interdisciplinary team (the SEE Study Team) with additional input from the public. Based on agency and public review of this EA, the alternatives may be modified or additional design options may be developed. Criteria used in the selection of a reasonable alternative that is responsive to the purpose and need, included:

- Protecting natural and cultural resources and scenic values
- Providing for motorist enjoyment and visitor safety
- Minimizing right-of-way acquisitions, without compromising design standards

As a result of these considerations, two alternatives were identified: a No Action Alternative and an Action Alternative.

NO ACTION ALTERNATIVE

In the No Action Alternative, Tarryall Creek Road would not be reconstructed, resurfaced, restored, or rehabilitated. No Forest Highway funds would be expended on the project. The existing road width would remain inconsistent and the subsurface and surface would continue to deteriorate due to poor drainage. Park County would continue maintenance, but costs would likely escalate.

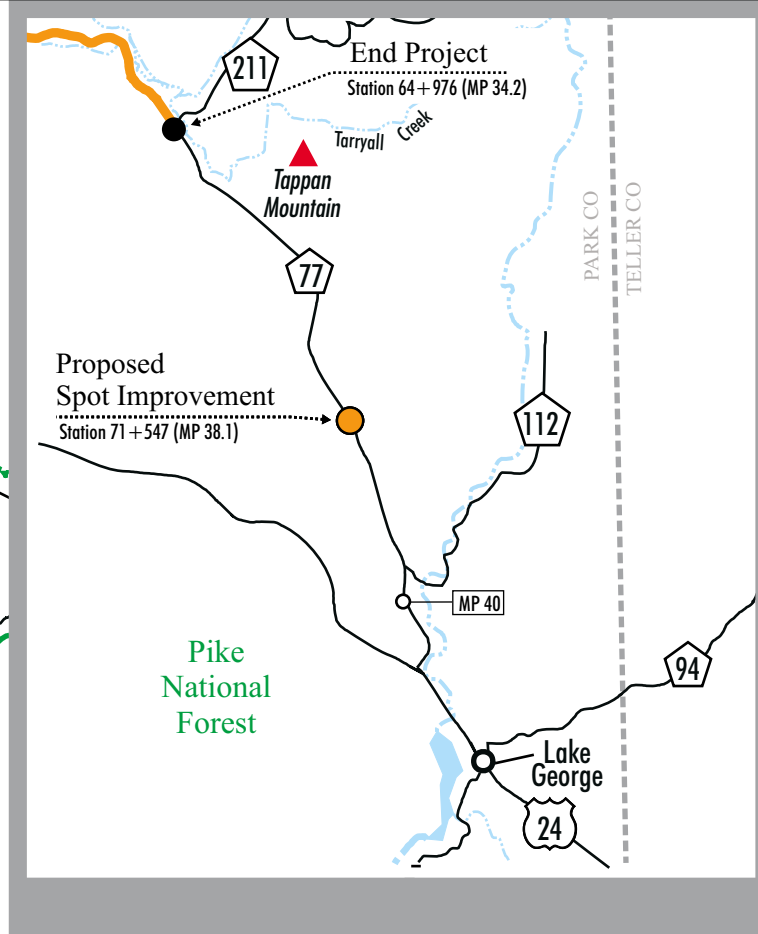
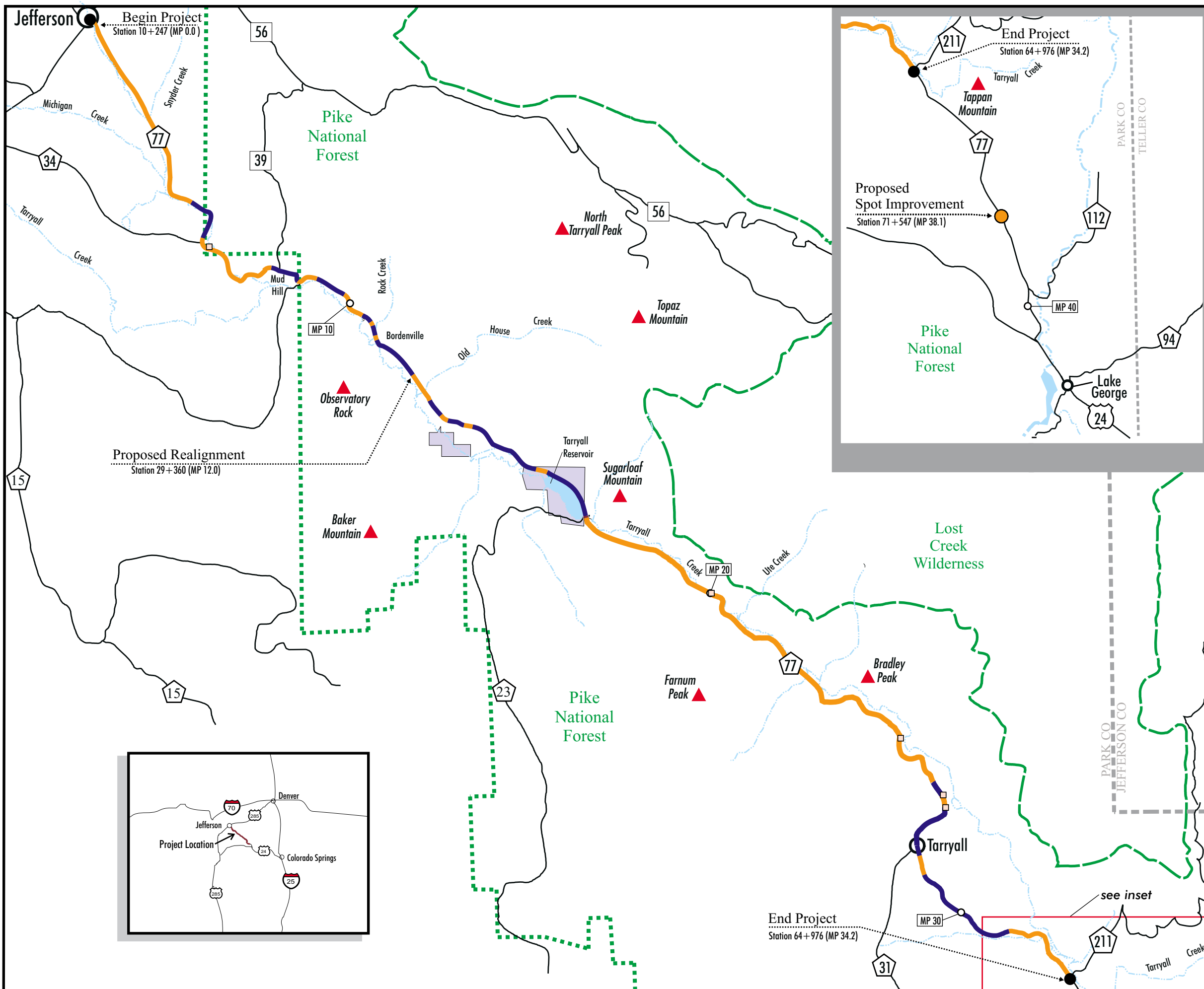
ACTION ALTERNATIVE

Under the Action Alternative, the FHWA would rehabilitate about 20.4 km (21.3 mi), and reconstruct about 34.3 km (12.9 mi) of Tarryall Creek Road, from Station 10+247 to 64+976 (MP 0 to 34.2). Rehabilitation work is defined as construction completed within the cut and fill limits of the existing roadway, including improvements to existing drainage structures and unstable slopes. Reconstruction work is defined as construction that extends outside of the cut and fill limits of the existing road. Proposed reconstruction and rehabilitation locations are listed in [Table 2](#) and correspond to road segments in [Figure 2](#). Also included are one realignment and one spot improvement. The proposed realignment, located at Station 29+360 (MP 11.9) ([Figure 3](#)), is proposed to protect personal property and a historic site. The spot improvement, located at Station 71+547 (MP 38.1), consists of reconstruction on an unsafe area of road that was not adequately improved in 1998.

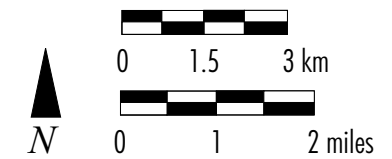
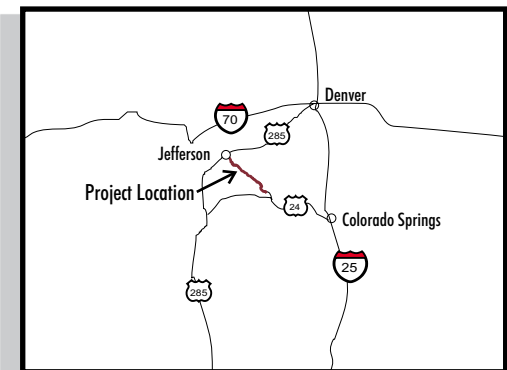
Table 2. Proposed type of construction and parking area improvements of the Action Alternative (based on 30 percent or less design).

FHWA Station Number (Mile post)	Type of Construction	Proposed Parking Area Improvement
10+247 to 17+940 (0.0 to 4.8)	Reconstruction	
17+940 to 19+700 (4.8 to 5.9)	Rehabilitation	
19+700 to 23+340 (5.9 to 8.2)	Reconstruction	Rocky Canyon Angler (Station 20+125, MP 6.3)
23+340 to 24+200 (8.2 to 8.7)	Rehabilitation	
24+200 to 24+900 (8.7 to 9.2)	Reconstruction	
24+900 to 25+900 (9.2 to 9.8)	Rehabilitation	
25+900 to 26+800 (9.8 to 10.4)	Reconstruction	
26+800 to 27+300 (10.4 to 10.7)	Rehabilitation	
27+300 to 27+400 (10.7)	Reconstruction	
27+400 to 27+950 (10.7 to 11.1)	Rehabilitation	
27+950 to 28+150 (11.1 to 11.2)	Reconstruction	
28+150 to 29+360 (11.2 to 11.9)	Rehabilitation	
29+360 to 29+800 (11.9 to 12.2)	Realignment	
29+800 to 30+960 (12.2 to 13)	Reconstruction	
30+960 to 31+400 (13 to 13.2)	Rehabilitation	
31+400 to 31+700 (13.2 to 13.4)	Reconstruction	
31+700 to 32+400 (13.4 to 13.9)	Rehabilitation	
32+400 to 32+600 (13.9 to 14)	Reconstruction	
32+600 to 35+100 (14 to 15.5)	Rehabilitation	
35+100 to 35+200 (15.5 to 15.6)	Reconstruction	
35+200 to 37+500 (15.6 to 17)	Rehabilitation	
37+500 to 54+800 (17 to 27.9)	Reconstruction	Ute Creek Trailhead (Station 43+280, MP 20.5) Twin Eagles (Station 52+240, MP 26.1)
54+800 to 55+300 (27.9 to 28.2)	Rehabilitation	Spruce Grove (Station 55+100, MP 27.9)
55+300 to 55+650 (28.2 to 28.4)	Reconstruction	Box Canyon (Station 55+840, MP 28.3)
55+650 to 58+500 (28.4 to 30.2)	Rehabilitation	
58+500 to 58+700 (30.2 to 30.3)	Reconstruction	
58+700 to 62+300 (30.3 to 32.5)	Rehabilitation	
62+300 to 64+976 (32.5 to 34.2)	Reconstruction	
71+547 (38.1)	Reconstruction	

Note: Station numbers, mile posts, and types of construction are color-coded in Table 2 to correspond to road segments in Figure 2.



- Reconstruction
- Rehabilitation
- Proposed parking area improvements
- ⋯ Pike National Forest boundary
- - - Wilderness boundary
- ▭ State Wildlife Area

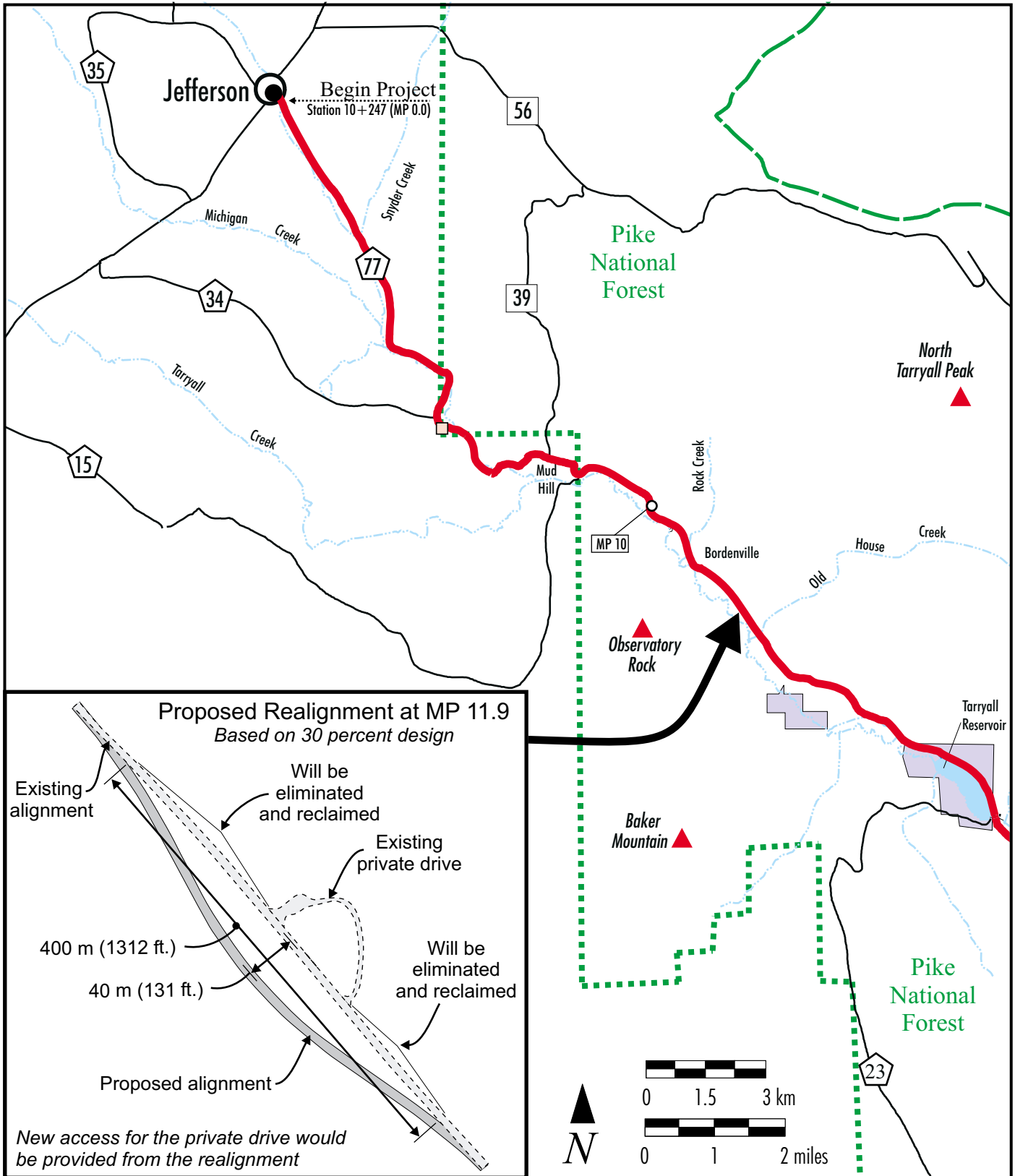


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Figure 2
Proposed Activities
Associated With
Action Alternative

Based on 30 percent or less design

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- - - - Pike National Forest boundary
- - - - Wilderness boundary
- Proposed parking area improvements

Figure 3
Proposed Realignment
Station 29+360 (MP 11.9)

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Regardless of the type of construction, the proposed project would include improving the road to a consistent width of 7.3 m (24 ft), which includes travel lanes of 3 m (10 ft) and shoulders of 0.6 m (2 ft) (Figure 4). Design speeds range from 50 to 60 km/h (30 to 35 mph), depending upon the restrictions of the landscape and standards for this type of road. However, the design speeds are intended to be similar to existing posted speed limits that range from 40 to 65 km/h (25 to 40 mph). In addition, drainage facilities would be upgraded throughout the project area and five parking areas on Forest Service lands would be improved (Figures 5 through 9).

The Action Alternative would be implemented in three phases, for an overall cost of \$27 million. Phase I is currently scheduled to begin in 2004 and to be completed in 2005. Phase II is currently scheduled to begin in 2007 and to be completed in 2008. Phase III is not currently scheduled but is likely to begin in 2009 and end in 2010.

Alternatives Considered But Eliminated

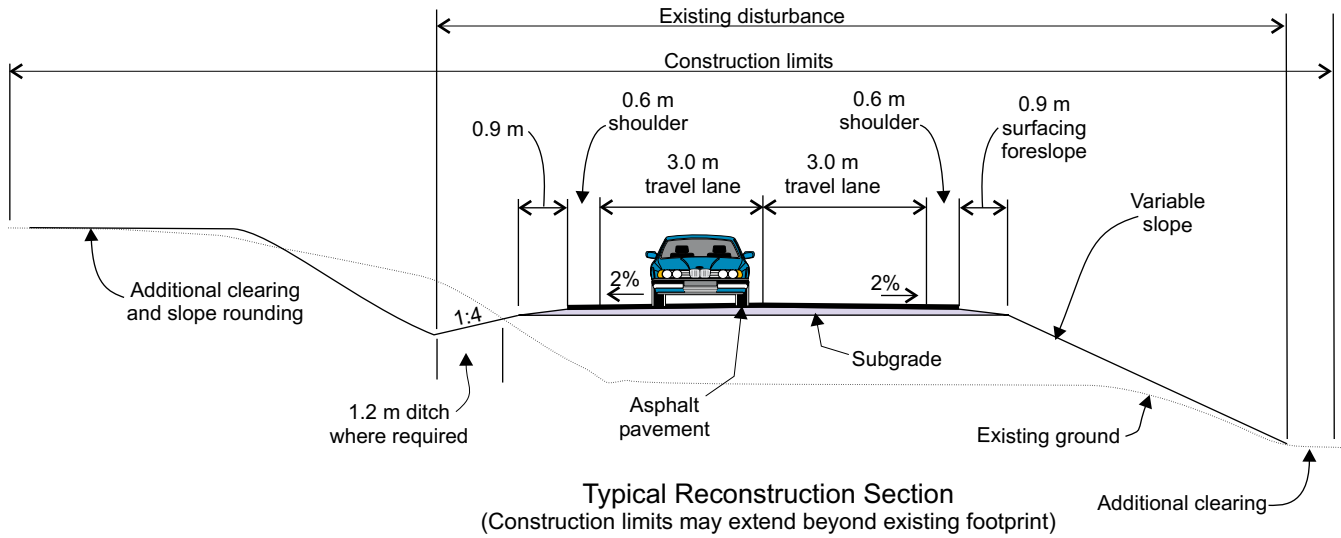
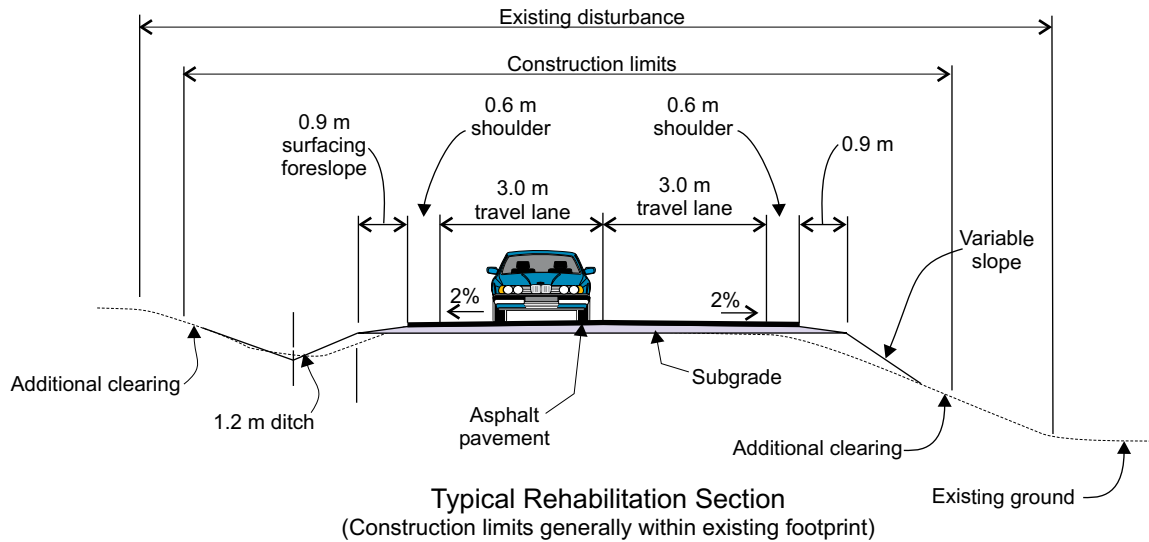
The Reconnaissance and Scoping Report (FHWA 1993) identified an alternative to reconstruct the entire route. After review, the SEE Study Team eliminated this alternative because of the amount of right-of-way required and the nature of the existing roadway geometrics did not dictate reconstruction in certain areas.

The SEE Study Team also considered an alternative to rehabilitate only about 26 km (16.2 mi) of the road, thereby addressing only some of the roadway deficiencies and not reconstructing some of the areas that either are the most deteriorated or are subject to the most public controversy. Park County was the primary proponent supporting this alternative because it would have amounted to savings in right-of-way acquisitions that would not have to be purchased by the County. The FHWA eliminated this alternative because rehabilitation as an exclusive alternative would not address the geometric deficiencies of some road segments.

Realignment options considered but eliminated included one at the community of Tarryall (Station 57+600; MP 28.8) and three at Landis Curve (Station 63+700; MP 33.2). The Tarryall realignment was eliminated due to public comments received from Tarryall residents. The three realignment alternatives for Landis Curve were eliminated because they would have involved large quantities of cut and fill materials, added expense due to the need for retaining walls, and the creation of more difficult access to affected private properties. However, the FHWA is considering a conceptual option — recently formed by the FHWA, Park County, and affected landowners — to address the alignment deficiencies of Landis Curve.

Other considerations that were eliminated include improvements to two informal pullouts and one informal parking area on private lands, and to two informal parking areas on Forest Service lands. Improvements to all informal pullouts and parking areas adjacent to Tarryall Creek Road were initially requested by the Forest Service; however, the pullouts and parking areas on private lands were eliminated at the request of Park County to avoid the right-of-way acquisition that would have been necessary. Likewise, the Forest Service initially requested improvements to all seven informal parking areas on Forest Service lands adjacent to Tarryall Creek Road, but later eliminated the consideration of improvements to two areas. Although located on Forest Service lands, one informal parking area at 47+680 (MP 23.3) provides access only onto a private fishing

area. The FHWA agreed to eliminate from consideration improving this parking area, but will not eliminate access to it. The other Forest Service-managed informal parking area, located at Station 52+700 (MP 26.4), was eliminated by the Forest Service because it is causing degradation to a fragile riparian area. The FHWA agreed to eliminate from consideration improving this informal parking area, and would design the adjacent roadway in a manner that would restrict vehicular access, thereby facilitating the Forest Service's reparation and conservation efforts for the riparian area.

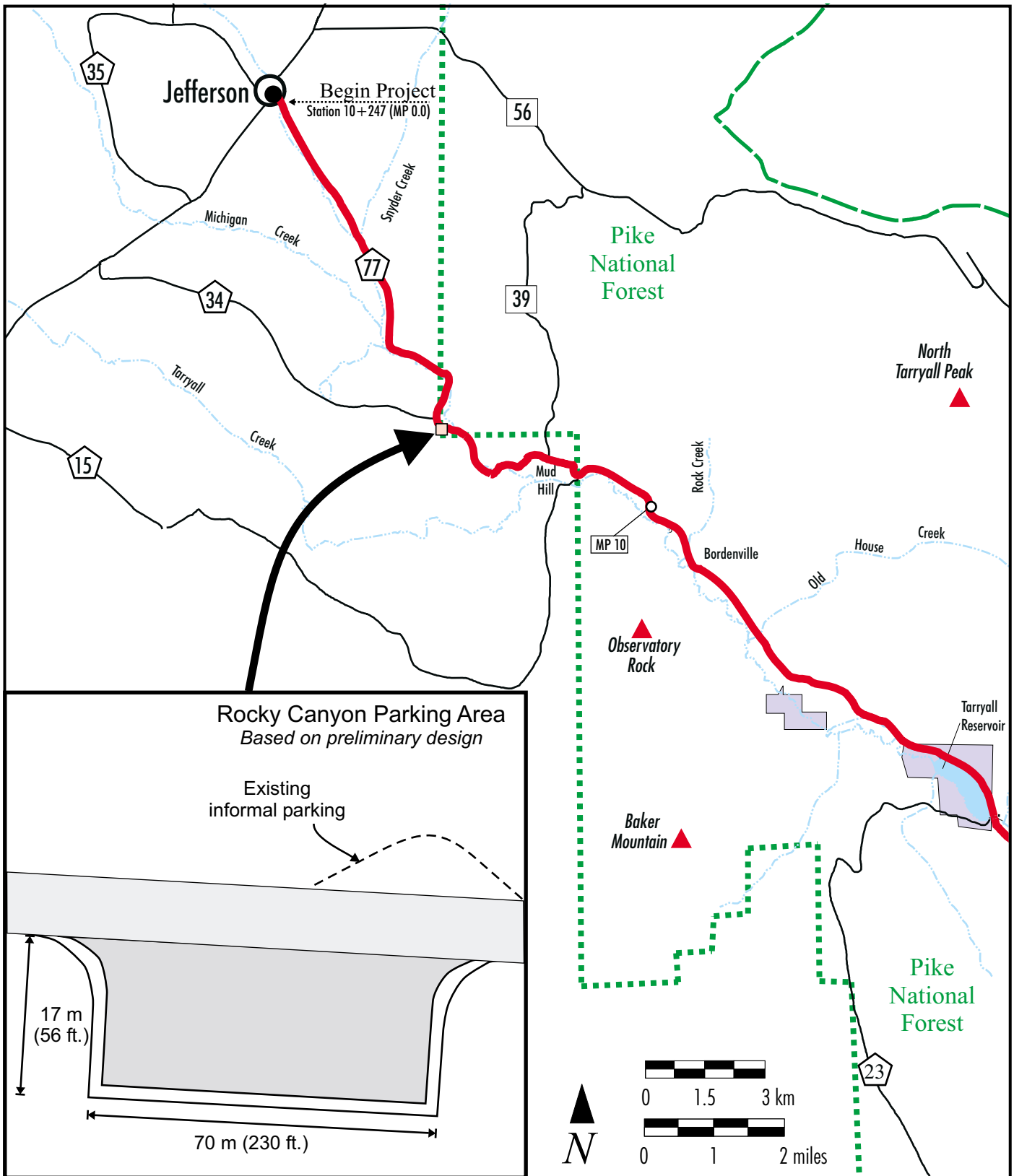


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Figure 4
Action Alternative
Typical Sections

Based on 30 percent design

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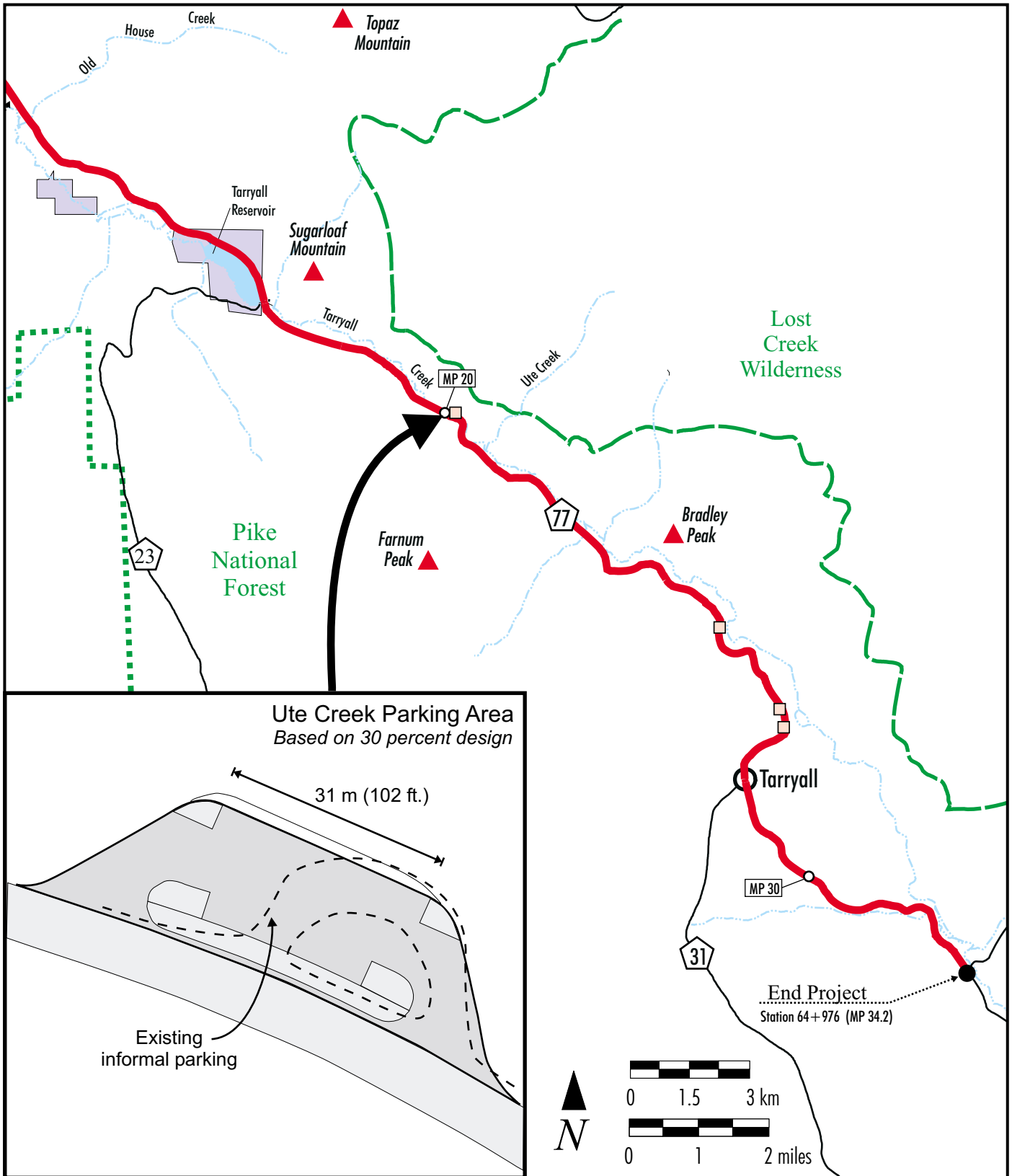


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- ⋯⋯⋯ Pike National Forest boundary
- - - - - Wilderness boundary
- Proposed parking area improvements

Figure 5
Proposed Rocky Canyon Parking Area
Station 20+125 (MP 6.3)

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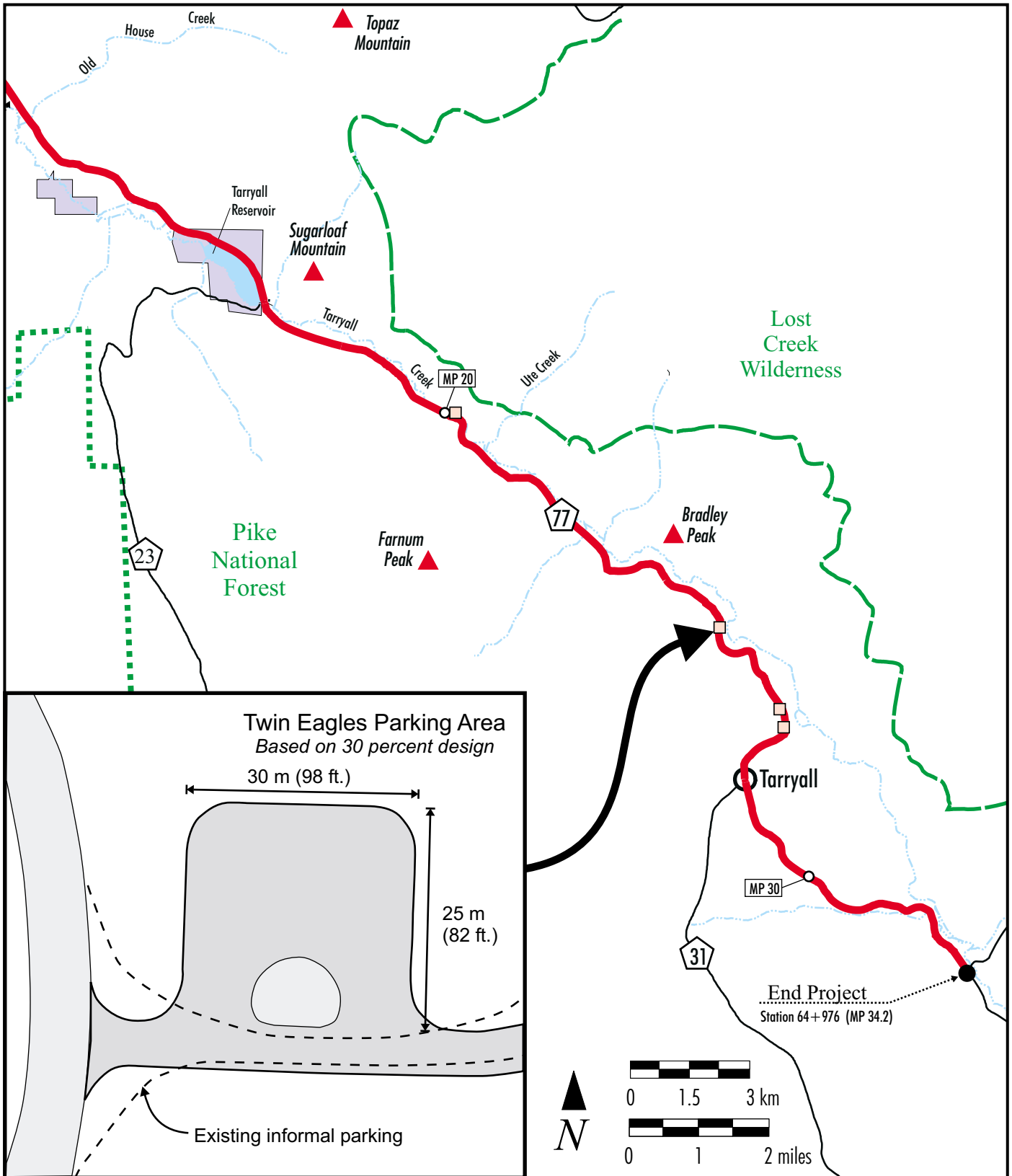


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- ⋯ Pike National Forest boundary
- Wilderness boundary
- Proposed parking area improvements

Figure 6
Proposed Ute Creek
Parking Area
Station 43+280 (MP 20.5)

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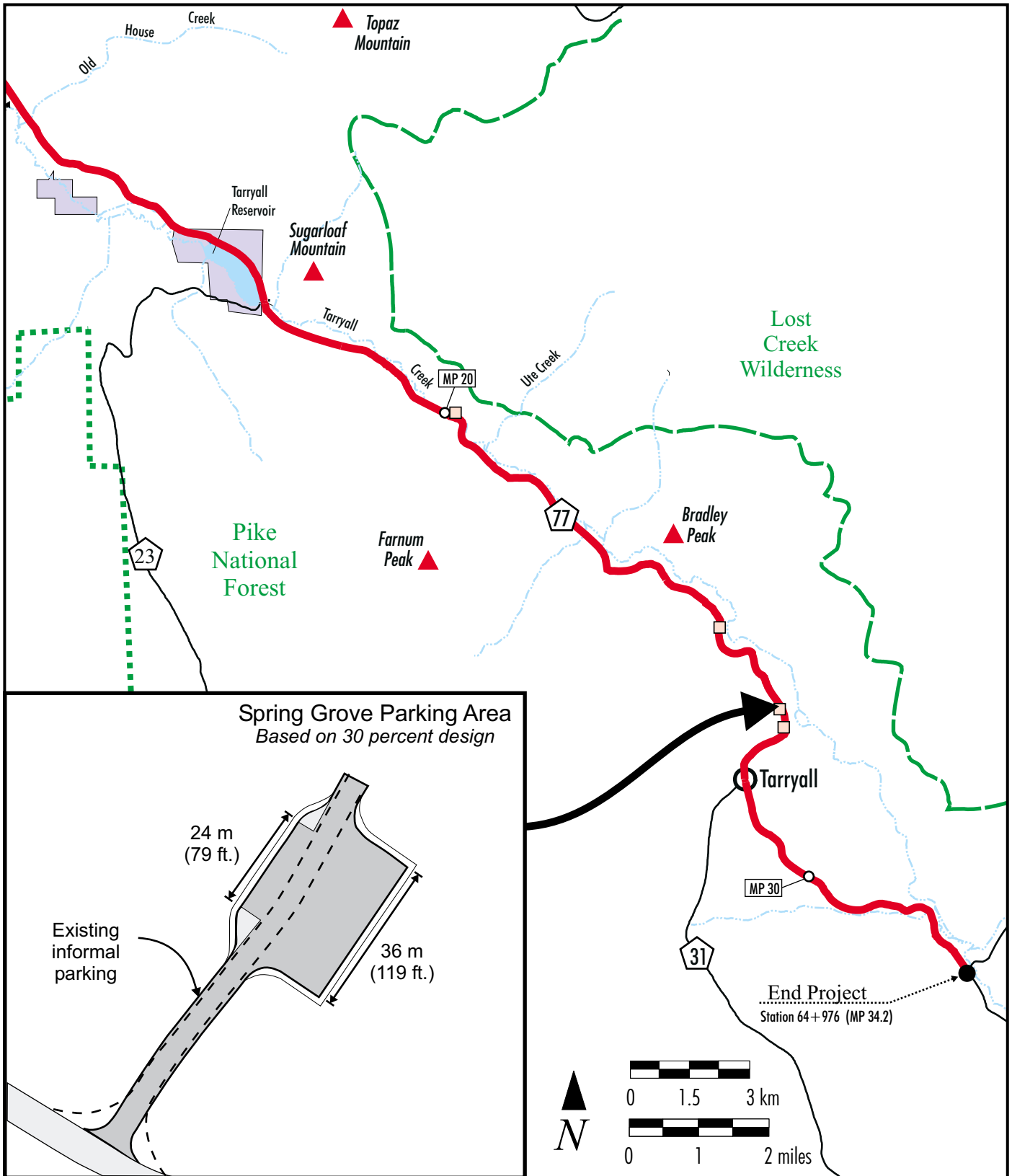


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- ⋯ Pike National Forest boundary
- Wilderness boundary
- Proposed parking area improvements

Figure 7
Proposed Twin Eagles
Parking Area
Station 64+976 (MP 34.2)

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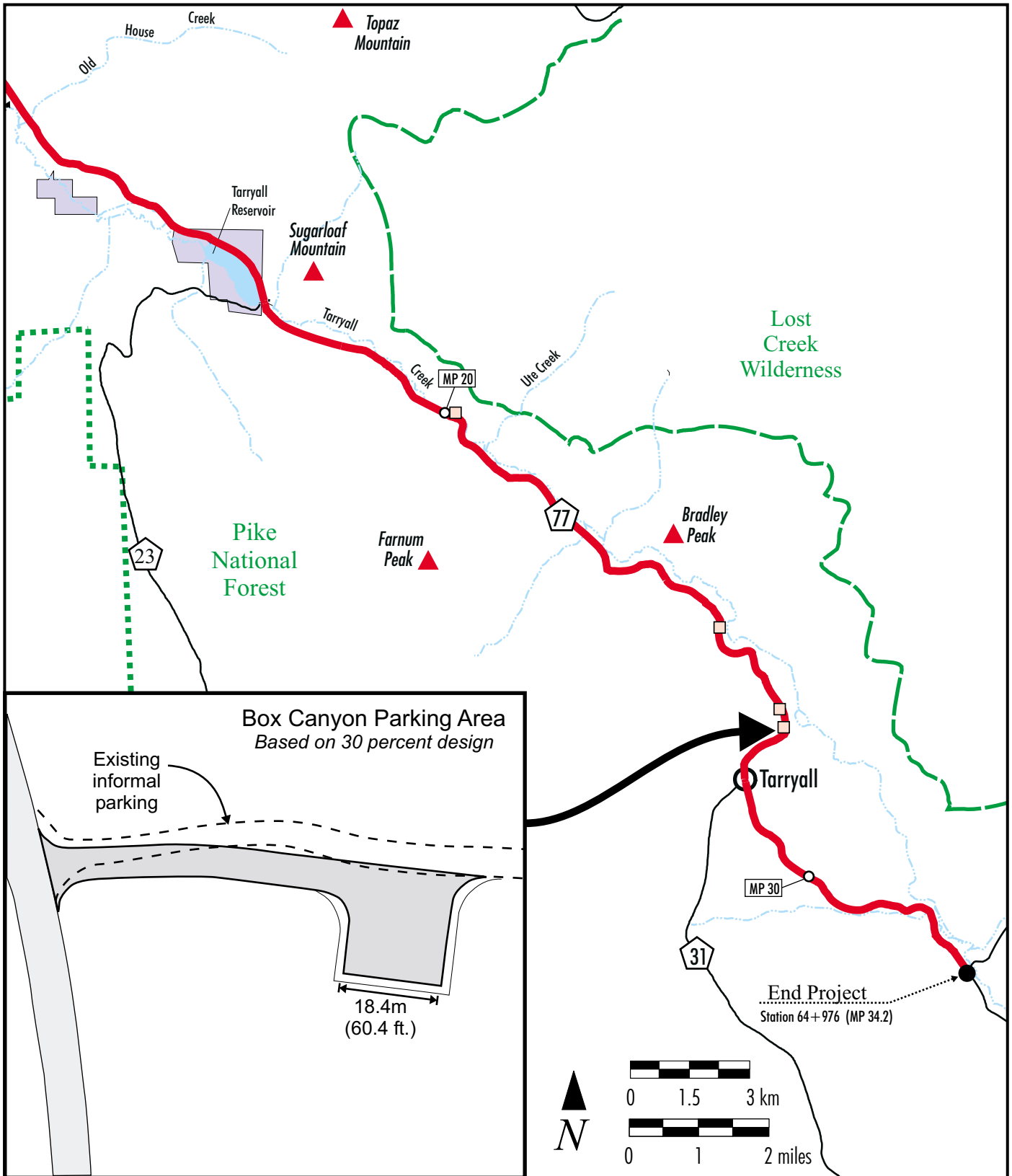


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- - - - Pike National Forest boundary
- - - - Wilderness boundary
- Proposed parking area improvements

Figure 8
 Proposed Spruce Grove
 Parking Area
 Station 55+100 (MP 27.9)

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- Pike National Forest boundary
- Wilderness boundary
- Proposed parking area improvements

Figure 9
Proposed Box Canyon
Parking Area
Station 55+840 (MP 28.3)

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CHAPTER 3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

KEY ISSUES

The FHWA used a scoping process to identify key issues associated with the proposed Tarryall Creek Road project. It included public meetings in 1995 and in 1999, several meetings with cooperating agencies, and a number of field surveys. As a result of the scoping process, the SEE Study Team identified the following key issues for the proposed project:

- Vegetation
- Wildlife
- Threatened and Endangered Species
- Forest Sensitive Species
- Wetlands and Riparian Areas
- Visual Quality
- Recreation Resources
- Noise
- Land Use
- Cultural Resources
- Socioeconomic Resources

Following the scoping process, the SEE Study Team identified other issues to include: hazardous materials and private property/right-of-way.

Resources Discussed in this EA

Resources potentially affected by the proposed project are discussed in the following sections. The affected environment section for each resource is a summary of a technical report prepared for the proposed project. A list of all technical reports appears in [Appendix C](#). Some of the information in the technical reports may differ from that presented in this EA where the proposed project information, design, or analysis have been updated. A comparison of effects for the resources discussed below appears in [Table 5](#), at the end of Chapter 3.

Mitigation

Mitigation and conservation measures will be incorporated into the Action Alternative to minimize potential impacts on the resources discussed in the EA. These measures will be developed and implemented in cooperation with the FHWA, Forest Service, USACE, FWS, and CDOW during final project design. Mitigation measures for each resource are discussed in [Chapter 4](#).

VEGETATION

Affected Environment

The Tarryall Creek Road traverses a variety of plant communities at elevations ranging from 2,900 m (9,500



Penstemon Found In Area Grasslands

ft) at Jefferson to 2,530 m (8,300 ft) at the proposed project end. The northern end of the proposed project is located within broad, dry to mesic grasslands of South Park. Jefferson Creek, Michigan Creek, and Tarryall Creek each intermittently parallel the existing road throughout most of the proposed project area. These creeks support low, flat banks of wet meadows, shrubby wetlands, and riparian communities. Grassland meadows are found on dry hillsides and adjacent to the road. Scattered stands of bristlecone pine and ponderosa pine are found on the dry meadows and rocky hills. Moist meadows adjacent to the valley bottom support mesic grasslands and hay meadows. Forests of bristlecone pine, Engelmann spruce, ponderosa pine, aspen, and Douglas-fir begin to dominate the landscape on surrounding hillsides between Tarryall Reservoir and the community of Tarryall. South of Tarryall, ponderosa pine forests interspersed with dry grasslands dominate the hills adjacent to the road. Noxious weeds are currently present in the proposed project area and on adjacent Forest Service and private lands. The proposed project would have no effect on timber resources (ERO Resources Corp. 2000a) and is not likely to impact Forest Service sensitive species including livid sedge, Nagoon blackberry, Weber's monkeyflower, Porter's feathergrass, Colorado wild buckwheat, Colorado tansy aster, reflected moonwort, or pale moonwort (ERO Resources Corp. 2000b).

The pale blue-eyed grass has been identified by the Colorado Natural Heritage Program (CNHP) as rare (G2G3/S2; global rank falling between imperiled and vulnerable/state imperiled), but it is not included in the sensitive species list of the Pike and San Isabel National Forests and the Comanche and Cimarron National Grasslands (Ryke et al. 1994, updated 2001). It is common in the proposed project area and potential impacts to this species are likely. The loss of individual plants, however, would not likely cause a trend toward federal listing (ERO Resources Corp. 2000b). Two additional sensitive species based on the CNHP that occur in Park County include Greenland primrose and Rocky Mountain cinquefoil. Greenland primrose and Rocky Mountain cinquefoil were not found during vegetation surveys (ERO Resources Corp. 2000b).

Environmental Consequences

Effects of the No Action Alternative

Under the No Action Alternative, there would be no new vegetation disturbance or clearing. Vegetation adjacent to the existing roadway would continue to be affected by vehicle parking on the shoulder, erosion of fill slopes from improper drainage, and sediment deposition at culvert outlets. The No Action Alternative would not involve land-disturbing activities likely to increase the number and distribution of exotic or noxious weeds. Noxious weeds currently present in the proposed project area would continue to be subject to Forest Service and Park County weed management practices. Indirect impacts on vegetation may occur as recreational activity increases at popular trails, picnic areas, and fishing sites accessed by Tarryall Creek Road. Vegetation impacts may occur from additional recreation activity including hiking on backcountry trails or camping.

Effects of the Action Alternative

The Action Alternative would result in both temporary construction disturbances and a permanent loss of vegetation resources. Undisturbed areas adjacent to the existing road would be disturbed to provide new cuts and fills in the reconstructed sections. These areas would be reclaimed using native vegetation species following construction. In some areas, a conversion of

one vegetation type to another would occur. For example, forested vegetation, including old aspen that would be removed in the road clear zone, would be permanently converted to grassland. A long-term loss of vegetation would occur within the footprint of the widened road, shoulder, and drainage structures. In these areas, vegetated cover would be replaced with an impermeable surface. Noxious weeds currently present in the proposed project area would continue to be subject to Forest Service and Park County weed management practices. Vegetation impacts may occur from additional recreation activity including hiking on backcountry trails or camping.

WILDLIFE

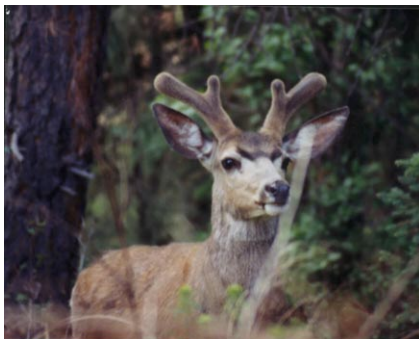
A Biological Report was prepared describing the potential effects of the planned project (ERO Resources Corp. 2000b). The proposed project is not expected to adversely impact Pike National Forest management indicator species including Abert's squirrel, beaver, mountain bluebird, wild turkey, Wilson's warbler, and mallard duck. Brook trout potentially could be affected by an increase in sedimentation in Tarryall Creek and other drainages, but planned erosion control measures would minimize short- and long-term adverse impacts.

The proposed project is not likely to impact Forest Service sensitive species including the peregrine falcon, flammulated owl, northern goshawk, golden-crowned kinglet, Townsend's big-eared bat, and northern leopard frog. Individual pygmy nuthatch, three-toed woodpecker, osprey, or tiger salamander, could be impacted by the proposed action, but impacts are not likely to cause a trend toward federal listing or result in a loss in species viability rangewide (ERO Resources Corp. 2000b).

Affected Environment

The Tarryall Creek Road traverses diverse habitat types from open mountain meadows in South Park to mixed ponderosa pine, Engelmann spruce, bristlecone pine, aspen forests, riparian meadows, and irrigated hayfields. Under the *Pike and San Isabel National Forest Land and Resource Management Plan* (USDA 1984), fish and wildlife habitat on Forest Service lands is managed to maintain viable populations of existing native and desired non-native vertebrate species.

Vertebrate species potentially affected by the proposed project and discussed below include mule deer, elk, and bighorn sheep. Additional information about these species can be found in the Final Biology Report (ERO Resources Corp. 2000b). The Forest Service management prescription for the majority of the proposed project area includes an emphasis on winter range for deer, elk, and bighorn sheep (U.S Department of Agriculture 1984).



Mule Deer

Mule Deer. The entire road traverses summer and winter mule deer range. Severe winter range is found between Station 38+047 and Station 59+047 (MP 17.3 and MP 30.3). Calving areas are found near the community of Tarryall. Forest standards and guidelines provide for protection of calving and fawning areas from habitat modification or

disturbance between May 15 and June 15 (USDA 1984). CDOW data (1999) indicate mule deer crossing areas from north of Tarryall (Station 56+047, MP 28.5) to the southern project terminus Station 64+976 (MP 34.2).

Elk. The proposed project area contains overlapping areas of summer, winter and severe winter elk range. Severe winter range is found near Jefferson (Station 10+247 to Station 13+047; MP 0.0 to MP 1.7), Johnson Ranch (Station 30+047 to Station 32+047; MP 12.3 to MP 13.5), and Tarryall (Station 57+047 to Station 60+047; MP 29.1 to MP 30.9). Elk calving areas are located outside of the proposed project area. Mule deer and elk mortality from vehicle collisions is low (Table 3).

Bighorn Sheep. Bighorn sheep winter and summer range is found on mostly south-facing slopes in the vicinity of the community of Tarryall and Tarryall Reservoir (Howard 1999). Generally, bighorn sheep stay east of the Tarryall Creek Road, but will move to the lower elevation valley during cooler seasons (Howard 1999). Their habitat includes areas on both sides of the highway, so bighorn sheep may cross in several locations. Important crossing areas are found between Station 51+047 and Station 64+047 (MP 25.4 and MP 33.4) (Berry 1999).

Table 3. Wildlife mortality due to vehicle collisions in the proposed project area.

Year (State Fiscal)	Elk	Mule Deer
1998 to 1999	1	2
1999 to 2000	2	3
2000 to 2001	0	2

Source: Ron Zaccagnini, District Wildlife Manager, Colorado Division of Wildlife (CDOW) in FHWA 2002.

Environmental Consequences

Effects of the No Action Alternative

No land-disturbing activities would occur and there would be no loss of wildlife habitat. The existing road and recreation activities in the proposed project area would continue to fragment wildlife habitat and influence wildlife movement and activity. Occasional wildlife mortality would continue from collisions with motor vehicles. There would be no improvement in sight distances that may help motorists avoid wildlife. Deterioration of the road, parking on roadway shoulders, and use of unimproved pullouts would continue to result in erosion of fill slopes and drainages ditches and possible sedimentation in aquatic habitat adjacent to the road.

Effects of the Action Alternative

Mule Deer and Elk. The Action Alternative may affect mule deer or elk during and after construction. Planned road improvements would result in minor losses of habitat, mostly adjacent to the existing road. Construction traffic, equipment operation, and noise during road work may influence deer or elk movement or behavior. Because construction would occur primarily in the summer, the proposed project would have minimal effect on mule deer and elk use of winter range. There would be minimal loss of foraging habitat due to the limited area of disturbance. Mortality from vehicle collisions following construction may increase if the

improved road results in increased driving speeds. However, this risk may be reduced because the sight distance would be improved. The existing road and recreation activities in the proposed project area would continue to fragment wildlife habitat and influence wildlife movement and activity.

Bighorn Sheep. The Action Alternative may impact bighorn sheep activity in the proposed project area. Construction-related disturbances may temporarily affect bighorn sheep movement patterns and use of available range. Because construction is likely to occur primarily in the summer, there is minimal potential for affecting bighorn sheep use of winter range. Bighorn sheep mortality may increase with higher vehicle speeds, although posted speed limits would be similar to existing conditions and sight distances would be improved. There would be a minimal loss of habitat associated with road improvements.

THREATENED AND ENDANGERED SPECIES

A Biological Report was prepared describing the potential effects of the planned project (ERO Resources Corp. 2000b). The proposed project would have no effect on bald eagle, mountain plover, Mexican spotted owl, black-footed ferret, Uncompahgre fritillary butterfly, Pawnee montane skipper, or penland eutrema. The proposed project is not likely to adversely affect the greenback cutthroat trout or the boreal toad (see correspondence under Biological Report in Appendix A and ERO Resources Corp. 2000b). Only the potential effects on the lynx are discussed below.

Affected Environment

Information from the FWS indicates that the lynx potentially occurs in the vicinity of the proposed project area (FWS 1998). Federally threatened and endangered species are protected under the ESA. Adverse effects to a federally listed species would require consultation with the FWS under Section 7 of the Endangered Species Act (ESA). Currently, the FHWA is consulting with the FWS about suitable lynx habitat and its function in the proposed project area. This issue, as well as the need for further analysis, is discussed in [Appendix A](#) (see correspondence under Biological Report in [Appendix A](#)).

Recent habitat mapping by the Forest Service (Ryke 2000) in Pike National Forest indicates suitable lynx habitat adjacent to some areas along Tarryall Creek Road. These areas include Forest Service and private lands, primarily from Station 37+500 (MP 17.0) to Station 50+047 (MP 24.7). While suitable lynx habitat abuts Tarryall Creek Road in several locations, the majority of the large blocks of contiguous habitat are located south and north of the road. The portion of suitable lynx habitat south of Tarryall Creek Road is relatively small compared to large blocks of habitat found in the Lost Creek Wilderness to the north and other larger high elevation habitat west of South Park.

No known lynx den sites are near the road and lynx are unlikely to den close to the road because of the existing traffic and human activity. Lynx denning sites are generally at higher elevations in mature spruce-fir forest, which are not present in the proposed project area. No lynx have been recorded in the vicinity; and foraging/denning habitat is considered low in quality (see correspondence under Biological Report in [Appendix A](#)). The riparian habitat and forest

understory in portions of the proposed project area provide potential habitat for snowshoe hare, the principal prey species for lynx. Red squirrels, an alternative prey source, are likely present in surrounding conifer forests. Lynx potentially could cross Tarryall Creek Road to access habitat on surrounding lands, such as boreal forests in the Lost Creek Wilderness to the northeast or suitable habitat south of the road. Potential lynx movement corridors across Tarryall Creek Road include areas where forest cover borders the highway south of Tarryall Reservoir.

Environmental Consequences

Effects of the No Action Alternative

Indirect impacts on lynx may occur with increased traffic and recreational activity along the Tarryall Creek Road corridor. Traffic and recreational activity would increase under the No Action Alternative. The existing road, agricultural practices, and areas of private development currently contribute to habitat fragmentation in the proposed project area. Impacts such as disturbance to denning and foraging areas may occur from additional recreation activity including hiking on backcountry trails or camping.

Effects of the Action Alternative

For the Action Alternative, potential impacts on the lynx may include a loss of habitat, increased habitat fragmentation, and an increased mortality risk. In addition, lynx may avoid habitat near the road during construction. The effect of lost habitat from road widening would be minor because lynx use of habitat adjacent to a road typically is limited because of lack of cover. The loss of forest and riparian habitat would slightly reduce available prey habitat and foraging opportunities for lynx. Potential impacts specifically to snowshoe hare habitat would be minimal because the majority of the disturbance would occur along existing cut and fill slopes bordering the road. These areas do not provide optimum snowshoe hare habitat. Some tree clearing adjacent to the road would be required, but the area of disturbance would not remove substantial areas of cover in suitable lynx habitat. There would be no loss of lynx denning or foraging habitat. Impacts such as disturbance to denning and foraging areas may occur from additional recreation activity including hiking on backcountry trails or camping.

The existing road, agricultural practices, and areas of private development currently contribute to habitat fragmentation in the proposed project area. A minor increase in roadway width would not increase the existing habitat fragmentation. The connectivity of suitable lynx habitat north and south of Tarryall Creek Road would not change with proposed road improvements. Large contiguous forest stands of suitable lynx habitat are not present adjacent to Tarryall Creek Road. Existing habitat is naturally fragmented due to the topography and vegetation cover. No key linkages connecting suitable lynx habitat would be severed or substantially altered by proposed road improvements.

Although direct mortality from vehicle collisions along Tarryall Creek Road would be possible, the actual risk of impact would not change substantially because travel speeds would be similar to existing conditions and sight distances would be improved. Traffic volume currently averages about 550 vehicles per day and is estimated to increase to about 824 vehicles per day by 2024 with or without the proposed project. Traffic volume is typically lower in the winter months when recreation traffic decreases. In addition, the majority of the traffic on Tarryall Creek Road

occurs during daylight hours. Therefore, existing and projected traffic volume is unlikely to be a significant risk factor for lynx that potentially cross the Tarryall Creek Road. Proposed road improvements are not expected to lead to additional winter recreation activities on forest trails or other roads that may increase snow compaction and the potential for increasing competition with other predators. The Biological Report (ERO Resources Corp. 2000b) indicated that the proposed project may affect, but is not likely to adversely affect the lynx.

WETLANDS, WATERS OF THE U.S., AND RIPARIAN AREAS

Affected Environment

Wetlands, waters of the U.S., and riparian areas occur throughout much of the proposed project area, especially along Jefferson, Michigan, and Tarryall Creeks. The alluvial valleys of these creeks, especially where supplemented by irrigation, are ideal for forming large wetland/riparian complexes. Smaller wetlands also occur along intermittent drainages within the proposed project area.

Wetlands. Using the FWS' classifications (Cowardin et al. 1979), all wetlands in the proposed project area are the palustrine system, and were in the following classes: emergent persistent, scrub/shrub, or forested (ERO Resources Corp. 2000c). About 17.8 ha (44.1 ac) of wetlands are mapped within 30 m (100 ft) of the road corridor (ERO Resources Corp. 2000c).

Waters of the U.S. In addition to wetlands, waters of the U.S. in the proposed project area include reservoirs; ponds; perennial, intermittent, and ephemeral streams; and pool and riffle complexes. Tarryall Reservoir is the primary reservoir within the proposed project area (Station 36+047 to 37+547; MP 16.0 to 17.0). Tarryall Reservoir has gently sloping shores that support emergent wetlands.



Wetlands and Riparian Area Along Tarryall Creek

The primary streams within the proposed project area — Jefferson, Snyder, Michigan, and Tarryall Creeks — maintain a gentle gradient with wide meanders throughout most of the proposed project area. Both intermittent and ephemeral tributaries flow into Tarryall Creek and other major streams. Most of the drainages are ephemeral and occur along steep hills forming small gullies that occasionally receive enough water to flow for short periods of time, but not long enough to support wetland vegetation.

Riparian Areas. Riparian areas mapped for the proposed project area do not meet the USACE criteria for wetland soils and/or wetland hydrology and frequently occur in locations transitional between jurisdictional wetlands and adjoining uplands. They are discussed because of Forest Service management responsibilities. Riparian communities in the proposed project area are dominated by herbaceous, shrub, or tree species similar to those of the jurisdictional wetlands.

Three types of riparian areas occur within the proposed project area: mesic meadows, shrubby riparian, and forested riparian. About 11 ha (27 ac) of riparian areas were mapped along the road corridor (ERO Resources Corp. 2000c).

Environmental Consequences

Effects of the No Action Alternative

Under the No Action Alternative, wetlands, waters of the U.S., and riparian areas will continue to be impacted by the current condition of the road and parking areas. The impacts may increase in severity over time as conditions continue to deteriorate.

Effects of the Action Alternative

Based on current plans, 0.85 ha (2.08 ac) of wetlands would be impacted by road reconstruction. The amounts and types of wetlands that would be affected by the proposed project are about 0.51 ha (1.25 ac) of palustrine emergent wetland, about 0.28 ha (0.68 ac) of scrub/shrub wetlands, and about 0.06 ha (0.15 ac) of forested wetlands. Most of the wetlands that would be affected by the proposed project currently provide production export, food chain support, sediment shoreline/stabilization, general wildlife and fish/aquatic habitat functions, and recreational/educational potential. Under the Action Alternative, about 1.02 ha (2.52 ac) of riparian areas would be impacted by road reconstruction activities. However, some riparian areas would be better protected by improvements to parking areas on Forest Service lands.

Culverts at road crossings over Tarryall Creek would be replaced with appropriately sized and aligned new culverts. Impacts may include a short-term increase in sedimentation in Tarryall Creek and wetlands during construction. Road cuts would be stabilized and streambank restoration (including planting willows) along streambanks adjacent to the road would be implemented. Improvements to parking areas, eroding slopes, and streambanks affected by the current road condition would help in reducing sedimentation to Tarryall Creek.

VISUAL QUALITY

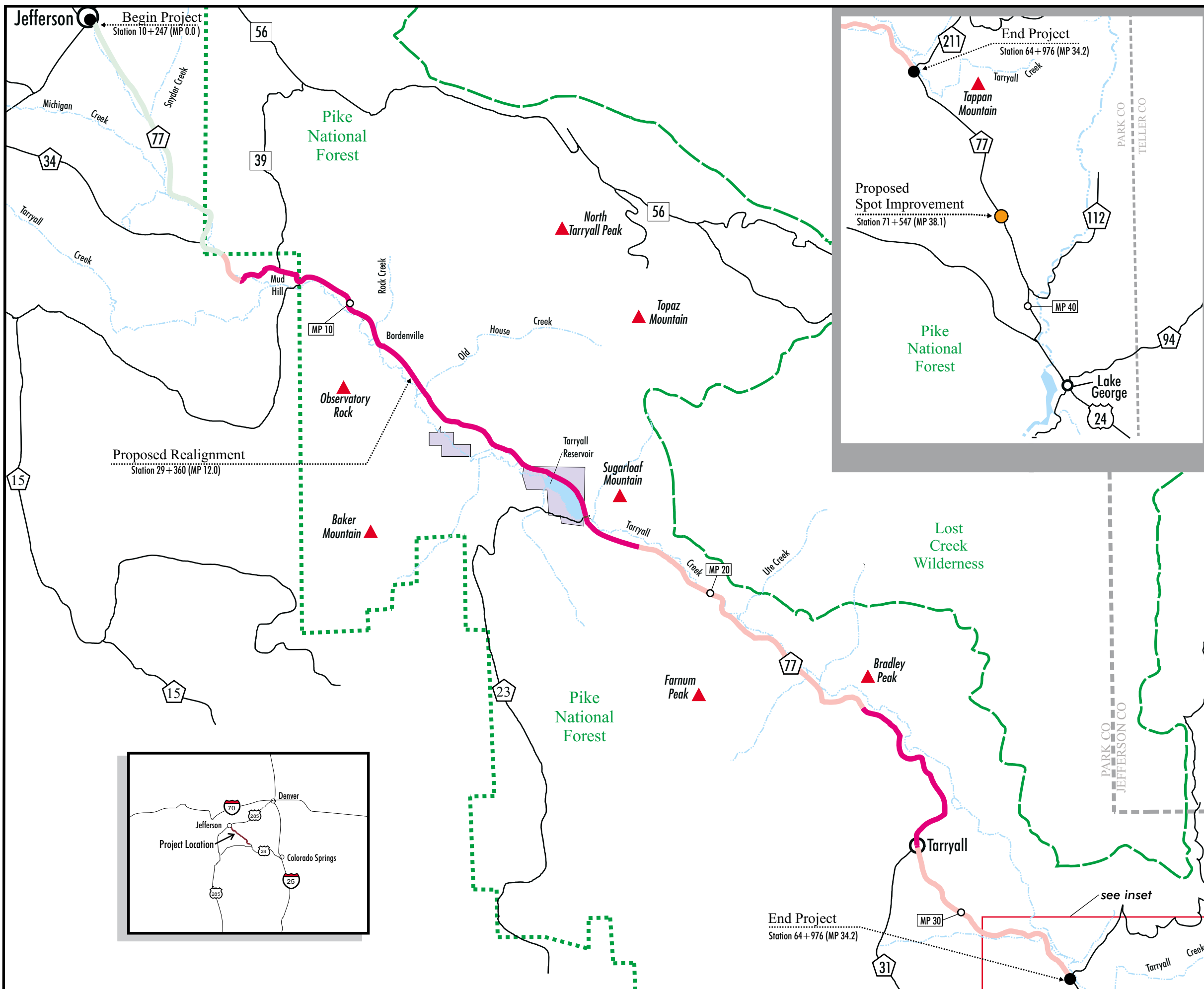
Affected Environment

Three distinct character regions, or areas with similar scenic quality and landscape sensitivity, were identified in the proposed project area (Holdeman Landscape Architecture 2001). These character regions are montane meadow, open valley, and closed valley (Figure 10).

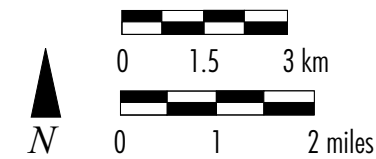
Environmental Consequences

Effects of the No Action Alternative

The road's existing scenic quality, landscape character, and visibility would not change in the No Action Alternative. The road would be maintained in its present footprint and existing parking areas and pullouts would remain. Damaged road segments, raveling pavement of road edges, and eroded slopes that may distract from the scenic views would not change.



- Montane meadow
- Open valley
- Closed valley
- State Wildlife Area
- Pike National Forest boundary
- Wilderness boundary



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Figure 10
Visual Quality
Character Regions

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Effects of the Action Alternative

Impacts on visual resources during construction may be the creation of dust, the presence of construction equipment, and possible short-term nighttime lighting during construction. Under the Action Alternative, widening the road pavement in some locations would enlarge or increase cut faces, fill slopes, and drainage structures. For the Action Alternative, the visible impacts of the road on the landscape would increase. A majority of the proposed alignment would closely follow the existing road alignment. The one proposed realignment has the same scenic quality, landscape sensitivity, and external visibility as the existing road. Proposed improvements to parking areas would increase visible contrasts of the pavement and surrounding landscape.

Areas disturbed by the project would be confined primarily to areas immediately adjacent to the road. The casual forest visitor would not be able to discern the effect of construction in the long term after revegetation is achieved. The road is the primary viewing point and is considered neutral in assessing Visual Quality Objectives. The areas adjacent to the road would meet the Visual Quality Objective of Partial Retention after construction.

The *Pike and San Isabel National Forest Land and Resource Management Plan* (USDA 1984) contains forest-wide standards and guidelines for visual resource management. With the proposed mitigation discussed in [Chapter 4](#), the Action Alternative would be in compliance with the forest-wide standards and guidelines for visual resource management.

RECREATION RESOURCES

Affected Environment

Recreational opportunities along Tarryall Creek Road are found mostly on Forest Service lands and the Tarryall Reservoir State Wildlife Area (SWA). The area adjacent to the road is popular for a variety of recreational activities including hiking, fishing, camping, wildlife viewing, bicycling, four-wheeling, scenic driving, horseback riding, cross-country skiing, snowshoeing, and snowmobiling. The road provides access to trails into the Lost Creek Wilderness. Of the 54.7 km (34.2 mi) of the proposed project, over half pass through private land. About 16 km (10 mi) pass through the Pike National Forest, 3.2 km (2 mi) pass through Tarryall Reservoir SWA, and 1.6 km (1 mi) pass through Bureau of Land Management (BLM) land.



Pike National Forest

Developed recreation sites within the Pike National Forest include campgrounds, picnic areas, and trailheads with parking. Four campgrounds are located within the proposed project area. One other campground, Happy Meadows, is located along South Platte River Road (CR 112) at the southern terminus of the proposed project. Tarryall Reservoir SWA, comprised of 359 ha (886 ac), has become an important aquatic recreation and wildlife area, attracting 11,000 visitors annually (Park County 1999). Two guest ranches along Tarryall Creek Road accommodate

visitors overnight or for longer stays. In addition to developed recreation sites, the proposed project area is used for dispersed recreation, including informal parking and scenic viewing; trails for hiking, horseback riding, cross-country skiing, snowshoeing, and access to backcountry camping; fishing and hunting; and use by off-highway vehicles such as snowmobiles. Several popular trails are located along Tarryall Creek Road. The Spruce Grove, Twin Eagles, and Ute Creek Trailheads provide access to the Lost Creek Wilderness and opportunities for hiking, horseback riding, cross-country skiing, snowshoeing, and backcountry camping. A number of areas proposed for parking and angler access currently serve informally for parking.

Tarryall Creek between Jefferson and Tarryall provides fishing opportunities. There is creek access on the National Forest below Spruce Grove Campground and limited creek access on the National Forest at the Ute Creek Trail bridge below Tarryall Reservoir. The CDOW manages Tarryall Reservoir SWA and 6.4 km (4.0 mi) of Tarryall Creek for rainbow, brown, and brook trout fishing.

Environmental Consequences

Effects of the No Action Alternative

The No Action Alternative would not affect existing recreation opportunities available along the road, but would not offer needed improvements to parking areas. Current poor road conditions would continue to discourage bicycling and pedestrian use of the road shoulder.

Effects of the Action Alternative

Under the Action Alternative, the recreation experience for most visitors would probably improve in the long-term. Travel lanes and shoulder widths would increase, allowing drivers to more easily enjoy the scenery. Wider shoulders on both sides of the road probably would encourage motorists to share the road with bicyclists and pedestrians. Added room along the road shoulder would increase safety for bicyclists and for pedestrian uses. Intersections, such as campground turnoffs, Forest Service roads, County roads, and access onto private properties would be upgraded to improve sight distance where needed.

Parking areas would be sized, located and constructed more appropriately, which would improve both visitor experience and safety. Thus, the Action Alternative would provide more opportunities to experience scenery, trails, lakes, and streams along the road. During construction, temporary road closures, increased truck and construction traffic on the road, noise, and dust probably would inconvenience recreationists near the road.

NOISE

Affected Environment

The entire project area is rural, with the road passing through ranches, ranching subdivisions, and public lands. The existing noise level was computed based on traffic volume, speed, vehicle mix, and other factors using the FWHA RD-77-108 noise model. For an observation site located 30 m (100 ft) from the existing road, with no shielding (trees or buildings) and no barriers (berms or walls), the noise level in 2001 was 48 decibels.

Environmental Consequences

Effects of the No Action Alternative

Traffic-generated noise would continue under the No Action Alternative at the same predicted rate as identified under the Action Alternative discussed below, because traffic growth is expected to increase at the same rate with or without the proposed road improvement. Construction-generated noises would not occur under the No Action Alternative.

Effects of the Action Alternative

The predicted noise level for 2024 is 56 decibels at an observation site located 30 m (100 ft) from the road with no shielding and no barriers. A noise impact is considered to occur if projected traffic noise levels approach or exceed noise abatement levels in the area or when the predicted traffic noise levels substantially exceed the existing noise levels (23 CFR 772). The criterion for residential, picnic areas, parks, and schools is 67 decibels, and the criterion for lands on which serenity and quiet are of extraordinary value is 57 decibels. Most State highway agencies use either a 10- or 15-decibel increase in noise levels to define a “substantial increase,” or they may use a sliding scale with greater allowance for increases from a lower base level. The projected noise level of 56 decibels does not approach the noise abatement criteria, nor is the increase in noise above the existing 48 decibels considered substantial.

During construction, noise would be generated by the operation of heavy equipment, some blasting, and worker vehicles. Construction-generated noise, however, would be temporary and would not require long-term mitigation.

LAND USE

Affected Environment

Existing Land Uses

A wide variety of year-round recreational activities occur on Forest Service-managed lands near Tarryall Creek Road. The proximity to the Lost Creek Wilderness provides opportunities to access wilderness recreational experiences near the highway. Areas along Tarryall Creek Road are used during the summer for camping, mountain biking, and four-wheel driving, in the fall for hunting, and in the winter for snowmobiling and cross-country skiing. Recreation is discussed in greater detail in the *Recreation Resources* section.



Ranch Outbuilding

Lands near Tarryall Creek Road provide important habitat for bighorn sheep, deer, elk, and a variety of other species. A number of trout species have been introduced into Tarryall Creek along Tarryall Creek Road. Wildlife is discussed in greater detail in the *Wildlife* section.

Private development along Tarryall Creek Road includes some single-family residential homes and ranches, many of which are used seasonally and some of which are used year-round. Ranch

operations along Tarryall Creek Road include four grazing allotments, some of which are open range. At times cows and calves may congregate on the road. On average, livestock mortality due to collisions by vehicles is low, less than one annually (Mayben 2002).

Existing Land Management

The proposed project area consists of six land use areas: the Pike National Forest, Tarryall Reservoir SWA, BLM lands, the town of Jefferson, the community of Tarryall, and private lands. Two land management plans apply to the proposed project area: the 2001 *Park County Strategic Master Plan* (RNL Design 2001) and the 1984 *Land and Resource Management Plan, Pike and San Isabel National Forests* (USDA 1984).

The proposed project area is primarily rural and zoned agricultural with the exception of some small areas zoned residential. Park County developed a strategic master plan in 2001 to guide decisions associated with the physical development of the County (RNL Design 2001). Under the plan, the County established policies in areas such as transportation, land use, water, environmental quality, open space, and historic preservation. The strategic master plan calls for prioritizing the upgrading and maintenance of the County's primary collector roads. Other preferred scenarios in the strategic master plan include concentrating higher density residential development in designated growth areas (none of which are identified on Tarryall Creek Road), preserving priority cultural resources, and limiting development in areas with significant natural resources.

Land management direction for the Pike National Forest is described in the *Land and Resource Management Plan* (USDA 1984). The plan provides forest-wide management goals, objectives, and standards. In addition to forest-wide goals, the Forest Service has established specific management area (MA) standards that govern land use. The MA adjacent to the proposed project area is managed for rural and roaded natural recreation opportunities (MA 2B).

Environmental Consequences

Effects of the No Action Alternative

The No Action Alternative would not affect existing land uses along the road. Recreation resources and wildlife habitat would not be affected by the proposed project.

Effects of the Action Alternative

The proposed project would alter existing land use in some locations. Wildlife habitat and vegetation resources would be lost in areas where the road would be widened to 7.3 m (24 ft).

One realignment is proposed under the Action Alternative. In this area, the existing roadbed would be removed and the area reclaimed. Park County would acquire the needed right-of-way. Wildlife habitat and vegetation resources would be lost in these areas, but would be recovered where the road is removed.

Livestock mortality from vehicle collisions following construction may increase if improved roads result in increased driving speeds. However, this may be offset by sight distance

improvements. An increase in livestock mortality may result in an unrecoverable loss to the permittee.

Short-term impacts would occur in areas disturbed by construction outside of the road footprint. Disturbed areas would be reclaimed using native vegetation species following construction. As revegetation becomes established, the reclaimed areas would provide similar uses as the adjoining areas.

Compliance with Applicable Land Use Plans

The proposed project would be in compliance with the *Park County Strategic Master Plan* (RNL Design 2001). The proposed project would upgrade and maintain the primary rural collector road that links major recreational assets to major highways.

Most of the Forest Service lands in the proposed project area are in MA 2B—rural and roaded natural recreation opportunities. The proposed project would enhance the road recreation opportunities by improving parking areas, improving the road surface, and alignment consistency. Proposed reclamation of road cuts and realignment areas would restore the landscape to the desired visual quality. The proposed project would comply with forest-wide and management area-specific standards and guidelines.

CULTURAL RESOURCES

Affected Environment

Through consultations with the Colorado State Historic Preservation Office (SHPO), the Park County Historic Preservation Advisory Commission (PCHPAC), and affected landowners, the FHWA has determined there are 19 eligible historic properties near or within the road right-of-way and one that is listed on the National Register of Historic Places (NRHP) (Table 4). All 20 sites are of a historic nature, representing early settlement, mining, and ranching activities from the latter half of the 19th Century to the early 20th Century.

In addition, consultations have been held with federally recognized Native American tribal governments to determine the presence or absence of properties possessing significance to tribal religious beliefs or practices and cultural affiliation. Although such properties exist in the vicinity, none are present within the project area.

Environmental Consequences

Effects of the No Action Alternative

If no action is undertaken, most of these historic properties would not be affected. However, some of the features associated with these properties are very near the driving lanes, and their proximity to the road poses a high risk of damage and vandalism. The No Action Alternative would result in the continuation of this threat, and may result in future adverse effects to some of the historic properties.



Tarryall School

Table 4. FHWA agency determinations of effects to historic properties located within the area of potential effects of CO FH 81, Tarryall Creek Road.

Site Name	Location Relative to Road	Eligible Criteria [†]	Agency Determination in Accordance with NHPA
Willard R. Head Ranch	Both sides	a,b,c,d	No Adverse Effect
Wright Homestead	Both sides	a,c,d	No Adverse Effect
Miller Ranch	Both sides	a,c,d	No Adverse Effect
Dunbar/Robbins Ranch	North side	a,c	No Historic Properties Affected
Olney Borden Ranch	Both sides	d	No Adverse Effect
Timothy Borden Ranch	Both sides	a,c,d	No Adverse Effect
No name (historic site)	North side	a,c	No Adverse Effect
Derby Cabin	West side	c	No Historic Properties Affected
Ute Trail River Resort	North side	a,c	No Adverse Effect
No name (historic site)	West side	c	No Adverse Effect
Williams Ranch	Both sides	a,c	No Adverse Effect
Sidney Derby Ranch	Both sides	d	No Adverse Effect
Denny Place	South side	d	No Historic Properties Affected
Derby Residence	Northwest side	d	No Historic Properties Affected
No name (historic site)	Northwest side	d	No Historic Properties Affected
No name (historic site)	Southeast side	d	No Historic Properties Affected
Tarryall School	East side	a, Listed	No Adverse Effect
Marksbury/Davenport Residence	North side	a,d	No Historic Properties Affected
Tenderfoot Mining Claim	West side	a,d	No Historic Properties Affected
Gloss Ranch	Both sides	a,c	No Adverse Effect

[†]National Register of Historic Places eligibility criteria (from 36 CFR Part 60.4, Criteria for Evaluation) are defined as:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

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

Site locations are not provided to protect the privacy of private owners.

Effects of the Action Alternative

In accordance with the National Historic Preservation Act (NHPA), the FHWA has determined that the Action Alternative would cause no adverse effects to the eligible and listed historic properties (Table 4; also see correspondence under Cultural Resources in Appendix A). In the few places where the integrity of historic features are threatened by proximity to the road, the FHWA has designed measures to either slightly shift the alignment away from the feature, or confine the construction limits in such a manner that the feature would not be harmed. In these instances, although care would be given to ensure that no harm would occur, the FHWA would monitor those historic properties during construction and repair any damage incurred as a result of construction activities.

SOCIOECONOMIC RESOURCES

Affected Environment

Populations and Demographics

The population in Park County grew from 7,174 in 1990 to 14,523 in 2000 (U.S. Census Bureau 2001a and 2001b), an annual average increase of 8.2 percent. Population growth in Park County is due in large part to its proximity to Denver and several mountain resorts (Park County 1999). The County population is expected to increase about 9.8 percent annually from 2000 to 2010, while state population is expected to increase by 2 percent annually (Colorado Department of Local Affairs 2001a).

Employment

The average unemployment rate for Park County in 1999 was 3 percent, similar to the state average of 2.9 percent (Colorado Department of Local Affairs 2001b). Historically, mining and ranching were the most important economic sectors in Park County. The County economy has become less dependent on these sectors, and more dependent on tourism and real estate (Park County 1999).

The largest employer in Park County is local government, which employed 594 workers in 1999. From 1990 to 1999, the services, government, retail, and construction sectors consistently made up the largest part of the County economy. In recent years, the finance, insurance, real estate; transportation and public utilities; and construction sectors have shown significant growth (Bureau of Economic Analysis 2001; Park County 1999).

Income

Per capita personal income in Park County increased during the period from 1990 to 1999. In 1990, per capita personal income in Park County was \$17,391. In 1999, per capita personal income (\$23,761) had grown by about 37 percent since 1990 or 3.5 percent annually.

In 1999, total personal income in Park County was \$337.8 million, up from about \$125.5 million in 1990, reflecting an average annual growth rate of about 11.6 percent (Bureau of Economic Analysis 2001). About one-fifth of the personal income is generated through transfer payments,

dividends, interest, and rent, of which retirees account for half (Bureau of Economic Analysis 2001).

Environmental Consequences

Effects of the No Action Alternative

Under the No Action Alternative, the project area economy may be at risk of losing tourism because of the road's continued deterioration.

Effects of the Action Alternative

Population and Employment. The Action Alternative would result in a small, short-term increase in population in Park County due to the employment of about 30 to 60 seasonal construction workers. The construction workforce would represent a small population increase, which would not adversely change the area's demographics.

Income. The Action Alternative would result in increased expenditures for living and construction expenses associated with jobs and construction on the road. For workers that live in the proposed project area, the income earned likely would remain in the project area. For workers that reside outside the project area, a significant part of their earned income would go back to the area where they reside.

Local businesses providing lodging, meals, equipment, fuel, operating supplies and other consumer goods and services would benefit from increased expenditures. These expenditures would positively affect the local and regional economies both directly and indirectly. Direct economic benefits include dollars spent in the local economy by project workers. Local merchants and other providers of goods and services would benefit. Indirect or secondary economic benefits also would be associated with the Action Alternative. Indirect income results when dollars from an initial purchase of goods and services are spent again. For example, for every paycheck dollar spent on local gasoline or groceries, a portion is spent again by the receiver for other goods and services. Direct and indirect expenditures also would boost local and state taxes.

Tourism. In the short term, tourists traveling the road would experience delays and limited closures associated with summer construction. In the long term, the road would be improved significantly, which probably would increase a driver's sense of safety for the increasing numbers of tourists who travel the road each year.

Environmental Justice. Executive Order No. 12898 addresses environmental justice in minority and low-income populations. The Action Alternative would not have disproportionately high adverse effects on minority or low-income populations.

OTHER ISSUES

Hazardous Materials

An initial site assessment was conducted along the Tarryall Creek Road corridor in accordance with ASTM Standard E1527-94. The assessment included a corridor of 60 m (200 ft) centered on the centerline of the entire road, and the proposed realignment area. The site assessment indicated the following:

- Discarded creosote-soaked railroad ties located at:
 - Station 14+592 (MP 2.7), about 8 m (26 ft) from the north edge of the pavement
 - Station 41+307 (MP 19.3) near the road
 - Station 45+492 (MP 21.9), about 10 m (38 ft) from the north edge of the pavement
- Solid waste consisting of discarded household and miscellaneous rubbish, at:
 - Station 28+111 (MP 11.1), about 20 m (75 ft) from the north edge of the pavement
 - Station 65+126 (MP 34.1), about 20 m (75 ft) from the north edge of the pavement
- Bridge at the Tarryall Reservoir, Station 38+571 (MP 17.6), that may have lead-based paint.

If the No Action Alternative is undertaken, the recognized environmental conditions would remain in place unless the County or the landowners take steps on their own to remove them.

If the Action Alternative is undertaken, the FHWA would have all railroad ties and solid waste materials that lie within the construction limits removed and disposed of in a permitted landfill. The bridge below Tarryall Reservoir would be dismantled and disposed of at an appropriate waste facility. Replacement of the bridge would occur during the second construction phase.

Private Property and Right-of-Way

The FHWA and Park County have reviewed existing rights-of-way and determined that several private properties adjacent to the road would be affected. Under the No Action Alternative, no right-of-way would be acquired. If the Action Alternative is implemented, rights-of-way would be acquired. Property acquisitions would be made by Park County in accordance with applicable provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (P.L. 91-646) as amended by the Uniform Relocation Act Amendments of 1987 (P.L. 100-17).

Private property owners along the road have expressed their desires to keep the road on its existing footprint and either eliminate or reduce the amount of private land needed for road improvements. Likewise, Park County officials have expressed their need to keep acquisitions as minimal as possible due to budgetary restraints. The FHWA considered these requests and responded by minimizing, wherever possible, the need for private property acquisitions. For example, several of the previously considered realignment alternatives have been eliminated and every attempt feasible is being made to keep the road within or as near as possible to its existing footprint. Nevertheless, some rights-of-way would need to be acquired. For the first phase of

the project, the FHWA has estimated that 9.1 ha (22.5 ac) of property need to be acquired; 6.1 ha (15.2 ac) private, and 3 ha (7.3 ac) public. However, engineering design on this phase is currently at 30 percent. The FHWA would continue to try to reduce the amount of private property needed for the first phase.

The FHWA, Park County, and Pike National Forest would review engineering design of the second and third phases as they are developed. Based on design of these phases, which is presently less than 30 percent, it is estimated that an additional 40 ha (99 ac) would be needed; 13.3 ha (33 ac) private, and 26.7 ha (66 ac) public. Altogether, it is estimated that Park County may spend from \$200,000 to \$350,000 for right-of-way acquisition. However, every effort would be made to continue to reduce the amount of private lands needed for road improvement.

Table 5. Comparison of effects by alternative.

No Action Alternative	Action Alternative
Vegetation	
No new vegetation impacts. Continued disturbance to roadside vegetation from vehicles parking on shoulders and informal pullouts.	Temporary construction disturbances and a permanent loss of vegetation resources. A long-term loss of vegetation would occur within the footprint of the widened road, shoulder, realignment, and drainage structures. In these areas, vegetated cover would be replaced with an impermeable surface.
Wildlife	
No new land-disturbing activities that would affect wildlife. Continued potential for road kill. Potential for sedimentation of streams from deficiencies in drainage.	Temporary and permanent disturbance to wildlife habitat as described for vegetation. Slightly increased potential for road kills from higher vehicle speeds, although speed limits would remain the same. Wildlife may avoid habitat adjacent to the road during construction.
Threatened and Endangered Species	
No new habitat loss for lynx or its primary prey. Indirect impacts on lynx may occur with increased traffic and recreational activity along the Tarryall Creek Road corridor.	Potential impact on lynx would include a loss of habitat, increased habitat fragmentation, and an increased mortality risk. In addition, lynx may avoid habitat near the road during construction. The effect of lost habitat from road widening would be minor because lynx use of habitat adjacent to a road typically is limited. No known lynx den sites are near the road and lynx are unlikely to den close to the road because of the existing traffic and human activity. The loss of forest and riparian habitat would slightly reduce available prey habitat and foraging opportunities for lynx. The FHWA is currently consulting with the FWS under Section 7 of the ESA. Currently, the FWS is considering the FHWA’s finding that the proposed action may affect, but is not likely to adversely affect the lynx.
Wetlands, Waters of the U.S., and Riparian Areas	
No new impacts on wetlands. Continued sediment deposition in wetlands from roadside erosion.	Direct impact to 0.85 ha (2.08 ac) of wetlands and 1.02 ha (2.52 ac) of riparian areas by road reconstruction activities.

Table 5. Comparison of effects by alternative (continued).

No Action Alternative	Action Alternative
Visual Quality	
<p>No new effects on visual quality. Damaged road segments and raveling pavement edges would continue to distract from the scenic views.</p>	<p>Impacts on visual resources during construction would be the creation of dust, the presence of construction equipment, and possible short-term nighttime lighting during construction. Widening the road pavement in some locations would enlarge or increase cut faces, fill slopes, and drainage structures. Visible impacts of the road on the landscape would increase. A majority of the proposed alignment would closely follow the existing road alignment. Proposed parking area improvements would increase visible contrasts of the pavement and surrounding landscape.</p>
Recreation Resources	
<p>No effect to existing recreation opportunities available along the road, but would not offer needed improvements to parking areas.</p>	<p>Added room along the road shoulder would increase safety for bicyclists and pedestrians. Major intersections, such as campground turnoffs, would be upgraded to improve sight distance where needed. Parking areas would be sized, located and constructed more appropriately, which would improve visitor safety and would provide opportunities to experience scenery, way trails, and lakes and streams along the road.</p>
Noise	
<p>Increased noise from growth-related increase in traffic.</p>	<p>Temporary increase in noise during construction. Increased noise from growth-related increase in traffic, but not approaching or exceeding noise abatement levels.</p>
Land Use	
<p>No effects on existing land uses along the road. Recreation resources and wildlife habitat would not be affected by the proposed project.</p>	<p>One realignment is proposed under the Action Alternative. In the area of the proposed realignment near Station 29+360 (MP 12), the existing roadbed would be removed and the area reclaimed. Park County would acquire the needed right-of-way. In this area, private property would become County owned and the new right-of-way would be used for transportation purposes. Livestock mortality from vehicle collisions following construction may increase if the improved road results in increased driving speeds. An increase in mortality may result in an unrecoverable loss to the permittee.</p>
Cultural Resources	
<p>No adverse effects to historic properties.</p>	<p>Through consultations with the SHPO, PCHPAC, and affected landowners, the FHWA has determined that the Action Alternative would cause no adverse effects to the eligible and listed historic properties. In the few places where the integrity of historic features is threatened by proximity to the road, the FHWA has designed measures to either slightly shift the alignment away from the feature, or confine the construction limits in such a manner that the feature would not be harmed.</p>

Table 5. Comparison of effects by alternative (continued).

No Action Alternative	Action Alternative
Socioeconomics	
<p>The project area economy may be at risk of losing tourism because of the road's continued deterioration. The services sector in Park County probably would be impacted if tourism associated with scenic driving on the road decreased because of safety issues.</p>	<p>Short-term increase in employment of seasonal construction workers and local and regional spending. No anticipated negative effect on local businesses from reduced tourism. Possible long-term tourism benefit from improved road conditions.</p>
Hazardous Materials	
<p>Recognized environmental conditions would remain in place unless the County or the landowners take steps on their own to remove them.</p>	<p>FHWA would have all railroad ties and solid waste materials that lie within the construction limits removed and disposed of in a permitted landfill. The bridge below Tarryall Reservoir would be dismantled and removed to an authorized solid waste facility. Replacement of the bridge would occur during the second construction phase.</p>
Private Property and Rights-of-Way	
<p>No right-of-way would be acquired.</p>	<p>Rights-of-way would be acquired. For the first phase of the project, the FHWA has estimated that 9.1 ha (22.5 ac) of property need to be acquired; 6.1 ha (15.2 ac) private, and 3 ha (7.3 ac) public. However, engineering design on this phase is currently at 30 percent. The FHWA would continue to try to reduce the amount of private property needed for the first phase. The FHWA, Park County, and Pike National Forest would review engineering design of the second and third phases as they are developed. Based on design of these phases, which is presently less than 30 percent, it is estimated that an additional 40 ha (99 ac) would be needed; 13.3 ha (33 ac) private, 26.7 ha (66 ac) public. Altogether, it is estimated that Park County may spend from \$200,000 to \$350,000 for right-of-way acquisition.</p>

CHAPTER 4. SUMMARY OF ENVIRONMENTAL COMMITMENTS

This chapter summarizes the environmental commitments that will be a part of the Action Alternative. These commitments will be incorporated during final design or project implementation.

VEGETATION

- The first priority following construction will be to re-establish ground cover using native vegetation species. This will help control erosion and sedimentation into nearby streams. Seed, mulch, and fertilizer (where needed) will be placed on all cut and fill slopes that are capable of sustaining vegetation. If hay or straw mulch is used, it will be free from weeds, mold, or other objectionable materials.
- Tree removal will be kept at a minimum.
- Topsoil will be salvaged from within the construction limits and redistributed prior to revegetation. It is possible that sediment from Tarryall Reservoir will be available for additional topsoil.

WILDLIFE

- Certain construction activities, to be coordinated between the FHWA and the Forest Service, will be restricted from within designated mule deer calving areas on Forest Service lands during the calving season, May 15 through June 16.
- New culverts will be designed to ensure that they will not create a barrier to fish movement.

THREATENED AND ENDANGERED SPECIES

- The FHWA is currently consulting with the FWS under Section 7 of the ESA Act. Currently, the FWS is considering the FHWA's finding that the proposed action *may affect, but is not likely to adversely affect* the lynx. If the FWS concurs with this finding, it is likely there will be no mitigating factors. However, in the case where the FHWA and the FWS determine there is need for an environmental commitment, it will be incorporated into the project design and road construction. If the FWS does not concur with this finding, the FHWA will continue to consult with the FWS to reach an agreement, and incorporate the results into the project design and road construction.

WETLANDS AND RIPARIAN AREAS

- FHWA consulted with the USACE to determine the effects of the proposed project on wetlands and to develop measures to avoid or minimize impacts to them. Mitigation during construction includes silt fencing and proper erosion control techniques. FHWA has requested and has been approved for potential purchase of credits at the Warm Springs Wetland Mitigation Bank, located near Fairplay, Colorado, for mitigation of impacts related to the Tarryall Creek Road project (see correspondence under Wetlands in [Appendix A](#)).

CHAPTER 4. SUMMARY OF ENVIRONMENTAL COMMITMENTS

- Impacts to some wetlands are unavoidable, particularly in cases where wetlands are immediately parallel or perpendicular to the road. The FHWA will obtain a Section 404 permit from the USACE for these unavoidable impacts.
- The Forest Service has inspected areas on its lands to evaluate potential areas for riparian improvements. Two informal parking areas on Forest Service property will be reclaimed as riparian areas. The first is the relocation of the Rocky Canyon Angler parking area located at Station 21+140 (MP 6.2) to the opposite side of the road on a large gravel bench currently used as an informal parking area and material storage site. The second is the elimination of the Spring Gulch parking area at Station 52+700 (MP 26.4).
- During final design, the FHWA will coordinate with Park County and the Forest Service to determine where the use of willow stabilized embankments will be effective. One such site already identified is the stretch of roadway from Station 19+560 to 19+840 (MP 5.8 to MP 6.0), just prior to the Rocky Canyon parking area. Another riparian impact that may be eliminated or reduced is at the curve at Station 21+700 to 21+900 (MP 7.1 to MP 7.2).

VISUAL QUALITY

- Rock formations will be avoided as much as is possible. Blasting will be done in a way that avoids the defined, vertical holes that sometimes result.
- Existing vegetation will be retained as much as possible.
- The road surface will consist of an asphalt chip-seal surface that will better match the current character of the road.
- Blasting patterns will be manipulated to create rock surfaces, terraces, and ridges similar to undisturbed rock faces and outcrops.
- Cut faces will be shaped to blend with, and be similar to adjacent undisturbed rock faces.
- Terracing, surface stone placement, and revegetation will match adjacent undisturbed ground surfaces and land forms.

RECREATION RESOURCES

- Access to campgrounds and other developed recreation resources will be maintained. The Forest Service will have additional opportunities to review and provide comments through the final design.

NOISE

- Construction equipment will be well maintained, especially with respect to mufflers, and equipped with spark arrestors.
- Notification of blasting locations, dates, and times will be given in advance through on-site informational signs.

LAND USE

- Cattle guards, irrigation ditches, and fences will be replaced or repaired where such structures are impacted by construction operations or right-of-way acquisitions. At the

request of the Forest Service, additional cattle guards and warning signs may be installed. The locations of these will be coordinated with Park County and the Forest Service.

CULTURAL RESOURCES

- The FHWA will continue to consult with the SHPO, PCHPAC, and affected landowners as project design continues to develop. Due to the proximity of some eligible historic properties, the FHWA, through a qualified archeologist, will monitor select historic properties, in accordance with consultations and agreements developed under the NHPA with the SHPO, PCHPAC, and affected landowners.
- If previously unknown cultural resources are discovered during construction, work will stop in the immediate vicinity until the resource can be evaluated in accordance with the NHPA by the FHWA. If it is determined that such resources are eligible for inclusion in the NRHP, the FHWA will conduct such mitigation measures that will be developed through consultation with the SHPO, PCHPAC, and the affected landowner.

SOCIOECONOMIC RESOURCES

- Public notices of construction locations, dates, and times will be given in advance through the local news media and on-site informational signs.
- Construction will occur in three separate phases estimated to begin in 2004. Each phase will take place during two seasons or a 2-year period. Access along Tarryall Creek Road is expected to remain open to visitors throughout most of the period of construction. Traffic delays during peak season will be kept within about 30 minutes to minimize inconvenience to visitors.

HAZARDOUS MATERIALS

- The construction contractor will remove all existing wastes located within the construction limits and dispose of them at an appropriate waste facility.
- The construction contractor will be required to comply with all Federal, State, and local laws and regulations controlling pollution of the environment. Precautions will be taken to prevent pollution of streams and nearby waterways with silt, oils, fuels, bitumens, or other harmful materials. The contractor will be required to prevent pollution of the atmosphere from particulate and gaseous matter by implementing appropriate surface watering and proper maintenance of construction equipment.
- In the event of an accidental spill by the construction contractor, containment measures will be implemented immediately. For an accidental spill of petroleum products in reportable quantities or if hazardous materials are encountered during construction, the Colorado Department of Public Health and Environment will be contacted immediately to determine appropriate additional measures.

RIGHT-OF-WAY

- Right-of-way acquisitions will be limited to the requirements for construction operations and maintenance. The FHWA will continue to coordinate the development of project design with Park County and affected private property owners.

CONSTRUCTION

- Construction will occur from ½ hour after sunrise to ½ hour before sunset within a 2 km (1.25 mi) distance to the nearest residence.
- Water will be applied to control dust during construction. After the roadway is graded, a dust palliative will be applied to prevent dust if surfacing will not be completed immediately thereafter.
- Effective erosion and sedimentation control measures will be implemented. Construction site drainage will be controlled.
- The area of excavation, borrow, grading, and embankment operations will be limited commensurate with the contractor's capability and progress in accomplishing finished grading, seeding, mulching, and other erosion control measures.
- The contractor will be required at all times to conduct the work in a manner that ensures the safety and convenience of the general public and the residents along the highway and ensures the protection of persons and property.
- The contractor will be required to keep work areas in an orderly condition; to dispose of all refuse properly; and to obtain permits for the construction and maintenance of all construction camps, stores, warehouses, latrines, and other structures in accordance with applicable requirements. Under no conditions will litter be left where it can gain entry into any live stream or other body of water.
- The contractor will use only areas approved by the FHWA, Park County, and Forest Service for storing material and equipment.
- If material will be obtained from a location other than a commercial source, the construction contractor will secure all permits and clearances.
- All construction equipment will be thoroughly washed before being brought into the project area to avoid introducing undesirable plants and noxious weeds.
- Contractor-furnished topsoil must be free of subsoil, refuse, stumps, roots, brush, weeds, or other substances detrimental to the development of vegetative growth. Seed must be certified for purity and weed seed content.
- The contractor will furnish plants that are essentially free from plant diseases and insect pests.
- A permit will be obtained to allow discharge of storm water from 2 ha or more (5 ac. or more) to state waters. A stormwater management plan will be prepared as part of the CDPS permit process to address construction-related sediment and erosion control plans. In addition, a construction dewatering permit will be obtained.
- Revegetation success will be monitored and remedial measures will be taken for areas that do not revegetate. Revegetation establishment will need to meet CDPS permit requirements before an Inactivation Notice can be issued.

CHAPTER 5. CONSULTATION AND COORDINATION

In 1995, the FHWA held public scoping meetings to provide information and solicit public issues and concerns about a proposal to reconstruct Tarryall Creek Road to uniform standards. The proposed project was reduced in priority status in 1996. In 1998, the FHWA completed a rehabilitation project from Station 64+976 to Station 86+847 (MP 34.2 to MP 47.6) near Lake George. With the passage of the Transportation Equity Act for the 21st Century and the reduction in priority of some Forest Highway projects in Colorado, the proposed Tarryall Creek Road project received increased priority in 1999.

In July 1999, the FHWA held two public meetings on a proposal to rehabilitate and reconstruct the remainder of Tarryall Creek Road from Station 10+247 to Station 64+976 (MP 0 to MP 34.2). These meetings were held in Jefferson and Lake George on July 24, 1999. Before both meetings, the FHWA sent a notice to individuals, organizations, and agencies announcing the public meetings. In addition, public notices were placed in the news sections of the *Denver Post*, *Rocky Mountain News*, *Hustler (Jefferson County)*, *The High Country Trader*, and *Fairplay Flume*.

During project development, the FHWA held several SEE Study Team meetings to discuss environmental issues, design considerations, and the project schedule. These meetings were held on: May 12, 1999; July 23, 1999; December 12, 2000; November 9, 2001; and January 9, 2002.

Additional FHWA consultation and coordination meetings, not noted in this EA or in the technical reports, include:

- May 1, 2000: FHWA met with the SHPO to discuss the cultural resource inventory report.
- May 10, 2000: FHWA met with the PCHPAC to discuss the cultural resource inventory report.
- October 24, 2000: FHWA met with the USACE to inspect the wetland delineations.
- February 8, 2001: FHWA met with the Forest Service to discuss the environmental studies.
- April 5, 2001: FHWA met with the FWS to discuss potential impacts to the lynx.
- May 15, 2001: FHWA met with Alpine Archaeological Consultants, Inc. to inspect the locations of historic properties.
- June 20, 2001: FHWA met with the USACE to inspect the conceptual wetland mitigation sites.
- June 21, 2001: FHWA met with the South Park Focus Area Committee to discuss the wetland delineation efforts, potential impacts from the proposed project, and potential mitigation sites.
- August 9, 2001: FHWA met with the SHPO to discuss the conceptual road design and potential impacts to historic properties.
- August 19, 2001: FHWA met with the PCHPAC to discuss the conceptual road design and potential impacts to historic properties.

CHAPTER 5. CONSULTATION AND COORDINATION

- August 21, 2001: FHWA met with the Environmental Protection Agency to discuss the results of the environmental studies and the direction of the EA.
- September 25, 2001: FHWA attended a public meeting for affected and interested landowners, arranged by the Ute Trail River Ranch, to discuss the proposed project.
- October 17, 2001: FHWA met with the Forest Service to inspect potential impacts to visual resources.
- January 23, 2002: FHWA met with the Forest Service to inspect parking areas and pullouts.
- February 11, 2002: FHWA met with the Warm Springs Wetland Bank to discuss the possibility of purchasing wetland credits.
- February 12, 2002: FHWA met with the FWS to inspect lynx habitat along Tarryall Creek Road and to discuss potential impacts to the lynx.
- February 28, 2002: FHWA met with the USACE to discuss Section 404 permit issues.
- March 19-22, 2002: FHWA met with the Forest Service, Park County, and a representative from the Tarryall Valley Neighborhood Council to conduct a 30 percent design line and grade review of the first phase, from Station 10+247 (MP 0.0) to Station 31+140 (MP 13.0); and met with concerned landowners to inspect and discuss the proposed realignment.

CHAPTER 6. LIST OF PREPARERS

Central Federal Lands Highway Division

Name	Title: Responsibilities	Education	Experience
John Knowles	Project Manager	B.S.; Civil Engineering	13 years
Edward DeCleva	Environmental Protection Specialist; Introduction, Chapter 1, Chapter 2 (co-author), Cultural Resources, Noise, Hazardous Materials, Private Property and Right-of-Way, Chapter 4, Chapter 5, and Appendix B	B.A.; Anthropology	13 years

ERO Resources Corporation

Name	Responsibilities	Education	Experience
Richard Trenholme	Project Management, Chapter 2 (co-author)	B.S.; Agronomy	23 years
Steve Dougherty	Wetlands, Waters of the U.S., and Riparian Areas (co-author)	B.A.; Biology	26 years
Denise Larson	Wetlands, Waters of the U.S., and Riparian Areas (co-author)	M.A.; Plant Ecology	15 years
Mark DeHaven	Wildlife, Forest Resources, Vegetation, Threatened and Endangered Species	M.S.; Natural Resources	22 years
Andy Cole	Land Use, Recreation	M.F.S.; Forest Science	10 years
Anjie Saunders	Socioeconomics	M.E.M.; Environmental Policy and Management	11 years
Mark Holdeman	Visual Resources	BLA; Landscape Architecture	19 years
Janelle Luppen	GIS	B.A.; Land Use	5 years
Sadie Russo	GIS	B.A.; Natural Resource Management	5 years
Mark Bina	Graphics	B.S.; Art	20 years
Martha Clark	Technical editor; document production	B.A.; English	15 years

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CHAPTER 7. REFERENCES

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Appendix A. Agency Consultation

The FHWA had several correspondences with federal, state, and local agencies to solicit their issues and concerns about the proposed project. Letters are categorized by subject below and copies of pertinent correspondence (indicated by an asterisk) appear in Appendix A.

Scoping

- * CDOW to FHWA, December 6, 1994
- * FHWA to CDOW, March 5, 1999
- * CDOW to FHWA, April 5, 1999

Scoping Regarding Public Recreation

- * FHWA to CDOW, December 1, 2000
- * FHWA to CDPOR, December 1, 2000

Cultural and Historic Resources

- SHPO to FHWA, December 1, 1994
- SHPO to FHWA, June 7, 1995
- SHPO to FHWA, April 30, 1996
- SHPO to FHWA, September 10, 1996
- SHPO to NPS, September 24, 1996
- SHPO to FHWA, April 8, 1997
- * PCHPAC to FHWA, September 25, 2000
- * FHWA to PCHPAC, November 16, 2000
- * FHWA to SHPO, September 7, 2001
- * FHWA to PCHPAC, September 7, 2001
- * FHWA to DNR, September 12, 2001
- * FHWA to Forest Service, September 12, 2001
- * Forest Service to FHWA, October 3, 2001
- FHWA to CDPOR, October 17, 2001
- * SHPO to FHWA, November 20, 2001
- * FHWA to SHPO, January 17, 2002
- * FHWA to PCHPAC, January 17, 2002
- * SHPO to FHWA, February 25, 2002

Biological Resources

- * FHWA to FWS, March 5, 1999
- * FWS to FHWA, March 16, 1999
- * FHWA to FWS, December 1, 2000
- * FWS to FHWA, June 26, 2001
- * FHWA to FWS, March 29, 2002

Wetlands

- * USACE to FHWA (ERO Resources), November 2, 2000
- * FHWA to USACE, January 8, 2002
- * USACE to FHWA, January 24, 2002

STATE OF COLORADO
Roy Romer, Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE

AN EQUAL OPPORTUNITY EMPLOYER

Perry D. Olson, Director

Southeast Regional Office:
2126 N Weber Street
Colorado Springs, CO 80907
(719)473-2945



*For Wildlife-
For People*

December 6, 1994

Mr. Larry C. Smith
Federal Highway Administration
555 Zang Street, P.O. Box 25246
Denver, CO 80225-0246

SUBJ: Tarryall Creek Road, Colorado Public Forest Highway (PFH) 81
FHA Scoping Request HPD-16.

Dear Mr. Smith:

The Division has reviewed your scoping request for the above mentioned highway proposal. We would like to offer the following comments for your consideration.

We are concerned with impacts that might occur to Tarryall Creek, Tarryall Reservoir, or any side channels or drainages that feed into these waters. Tarryall Reservoir is a State Wildlife Area providing fishing, camping, and other recreational opportunities. Additionally, approximately 1 1/2 - 2 miles of Tarryall Creek below the reservoir is leased by the Division of Wildlife for public fishing access. As such, we are concerned with any direct or indirect impacts to these facilities, as a result of this project proposal, both to the physical environment and the quality of the outdoor experience. We also are concerned with impacts to wetland and riparian habitats as a result of widening or reconfiguration of the existing roadway.

Mule Deer, Elk, and Bighorn Sheep utilize habitat and cross the roadway between Twin Eagles campground and Spruce Grove Campground. Additionally, Pronghorn Antelope coming out of Badger Flats are using areas adjacent to the roadway near Twin Eagles Campground. Currently, because of low roadway speeds due to confining curves highway mortality to wildlife is low. We are concerned that a road kill problem might develop if the roadway is reconfigured to improve substandard curves which, we believe, would result in higher roadway speeds.

Wintering bald eagles also are known to utilize Tarryall Creek from Tarryall Reservoir down to the Ute Trail Bridge. Although not directly impacted by the actual roadway, timing of construction, if this project should go forward, might be a consideration.

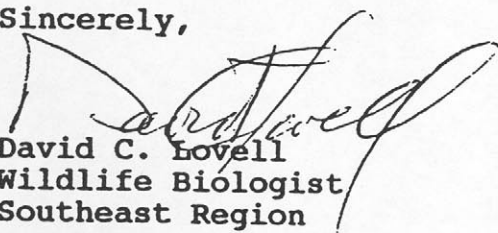
Tarryall Creek Road, Colorado Public Forest Highway 81.
FHA Scoping Request HPD-16
Page 2.

Mountain Plover, a Federal Category 2 species is known to occur in South Park in shortgrass prairie habitats similar to those found along the northern portion of this route. Potential impacts to this species as a result of this project proposal should be part of your investigation.

Finally, construction activities that impact wetland and/or riparian areas might require a State Senate Bill 40 (SB40) permit which is administered by the Division of Wildlife. Close coordination with the Division of Wildlife regarding this and the above mentioned concerns is recommended should this project proceed beyond this preliminary scoping phase.

Please feel free to contact me at (719)473-2945 x227 if you have any questions or require additional information. Thank you in advance for providing this opportunity for input.

Sincerely,



David C. Lovell
Wildlife Biologist
Southeast Region

cc: Mark Lamb, DWM
Ron Zaccagnini, DWM
file



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

Central Federal Lands
Highway Division

555 Zang Street, Room 259
Lakewood, CO 80228

MAR 05 1999
In Reply Refer To:
HPD-16.5

Mr. John Mumma
Director
Colorado Division of Wildlife
6060 Broadway
Denver, CO 80216

Dear Mr. Mumma:

The Federal Highway Administration, in cooperation with Pike National Forest, Park County, and the Colorado Department of Transportation (CDOT), is proposing to improve a portion of Colorado Forest Highway (FH) 81, Tarryall Creek Road. The proposed project begins at the junction with US 285 at Jefferson and extends 55 kilometers (34.1 miles) to the southeast, ending approximately 10.0 kilometers (6.2 miles) past the community of Tarryall. Enclosed is a map showing the project location. The proposed project is located within the following quadrangles: Jefferson, Milligan Lakes, Observatory Rock, Eagle Rock, Farnum Peak, McCurdy Mountain and Tarryall. About one half of the project will be reconstructed and the rest will be repaired and resurfaced. These two treatments will be interspersed along the project.

The FHWA, as lead agency, will be preparing an environmental assessment for this project. We would appreciate receiving your comments, concerns, or factual information you may have concerning this proposal. If you have any questions, please contact Mr. Craig Holsopple, Highway Engineer, at (303)716-2107 or write to the above address, Attention: HPD-16.5, Environment.

Sincerely yours,

/s/ Seth C. Greenwell

for James W. Keeley, P.E.
Project Development Engineer

Enclosure

bc w/o enclosure:

C. Holsopple
S. Popiel

yc: reading file

Central file - CO FH 081, Tarryall Creek Road

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STATE OF COLORADO
Bill Owens, Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE
AN EQUAL OPPORTUNITY EMPLOYER



*For Wildlife -
For People*

John W. Mumma, Director
6060 Broadway
Denver, Colorado 80216
Telephone: (303) 297-1192

April 5, 1999

James Keeley
Federal Highway Administration
555 Zang Street Room 259
Lakewood, CO 80228

RE: Tarryall Creek Road Improvements

Dear Mr. Keeley:

I have reviewed the information provided about this project, discussed specifics with Craig Holsopple, and reviewed it with District Wildlife Manager Ron Zaccagnini. Most of the project consists of repairing/replacing the existing road in place. We think there is little chance of this activity significantly affecting wildlife habitat so long as care is taken to avoid release of pollutants, disturbing habitats beyond the road right-of-way, and avoiding excess siltation by work at stream crossings.

At two locations the road will be re-routed away from the existing alignment. In these instances, if high quality wildlife habitat is affected by the new construction significant impacts may occur. We suggest that at the appropriate time we be allowed to review the plans for these re-alignments.

Let me know if you have any questions.

Sincerely,

Dave Weber
Habitat Biologist

cc: Ron Zaccagnini, DWM



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

Central Federal Lands
Highway Division

555 Zang Street, Room 259
Lakewood, CO 80228

DEC 01 2000
In Reply Refer To:
HPD-16.5

Mr. John Mumma
Director
Colorado Division of Wildlife
6060 Broadway
Denver, CO 80216

Dear Mr. Mumma:

Subject: Colorado Forest Highway 81, Tarryall Creek Road

Please recall from earlier correspondence that the Federal Highway Administration (FHWA) is proposing to improve a 55-kilometer portion of Park County Road 77 (Colorado Forest Highway 81, Tarryall Creek Road). The FHWA has recently completed a biological report addressing species listed by the U.S. Fish and Wildlife Service, the U.S. Forest Service, and the State of Colorado as either threatened, endangered, or indicator species. As a consulting party, you are invited to comment on the enclosed document, *Final Biology Report, Proposed Tarryall Creek Road Project, Forest Highway 81, Park County, Colorado*.

In addition, the FHWA requests that you indicate whether the Colorado Division of Wildlife has acquired or developed any lands in the Tarryall Reservoir with funds appropriated through the Land and Water Conservation Fund Act of 1965 (the Fund). We have noted that two campsites, Derbyshire Gulch and Potato Gulch, are located in the Tarryall Reservoir area. If the Fund has been used to develop either of these campsites or other facilities within the reservoir, please notify the FHWA and provide detailed descriptions.

If you have any comments on the enclosure or a response regarding lands acquired with the Fund, the FHWA requests they are provided by January 12, 2001. Please contact Mr. Ed DeCleva, Environmental Protection Specialist, at (303) 716-2290, with your comments or if you have any questions or need additional information.

Sincerely yours,

15/ T. Samuel Holder

for James W. Keeley, P.E.
Project Development Engineer

Enclosure

bc: M. Taylor / E. DeCleva

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jed



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

Central Federal Lands
Highway Division

555 Zang Street, Room 259
Lakewood, CO 80228

DEC 03 2000
In Reply Refer To:
HPD-16.5

Director
Colorado Division of Parks and Outdoor Recreation
Department of Natural Resources
1313 Sherman Street, Room 618
Denver, CO 80203

Dear Sir:

Subject: Colorado Forest Highway 81, Tarryall Creek Road

The Federal Highway Administration (FHWA), in cooperation with the Pike National Forest and the Colorado Department of Transportation, is proposing to improve a 55-kilometer portion of Colorado Forest Highway 81, Tarryall Creek Road. Park County references the road as County Road 77. Please see the enclosed figure for location of the project area.

Federal agencies are required to determine whether proposed projects are likely to affect public recreation facilities that have been acquired or developed by State or Local governments with assistance from Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (the Fund). If a project is likely to impact any such facility, the agency is required to consult with the State or Local authority and the Department of the Interior to seek alternatives. It is our understanding that in Colorado the State authority is the Division of Parks and Outdoor Recreation.

The FHWA has noted two campsites, Derbyshire Gulch and Potato Gulch, are located at the Tarryall Reservoir, which is managed by the Colorado Division of Wildlife. Your assistance is requested in identifying whether these or other State owned recreation facilities near the proposed improvement have received Section 6(f)(3) assistance from the Fund. If any such facilities exist, we also request respective "6(f)(3) project boundary maps" so we may consider design alternatives to avoid impacts.

Please issue your response to Mr. Ed DeCleva, Environmental Protection Specialist, at the address above, Attention: Environment. If you need any additional information to facilitate your response, Mr. DeCleva may be reached by telephone at (303) 716-2290. A response by January 12, 2001 would be appreciated.

Sincerely yours,

Isl T. Samuel Holder

for James W. Keeley, P.E.
Project Development Engineer

Enclosure

ycl
bc: Taylor/DeCleva | yc: reading file | DECLEVA:jm:12/01/00:environ\wp\co081\CoParks.doc

PARK COUNTY HISTORIC PRESERVATION ADVISORY COMMISSION
P.O. BOX 220
FAIRPLAY, CO 80440

Sept. 25, 2000

Mark Taylor, Tarryall Road Project Manager
Federal Highway Administration, Central Federal Lands Division
555 Zang St., Room 259
Lakewood, CO 80228

Dear Mr. Taylor:

We wish to comment upon the draft FHA map we have seen of the Tarryall Road as it passes through the old town of Tarryall.

We note that you show the edge of the road extending inside the fence on the west side of the old Tarryall School (on the National Register of Historic Places). If the road is to be placed on that general alignment rather than the possible bypass along the southeast edge of town, we ask that it be moved far enough to the west that the fenced school site would not be impacted by either the impending reconstruction or potential future widening.

In fact, it would seem well worth considering to move the road west to the old (unconstructed) street right-of-way along the west side of the block containing the school. That should provide the same, 60-foot right-of-way as that of the current road, while freeing a number of town lots from being bisected by the road as they are now.

Regardless of the alternative chosen, we strongly feel that the school site should be protected from any possible incursion inside the fence, since the school is already uncomfortably close to the road.

Thank you for considering our views.

Sincerely,



Gerald N. Davis
Chair, PCHPAC



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

Central Federal Lands
Highway Division

555 Zang Street
Mail Room #259
Lakewood, CO 80228

NOV 16 2000
In Reply Refer To:
HPD-16.5

Mr. Gerald N. Davis
Chair
Park County Historic Preservation
Advisory Commission
P.O. Box 220
Fairplay, CO 80440

Dear Mr. Davis:

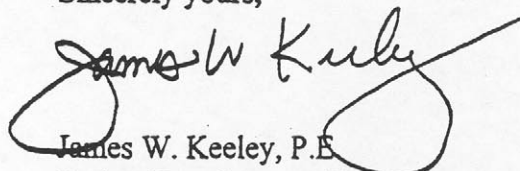
This is written in response to your letter of September 25, 2000, commenting on concerns over potential impacts by the proposed road improvements of Tarryall Creek Road to the old Tarryall School.

The Federal Highway Administration (FHWA) recognizes that improvements to the road at the school property would likely constitute adverse affects to the property. Therefore, we are designing alternative alignments for consideration that, if feasible, will avoid the property. Integral to the FHWA's National Historic Preservation Act (NHPA) compliance efforts, your party, as well as the Colorado State Historic Preservation Office and the interested public, will be consulted to review and comment on the potential impacts of those alternatives to the Tarryall School and other historic properties.

The environmental project manager for the proposed project is Mr. Edward J. DeCleva, Environmental Protection Specialist. If you have any questions or comments on this or other cultural resources matters, please contact Mr. DeCleva at (303) 716-2290 or write to the above address, Attention: HPD-16.5, Environment.

The FHWA appreciates your comments and encourages the Park County Historic Preservation Advisory Commission to participate in all future NHPA and National Environmental Preservation Act consultations for this proposed project.

Sincerely yours,


James W. Keeley, P.E.
Project Development Engineer



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

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

SEP 07 2007

Refer To: HFHD-16

Ms. Georgianna Contiguglia
State Historic Preservation Officer
Colorado Historical Society
1300 Broadway
Denver, CO 80203

Dear Ms. Contiguglia:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

This is submitted in continuation of consultations pursuant to Section 106 of the National Historic Preservation Act (NHPA) between our offices for the subject undertaking. The purpose is to notify your office of agency determination of affects to historic properties and request your concurrence or comments. The same notification and request is being simultaneously issued to the Park County Historic Preservation Advisory Committee and to individual landowners.

Please recall that the Central Federal Lands Highway Division of the Federal Highway Administration (FHWA), in cooperation with the Pike National Forest, the Colorado Department of Transportation, and Park County, is proposing to improve portions of CO FH 81, referred to locally as Park County 77.

The proposed improvements begin at the community of Jefferson, at the junction with US Highway 285, and extend 55.2 kilometers (34.1 miles) to the southeast, ending approximately 10.0 kilometers (6.2 miles) past the community of Tarryall, at Forest Road 112. The total distance of this road is 55.2 kilometers (34.1 miles). Tarryall Creek Road is an all-season highway owned and maintained by Park County. The road functions as a rural collector highway between US Highway 285 and US Highway 24, providing access to about 200,000 acres of the Pike National Forest and to numerous ranches, resorts, and residences located on private lands within and outside the Forest.

In 1996, the National Park Service (NPS) consulted with your office on behalf of the FHWA to determine the locations of 30 historic properties (29 eligible and 1 listed) for CO FH 81. (Please refer to your records for the report, *Cultural Resource Inventory of Forest Highway 81*, prepared by Alpine Archaeological Consultants, Inc., for NPS on behalf of FHWA). Within the Area of Potential Effects, however, the FHWA has concluded there are 20 historic properties (19 eligible and 1 listed).

The FHWA has recently established enough preliminary design information to enable us to determine potential effects to historic properties. The next section discusses, on a site-by-site

basis, the FHWA's rationale for its effects determinations. Also, please refer to the enclosed Table and plan sheets for additional information.

5PA779, Willard R. Head Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road. Cut and fill slopes at the side of the road will be within the existing right-of-way and will not encroach upon any contributing element of the property.

5PA780, Wright Homestead. Determination: No Adverse Effect. This property is located on the north side of the road. The FHWA proposes to improve the curvilinear alignment at this section. No historic structures will be impacted by the proposed cut and fill ditch rehabilitation.

5PA782, Miller Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The road will retain its existing alignment in this section.

5PA787, Dunbar/Robbins Ranch. Determination: No Adverse Effect. This property is located on the north side of the road. The road will retain its existing alignment in this section.

5PA350, Olney Borden Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The road will retain its existing alignment in this section.

5PA785, Timothy Borden Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA's preferred alternative is to realign the road to beyond the west side of the property. The preferred alternative will not affect any of the historic structures or features. The second alternative is to retain the existing alignment and improve the ditches within the right of way. Although historic structures and features will not be affected by the second alternative, it is recognized that there is potential for subsurface remains within the existing right of way. If the second alternative is selected, the FHWA will consult with the landowner, the Colorado SHPO, and the Commission to develop an archeological monitoring action during construction.

5PA786, No name (historic structural remains). Determination: No Adverse Effect. This property is located on the north side of the road. The road will retain its existing alignment in this section.

5PA789, Derby Cabin. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

5PA790, Ute Trail River Resort. Determination: Adverse Effect. This property is located on the north side of the road. The FHWA proposes to improve the curvilinear and vertical alignment at this section. Such improvements would directly impact the parking lot at the edge of the road and the visual integrity of the historic resources. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or resolve these effects.

5PA791, No name (historic residential complex). Determination: Adverse Effect. This property is located on the west side of the road. The FHWA proposes to improve the curvilinear approach and vertical alignment at this section. At the property, the alignment will not shift but cuts to improve the drainage on the roadside will result in a direct impact to a historic rock retaining wall below the residential structure. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or mitigate these effects.

5PA793, Williams Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road. Although improvements to the ditches within the right of way will directly impact structure six (a corrugated shed) of the sawmill complex, this structure is not a contributing element to the property's historic significance. Nevertheless, the FHWA will implement the improvement in a manner that will not physically harm the structure.

5PA794, Sidney Derby Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road, but improve the ditches within the existing right of way. Although no historic structures will be impacted, it is recognized that the site has subsurface potential to yield information important for contributing to knowledge of the past. The FHWA, therefore, proposes to conduct archeological data testing prior to construction within the right of way to determine the nature and extent of historic materials. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to develop this action.

5PA798, Denny Place; 5PA800, Derby Residence; 5PA801, No name (historic machine shop remains); and 5PA802, No name (historic structural remains). Determination: No Historic Properties Affected. These properties are located in the community of Tarryall beyond the construction limits of the proposed project. The FHWA's preferred alternative is to realign the road to the east side of the community across lands managed by the Pike National Forest. The second alternative is to retain the existing alignment. In either case, the properties are situated beyond the construction limits of the project.

5PA407, Tarryall School. Preferred alignment determination: No Historic Properties Affected. Second alignment determination: No Adverse Effect. This property is located on the east side of the current road alignment. The FHWA's preferred alternative is to realign the road to the east side of the community across lands managed by the Pike National Forest. If the preferred alternative is implemented, the property will not be affected. The second alternative is to retain

the existing alignment. If the second alternative is implemented, the property will not be directly affected but may be indirectly affected by noise vibrations during construction. The FHWA, in the case of the second alternative, will consult with the Colorado SHPO, the Commission, and Park County to develop a vibration monitoring program and, if need be, a rehabilitation action.

5PA807, Marksbury/Davenport Residence. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

5PA803, Tenderfoot Mining Claim. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

5PA806, Gloss Ranch. Determination: Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road, but improve the ditches within the existing right of way. On the west side of the road, improvements to the ditches will directly impact historic features. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or mitigate these effects.

Following the comment period, the FHWA will issue notification to the Advisory Council on Historic Preservation addressing the determinations of adverse effects. In order for your comments to receive consideration, therefore, the FHWA encourages you to comment by October 19, 2001.

Please direct your comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. If you need additional information prior to issuing concurrence or comments, Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov. We look forward to continuing consultations with your office.

Sincerely yours,

1st Alan D. Blair

for Mark B. Taylor
Project Development Engineer

Enclosures

bc: J. Knowles
S. Diccicco
E. DeCleva

yc: reading file

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jm

jd ADB



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

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

SEP 07 2001

Refer To: HFHD-16

Mr. Jerry Davis
Chairperson
Park County Historic Preservation Advisory Commission
PO Box 220
Fairplay, CO 80440

Dear Mr. Davis:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

This is submitted pursuant to consultations under Section 106 of the National Historic Preservation Act (NHPA). The purpose is to notify your office of agency determination of affects to historic properties and request your comments.

Please recall that the Central Federal Lands Highway Division of the Federal Highway Administration (FHWA), in cooperation with the Pike National Forest, the Colorado Department of Transportation, and Park County, is proposing to improve portions of CO FH 81, referred to locally as Park County 77.

The proposed improvements begin at the community of Jefferson, at the junction with US Highway 285, and extend 55.2 kilometers (34.1 miles) to the southeast, ending approximately 10.0 kilometers (6.2 miles) past the community of Tarryall, above Forest Road 112. The total distance of this road is 55.2 kilometers (34.1 miles). Tarryall Creek Road is an all-season highway owned and maintained by Park County. The road functions as a rural collector highway between US Highway 285 and US Highway 24, providing access to about 200,000 acres of the Pike National Forest and to numerous ranches, resorts, and residences located on private lands within and outside the Forest.

In 1996, the Colorado State Historic Preservation Office (SHPO) concurred with agency determinations of 30 historic properties (29 eligible and 1 listed) located near CO FH 81. The FHWA has since concluded there are 20 historic properties (19 eligible and 1 listed) located within the Area of Potential Effects. Copies of the survey report (*Cultural Resource Inventory of Forest Highway 81*, prepared by Alpine Archaeological Consultants, Inc., on behalf of the FHWA) were distributed to members of the Park County Historic Preservation Advisory Commission (the Commission) in 2000.

The FHWA has recently established enough preliminary design information to enable us to determine potential effects to historic properties. The next section discusses, on a site-by-site basis, the FHWA's rationale for its effects determinations. Also, please refer to the enclosed Table for additional information. Plan sheets detailing design aspects near each of the sites were distributed in person to the Committee on August 19, 2000.

5PA779, Willard R. Head Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road. Cut and fill slopes at the side of the road will be within the existing right-of-way and will not encroach upon any contributing element of the property.

5PA780, Wright Homestead. Determination: No Adverse Effect. This property is located on the north side of the road. The FHWA proposes to improve the curvilinear alignment at this section. No historic structures will be impacted by the proposed cut and fill ditch rehabilitation.

5PA782, Miller Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The road will retain its existing alignment in this section.

5PA787, Dunbar/Robbins Ranch. Determination: No Adverse Effect. This property is located on the north side of the road. The road will retain its existing alignment in this section.

5PA350, Olney Borden Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The road will retain its existing alignment in this section.

5PA785, Timothy Borden Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA's preferred alternative is to realign the road to beyond the west side of the property. The preferred alternative will not affect any of the historic structures or features. The second alternative is to retain the existing alignment and improve the ditches within the right of way. Although historic structures and features will not be affected by the second alternative, it is recognized that there is potential for subsurface remains within the existing right of way. If the second alternative is selected, the FHWA will consult with the landowner, the Colorado SHPO, and the Commission to develop an archeological monitoring action during construction.

5PA786, No name (historic structural remains). Determination: No Adverse Effect. This property is located on the north side of the road. The road will retain its existing alignment in this section.

5PA789, Derby Cabin. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

5PA790, Ute Trail River Resort. Determination: Adverse Effect. This property is located on the north side of the road. The FHWA proposes to improve the curvilinear and vertical alignment at this section. Such improvements would directly impact the parking lot at the edge of the road and the visual integrity of the historic resources. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or resolve these effects.

5PA791, No name (historic residential complex). Determination: Adverse Effect. This property is located on the west side of the road. The FHWA proposes to improve the curvilinear approach and vertical alignment at this section. At the property, the alignment will not shift but cuts to improve the drainage on the roadside will result in a direct impact to a historic rock retaining wall below the residential structure. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or mitigate these effects.

5PA793, Williams Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road. Although improvements to the ditches within the right of way will directly impact structure six (a corrugated shed) of the sawmill complex, this structure is not a contributing element to the property's historic significance. Nevertheless, the FHWA will implement the improvement in a manner that will not physically harm the structure.

5PA794, Sidney Derby Ranch. Determination: No Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road, but improve the ditches within the existing right of way. Although no historic structures will be impacted, it is recognized that the site has subsurface potential to yield information important for contributing to knowledge of the past. The FHWA, therefore, proposes to conduct archeological data testing prior to construction within the right of way to determine the nature and extent of historic materials. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to develop this action.

5PA798, Denny Place; 5PA800, Derby Residence; 5PA801, No name (historic machine shop remains); and 5PA802, No name (historic structural remains). Determination: No Historic Properties Affected. These properties are located in the community of Tarryall beyond the construction limits of the proposed project. The FHWA's preferred alternative is to realign the road to the east side of the community across lands managed by the Pike National Forest. The second alternative is to retain the existing alignment. In either case, the properties are situated beyond the construction limits of the project.

5PA407, Tarryall School. Preferred alignment determination: No Historic Properties Affected. Second alignment determination: No Adverse Effect. This property is located on the east side of the current road alignment. The FHWA's preferred alternative is to realign the road to the east side of the community across lands managed by the Pike National Forest. If the preferred

alternative is implemented, the property will not be affected. The second alternative is to retain the existing alignment. If the second alternative is implemented, the property will not be directly affected but may be indirectly affected by noise vibrations during construction. The FHWA, in the case of the second alternative, will consult with the Colorado SHPO, the Commission, and Park County to develop a vibration monitoring program and, if need be, a rehabilitation action.

5PA807, Marksbury/Davenport Residence. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

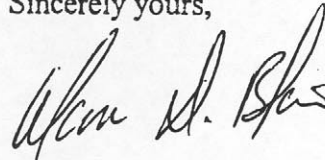
5PA803, Tenderfoot Mining Claim. Determination: No Historic Properties Affected. This property is beyond the construction limits of the proposed construction activities. The alignment will not be altered and all construction efforts will be within the existing disturbed corridor of the right of way.

5PA806, Gloss Ranch. Determination: Adverse Effect. This property is bisected by the current road alignment. The FHWA proposes to retain the existing alignment through this section of the road, but improve the ditches within the existing right of way. On the west side of the road, improvements to the ditches will directly impact historic features. The FHWA will consult with the landowner, the Colorado SHPO, and the Commission to determine how best to avoid or mitigate these effects.

The FHWA is simultaneously notifying and inviting affected landowners to review and comment on determinations affecting their respective lands. In addition, the Colorado SHPO is receiving identical determinations. Following the comment period, the FHWA will issue notification to the Advisory Council on Historic Preservation addressing the determinations of adverse effects. In order for your comments to receive consideration, therefore, the FHWA encourages you to comment by October 19, 2001.

Please direct your comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. If you need additional information prior to issuing formal comments, Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov. We look forward to continuing consultations with your party.

Sincerely yours,



for Mark B. Taylor
Project Development Engineer

Enclosure

bc: J. Knowles, S. Diccicco, E. DeCleva

yc: reading file

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ejd ADB



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

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

SEP 12 2001

Refer To: HFHD-16

Mr. Mumma
State of Colorado
Department of Natural Resources
PO Box 433
Fort Collins, CO 80522

Attention: T.W. Hasler

Dear Mr. Mumma:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

The Central Federal Lands Highway Division of the Federal Highway Administration (FHWA) is contacting you to notify you of a proposed road project near historic structures located on your property. In accordance with the National Historic Preservation Act, we would like your comments regarding the impact the proposed project may have on historic structures located on your property.

In cooperation with the Pike National Forest, the Colorado Department of Transportation, and Park County, the FHWA is proposing to reconstruct portions of CO FH 81, referred to locally as Park County 77. The proposed improvements begin at the community of Jefferson, at the junction with US Highway 285, and extend 55.2 kilometers (34.1 miles) to the southeast, ending approximately 10.0 kilometers (6.2 miles) past the community of Tarryall, above Forest Road 112. The total distance of the road project is 55.2 kilometers (34.1 miles). Tarryall Creek Road is an all-season highway owned and maintained by Park County. The road functions as a rural collector highway between US Highway 285 and US Highway 24, providing access to about 200,000 acres of the Pike National Forest and to numerous ranches, resorts, and residences located on private lands within and outside the Forest.

In 1996, the FHWA conducted studies to determine if historic properties are located near the road. At that time, historic structures were identified on Colorado state lands managed by your agency. Recorded as site number 5PA780, this historic site, along with other historic properties located near the road, is documented in the report *Cultural Resource Inventory of Forest Highway 81*, prepared by Alpine Archaeological Consultants, Inc., for the National Park Service, on behalf of

the FHWA. An excerpt from the report, discussing the historic site on your property is enclosed for your convenience. If you wish, however, you may contact either of the following individuals to arrange a time to review the full report:

1. Mr. Edward DeCleva, FHWA, 303-716-2290; or
2. Mr. James Fagerstrom, member of the Park County Historic Preservation Advisory Commission, owner of the Ute Trail River Resort, 21446 County Rd 77, 719-748-3015.

Also enclosed for your information and review is a copy of the proposed road design near the historic structures. As you already know, the current road alignment runs through the Tarryall state recreation area and the historic structures are located on the north side of the road. The proposed reconstruction activity at this location is to shift the alignment about a meter to the north of the current alignment and upgrade the existing ditches. Due to the limited reconstruction activity at this location, the FHWA is issuing a determination of *no adverse effect* to the historic structures on your property.

The FHWA requests that you consider the determination that the project will not adversely affect the historic site located on your property and notify us if you disagree with it. Please note, however, that to assure your comments receive full consideration, the FHWA needs a response by October 19, 2001. If that timeline is inconvenient, contact us immediately and we will make a reasonable attempt to accommodate a later date.

Please direct your questions or comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov. We look forward to hearing from you soon.

Sincerely yours,

15/ Alan D. Blair

SM Mark B. Taylor
Project Development Engineer

Enclosure

bc: J. Knowles
S. Diccicco
E. DeCleva

yc: reading file

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jm



U.S. Department
of Transportation
Federal Highway
Administration

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

SEP 12 2001

Refer To: HFHD-16

Mr. Donald Cosby, District Ranger
South Park Ranger District
Pike National Forest
PO Box 219
Fairplay, CO 80440

Dear Mr. Cosby:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

The Central Federal Lands Highway Division of the Federal Highway Administration (FHWA) is contacting you to notify you of agency findings on potential impacts to historic properties located on Forest Service lands by the proposed undertaking. In accordance with the National Historic Preservation Act, we would like your comments on our findings.

In 1996, the FHWA conducted studies to determine if historic properties are located near the road. At that time, the Derby Cabin (5PA789) and the Marksbury/Davenport Residence (5PA807) were identified on Forest property. These historic sites, along with other historic properties located near the road, are documented in the report *Cultural Resource Inventory of Forest Highway 81*, prepared by Alpine Archaeological Consultants, Inc., for the National Park Service, on behalf of the FHWA. The full report was provided to you at the last Social, Environmental and Economic (SEE) team meeting. An excerpt from the report, discussing 5PA789 and 5PA807, is enclosed for your convenience. Also enclosed is a copy of the proposed road design near the historic sites.

As you can see, each property is located well beyond the proposed construction limits of the project. For this reason, the FHWA is issuing a determination of *no historic properties affected* to the Derby Cabin and the Marksbury/Davenport Residence.

The FHWA requests that you consider the determination and notify us if you disagree with it. To receive full consideration, your comments must be received by October 19, 2001. Please direct

your comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov. We look forward to hearing from you soon.

Sincerely yours,

/s/ Alan D. Blair

jm Mark B. Taylor
Project Development Engineer

Enclosure

bc: J. Knowles
S. Diccicco
E. DeCleva

yc: reading file

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United States
Department of
Agriculture

Forest
Service

Pike and San Isabel
National Forests
Comanche and Cimarron
National Grasslands

1920 Valley Dr.
Pueblo, CO
81008-1797
(719) 545-8737

File Code: 2360

Date: October 3, 2001

Mr. Edward DeCleva, Environmental Protection Specialist
Central Federal Lands Highway Division
555 Zang Street, Mail Room 259
Lakewood, CO 80228

In reply to: your letter of September 12, 2001 to Mr. Donald Cosby, District Ranger regarding the Tarryall Creek Road and effects on cultural properties

Dear Mr. DeCleva,

Mr. Cosby has forwarded your letter to me for review and comment; my comment in this letter constitutes our official USDA Forest Service response. During the cultural resources investigation conducted for the Tarryall Road Project in 1996 (Forest Highway Project PFH 81-1) Alpine Archeological Consultants identified two cultural properties on USDA Forest Service administered lands (5PA789, Derby Cabin, and 5PA807, Marksbury/Davenport Residence) that might be affected by implementation of your project. I have reviewed the records you provided in your letter to Mr. Cosby. Given that the two cultural properties are in locations well beyond the proposed construction limits, we concur with your recommended determination of "no historic properties affected" in particular reference to these two cultural properties. Please notify us regarding the status of the properties in the event that your construction plans are modified. Thank you for continuing to provide us with information regarding this project.

Sincerely,



/s/Allen E. Kane

Allen E. Kane
Heritage Program Leader
Pike and San Isabel National Forests



**COLORADO
HISTORICAL
SOCIETY**

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

November 20, 2001

Edward DeCleva
Environmental Protection Specialist
U.S. Department of Transportation
Federal Highway Administration
Central Federal Lands Highway Division
555 Zang Street, Mail Room 259
Lakewood, CO 80228

RE: CO Forest Highway (FH) 81, Tarryall Creek Road, Park County, HFHD-16

Dear Mr. DeCleva:

Thank you for your correspondence dated September 7, 2001, concerning the effects of the above project on historic properties.

We concur with your determination that the following historic properties will not be affected by this proposed project:

Derby Cabin (5PA789)
Denny Place (5PA798)
Derby Residence (5PA800)
5PA801
5PA802
Tarryall School (5PA407) - Preferred alternative - provided that access to the school is maintained.
Marksbury/Davenport Residence (5PA807)
Tenderfoot Mining Claim (5PA803)

In addition, we find that the historic property listed below will not be affected by the project:

Dunbar/Robbins Ranch (5PA787)

We agree that the following historic properties will not be adversely affected:

Wright Homestead (5PA780)
Miller Ranch (5PA782)
Olney Boren Ranch (5PA350)
Timothy Borden Ranch (5PA785) - Preferred alternative
5PA786

Edward DeCleva
November 20, 2001
RE: Tarryall Road
Page two

It is our opinion that the historic properties listed below will not be adversely affected provided that the conditions noted are met. We look forward to receiving documentation that these conditions have been met.

Willard R. Head Ranch (5PA779) - Provided that care is taken to avoid impacts to the barn (Structure #5). We would appreciate receiving information about the kind of equipment to be used adjacent to the barn and recommend that "before" and "after" photos be taken.

Timothy Borden Ranch (5PA785) - If the second alternative, retaining the existing alignment and improving the ditches within the right-of-way, is selected, it will be necessary to provide archaeological monitoring by a qualified profession during construction within the site boundaries.

Sidney Derby Ranch (5PA794) - Provided that archaeological testing prior to construction determines that the area to be disturbed contains no potential to yield information important to history or prehistory.

Tarryall School (5PA407) - If the second alternative, retaining the existing alignment, is chosen, we request that measures to monitor and minimize potential construction impacts due to vibration be employed.

We agree with your determination that the following properties will be adversely affected by the project. It will be necessary to provide justification for the adverse effects to these properties and discuss the alternatives considered. We look forward to working with your agency to develop a Memorandum of Agreement to mitigate the adverse effects.

Ute Trail River Resort (5PA790) - We request a simulation of the appearance of the new raised road looking from the resort complex. In addition, we ask that mitigation stipulations include providing us an opportunity to review and comment on the relocated parking area as well as addressing measures to monitor and minimize potential construction impacts due to vibration.

5PA791 - Impacts to the historic rock retaining wall will require mitigation measures.

Gloss Ranch (5PA806) - Demolition of structures will necessitate mitigation measures.

It is our opinion that the property listed below also will be adversely affected by the project for the reason indicated:

Williams Ranch (5PA793) - We believe that Feature 6 contributes to the qualities of significance of the complex. Consequently, ditch improvements that directly impact the shed will constitute an adverse effect. In addition, we recommend archaeological monitoring of ground disturbance within the site boundaries.

Please provide documentation of this finding to the Advisory Council on Historic Preservation. The Council's address is:

Western Office of Review
12136 West Bayaud Avenue, Suite 330
Lakewood, CO 80226

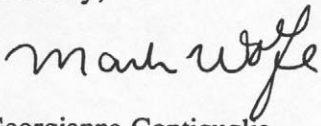
Edward DeCleva
November 20, 2001
RE: Tarryall Road
Page three

Since your project is within the jurisdiction of a Certified Local Government (CLG), with local landmarking authority, we ask that you contact the following individual to determine whether there are any landmarks located within the area of potential effects (APE) of the project:

Kathie Moore, Park County Historic Preservation Advisory Commission (719/836-9174)

In the event that locally designated landmarks are within the APE, we request written comments from the CLG providing its opinion about the proposed project. We look forward to further consultation about this project. If we may be of further assistance, please contact Kaaren Hardy, our Intergovernmental Services Director, at 303/866-3398.

Sincerely,


for Georgianna Contiguglia
State Historic Preservation Officer



U.S. Department
of Transportation
Federal Highway
Administration

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

JAN 17 2002

Refer To: HFHD-16

Ms. Georgianna Contiguglia
State Historic Preservation Officer
Colorado Historical Society
1300 Broadway
Denver, CO 80203

Dear Ms. Contiguglia:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

This is submitted in response to your letter dated 20 November 2001, and in continuation of consultations pursuant to Section 106 of the National Historic Preservation Act (NHPA) between our offices for the subject undertaking.

We appreciate your concurrence with our findings on the following properties:

5PA789 (Derby Cabin), **5PA798** (Denny Place), **5PA800** (Derby Residence), **5PA801**, **5PA802**, **5PA407** (Tarryall School), **5PA807** (Marksbury/Davenport Residence), **5PA803** (Tenderfoot Mining Claim), **5PA787** (Dunbar/Robbins Ranch), **5PA780** (Wright Homestead), **5PA782** (Miller Ranch), **5PA350** (Olney Borden Ranch), **5PA785** (Timothy Borden Ranch), and **5PA786**.

The following is provided in response to your request for additional information for our findings of no adverse effects to:

5PA779, Willard R. Head Ranch. Your office requests information about the kind of equipment to be used adjacent to the barn (structure 5) and recommends that "before" and "after" photos be taken. Construction equipment in this area will consist of a motor grader, a bulldozer, a roller, and a paver. The FHWA will take photos of the barn prior to and after work in the area. The photos and a summary of the action will be submitted to your office after completion of construction in this area.

5PA785, Timothy Borden Ranch. You have indicated that archeological monitoring will be necessary if the second build alternative is selected, which would retain the existing road alignment and improve ditches within the right-of-way. Because Park County does not wish to acquire an easement here and the affected landowner has not responded to our inquiries, the FHWA has discarded the previous preferred alternative and selected the second alternative as the only build alternative at this location. The FHWA agrees with your recommendation and will conduct archeological monitoring during construction, reporting its results and findings to your office, the Park County Historic Preservation Advisory Commission (PCHPAC), and the affected landowner.

5PA794, Sidney Derby Ranch. You have indicated your concurrence with our finding to provide archeological testing prior to construction to determine the absence of materials with potential to yield information important to history and prehistory. The FHWA will conduct a subsurface archeological investigation within the proposed construction limits prior to construction. The FHWA will report the results and findings to your office, the PCHPAC, and the affected landowner.

5PA407, Tarryall School. You have requested that measures to monitor and minimize potential vibration impacts be employed and that the property remain accessible, if the second build alternative is selected. If this is the case, the FHWA will notify your office and the PCHPAC, monitor the property for vibration impacts, repair any damages caused by construction, ensure that the property remains accessible, and report to your office and the PCHPAC upon completion of construction at this location.

Regarding our findings of adverse effects to three historic properties, the FHWA is directed by Section 4(f) of the Department of Transportation Act of 1966 to avoid the taking or constructive use of historic properties without a reasonable or prudent alternative. With this in mind, the FHWA has re-designed improvements at these locations (see enclosed design plan sheets) and is rescinding the findings of adverse effects and issuing findings of no adverse effects to the following:

5PA790, Ute Trail River Ranch. Reason: The initial design in this area included improving the curvilinear and vertical alignment, which would have relocated the parking lot (thus directly affecting the property) and indirectly affected the visual integrity of the property. The re-design, however, would shift the horizontal alignment to the south of the existing alignment, away from the property, thus causing no direct impact to the parking lot. Furthermore, the vertical shift has been eliminated to match the existing road elevation. This action, coupled with realignment of the road further south from the property, eliminates effects to the property.

5PA791, No name (historic residential complex). Reason: The initial design in this area included improving the curvilinear approach and the vertical alignment. The re-design still includes these but the construction limits would shift just east of the rock retaining wall to avoid impacts to it. As in all structures or utilities near construction areas, the FHWA will inspect the condition of the wall before and after construction and repair any damages caused by the FHWA with like material and technique.

5PA806, Gloss Ranch. Reason: The initial design in this area included retaining the existing alignment and improving the existing ditches within the right of way. Improvements to the west side of the road would have directly impacted some historic features on the property. The re-design essentially still follows the existing alignment. However, improvements to the ditches have been corrected to the ground conditions so there will no longer be any cuts near the structures. The FHWA will take photos of the site area before and after construction, reporting the results to your office afterwards.

Regarding your disagreement with our finding of no adverse effect to the following, the FHWA responds:

SPA793, Williams Ranch. In order to eliminate construction impacts to Structure 6, the FHWA has re-designed the curvilinear alignment and construction limits through this property. This has effectively moved the construction limits away from all structures. In light of this design change, the FHWA maintains its finding of no adverse effect to the property. Furthermore, in agreement with your recommendation, the FHWA will conduct archeological monitoring during construction, reporting the results and findings to your office, the PCHPAC, and the affected landowner.

In response to your request that the FHWA contact Ms. Kathie Moore, PCHPAC, the FHWA responds:

The PCHPAC, the Pike National Forest, the Colorado Department of Natural Resources, and affected private landowners were notified by correspondence (copies enclosed) of the FHWA's findings simultaneously with the initial findings letter to your office. Prior to this, on 19 August 2001, the FHWA attended a PCHPAC meeting at the Ute Trail River Ranch and discussed the findings. On 25 September 2001, the FHWA again attended a public meeting at the Ute Trail River Ranch, this at the request of some affected landowners to discuss the proposed project. Despite these efforts, PCHPAC and several private landowners (with the exception of those noted below) never responded to the FHWA's findings. In accordance with 36 CFR Part 800, therefore, the FHWA is confident it has been proceeding with a good faith effort to consult with the PCHPAC and private landowners. Additionally, the FHWA is notifying the PCHPAC and affected landowners of this current consultation.

Responses received (also enclosed) by the FHWA due to our consultation efforts are summarized below. Please note, however, that the FHWA has not yet issued responses to these parties. The FHWA responses will be issued concurrent to this letter, but are offered below as an indication of the FHWA's intent:

Ute Trail River Ranch (SPA790): Concerns related to historic values are 1) limited access during the construction season, 2) noise from construction equipment and from increased traffic, and 3) aesthetic changes to the road at their property. (We wish to note here that the landowners, Mr. Fagerstrom and Ms. Baxter, are exceptionally instrumental in assisting the FHWA in its public outreach efforts). The FHWA will respond to these concerns as follows:

- 1.) FHWA construction contracts require road segment closures for construction purposes to be 30 minutes or less in duration;
- 2.) Noise from construction equipment is unavoidable, but temporary. Likewise, traffic volumes are expected to increase regardless of improvements to the road, thus traffic-generated noise will continue to increase. Nevertheless, the FHWA has conducted noise studies based on current and future traffic volumes, determining that the year 2004 noise levels will be below 67 decibels per hour (the level at which mitigation must be implemented); and
- 3.) The FHWA has re-designed the road so that the new alignment would be farther south from the property. The old (current) alignment will be removed and landscaped to match the local conditions.

Ms. Jane Looney (5PA803): Concerns related to historic values are: 1) the FHWA did not previously notify her of the proposed project, 2) the FHWA's preferred alignment through her property did not adequately take into account all historic properties, and 3) the FHWA's proposal will diminish the quality and integrity of the historic landscape throughout the project area. Ms. Looney has also requested a date of February 2002 to collect her own cultural and environmental data (item number 4) for the project. The FHWA will respond to these concerns as follows:

- 1.) Since inception of the proposal, the FHWA has attempted to notify all landowners. Public meetings were announced in local and regional newspapers and held at Lake George and Jefferson, on 24 July 1999. The Bureau of Land Management and National Park Service (NPS) notified landowners in order to access private lands for boundary and cultural resource surveys associated with the proposed road project. The FHWA apologizes if Ms. Looney was not notified through these efforts, but insists that the effort was made;
- 2.) The identification efforts employed by the FHWA, through the NPS, are consistent with professional standards as established by the Secretary of the Interior. To the extent feasibly possible, the survey across her land did take into account tangible and intangible evidence of the history and prehistory of her parcel. Nevertheless, through the request of the landowner and Park County, the FHWA has designed three additional alternatives at this section of road to reduce or eliminate right of way acquisition on the Looney property;
- 3.) The FHWA agrees that the Tarryall Valley is eligible as a historic landscape. It is because of this understanding that the FHWA continues to consult with several parties to design an aesthetically pleasing road, maintaining the existing alignment as much as possible, and avoiding all impacts to contributing sites and structures. The design of the road has been developed to match the existing design speed. Road widening in all places where it will occur has been developed to create a consistent roadway width. The width and speed will remain consistent with that expected of drivers for a rural driving experience. Most proposed realignments are minor (shifts of ten feet or less from the existing alignment) and have been developed for the sole purpose of correcting the roadway geometrics for driver safety. The remaining proposed realignments (as is the case with the realignment around the town of Tarryall) have been developed either at the request of the project's cooperating agencies (Park County and Pike National Forest) or (as is the case with the proposed realignment of the curve near the Looney property) in response to a safety issue. As for the aesthetic value of the landscape, the FHWA is considering applying a chip-seal surface (rather than blacktop) textured and colored to match the existing surface as closely as possible. Furthermore, landscaping will be implemented to all disturbed areas. These measures will include shaping of rock cuts to emulate the local natural rock formations, revegetation with indigenous plants, and removal of hazardous wastes (creosote-soaked timbers and solid waste sites) adjacent to the roadway; and
- 4.) As is the case for all members of the interested public, responses to the FHWA's solicitation for comments to the proposed project will be accepted and considered until the environmental documentation is finalized. Since the environmental document will not be completed before February 2002, the FHWA is pleased to accept Ms. Looney's comments until that goal is reached.

Tarryall Valley Neighborhood Council: In relation to historic values, this ad hoc group has expressed concerns that the proposed improvements will destroy many of the historic structures (such as fences, corrals, and irrigation ditches) and the general aesthetics of the Tarryall Valley.

The FHWA's response to these concerns will reflect that of the responses above, with the additional note that historical fences and corrals will not be affected by the project. As for irrigation ditches, none in the project area were identified to be eligible for inclusion in the National Register of Historic Places. Nevertheless, all irrigation ditches are deemed to provide a service to landowners and these utilities will remain operational. If improvements of the road require the destruction of an irrigation ditch, the FHWA will construct an operational ditch prior to destroying the current one.

A summary of all consultation efforts will be presented in the Environmental Commitments section for cultural resources in the National Environmental Policy Act (NEPA) document, which the FHWA is currently preparing. The NEPA document will be provided to your office for review concurrent with its release for public comments. Additionally, the FHWA will consult with your office, the PCHPAC, and affected landowners to negotiate a memorandum of agreement for the archeological monitoring activities noted above.

We appreciate your past comments and look forward to your response to this matter. Please direct your comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. If you need additional information, Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov.

Sincerely yours,

15/

John Knowles
Project Manager

Enclosures

bc: J. Knowles
S. Diccicco, through G. Strike
E. DeCleva

Reading file

Central file: CO FH 81, Tarryall Creek Road

EDeCLEVA:jm:01/17/02:L:Environm:wp:CO81:Cultural:SHPO2.doc

jm

epd



U.S. Department
of Transportation
Federal Highway
Administration

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

JAN 17 2002

Refer To: HFHD-16

Mr. Jerry Davis
Chairperson
Park County Historic Preservation Advisory Commission
PO Box 220
Fairplay, CO 80440

Dear Mr. Davis:

Subject: Proposed Undertaking; CO Forest Highway (FH) 81, Tarryall Creek Road, Park County

This is submitted in continuation of consultations pursuant to Section 106 of the National Historic Preservation Act (NHPA) for the subject undertaking.

The Colorado State Historic Preservation Officer (SHPO) has concurred with the Central Federal Lands Highway Division of the Federal Highway Administration's (FHWA) findings. The following is intended to provide additional information for your consideration:

5PA779, Willard R. Head Ranch. The SHPO requested information about the kind of equipment to be used adjacent to the barn (structure 5) and recommended that "before" and "after" photos be taken. Construction equipment in this area will consist of a motor grader, a bulldozer, a roller, and a paver. The FHWA will take photos of the barn prior to and after work in the area. The photos and a summary of the action will be submitted to the SHPO after completion of construction in this area.

5PA785, Timothy Borden Ranch. The SHPO indicated that archeological monitoring would be necessary if the second build alternative is selected, which would retain the existing road alignment and improve ditches within the right-of-way. Because Park County does not wish to acquire an easement here and the affected landowner has not responded to our inquiries, the FHWA has discarded the previous preferred alternative and selected the second alternative as the only build alternative at this location. The FHWA agrees with the SHPO recommendation and will conduct archeological monitoring during construction, reporting its results and findings to the SHPO, your office [Park County Historic Preservation Advisory Commission (PCHPAC)], and the affected landowner.

5PA794, Sidney Derby Ranch. The SHPO concurred with our finding to provide archeological testing prior to construction to determine the absence of materials with potential to yield information important to history and prehistory. The FHWA will conduct a subsurface archeological investigation within the proposed construction limits prior to construction. The FHWA will report the results and findings to the SHPO, the PCHPAC, and the affected landowner.

5PA407, Tarryall School. The SHPO requested that measures to monitor and minimize potential vibration impacts be employed and that the property remain accessible, if the second build alternative is selected. If this is the case, the FHWA will notify the SHPO and the PCHPAC, monitor the property for vibration impacts, repair any damages caused by construction, ensure that the property remains accessible, and report to the SHPO and the PCHPAC upon completion of construction at this location.

Regarding our findings of adverse effects to three historic properties, the FHWA is directed by Section 4(f) of the Department of Transportation Act of 1966 to avoid the taking or constructive use of historic properties without a reasonable or prudent alternative. With this in mind, the FHWA has re-designed improvements at these locations (see enclosed design plan sheets) and is rescinding the findings of adverse effects and issuing findings of no adverse effects to the following:

5PA790, Ute Trail River Ranch. Reason: The initial design in this area included improving the curvilinear and vertical alignment, which would have relocated the parking lot (thus directly affecting the property) and indirectly affected the visual integrity of the property. The re-design, however, would shift the horizontal alignment to the south of the existing alignment, away from the property, thus causing no direct impact to the parking lot. Furthermore, the vertical shift has been eliminated to match the existing road elevation. This action, coupled with realignment of the road further south from the property, eliminates effects to the property.

5PA791, No name (historic residential complex). Reason: The initial design in this area included improving the curvilinear approach and the vertical alignment. The re-design still includes these but the construction limits would shift just east of the rock retaining wall to avoid impacts to it. As in all structures or utilities near construction areas, the FHWA will inspect the condition of the wall before and after construction and repair any damages caused by the FHWA with like material and technique.

5PA806, Gloss Ranch. Reason: The initial design in this area included retaining the existing alignment and improving the existing ditches within the right of way. Improvements to the west side of the road would have directly impacted some historic features on the property. The re-design essentially still follows the existing alignment. However, improvements to the ditches have been corrected to the ground conditions so there will no longer be any cuts near the structures. The FHWA will take photos of the site area before and after construction, reporting the results to the SHPO afterwards.

The SHPO disagreed with one finding of no adverse effect, to which the FHWA responded:

5PA793, Williams Ranch. In order to eliminate construction impacts to Structure 6, the FHWA has re-designed the curvilinear alignment and construction limits through this property. This has effectively moved the construction limits away from all structures. In light of this design change, the FHWA maintains its finding of no adverse effect to the property. Furthermore, in agreement with the SHPO recommendation, the FHWA will conduct archeological monitoring during construction, reporting the results and findings to the SHPO, the PCHPAC, and the affected landowner.

A summary of all consultation efforts will be presented in the Environmental Commitments section for cultural resources in the National Environmental Policy Act (NEPA) document, which the FHWA is currently preparing. The NEPA document will be provided to Park County for review concurrent with its release for public comments. Additionally, the FHWA will consult with the SHPO, the PCHPAC, and affected landowners to negotiate a memorandum of agreement for the archeological monitoring activities noted above.

We request your comments to this matter by 22 February 2002. Please direct your comments to Mr. Edward DeCleva, Environmental Protection Specialist, at the address above. If you need additional information, Mr. DeCleva may also be contacted by phone at (303) 716-2290 or by e-mail at Edward.decleva@fhwa.dot.gov.

Sincerely yours,

15/

John Knowles
Project Manager

Enclosures

bc: J. Knowles
S. Diccicco, through G. Strike
E. DeCleva

yc: reading file

E.DeCLEVA:jm:01/17/02:L:Environm:wp:CO81:Cultural:PCHPAC2.doc

jm

ejl



COLORADO
HISTORICAL
SOCIETY

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

February 25, 2002

John Knowles
Project Manager
Federal Highway Administration
Central Federal Lands Highway Division
555 Zang Street, Mail Room 259
Lakewood, CO 80228

RE: CO Forest Highway (FH) 81, Tarryall Creek Road, Park County, HFHD-16

Dear Mr. Knowles:

Thank you for your correspondence dated January 17, 2001, concerning the above project.

We are pleased that your agency was able to redesign the roadway to avoid potential adverse effects to historic properties. Consequently, we concur with your determination that the following historic properties will not be adversely affected by the project as now proposed:

Ute Trail River Ranch (5PA790)

5PA791 - with monitoring of the historic rock wall. We recommend "before" and "after" photos of the rock wall.

Gloss Ranch (5PA806) - with your proposed "before" and "after" photographs

Williams Ranch (5PA793) - with your proposed monitoring and receipt of a revised design plan sheet in the vicinity of this property. (The sheet we received was labeled 5PA794.)

We look forward to receiving the results of the various monitoring efforts and the requested "before" and "after" photographs. If subsurface archaeological resources are encountered during ground disturbing activities, it will be necessary to halt the work until such resources can be evaluated in consultation with our office.

Finally, we appreciate your efforts to seek the comments of the Certified Local Government and other interested parties. If we may be of further assistance, please contact Kaaren Hardy, our Intergovernmental Services Director, at 303/866-3398.

Sincerely,

for Georgianna Contiguglia
State Historic Preservation Officer



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

Central Federal Lands
Highway Division

555 Zang Street, Room 259
Lakewood, CO 80228

MAR 05 1999
In Reply Refer To:
HPD-16.5

Mr. LeRoy W. Carlson
Colorado State Supervisor, *USFWS*
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0207

Dear Mr. Carlson:

The Federal Highway Administration, in cooperation with Pike National Forest, Park County, and the Colorado Department of Transportation (CDOT), is proposing to improve a portion of Colorado Forest Highway (FH) 81, Tarryall Creek Road. The proposed project begins at the junction with US 285 at Jefferson, Colorado, and extends 55 kilometers (34.1 miles) to the southeast, ending approximately 10.0 kilometers (6.2 miles) past the community of Tarryall. Enclosed is a map showing the project location. The proposed project is located within the following quadrangles: Jefferson, Milligan Lakes, Observatory Rock, Eagle Rock, Farnum Peak, McCurdy Mountain and Tarryall. About one-half of the project will be reconstructed and the rest will be repaired and resurfaced. These two treatments will be interspersed along the project.

As part of our analysis, we request that you advise us of any threatened or endangered species (as well as proposed and candidate species) that may be affected by the proposed project. If you have any questions, please contact Mr. Craig Holsopple at (303)716-2107.

Sincerely yours,

1s) Seth C. Greenwell

for James W. Keeley, P.E.
Project Development Engineer

Enclosure

bc w/o enclosure:

C. Holsopple

S. Popiel

yc: reading file

Central file - CO FH 081, Tarryall Creek Road

CHOLSOPPLE:jm:3/5/99:L:\environm\wp\co081\w&w.wpd



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Colorado Field Office
P.O. Box 25486 DFC
Denver, Colorado 80225-0207
Phone: (303) 275-2370 Fax: (303) 275-2371



IN REPLY REFER TO:

MAR 16 1999

ES/CO:
Mail Stop: 65412

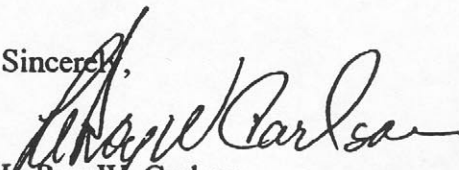
James W. Keeley, P.E.
U.S. Dept. of Transportation
Federal Highway Administration
555 Zang Street, Room 259
Lakewood, CO 80228

Dear Mr. Keeley:

In response to your letter of 5 March 1999, the U.S. Fish and Wildlife Service (Service) is providing a species list of threatened, endangered, proposed, and candidate species. The enclosed list is arranged by county. You should consider all species checked for Park County in your analysis. Please note that the mountain plover has recently been proposed for listing as threatened, and it does occur in South Park, Park County.

These comments have been prepared under the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et. seq.). If the Service can be of further assistance, please contact Craig Miller of this office.

Sincerely,


LeRoy W. Carlson
Colorado Field Supervisor

Enclosure
cc: Reading file
Project file

Reference: Miller\letters\usdotta.wpd

COUNTIES -

U. S. Fish and Wildlife Service
Ecological Services
Colorado Field Office

(Effective September 9, 1998)

FEDERALLY LISTED SPECIES & THEIR STATUS IN COLORADO

	L A K E	L A P L A T A	L A R I M E R	L A S A N I M A S	L I N C O L N	L O G A N	M E S A	M I N E R A L	M O F F A T	M O N T E Z U M A	M O N T R O S E	M O R G A N	O T E R O	O U R A Y	P A R K	P H I L L I P S
American peregrine falcon, <i>Falco peregrinus</i> , Listed Endangered		✓	✓	✓			✓	✓	✓	✓	✓			✓	✓	
Bald eagle, <i>Haliaeetus leucocephalus</i> , Listed Threatened	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Whooping crane, <i>Grus americana</i> , Listed Endangered			✓	✓		✓	✓		✓			✓				
Least tern (interior population), <i>Sterna antillarum</i> , Listed Endangered				✓								✓				
Piping plover, <i>Charadrius melodus</i> , Listed Threatened				✓								✓				
Eskimo curlew, <i>Numenius borealis</i> , Listed Endangered		✓	✓	✓		✓						✓				
Mountain plover, <i>Charadrius montanus</i> , ^{Proposed Threatened} Candidate for listing			✓	✓	✓	✓	✓		✓			✓	✓		✓	✓
Southwestern willow flycatcher, <i>Empidonax traillii extimus</i> , Listed End.		✓					✓			✓	✓			✓		
Mexican spotted owl, <i>Strix occidentalis lucida</i> , Listed Threatened		✓	✓	✓					✓	✓	✓				✓	
Black-footed ferret, <i>Mustela nigripes</i> , Listed Endangered		✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Swift fox, <i>Vulpes velox</i> , Candidate for listing			✓	✓	✓	✓						✓	✓			✓
Preble's meadow jumping mouse, <i>Zapus hudsonius preblei</i> , Listed Threatened			✓									✓				
Canada lynx, <i>Lynx canadensis</i> , Proposed Threatened	✓	✓	✓				✓	✓	✓	✓	✓			✓	✓	
Arkansas darter, <i>Etheostoma cragini</i> , Candidate for listing				✓	✓								✓			
Colorado ^{Pike minnow} squawfish, <i>Ptychocheilus lucius</i> , Listed Endangered		*					○	*	○	*	✓			*		
Razorback sucker, <i>Xyrauchen texanus</i> , Listed Endangered		*					○	*	○	*	*			*		
Bonytail chub, <i>Gila elegans</i> , (presumed-historical) Listed Endangered							○		○		*			*		
Greenback cutthroat trout, <i>Oncorhynchus clarki stomias</i> , List. Threat.	✓		✓												✓	
Humpback chub, <i>Gila cypha</i> , Listed Endangered							○		○		*			*		



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

Central Federal Lands
Highway Division

555 Zang Street, Room 259
Lakewood, CO 80228

DEC 01 2000
In Reply Refer To:
HPD-16

Mr. LeRoy Carlson, Colorado Field Supervisor
US Department of the Interior
Fish and Wildlife Service
Ecological Services
PO Box 25486, Denver Federal Center
Denver, CO 80225-0207

Dear Mr. Carlson:

Subject: Colorado Forest Highway 81, Tarryall Creek Road

The Federal Highway Administration (FHWA) has completed a biological assessment of the federally listed threatened and endangered species for the proposed Federal action to improve County Road 77 - Tarryall River Road (CO81). Please reference the two enclosed correspondences between our agencies to reacquaint yourself of the proposed action. The enclosed document, *Final Biological Report, Proposed Tarryall Creek Road Project, Forest Highway 81, Park County, Colorado*, is provided for your consideration in weighing the FHWA's determinations (below) issued in accordance with the Endangered Species Act (ESA).

Common Name	Scientific Name	Status	Determination
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	No Effect
Mountain Plover	<i>Charadrius montanus</i>	Proposed Threatened	No Effect
Mexican spotted owl	<i>Strix occidentalis</i>	Threatened	No Effect
Black-footed ferret	<i>Mustela nigripes</i>	Endangered	No Effect
Canada lynx	<i>Lynx canadensis</i>	Threatened	Not Likely to Adversely Effect
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>	Threatened	Not Likely to Adversely Effect
Boreal toad	<i>Bufo boreas boreas</i>	Candidate	Not Likely to Adversely Effect
Uncompahgre fritillary butterfly	<i>Boloria acrocnema</i>	Endangered	No Effect
Pawnee montane skipper	<i>Hesperia leohardus montana</i>	Threatened	No Effect
Penland eutrema	<i>Eutrema penlandii</i>	Threatened	No Effect

We request your concurrence or comments by January 12, 2001. If you have any questions or need additional information to facilitate your review, please contact Mr. Ed DeCleva, Environmental Protection Specialist, at (303) 716-2290.

In addition to consultations under the ESA, the FHWA will provide the Service opportunities to review the environmental documentation for the project prepared in accordance with the National Environmental Protection Act.

Sincerely yours,

for T. Samuel Holder

for James W. Keeley, P.E.
Project Development Engineer

Enclosures

bc: Mark Taylor, FHWA, Project Manager
Ed DeCleva, FHWA, Environmental Protection Specialist

yc: reading file

EDECLEVA:jm:12/01/00:L\environm\wp\co081\fws2.doc

ejd



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Colorado Field Office
755 Parfet Street, Suite 361
Lakewood, Colorado 80215

IN REPLY REFER TO:

ES/CO: FHWA/lynx
Mail Stop 65412

JUN 26 2001

Ed De Cleva
Environmental Protection Specialist
Federal Highway Administration
555 Zang Street, Room 259
Lakewood, Colorado 80228

Dear Mr. DeCleva,

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Service reviewed the Final Biology Report submitted with your letter of December 1, 2000. This report regards the proposed **Tarryall Creek Road, Forest Highway 81 Project** in Park County, Colorado. The proposed project will reconstruct, widen, and straighten portions of the road between Jefferson and 4.8 miles south of the community of Tarryall.

The Service concurs with your determinations that the project will have no effect on the bald eagle, mountain plover, Mexican spotted owl, black-footed ferret, Uncompaghre fritillary butterfly, Pawnee montane skipper, and Penland eutrema, and that the project is not likely to adversely affect the greenback cutthroat trout or the boreal toad. **However, we are concerned with the impacts of the proposed project to the federally threatened Canada lynx (*Lynx canadensis*).** The report you submitted was lacking project and existing habitat descriptions thorough enough for us to concur with your determination that the project is not likely to adversely affect the lynx. Two levels of analysis require expansion: project level and landscape or statewide level.

At the project level, maps provided in the report show that straightening will occur at a location (Final Biology Report Figure 1) that is also mapped as suitable habitat (Final Biology Report Figure 4) near Ute Creek. We agree with your determination that the effect of widening the road will be minor, but the effect of straightening the road is potentially much greater as it could lead to increased traffic speed and an increase in the likelihood of collisions with lynx as well as an increase in the barrier effect of the highway and thus, fragmentation. Creating a larger barrier through road improvements could decrease the size of a functional lynx territory and render it useless. A detailed description of the types of suitable habitat in the project area and their function as well as an analysis of how function will be affected by altering the road through straightening and widening are needed.

We are also concerned about connectivity at the landscape level and that it, too, will be maintained. How the Tarryall Creek region fits into statewide lynx movements and discussions of whether the project is likely to impede lynx movement and dispersal are needed. Again, baseline conditions are very important, and a thorough analysis of how these conditions will be altered due to changes in the road are needed in order to make a defensible determination regarding the likelihood of adverse impacts.

The U.S. Forest Service (USFS) is currently revising its lynx habitat mapping. Before conducting the analysis above, please be sure to consult with the USFS regarding any changes which may have occurred in their mapping and how the road affects their forest plans.

We appreciate your submitting this report to our office for review and comment. If the Service can be of further assistance, please contact Kurt Broderdorp of my staff at (970) 243-2778.

Sincerely,

A handwritten signature in black ink, appearing to read "LeRoy W. Carlson". The signature is fluid and cursive, with a long horizontal stroke at the end.

LeRoy W. Carlson
Colorado Field Supervisor

pc: Michael
Broderdorp

Ref: Alison/CDOT2001/FHWA



U.S. Department
of Transportation
Federal Highway
Administration

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

Refer To: HFHD-16

MAR 29 2002

Mr. LeRoy Carlson, Colorado Field Supervisor
US Department of the Interior
Fish and Wildlife Service
Ecological Services
PO Box 25486, Denver Federal Center
Denver, CO 80225-0207

Dear Mr. Carlson:

Subject: Proposed Action to Improve Tarryall Creek Road, Colorado Forest Highway (FH) 81

The Central Federal Lands Highway Division of the Federal Highway Administration (FHWA) is issuing this letter in continuation of informal consultation under Section 7 of the Endangered Species Act. On December 1, 2000, the FHWA submitted a Biological Assessment to your office that contained the finding that the proposed action may affect, but is not likely to adversely affect the lynx. On June 26, 2001, your office issued a response to that finding, requesting more information. In late January 2002, the FHWA received Forest Service-generated potential lynx habitat data that has enabled us to respond to your agency's initial request for additional data.

On February 12, 2002, Mr. Kurt Broderdorp, Fish and Wildlife Biologist, attended a field inspection of the proposed action area at the request of the FHWA. Also in attendance were Ms. Stephanie Howard, South Park District Biologist of the Pike National Forest, and Messrs. John Knowles and Edward DeCleva of the FHWA.

The purpose of the inspection was to discuss the proposed action, consider the implications of the Forest Service's lynx habitat data, and determine whether the FHWA's finding is warranted. During the inspection, it was noted by the attending individuals that foraging and denning habitat was low in quality, due to fragmentation by the existing road and ranch properties. Of particular concern to Mr. Broderdorp was: 1) the possibility of increased traffic caused by improvements to the road; 2) further fragmentation to habitat caused by induced growth; and, 3) increased mortality to wildlife on the roadway caused by increased speeds. Mr. Broderdorp requested that the FHWA address these concerns in order to determine if the FHWA's finding is appropriate.

1. The Average Daily Traffic (ADT) on Colorado FH 81 was 550 in Calendar Year 2001. Considering an estimated increase of 1.5 percent per year – the estimated population growth for Colorado's Front Range – it is predicted that the ADT will rise to 824 in Calendar Year 2024 (20 years from the anticipated first construction season). This estimated increase in daily traffic is expected to occur regardless of whether or not the proposed action is undertaken.

2. Data from Park County indicates that the proposed action area is zoned for agriculture (farming and ranching), recreation (Tarryall Reservoir and fishing), conservation (National Forest lands and Tarryall Reservoir), seven residential/ranching subdivisions, and very little commercial. Furthermore, Park County has indicated the only changes to zoning currently under consideration are to increase or strengthen streambank conservation requirements. Based on the available data, it seems there will be no induced growth adjacent to the road.

3. Mr. Ron Zaccagnini, District Wildlife Manager, Colorado Division of Wildlife, has provided the FHWA with wildlife mortality data for the proposed action area (please reference the table below). The proposed improvements to Colorado FH 81 would create a consistent roadway width at the minimally required level for a two-lane rural collector road. The improvements would also correct the currently substandard and hazardous roadway geometry, while predominately utilizing the existing road footprint and maintaining the current design speed. While it is reasonable to conclude that traffic speed may increase because of the improvements, it is also reasonable to suggest that improvements to the vertical and horizontal sight distances would reduce the potential for vehicular collisions with wildlife.

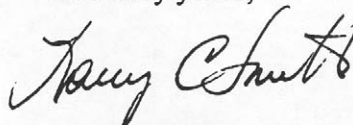
Fiscal Year (State)	Species	Number of Mortalities
1998-1999	Elk	1
	Deer	2
1999-2000	Elk	2
	Deer	3
2000-2001	Elk	0
	Deer	2

Considering the potential for lynx habitat is of low quality, the road improvements will retain the current design speed, the road is already paved, and the improvements will be predominately within the current footprint, the FHWA feels that the finding that the proposed action is not likely to adversely affect the lynx is justified.

The FHWA will be issuing an environmental assessment for public and agency review this May or June. We would like very much to resolve this matter prior to issuing our agency decision. Therefore, I request that you consider the above and either issue a concurrence with the FHWA's finding or provide comments within 30 days of your receipt of this document.

In the interim, if you have any questions please contact our Project Manager, Mr. John Knowles at (303) 716-2149, or Mr. Ed DeCleva, Environmental Protection Specialist, at (303) 716-2290.

Sincerely yours,



Larry Smith
Division Engineer



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 S. PLATTE CANYON ROAD
LITTLETON, COLORADO 80128-6901

REPLY TO
ATTENTION OF:

November 2, 2000

Ms. Denise Larson
ERO Resources Corp.
1842 Clarkson Street
Denver, Colorado 80218

**RE: Approved Jurisdictional Determination, Federal Highway Administration, Tarryall
Creek Road Project
Corps File No. 200080760**

Dear Ms. Larson:

Reference is made to the above-mentioned project on behalf of the applicant, Federal Highway Administration. This project begins in Section 8, Township 8 South, Range 75 West, Park County, Colorado.

This project has been reviewed in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material, and any excavation activities associated with a dredged and fill project, into waters of the United States which may include ephemeral, intermittent and perennial streams, lakes, ponds or wetlands.

This letter is to inform you that our office considers the **wetland delineation map and report dated October 18, 2000** accurate and acceptable. The wetlands are considered to be waters of the United States. Isolated wetlands are included in the special aquatic sites covered in Section 404 of the Clean Water Act. This state is within the Central Flyway, which is known for its migratory bird populations that utilize wetlands for loafing, feeding, nesting and/or protection. If a proposed activity requires work within these waters, this office should be notified by a proponent of the project for proper Department of the Army permits.

If the applicant wishes to appeal this approved jurisdictional determination the attached **Notification of Administrative Appeal Options** form should be completed and sent to this office.

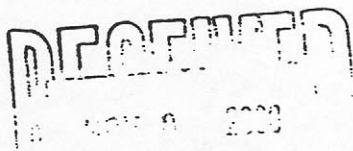
This wetlands jurisdictional delineation is valid for a period of five years from the date of this letter unless new information warrants revision of the delineation before the expiration date.

If you have any questions concerning this matter, please feel free to contact me at (303) 979-4120 and reference **Corps File No. 200080760**.

Sincerely,

Terry McKee
Natural Resource Specialist

tm





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

Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

JAN 08 2002

Refer To: HFHD 16

Mr. J. Scott Franklin, PE
US Army Corps of Engineers, Denver Regulatory Office
9307 S Platte Canyon Rd
Littleton, CO 80128-6901

Dear Mr. Franklin:

Subject: Colorado Forest Highway 81, Tarryall Creek Road, Park County, Corps File No.
200080760

Please recall that the Central Federal Lands Highway Division of the Federal Highway Administration (FHWA) is proposing to improve the subject road. Your office has approved our wetland delineations (Approved Jurisdictional Determination, 2 November 2000) and last summer you reviewed our conceptual mitigation plan and inspected potential sites on 20 June 2001. The FHWA now asks that your office consider a request to allow the FHWA to purchase credits at a wetland mitigation bank rather than constructing wetlands on the project site for mitigation purposes. The reason for this request is twofold.

First, the FHWA hopes to meet a project construction schedule of Federal Fiscal Year (FY) 2004. In order to do so, the FHWA is required to complete its National Environmental Policy Act (NEPA) compliance, concluding either a Finding of No Significant Impact or a Record of Decision, before beginning the right of way acquisition process. To meet this schedule, the FHWA will need to finalize its Environmental Assessment (EA) by the Spring of FY 2002 in order for the right of way acquisition process to be completed by the Summer of FY 2003. One of the issues threatening this schedule is that of wetland mitigation. If wetland mitigation consists of on-site wetland construction, the FHWA first needs to install groundwater-monitoring wells and then monitor the potential sites identified in our conceptual mitigation plan. Unfortunately, the FHWA has not had the means with which to install monitoring wells, due to delays in availability of funds caused by the transition of FY 2001 to FY 2002. As a result, the proposed sites could not possibly be positively confirmed for hydrology within the time needed to complete the EA. Unfortunately, this means that the project schedule will be missed. If the project funds are revoked as a result, then the much-needed improvements to the road will not be made.

Second, there is not enough available mitigation lands on the project site to fully replace the wetland communities being impacted by the project. The project would impact 54 individual wetlands for a total of 2.08 acres of impacts, occurring exclusively within the existing road

alignment. (It should be noted that the FHWA is no longer considering rechanneling Michigan Creek.) Specifically, the project would affect about 1.25 acres of palustrine emergent, about 0.68 acres of scrub/shrub, and about 0.15 acres of forested wetlands. Private lands possess about .53 acres of potential palustrine emergent and scrub/shrub wetland development sites, but the FHWA has no authority to acquire private lands and Park County (FHWA's cooperator that will own and maintain the right of way) does not wish to acquire such lands. This leaves only public lands, which consist of 2.45 acres of potential creation sites. These consist of 1.45 of potential palustrine emergent on two State land sites (0.35 on one site and 1.1 on another site), 1.0 acres of potential palustrine emergent and scrub/shrub on Pike National Forest land, and 0.0 acres of potential forested wetlands. At these rates, the FHWA may not fully replace the scrub/shrub impacts and we certainly will not be able to satisfy the 1:1 replacement for impacts to forested wetlands. Furthermore, considering that construction of wetland sites is often less than 100 percent successful, the FHWA believes that this mitigation method will actually result in a diminishment of functioning wetlands on-site.

It is for these reasons that we request to purchase credits at a wetland mitigation bank whose service area includes the proposed project. Through discussions with the South Park Wetlands Focus Area Committee, the FHWA has been made aware of the Warm Springs Wetland Mitigation Bank, located near Fairplay, Colorado. Unless you have another recommendation, the FHWA wishes to negotiate with your office for credits with this bank to mitigate our wetland impacts to Colorado Forest Highway 81.

We ask that you consider this request and respond as soon as is possible. A copy of the *Draft Conceptual Wetland Mitigation Plan: Proposed Tarryall Creek Road Project, Forest Highway 81, Park County, Colorado* (Aug 2001) is enclosed for your records. Mr. Edward DeCleva, Environmental Protection Specialist, is coordinating the FHWA's EA. He can be reached at 303-716-2290 if you need any additional information. I can be reached at 303-716-2149. We are looking forward to hearing from you soon.

Sincerely yours,

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John Knowles
Project Manager

Enclosure:

bc: G. Strike
A. Blair
E. DeCleva

Reading file

EDeCLEVA:jm:1/8/02:L:/Environm/wp/C081/COE3.doc .sjd

jm



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH PLATTE CANYON ROAD
LITTLETON, CO 80128-6901

January 24, 2002

Mr. John Knowles
Federal Highway Administration
Central Federal Lands Highway Division
555 Zang Street
Mail Room 259
Lakewood, CO 80228

**RE: Corps File No. 200080760, Colorado Hwy 81, Tarryall Creek Road, Park County
Approval of Potential Use of the Warm Springs Wetland Mitigation Bank**

Dear Mr. Knowles:

Reference is made to your letter dated January 8, 2002 regarding the Colorado Hwy 81, Tarryall Creek Road project in Park County, Colorado.

Per your request, you are approved for potential purchase of credits at the Warm Springs Wetland Mitigation Bank (Warm Springs) for mitigation of impacts from the subject project. Since you have not as yet submitted a Section 404 Permit application, however, and the full evaluation of impacts has not been completed, the final approval for use of the Bank is conditional pending the issuance of a permit. However, based on our previous discussions and site visit, use of the Bank is the likely best option for mitigation.

You are welcome to negotiate with Warm Springs, but I recommend you not purchase credits or enter into any contracts until the permit is issued or very close to issuance.

If you have any questions concerning this matter, please feel free to contact me at (303) 979-4120 and reference Corps File No. 200080760.

Sincerely,

A handwritten signature in cursive script that reads "Scott Franklin".

J. Scott Franklin
Civil Engineer

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Appendix B. Public Comments

On July 24, 1999, the FHWA held two public meetings; one in Jefferson, Colorado, and one in Lake George, Colorado. Twenty-four individuals attended the meetings, seven of which completed comment forms. Since then and until the release of this EA, the FHWA has received public comments by letters, e-mails, and telephone calls from eighteen individual landowners adjacent to the proposed project. The comments reflect a variety of public opinions and concerns, including:

- No support for the project

Response: The need for the project has been discussed in Chapter 1, Purpose of and Need for Action.

- Potential impacts caused by the project to wildlife, historic, natural, and aesthetic resources

Response: These potential impacts have been discussed in Chapter 3, Affected Environment and Environmental Consequences. FHWA has considered these issues and will continue to make every effort to avoid significant impacts during the remainder of project design. In addition, Chapter 4, Summary of Environmental Commitments, discusses measures to avoid, minimize, and mitigate the impacts of the project.

- Access to private properties would be eliminated where reconstruction or the realignments would occur

Response: Access to private properties would not be eliminated, and all access roads would be improved to the right-of-way line.

- Private property acquisitions for right-of-way purposes are unacceptable to some landowners

Response: The FHWA, in consultation with Park County, is continuing to consider ways in which acquisitions could be reduced and yet still meet an acceptable level of design safety standards. Affected landowners will have opportunities to meet with and provide comments to the FHWA and Park County at the public hearings for this EA, and during line and grade reviews for the second and third phases of the project when they occur. All right-of-way acquisitions would be performed in accordance with applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) as amended by the Uniform Relocation Act Amendment of 1987 (P.L. 100-17).

- Potential impacts to fences and irrigation ditches on private properties

Response: Where fences and irrigation ditches would be impacted by the project, they would be replaced in kind in a manner that provides no break in service or functionality.

- The need to add additional cattle crossings and replace or repair existing ones

Response: Cattle crossings will be removed and replaced in a manner so that servicing them is more efficient. Where practicable, some new cattle crossings may be installed in places where they presently do not exist. The FHWA will continue to consult with the Forest Service and Park County during project design to determine the practicability of new cattle crossings.

Appendix B. Public Comments

- Support for improving the road, but only if such improvements are kept within the existing alignment

Response: The FHWA will continue to make every attempt to stay within the existing alignment. However, some minor realignments would occur in places where the existing roadway geometry (horizontal and vertical alignments) does not meet modern design safety standards.

- Desires of affected landowners to avoid realignment alternatives at the community of Tarryall and at the Landis Curve

Response: The FHWA has eliminated consideration of the realignment at the community of Tarryall. The roadway alignment there will follow the existing alignment. Three alternatives to realign Landis Curve were also eliminated, because too much material would be generated by the cuts and icing of the road surface would occur during the winter. However, due to the problems presented in the present alignment, the FHWA is considering other alternatives. The consideration of this matter will be coordinated with Park County and affected landowners.

- Improve conditions at Mud Hill

Response: The steep slope and limited sight distance at Mud Hill would be improved to meet modern design safety standards.

- Impacts caused by increases in traffic speed and volume to human safety, wildlife, and livestock

Response: The road is being designed to meet the existing posted speeds. Considering the projected increased in population along Colorado's Front Range and in South Park, traffic volumes are expected to increase regardless of improvements to the road.

- Impacts from construction affecting emergency access and local businesses

Response: Emergency vehicle access would have priority access across construction segments along the road. Access to local businesses would be maintained during construction.

Appendix C. Available Technical Reports

The FHWA produced a number of technical reports in preparation of this EA. These reports are available for review at the following locations:

Lake George Public Library, 37900 Hwy 24, Lake George, CO

Ute Trail River Ranch, 21446 County Rd 77, Lake George, CO

Park County Library, 418 Main St, Fairplay, CO

Park County Clerk and Recorder's Office, 501 Main St, Fairplay, CO

Park County Road and Bridge, 1246 County Road 16, Fairplay, CO

Pike National Forest, South Park Ranger District, 320 Hwy 285, Fairplay, CO

Pike National Forest, South Platte Ranger District, 19316 Goddard Ranch Ct, Morrison, CO

Pike National Forest, Forest Supervisor's Office, 1920 Valley Dr, Pueblo, CO

U.S. Forest Service, Region 2, 740 Simms St, Golden, CO

FHWA, Central Federal Lands Highway Division, 555 Zang St, Lakewood, CO

List of Technical Reports:

Alpine Archaeological Consultants, Inc. 1996. Cultural Resource Inventory of Forest Highway 81 (Tarryall Road), Park County, Colorado. Prepared for the National Park Service. Montrose, Colorado.

ERO Resources Corporation. 2001. Conceptual Wetland Mitigation Plan. Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Final Biology Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Final Forest Resources Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Final Land Use Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Final Recreation Resources Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

Appendix C. Available Technical Reports

ERO Resources Corporation. 2000. Final Social and Economic Conditions Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Final Wetlands, Waters of the U.S., and Riparian Areas Report – Proposed Tarryall Creek Road Project (Forest Highway 81). Prepared for the Federal Highway Administration. Lakewood, Colorado.

ERO Resources Corporation. 2000. Phase I Environmental Site Assessment – Proposed Tarryall Creek Road Project, Forest Highway 81, Park County, Colorado Prepared for the Federal Highway Administration. Lakewood, Colorado.

Foothill Engineering Consultants, Inc. 2000. Final Traditional Cultural Properties Study – Portions of Colorado Forest Highway 81, The Tarryall Creek Road, Park County, Colorado. Prepared for ERO Resources Corp. Golden, Colorado.

Holdeman Landscape Architecture. 2001. Final Visual Assessment Report for Portions of Colorado Forest Highway 81, Tarryall Creek Road, Park County, Colorado. Prepared for the Federal Highway Administration. Lakewood, Colorado.