MEMORANDUM

TO: Members, CWCB
FROM: Bill McDonald
DATE: October 30, 1985
SUBJECT: Agenda Item 9, November 7–8, 1985, Board Meeting—Proposed Road Across South Platte Floodplain Park (Littleton)

Introduction

The Board is the local sponsor for the U.S. Army Corps of Engineers’ project to channelize the South Platte River downstream from Chatfield Reservoir for flood control purposes. The project improves channel capacity between Hampden Avenue and through the Town of Columbine Valley to convey releases from Chatfield Reservoir. As the local sponsor, the Board is under contract with the Corps of Engineers to provide the lands necessary for the project and to relocate utilities impacted by construction.

An innovative modification of the originally authorized project was proposed by the City of Littleton and enacted by Congress in 1974 to create a floodplain park encompassing about 650 acres for that portion of the project between Fairway Lane at the southerly boundary of the Town of Columbine Valley and State Highway C-470, a distance of approximately two linear miles. The concept underlying the substitution of a floodplain park for channelization of the river was to achieve adequate flood protection while enhancing the value of affected lands for open space recreation with a secondary belief that adjacent lands would be more attractive for development. Such a goal was believed possible for about the same cost as that for a constructed channel.
The authorizing legislation for the floodplain park, Section 88(c) of the 1974 Flood Control Act, reads in part as follows:

Prior to the furnishing of the participation authorized by this Act, non-federal interests shall enter into a binding written agreement with the Secretary of the Army to prevent any encroachments in needed floodplain detention areas which would reduce their capacity for flood detention and recreation.

It is the Board which has entered into the required agreement. In turn, the Board has a subcontract with the City of Littleton to acquire the lands needed for the park and for its operation and maintenance, including responsibility for a weir to be constructed by the Corps at the downstream boundary of the park.

Discussion

The City of Littleton proposes to extend West Mineral Avenue from its intersection with South Santa Fe Drive westward across the floodplain park to intersect with West Ken Caryl Avenue and Platte Canyon Road. See attached map.

The preliminary design, as submitted to the Corps and the Board, recommends a four lane roadway with a 120 foot right-of-way and a 216 foot bridge span across the river. Various complementary landscaping and bikepath improvements are also recommended.

The Omaha District, Corps of Engineers, has indicated that it will look to the Board as the local sponsor for input to the decision-making process concerning the proposed road across the park. In this regard, my previous comments on the matter are set forth in the two enclosed letters. Also enclosed is a letter setting forth the Corps' initial review of the proposal. In summary, the major issues are:

1. The roadway would be detrimental to the open space recreation purposes of the park and thereby contrary to the authorizing legislation. I have concluded that an amendment to the 1974 Act would be required before the proposed road could be constructed.

2. The environmental impacts of the proposed road are not adequately addressed either in the Corps' "Final Revision to the Chatfield Lake, Colorado Environmental Statement: South Platte River, Chatfield Dam to Denver" or in the "South Platte River Crossing, Arapahoe and Jefferson Counties" Environmental Impact Statement prepared by the Colorado Department of Highways, the City of Littleton,
and others. Thus, a new or supplemental EIS will be required.

3. Lands were acquired by Littleton for the park through the use, in part, of U.S. Department of Housing and Urban Development open space grants and U.S. Department of the Interior Land and Water Conservation Fund grants which have requirements for replacement in kind if purchased lands are converted from intended uses. Furthermore, the Board contributed $200,000 for park land purchases under an appropriation by the General Assembly, which appropriation was made based upon the dedication of the floodplain park to open space.

4. While the need for improved east-west highway crossing capacity over the river has been documented, the specific need for the West Mineral Avenue extension is not established in the available environmental statements. To the south, C-470 is proceeding to completion and on the north improvements are scheduled to West Bowles Avenue, where major traffic problems now occur. Other alternatives, including the West Mineral option were considered, but were ranked below Bowles improvements.

I do not believe that the proposed crossing should be decided upon until the alternatives are carefully explored and the trade-offs documented.

Recommendation

The next step in the process is a public information meeting to be conducted by the Omaha District. I recommend that the Board endorse the substance of my previous comments to the Corps and to the City of Littleton, the major points of which are as set out above, and instruct me to offer them, on its behalf, at the public meeting.

Enclosures: as stated
July 8, 1985

Colonel Steven G. West
District Engineer
Omaha District
U.S. Army Corps of Engineers
6014 USPO and Court House
Omaha, NE 68102

Dear Colonel West:

In a May 13, 1985, letter to me from your predecessor, I was informed that the City of Littleton had been requested to seek this agency's position on a proposed road crossing over the South Platte River through the Littleton floodplain park. While we have now had some discussions with representatives of the city, a formal proposal is not yet ready for review. Consequently, I am able at this time only to identify issues that need to be addressed by the city, the Corps, and others before a decision on the proposed road is reached.

First, I read section 88 of the Water Resources Development Act of 1974, especially sub-section (c) thereof, as requiring that the integrity of the Littleton floodplain park (i.e., reach 1) for flood detention and recreation be ensured. This floodplain park is an integral component of the project authorized by Congress, and its dedication to flood detention and open space recreation was clearly intended by that authorization and the associated legislative history.

It is my understanding that the use of this area for the detention of flood waters is to be integrated with compatible recreational uses of the natural landscape. In the Littleton plan, both elements were presented to Congress as complementary and inseparable. Thus, whether the proposed Ken Caryl road is permissible under section 88 is an issue which the Corps needs to address.

Second, I am concerned that a decision on a new road crossing is being pursued before the interim improvements on Bowles Avenue are made. That was not the preferred action in the Colorado
Department of Highways' 1984 final environmental impact statement entitled "South Platte River Crossing." I realize that the final decision on the extent and scale of improvements to be made on Bowles Avenue could change the qualities which characterize Littleton as a community. Rightfully so, the city is concerned about these impacts. However, the impacts of the proposed road crossing on the floodplain park are equally important, may require expensive mitigation to achieve, or may be an unacceptable violation of the floodplain park concept. Furthermore, there may be alignments other than Ken Caryl for a new road if needed.

Third, while there are two environmental impact statements which provide background data and analyses relevant to an evaluation of the proposed road crossing, neither EIS deals with the particulars of the proposed Ken Caryl road. The 1977 final revision by the Omaha District of the channel project EIS does not deal with a road crossing in an analytical way. The 1984 "South Platte River Crossing" final environmental impact statement recommends widening Bowles Avenue, "with the understanding that an alternate river crossing south of Bowles Avenue will continue to be pursued in a supplement to the EIS." Thus, the final statement leaves to that later supplement much of the analysis pertinent to evaluating river crossing alternatives. For instance, the evaluation of impacts on the park of noise and of the 100-year discharge rate, of needed mitigation, and of objections from several agencies were deferred to a supplement. Finally, the investment of nearly $1 million of federal money in the floodplain park also suggests that a decision affecting the purposes of that investment bears thorough analysis and a public comment process. Thus, it appears that these statements need to be revised and supplemented.

Fourth, it appears that Littleton should adjust its schedule for considering the Ken Caryl proposal since immediate improvements to Bowles Avenue can proceed first and independently. I offer this thought for your consideration since Littleton is requesting your response to a proposed schedule.

In summary, the floodplain park is clearly the community asset that Littleton envisioned, even though its full recreational potential has yet to be realized. Furthermore, community support for trail extension and other related recreational uses is evidenced by the many financial contributions which make the improvements possible. While Littleton faces very real traffic problems, this does not obviate the need for a careful evaluation of alternatives to a Ken Caryl road crossing and of the requirements of section 88.
We will provide you with final comments when the city has submitted its formal proposal for review.

Sincerely,

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J. William McDonald
Director

cc: Gale Christy, Littleton City Manager
    David Lorenz, So. Suburban Park & Rec.
    Jim Ruch, DOW
    Ron Holliday, DPOR
    Scott Tucker, UD&FCD
    Harvey Atchison, Colo. Dept. of Highways
Mr. Gale Christy  
City Manager of Littleton  
2255 West Berry Avenue  
Littleton, CO 80165

Dear Mr. Christy:

I appreciate the opportunity to comment on the draft engineering/design report for potential construction of West Mineral Avenue across the South Platte River floodplain park.

A major consideration in design of a bridge over the South Platte River is the 100-year discharge value. After careful review, my staff concludes that the value of 5200 cfs used by the consultant is insufficient. That value is only 200 cfs larger than the design discharge from Chatfield Dam, yet three drainages enter the river downstream of the dam outlet and above the approximate proposed location of the new road and bridge.

To determine a prudent design value at the proposed bridge, the consultant should consider that the discharge value where Dutch Creek enters the South Platte is 8500 cfs. Based on this, my staff estimates that the appropriate discharge value at the proposed West Mineral bridge location is between 7000-7500 cfs. The consultant’s use of the HEC-2 hydraulic routing procedure is compatible with CWCB criteria and standards and he should continue to use that procedure in re-evaluating the discharge value at the proposed bridge location.

Since the maximum possible outlet release from Chatfield Dam is 8500 cfs, consideration must also be given to the effects of such a discharge on the roadway grade and elevation in terms of both inundation and flood elevations from water backing up behind the roadway. Further, flows at the dam could even exceed 8500 cfs if water were to pass over the spillway. The effects of such discharges should be analyzed in the report.

As I have previously observed, I believe that the Corps of Engineers will need to determine whether or not construction of a roadway across the floodplain park is legal under section 88 of
the Water Resources Development Act of 1974. Furthermore, a revision to the Chatfield Dam environmental impact statement will be necessary due to the fact that a specific intrusion into the floodplain park is not adequately addressed in the existing report. A decision on a roadway must also consider the 1984 Colorado Department of Highways "South Platte River Crossing" environmental impact statement because it defers analysis of a Ken Caryl location to the preferred alternative, which is improvement of Bowles Avenue. Given these circumstances, I believe that your anticipated schedule for the project is unrealistic.

I raise these matters because the process is likely to be more complicated and time consuming than the brief procedure mentioned in your transmittal letter. While I am sympathetic to Littleton's efforts to alleviate severe traffic problems, the proposal to encroach on the floodplain park raises a number of interrelated issues which must be viewed more comprehensively than as just a traffic issue.

In particular, I trust that Littleton has undertaken to include in its planning process the requirements of section 6(f) of the Land and Water Conservation Fund Act and section 4(f) of the Department of Transportation Act which are likely to apply to lands purchased for the park by the City of Littleton. The 1984 EIS recognizes the need for analysis of requirements under those acts, but defers that analysis to a supplement.

I raise these matters for your consideration because the approach which the City of Littleton appears to be taking is one of unilateral action in a situation which clearly involves federal and state programs and statutes which must be complied with if the proposed project is to be completed in a timely fashion. I believe it important to call these to your attention at this time so that the City can factor the necessary steps into its planning and decision making process.

Sincerely,

[Signature]

William McDonald
Director

JWM/gl
cc: Colonel West
   Corps of Engineers, Omaha District
Mr. Andrew C. McMinimee  
Deputy City Manager, City of Littleton  
2255 West Berry Avenue  
Littleton, Colorado 80165  

Dear Mr. McMinimee:

There are a number of issues related to the Littleton flood plain park/Ken Caryl Road situation that are of concern to both of us and, therefore, need to be addressed. This letter addresses the most important of these issues.

Since my June 7, 1985, letter to you, I have received several letters from you plus a letter from our local sponsor for the project, the Colorado Water Conservation Board (CWCB). In regard to the questions raised in your letters, it is my understanding that some questions have been answered over the telephone but there are other issues that still remain to be resolved.

The subject of project sponsorship apparently needs some clarification. At the present time the CWCB is the only local sponsor for the project. Until recently, the City of Littleton was one of three potential sponsors for recreational development. We are now exploring alternative arrangements for the recreation cost-sharing of the entire Chatfield Lake, Colorado, Downstream Flood Control project.

The issue concerning Section 88 of the Water Resources Development Act of 1974 also needs clarification. It has been brought to my attention that my June 7, 1985, letter to you has been interpreted to mean "... that the proposed bridge crossing would not interfere with flood detention on project lands..." and that "... the project may actually enhance recreational opportunities." This language appears in House of Representatives Report 99-251, Part I, Report of the Committee on Public Works and Transportation, dated August 1, 1985. This interpretation is not correct. I have not completed my evaluation nor have I made a final determination.

I believe that the Ken Caryl Road/Mineral Avenue extension action is subject to the National Environmental Policy Act. Therefore, we will need to update our 1977 Final Environmental Impact Statement (EIS) to include the potential impacts of the road extension on the downstream flood control project. It is my intention that such an EIS update could also serve to update the July 1984 Final EIS done by the Colorado Department of Highways.
for a South Platte River crossing. The Corps of Engineers was a cooperating agency in that EIS effort. To aid us in updating the EIS, we are scheduling a public information meeting in the Denver metropolitan area for about mid-October, if possible. You will be asked to participate in that meeting; however, the Corps will have the lead role.

Someone from my staff will contact you during the next three weeks as plans for the meeting are finalized. In the meantime, please feel free to contact me or Mr. Gerard Fick of my staff with any questions or comments you may have.

Signed
STEVEN C. WEST

Steven C. West
Colonel, Corps of Engineers
District Engineer

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