



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

Mr. John M. Cater
Division Administrator
Federal Highways Administration
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228

Mr. Shailen P. Bhatt
Executive Director
Colorado Department of Transportation
4201 E. Arkansas Avenue
Denver, Colorado 80222

Re: U.S. 50 Corridor East Tier 1 Draft Environmental Impact Statement CEQ # 20160132

Dear Messrs. Cater and Bhatt:

The U.S. Environmental Protection Agency Region 8 has reviewed the U.S. 50 Corridor East Tier 1 Draft Environmental Impact Statement (EIS) and Section 4(f) Evaluation prepared by the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

Based on the EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information, the EPA is rating the preferred alternative an EC-2 (Environmental Concerns - Insufficient Information). This letter documents the EPA's concerns and recommendations for the Final EIS. A full description of the EPA's rating system can be found at <https://www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria>.

PROJECT DESCRIPTION

The FHWA and CDOT are proposing highway improvements to increase safety and improve mobility along a 150-mile segment of U.S. 50 from Pueblo, Colorado to the Colorado-Kansas state line. The corridor traverses four counties and ten municipalities in the Lower Arkansas Valley, a mostly agricultural area. Because of uncertainty in funding for transportation projects, the agencies have

prepared this programmatic EIS and subsequent NEPA documents will be developed for specific projects as funding becomes available.

In preparation for these Tier 2 documents, this EIS makes decisions regarding the following: (1) regional corridor location, (2) transportation mode, (3) facility type, and (4) alignment through or around the towns. The preferred alternative is a four-lane expressway remaining along the current highway alignment in Pueblo and between towns, except between Pueblo and Fowler, and creating new alignments going around the towns.

ENVIRONMENTAL CONCERNS

The EPA provided scoping comments for this EIS in a letter dated March 28, 2006. In December 2014, the EPA was invited to become a Cooperating Agency because of our special expertise regarding wetland and riparian resource impacts and the fact that the Draft EIS had identified potential impacts to 587 to 713 acres of wetland/riparian resources with the preferred build alternative. We accepted and reviewed the preliminary Draft EIS last summer. Our environmental concerns focus on water and air quality issues.

Water Resources

Because the proposed highway is adjacent to the Arkansas River for most of its alignment, protecting wetlands and riparian resources is very important. The EPA understands that in this programmatic EIS, impacts have been conservatively estimated and that until the development of Tier 2 documents, which will have more project-specific data, detailed direct and indirect impacts to wetlands are difficult to quantify. We appreciate that the FHWA and CDOT document avoidance of these resources by depicting medians of varying width in Figures 3-6 through 3-8. The EPA recommends that the agencies identify other specific roadway design features that could avoid and minimize adverse impacts to wetlands in the Tier 1 Final EIS. These could include retaining walls, reduced shoulders and lower speed limits to allow for flexibility in the highway alignment.

Air Quality

As this is a Tier 1 Draft EIS, there is minimal air quality information presented in this section. A fuller disclosure of data and evaluations will be included in the subsequent Tier 2 NEPA documents. Following are our comments that address the technical information found in Appendix A-02, Air Quality Technical Memorandum (AQTM), upon which Section 4.3.8 Air Quality is based:

1.) AQTM, Section 5.2, Air Quality, Table 5-1, page 9: The emissions data that appear in this table are included in a section entitled "Existing Conditions." However, the data are from 2004. More recent data are available and we recommend that they be used instead of the 2004 data to more accurately represent current conditions. This is especially true for the "highway vehicles" source category as on-road mobile sources data from 2004 were calculated using the EPA's prior mobile sources emissions model, MOBILE6.2. The EPA's current official mobile sources emissions model is the Motor Vehicle Emissions Simulator (MOVES) model and the current version is MOVES2014a. For further information on the MOVES model, please see: *Official Release of the MOVES2014 Motor Vehicle Emissions Model for SIPs and Transportation Conformity*; 79 FR 60343, October 7, 2014.

For the Tier 1 FEIS, the EPA recommends that the Colorado Department of Public Health and Environment (CDPHE) be contacted for updated mobile sources emissions information as this would be the best source for local data. If the CDPHE is unable to provide the necessary data, we then recommend using the EPA's 2011 National Emission Inventory (NEI) data for the four counties in Table 5-1. The 2011 NEI (Version 2) is the current version of the EPA's NEI and contains emissions data at the county level (<https://www.epa.gov/air-emissions-inventories/national-emissions-inventory>). Criteria pollutants and greenhouse gases (GHGs) need to be accounted for and presented for each county.

It is our understanding that the Tier 2 NEPA documents will contain detailed project information. When those documents are being prepared, we recommend that mobile source emissions be calculated with the EPA's MOVES2014a model.

2.) AQTM, Section 5.2, Air Quality, Table 5-2, page 10: This table only references ambient air quality data up to 2006. More recent data are available and we recommend that it be included in this table to more accurately reflect current ambient air quality conditions. The CDPHE has state-certified data available through 2015. In addition, the EPA also has ambient air quality data through 2015 for both counties in our Air Data database, which are available at: https://www3.epa.gov/airdata/ad_rep_mon.html. We note that PM_{2.5} and PM₁₀ data are available for Pueblo County and PM₁₀ data are available for Prowers County.

3.) AQTM, Section 5.2, Air Quality, Table 5-2, page 10: The annual PM_{2.5} NAAQS was revised by the EPA on January 15, 2013 (78 FR 3086), and is now 12 µg/m³ rather than the 15 µg/m³ presented in the table. We recommend the table be updated to reflect 12 µg/m³. We note the PM_{2.5} NAAQS is correctly identified in AQTM, Appendix C, Table C-1.

Climate Change

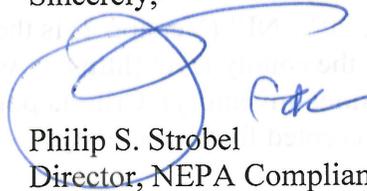
We reviewed the climate change and greenhouse gas (GHG) discussion in Section 4.4.5 of the Tier 1 Draft EIS. We understand that the GHGs associated with the projects presented in Table 4-50 were calculated based on a ratio of vehicle miles traveled (VMT) for the project as compared to the Colorado statewide VMT. This is reasonable for a Tier 1 EIS analysis. With regard to the Tier 2 NEPA documents, the EPA recommends that the direct and indirect GHG emissions be calculated for the proposed action and alternatives. Examples of tools for estimating and quantifying GHG emissions can be found on CEQ's website (https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html).

In addition, for the Tier 2 NEPA analysis, we note that the vehicle GHGs could be calculated concurrently with the criteria pollutant emissions noted in our comment #1 above with the EPA's MOVES2014a model. These GHG emissions levels would then serve as a reasonable proxy for climate change impacts when comparing the alternatives and considering appropriate mitigation measures. While mitigation strategies were described in this Tier 1 Draft EIS, Tier 2 documents should present project-specific mitigation commitments to reduce GHG emissions.

Thank you for the opportunity to provide comments on the U.S. 50 Corridor East Tier 1 Draft EIS. If you have any questions or would like to discuss our comments, please contact me at 303-312-6704 or

strobelp.hilip@epa.gov or the lead reviewer of this project, Carol Anderson, at 303-312-6058 or anderson.carol@epa.gov.

Sincerely,



Philip S. Strobel
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

cc by email: Patricia Sergeson, FHWA



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