

December 27, 2011

Mr. Ed Nichols
Colorado State Historic Preservation Office
1200 Broadway
Denver, CO 80202

Subject: West Rail Line - MOA Annual Report

Dear Mr. Nichols:

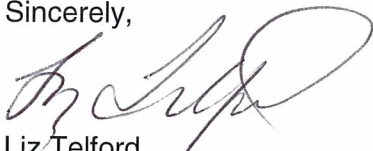
The purpose of this submittal is to provide all parties and signatories to the West Rail Line Memorandum of Agreement (MOA) a summary report detailing the work undertaken pursuant to its terms.

This report shall be made available for public review by being posted at http://www.rtd-fastracks.com/wc_1. Therefore, potentially interested members of the public will be made aware of its availability and are invited to provide comments to the SHPO, RTD and FTA within a 30 day comment period. Following the 30-day comment period and any necessary meetings; FTA, RTD, CDOT and SHPO shall determine whether this MOA shall continue in force, be amended or terminated.

Comments on the attached report are requested on January 15, 2012.

If you have any questions regarding this report, please contact me at (303) 299-2437.

Sincerely,



Liz Telford
Manager, Corridor Planning (Environmental)

cc: Dave Beckhouse, FTA
Jim Paulmino, CDOT
Jim Starling, West Corridor Project Manager, RTD
Bob Boot, RTD
Project File



1560 Broadway, Suite 700, Denver, CO 80202 Phone: 303-299-6990

Project Status

The West Corridor Memorandum of Agreement (MOA) was completed in March 2004 and included in the West Corridor Record of Decision (ROD) published in April 2004. The MOA was amended in August 2007 due to changes in the final design of the project. Since then, RTD began construction in May 2007 and received a Full Funding Grant Agreement (FFGA) from FTA in January 2009. At this point the construction is approximately 57% completed and is expected to be open to the public in early 2013.

Status of MOA Stipulations

Numbering in this section replicates the numbering in the MOA for easy reference.

Resource Protection

I.A International Style House (1290 Pierce Street)

Due to changes in the final design which included utility relocations along 13th Avenue, the stipulation for resource protection was removed in Amendment 1 dated August 6, 2007.

I.B. Agricultural Ditch – South Crossing (West 9th Avenue at Quail Street)

The Agricultural Ditch and associated non-jurisdictional wetlands were protected during construction. All major grading around the area has been completed with no impact.

Archival Documentation

II.A. D&IM Railroad Right-of-Way

The Level II Historical American Buildings Survey/Historic American Engineering Record HABS HAER documentation for the Denver Intermountain Railroad has been completed. The documentation was submitted from FTA to SHPO on November 1, 2007.

II. B. Federal Boulevard Bridge over Lakewood Gulch

The Level II Historical American Buildings Survey/Historic American Engineering Record HABS HAER documentation for the Federal Boulevard Bridge over Lakewood Gulch has been completed. The documentation was submitted from FTA to SHPO on November 1, 2007.

II.C. Denver Federal Center Building 84A – Munitions Bunker

The Level II Historical American Buildings Survey/Historic American

Engineering Record HABS HAER documentation for the Denver Federal Center Building – Munitions Bunker has been completed. The documentation was submitted from FTA to SHPO on March 3, 2008.

Administrative Stipulations

C. Alterations to project documents:

Changes in the project were documented in an Environmental Assessment (November 2007) and Finding of No Significant Impact (November 2007). As a result of the changes in the project, an amendment of the MOA was executed on August 6, 2007.

There have been no other alterations to project documents.

D. Annual report and review:

This report is being submitted pursuant to this requirement of the MOA. There have been no problems or unexpected issues since the execution of the MOA and subsequent amendment. FTA and RTD do not believe any changes should be made in the implementation of this MOA.

E. Resolving Objections:

To date, there have been no disputes regarding RTD and FTA's ability to carry out the terms of this MOA.

F. Amendments and Noncompliance:

Due to design changes, an amendment to the MOA was executed on August 6, 2007.

G. Unanticipated Discoveries or Effects

Monitoring of the excavation of the Union Avenue tunnel occurred from August 2011 through November 2011. Approximately 98 fossils were collected during the excavation; of those collected, 32 were determined to be significant and will be analyzed by the Denver Museum of Nature and Science. As per the requirements of SWCA's Paleontological Investigation permit, a final report of construction monitoring will be prepared and submitted to SHPO at the completion of construction and will include any results of the fossil analysis.

No other unanticipated discoveries or effects have occurred during construction.

H. Substantial Changes to the Project

Changes in the project were documented in an Environmental Assessment (November 2007) and Finding of No Significant Impact (November 2007). As a result of the changes in the project, an amendment of the MOA was executed on August 6, 2007.

There have been no other substantial changes in the project.