DRAFT ENVIRONMENTAL ASSESSMENT

Proposed Future Legends Sports Park
Southeast of the Intersection of
Diamond Valley Drive and East Garden Drive
Windsor, Weld County, Colorado

April 21, 2021
Terracon Project No. 20207040

Prepared for:
Future Legends, LLC
Windsor, Colorado

Prepared by:
Terracon Consultants, Inc.
Fort Collins, Colorado

TABLE OF CONTENTS

APPENDICES

1.0 PURPOSE AND NEED

1.1 Project Description

United States United States Department of Agriculture (USDA), Rural Development is a mission area that includes three federal agencies – Rural Business-Cooperative Service, Rural Housing Service, and Rural Utilities Service. The agencies have in excess of 50 programs that provide financial assistance and a variety of technical and educational assistance to eligible rural and tribal populations, eligible communities, individuals, cooperatives, and other entities with a goal of improving the quality of life, sustainability, infrastructure, economic opportunity, development, and security in rural America. Financial assistance can include direct loans, guaranteed loans, and grants in order to accomplish program objectives.

Future Legends, LLC (Future Legends) has applied for funds under the USDA Business & Industry Loan Guarantees Program under the Business-Cooperative Service. Federal financial assistance from other agencies is not being requested for the Proposed Action at this time. An applicant seeking financial assistance from the USDA must sufficiently describe its proposal so that the USDA complies with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C 4321, et seq.). Early coordination between Future Legends and the USDA, determined that an Environmental Assessment (EA) would be required to evaluate project alternatives, measure potential effects, determine appropriate mitigation measures.

Future Legends proposes to construct a sports complex facility consisting of recreational baseball and soccer fields, a minor league baseball stadium, two hotels, a dormitory, an indoor dome, and associated retail space. The proposed project area (the Site) is on approximately 119 acres of land located southeast of East Garden Drive and Diamond Valley Drive in Windsor, Weld County, Colorado (Weld County Parcel Numbers 080722416015, 080722416016, 080722416017, 080722416018, 080722416019, and 080722008001). The sports complex facility with associated parking lots and buildings/structures (the Proposed Action) will be constructed on primarily vacant land that is currently partially developed as a baseball complex. Location of the Site is indicated in Appendix A - Exhibit 1.

Construction activities at the Site commenced in June 2020, prior to request for funding by the USDA. Anticipated completion of the Proposed Action is July 2021 pending unforeseen circumstances. The Site is anticipated to be continually occupied and regularly maintained following completion of the Proposed Action.

1.2 Purpose and Need

The purpose of the proposed facility will be to provide a multi-sport, training, and events venue to existing and future residents of the Town of Windsor and surrounding communities. The

Future Legends facility will be a state-of-the-art facility that will make a positive impact on the local community and surrounding area as well as nationally. This multi-faceted project will feature proven services that augment and expand the Town of Windsor's pre-existing youth and adult sports programs, as well as established management practices in conjunction with state-of-the-art sports spaces, cutting edge and innovative training elements, hotel and retail amenities, an athletes' village, and banquet/event spaces all aimed at providing a one-of-a-kind experience in a unique facility tailored to the needs of local and regional athletes of all ages.

Currently, the Town of Windsor does not have a public facility that can house larger sports events for the community as well as venue that affords opportunities to the community by bringing professional sporting franchises and events. Additionally, given the Town of Windsor's lack of hotel and restaurant offerings, Future Legends will provide multiple options to expand the available choices for residents and businesses. In the square mile surrounding Future Legends, there are multiple employers with approximately 9,000 employees that will be able to access food service on the complex. Full feasibility studies have been performed on the area.

Future Legends will provide an economic engine and tax base for the Town of Windsor, given an expected 2.5 million visitors in the first five years. Windsor is expected to double its population in the next ten years, and the Future Legends development will provide more than 600 jobs to local individuals.

This site will be the first to meld a professional stadium with youth facilities (indoor and outdoor), hotels and retail centers. The facility will focus on offering local and national programming through relationships with existing sports organizations and programming including leagues, camps, clinics, club teams, training, and rentals. Sports will include baseball, soccer, lacrosse, volleyball, pickleball, cheer and others.

The local market demonstrates the volume and characteristics of a population that has a need for and has the potential to support new fields and turf spaces based on demographic and socioeconomic factors and sports participation rates. Future Legends believes that, based on the market need, relationships with existing service providers, and industry metrics, there is an opportunity to develop a successful indoor/outdoor sports, recreation, and entertainment facility in Windsor, Colorado.

The previously planned financing included a $25 million C-Pace loan with Petros Pace, was deauthorized in a Weld County board meeting on February 26, 2020 which deauthorized all use of Colorado C-Pace Financing in Weld County. This deauthorization occurred less than one month prior to the initially proposed loan closing and led to the pursuit of the USDA Business & Industry Loan as indicated in this Environmental Assessment.

Letters of support for the Proposed Action from various entities including the Colorado Rockies professional baseball team, former Colorado Governor and current Colorado State Senator-Elect John W. Hickenlooper, the town of Windsor, and the Major League Baseball Players Alumni Association (MLBPAA) are included in Appendix B.

2.0 ALTERNATIVES EVALUATED INCLUDING THE PROPOSED ACTION

2.1 Proposed Action

The Proposed Action is designed to serve consumers of sports leagues, training, skill-building clinics/camps, and competition as well as personal fitness, sports performance training, pay-to-play recreation experiences, team building and corporate events, youth development activities, birthday parties, special events, and youth summer camps. These core programs will provide a solution to local and regional sports, recreation, and event needs. The result is a project that assists in the development of athletes, encourages healthy lifestyles and creates a welcoming, social experience for youth, adult and family participation, as well as making a position impact on the local economy, including bringing affordable professional sports to the region.

The Proposed Action consists of the conversion of the site to the Future Legends sports complex facility (described in sections above). This Proposed Action includes onsite grading as well as installation of utilities, roads, and parking lots associated with the following proposed structures:

Table 2.1 – Proposed Action Building Use and Square Footage

Building Use	Approximate Building Area (square feet)
Retail	90,000
Sports Dome	168,750
Dome's Welcome Center & Retail	17,860
Concession and Restroom 1	1,160
Concession and Restroom 2	840
Dormitory (hotel)	68,360
Hotel 1	78,700
Hotel 2	59,300
Maintenance	10,000
Stadium	281,300

The use of the structures in the above table will include a multi-use field sport and concert stadium, hotels, teams-style dormitories, and a multiuse shopping plaza. Additionally, ten

special need fields and playgrounds, five baseball/softball fields, eight basketball fields, sixteen volleyball fields, and sixteen pickle ball courts will be constructed on the northern portion of the site. Three existent baseball/softball fields will remain on the northwestern portion of the site.

Future Legends is constructing the regional flood control channel for the Town of Windsor as set forth in their 2017 Windsor Master Drainage Plan, which addresses the impact of the 2013 and FEMA recommendations. Due to flood control flow rate requirements, the existent onsite 370 cubic feet per second (cfs) John Law Ditch and Flood Control Channel will be abandoned and an approximate 125-foot-wide, 1200 cfs combined John Law Ditch and Flood Control Channel will be created to the east of the existent ditch.

The Proposed Action includes clearing/grading the Site and installation of associated utilities. Construction Diagrams (CDs) identifying specific location of the above features are included in Appendix A – Exhibit 2.

2.2 No Action Alternative

In accordance with 7 CFR §§ 1970.13(a) and 1970.102(a)(3) and as a minimum, applicants are required to evaluate the environmental effects of the "No Action" alternative. The "No Action" alternative "mean[s] the proposed activity would not take place, and the resulting environmental effects from taking no action would be compared with the effects of permitting the proposed activity or an alternative activity to go forward" (CEQ, 40 Questions (Question 3) – 46 FR 18026, March 23, 1981).

Under the No Action Alternative, the Site would remain in its existing state and the proposed Future Legends sports complex facility would not be completed. This alternative would not bring the anticipated positive economic and cultural impacts indicated in the letters of support included in Appendix B to the surrounding communities.

2.3 Alternatives Eliminated from Further Consideration

The Proposed Action requires to be located on a site that contains both substantial acreage, existing sports resources, and proximity to reliable existing utilities and transportation infrastructure. This site additionally needed to be within the local jurisdiction of government entities with similarly aligned financial and cultural goals. At the time in which the project was anticipated to begin, no additional locations for the Proposed Action were available.

The specifics of the Proposed Action, including the eastward shift and the placement of the combined John Law Ditch and Flood Control Channel, is based on the many complicating onsite factors. Those challenges include a no build restriction to the Town Reversionary Parcel (the 39-acre Northwest Corner of the site), twin onsite Greeley raw water mains, an onsite Windsor primary sanitary sewer main, and the no build zone of the onsite Flood Plain. During this design process alternative designs were abandoned due to these restrictions, which drove layout of the Proposed Action and compressed the vertical development to the center of the site.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter describes the current conditions of the environmental resources, either manmade or natural, that would be affected by implementation of the Proposed Action or alternatives.

3.1 *Land Use*

3.1.1 General Land Use

3.1.1.1 Affected Environment

The U.S. Geological Survey (USGS) 1:24,000 scale (Windsor, CO Quadrangle 1969) topographic map of the site is presented in Appendix A - Exhibit 1. Based on the USGS map, the proposed project location is at an elevation of ranging between approximately 4,770 and 4,780 feet above mean sea level (amsl). Area USGS topographic maps indicate the surrounding area gently slopes northwest to southeast towards Eastman Park Drive and Consolidated Law Ditch. The site is generally level.

The site consists of the following Weld County Parcels and is anticipated to be entirely cleared of vegetation and graded as part of the Proposed Action:

Table 3.1 – Onsite Parcel Descriptions

Parcel No.	Address	Acreage	Property Classification	Land Economic Area
080722416015	None	6.17	Commercial	Future Legends
080722416016	None	7.06	Commercial	Future Legends
080722416017	None	37.05	Commercial	Future Legends
080722416018	None	1.51	Commercial	Future Legends
080722416019	None	48.76	Commercial	Future Legends
080722008001	None	18.57	Agricultural	Future Legends

A review of available Weld County Assessor information did not identify land use plans, zoning ordinances, development plans, or land use controls in opposition to the Proposed Action.

Based on information collected as part a Phase I Environmental Site Assessment (ESA) conducted by Terracon on the site (Terracon project 20207040, dated August 20, 2020), the site was most recently predominantly vacant land with three baseball fields and associated storage/concession structures located on the northeastern portion. The western and northern portions of the site were reportedly used for miscellaneous construction material and yard waste storage by the Town of Windsor.

Adjoining properties consist of vacant land and commercial and light industrial properties including GLH Construction, Windsor Guardian Self Storage, Catalyst Brazilian Jiu Jitsu Academy, Southern Exposure Landscape, and Windsor Charter Academy. Several single-family residences are located in the vicinity of the site; however, the general area is not predominantly residential.

Figure 3.1: Looking north from central western boundary of project area. Photo date: July 22, 2020

3.1.1.2 Environmental Consequences

No Action Alternative
Under the no action alternative, the site would remain in its existent state.

Preferred Alternative
The proposed action is a sports park and commercial development project. Land use would change from currently vacant property to a multi-use sports and retail complex with associated fields, commercial space, hotel, event plaza, and associated parking areas. In a memorandum issued on September 23, 2019 by the Town of Windsor, the town approved the service plan for the Proposed Action on the site, and multiple representatives of the Town of Windsor have publicly expressed their support for the Proposed Action (letters of support included in Appendix B).

The project area is currently zoned for commercial use and therefore no impact is anticipated.

3.1.1.3 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as the Proposed Action is in accordance with zoning regulations and stated local development plans.

3.1.2 Important Farmland

3.1.2.1 Affected Environment

The Farmland Protection Policy Act (FPPA) of 1981 (final rule June 17, 1994) is intended to "minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses". The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Land subject to FPPA requirements include land conversion completed by a Federal agency or with assistance from a Federal agency. FPPA jurisdiction does not include Federal permitting and licensing. The FPPA definition of farmland includes all land defined as follows:

> a) Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber. It does not include land already in or committed to urban development or water storage;
>
> b) Unique farmland is land other than prime farmland that is used for production of specific high-value food and fiber crops, as determined by the Secretary. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. Examples of such crops include citrus, tree nuts, olives, cranberries, fruits, and vegetables; and
>
> c) Farmland, other than prime or unique farmland, that is of statewide or local importance for the production of food feed, fiber, forage, or oilseed crops, as determined by the appropriate State or unit of local government agency or agencies, and that the Secretary determines should be considered as farmland for the purposes of this subtitle.

Information obtained from the NRCS Custom Soil Resource Reports and Web Soil Survey generated for the proposed sports complex were reviewed to determine whether site soils are considered prime or unique farmland. The farmland classification of the site is "Prime farmland if irrigated" and "Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60." The generated NRCS soil map and associated soil descriptions are included in Appendix A – Exhibit 3.

During a site visit conducted on July 22, 2020, it was observed that sprinkler irrigation was present on the northern portion of the site, in the area near the current sports fields. No

evidence of livestock grazing was observed. Additionally, the site is currently in or committed to urban development according to observed use and local zoning designations.

In a letter dated April 7, 2021, the National Resources Conservation Service (NCRS) stated that all aspects of the projects will occur in an area determined to already meet Rule 7 CFR – 658.2, farmland already in urban development, and the project is therefore not subject to the FPPA. The agency response is included in Appendix E.

3.1.2.2 Environmental Consequences

No Action Alternative
Under the no action alternative, no changes to agriculture are anticipated. The proposed project site would remain in its current state and use, and the local zoning designation would not be changed.

Preferred Alternative
The site would no longer be open space for potential agricultural use after construction and expansion of the sports complex. The site is currently in an area determined to be farmland already in urban development, and it is not currently in agricultural production.

3.1.2.3 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as no impacts to agriculture would result from the implementation of the preferred alternative.

3.1.3 Formally Classified Land

3.1.3.1 Affected Environment

There are specific land areas that have been accorded special protection through formal legislative designations and are either administered by federal, state, or local agencies, tribes, or private parties. The following resources were reviewed to determine the presence of these formally classified lands. See Appendix A – Exhibits 3 through 6 for associated maps:

- *Bureau of Land Management (BLM) – Surface Management Agency (SMA) Geographic Information System (GIS) dataset*
  The site is not located within or in the vicinity of lands identified within the SMA GIS dataset as owned or managed by the Department of Defense (DOD), BLM, National Park Service (NPS), US Forest Service (USFS), US Fish and Wildlife (USFW), Bureau of Reclamation (USBR), Bureau of Indian Affairs (BIA), or other federal, state, or local agencies.
- *National Park Service - Nationwide Rivers Inventory*
  The site is not located in the vicinity of one of the more than 3,200 free-flowing river segments in the United States that are believed to possess one or more

"outstandingly remarkable" natural or cultural values judged to be at least regionally significant.

- *Colorado Historical Society-Office of Archaeology and Historical Preservations Colorado's on-line Cultural Resource Database (Compass)*
  Two previously recorded cultural resources were identified within the project site. Further discussion of these findings are included in Section 3.5.
- *National Register of Historic Places / National Historic Landmarks*
  There are no previously designated National Register of Historic Places (NRHP)-listed historic properties or National Historic Landmarks (NHLs) within the section containing the proposed project area (Section 22, Township 6 North, Range 67 West).

3.1.3.2 Environmental Consequences

No Action Alternative

Under the no action alternative, no changes to land use plans are anticipated and the land would remain in its current state and use.

Preferred Alternative

The proposed action is a sports park and commercial development project. Land use would change from currently vacant property to a multi-use sports and retail complex with associated fields, commercial space, hotel, event plaza, and associated parking areas. Formally classified lands are not anticipated to be impacted as part of the proposed action.

3.1.3.3 Mitigation / Management Measures

Onsite Mitigation or Management Measures are not anticipated to be required to reduce impacts to less than significant levels.

3.2 *Floodplains*

3.2.1 Affected Environment

Federal Emergency Management Agency (FEMA) has developed flood maps that illustrate flood zones, which are areas that FEMA has defined according to levels of flood risk and flood type. According to information obtained from the FEMA Flood Map Service Center, the majority of the site is located in Zone X (area of minimal flood hazard); however, portions of the site along the eastern and southeastern site boundaries are located in Zone AE (area of 1% annual chance of flooding). Approximately 18.6 acres of the site is within the Zone AE floodplain. The FEMA map is included as Appendix A – Exhibit 7.

3.2.2 Environmental Consequences

No Action Alternative

Under the no action alternative, the land would remain in its current state and use; therefore no impact on floodplains is anticipated.

Preferred Alternative

Between 2009 and 2016 the Town of Windsor and Weld County locally regulated development in the John Law Floodplain utilizing the 2009 Letter of Map Revision (LOMR) as the best available data. Development in the JLD floodplain was regulated utilizing the following minimum FEMA standard: "Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1–30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-foot at any point within the community" [FEMA, 44 CFR Section 60.3 (c) (10), October 1, 2013].

A Floodplain Permitting Report was prepared to document the existing floodplain within the project area based upon the modifications that have occurred upstream and downstream of the proposed project since the 2009 LOMR. The report reviewed the impacts to the area from:

- Replacement and expansion of irrigation pipe flume at the earthen ditch crossing located at the John Law Ditch at the railroad and Eastman Park intersection.
- Development, including modifying the grade and introducing a berm around the facility, of a seven acre oil and gas facility to the east of the John Law Ditch.
- Building addition to the Transportation Management Services facility located east of the John Law Ditch in 2017.

The results of the report observed that the elevations to the east of the John Law Ditch, the area within the floodplain, are similar to those within the FIRM; however the cubic feet per second of water discharged by the John Law Ditch would increase. Utilizing this information impacts to the floodplain were estimated if the floodplain within the project area limits was constructed upon and the John Law Ditch widened to accommodate the additional flow recognized prior to construction and upon completion of the proposed action. The activities analyzed included increasing the grade along the right bank of the channel to approximately five feet along the modified length of the channel to create pads for the parking lot, widening John Law to accommodate the excess storm flows, and grading soccer fields to be crowned in the middle to prevent ponding on the fields.

Based upon the data generated the Proposed Action has limited rises in base flood elevation (BFE) to no more than 0.3 feet. Outside of the project area/reach rises in BFEs due to the project did not exceed 0.1 feet. The Proposed Action would have an 'allowable rise' under FEMA and the State of Colorado's floodplain and stormwater regulations. It should be noted that the redistribution of discharges in the corrected effective analysis will result in changes to the BFEs downstream of the study area.

A Floodplain Development Permit Application was submitted to the City of Windsor on June 25, 2020. The Floodplain Permitting Report was provided with the application and the application was accepted and permit approved on July 9, 2020. Since an allowable rise was satisfied, the Town of Windsor did not require a Conditional Letter of Map Revision (CLOMR) submittal to FEMA at the time. Additionally, Weld County was consulted on October 5, 2020, the Weld County Department of Planning Services replied on October 12, 2020 that there are no concerns over the project.

3.2.3 Mitigation / Management Measures

Under EO 11988--Floodplain management, which directs federal agencies to consider the impacts of their actions on floodplains when funding actions, Federal agencies are required to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. The proposed action includes constructing grass covered recreational fields within the floodplain, which will retain the current flow rate into John Law Ditch allowing for the continued infiltration and erosion control. Based upon the proposed action, the floodplain will not be impacted. This is validated by the results of the Floodplain Permitting Report and the approval of the permit indicate that constructing floodplain is not anticipated to be impacted downstream. However, upon completion of the Proposed Action, per the Floodplain Development Permit Application, a Letter of Map Revision application will be submitted to FEMA within six months upon the completion of all construction.

3.3 *Wetlands*

3.3.1 Affected Environment

The *US Army Corps of Engineers (USACE) Wetland Delineation Manual* defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

National Wetlands Inventory (NWI) maps are produced by the U.S. Fish & Wildlife Service (USFWS). Wetlands maps are prepared primarily by stereoscopic analysis of high-altitude aerial photographs. A pond is noted on the photographs based on interpretation of vegetation,

visible hydrology, and topography. The NWI map of the site is included as Appendix A - Exhibit 8.

A custom soil survey report was generated using the Natural Resources Conservation Service (NRCS) Web Soil Survey online application. Hydric soils, a key component to the formation of wetlands, were not identified on the site. A copy of the soil survey for the site and general area is included as Appendix A – Exhibit 4.

On July 22, 2020, a site reconnaissance was performed at the proposed facility; during this site reconnaissance, existent irrigation ponds and the Consolidated Law Ditch were observed.

3.3.2 Environmental Consequences

No Action Alternative
Under the no action alternative, no construction and ground disturbance activities would occur; therefore no impact wetlands are anticipated.

Preferred Alternative
The Proposed Action is construction of the Future Legends sports complex. The Proposed Action would not involve moving or affecting the identified irrigation pond on the northern portion of the site; therefore, no significant impacts to wetlands are anticipated due.

3.3.3 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as no impacts to wetlands would result from the implementation of the preferred alternative.

3.4 *Water Resources*

3.4.1 Surface Water

3.4.1.1 Affected Environment

Section 404 of the Clean Water Act (Section 404) authorizes the Secretary of the Army to issue permits for the discharge of dredged or fill material into Waters of the United States (WOTUS). Federal regulations note that WOTUS may include intrastate rivers and streams, including impoundments and other waters. In response to a recent Supreme Court decision addressing the limits of federal jurisdiction, the United States Army Corps of Engineers (USACE) and Environmental Protection Agency (EPA) have issued further guidance, and require additional documentation to support jurisdiction. Currently, the USACE continues to assert jurisdiction over traditionally navigable waters and non-navigable tributaries of traditionally navigable waters where the tributaries are relatively permanent waters (i.e., tributaries that typically flow year round or have continuous flow at least seasonally). Current USACE guidelines require a jurisdictional evaluation to determine if the features have a

significant nexus to traditionally navigable waters for waterbodies and tributaries that are not relatively permanent waters (i.e. ephemeral). The project was also reviewed under the guidance contained in the Navigable Waters Protection Rule that went into effect on June 22, 2020.

Surface water resources were observed onsite during Terracon's site reconnaissance on July 22, 2020. The Consolidated Law Ditch is located onsite along the eastern site boundary, and an irrigation pond is located on the northeastern portion of the site. The Consolidated Law Ditch flows north to south and drains to a ponded area offsite to the south. The onsite irrigation pond does not flow directly into any onsite or adjacent surficial waterways.

3.4.1.2 Environmental Consequences

No Action Alternative - Under the no action alternative, no construction activities would occur; therefore no potential impact to surface waters associated with stormwater are anticipated.

Preferred Alternative – Under the Preferred Alternative, the Consolidated Law Ditch would be relocated and widened. The USACE has been involved with the proposed relocation of the onsite ditch and the Town of Windsor is in the process of obtaining confirmation that the proposed ditch relocation would be exempt from Section 404 Permitting. Correspondences between the USACE and the Town of Windsor regarding this exemption are included in Appendix B.

Additionally, the clearing, grading, site preparation, and increase in impervious cover associated with the Proposed Action could potentially affect storm water runoff. Potential short term impacts include constructed related contamination entering storm water discharge or heavy sediment loading from construction activities. Long-term impacts potentially include disruption of natural drainage patterns and increase in surface water runoff associated with the increase in impervious cover. These impacts, both short term and long-term can be managed by appropriate mitigation to levels that are not significant.

3.4.1.3 Mitigation / Management Measures

Construction would require that temporary and permanent erosion and sediment control measures be implemented in accordance with USEPA Regulations for stormwater pollution prevention. Construction would require that temporary and permanent erosion and sediment control measures be implemented in accordance with USEPA Regulations for stormwater pollution prevention. Construction would include compaction, grading, and re-vegetation if appropriate as part of permanent erosion control. Erosion protection and minimization of runoff during construction would be included as part of the design and construction. The project specifications would require methods to minimize the potential for surface water

impacts including implementation of spill prevention measures and erosion and sediment runoff controls as necessary.

The engineering design of the relocated Consolidated Law Ditch includes the additional quantity of stormwater runoff associated with the increase of impervious cover; therefore minimizing the impact. See Construction Diagrams in Appendix A, Exhibit 2.

3.4.2 Groundwater

3.4.2.1 Affected Environment

The proposed project site is mapped within close proximity to the South Platte alluvial aquifer; however, the site is not designated within the recharge area of the aquifer. The South Platte River and underlying aquifer form an important hydrologic resource in northeastern Colorado that provides water to population centers along the Front Range and to agricultural communities across the rural plains. Alluvium in the valley of the South Platte River consists of poorly sorted mixtures of unconsolidated gravel, sand, silt and clay or interlayered beds of relatively well-sorted sand, gravel, or silty clay. Large deposits of dune sand and loess were deposited mainly during late Pleistocene time.

Data from the ERIS Physical Settings Report (PSR, July 2020) indicates that there are multiple groundwater wells within a one-mile buffer of the project area. According to the Depth to Water Map of the Boulder-Fort Collins-Greeley Area, Front Range Corridor (Colorado, 1979), depth to groundwater is approximately 10 to 20 feet below ground surface (bgs).

3.4.2.2 Environmental Consequences

No Action Alternative - Under the no action alternative, no construction activities would occur; therefore impact to access, quantity, or quality of groundwater is anticipated.

Preferred Alternative - Implementation of the Preferred Alternative would not impact the quality or quantity of groundwater at the site or the surrounding area. The proposed action will not require the construction of groundwater wells and will utilize potable water from the City of Windsor, which uses surface water. Excavation for any construction activities is not expected to reach probable groundwater levels. As a result, groundwater is not likely to be encountered. If groundwater were encountered, care would be taken during construction activities to ensure that groundwater resources would be protected from contamination. Likewise, in the event groundwater is encountered during any construction or demolition activities, care would be taken during construction activities to ensure that workers are protected from potentially contaminated groundwater.

3.4.2.1 Mitigation / Management Measures

There would be no adverse impacts to groundwater resources as a result from the Preferred Alternative; therefore, no mitigative actions or management measures would be required. As mentioned above, if groundwater is encountered during construction activities, care would be taken during construction and demolition activities to ensure that groundwater resources are protected from contamination.

3.5 *Coastal Resources*

3.5.1 Affected Environment

The Proposed Action is located in Windsor, Colorado (an entirely landlocked state) and is not in the vicinity of any coastal resources. See Appendix A – Exhibit 1 for a location map of the site.

3.5.1 Environmental Consequences

No Action Alternative
Under the no action alternative, the land would remain in its current state and use.

Preferred Alternative
The Proposed Action would include the construction of the Future Legends sports complex. As coastal resources are not located in the vicinity of the Proposed Action, negative impacts to coastal resources are not anticipated.

3.5.2 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as no impacts to coastal resources would result from the implementation of the preferred alternative.

3.6 *Biological Resources*

3.6.1 General Wildlife and Vegetation Resources

3.6.1.1 Affected Environment

The proposed project site parcel consists of existing baseball fields and associated structures on the northwest portion, an irrigation pond on the northeastern portion, and vacant land currently under grading/construction-related activities. At the time of the site reconnaissance, little to no vegetation was observed in the vacant areas of the site due to ongoing grading activities. Vegetation on the developed, northwestern portion of the site consisted mainly of manicured grass and landscaped areas near existing fields and associated structures. Aquatic and riparian resources onsite include the Consolidated Law Ditch (along eastern site boundary) and an irrigation pond onsite.

Typical wildlife that may occur in the project area include avian, mammal, and reptile species that occur in urban areas. Other wildlife species less adapted to urban settings could utilize adjacent riparian corridors to the north, and could be transient through the site.

Threatened and Endangered Species

USFWS has the authority under the Endangered Species Act (ESA) to list and monitor the status of species whose populations are considered imperiled. USFWS regulations that implement the ESA are codified and regularly updated in 50 CFR Part 17. The federal process identifies potential candidates based on biological vulnerability. The vulnerability assessment considers several factors affecting a species within its range and is linked to the best scientific data available to the USFWS. Species listed as endangered or threatened by the USFWS are afforded full protection under the ESA, including the prohibition of indirect take such as the destruction of designated critical habitat.

The USFWS Information for Planning and Conservation (IPaC) website was queried to generate an Official Species List for the proposed project site. The search area for the query consisted of an area approximately 119 acres with current fields and associated structures and vacant/graded land. No critical habitat, refuges or hatcheries were identified through the IPaC species list. Suspect wetlands within the search area were identified, but they will not be impacted by site development. The Official Species List, provided in Appendix B, identified six federally listed threatened or endangered (T&E) species in the search area. These species are listed in the following table.

Table 3.6.1.1: IPaC Threatened, Endangered, or Candidate Species List

Species Common Name	Species Scientific Name	Status	Species Habitat
Preble's Meadow Jumping Mouse	*Zapus hudsonius preblei*	Threatened	Inhabits well developed riparian habitat with adjacent, relatively undisturbed grassland communities and a nearby water source. Well-developed riparian habitat includes a dense combination of grasses, forbes and shrubs. The site currently consists of sparsely vegetated, previously disturbed land. Suitable habitat for this species was not observed onsite.
Least Tern	*Sterna antillarum*	Endangered	Habitat includes sea beaches, bays, large rivers, salt flats, and along coasts, generally where sand beaches close to extensive shallow waters for feeding. Inland habitat includes rivers with broad exposed sandbars and lakes with salt flats nearby. Suitable habitat for this species was not observed onsite.
Mexican Spotted Owl	*Strix occidentalis lucida*	Threatened	Reside in old-growth or mature forests that possess complex structural components (uneven aged stands, high canopy closure, multi storied levels, high tree density). Canyons with riparian or conifer communities, vertical-walled rocky cliffs within complex watersheds, including tributary side canyons. Rock walls with caves,

Table 3.6.1.1: IPaC Threatened, Endangered, or Candidate Species List

Species Common Name	Species Scientific Name	Status	Species Habitat
			ledges, and other areas provide protected nest and roost sites. Suitable habitat for this species was not observed onsite.
Piping Plover	*Charadrius melodus*	Threatened	Habitat includes wide, plat, open, sandy beaches with very little grass or other vegetation. Nesting territories often include small creeks or wetlands. Suitable habitat for this species was not observed onsite.
Whooping Crane	*Grus americana*	Endangered	Breeds, migrates, winters, and forages in a variety of wetland and other habitats including coastal marshes and estuaries, inland marshes, lakes, ponds, wet meadows and rivers, and agricultural fields. During migration, whooping cranes use a variety of habitats; wetland mosaics appear to be the most suitable. Suitable habitat for this species was not observed onsite.
Pallid Sturgeon	*Scaphirynchus albus*	Endangered	Bottom-oriented, large river obligate fish that inhabit floodplains, backwaters, chutes, sloughs, islands, sandbars, and main channel waters. Often associated with sand and fine bottom materials. Suitable habitat for this species was not observed onsite.

Migratory Birds

The 1918 Migratory Bird Treaty Act (MTBA) (16 U.S.C. 703-712), establishes a Federal prohibition to pursue, hunt, capture, kill, collect, possess, buy, sell, trade, or transport migratory bird, nest, young, feather, or egg, without a permit issued in accordance with the policies and regulations of the MBTA. Under the act, "take" is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect migratory birds." The MBTA does not prohibit the destruction of the bird nest alone (without birds or eggs), provided that no possession of the nest occurs during destruction. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

In December 2017, Memorandum M-37050 (the "M-Opinion") was issued by the Department of Interior (DOI) Office of the Solicitor. The M-Opinion reversed the previous prohibition of incidental take under the MBTA. The USFWS is subject to the M-Opinion and issued a Guidance Memorandum which concurs with the M-Opinion and describes how it applies to its enforcement of the MBTA moving forward. The USFWS guidance reiterates that the MBTA does not prohibit the incidental take of migratory birds when the ultimate purpose of an action is something other than the purposeful take of migratory birds, their eggs or their nests. However, the same guidance letter states that impacts to migratory birds must still be considered under NEPA. Therefore, for projects that have a federal nexus, impacts to migratory birds (including incidental take) must still be documented and evaluated.

The Official Species List generated from the USFWS Information for Planning and Conservation (IPaC) website, provided in Appendix B, identified the following migratory bird species that are considered birds of conservation concern that may be present in the vicinity of the proposed project site:

Table 3.6.1.2: Migratory Birds of Conservation Concern

Species Common Name	Species Scientific Name	Breeding Season
Bald Eagle	*Haliaeetus leucocephalus*	Oct 15 to Jul 31
Lark Bunting	*Calamospiza melanocorys*	May 10 to Aug 15
Lesser Yellowlegs	*Tringa flavipes*	Breeds elsewhere
Long-billed Curlew	*Numenius americanus*	Apr 1 to Jul 31
Semipalmated Sandpiper	*Calidris pusilla*	Breeds elsewhere

3.6.1.2 Environmental Consequences

No Action Alternative
Under the no action alternative, no changes to wildlife or habitat are anticipated.

Preferred Alternative
It is expected that wildlife would avoid construction areas while work is ongoing and utilize adjacent habitats. Temporary disturbance from equipment noise and the presence of work crews would discourage wildlife from utilizing the project site during construction. Once the site is in operation, some intermittent impacts to wildlife are expected which may include, but are not limited to, wildlife strikes from buses, disturbance from vehicle noise and human activity. The wildlife species expected to be present (e.g. deer, racoons, coyotes, small mammals and birds) are habituated to the presence of human activity due to the proximity of existing urban development and would likely adjust to the presence of the proposed facility.

Based on a review of required habitats for threatened and endangered species identified, no suitable habitat for such species utilization is apparent at the project site location. Additional development will occur on sparsely vegetated land that has been previously disturbed. Due to the highly developed and disturbed nature to the project area and its surroundings, no impacts to threatened and endangered species or associated habitat is expected to occur at this time.

Based on a review of required habitats for migratory bird species identified, no suitable habitat for such species utilization is apparent at the project site location. Therefore, no impacts to migratory birds or associated habitat is expected to occur at this time.

3.6.1.3 Mitigation / Management Measures

Impacts during construction as described above would be of limited duration (several months) and would subsequently cease. Impacts from the operations of the facility would be ongoing for the life of the facility. Keeping trash receptacles covered to discourage scavenging wildlife

and establishing native landscaping vegetation that could be used by small mammals and birds would provide some wildlife benefits.

3.6.2 Vegetation

3.6.2.1 Affected Environment

The northwestern portion of the property is developed with existing sports fields and associated structures (dugouts, concessions and restrooms building, and maintenance/storage areas). The southern portion of the property is vacant and currently undergoing grading and construction-related activities. Vegetation on the site primarily consists of manicured Kentucky bluegrass *(Poa pratensis)* and ornamental landscaping areas.

Threatened, Endangered, and Candidate Species

The USFWS IPaC website was queried to generate an Official Species List for the sports complex site. The Official Species List, provided in Appendix B, identified two federally listed T&E plant species in the vicinity of the proposed project site. These species are listed below:

Table 3.6.2: IPaC Plant Species of Concern

Species Common Name	Species Scientific Name	Status	Species Habitat
Ute Ladies'-tresses	*Spiranthes diluvialis*	Threatened	Historically found in moist meadows associated with perennial stream terraces, floodplains, oxbows, seasonally-flooded river terraces, sub irrigated or spring-fed abandoned stream channels and valleys, and lakeshores. In addition, 26 populations have been discovered along irrigation canals, berms, levels, irrigated meadows, excavated gravel pits, roadside barrow pits, reservoirs, and other human-modified wetlands. Suitable habitat for this species was not observed onsite.
Western Prairie Fringed Orchid	*Platanthera praeclara*	Threatened	Found in tall grass prairie and often on unplowed, calcareous prairies and sedge meadows. Soil moisture is a critical determinant of growth, flowering, and distribution. Dependent on mycorrhizal fungi, especially for seed germination and nutritional support. Suitable habitat for this species was not observed onsite.

No plant species of concern were observed on the project site, as the site currently consists of disturbed or developed areas; therefore, no suitable habitat for these species is apparent on the subject site.

3.6.2.2 Environmental Consequences

No Action Alternative

Under the no action alternative, existing conditions would be maintained, and no changes to vegetation would be anticipated.

Preferred Alternative
With the construction of the facility, any remaining vegetation would be either converted to impermeable surface or landscaped surface. Species would change from general weeds or bare ground to tame grasses and other nursery/landscape species. The potential exists for weeds to increase as a result of construction-related disturbance. No significant impact to vegetation on the subject and adjacent properties is anticipated.

3.6.2.3 Mitigation / Management Measures

No mitigation or Management Measures are warranted as impacts to vegetation are expected to be minimal (i.e. non-significant).

3.6.3 Ecosystems and Biological Communities

3.6.3.1 Affected Environment

Ecosystems on the proposed project site are limited to urban non-native vegetation and grass communities. This ecosystem is common in the immediate vicinity and throughout the city and county.

3.6.3.2 Environmental Consequences

No Action Alternative
Under the no action alternative, no changes to existing ecosystems or biological communities are anticipated.

Preferred Alternative
The impacts to wildlife communities of the proposed action would be localized and temporary during construction. Impacts to vegetation communities of the proposed action would be limited to a change in vegetation should weeds colonize disturbed areas.

3.6.3.3 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as impacts to ecosystems and biological communities are expected to be minimal.

3.7 *Historic and Cultural Properties*

3.7.1 Affected Environment

Section 106 of the National Historic Preservation Act (Section 106) requires federal agencies to take into account the effects of their "undertakings" on historic properties that are within the proposal's "area of potential effect" (APE) and to provide the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment on such undertakings. The regulations implementing Section 106 establish the process through which federal agencies meet this statutory requirement. Notwithstanding the above statement, in most cases Agency actions would not be reviewed by the ACHP but rather by State Historic Preservation Officers (SHPO) and Tribal Historic Preservation Officers (THPOs) on and off tribal land. Federal agencies must consider whether their activities could affect historic properties that are already listed, determined eligible, or not yet evaluated under the National Register of Historic Places (NRHP) criteria. Properties that are either listed on or eligible for listing in the NRHP are provided the same measure of protection under Section 106.

A Class III cultural resources survey, evaluation, and architectural survey for the project area was conducted in March 2021. Prior to fieldwork, a background research and literature review was conducted. One previous cultural resources survey overlaps the APE, and one previously recorded archaeological site, 5WL.7222.1, is located within the APE. Due to the proximity to recorded archaeological site and potentially eligible historic structures, and the undeveloped nature of the project area; the SHPO requested a field survey and additional resource evaluation. The Class III cultural resource survey was performed by Dante Knapp (Metcalf Archaeological Consultants, Inc.) and the cultural resource evaluation and architectural history survey was performed by Mr. Nicholas Powell (Terracon Consultants, Inc.). Fieldwork was conducted on November 9 and 13, 2020 (architectural history), and on March 10, 2021 (archaeological resources). The fieldwork results were overseen by Ann M. Scott, PhD, RPA, a Principal Investigator who meets the Secretary of the Interior's Professional Qualifications

Standards for archaeology. Architectural history survey included surveying five parcels with historic-age buildings within the APE for visual effects and recommends the buildings not eligible for inclusion on the NRHP. The cultural resource evaluation did not identify/observe any resources.

In addition, the Consolidated Law Ditch (5WL.7222.1), is present within the APE for direct effects. As part of the evaluation of the Consolidated Law Ditch (5WL.7222.1), the current condition of the ditch and recorded the presence of a historical artifact scatter as fill materials were documented. Because prior mitigation efforts covered this segment of the Consolidated Law Ditch (5WL.7222.1), which was confirmed in consultation with Colorado SHPO, the prior documentation is applicable to this project and a Memorandum of Agreement (MOA) is not warranted.

In a letter dated April 2, 2021, the SHPO concurred with the findings of the March 2021 Class III cultural resources survey stating that 5WL.7222.1 no longer supports the eligibility of 5WL.7222 due to alterations made to the segment in 2013 and 2014, the five identified architectural properties are individually not eligible for inclusion in the NRHP. The SHPO stated the Proposed Action. The Class III Report is included in Appendix D. The SHPO response is included in Appendix E.

3.7.2 Environmental Consequences

No Action Alternative
Under the no action alternative, existing conditions would be maintained; therefore no impacts would be anticipated.

Preferred Alternative
Based upon the findings of the Class III a finding of No Effect to Historic Properties within the APE for visual effects was recommended associated with the Preferred Alternative was recommended. In a letter dated April 2, 2021, the SHPO concurred with the findings reported in the Class III survey. Therefore the Proposed Action would not involve affecting NRHP-eligible or NRHP-listed resources and no significant impacts to cultural resources are anticipated.

On November 16, 2020, the City of Windsor initiated consultation with Federally Recognized Tribes under Section 106. On January 26, 2021 the USDA submitted a second finding of no tribal properties affected and supporting documentation for review and consideration, and requested concurrence or objection within 15-days upon receipt of the letter. The USDA then submitted finding of no effect letters on February 25, 2021 to these same tribal entities. All the tribes and points of contact are documented within Section 6.0 Objections to or concurrence of the findings were not received.

3.7.3 Mitigation / Management Measures

Should buried artifacts, human remains, cultural sites or ground features be unexpectedly unearthed during construction activities, those construction activities should immediately cease, and the resources should be examined by a professional archaeologist. Additionally, appropriate authorities including pertinent tribal entities and the SHPO should be notified. Inadvertent discoveries of human remains should follow Colorado's legal standards concerning human burials.

Should unidentified archeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria in consultation with SHPO. Also, should the scope of work change, SHPO should be contacted for continued consultation under Section 106 of the National Historic Preservation Act.

Additionally, SHPO has requested continued involvement with local government consultation, which as stipulated in 36 CFR §800.3 is required to be notified of the undertaking, and with other consulting parties.

3.8 *Aesthetics*

3.8.1 Affected Environment

Formally Classified Lands were not identified in the vicinity of the site (see Section 3.2.3). The Front Range of the Rocky Mountains are visible from the site and surrounding properties; however, this landscape feature is located at least 15 miles west from the site and is currently largely obscured from view due to commercial development in the immediate vicinity of the site and within the nearby Town of Windsor.

Photo 1: Looking west towards the Front Range of the Rocky Mountains from the northern portion of the site. Photo date: July 22, 2020
(J. Binion, Terracon Consultants, Inc.)

An online review was conducted of the NHL database and the Colorado OAHP's Compass databases to identify resources listed or recommended eligible for listing in the NRHP within the visual effects APE of the proposed project. Research was conducted by Terracon on November 5, 2020 and March 11, 2021. The research indicates there are no previously recorded historic properties within the visual APE. Upon further research using the Weld County Assessor Records, four parcels (745 Jackson Court, 9535 Eastman Park Drive, and 9565 Eastman Park Drive, 9481 Eastman Park Drive) containing nine buildings and structures within the visual APE are 50-years or older, requiring NRHP-eligibility evaluations. The buildings were surveyed using windshield survey methods from the public right-of-ways.

Based on the results of this survey, the area in the vicinity of the site has changed from a former agricultural area to a newly commercial/industrial area and these adjoining historic-age resources would not be considered eligible through embodying the distinctive characteristics of a type, period, or method of construction; representing the work of a master; possessing high artistic value; or representing a significant and distinguished entity whose components may lack individual distinction. Photos taken during this field visit are below, and a more thorough discussion is included in the Class III Report prepared by Terracon in March 2021, included as Appendix D.

Photo 2: 745 Jackson Court. Photo date: November 9, 2020 (N. Powell, Terracon Consultants, Inc.)

Photo 3: 9535 Eastman Park. Photo date: November 9, 2020 (N. Powell, Terracon Consultants, Inc.)

Photo 4: 9695 Eastman Park. Photo date: November 9, 2020 (N. Powell, Terracon Consultants, Inc.)

Photo 5: 10119 Eastman Park. Photo date: March 11, 2021 (A. Varnell, Terracon Consultants, Inc.)

3.8.2 Environmental Consequences

No Action Alternative

Under the no action alternative, the land would remain in its current state and use.

Preferred Alternative

As visually sensitive areas and/or landscape features are not located in the vicinity of the site, nor can the site been seen by those areas deemed to be visually sensitive or landscape features. Negative aesthetic impacts are not anticipated.

3.8.3 Mitigation / Management Measures

The Town of Windsor and the applicant's design team have worked together to navigate multiple features of the Proposed Action. Aesthetic mitigation measures suggested by the Town (see Appendix B) and implemented through the design process includes screening

outdoor storage areas from view of adjoining right-of-ways and keeping onsite structures to below the maximum allowable zoning height of 75 feet.

3.9 *Air Quality*

3.9.1 Affected Environment

The EPA has established primary and secondary National Ambient Air Quality Standards (NAAQS) under the Clean Air Act Amendments of 1990 (CAAA). The CAAA also set emission limits for certain air pollutants from specific sources, set new source performance standards based on best demonstrated technologies, and established national emission standards for hazardous air pollutants. The CAAA places the responsibility on individual states to achieve and maintain the NAAQS. The NAAQS are noted within Table 3.9 below.

Table 3.9 - National Ambient Air Quality Standards (NAAQS)

Pollutant	Primary/ Secondary	Averaging Time	Level	Form
Carbon Monoxide	Primary	8-Hour	9 ppm	Not to exceed more than once per year
		1-Hour	35 ppm	
Lead	Primary	Rolling 3 month average	0.15 µg/m^3 (1)	Not to be exceeded
	Secondary			
Nitrogen Dioxide	Primary	1 Hour	100 ppb	98th percentile of 1-hr daily maximum concentrations, averaged over 3 years
	Primary and Secondary	1 Year	53 ppb (2)	Annual Mean
Sulfur Dioxide	Primary	1 Hour	75 ppb (4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	3 Hours	0.5 ppm	Not to be exceeded more than once per year
Particle Pollution ($PM_{2.5}$)	Primary	1 Year	12.0 µg/m^3	Annual mean, averaged over 3 years
	Secondary	1 Year	15.0 µg/m^3	Annual mean, averaged over 3 years
	Primary and Secondary	24 Hours	35 µg/m^3	98th percentile, averaged over 3 years
Particle Pollution (PM_{10})	Primary and Secondary	24 Hours	150 µg/m^3	Not to be exceeded more than once per year on average over 3 years

Pollutant	Primary/ Secondary	Averaging Time	Level	Form
Ozone	Primary and Secondary	8 Hours	0.070 ppm (3)	Annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years

Source United States Environmental Protection Agency. NAAQS Table. Available at https://www.epa.gov/criteria-air-pollutants/naaqs-table.

(1) In areas designated nonattainment for the Pb standards prior to the promulgation of the current (2008) standards, and for which implementation plans to attain or maintain the current (2008) standards have not been submitted and approved, the previous standards (1.5 µg/m3 as a calendar quarter average) also remain in effect.
(2) The level of the annual NO2 standard is 0.053 ppm. It is shown here in terms of ppb for the purposes of clearer comparison to the 1-hour standard level.
(3) Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O3 standards and transitioning to the current (2015) standards would be addressed in the implementation rule for the current standards.
(4) The previous SO2 standards (0.14 ppm 24-hour and 0.03 ppm annual) would additionally remain in effect in certain areas: (1) areas for which it is not yet 1 year since the effective date of designation under the current (2010) standards, and (2) areas for which an implementation plan providing for attainment of the current (2010) standard has not been submitted and approved and which is designated nonattainment under the previous SO2 standards or is not meeting the requirements of a SIP call under the previous SO2 standards (40 CFR 50.4(3)). A SIP call is an EPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the required NAAQS.

The National Ambient Air Quality Standards established by the U.S. Environmental Protection Agency (EPA) define the allowable concentrations of air pollutants that may be reached, but not exceeded, in a given period to protect human health (primary standards) and welfare (secondary standards) with a reasonable margin of safety. These standards include maximum concentrations of ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter with a diameter of up to 10 microns. The Colorado Department of Public Health and Environment (CDPHE), Air Pollution Control Division, is the primary authority for protecting air quality in Colorado under the Colorado Air Pollution Prevention and Control Act. Weld County, including Windsor and the project area, is a non-attainment area for 8-hour ozone (EPA 2015). Ozone is the primary component of smog. The 8-hour ozone standard is the surface ozone concentration backward averaged over 8 hours. Additionally, the CEQ has recently released guidance on how Federal agencies should consider climate change in their decisions. The Council on Environmental Quality (CEQ) guidance for National Environmental Policy Act (NEPA) documents suggests that quantitative analysis should be done if an action would release more than 25,000 metric tons of greenhouse gases per year (CEQ 2010); based on the scope and scale of onsite construction activities the site is not expected to meet or exceed this threshold for analysis.

3.9.2 Environmental Consequences

No Action Alternative

Under the no action alternative, existing conditions would be maintained, and air quality would not be affected.

Preferred Alternative

During implementation and construction of the project components, the Proposed Action would cause low levels of particulate matter (dust generated during construction) and vehicle exhaust emissions from construction vehicles. Both types of emissions would have a temporary minor impact on air quality in the local area. Operation of the construction equipment would add to exhaust-related air pollutants, such as nitrogen oxide, carbon monoxide, and ozone, within the local area. Increased concentrations of these air pollutants would be localized, temporary, and have a minor effect on local air quality. The site received a general permit approval from the CDPHE Air Pollution Control Division on August 19, 2020 (AIRS ID 124-4699-001).

With the anticipated increase in traffic due to the Proposed Action, increased ozone and greenhouse gas emissions are anticipated. However, due to the ever-increasing efficiency in vehicular emissions, the anticipated increase in air quality will be negligible and/or *de minimis* over the lifetime of the operation of the site.

3.9.3 Mitigation/Management Measures

When necessary, the contractor would be required to water down work areas to reduce dust levels, covering dirt and aggregate trucks and/or piles, preventing dirt carryover to paved roads, and using erosion barriers and wind breaks. To reduce emissions associated with the construction, truck drivers and equipment operators would be instructed to limit truck idle times and construction contractors have their engines optimized for fuel efficiency.

Future Legends has additionally entered into an agreement with Groome Transportation to provide transport services to and from the Denver International Airport, which will eliminate the need for rental cars and vans, for teams and individuals. Groome will also provide transportation options for those whom want tour the offering of the Front Range and Mountains.

The Proposed Action would not result in a new point source or generate detectable levels of greenhouse gases; therefore, the project would not affect global climate change.

3.10 *Socio-Economic Impact Assessment/Environmental Justice*

3.10.1 Affected Environment

The Town of Windsor was incorporated in 1890 and covers approximately 23 square miles of land in Weld County. Historically, Windsor was an agricultural community with industry centered on sugar beets and sugar manufacturing. Today, Windsor leads the way for northern Colorado in attracting green industry. In addition to wind turbine blade production, the area supports ethanol production, a recycling facility, and other green industries. Windsor has recently seen a dramatic growth, with the population increasing drastically from 2000 (9,896 persons) to 2008 (19,001 persons) to 2019 (30,477 persons) (Town of Windsor 2011 and U.S. Census Bureau). Future Legends will provide an economic engine and tax base for the Town of Windsor, given an expected 2.5 million visitors in the first five years. Windsor is expected to double its population in the next ten years, and the Future Legends development will provide more than 600 jobs to local individuals.

The area that the Proposed Action is within is predominantly commercial/industrial, agricultural, and rural residential; however, the Proposed Action is approximately 0.5 miles from single-family residential subdivisions to the east and is approximately 1.15 miles from the predominantly commercial and recreational Town of Windsor Downtown Development Authority jurisdictional boundary.

Currently, the Town of Windsor does not have a public facility that can house larger events for the community as well as venue that affords opportunities to the community to attract sporting franchises and events.

Based on data obtained from the EPA's Environmental Justice Screening and Mapping Tool (EJSCREEN, Version 2019), the Proposed Action is not in an area of significant minority and/or low-income populations and is therefore unlikely to affect those populations. Form RD 2006-38 and associated maps are included in Appendix A – Exhibit 9.

3.10.2 Environmental Consequences

No Action Alternative

Under the no action alternative, existing conditions would be maintained, and no socio-economic impacts are anticipated.

Preferred Alternative

The Proposed Action would provide an economic engine and tax base for the Town of Windsor and is anticipated to provide significant financial benefits to the Windsor and the region. Given the Town of Windsor's lack of hotel and restaurant offerings, Future Legends will provide multiple options to expand the available choices for residents and businesses. In the square mile surrounding Future Legends, there are 9,000 employees that will access food service on the complex.

Letters of support for the Proposed Action from various entities including the Colorado Rockies professional baseball team, former Colorado Governor and current Colorado State Senator-Elect John W. Hickenlooper, the town of Windsor, and the Major League Baseball Players Alumni Association (MLBPAA) are included in Appendix B. Anticipated positive impacts cited in these letters of support include promoting diversity in baseball, inspiring and educating youth, and providing significant financial benefits to the Windsor and the region.

The Proposed Action is readily accessible from residential and commercial areas of the Town of Windsor. Additionally, an environmental justice community was not identified within the area; therefore, significant adverse human health, environmental, and/or socio-economic effects are not anticipated due to the Proposed Action.

3.10.3 Mitigation/Management Measures

Adverse human health, environmental, and/or socio-economic effects are not anticipated during the Proposed Action.

3.11 *Miscellaneous Issues*

3.11.1 Noise

3.11.1.1 Affected Environment

The Noise Control Act of 1972 (Public Law 92-574) and Quiet Communities Act of 1978 directs federal agencies to comply with applicable federal, state, interstate, and local noise control regulations. USEPA and the U.S. Department of Housing and Urban Development have identified noise levels to protect public health and welfare with an adequate margin of safety. These levels are considered acceptable guidelines for assessing noise conditions in an environmental setting. Noise levels below 65 decibels (dB) are considered to be acceptable in suitable living environments.

Potential sensitive noise receptors include Windsor Charter Academy, a middle school located to the adjacent northeast of the site. The remaining adjoining properties are zoned for commercial, industrial, and/or agricultural use and do not represent sensitive noise receptors.

3.11.1.2 Environmental Consequences

No Action Alternative

Under the no action alternative, existing conditions would be maintained, and no adverse noise impacts are anticipated.

Preferred Alternative

Construction activities associated with the Proposed Action would temporarily increase noise levels in the project vicinity. Noise associated with the operation of the construction equipment would be limited to the construction period, approximately 11 months. Noise associated with construction activities does not typically generate a predicted noise exposure of 65 dB(A) DNL or greater because even at extremely high rates of operation, the equipment itself does not generate noise so intense that averaged over a year would produce a 65 dB(A) DNL. The nature of sound is such that the temporary noise effects from the operation of construction equipment are not significant.

The Proposed Action will result in the construction of a minor league baseball stadium, which is anticipated to generate crowd noise during games. Windsor Charter Academy, the only identified sensitive receptor to the Proposed Action, is located approximately 1,600 feet west-northwest of the proposed baseball stadium. A study published online on March 12, 2020, Noise Levels at Baseball Stadiums and the Spectators' Attitude to Noise (Lee, Donguk and Han, Woojae) showed average decibel (dBa) levels of approximately 91.7 dBa within the stands over the course of four professional baseball games at the Seoul Complex Sports Baseball Stadium. Using the idealized inverse square law and conservatively assuming a decibel level of 91.7 at the pitcher's mound of the baseball stadium used in the above-referenced study (approximately 160 feet from the source of the noise), outdoor decibel levels at the Windsor Charter Academy due to future onsite baseball crowd noise are projected to be 44 dB or less during baseball games. This projected value is well below the acceptable level of 65 dB outlined by the U.S. Department of Housing and Urban Development (HUD). Therefore, effects on sensitive receptors are considered to be *de minimis*. Applicable excerpts from the material referenced above are included in Appendix B.

Based on mitigation/management measures discussed below, *de minimis* noise impacts are anticipated as part of the Proposed Action.

3.11.1.3 Mitigation/Management Measures

To minimize increases in noise levels during construction activities, all equipment would be fitted with noise reducing features (e.g., mufflers) and construction activities would be limited to daytime hours (7 a.m. to 9 p.m. in the summer months and 8 a.m. to 6 p.m. during winter months). Additionally, the future administrators of the site will regularly notify the public by posting schedules online when the onsite baseball stadium is anticipated to be in use. With implementation of these mitigation measures, noise impacts would be minimal and/or *de minimis*.

3.11.2 Transportation

3.11.2.1 Affected Environment

The key existing roads to the proposed are Eastman Park Drive, Diamond Valley Drive, East Garden Drive, and State Highway (SH) 257. These roads are classified as, respectively, 2-lane minor arterial, two-lane minor collector, two-line minor collector, and major arterial.

3.11.2.2 Environmental Consequences

No Action Alternative
Under the no action alternative, existing conditions would be maintained, and no adverse noise impacts are anticipated.

Preferred Alternative
A Traffic Impact Study (TIS) was conducted on the site in May 2020 by Delich Associates to assess the effect of the Proposed Action on traffic patterns on these key roads, projecting out to the year 2040. The TIS assessed day-to-day uses at the site and determined that 10,424 daily trip ends, 409 morning peak hour trip ends, and 845 afternoon peak hour trip ends were anticipated due to the Proposed Action. The TIS anticipated that SH 257 would have a four-lane cross section by/before the year 2040 and determined that the key intersections currently do and would continue to meet the Windsor operational criteria until at least 2040.

The TIS did not analyze projected event traffic but did recommend a traffic control plan including manual traffic control during these events. Therefore, although the Preferred Action would have an impact on traffic patterns surrounding the site, changes to existing infrastructure beyond those already projected is not anticipated. The TIS is included in Appendix B.

3.11.2.3 Mitigation/Management Measures

Implementation of the Proposed Action will include traffic control plans to accommodate the anticipated increase in traffic flow on the identified key existing roads. These plans will likely include manual traffic control measures before and after the event at the Eastman Park/Site Access intersection. Additional mitigation measures are not warranted.

3.12 *Human Health and Safety*

3.12.1 Electromagnetic Fields and Interference

3.12.1.1 Affected Environment

The proposed action is not anticipated to install any devices that would cause an electromagnetic field or interference such as conductors and cell phone towers; therefore, no additional analysis is required.

3.12.1.2 Environmental Consequences

No Action Alternative
Under the no action alternative, existing conditions would be maintained.

Preferred Alternative
The preferred alternative is the completion of the Proposed Action. Devices that would cause an electromagnetic field or interference are not planned as part of the Proposed Action; therefore, no impact is anticipated.

3.12.1.3 Mitigation/Management Measures

Adverse effects from electromagnetic fields and interference are not anticipated during the Proposed Action.

3.13 *Environmental Risk Management*

3.13.1 Affected Environment

A Phase I Environmental Site Assessment (ESA) was conducted on the site by Terracon on August 20, 2020, and was conducted was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. According to Colorado Oil and Gas Conservation Commission (COGCC) records reviewed as part of the Phase I ESA, oil extraction well Altergott #1, owned and operated by Nautilus Equipment Inc., was previously located on the southwestern portion of the subject site. The total well depth was reported as 7,713 feet. The well was reportedly in operation from 1983 until 1990, when the well was plugged and abandoned. Based on the documentation reviewed, no spill/release incidents or remediation activities were on file for the former well. However, based on the time period of operation, the former oil well was identified as a recognized environmental condition (REC) and vapor encroachment condition (VEC) to the site.

Based on the date of construction (2012) and use (concessions, storage) of the current onsite structures, the presence of onsite lead paint, asbestos, and/or mold is unlikely. The use,

storage, release, and/or disposal of toxic materials was not observed onsite during the site reconnaissance performed as part of the Phase I ESA. The Phase I ESA did not identify onsite or adjoining USEPA or state Superfund sites, or any onsite corrective action or regulatory remedial action plan. Violations associated with the site were not identified, and no aboveground or underground storage tanks were reported or observed.

3.13.2 Environmental Consequences

No Action Alternative
Under the no action alternative, existing conditions would be maintained.

Preferred Alternative
The implementation of the preferred alternative would include the construction of multiple approximately 9,800 square-foot retail buildings and associated parking in the general vicinity of the identified REC/VEC. A paved parking lot will be over the specific location of the identified REC/VEC. The site is connected to municipal water and does not anticipate utilizing groundwater from the upper groundwater-bearing unit for drinking water. Based on the proposed commercial use of the retail structures and use of municipal water and utilities, the identified REC/VEC does not present a significant risk to human health and the environment.

The Proposed Action will not include the use or storage of significant amounts of hazardous materials, petroleum products, or other toxic substances. Due to current regulations regarding building materials, the use of asbestos and/or lead-based paint during the implementation of the Proposed Action is not anticipated. The existing onsite concessions/storage structures will remain as part of the Proposed Action. Based on available information reviewed and mitigation/management measures discussed below, significant impacts from hazardous materials, substances or wastes are not anticipated due to the proposed action.

3.13.3 Mitigation / Management Measures

The applicant will follow applicable local and federal regulations regarding future demolition and/or renovation activities. Structures are not anticipated to be constructed immediately over the REC/VEC identified in the Phase I ESA, and those proposed nearby structures will be used for retail and will implement standard vapor dispersion techniques during construction to mitigate potential sub-slab vapor buildup of hazardous compounds.

3.14 *Corridor Analysis*

3.14.1 Affected Environment

The Proposed Action is not linear infrastructure; therefore, corridor analysis is not required.

3.14.2 Environmental Consequences

No Action Alternative
Under the no action alternative, the land would remain in its current state and use.

Preferred Alternative
The Proposed Action would include the construction of the Future Legends sport complex, which is not a linear infrastructure project. Therefore, corridor analysis is not required.

3.14.3 Mitigation / Management Measures

No Mitigation or Management Measures are warranted as no corridor analysis is required.

4.0 CUMULATIVE IMPACTS

Cumulative impacts are defined by the CEQ in 40 CFR 1508.7 as "impacts on the environment which result from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or Non-Federal) or person undertakes such other actions." Evaluations of cumulative impacts include consideration of the Proposed Action with past and present actions, as well as reasonably foreseeable future actions. Below is a brief explanation of past, present, and future actions followed by **Table 4.0** discussing each area of impact in greater detail.

Past Actions – actions that may contribute to cumulative impacts in one or more of the analyzed resource topic areas include: previous clearing of land for agricultural development and construction, construction of roadways, utility lines, and other infrastructure.

Present Actions – actions that may contribute to cumulative impacts in one or more of the analyzed resource topic areas include: traffic on nearby roadways and any activities associated with adjacent public or private properties, population growth, noise, conversion of potential prime farmland to a sports complex, and relocating and increasing the flow rate of the Consolidated Law Ditch.

Future Actions – The Town of Windsor Strategic Plan for 2020-2025 (included in Appendix B) states goals of community growth, establishment of the Town of Windsor as a tourist destination, and investment in the improvement of public space and facilities outside of the downtown area creating additional cultural destination amenities. The Proposed Action aligns with and is part of the implementation of these stated goals, which will have long-term

cumulative effects on traffic patterns, energy usage, socioeconomics, utility infrastructure, biological resources, air quality, topography, and soils within the Town of Windsor and surrounding areas.

Independent currently planned activities in the vicinity of the Proposed Action include constructing a road to the east of the site, connecting the east/west roads that run on either side of the property, and the completion of a parking lot. Additionally, according to the Town of Windsor Information and Navigation Gateway, Diamond Valley 8th Lot 1, Diamond Valley 4th Lot 4, and Windsor Tech Business Center II 1st L7 - Windsor Tech Flex, located to the immediate west and northwest of the site, are currently under construction and are each indicated as having been fast-tracked through the local permit approval process. The final use of these tracts is unknown. A Town of Windsor Planned Development Map is included as Appendix A – Exhibit 10. These activities are indicative of the larger pattern of growth within the Town of Windsor.

Table 4.0 – Cumulative Effects of Past, Present/Proposed, and Future Action

Resource	Past Actions	Present/Proposed Actions	Future Actions	Cumulative Effect
Land Use	Conversion of potential prime farmland to commercial use	Continued conversion of potential prime farmland	Eliminating the potential for the site to be converted to prime farmland in the future	Reduction of potential prime farmland, although not considered to be significant in context of overall acreage of prime farmland in the region
Floodplains	Modifications to the John Law ditch and previous development in the vicinity	Constructing grass covered recreational fields within the floodplain and modifying the John Law ditch	As development increases in the region, additional modifications to the FEMA floodplain map are likely	Continued assessment of floodplains as they are affected by the Proposed Action and projected growth in the area
Water Resources	Modifications made to Consolidated Law Ditch by the City of Windsor north and within the APE of the Proposed Action	Planned relocation and modification of the onsite Consolidated Law Ditch	None anticipated	Significant long-term cumulative impacts not anticipated
Historic and Cultural Properties	Modifications made to Consolidated Law Ditch by the City of Windsor north and within the APE of the Proposed Action	Planned relocation and modification of the onsite consolidated Law Ditch	None anticipated	Significant long-term cumulative impacts not anticipated
Aesthetics	Construction of multi-story commercial structures and warehouses in the vicinity of the site	Installation of multiple structures clearly visible from adjoining properties and roadways	Potential continued conversion of vacant/agricultural land into multi-story structures	The area is anticipated to continue to visually change; however, significant negative aesthetic impacts to visually sensitive areas and/or landscape features are not anticipated
Air Quality	Decrease in air quality due to conversion of area from former farmland to commercial use and dramatic population increase in the Town of Windsor in recent years	Localized decrease in air quality due to construction activities conducted as part of the Proposed Action	Continued decrease in air quality with continued population growth, projected to be offset by increase in vehicle fuel efficiency	Brief localized decrease in air quality during construction activities; past, current, and continued population growth of the area will continue to impact local air quality

Socio-Economic Impacts	None identified	Local job creation during construction activities	Future local job creation and economic benefits from an anticipated 2.5 million visitors over the first five years of operation	As indicated in letters of support included in Appendix B, significant economic benefits for the region as the Town of Windsor seeks to become a tourist destination through approval of the Proposed Action and ongoing private and municipal efforts
Noise	Continued development in the Town of Windsor and adjoining areas have increased traffic and associated noise	Brief localized increase in noise due to onsite heavy equipment	Increase in noise due to anticipated increased traffic and outdoor stadium constructed as part of the Proposed Action	Noise in the vicinity of the site has and is expected to continue to increase; however, anticipated volumes at nearby sensitive receptors are expected to be within recommended levels
Transportation	Continued development in the Town of Windsor and adjoining areas have increased traffic flow	Brief increase in heavy equipment moving on and offsite during construction of the Proposed Action	Continued increase in traffic flow in the area due to population growth and localized increase in traffic flow anticipated due to daily onsite activities and notably during events, which will require traffic control plans	Continued increase in traffic flow, notably during planned future events held onsite

The cumulative effects discussed above are largely due to the planned implementation of the Town of Windsor strategic plan, of which the Proposed Action is a part but not the entirety. The applicant has sought, is currently seeking, or is anticipated to seek mitigation approval from applicable local, state, and federal agencies regarding the cumulative impacts specifically associated with the Proposed Action.

5.0 SUMMARY MITIGATION MEASURES

Mitigation measures include those actions intended to reduce, avoid, or compensate for potential adverse effects to the human or natural environment. Based on the findings of this EA, without mitigation measures the Proposed Action would result in impacts that are less

than *de minimis* to land use, wetlands, water resources, coastal resources, biological resources, aesthetics, economic justice, and electromagnetic fields/interference.

Implementation of routine best management practices (BMPs) throughout the Proposed Action, as well as adherence to local, state, and federal laws, are anticipated. Specific mitigation/management measures to be enacted during the Proposed Action to keep negative impacts to a *de minimis* level include:

- Pursuing a FEMA Conditional Letter of Map Revision regarding floodplain modification within six months upon completion of Proposed Action.
- Keeping trash receptacles covered to discourage scavenging wildlife and establishing native landscaping vegetation that could be used by small mammals and birds.
- Immediately ceasing construction activities should buried artifacts, human remains, cultural sites or ground features be unexpectedly unearthed and seeking consultation.
- When necessary, requiring the contractor to water down work areas to reduce dust levels, covering dirt and aggregate trucks and/or piles, preventing dirt carryover to paved roads, and using erosion barriers and wind breaks, limit truck idle times and optimized engines for fuel efficiency
- Fitting onsite heavy equipment with noise reducing features (e.g., mufflers) and limiting construction activities to daytime hours (7 a.m. to 9 p.m. in the summer months and 8 a.m. to 6 p.m. during winter months).
- Regularly notifying the public by posting schedules online when the onsite baseball stadium is anticipated to be in use.
- Implementing traffic control plans to accommodate the anticipated increase in traffic flow on the identified key existing roads, to likely include manual traffic control measures before and after the event at the Eastman Park/Site Access intersection.
- Maintaining/updating existing agreements to provide transport services to and from the Denver International Airport, eliminating the need for rental cars and vans.
- Avoiding constructing structures immediately over the former onsite oil and gas well on the southwestern portion of the site, using proposed nearby structures for retail purposes, and implementing standard vapor dispersion techniques during construction to mitigate potential sub-slab vapor buildup of hazardous compounds.
- Should buried artifacts, human remains, cultural sites or ground features be unexpectedly unearthed during construction activities, those construction activities should immediately cease, and the resources should be examined by a professional archaeologist. Additionally, appropriate authorities including pertinent tribal entities and the SHPO should be notified. Inadvertent discoveries of human remains should follow Colorado's legal standards concerning human burials.
- Should unidentified archeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria in consultation with SHPO. Also, should the scope

of work change, SHPO should be contacted for continued consultation under Section 106 of the National Historic Preservation Act.

- Continuing to involve SHPO during the local government consultation process, which as stipulated in 36 CFR §800.3 is required to be notified of the undertaking, and with other consulting parties.
- Submitting a Letter of Map Revision application to FEMA within six months upon the completion of all construction, per the Floodplain Development Permit Application.

6.0 AGENCY COORDINATION AND PUBLIC INVOLVEMENT

Federal, state, tribal, and local agencies with jurisdiction that could be affected by the proposed or alternative actions have been notified and consulted. Terracon submitted letters on behalf of the Town of Windsor that showed an incomplete site boundary but understands that the USDA submitted additional letters with the correct site boundary. Terracon's correspondence is available in Appendix E.

Consulting Entity	Consultation Initiation Date	Response
Ms. Holly Kathryn Norton for Steve Turner, AIA State Historic Preservation Officer	October 1, 2020	No adverse effects to historic properties, April 2, 2021
United States Fish and Wildlife Service Colorado Field Supervisor	August 11, 2020	No concerns, August 21, 2020
United States Department of Agriculture – Natural Resources Conservation Service	November 19, 2020	Not subject to the Farmland Protection Policy Act (FPPA), April 7, 2021
Mr. Max Bear Tribal Historic Preservation Officer Cheyenne and Arapaho Tribes, Oklahoma	November 16, 2020	No Response Provided
Ms. Teanna Limpy Tribal Historic Preservation Officer Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana	November 16, 2020	No Response Provided
Ms. Martina Minthorn Tribal Historic Preservation Officer Comanche Nation, Oklahoma	November 16, 2020	No Response Provided

Mr. Michael Blackwolf Tribal Historic Preservation Officer Fort Belknap Indian Community of the Fort Belknap Reservation of Montana	November 16, 2020	No Response Provided
Mr. Bobby Komardley / Ms. Donna Prentis Chairman Apache Tribe of Oklahoma	November 16, 2020	No Response Provided
Mr. Ben Ridgley Tribal Historic Preservation Officer Arapaho Tribe of the Wind River Reservation, Wyoming	November 16, 2020	No Response Provided

On January 26, 2021 the USDA submitted 15-day extension letters to the tribal entities in the table above in reference to the letters submitted on November 16, 2020. The USDA then submitted finding of no effects letters on February 25, 2021 to these same tribal entities. Objections to or concurrence of the findings were not received. These correspondences are included in Appendix E.

7.0 REFERENCES

BLM National Surface Management Agency Area Polygons - National Geospatial Data Asset (NGDA). 2020. https://landscape.blm.gov/geoportal/catalog/main/portal.page

Class I Cultural Resources Survey for the Proposed Future Legends Sports Park. Terracon Consultants, Inc. Terracon Project No. 20207040, dated September 2020.

Colorado Historical Society – Office of Archeology and Historical Preservation. Colorado's On-Line Cultural Resource Database (Compass). 2020. https://www.historycolorado.org/compass-information

Council on Environmental Quality. 2016. Environmental Justice: Guidance Under the National Environmental Policy Act. http://www3.epa.gov/environmentaljustice/resources/policy/ej_guidance_nepa_ceq1297.pdf

Council on Environmental Quality. 2019. Draft NEPA Guidance on Consideration of Greenhouse Gas Emissions. 21 June 2019.

Estimating Sound Levels with the Inverse Square Law. December 1, 2020. hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html

Federal Emergency Management Agency. 2020. Flood Insurance Rate Maps. Retrieved from https://msc.fema.gov/portal

Floodplain Permitting Report: John Law Floodplain – GWRR to Eastman Park. Galloway & Company, Inc. June 25, 2020.

Future Legends Multi-Use Development Master Traffic Impact Study. Delich Associates. Project Number 1984, dated May 2020.

Lee, Donguk and Han, Woojae. Noise Levels at Baseball Stadiums and the Spectators' Attitude to Noise. Noise Health, 2019 Mar-Apr.

National Park Service U.S. Department of the Interior. Nationwide Rivers Inventory. 2020. https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977

National Register of Historic Places/National Historic Landmarks. 2020. https://www.historycolorado.org/national-state-register-listed-properties

NRCS Custom Soil Resource Reports and Web Soil Survey. 2020. Retrieved from https://websoilsurvey.sc.egov.usda.gov

Terracon. Phase I ESA – Proposed Future Legends Development. Terracon Consultants, Inc. Terracon Project No. 20207040, dated August 20, 2020.

Terracon. A Class III Cultural Resources Survey, Evaluation, and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado, dated March 2021.

Town of Windsor Master Drainage Plan: 2017 Update. Volume I: Law Basin and Windsor Basin. Anderson Consulting Engineers, Inc. September 2017.

U.S. Environmental Protection Agency. 8-Hour Ozone (2015) Nonattainment Areas by State/County/Area. 2020. https://www3.epa.gov/airquality/greenbook/jncty.html

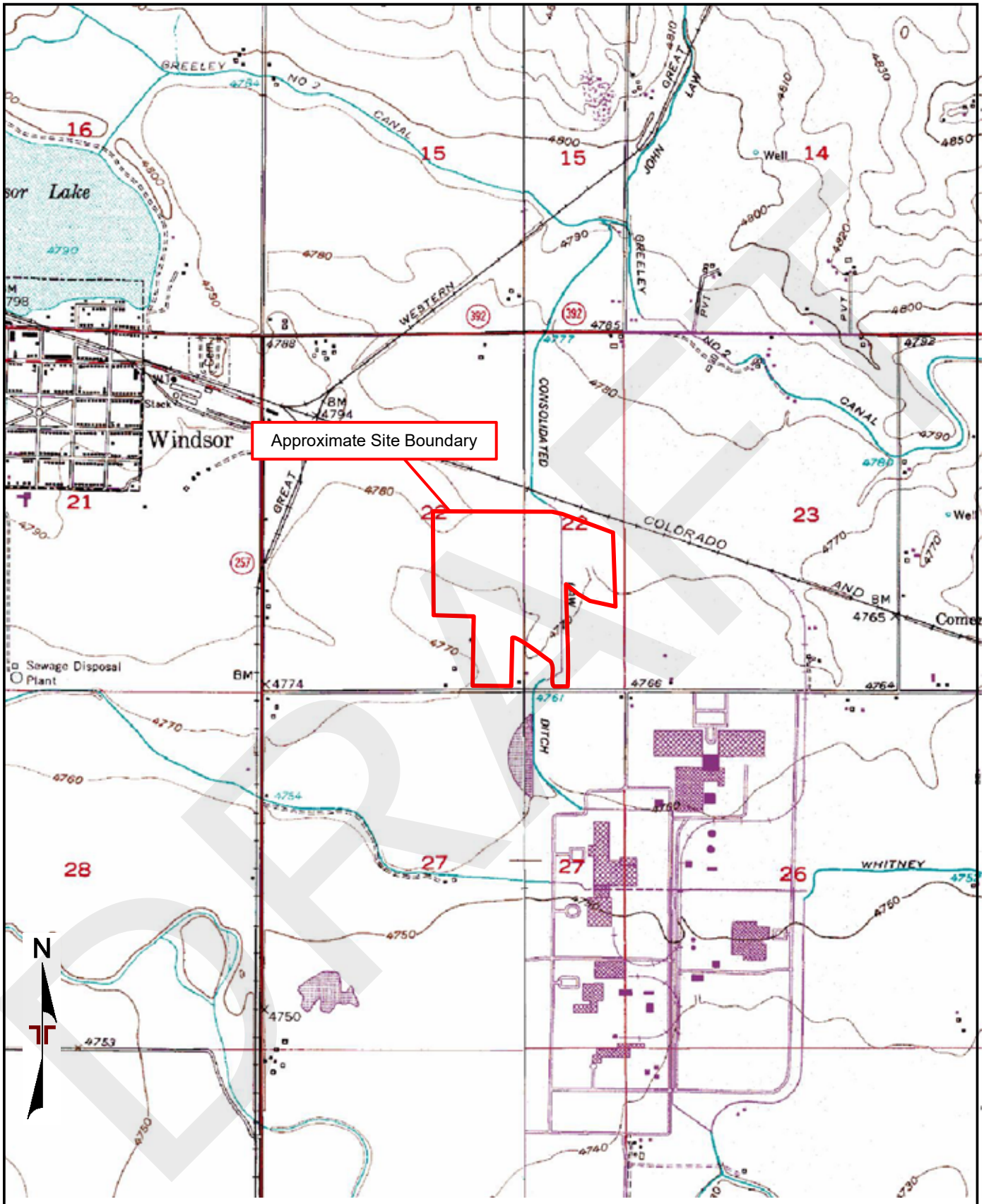
U.S. Fish and Wildlife. Wetlands Mapper. Retrieved from https://www.fws.gov/wetlands/data/mapper.html

U.S. Fish and Wildlife. Information for Planning and Conservation (IPaC). https://ecos.fws.gov/ipac/

8.0 LIST OF PREPARERS

Name	Agency/Organization	Resource Area
Aaron Varnell, E.I.	Terracon	Project Manager and Resource Lead
Jennifer Trombley Peters	Terracon	Approved Project Reviewer
Ann Scott, PhD, RPA	Terracon	Resource Lead
Beth Valenzuela	Terracon	Resource Lead
Michael Skridulis	Terracon	Support
Jaymee Binion	Terracon	Resource Lead
Thomas Lawrence	Hensel Phelps	Reviewer

APPENDIX A
EXHIBITS



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO (1969) and BRACEWELL, CO (1980).

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Exhibit
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, Colorado	1
Checked by: JTP	File Name: SITE FIGURE			
Approved by: JTP	Date: 11/18/20			

FUTURE LEGENDS MASTER PLAN
(AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
WINDSOR, CO

TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN

JANUARY, 2019

PROJECT TEAM:

DEVELOPER/APPLICANT
Future Legends, LLC
C/O Hensel Phelps
Larry Thomas
12121 Grant Street, Suite 410
Thornton, CO 80241

SITE ENGINEER
Galloway & Company
James Prellog
5265 Ronald Reagan Blvd., Suite 210
Johnstown, Colorado 80534
970.800.3300

DESCRIPTION
A plat of a parcel of land in the TOWN OF WINDSOR, County of (WELD), Colorado, located in the SW¼ SE¼, Section 22T 6N R 67W, of the 6TH P.M. and more particularly described as follows:

Tract A, Diamond Valley Subdivision Fifth Filing, recorded in the County of Weld, Colorado, Reception Number 3202938.

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described hereon, have caused such land to be annexed and master planned as indicated on this master plan. The within master plan is submitted in accordance with the Windsor Municipal Code. It is hereby acknowledged that all construction, use and evelopment of this property will be in strict accordance with this master plan. It is further acknowledged that deviation from this master plan without the express written consent of the Town of Windsor may result in revocation of the Town's approval of the master plan, denial of building permits, refusal to issue certificates of occupancy, injunctive relief prohibiting use of the property and other remedies available to the Town under the Windsor Municipal Code and other applicable laws of the State of Colorado. Know all men by these presents that the undersigned have caused said land to be laid out and master planned under the name of Future Legends Master Plan.

In witness whereof, we have hereunto set our hands and seals this the____day of_____, 20__.

_____ _____ _____

NOTARIAL CERTIFICATE (To be used in conjunction with all owner's signatures)
STATE OF_____)
COUNTY OF_____)ss

The foregoing instrument was acknowledged before me by (_____), this ____day of_____, 20__.

My commission expires:_____

_____
Notary Public

ENGINEERING DEPARTMENT APPROVAL

Approved this the____day of_____, 20__.

_____
Engineering Manager

PLANNING DEPARTMENT APPROVAL

Approved this the____day of_____, 20__.

_____
Director of Planning

PLANNING COMMISSION APPROVAL

Approved this the____day of_____, 20__.

_____
Chairman,
Windsor Planning Commission

PROJECT BENCHMARKS:

BASIS OF ELEVATION:

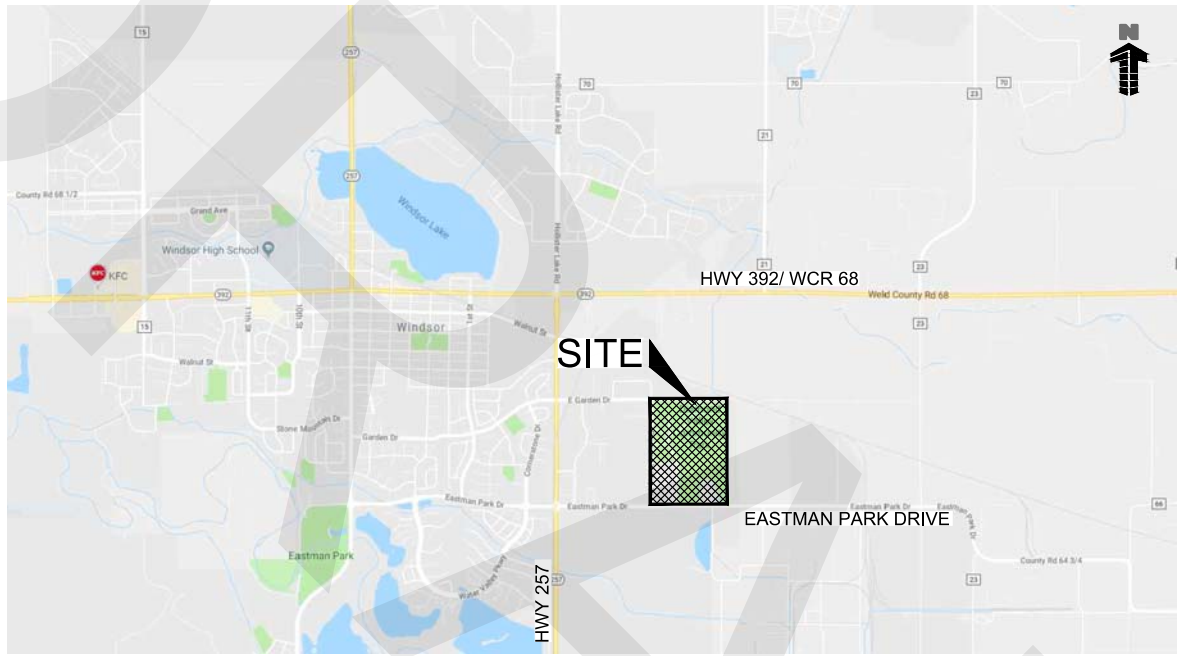
THE PROJECT BENCHMARK IS DESIGNATED AS "WINDSOR" HAVING AN ELEVATION OF 4778.93' (NAVD 88).
3 ¼" ALUMINUM CAP SET IN CONCRETE MARKED "WIN 66-257, 1997" NEAR THE NW CORNER OF THE INTERSECTION OF WCR 66 AND HWY 257, 16.8' WEST OF THE WEST RAIL OF RR TRACKS, 22.7 NORTH OF EDGE OF ASPHALT, 3.0' NE OF SANITARY SEWER MANHOLE. **RELOCATED 2002**

BASIS OF BEARINGS:

BASIS OF BEARING:
COMMENCING at the South Quarter (S¼) Corner of said Section 22 and assuming the South line of the SOuthwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 22 as bearing South 89°24'32" West, with all other bearings contained herein relative thereto:

ZONING OF PROPERTY:

PROPERTY IS ZONED I-L.



VICINITY MAP

N.T.S.

MAYOR'S CERTIFICATE

This is to certify that a master plan of the property described herein was approved by Resolution No._____ of the Town of Windsor passed and adopted on the_____day of_____, 20____, A.D. and that the Mayor of the Town of Windsor, as authorized by said resolution on behalf of the Town of Windsor, hereby acknowledges and adopts the said master plan upon which this certificate is endorsed for all purposes indicated thereon.

_____ATTEST:_____
Mayor Town Clerk

TOWN MANAGER'S APPROVAL

Approved this the____day of_____, 20__.

_____
Town Manager

PUBLIC WORKS DEPARTMENT APPROVAL

Approved this the____day of_____, 20__.

_____
Director of Public Works

PREPARER'S CERTIFICATE

I certify that this master plan was prepared by me or under my direct supervision.

_____ _____
Print Name Signature

Preparer of Master Plan Preparer of Master Plan

NOTICE OF OTHER DOCUMENTS

All persons take notice that certain documents have been executed pertaining to this development, which create certain rights and obligations of the development, the developer and/or subsequent owners of all or portions of the development site, many of which obligations constitute promises and covenants that run with the land. These documents are of record and are on file with the director of planning of the Town of Windsor and should be closely examined by all persons interested in purchasing any portion of the development site.

GRADING, EROSION, AND SEDIMENT CONTROL PLAN PERMIT CERTIFICATION

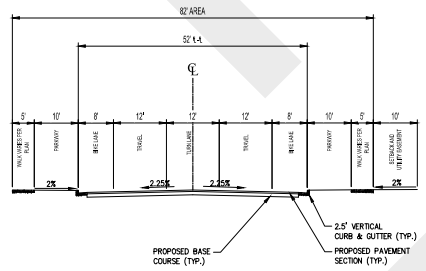
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete, I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. This permit will be considered terminated upon my receipt of an acceptable Final Stabilization inspection notice from the Town of Windsor.

_____ _____
Owner Name (Print) Signature

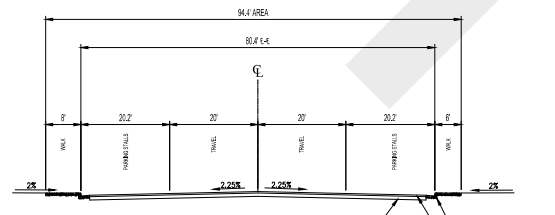
_____
Date

SHEET INDEX

TYPICAL ROAD SECTION:



PRIVATE ROAD WITHOUT PARKING



PRIVATE ROAD WITH PARKING

CAUTION - NOTICE TO CONTRACTOR

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE FIELD LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
2. WHERE A PROPOSED UTILITY CROSSES AN EXISTING UTILITY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF SUCH EXISTING UTILITY, EITHER THROUGH POTHOLING OR ALTERNATIVE METHOD. REPORT INFORMATION TO THE ENGINEER PRIOR TO CONSTRUCTION.
3. CONTRACTOR RESPONSIBLE FOR AS-BUILT DRAWINGS, TESTS, REPORTS AND/OR ANY OTHER CERTIFICATES OR INFORMATION AS REQUIRED FOR ACCEPTANCE OF WORK FROM TOWN, UTILITY DISTRICTS OR ANY OTHER GOVERNING AGENCY.
4. CONTRACTOR SHALL PROTECT ALL EXISTING SURVEY MONUMENTATION. CONTRACTOR SHALL HAVE LICENSED SURVEYOR REPLACE ANY DAMAGED OR DISTURBED MONUMENTATION AT THEIR COST.

811 Know what's **below.** **Call** before you dig.

CITY OF GREELEY, COLORADO

CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE CITY OF GREELEY CONSTRUCTION STANDARDS. THE CITY'S ACCEPTANCE ALLOWS FOR PLAN DISTRIBUTION AND PERMIT APPLICATION. THE CITY'S ACCEPTANCE SHALL NOT RELIEVE THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS.

ACCEPTED BY:_____ _____
COMMUNITY DEVELOPMENT DIRECTOR DATE

ACCEPTED BY:_____ _____
ENGINEERING DEVELOPMENT REVIEW/ CIVIL INSPECTIONS MANAGER DATE

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

_____
Engineering Manager Date

Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

COVER SHEET

L1.0

SHEET 1 OF 8

FUTURE LEGENDS MASTER PLAN
WINDSOR, CO

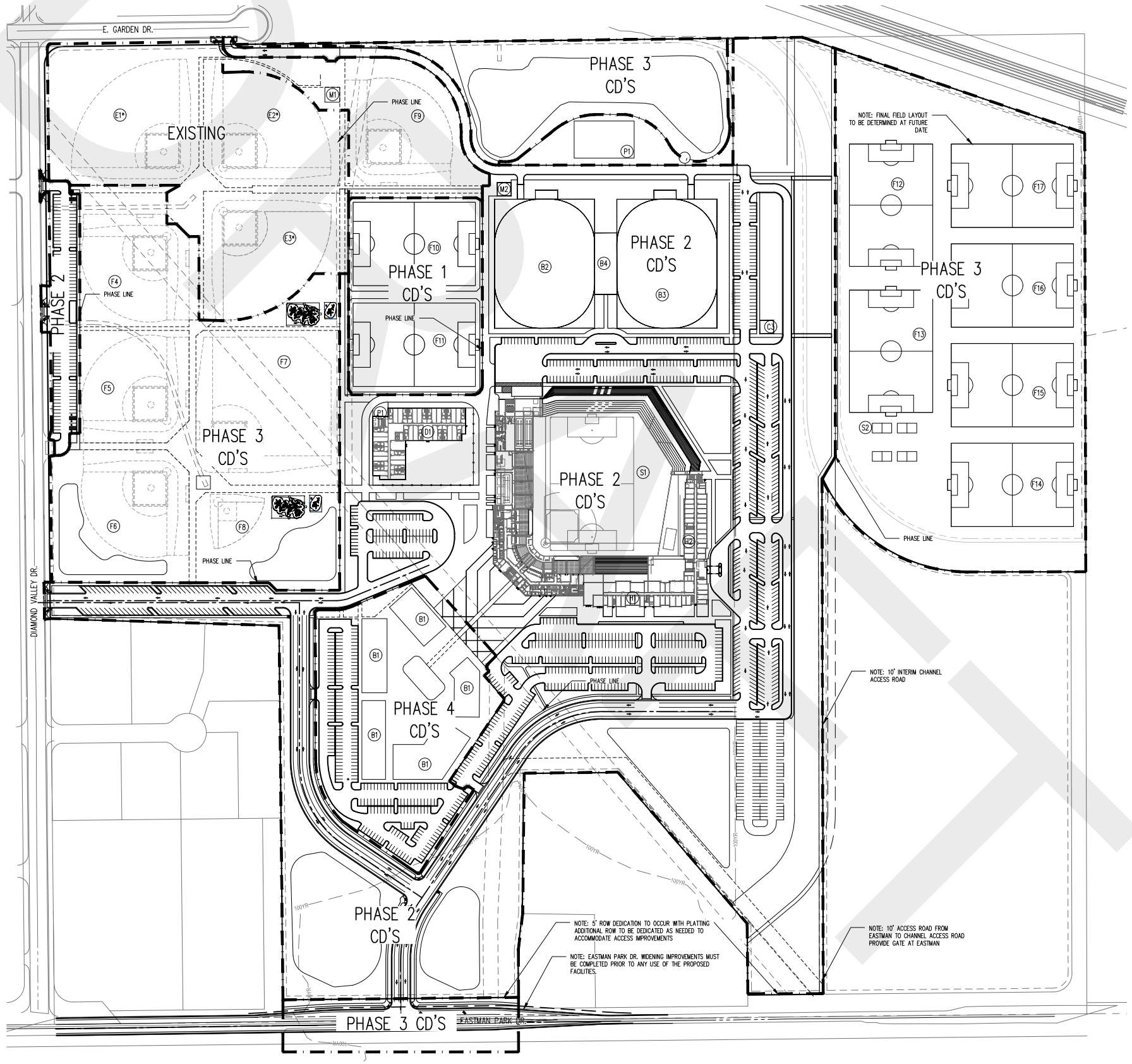
TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN

SITE DATA

N/A	USE	AREA/ROOMS/ SEATS	FORMULA	REQUIRED	TOTALS
B1	MIXED USE	SEE CHART BELOW			
B2	INDOOR DOME RECREATION USE (FIELDS/DIAMONDS)	+/- 93,900 S.F.			
B3	INDOOR DOME RECREATION USE (FIELDS/DIAMONDS)	+/- 93,900 S.F.			
B4	DOMES WELCOME CENTER	+/- 9,960 S.F.			
C1*	CONCESSION EXISTING	+/- 1,350 S.F.			
C2	CONCESSION AND RESTROOM	+/- 1,350 S.F.			
C3	CONCESSION AND RESTROOM	+/- 2,700 S.F.			
D1	DORMITORY (HOTEL)	ROOMS = 64 +/- 30,000 S.F.			
E1*	OUTDOOR USE (FIELD/DIAMOND)	+/- 85,000 S.F.			
E2*	OUTDOOR USE (FIELD/DIAMOND)	+/- 85,000 S.F.			
E3*	OUTDOOR USE (FIELD/DIAMOND)	+/- 85,000 S.F.			
F4	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,600 S.F.			
F5	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,600 S.F.			
F6	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,600 S.F.			
F7	OUTDOOR USE (FIELD/DIAMOND)	+/- 126,500 S.F			
F8	OUTDOOR USE MIRACLE FIELD (FIELD/DIAMOND)	+/- 16,000 S.F.			
F9	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,600 S.F.			
F10	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
F11	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
F12	OUTDOOR USE (FIELD/DIAMOND)	+/- 185,000 S.F			
F13	OUTDOOR USE (FIELD/DIAMOND)	+/- 185,000 S.F			
F14	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
F15	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
F16	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
F17	OUTDOOR USE (FIELD/DIAMOND)	+/- 74,850 S.F.			
H1	HOTEL	ROOMS= 115 +/- 34,400 S.F.	1 STALL FOR EVERY ROOM	115 STALLS	
H2	HOTEL	ROOMS= 155 +/- 34,400 S.F.	1 STALL FOR EVERY ROOM	155 STALLS	
M1	STORAGE	+/- 1,600 S.F.			
M2	STORAGE	+/- 1,600 S.F.			
M3	N/A	N/A			
P1	PUBLIC RESTROOM	N/A			
S1	STADIUM	3,400 SEATS +/- 281,300 S.F	1 STALL EVERY 3 SEATS	1,133 STALLS	
S2	SAND VOLLEYBALL	+/- 6,875 S.F.			
	TOTAL REQUIRED				N/A
	TOTAL PROVIDED				1,233 STALLS

SITE DATA (B-1) EXPANDED

N/A	USE	AREA/ROOMS/ SEATS	FORMULA	REQUIRED	TOTALS
B1	RETAIL (COMBINED)	+/- 40,000 S.F.	1 STALL EVERY 250 S.F. OF GLA	320 STALLS	
B1	M.O.B. (2 STORY)	+/- 40,000 S.F.	1 STALL EVERY 300 S.F. OF GLA	133 STALLS	
B1	E GAMING/ THEATRE	(280 SEATS) +/- 10,000 S.F.	1 STALL FOR EVERY '3' SEATS	94 STALLS	
B1	EXTENDED STAY	54 ROOMS	1 STALL FOR EVERY ROOM AND 1 STALL FOR EVERY '2' EMPLOYEES	60 STALLS	



N

0 75 150

SCALE: 1"=150'

SITE DATA SUMMARY

	LAND USE	AREA (S.F.)
	LANDSCAPE AREA	1,632,381 S.F.
	ACCESS DRIVES/PARKING	837,882 S.F.
	PONDS	333,847 S.F.
	SIDEWALKS	401,474 S.F.
	FIELDS	1,114,600 S.F.
	STRUCTURE	761,616 S.F.
	DRAINAGE EASEMENT	269,434 S.F.
	TOTAL AREA	5,351,234 S.F.

Galloway

5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

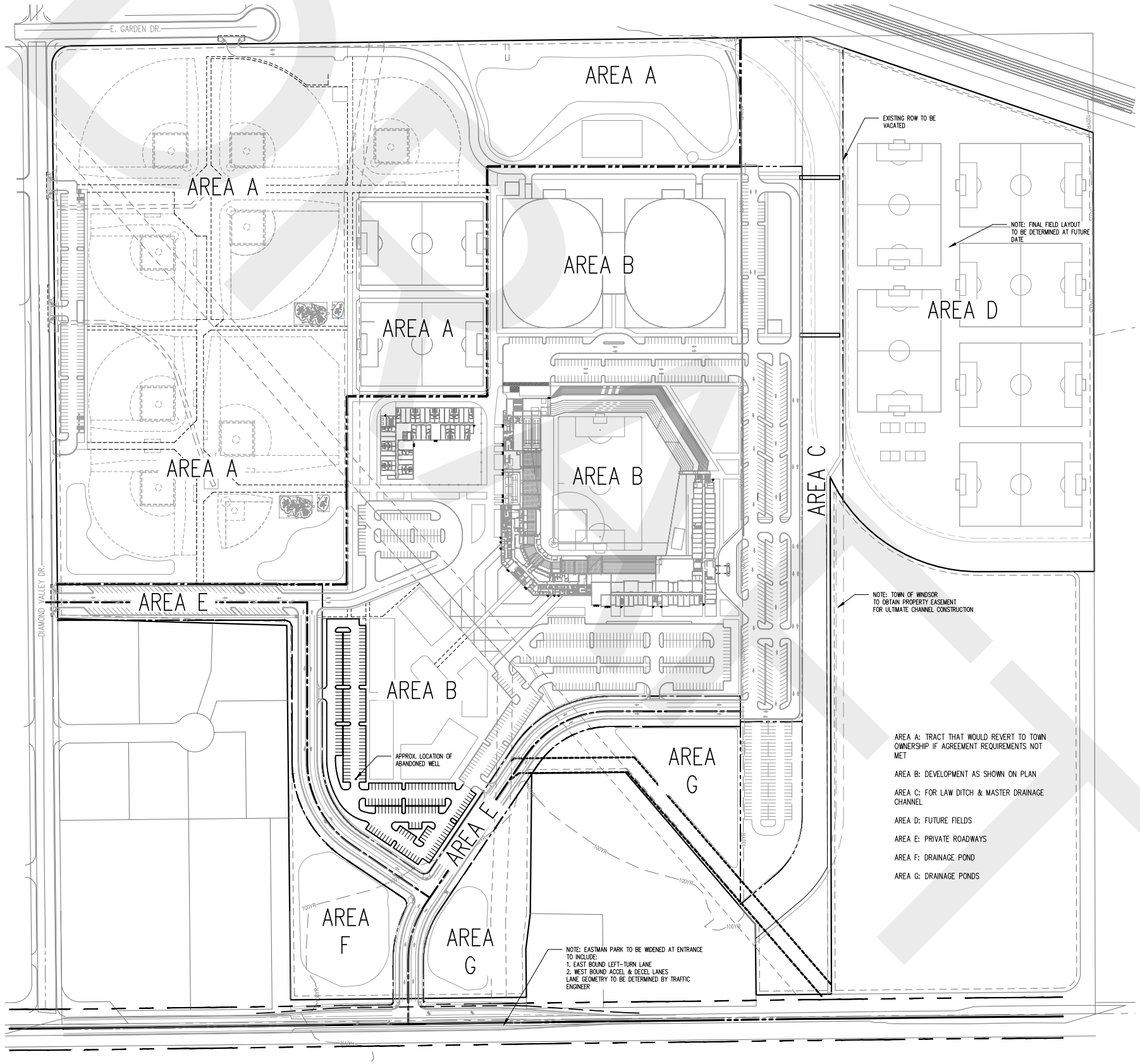
OVERALL PHASING PLAN

L1.1

SHEET 2 OF 8

FUTURE LEGENDS MASTER PLAN
WINDSOR, CO

TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN



N

0 75 150

SCALE: 1"=150'

Galloway

5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

OVERALL SITE PLAN

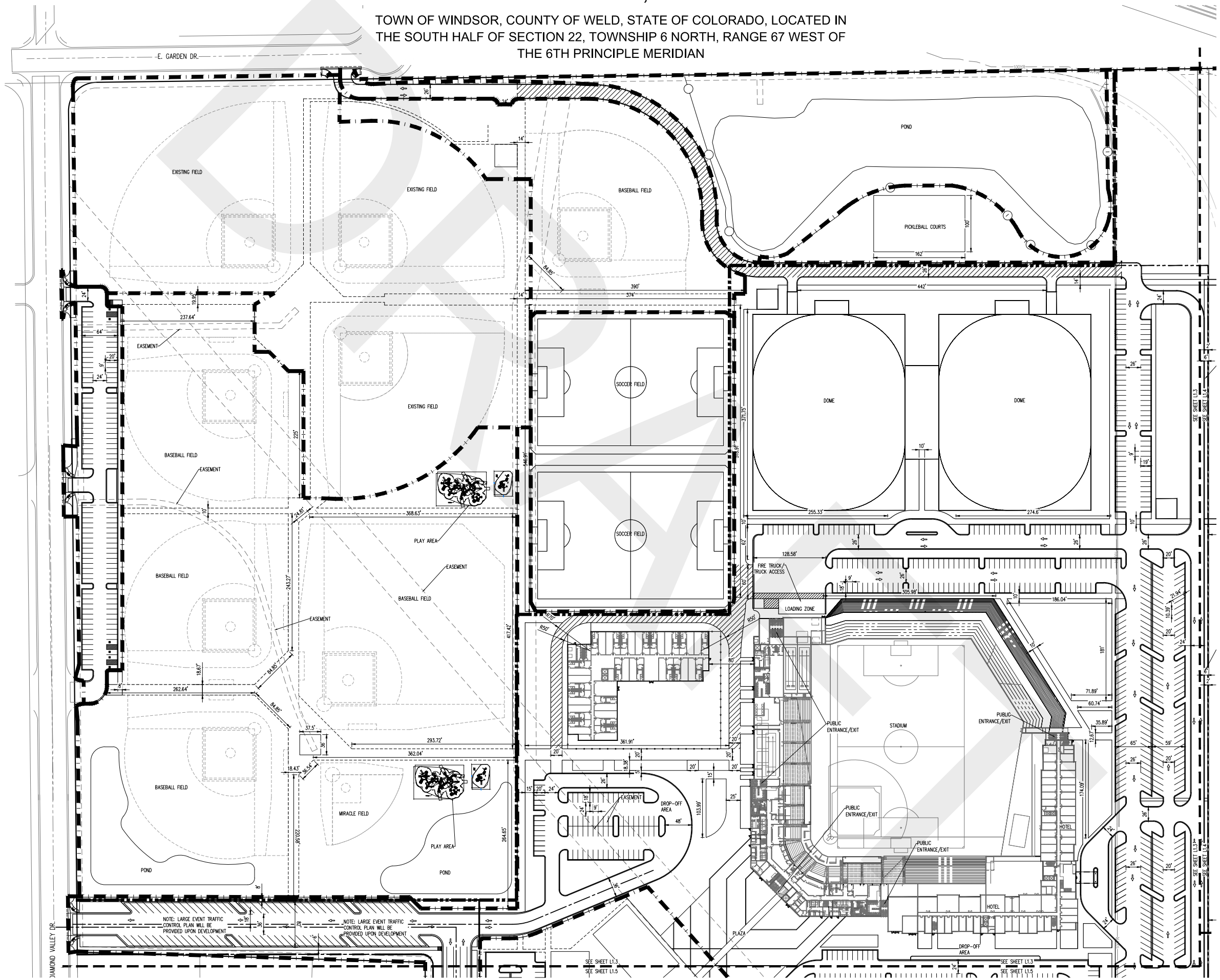
L1.2

SHEET 3 OF 8

FUTURE LEGENDS MASTER PLAN
WINDSOR, CO

TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN

NOTE:
DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO REVISION DURING SITE PLAN DESIGN AND APPROVAL.



Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

OVERALL SITE PLAN

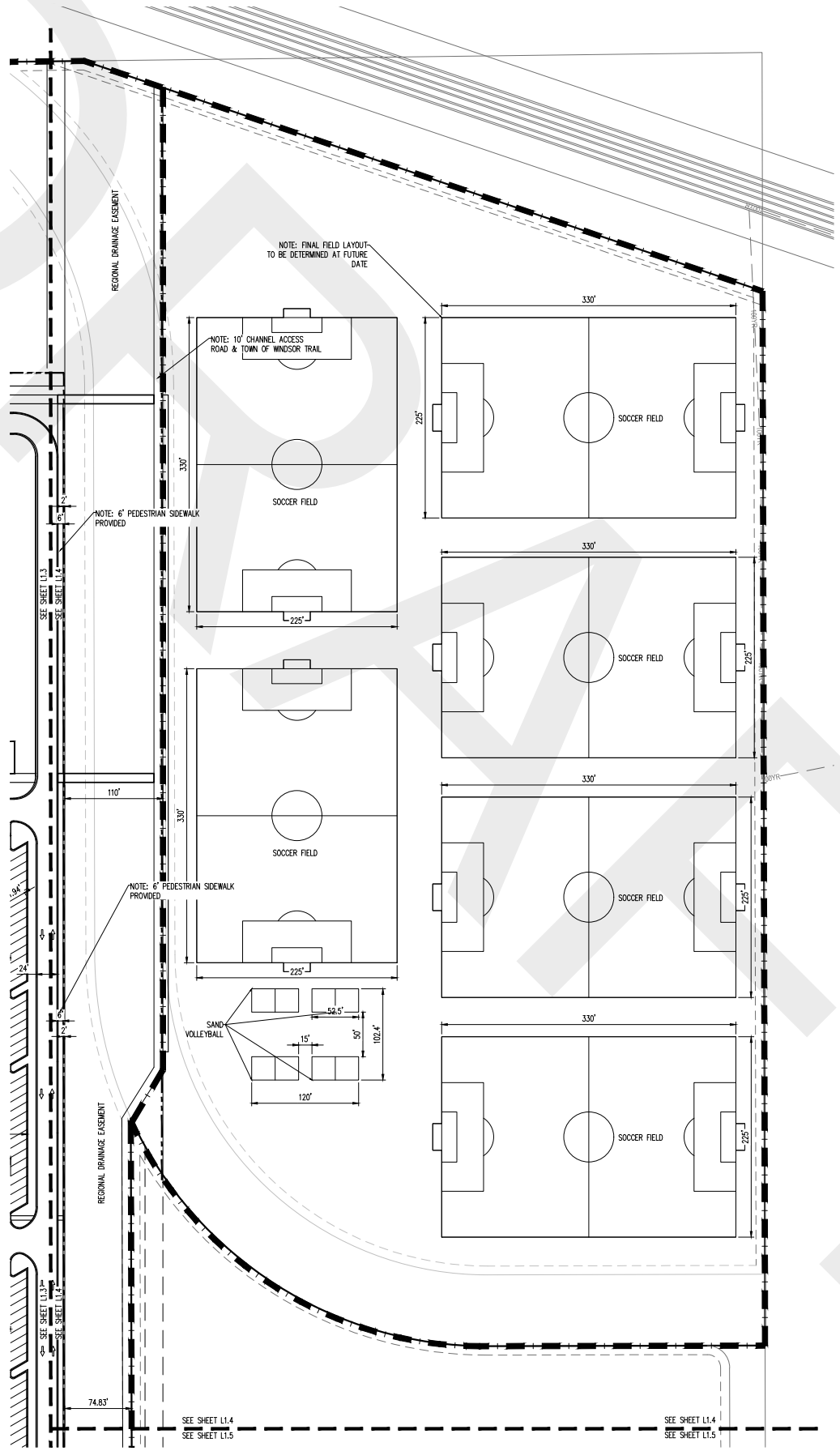
L1.3

SHEET 4 OF 8

FUTURE LEGENDS MASTER PLAN
WINDSOR, CO

TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN

NOTE:
DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO REVISION DURING SITE PLAN DESIGN AND APPROVAL.



Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

OVERALL SITE PLAN

N

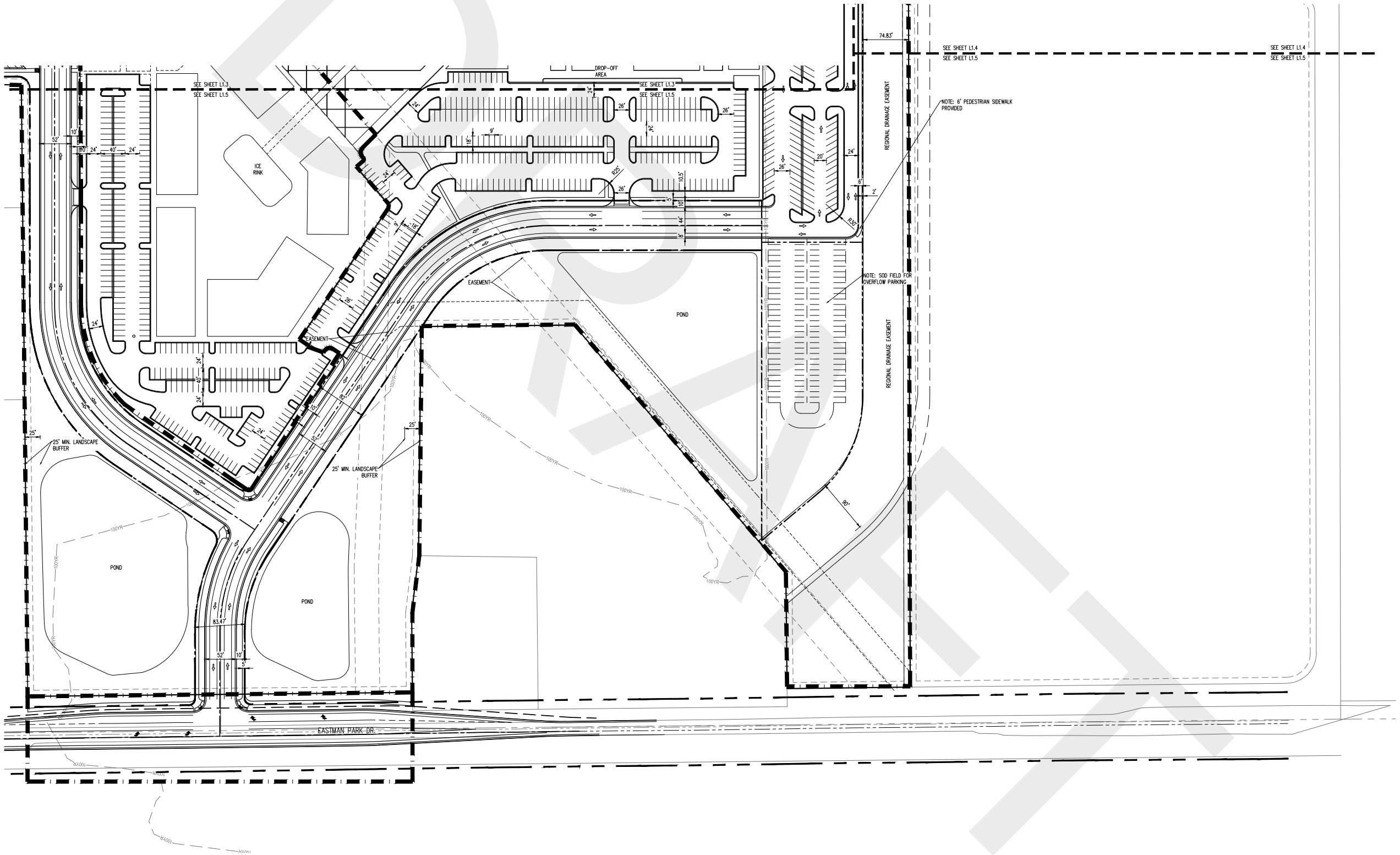
0 40 80
SCALE: 1"=80'

L1.4
SHEET 5 OF 8

FUTURE LEGENDS MASTER PLAN
WINDSOR, CO

TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPLE MERIDIAN

NOTE:
DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO REVISION DURING SITE PLAN DESIGN AND APPROVAL.



N

0 40 80
SCALE: 1"=80'

Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

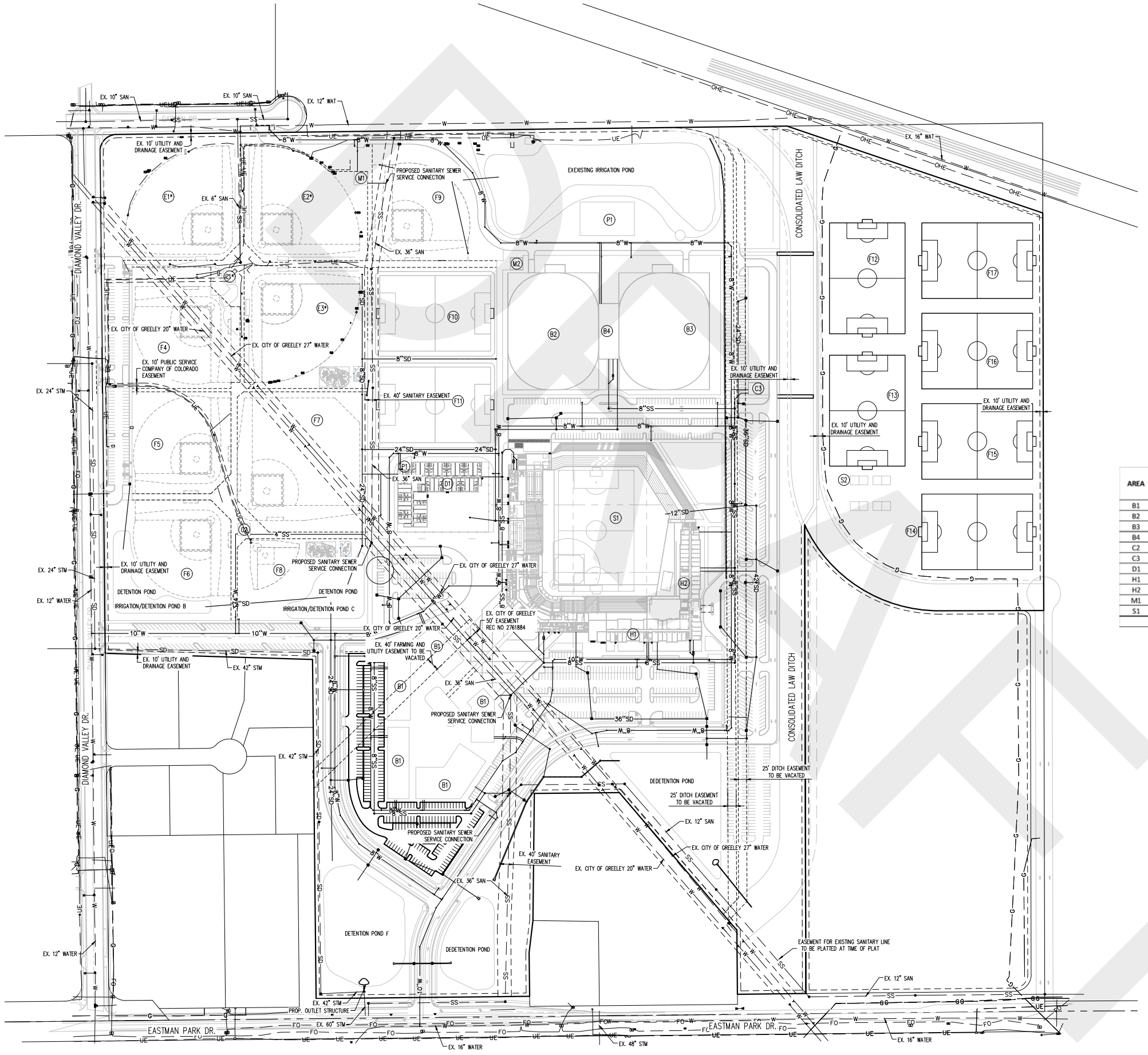
#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	EDN
Checked By:	TTN
Date:	01.03.20

OVERALL SITE PLAN

L1.5

SHEET 6 OF 8



UTILITY LEGEND

- PROPERTY LINE
- EXISTING EASEMENT
- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING FIBER OPTIC LINE
- MANHOLE
- PROPOSED FIRE HYDRANT

NOTES

1. SEE PLAN VIEW FOR EXISTING AND PROPOSED UTILITY SIZES

AREA	USE	BUILDING AREA (SF)	PEAK HOUR WATER (GPM)*	MAXIMUM DAY WATER (GPM)*	AVERAGE DAILY SANITARY DEMAND (GPD)**	PEAK SANITARY DEMAND (GPD)***
B1	MIXED USE	90,000	75.9	84.8	30,950	92,850
B2	INDOOR DOME	93,900	28.2	10.3	0	0
B3	INDOOR DOME	93,900	28.2	10.3	0	0
B4	DOMES WELCOME CENTER	9,960	14.9	5.3	2,688	8,064
C2	CONCESSION AND RESTROOM	1,350	2.0	0.7	5376	16128
C3	CONCESSION AND RESTROOM	2,700	4.1	1.4	5376	16128
D1	DORMITORY (HOTEL)	30,000	30.0	10.8	7,500	22,500
H1	HOTEL	34,400	34.4	12.4	14,700	44,100
H2	HOTEL	34,400	34.4	12.4	7,800	23,400
M1	MAINTENANCE	1,600	2.4	0.8	732	2196
S1	STADIUM****	281,300	130.5	46.1	30,000	90,000
	TOTAL	673,510	385	195	105,122	315,366

*WATER DEMAND PER TOWN OF WINDSOR WATER AND SEWER DESIGN CRITERIA TABLE 1.06.2
**WASTEWATER FLOWS PER COLORADO DEPARTMENT OF HEALTH (REGULATION NO. 43, TABLE 6-2)
***PEAKING FACTOR OF 3 USED PER TOWN OF WINDSOR WATER AND SEWER DESIGN CRITERIA
****WASTEWATER CALCULATION USES SEATS INSTEAD OF SQUARE FOOTAGE FOR STADIUM, 5GPD/SEAT (CODE OF CO REGULATIONS TABLE 6-2)

Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

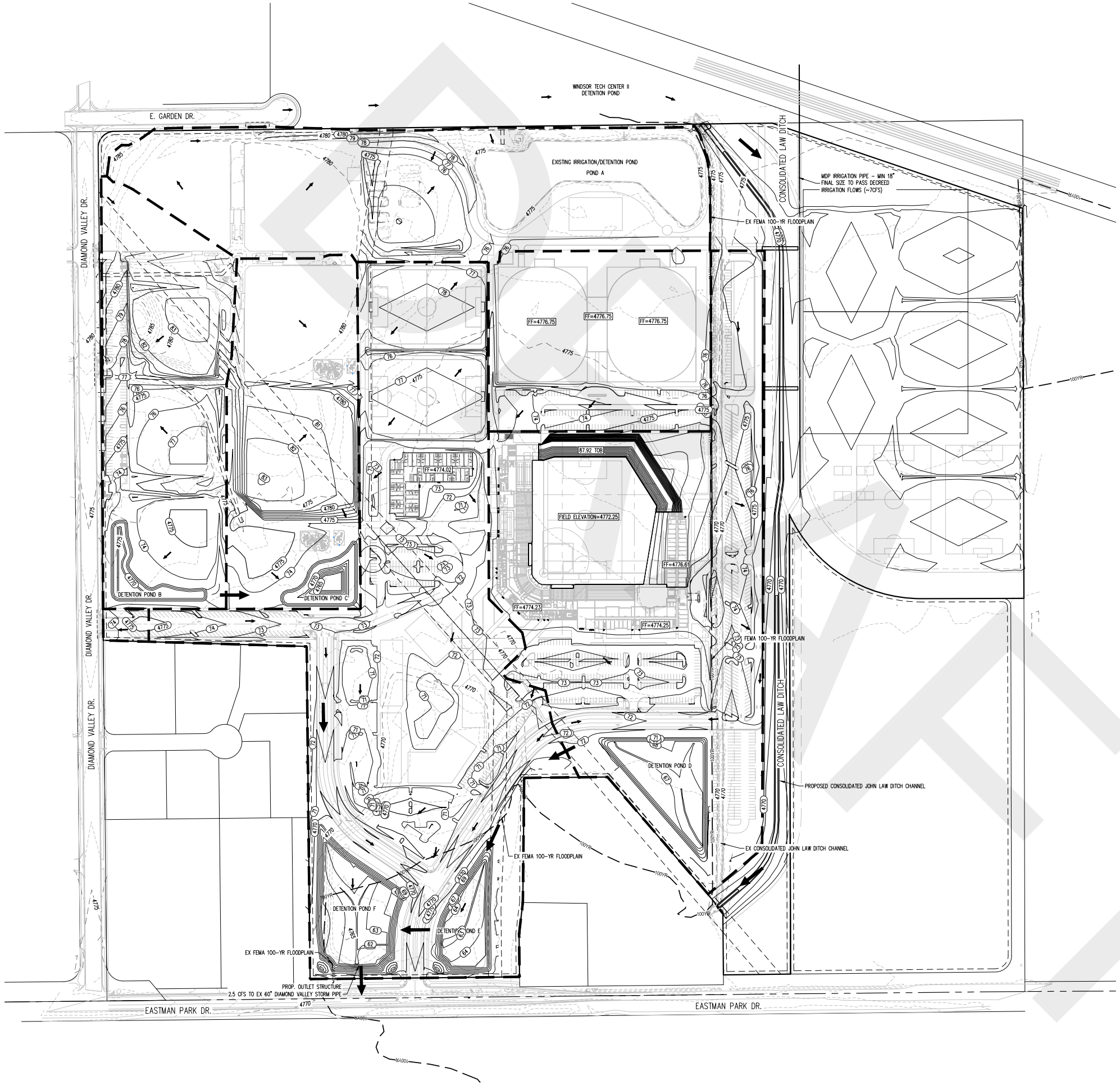
EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No: FTL000001
Drawn By:
Checked By:
Date: 01.03.20

MASTER UTILITY LAYOUT

U1
SHEET 6 OF 8



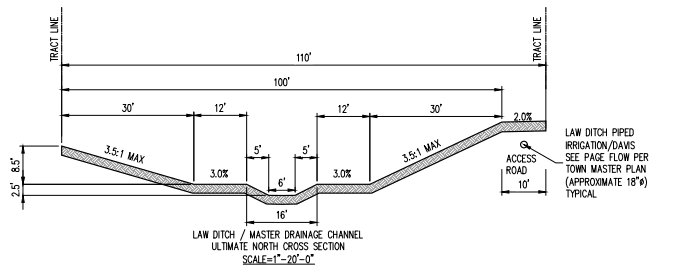
DRAINAGE LEGEND

- PROPERTY LINE
- EXISTING EASEMENT
- EXISTING FEMA 100-YEAR FLOODPLAIN
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- BASIN BOUNDARY LINE
- DIRECTION OF RUNOFF
- POND ROUTING

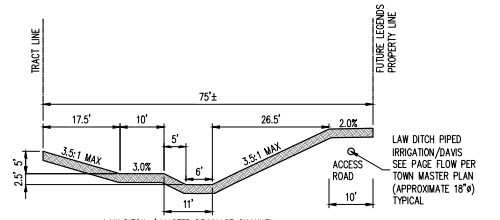
NOTES

SOILS WITHIN THE SITE ARE PREDOMINATELY (49.2%) KIM LOAM, HYDROLOGIC SOIL CLASSIFICATION A. THE REMAINING SOILS ARE 32.6% NUNN CLAY LOAM, HYDROLOGIC SOIL GROUP C, 14.7% ASCALON LOAM, HYDROLOGIC SOIL GROUP B, AND OLNEY FINE SANDY LOAM, HYDROLOGIC SOIL GROUP B. SOIL DATA FOR FUTURE LEGENDS WAS OBTAINED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) WEB SOIL SURVEY.

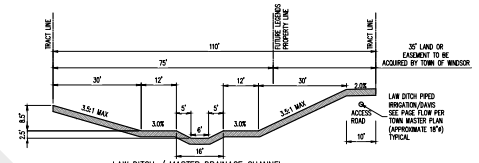
ANALYSIS AND REPORT FOR THE LAW DITCH ARE FORTHCOMING.
ULTIMATE Q_0 = ~1200 CFS WITH MINIMUM 1' OF FREEBOARD



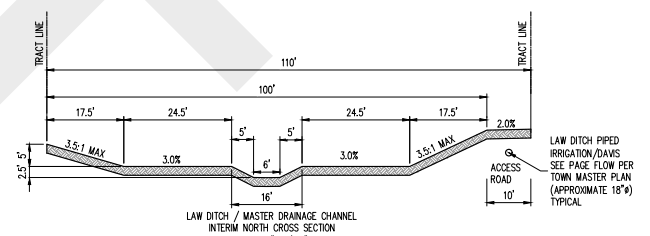
LAW DITCH / MASTER DRAINAGE CHANNEL
ULTIMATE NORTH CROSS SECTION
SCALE=1"=20'-0"



LAW DITCH / MASTER DRAINAGE CHANNEL
INTERIM SOUTH CROSS SECTION
SCALE=1"=20'-0"



LAW DITCH / MASTER DRAINAGE CHANNEL
ULTIMATE SOUTH CROSS SECTION
SCALE=1"=30'-0"



LAW DITCH / MASTER DRAINAGE CHANNEL
INTERIM NORTH CROSS SECTION
SCALE=1"=20'-0"

Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

FUTURE LEGENDS MASTER PLAN (AMENDMENT TO ALTERGOTT FARMS ANNEXATION MASTER PLAN)
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

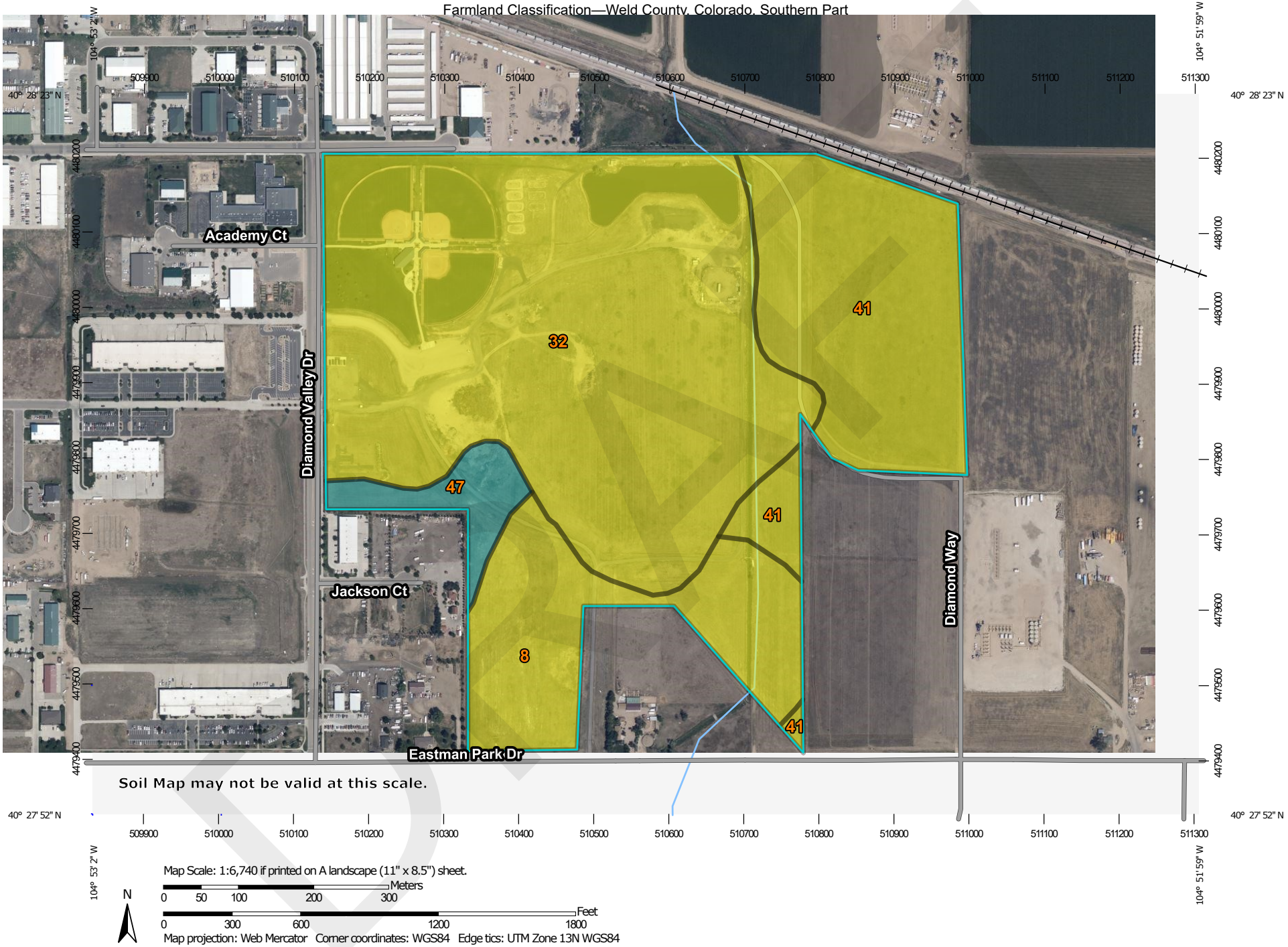
#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	
Checked By:	
Date:	01.03.20

MASTER DRAINAGE PLAN

DR1

SHEET 7 OF 8


104° 53' 2" W
104° 51' 59" W
40° 28' 23" N
40° 27' 52" N
509900
510000
510100
510200
510300
510400
510500
510600
510700
510800
510900
511000
511100
511200
511300
4480200
4480100
4480000
4479900
4479800
4479700
4479600
4479500
4479400
Academy Ct
Diamond Valley Dr
Jackson Ct
Eastman Park Dr
Diamond Way
32
41
47
41
8
41
Soil Map may not be valid at this scale.
Map Scale: 1:6,740 if printed on A landscape (11" x 8.5") sheet.
N
Meters
0 50 100 200 300
Feet
0 300 600 1200 1800
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Points

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
8	Ascalon loam, 0 to 1 percent slopes	Prime farmland if irrigated	18.1	15.1%
32	Kim loam, 1 to 3 percent slopes	Prime farmland if irrigated	70.5	58.7%
41	Nunn clay loam, 0 to 1 percent slopes	Prime farmland if irrigated	27.2	22.7%
47	Olney fine sandy loam, 1 to 3 percent slopes	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60	4.3	3.6%
Totals for Area of Interest			**120.2**	**100.0%**

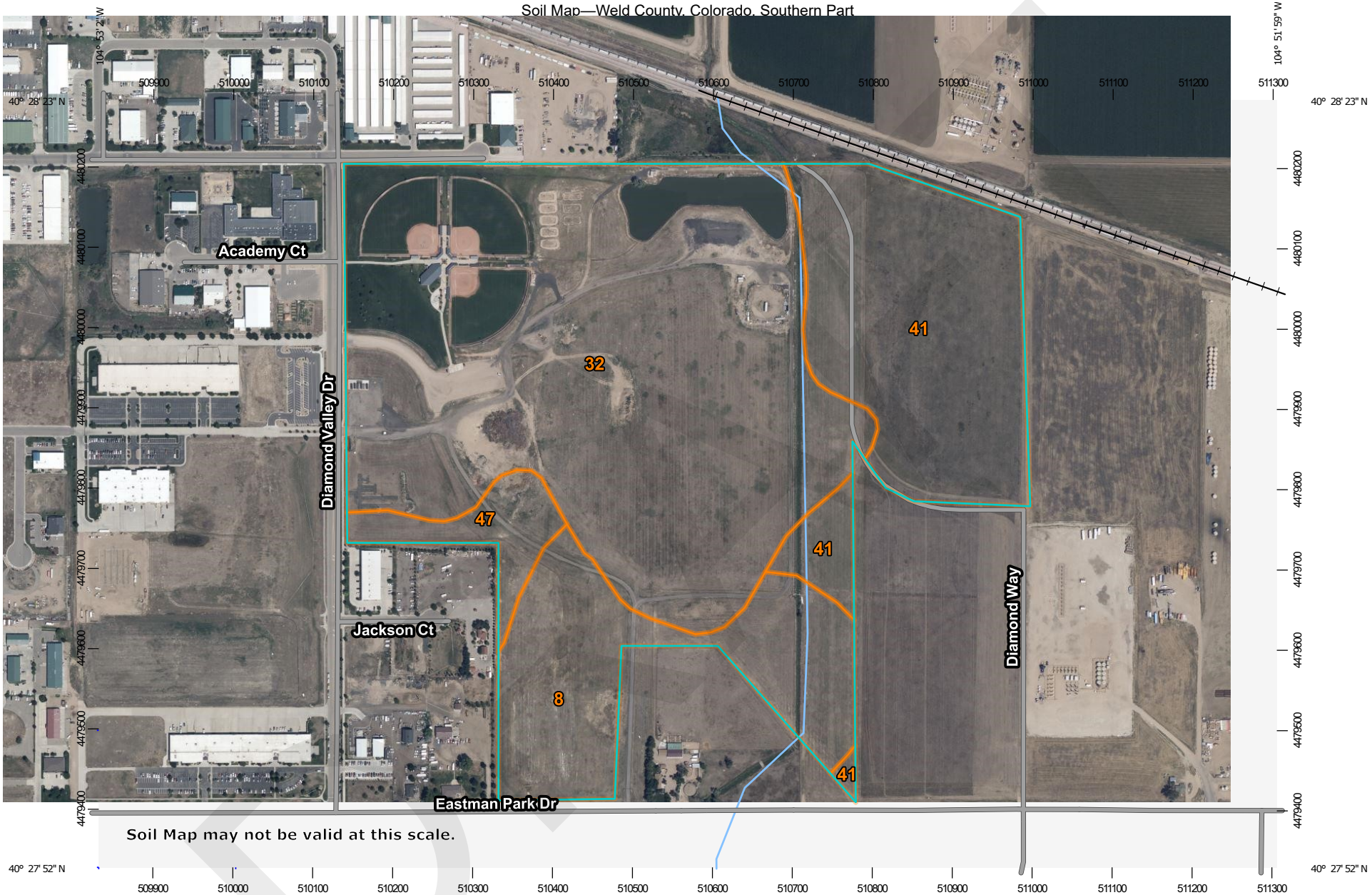
Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower



Map Scale: 1:6,740 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 50 100 200 300

Feet
0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
8	Ascalon loam, 0 to 1 percent slopes	18.1	15.1%
32	Kim loam, 1 to 3 percent slopes	70.5	58.7%
41	Nunn clay loam, 0 to 1 percent slopes	27.2	22.7%
47	Olney fine sandy loam, 1 to 3 percent slopes	4.3	3.6%
Totals for Area of Interest		**120.2**	**100.0%**

Weld County, Colorado, Southern Part

47—Olney fine sandy loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 362v
Elevation: 4,600 to 5,200 feet
Mean annual precipitation: 11 to 15 inches
Mean annual air temperature: 46 to 54 degrees F
Frost-free period: 125 to 175 days
Farmland classification: Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

Map Unit Composition

Olney and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Olney

Setting

Landform: Plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed deposit outwash

Typical profile

H1 - 0 to 10 inches: fine sandy loam
H2 - 10 to 20 inches: sandy clay loam
H3 - 20 to 25 inches: sandy clay loam
H4 - 25 to 60 inches: fine sandy loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 7.0 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B

Ecological site: R067BY024CO - Sandy Plains
Hydric soil rating: No

Minor Components

Zigweid
Percent of map unit: 10 percent
Hydric soil rating: No

Vona
Percent of map unit: 5 percent
Hydric soil rating: No

Data Source Information

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

Weld County, Colorado, Southern Part

8—Ascalon loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2tlnq
Elevation: 3,870 to 6,070 feet
Mean annual precipitation: 13 to 16 inches
Mean annual air temperature: 47 to 54 degrees F
Frost-free period: 135 to 160 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Ascalon and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Ascalon

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Wind-reworked alluvium and/or calcareous sandy eolian deposits

Typical profile

Ap - 0 to 6 inches: loam
Bt1 - 6 to 12 inches: sandy clay loam
Bt2 - 12 to 19 inches: sandy clay loam
Bk - 19 to 35 inches: fine sandy loam
C - 35 to 80 inches: fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline (0.1 to 1.9 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water capacity: Moderate (about 8.0 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B
Ecological site: R067BY002CO - Loamy Plains
Hydric soil rating: No

Minor Components

Olnest

Percent of map unit: 10 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R067BY024CO - Sandy Plains
Hydric soil rating: No

Nunn

Percent of map unit: 5 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R067BY002CO - Loamy Plains
Hydric soil rating: No

Data Source Information

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

Weld County, Colorado, Southern Part

32—Kim loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 362b
Elevation: 4,900 to 5,250 feet
Mean annual precipitation: 13 to 17 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 125 to 150 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Kim and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kim

Setting

Landform: Alluvial fans, plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed eolian deposits derived from sedimentary rock

Typical profile

H1 - 0 to 12 inches: loam
H2 - 12 to 40 inches: loam
H3 - 40 to 60 inches: fine sandy loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Available water capacity: Moderate (about 9.0 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A
Ecological site: R067BY002CO - Loamy Plains
Hydric soil rating: No

Minor Components

Otero

Percent of map unit: 10 percent
Hydric soil rating: No

Data Source Information

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020

Weld County, Colorado, Southern Part

41—Nunn clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2tlng
Elevation: 4,100 to 5,700 feet
Mean annual precipitation: 14 to 15 inches
Mean annual air temperature: 48 to 52 degrees F
Frost-free period: 135 to 152 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Nunn and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nunn

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Pleistocene aged alluvium and/or eolian deposits

Typical profile

Ap - 0 to 6 inches: clay loam
Bt1 - 6 to 10 inches: clay loam
Bt2 - 10 to 26 inches: clay loam
Btk - 26 to 31 inches: clay loam
Bk1 - 31 to 47 inches: loam
Bk2 - 47 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 7 percent
Maximum salinity: Nonsaline (0.1 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 0.5
Available water capacity: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: C
Ecological site: R067BY042CO - Clayey Plains
Hydric soil rating: No

Minor Components

Heldt

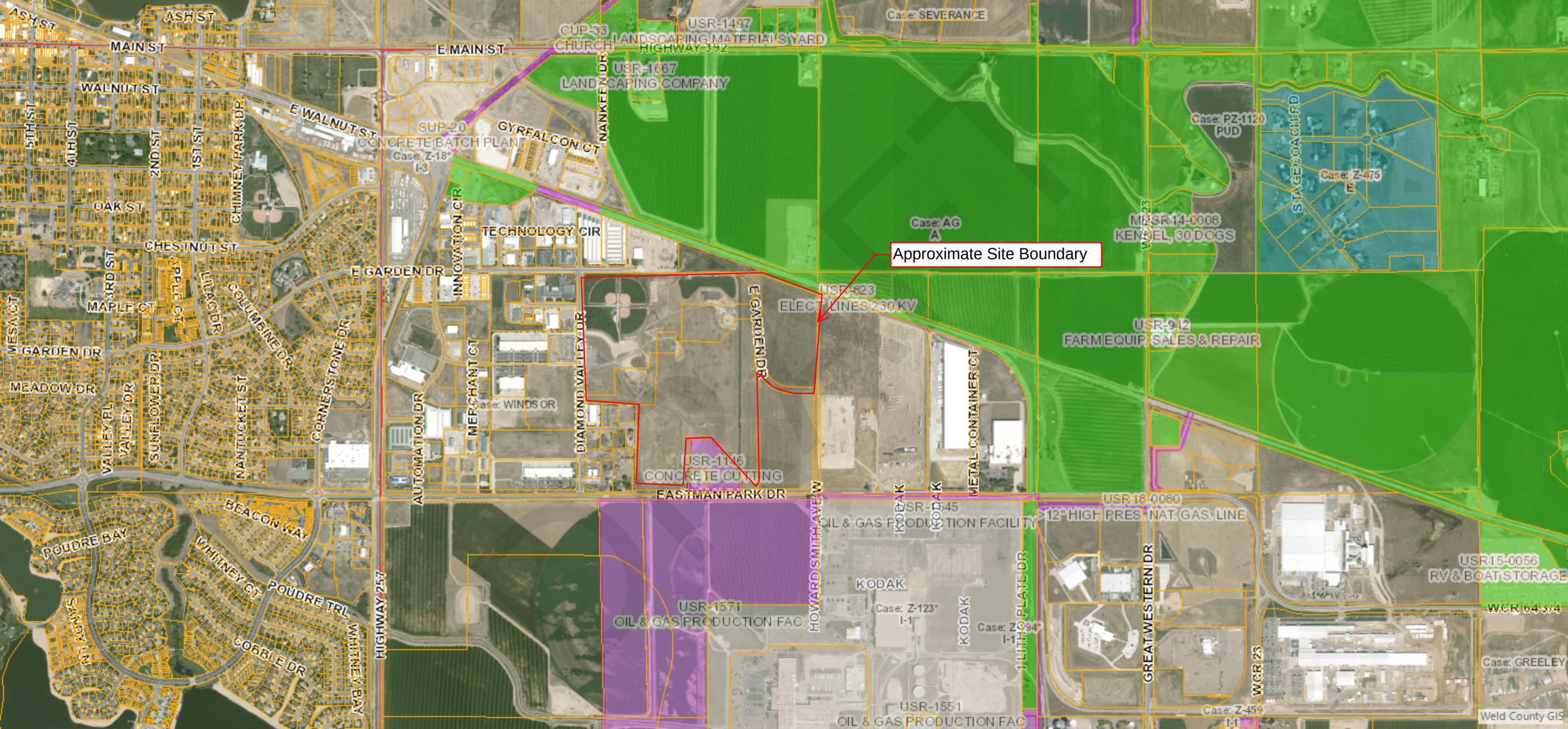
Percent of map unit: 10 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R067BY042CO - Clayey Plains
Hydric soil rating: No

Wages

Percent of map unit: 5 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R067BY002CO - Loamy Plains
Hydric soil rating: No

Data Source Information

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 19, Jun 5, 2020


Approximate Site Boundary
MAIN ST
E MAIN ST
WALNUT ST
E WALNUT ST
ASH ST
OAK ST
CHESTNUT ST
MAPLE CT
GARDEN DR
MEADOW DR
E GARDEN DR
TECHNOLOGY CIR
INNOVATION CIR
AUTOMATION DR
MERCHANT CT
DIAMOND VALLEY DR
EASTMAN PARK DR
HIGHWAY 257
BEACON WAY
POUDRE BAY
POUDRE TRL
WHITNEY CT
CORBLE DR
GYRFALCON CT
NANKEEN DR
HIGHWAY 392
CHURCH
CUP-33
LANDSCAPING MATERIALS YARD
USR-1497
USR-1667
LANDSCAPING COMPANY
SUP-20
CONCRETE BATCH PLANT
Case: Z-18*
I-3
Case: SEVERANCE
Case: AG
A
USR-823
ELECT. LINES 230 KV
USR-942
FARM EQUIP. SALES & REPAIR
MJ-SR14-0008
KENNEL, 30 DOGS
Case: PZ-1120
PUD
Case: Z-475
E
STAGECOACH RD
WCR 23
USR-1146
CONCRETE CUTTING
USR-545
OIL & GAS PRODUCTION FACILITY
USR18-0080
12" HIGH PRES. NAT. GAS LINE
USR-1571
OIL & GAS PRODUCTION FAC.
USR-1551
OIL & GAS PRODUCTION FAC.
KODAK
HOWARD SMITH AVE W
METAL CONTAINER CT
LITHOPLATE DR
GREAT WESTERN DR
USR15-0056
RV & BOAT STORAGE
WCR 64 3/4
Case: GREELEY
Case: Z-123*
I-1
Case: Z-459
I-1
Case: WINDSOR
Weld County GIS

BLM National Surface Management Agency

BLM National Surface Management Agency - Cached without Private or Unknown lands (50% transparent)

BLM Energy, Minerals & Realty Management | Earthstar Geographics

Nationwide Rivers Inventory

This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more "outstandingly remarkable" values

Press F11 to exit full screen

National Park Service
U.S. Department of the Interior

Home | Frequently Asked Questions | Website Policies | Contact Us

EXPERIENCE YOUR AMERICA™

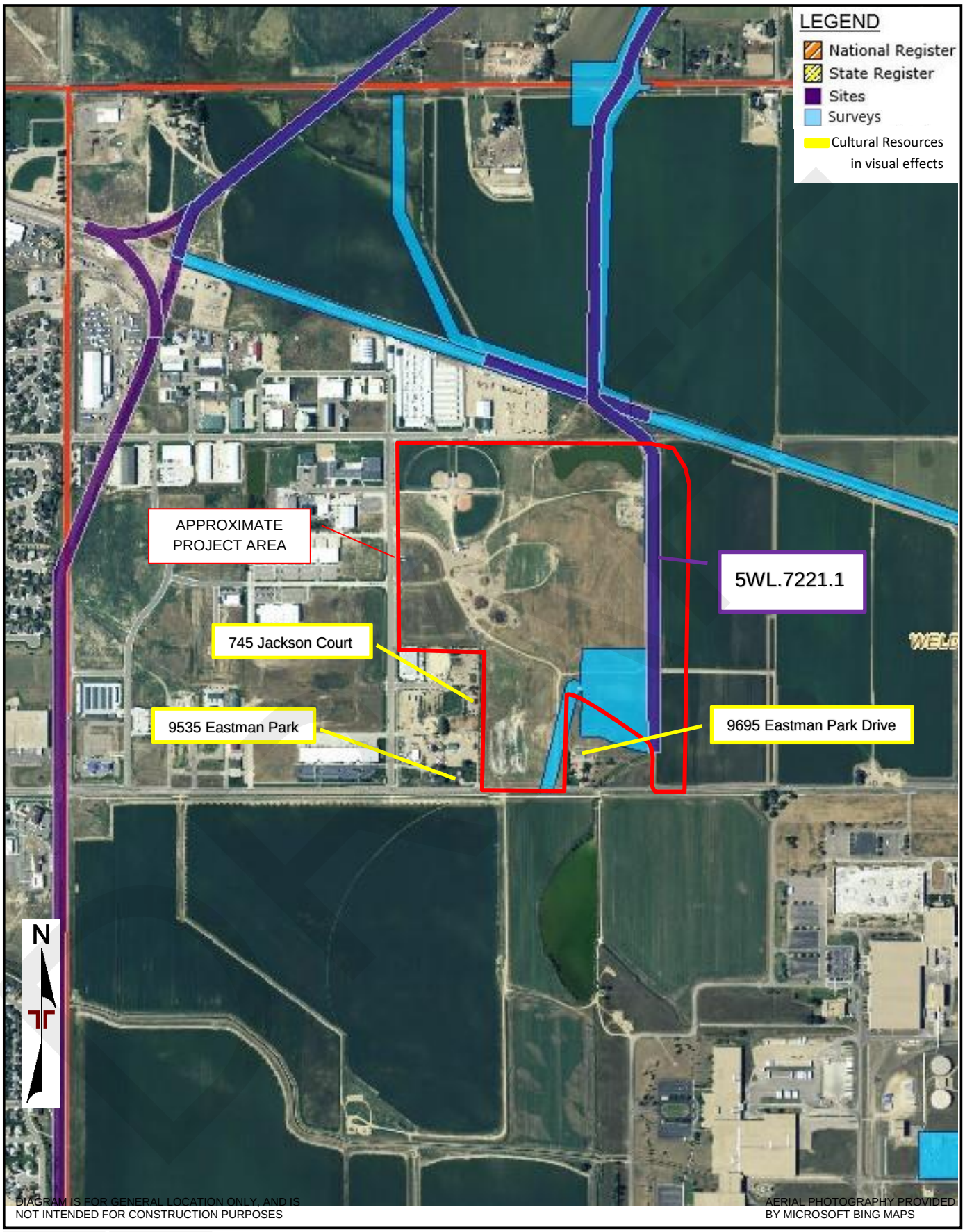


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

AERIAL PHOTOGRAPHY PROVIDED BY MICROSOFT BING MAPS

Project Manager:	EN
Drawn by:	EN
Checked by:	AMS
Approved by:	AMS
Project No.	20207040
Scale:	AS SHOWN
File Name:	Figure1and2
Date:	8/30/2020

Terracon
1901 Sharp Point Dr Ste C
Fort Collins, CO 80525-4429

PROJECT DIAGRAM

Proposed Future Legends Development

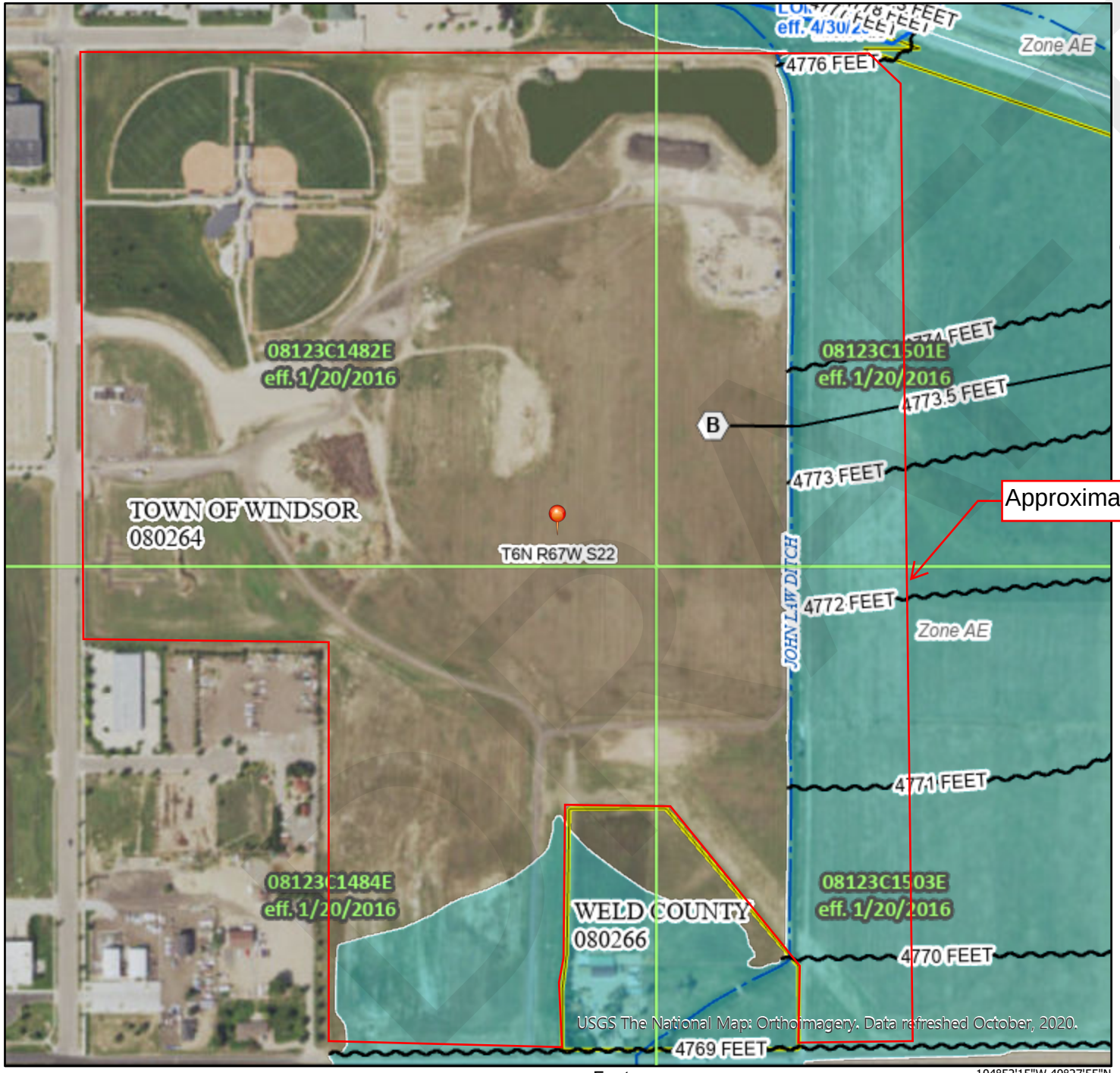
Diamond Valley Subdivsion - 8th Filing
Windsor, CO

Figure 2

National Flood Hazard Layer FIRMette

FEMA

104°52'52"W 40°28'22"N



104°52'15"W 40°27'55"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / B / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/24/2020 at 1:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

U.S. Fish and Wildlife Service

National Wetlands Inventory

Future Legends

August 31, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Form RD 2006-38
(Rev. 07-07)

Rural Development
Environmental Justice (EJ) and Civil Rights Impact Analysis (CRIA)
Certification

1 . Applicant's name and proposed project description: Future Legends LLC - sports complex facility encompassing approximately 100 acres in Windsor, Colorado

2. Rural Development's loan/grant program/guarantee or other Agency action: USDA Business & Industry Loan Guarantees Program, Business-Cooperative Service

3. ☑ Attach a map of the proposal's area of effect identifying location or EJ populations, location of the proposal, area of impact or

☐ Attach results of EJ analysis from the Environmental Protection Agency's (EPAs) EnviroMapper with proposed project location and impact footprint delineated.

4. Does the applicant's proposal or Agency action directly, indirectly or cumulatively affect the quality and/or level of services provided to the community?

☑ Yes ☐ No ☐ N/A

5. Is the applicant's proposal or Agency action likely to result in a change in the current land use patterns (types of land use, development densities, etc)?

☑ Yes ☐ No ☐ N/A

6. Does a demographic analysis indicate the applicant's proposal or Agency's action may disproportionately affect a significant minority and/or low-income populations?

☐ Yes ☑ No ☐ N/A

If answer is no, skip to item 12. If answer is yes, continue with items 7 through 12.

7. Identify, describe, and provide location of EJ population _____

8. If a disproportionate adverse affect is expected to impact an EJ population, identify type/level of public outreach implemented. _____

9. Identify disproportionately high and adverse impacts on EJ populations. _____

10. Are adverse impacts appreciably more severe or greater in magnitude than the adverse impacts expected on non-minority/low-income populations?

☐ Yes ☐ No ☐ N/A

11. Are alternatives and/or mitigation required to avoid impacts to EJ populations?

☐ Yes ☐ No ☐ N/A

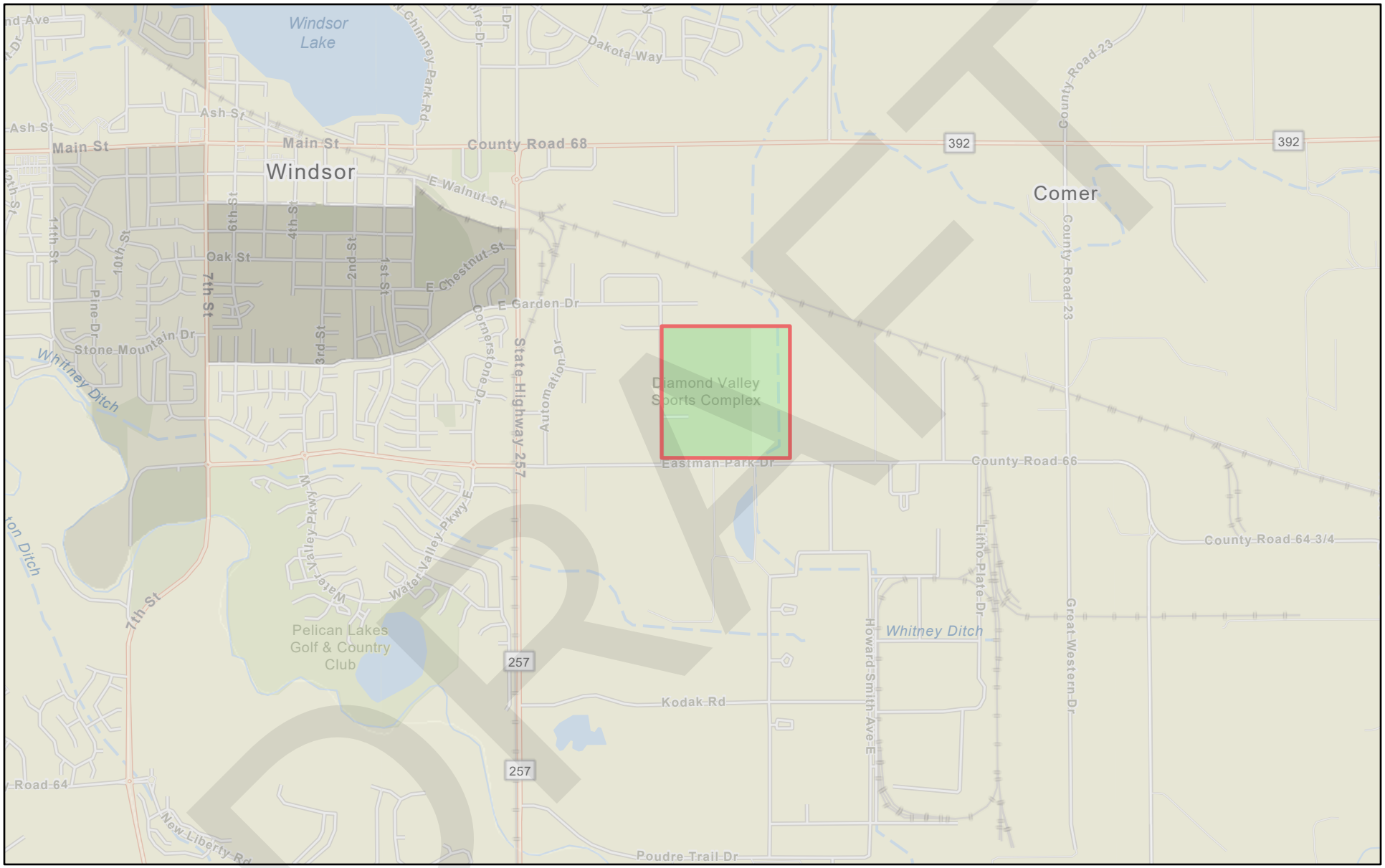
If yes, describe _____

12. I certify that I have reviewed the appropriate documentation and have determined that:

☑ No major EJ or civil rights impact is likely to result if the proposal is implemented.
☐ A major EJ or civil rights impact is likely to result if the proposal is implemented.

_____ _____
Name and Title of Certifying Official Date

Low Income Population



December 1, 2020

Low Income Population

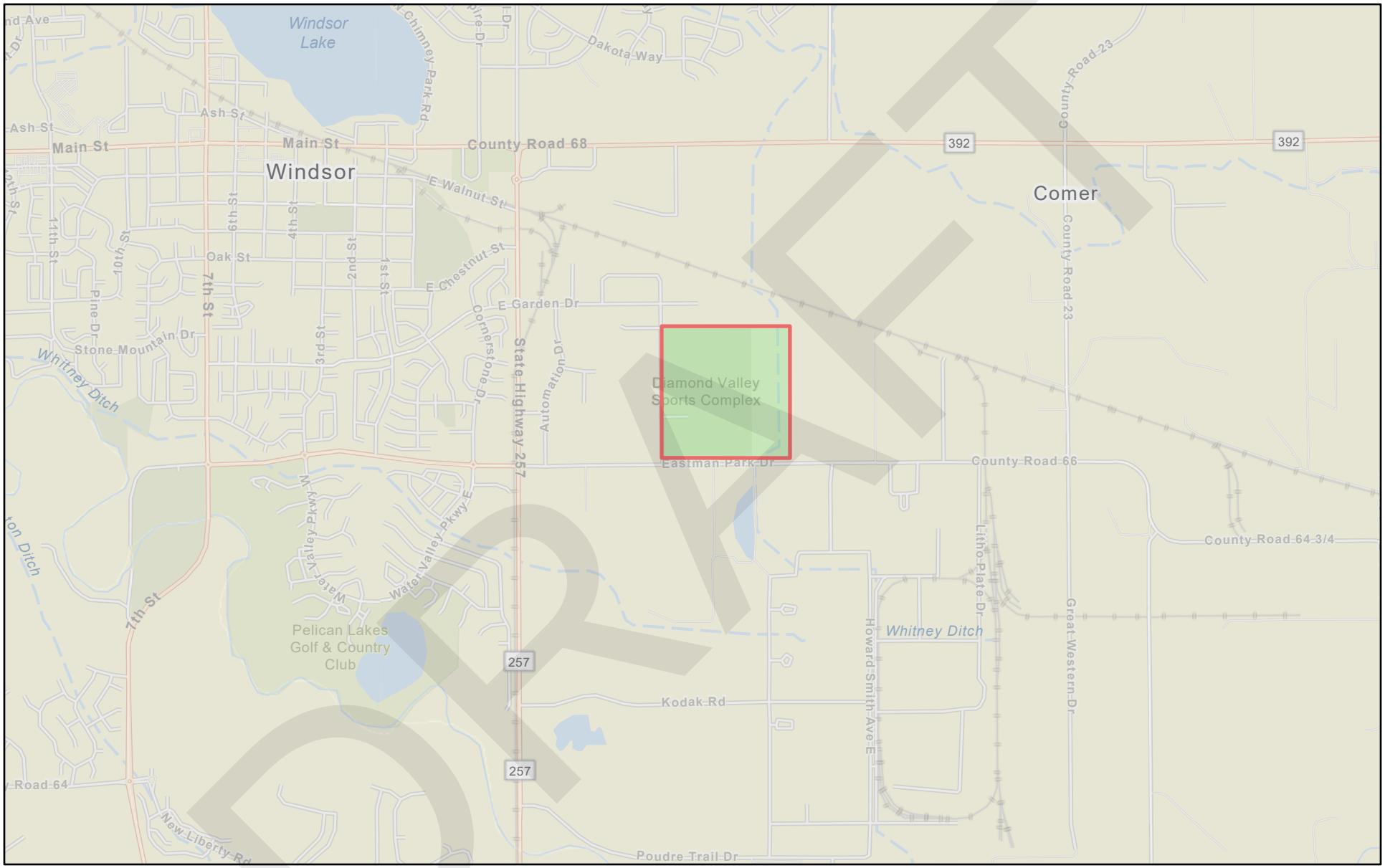
- Data not available
- Less than 50 percentile
- 50 -60 percentile
- 60 -70 percentile
- 70 -80 percentile
- 80 - 90 percentile
- 90 - 95 percentile
- 95 - 100 percentile
- Project 1

1:36,112

0 0.23 0.45 0.9 mi

0 0.38 0.75 1.5 km

Minority Population



December 1, 2020

Minority Population

- Data not available
- Less than 50 percentile
- 50 -60 percentile
- 60 -70 percentile
- 70 -80 percentile
- 80 - 90 percentile
- 90 - 95 percentile
- 95 - 100 percentile
- Project 1

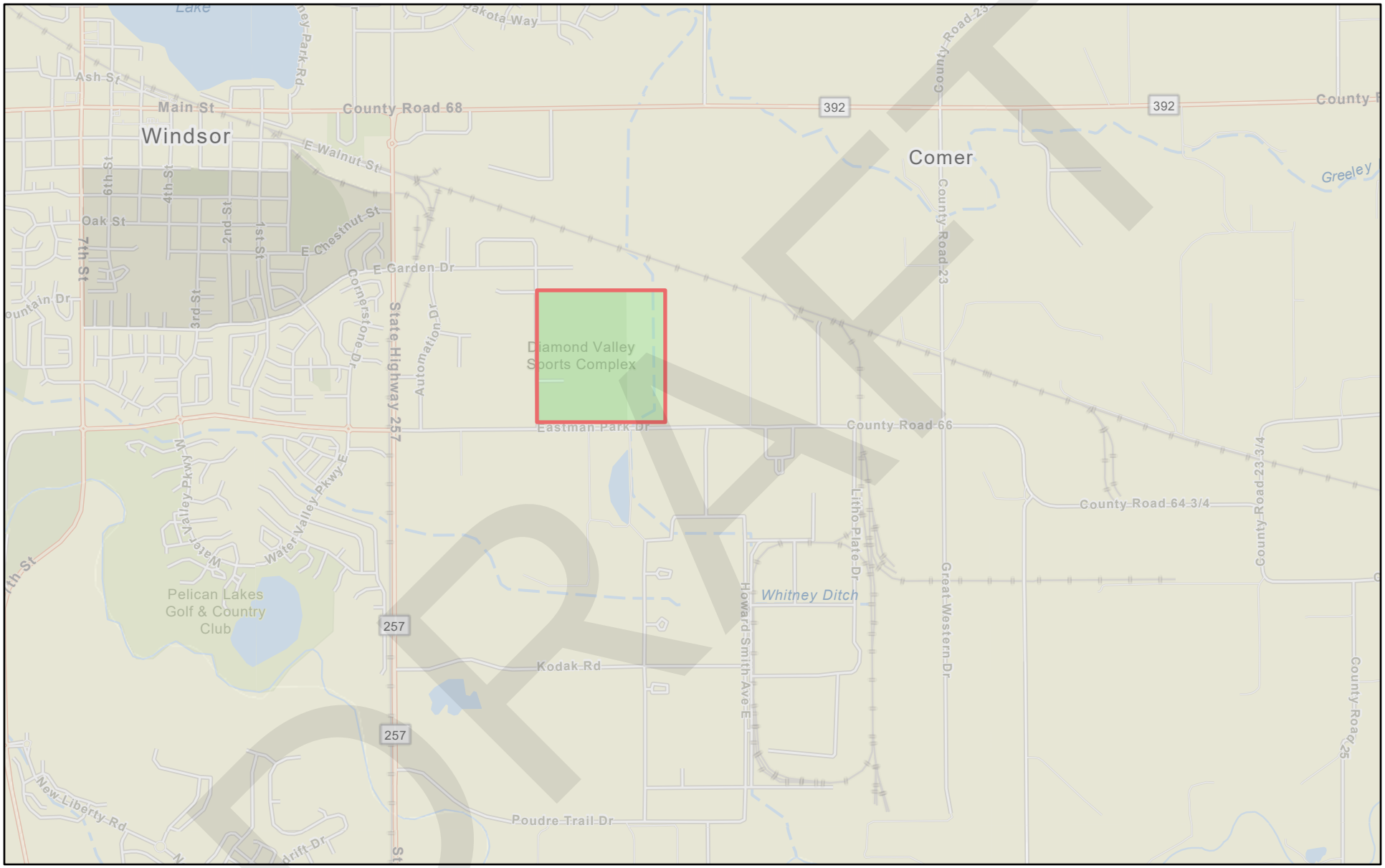
1:36,112

0 0.23 0.45 0.9 mi

0 0.38 0.75 1.5 km

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Demographic Index



December 1, 2020

Demographic Index (State Percentiles)

- Data not available
- Less than 50 percentile
- 50 -60 percentile
- 60 -70 percentile
- 70 -80 percentile
- 80 - 90 percentile
- 90 - 95 percentile
- 95 - 100 percentile
- Project 1

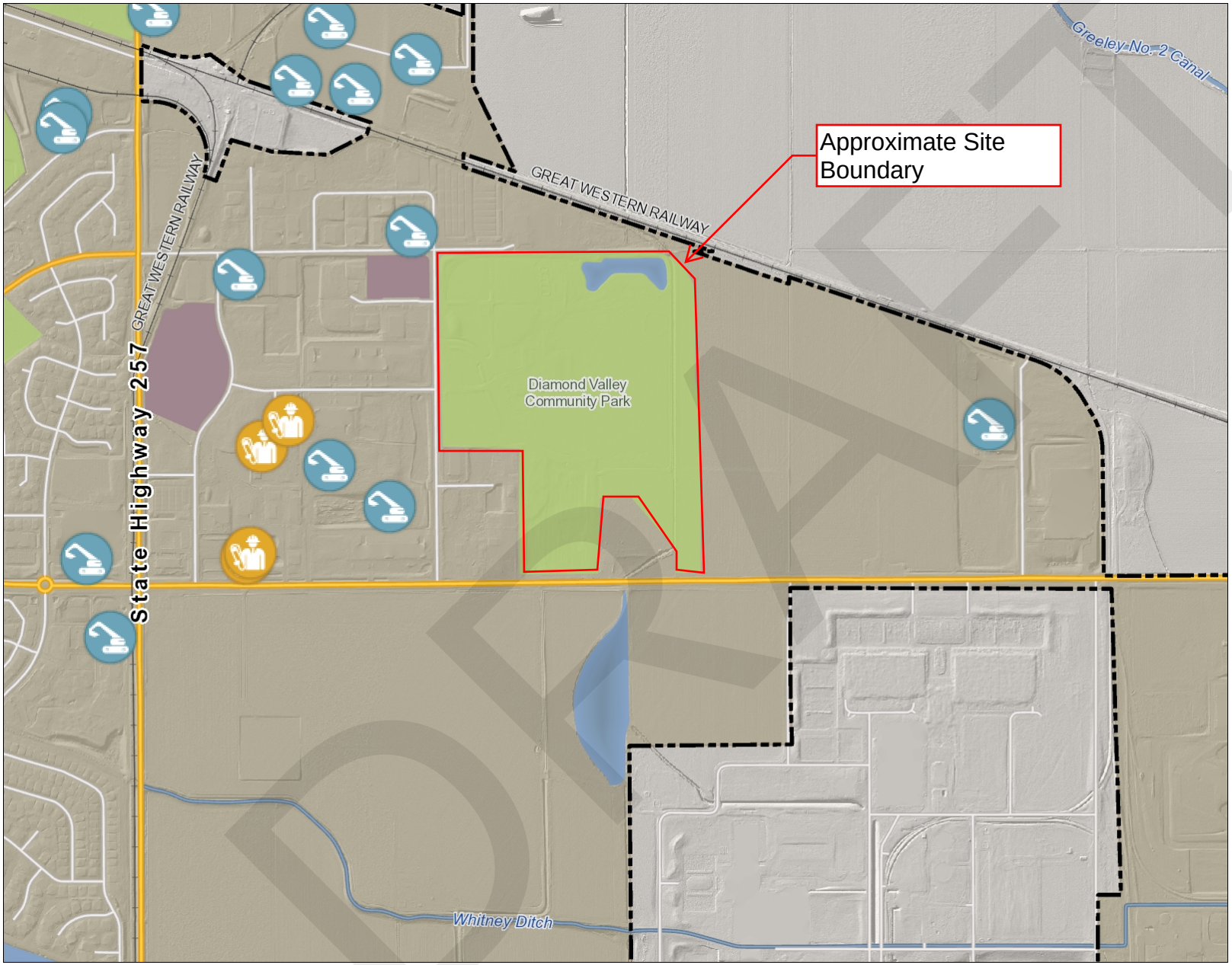
1:36,112

0 0.23 0.45 0.9 mi

0 0.38 0.75 1.5 km

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Town of Windsor Planned Development Map



Legend

- Public Hearings (PC)
- Public Hearings (TB)
- Public Hearings (BOA)
- Under Review
- Under Construction
- Corporate Limits
- Parks
- Parks
- Parks
- Parks
- Parks
- Parks
- Parks
- Parcels
- Parks

Notes

0.44 0 0.22 0.44 Miles

1: 14,060

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date Prepared: 12/3/2020 1:27:51 PM

APPENDIX B
SUPPORTING DOCUMENTATION

Richard L. Monfort
Owner/Chairman & Chief Executive Officer

October 22, 2020

To Whom It May Concern:

Ryan Spilborghs and Future Legends are building a transformational sports complex in Windsor, Colorado. When completed will be a tremendous asset to northern Colorado as well as the state of Colorado. The Colorado Rockies would be a benefactor and user of the facility for youth clinics and tournaments. The Club continues to support the project, and looks forward to completion and long term success.

Sincerely,

Richard L. Monfort
Owner/Chairman & Chief Executive Officer

RLM/td

HENSEL PHELPS
Plan. Build. Manage.

March 27, 2020

Weld County Commissioners
Weld County Colorado
1150 O Street
Greeley, Colorado 80631

Dear County Commissioners:

Hensel Phelps has been involved with this development since May 2019. Since meeting with Jeff Katofsky and Ryan Spilborghs in May of 2019 our role has evolved from its possible builder, to its Program Manager, co-developer, development modeler and Construction Manager. Our role has become all-encompassing in order to meet the developments overall needs and success.

For the past Nine (9) months we have participated or represented the development in all Town of Windsor matters, including Town hearings. We have procured the design and perform its administration, participated in the formation of the Future Legends Metropolitan Districts, and caused the construction of two multi-use long fields on the site, as obligated by the Cooperative Use Agreement between the Town and Future Legends LLC (formerly known as Colorado National Sports Park, "CNSP"). We have also participated in the assemblage the Equity Offering Package that you have been provided, development discussion with Hilton International, and act as the repository of all documentation and record keeping for the development. This development is good for the Town of Windsor, Weld County and Northern Colorado and the entire State, as it brings the much-needed retail services, affordable Professional Sports entertainment, and Youth & Adult Sports Programming to Windsor and the region. In addition to the services and financial benefits it brings it also advances the Town of Windsor's Storm Water and Flood Control Plan and Pedestrian & Bike Path Program.

We would like to thank the commissioners for their time and favorable consideration for approving Future Legends as a Weld County C-Pace project. Please don't hesitate to contact us if you have any questions or concerns.

Sincerely,

Allan Bliesmer
District Manager / Vice President
420 Sixth Ave
Greeley, CO 80631
720.592.2000 (O)
720.469.1764 (M)
abliesmer@henselphelps.com

December 1, 2016

To whom it may concern:

This site , the "PlayBall Initiative" and to opportu and the world venient travel and we are home to a pioneering spirit, breathtaki economy. These qualities to for young athletes and T Park will host and passion for the game.

l heritage and our MLB team, T

Sincerely,

John W. Hickenlooper
Governor

MAJOR LEAGUE BASEBALL ®
PLAYERS ALUMNI
®

The Major League Baseball Players Alumni Association (MLBPAA) shares an enthusiastic vote of support for the Rocky Mountain Sports Park (RMSP). The MLBPAA's mission to promote the game of baseball while positively impacting youth perfectly aligns with the mission of the RMSP to provide every athlete the opportunity to learn and play baseball and softball while gaining a broader perspective of themselves and their world.

We believe that RMSP will be a place where athletes can build camaraderie, inspire appreciation for the game and motivate young talent to become tomorrow's professionals.

The MLBPAA looks forward to hosting youth baseball clinics at RMSP. This will allow former Major League Baseball players the opportunity to inspire and educate youth. Our growing relationship with RMSP and their facilities will advance and expand the sport of baseball in Colorado.

Our support of the RMSP as a fellow 501(c)3 inspires the MLBPAA to eagerly partner with them in the Colorado community while attracting global families.

The MLBPAA anticipates a supportive alliance with Rocky Mountain Sports Park to continue to improve the lives of young athletes.

Sincerely,

Geoff Hixson, Chief Operating Officer

People United for Responsible Government

"Sowing the Seeds of Change in Weld County"

March 30, 2020

Weld County Commissioners
Weld County Colorado
1150 0 Street
Greeley, Colorado 80631

Dear County Commissioners:

On behalf of the Town of Windsor, we would like to provide this letter of support for the Future Legends Sports Park (formerly known as Colorado National Sports Park) and request that Weld County approve this project for participation in the Colorado PACE program. We believe the Future Legends offers an incredible value proposition for the Town of Windsor, Northern Colorado, the entire State and beyond.

We support this company's intention to locate their facility in the Town of Windsor and we believe this park will be an ideal regional location for access across the state and nation. We are aware Future Legends plans on spending more than $160,000,000 to build multiple sports fields, a 3,500+ seat stadium, multiple high end hotels, the nation's 3rd largest indoor fields facility and much more. The park will also be home two minor league soccer teams and one minor league baseball team.

We would like to thank the commissioners for their time and favorable consideration of approving Future Legends (CNSP) as a Weld County C-PACE project. Please don't hesitate to contact us if you have any questions or concerns.

Respectfully submitted,

David W. Kisker, President
People United for Responsible Government
"Sowing the Seeds of Change in Weld County"

P.U.R.G.
3620 10th St., Suite B-327
Greeley, CO 80634

March 29, 2020

Weld County Commissioners
Weld County Colorado
1150 0 Street
Greeley, Colorado 80631

Dear County Commissioners:

On behalf of the Town of Windsor, I would like to provide this letter of support for the Future Legends Sports Park (formerly known as Colorado National Sports Park) and request that Weld County approve this project for participation in the Colorado PACE program. I believe the Future Legends offers an incredible value proposition for the Town of Windsor, Northern Colorado, the entire State and beyond.

I support this company's intention to locate their facility in the Town of Windsor and I believe this park will be an ideal regional location for access across the state and nation. I am aware Future Legends plans on spending more than $160,000,000 to build multiple sports fields, a 3,500+ seat stadium, multiple high end hotels, the nation's 3rd largest indoor fields facility and much more. The park will also be home to two minor league soccer teams and one minor league baseball team.

I would like to thank the commissioners for their time and favorable consideration of approving Future Legends (CNSP) as a Weld County C-PACE project. Please don't hesitate to contact me if you have any questions or concerns.

Respectfully submitted,

State Representative

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request N/A
Name of Project Future Legends	Federal Agency Involved USDA
Proposed Land Use Sports Complex	County and State Weld County, Colorado
PART II *(To be completed by NRCS)*	Date Request Received By NRCS / Person Completing Form: Terracon on behalf of US

Does the site contain Prime, Unique, Statewide or Local Important Farmland? *(If no, the FPPA does not apply - do not complete additional parts of this form)* YES ☑ NO ☐		Acres Irrigated	Average Farm Size 517
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %	
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly	100			
C. Total Acres In Site	100			
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide Important or Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)				

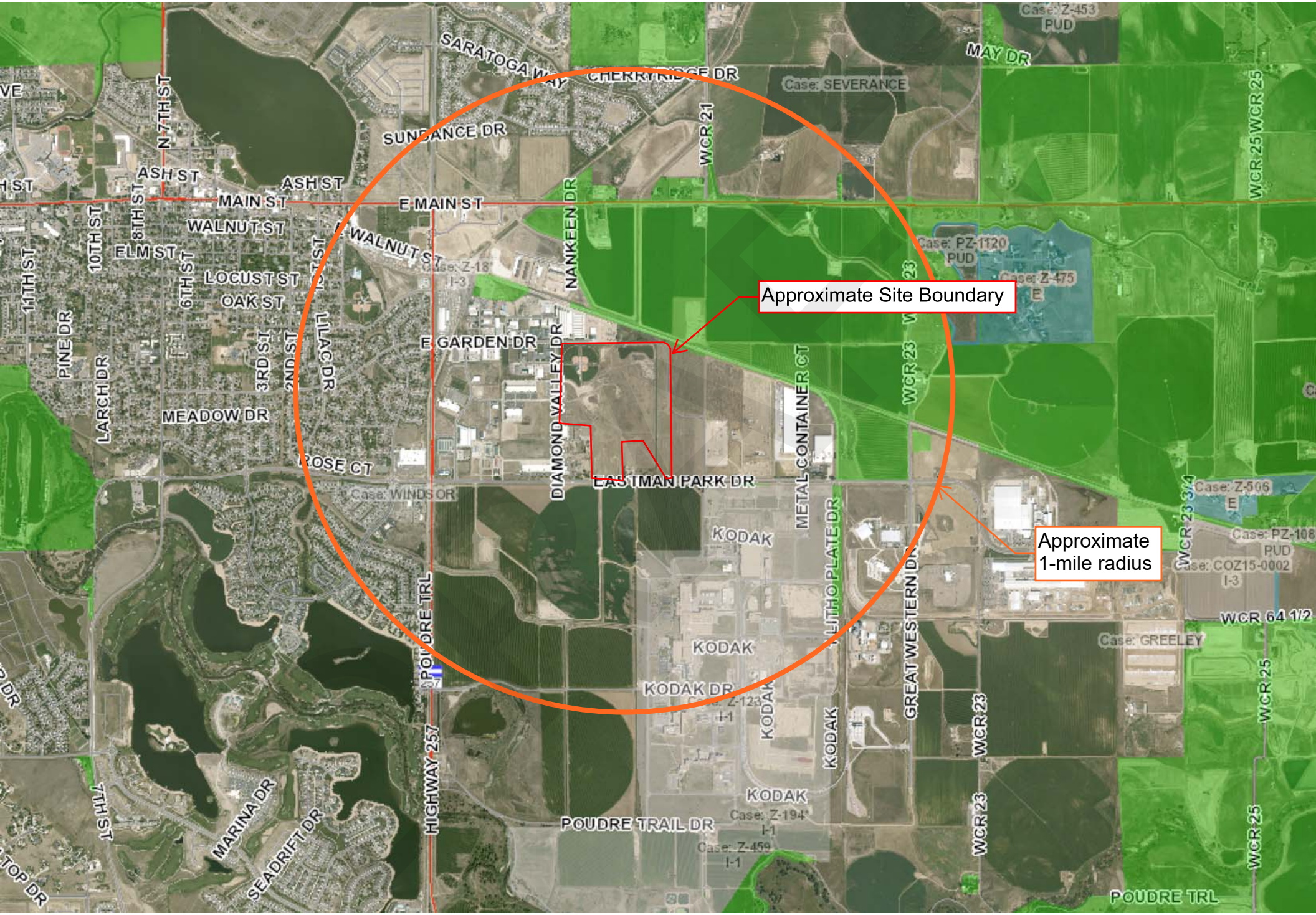
PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)*	**Maximum Points**	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	8			
2. Perimeter In Non-urban Use	(10)	5			
3. Percent Of Site Being Farmed	(20)	0			
4. Protection Provided By State and Local Government	(20)	20			
5. Distance From Urban Built-up Area	(15)	0			
6. Distance To Urban Support Services	(15)	0			
7. Size Of Present Farm Unit Compared To Average	(10)	0			
8. Creation Of Non-farmable Farmland	(10)	10			
9. Availability Of Farm Support Services	(5)	5			
10. On-Farm Investments	(20)	0			
11. Effects Of Conversion On Farm Support Services	(10)	0			
12. Compatibility With Existing Agricultural Use	(10)	5			
TOTAL SITE ASSESSMENT POINTS	160	53	0	0	0
PART VII ***(To be completed by Federal Agency)***					
Relative Value Of Farmland *(From Part V)*	100	0	0	0	0
Total Site Assessment *(From Part VI above or local site assessment)*	160	53	0	0	0
TOTAL POINTS ***(Total of above 2 lines)***	260	53	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES ☐ NO ☑

Reason For Selection:

Name of Federal agency representative completing this form: Terracon on Behalf of USDA — Date: 11/17/2020

(See Instructions on reverse side) **Form AD-1006 (03-02)**


Approximate Site Boundary
Approximate 1-mile radius
SARATOGA WAY
CHERRYRIDGE DR
SUNDANCE DR
MAY DR
Case: Z-453 PUD
Case: SEVERANCE
N 7TH ST
ASH ST
MAIN ST
E MAIN ST
WALNUT ST
ELM ST
LOCUST ST
OAK ST
8TH ST
10TH ST
11TH ST
6TH ST
3RD ST
2ND ST
LILAC DR
PINE DR
LARCH DR
MEADOW DR
ROSE CT
Case: WINDSOR
E GARDEN DR
NANKEEN DR
DIAMOND VALLEY DR
EASTMAN PARK DR
METAL CONTAINER CT
LITHO PLATE DR
GREAT WESTERN DR
KODAK
KODAK DR
WCR 21
WCR 23
WCR 25
WCR 64 1/2
Case: PZ-1120 PUD
Case: Z-475 E
Case: Z-506 E
Case: PZ-108 PUD
Case: COZ15-0002 I-3
Case: GREELEY
Case: Z-18 I-3
Case: Z-123 I-1
Case: Z-194 I-1
Case: Z-459 I-1
HIGHWAY 257
POUDRE TRL
POUDRE TRAIL DR
MARINA DR
SEADRIFT DR
7TH ST

Concept Review: Future Legends
Meeting Date: 9/12/19

Road Layout & Access

1. A comprehensive traffic study is necessary for the project.

2. Alternative B internal road access is preferable to Alternative A, since it provides better east west connectivity. Alternative B seems to require driving through parking lots. Regardless of final design, please ensure internal street network provides through access rather than relying on parking lot drive aisles for access.

   Please also consider creating a stronger grid street system throughout the park. This will help it be more user friendly from a vehicular/pedestrian and wayfinding signage standpoint.

3. Please look at aligning entrances on Diamond Valley Dr. with existing curb cuts. This could also provide opportunities for additional small lots to better provide access for users who are unable to walk great distances.

4. As discussed at meeting, extension of Garden Drive would be difficult to achieve and is not required or recommended by the Town.

5. This off-site driveway on Eastman Park Drive just west of Future Legends property will need to be addressed in traffic study and project design.

6. Easternmost access to Eastman Park Dr. will need to align with access to the property to the south

Parking

1. To reiterate concerns discussed at meeting, parking areas seem far away from fields. This may lead to long walks for spectators and congestion of users parking on Diamond Valley Drive rather than on the site. We did look at the Aurora Sports Park and parking there seems to be provided adjacent to each cluster of fields.

   Please also take into consideration that ADA handicap parking may take up a large portion of the parking around the stadium due to quantity of spaces required for the

entire park, thereby forcing more able bodied spectators of youth events to park further out and walk further. Therefore please consider adding and dispersing parking around the site to better accommodate users (see # 2 & 3 below)

2. Please expand P7 further south to accommodate parking for users/spectators of north field cluster.

3. Please provide parking in vicinity of south baseball field cluster, possibly in expanded P7 or by shifting access road south, with parking to the north.

4. Since stadium is not a use enumerated in the parking code, a Parking Determination by Planning Commission will be required. Parking study should be included with formal site plan submittal.

5. Regarding overflow parking – parking is generally required to be paved. Unpaved surface will require Planning Commission approval.

General

1. Screen outdoor storage from view of ROW.

2. Please be aware max. height in IL zone is 75'.

3. Consider orienting minor league field northwest for mountain views.

4. Similar to Aurora Sports Park, please consider adding in additional spaces and buildings for restrooms, concessions and medical facilities throughout the baseball fields and multi-use fields.

5. As discussed, bathroom recommended east of bubbles (and may be required by building code)

Utilities & Drainage

1. Structures need to be kept out of sewer and water easements. (typical)

2. The Town drainage master plan calls for the construction of a channel along a north south alignment in this general area. The channel is expected to have a capacity of 1,200 cfs. On prior concepts, the easement width needed was stated as 125'. This width is consistent with the easement dedicated for the existing upstream channel. An acceptable version of the channel or equivalent conveyance through the area will need to be incorporated

301 Walnut Street
Windsor, CO 80550
Office: 970-674-2400
Fax: 970-674-2456
www.windsorgov.com

3. Consolidated Law Ditch flows will still need to be conveyed through site. They will need to be kept separate from the master plan channel flows due to depth of the channel.

4. Existing sewer MH locations need to be given consideration in layout. The Town will need access to manholes for maintenance of line.

5. Waterlines will need to loop through site

6. All of the property east of the west bank of the Law Ditch is in the John Law Floodplain. Also the souther portion of the property is in the floodplain. A floodplain study will need to be completed. Also a Conditional Letter of Map Revision submittal to FEMA may be necessary. A Letter of Map Revision is required. Development in the floodplain is required to follow the Town Flood Damage regs in the Town Code.

7. Early discussions with Greeley are recommended to determine acceptability of proposed uses of their waterline easement as well as cover requirements for any roads and parking allowed on line.

Sidewalks & Trails

1. Trails master plan shows trail running north-south through site and connection from west to north. Trail will utilize box culverts associated with drainage channel as underpass of railroad and Eastman Park Drive so will need to align accordingly.

2. Sidewalk will be required along Eastman Park Drive for length of Future Legends property.

3. Please ensure all main walkways are paved surfaces. Crusher fines or other gravel walkways are not acceptable by the town of Windsor or ADA regulations for public facilities.

4. Please ensure the pedestrian underpass meets ADA standards.

301 Walnut Street
Windsor, CO 80550
Office: 970-674-2400
Fax: 970-674-2456
www.windsorgov.com

Doug Roth

From: Franke, Nicholas A CIV USARMY CENWO (USA) <Nicholas.A.Franke@usace.army.mil>
Sent: Monday, July 20, 2020 10:00 AM
To: Doug Roth; Schildgen, Eric M; Janine Hegeman
Cc: 3019226, Jobsite; Pentico, Ashton C; Lacee Phelps
Subject: RE: Nationwide Permit for Consolidated Law Ditch Project - Windsor, CO

Hi Doug,

You technically do not need anything from us; however, if you'd like a paper trail for your own records or other purposes, you can submit a basic project description along with maps, drawings, etc. (basically a "lite PCN") and I'd be happy to send you an exemption letter

-----Original Message-----
From: Doug Roth [mailto:droth@windsorgov.com]
Sent: Thursday, July 16, 2020 7:31 PM
To: Schildgen, Eric M <ESchildgen@henselphelps.com>; Franke, Nicholas A CIV USARMY CENWO (USA) <Nicholas.A.Franke@usace.army.mil>; Janine Hegeman <jhegeman@windsorgov.com>
Cc: 3019226, Jobsite <J3019226@henselphelps.com>; Pentico, Ashton C <APentico@henselphelps.com>; Lacee Phelps <lacee@glhconstruction.com>
Subject: [Non-DoD Source] RE: Nationwide Permit for Consolidated Law Ditch Project - Windsor, CO

Nicholas,

As indicated by Eric, the planned change in the excavation haul route no longer requires a temp culvert in the Consolidated Law Ditch. So permitting for the crossing is not currently requested.

The planned ditch realignment is still proposed. The new ditch alignment will be constructed under no flow conditions with the only exception being when the last section of embankment is removed to cause the Consolidated Law Ditch flow to enter the new ditch/channel section. Our understanding is that the realigned section can be covered under an exemption. Is there an application process to obtain the exemption? Or can you provide us verification that have an exemption? After the new alignment is fully functional, the existing section of ditch will be filled in to complete the realignment.

Thanks,

Doug Roth, P.E., CFM

Civil Engineer

Town of Windsor | Engineering

301 Walnut Street | Windsor, CO 80550

Dir: 970-674-2435 | Off: 970-674-2400 | Fax: 970-674-2456

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fBlockedwww.windsorgov.com&c=E,1,R3zYHb81RTJ7gUqfjLiQEMmFv0one0BYx2AwyIkP-WzAaUxuT4sq7Gpu30gdwy--GE4DubW9ZTDjFMi-Jqpg5CzDgw4zj-7vbpE8-wWeLyOwK_V7ZlP48eXz&typo=1
<Blockedhttps://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.windsorgov.com%2f&c=E,1,BYEqWeVBrgSa--hsvsWLHt7qTS204xJXv5-rZmJ1jZ86PEeJeYnTplqWJTplCTUqTcnYtj1xl35rhRvxMY2fxjaCbItfZ47uJACnSBOdcFGQillb2A,,&typo=1>

From: Schildgen, Eric M <ESchildgen@henselphelps.com>
Sent: Thursday, July 16, 2020 7:10 AM
To: Nicholas.A.Franke@usace.army.mil; Doug Roth <droth@windsorgov.com>; Janine Hegeman <jhegeman@windsorgov.com>
Cc: 3019226, Jobsite <J3019226@henselphelps.com>; Pentico, Ashton C <APentico@henselphelps.com>; Lacee Phelps <lacee@glhconstruction.com>
Subject: Nationwide Permit for Consolidated Law Ditch Project - Windsor, CO
Importance: High

Nicholas, Doug and Janine,

I wanted to keep everyone informed on the status of the Nationwide 404 Permit for the Consolidated Law Ditch Relocation Project.

* Per a conversation we had with our earthwork trade partner yesterday, the team is not currently planning to build any temporary crossings as originally planned, thus is not planning to submit a Nationwide 404 permit. This was mainly decided by the timing of the permitting process vs the crews and equipment currently on hand.
* They are currently preparing a plan that includes hauling the material from one side of the Consolidated Law Ditch to the other using the roadways (Eastman Dr.) and existing easements. In this manner, they can successfully complete the relocation of the Law Ditch channel without having to build a temporary crossing. Considering a permit is not required for the relocation of the channel (exempt), it is not anticipated that a permit application will be submitted at this time for the project. If anything changes, I will let you know.

Janine, we will be working on getting you the haul route letter similar to what we sent you the other day for the borrow dirt we are currently importing.

If anyone has any questions, feel free to give me a call on my cell number listed below.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Colorado Ecological Services Field Office
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486
Phone: (303) 236-4773 Fax: (303) 236-4005
http://www.fws.gov/coloradoES
http://www.fws.gov/platteriver

In Reply Refer To: July 28, 2020
Consultation Code: 06E24000-2020-SLI-1624
Event Code: 06E24000-2020-E-04359
Project Name: Proposed Future Legends Development

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Colorado Ecological Services Field Office
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486
(303) 236-4773

Project Summary

Consultation Code: 06E24000-2020-SLI-1624

Event Code: 06E24000-2020-E-04359

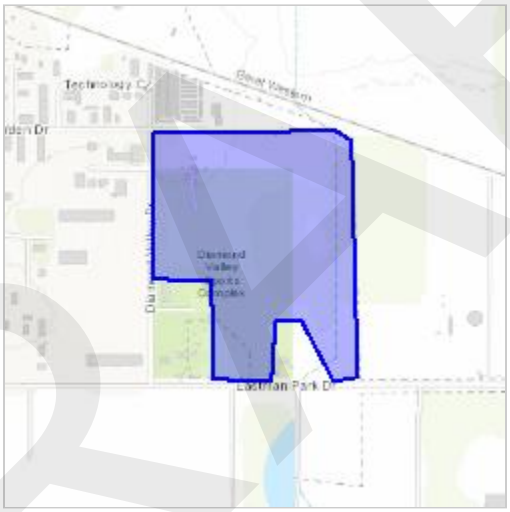
Project Name: Proposed Future Legends Development

Project Type: DEVELOPMENT

Project Description: Commercial development for multi-use sports and retail complex.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/40.46887382155772N104.87663378232307W



Counties: Weld, CO

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 5 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Preble's Meadow Jumping Mouse *Zapus hudsonius preblei*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/4090

Birds

NAME	STATUS
Least Tern *Sterna antillarum*	Endangered

Population: interior pop.
No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:

- Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/8505

Mexican Spotted Owl *Strix occidentalis lucida*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/8196

Piping Plover *Charadrius melodus*	Threatened

Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.
There is **final** critical habitat for this species. Your location is outside the critical habitat.
This species only needs to be considered under the following conditions:

- Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/6039

Whooping Crane *Grus americana*	Endangered

Population: Wherever found, except where listed as an experimental population
There is **final** critical habitat for this species. Your location is outside the critical habitat.
This species only needs to be considered under the following conditions:

- Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/758

Fishes

NAME	STATUS
Pallid Sturgeon *Scaphirhynchus albus*	Endangered

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:

- Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/7162

Flowering Plants

NAME	STATUS
Ute Ladies'-tresses *Spiranthes diluvialis*	Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/2159

Western Prairie Fringed Orchid *Platanthera praeclara*	Threatened

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:

- Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/1669

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Jul 31
Lark Bunting *Calamospiza melanocorys* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 10 to Aug 15

NAME	BREEDING SEASON
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-billed Curlew *Numenius americanus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5511	Breeds Apr 1 to Jul 31
Semipalmated Sandpiper *Calidris pusilla* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

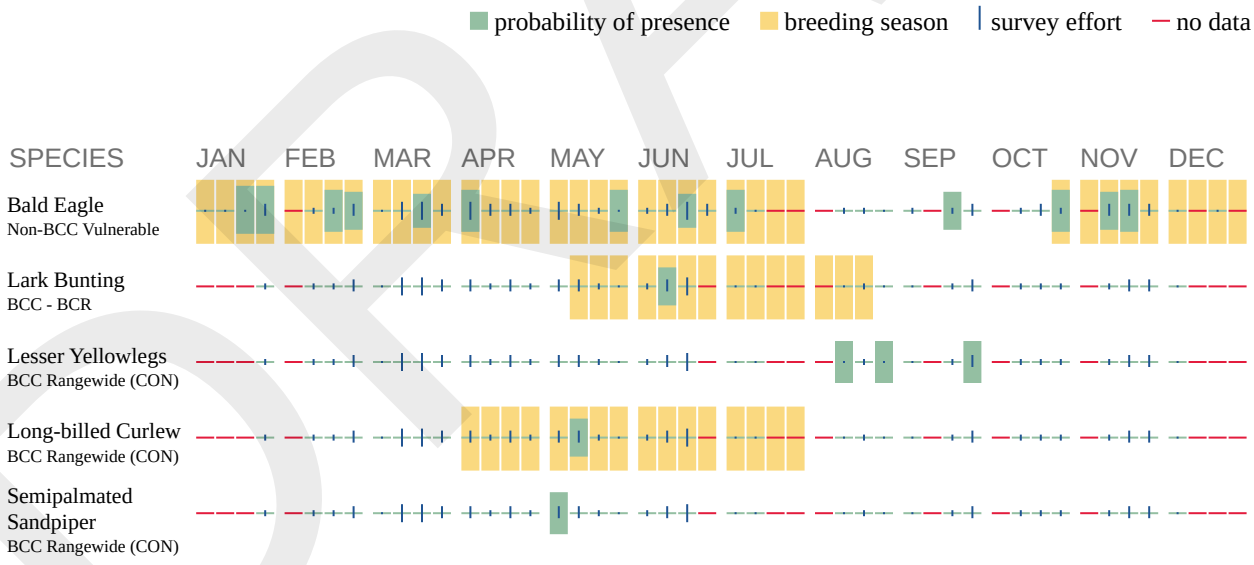
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php

- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.
Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?
The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and

how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects
For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report
The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1Ax

FRESHWATER POND

- PABGx

RIVERINE

- R4SBCx

Thank you,

Eric M. Schildgen
Project Superintendent
1111 Diamond Valley Dr., #101
Windsor, CO 80550
608.732.6142 (M)
eschildgen@henselphelps.com <mailto:eschildgen@henselphelps.com>

<Blockedhttps://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.henselphelps.com%2fvision-and-core-values&c=E,1,2mdgXnauZpuW1xV9QfD8BCI1VKzR71oStTB7W5FbSHCy7nxEywEztU70lrbO7I57poYFcmAHsaqowgGTyxUlWt1vyN8iQvmtxwoNllOYvyy-n1txGjIT&typo=1>
<Blockedhttps://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.henselphelps.com%2fvision-and-core-values&c=E,1,N1YlRaoh4O2TUxnHU09x9fNl_4yivw8UP0lEqAhoXxLuza1ttSNNijc57942Sa9Y-eZ69UvSeYpc_2U8HmH6h4_Ymbwinl79nPIrdHzGvYIbHxqpoNg,&typo=1> <Blockedhttps://twitter.com/HenselP
<Blockedhttps://www.linkedin.com/company/hensel-phelps-construction-co->
<Blockedhttps://www.facebook.com/HenselPhelpsCommunications/>
<Blockedhttps://www.instagram.com/henselphelps/>

Estimating Sound Levels With the Inverse Square Law

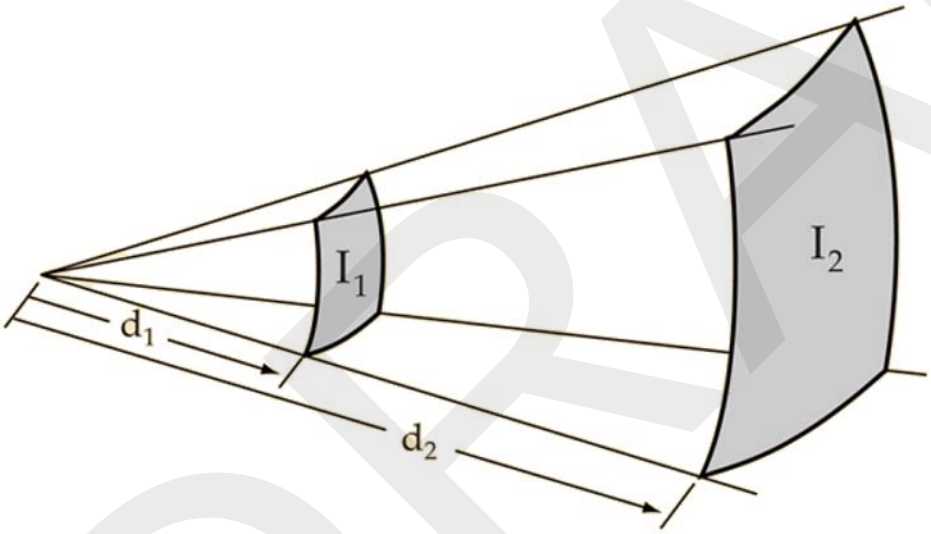
In the real world, the inverse square law is always an idealization because it assumes exactly equal sound propagation in all directions. If there are reflective surfaces in the sound field, then reflected sounds will add to the directed sound and you will get more sound at a field location than the inverse square law predicts. If there are barriers between the source and the point of measurement, you may get less than the inverse square law predicts. Nevertheless, the inverse square law is the logical first estimate of the sound you would get at a distant point in a reasonably open area.

If you measure a sound level I_1 = 63.7411998 dB
at distance
d_1 = 50 m = 164.041994 ft

$$\frac{I_2}{I_1} = \left[\frac{d_1}{d_2}\right]^2$$

then at distance
d_2 = 487.68 m = 1600 ft

the inverse square law predicts a sound level
I_2 = 43.9579010 dB



You can explore numerically to confirm that doubling the distance drops the intensity by about 6 dB and that 10 times the distance drops the intensity by 20 dB.

Decibel definition | Decibel calculation
Calculating dB for distance ratios
Calculating dB from source power

Index
Auditorium acoustics

Noise & Health
A Bimonthly Inter-disciplinary International Journal
Home
Current issue
Instructions
Submit article

Noise Health. 2019 Mar-Apr; 21(99): 47–54.
Published online 2020 Mar 12. doi: 10.4103/nah.NAH_39_18
PMCID: PMC7158899
PMID: 32174638

Noise Levels at Baseball Stadiums and the Spectators' Attitude to Noise

Donguk Lee[1,2,3] and Woojae Han[1,2]

[1]Laboratory of Hearing and Technology, Research Institute of Audiology and Speech Pathology, Hallym University, Chuncheon, Republic of Korea
[2]Division of Speech Pathology and Audiology, College of Natural Sciences, Hallym University, Chuncheon, Republic of Korea
[3]Department of Audiology and Speech Pathology, The University of Tennessee Health Science Center, Knoxville, TN, USA
Address for correspondence: Woojae Han, PhD, Laboratory of Hearing and Technology, Division of Speech Pathology and Audiology, Hallym University, Hallymdaehakgil 1, Chunchon, 24252, Republic of Korea. E-mail: woojaehan@hallym.ac.kr

Received 2018 Jun 12; Revised 2019 Jan 14; Accepted 2019 Dec 30.

Abstract

Background:

Many public health professionals have expressed concern that regular participation in recreational settings with high noise levels might induce hearing loss. This study measures the noise levels in a baseball stadium and analyzes baseball fans' attitude of effect of recreational noise exposure on their hearing.

Methods:

In the baseball stadium, noise levels from the beginning to the end of four games were measured in four seating sections, the red, blue, navy, and outfield sections using a sound level meter. For the survey sample, 344 randomly selected participants who visited the stadium and/or were baseball fans completed a 16-question survey on their noise exposure during the game and on the potential risk of hearing loss.

Results:

The LAeq average of the 16 measures produced 91.7 dBA, showing a significantly high noise level in the red and navy sections. As a function of frequency by LZeq analysis, the noise levels of low frequencies between 0.05 and 1 kHz were significantly higher than other frequencies except for the outfield section, but the levels abruptly decreased above 1 kHz. Despite the very high noise levels, 70% of the respondents preferred sitting in either the red or the navy section to be closer to the cheerleaders and to obtain a good view. Most respondents reported that they did not consider wearing earplugs, and one-third experienced hearing muffled speech after the game. Notably, they agreed that an information announcement regarding loud noise and hearing protection was needed at the stadium.

Conclusions:

We conclude that the noise levels in baseball stadiums are high enough to cause hearing damage and/or tinnitus later when applying a rule of 85 dB LAeq for 8 hours with a 3-dB exchange rate. We expect these results to improve public education regarding safe noise exposure during popular sports activities.

Keywords: Noise of baseball stadium, noise-induced hearing loss, recreational noise exposure, survey of noise exposure

BACKGROUND

A dangerously high level of noise is one of the factors estimated to affect acquired hearing loss.[1] Thus, numerous researchers have studied the characteristics of occupational noise and employees' risks of hearing damage from past exposure to such noise.[1,2] Noise-induced hearing loss (NIHL), which usually includes damage to cochlear hair cells, can be caused by a one-time exposure to a loud sound as high as 120 decibels (dB) as well as by repeated exposure to sounds at a level of 85 dB for 8 hours. Most countries, thus, limit the sound exposure level to less than eight hours at 85~87 dBA with a 3-dB or 5-dB exchange rate as occupational NIHL criteria.[3,4]

More recently, the focus has shifted from occupational noise exposure to noise exposure in recreational settings, especially for young adults who frequently attend nightclubs,[5] fitness classes,[6] and sporting events.[7] According to the World Health Organization (WHO) [8], regular participation in recreational settings with high noise levels may carry a serious threat of irreversible hearing loss because the average sound levels in nightclubs and pop concerts have been reported to be as high as 100 dB SPL. In addition, the noise level at sporting events such as the Football World Cup in 2010 ranged from 80 dBA to 117 dBA, implying that even a short duration of such noise exposure can result in temporary or permanent hearing loss and/or tinnitus. Furthermore, Kujawa and Liberman[9] found that certain pathological changes in the inner ear initiated by early noise exposure created shifts in the hearing threshold of the auditory system of young mice. They suggested that noise exposure at high levels can accelerate age-related hearing loss (or presbycusis) in young people, who consequently experience significant communication difficulties and related psychosocial problems later in life.[8]

Increasing numbers of spectators are crowded into various sporting events, thus experiencing a strong affinity while cheering together for their favorite players. Globally, one of the most popularly viewed sports is baseball.[10] The United States has 163 baseball stadiums, including 30 large ones for major league baseball.[11] As many as 73.8 million people watch baseball games every year.[12] South Korea has nine baseball stadiums, which hosted more than 7.5 million people for games. In addition, numerous special events are provided for baseball fans,[13] and each team has its own character doll and photo zone. Children can naturally learn about baseball from a star player as a junior member. In sum, baseball enables family members of various ages to spend time together at a stadium. Although baseball stadiums are subject to high noise levels because of intense cheering during a competition, little attention has been paid to this noise level and its risk to spectators during and after a baseball game. With regard to basketball, Morris *et al.* estimated noise levels during games and reported that the average noise level and peak noise level were approximately 83 dBA and 126 dBA, respectively. These researchers concluded that the noise levels occurring during games were much higher than people expected and that frequent exposure to such levels could negatively affect the health of spectators and stadium employees. [7] In a study on health clubs, Yaremchuk & Kaczor[6] found that the noise levels at 125 health clubs ranged from 78 to 106 dBA. In addition, ten of twenty trainers (50%) employed in the health clubs experienced ear pain and suffered from tinnitus. Although the noise levels produced at different sporting events should be measured and compared, there is a lack of research characterizing noise types and levels in public sports. Thus, scientific documentation has been insufficient in providing accurate information regarding the risks associated with high noise levels and exposure time.[14] Furthermore, the general public underestimates the hearing problems associated with loud noise and does not acknowledge noticeable damage,[15] despite the fact that sporting events can leave spectators with muffled hearing and/or tinnitus; indeed, high noise exposure causes fatigue in the ear's sensory cells.[16] In this light, this study measures the noise levels generated during a baseball game and analyzes four different sections. In addition, the study scrutinizes people's awareness of potential hearing damage related to noise exposure at a baseball stadium. We hypothesize that a large baseball stadium has different noise levels even during one game and that spectators will not recognize any sign of hearing problems caused by high levels of noise exposure in the baseball stadium due to a tradeoff with recreational activity.[14,15] These findings will provide scientific information and effective guidelines for the public regarding safe noise exposure at recreational activities.

PART 1: BASEBALL STADIUM NOISE LEVEL

Methods

Characteristics of baseball stadiums To measure noise levels during a baseball game, the study uses the Seoul Complex Sports Baseball Stadium. This facility is the largest baseball stadium in Korea, spanning 125 meters from home to center and 100 meters between the left and right fences, with a fence height of 2.6 meters. Every year, approximately 130 games are held there, and 2.3 million people visit the stadium. The Seoul Complex Sports Baseball Stadium includes four seating areas: red, blue, navy, and outfield (see an aerial view of the stadium in the left panel of Figure 1). Each section has a different attraction for spectators. For example, the red section is the most popular because it is closest to the cheerleaders and the ground. The blue section is best for watching the players and the game and is also close to the cheerleaders;

however, its price is relatively expensive. When seated in the navy section, people can see the entire game. The outfield, with its inexpensive ticket price, is preferred by many families or people who want to watch the game more quietly Figure 1.

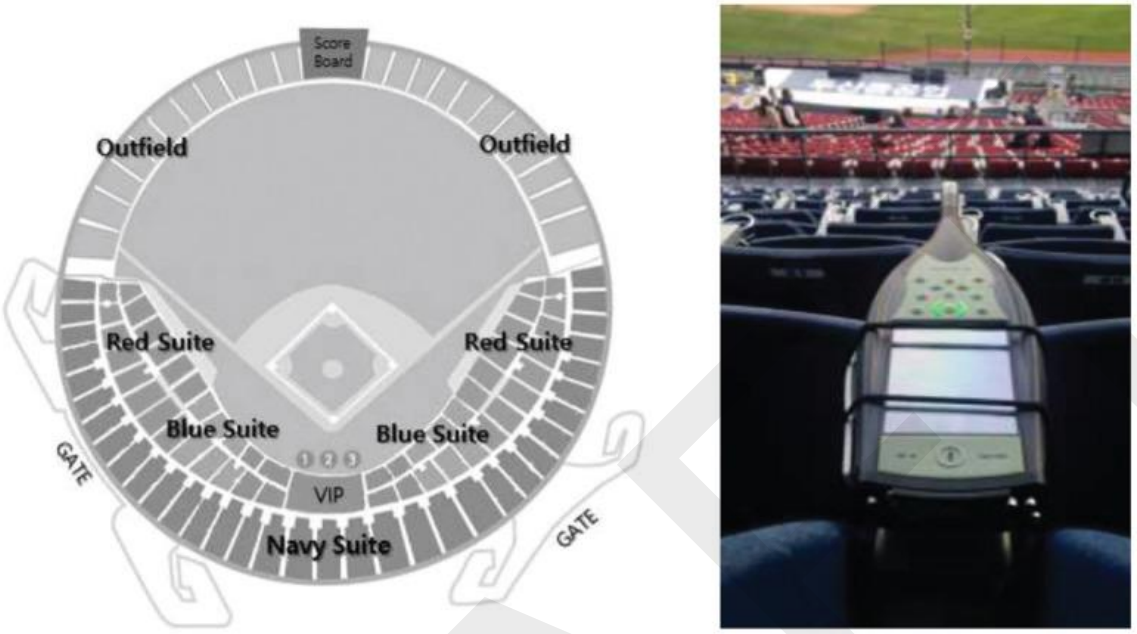


Figure 1

Left panel: Seating chart for the Seoul Complex Sports Baseball Stadium. The stadium is divided into four seating sections or suites, red, blue, navy, and outfield, where noise levels were measured in the study. Two small spaces in front of the left and right red sections are the cheerleader locations for each team. Right panel: A screen shot of noise measurement using sound level meters fixed on armrests while facing the ground of the stadium.

Measurement of noise level

A sound level meter (Type #2250, Bruel & Kjær, Nærum, Denmark), coupled with a ½-inch free field microphone (Type #4189, Bruel & Kjær, Nærum, Denmark), was used to measure the intensity of the noise level in the stadium from 20 Hz to 20 kHz, which is the audible frequency range of the human ear. The sound level meter has been developed to specifically measure environmental noise and the standard of the International Electrotechnical Commission (IEC) 61672-1 Class 1, IEC 60651 Type 1 was applied. The system was fixed on the armrest of each seating section, facing the ground of the stadium. Because we needed consistent measurements several times at the same spot while protecting the meters from being touched by spectators, we fixed the instruments at the armrest to ensure the least movement. To better understand the noise level measured in the study, we provide a screen shot of measurement condition in the right panel of Figure 1. After calibration, the system continually recorded from the beginning to the end of each game and it was analyzed via 16 measurements (4 games×4 sections, e.g., red, blue, navy, and outfield) in terms of LAeq, LAFmax, LAFmin, and LCpeak. The process took 3 hours, 42 minutes, and 17 seconds on average per game.

Data analysis

The statistical analysis was performed using SPSS software (Ver. 20, IBM Co., Armonk, NY, USA). To compare a significant difference in overall noise levels across the four seating sections, a one-way analysis of variance (ANOVA) was conducted for LAeq[1], LAFmax, LAFmin[2], and LCpeak, although the decibel unit was a nonlinear scale of logarithmic scale. In addition, ANOVA with repeated measurements for Z-weighted analysis was also used to confirm the main effect for the distinctive frequency characteristics of noise in the baseball stadium. If necessary, Bonferroni corrections were applied for multiple comparisons. The criterion used for statistical significance in the study was $P < 0.05$.

RESULTS

Analysis of noise level: A- and C-weighted

ANOVA confirmed a significant difference in noise levels for the different seating sections with LAeq analysis [$F(3, 15) = 11.820$, $P = 0.001$]. The noise levels of both the red (mean: 94 dBA, SD: 2.10) and navy sections (mean: 91.9 dBA, SD: 0.95) were statistically higher than the level of the outfield (mean: 87.1 dBA, SD: 1.52) (see the diamond mark in Figure 2). This 4.8–6.9 dB difference means that spectators of the red section could adhere to hearing guidelines by reducing their time watching the game from 4 hours to only 1 hour, if applying the 85 dB rule with a 3-dB exchange rate. Although the noise level of the blue section (mean: 90.7 dBA, SD: 0.45) did not significantly differ from that of the other three sections, its values were 3-dB lower than the red section and 3-dB higher than the outfield.

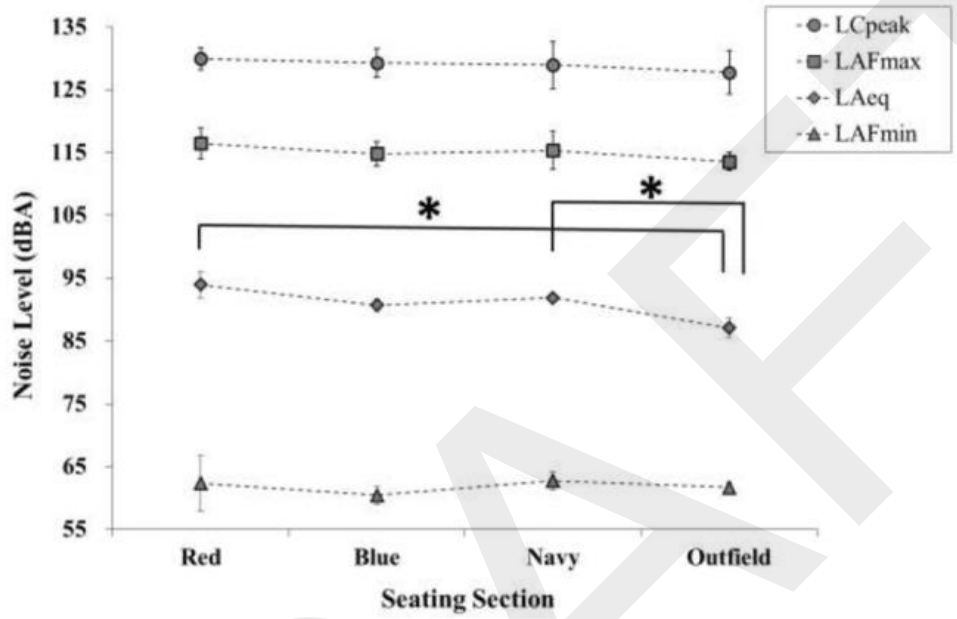


Figure 2

Average noise levels of LAeq, LAFmin, LAFmax, and LCpeak as a function of the four seating sections that were studied. Significant differences in the noise levels (i.e., red vs. outfield and navy vs. outfield in the LAeq analysis) are marked with asterisks (* $P < 0.05$).

There was no statistically significant difference in noise level for the seating sections in LAFmax [$F(3, 15) = 1.117$, $P = 0.388$], LAFmin [$F(3, 15) = 0.296$, $P = 0.827$], and LCpeak [$F(3, 15) = 0.464$, $P = 0.714$]. For the LAFmax analysis, the level of the red section (mean: 116.5 dBA, SD: 2.45) was higher than that of the navy section (mean: 115.4 dBA, SD: 1.97), which in turn was higher than that of the blue section (mean: 114.8 dBA, SD: 3.03) and the outfield section (mean: 113.5 dBA, SD: 1.43). Although there was only a 1-dB difference across the sections, such a difference should not be overlooked at very high noise levels. In the LAFmin analysis, the navy section showed the highest level (mean: 62.8 dBA, SD: 1.43). The level of the red section (mean: 62.4 dBA, SD: 4.47) was higher than that for either the outfield section (mean: 61.7 dBA, SD: 0.82) or the blue section (mean: 60.5 dBA, SD: 1.48). For the LCpeak, the C-weighted peak analysis of the four seating sections, the red section showed the highest noise level (mean: 130 dBA, SD: 1.76), followed by blue (mean: 129.3 dBA, SD: 3.75), navy (mean: 129 dBA, SD: 2.29), and outfield (mean: 127.8 dBA, SD: 3.47) [Figure 2].

Noise analysis of distributed frequency: Z-weighted

With no frequency weighting, the LZeq analysis showed a significant main effect for the four different seating sections [$F(3, 33) = 29.451$, $P < 0.001$] and for measured frequencies between 0.02 and 20 kHz as the audible frequency range of the human ear [$F(10, 33) = 112.012$, $P < 0.001$]. The red (mean: 73.7 dBA, SD: 0.51) and navy (mean: 73 dBA, SD: 0.42) sections had a higher level than the blue (mean: 70.6 dBA, SD: 0.73) and outfield sections (mean: 66 dBA, SD: 0.73); the

red section, the highest level, was 7.7 dB higher than the level of the outfield. Noise levels between 0.02 and 8 kHz were approximately 20-dB higher than those above frequencies of 8 kHz. However, a significant interaction was not seen between the different types of sections and their frequency [F(30,33) = 1.083, $P = 0.410$] (solid lines in Figure 3).

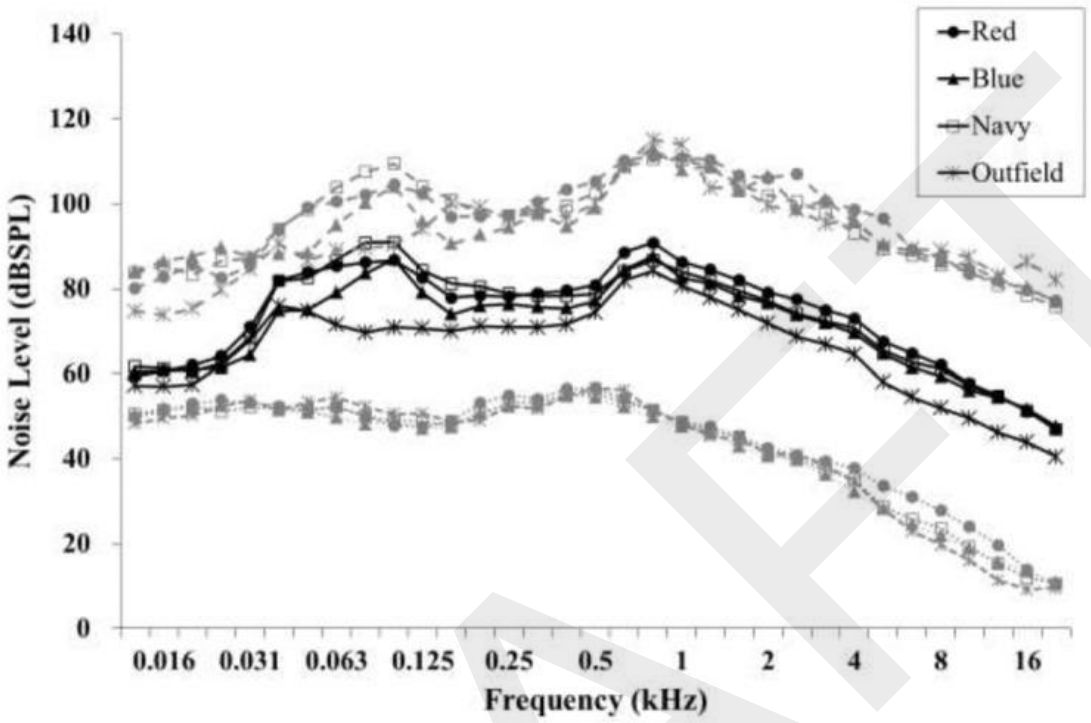


Figure 3

Average noise levels of the four seating sections as a function of the audible frequency range in the human ear: a solid line for LZeq, a thick dashed line for LZFmax, and a light dashed line for LZFmin. Generally, the levels between 0.05 and 1 kHz were significantly higher than other frequencies, but they abruptly decreased above 1 kHz. Although the values of LZFmin were not substantially different in the four sections across the frequencies, the red and navy sections were distinguishably higher level than the outfield section in LZeq.

For the LZFmax analysis, there was no significant difference in the seating sections [F (3, 33) = 1.841, $P = 0.159$], but a significant difference was found in frequency [F(10, 33) = 34.748, $P < 0.001$]. The noise levels between 0.032 and 8 kHz were approximately 16-dB higher than those either below 0.032 or above 8 kHz. This range represents a similar frequency to the speech frequency of human beings, which is very important for communication (i.e., 0.1–8 kHz). However, no significant interaction was seen between seating sections and frequency [F(30, 33) = 1.253, $P = 0.263$] (thick dashed lines in Figure 3). Notably, the LZFmin analysis showed a significant difference for the seating sections [F(3, 33) = 3.144, $P = 0.038$]. The noise level of the red section (mean: 44.3 dBA, SD: 0.42) was higher than that of the blue section (mean: 42.3 dBA, SD: 0.59). In addition, there was a significant difference in the frequency [F(10, 33) = 293.068, $P < 0.001$]. The noise levels in the low frequency below 1 kHz were approximately 25-dB higher than those above 1 kHz, implying that the noise in baseball stadiums has low frequencies in general. There was no interaction between the seating section and the frequency [F(30, 33) = 0.853, $P = 0.668$] (light dashed lines in (Figure 3).

PART 2: SURVEY ANALYSIS FOR AWARENESS OF NOISE EXPOSURE

Methods

Development of survey items A survey designed to target various age groups of baseball fans was adapted from survey items used by Chung *et al.*[17] and Lee *et al.*,[16] which explored people's awareness related to non-occupational noise exposure and the negative effect on hearing. Its construct and content validities were verified as highly correlated in the previous papers.

In addition to demographic data for age and gender, the survey collected 1) personal preferences of people who attend a baseball game, such as selection of seating, cheering tools, and noise level of cheering (nine questions); 2) directed questions toward specific hearing issues, such as personal experience of hearing problems (three questions); and 3) questions regarding methods of hearing protection (four questions). The 16 questions, including three sub-questions, were fully developed after consulting two professionals in the field. The survey format was multichotomous for ease in completion. With regard to reliability, its internal consistency was quite high; the value of the coefficient alpha (Cronbach's α) was 0.89. Table 1 depicts the survey items and their responses.

Table 1

Summary of results for the 15-questions except for Item 13

Item number	Ranking order				
1. How many times do you go to a baseball stadium on average per month?	**1~2 times (63%)**	3~5 times (25%)	6~8 times (6%)	8 times or more (6%)	
2. When did you first see a baseball game in a stadium?	**20s (47%)**	10s (26%)	Before teen years (17%)	30s (7%)	40s (3%)
3. Who do you go to a baseball stadium with?	**Friends (69%)**	Family (20%)	Members of baseball club (9%)	Other (2%)	
4. Why do you like to watch a baseball game?	**Like the baseball (53%)**	Like cheering culture (19%)	Relieve stress (17%)	Other (8%)	Promote friendship (3%)
5. Which section do you usually prefer to sit in at the stadium?	**Red(38%)**	**Navy(32%)**	Blue(19%)	Outfield (9%)	Other (2%)
5-1. Why do you prefer the section you selected?	**Closer to cheerleaders (41%)**	**Want a good view of the game (32%)**	To see the game comfortably (13%)	Other (8%)	Cheaper ticket price (6%)
6. How long do you stay at the baseball game?	**The 9th inning (from beginning to the end) (82%)**	Others (8%)	The 8th inning (7%)	Leave when my team is losing the game (3%)	The 7th inning (1%)
7. How loud do you think the cheering and shouting noise in the stadium is?	**Not considered (40%)**	**Loud enough, but tolerate (32%)**	Comfortable (24%)	Too loud to tolerate (3%)	Low or soft (1%)
8. Which cheering tool do you mostly use?	**Clapping by striking palms together (59%)**	**Thundersticks(35%)**	Horn such as *vuvuzela* (6%)	Other (0%)	
9. When feeling uncomfortable due to loud cheering and shouting noise, what do you do?	**Nothing (85%)**	Move to another seat (9%)	Other (4%)	Wear earplugs (2%)	
10. If your ears don't feel good due to loud cheering and shouting noise, would you consider wearing earplugs?	**No, would not wear them (92%)**	Yes, would wear them (8%)			
10-1. Why don't you consider wearing earplugs when you have trouble due to loud noise during a baseball game?	**Don't feel the need (37%)**	**Will lose half my interest in the game (35%)**	Discomfort and stuffy to wear (19%)	Inconvenience of purchase (5%)	Lack of information about earplugs (4%)
11. Have you had any negative symptoms in your daily life after watching a baseball game in the stadium?	**No (89%)**	Yes (11%)			
11-1. Which symptoms did you have?	**Not hearing clear speech**	Headache (28%)	Muffled ear and otalgia	Tinnitus (15%)	

Open in a separate window

Boldface highlights answers given by more than 30% of the total respondents.

Subjects The survey was administered anonymously, using either an offline or online method. In the offline method, spectators at a baseball game were directly asked the questions by a researcher 2 hours before the game began. For the online method, the official website of two baseball teams using the Seoul Complex Sports Baseball Stadium as home ground (i.e., the Doosan Bears and LG Twins) was chosen. For 3 weeks, a pop-up survey was presented on the website because of its large congruence of visitors and its reputation as a leading authority for baseball fans.

A total of 334 surveys (150 offline and 184 online) were analyzed after excluding participants who withdrew from the survey and incomplete surveys. Of the total respondents, people in their 20s (42.81%, 76 females and 67 males) constituted the majority of the respondents, followed by people in their 30s (28.14%, 42 females and 52 males), teens (12.28%, 20 females and 21 males), 40s (11.38%, 14 female and 24 male), 50s (4.79%, 6 females and 10 males), and 60s (0.6%, 1 female and 1 male). In addition, the total population consisted of 159 females (47.60%) and 175 males (52.40%), with an average age of 29.63 years (ranging from 13 to 65).

Informed consent was obtained only for the offline participants because of the inherent and voluntary nature of completing an anonymous web-based survey distributed using the online method (formally waived by the ethics committee). The offline participants signed a written informed consent form. Among them, participants who were under 16 obtained the consent form via their parents. The experimental procedure was reviewed and approved by the Institutional Review Board of Hallym University.

RESULTS

Of the total respondents, 63% attend a baseball game 1∼2 times per month (Item #1 of Table 1), and half of the respondents attend with friends due to their love of baseball (Items #3 and #4). Further, 70% of the respondents reported sitting in either the red or the navy section, usually the one closer to the cheerleaders with a good view of the game (Item #5). The majority of respondents watched the game from beginning to end (or to the 9th inning) (Item #6). Regarding noise levels in the baseball stadium, 40% reported that they do not mind it, and 32% tolerated the noise although it was loud (Item #7). They usually used clapping (59%) and thundersticks (35%) as cheering tools (Item #8). During the game, the majority of the respondents indicated that loud noise such as shouting and cheering was not significant enough to consider wearing earplugs (Items #9 and #10), noting that it was not a necessity (37%) or that it would make them lose interest in the game (35%). Nonetheless, one-third of the total respondents had some trouble in their daily lives after watching a baseball game in the stadium (Item #11). For example, they could not hear clear speech for a while (33%) and had a headache (28%). Finally, 63% of the respondents agreed that an announcement was needed to explain the loud noise in the stadium and the possible use of hearing protection (Item #12).

Notably, only 2% of the respondents reported a personal intention to use earplugs at a future baseball game that had loud noise (Item #9 of Table 1). However, this number increased when the respondents were encouraged by a medical professional (79%) or were made aware of the potential for permanent hearing loss (74%) [see Table 2]. When asked about receiving information from booklets, 40% responded positively and 40% responded negatively. Furthermore, a respective 63% and 67% of the respondents were unlikely to be affected by information on TV or the perception of peers who might wear earplugs in loud situations.

Table 2

Summary of results for Question #13 regarding factors likely to influence the use of hearing protection

Occasion	Very likely	Somewhat likely	Not too likely	Not likely at all	Total responses
A doctor or nurse telling you that you should wear earplugs to protect your hearing	**116 (35%)**	**146 (44%)**	42 (13%)	30 (8%)	334 (100%)
Knowing that even limited exposure to very loud noise can permanently damage your hearing	90 (27%)	**157 (47%)**	65 (19%)	22 (7%)	334 (100%)
Reading a booklet that says prevention of hearing loss is best way to keep good hearing	9 (3%)	**135 (40%)**	**135 (40%)**	55 (17%)	334 (100%)
Learning about earplugs on TV	12 (4%)	**109 (33%)**	**146 (44%)**	67 (19%)	334 (100%)
Seeing your friends wear earplugs in very loud conditions	19 (6%)	94 (28%)	**145 (43%)**	76 (23%)	334 (100%)

Boldface highlights the answers given by more than 30% of the total respondents.

DISCUSSION

It is well-acknowledged that noise-induced hearing loss is preventable. Without effective prevention, the quality of life among affected people can decline, and health-care costs for society can increase.[18] This fact is demonstrated by non-occupational noise-induced hearing loss in the public due to frequent exposure to high noise levels.[19] This study measured the intensity of noise levels during a baseball game and analyzed the issue of hearing loss due to recreational noise exposure at baseball games. The results of this study indicated that the LAeq at 14 measurements for approximately four hours of each game was 91.7 dBA. This value was 7-dB higher than that reported by England et al., who found an average 84.6 dBA at a basketball game.[14] However, it was slightly lower than the average result of Morris et al., who reported a range of noise level between 90 and 95 dBA in a basketball stadium.[7] Noise levels at these sporting events are high enough to exceed acceptable intensity levels when compared to the national workplace noise exposure standard.[2] If applying a rule of 85 dB LAeq for 8 hours with a 3-dB exchange rate, spectators should only be exposed to the high noise level of 91.7 dB in the baseball stadium for less than 2 hours. However, as previously mentioned, the average game time was approximately four hours. Thus, if the duration of noise exposure could not be reduced by shortening the game time, the stadium should announce the level of noise, possible hearing problems, and the availability of hearing protection devices to baseball game spectators (in Item #12, 63% of respondents agreed that this information was necessary).

When summarized, the LCpeak average for these sporting events indicated that the baseball game at 129.4 dB had a 3-dB higher level than the basketball game at 126.3 dB,[7] producing potential damage to hearing. Without awareness of noise exposure limits, many spectators who have already been exposed to intense noise over the course of the day in their jobs and then later attend sporting events may be putting themselves at risk of permanent noise-induced hearing loss.[14]

In Korea, baseball stadiums usually do not have roofs, meaning that the noise level depends on weather conditions.[20] For example, many spectators left the stadium when it began to rain during the four measurements in our study. As a result, the noise levels of these games were lower than those played on days with good weather. In addition, compared to the games played on weekdays, those on weekends had a larger group of spectators, resulting in increased noise levels and a stronger risk of potential hearing damage. In sum, if the weather is favorable on the weekend, more spectators attend games and thus are exposed to higher noise levels in the stadium.Based on our analysis of the survey, many baseball fans have attended games one to two times per month since their 20s because they enjoy baseball. One-third of the total respondents recognized that the noise level produced by shouting and cheering during the game is very loud; however, the majority of respondents did not know how to prevent a hearing problem. Furthermore, noise occurring at the baseball games produced higher levels in the speech frequency range between 0.1 and 8 kHz,[21] which was also supported by our survey results; 89% of the respondents had a negative communicative experience in their daily lives after watching the game, and 33% also reported hearing unclear speech. Thus, if people habitually and routinely attend games while being exposed to high noise levels and have no chance to learn about effective protection methods for hearing, their hearing damage will become a much more serious problem, both socially and economically.[17]

It is desirable to make an announcement about recreational noise exposure and its negative effect on hearing at sporting events, as supported by respondents in our study. Several research efforts have shown the positive impact of hearing conservation programs on behavior modification in young adults.[18,22] The highly substantial positive behavioral response to a "doctor or nurse telling you that you should wear earplugs" (Item #13) indicates that professionals have an opportunity to influence the public's hearing behavior by providing education about hearing protection at many levels of society.

CONCLUSION

This study shows that the noise level in baseball stadiums is high enough to cause possible hearing damage and/or tinnitus if spectators frequently attend baseball games. When applying a rule of 85 dB LAeq for 8 hours with a 3 dB exchange rate, the average level of 91.7 dBA only allows spectators to watch a game for about 2 hours. In particular, the red and navy sections had a significantly high noise level. Of further concern is that people who watch a game in a stadium do not understand the severity of the noise levels there and are not given a chance to use earplugs. However, many fans can be persuaded to wear hearing protection if they receive adequate education and counseling. We expect these results to inform the public about the need for education on injurious noise exposure during leisure activities such as baseball games. Education on hearing conservation can be implemented on many fronts in society to periodically educate youth about hearing health.

Abbreviations

ANOVA Analysis of variance; IEC: International Electrotechnical Commission; LAeq: A-weighting equivalent level occurring during the measurement time; LAFmax: the highest level of environmental noise measured by A- and Fast-time weighting; LAFmin: the lowest level of environmental noise measured by A- and Fast-time weighting; LCpeak: the

highest peak level measured by C-weighting; LZeq: Z-weighting equivalent level occurring during the measurement time; LZFmax: the highest level of environmental noise measured by Z- and Fast-time weighting; LZFmin: the lowest level of environmental noise measured by Z- and Fast-time weighting; WHO: World Health Organization

Acknowledgements

We are grateful to our subjects for their voluntary participant and their time consuming with this experiment. Preliminary data of this work was presented at the American Academy of Audiology, Audiology Now 2015 (San Antonio, TX) in 2015.

DECLARATIONS

Ethics approval and consent to participate

The Hallym University Institutional Review Board (IRB) reviewed and approved the research protocol. Written informed consent was obtained only for the offline participants because of the inherent and voluntary nature of completing an anonymous web-based survey distributed using the online method (formally waived by the ethics committee). In addition, the consent of participant aged under 16 years was obtained in writing by their parents or guardian.

Consent to publish

Not applicable

Availability of data and materials

Authors already provide valuable data of the mean and standard deviation in the result section. Thus, it may be necessary to share individual data in the public.

Conflicts of interest

There are no conflicts of interest.

Financial support and sponsorship

This research was completed while being supported by National Research Foundation of Korea (2017R1A1A05001299).

Authors' Contributions

DL and WH designed the study, analyzed the data, and wrote the manuscript. All authors read and approved the final manuscript.

[1]The equivalent sound level corresponds to the average received sound energy during the game between beginning and end in the experiment.

[2]The maximum and minimum values by the time-weighted measurements which took approximately 0.6 seconds to reach 80 dB and just under 1 second to drop back down to 50 dB.

REFERENCES

1. Talbott E, Helmkamp J, Mathews K, Kuller L, Cottington E, Redmond G. Occupational noise exposure, noise-induced hearing loss, and the epidemiology of high blood pressure. Am J Epidemiol. 1985;121:501–14. [PubMed] [Google Scholar]

2. Picard M, Girard SA, Simard M, Larocque R, Leroux T, Turcotte F. Association of work-related accidents with noise exposure in the workplace and noise-induced hearing loss based on the experience of some 240,000 person-years of observation. Accid Anal Prev. 2008;40:1644–52. [PubMed] [Google Scholar]

3. Arenas JP, Suter AH. Comparison of occupational noise legislation in the Americas: an overview and analysis. Noise Health. 2014;16:306–19. [PubMed] [Google Scholar]

4. Ministry of Environment and Forest. S. O. 123 (E), [14/2/2000] Noise pollution (Regulation control) Rules, 2000. www.envfor.nic.in/legis/legis.htm/#k. [Google Scholar]

5. Bray A, Szymanski M, Mills R. Noise induced hearing loss in dance music disc jockeys and an examination of sound levels in nightclubs. J Laryngol Otol. 2004;118:123–8. [PubMed] [Google Scholar]

6. Yaremchuk KL, Kaczor JC. Noise levels in the health club setting. Ear Nose Throat J. 1999;78:54–7. [Google Scholar]

7. Morris GA, Atieh BH, Keller RJ. Noise exposures, assessing an NCAA basketball arena on game day. Prof Saf. 2013;58:35–7. [Google Scholar]

8. World Health Organization. Make listening safe brochure. 2015. pp. 1–8. [Google Scholar]

9. Kujawa SG, Liberman MC. Acceleration of age-related hearing loss by early noise exposure: evidence of a misspent youth. J Neurosci. 2006;26:2115–23. [PMC free article] [PubMed] [Google Scholar]

10. Baek JS. Which watched sport events are popular in different countries? Sport Nest. 2011 http://www.sportnest.kr/1112. [Google Scholar]

11. Wikipedia. List of U.S. baseball stadiums by capacity. 2015. https://en.wikipedia.org/wiki/List_of_U.S._baseball_stadiums_by_capacity. [Google Scholar]

12. ESPN. MLB attendance report-2015. 2015. http://espn.go.com/mlb/attendance/_/sort/homeTotal. [Google Scholar]

13. Wikipedia. Seoul Sports Complex. 2015. https://en.wikipedia.org/wiki/Seoul_Sports_Complex. [Google Scholar]

14. England B, Larsen JB. Noise levels among spectators at an intercollegiate sporting event. Am J Audiol. 2014;23:71–8. [PubMed] [Google Scholar]

15. Vogel I, Brug J, Hosli EJ, van der Ploeg CP, Raat H. MP3 players and hearing loss: adolescents' perceptions of loud music and hearing conservation. J Pediatr. 2008;152:400–4. [PubMed] [Google Scholar]

16. Lee D, Yu J, Han W. Evaluation and analysis of awareness in noise-induced hearing loss using survey. J Acoust Soc Korea. 2015;34:274–81. [Google Scholar]

17. Chung JH, Des Roches CM, Meunier J, Eavey RD. Evaluation of noise-induced hearing loss in young people using a web-based survey technique. Pediatrics. 2005;115:861–7. [PubMed] [Google Scholar]

18. Williams W. Life-time leisure noise exposure − is it time to look at the bigger picture? Acoust Aust. 2008;36:64–5. [Google Scholar]

19. Jokitulppo J, Bjork J. Estimated leisure-time noise exposure and hearing symptoms in a Finnish urban adult population. Noise Health. 2002;17:53–62. [PubMed] [Google Scholar]

20. Cranston CJ, Brazile WJ, Sandfort DR, Gotshall RW. Occupational and recreational noise exposure from indoor arena hockey games. J Occup Environ Hyg. 2013;10:11–6. [PubMed] [Google Scholar]

21. Hwang JS, Kim KH, Lee JH. Factors affecting sentence-in-noise recognition for normal hearing listeners and listeners with hearing loss. J Audiol Otol. 2017;21:81–7. [PMC free article] [PubMed] [Google Scholar]

22. Serra MR, Biassoni EC, Richter U, Minoldo G, Franco G, Abraham S, Carignani JA, Joekes S, Yacci MR. Recreational noise exposure and its effects on the hearing of adolescents. Part 1: an interdisciplinary long-term study. Int J Audiol. 2005;44:65–73. [PubMed] [Google Scholar]

FUTURE LEGENDS MULTI-USE DEVELOPMENT
MASTER TRAFFIC IMPACT STUDY

WINDSOR, COLORADO

MAY 2020

Prepared for:

Future Legends, LLC
4558 Sherman Oaks Avenue
Sherman Oaks, CA 91403

Prepared by:

DELICH ASSOCIATES
2272 Glen Haven Drive
Loveland, CO 80538
Phone: 970-669-2061
FAX: 970-669-5034

Project # 1984

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

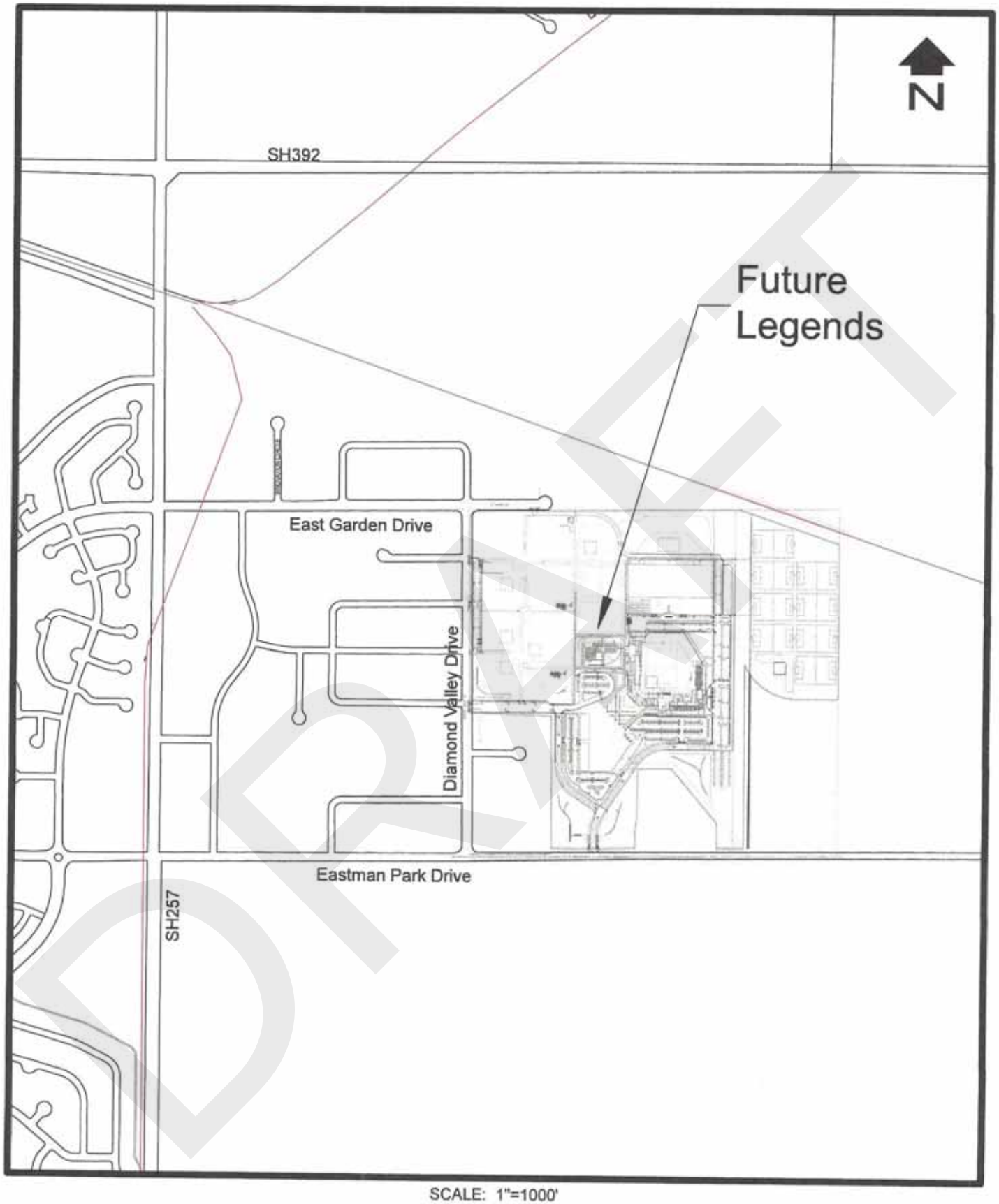
APPENDICIES

I. INTRODUCTION

This traffic impact study (TIS) is for the proposed development of the Future Legends Multi-Use Master Plan site, located north of Eastman Park Drive and east of Diamond Valley Drive in Windsor, Colorado. The location of the Future Legends Multi-Use site is shown in Figure 1.

The Future Legends Multi-Use Master Plan development is being proposed as an overall development plan (ODP). The site will include a mix of athletic fields (baseball, softball, soccer, etc.); hotels; medical office building; and commercial/retail land uses. As agreed to in conversations with Windsor staff, this traffic impact study was prepared addressing the day-to-day uses (not the event traffic). The purpose of the TIS is to provide enough information so that Windsor can evaluate the ODP plan to establish a trip generation budget and how it fits with the **Windsor Transportation Master Plan**.

This study involved the collection of data, trip generation, trip distribution, trip assignment, and link volumes in the area for the existing conditions and the long range future. During the course of this analysis, numerous contacts were made with the Windsor Engineering staff and the project civil engineer (Galloway & Company).



SCALE: 1"=1000'

SITE LOCATION

Figure 1

DELICH ASSOCIATES

II. EXISTING CONDITIONS

Land Use

The project site is currently vacant, except for the three ball fields in the northwest corner of the site. The land surrounding the site consists primarily of employment (industrial) and institutional uses. The center of Windsor lies to the west of the Future Legends Multi-Use site.

Roads/Streets

The key existing roads are Eastman Park Drive, Diamond Valley Drive, East Garden Drive, and SH257. The road network is also shown in Figure 1. Primary access to Future Legends Multi-Use site will be via two accesses to Eastman Park Drive and Diamond Valley Drive. There will be event access (exits) to East Garden Drive.

Eastman Park Drive is classified as a 2-lane Minor Arterial. It currently has a 3-lane cross section (middle lane is a left-turn lane at intersections) from SH257 to just east of Diamond Valley Drive. The Eastman Park/SH257 intersection is signalized. The Eastman Park/Diamond Valley intersection has stop sign control on Diamond Valley Drive. It is posted at 45 mph.

Diamond Valley Drive is classified as a 2-lane Minor Collector. It currently is striped as a 3-lane cross section north of Eastman Park Drive (for approximately 1050 feet). The median area is striped as a continuous two-way left-turn lane (CTWLTL). North of there, it is not striped, but can/should be striped as a CTWLTL north to East Garden Drive. It is 50 feet wide with on-street parking. Diamond Valley Drive has stop sign control at the East Garden/Diamond Valley intersection. It is posted at 30 mph.

East Garden Drive is classified as a 2-lane Minor Collector, east of SH257. It does not have a center left-turn lane, except at the approach to SH257. It has on-street parking. It is approximately 40 feet wide. It is wide enough to have a CTWLTL, but that would eliminate the on-street parking. The determination of the striping and parking should be made by the Town of Windsor. It is posted at 30 mph.

State Highway 257 is west of the site (approximately 0.75 miles). It is classified as a Major Arterial. As a Major Arterial, SH257 will have a 4-lane cross section, with auxiliary lanes at intersections. The SH257Eastman Park intersection and the SH257/East Garden intersection have signal control. It currently has a two-lane cross section with a posted speed of 45 mph. There are auxiliary lanes at both signalized intersections.

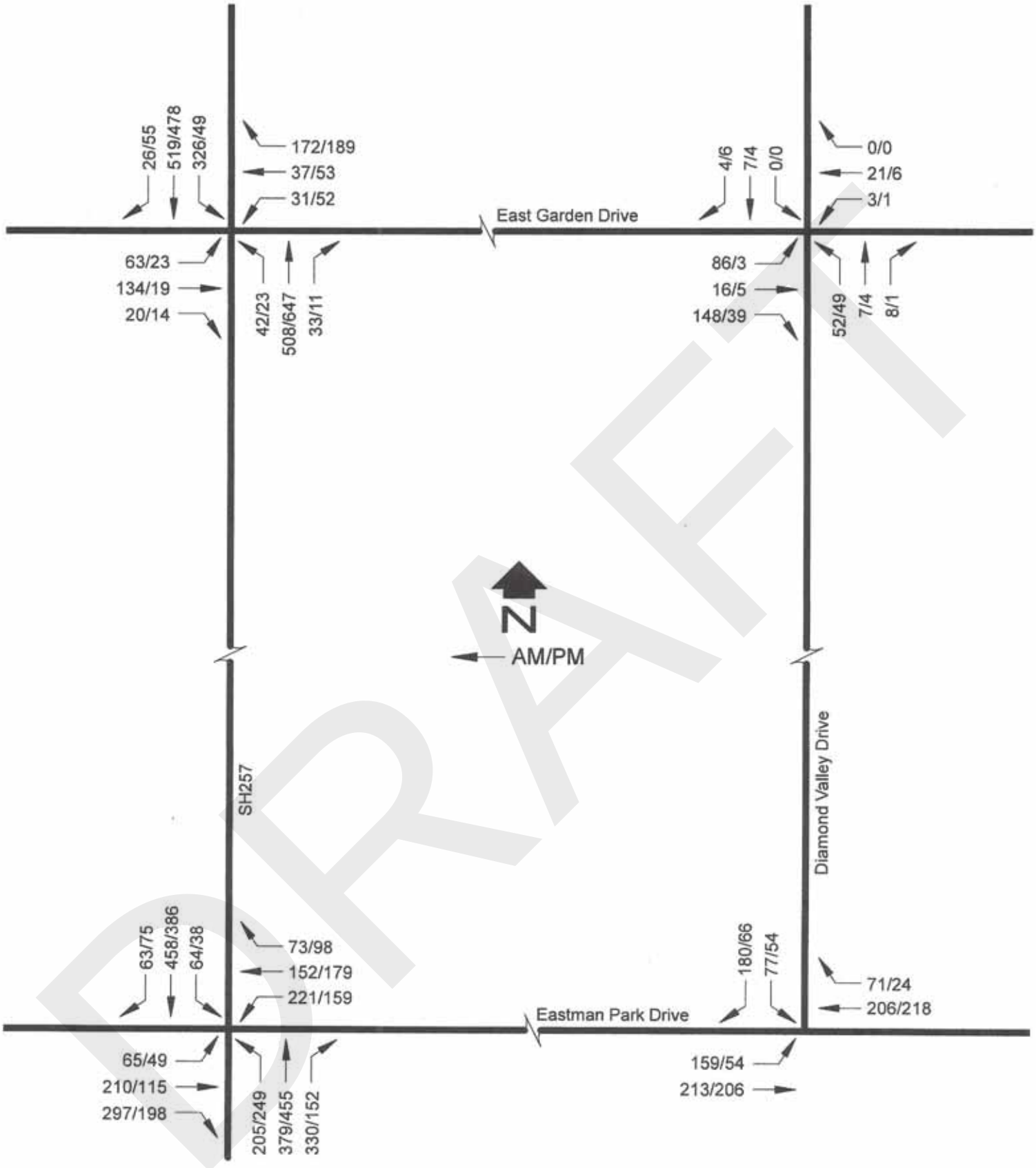
Existing Traffic

Recent peak hour traffic volumes on the key intersections are shown in Figure 2. The peak hour counts were obtained in February 2020. The daily volumes, shown in Figure 3, were synthesized by applying common peak hour volume versus daily volume relationships. Figure 4 shows a schematic of the existing approach geometry at the key intersections.

It is acknowledged that the morning peak hour traffic counts were obtained during a time when the two schools in the area had classes. Detailed review of the counts indicates that there is approximate 30 minute period, in the morning peak hour, when traffic volumes are high due to traffic related to the schools. Obviously those schools will not be operational during a significant portion of the summer. It will be the summer season when the proposed uses will be most active. This should be taken into consideration as this goes through the Windsor review process.

Existing Operation

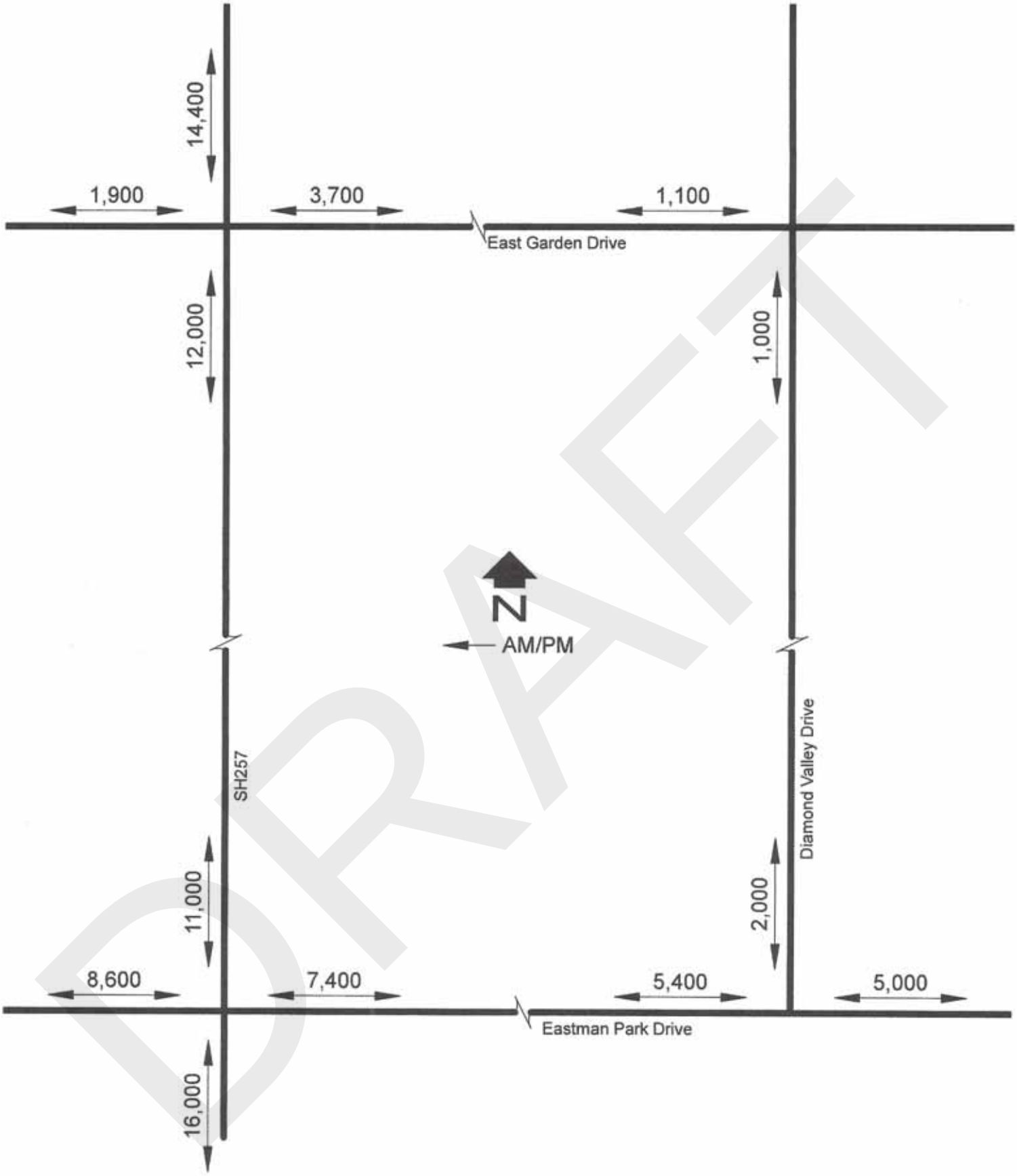
The key intersections were evaluated using techniques provided in the 2016 Highway Capacity Manual, 6th Edition, (2016HCM). Using the morning and afternoon peak hour traffic shown in Figure 2, the peak hour operation is shown in Table 1. Calculation forms are provided in Appendix A. The key intersections currently meet the Windsor operational criteria. A description of level of service for signalized and unsignalized intersections from the 2026HCM is also provided in Appendix A. Acceptable operation is defined as level of service (LOS) D or better overall, during the peak hours. At signalized intersections, individual movements and legs may operate at LOS E during the peak hours. At stop sign controlled intersections, minor street left turns may operate at LOS E/F during the peak hours.



RECENT PEAK HOUR TRAFFIC

Figure 2

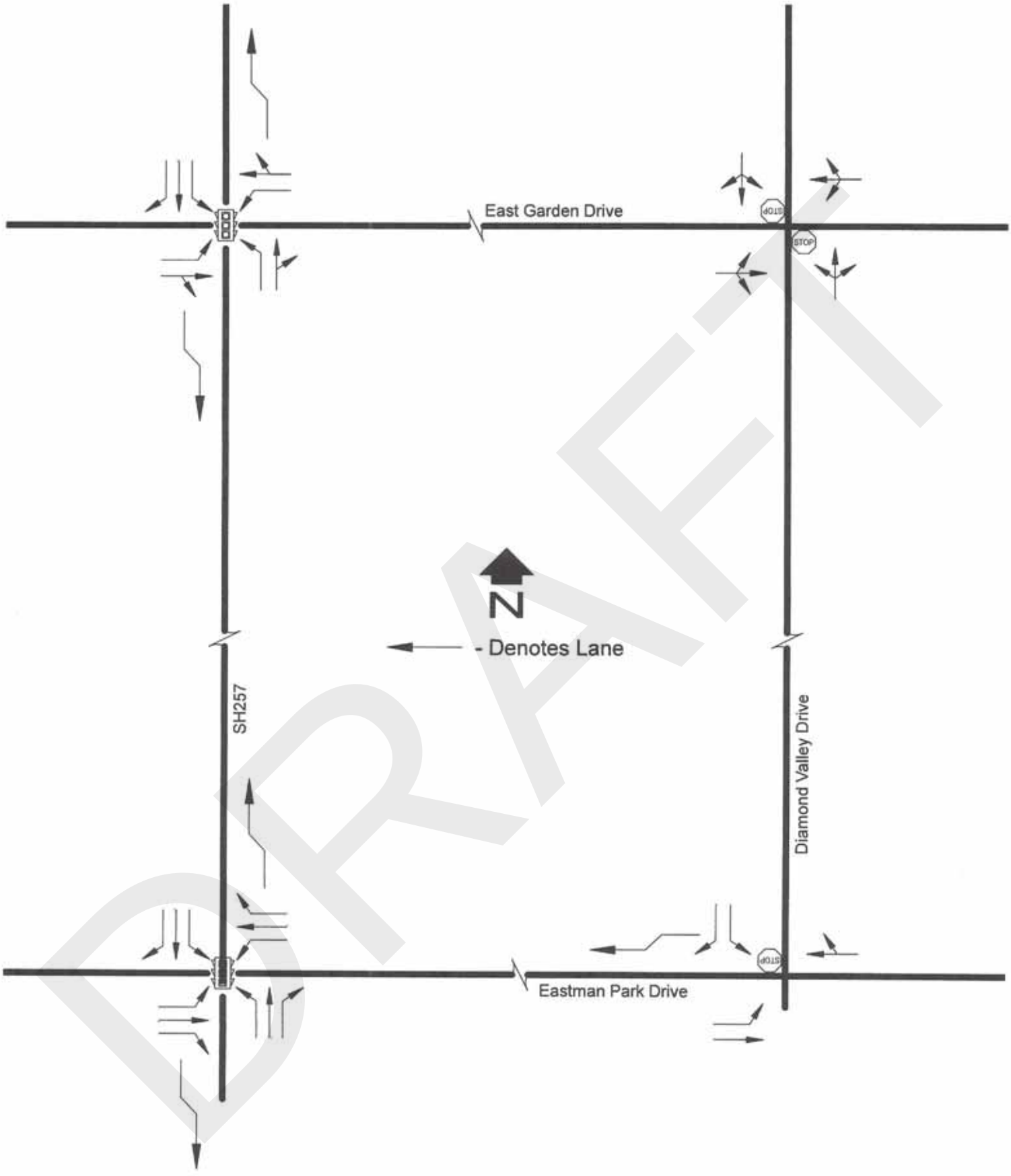
DELICH ASSOCIATES



DAILY TRAFFIC
(SYNTHESIZED ESTIMATE)

Figure 3

DELICH ASSOCIATES



EXISTING GEOMETRY

Figure 4

DELICH ASSOCIATES

TABLE 1 Current Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
SH257/Eastman Park (signal)	EB LT	C	D
	EB T	C	C
	EB RT	C	C
	EB APPROACH	C	C
	WB LT	D	D
	WB T	C	C
	WB RT	C	A
	WB APPROACH	C	C
	NB LT	C	B
	NB T	C	B
	NB RT	B	A
	NB APPROACH	B	B
	SB LT	B	B
	SB T	D	C
	SB RT	C	A
	SB APPROACH	D	C
	OVERALL	C	C
SH257/East Garden (signal)	EB LT	C	D
	EB T/RT	D	D
	EB APPROACH	D	D
	WB LT	D	D
	WB T/RT	D	D
	WB APPROACH	D	D
	NB LT	B	A
	NB T/RT	C	C
	NB APPROACH	C	C
	SB LT	C	B
	SB T	B	B
	SB RT	A	A
	SB APPROACH	B	B
	OVERALL	C	C

Continued on next page

Continued from previous page

TABLE 1
Current Peak Hour Operation

Intersection	Movement	Level of Service	
		AM	PM
Eastman Park/Diamond Valley (stop sign)	EB LT	A	A
	EB T	A	A
	WB T/RT	A	A
	SB LT	C	B
	SB RT	B	B
	SB APPROACH	B	B
	OVERALL	A	A
East Garden/Diamond Valley (stop sign)	EB LT/T/RT	A	A
	WB LT/T/RT	A	A
	NB LT/T/RT	B	A
	SB LT/T/RT	B	A
	OVERALL	A	A

III. PROPOSED DEVELOPMENT

The Future Legends Multi-Use site is proposed as a commercial/recreational development, consisting of approximately 118 acres. The Future Legends Multi-Use site plan is shown in Figure 5. There will be two primary accesses to the site: one to Eastman Park Drive; and one to Diamond Valley Drive. There will be an event access (exit only) to East Garden Drive. The site plan also shows a parking lot with direct access on Diamond Valley Drive. The typical long range traffic analysis horizon is 20 years. Therefore, the year 2040 was selected as the long range future analysis year.

As a multi-use site, a large portion (Approximately 60 acres) are devoted to various athletic fields and supporting uses (primarily used during events). These events, depending on the size, would have substantial trip generation. It is expected that the large event traffic would be handled with manual traffic control (police, etc.). For the large events, it is expected that traffic control plans would be submitted for each event and approved by the Town of Windsor. Rigorous analyses of the large event traffic conditions are not addressed in this TIS, but it is understood that a large event traffic control plan will be developed between the developer and the Town.

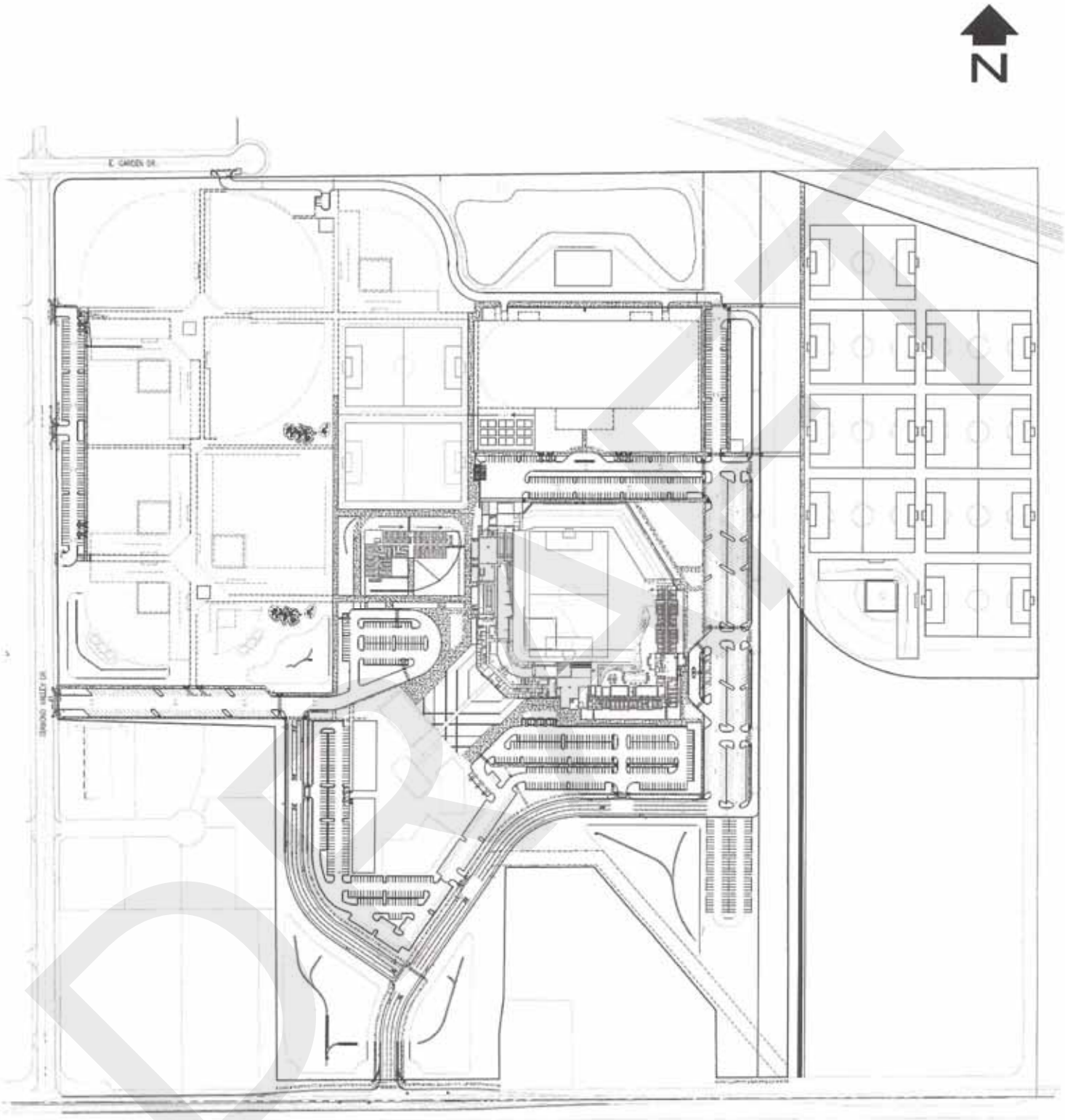
The other uses (retail, medical office, hotel, etc.) would involve conventional day-to-day use by the general public. In addition to these, the athletic fields would be available for day-to-day use similar to a public recreational facility. It is this day-to-day use that is analyzed in this TIS.

Trip Generation

Trip generation is important in considering the impact of a development on the existing and proposed road/street system. Trip Generation, 10th Edition, ITE was used to forecast trips that would be generated at the Future Legends Multi Use site. A trip is defined as a one-way vehicle movement from origin to destination. Table 2 shows the expected trip generation from the sites on a daily and peak hour basis. The trip generation for day-to-day use at the Future Legends Multi Use site resulted in 10,424 daily trip ends, 409 morning peak hour trip ends, and 845 afternoon peak hour trip ends. No adjustments were made for potential internal capture.

Trip Distribution

Trip distribution for the Great Plains Village and Great Plains Village North development was estimated using knowledge of the existing and planned road/street system, development trends, and engineering judgment. Figure 6 shows the long range (2040) trip distribution used in the following analyses.



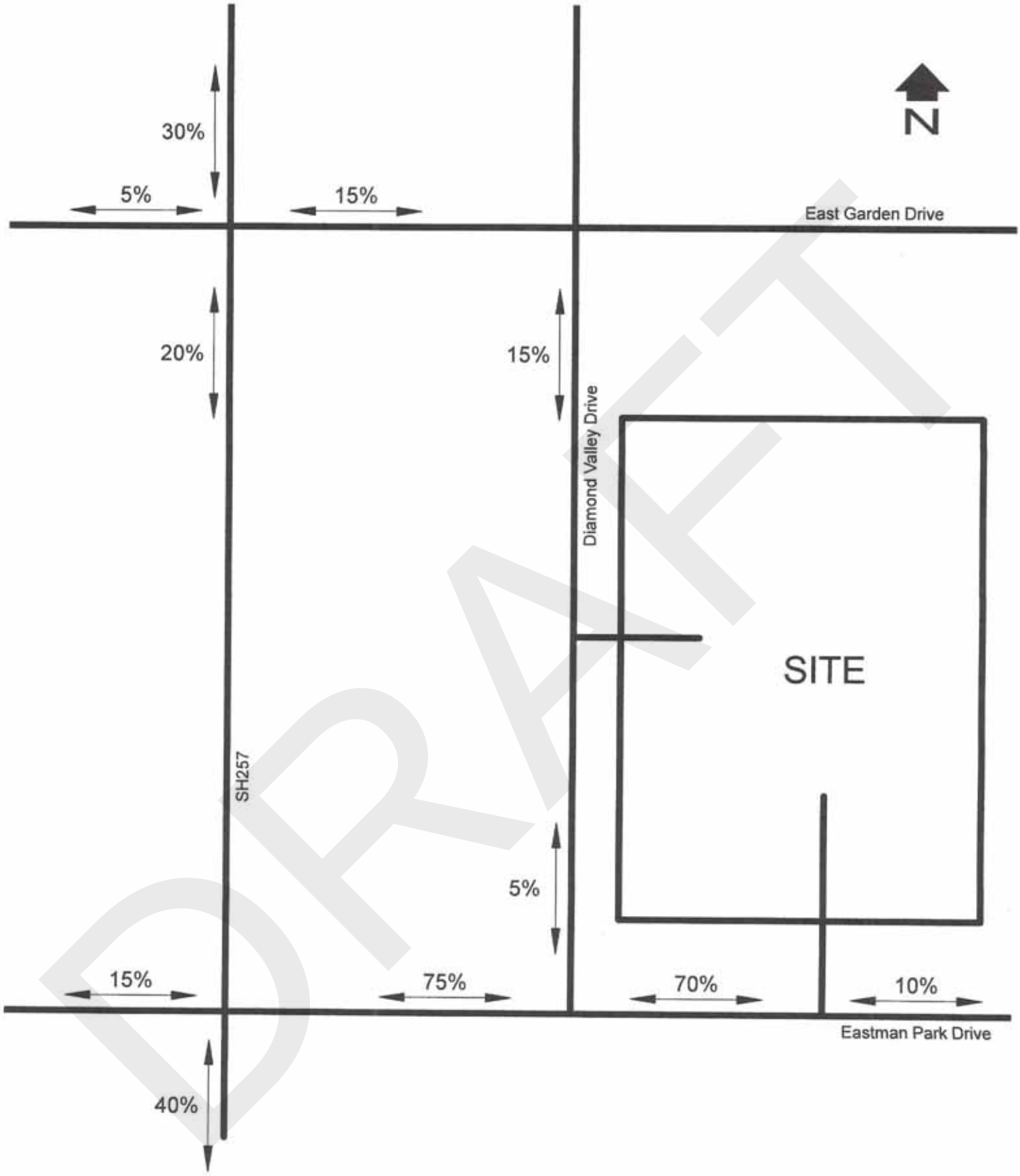
SITE PLAN

Figure 5

DELICH ASSOCIATES

TABLE 2
Trip Generation

Code	Use	Size	AWDTE		AM Peak Hour				PM Peak Hour			
			Rate	Trips	Rate	In	Rate	Out	Rate	In	Rate	Out
Commercial/Retail Uses												
310	H-1 Hotel	115 Rooms	Eq.	872	Eq.	31	Eq.	21	Eq.	31	Eq.	29
310	H-2 Hotel	155 Rooms	Eq.	1322	Eq.	42	Eq.	30	Eq.	46	Eq.	44
820	B-1 Retail	80.0 KSF	37.75	3020	0.58	46	0.36	29	1.83	183	1.98	158
720	B-1 Medical Off. Bldg.	40.0 KSF	Eq.	1450	Eq.	77	Eq.	22	Eq.	39	Eq.	99
495	B-1 Theater	10.0 KSF	33.82	338	1.35	14	0.70	7	1.34	13	1.40	14
311	B-1 All Suites Hotel	50 Rooms	6.24	312	0.32	16	0.16	8	0.23	12	0.32	16
Subtotal Total				7314		226		117		287		360
Day Use Recreation/Fields												
435	Multi-use Recreation	Fields		3110		47		19		69		129
Day-To-Day Total				10,424		273		136		356		489



TRIP DISTRIBUTION

Figure 6

DELICH ASSOCIATES

Trip Assignment

The trip assignment is how the generated and distributed trips are expected to be loaded on the roadway network. The long range (2040) site generated peak hour traffic for the Future Legends Multi-Use development is shown in Figure 7. The site plan shows the primary access to Eastman Park Drive and a secondary access to Diamond Valley Drive.

Total Traffic

Background traffic forecasts for the long range (2040) future horizon were developed based upon information contained in the **Windsor Transportation Master Plan**. The site generated traffic was combined with the background traffic to determine the total forecasted traffic for the study area. Long range (2040) total peak hour traffic is shown in Figure 8.

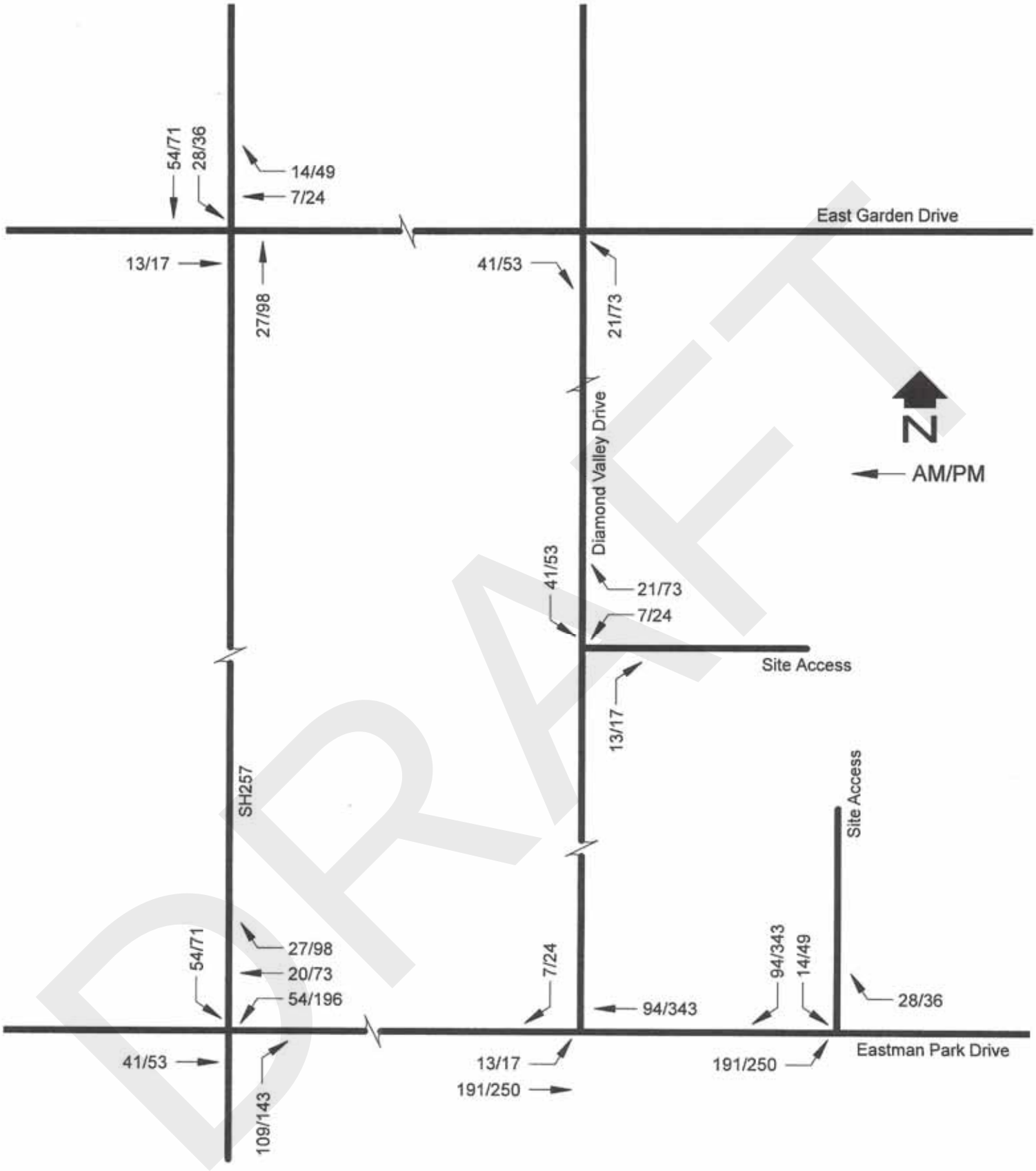
Geometry

Figure 9 shows a schematic of the long range (2040) geometry at the key intersections. State Highway 257 will have a four-lane cross section by/before the year 2040.

The Eastman Park/Site Access intersection is a T-intersection. The Town of Windsor expressed that consideration should be given to having a roundabout at this intersection. Roundabout traffic control is often used at intersections where signal warrants are met. In the case of this intersection, peak hour signal warrants will not be met using the forecasted traffic. Therefore, a roundabout is not necessary at this intersection. In addition to this, it is acknowledged that event traffic would be higher than the day-to-day traffic. This is especially true before and after a large event where a significant number of spectators would be present. As mentioned earlier, a traffic control plan should be developed for these large events. That traffic control plan may involve manual traffic control measures before and after the event at the Eastman Park/Site Access intersection. With the event manual traffic control at the Eastman Park/Site Access intersection, it would function much simpler as a conventional stop sign controlled T-intersection compared to an intersection with roundabout control.

Operations Analyses

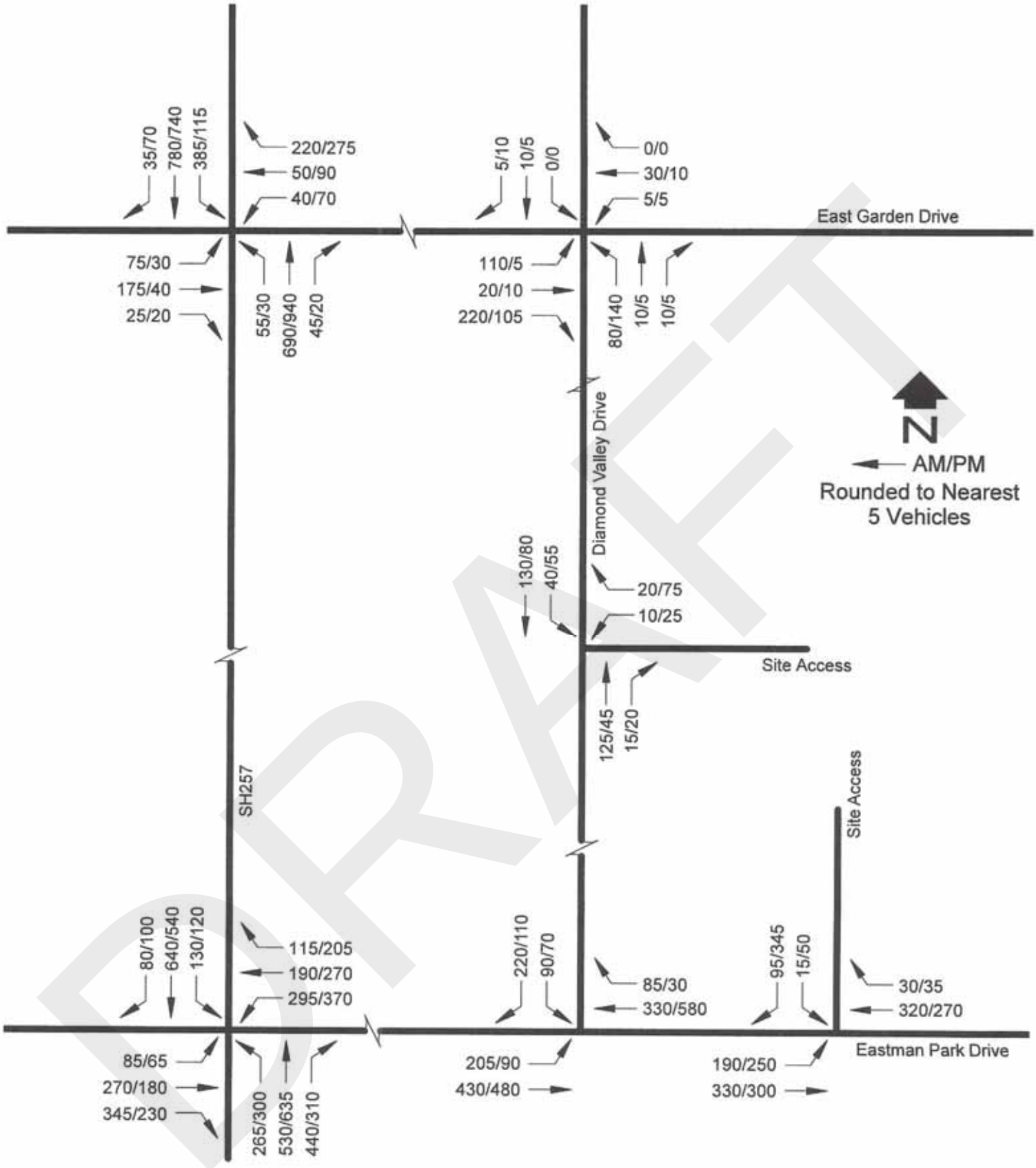
Operations analyses were performed at the key intersections for the long range future, reflecting the year 2040 conditions. Using the peak hour traffic forecasts shown in Figure 8, the key intersections will operate as indicated in Table 3. The key intersections will meet the Windsor operational criteria. Calculations forms are provided in Appendix B.



SITE GENERATED PEAK HOUR TRAFFIC

Figure 7

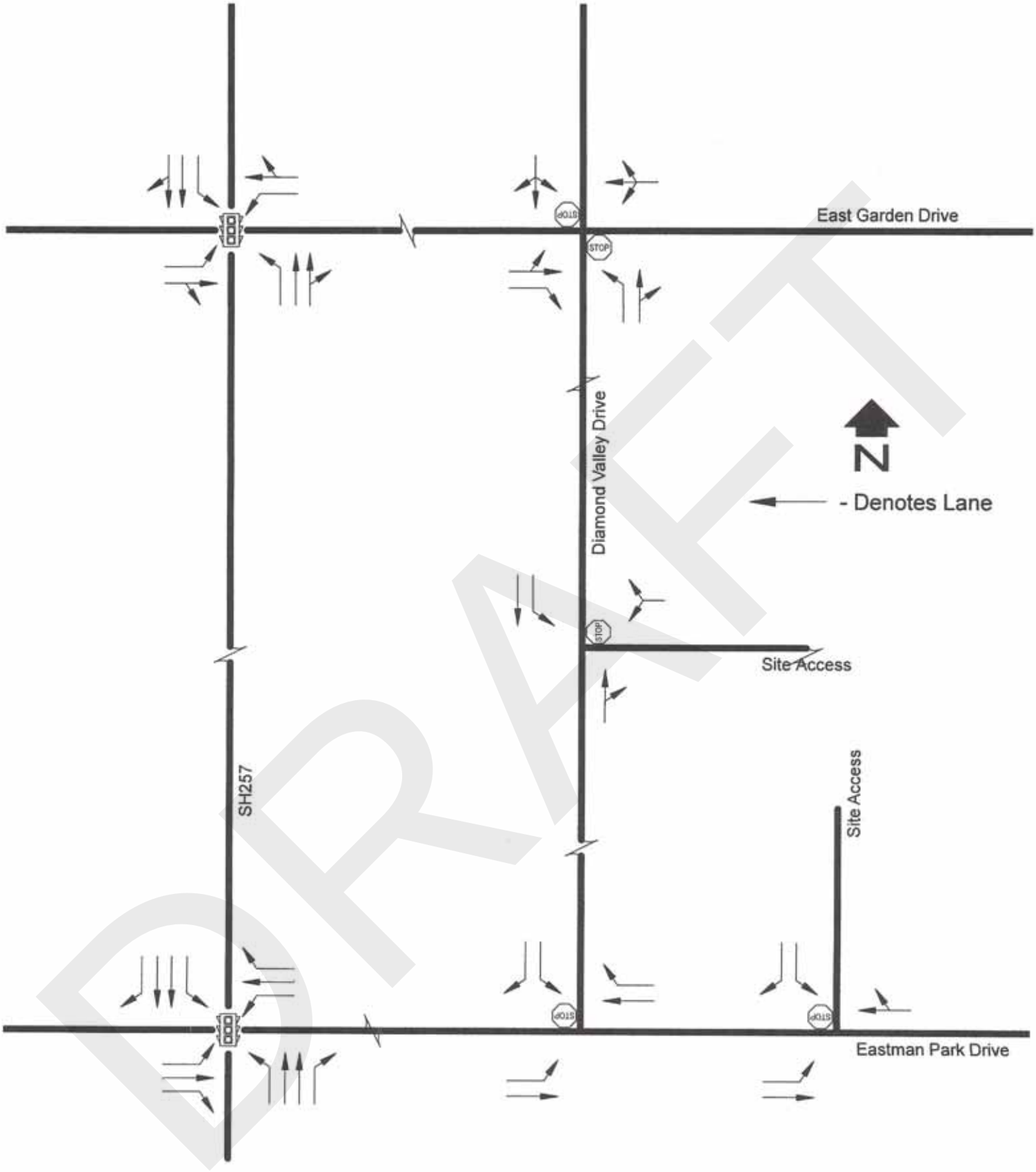
DELICH ASSOCIATES



LONG RANGE (2040) TOTAL PEAK HOUR TRAFFIC

Figure 8

DELICH ASSOCIATES



LONG RANGE (2040) GEOMETRY

Figure 9

DELICH ASSOCIATES

TABLE 3 Long Range (2040) Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
SH257/Eastman Park (signal)	EB LT	C	C
	EB T	D	D
	EB RT	C	C
	EB APPROACH	D	D
	WB LT	C	D
	WB T	C	C
	WB RT	A	C
	WB APPROACH	C	D
	NB LT	C	C
	NB T	C	C
	NB RT	C	B
	NB APPROACH	C	C
	SB LT	C	C
	SB T	D	D
	SB RT	A	A
	SB APPROACH	D	C
	OVERALL	C	C
SH257/East Garden (signal)	EB LT	C	C
	EB T/RT	D	C
	EB APPROACH	D	C
	WB LT	C	C
	WB T/RT	D	D
	WB APPROACH	D	D
	NB LT	B	B
	NB T/RT	C	C
	NB APPROACH	C	C
	SB LT	C	B
	SB T/RT	B	B
	SB APPROACH	B	B
	OVERALL	C	C

Continued on next page

Continued from previous page

TABLE 3
Long Range (2040) Peak Hour Operation

Intersection	Movement	Level of Service	
		AM	PM
Eastman Park/Diamond Valley (stop sign)	EB LT	A	A
	EB T	A	A
	WB T/RT	A	A
	SB LT	D	C
	SB RT	B	B
	SB APPROACH	C	C
	OVERALL	A	A
East Garden/Diamond Valley (stop sign)	EB LT/T	A	A
	EB RT	A	A
	EB APPROACH	A	A
	WB LT/T/RT	A	A
	NB LT	B	A
	NBT/RT	B	A
	NB APPROACH	B	A
	SB LT/T/RT	B	A
	OVERALL	A	A
Diamond Valley/Site (stop sign)	WB LT/RT	A	A
	SB LT	A	A
	OVERALL	A	A
Eastman Park/Site Access (stop sign)	SB LT	C	C
	SB RT	B	B
	SB APPROACH	B	B
	EB LT	A	A
	OVERALL	A	A

IV. CONCLUSIONS/RECOMMENDATIONS

This master traffic impact study assessed the transportation impacts associated with the Future Legends Multi-Use development in Windsor, Colorado. This study analyzed the transportation impacts in the long range future. As a result of these analyses, the following is concluded:

- The Future Legends Multi-Use development will generate 10,424 daily trip ends, 409 morning peak hour trip ends, and 845 afternoon peak hour trip ends. This TIS addressed the day-to-day uses at the site. Events should be addressed in specific traffic control plans for those events.
- The operation at the key intersections currently meets the Windsor operational criteria.
- The long range geometry at the key intersections is shown in Figure 9. It is expected that SH257 will have a four-lane cross section by/before the year 2040. The primary site access (Eastman Park/Site Access intersection) should be a conventional stop sign controlled T-intersection, since it operates acceptably as such. At times of large event traffic, this intersection would function much simpler with manual traffic control.
- In the long range (2040) future the key intersections will meet the Windsor operational criteria.

Phase I Environmental Site Assessment

Proposed Future Legends Development

Diamond Valley Subdivision – 8th Filing

Windsor, Weld County, Colorado

Revised August 20, 2020

Terracon Project No. 20207040

Prepared for:

Future Legends, LLC
4558 Sherman Oaks Avenue
Sherman Oak, California

Prepared by:

Terracon Consultants, Inc.
Fort Collins, Colorado

August 20, 2020

Future Legends, LLC
4558 Sherman Oaks Avenue
Sherman Oaks, California 91403

Attn: Mr. Jeff Katofsky, Esq.
P: (818) 990-1475
E: jeff@katofsky.com

Re: Phase I Environmental Site Assessment - Revised
Proposed Future Legends Development
Diamond Valley Subdivision – 8th Filing
Windsor, Weld County, Colorado
Terracon Project No. 20207040

Dear Mr. Katofsky:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) report for the above-referenced site. This assessment was performed in accordance with Terracon Proposal No. P25207284 dated July 7, 2020.

We appreciate the opportunity to be of service to you on this project. In addition to Phase I services, our professionals provide geotechnical, environmental, construction materials, and facilities services on a wide variety of projects locally, regionally and nationally. For more detailed information on all of Terracon's services please visit our website at www.terracon.com. If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,
Terracon Consultants, Inc.

Jaymee L. Binion
Staff Scientist

Kevin R. Saylor
Senior Project Engineer

TABLE OF CONTENTS

APPENDICES

EXECUTIVE SUMMARY

This Phase I Environmental Site Assessment (ESA) was performed in accordance with Terracon Proposal No. P25207284 dated July 7, 2020, and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The ESA was conducted under the supervision or responsible charge of Mr. Kevin Saylor, Environmental Professional. Jaymee L. Binion performed the site reconnaissance on July 22, 2020.

Findings and Opinions

A summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein.

Site Description and Use

The site is located at the Diamond Valley Subdivision, 8th Filing, north of Eastman Park Drive in Windsor, Weld County, Colorado and is comprised of approximately 100 acres of land consisting of a baseball complex, soccer fields, an irrigation pond with associated pump house, and vacant land. The site corresponds to Weld County Parcel Nos. 080722416013 and 080722416014.

Historical Information

Based on a review of historical information, the site was vacant/agricultural land with Consolidated Law Ditch visible transecting the northeast and southeast portion of the site from 1948 through 1953. From approximately 1969 through 1999, unimproved roads are visible onsite and Consolidated Law Ditch appears to have been reconfigured on the eastern portion of the site. An extraction well was formerly located on the southwestern portion of the site from approximately 1983 through 1990, which is considered a Recognized Environmental Condition (REC) to the site. (This well was also identified in Records Review; see below.) From approximately 2005-2006, the site appears to be vacant with unimproved access roads visible, a Town of Windsor material storage area on the western portion, and baseball fields and a pond on the northern portion. From approximately 2011 through 2019, the site contained vacant land with unimproved roads, the Town of Windsor material storage area, and a gravel parking area are visible on the western portion. Baseball fields, a pond, and an additional Town of Windsor material storage area are visible on the northern portion of the site from approximately 2011-2019.

The area to the adjacent north was vacant/agricultural land from at least 1948 through 1999, and commercial development is visible from 2005 until present. The property to the adjacent east has been vacant/agricultural land since at least 1948 through present. To the adjacent southwest, a farmstead is visible from 1948 through 1999, and commercial development becomes visible in the area starting in 2005 through present. The area to the adjacent south has been

vacant/agricultural land with a farmstead/residence visible since approximately 1948. The property to the adjacent west was vacant/agricultural land from approximately 1948 through 1999, and in 2005 Diamond Valley Drive is visible followed by various commercial developments.

Records Review

The regulatory database review identified multiple listings within the ASTM-specified search distances. Based on file review, regulatory status, topographic gradient, and/or relative distance from the site, these facilities do not constitute RECs to the site.

Additionally, a historical oil extraction well was identified on the southwestern portion of the site. Documentation indicates that the oil well operated from 1983 to 1990, when it was plugged and abandoned. Based on the nature of operations and time period, the oil well is considered a REC to the site.

Site Reconnaissance

During the site reconnaissance, Terracon observed the onsite baseball complex and associated structures, soccer fields, irrigation pond, and vacant land. Grading and construction activities were taking place on the central and southern portions of the site. RECs were not observed during the site reconnaissance.

Adjoining Properties

Adjacent properties include Windsor Guardian Self Storage at 760 East Garden Drive and GLH Construction Inc. at 780 East Garden Drive to the north, vacant/agricultural land to the east, Eastman Park Drive followed by vacant/agricultural land to the south, a residence at 9695 Eastman Park Drive, and various commercial properties to the southwest, and Diamond Valley Drive followed by Windsor Charter Academy at 680 Academy Court, Windsor Gymnastics Academy at 687 Academy Court, and vacant land to the west.

Additional Services

Terracon conducted a Tier 1 Vapor Encroachment Screening (VES), in general accordance with the procedures included in ASTM E 2600-10. The historical oil well was identified as a Vapor Encroachment Condition (VEC) for the site.

Significant Data Gaps

Significant data gaps were not identified.

Conclusions

We have performed a Phase I ESA consistent with the procedures included in ASTM Practice E 1527-13 at the Diamond Valley Subdivision in Windsor, Weld County, Colorado (the site). The following REC/VEC was identified in relation to the site:

- Historical oil well formerly located on the southwest portion of the site.

1.0 INTRODUCTION

1.1 Site Description

Site Name	Proposed Future Legends Development
Site Location/Address	Diamond Valley Subdivision, 8th Filing - North of Eastman Park Drive, Weld County Parcel Nos. 080722416013 and 080722416014, Windsor, Colorado
Land Area	Approximately 100 acres
Site Improvements	A baseball complex and associated structures, soccer fields, an irrigation pond with associated pump house, and vacant land
Anticipated Future Site Use	Commercial development
Purpose of the ESA	Regulatory compliance and financing

The site location is depicted on Exhibit 1 of Appendix A, which was reproduced from a portion of the USGS 7.5-minute series topographic map. A Site Diagram of the site and adjoining properties is included as Exhibit 2 of Appendix A. Acronyms and terms used in this report are described in Appendix F.

1.2 Scope of Services

This Phase I ESA was performed in accordance with Terracon Proposal No. P25207824 dated July 7, 2020, and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The purpose of this ESA was to assist the client in developing information to identify RECs in connection with the site as reflected by the scope of this report. This purpose was undertaken through user-provided information, a regulatory database review, historical and physical records review, interviews, including local government inquiries, as applicable, and a visual noninvasive reconnaissance of the site and adjoining properties. Limitations, ASTM deviations, and significant data gaps (if identified) are noted in the applicable sections of the report. ASTM E1527-13 contains a new definition of "migrate/migration," which refers to “the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface.” By including this explicit reference to migration in ASTM E1527-13, the standard clarifies that the potential for vapor migration should be addressed as part of a Phase I ESA and was considered by Terracon in evaluation of RECs associated with the site.

1.3 Standard of Care

This ESA was performed in accordance with generally accepted practices of this profession, undertaken in similar studies at the same time and in the same geographical area. We have

endeavored to meet this standard of care, but may be limited by conditions encountered during performance, a client-driven scope of work, or inability to review information not received by the report date. Where appropriate, these limitations are discussed in the text of the report, and an evaluation of their significance with respect to our findings has been conducted.

Phase I ESAs, such as the one performed at this site, are of limited scope, are noninvasive, and cannot eliminate the potential that hazardous, toxic, or petroleum substances are present or have been released at the site beyond what is identified by the limited scope of this ESA. In conducting the limited scope of services described herein, certain sources of information and public records were not reviewed. It should be recognized that environmental concerns may be documented in public records that were not reviewed. No ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs. No warranties, express or implied, are intended or made. The limitations herein must be considered when the user of this report formulates opinions as to risks associated with the site or otherwise uses the report for any other purpose. These risks may be further evaluated – but not eliminated – through additional research or assessment. We will, upon request, advise you of additional research or assessment options that may be available and associated costs.

1.4 Additional Scope Limitations, ASTM Deviations and Data Gaps

Based upon the agreed-on scope of services, this ESA did not include subsurface or other invasive assessments, vapor intrusion assessments or indoor air quality assessments (i.e. evaluation of the presence of vapors within a building structure), business environmental risk evaluations, or other services not particularly identified and discussed herein. Credentials of the company (Statement of Qualifications) have not been included in this report but are available upon request. Pertinent documents are referred to in the text of this report, and a separate reference section has not been included. Reasonable attempts were made to obtain information within the scope and time constraints set forth by the client; however, in some instances, information requested is not, or was not, received by the issuance date of the report. Information obtained for this ESA was received from several sources that we believe to be reliable; nonetheless, the authenticity or reliability of these sources cannot and is not warranted hereunder. This ESA was further limited by the following:

- The onsite irrigation pumphouse and storage area near the baseball dugouts were unable to be accessed during the site reconnaissance. Following the site reconnaissance, Lawrence Thomas, a representative of the current site operator, confirmed that the dugout storage area contains bases, line caulk and racks. Mr. Thomas confirmed that no chemicals, fuels, or maintenance equipment are stored onsite. According to Mr. Thomas, the pumphouse contains pumps, pump control cabinets, and an electric space heater.

- Historical documentation for the site was unavailable prior to 1948. Terracon does not consider this a significant data gap based on the apparent historical agricultural nature of site and surrounding areas.
- At the time of this report, Weld County Department of Public Health and Environment had not responded to request for records associated with the site. Terracon does not consider this a significant data gap based on other information reviewed.

An evaluation of the significance of limitations and missing information with respect to our findings has been conducted, and where appropriate, significant data gaps are identified and discussed in the text of the report. However, it should be recognized that an evaluation of significant data gaps is based on the information available at the time of report issuance, and an evaluation of information received after the report issuance date may result in an alteration of our conclusions, recommendations, or opinions. We have no obligation to provide information obtained or discovered by us after the issuance date of the report, or to perform any additional services, regardless of whether the information would affect any conclusions, recommendations, or opinions in the report. This disclaimer specifically applies to any information that has not been provided by the client.

This report represents our service to you as of the report date and constitutes our final document; its text may not be altered after final issuance. Findings in this report are based upon the site's current utilization, information derived from the most recent reconnaissance and from other activities described herein; such information is subject to change. Certain indicators of the presence of hazardous substances or petroleum products may have been latent, inaccessible, unobservable, or not present during the most recent reconnaissance and may subsequently become observable (such as after site renovation or development). Further, these services are not to be construed as legal interpretation or advice.

1.5 Reliance

This ESA report is prepared for the exclusive use and reliance of Future Legends, LLC and Future Legends Sports Park Metropolitan District No. 2. Use or reliance by any other party is prohibited without the written authorization of Future Legends, LLC and Terracon Consultants, Inc. (Terracon).

Reliance on the ESA by the client and all authorized parties will be subject to the terms, conditions and limitations stated in the proposal, ESA report, and Terracon's Agreement for Services. The limitation of liability defined in the Agreement for Services is the aggregate limit of Terracon's liability to the client and all relying parties.

Continued viability of this report is subject to ASTM E1527-13 Sections 4.6 and 4.8. If the ESA will be used by a different user (third party) than the user for whom the ESA was originally

prepared, the third party must also satisfy the user's responsibilities in Section 6 of ASTM E1527-13.

1.6 Client Provided Information

Prior to the site visit, Mr. Lawrence Thomas, a representative of Hensel Phelps, was asked to provide the following user questionnaire information as described in ASTM E1527-13 Section 6.

Client Questionnaire Responses

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Specialized Knowledge or Experience that is material to a REC in connection with the site.			X
Actual Knowledge of Environmental Liens or Activity Use Limitations (AULs) that may encumber the site.			X
Actual Knowledge of a Lower Purchase Price because contamination is known or believed to be present at the site.			X
Commonly Known or Reasonably Ascertainable Information that is material to a REC in connection with the site.		X	
Obvious Indicators of Contamination at the site.			X

Terracon's consideration of the client provided information identified reference to a plugged and abandoned extraction well previously located on the project site which is considered a REC to the site. The former onsite well is discussed further in Sections 3.7 and 4.2. A copy of the questionnaire is included in Appendix C.

2.0 PHYSICAL SETTING

Physical Setting Information		Source
Topography		
Site Elevation	Approximately 4,770 to 4,880 feet above sea level	USGS Topographic Map, Windsor, Colorado Quadrangle (2019)
Topographic Gradient	Relatively flat with general gradient towards the southeast	
Closest Surface Water	Consolidated Law Ditch, onsite along eastern parcel boundary	
Soil Characteristics		

Physical Setting Information		Source
Soil Type	Kim loam, 1 to 3 percent slopes, Nunn clay loam, 0 to 1 percent slopes, and Ascalon loam, 0 to 1 percent slopes	ERIS Physical Settings Report (PSR), July 2020
Description	Kim loam: Well drained loam and fine sandy loam with low runoff potential Nunn clay loam: Well drained clay loam with moderately high runoff potential Ascalon loam: Well drained loam and sandy clay loam with moderately low runoff potential	
Geology/Hydrogeology		
Formation	Gravels and alluviums	Tweto, Ogden, 1979, Geologic Map of Colorado: U.S. Geological Survey Special Geologic Map
Description	Includes Broadway and Louviers Alluviums	
Estimated Depth to First Occurrence of Groundwater	Approximately 10 to 20 feet below ground surface (bgs)	Depth to Water Map of the Boulder-Fort Collins-Greeley Area, Front Range Corridor, Colorado, 1979
*Hydrogeologic Gradient	Not known - may be inferred to be parallel to topographic gradient (primarily to the southeast).	

* The groundwater flow direction and the depth to shallow, unconfined groundwater, if present, would likely vary depending upon seasonal variations in rainfall and other hydrogeological features. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

3.0 HISTORICAL USE INFORMATION

Terracon reviewed the following historical sources to develop a history of the previous uses of the site and surrounding area, in order to help identify RECs associated with past uses. Copies of selected historical documents are included in Appendix C.

3.1 Historical Topographic Maps, Aerial Photographs, Sanborn Maps

Readily available historical USGS topographic maps, selected historical aerial photographs (at approximately 10 to 15 year intervals) were reviewed to evaluate land development and obtain information concerning the history of development on and near the site. Historical fire insurance maps produced by the Sanborn Map Company were requested from ERIS to evaluate past uses and relevant characteristics of the site and surrounding properties. No Sanborn Maps were available. Reviewed historical topographic maps, aerial photographs and Sanborn maps are summarized below.

Type	Source	Date	Scale
Aerial	ASCS	1948	1” = 500’
Topographic	USGS	1950	1” = 2,000
Topographic	USGS	1951	1” = 2,000
Aerial	AMS	1953	1” = 500’
Aerial	USGS	1969	1” = 500’
Topographic	USGS	1969	1” = 2,000’
Aerial	NASA	1972	1” = 500’
Aerial	USGS	1978	1” = 500’
Topographic	USGS	1980	1” = 2,000
Aerial	NHAP	1984	1” = 500’
Aerial	NAPP	1988	1” = 2,000’
Aerial	USGS	1999	1” = 500’
Aerial	NAIP	2005	1” = 500’
Aerial	NAIP	2006	1” = 500’
Aerial	NAIP	2011	1” = 500’
Aerial	NAIP	2013	1” = 500’
Aerial	NAIP	2015	1” = 500’
Topographic	USGS	2016	1” = 2,000”
Aerial	NAIP	2017	1” = 500’
Aerial	NAIP	2019	1” = 500’

Historical Maps and Aerial Photographs

Direction	Description
Site	Vacant/agricultural land with Consolidated Law Ditch visible transecting the NE and SE portions of the site (1948-1953); agricultural land with unimproved roads visible and Consolidated Law Ditch, reconfigured on the eastern portion (1969-1999); vacant land with unimproved roads visible and Town of Windsor material storage on the western portion, baseball fields and a pond on the northern portion (2005-2006), agricultural land with gravel roads, gravel parking lot, and Town of Windsor material storage on the western portion; baseball fields, pond, and Town of Windsor material storage on the northern portion (2011-2019)
North	Vacant/agricultural land (1948-1999); commercial development (2005-2019)
East	Vacant/agricultural land (1948-2019)
South	Farmstead/residence visible to the southwest of parcel followed by Eastman Park Drive and vacant land (1948-2019), commercial development to the southwest of parcel (2005-2019)

Direction	Description
West	Vacant/agricultural land (1948-1999), Diamond Valley Drive followed by commercial development (2005-2019)

According to Mr. Lawrence Thomas, the Town of Windsor material storage area previously located on the northeastern portion of the site contained leftover CMU, rubble, and dirt from construction of the three existing baseball fields onsite. Mr. Thomas also confirmed that the former material storage area on the western portion of the site contained Town of Windsor piles for yard waste, branches, trees and Christmas trees. Additionally, Mr. Thomas mentioned that the gravel parking lot has been removed, and the gravel is stockpiled onsite for use as a future parking lot base.

3.2 Historical City Directories

The city directories used in this study were made available through ERIS (selected years reviewed: 1989-2018) and were reviewed at approximate five-year intervals, if readily available. Since these references are copyright protected, reproductions are not provided in this report. The current street address for the site was identified as Diamond Valley Subdivision – 8th Filing, Windsor, Colorado.

Historical City Directories

Direction	Description
Site	**801 Diamond Valley Drive:** No listings
North	**760 East Garden Drive:** Windsor Guardian Self Storage (2006-2018), Budget Truck Rental (2014), Telstar Communications Inc. (2014-2018) **780 East Garden Drive:** Columbine Equipment (2006-2018), GLH Construction Inc. (2006-2018)
East	**No address:** No listings
South / Southwest	**1111 Diamond Valley Drive:** Water Shed, LLC (2006-2018), FRS Snowplow (2006-2014), Water Jet Wonders LTD (2006-2014), Catalyst Brazilian Jiu Jitsu (2014-2018), Northern Colorado Line-X (2018), Brickhouse Functional Fitness (2018) **745 Jackson Court:** Southern Exposure Landscape (2006-2018) **1287 Diamond Valley Drive:** Barefoot Farms (2006-2010), Dean Contracting LLC (2006-2018) **9535 Eastman Park Drive:** Jacob Altergott, JR (1997) **9695 Eastman Park Drive:** Advanced Coring, Inc. (2002)
West	**1000 Diamond Drive:** Vacant land - No listings **906 Diamond Valley Drive:** Cross Country (2014) **850 Diamond Valley Drive:** Parking lot – No listings **680 Academy Court:** Windsor Charter Academy (2002-2018) **687 Academy Court:** Windsor Gymnastics Academy (2006-2018)

3.3 Site Ownership

Based on a review of information obtained from the Weld County Assessor's records, the current site owner is Future Legends, LLC

3.4 Title Search

At the direction of the client, a title search was not included as part of the scope of services. Unless notified otherwise, we assume that the client is evaluating this information outside the scope of this report.

3.5 Environmental Liens and Activity and Use Limitations

Based on a review of the Environmental Lien Search conducted by ERIS, environmental liens or activity and use limitations were not identified. A copy of the Environmental Lien Search is included in Appendix C.

In addition, the ERIS regulatory database report included a review of both Federal and State Engineering Control (EC) and Institutional Control (IC) databases. Based on a review of the database report, the site was not listed on the EC or IC databases.

3.6 Interviews Regarding Current and Historical Site Uses

The following individuals were interviewed regarding the current and historical use of the site.

Interviewees

Interviewer	Interviewee/Phone #	Title	Date/Time
Jaymee L. Binion	Mr. Jeff Katofsky / jeff@katofskylaw.com	Managing Member, Katofsky Law – On behalf of Future Legends, LLC	July 27, 2020

Terracon interviewed Mr. Jeff Katofsky, a representative of the current site owner, Future Legends, LLC, on July 27, 2020. Mr. Katofsky reported that he has been familiar with the site for 1.5 years, and that he was aware of previous environmental inspections/assessments conducted onsite (prior documents provided by Future Legends, LLC, refer to Section 3.7). Mr. Katofsky was not aware of any pending, threatened or past environmental litigation, proceedings or notices of possible violations of environmental laws or liability or potential environmental concerns in connection with the site.

3.7 Prior Report Review

Terracon requested the client provide any previous environmental reports they are aware of for the site. The following reports, provided by the client, were determined to be relevant to this Phase I ESA:

- Phase I Environmental Site Assessment
  Colorado National Sports Park, 801 Diamond Valley Drive, Windsor, CO
  Date: November 18, 2018
  Prepared by: National Inspection Services

- Oil and Gas Conditional Use Grant (CUG) Application
  Diamond Valley Subdivision 5th Filing Tract A
  Well Name: Altergott 1
  Prepared by: Town of Windsor

The Phase I ESA performed by National Inspection Services in November 2018 included observations of a recycling center/brush storage site operated by the Town of Windsor, at the time located on the western site of the property. The northeastern portion of the site contained an enclosed storage yard, also operated by the Town of Windsor. These features are no longer located on the subject site. National Inspection Services also located records regarding a former oil well on the subject site. National Inspection Services considered the former oil well to be a Historical Recognized Environmental Condition (HREC) to the site. Refer to Section 4.2 for more information.

The Oil and Gas CUG Application outlines information related to the former oil well Altergott #1. The CUG Application stated that the Altergott #1 well pre-dated the Town's CUG requirements adopted in 2006.

4.0 RECORDS REVIEW

Regulatory database information was provided by ERIS, a contract information services company. The purpose of the records review was to identify RECs in connection with the site. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated. The scope herein did not include confirmation of facilities listed as "unmappable" by regulatory databases.

In some of the following subsections, the words up-gradient, cross-gradient and down-gradient refer to the topographic gradient in relation to the site. As stated previously, the groundwater flow direction and the depth to shallow groundwater, if present, would likely vary depending upon seasonal variations in rainfall and the depth to the soil/bedrock interface. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

4.1 Federal and State/Tribal Databases

Listed below are the facility listings identified on federal and state/tribal databases within the ASTM-required search distances from the approximate site boundaries. Database definition, descriptions, and the database search report are included in Appendix D.

Federal Databases

Database	Description	Distance (miles)	Listings
FED BROWNFIELDS	Brownfields Management System	0.5	0
SEMS	Superfund Enterprise Management System	0.5	0
SEMS-ARCHIVE	SEMS Archive	0.5	0
ERNS	Emergency Response Notification System	Site	0
FED IC / FED EC	Institutional Control/Engineering Control	Site	0
FINDS/FRS	Facility Registry Service/Facility Index	Site	1
HMIRS	Hazardous Materials Information Reporting System	0.125	2
NPL	National Priorities List	1	0
DELETED NPL	National Priorities Delisted List	0.5	0
RCRA SQG	Resource Conservation and Recovery Act – Small Quantity Generator Facility	0.25	1
RCRA NON GEN	RCRA Non-Generator/No Longer Regulated	0.25	2
RCRA CESQG	RCRA Conditionally Exempt Small Quantity Generator	0.25	1
RCRA CORRACTS	RCRA Corrective Action Activity	1	2
RCRA TSD	RCRA Non-Corrective Action Activity	0.5	1

State/Tribal Databases

Database	Description	Distance (miles)	Listings
AST	Aboveground Storage Tank Facilities	0.25	0
AUL	Activity and Use Limitation	0.5	0
LST	Leaking Underground Storage Tanks	0.5	2
SHWS	State Hazardous Waste Sites	0.5	0
SWF/LF	Solid Waste Facilities/Landfills	0.5	0
UST	Underground Storage Tank Facilities	0.25	1
VCP	Voluntary Cleanup Program	0.5	2

In addition to the above ASTM-required listings, Terracon reviewed other federal, state, local, and proprietary databases provided by the database firm. A list of the additional reviewed databases is included in the regulatory database report included in Appendix D.

The following table summarizes the site-specific information provided by the database and/or gathered by this office for identified facilities. Facilities are listed in order of proximity to the site within 500 feet (as verified by Terracon using additional sources), and/or as deemed to have the potential to impact the site. Additional discussion for selected facilities follows the summary table.

Listed Facilities

Facility Name and Location	Estimated Distance / Direction / Gradient	Database Listings	Is a REC, CREC, or HREC to the Site
Future Legends 801 Diamond Valley Drive	Subject site	NPDES, FINDS/FRS	No, based on discussion below
The Hot Rod Factory 1111 Diamond Valley Drive #108	Adjoining SW / up-gradient	RCRA NON GEN	No, based on discussion below
Noffsinger Farm I, II Weld County Road 66	See below	VCP	No, based on distance
720 East Garden Drive	Adjoining / N / up-gradient	SPILLS	No, based on discussion below
9522 Eastman Park Drive	Approximately 350 feet / SW / cross-gradient	HMIRS	No, based on discussion below
9492 Eastman Park Drive	Approximately 500 feet / SW / cross-gradient	SPILLS	No, based on distance and hydrologic gradient

Future Legends

The Future Legends facility, listed on the subject site, is listed in the National Pollutant Discharge Elimination System (NPDES) and the Facility Registry Service/Facility (FINDS/FRS) databases. The NPDES listing is reportedly due to stormwater discharge associated with construction activities and is not considered a REC. The FINDS/FRS listing is reportedly due to a non-major NPDES-related filing in 2020. According to information obtained from the Environmental Protection Agency (EPA)'s database, no violations have been identified with the construction permits. The Future Legends facility does not appear to constitute a REC to the site.

The Hot Rod Factory

The Hot Rod Factory, formerly located at 1111 Diamond Valley Drive #108 to the adjacent west and up-gradient relative to the site, was identified on the RCRA Non Generator (RCRA-NON GEN) list in August 2011. A search of the EPA's RCRAInfo site yielded no RCRA violations associated with the listing. Online CDPHE records did not provide additional information. Based on regulatory status, the former Hot Rod Factory does not constitute a REC to the site.

Noffsinger Farm I, II

APPENDIX B
SITE PHOTOGRAPHS

1. View of western portion of site, facing north.

2. View of site, facing east from western property boundary.

3. View of western portion of site and pad-mounted transformer, facing south.

4. View of Diamond Valley Drive followed by adjacent properties to the west of the site, Windsor Gymnastics Academy and Windsor Charter Academy, facing west from the site.

5. Garden Drive followed by Windsor Guardian Self Storage, to the adjacent north of the site.

6. GLH Construction, to the adjacent north of the site.

7. View of commercial properties at 1111 Diamond Valley Drive, to the adjacent southwest of the site, facing south.

8. View of adjacent properties to the southwest, including Southern Exposure Landscape, facing west from the site.

9. View of Eastman Park Drive followed by vacant/agricultural land to the adjacent south of the site, facing south.

10. View of residence at 9695 Eastman Drive to the adjacent south of the site, facing north.

11. Vacant portion of land to the adjacent northeast followed by railroad, facing west.

12. View of Consolidated Law Ditch, which transects the eastern portion of the site, vacant land to the adjacent east, facing east.

13. View of an onsite baseball field, 1/3.

14. View of concessions area.

15. View of a typical dugout.

16. View of utility area inside concessions building (irrigation equipment).

17. Inside of a storage closet in concessions building.

18. View of dugout and maintenance/storage near concessions (this storage area inaccessible during site reconnaissance).

19. View of gravel piles observed onsite, near center of property.

20. View of soccer fields onsite, to the east of sports complex/baseball fields.

21. View of irrigation pond on northeastern portion of site, facing east.

22. View of irrigation pump house (inaccessible at time of site reconnaissance) and transformer to north of pond, facing north.

23. View of Consolidated Law Ditch transecting the eastern portion of the site, facing south.

24. Fill pile south of irrigation pond, facing north.

25. View of site from eastern central side of property, facing north.

26. View of southern portion of site, from southern boundary, facing west.

27. View of eastern portion of property (east side of Consolidated Law Ditch), facing north from Eastman Park Drive.

28. View of pad-mounted transformer near concession area.

APPENDIX C
SITE PHOTOGRAPHS

1. View of western portion of site, facing north.

2. View of site, facing east from western property boundary.

3. View of western portion of site and pad-mounted transformer, facing south.

4. View of Diamond Valley Drive followed by adjacent properties to the west of the site, Windsor Gymnastics Academy and Windsor Charter Academy, facing west from the site.

5. Garden Drive followed by Windsor Guardian Self Storage, to the adjacent north of the site.

6. GLH Construction, to the adjacent north of the site.

7. View of commercial properties at 1111 Diamond Valley Drive, to the adjacent southwest of the site, facing south.

8. View of adjacent properties to the southwest, including Southern Exposure Landscape, facing west from the site.

9. View of Eastman Park Drive followed by vacant/agricultural land to the adjacent south of the site, facing south.

10. View of residence at 9695 Eastman Drive to the adjacent south of the site, facing north.

11. Vacant portion of land to the adjacent northeast followed by railroad, facing west.

12. View of Consolidated Law Ditch, which transects the eastern portion of the site, vacant land to the adjacent east, facing east.

13. View of an onsite baseball field, 1/3.

14. View of concessions area.

15. View of a typical dugout.

16. View of utility area inside concessions building (irrigation equipment).

17. Inside of a storage closet in concessions building.

18. View of dugout and maintenance/storage near concessions (this storage area inaccessible during site reconnaissance).

19. View of gravel piles observed onsite, near center of property.

20. View of soccer fields onsite, to the east of sports complex/baseball fields.

21. View of irrigation pond on northeastern portion of site, facing east.

22. View of irrigation pump house (inaccessible at time of site reconnaissance) and transformer to north of pond, facing north.

23. View of Consolidated Law Ditch transecting the eastern portion of the site, facing south.

24. Fill pile south of irrigation pond, facing north.

25. View of site from eastern central side of property, facing north.

26. View of southern portion of site, from southern boundary, facing west.

27. View of eastern portion of property (east side of Consolidated Law Ditch), facing north from Eastman Park Drive.

28. View of pad-mounted transformer near concession area.

APPENDIX D
CULTURAL RESOURCES DOCUMENTATION

A Class III Cultural Resources Survey, Evaluation, and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

Prepared By:
Nicholas Powell
March 31, 2021
Terracon Project No. 20207040

_____
Ann M. Scott, PhD, RPA
Archaeologist
Principal Investigator, Archaeology

for_____
Nicholas C. Powell
Architectural Historian
Principal Investigator, Architectural History

Prepared For:
Future Legends, LLC
Windsor, Colorado

ABSTRACT

On behalf of Future Legends, LLC, Terracon Consultants, Inc. (Terracon) conducted a Class III cultural resources survey, evaluation, and architectural survey for a proposed sports complex facility. The proposed project area consists of approximately 118 acres of land located southeast of East Garden Drive and Diamond Valley Drive in Windsor, Weld County, Colorado. It is Terracon's understanding that the sports complex facility with associated parking lots and buildings/structures will be constructed on 118 acres of undeveloped land. For the purposes of this project, the Area of Potential Effects (APE) was defined as the project area for direct effects and parcels that abut the project area for visual effects.

The United State Department of Agriculture (USDA) Rural Development elects to fund the project, therefore, this project constitutes an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

Prior to fieldwork, a background research and literature review was conducted. One previous cultural resources survey overlaps the APE, and one previously recorded archaeological site, 5WL.7222.1, is located within the APE. Fieldwork was conducted on November 9 and 13, 2020, and on March 10, 2021. The Class III cultural resource survey was performed by Dante Knapp (Metcalf Archaeological Consultants, Inc.). No archaeological resources were observed during the survey. The cultural resource evaluation and architectural history survey was performed by Mr. Nicholas Powell (Terracon Consultants, Inc.). The fieldwork results were overseen by Ann M. Scott, PhD, RPA, a Principal Investigator who meets the *Secretary of the Interior's Professional Qualifications Standards* for archaeology. Additionally, Terracon surveyed five parcels with historic-age buildings within the APE for visual effects and recommends the buildings not eligible for inclusion on the National Register of Historic Places (NRHP). Therefore, Terracon recommends a finding of ***No Effect to Historic Properties*** within the APE for visual effects. In addition, the Consolidated Law Ditch (5WL.7222.1), is present within the APE for direct effects. Because prior mitigation covered this segment of the Consolidated Law Ditch (5WL.7222.1), which was confirmed in consultation with Colorado SHPO, the prior documentation is applicable to this project and a Memorandum of Agreement is not warranted.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

APPENDIX

1.0 PROJECT INFORMATION

Terracon understands that Future Legends, LLC is proposing to construct a sports complex facility under the following specifications:

Table 1: Site Information

Project Name:	Future Legends Sports Complex
Terracon Project Number:	20207040
Address:	801 Diamond Valley Drive
City, County, State:	Windsor, Weld County, Colorado
Section/ Township/ Range:	Township 6N/ Range 67W/ Section 22
Topo Quad Name/Date:	USGS 7.5-Minute Quadrangle, *Windsor, Colorado, 1969* and *Bracewell, Colorado, 1980*
Direct Area of Potential Effect:	Project area (118 acres)
Visual Area of Potential Effect:	Immediate adjacent parcels

On behalf of the Future Legends, LLC, Terracon Consultants, Inc. (Terracon) conducted a Class III survey for archaeological resources and architectural history evaluation for a proposed sports complex facility and adjacent parcels. It is Terracon's understanding that the proposed sports complex facility will be constructed on 118 acres of partially developed land. The goal of the evaluation was to determine if National Register of Historic Place (NRHP)-eligible or NRHP-listed properties are located within the Area of Potential Effect (APE) for the proposed project. The APEs for direct and visual effects for this project are summarized in the above table (Figure 1 and Figure 2).

The United State Department of Agriculture (USDA) Rural Development elects to fund the project, therefore, this project constitutes an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Terracon is continuing Section 106 consultation on behalf of USDA Rural Development. In delegating this authority, USDA Rural Development is advocating for the direct interaction between its borrowers and the State Historic Preservation Office (SHPO). USDA Rural Development believes this interaction, prior to direct agency involvement, will support and encourage the consideration of impacts to historic properties earlier in project planning.

2.0 PROJECT AREA DESCRIPTION

The project area is located at 801 Diamond Valley Drive, southeast of the intersection of Diamond Valley Drive and East Garden Drive in Windsor, Weld County, Colorado. The proposed project area is partially undeveloped land. Surrounding land consist of undeveloped parcels to the northeast, east, and south and partially developed parcels with buildings to the southwest, west, and northwest:

- North – GLH Construction Inc. (780 East Garden Drive, Parcel #080722010010); Windsor Guardian Self Storage (760 East Garden Drive, Parcel #080722115001 and #080722215002)

- Northeast – Vacant Land (Parcel #080722010011 and #080722008001)

- East – Vacant Land (Parcel #080722008001 and #080722007003)

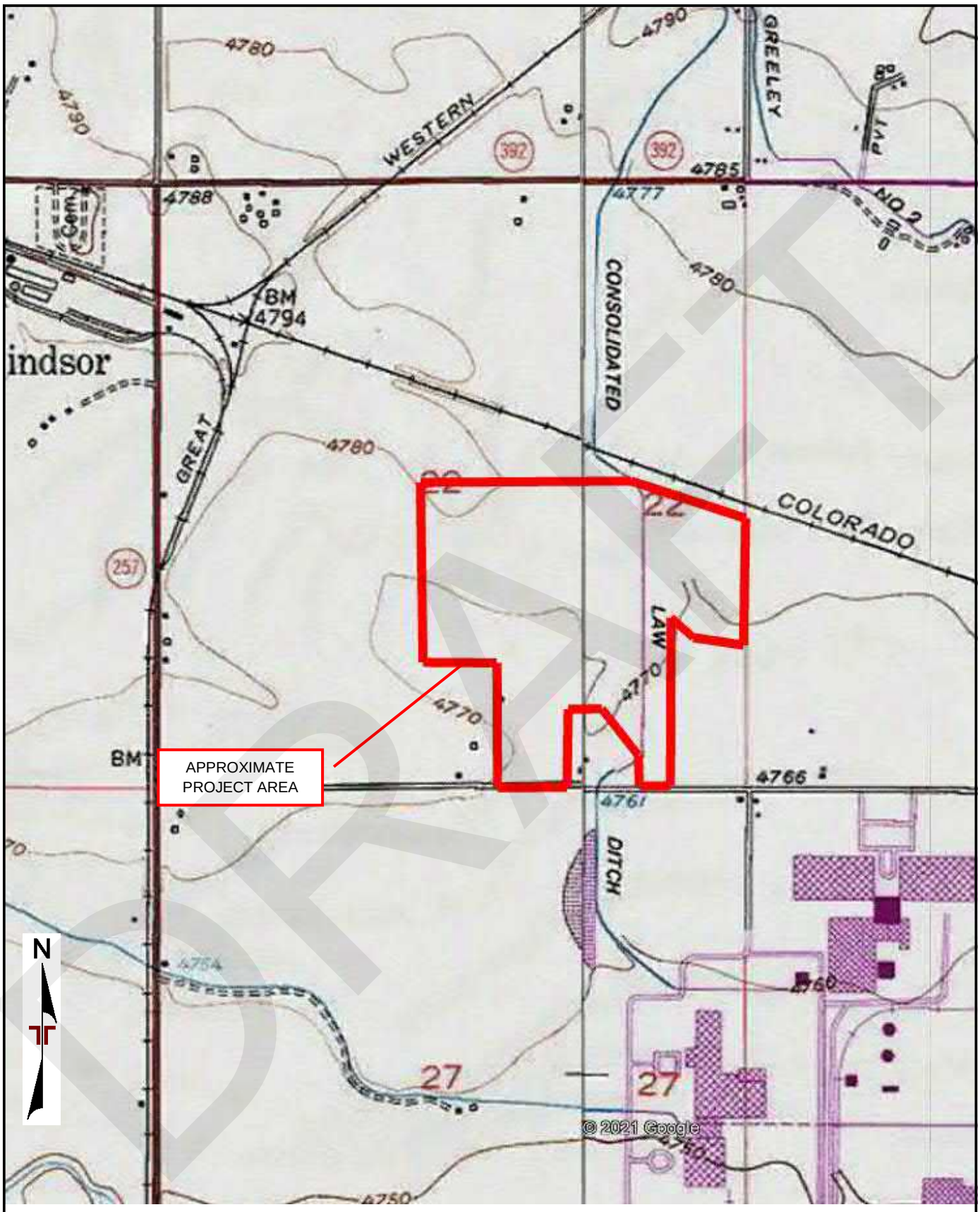
- Southeast – Residence (9695 Eastman Park Drive, Parcel #080722400068)

- South – Agricultural Land (Parcel #080727100014 and #080727100011)

- Southwest – Residence (9535 Eastman Park Drive, Parcel #080722405002); Southern Exposure Landscape (742-750 Jackson Court, Parcel #080722416006, #080722416007, and #080722416008); and Mixed Business Building (1111 Diamond Valley Drive, Parcel #080722316009)

- West – Vacant Land (Parcel #080722315005, #080722315002, and #080722012009); and Windsor Charter Academy (680 Academy Court, Parcel #080722320001)

- Northwest – United Rentals (698 Technology Circle, Parcel #080722009007)



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO (1/1/1969) and BRACEWELL, CO (1/1/1980).

Project Manager: AV Drawn by: NCP Checked by: SEV Approved by: AMS	Project No. 20207040 Scale: 1"=2,000' File Name: FutureLeg Date: 2/1/21	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	FIGURE 1

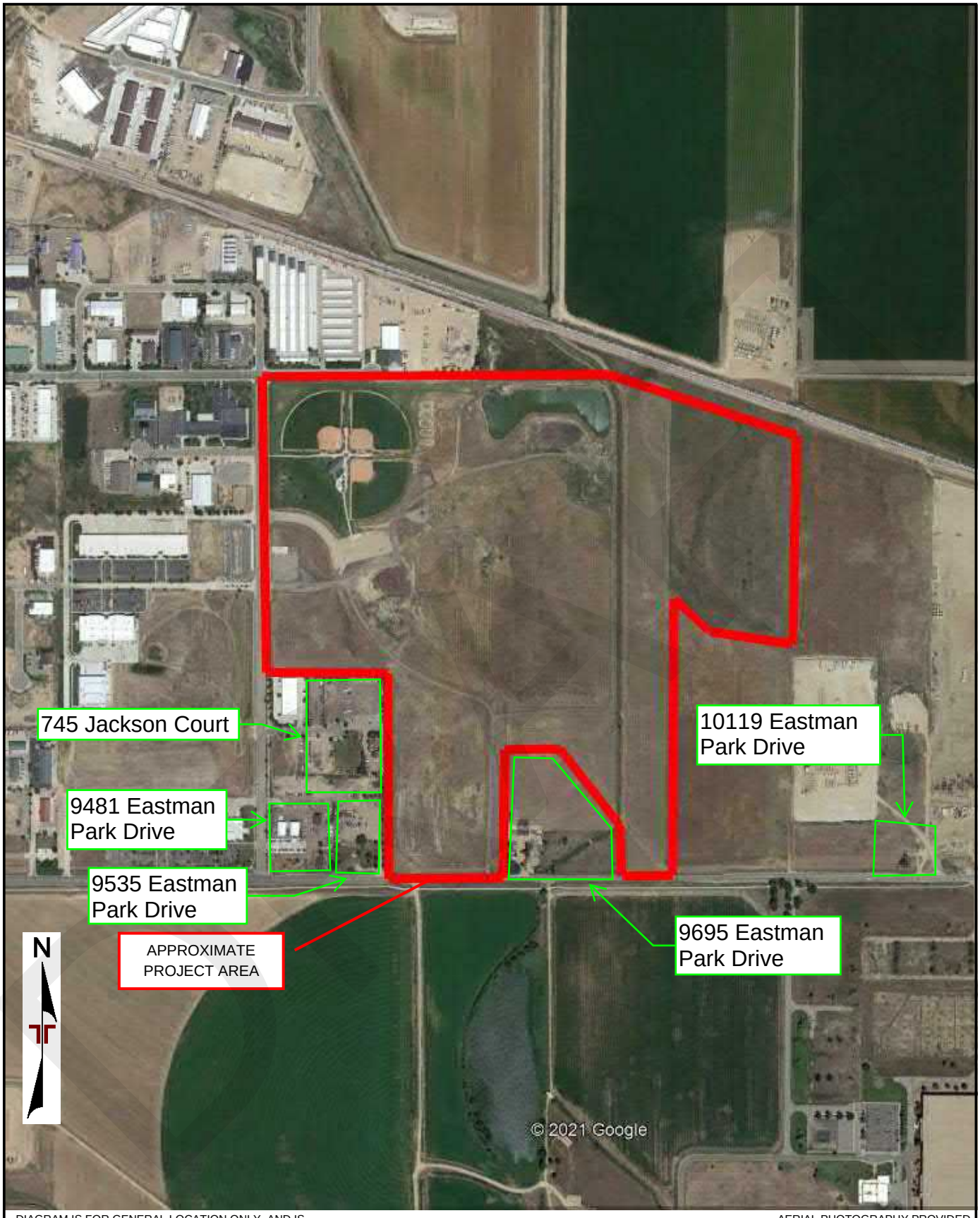


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

AERIAL PHOTOGRAPHY PROVIDED BY MICROSOFT BING MAPS

Project Manager: AV Drawn by: NCP Checked by: SEV Approved by: AMS	Project No. 20207040 Scale: AS SHOWN File Name: FutureLeg Date: 2/1/21	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	SITE DIAGRAM Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	FIGURE 2

3.0 ENVIRONMENTAL SETTING

The APE is located approximately 1,455 meters (4,774 feet) above mean sea level and is located on private land (see Figure 1). The area lies within the Colorado Piedmont-Great Plains physiographic province of Colorado and is part of the Cache La Poudre Watershed. More specifically, the direct APE is in Middle Park basin and Fraser River Valley. The closest water source near the proposed sports complex facility is the Poudre River, which is approximately 2.6 kilometers south of the APE. See Table 2. for more environmental information.

In terms of present conditions, the APE consists of primarily undeveloped land. There is evidence of ground disturbance from current construction (see Appendix for photographs of the project area).

Table 2. Physiographic information for site and surrounding area.

Soil Type	Ascalon loam, 0-1 percent slopes (8) Kim loam, 1-3 percent slopes (32) Nunn clay loam, 0-1 percent slopes (41) Olney fine sandy loam, 1-3 percent slopes (47) (USDA 2021)
Description	(8): Typical profile: well-drained soil; loam (0-6 inches), sandy clay loam (6-19 inches), and fine sandy loam (19-80 inches). (32): Typical profile: well drained soil; loam (0-40 inches) and fine sandy loam (40-60 inches). (41): Typical profile: well drained soil; clay loam (0-31 inches) and loam (31-80 inches). (47): Typical profile: well drained soil; fine sandy loam (0-10 inches), sandy clay loam (10-25 inches), and fine sandy loam (25-60 inches).
Geologic Formation	Quaternary
Description	Gravel and alluviums including Broadway and Louviers alluviums (Tweto 1979).

4.0 CLASS I RECORDS REVIEW

4.1 Previous Archaeological Investigations in the Project Vicinity

Prior to fieldwork, Terracon conducted an online records search using the Colorado State Historic Preservation Office-Office of Archaeology and Historic Preservation's Colorado Online Cultural Resource Database (Compass) on August 21, 2020 to determine the presence or absence of previously recorded NRHP-listed sites or those considered eligible for listing on the NRHP within the APE (Powell and Newcomb 2020). Terracon additionally reviewed historical aerials and historical United States Geological Survey (USGS) topographic maps. The historical

aerial images and Weld County Assessor information were used to date structures in the APE. The direct APE is defined as the project area and visual APE as the adjacent parcels.

Previous Investigations in the Project Vicinity

According to the Compass database and historical maps and aerial imagery, there are two previously evaluated historic-age resources within the direct effects APE. One of the resources, Consolidated Law Ditch (5WL.7222.1), has been determined NRHP eligible (see Table 4). A portion of the project APE has been previously surveyed. According to Compass, there were five surveys and 74 cultural resources previously recorded within one mile of the project area (Tables 3 and 4).

Table 3: Previous Projects within one mile of the Project Area

Report Name	Company	Date of Survey/ Author
Kinder Morgan Colorado Lateral Pipeline Project, Rockport To Greeley, Weld and Larimer Counties, Colorado: Results of An Intensive Pedestrian Cultural Resources Survey²Kinder Morgan Colorado Lateral Pipeline Project, Pipeline Laterals, Weld County, Colorado: Results of An Intensive Pedestrian Cultural Resources Survey²Addendums 1, 2, 3, 4, 5, 6, And 7	URS Corporation for The Federal Energy Regulatory Commission	2007/ Mutaw, Robert and Elizabeth Roberts
Public Service Company of Colorado Ault To Fort St. Vrain 230 KV Transmission Line Weld County, Colorado	Powers Elevation	1989/ O'Neil, Brian
Owens-Brockway Bottle Manufacturing Plant 115KV Transmission Line Intensive Inventory for Cultural Resources, Weld County, Colorado	RMC Consultants, Inc. for the Department of Energy	2004/ Barclay, Dulaney
John Law Ditch Flood Mitigation Project, Weld County, Colorado: Results of An Intensive Cultural Resources Inventory*	**URS Group, Inc. For the City of Windsor And the Federal Emergency Management Agency**	**2012/ Fariello, Juston, B.A.**
Historic Resources Survey Report, Windsor, Colorado	Not Provided	1997/ Foster, Paul, Barbara Norgren, Todd Vess

within project area

Table 4: Previously Recorded Archaeological Resources within one mile of the Project Area

Site ID	Name	Status	Description
5WL.835	Zion Evangelical, Our Lady of The Valley Catholic Church	Eligible	1914 Church
5WL.836	St Johns Evangelical Church	Eligible -Field	1905 Church
5WL.837	German Congregational Church of Windsor	Not Eligible	1906 Church
5WL.838	Windsor Milling & Elevator Company Building, Windsor Flour Mill	Listed	1899 Flour Mill

Site ID	Name	Status	Description
5WL.841	Great Western Railroad	Eligible	Railroad
5WL.841.13	Great Western Railroad (Eaton Branch)	Eligible -Field	Railroad
5WL.841.17	Great Western Railroad	Eligible -Field	Railroad
5WL.841.21	Greeley No. 2 Canal	Eligible -Field	Canal
5WL.842.9	Greeley Canal #2, Cache La Poudre Canal	Not Eligible -Field	Canal
5WL.866	Windsor Wye (Great Western Railroad), Windsor Wye Switch House	Eligible	Railroad
5WL.1043.11	Colorado And Southern Railroad	Eligible -Field	Railroad
5WL.1043.4	Greeley, Salt Lake, And Pacific Railroad (Segment), Union Pacific Railroad, Colorado And Southern Railroad	Not Eligible	Railroad
5WL.2313		Not Eligible	Historic Structure
5WL.2314		Not Eligible	Historic Structure
5WL.2315	Maurice Swank & T. Walden Building	Not Eligible	Historic Structure
5WL.2316		Not Eligible -Field	Historic Structure
5WL.2317		Not Eligible -Field	Historic Structure
5WL.2318		Not Eligible -Field	Historic Structure
5WL.2319		Not Eligible -Field	Historic Structure
5WL.2320		Not Eligible -Field	Historic Structure
5WL.2321		Not Eligible -Field	Historic Structure
5WL.2322		Not Eligible -Field	Historic Structure
5WL.2323		Not Eligible -Field	Historic Structure
5WL.2324		Not Eligible -Field	Historic Structure
5WL.2325		Not Eligible -Field	Historic Structure
5WL.2326		Not Eligible -Field	Historic Structure
5WL.2327		Not Eligible -Field	Historic Structure
5WL.2328		Not Eligible -Field	Historic Structure
5WL.2329		Not Eligible -Field	Historic Structure
5WL.2330		Not Eligible -Field	Historic Structure
5WL.2331		Not Eligible -Field	Historic Structure
5WL.2332		Not Eligible -Field	Historic Structure
5WL.2349		Not Eligible -Field	Historic Structure
5WL.2351		Not Eligible -Field	Historic Structure
5WL.2353		Not Eligible -Field	Historic Structure
5WL.2354		Not Eligible -Field	Historic Structure
5WL.2355		Not Eligible -Field	Historic Structure
5WL.2356		Not Eligible -Field	Historic Structure
5WL.2357		Not Eligible -Field	Historic Structure
5WL.2358		Not Eligible -Field	Historic Structure
5WL.2359		Not Eligible -Field	Historic Structure
5WL.2360		Not Eligible -Field	Historic Structure
5WL.2361		Not Eligible -Field	Historic Structure

Site ID	Name	Status	Description
5WL.2459		Not Eligible -Field	Historic Structure
5WL.2460		Not Eligible -Field	Historic Structure
5WL.2461		Not Eligible -Field	Historic Structure
5WL.2462		Not Eligible -Field	Historic Structure
5WL.2463		Not Eligible -Field	Historic Structure
5WL.2469		Not Eligible -Field	Historic Structure
5WL.2470		Eligible -Field	Historic Structure
5WL.2471	William Kaiser House	Not Eligible -Field	Historic Structure
5WL.2475		Not Eligible	Historic Structure
5WL.2476		Not Eligible -Field	Historic Structure
5WL.2477		Not Eligible -Field	Historic Structure
5WL.2478		Not Eligible -Field	Historic Structure
5WL.2479		Not Eligible -Field	Historic Structure
5WL.2480		Not Eligible -Field	Historic Structure
5WL.2483		Not Eligible -Field	Historic Structure
5WL.2484		Not Eligible -Field	Historic Structure
5WL.2485		Not Eligible -Field	Historic Structure
5WL.2486		Eligible	Historic Structure
5WL.2487		Not Eligible -Field	Historic Structure
5WL.2488		Not Eligible -Field	Historic Structure
5WL.2492		Not Eligible -Field	Historic Structure
5WL.2516		Not Eligible -Field	Historic Structure
5WL.2524	Windsor Sugar Company Factory	Eligible	1903 Factory
5WL.2526	City Park	Not Eligible -Field	1908 Park
5WL.3047	Greeley No.2 Canal Bridge~New Cache La Poudre Canal Bridge~Union Colony No.2 Canal Bridge ~CDOT No. Wel021.0-068.0a	Not Eligible	Canal
5WL.4795		Not Eligible -Field	Ditch
5WL.4796		Not Eligible	Ditch
5WL.5603	Ernest U. Minckwitz House/Windsor Milling & Elevator Company Manager's House/Stoll House, Schmittling Residence	Not Eligible	Historic Structure
5WL.7221*		**Not Eligible-Field**	**Glass**
5WL.7222.1*	**Consolidated Law Ditch**	**Eligible -Field**	**Ditch**
5WL.7241.1	John Law Ditch	Not Eligible -Field	Ditch

within project area

4.2 Previously Evaluated Historic-Age Resources Identified in the APE for Visual Effects

In discussions with USDA and SHPO, the architectural historian considered the visual APE as the adjacent parcels that directly abut the project area. An online review was conducted of the National Historic Landmark (NHL) database and the Colorado Office of Archaeology and Historic

Preservation (OAHP) Compass databases to identify previously evaluated historic properties that are listed or determined eligible for inclusion in the NRHP, within the visual effects APE of the proposed project. Research was conducted by Terracon on August 21, 2020 as well as November 5, 2020. According to this research, no previously evaluated historic-age resources are located within the visual effects APE.

Using the Weld County Assessor database, research indicates there are five parcels containing historic-age resources within the visual APE. The proposed sports complex facility will be visible from the five historic-age resources at 745 Jackson Court, 9481 Eastman Park Drive, 9535 Eastman Park Drive, 9695 Eastman Park Drive, and 10119 Eastman Park Drive. The five single-family residences and their built dates per the County Assessor are: 745 Jackson Court built in 1899, 9481 Eastman Park Drive built in 1910, 9535 Eastman Park Drive built in 1960, 9695 Eastman Park Drive built in 1909, and 10119 Eastman Park Drive built in 1910. The nature of the project will introduce visual elements not historically associated with the surrounding viewshed.

5.0 STATEMENT OF OBJECTIVES & RESEARCH DESIGN

The objective of the cultural resources evaluation was to identify NRHP-eligible or NRHP-listed resources or those considered eligible for listing in the NRHP within the APEs for the proposed undertaking. To achieve this objective, the research design entailed a review of pertinent site and survey records for the area, and a visit to the APE to examine the potentially affected area.

6.0 ARCHAEOLOGICAL FIELD METHODS

The cultural resource evaluation within the APE focused on the Consolidated Law Ditch (5WL.7222.1), the NRHP-eligible resource identified during the records search. An intensive cultural resources survey was not performed in this portion of the project area due to previous disturbances across the majority of the APE. The evaluation of the Consolidated Law Ditch was performed by Mr. Nicholas Powell over a period of three hours. The fieldwork results were overseen by Ann Scott, PhD, RPA, a Principal Investigator who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology. Fieldwork was completed on November 9, 2020. Evaluation of the Consolidated Law Ditch included detailed observations and notes, as well as photographic documentation using a digital camera.

Subsequent to the cultural resource evaluation of the Consolidated Law Ditch and the architectural survey of the adjacent parcels, OAHP requested a Class III cultural resources survey of the northeast portion of the project area, corresponding to approximately 22 acres. Terracon contracted Metcalf Archaeological Consultants, Inc. (Metcalf) to perform the Class III cultural resources survey. Metcalf conducted the Class III survey on March 10, 2021.

7.0 RESULTS

Per a request from OAHP, a Class III cultural resources survey was carried out by Metcalf on behalf of Terracon on March 10, 2021. The survey was performed in the northeastern portion of the project area corresponding to an approximate 22-acre area. No cultural resources were observed during the survey (see Appendix A for a copy of the survey report).

A cultural resources evaluation of Consolidated Law Ditch (5WL.7222.1) was performed within the APE to document the current condition of 5WL.7222.1. Terracon's evaluation of the Consolidated Law Ditch confirms the ditch is an earthen construction, extending north-south through the eastern portion of the APE (Figure 3).

The Consolidated Law Ditch was constructed by Andrew Law and his sons in about 1883 to irrigate lands owned by the family at the Cache La Poudre River and north along the Black Hollow dry wash (URS 2012). The Consolidated Law Ditch is associated with the early development of agricultural irrigation in the area and the development of nearby local communities, as well as the Law family, one of the pioneering farming families in the area (URS 2012). SHPO determined the Consolidated Law Ditch (5WL.7222.1) to be eligible for listing in the NRHP under Criteria A and B (Fariello 2012). However, necessary improvements undertaken by the City of Windsor for flood control resulted in an adverse effect to 5WL.7222.1 and a Memorandum of Agreement (MOA) was set in place and mitigation in the form of SHPO Level II documentation was performed (URS 2013) and found acceptable by the SHPO (see SHPO correspondence letter in Appendix).

Figure 3. Overview of Consolidated Law Ditch, looking north (5WL.7222.1)

During Terracon's evaluation of Consolidated Law Ditch (5WL.7222.1) within the APE, numerous historical-period artifacts were observed on the berm along the edge of the ditch (see Figure 3). Observed artifacts include approximately 90 pieces of concrete, 55 bricks, assorted metal items, and modern trash. Some of the bricks have diagnostic makers-marks, including DFC Co. and S.F.B CO PUEBLO (Figures 4 and 5). Diagnostic bricks with DFC Co. were manufactured by the Denver Fire Clay Company, and diagnostic S.F.B CO PUEBLO were from the Standard Fire Brick Company. The Denver Fire Clay Company and Standard Fire Brick Company were two of larger industrial brick companies along the Front Range, "where large clay deposits existed, demand from industry was substantial, and excellent railroad transportation existed" (Church et al. 2007:375). The Denver Fire Clay Company opened in 1876 as a drugstore operated by J. O. Bosworth, who sold chemicals and equipment for mining and clay manufacture. By 1880, Bosworth moved to a new location and began the production of fire-resistant bricks. The company continued after Mr. Bosworth's death until about 1937. The Standard Fire Brick Company opened in Pueblo, Colorado in 1891 by Francis Le Grand Capers. Over the years the company changed ownership, and the brick manufacturing plan remained in operation until the 1990s (CDOT 2009). Bricks with Denver Fire Clay Company stamps are historical-period in age, manufactured between 1880-1937. Standard Fire Brick Company bricks were in production during the same time, but continued into the 1990s.

Artifacts observed along the berm of the Consolidated Law Ditch are historical-period in age; however, the artifacts do not appear to be in a primary context. No evidence of historical-period buildings or structures were observed in the vicinity of the Consolidated Law Ditch that would account for the presence of bricks and other construction debris. As a result, Terracon concludes that the material along the edge of the Consolidated Law Ditch likely is imported fill material, possibly used to stabilize the ditch edge.

Figure 4. Denver Fire Clay Company (DFC Co) brick

Figure 5. Standard Fire Brick Company (S.F.B CO PUEBLO) brick

8.0 ARCHAEOLOGICAL EVALUATION & RECOMMENDATIONS

As part of the evaluation of the Consolidated Law Ditch (5WL.7222.1), Terracon documented the current condition of the ditch and recorded the presence of a historical artifact scatter as fill materials. Because the prior mitigation covered this segment of the Consolidated Law Ditch (5WL.7222.1), which was confirmed in consultation with Colorado SHPO, the prior documentation is applicable to this project and a MOA is not warranted. Terracon recommends no further investigation for the project.

The recommendations of this cultural resources survey and evaluation are based solely on the information and research publicly available at the state, federal, and local levels as well as the fieldwork conducted in the APE. No archaeological survey or evaluation can wholly determine the presence of deeply buried archaeological features; therefore, should buried artifacts, human remains, cultural sites or ground features be unexpectedly unearthed during construction activities, those construction activities should immediately cease, and the resources should be examined by a professional archaeologist. Additionally, appropriate authorities including pertinent tribal entities and the SHPO should be notified. Inadvertent discoveries of human remains should follow Colorado's legal standards concerning human burials.

9.0 VISUAL EFFECTS EVALUATION & RECOMMENDATIONS

The proposed project is a USDA-funded development. In consultation with SHPO and USDA, the visual APE for this project includes parcels immediately adjacent to the project area.

An online review was conducted of the NHL database and the Colorado OAHP's Compass databases to identify resources listed or recommended eligible for listing in the NRHP within the visual effects APE of the proposed project. Research was conducted by Terracon on November 5, 2020. The research indicates there are no previously recorded historic properties within the visual APE. Upon further research using the Weld County Assessor Records, five parcels containing nine buildings and structures within the visual APE are 50-years or older, requiring NRHP-eligibility evaluations. Located south and southwest of the project area located at 801 Diamond Valley Drive (Parcel #080722416017, #080722416015, #080722416018, #080722416016, and #080722416019) are seven unevaluated historic-age buildings on three parcels (745 Jackson Court, 9535 Eastman Park Drive, and 9565 Eastman Park Drive). The seven buildings were built in 1899, 1909, 1940, 1941, 1957, and 1960. To the southeast is 10119 Eastman Park Drive (Parcel #080723300005) with two historic-age buildings built in 1910. Additionally, one parcel adjacent to the parcels within the visual APE was also evaluated as a historic-age building (barn) on the parcel and was significantly taller than the surrounding historic buildings. This additionally evaluated parcel is located at 9481 Eastman Park Drive (Parcel #080722416001). The buildings were surveyed using windshield survey methods from the public right-of-ways.

Survey Results

Terracon documented the three parcels with unevaluated historic-age buildings (LS01, LS02, LS03, LS04, and LS05) within the visual APE for the proposed sports complex development on November 9-10, 2020. The parcels and their building built years are as follows: LS01 – 745 Jackson Court (built 1899 and 1940), LS02 – 9535 Eastman Park Drive (built 1960), LS03 – 9565 Eastman Park Drive (built 1909, 1941, and 1957), LS04 – 9481 Eastman Park Drive (built 1910 and 1924), and LS05 – 10119 Eastman Park Drive (built 1910).

Architectural Descriptions

LS01: 745 Jackson Court, Parcel #080722416006 (built 1899 and 1940)

The house at 745 Jackson Court is a one-story building located in Windsor, Weld County, Colorado (see Figure 6). The house is an example of the Folk Victorian style, but has been heavily modified. The complex roof is a pyramidal roof with gabled wings and red asphalt shingles. The house, built in 1909 according to Weld County assessor records, is clad with yellow-painted stucco and the windows look to have been updated with vinyl replacements. The primary entrance to the 1909 house appears to be on the southern elevation.

Figure 6. House and detached garage (LS01), 745 Jackson Court.

The detached garage associated with the house was built in 1940, per Weld County Assessor records. This yellow-painted stucco-clad, white-trimmed garage is one-and-one-half stories tall. The garage features a front-gabled roof with red-colored asphalt shingles and three skylights on the western side of the roof. Additionally, the garage features a spiral staircase on the northern elevation which leads to a second-story door. The southern elevation features a garage door; however, the building does not appear to function as a garage and its originally intended purpose. Overall, the parcel and two historic-age buildings have changed greatly since their inceptions in 1909 and 1940. The use of the parcel has changed from single-family residence to commercial and is currently used as professional offices for a landscaping company. It appears the buildings have been altered for use as offices while the land is no longer agriculturally/farmstead inclined, and has been transformed as a showspace for the landscaping company's work.

LS02: 9535 Eastman Park Drive, Parcel #080722405002 (Built 1960)

The building at 9535 Eastman Park Drive was constructed in 1960, as indicated by the Weld County Assessor records (see Figure 7). This L-shaped, one-story siding-clad house fronts on Eastman Park Drive. The building is designed in a Minimal Traditional Ranch style. The building measures approximately 80-feet long by 45-feet wide with a low-pitched complex hipped rooftop with wide-overhanging eaves. According to the Weld County Assessor, the building is 1,680 square feet with a 528 square foot garage (attached).

Figure 7. Residence at 9535 Eastman Park Drive (LS02).

The building's south and main elevation on Eastman Park Drive features a simple façade with two doorways, garage bays and various windows. This south elevation has two single garage door bays with an adjacent doorway for access to the garage area. Also featured are three large picture windows, the third picture window featuring three panes. The primary entrance to the house is tucked inside away from the street with a half-pony wall extending around the entryway.

The east elevation of the building features one small window into the garage area. The west elevation of the building features three window openings; the first at the southwest corner of the building is a large picture window. The other two on the west elevation are vinyl slider windows. GoogleEarth aerials show a large patio area off the rear of the building on the north elevation. Also located on the parcel to the rear of the 1960-ranch is a storage warehouse built in 2003 and a utility building built in 2014 per the Weld County Assessor.

LS03: 9695 Eastman Park Drive, Parcel #080722400068 (Built 1909, 1941, and 1957)

This is a one-story house located off of Eastman Park Drive in Windsor, Weld County, Colorado and part of an equestrian complex (see Figure 8). Designed in a simple National Folk style, the single-family residence features a large rustic centralized internal stone chimney seen from Eastman Park Drive. The home's roof form is hipped with brown-colored asphalt shingles. The home also features wide-planked siding painted green. Many of the windows seem to have been replaced based on what can be seen from public right-of-ways and the project area. The area adjacent to the home and parcel is densely shielded with mature trees. The parcel also features various other equestrian-associated buildings and structures as the parcel appears to be an actively functioning equestrian complex.

Figure 8. Historic-age equestrian complex (LS03), 9695 Eastman Park Drive.

According to the Weld County Property Portal, the parcel has three other buildings in addition to the 1909 house. The parcel also features a "shed-utility" built in 1957, a "shed-equipment" built in 1957, and a "shed-utility" built in 1941. GoogleEarth reveals the parcel has several paddock structures for equestrian uses, including a notable circular paddock east of the 1909 house. The last notable feature of the parcel at 9695 Eastman Park Drive is the ditch that runs through the parcel at its southeast corner.

LS04: 9481 Eastman Park Drive, Parcel #080722416001 (Built 1910 and 1924)

This parcel features two notable historic-age buildings that could be evaluated from the public right-of-way, a house and barn (Figure 9). The house on the parcel was built in 1910, and the barn was built in 1924. Additionally, on the parcel are three other buildings built in 1930, 1940, and 1950 but could not be seen or evaluated from the public right-of-way along Eastman Park Drive. The parcel is currently used for commercial uses and storage.

The 1910-built Craftsman-style house is currently used as an office for a business on the parcel. The home features its original siding; however, the windows have been replaced. The home has a moderately pitched hipped roof with gray asphalt shingles featuring a centralized dormer on the primary façade. Additionally, the home features a small centralized brick chimney and exposed rafter tails.

The 1924-built barn features a prominent gambrel roof over the large two-story building (see Figure 10). At the second-story of the barn there are double-sliding barn doors. These doors were used historically for storing hay; also seen in the gable-end is where hay was hoisted up into the loft. Also seen from Eastman Park Drive is a turret, centrally located on the barn's roof. This barn looks to be currently used for a garage or mechanical storage for the business on the parcel and no longer serving agricultural purposes.

Figure 9. 1910-built house (LS04), 9481 Eastman Park Drive.

Figure 10. 1924-built barn (LS04), 9481 Eastman Park Drive.

LS05: 10119 Eastman Park Drive, Parcel #080723300005 (Built 1910)

This parcel features one historic-age house with one associated utility building that could be evaluated from the public right-of-way (Figure 11). The house on the parcel was built in 1910, and it is unknown when the associated utility building was built. The parcel is currently vacant setting has been greatly altered for industrial oil and gas use.

Figure 11. 1910-built house (LS05), 10119 Eastman Park Drive.

The 1910-built Minimal Traditional Craftsman-style house currently seems vacant on a parcel that has been developed as an oil and gas industrial area. The home features asbestos siding and the windows are original. The home has a moderately pitched gable roof with gray asphalt shingles featuring two small brick chimneys. Additionally, the home features exposed rafter tails.

Historic Context & Significance

In accordance with the *National Register Bulletin: How to Apply the National Register Criteria for Evaluation,* a property is eligible for listing if one of the following criteria for significance are met.

The quality of significance in American History, architecture, archaeology, engineering, and culture is present in buildings, districts, sites, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, 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 significant persons in our past; or*
C. *That embody the distinctive characteristics of a type, period, or method of construction, or that represent with work of a master, or that possess high artistic value, 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 to history or prehistory.*

LS01: 745 Jackson Court, Parcel #080722416006 (Built 1899 and 1940)

CRITERION A: HISTORY

Historically, Weld County and Windsor were settled by German-born and Russian-born immigrants; many farmed sugar beets. Historically, this parcel was a farmstead but is no longer a currently an agricultural lot. Cursory historical research did not reveal the associated

agricultural industry for the farmstead. While the farmstead may have originally contributed to historical patterns of settlement and possess associations with agricultural practices of Weld County, the current parcel is no longer used for that purpose. Lacking association, setting, and feeling, the parcel and its associated agricultural lands have changed in use from residential to commercial. The parcel cannot convey historical significance and, therefore, LS01 does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are examples of the rural and simplified Folk Victorian style, many of their original materials have been altered and additions made to their original plans disrupt the resource's ability to convey significance of the architectural style. Therefore, the historic-age buildings at 745 Jackson Court do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

INTEGRITY

The *National Register Bulletin 15* defines the integrity of historic properties as:

The ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the National Register criteria, but it must also have integrity. The evaluation of integrity...must always be grounded in an understanding of a property's physical features and how they relate to its significance.

The physical integrity and associative qualities of the subject parcel were evaluated according to the seven aspects of integrity and is as follows:

LOCATION

The subject parcels remains in their original location.

DESIGN

Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design.

SETTING

Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial parcels and no reflects the historic setting of the resources.

MATERIALS
The buildings are clad stucco and replacement siding. Windows and roof materials have been altered and include modern materials.

WORKMANSHIP
The buildings are examples of the Folk Victorian style; but evidence of its original workmanship no longer exist.

FEELING
The resources do not retain feeling due to the development of the surrounding area to include commercial development. Additionally, the parcel itself has changed in use to a commercial parcel also.

ASSOCIATION
The buildings have been altered and are now used as commercial buildings supporting a landscaping company. Terracon believes the buildings were originally constructed as a rural farmstead in rural Weld County and Windsor area.

NRHP ELIGIBILITY RECOMMENDATION
The buildings at 745 Jackson Court, constructed in 1899 and 1940, have been altered at their exteriors since original construction as a farmstead in rural Weld County. The buildings have undergone changes with modern windows and fixtures. The original design has been greatly altered by the transformation of the farmstead parcel into a landscaping showcase and expresses low overall integrity. Terracon does not recommend the parcel and buildings eligible for inclusion on the NRHP.

LS02: 9535 Eastman Park Drive, Parcel #080722405002 (Built 1960)
CRITERION A: HISTORY
Cursory research did not reveal historic significance for the basic Ranch parcel at 9535 Eastman Park Drive. Due to the parcel's lack of integrity, it does not possess significance under Criterion A.

CRITERION B: PEOPLE
Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE
Although the building is an example of the Ranch style, the home does not feature any significant or unique character-defining features and the parcel lacks the ability to convey significance of the Ranch architectural style due to the building being a common example of its type and prevalent style in the region. Therefore, the historic-age building at 9535 Eastman Park Drive does not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

INTEGRITY

The physical integrity and associative qualities of the subject parcel were evaluated according to the seven aspects of integrity and is as follows:

LOCATION

The subject parcels remains in their original location.

DESIGN

Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design.

SETTING

Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial parcels and no reflects the historic setting of the resources.

MATERIALS

The building is clad in brick siding. Windows and roof materials have been moderately altered and include some modern materials.

WORKMANSHIP

The building is an example of the Ranch style constructed with low pitched roof and wide overhanging eaves.

FEELING

The resource does not retain feeling due to the development of the surrounding area to include commercial development.

ASSOCIATION

The surrounding buildings have been altered and area is now used as a commercial area. Terracon believes the area was originally rural and agricultural centered in rural Weld County and Windsor area.

NRHP ELIGIBILITY RECOMMENDATION

The building at 9535 Eastman Park Drive, constructed in 1960, has been mildly altered at its exterior since original construction as a ranch in rural Weld County. The building has not undergone extensive changes but lacks character-defining features as a notable example of the style. Terracon does not recommend the parcel and building eligible for inclusion on the NRHP.

LS03: 9695 Eastman Park Drive, Parcel #080722400068 (Built 1909, 1941, and 1957)

CRITERION A: HISTORY

Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. This parcel is currently used as an equestrian complex. Cursory research did not reveal how long the parcel has been an equestrian complex. The parcel lacks feeling and setting, therefore, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are examples of the National Folk style, many of their original materials have been altered and additions made to their original plans disrupt the resource's ability to convey significance of the National Folk farmstead style. Therefore, the historic-age buildings at 9695 Eastman Park do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

INTEGRITY

The physical integrity and associative qualities of the subject parcel were evaluated according to the seven aspects of integrity and is as follows:

LOCATION

The subject parcels remains in their original location.

DESIGN

Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design.

SETTING

Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial parcels and no reflects the historic setting of the resources.

MATERIALS

The buildings are clad in modern wide-board siding. Some windows and roof materials have been altered and include modern materials.

WORKMANSHIP

The main house's only character-defining feature which exhibits workmanship is the rustic stone chimney which can be seen almost centralized on the building's hipped roof.

FEELING
The resources retains moderate feeling due to the mature tree growth on the parcel semi-protecting it from surrounding modern commercial development.

ASSOCIATION
Research did not reveal the parcel's original use and purpose; however, the built dates of the parcel's equestrian structures alludes to the parcel being an equestrian complex for over 50 years. The buildings, although altered, still serve a similar purpose as they did since approximately 1941.

NRHP ELIGIBILITY RECOMMENDATION
The parcel at 9695 Eastman Park Drive, constructed in 1909, 1941, and 1957, have been altered at their exteriors since original construction. The buildings have undergone some changes over time with modern windows and exteriors. The original design of a grouped themed cluster of buildings remains, although they now express moderate to low overall integrity. Although a unique equestrian complex, it is not a distinctive or exemplary example of its type. Terracon recommends the parcel as not eligible for inclusion on the NRHP.

LS04: 9481 Eastman Park Drive, Parcel #080722416001 (Built 1910 and 1924)
CRITERION A: HISTORY
Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. The parcel was historically a farmstead, however, parcel is no longer a currently agricultural. Cursory research did not reveal what agricultural industry that the farmstead was a part of and in a greater context. Due to the parcel's lack of setting, feeling, and association, it does not possess significance under Criterion A.

CRITERION B: PEOPLE
Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE
Although the buildings are good examples of the Craftsman style and vernacular rural barn and retain much of their integrity physically, the buildings have been altered with modern windows and fixtures to be used for a commercial purpose and that disrupts the resource's ability to convey significance of the Craftsman architectural style on a rural farmstead. Therefore, the historic-age buildings 9481 Eastman Park Drive do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL
This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

INTEGRITY
The physical integrity and associative qualities of the subject parcel were evaluated according to the seven aspects of integrity and is as follows:

LOCATION
The subject parcels remains in their original location.

DESIGN
Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design.

SETTING
Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial parcels and no reflects the historic setting of the resources.

MATERIALS
The house is clad in original siding, however, windows and roof materials have been altered on the house and barn and include modern materials.

WORKMANSHIP
The buildings are examples of the Craftsman style constructed with exposed rafter tails and hipped roof with gabled window.

FEELING
The resources do not retain feeling due to the development of the surrounding area to include commercial development.

ASSOCIATION
The buildings have not been altered greatly but are now used as a commercial/ industrial parcel. Terracon believes the buildings were originally constructed as an agricultural parcel in the Windsor area and Weld County.

NRHP ELIGIBILITY RECOMMENDATION
The historic-age buildings on the parcel at 9481 Eastman Park Drive, constructed in 1910 and 1924, have been mildly altered at their exteriors since original construction as a rural farmstead on Eastman Park Drive. The buildings may not have undergone drastic changes but the setting has, as well as the parcel's original purpose. The setting and association lack integrity to convey their original purpose associated with agriculture in Weld County and are not a distinctive or exemplary example of its parcel type. Terracon recommends the buildings and parcel at 9481 Eastman Park Drive as not eligible for inclusion on the NRHP.

LS05: 10119 Eastman Park Drive, Parcel #080723300005 (Built 1910)

CRITERION A: HISTORY

Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. The parcel was historically a farmstead, however, parcel is no longer a currently agricultural. Cursory research did not reveal what agricultural industry that the farmstead was a part of and in a greater context. Due to the parcel's lack of setting, feeling, and association, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are good examples of the Minimal Traditional Craftsman style and retains most of its integrity physically, the buildings on the parcel have been mildly altered with siding and doors. Therefore, the historic-age buildings 10119 Eastman Park Drive do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

INTEGRITY

The physical integrity and associative qualities of the subject parcel were evaluated according to the seven aspects of integrity and is as follows:

LOCATION

The subject parcels remains in their original location.

DESIGN

Though no historical photographs were located for the resources, the buildings have been altered by additions on the rear and no longer reflect their original design.

SETTING

Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with an oil and gas industrial parcel and does not reflect the historic setting of the resources.

MATERIALS

The house is clad in asbestos siding, however, some windows and roof materials have been altered on the house.

WORKMANSHIP
The buildings are examples of the Craftsman style constructed with exposed rafter tails.

FEELING
The resources do not retain feeling due to the development of the surrounding area to include industrial development.

ASSOCIATION
The buildings have not been altered greatly but are now vacant as the parcel is used for industrial purposes with oil and gas. Terracon believes the buildings were originally constructed as an agricultural parcel in the Windsor area and Weld County.

NRHP ELIGIBILITY RECOMMENDATION
The historic-age buildings on the parcel at 10119 Eastman Park Drive, constructed in 1910, has been mildly altered at their exteriors since original construction as a rural farmstead on Eastman Park Drive. The buildings may not have undergone drastic changes but the setting has, as well as the parcel's original purpose. The setting and association lack integrity to convey their original purpose associated with agriculture in Weld County and are not a distinctive or exemplary example of its parcel type. Terracon recommends the buildings and parcel at 10119 Eastman Park Drive as not eligible for inclusion on the NRHP.

10.0 CONCLUSIONS

On behalf of Future Legends, LLC, Terracon Consultants, Inc. (Terracon) conducted a Class III cultural resources survey and a cultural resources evaluation for a proposed sports complex facility. The proposed project area consists of approximately 118 acres of land located southeast of East Garden Drive and Diamond Valley Drive in Windsor, Weld County, Colorado.

A Class III cultural resources survey was performed on an approximate 22-acre portion of the northeast corner of the project area, and no cultural resources were identified during the survey. A cultural resources evaluation of Consolidated Law Ditch (5WL.7222.1) yielded historical-age artifacts used as fill material and documented the current condition of the site. Coordination with SHPO confirmed that the Consolidated Law Ditch was the subject of a Level II documentation for prior adverse effects from flood control improvements and no new MOA is warranted for this project. No further work is recommended. As stated in Section 8.0, no archaeological investigation can wholly determine the presence of significant materials, therefore, should archaeological materials or human remains be discovered during construction activities, those activities should cease, the locations be protected, and coordination with Colorado SHPO and appropriate agencies should be undertaken.

Terracon evaluated several buildings and structures on four parcels adjacent to the project area. None of the resources were considered eligible for inclusion on the NRHP. Terracon recommends that no historic properties will be affected by future sports complex.

11.0 REFERENCES CITED

Church, Minette C., Steven G. Baker, Bonnie J. Clark, Richard F. Carrillo, Jonathon C. Horn, Carl D. Späth, David R. Guilfoyle, and E. Steve Cassells
2007 Colorado History: A Context for Historical Archaeology. Colorado Council of Professional Archaeologists, Colorado Historical Society, Denver.

Colorado Department of Transportation (CDOT)
2009 *I-25 New Pueblo Freeway Improvement Project: Architectural Resources Survey Report, Pueblo County, Colorado*. Colorado Department of Transportation, Denver.

Colorado Historical Society
2007 Colorado Cultural Resource Survey Manual. Electronic Document, www.historycolorado.org/sites/default/files/files/OAHP/crforms, January 15, 2021.

Colorado Historical Society Office of Archaeology and Historic Preservation Compass http://gis.co.gov/compass, accessed January 15, 2021.

Colorado Historical Society- Office of Archaeology and Historic Preservation Listings by County http://www.historycolorado.org/oahp/listings-county

Fariello, Juston
2012 5WL7222.1, Consolidated Law Ditch. Colorado Cultural Resource Survey, Management Data Form. On file, Office of Archaeology and Historic Preservation, Denver.

Office of Archaeology and Historic Preservation (OAHP)
2007 Denver Fire Clay Company: OAHP Application for National Register of Historic Places. Denver Public Library Special Collections, Denver. Available from: https://digital.denverlibrary.org/digital/collection/p15330coll1/id/401, accessed January 2021.

Powell, Nicholas and Elizabeth Newcomb
2020 Draft of *A Class I Cultural Resources Survey (Records Review) for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado*. Report No. 20207040. Terracon Consultants, Inc., Wheat Ridge, Colorado.

Tweto, Ogden
1979 *Geologic Map of Colorado: U.S. Geological Survey Special Geologic Map,* scale 1:500,000.

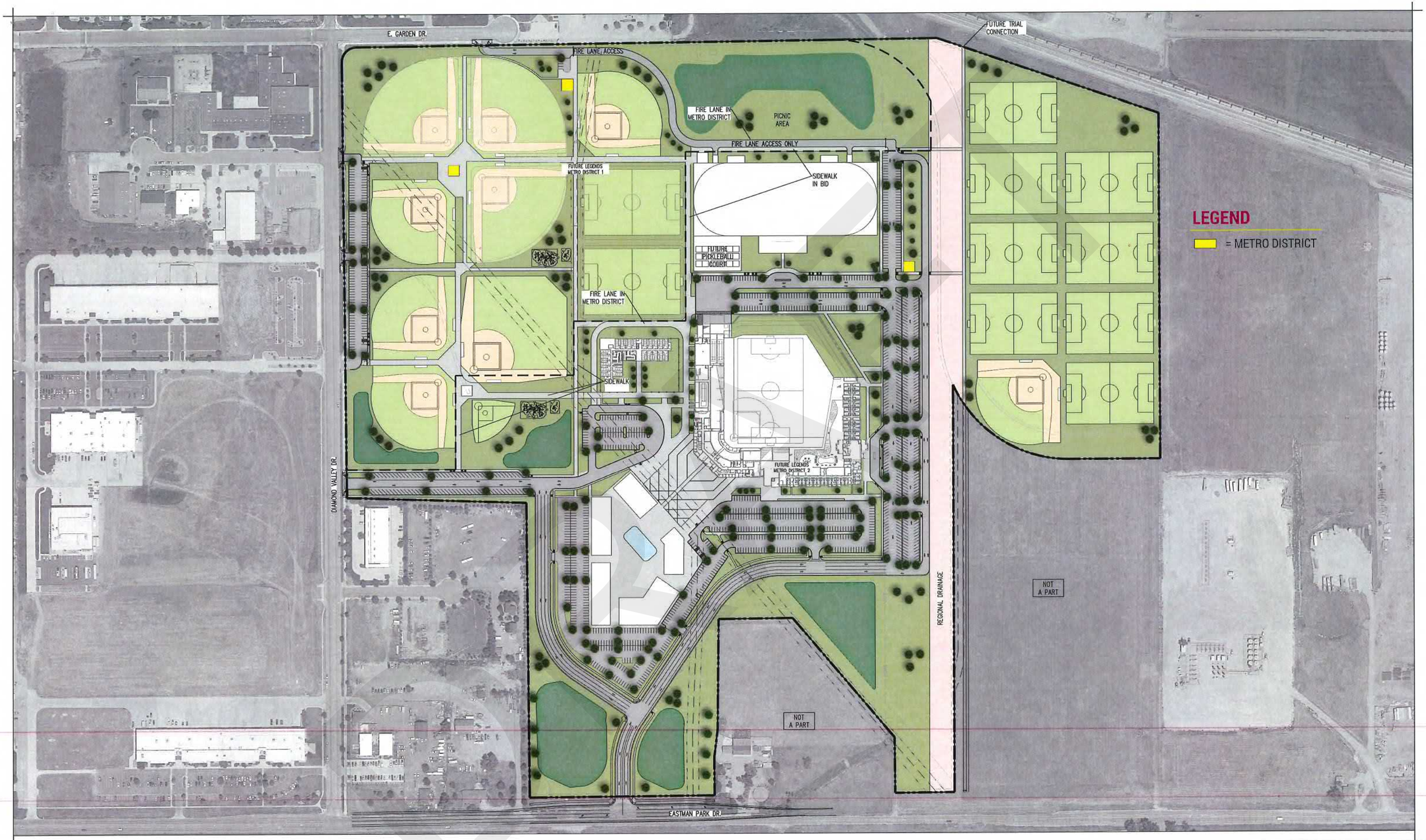
URS Group, Inc. (URS)
2012 *Preliminary Draft Environmental Assessment John Law Ditch Flood Mitigation Project Town of Windsor, Colorado*. URS Group, Inc., Omaha, Nebraska.

2013 John Law Ditch Flood Mitigation Project, Weld County, Colorado. SHPO Level II Documentation. URS Group, Inc.,

USDA Web Soil Survey
2021 Weld County, CO USDA-NRCS Web Soil Survey Version 10; January 15, 2021.

Appendix

Site Plan and
SHPO Letter



Galloway

WINDSOR

Future Legends, LLC

METRO & BID OVERALL SITE PLAN

05.15.2020

150 75 150 300 600

1 inch = 150 ft.

N

HISTORY Colorado

March 4, 2013

Richard Myers
Deputy Regional Environmental Officer
Federal Emergency Management Agency
U.S. Department of Homeland Security, Region VIII
Denver Federal Center, Building 710
P.O. Box 25267
Denver, Colorado 80225-0267

Re: Proposed John Law Ditch Flood Mitigation Project (CHS #62899)

Dear Mr. Myers:

We received final documentation for the subject project from Gordy Tucker, Cultural Resources Program Manager and Senior Archaeologist for URS Corporation on February 28, 2013 in accordance with the *Memorandum of Agreement Among the Federal Emergency Management Agency, the Colorado State Historic Preservation Officer, the Colorado Office of Emergency Management, and the Town of Windsor Colorado, Submitted to the Advisory Council on Historic Preservation Regarding Resolution of Adverse Effects to Historic Properties in the Town of Windsor Resulting from the John Law Ditch Flood Mitigation Project.*

Following our review of the documentation provided, we find the report titled *John Law Ditch Flood Mitigation Project, Weld County, Colorado: SHPO Level II Documentation* satisfactory and we concur that this documentation concludes reporting as agree to in Stipulation IA of the subject agreement.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Mark Tobias, Section 106 Compliance Manager, at (303) 866-4674 or mark.tobias@state.co.us.

Sincerely,

for Edward C. Nichols
State Historic Preservation Officer
ECN/MAT

cc. Gordy Tucker, URS Corporation

RECEIVED
MAR 0 8 2013
BY:

SHPO Forms

Cultural Resource Re-Visitation Form

A Re-Visitation Form can only be used when a Management Data Form and component forms have been previously filed with the land managing agency and/or the Colorado Office of Archaeology and Historic Preservation and no substantive changes to the character of the site are required as a result of the current re-visitation. Please use the Management Data Form and supporting forms (archaeological component, linear, vandalism, etc.) when changes are required to:

- Site type
- Linear resources
- Additional artifact assemblages and/or features
- Boundary size
- Vandalism
- NRHP recommendations

Official determination (OAHP use only)

☐ Determined Eligible NR\SR
☐ Determined Not Eligible NR\SR
☐ Nominated
☐ Need Data NR\SR
☐ Contributing to NR Dist.\SR Dist.
☐ Not Contributing to NR Dist.\SR Dist.
☐ Supports overall linear eligibility NR\SR
☐ Does not support overall linear eligibility NR\SR

1. **Resource Number**: 5WL.7222.1 2. **Temporary Resource Number**: N/A

3. **Resource Name**: Consolidated Law Ditch

4. **Project Name/Number**: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado/#20207040

5. **Government Involvement**: ☐ Local ☐ State ☒ Federal
Agency: USDA

6. **Site Categories**: (Check as many as apply)
Prehistoric: ☐ Archaeological site ☐ Paleontological site
In existing National Register District? ☐ Yes ☒ No Name:
Local Landmark? ☐ Yes ☒ No Name:

Historic: ☐ Archaeological site ☐ Building (s) ☐ Structure(s) ☐ Object(s)
In existing National Register District? ☐ Yes ☒ No Name:
Local Landmark? ☐ Yes ☒ No Name:

7. **Owner(s) Name and Address**:
Future Legends LLC, 4558 Sherman Oaks Avenue, Sherman Oaks, CA 91403-3060

8. **Was the site relocated?** ☒ Yes ☐ No If no, why? (100% collected in previous recording, ground disturbance, etc.) Site was found in its expected location.

9. **Previous recordings**: John Law Ditch Flood Mitigation Project 15702626.04HUH

10. **Most recent National Register Eligibility Assessment**: ☒ Eligible ☐ Not Eligible ☐ Need Data
Explain: "This segment of the ditch (5WL7222.1) retains most aspects of integrity and has lost the aspects of workmanship, design, and materials. This is a result of continual maintenance and upgrades to the ditch and its associated features. This ditch segment retains its integrity of location, setting, feeling, and association. This segment retains enough integrity to convey the significance of the entire eligible resource of which it is a part."

11. **Listed on Register**: ☐ National ☐ State ☒ None
Date Listed:

12. **Condition (describe)**: During Terracon's evaluation of Consolidated Law Ditch (5WL.7222.1) in November 2020, numerous historical-period artifacts were observed on the berm along the edge of the ditch. Observed artifacts include approximately 90 pieces of concrete, 55 bricks, assorted metal items, and modern trash. The ditch is intact besides the northern edge of the property where the ditch has been sealed and water diverted to a retention pond.

13. **Threats to Resource**: ☒ Water Erosion ☒ Wind Erosion ☐ Grazing ☒ Neglect ☐ Vandalism ☐ Recreation ☒ Construction ☐ Other (specify):

14. **Existing Protection**: ☒ None ☐ Marked ☐ Fenced ☐ Patrolled ☐ Access controlled

Cultural Resource Re-Visitation Form

Resource Number: 5WL.7222.1 **Temporary Resource Number**: N/A

☐ Other (specify):
Comments: The ditch is an active construction zone for a proposed sports complex, construction activites have been moved to the other side of the property away from the ditch; however, the ditch will be filled in and relocated.

15. **Recorder's Management Recommendations**: Based on the cultural resources evaluation of the Consolidated Law Ditch (5WL.7222.1), Terracon concurs with the NRHP-eligible status of this resource. The ditch underwent mitigation with the City of Windsor in 2013, which was approved by the SHPO. Therefore, Terracon recommends that ground-disturbing activities associated with the proposed project within the APE involving the Consolidated Law Ditch (5WL.7222.1) may continue.

16. **Known Collections, Reports, or Interviews**: John Law Ditch Flood Mitigation Project 15702626.04HUH

17. **Site Description/Update**: In November 2020, a cultural resources evaluation of Consolidated Law Ditch (5WL.7222.1) was performed within the APE in order to evaluate if the proposed project would adversely affect the Consolidated Law Ditch within the direct APE. Terracon's evaluation of the Consolidated Law Ditch confirms the ditch is an earthen construction, extending north-south through the eastern portion of the APE. The ditch will be relocated to the east.

The Consolidated Law Ditch was constructed by Andrew Law and his sons in about 1883 to irrigate lands owned by the family at the Cache La Poudre River and north along the Black Hollow dry wash (URS 2012). The Consolidated Law Ditch is associated with the early development of agricultural irrigation in the area and the development of nearby local communities, as well as the Law family, one of the pioneering farming families in the area (URS 2012). SHPO determined the Consolidated Law Ditch (5WL.7222.1) to be eligible for listing in the NRHP under Criteria A and B (Fariello 2012).

During Terracon's evaluation of Consolidated Law Ditch (5WL.7222.1) within the APE, numerous historical-period artifacts were observed on the berm along the edge of the ditch. Observed artifacts include approximately 90 pieces of concrete, 55 bricks, assorted metal items, and modern trash. Some of the bricks have diagnostic makers-marks, including DFC C¬o. and S.F.B CO PUEBLO. Diagnostic bricks with DFC C¬o. were manufactured by the Denver Fire Clay Company, and diagnostic S.F.B CO PUEBLO were from the Standard Fire Brick Company. The Denver Fire Clay Company and Standard Fire Brick Company were two of larger industrial brick companies along the Front Range, "where large clay deposits existed, demand from industry was substantial, and excellent railroad transportation existed" (Church et al. 2007:375). The Denver Fire Clay Company opened in 1876 as a drugstore operated by J. O. Bosworth, who sold chemicals and equipment for mining and clay manufacture. By 1880, Bosworth moved to a new location and began the production of fire-resistant bricks. The company continued after Mr. Bosworth's death until about 1937. The Standard Fire Brick Company opened in Pueblo, Colorado in 1891 by Francis Le Grand Capers. Over the years the company changed ownership, and the brick manufacturing plan remained in operation until the 1990s (CDOT 2009). Bricks with Denver Fire Clay Company stamps are historical-period in age, manufactured between 1880-1937. Standard Fire Brick Company bricks were in production during the same time, but continued into the 1990s.

Artifacts observed along the berm of the Consolidated Law Ditch are historical-period in age; however, the artifacts do not appear to be in a primary context. No evidence of historical-period buildings or structures were observed in the vicinity of the Consolidated Law Ditch that would account for the presence of bricks and other construction debris. As a result, Terracon concludes that the material along the edge of the Consolidated Law Ditch likely is imported fill material placed to strengthen the walls of the Consolidated Law Ditch.

Cultural Resource Re-Visitation Form

Resource Number: 5WL.7222.1 **Temporary Resource Number**: N/A

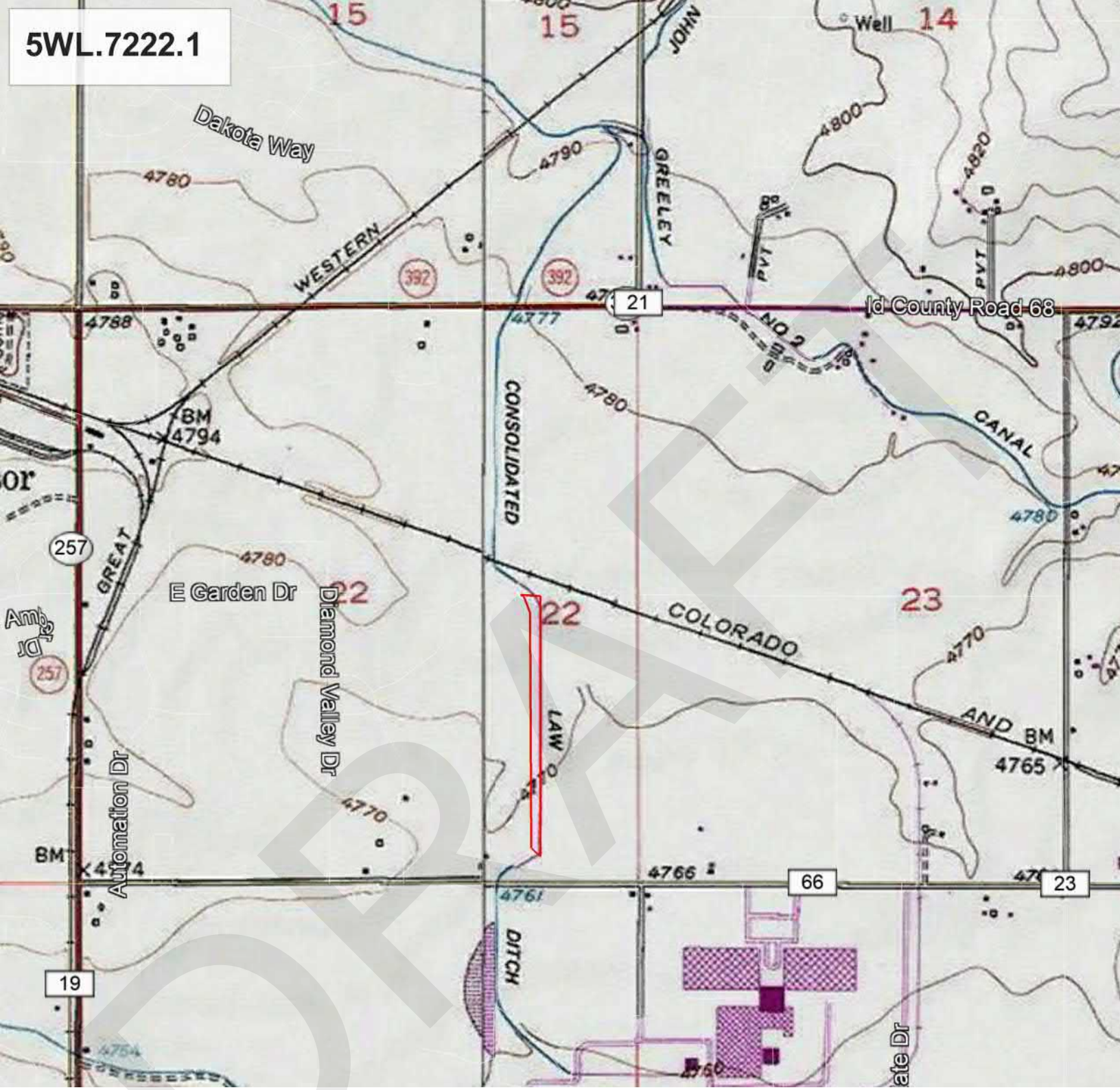
18. **Photograph Numbers**: #1-8
    Digital files at: Terracon Consultants
19. **Artifact and Field Documentation Storage Location**: Terracon Consultants, Wheat Ridge, CO

20. **Report Title**: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

21. **Recorder(s)**: John Hall & Nicholas Powell
    Date: 1/1/2021
22. **Recorder Affiliation**: Terracon Consultants
    Phone Number/Email: (512) 891-2688/John.Hall@terracon.com

Note: Please attach a sketch map, a photocopy of the USGS quad. map indicating resource location, and photographs.

History Colorado – Office of Archaeology & Historic Preservation
1200 Broadway, Denver, CO 80203
303-866-3395


5WL.7222.1
15
15
14
Well
JOHN
Dakota Way
4790
4800
4820
GREELEY
PVT
WESTERN
392
392
21
Id County Road 68
4788
4777
NO 2
CONSOLIDATED
4780
CANAL
BM
4794
257
GREAT
4780
E Garden Dr
22
22
23
COLORADO
Diamond Valley Dr
4770
LAW
AND BM
4765
Automation Dr
BM
4766
66
23
4761
DITCH
19
4754
4760

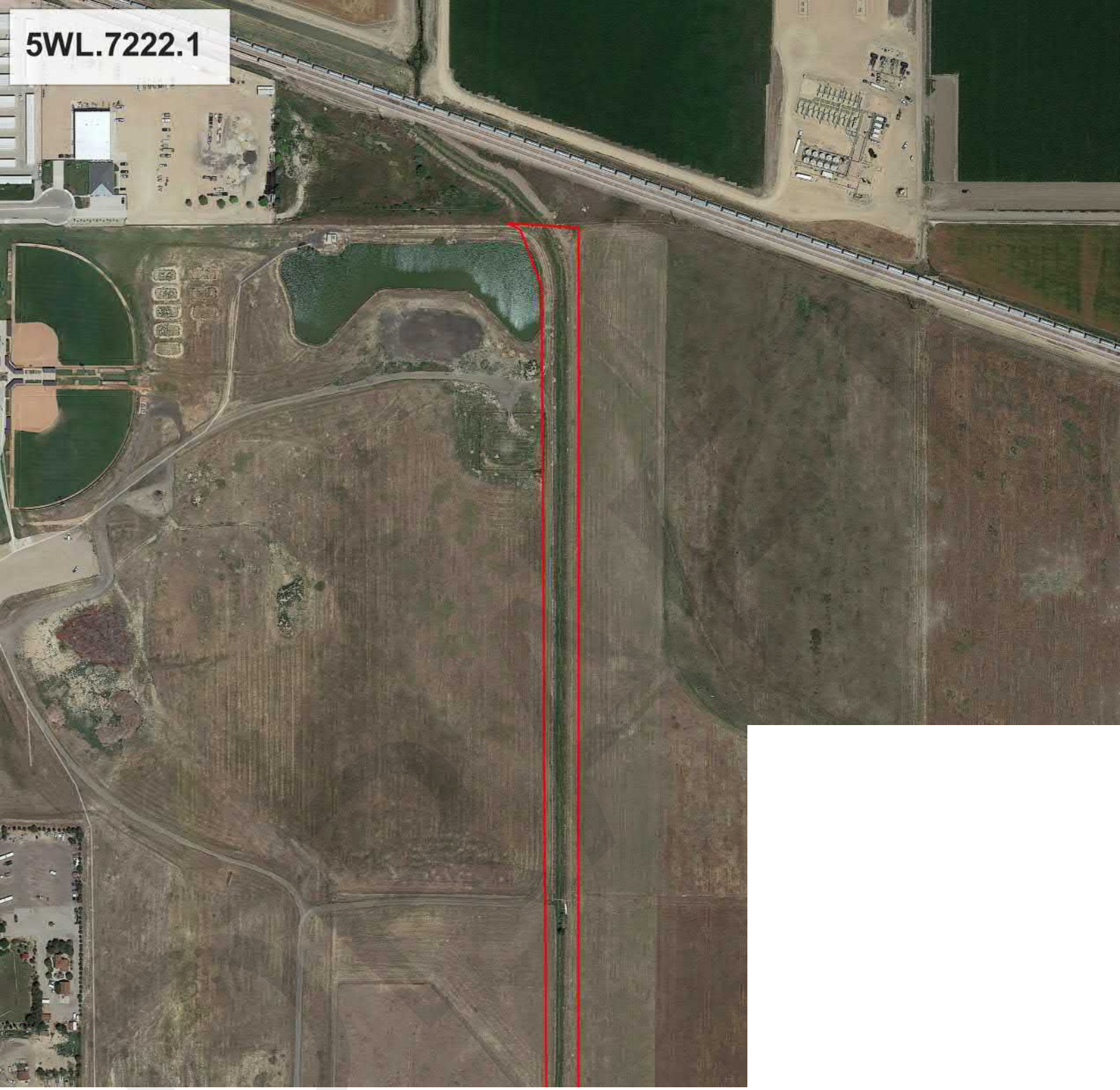

5WL.7222.1

Photo #1 View of 5WL.7222.1. View to the northwest from southern end of ditch.

Photo #2 View of 5WL.7222.1 at southern end of ditch. View to the south.

Photo #3 View of 5WL.7222.1 from top of ditch. View to the northwest.

Photo #4 View of 5WL.7222.1 at bottom of ditch. View to the north.

Photo #5 View of 5WL.7222.1 at midway point. View to the south.

Photo #6 View of 5WL.7222.1 at midway point. View to the northwest.

Photo #7 View of 5WL.7222.1 on east side of ditch. View to the northwest.

Photo #8 View of 5WL.7222.1 at northern end. View to the south.

Resource Number:
Temporary Resource Number: LS01

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)
Date _____ Initials _____
_____ Determined Eligible- NR
_____ Determined Not Eligible- NR
_____ Determined Eligible- SR
_____ Determined Not Eligible- SR
_____ Need Data
_____ Contributes to eligible NR District
_____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number:
2. Temporary resource number: LS01
3. County: Weld
4. City: Windsor
5. Historic building name:
6. Current building name: Southern Exposure Landscape
7. Building address: 745 Jackson Court, Windsor, CO 80550
8. Owner name and address:

Sanger Commercial Enterprises LLC

1135 Founders Circle

Windsor, CO 80550-5831

II. GEOGRAPHIC INFORMATION

9. P.M. 6th Township 6N Range 67W
   SW ¼ of SE ¼ of Section 22
10. UTM reference
    Zone 1 3 ; 5 1 0 3 1 2 mE 4 4 7 9 6 1 6 mN
11. USGS quad name: Windsor, CO _____ _____

    Year: 1969 Map scale: 7.5' X 15' Attach photo copy of appropriate map section.
12. Lot(s): 6 Block: N/A
    Addition: _____ Year of Addition: _____
13. Boundary Description and Justification: Boundaries were determined by current property parcel, parcel #080722416006. Bordered on the north by parcel #080722416007, border on the east by parcel #080722416019, bordered on the south by parcel #080722405002, bordered on the west by parcel #080722416011.

Resource Number:
Temporary Resource Number: LS01

III. Architectural Description

14. Building plan (footprint, shape): IRREGULAR PLAN
15. Dimensions in feet: Length 42' x Width 35'
16. Number of stories: 1
17. Primary external wall material(s): STUCCO
18. Roof configuration: HIP-ON-GABLE ROOF
19. Primary external roof material: ASPHALT ROOF
20. Special features: PORCH. CHIMNEY
21. General architectural description: The house at 745 Jackson Court is a one-story building located in Windsor, Weld County, Colorado. The house is an example of the Folk Victorian style, but has been heavily modified. The complex roof is a pyramidal roof with gabled wings and red asphalt shingles. The house, built in 1909 according to Weld County assessor records, is clad with yellow-painted stucco and the windows look to have been updated with vinyl replacements. The primary entrance to the 1909 house appears to be on the southern elevation.
22. Architectural style/building type: LATE VICTORIAN
23. Landscaping or special setting features: The property's agricultural setting has been greatly altered with a landscaped property which is used as a showspace for the landscape company using the property.
24. Associated buildings, features, or objects: The detached garage associated with the house was built in 1940, per Weld County Assessor records. This yellow-painted stucco-clad, white-trimmed garage is one-and-one-half stories tall. The garage features a front-gabled roof with red-colored asphalt shingles and three skylights on the western side of the roof. Additionally, the garage features a spiral staircase on the northern elevation which leads to a second-story door. The southern elevation features a garage door; however, the building does not appear to function as a garage and its originally intended purpose. Overall, the property and two historic-age buildings have changed greatly since their inceptions in 1909 and 1940. The use of the property has changed from single-family residence to commercial and is currently used as professional offices for a landscaping company. It appears the buildings have been altered for use as offices while the land is no longer agriculturally/farmstead inclined, and has been transformed as a showspace for the landscaping company's work.

IV. Architectural History

25. Date of Construction: Estimate:_____ Actual: 1899_____
    Source of information: Weld County Property Portal

Resource Number:
Temporary Resource Number: LS01

26. Architect: Unknown

    Source of information: N/A

27. Builder/Contractor: Unknown

    Source of information: N/A

28. Original owner: Unknown

    Source of information: N/A

29. Construction history (include description and dates of major additions, alterations, or demolitions):

    Unknown

30. Original location _X___ Moved ____ Date of move(s): N/A

V. HISTORICAL ASSOCIATIONS

31. Original use(s): DOMESTIC: Single Dwelling
32. Intermediate use(s): N/A
33. Current use(s): COMMERCE: Business/Professional
34. Site type(s): Landscaping Company Property
35. Historical background: Historically, Weld County and Windsor were settled by German-born and Russian-born immigrants; many farmed sugar beets. Historically this property was a farmstead but is no longer a currently an agricultural property. Cursory historical research did not reveal the associated agricultural industry for the farmstead. While the farmstead may have originally contributed to historical patterns of settlement and possess associations with agricultural practices of Weld County, the current parcel is no longer used for that purpose.

36. Sources of information:

https://history.weldgov.com/county_150#:~:text=east%20of%20Larimer%20County%20and,became%20the%20first%20county%20seat.

VI. SIGNIFICANCE

37. Local landmark designation: Yes ____ No __X__ Date of designation: N/A_

    Designating authority: N/A

38. Applicable National Register Criteria:

    ____ A. Associated with events that have made a significant contribution to the broad pattern of our history;

    ____ B. Associated with the lives of persons significant in our past;

____ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

____ D. Has yielded, or may be likely to yield, information important in history or prehistory.

____ Qualifies under Criteria Considerations A through G (see Manual)

____ Does not meet any of the above National Register criteria

39. Area(s) of significance: AGRICULTURE

40. Period of significance: 1899

41. Level of significance: National ____ State ____ Local _____

42. Statement of significance:

CRITERION A: HISTORY

Historically, Weld County and Windsor were settled by German-born and Russian-born immigrants; many farmed sugar beets. Historically this property was a farmstead but is no longer a currently an agricultural property. Cursory historical research did not reveal the associated agricultural industry for the farmstead. While the farmstead may have originally contributed to historical patterns of settlement and possess associations with agricultural practices of Weld County, the current parcel is no longer used for that purpose. Lacking association, setting, and feeling; the property and its associated agricultural lands have changed in use from residential to commercial, therefore, the parcel cannot convey historical significance and therefore, LS01 does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are examples of the rural and simplified Folk Victorian style, many of their original materials have been altered and additions made to their original plans disrupt the resource's ability to convey significance of the architectural style. Therefore, the historic-age buildings at 745 Jackson Court do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

43. Assessment of historic physical integrity related to significance: **LOCATION:** The subject properties remains in their original location. **DESIGN:** Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design. **SETTING:** Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial properties and no reflects the historic setting of the

resources. **MATERIALS:** The buildings are clad stucco and replacement siding. Windows and roof materials have been altered and include modern materials. **WORKMANSHIP:** The buildings are examples of the Folk Victorian style; but evidence of its original workmanship no longer exist. **FEELING:** The resources do not retain feeling due to the development of the surrounding area to include commercial development. Additionally, the property itself has changed in use to a commercial property also. **ASSOCIATION:** The buildings have been altered and are now used as commercial buildings supporting a landscaping company. Terracon believes the buildings were originally constructed as a rural farmstead in rural Weld County and Windsor area. **NRHP ELIGIBILITY RECOMMENDATION:** The buildings at 745 Jackson Court, constructed in 1899 and 1940, have been altered at their exteriors since original construction as a farmstead in rural Weld County. The buildings have undergone changes with modern windows and fixtures. The original design has been greatly altered by the transformation of the farmstead property into a landscaping showcase and expresses low overall integrity. Terracon does not recommend the property and buildings eligible for inclusion on the NRHP.

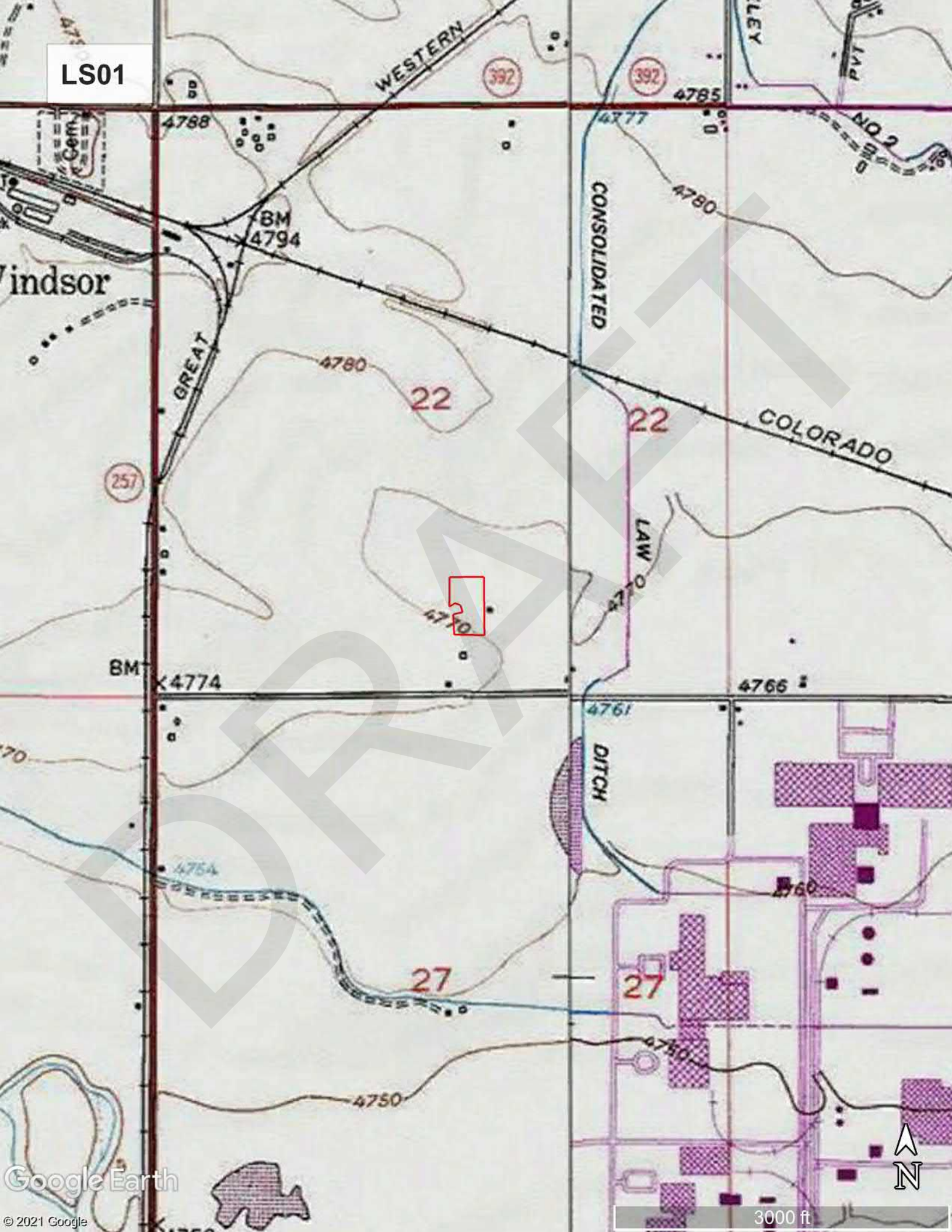
VII. National Register Eligibility Assessment

44. National Register eligibility field assessment:
    Eligible ____ Not Eligible __X__ Need Data __
45. Is there National Register district potential? Yes ___ No __X__
    Discuss: The area and buildings retain no historical integrity to convey significance as a historic district.
    If there is National Register district potential, is this building: Contributing ___ Noncontributing ____
46. If the building is in existing National Register district, is it: Contributing ___ Noncontributing ____

VIII. Recording Information

47. Photograph numbers: #1-6
    Negatives filed at: Terracon Consultants
48. Report title: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado
49. Date(s): February 1, 2021
50. Recorder(s): Nicholas Powell
51. Organization: Terracon Consultants
52. Address: 10625 W. I-70 Frontage Rd. N, Suite 3, Wheat Ridge, CO 80033
53. Phone number(s): (303) 423-3300

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.


LS01
WESTERN
392
4788
4785
4777
CONSOLIDATED
NO 2
4780
BM
4794
Windsor
GREAT
4780
22
22
COLORADO
257
LAW
4770
4770
BM
4774
4766
4761
DITCH
4754
4760
27
27
4750
4750
Google Earth
© 2021 Google
3000 ft
N


LS01
Jackson Ct
Diamond Valley Dr
Google Earth
© 2021 Google
N
500 ft

Photo #1 View of property from Jackson Court. View to the southeast.

Photo #2 View of garage structure. View to the southeast.

Photo #3 View of house structure. View to the east.

Photo #4 View of entry and drive way of property from Jackson Court. View to the east.

Photo #5 View of property. View to the southeast.

Photo #6 View of historic buildings at 745 Jackson Court. View to the southeast.

Resource Number:
Temporary Resource Number: LS02

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)
Date _____ Initials _____
_____ Determined Eligible- NR
_____ Determined Not Eligible- NR
_____ Determined Eligible- SR
_____ Determined Not Eligible- SR
_____ Need Data
_____ Contributes to eligible NR District
_____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number:
2. Temporary resource number: LS02
3. County: Weld
4. City: Windsor
5. Historic building name:
6. Current building name:
7. Building address: 9535 Eastman Park Drive, Windsor, CO 80550
8. Owner name and address:

Jason & Suzanne Dack

9535 Eastman Park Drive

Windsor, CO 80550-3348

II. GEOGRAPHIC INFORMATION

9. P.M. 6th Township 6N Range 67W
   SW ¼ of SE ¼ of Section 22
10. UTM reference
    Zone 13; 510273mE 4479424mN
11. USGS quad name: Windsor, CO _____ _____

    Year: 1969 Map scale: 7.5' X 15' Attach photo copy of appropriate map section.
12. Lot(s): 2 Block: N/A
    Addition: _____ Year of Addition: _____
13. Boundary Description and Justification: Boundaries were determined by current property parcel, parcel #080722405002. Bordered on the north by parcel #080722416011 and #080722416006, border on the east by parcel #080722416012, bordered on the south by Eastman Park Drive, and bordered on the west by parcel #080722416001.

Resource Number:
Temporary Resource Number: LS02

III. Architectural Description

14. Building plan (footprint, shape): IRREGULAR PLAN
15. Dimensions in feet: Length 42' x Width 80'
16. Number of stories: 1
17. Primary external wall material(s): WOOD: Horizontal Siding
18. Roof configuration: HIPPED ROOF
19. Primary external roof material: ASPHALT ROOF
20. Special features: N/A

21. General architectural description: The building at 9535 Eastman Park Drive was constructed in 1960, as indicated by the Weld County Assessor records. This L-shaped, one-story siding-clad house fronts on Eastman Park Drive. The building is designed in a Minimal Traditional Ranch style. The building measures approximately 80-feet long by 45-feet wide with a low-pitched complex hipped rooftop with wide-overhanging eaves. According to the Weld County Assessor, the building is 1,680 square feet with a 528 square foot garage (attached).

    The building's south and main elevation on Eastman Park Drive features a simple façade with two doorways, garage bays and various windows. This south elevation has two single garage door bays with an adjacent doorway for access to the garage area. Also featured are three large picture windows, the third picture window featuring three panes. The primary entrance to the house is tucked inside away from the street with a half-pony wall extending around the entryway.

    The east elevation of the building features one small window into the garage area. The west elevation of the building features three window openings; the first at the southwest corner of the building is a large picture window. The other two on the west elevation are vinyl slider windows. GoogleEarth aerials show a large patio area off the rear of the building on the north elevation.

22. Architectural style/building type: POST-WORLD WAR II: Ranch Type

23. Landscaping or special setting features: N/A

24. Associated buildings, features, or objects: Also located on the property to the rear of the 1960-ranch are is a storage warehouse built in 2003 and a utility building built in 2014 per the Weld County Assessor.

Resource Number:
Temporary Resource Number: LS02

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate:_____ Actual: 1960_____

    Source of information: Weld County Property Portal

26. Architect: Unknown

    Source of information: N/A

27. Builder/Contractor: Unknown

    Source of information: N/A

28. Original owner: Unknown

    Source of information: N/A

29. Construction history (include description and dates of major additions, alterations, or demolitions):

    Unknown

30. Original location _X___ Moved ____ Date of move(s): N/A

V. HISTORICAL ASSOCIATIONS

31. Original use(s): DOMESTIC: Single Dwelling
32. Intermediate use(s): N/A
33. Current use(s): DOMESTIC: Single Dwelling
34. Site type(s): Single Family Home
35. Historical background: Historically, Weld County and Windsor were settled by German-born and Russian-born immigrants; many farmed sugar beets. Historically this property was a rural single family home but is no longer a currently an agricultural property. Cursory historical research did not reveal the property's historical background.

36. Sources of information:
https://history.weldgov.com/county_150#:~:text=east%20of%20Larimer%20County%20and,became%20the%20first%20county%20seat.

VI. SIGNIFICANCE

37. Local landmark designation: Yes ____ No __X__ Date of designation: N/A_

    Designating authority: N/A

38. Applicable National Register Criteria:

    ____ A. Associated with events that have made a significant contribution to the broad pattern of our history;

    ____ B. Associated with the lives of persons significant in our past;

____ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

____ D. Has yielded, or may be likely to yield, information important in history or prehistory.

____ Qualifies under Criteria Considerations A through G (see Manual)

____ Does not meet any of the above National Register criteria

39. Area(s) of significance: AGRICULTURE

40. Period of significance: 1960

41. Level of significance: National ____ State ____ Local _____

42. Statement of significance:

CRITERION A: HISTORY

Cursory research did not reveal historic significance for the basic Ranch property at 9535 Eastman Park Drive. Due to the property's lack of integrity, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the building is an example of the Ranch style, the home does not feature any significant or unique character-defining features and the property lacks the ability to convey significance of the Ranch architectural style due to the building being a common example of its type and prevalent style in the region. Therefore, the historic-age building at 9535 Eastman Park Drive does not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

43. Assessment of historic physical integrity related to significance: **LOCATION:** The subject properties remains in their original location. **DESIGN:** Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design. **SETTING:** Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial properties and no reflects the historic setting of the resources. **MATERIALS:** The building is clad in brick siding. Windows and roof materials have been moderately altered and include some modern materials. **WORKMANSHIP:** The building is an example of the Ranch style constructed with low pitched roof and wide overhanging eaves. **FEELING:** The resource does not retain feeling due to the development of the surrounding area to include commercial development. **ASSOCIATION:** The surrounding buildings have been altered and area is now used as a commercial area. Terracon believes the area was originally rural and agricultural centered in rural Weld

County and Windsor area. **NRHP ELIGIBILITY RECOMMENDATION:** The building at 9535 Eastman Park Drive, constructed in 1960, has been mildly altered at its exterior since original construction as a ranch in rural Weld County. The building has not undergone extensive changes but lacks character-defining features as a notable example of the style. Terracon does not recommend the property and building eligible for inclusion on the NRHP.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

    Eligible ____ Not Eligible __X__ Need Data __

45. Is there National Register district potential? Yes ___ No __X__

    Discuss: The area and buildings retain no historical integrity to convey significance as a historic district.

    If there is National Register district potential, is this building: Contributing ___ Noncontributing ____

46. If the building is in existing National Register district, is it: Contributing ___ Noncontributing ____

VIII. RECORDING INFORMATION

47. Photograph numbers: #1-4

    Negatives filed at: Terracon Consultants

48. Report title: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

49. Date(s): February 1, 2021

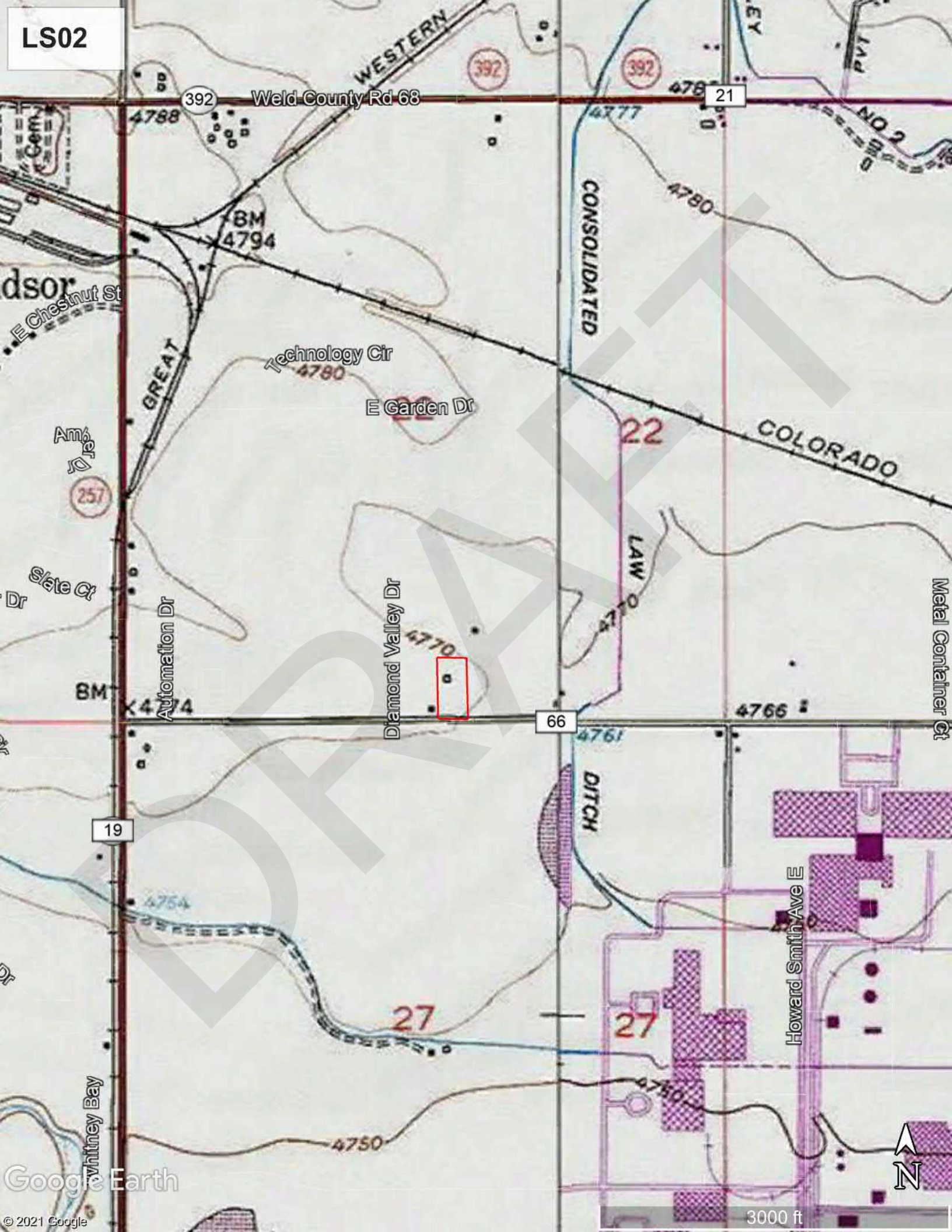
50. Recorder(s): Nicholas Powell

51. Organization: Terracon Consultants

52. Address: 10625 W. I-70 Frontage Rd. N, Suite 3, Wheat Ridge, CO 80033

53. Phone number(s): (303) 423-3300

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.


LS02
WESTERN
392
Weld County Rd 68
21
4788
4777
4780
CONSOLIDATED
BM
4794
E Chestnut St
GREAT
Technology Cir
4780
E Garden Dr
22
COLORADO
257
Slate Ct
Automation Dr
Diamond Valley Dr
4770
LAW
Metal Container Ct
BM
4774
66
4766
4761
DITCH
19
4754
Howard Smith Ave E
27
4750
Whitney Bay
N
3000 ft
Google Earth
© 2021 Google
DRAFT

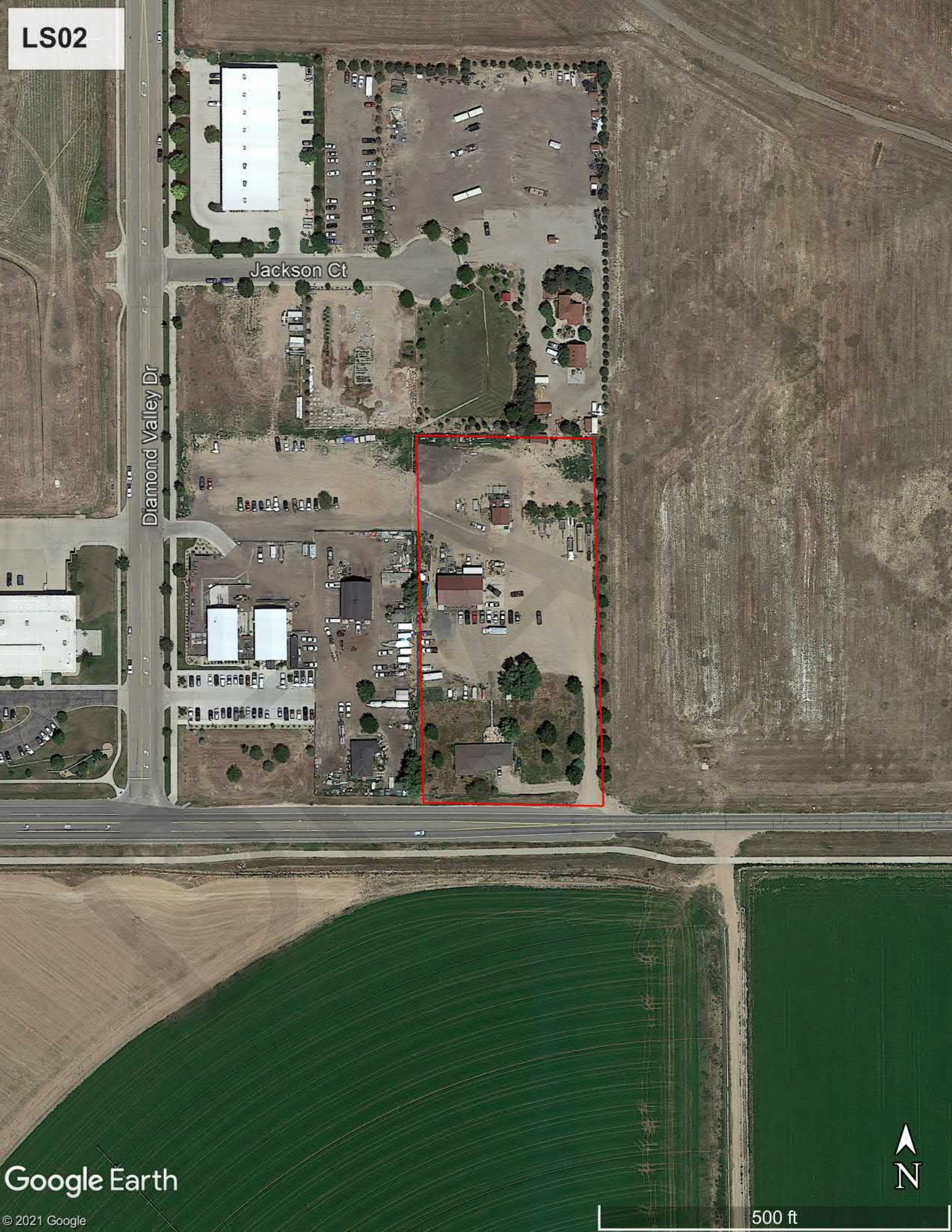

LS02
Jackson Ct
Diamond Valley Dr
Google Earth
© 2021 Google
N
500 ft

Photo #1 View of property. View to the northwest.

Photo #2 View of south and east elevations. View to the north.

Photo #3 View of south and west elevation. View to the north.

Photo #4 View of property. View to the northeast.

Resource Number:
Temporary Resource Number: LS03

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)
Date _____ Initials _____
_____ Determined Eligible- NR
_____ Determined Not Eligible- NR
_____ Determined Eligible- SR
_____ Determined Not Eligible- SR
_____ Need Data
_____ Contributes to eligible NR District
_____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number:
2. Temporary resource number: LS03
3. County: Weld
4. City: Windsor
5. Historic building name:
6. Current building name:
7. Building address: 9695 Eastman Park Drive, Windsor, CO 80550
8. Owner name and address:

Holguin Gaudencio

9695 Eastman Park Drive

Windsor, CO 80550-3348

II. GEOGRAPHIC INFORMATION

9. P.M. 6th Township 6N Range 67W
   SW ¼ of SE ¼ of Section 22
10. UTM reference
    Zone 13; 510534mE 4479433mN
11. USGS quad name: Windsor, CO _____ _____

    Year: 1969_____ Map scale: 7.5' X 15'____ Attach photo copy of appropriate map section.
12. Lot(s): _____ Block:_____
    Addition: _____Year of Addition: _____
13. Boundary Description and Justification: Boundaries were determined by current property parcel, parcel #080722400068. Bordered on the north, east, west by parcel #080722416019 and bordered on the south by Eastman Park Drive.

III. Architectural Description

14. Building plan (footprint, shape): RECTANGULAR PLAN
15. Dimensions in feet: Length 62' x Width 28'

Resource Number:
Temporary Resource Number: LS03

16. Number of stories: 1
17. Primary external wall material(s): WOOD: Horizontal Siding
18. Roof configuration: HIPPED ROOF
19. Primary external roof material: ASPHALT ROOF
20. Special features: N/A
21. General architectural description: This is a one-story house located off of Eastman Park Drive in Windsor, Weld County, Colorado and part of an equestrian property. Designed in a simple National Folk style, the single-family residence features a large rustic centralized internal stone chimney seen from Eastman Park Drive. The home's roof form is hipped with brown-colored asphalt shingles. The home also features wide-planked siding painted green. Many of the windows seem to have been replaced based on what can be seen from public right-of-ways and the project area. The area adjacent to the home and property is densely shielded with mature trees. The property also features various other equestrian-associated buildings and structures as the property appears to be an actively functioning equestrian property.
22. Architectural style/building type: LATE VICTORIAN
23. Landscaping or special setting features: N/A
24. Associated buildings, features, or objects: According to the Weld County Property Portal, the property has three other buildings in addition to the 1909 house. The property also features a "shed-utility" built in 1957, a "shed-equipment" built in 1957, and a "shed-utility" built in 1941. GoogleEarth reveals the property has several paddock structures for equestrian uses, including a notable circular paddock east of the 1909 house. The last notable feature of the property at 9695 Eastman Park Drive is the ditch that runs through the property at its southeast corner.

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate:_____ Actual: 1909_____
    Source of information: Weld County Property Portal
26. Architect: Unknown
    Source of information: N/A
27. Builder/Contractor: Unknown
    Source of information: N/A
28. Original owner: Unknown
    Source of information: N/A

Resource Number:
Temporary Resource Number: LS03

29. Construction history (include description and dates of major additions, alterations, or demolitions):

    Unknown

30. Original location _X_ Moved ____ Date of move(s): N/A

V. HISTORICAL ASSOCIATIONS

31. Original use(s): DOMESTIC: Single Dwelling
32. Intermediate use(s): N/A
33. Current use(s): DOMESTIC: Single Dwelling
34. Site type(s): Single Family Home, Equestrian Property
35. Historical background: Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. This property is currently used as an equestrian property. Cursory research did not reveal how long the property has been an equestrian property.

36. Sources of information:

https://history.weldgov.com/county_150#:~:text=east%20of%20Larimer%20County%20and,became%20the%20first%20county%20seat.

VI. SIGNIFICANCE

37. Local landmark designation: Yes ____ No __X__ Date of designation: N/A_

    Designating authority: N/A

38. Applicable National Register Criteria:

    ____ A. Associated with events that have made a significant contribution to the broad pattern of our history;

    ____ B. Associated with the lives of persons significant in our past;

    ____ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

    ____ D. Has yielded, or may be likely to yield, information important in history or prehistory.

    ____ Qualifies under Criteria Considerations A through G (see Manual)

    ____ Does not meet any of the above National Register criteria

39. Area(s) of significance: AGRICULTURE

40. Period of significance: 1909
41. Level of significance: National ____ State ____ Local _____

Resource Number:
Temporary Resource Number: LS03
42. Statement of significance:

CRITERION A: HISTORY

Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. This property is currently used as an equestrian property. Cursory research did not reveal how long the property has been an equestrian property. The property lacks feeling and setting, therefore, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are examples of the National Folk style, many of their original materials have been altered and additions made to their original plans disrupt the resource's ability to convey significance of the National Folk farmstead style. Therefore, the historic-age buildings at 9695 Eastman Park do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

43. Assessment of historic physical integrity related to significance: **LOCATION:** The subject properties remains in their original location. **DESIGN:** Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design. **SETTING:** Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial properties and no reflects the historic setting of the resources. **MATERIALS:** The buildings are clad in modern wide-board siding. Some windows and roof materials have been altered and include modern materials. **WORKMANSHIP:** The main house's only character-defining feature which exhibits workmanship is the rustic stone chimney which can be seen almost centralized on the building's hipped roof. **FEELING:** The resources retains moderate feeling due to the mature tree growth on the property semi-protecting it from surrounding modern commercial development. **ASSOCIATION:** Research did not reveal the property's original use and purpose; however, the built dates of the property's equestrian structures alludes to the property being an equestrian property for over 50 years. The buildings, although altered, still serve a similar purpose as they did since approximately 1941. **NRHP ELIGIBILITY RECOMMENDATION:** The property at 9695 Eastman Park Drive, constructed in 1909, 1941, and 1957, have been altered at their exteriors since original construction. The buildings have undergone some changes over time with modern windows and exteriors. The original design of a grouped themed cluster of buildings remains, although they now express moderate to low overall integrity. Although a unique equestrian property, it is not a distinctive or exemplary example of its property type. Terracon recommends the property as not eligible for inclusion on the NRHP.

Resource Number:
Temporary Resource Number: LS03

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

    Eligible ____ Not Eligible __X__ Need Data __

45. Is there National Register district potential? Yes ___ No __X__

    Discuss: The area and buildings retain no historical integrity to convey significance as a historic district.

    If there is National Register district potential, is this building: Contributing ___ Noncontributing ____

46. If the building is in existing National Register district, is it: Contributing ___ Noncontributing ____

VIII. RECORDING INFORMATION

47. Photograph numbers: #1-10

    Negatives filed at: Terracon Consultants

48. Report title: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

49. Date(s): February 1, 2021

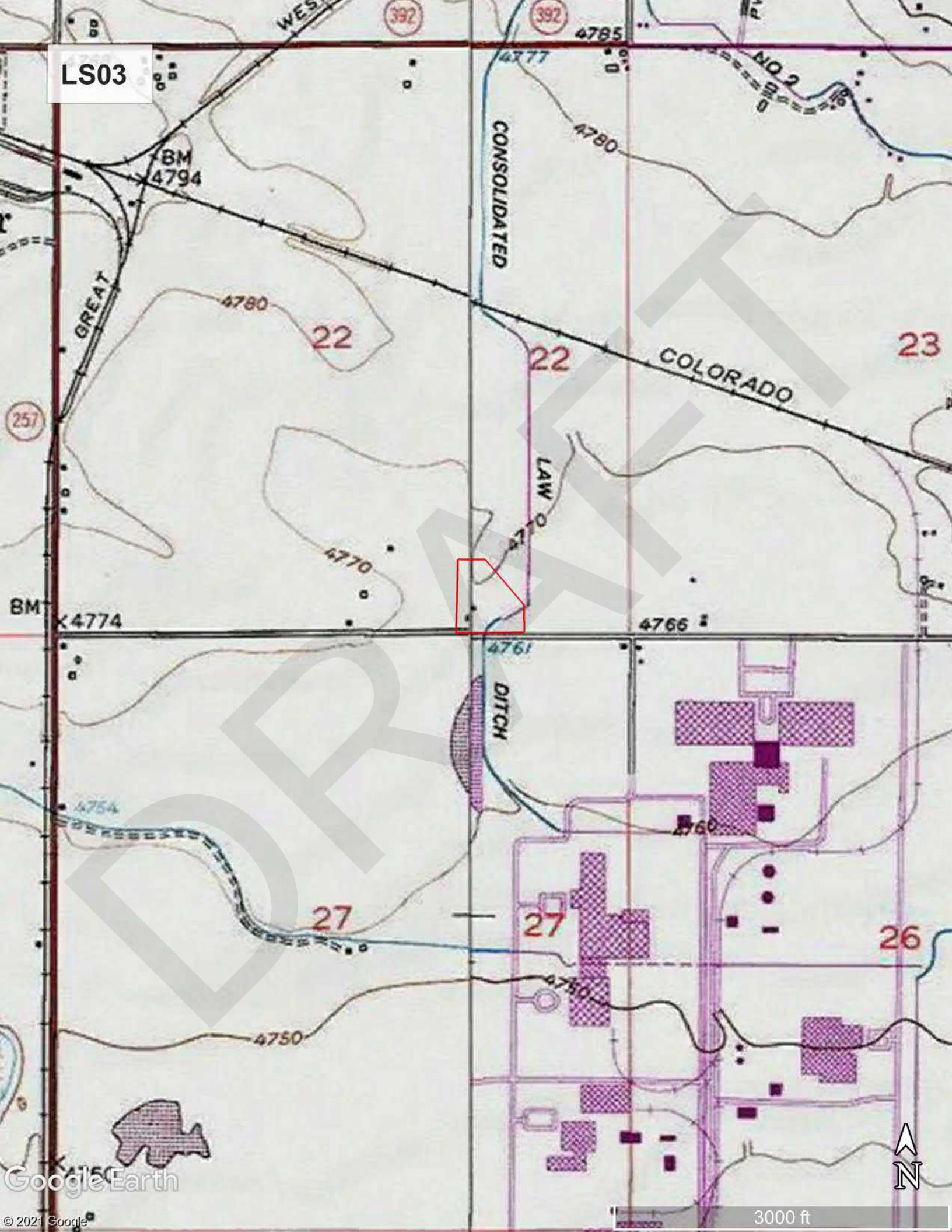
50. Recorder(s): Nicholas Powell

51. Organization: Terracon Consultants

52. Address: 10625 W. I-70 Frontage Rd. N, Suite 3, Wheat Ridge, CO 80033

53. Phone number(s): (303) 423-3300

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.


LS03
WEST
392
392
4785
4777
NO 2
4780
CONSOLIDATED
BM
4794
GREAT
4780
22
22
23
COLORADO
257
LAW
4770
4770
BM
4774
4766
4761
DITCH
4754
4760
27
27
26
4750
4750
Google Earth
© 2021 Google
N
3000 ft
DRAFT

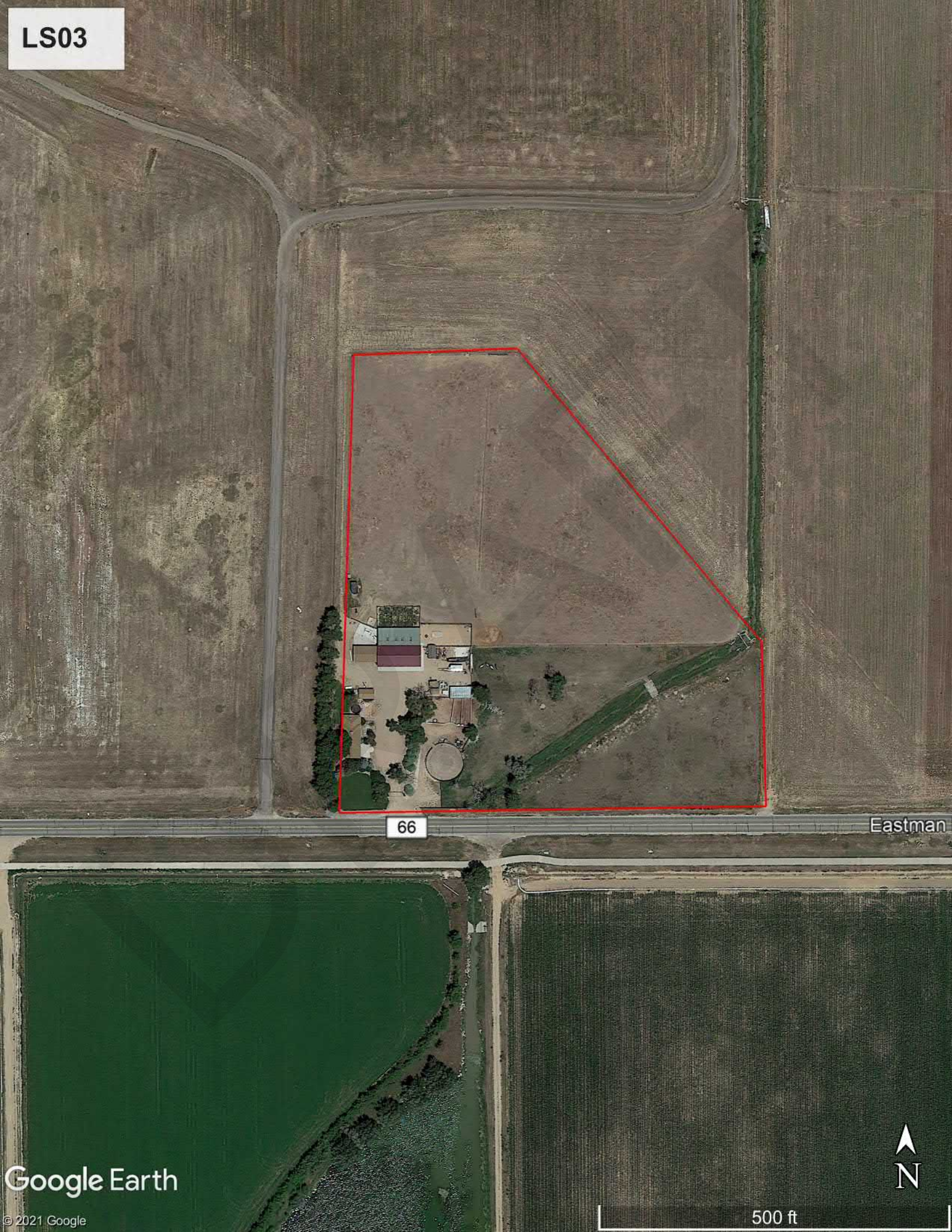

LS03
66
Eastman
Google Earth
© 2021 Google
N
500 ft

Photo #1 View of property entry. View to the northwest.

Photo #2 View of house, east elevation. View to the northwest.

Photo #3 View of house, north (rear) elevation. View to the south.

Photo #4 View of shed, south elevation. View to the north.

Photo #5 View of house, west elevation. View to the east.

Photo #6 View of house, west and north elevations. View to the southeast.

Photo #7 View of equestrian buildings. View to the southeast.

Photo #8 View of equestrian buildings. View to the east.

Photo #9 View equestrian structures. View to the north.

Photo #10 View of equestrian property. View to the north.

Resource Number:
Temporary Resource Number: LS04

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)
Date _____ Initials _____
_____ Determined Eligible- NR
_____ Determined Not Eligible- NR
_____ Determined Eligible- SR
_____ Determined Not Eligible- SR
_____ Need Data
_____ Contributes to eligible NR District
_____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number:
2. Temporary resource number: LS04
3. County: Weld
4. City: Windsor
5. Historic building name:
6. Current building name:
7. Building address: 9481 Eastman Park Drive, Windsor, CO 80550
8. Owner name and address:

Silver Eagle Properties LLC
9481 Eastman Park Drive
Windsor, CO 80550-3164

II. GEOGRAPHIC INFORMATION

9. P.M. 6th Township 6N Range 67W
   SW ¼ of SE ¼ of Section 22
10. UTM reference
    Zone 1 3 ; 5 1 0 2 1 8 mE 4 4 7 9 4 8 6 mN
11. USGS quad name: Windsor, CO _____ _____

    Year: 1969 Map scale: 7.5' X 15' Attach photo copy of appropriate map section.
12. Lot(s): _____ Block: _____
    Addition: _____ Year of Addition: _____
13. Boundary Description and Justification: Boundaries were determined by current property parcel, parcel #080722416001. Bordered on the north by parcel #08072233002, bordered on the east by parcel #080722405002, bordered on the south by Eastman Park Drive, and bordered on the west by Diamond Valley Drive.

III. Architectural Description

14. Building plan (footprint, shape): RECTANGULAR PLAN
15. Dimensions in feet: Length 52' x Width 42'

Resource Number:
Temporary Resource Number: LS04

16. Number of stories: 1
17. Primary external wall material(s): WOOD: Horizontal Siding
18. Roof configuration: HIPPED ROOF
19. Primary external roof material: ASPHALT ROOF
20. Special features: N/A
21. General architectural description: The house on the property was built in 1910, and the barn was built in 1924. Additionally, on the property are three other buildings built in 1930, 1940, and 1950 but could not be seen or evaluated from the public right-of-way along Eastman Park Drive. The property is currently used for commercial uses and storage.

    The 1910-built Craftsman-style house is currently used as an office for a business on the property. The home features its original siding; however, the windows have been replaced. The home has a moderately pitched hipped roof with gray asphalt shingles featuring a centralized dormer on the primary façade. Additionally, the home features a small centralized brick chimney and exposed rafter tails.

22. Architectural style/building type: CRAFTSMAN
23. Landscaping or special setting features: N/A
24. Associated buildings, features, or objects: The 1924-built barn features a prominent gambrel roof over the large two-story building. At the second-story of the barn there are double-sliding barn doors. These doors were used historically for storing hay; also seen in the gable-end is where hay was hoisted up into the loft. Also seen from Eastman Park Drive is a turret, centrally located on the barn's roof. This barn looks to be currently used for a garage or mechanical storage for the business on the property and no longer serving agricultural purposes.
25.

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate:_____ Actual: 1910_____
    Source of information: Weld County Property Portal
26. Architect: Unknown
    Source of information: N/A
27. Builder/Contractor: Unknown
    Source of information: N/A
28. Original owner: Unknown

Resource Number:
Temporary Resource Number: LS04
Source of information: N/A

29. Construction history (include description and dates of major additions, alterations, or demolitions):
Unknown

30. Original location _X___ Moved ____ Date of move(s): N/A

V. HISTORICAL ASSOCIATIONS

31. Original use(s): DOMESTIC: Single Dwelling
32. Intermediate use(s): AGRICULTURE
33. Current use(s): COMMERCE: Business/Professional
34. Site type(s): Single Family Home, Equestrian Property
35. Historical background: Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. This property is currently used as an equestrian property. Cursory research did not reveal how long the property has been an equestrian property.

36. Sources of information:
https://history.weldgov.com/county_150#:~:text=east%20of%20Larimer%20County%20and,became%20the%20first%20county%20seat.

VI. SIGNIFICANCE

37. Local landmark designation: Yes ____ No __X__ Date of designation: N/A_
Designating authority: N/A
38. Applicable National Register Criteria:

____ A. Associated with events that have made a significant contribution to the broad pattern of our history;

____ B. Associated with the lives of persons significant in our past;

____ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

____ D. Has yielded, or may be likely to yield, information important in history or prehistory.

____ Qualifies under Criteria Considerations A through G (see Manual)

____ Does not meet any of the above National Register criteria

39. Area(s) of significance: AGRICULTURE

40. Period of significance: 1910
41. Level of significance: National ____ State ____ Local _____

Resource Number:
Temporary Resource Number: LS04

42. Statement of significance:

CRITERION A: HISTORY

Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. The property was historically a farmstead, however, property is no longer a currently agricultural. Cursory research did not reveal what agricultural industry that the farmstead was a part of and in a greater context. Due to the property's lack of setting, feeling, and association, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are good examples of the Craftsman style and vernacular rural barn and retain much of their integrity physically, the buildings have been altered with modern windows and fixtures to be used for a commercial purpose and that disrupts the resource's ability to convey significance of the Craftsman architectural style on a rural farmstead. Therefore, the historic-age buildings 9481 Eastman Park Drive do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

43. Assessment of historic physical integrity related to significance: **LOCATION:** The subject properties remains in their original location. **DESIGN:** Though no historical photographs were located for the resources, the buildings have been altered by additions and no longer reflect their original design. **SETTING:** Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with commercial and industrial properties and no reflects the historic setting of the resources. **MATERIALS:** The house is clad in original siding, however, windows and roof materials have been altered on the house and barn and include modern materials. **WORKMANSHIP:** The buildings are examples of the Craftsman style constructed with exposed rafter tails and hipped roof with gabled window. **FEELING:** The resources do not retain feeling due to the development of the surrounding area to include commercial development. **ASSOCIATION:** The buildings have not been altered greatly but are now used as a commercial/ industrial property. Terracon believes the buildings were originally constructed as an agricultural property in the Windsor area and Weld County. **NRHP ELIGIBILITY RECOMMENDATION:** The historic-age buildings on the property at 9481 Eastman Park Drive, constructed in 1910 and 1924, have been mildly altered at their exteriors since original construction as a rural farmstead on Eastman Park Drive. The buildings may not have undergone drastic changes but the setting has, as well as the property's original purpose. The setting and association lack integrity to convey their original purpose associated with agriculture in Weld County and are not a distinctive or exemplary example of its property type. Terracon recommends the buildings and property at 9481 Eastman Park Drive as not eligible for inclusion on the NRHP.

Resource Number:
Temporary Resource Number: LS04

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

    Eligible ____ Not Eligible __X__ Need Data __

45. Is there National Register district potential? Yes ___ No __X__

    Discuss: The area and buildings retain no historical integrity to convey significance as a historic district.

    If there is National Register district potential, is this building: Contributing ___ Noncontributing ____

46. If the building is in existing National Register district, is it: Contributing ___ Noncontributing ____

VIII. RECORDING INFORMATION

47. Photograph numbers: #1-10

    Negatives filed at: Terracon Consultants

48. Report title: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

49. Date(s): February 1, 2021

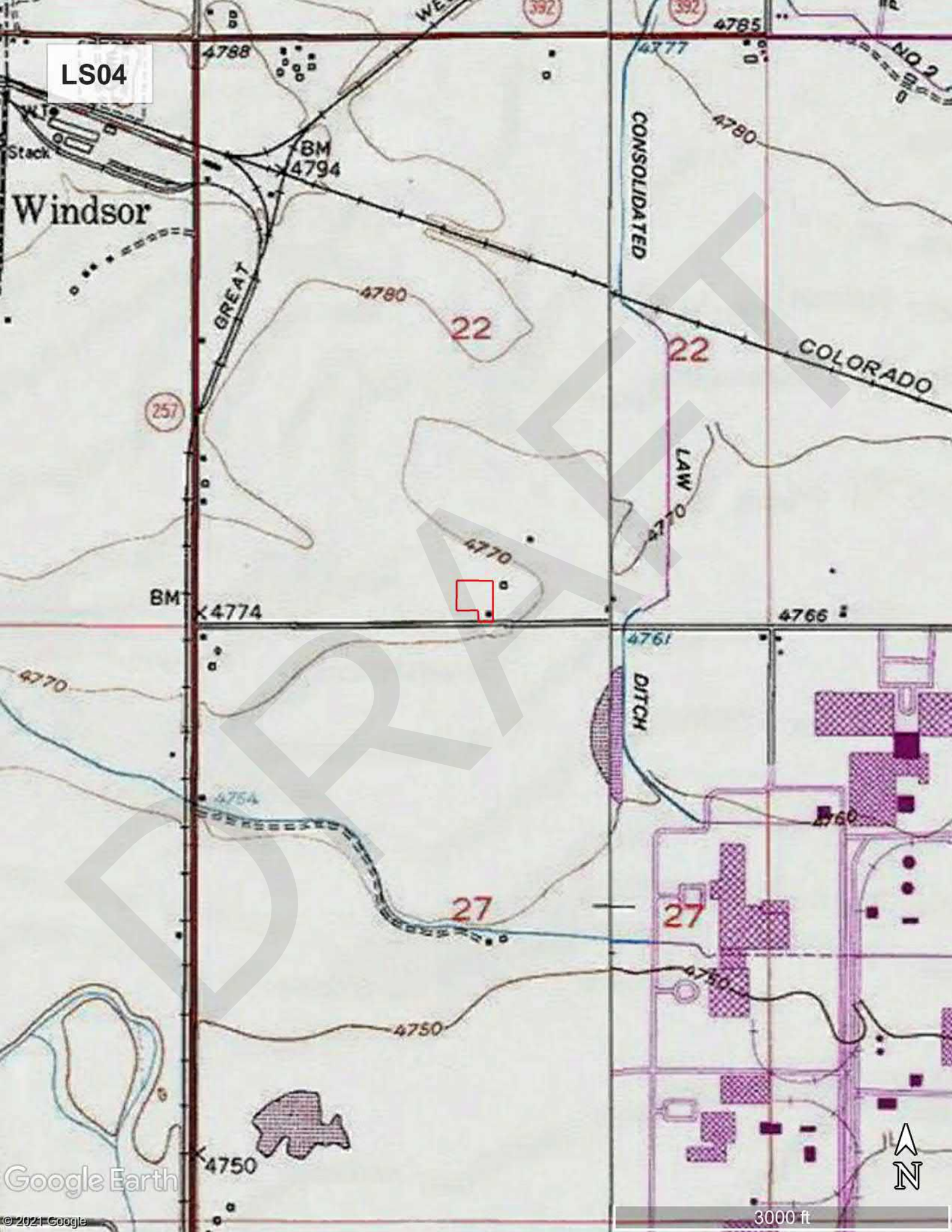
50. Recorder(s): Nicholas Powell

51. Organization: Terracon Consultants

52. Address: 10625 W. I-70 Frontage Rd. N, Suite 3, Wheat Ridge, CO 80033

53. Phone number(s): (303) 423-3300

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.


LS04
Windsor
Stack
BM 4794
BM 4774
4788
4785
4777
4780
4770
4766
4761
4754
4760
4750
CONSOLIDATED
GREAT
COLORADO
LAW
DITCH
NO 2
22
27
257
392
Google Earth
© 2021 Google
3000 ft
N
DRAFT


LS04
Jackson Ct
Diamond Valley Dr
Google Earth
© 2021 Google
N
500 ft

Photo #1 View of house, west elevation. View to the east.

Photo #2 View of house, west and south elevations. View to the northeast.

Photo #3 View of house, south elevation. View to the north.

Photo #4 View of house, south and east elevations. View to the northwest.

Photo #5 View of property and historic buildings. View to the northeast.

Photo #6 View of barn, south elevation. View to the north.

Photo #7 View of barn, south elevation. View to the north.

Photo #8 View of barn, south and west elevations. View to the northeast.

Photo #9 View of barn, west and north elevations. View to the southeast.

Photo #10 View of property from Diamond Valley Drive. View to the southeast.

Resource Number:
Temporary Resource Number: LS04

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)
Date _____Initials _____
_____ Determined Eligible- NR
_____ Determined Not Eligible- NR
_____ Determined Eligible- SR
_____ Determined Not Eligible- SR
_____ Need Data
_____ Contributes to eligible NR District
_____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number:
2. Temporary resource number: LS05
3. County: Weld
4. City: Windsor
5. Historic building name:
6. Current building name:
7. Building address: 10119 Eastman Park Drive, Windsor, CO 80550
8. Owner name and address:

DV One LLC

1625 Pelican Lakes Pt, Ste 201

Windsor, CO 80550-6236

II. GEOGRAPHIC INFORMATION

9. P.M. 6th Township 6N Range 67W
   SW ¼ of SE ¼ of Section 22
10. UTM reference
    Zone 1 3 ; 5 1 1 1 8 4 mE 4 4 7 9 4 2 7 mN
11. USGS quad name: Windsor, CO _____ _____

    Year: 1969_____ Map scale: 7.5' X 15'____ Attach photo copy of appropriate map section.
12. Lot(s): _____ Block:_____
    Addition: _____Year of Addition: _____
13. Boundary Description and Justification: Boundaries were determined by current property parcel, parcel #080723300005. Bordered on the north by a railroad, bordered on the east by parcel #080723000048, bordered on the south by Eastman Park Drive, and bordered on the west by Diamond Way.

III. Architectural Description

14. Building plan (footprint, shape): RECTANGULAR PLAN
15. Dimensions in feet: Length 38’ x Width 39’
16. Number of stories: 1

Resource Number:
Temporary Resource Number: LS04

17. Primary external wall material(s): WOOD: Horizontal Siding, ASBESTOS
18. Roof configuration: CROSS GABLE ROOF
19. Primary external roof material: ASPHALT ROOF
20. Special features: N/A
21. General architectural description: This property features one historic-age house with one associated utility building that could be evaluated from the public right-of-way. The house on the property was built in 1910, and it is unknown when the associated utility building was built. The property is currently vacant setting has been greatly altered for industrial oil and gas use.

    The 1910-built Minimal Traditional Craftsman-style house currently seems vacant on a property that has been developed as an oil and gas industrial area. The home features asbestos siding and the windows are original. The home has a moderately pitched gable roof with gray asphalt shingles featuring two small brick chimneys. Additionally, the home features exposed rafter tails.

22. Architectural style/building type: CRAFTSMAN
23. Landscaping or special setting features: N/A
24. Associated buildings, features, or objects: Small utility shed built to the east of the house.

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate:_____ Actual: 1910_____
    Source of information: Weld County Property Portal
26. Architect: Unknown
    Source of information: N/A
27. Builder/Contractor: Unknown
    Source of information: N/A
28. Original owner: Unknown
    Source of information: N/A
29. Construction history (include description and dates of major additions, alterations, or demolitions): Unknown
30. Original location _X___ Moved ____ Date of move(s): N/A

Resource Number:
Temporary Resource Number: LS04

V. HISTORICAL ASSOCIATIONS

31. Original use(s): DOMESTIC: Single Dwelling
32. Intermediate use(s): AGRICULTURE
33. Current use(s): Vacant
34. Site type(s): Single Family Home
35. Historical background: Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. This building is currently vacant and the property is used as an industrial site for oil and gas. Cursory research did not reveal how long the property has or has not been an agricultural property.

36. Sources of information:
https://history.weldgov.com/county_150#:~:text=east%20of%20Larimer%20County%20and,became%20the%20first%20county%20seat.

VI. SIGNIFICANCE

37. Local landmark designation: Yes ____ No __X__ Date of designation: N/A_
    Designating authority: N/A
38. Applicable National Register Criteria:

    ____ A. Associated with events that have made a significant contribution to the broad pattern of our history;

    ____ B. Associated with the lives of persons significant in our past;

    ____ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

    ____ D. Has yielded, or may be likely to yield, information important in history or prehistory.

    ____ Qualifies under Criteria Considerations A through G (see Manual)

    ____ Does not meet any of the above National Register criteria
39. Area(s) of significance: AGRICULTURE

40. Period of significance: 1910
41. Level of significance: National ____ State ____ Local _____

42. Statement of significance:

CRITERION A: HISTORY

Historically, Weld County and Windsor was settled by German-born and Russian-born immigrants; many farmed sugar beets. The property was historically a farmstead, however, property is no longer a currently

agricultural. Cursory research did not reveal what agricultural industry that the farmstead was a part of and in a greater context. Due to the property's lack of setting, feeling, and association, it does not possess significance under Criterion A.

CRITERION B: PEOPLE

Cursory research for the project did not reveal associations with the lives of significant persons in our past.

CRITERION C: ARCHITECTURE

Although the buildings are good examples of the Minimal Traditional Craftsman style and retains most of its integrity physically, the buildings on the property have been mildly altered with siding and doors. Therefore, the historic-age buildings 10119 Eastman Park Drive do not possess significance under NRHP Criterion C.

CRITERION D: INFORMATION POTENTIAL

This site was not evaluated for its potential to yield archaeological data or additional information regarding cultural traditions related to agriculture.

43. Assessment of historic physical integrity related to significance: **LOCATION:** The subject properties remains in their original location. **DESIGN:** Though no historical photographs were located for the resources, the buildings have been altered by additions on the rear and no longer reflect their original design. **SETTING:** Located in the City of Windsor, adjacent to Eastman Park Drive, the immediate area has become developed with an oil and gas industrial property and does not reflect the historic setting of the resources. **MATERIALS:** The house is clad in asbestos siding, however, some windows and roof materials have been altered on the house. **WORKMANSHIP:** The buildings are examples of the Craftsman style constructed with exposed rafter tails. **FEELING:** The resources do not retain feeling due to the development of the surrounding area to include industrial development. **ASSOCIATION:** The buildings have not been altered greatly but are now vacant as the property is used for industrial purposes with oil and gas. Terracon believes the buildings were originally constructed as an agricultural property in the Windsor area and Weld County. **NRHP ELIGIBILITY RECOMMENDATION:** The historic-age buildings on the property at 10119 Eastman Park Drive, constructed in 1910, has been mildly altered at their exteriors since original construction as a rural farmstead on Eastman Park Drive. The buildings may not have undergone drastic changes but the setting has, as well as the property's original purpose. The setting and association lack integrity to convey their original purpose associated with agriculture in Weld County and are not a distinctive or exemplary example of its property type. Terracon recommends the buildings and property at 10119 Eastman Park Drive as not eligible for inclusion on the NRHP.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

    Eligible ___ Not Eligible _X_ Need Data _

45. Is there National Register district potential? Yes ___ No _X_

    Discuss: The area and buildings retain no historical integrity to convey significance as a historic district.

    If there is National Register district potential, is this building: Contributing ___ Noncontributing ____

46. If the building is in existing National Register district, is it: Contributing ___ Noncontributing ____

Resource Number:
Temporary Resource Number: LS04

VIII. RECORDING INFORMATION

47. Photograph numbers: #1-3

    Negatives filed at: n/a

48. Report title: A Cultural Resources Evaluation and Architectural Survey for the Proposed Future Legends Sports Park, 801 Diamond Valley Drive, Windsor, Weld County, Colorado

49. Date(s): February 1, 2021

50. Recorder(s): Nicholas Powell

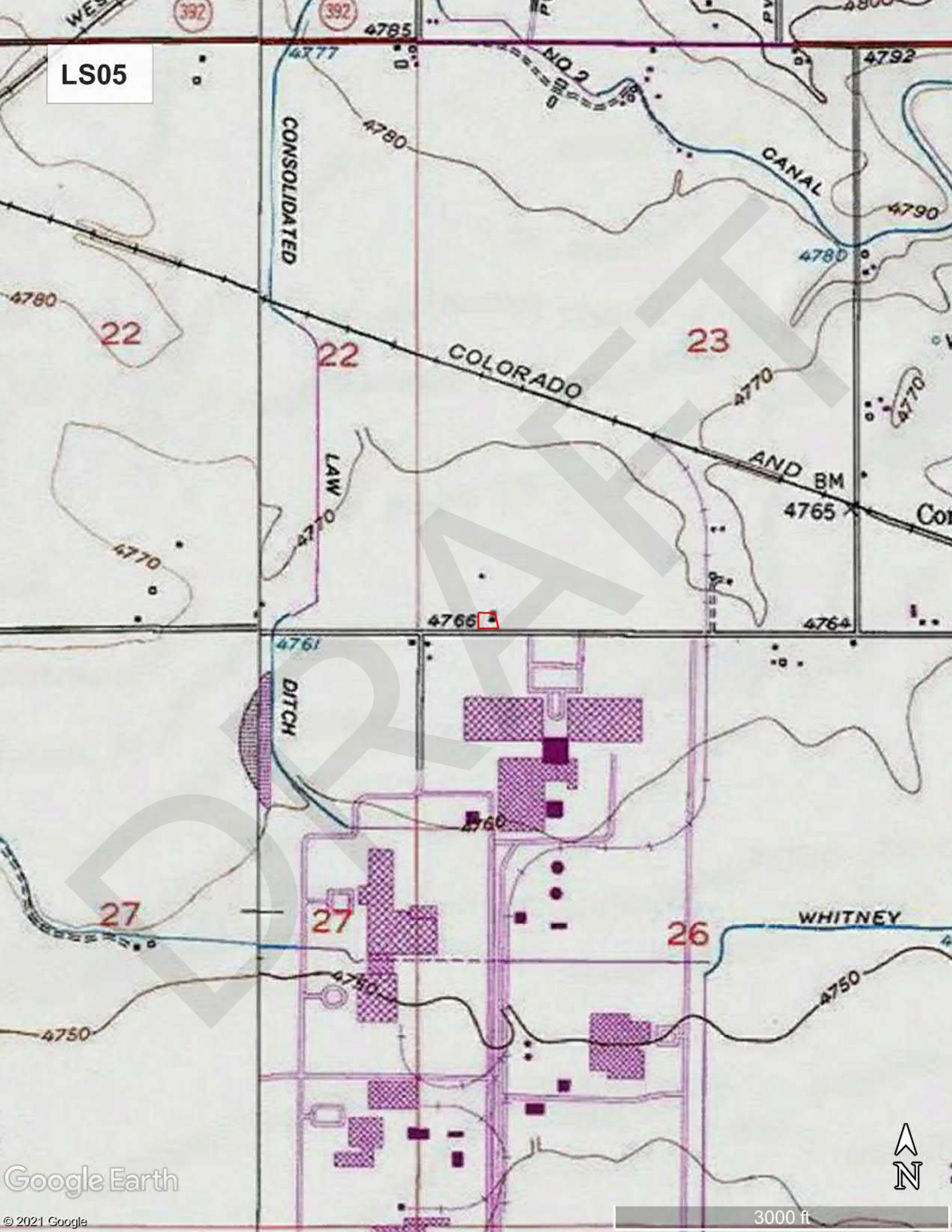
51. Organization: Terracon Consultants

52. Address: 10625 W. I-70 Frontage Rd. N, Suite 3, Wheat Ridge, CO 80033

53. Phone number(s): (303) 423-3300

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.

History Colorado - Office of Archaeology & Historic Preservation
1200 Broadway, Denver, CO 80203 (303) 866-3395


LS05
392
392
4785
4777
NO 2
4792
CONSOLIDATED
4780
CANAL
4790
4780
4780
22
22
23
COLORADO
4770
4770
AND BM
4765
LAW
4770
4770
4766
4764
4761
DITCH
4760
27
27
26
WHITNEY
4750
4750
4750
N
3000 ft
Google Earth
© 2021 Google
DRAFT

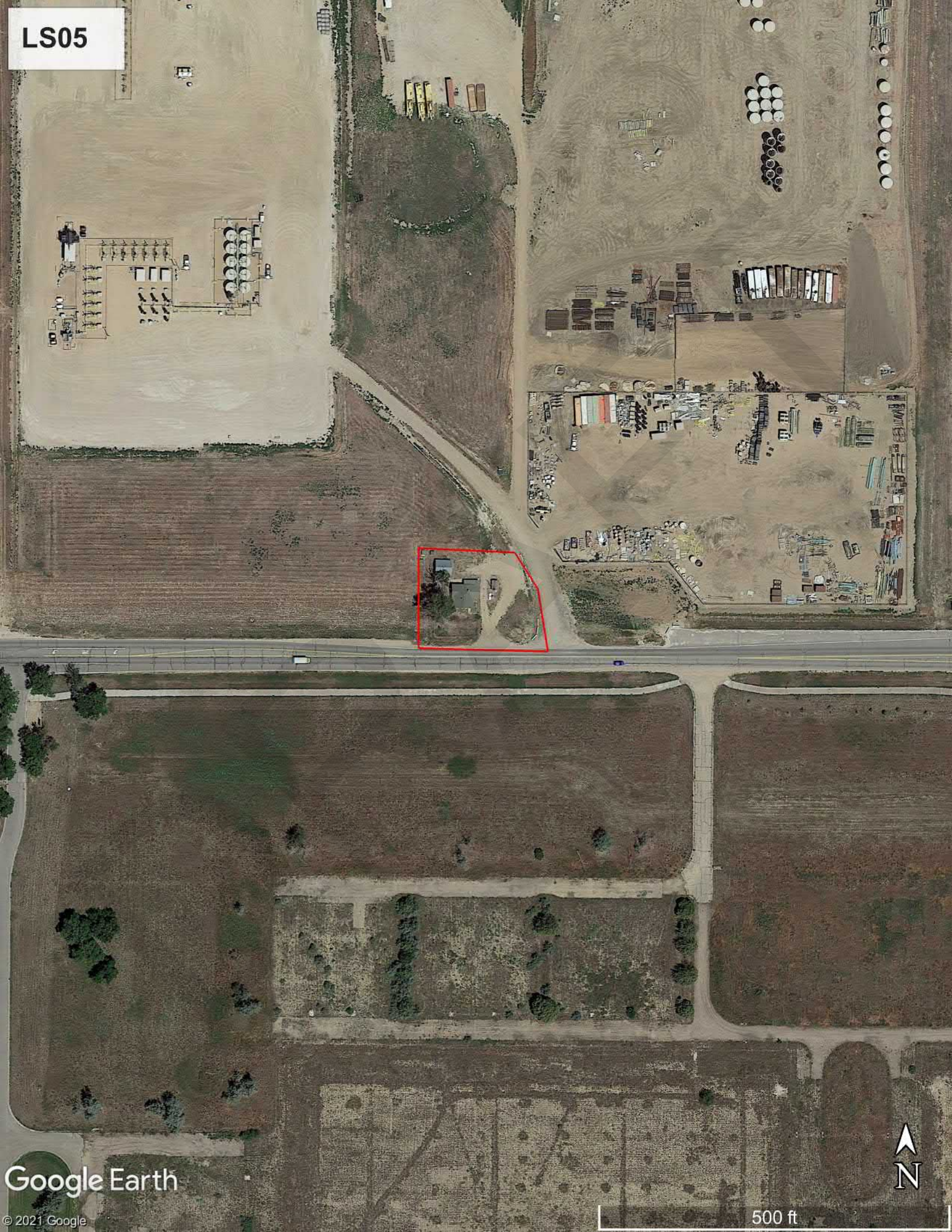

LS05
Google Earth
© 2021 Google
N
500 ft

Photo #1 View of property, south and east elevations. View to the northwest.

Photo #2 View of property, south elevation. View to the north.

Photo #3 View of property, south and west elevations. View to the northeast.

Addendum – Archaeology Report from Metcalf Archaeological Consultants, Inc.

LIMITED-RESULTS CULTURAL RESOURCE SURVEY FORM

This form (#1420) is for small scale limited results projects - block surveys less than 160 acres with linear surveys under four miles. Additionally, there should be no sites and a maximum of four Isolated Finds. This form must be typed.

I. IDENTIFICATION

1. Report Title (include County): A Class III Cultural Resources Inventory for the Proposed Future Legends Sports Complex in Weld County, Colorado
2. Date of Field Work: 3/10/2021
3. Form completed by: Jennifer Borresen Lee Date: 03/15/2021
4. Survey Organization/Agency: Metcalf Archaeological Consultants, Inc.
   Principal Investigator: Jennifer Borresen Lee
   Principal Investigator's Signature:
   Other Crew: Dante Knapp
   Address: 11495 W. 8th Ave., Suite 104, Lakewood, CO 80215
5. Lead Agency / Land Owner: USDA / private
   Contact:
   Address:
6. Client: Terracon
7. Permit Type and Number: State of CO Archaeological Permit No. 79414
8. Report / Contract Number:
9. Comments:

II. DESCRIPTION OF UNDERTAKING / PROJECT

10. Type of Undertaking: sports complex
11. Size of Undertaking (acres): 118 acres
    Size of Project (if different) 21.9 acres (other areas within the undertaking are reported separately by Terracon)
12. Nature of the Anticipated Disturbance: Future Legends proposes to construct a sports complex facility consisting of recreational baseball and soccer fields, a minor league baseball stadium, two hotels, a dormitory, an indoor dome, and

associated retail space. The proposed project area is on approximately 118 acres of land located southeast of East Garden Drive and Diamond Valley Drive in Windsor, Weld County, Colorado (Weld County Parcel Numbers 080722416015, 080722416016, 080722416017, 080722416018, 080722416019, and 080722008001). The approximately 22-acre portion of the proposed project area where the survey was conducted (Weld County Parcel Number 080722008001) will consist of outdoor soccer/baseball fields associated with the proposed Future Legends sports complex.

13. Comments: _____

III. PROJECT LOCATION

Please attach a photocopy of USGS Quad. clearly showing the project location. The Quad. should be clearly labeled with the Prime Meridian, Township, Range, Section(s), Quad. map name, size, and date. Please do not reduce or enlarge the photocopy.

14. Description: The surveyed area is in an agricultural field on the east side of the town of Windsor and north of County Road 66 (Eastman Park Dr.).

15. Legal Location: Quad. Map: Bracewell (1950; PR 1980)

    Principal Meridian: 6th X NM __ Ute __

NOTE: Only generalized subdivision ("quarter quarters") within each section is needed

    Township: 6N Range: 67W Sec.: 22 1/4s E NE SE ;

    Township: 6N Range: 67W Sec.: 22 1/4s E E NE SE ;

    Township: 6N Range: 67W Sec.: 22 1/4s NW NE NW NE SE ;

    Township: 6N Range: 67W Sec.: 22 1/4s N NE SE SE ;

    If section(s) is irregular, explain alignment method: _____

16. Total number of acres surveyed: 21.9

17. Comments: _____

IV. ENVIRONMENT

18. General Topographic Setting: The project is within the Denver Basin in the Colorado Piedmont section of the Great Plains physiographic province. The area

is characterized by rolling uplands and deeply incised drainages, all of which are tributaries of the South Platte River. The proposed project is in a flat, previously plowed field along a portion of a late Pleistocene terrace underlain by mixed, Broadway Alluvium and eolian loess deposits. The nearest drainage is the Cache La Poudre River, located approximately 1.7 miles to the south.

Current Land Use: agriculture

19. Flora: mixed grasses, thistle, and various weeds
20. Soils/Geology: The surficial geology is mapped as Broadway Alluvium within the southwestern half of the project area while the northeastern portion is mapped as Post-Piney Creek Alluvium (Colton 1976); however, it appears the entire project area is underlain by Broadway Alluvium mixed with surficial eolian sediment. The soil mapped in the area is Nunn clay loam, which has formed on deposits of loess and mixed alluvium (NRCS 2021).

    The observed surficial deposits consisted of grayish brown to pale brown, sandy clay loams and clay loams. Areas exhibiting more pronounced deflation have deposits of mixed lithology gravel lag derived from the eroded Broadway Alluvium. These gravels are subrounded to rounded and 2-20 cm in size.
21. Ground Visibility: variable; ~20-30% in the more vegetated areas, and ~80-100% in exposed areas
22. Comments: The westernmost 30-40 m of the survey area has been disturbed by construction activities associated with the realignment of Consolidated Law Ditch.

V. LITERATURE REVIEW

23. Location of File Search: History Colorado OAHP Compass database

    Date: 03/10/2021
24. Previous Survey Activity - In the project area: The search area included T.6N R.67W, Sections 22 and 23. Three previous surveys have been conducted within the search area: WL.E.R1 occurred in 1989 for a transmission line; WL.E.R25 occurred in 2004 and was also for a transmission line; and WL.LG.R27 occurred in

2012 for a flood mitigation project. The latter project is just east of the current survey area.

In the general region: See above.

25. Known Cultural Resources - In the project area: No cultural resources have been previously recorded in the project area; however, significant work has recently occurred on the eligible Consolidated Law Ditch (5WL.7222), resulting in a new ditch alignment that crosses north-south through the western part of the survey area. Historically (and until recently), the ditch flowed about 180 ft west of the current survey area. Terracon has addressed impacts to the Consolidated Law Ditch elsewhere as part of the current undertaking.

    In the general region (summarize): Ten cultural resources have been recorded in the search area, and they are almost entirely eligible linear resources. They include the Great Western Railroad (5WL.841, 5WL.841.13 [contributing segment]); the associated Windsor Wye (5WL.866); a non-contributing and a contributing segment of the Colorado and Southern Railroad/Greeley, Salt Lake and Pacific Railroad (5WL.1043.4, 5WL.1043.11); the Cache La Poudre Canal/Greeley Canal #2; a segment of the Consolidated Law Ditch (5WL.7222.1); an unnamed ditch and pump house (5WL.4795); an unnamed ditch (24WL.4796); and an historic isolated find (bottle glass) (5WL.7221). The two unnamed ditches and the isolated find are not eligible for the NRHP; the other resources are eligible.

26. Expected Results: Given previous disturbance (agricultural and other), Metcalf did not expect to find any cultural sites. The project's proximity to a railroad and a historic ditch suggested isolated historic finds might be encountered.

VI. STATEMENT OF OBJECTIVES

27. The purpose of this study is to facilitate USDA's project planning and compliance documentation with Section 106 of the National Historic Preservation Act (NHPA), as amended, and other applicable federal legislation and regulations. The goal of such studies is to identify, record, and evaluate cultural resources

within the area of potential effect (APE) of the proposed project. When cultural resources are found, they are typically evaluated for eligibility on the National Register of Historic Places (NRHP), and management recommendations are made, specifically regarding potential impacts to them by the proposed project. National Register evaluations are conducted following *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation* (National Park Service 1990, rev. 1995). All field work, data analysis, and reporting strictly follows the U.S. Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation (National Park Service 1983) and the guidelines for consulting with the Colorado State Historic Preservation Office (SHPO) (History Colorado 2007).

VII. FIELD METHODS

28. Definitions: Site The State of Colorado defines sites as discrete loci of patterned human activity greater than 50 years of age with or without features. A single isolated hearth with no other associated artifacts or features would also be recorded as a site.

    IF Isolated finds are defined as artifacts representing a single activity without associated features.

29. Describe Survey Method: Weather conditions at the time of survey included scattered clouds and temperatures in the 40s. The 21.9-acre survey block was inventoried by one archaeologist via pedestrian transects spaced at no more than 20 m apart. Special attention was paid to areas of increased subsurface visibility like animal burrows, trails, and other exposed locations. Field notes and overview photographs were taken.

VIII. RESULTS

30. List IFs if applicable. Indicate IF locations on the map completed for Part III.
    A. Smithsonian Number: _____ Description: _____
    B. Smithsonian Number: _____ Description: _____
    C. Smithsonian Number: _____ Description: _____
    D. Smithsonian Number: _____ Description: _____

31. Using your professional knowledge of the region, why are there none or very limited cultural remains in the project area? Is there subsurface potential?

Few cultural resources have been recorded in and around the project, likely due to relatively little previous survey and intensive agricultural activity. Those resources that have been recorded are almost exclusively linear sites. While the Broadway Alluvium and overlying loess deposits have demonstrated the presence of buried cultural deposits within the region, the deposits in the project area have been disturbed by agricultural activities and deflation due to wind erosion, and no surficial cultural deposits were observed. Based on these characteristics and field observations, the deposits within the project area are considered to have low potential to contain significant buried cultural deposits.

Metcalf recommends a finding of *No historic properties affected* (36 CFR § 800.4.d) for the project. It is recommended that the project proceed as planned. If there are any changes to the project footprint, additional investigations may be needed prior to construction. If any previously unknown cultural materials are encountered during construction, work should be halted and a qualified archaeologist contacted to evaluate the find.

REFERENCES

Colton, R.B.
1978 *Geologic map of the Boulder–Fort Collins–Greeley area, Front Range Urban Corridor, Colorado*. U.S. Geological Survey Miscellaneous Investigations Map I-855-G, scale 1:100,000.

History Colorado
2007 *Colorado Cultural Resource Survey Manual: Guidelines for Identification: History and Archaeology*. Office of Archaeology and Historic Preservation, Denver, Colorado. Electronic document, https://www.historycolorado.org/sites/default/files/media/document/2017/1527.pdf, accessed 3/12/2021.

National Park Service

1983 *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (as amended and annotated). National Park Service, Department of the Interior, Washington, D.C.

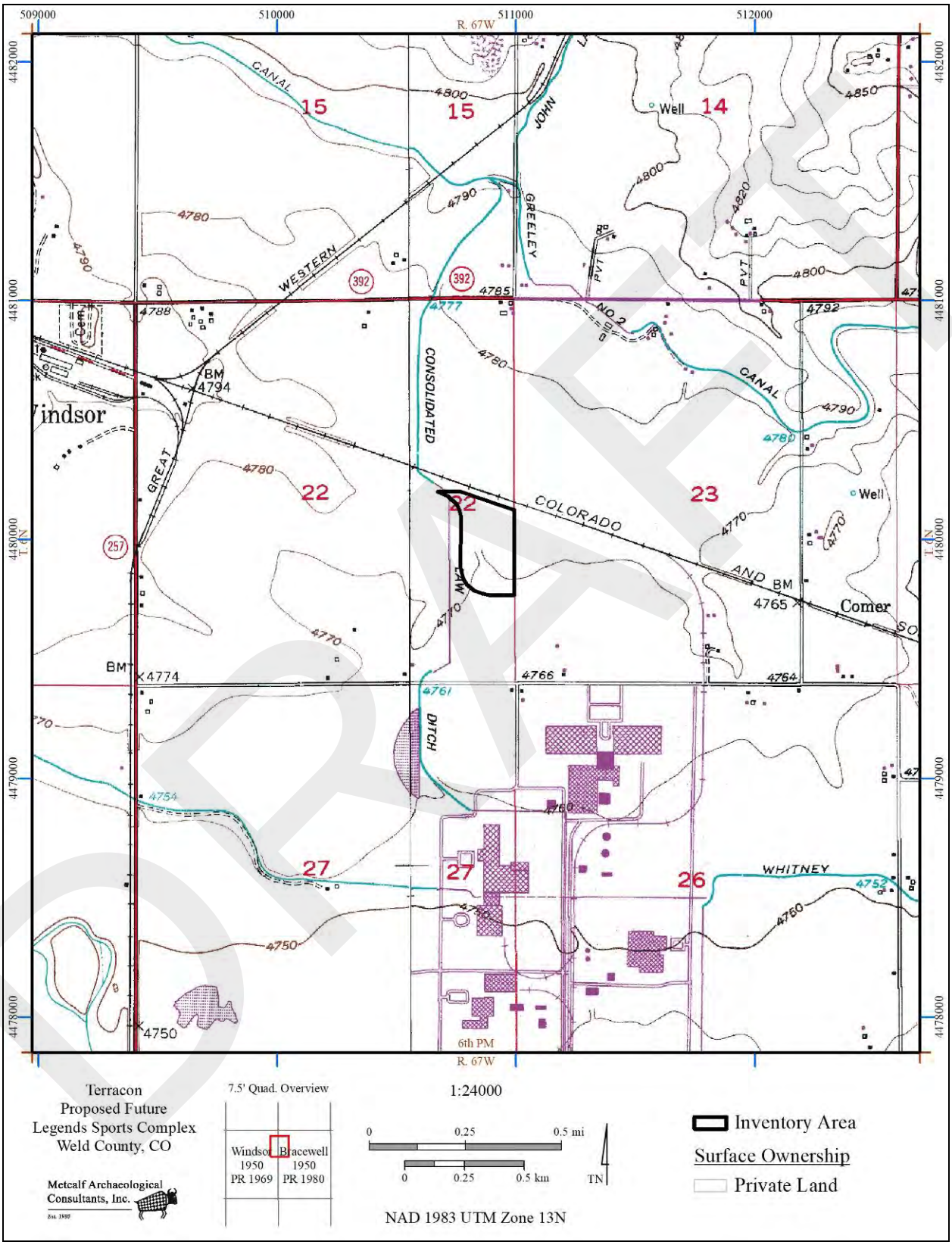
1995 *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*. Electronic document, https://www.nps.gov/subjects/nationalregister/ upload/NRB-15_web508.pdf, accessed 3/12/2021.

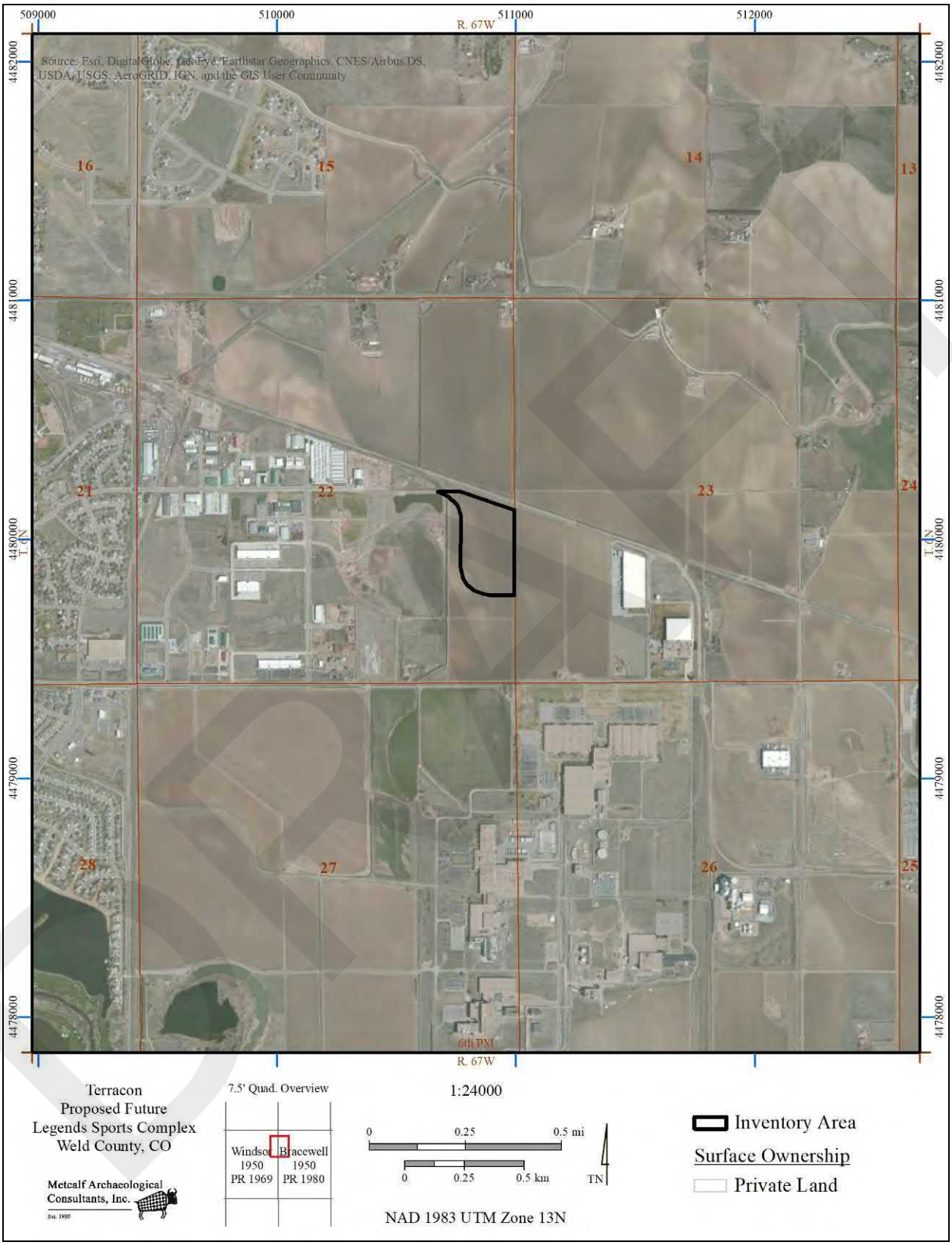
Natural Resource Conservation Service (NRCS)

2021 Web Soil Survey. Electronic document, https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm, accessed 3/10/2021.

Figure 1. Overview facing northwest from the southeast corner of the survey area (Image 23; 3/10/2021, D. Knapp).

Figure 2. Overview of disturbance on west side of survey area looking south; note realigned ditch associated with the Consolidated Law Ditch (5WL.7222) at right (Image 25; 3/10/2021, D. Knapp).


509000
510000
511000
512000
R. 67W
4482000
4481000
4480000
4479000
4478000
T. 6N
CANAL
15
14
JOHN
Well
4800
4850
4790
4780
GREELEY
WESTERN
392
4785
4820
PVT
4788
4792
NO. 2
CONSOLIDATED
4777
BM
4794
indsor
GREAT
22
23
COLORADO
257
Well
4770
AND
BM
4765
Comer
4774
4766
4764
4761
DITCH
4754
27
26
WHITNEY
4752
4760
4750
6th PM
Terracon
Proposed Future
Legends Sports Complex
Weld County, CO
Metcalf Archaeological Consultants, Inc.
7.5' Quad. Overview
Windsor 1950 PR 1969
Bracewell 1950 PR 1980
1:24000
0 0.25 0.5 mi
0 0.25 0.5 km
TN
NAD 1983 UTM Zone 13N
Inventory Area
Surface Ownership
Private Land


509000
510000
511000
512000
R. 67W
4482000
4481000
4480000
4479000
4478000
T. 4N
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
16
15
14
13
21
22
23
24
28
27
26
25
6th PM
Terracon
Proposed Future
Legends Sports Complex
Weld County, CO
Metcalf Archaeological Consultants, Inc.
7.5' Quad. Overview
Windsor 1950 PR 1969
Bracewell 1950 PR 1980
1:24000
0
0.25
0.5 mi
0
0.25
0.5 km
TN
NAD 1983 UTM Zone 13N
Inventory Area
Surface Ownership
Private Land

Staff Resumes

Nicholas C. Powell

ARCHITECTURAL HISTORIAN

PROFESSIONAL EXPERIENCE

Mr. Nicholas Powell is a Secretary of the Interior-qualified Architectural Historian in Terracon's Denver, Colorado office. As part of the NEPA Group, he is responsible for contributing to Cultural Resource Surveys, Section 106 historic resource surveys and reviews. Additionally, he serves as an Architectural Historian for the Western Operating Group within Terracon and a Subject Matter Expert for Terracon's Arizona offices. His skills include identification of historic structures, archival research, report writing, documentation of historic sites, knowledge of design guidelines, and assessments of National Register eligible resources.

Mr. Powell's experience includes an internship with Main Street Chillicothe in Chillicothe, Missouri, where he worked on a variety of projects that included developing, creating and presenting a Façade Rehabilitation and Upper story Development Showcase with printed materials which resulted in Main Street Chillicothe receiving an award for Outstanding Community Education at the 2016 Missouri Main Street Conference. Powell has experience working in an accredited National Main Street Program under the Main Street Approach and knowledge in appropriate historic preservation techniques and practices for historic structures.

PROJECT EXPERIENCE

Capitol North Historic District Expansion – Cheyenne, WY

Field technician and architectural historian for pedestrian survey of project area within expanded district boundaries. Responsibilities included survey of Capital North neighborhood, photographing and mapping buildings, field notes, completing Wyoming State Historic Preservation Office (SHPO) survey forms, and updating a 1980 National Register of Historic Places (NRHP) nomination of the historic district to include resources within the new district boundaries.

Lifetime at Leadville – Leadville, CO

Project Manager and architectural historian for historical pedestrian survey of project area. Documented an unevaluated historic resource for the client by completing a Historic Building Survey and Assessment. Responsibilities included completing an Colorado SHPO Management Data Form 1403 during a field survey and documenting the historic structure. Responsibilities also included archival research, evaluating integrity and eligibility under the National Register Criteria for Evaluation, and report writing. Project responsibilities also included ongoing consultation for client with the City of Leadville's Historic Preservation Commission.

EDUCATION

Master of Science, Historic Preservation, University of Colorado Denver, In Progress

Bachelor of Science, Historic Preservation, Southeast Missouri State University, 2016

AFFILIATIONS

Lambda Chi Alpha Fraternity

Historic Preservation Association

WORK HISTORY

Terracon Consultants, Inc.
Architectural Historian
2017-Present

Main Street Chillicothe, Executive Assistant – 2015

*Indicates projects completed prior to joining Terracon

Falcon Stadium at United States Air Force Academy Level II Historic Resource Documentation – Colorado Springs, CO
Field Director and architectural historian for survey documenting Falcon Stadium beyond basic cultural resource surveys as mitigation for the addition of ADA elevators. Documentation of the historic stadium in the project area included full descriptive and historical narrative (including relevant contexts), measured drawings, and medium format black and white photography, all in archivally stable format, as well as, visual effects survey from area of potential effects. Responsibilities included documenting the historic building through appropriate forms, field notes, and report writing. Documenting historic building.

Pioneer Park National Register of Historic Places Nomination – Billings, MT
Principal researcher for architectural history as mitigation plan of adverse impacts to historic properties. Completing archival research, historic contexts, and survey findings regarding the park into a nomination for the National Register of Historic Places. Responsibilities includes the survey and documentation of the historic park and its buildings, determination of the significance of the historic park, and report writing.

Village Cooperative of Lakewood and Longmont Level II Historic Resource Documentation – Lakewood & Longmont, CO
Field Director and architectural historian for survey documenting historic project area beyond basic cultural resource surveys. Documentation of historic farmsteads in the project area included full descriptive and historical narrative (including relevant contexts), measured drawings, and medium format black and white photography, all in archivally stable format. Responsibilities included documenting historic buildings through appropriate forms, field notes, and report writing.

Village Cooperative of Lakewood and Longmont Class III Cultural Survey – Lakewood & Longmont, CO
Field technician and architectural historian for archaeological and historical pedestrian survey of project area. Researched and documented farmstead properties and evaluating integrity and eligibility under the National Register Criteria for Evaluation. Responsibilities included documenting findings through appropriate forms, field notes, and report writing.

The Right Place HUD Environmental Assessment – Pueblo, CO
Assisted in completing an Environmental Assessment for the application for the US Department of Housing and Urban Development LIHTC and an architectural visual effects survey of project area. During project, documented and evaluated a midcentury modern church designed by Elizabeth Wright Ingraham, Frank Lloyd Wright's granddaughter. Responsibilities included documenting findings through appropriate forms, GIS, and field notes; report writing.

Blue Bell Architectural Evaluation – Greeley, CO
Documented an unevaluated 4.27-acre farmstead property for the Colorado State Historic Preservation Office – Office of Archaeology and Historic Preservation (OAHP). Responsibilities included completing an OAHP Management Data Form 1400 during a field survey of the historic farmstead and evaluating integrity and eligibility under the National Register Criteria for Evaluation and report writing.

Fort Irwin Cantonment Survey – Fort Irwin, CA
Field technician for historical architectural pedestrian survey of project area. Researched and documented fort cantonment buildings/structures over 50-years of age. Survey responsibilities included locating resources, photographing, and documenting resources with appropriate SHPO survey forms.

Journey Home Cañon City HUD Environmental Assessment – Cañon City, CO
Assisted in completing an Environmental Assessment for the application for the US Department of Housing and Urban Development LIHTC and an archaeological pedestrian survey of project area. Responsibilities included documenting findings through appropriate forms, GIS, and field notes; report writing.

Poudre Canyon Firehouse Categorical Exclusion – Red Feathers, CO
Field Architectural Historian responsible for conducting a Cultural Resources Survey for an Environmental Report (ER), in anticipation of a Categorical Exclusion (CE) application for the U.S. Department of Agriculture (USDA) Rural Development (RD) program, for the proposed firehouse.

Aurora Commerce Center Class III Cultural Survey – Aurora, CO
Assisted in completing an archaeological and historical pedestrian survey of project area. Responsibilities included documenting findings through appropriate forms, GIS, and field notes; report writing.

Cultural Resource Survey/Historic Building Survey – Greeley, CO
Field technician of architectural history for telecommunications site in Greeley, Colorado. Completed archival research, historic contexts, and survey findings regarding the proposed telecommunications site. Responsibilities included the survey and documentation of historic buildings, determination of direct and indirect effects to historic properties, documentation of historic properties through the State Historic Preservation Office's Form 1400, and report writing.

Various Telecommunication Projects – Various Locations, CO/UT/WY/OR/WA/AZ
NEPA and Section 106 of the National Historic Preservation Act (NHPA) compliance. Process including Tribal consultation, in-house research, and on-site assessment.

Subject Matter Expert for Telecommunication Projects – Various Locations, AZ/WA/OR
NEPA and Section 106 reviewer of telecommunications projects with visual effects for regulatory compliance reports. Process includes reviewing visual impacts within an area of potential effects and impact on historic properties listed in or eligible for the National Register of Historic Places.

Historic Theaters Feasibility Assessment – Cape Girardeau, MO*
Provided consultation on how to properly rehabilitate two historic theaters, the Broadway Theater and the Esquire Theater, and how to reintegrate them into the community for use. Process included site survey and photographic documentation, deterioration assessments, reuse planning, and feasibility evaluation. Reporting included a demographic study and presentation to the Historic Preservation Council for the City of Cape Girardeau.

Various Façade Rehabilitation Consultations – Chillicothe, MO*
Provided consultation on how to properly rehabilitate historic commercial buildings and their facades through appropriate practices to preserve and restore the historic integrity of historic downtown Chillicothe. Process included site survey, photographic documentation, and building history research and research on appropriate rehabilitation options. Consultations with downtown building owners included a historic report of the building and sketches/drawings of proposed façade rehabilitations.

Dr. J.L. Jenkins House Nomination – Jackson, MO*
Provided architectural descriptions and photographs of contributing building for nomination to the National Register of Historic Places. Process included site documentation, research through archives and additional records, and submission.

Nicholas C. Powell (continued)

Survey of Historic Red Star District – Cape Girardeau, MO*
Conducted a survey and record for buildings within a few square blocks of the Historic Red Star District in the city of Cape Girardeau. Responsibilities included survey of Red Star District neighborhood, photographing and mapping buildings and filing records of historic homes to National Register.

St. Mark's Masonic Lodge #93 Archival Finding Aid – Cape Girardeau, MO*
Created and presented an archival finding aid for the archives of the St. Mark's Masonic Lodge #93 after extensive organizing and filing of untouched historic documents.

Comprehensive Historic Resource Survey for Chillicothe & Cape Girardeau, Missouri
Historic Downtown Districts*
Conducted surveys of two historic districts, including field interviews with owners and photographs of sites, as well as historic building research and report preparation.

John D. Hall, M.A., RPA

Senior Archaeologist / Principal Investigator

PROFESSIONAL EXPERIENCE

Mr. Hall is a Senior Archaeologist and Principal Investigator for Terracon's Austin, Texas office. Mr. Hall oversees cultural resource management projects for Terracon in Texas and the Western U.S.

Mr. Hall is well-versed in the archaeology, history, and ecology of the Western U.S., stone artifact technologies, landscape archaeology, geoarchaeology, spatial analysis, ethnoarchaeology, and settlement and subsistence systems; with particular experience in Archaic and Ceramic Period economic adaptations and material culture, as well as the adoption of agriculture in the prehistoric U.S. Southwest.

Mr. Hall has over 20 years of experience in archaeology and has participated on a variety of archaeological projects in Arizona, California, Colorado, Nevada, New Mexico, Texas, Utah, and Washington as a supervisor, lithic analyst, or technician, since 1997. Mr. Hall has specific experience as a supervisor on large survey and data recovery projects in the U.S. Southwest.

SELECT PROJECT EXPERIENCE

COMMERCIAL

Carr Class III Cultural Resources Survey – Colorado
Principal Investigator for the Class III survey and NRHP evaluation for a proposed gravel mine, Weld County, Colorado, for Kiewit Infrastructure Company, 2020.

ENERGY

Mid America Pipeline Company/Williams Rocky Mountain Expansion Loop Data Recovery Project – Utah and Colorado*
Field Technician for the excavation of multiple prehistoric and historical-period sites, San Juan County, Utah and Dolores County, Colorado, for Williams Companies, Inc., 1999

FEDERAL

Hutch Springs Habitat Restoration Class III Cultural Resources Survey – Arizona
Principal Investigator for the Class I records search and Class III survey of Hutch Springs, Tonto National Forest – Cave Creek Ranger District, Yavapai County, Arizona, for the Arizona Game and Fish Department (AGFD), 2020

Non-Potable Reservoir 3 Survey Project – Colorado
Principal Investigator for the Class III Survey and report preparation on United States Airforce Academy (USAFA) land, near Colorado Springs, Colorado, for HB&A, LLC, 2018-2019

Luke Air Force Base Solar-Power-Array Archaeological Data Recovery Project – Glendale, Arizona*
Senior Project Director for the testing and data recovery of Falcon Landing, an extensive Middle and Late Archaic period site in the Phoenix Basin, for Luke Air Force Base and Aerostar Environmental Services, Inc., 2010-2016

EDUCATION

Master of Arts, Archaeology and Heritage, University of Leicester, 2010

Bachelor of Arts, Anthropology, Fort Lewis College, Durango, Colorado, 1999

REGISTRATIONS

Register of Professional Archaeologists (RPA No. 1291460)

AFFILIATIONS

American Cultural Resources Association (ACRA)

Arizona Archaeological and Historical Society (AAHS):
Board of Directors:
President, 2019-present;
Research & Travel Grant Committee, 2016-present;
Communications Officer, 2014-2019

Society for American Archaeology (SAA)

Texas Archeological Society (TAS)

Council of Texas Archeologists (CTA)

WORK HISTORY

Terracon Consultants, Inc., Senior Scientist, 2017-present

Statistical Research, Inc., Senior Project Director/Senior Lithic Analyst, 2011-2017; Assistant Project Director/Field Supervisor, 2002-2011

Mesa Verde National Park, Archeologist (GS-7), 2000-2002

Soil Systems, Inc., Field Technician, 2000

Alpine Archaeological Consultants, Field Technician, 1999

Fort Lewis College, Field Technician, 1998

** Work performed prior to joining Terracon.*

Bircher-Pony Post-Fire Assessment and Rehabilitation Project – Mesa Verde National Park, Colorado*
Archeologist (GS-7) for the documentation and stabilization of previously recorded sites and survey for new sites on Mesa Verde National Park and adjacent Ute Mountain Ute Tribal Lands affected by the Bircher/Pony wildfires, Montezuma County, Colorado, 2000-2002

Fort Carson Archaeological Survey Project – Colorado*
Field Technician for the survey and recording of cultural resources, El Paso and Pueblo Counties, Colorado, for Fort Carson Military Base, 1998

TELECOMMUNICATIONS

FCC Telecommunication Projects – Arizona, California, Colorado, Idaho, Nevada, New Mexico, Texas, and Utah
Principal Investigator/Senior Archaeologist for Class I and III cultural resources surveys, monitoring, consultation, and report preparation for multiple telecommunication sites, for Verizon Wireless and affiliates, 2017-present

OTHER FIELD EXPERIENCE

Fort Lewis College Archaeological Field School: ANTH 403 - Advanced Archaeological Field Techniques – Colorado*
Crew Chief for the excavations of a Pueblo II/III Site (the Pigg Site: 5MT4802); excavations of a Basketmaker III/Pueblo I Site (the Hurlbutt Site: 5LP135); and archaeological survey near Bayfield, Montezuma and La Plata Counties, Colorado, 1998

Fort Lewis College Archaeological Field School: ANTH 259 - Field Training in Archaeology – Colorado*
Crew Member for the excavation of the Pigg Site (5MT4802), a Pueblo II/III Site in the Lowry Pueblo Community, Montezuma County, Colorado, 1997

PUBLICATIONS

Hall, John D., Jason D. Windingstad, Jesse A. M. Ballenger, Karen R. Adams, Susan J. Smith, Robert M. Wegener, Eric E. Klucas, Rein Vanderpot, and Mitchell A. Keur
2018 Non-agricultural Recurrence, Mobility, Adaptation, and Groundwater Variations on the Lower Bajada, Sonoran Desert, U.S.A. *Kiva* 84(2):262–284.

Hall, John D.
2018 The Phoenix Basin Archaic. In *The Archaic Southwest: Foragers in an Arid Land*, edited by Bradley J. Vierra, pp. 52–65. University of Utah Press, Salt Lake City.

SELECT CULTURAL RESOURCE MANAGEMENT PUBLICATIONS

Hall, John D., Cassandra S. Kacin, and Elizabeth B. Newcomb
2020 *A Class III Cultural Resources Survey for Gravel Mining near Carr, Weld County, Colorado*. Project No. 25207057. Terracon Consultants, Inc., Wheat Ridge, Colorado.

Hall, John D. and Robert M. Wegener (editors)
2017 *Project Background and Excavation Results*. 5,000 Years of Aboriginal Land Use in the Western Phoenix Basin: The Luke Air Force Base Solar Project, vol. 1. Technical Series 95. Statistical Research, Tucson.

Hall, John D., Monica L. Murrell, Philip O. Leckman, and Bradley J. Vierra
2012 *A Cultural Resource Inventory of the Taos Plateau Habitat Restoration Project Area, Taos County, New Mexico*. Technical Report 12-54. Statistical Research, Albuquerque, New Mexico.

Charles, Mona C. and John Hall
2000 Literature Review. In *The Emergency Excavation of Eleven Human Burials from Archaeological Site 5LP4991, The Darkmold Site, La Plata County, Colorado*, edited by Mona C. Charles, pp. 4.1-4.3. Department of Anthropology, Fort Lewis College, Durango, Colorado.

Hall, John
1999 Cultural Overview. In *The Reexcavation and Evaluation of 5LP135, the Hurlbutt Site: A Basketmaker III Transitional Pueblo I Site in La Plata County, Colorado*, compiled by Mona C. Charles and Beau Schriever, pp. 3.1-3.5. Department of Anthropology, Fort Lewis College, Durango, Colorado.

S. Elizabeth Valenzuela
SENIOR ARCHITECTURAL HISTORIAN

PROFESSIONAL EXPERIENCE

Ms. Valenzuela is an architectural historian in Terracon's Austin, Texas office. She has 20 years of professional experience in the field of preservation and historic architecture. She has supervised and participated in historic resources surveys, building documentation, archival research, and historic context development projects throughout the United States. She has worked with municipal governments, and state and federal agencies to identify, document, and provide National Register of Historic Places (NRHP) eligibility assessments for commercial, residential, governmental, industrial, rural resources and cultural landscapes. These projects have involved archival research using primary and secondary source materials at local, state, and national repositories, and condition assessments and field documentation using standardized field survey forms and digital and 35mm photography.

Ms. Valenzuela earned a Masters of Architecture degree from Texas Tech University and during her career has managed a broad range of cultural resource projects. These projects have included the identification and assessment of resources dating mostly from the early nineteenth century to the mid-twentieth century and have encompassed utilitarian structures, rural landscapes, vernacular and high-style residential, commercial, and institutional buildings. Ms. Valenzuela meets the *Secretary of Interior Standards for Professional Qualifications* in Architecture, Historic Architecture, and Architectural History.

SELECTED PROJECT EXPERIENCE

National Register Nomination for the Eureka Springs Cemetery – Eureka Springs, Arkansas*

Project director and author for the NRHP nomination of a large, rural community burial ground located east of the main commercial center of Eureka Springs. Completed archival research, fieldwork, digital photography and NRHP form preparation per NPS Standards. Accepted by the Arkansas SHPO in January 2018. Accepted by the Arkansas State Board of Review in April 2018 and forwarded to the National Park Service for listing in the NRHP.

Historic Resources Survey and National Register Nomination for the Meadow Spring Historic District – Fayetteville, Arkansas*

Project director and report author for an intensive-level historic resources survey for 96 historic-age resources located within the original town center, just west of the historic downtown core for the City of Fayetteville. Completed Arkansas Historic Preservation Program (AHPP) Site File forms, mapping, digital photography, and archival research for each resource. Survey accepted by the Arkansas SHPO in August 2017. Author of NRHP nomination for the historic district, based on the results of the survey. To be presented at the August 2018 Arkansas State Board of Review meeting and forwarded to the National Park Service for listing in the NRHP.

Interpretive Master Plan for Magoffin Home State Historic Site – El Paso, Texas*

Preservation Specialist for interpretive master plan for a Texas Historical Commission historic site. The Magoffin Home, on a 1.5-acre site near downtown El Paso, is noteworthy for its architecture and association with El Paso pioneer and businessman, Joseph Magoffin. Completed a site assessment of both the building and the surrounding site, developed recommendations for the interpretation of significant site and cultural landscape elements, outlined recommendations for visitor flow through the site, and analyzed historical and projected site visitation and potential audiences. Project to be complete September 2018.

EDUCATION
Masters of Architecture, Texas Tech University, 1998

CERTIFICATIONS
Section 106 Training, National Preservation Institute, 2007

TxDOT Pre-certification, Categories 2.8.1 and 2.11.1, 2004

PROFESSIONAL ACTIVITIES
District 2 Commissioner, City of Austin Historic Landmark Commission, 2016-present

WORK HISTORY
Terracon Consultants, Inc., Senior Architectural Historian, 2018-Present

Valenzuela Preservation Studio, LLC Principal/Preservation Specialist, 2010-2018

Hardy-Heck-Moore, Inc., Preservation Specialist/Project Manager, 2003-2010

Volz & Associates, Inc., Architectural Intern, 2000-2003

Parshall + Associates, Architectural Intern, 1998-2000

PRESENTATIONS/PUBLISHED ARTICLES
"Tear Down or Treasure: A Case for Historic Preservation," presented at the Rio Grande Valley American Institute of Architects annual convention, September 2017.

"Architecture of Survival: A Brief History of Building Techniques of the Big Bend Region" presented at the Southeast Chapter of the Society of Architectural Historians, November 1998.

* *Work performed prior to joining Terracon.*

S. Elizabeth Valenzuela (continued)

Historic Resources Survey for Roadway Widening – McAllen, Hidalgo County, Texas

Project director and report author for a reconnaissance-level historic resources survey of parcels abutting a roadway widening project, according to Texas Department of Transportation (TxDOT) *Documentation Standards for Historic Resources Research Design and Survey Report*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for each identified resource. Accepted by TxDOT in August 2017 and THC in October 2017.

Historic Resources Survey of Northwest Travis County – Travis County, Texas*

Architectural historian for an reconnaissance-level historic resources survey for 1500 historic-age resources located in northwest Travis County, Texas. Completed Texas SHPO Site File forms, mapping, digital photography, and archival research for each medium- and high-priority resource to assess their current integrity. Accepted by the Texas SHPO in September 2017.

Historic Resources Survey Update for Central Avenue National Register District– Hot Springs, Arkansas*

Project director and report author for intensive-level historic resources survey for 63 historic-age resources located along the main commercial center for the City of Hot Springs. Completed AHPP Site File forms, mapping, digital photography, and archival research for each resource to re-evaluate their current integrity. Accepted by the Arkansas SHPO in July 2017.

Historic Resources Survey Update for Southwest-West Travis County – Travis County, Texas*

Architectural historian for an reconnaissance-level historic resources survey for 1500 historic-age resources located in southwest and west Travis County, Texas. Completed Texas SHPO Site File forms, mapping, digital photography, and archival research for each medium- and high-priority resource to assess their current integrity. Accepted by the Texas SHPO in December 2016.

Historic Context and Windshield Survey of Mexican-American Settlements – Travis County, Texas*

Report author for historic context and windshield-level historic resources survey of properties within Travis County associated with Mexican-American settlement (1520-1970). Identified 26 predominantly Mexican-American communities within the county and documented representative historic-age resources within identified communities. Completed extensive archival research, field survey and digital photography, and developed a historic context and recommendations for future research. Accepted by THC in September 2016.

Historic Resources Survey Update for Pleasant Street National Register District – Hot Springs, Arkansas*

Project director and report author for an intensive-level historic resources survey for over 90 historic-age resources located southwest of the historic downtown core for the City of Hot Springs. Completed AHPP Site File forms, mapping, digital photography, and archival research for each resource to assess their current integrity. Accepted by the Arkansas SHPO in April 2016.

Historic Resources Survey for Akin Tracts at 4301 Slaughter Lane – Travis County, Texas

Project director and report author for a reconnaissance-level historic resources survey of two parcels subject to THC consultation and coordination under the *Antiquities Code of Texas* and *Section 106 of the National Historic Preservation Act of 1966, as amended* (*Section 106*). Completed field survey, mapping, digital photography, archival research, and NRHP eligibility assessment for each identified resource.

Historic Resources Survey for Toutant-Beauregard Road – Bexar County, Texas

Project director and report author for a reconnaissance-level historic resources survey of parcels abutting a roadway widening project and subject to THC consultation and coordination under *Section 106*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for each identified resource.

Historic Resources Survey for Acme Road Multi-Family Site Development – Bexar County, Texas

Project director and report author for a reconnaissance-level historic resources survey for parcels impacted by a proposed multi-family residential development subject to THC consultation and coordination under *Section 106*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for each identified resource.

S. Elizabeth Valenzuela (continued)

Historic Resources Survey for Upper Valley Strahan Road – El Paso, Texas*

Project director and report author for a reconnaissance-level historic resources survey of parcels impacted by a waterline improvement project and subject to THC consultation and coordination under *Section 106*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for each identified resource. Impacted resources included linear elements associated with irrigation farming in the Elephant Butte Irrigation District, and historic residential and agricultural complexes.

Historic Structures Reports for Communications Complex and Secret Service Command Center – LBJ Ranch National Historical Park, Stonewall, Texas*

Report author for two historic structures reports documented four buildings associated with the security and communications for President Johnson while he visited the "Texas White House." Completed field survey and condition assessments, measured drawings, and rehabilitation recommendations for each building. Report was accepted by National Park Service in March 2014 and March 2015.

Interpretive Master Plan for La Bajada Mesa – Santa Fe, New Mexico*

Preservation Specialist and Project Manager for interpretive master plan for a USFS site in Santa Fe National Forest. Provided recommendations to assist the USFS convey the history and rich cultural landscape of the basalt escarpment that divides the Rio Arriba and Rio Abaja of northern New Mexico. Administered by NPS National Trails Intermountain Region, Ms. Valenzuela participated in public outreach meetings with project stakeholders, USFS and NPS staff. Together with the project team, she provided a review of significance of the cultural landscape, an assessment of issues and influences affecting interpretation, described desired visitor experience and provided the framework for interpreting storylines and themes of La Bajada. Project accepted by USFS in 2015.

National Register Nomination for the Broadway Cemetery Historic District – Galveston, Texas*

Project director and primary author for the NRHP nomination for a large, urban burial ground centrally located within the city of Galveston, Texas. Responsibilities included contract administration, public outreach efforts, supervision and participation in archival research, fieldwork, digital and 35mm photography and NRHP form preparation, per NPS Standards. Accepted by NPS and listed in the NRHP on June 13, 2014.

Historic Context for Neoclassical, Colonial Revival and Queen Anne Architectural Styles – State of Louisiana*

Project director and architectural historian for the historic context project. Conducted archival research, field surveys and oral histories to develop a historical background, identify relevant examples of each style, illustrate common and unique characteristics across property types, and develop a baseline for NRHP registration requirements. Accepted by the Louisiana SHPO in June 2012.

Historic Property Eligibility Study – Fort Huachuca, Arizona

Project director and architectural historian for historic-age property evaluations for resources at Fort Huachuca in southeastern Arizona. Conducted reconnaissance-level historic resources survey of 21 identified resources; final report included a historic context for specific themes relevant to the historic-age resources, architectural descriptions and NRHP-eligibility recommendations under an expedited schedule. Accepted by Arizona SHPO in 2011.

Historic Property Eligibility Study – Fort MacArthur, San Pedro, California and Los Angeles Air Force Base (LAAFB), Los Angeles, California and Camp Parks Communications Complex, Dublin, California*

Project director and architectural historian for historic-age property evaluations for resources at installations under the management of LAAFB. Conducted reconnaissance-level historic resources survey of 17 identified resources, completed a historic overview of the three installations, a historic context that provided information on specific themes related to the historic-age resources at Camp Parks and prepared NRHP-eligibility recommendations under an expedited schedule. Accepted by California SHPO in 2011.

Historic Structures Reports – Floyd Lamb Park at Tule Springs, Las Vegas, Nevada*

Project manager and architectural historian for historic structures reports for more than 30 historic structures associated with a working guest ranch significant during the period 1941-1959. Conducted a code-compliance assessment, field investigations and archival research in Las Vegas, documenting structures using survey forms, mapping and photography. Final report accepted by Las Vegas Historic Preservation Officer in 2009.

S. Elizabeth Valenzuela (continued)

Unpublished Government Documents

HABS/HAER DOCUMENTATION

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Brig, South Avenue, Pensacola, Escambia County, FL: Building No. 8." HABS No. FL-243 (Addendum). HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2006. "U.S. Naval Air Station, Marine Barracks, Pensacola, Escambia County, FL: Building No. 18." HABS No. FL-246 (Addendum). HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Paint Shop, Pensacola, Escambia County, FL: Building No. 52." HABS No. FL-490. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Public Restroom, Pensacola, Escambia County, FL: Building No. 67." HABS No. FL-491. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Refrigeration Plant, Pensacola, Escambia County, FL: Building No. 107." HABS No. FL-492. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, YMCA, Pensacola, Escambia County, FL: Building No. 322." HABS No. FL-493. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Assembly and Repair Shop, Pensacola, Escambia County, FL: Building No. 604." HABS No. FL-494. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Laundry, Pensacola, Escambia County, FL: Building No. 636." HABS No. FL-495. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Valenzuela, Sarah E. 2005. "U.S. Naval Air Station, Telephone Workshop and Storehouse, Pensacola, Escambia County, FL: Building No. 738." HABS No. FL-496. HABS Level II Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Keller, S. Elizabeth. 1997. "Barker Lodge, Main House (A) and Garage (B), Panther Junction, Brewster County, TX," HABS No. TX-3490. HABS Level I Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Keller, S. Elizabeth. 1996. "K-Bar Ranch, Main House & Garage, Panther Junction, Brewster County, TX," HABS No. TX-3412. HABS Level I Documentation. Library of Congress, Prints and Photograph Division, Washington, D.C. Historic American Buildings Survey – Built in America.

Ann M. Scott, PhD, RPA

SENIOR ASSOCIATE, ENVIRONMENTAL PLANNING MANAGER, AND PRINCIPAL INVESTIGATOR

PROFESSIONAL EXPERIENCE

Ann Scott serves as Manager and Principal Investigator in the Environmental Planning Group of Environmental Services. Dr. Scott has over 25 years of archaeological and environmental compliance experience and has worked for the National Park Service, the States of Wisconsin and Illinois, and private consulting firms in the Midwest and Texas. This work has involved all levels of investigation including Phase I surveys, Phase II testing, and Phase III data recovery at both prehistoric and historic-period sites. The work has been performed in compliance with the Texas State Antiquities Codes, Section 106 of the National Historic Preservation Act (NHPA), the National Environmental Policy Act (NEPA), and Texas Department of Transportation (TxDOT) NEPA assignment standards. Dr. Scott meets or exceeds qualifications for the *Secretary of the Interior's Standards and Guidelines* for Prehistoric and Historic Archaeology under 36 CFR 61. In addition, Dr. Scott serves as a Project Manager or senior team member on several multi-disciplinary linear TxDOT projects (Categorical Exclusions and Environmental Assessments) involving wetlands, waters, endangered species and habitats, karst surveys, Phase I Environmental Site Assessments, and cultural resources including historic resources and archeological surveys. Dr. Scott also serves as part of the Quality Control Program at Terracon providing senior advisement, guidance, and mentoriing to staff before and during project execution as well as perfoming reviews of deliverables to clients.

SELECT PROJECT EXPERIENCE

Transportation (Road and Trail)

Espada Trail – City of San Antonio, Bexar County, Texas

Serving as Principal Investigator, Dr. Scott supervised the archeological monitoring of the Espada Trail construction (4900 linear feet) as it entered into the National Historic Landmark/World Heritage Site boundary. The 4.2-mile trail crosses over the Espada Acequia, a colonial-age irrigation feature that is still in use in south San Antonio south of Mission Espada. A system of colonial-age and early 20th century acequias and ditches were protected during the construction of the trail and the placement of bridges by a large crane. Both the City of San Antonio Archaeologist and the Texas Historical Commission approved the monitoring plan and field results indicating no historic properties were affected by the placement of the trail.

Outer Loop Project – City of Temple, Bell County, TX

Serving as Project Manager, Dr. Scott is overseeing the preparation of an Environmental Assessment (EA) for a segment of a future highway on the western side of the City of Temple in Bell County, Texas. Because of the TxDOT federal funding involved and the complexity of the project, compliance with NEPA as an EA was required. The preparation includes several aspects of environmental analyses involving several team specialists across Texas. The project is on-going.

South Belton Shared Use Path – City of Belton, Bell County, Texas

Dr. Scott, as Project Manager, is coordinating the NEPA Categorical Exclusion checklists and studies with the TxDOT Waco District Environmental Coordinator for approval of the project. Because the project alignment is partially located within a historic-age park and archeological site, Section 106 of the NHPA, Section 4(f), and Section 6(f) compliance is required. Preliminary studies have been conducted and coordinatin with agencies is underway. Similarly, a Surface Waters Assessment Form was neccesary for the potential impacts to a potentially jurisdictional water feature. The project was approved by TxDOT under NEPA compliance.

EDUCATION

Doctor of Philosophy, Latin American Studies, The University of Texas at Austin, 2009

Master of Arts, Anthropology, Northern Illinois University, 1993

Bachelor of Science, Anthropology, Central Michigan University, 1988 (honors)

REGISTRATIONS

2009, Register of Professional Archeologists-16573

TRAINING

Section 106 Training by ACHP-2011

CERTIFICATIONS

TXDOT Precertified
2.10.1 Archeology

AFFILIATIONS

Society for American Archeology
Council of Texas Archeologists
Texas Archeological Society
American Cultural Resources Association (Board member: 2010-2015)

WORK HISTORY

Terracon, Principal Investigator, Group Manager, 2016 -present

J & L Consulting, Senior Principal Investigator; Environmental Specialist, 2015-2016

aci consulting, Director of Cultural Resources, 2010-2015

HRA Gray and Pape, Archeologist, 2009

The University of Texas at Austin, Graduate Student/Research Assistant, 1999-2009

Prewitt and Associates, Staff Archeologist, 1996-2001

PRESENTATIONS/PUBLISHED ARTICLES

Co-editor of book entitled *The National Historic Preservation Act, Past, Present, and Future* with co-editor Kimball Banks, Routledge Press, 2016

**Experience prior to Terracon*

Chisholm Trail Hike and Bike Facility, Phase II – City of Belton, Texas
Serving as Project Manager, Dr. Scott oversaw the completion of the NEPA Categorical Exclusion checklist managed through the Waco District Environmental Coordinator. In addition to a cultural resources assessment, a Hazardous Material Initial Site Assessment (ISA) and Biological Assessment (BA) were performed along the alignment. The project was approved by the Waco District of TxDOT in 2018.

Prairie View Road – City of Temple, Bell County, TX
Serving as Project Manager, Dr. Scott oversaw the completion of the TxDOT NEPA Categorical Exclusion checklist. Because the road realignment included new right of way, an archeological survey was required by TxDOT. In addition to the cultural resources, a Noise Assessment, Waters and Wetland Assessment, and Biological Assessment were performed along the alignment. The project was approved for construction by the Waco District of TxDOT in 2017.

Various Turn Lanes and Traffic Light Improvements, TxDOT NEPA Categorical Exclusions, Dallas District, Austin District and Waco District
Serving as Project Manager or Senior Subject Matter Expert, Dr. Scott oversees the completion of the TxDOT NEPA Categorical Exclusion checklist and supporting documentation on several projects involving local governments and developers utilizing donation agreements. Project documentation often includes checklists involving natural and cultural resources such as waters and wetlands, endangered species, archeological resources, and historical resources. Several of these projects are current and on-going.

NEPA Compliance Grants (Water/Wastewater)

Texas Water Development Board Grant Funding Projects, City of Cameron Wastwater Treatment Plant – Cameron, Milam County, Texas
Serving as Project Manager, Dr. Scott oversaw the completion of the Environmental Information Document (EID), which is a combination of compliance for state and federal laws (NEPA). All aspects of the project were managed by Dr. Scott including multi-disciplinary field investigations, document quality control with multiple authors, agency and client coordination, assistance in public meetings, and delivery of final documentation. Finding of No Significant Impact (FONSI) was issued by the TWDB and the project was allowed to proceed.

Texas Water Development Board Projects, Hillside Terrace Wastewater Line – City of Buda, Texas and Brazosport Water Authority Treatment Plant Improvements, – Lake Jackson, Texas*
Serving as Project Manager, Dr. Scott oversaw the completion of the Environmental Information Document (EID), which is a combination of compliance for state and federal laws (NEPA). All aspects of the project were managed by Dr. Scott including multi-disciplinary field investigations, document quality control, agency coordination, assistance in public meetings, and delivery of final documentation. Both projects received Finding of No Significant Impact (FONSI) and were approved.

Utility Infrastructure (Broadband/Communications)

Broadband Technology Opportunity Program NEPA Environmental Assessments (EAs) and Federal Communications Commission compliance for broadband infrastructure projects for NTIA/BTOP and USDA/RUS – Oklahoma and Texas*
Dr. Scott acted as Project Manager for People's Telephone Cooperative, Inc. in north Texas, Texas A&M University, Region 18 Education Service Center in west Texas, VTX Telecom in south Texas, and Pine Telephone in Oklahoma. All cultural resources projects received federal approvals. Besides being Principal Investigator for the cultural resources projects, Dr. Scott managed the multi-disciplinary evaluations, NEPA EA document preparation, and agency coordination for the grant projects.

Large Projects (Oil/Gas and Electric Transmission)

White Cliffs II Pipeline Archeological Survey – Oklahoma, Kansas, and Colorado*
Dr. Scott served as Principal Investigator on this multi-state, 526-mile long pipeline project. Emphasis was placed on the high probability areas for cultural resources, which included crossings of waters or wetlands falling under the jurisdiction of the US Army Corps of Engineers (USACE). The project required coordination with multiple USACE districts and State Historical Preservation Officers (SHPOs) of Oklahoma, Kansas, and Colorado. Several sites were recorded as part of the project and a Colorado State permit was required for the survey on state lands. The project received approval to construct by USACE.

APPENDIX E
AGENCY COORDINATION & PUBLIC INVOLVEMENT DOCUMENTATION

Dear Ms. Binion:

The U.S. Fish and Wildlife Service (Service) received your letter on August 11, 2020 in regard to commercial development for a multi-use sports and retail complex to be located at 801 Diamond Valley Drive in Windsor, located in Weld County, Colorado. The following comments have been prepared under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C 1531 et. seq.).

Proposed actions will include development of:

- 1 ballpark/stadium
- 1 standard hotel and associated parking lot of 350 spaces
- 1 extended-stay hotel
- 2 sports bubbles (260 feet by 300 feet each)
- 4 athlete dormitories (single story; capacity for 100 players each)
- 2 multi-purpose fields (375 feet by 500 feet each)
- 16 pickle ball courts
- 3 baseball/softball fields (335 feet each)
- 1 miracle field (field built with cushioned, rubberized turf to prevent injuries and with a flat, barrier-free surface to improve accessibility)
- 2 areas of mixed-use development, unspecified
- 1 town green/pre-event plaza
- 1 athletes' village
- 1 area of batting tunnels
- 1 event parking lot of 825 spaces
- 2 mixed-use parking lots of 100 spaces
- 2 mixed-use parking lots of 75 spaces
- 1 irrigation pond

This development will occur on sparsely vegetated land that has been previously disturbed. Due to the highly developed and disturbed nature of the project area and its surroundings, no threatened or endangered species occur there. Further, no critical habitat for any species has been designated within the project area, nor is there any suitable habitat available for the Service's Birds of Conservation Concern or other bird species that warrant special attention in that general geographic area. We have no concerns. For "No Effect" determinations, there is no need to contact Ecological Services.

We appreciate your efforts to ensure the conservation of threatened and endangered species. If you have questions or comments related to our input, please contact Jen Williams of this office by phone at 352-568-5903 or email at jen_williams@fws.gov.

Reference: Projects\WELD_COUNTY\Windsor\Multi-Use-Sports_and_Retail_Complex_at_Diamond_Valley_Dr

August 11, 2020

U.S. Fish & Wildlife Service
Denver Federal Center
P.O. Box 25486
Denver, CO 80225

Attn: Colorado Field Supervisor
P: (303) 236-4774
E: coloradoes@fws.gov

RE: **United States Department of Agriculture (USDA) Environmental Assessment (EA)**
Proposed Future Legends Development
Diamond Valley Subdivision – 8th Filing
Windsor, Weld County, Colorado
Section 7 of the Endangered Species Act (the Act) Consultation Request

Colorado Field Supervisor:

This information request is being submitted in accordance with the requirements for initial consultation of Section 7 of the Endangered Species Act (the Act). The United States Department of Agriculture is reviewing plans for a multi-use sports and retail complex and development to be located at 801 Diamond Valley Drive in Windsor, Colorado for compliance with the Act. Attached please find supporting location information, including a description of the anticipated environmental impact area (EIA) to threatened and endangered species (including proposed and candidate species) and their respective critical habitats covered by the Act.

The threatened and/or endangered species identified in the IPAC information along with their respective habitats are listed in the table below.

Species Name - Endangered Species Act	Species Habitat	Determination
Preble's Meadow Jumping Mouse *(Zapatus hudsonius preblei)*	Inhabits well developed riparian habitat with adjacent, relatively undisturbed grassland communities and a nearby water source. Well developed riparian habitat includes a dense combination of grasses,	No Effect. The site currently consists of sparsely vegetated, previously disturbed land. Suitable habitat for this species was not observed.

Technical Assistance
Tracking Number: 2020-TA-1726

U.S. FISH AND WILDLIFE SERVICE

(•) NO CONCERNS

( ) CONCUR NOT LIKELY TO ADVERSELY AFFECT

( ) NO COMMENT

Liisa Schmoele 08/21/2020

Liisa Schmoele DATE

Colorado Assistant Field Supervisor

Remarks:

Dear Ms. Binion:

The U.S. Fish and Wildlife Service (Service) received your letter on August 11, 2020 in regard to commercial development for a multi-use sports and retail complex to be located at 801 Diamond Valley Drive in Windsor, located in Weld County, Colorado. The following comments have been prepared under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C 1531 et. seq.).

Proposed actions will include development of:

- 1 ballpark/stadium
- 1 standard hotel and associated parking lot of 350 spaces
- 1 extended-stay hotel
- 2 sports bubbles (260 feet by 300 feet each)
- 4 athlete dormitories (single story; capacity for 100 players each)
- 2 multi-purpose fields (375 feet by 500 feet each)
- 16 pickle ball courts
- 3 baseball/softball fields (335 feet each)
- 1 miracle field (field built with cushioned, rubberized turf to prevent injuries and with a flat, barrier-free surface to improve accessibility)
- 2 areas of mixed-use development, unspecified
- 1 town green/pre-event plaza
- 1 athletes' village
- 1 area of batting tunnels
- 1 event parking lot of 825 spaces
- 2 mixed-use parking lots of 100 spaces
- 2 mixed-use parking lots of 75 spaces
- 1 irrigation pond

This development will occur on sparsely vegetated land that has been previously disturbed. Due to the highly developed and disturbed nature of the project area and its surroundings, no threatened or endangered species occur there. Further, no critical habitat for any species has been designated within the project area, nor is there any suitable habitat available for the Service's Birds of Conservation Concern or other bird species that warrant special attention in that general geographic area. We have no concerns. For "No Effect" determinations, there is no need to contact Ecological Services.

We appreciate your efforts to ensure the conservation of threatened and endangered species. If you have questions or comments related to our input, please contact Jen Williams of this office by phone at 352-568-5903 or email at jen_williams@fws.gov.

Reference: Projects\WELD_COUNTY\Windsor\Multi-Use-Sports_and_Retail_Complex_at_Diamond_Valley_Dr

August 11, 2020

U.S. Fish & Wildlife Service
Denver Federal Center
P.O. Box 25486
Denver, CO 80225

Attn: Colorado Field Supervisor
P: (303) 236-4774
E: coloradoes@fws.gov

RE: **United States Department of Agriculture (USDA) Environmental Assessment (EA)**
Proposed Future Legends Development
Diamond Valley Subdivision – 8th Filing
Windsor, Weld County, Colorado
Section 7 of the Endangered Species Act (the Act) Consultation Request

Colorado Field Supervisor:

This information request is being submitted in accordance with the requirements for initial consultation of Section 7 of the Endangered Species Act (the Act). The United States Department of Agriculture is reviewing plans for a multi-use sports and retail complex and development to be located at 801 Diamond Valley Drive in Windsor, Colorado for compliance with the Act. Attached please find supporting location information, including a description of the anticipated environmental impact area (EIA) to threatened and endangered species (including proposed and candidate species) and their respective critical habitats covered by the Act.

The threatened and/or endangered species identified in the IPAC information along with their respective habitats are listed in the table below.

Species Name - Endangered Species Act	Species Habitat	Determination
Preble's Meadow Jumping Mouse *(Zapatus hudsonius preblei)*	Inhabits well developed riparian habitat with adjacent, relatively undisturbed grassland communities and a nearby water source. Well developed riparian habitat includes a dense combination of grasses,	No Effect. The site currently consists of sparsely vegetated, previously disturbed land. Suitable habitat for this species was not observed.

Technical Assistance
Tracking Number: 2020-TA-1726

U.S. FISH AND WILDLIFE SERVICE

- (●) NO CONCERNS
- ( ) CONCUR NOT LIKELY TO ADVERSELY AFFECT
- ( ) NO COMMENT

08/21/2020

Liisa Schmoele DATE
Colorado Assistant Field Supervisor

Remarks:

HISTORY COLORADO

Jacob Laureska
Colorado State Environmental Coordinator
Rural Development
US Department of Agriculture
P.O. Box 25426
Denver, Colorado 80225

RE: Future Legends Sports Park Development Windsor, Weld County, Colorado (HC# 79193)

Dear Mr. Laureska:

Thank you for the additional documentation provided to our office on April 1, 2021 continuing consultation for the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR Part 800.

We appreciate the additional documentation provided to our office including the results of a cultural resource inventory. We concur that 5WL.7222.1 no longer supports the eligibility of 5WL.7222 due to alterations made to the segment in 2013 and 2014. We also concur the five (5) identified architectural properties—5WL.9298 through 5WL.9302—are *individually not eligible* for inclusion in the National Register of Historic Places. Those properties are located in no known or documented historic district. Lastly, 5WL.1043.11 passes to the north of the project area; however, due to developments in the immediate vicinity, that segment no longer supports the integrity of 5WL.1043. Based on the documentation provided, it is our opinion the undertaking as described will result in no adverse effects [36 CFR 800.5(d)(1)] to historic properties.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR §60.4) in consultation with our office pursuant to 36 CFR §800.13. Also, should the consulted-upon scope of the work change, please contact our office for continued consultation under Section 106 of the National Historic Preservation Act.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR §800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Mitchell K. Schaefer, Section 106 Compliance Manager, at (303) 866-2673 or mitchell.schaefer@state.co.us.

Sincerely,

Dr. Holly Kathryn Norton

Digitally signed by Dr. Holly Kathryn Norton
Date: 2021.04.02 10:17:14 -06'00'

Steve Turner, AIA
State Historic Preservation Officer

We are now accepting electronic consultation through our secure file transfer system, MoveIT. Directions for digital submission and registration for MoveIT are available at https://www.historycolorado.org/submitting-your-data-preservation-programs.

11/16/2020

Max Bear
Tribal Historic Preservation Officer (THPO)
Cheyenne and Arapaho Tribes, Oklahoma
700 Black Kettle Blvd
Concho, OK 73022

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Mr. Bear:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Cheyenne and Arapaho Tribes of Oklahoma in Weld County. Should the Cheyenne and Arapaho Tribes of Oklahoma elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

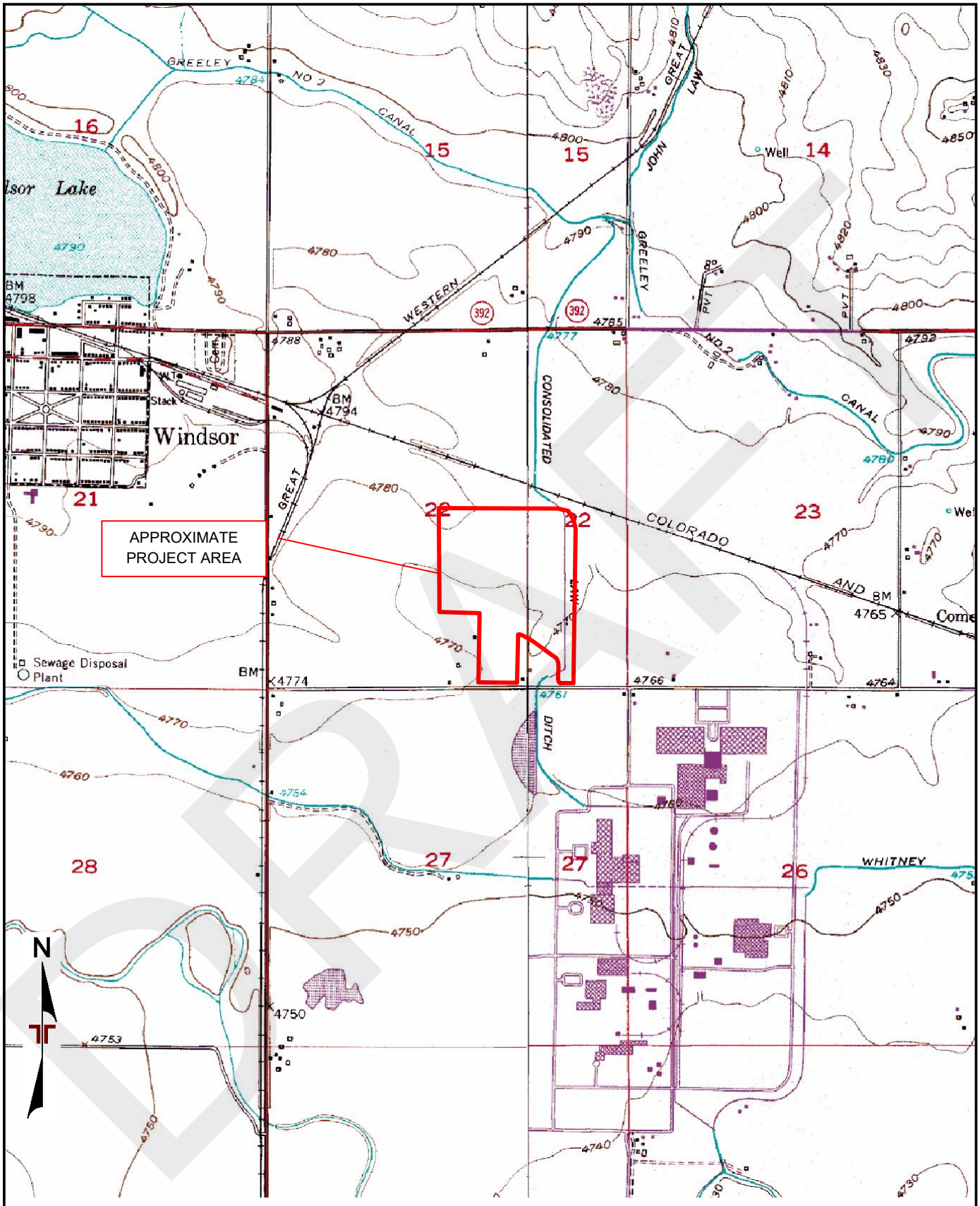
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

11/16/2020

Teanna Limpy
Tribal Historic Preservation Officer (THPO)
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
PO Box 128
Lame Deer, MT 59043

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Ms. Limpy:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation - Montana in Weld County. Should the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation - Montana elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

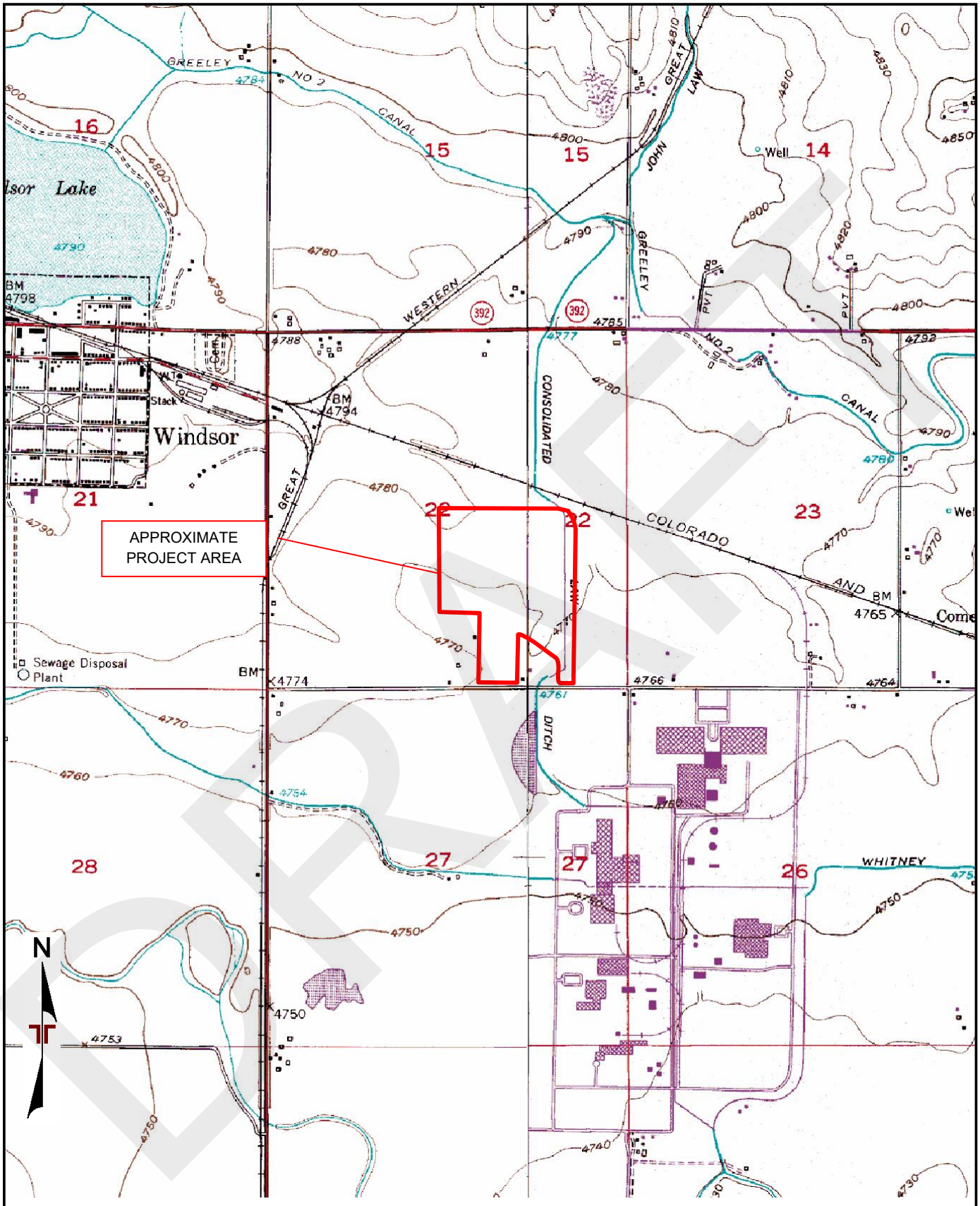
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

11/16/2020

Martina Minthorn
Tribal Historic Preservation Officer (THPO)
Comanche Nation, Oklahoma
6 SW D Avenue
Lawton, OK 73502

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Ms. Minthorn:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Comanche Nation - Oklahoma in Weld County. Should the Comanche Nation - Oklahoma elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

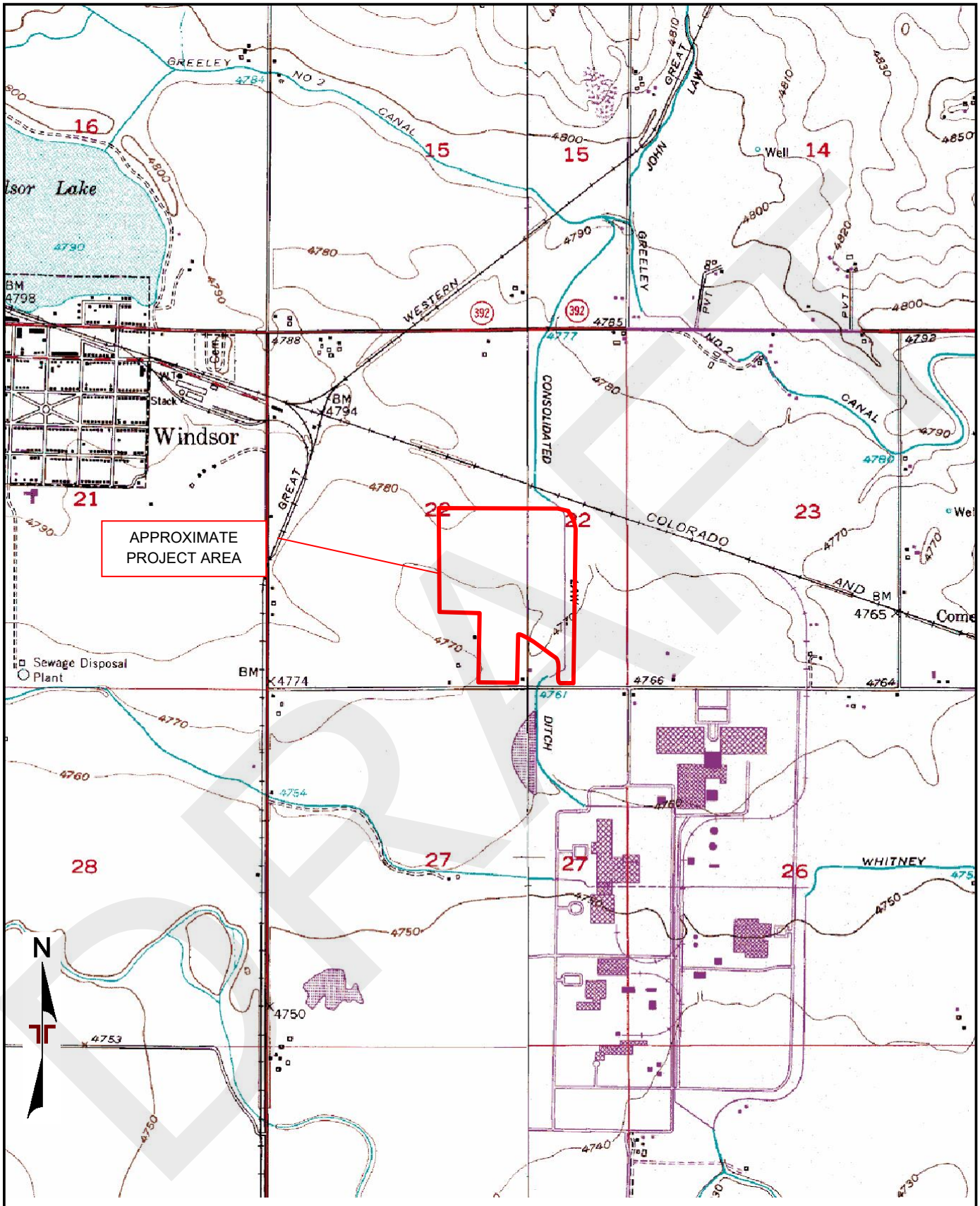
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

11/16/2020

Michael Blackwolf
Tribal Historic Preservation Officer (THPO)
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
656 Agency Main Street
Harlem, MT

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Mr. Blackwolf:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana in Weld County. Should the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

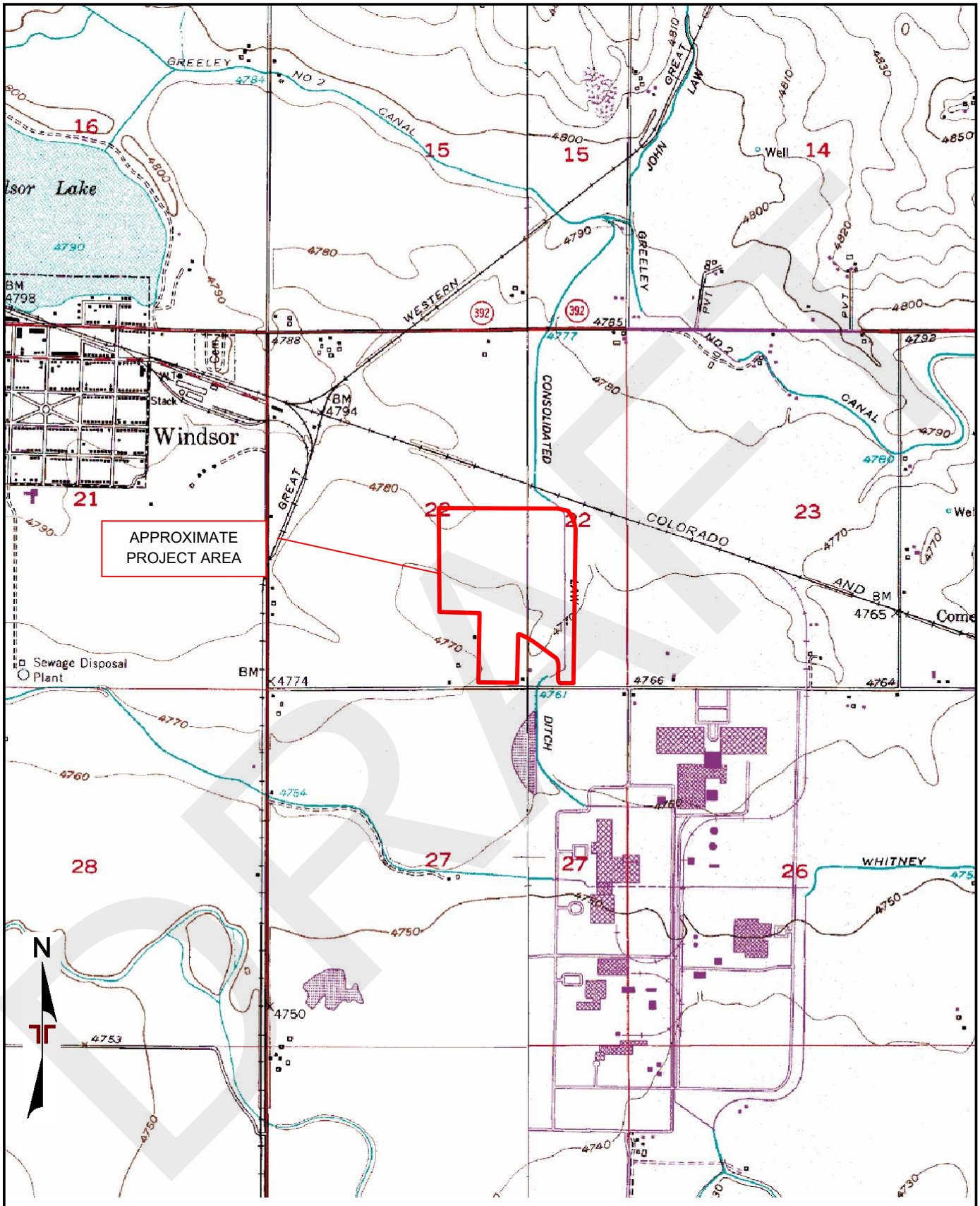
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

11/16/2020

Bobby Komardley
Chairman
Apache Tribe of Oklahoma
PO Box 1330
Anadarko, OK 73005

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Mr. Komaredley:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Apache Tribe of Oklahoma in Weld County. Should the Apache Tribe of Oklahoma elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

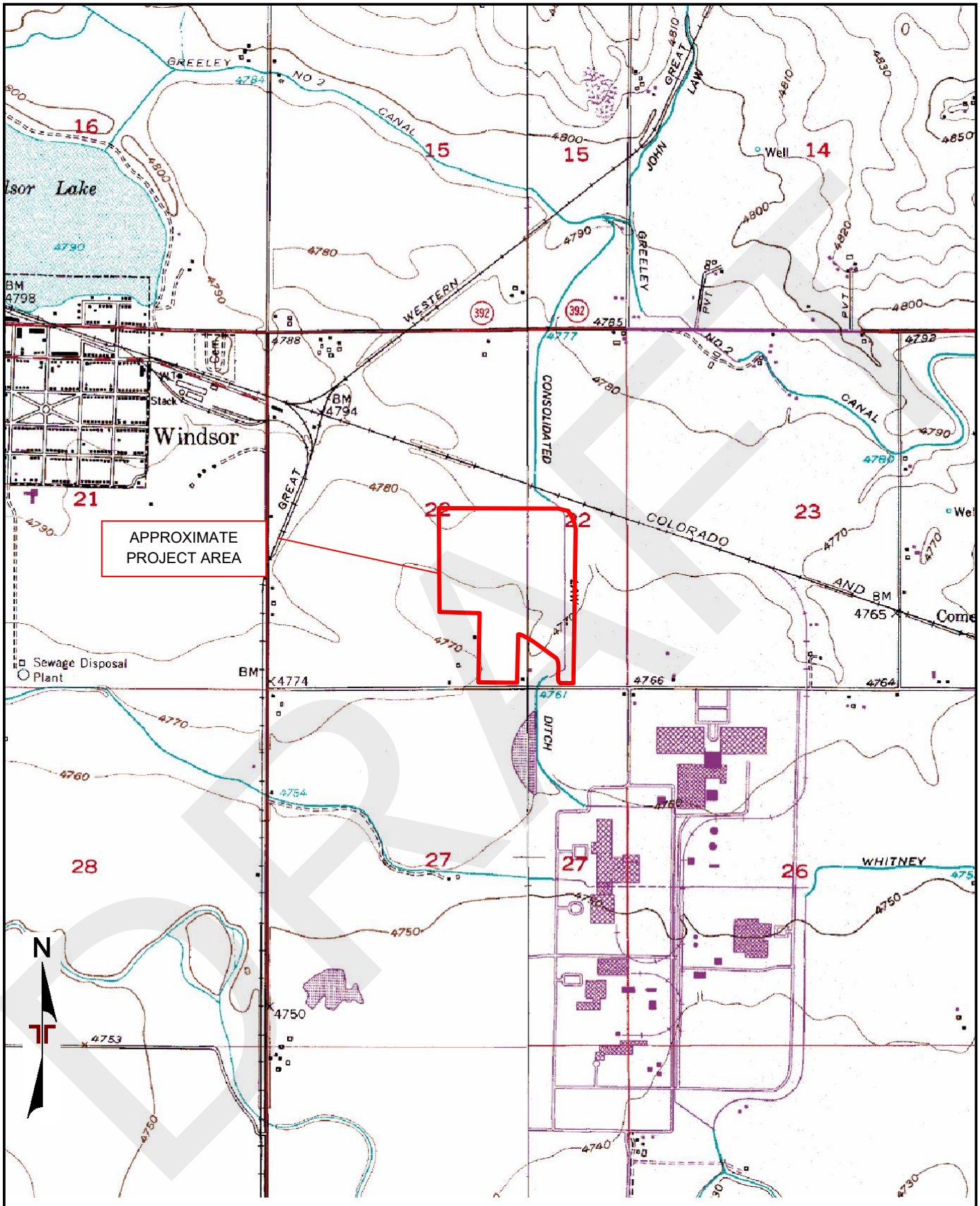
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

11/16/2020

Ben Ridgley
Tribal Historic Preservation Officer (THPO)
Arapaho Tribe of the Wind River Reservation, Wyoming
PO Box 67
St. Stevens, WY 82524

Subject:

Request for Consultation
Future Legends Sports Complex
Weld County, Colorado

Dear Mr. Ridgley:

Future Legends, LLC plans to seek financial assistance from USDA Rural Development Business & Industry under its Guaranteed Loan Program for Future Legends Sports Complex. The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the "stalled" development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

If USDA Rural Development Business & Industry elects to fund this application, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800. Pursuant to 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), USDA Rural Development Business & Industry has issued a blanket delegation to its applicants to initiate and proceed through Section 106 review. In accordance with this blanket delegation, Future Legends, LLC is initiating Section 106 review on behalf of USDA Rural Development Business & Industry.

In delegating this authority, USDA Rural Development Business & Industry is advocating for the direct interaction between its Guaranteed Loan Program applicants and Indian tribes. USDA Rural Development Business & Industry believes this interaction, prior to direct agency involvement, will

support and encourage the consideration of impacts to historic properties of importance to Indian tribes earlier in project planning.

Future Legends, LLC proposes that the area of potential effects (APE) for the referenced project consists of 118 acres of partially developed land as shown on the enclosed map. The geographic scope of the APE will not be final until a determination is made by USDA Rural Development Business & Industry pursuant to 36 CFR § 800.4(a)(1).

Future Legends, LLC is notifying you about the referenced project because of the possible interest of the Arapaho Tribe of the Wind River Reservation - Wyoming in Weld County. Should the Arapaho Tribe of the Wind River Reservation - Wyoming elect to participate in Section 106 review of the referenced project, please notify Mr. Chris Watts in writing via letter or email as soon as possible at the following addresses – chris.watts@terracon.com or Chris Watts, Terracon Consultants, Inc., 10625 W. I-70 Frontage Road North, Suite 3, Wheat Ridge, Colorado 80033

Please include with your affirmative response, a description of any specific historic properties or important tribal resources in the APE and your recommendations about the level of effort needed to identify additional historic properties which might be affected by the referenced project. The USDA will respect the confidentiality of the information which you provide to the fullest extent possible.

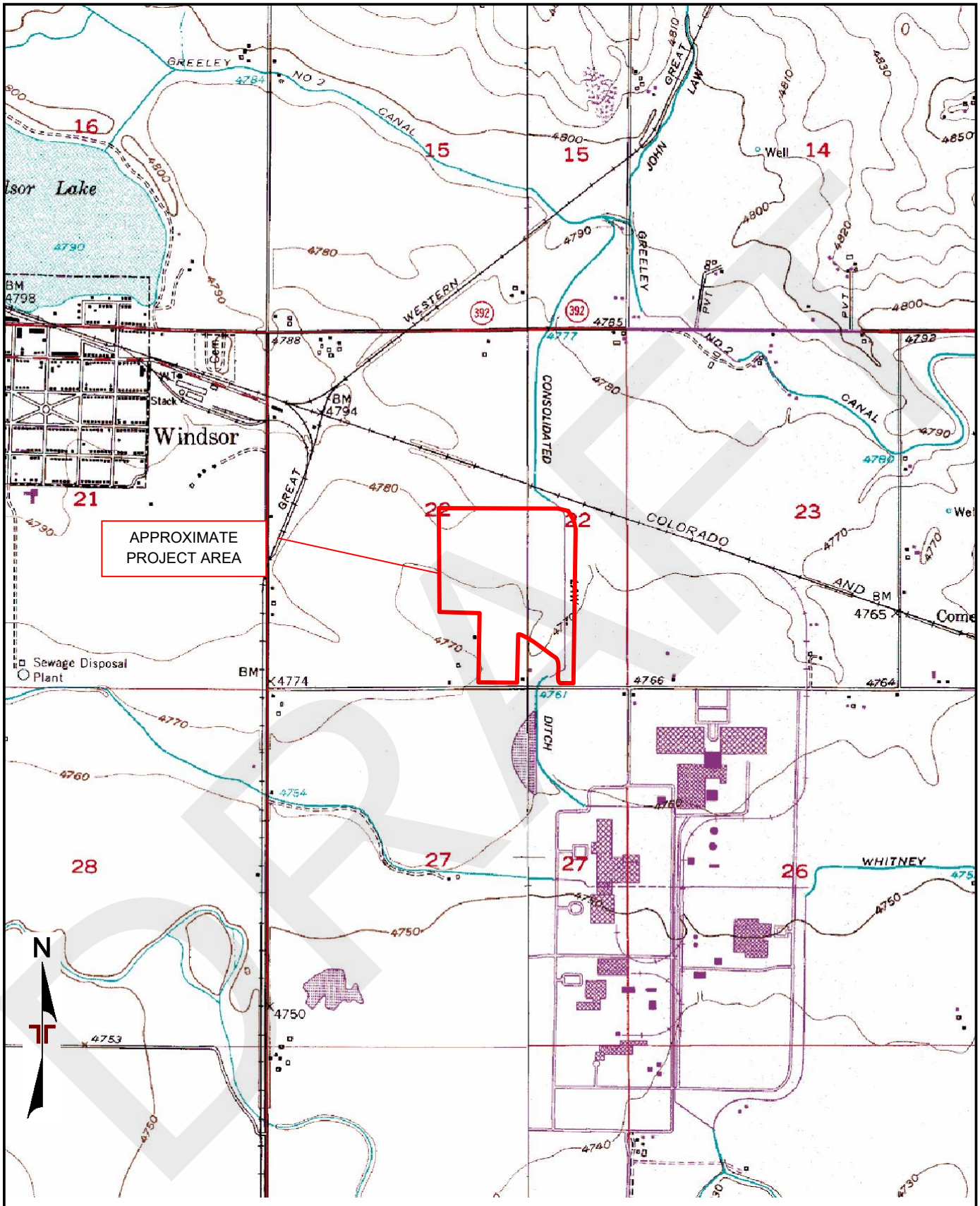
If at any time you wish to share your interests, recommendations and concerns directly with USDA Rural Development Business & Industry, as the agency responsible for conducting Section 106 review, or to request that USDA Rural Development Business & Industry participate directly in Section 106 review, please notify me at once, preferably via email. However, you may contact USDA Rural Development Business & Industry directly. If you wish to do so, please submit your request to Jaki Polich, (970) 529-8369, jaki.polich@usda.gov.

Please submit your response to me within 30 days upon receipt of this letter. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project. Should you have any questions or require additional information you may contact Mr. Chris Watts at chris.watts@terracon.com or 303-454-5266.

Sincerely,

Scott Ballstadt, AICP
Director of Planning
Town of Windsor

Attachments: Exhibit 1 – Topographic Map



TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: WINDSOR, CO 1/1/1969 and BRACEWELL, CO 1/1/1980 .

Project Manager: AGV	Project No. 20207040	Terracon 1901 Sharp Point Dr Ste C Fort Collins, CO 80525-4429	TOPOGRAPHIC MAP	Figure
Drawn by: AGV	Scale: 1"=2,000'		Proposed Future Legends Development Diamond Valley Subdivsion - 8th Filing Windsor, CO	1
Checked by: JTP	File Name: Figure1and2			
Approved by:	Date: 11/16/2020			

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Michael Blackwolf
Tribal Historic Preservation Officer
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
656 Agency Main Street
Harlem, MT

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Blackwolf:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Teanna Limpy
Tribal Historic Preservation Officer
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
PO Box 128
Lame Deer, MT 59043

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Ms. Limpy:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Bobby Komardley
Chairman
Apache Tribe of Oklahoma
PO Box 1330
Anadarko, OK 73005

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Komardley:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Apache Tribe of Oklahoma on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Apache Tribe of Oklahoma an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide

the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Apache Tribe of Oklahoma.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Apache Tribe of Oklahoma.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Apache Tribe of Oklahoma so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor to the Apache Tribe of Oklahoma, dated November 16, 2020

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Ben Ridgely
Tribal Historic Preservation Officer
Arapaho Tribe of the Wind River Reservation, Wyoming
PO Box 67
St. Stevens, WY 82524

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Ridgely:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Arapaho Tribe of the Wind River Reservation, Wyoming on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Arapaho Tribe of the Wind River Reservation, Wyoming an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program.

In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Arapaho Tribe of the Wind River Reservation, Wyoming.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Arapaho Tribe of the Wind River Reservation, Wyoming.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Arapaho Tribe of the Wind River Reservation, Wyoming so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor to the Arapaho Tribe of the Wind River Reservation, Wyoming, dated November 16, 2020

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Max Bear
Tribal Historic Preservation Officer
Cheyenne and Arapaho Tribes, Oklahoma
700 Black Kettle Blvd
Concho, OK 73022

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Bear:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Cheyenne and Arapaho Tribes, Oklahoma on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Cheyenne and Arapaho Tribes, Oklahoma an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program.

In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Cheyenne and Arapaho Tribes, Oklahoma.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Cheyenne and Arapaho Tribes, Oklahoma.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Cheyenne and Arapaho Tribes, Oklahoma so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor to the Cheyenne and Arapaho Tribes, Oklahoma, dated November 16, 2020

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Martina Minthorn
Tribal Historic Preservation Officer
Comanche Nation, Oklahoma
6 SW D Avenue
Lawton, OK 73502

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Ms. Minthorn:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Comanche Nation, Oklahoma on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Comanche Nation, Oklahoma an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide

the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Comanche Nation, Oklahoma.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Comanche Nation, Oklahoma.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Comanche Nation, Oklahoma so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor to the Comanche Nation, Oklahoma, dated November 16, 2020

United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Michael Blackwolf
Tribal Historic Preservation Officer
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
656 Agency Main Street
Harlem, MT

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Blackwolf:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program.

In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor to the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, dated November 16, 2020

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

January 26, 2021

Teanna Limpy
Tribal Historic Preservation Officer
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
PO Box 128
Lame Deer, MT 59043

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Ms. Limpy:

As you may know, Future Legends LLC is seeking financial assistance from the USDA Rural Development (RD) under its Business and Industry Guaranteed Loan Program for the construction of a new sports complex in Weld County, Colorado.

Future Legends LLC, via the Town of Windsor, notified the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana on November 16, 2020 about the above-referenced project. RD understands that the COVID-19 outbreak has caused many State, Tribal and Native Hawaiian historic preservation offices to close or has hindered their ability to carry out their Section 106 duties due to lack of staff availability, health conditions, or furloughs. As RD has not received a response to the letter issued on November 16, 2020, we would like to provide the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana an additional opportunity to comment before the Agency makes a final determination.

Project / Vicinity Information:

The Future Legends Sports Complex is being developed to bring Sports Tourism to Northern Colorado through Youth Sports Programing and Professional Sports. The Sports Complex is a joint vision of the Developer & Owner of a Pioneer League Baseball Team, and the Town of Windsor. In Spring 2019 the Developer Future Legends, LLC acquired the development rights of the “stalled” development, which was being constructed through a joint use agreement between the Town of Windsor and former developer Colorado National Sports Park (CNSP). That Public/Private relationship was formalized in a Cooperative & Shared Use Agreement between the parties

in January 2018, where the Town provided the land and three existing baseball fields which were part of the Towns Parks & Recreation Program. In perpetuity CNSP would develop the site into a Sports Park and provide the Town the right to use portions of the development for their Parks & Recreation Program. Future Legends bigger vision and connection to professional baseball now provides the Town with the much-needed restaurant, lodging and entertainment which is lacking in the area. The development also creates 300+ fulltime and part-time employment and substantially increase its tax base. It also constructs a significant portion of the Towns new Flood Control Channel and Bike Path System which now bisects the 118-acre site and will be extended off-site by the Town through its capital appropriations.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x).

The APE for this project does not include any federal land.

On November 16, 2020 the following Tribes were notified about the project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response was received from the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.

Accordingly, the Agency is re-submitting a finding of no tribal properties affected and supporting documentation for review and consideration by the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.

Please provide your concurrence or objection, electronically to jacob.laureska@usda.gov within 15 business days of your receipt of this recommended finding.

The Agency may also attempt to contact the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana so that you might participate in consultation for this undertaking. The Agency will proceed to the next step and conclude Section 106 review if we do not receive a response within the additional review period provided, beyond the 30-day regulatory period already expired. Please direct any questions you have to Jacob Laureska, Colorado RD State Environmental Coordinator.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:

Letter from Town of Windsor to the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana, dated November 16, 2020

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Donna Prentis
Chairman
Apache Tribe of Oklahoma
PO Box 1330
Anadarko, OK 73005

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Ms. Prentis:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Apache Tribe of Oklahoma's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Apache Tribe of Oklahoma. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Ben Ridgely
Tribal Historic Preservation Officer
Arapaho Tribe of the Wind River Reservation, Wyoming
PO Box 67
St. Stevens, WY 82524

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Ridgely:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Arapaho Tribe of the Wind River Reservation, Wyoming's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Arapaho Tribe of the Wind River Reservation, Wyoming. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Max Bear
Tribal Historic Preservation Officer
Cheyenne and Arapaho Tribes, Oklahoma
700 Black Kettle Blvd
Concho, OK 73022

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Mr. Bear:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Cheyenne and Arapaho Tribes, Oklahoma's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Cheyenne and Arapaho Tribes, Oklahoma. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,

Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

USDA
United States Department of Agriculture

Rural Development

Colorado State Office

Denver Federal Center
P.O. Box 25426
Denver, CO 80225

Voice 720-544-2918
Fax 1-866-587-7607

February 25, 2021

Martina Minthorn
Tribal Historic Preservation Officer
Comanche Nation, Oklahoma
6 SW D Avenue
Lawton, OK 73502

Subject: USDA Staff Recommended Finding of No Historic Property Affected

Future Legends Sports Park LLC
Windsor, Colorado 80550

Dear Ms. Minthorn:

Future Legends LLC is requesting financial assistance from the USDA Rural Development Agency's Business and Industry Guaranteed Loan Program for the construction of the Future Legends Sports Park in Windsor, Colorado. The area of potential effects (APE) for the referenced project consists of lands as shown on the enclosed map. If the Colorado Rural Development Agency elects to fund the project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

At the direction of RUS, on November 16, 2020, Future Legends LLC, via the Town of Windsor notified the following Indian tribes about the Future Legends Sports Park project: Apache Tribe of Oklahoma, Arapaho Tribe of the Wind River Reservation Wyoming, Cheyenne and Arapaho Tribes Oklahoma, Comanche Nation Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, and the Northern Cheyenne Tribe of the Norther Cheyenne Indian Reservation. No response has been received from any of the aforementioned tribes.

The APE does not include any Tribal lands as defined pursuant to 36 CFR 800.16(x). The APE for this project does not include any federal land. Future Legends LLC recommends that a Finding of No Adverse Effect is appropriate for the referenced project.

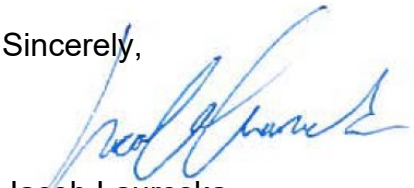
Pursuant to 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970), the Colorado Rural Development Agency has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review.

In accordance with this delegation, the Colorado Rural Development Agency may proceed to conclude review based on the Comanche Nation, Oklahoma's concurrence in a finding of effect as recommended by Future Legends LLC.

Accordingly, Future Legends LLC is submitting a recommended finding of no adverse effect and supporting documentation for review and consideration by the Comanche Nation, Oklahoma. Please provide your concurrence or objection within thirty days of your receipt of this recommended finding.

In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if Future Legends LLC does not receive a response from you within thirty days. Please direct any questions you may have to Jake Laureska, Colorado RD State Environmental Coordinator at 410-829-7288.

Sincerely,



Jacob Laureska
USDA Rural Development
Colorado State Environmental Coordinator

Enclosures:
Letter from Town of Windsor dated November 16, 2020
Letter from Colorado Rural Development Agency, dated January 26, 2021

NRCS

Natural Resources Conservation Service
Denver Federal Center
Building 56, Room 2604
P.O. Box 25426
Denver, CO 80225

SUBJECT: Farmland Protection Policy Act April 7th, 2021

Aaron Varnell, E.I.
Due Diligence Group Lead
Terracon
1901 Sharp Point Drive
Fort Collins, CO 80525

RE: Future Legends Sports Complex Project

Dear Aaron,

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to non-agricultural use. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland.

For the purpose of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to the FPPA requirements does not have to be currently used for cropland. Projects are subject to the FPPA requirements if they may irreversibly convert farmland to non-agriculture use and are completed by a federal agency or with assistance from a federal agency.

All aspects of this project will occur in an area determined to meet Rule 7 CFR - 658.2, farmland already in urban development, and the project is not subject to the FPPA. NRCS encourages the use of accepted erosion control practices during the construction of this project.

If you have any further questions, please call at (720) 544-2855.

Thank you,

T. Riley Dayberry
Asst. State Soil Scientist
thomas.dayberry@usda.gov

cc:
Eugene Backhaus - State Resource Conservationist, NRCS, Denver CO
Clint Evans – State Conservationist, NRCS, Denver CO
William Shoup - State Soil Scientist, NRCS, Denver CO

TOWN OF WINDSOR
FLOOD PLAIN DEVELOPMENT PERMIT
Application Information

Date: 6/25/2020

Parcel Number 080722416013, 080722416014, 080722008001 Permit Number 4-2020

Owner Future Legends LLC - Jeff Katofski Phone Jeff: 818-990-1475 Larry: 720-592-2049

Address c/o Larry Thomas at Hansel Phelps: 1111 Diamond Valley Drive, Suite 101, Windsor, Colorado 80550

Contractor Galloway and Company, Inc. - Chris Pauley, PE, CFM Phone 970-800-3300 ext 3318

Address 5265 Ronald Reagan Blvd., Suite 210, Johnstown, Colorado 80534

Project Location/Directions 801 Diamond Valley Drive, Windsor, Colorado 80550

Project Description

_____ Single Family Residential	_____ New Construction	X Channelization
_____ Multi-Family Residential	_____ Substantial Improvement (>50%)	_____ Fill
_____ Manufactured (Mobile) Home	_____ Improvement (<50%)	_____ Bridge/Culvert
_____ Non-Residential	_____ Rehabilitation	_____ Levee

Other/Explanations Grading and channel construction in the John Law Floodplain associated with the Future Legends Sports Park Complex between GWRR and Eastman Park Drive.

Flood Hazard Data

Watercourse Name John Law Channel

The project is proposed in the NA Floodway NA Floodway Fringe

Base (100-year) flood elevation(s) at project site Between 4777 and 4767 feet (NAVD88)[Proposed Condition: Galloway 2020]

Elevation required for Lowest Floor NA / Floodproofing NA

Source Document/Report/Maps Effective, corrected effective, pre-project, and proposed floodplain documentation and maps are present in the report [Galloway, June 25,2020] included with this application.

Proposal Review Checklist

NA Site development plans depict the floodway and base flood elevations.

YES NA

-- Engineering data is provided for map and floodway revisions.

NA Floodway certification and data document no increases in flood heights.

NA Subdivision proposals minimize flood damage and protect utilities.

NA Lowest floor elevations are above the base (100-year) flood level.

NA Manufactured (mobile) homes are elevated and adequately anchored.

NA Non-residential floodproofing designs meet NFIP water-tight standards.

_____ All CDPHE stormwater discharge permits and a Town of Windsor Grading, Sediment, and Erosion Control Plan (GESCP) permit,(as applicable) have been obtained.

_____Other: _____

24 June 20

Signature of Applicant **Date**

Permit Action

X **Permit Approved:** The information submitted for the proposed project was reviewed and is in compliance with approved flood plan management standards (site development plans are on file).

_____ **Permit Denied:** The proposed project does not meet approved flood plain management standards (explanation is on file).

_____**Variance Granted:** A variance was granted from the base 100-year) flood elevations established by FEMA conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.

DocuSigned by:
Omar R. Herrera
51E8869242094D8...

7/9/2020

Signature of Flood Plain Administrator **Date**

Comments: LOMR application to be submitted within 6 months of completion of improvements

Rev. 1 3-28-19

Development Documentation

_____ **Map Revision Data.** Certified documentation by a registered professional engineer of as-built conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ **Fill Certificate.** A community official certified the elevation, compaction, slope and slope protection for all fill placed in the flood plain consistent with NFIP regulations Part 65.5 for flood insurance map revisions.

_____ **Elevation Certificate.** Certified as-built elevation of the building's lowest floor _____; floodproofing level _____. An Elevation Certificate (Part II) completed by a registered professional engineer or land surveyor certifying this elevation is on file.

_____ **Certificate of Occupancy or Compliance Issued** _____

Date

Chris Pauley

From: Diana Aungst <daungst@weldgov.com>
Sent: Monday, October 12, 2020 10:31 AM
To: Patrick O'Shea
Cc: Chris Pauley
Subject: RE: Updated FTL figures for FTL Review: WELD COUNTY FLOODPLAIN REVIEW APPROVAL

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Filed Email

Patrick:

Thanks for the updated FTL figures. Weld County has reviewed this information and has no concerns with this project.

Thanks,

Diana Aungst
Planner

Weld County Department of Planning Services
1555 N. 17th Avenue - Greeley, Colorado 80631
D: 970-400-3524
O: 970-400-6100
Fax:970-304-6498
daungst@weldgov.com
www.weldgov.com

From: Patrick O'Shea <PatrickOShea@gallowayus.com>
Sent: Monday, October 5, 2020 3:23 PM
To: Diana Aungst <daungst@weldgov.com>
Cc: Chris Pauley <chrispauley@gallowayus.com>
Subject: Updated FTL figures for FTL Review

Good Afternoon Diana,

It was a pleasure speaking to you today about our project. I am including some revised figures that hopefully clarify some of the questions raised during our meeting. The figures included are workmaps that have the Weld County-Town

of Windsor community boundaries on them, as well as base flood elevation and discharge comparison tables. I highlighted the rows in the tables that correspond to cross sections that are either at the boundary lines or are in Weld County. If there is anything else I can do to help assist in your review, please don't hesitate to ask!

Kind Regards,

Patrick O'Shea

Galloway

Patrick
O'Shea

WATER RESOURCES DESIGNER

5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
O 970.800.3300
PatrickOShea@gallowayus.com
GallowayUS.com

COLORADO | CALIFORNIA | UTAH
Nationally Recognized. Locally Preferred.

Galloway

FLOODPLAIN PERMITTING REPORT

JOHN LAW FLOODPLAIN – GWRR TO EASTMAN PARK

PREPARED IN SUPPORT OF A FLOODPLAIN DEVELOPMENT PERMIT FOR THE FUTURE LEGENDS SPORTS PARK, PHASE 2

Windsor, Colorado

SUBMITTED TO:
Town of Windsor
301 Walnut Street
Windsor, CO 80550

PREPARED FOR:
Future Legends, LLC
c/o Hensel Phelps, Inc.
12121 Grant Street, Suite 410
Thornton, CO 80241

PREPARED BY:
Galloway & Company, Inc.
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
(Galloway Project No. FTL000001.20)

DATE:
June 25, 2020

TABLE OF CONTENTS

APPENDICES

DISK

Disk 1: Report Text, Appendices, and Hydraulic Models

I. INTRODUCTION

1.1 Background

The Town of Windsor is located approximately 60 miles north of Denver, Colorado as shown in Figure 1.1. The project site coincides with the current address of the Diamond Valley Community Park at 801 Diamond Valley Drive, within the corporate limits of the Town of Windsor. The project extends into Sections 22 and 23, Township 6 North and Range 67 West of the 6th Principle Meridian. Figure 1.2 depicts the vicinity of the project within the greater Windsor-Loveland area.

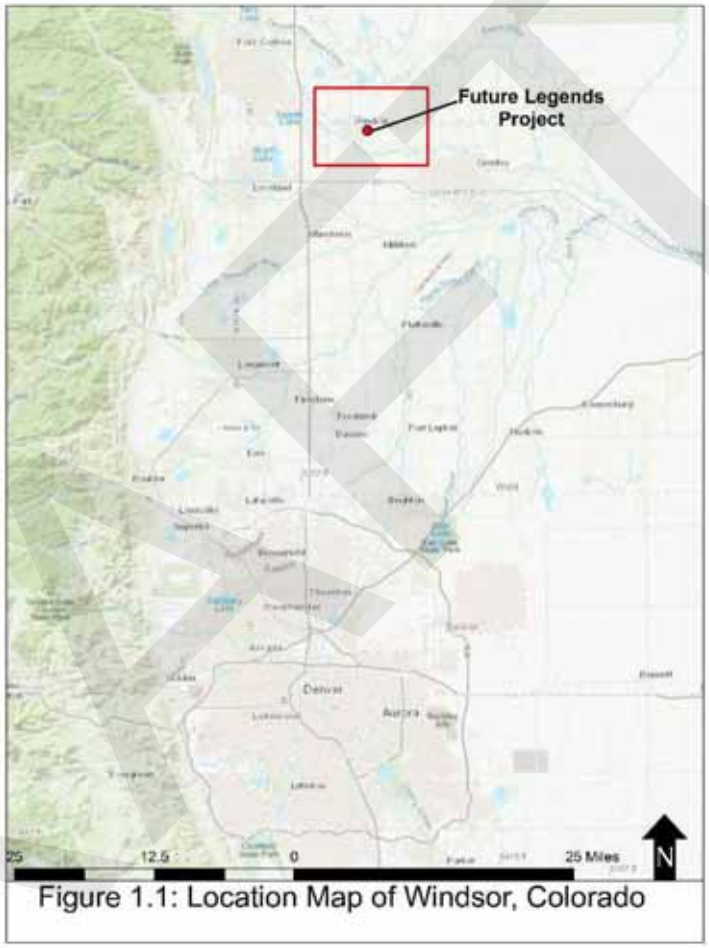
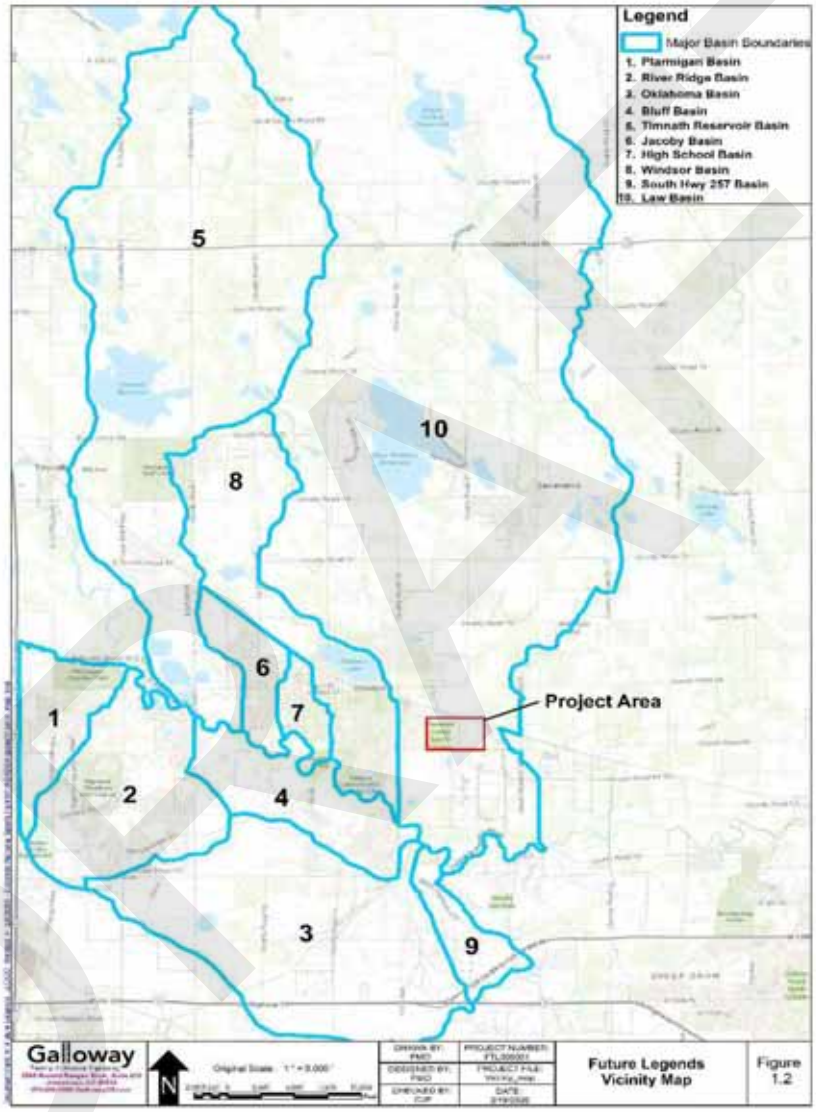


Figure 1.1: Location Map of Windsor, Colorado

The study reaches associated with the current study are called the C&SRR-Eastman Pk reach on the John Law Ditch (JLD), and the Kodak A reach along the Kodak L Path. Upstream and downstream study limits for the current study are the southern toe of the Great Western Railroad (GWRR) (formally known as the Colorado and Southern Railroad (C&SRR)) tracks that are located north of the Future Legends project area and Eastman Park Drive to the south. These river reaches were identified because they coincide with: a) the extent of the Future Legends property lines, and b) significant hydraulic structures located in the floodplain (the GWRR tracks to the north and Eastman Park Drive to the south). Both reaches are north-south flowing and during large events when the JLD Main Channel reaches capacity, convey flood waters primarily as overland sheet flow that is typically no more than a few feet deep. The JLD and Kodak L Path are separated by an irrigation lateral that acts as a lateral weir, which sheds water west to east from the C&SRR-Eastman Pk reach into the Kodak A reach.

The effective FIRM panels for the study reaches depict a one-percent annual chance (1-PAC) floodplain, as shown in Appendix A.1. During the 1-PAC event, discharges along the JLD entering the C&SRR-Eastman Pk reach quickly overtop the ditch banks with sheet flows spreading over the left

overbank to the east. Excess flows not contained in the overbank shed over the irrigation lateral from the C&SRR-Eastman Pk reach to the Kodak A reach. Additional flows during the 1-PAC event enter both study reaches over the GWRR to the north. 1-PAC flows discharge out of the study reaches both via culverts running under, as well as overtopping Eastman Park Road to the South. Although there is a regulatory 1-PAC floodplain on the effective FIRM panels for the John Law Ditch Basin, a regulatory floodway and a 0.2-percent annual chance floodplain are not defined.



1.2 Previous Studies

In 2007, the Town of Windsor submitted a LOMR request to FEMA that corrected the delineation of the pre-2007 approximate floodplain from the Cache la Poudre River to downstream of Weld County Road 70. The study was the first detailed hydrologic and hydraulic study of the John Law Basin, and still serves as the effective hydrology and hydraulic information for the current study reaches.

1.2.1 Current Study Reach - Effective Hydrology and Hydraulics

The JLD Floodplain's current effective hydrology was presented in a 2007 study and LOMR request [ACE, December 27, 2007, aka the 2007 study]. The effective John Law hydrology for the floodplain located in and around the Town of Windsor was approved by FEMA in a 2009 LOMR [FEMA Case No. 08-08-0233P, December 14, 2009]. However, the 2009 LOMR hydrology was not published in an effective FIS until the completion of the Weld County Map Modernization Project and the adoption of the updated Weld County FIS on January 20, 2016.

Using the hydrologic controls obtained from the SWMM model as well as updated topographic information, the 2007 Study also created a corrected effective hydraulic model using the Army Corps of Engineer's HEC-RAS program that serves as the effective hydraulic model for the current study. The effective hydraulic model delineated a detailed 1-PAC floodplain for the John Law Basin, with associated areas of shallow flooding and base flood elevations. A detailed 0.2-PAC floodplain was not delineated because the 2007 Study was revising an approximate floodplain and per FEMA guidelines, a 0.2-PAC floodplain was not required for the John Law Basin. Additionally, a floodway was not delineated in the 2007 Study due to the flooding characteristics of the basin including the prevalence of split flows, no natural active channel, and shallow flooding in the overbank areas.

The 2009 LOMR effective work map in Appendix C.1 presents the 1-PAC floodplain and hydrologic results obtained from the 2007 Study pertinent to the current study.

1.2.2 Upstream Tie-in - Effective Hydraulics

Anderson Consulting Engineers, Inc. (ACE) was retained in 2014 by the Town of Windsor to perform final design of the John Law Floodplain Residential Flood Risk Reduction Project (JLFRFRRP), which included hydraulic analyses in support of a LOMR submission to FEMA upon completion of construction along the JL-FHA study reach. The objectives of this LOMR request were to evaluate improvements associated with: a) the federal and locally funded JLRFRR Project; b) the locally funded West Tributary Channel Project; and c) the privately funded Falcon Point Development.

On March 24th, 2017, ACE completed the John Law Floodplain Hydraulic Analysis (JL-FHA) (FEMA Project #PDMC-PJ-CO-2001-003). The JL-FHA study was performed on the JLD Floodplain delineated on FIRM Panels 1482E and 1501E, encompassing portions of the Town of Windsor and Weld County. The specific project reach for the 2017 JL-FHA extended along both the John Law Floodplain's Main Stem from upstream of the Great Western Railroad to (GWRR) approximately 300 feet upstream of Weld County Road

21 (WCR 21), and along the West Tributary of the John Law Channel from upstream of the GWRR to approximately 20 feet downstream of Hollister Lake Road/Weld County Road 19.

Improvements evaluated in the JL-FHA study pertained to a) channelization; b) culverts; c) overbank fill; d) access roads; and e) irrigation facilities. The JL-FHA study defined the following hydraulic analysis steps for analyzing the effects of the improvements along the study reach: a) an effective condition analysis; b) a duplicate effective condition analysis; and c) a post-project condition analysis. All analyses were conducted using the HEC-RAS hydraulics model, Version 3.1.3. Results from the proposed condition analysis generally showed minor (less than 0.3 feet) reductions in the one-percent chance annual water surface elevations in the study reach floodplain, and minor increases in selected areas within the study reach as well as upstream of the project reach for the 1-PAC event. The southern end of the JL-FHA post-project condition model ties into the current study at Cross Section 6330 on the CJLD-WCR23 reach and at Cross Section 12315 on C&SRR-Eastman Pk reach. The work map depicting the southern end of the JL-FHA Study reach is presented in Appendix C.2 to illustrate the current study model tie-in.

1.3 Mapping

The topographic data used for the current study were taken from four primary sources: 1) 0.7 meter resolution digital elevation models (DEMs) generated from LiDAR data collected for the USACE on October 16, 2013, 2) 1-foot contours of the Future Legends property collected by Galloway, 3) the effective 2-foot contours from Ken Rushing Photographic Services from April 2007, and 4) one-foot contours surveyed by Galloway for the post project topography. It should be noted that a surface of the effective 2-foot Ken Rushing contours is not currently available, however effective cross section geometries are derived from the 2-foot contours. Hydraulic models created in the current study utilized the above topographic data to both resample cross section geometries and provide surfaces upon which to delineate modeled floodplains. Topographic data preprocessing involved the following steps: 1) resampling the USACE LiDAR DEMs to a consistent cell size and mosaicing DEM panels into a single surface, and 2) geo-rectifying all data into a common Colorado North State Plane Coordinate System.

1.3.1 Effective Topography

The source of the effective topo data is the 2-foot contours from Ken Rushing Photographic Services. Ken Rushing Photographic Services (KRPS) of Drake, Colorado in December 2002, flew the effective aerial photography utilized in the 2007 John Law Floodplain Study. The 2-foot contour interval effective topography was developed by KRPS for the Town of Windsor. The 2-foot contour interval topography was supplemented with more detailed existing ground survey information obtained from several developments in the area as listed in the 2007 JLD report. The supplemental ground survey data produced 1-foot contour interval topo in the developed areas. The effective topography was accepted by FEMA in the 2009 JLD LOMR.

1.3.2 Corrected Topography

2013 LiDAR data was incorporated into the effective topography to enhance the spatial coverage of the topography within the current study area. The LiDAR data was collected by the USACE in October of 2013 after the historic September 2013 Flood along the north front range of Colorado. The resolution of the LiDAR data is 0.7 meters (2.3 feet) and can be found in the Colorado Geocache at www.geodata.co.gov. The 2013 LiDAR and select ground survey topography [Galloway 2019-2020] were mosaiced together where the data sets did not exhibit any significant manmade changes in the floodplain. A GIS engine was used to create a composite elevation surface called GAL-PF Surface.

During the current study's corrective analyses, Cross Sections 12245 through 8935 on C&SRR-Eastman Pk reach, as well as Cross Sections 12801 through 10575 on the Kodak A reach were resampled using the GAL-PF Surface. Cross-sections upstream and downstream of the current study reaches were not resampled, allowing the corrected effective model to tie into the effective modeling.

1.3.3 Existing Topography

Galloway surveyed the Future Legends property within the current study area during several field visits between October 13th, 2019 and January 10th, 2020. Additionally, Galloway Surveyors obtained additional data documenting the following man-made changes in the current study reach: a) removal of a culvert located downstream of the GWRR on the John Law's Main Channel; b) an oil and gas facility on the right bank of the Kodak L Path immediately upstream of Eastman Park Drive; and c) an extension to the TMSI Building on the Kodak L Path's left bank upstream of Eastman Park Drive.

1.3.4 Proposed Topography

The proposed topographic surface was developed by Galloway [Future Legends Construction Drawings, Galloway, June 22 2020], incorporating grading in the floodplain associated with: a) a new John Law Channel alignment; and b) parking areas over the existing John Law Channel alignment.

Floodplain improvements associated with future phases and permits for the Future Legends project include: a) two new pedestrian bridges crossing the new channel alignment; b) new fields east of the channel; and c) a new access road intersection at Eastman Park Drive.

1.3.5 Vertical Datum and Horizontal Coordinate System Considerations

Regulatory water surface elevations for the 1-PAC floodplain provided by the most recent 2016 Weld County and Incorporated Areas Flood Insurance Study (FIS) are based on the North American Vertical Datum (NAVD) of 1988 (NAVD88). All elevation data associated with the current study was in the NAVD88. All topography and mapping were projected in the Colorado North State Plane Coordinate System.

1.4 Purpose and Scope of Study

This submittal has been prepared in support of an allowable rise certification for the Future Legends Project. The current study focuses on correcting the John Law Basin Floodplain and showing that the proposed improvements meet the criteria for an allowable rise certification.

The John Law Basin Floodplain is delineated on two Flood Insurance Rate Maps (FIRM): Panels 1501E and 1503E of Weld County and Incorporated Areas (Community Number 080288). Additional flooding information about the John Law Basin Floodplain is in the effective Flood Insurance Study (FIS) for Weld County and Unincorporated Areas, dated January 20, 2016.

The purpose of this study is to support floodplain permitting associated with enhancements to the existing Diamond Valley recreational area and develop a new sports park. Eastern portions of the new sports park are located in the John Law Basin Floodplain. To meet allowable rise floodplain criteria, the hydraulic models of the developed conditions will need to show that proposed increases in water surface elevations are constrained to within the State of Colorado's half-foot rise criteria. Within the Town of

Windsor and Weld County, the allowable rise criteria have been applied by regulating to approximately 0.2 to 0.3 feet of the allowable increase for any given property on one side of the floodplain.

Galloway and Company, Inc. (Galloway) has been retained by Future Legends, LLC. to design the new sports park and obtain the requisite floodplain permits. Floodplain permitting will adhere to Federal Emergency Management Agency (FEMA), state, and local floodplain regulations. This study will show that the proposed design for the project meets established criteria for an allowable rise certification.

II. HYDROLOGY

The hydrologic data used in the current study, was developed in support of the 2009 JLD LOMR. The 2009 LOMR approved an EPA SWMM model of the John Law Basin. The Effective Hydrology established that the JLD produces a 1-PAC discharge of 3,950 cfs directly upstream of the current study reach. The flow splits with approximately 2,930 of the 3,950 cfs being diverted east along the north side of the GWRR tracks while the remaining 1,020 cfs is conveyed along the JLD Main Channel. However, approximately 2,420 cfs of the 2,930 cfs along the north side of the GWRR tracks is shed over the railroad tracks south into both the Kodak L Path and JLD Main Channel. Hydrologic exchange between the JLD and Kodak L is controlled by an irrigation ditch that acts as a lateral weir and runs in between the two reaches. During the 1-PAC event, excess flows from the JLD are transferred into the Kodak L along most of the irrigation ditch length. Excess flood flows in the JLD and Kodak L leave the study reach either through culverts underneath Eastman Park Drive to the south, or by overtopping the road itself. The effective work map in Appendix C.1, references the effective hydrology using flow arrows at the reach junctions.

III. EFFECTIVE/DUPLICATE EFFECTIVE CONDITION

Per Federal Emergency Management Agency (FEMA) Guidelines, the effective condition analysis may involve obtaining and/or preparing the following models: 1) obtaining the effective model(s); 2) creating a duplicate effective model by rerunning the effective model and comparing the results to the data published in the regulatory Flood Insurance Study (FIS); and 3) if any errors are noted, fixing them with a corrected effective model. The purpose of the duplicate effective model is to assure that the same models and parameterizations that were used to produce the effective model results are being used in the current study so that the results from the current study are comparable with the effective information. The duplicate effective model also ensures that the hardware and software used in the current study are appropriate and can be used to produce the effective results.

3.1 Definition of Hydraulic Plans

The current study's effective conditions/baseline hydraulic analyses utilized the Hydrologic Engineering Center's River Analysis System (HEC-RAS), Version 3.1.3 hydraulic model. The "EC" model consists of the effective HEC-RAS model for the Law Basin Floodplain and was taken from The 2009 John Law Ditch LOMR [LawDitch_Oct08.prj]. River reaches from the effective model are provided in Table 3.1 below, with reaches within the current study limits rendered in bold face print. There are two plan files within the effective model. In one plan, it is assumed that a ditch embankment crossing the SH392-C&SRR flow path fails. The ditch embankment failure occurs at Cross Section 1560 on the SH392-C&SRR flow path. The second effective plan called CORRECTED EFFECTIVE FLOODPLAIN [plan file: LawDitch_Oct08.p05] does not model failure along the SH392-C&SRR flow path and was selected as the effective model to be used in the current study's duplicate effective analysis. Assuming that that the ditch embankment along the SH392- C&SRR flow path does not fail provides a conservatively higher estimate of discharges through the current study reach.

The "DE" plan file contains the Duplicate Effective Plan for the current study. The geometry associated with the DE plan is a truncated version of the EC plan, with reach geometries and flow data associated downstream the Kodak A and C&SRR-Eastman Pk Reach being removed from the model. The truncation was performed to reduce model complexity by removing various split flows and lateral structures associated with reaches downstream of the current study. Flow data and geometric data associated with both the study reaches and reaches upstream of the study were not altered during the truncation.

Table 3.1 Effective Model's HEC-RAS Rivers and Reaches.

River	Reach	Cross Section Stations	
		Upstream	Downstream
John Law Ditch	WCR70-WCR21	24360	20250
John Law Ditch	WCR21-SH392	18800	16780
John Law Ditch	SH392-C&SRR	15580	13360
John Law Ditch	**C&SRR-Eastman Pk**	**12315**	**8299**
John Law Ditch	Eastman-Poudre	7775	5240
Greeley No 2 Can	GRNO2	920	150
Consolidated Joh	SH392-C&SRR	14651.1	14020
JLD West Trib	West Tributary	17985	15590
C&SRR	CJLD-WCR23	6330	565
Kodak Split	Kodak rd split	3785	3784
Kodak RPath	Rpath	8940	6530
John Law Ditch	**Kodak A**	**12801**	**8235**
John Law Ditch	Kodak B	7185	3695
John Law Ditch	Kodak C	3240	2795
Front Range Ener	FRE	3015	1560
Whitney Ditch	RN-WCR23	1531	1225
Railroad	Railroad A	5164	3515
Railroad	Railroad B	3514	825
WCR23	WCR23 A	9831	6785
WCR23	WCR23 B	6490	2770

Note: Rivers/Reaches located in the Current Study Limits are **Bolded**.

3.2 Starting Water Surface Elevations, Tie-ins, and Roughness Coefficients.

Starting water surface elevations were defined in the Effective Model using a normal depth boundary condition with a slope of 0.001 feet/foot on various HEC-RAS reaches located downstream of the current study area. Effective water surface elevations were utilized at the appropriate cross sections as starting water surface elevations for the Truncated Duplicate Effective plan. Water surface elevations of 4764.7 and 4763.6 feet (NAVD88) were used as starting water surface elevations and downstream boundary conditions on the C&SRR-Eastman Pk reach and Kodak A reach, respectively. The tie-in locations associated with the downstream boundary conditions are Cross Section 8299 on the C&SRR-Eastman Pk reach and Cross Section 9165 on the Kodak A reach.

Manning's *n* roughness values for the channels of the current study reaches were typically 0.035 while the roughness values of the corresponding overbanks were typically 0.040. Roughness values of 0.016 and 0.020 were utilized for water-on-water (e.g. over a canal or pond) and on asphalt surfaces (e.g. roads and parking lots).

3.3 Effective and Duplicate Effective Results

Effective water surface elevations and discharges were obtained from the 2016 FIS water surface profiles and discharge tables (See Appendix E and A, respectfully) and the 2008 Study. Comparison tables

that provide the resulting water surface elevations and discharges calculated in the Duplicate Effective Condition Model are presented in Appendix D.1 and D.2, respectfully. The effective work maps presented in the Appendices C.1 and C.2, provide context for the effective hydrology and hydraulics.

It should be noted that attempts were made to rerun the Effective Model in multiple versions of the HEC-RAS including versions 4.1.0, 5.0.3, and 5.0.7. However, running the model in multiple newer versions resulted in either significantly different answers or model runs that would not converge. Establishing that the version used to run the current study analyses would have significant effects on the Effective and Duplicate Effective models, all current study runs were performed using HEC-RAS version 3.1.3 in order to preserve consistency with the methods and model version utilized to derive the effective information. It is acceptable to use HEC-RAS version 3.1.3 as it is still a HEC-RAS version accepted by FEMA.

The EC and DE models was rerun during the duplicate effective analysis to assess the effects of truncating the effective model. The duplicate effective models were able to converge within the allowed number of iterations. Comparison of water surface elevations and discharges obtained in the EC and DE model runs with the effective results published in the effective FIS indicated no significant differences in the results. DE 1-PAC floodplain water surface elevations were found to be nearly identical to the effective water surface elevations despite being truncated, with all water surface elevations agreeing to within 0.1 feet. Similarly, DE 1-PAC floodplain discharges were found to be nearly identical to the effective discharges with all discharges agreeing to within 50 cfs. These differences are likely caused by minor differences in the model iterations around culverts within the EC and DE models. Thus, it was concluded that both the EC and DE are able to successfully replicate the effective floodplain information and that the DE model is a suitable base model for the corrected effective analysis.

IV. CORRECTED EFFECTIVE CONDITION

The purpose of the corrected effective analysis is to revise the effective model by correcting any errors within the study reach, updating effective model elements with more accurate data, and incorporating any field changes to the effective model not resulting from man-made changes within the study reach. A corrected effective analysis was performed for the current study to address the following issues:

1) Incorporate new topographic data obtained from Galloway's Survey Team and the Colorado Department of Transportation's (CDOT) LiDAR Repository
2) Add additional cross-sections along the Kodak A and C&SRR-Eastman Pk reaches
3) Incorporate previously unmodeled exposed water transmission lines within the John Law Ditch (JLD) channel
4) Revise the model boundary conditions.
5) Make other minor corrections to the model.

Model elements such as cross sections and lateral structures were resampled using the GAL-PF Surface to obtain updated model geometries. Additionally, the corrected effective floodplain computed in the current study was delineated on top of the GAL-PF Surface to most accurately portray the extents of the corrected effective floodplain.

Additional cross sections were incorporated into the corrected effective model to update the effective hydraulic model based on a recent study. In 2017, A building addition was constructed for the TMSI building at 900 Metal Container Court. The property is located along the eastern edge of the Kodak A reach, and at the time of the addition, required a floodplain development permit from the Town of Windsor. In accordance with the study associated with the 2017 TMSI building addition, two cross sections were added to the current study on the Kodak A and C&SRR-Eastman Pk reaches. The new cross sections are Cross Section 11310 on Kodak A reach and Cross Section 9695 on C&SRR-Eastman Pk reach. These two additional cross section geometries were resampled from the GAL-PF Surface.

Between Cross Sections 9695 and 8935 on the C&SRR-Eastman Pk reach, three previously unmodeled water lines span the top width of the JLD. These water lines have diameters of 14 and 27 inches and cover a length of 25 feet across the JLD Channel. As these three water lines can obstruct flow in the channel during medium to large events, they were modeled together as a single bridge at Station 9389, with dimensions 27 inches thick and 25 feet long. Two cross sections were added both above and below the bridge in accordance with standard bridge modelling practices, including: Cross Sections 9407, 9406, 9368, and 9367 on the C&SRR-Eastman Pk reach.

To provide additional model stability at the downstream end of the current study, both the Kodak A and C&SRR-Eastman Pk reaches were further truncated to Cross Sections 10475 and 8820 respectfully. Both cross sections correspond to the southern toe of Eastman Park Drive and were not resampled from the GAL-PF Surface. In the DE model, there are additional lateral structures that exchange flows between the Kodak A and C&SRR-Eastman Pk reaches. As these structures provide additional model complexity and are beyond the current study area, the model was truncated. In association with truncating the model,

the downstream boundary conditions the Kodak A and C&SRR-Eastman Pk reaches were changed. Initially, the downstream boundary conditions for the Kodak A and C&SRR-Eastman Pk reaches were known water surface elevations at 4763.64 ft and 4764.68 ft (NAVD88) respectfully. To compensate for the model truncation, water surface elevation results from the DE model run for Cross Sections 10475 and 8820 were applied as the known water surface elevations for the downstream boundary conditions. These elevations are: 4768.29 ft (NAVD88) for Cross Section 10475 on the Kodak A reach, and 4767.41 ft (NAVD88) at Cross Section 8820 on the C&SRR-Eastman Pk reach. Flow changes and upstream boundary conditions within the study reaches were left the same as the DE model.

In accordance with adding new cross sections and a bridge structure, the series of lateral structures between reaches C&SRR-Eastman Pk and Kodak A were further subdivided to better characterize the transfer of flow between reaches. Lateral Structure 10319 in the effective model was subdivided into three lateral structures: Lateral Structures 10319, 9694, and 9366. Lateral Structure 9694 was created to better physically represent how water in Cross Section 9695 in the C&SRR-Eastman Pk reach is transferred to Cross Section 11310 in the Kodak A reach. Lateral Structure 9694 was further subdivided into Cross Sections 9694 and 9366 to incorporate the bridge at C&SRR-Eastman Pk reach Station 9389. Because the model simulation utilized HEC-RAS version 3.1.3, the bridges did not overlap lateral structures along the same reach length. Therefore, Lateral Weir 9694 was truncated so as to not overlap the same section of reach C&SRR-Eastman Pk as Bridge 9389.

4.1 Definition of Hydraulic Plans

The current study's Corrected Effective Condition Hydraulic Analysis [JLD_FTL] utilized the Hydrologic Engineering Center's River Analysis System (HEC-RAS), Version 3.1.3 computer model. The "CE" plan file title is the Corrected Effective Plan for the current study. The Corrected Effective Condition Model incorporates better data and additional detail to the duplicate effective model from 2009.

Comparison tables that provide the resulting discharges and water surface elevations calculated in the Corrected Effective Condition Model are presented in Appendix D.1 and D.2 respectfully.

4.2 Starting Water Surface Elevations, Tie-ins, and Roughness Coefficients.

Starting water surface elevations for the corrected effective condition were carried over from the truncated duplicate effective model. The downstream boundary conditions for both the C&SRR-Eastman Pk and Kodak A reaches were set to 4767.4 and 4768.3 feet (NAVD88) respectively based on the results obtained from the duplicate effective analysis. The geometry at effective Cross Section C&SRR-Eastman Pk 8820 and Kodak A 10475 were left unchanged in the corrected effective model as both cross-sections serve as the corrected effective model tie-ins to the effective model.

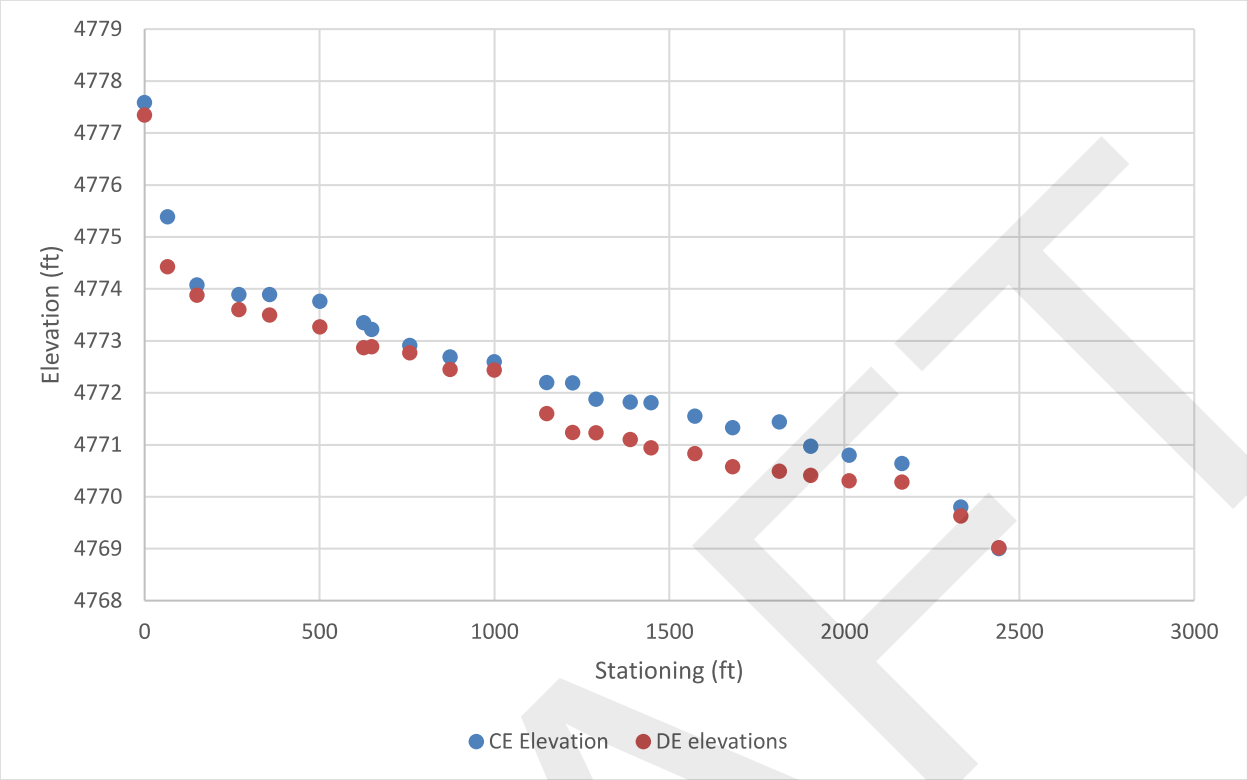
Manning's *n* roughness values for the corrected effective analysis matched those in the effective model.

4.3 Floodplain Analyses and Results

Comparative tables of the Corrected Effective water surface elevations and discharges to the other models are presented in Appendix D.1 and D.2 respectively. The Corrected Effective model results depict a significant change in the discharge distribution compared to the effective model. The results show that approximately 1,025 cfs of flow that was previously conveyed from the C&SRR-Eastman Pk reach into the Kodak A reach in the effective model is instead held in the C&SRR-Eastman Pk reach in the Corrected Effective Model. The discharge at Cross Section 8820 at the bottom of the C&SRR-Eastman Pk reach increased from the duplicate effective's 455 cfs to the corrected effective's approximately 1,400 cfs, while the corresponding discharge at Cross Section 10475 on the Kodak A reach decreased from duplicate effective's approximately 2,955 cfs to the corrected effective's approximately 1,930 cfs. No flow or weir parameters were changed between the Effective and Corrected Effective Models, meaning that the reason for the change in discharge is primarily due to a change in lateral structure geometry.

Figure 4.1 shows a comparative plot between the weir crest geometry of the lateral structures in the Corrected Effective and Effective Models. On average, the weir crest elevation increased by 0.5-foot in the corrected effective data when compared to the effective data, with a maximum increase of one-foot. This increase in weir crest elevation acts as an inhibiter to flow between the two reaches, resulting in less transfer of water between the two reaches. This is illustrated when looking at the discharge results along the C&SRR-Eastman Pk reach from Cross Section 11220 downstream. Cross Section 11220 is the last cross-section along the C&SRR-Eastman Pk reach to receive external inflows as well as the first cross section where flow start being conveyed over the series of lateral structures. In the effective model, the discharge drops from 1,740 cfs to 455 cfs, meaning that just under 1,300 cfs is conveyed over the lateral structures into the Kodak A reach. Comparatively, the discharge at Cross Section 11220 in the Corrected Effective Model begins at 1,547 cfs and decreases only to 1,411 (only 136 cfs is transferred over the lateral structure at the same location).

Figure 4.1 Lateral Weir Crest Elevations Comparison.



In concert with the changes in discharge between the C&SRR-Eastman Pk and Kodak A reaches, water surface elevations at cross-sections along the reach also changed. Water surface elevations tend to increase on the C&SRR-Eastman Pk reach while simultaneously dropping on the Kodak A reach. The cause of the changes in water surface elevations between the Corrected Effective and Effective Condition models is driven by the updated topographic data incorporated into the Corrected Effective model. The higher resolution topographic data used in the Corrected Effective Model produces different cross section geometries compared to corresponding effective cross sections as evident in Figures 4.2-A through 4.2-C. There are two locations along the C&SRR-Eastman Pk reach at Cross Sections 11220 and 10800 where the water surface elevations are higher in the corrected effective model compared to the effective model where a decrease is expected. The reason for this is because the elevations of the left overbanks for Cross Sections 11220 and 10800, which convey most of the flow during the 1-PAC event, are between 0.2 and 0.4 feet lower in the corrected effective model than the effective model. This results in the water surfaces at Cross-Sections 11220 and 10800 being artificially lowered and doesn't detract from the overall conclusion that water surface elevations increase on the C&SRR-Eastman Pk reach in the Corrected Effective Model. A similar geometric argument is also invoked for Cross Sections 12801 and 12800 on the Kodak A reach, but for the opposite reason. It is expected that with decreasing flow on the Kodak A reach, that water surface elevations should be lower. However, the topographic data utilized in the corrected effective model is up to 1-foot higher than the effective topography, resulting in the 0.5-foot rise in water surface elevations in the corrected effective water surface elevation at Cross Sections 12801 and 12800. Cross section comparison plots are provided below.

Figure 4.2-A Effective and Corrected Geometry Comparison - Cross Section 12801/12800

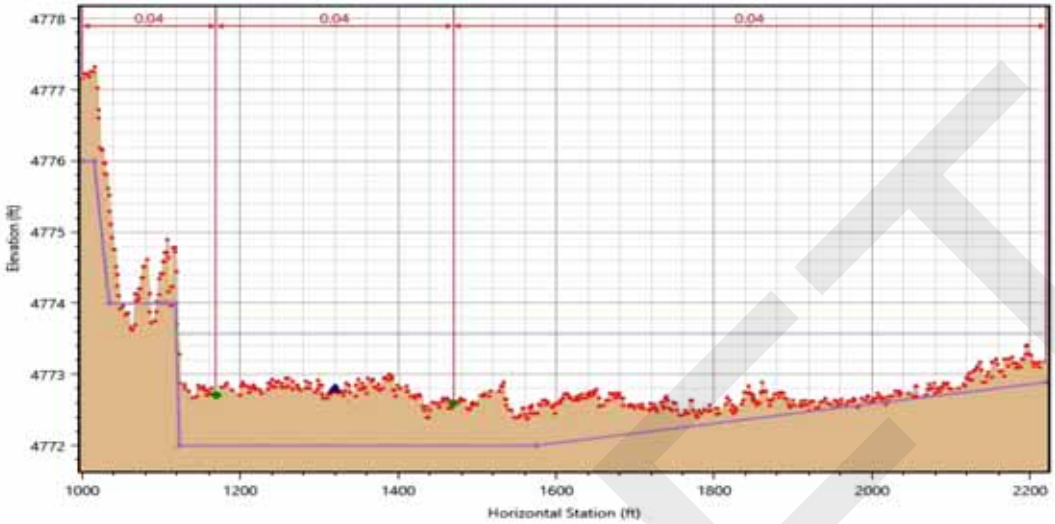


Figure 4.2-B Effective and Corrected Geometry Comparison - Cross Section 10800

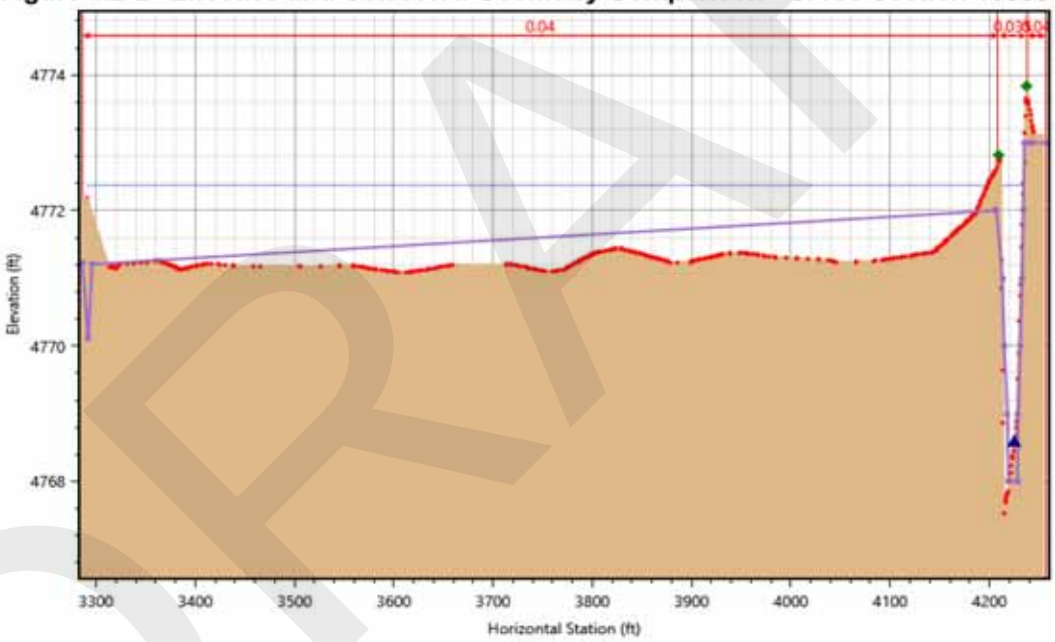
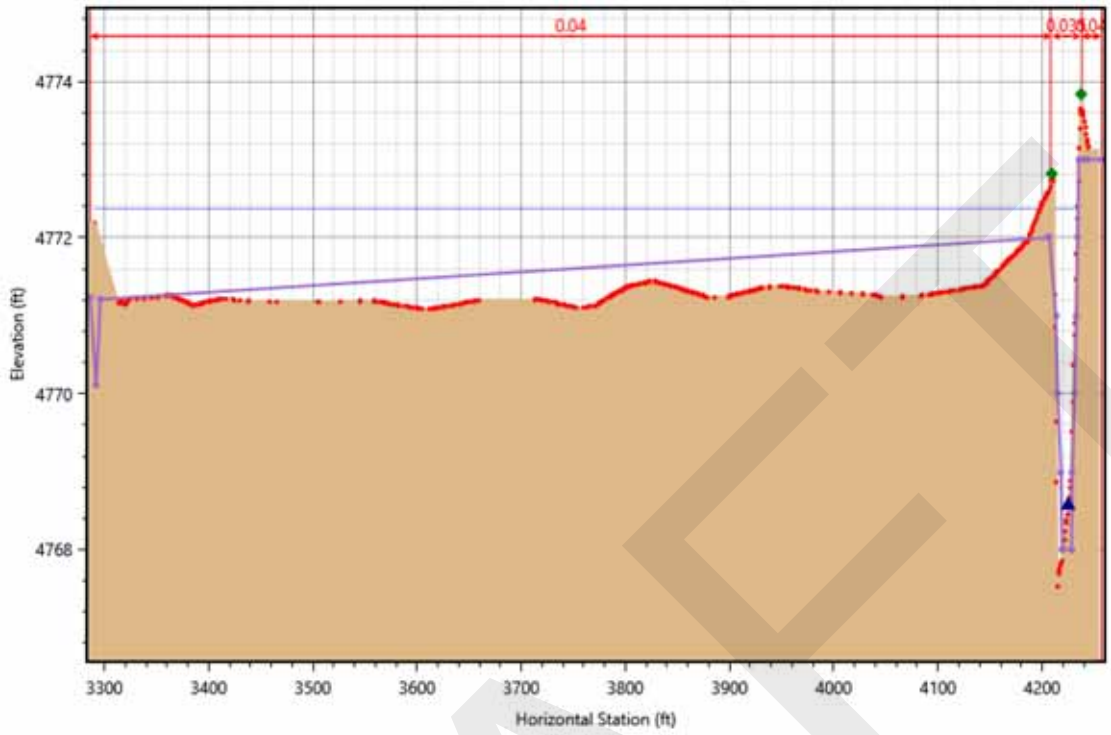


Figure 4.2-C Effective and Corrected Geometry Comparison - Cross Section 10320



Upstream of the current study reach, resulting discharges along reach CJLD-WCR23 and across lateral structures that connect both the C&SRR-Eastman Pk and Kodak A reaches are different from the effective results. Table 4.1 illustrates the differences in both discharge and water surface elevations along reach CJLD-WCR23, as well as how flow over the lateral structures that connect reach CJLD-WCR23 to the study reaches changes between the Effective and Corrected Effective Models. In terms of discharge, the Corrected Effective Model indicates a slight increase from 510 cfs to 594 cfs leaving reach CJLD-WCR23 when compared to the Effective Model. The increase in discharge is minor in magnitude and can be attributed to tail-watering occurring on the C&SRR-Eastman Pk reach caused by the existing bridge at Station 11782. Discharge across the lateral structures has, in contrast, changed significantly between the Effective Model and Corrected Effective Model. There is a pronounced shift in where water is shed with more water being shed over Lateral Structure 4369.9 and less water being shed over lateral structures 6329.9 and 5674.9 in the Corrected Effective Model. It should be noted that the total water conveyed from the CJLD-WCR23 reach into the two current study reaches changes by only 14 cfs between the Effective and Corrected Effective Models, which indicates no significant change in how much water is being shed over the Great Western Railroad Tracks.

Table 4.1 Effective and Corrected Discharge Comparison Table

Station	Discharge		Lateral Structure Discharge	
	Effective	Corrected	Effective	Corrected
6330	2963.5	2977.8		
6329.9	Lat Struct	Lat Struct	756.7	592.2
5675	2206.9	2390.0		
5674.9	Lat Struct	Lat Struct	859.4	750.3
4370	1348.7	1671.5		
4369.9	Lat Struct	Lat Struct	838.7	1098.1
3170	510.5	594.2		
3095	510.5	594.2		
2315	510.5	594.2		
1560	510.5	594.2		
565	510.5	594.2		

The corrected and duplicate effective comparative work map is located in Appendix C.3. On the C&SRR-Eastman Pk reach, discharges and water surface elevations have increased. Between Cross Sections 12245 and 11810 on the C&SRR-Eastman Pk reach, the floodplain expands to the west in response to the 0.2- to 0.3-foot increase in water surface elevation as well as mapping the floodplain on higher resolution data. A similar behavior is observed downstream between Cross Sections 9407 and 8940. The Corrected Effective Floodplain bulges between Cross Sections 9407 and 8940 to fill in backwater areas that occur when the JLD turns 45 degrees to the south west. The Corrected Effective topography causes the floodplain to backwater northward because it maps a gravel pit that was developed west of the JLD between the 2008 Study and the current study. Even with the floodplain extending further west, the current study's corrected effective analysis does not indicate that the floodplain encroaches onto any additional properties when compared to the effective floodplain. An additional area of shallow flow was delineated between Cross Sections 10320 and 9695 on the C&SRR-Eastman Pk reach. This is caused by higher ground between Cross Sections 10320 and 9695 that is evident in the GAL-PF Surface.

Changes to the base flood elevation lines on the C&SRR-Eastman Pk Reach also reflect the added flows. BFEs for water surface elevations 4772 and 4771 are shifted downstream in the corrected effective model compared to the duplicate effective model, indicating an increase in water surface elevation. Corrected effective BFEs on the downstream end of the reach approach the alignment of the duplicate effective BFEs due to the additional backwatering on the upstream side of Eastman Park Drive.

In contrast to the 1-PAC corrected floodplain in the C&SRR-Eastman Pk reach, the same floodplain on the Kodak A reach shrinks compared to the effective floodplain. This is caused by the lower discharges and water surface elevations along the Kodak A reach in the corrected model, which cause the floodplain

to contract. The dry island and associated shallow flooding region on the east side of the irrigation ditch separating the C&SRR-Eastman Pk and Kodak A reaches have both grown in response to flow decreases along the Kodak A reach. The line separating the shallow flooding and dry island is marked by the location along the irrigation ditch where floodwaters cease to overtop.

Base flood elevations on the Kodak A path show a significant shift upstream starting at BFE 4771 feet (NAVD88). This shift upstream is indicative of the decrease in water surface elevation exhibited in the reach. There is not a comparable corrected effective 4768 BFE on the Kodak A reach because of the revised downstream boundary condition of 4768.29 feet (NAVD88) implemented in the corrected effective model. The corrected effective 4768 BFE therefore occurs south of Eastman Park road, outside of the current study limit.

V. PRE-PROJECT CONDITION

The purpose of the pre-project condition hydraulic analysis is to incorporate additional as-built information into the corrected analysis that is the result of man-made changes in the floodplain since the date of the effective study. Between 2007 and the current study, the earthen ditch crossing the JLD over a deteriorating culvert at Cross Section 11782 on the C&SRR-Eastman Pk reach, has been removed. The earthen ditch was replaced with a 16-inch diameter irrigation pipe flume where the deteriorating culvert was removed. The effective model was created before the culvert was removed, necessitating the need to incorporate the change into the current study. Additionally, an oil and gas facility called the Diamond Valley Central Oil Terminal was developed in 2014. This oil and gas pad and associated structures is located on the western edge of the Kodak A reach between Cross Sections 12100 and 10575. Construction of the 7 acres terminal involved modifying the grade and introducing a berm around the facility. Lastly, the aforementioned building addition to the TMSI building was constructed in 2017. The addition extends through Cross Section 11310 on the Kodak A reach and has been graded to convey flow away from the building. Considering that both the new irrigation pipe across the JLD and the construction of both the Diamond Valley Central Oil Terminal and TMSI building addition are not accounted for in the corrected analysis, the following steps were performed in a pre-project condition analysis using as-built elevation data collected by Galloway:

1) Revised the geometry of the culvert at Station 11782 on the C&SRR-Eastman Pk reach to reflect the irrigation pipe flume, and

2) Modified Cross Sections 12100 and 11310 on the Kodak A reach to reflect the recently constructed oil and gas pad and TMSI building addition.

5.1 Definition of Hydraulic Plan

The current study's pre-project condition hydraulic analysis is located in HEC-RAS project [JLaw_FTL] under the "EX" plan file. Like the corrected effective model, the pre-project model is truncated at the downstream end of Eastman Park Drive. The pre-project model incorporates as-built information from man-made improvements constructed between the publishing of the effective model results in the 2009 LOMR and the current study.

5.2 Starting Water Surface Elevations, Tie-ins, and Roughness Coefficients

Starting Water Surface Elevations for the pre-project condition model were obtained from the duplicate model results at Cross Sections 8935 on the C&SRR-Eastman Pk reach and 10475 on the Kodak A reach. Both Cross Section 8935 and 10475 also serve as the downstream tie-in for the pre-project model.

The geometry of each tie-in cross section matches the same geometry in the corrected and effective models.

Manning's *n* roughness values for the various pre-project condition flow paths match those used in the duplicate model. The roughness values for the channels of the current study reaches were typically 0.035. Roughness values for the current study reach overbanks were typically 0.040. A roughness value of 0.016 and 0.020 were utilized for water-on-water (e.g. over a canal or pond) and on asphalt surfaces (e.g. roads and parking lots), respectively.

5.3 Floodplain Analyses and Results

Results from the pre-project condition analysis along the Kodak A reach are similar to the results from the corrected effective model. Water surface elevations on the Kodak A reach when compared on a cross section by cross section basis change by no more than 0.1 feet between the pre-project and corrected effective models, while the discharges only vary by less than 20 cfs. The 1-PAC water surface profile when plotted on Cross Section 11310 does show a rise of 0.1 feet, which is indicative of the floodplain being constricted by the Diamond Valley pad and TMSI building addition.

There are slight changes in discharges and water surface elevations obtained from the pre-project condition analysis along the C&SRR-Eastman Pk reach, mostly in and around where the Station 11782 culvert was replaced with the irrigation pipe flume. Discharges along the reach decreased between 10 and 20 cfs from the corrected effective to the pre-project model. At the same time, the water surface elevations along the reach decreased upstream of Station 11782, due to the increased channel capacity associated with the removal of the culvert.

A delineation of the pre-project condition floodplain compared with the corrected effective floodplain is presented in Appendix C.4. Between Cross Sections 11810 and 12245 on the C&SRR-Eastman Pk reach, the pre-project condition floodplain has receded to the east compared to the corrected effective floodplain. Additionally, dry islands in the same area have grown in the pre-project condition model. Both changes in the delineation are in response to the decreasing water surface elevations associated with replacing the Station 11782 culvert with an irrigation pipe flume. Additionally, base flood elevation lines have also shifted around Cross Section 11782 in response to the lower water surface elevations. For a given base flood elevation line between Cross Sections 11378 and 12245, the pre-project base flood elevations are shifted upstream compared to the corrected effective base flood elevations. The shift upstream indicates that for a given location between Cross Sections 11378 and 12245, the water surface elevation is higher in the corrected effective model compared to the pre-project model.

The pre-project condition floodplain delineation of the Kodak-A 1-PAC floodplain indicates that the oil and gas pad and TMSI building extension do affect the delineation of the floodplain. Between the two improvements, the pre-project detailed floodplain is contracted, and the shallow flooding area extended. Both the TMSI building and TMSI building are mapped outside of the detailed floodplain. Downstream of

the improvements, the eastern extent of the detailed floodplain expands as evidenced near Cross Section 10540. These change in the floodplain delineation are in response to the construction of the Diamond Valley Oil and Gas Pad and extension of the TMSI building. Flow that would normally expand laterally at Cross Section 11310 is instead being contracted by the improvements on either side of the floodplain. Once flows pass south of the improvements, the right channel bank is lower resulting in flows expanding to the west. Base flood elevation lines are also responding to this redistribution of flow by shifting downstream in the pre-project condition. The downstream shift indicates that water surface elevations are higher in the pre-project condition at a given location when compared the corrected effective. Comparison tables that tabulate the resulting water surface elevations and discharges calculated in the pre-project condition are presented in Appendix D.1 and D.2, respectfully.

It should be noted that cross sections along the C&SRR-Eastman Pk reach that showed increases in water surface elevation between the effective and corrective effective conditions showed a decrease in water surface elevations between the corrected and pre-project conditions. This is because, without the irrigation ditch culvert in the effective and corrected model being able to stack more headwater with increased discharges, lower water surface elevations are calculated throughout the reach.

VI. PROPOSED CONDITION

The Proposed Condition Hydraulic Analysis incorporated the proposed improvements within the project reach into the Pre-Project Condition model. The key objectives of the Proposed Condition Analysis is to evaluate the impacts that the proposed improvements will have on the 1-PAC floodplain, water surface elevations, and discharges. Proposed improvements are only planned for the C&SRR-Eastman Pk reach and include the following changes to the Pre-Project Condition Model:

1) Changing the alignment and geometry of the JLD Main Channel between Cross Sections 11870 and 9407.
2) Adding proposed grading for access road and site detention ponds within the backwater area along the right bank between Cross Sections 9407 and 8935.
3) Raising the proposed right overbank to accommodate new visitor parking between Cross Sections 11515 and 9762.

Proposed improvements within the floodplain are contrained to the JLD Floodplain between Cross Sections 12010 and 9407. The alignment of the John Law Channel is to be shifted 150 feet to the east to implement a Town of Windsor master planned channel. Shifting the John Law Ditch to the east consequently lengthens the channel itself, resulting in cross sections north of Cross Section 9407 to be restationed in the proposed condition. The grade along the right bank of the channel is to be brought up roughly 5 feet along the modified length of the channel to create pads for the parking lot. In addition to the grade being shifted, the John Law Channel is to be widened to accommodate the excess storm flows. An interim channel condition is modeled in the proposed condition and is sized to hold less than approximately the 10-PAC storm event. Future plans for the site include regrading the John Law Channel to hold the 10-PAC event when downstream master planned improvements are completed.

There are several improvements that were previously analyzed but that are not included in the current submittal. Between Cross Sections 11887 and 10443, between 5 and 6 soccer fields are proposed to be installed between the John Law Ditch and the Irrigation Lateral that separates the C&SRR-Eastman Pk and Kodak A Reaches. These soccer fields will be graded below the pre-project grade and will be crowned in the middle to prevent ponding on the fields. To access the fields, two pedestrian bridges are proposed between Cross Sections 11549 and 11524, and between Cross Sections 10586 and 10554. Preliminary bridge designs incorporated into the proposed condition model are 20 ft long, 1.5 feet thick, and rest upon two 2-ft diameter bridge piers. The proposed configurations of the pedestrian bridges and soccer fields are preliminary at this point and are not incorporated in the current analysis.

6.1 Definition of Hydraulic Plan

The current study's proposed condition hydraulic analysis is located in HEC-RAS project [JLaw_FTL] and in the HEC-RAS plan titled "PC". Like the corrected effective and the pre-project condition HEC-RAS models, the proposed condition model was truncated at the downstream end of Eastman Park Drive. The proposed condition model incorporates proposed grading associated with the Future Legends Project and a realignment of the John Law Channel further to the east.

6.2 Starting Water Surface Elevations, Tie-ins, and Roughness Coefficients

Starting water surface elevations for the proposed model were obtained from the duplicate effective model results at Cross Sections 8935 on the C&SRR-Eastman Pk reach and 10475 on the Kodak A reach. Both Cross Sections 8935 and 10475 also serve as the downstream tie-ins for the proposed condition model.

Manning's *n* roughness values for the various proposed condition flow paths matched those used in the duplicate effective model. The roughness values for the channels of the current study reaches were typically 0.035. Roughness values for the current study reach overbanks were typically 0.040. A roughness value of 0.016 and 0.020 were utilized for water-on-water (e.g. over a canal or pond) and on asphalt surfaces (e.g. roads and parking lots), respectively.

6.3 Floodplain Analyses and Results

Comparison tables that tabulate the resulting water surface elevations and discharges calculated in the proposed condition model are presented in Appendix D.1 and D.2, respectfully. Of the proposed improvements listed at the beginning of Chapter 6, the revised channel alignment of the JLD main channel has the greatest impact on the hydraulics of the current study. The JLD Main Channel is both relocated to the east and regraded to hold additional capacity, with the goal being to protect structures associated with the project from flooding. The excess capacity in the JLD results in the C&SRR-Eastman Pk reach retaining an additional 75 cfs. The additional water retained in the C&SRR-Eastman Pk reach results in roughly 75 cfs less flow shed into the Kodak L path over the Irrigation Ditch between Cross Sections 11310 and 10475. The excess 75 cfs retained on the John Law Ditch is not significant enough to warrant additional mitigation efforts to divert additional flows onto the Kodak-L path.

In conjunction with the excess flow retention within the C&SRR-Eastman Pk reach, water surface elevations at cross sections within the reach tend to decrease. Decreases in water surface elevations are observed at cross sections downstream of Cross Section 12101 relative to the pre-project results, with a maximum increase of 0.3 feet observed at Cross Sections 12010. The Town of Windsor historically limits John Law Floodplain development to a maximum allowable surcharge of 0.2-0.3 feet. Considering that the change in water surface elevation at Cross Section 12010 falls within this range and that the increase occurs exclusively on the Future Legends property, this 0.3 feet water surface elevation increase should

be allowable. Downstream of Cross Section 12010, the proposed design connects with the proposed JLD channel, resulting in a decrease in water surface elevations compared to the pre-project condition model because of the increased channel capacity associated with the design.

In response to the increase channel capacity on the JLD due to the proposed design, the Kodak A reach receives less flow. A decrease in discharge that varies between 22 and 79 cfs is observed between Cross Sections 12100 and 10475 on the Kodak A reach. This decrease in discharge is relatively small and does not result in a decrease in water surface elevation when compared to the pre-project condition. A tabulation of these results is presented in Appendix D.

With the incorporation of the proposed grading, the proposed floodplain delineation exhibits distinct differences compaired to the corrected effective delineation. A workmap comparing the proposed and corrected effective floodplains is presented in Appendix C.5. The changes in the floodplain delineation within the proposed condition model are mostly constrained to the C&SRR-Eastman Pk Reach . Near the top of the C&SRR-Eastman Park reach between Cross Sections 12482 and 12079, the floodplain contracts to the west along the floodplain's eastern extent compared to the corrected effective floodplain. Considering that the portion of the C&SRR-Eastman Pk reach between Cross Sections 12482 and 12079 is not subjected to additional grading in the proposed condition model, the cause of the floodplain contraction is similar to contractions caused in the pre-project condition model: the water surface is dropping due to converting the irrigation ditch supply culvert at Station 12040 into a pipeflume modeled as a bridge. The new pipeflume does not obstruct as much of the flow compared to the culvert, resulting in a decrease in water surface elevations and a contraction of the floodplain between Cross Sections 12482 and 12079.

The proposed floodplain downstream of the pipeflume at River Station 12010 is pushed to the east compared to the corrected effective condition, corresponding to the northern extent of the proposed grading. In the proposed grading, the JLD Main Channel shifts to the east and is widened to hold additional capacity, causing the floodplain to shift. The proposed grading also causes a shallow flooding area to form between Cross Sections 11887 and 11407. The shallow flooding section is receiving flood flows from the north side of the GWRR tracks, but due to the current grade configuration, the section does not convey enough water to delineate a detailed floodplain.

Downstream between Cross Sections 10443 and 9803, the shallow flooding zone presented in the corrected effective has expanded in the proposed condition model. Considering that the base flood elevation lines between Cross Sections 10443 and 9803 have been shifted upstream compared to the corrected effective model, the increased channel capacity is allowing the shallow flooding area to expand. Finally, the backwater flooding between Cross Sections 9407 and 8935 has also contracted in the proposed condition model. The causes of the smaller backwater flooding area are due to both the extra capacity of the proposed channel to hold water, and the grading associated with the proposed detention ponds and road. The proposed floodplain in the backwater area does not cause the proposed floodplain to encroach onto additional properties west of the proposed project. In total, the proposed floodplain delineated using

proposed grading is contracted compared to the corrected effective floodplain, eliminating negative impacts to neighboring properties.

On the Kodak A reach, the proposed floodplain delineation exhibits a mix of characteristics caused both by the proposed design as well as changes implemented in the pre-project condition. Base flood elevations along the Kodak A reach are shifted downstream in the proposed condition model relative to the corrected effective condition model between Cross Section 12100 and 11310. The shift of the base flood elevations downstream is similar to that observed in the pre-project condition comparative workmap and is indicative of the effect that the pre-project improvements have on the floodplain.

The delineation of the Kodak A floodplain exhibits minor changes in response to the proposed design and model changes from the pre-project condition analysis. Similar to the pre-project condition analysis, the Kodak A Floodplain bulges to the west downstream of Cross Section 11310. This is caused by the oil and gas pad compressing the floodplain around Cross Section 11310 and subsequently allowing the floodplain to expand downstream. At Cross Section 11310, the Kodak A reach floodplain contracts as a result of the pre-project improvement along the Kodak-A reach. However due to less water shedding over the irrigation ditch from the JLD, the shallow flooding area that cuts across the northern side of the Diamond Valley Oil and Gas Pad has been reduced.

VII. FLOODPLAIN MANAGEMENT

Prior to the 2016 Weld County FIS becoming effective, the John Law Ditch (JLD) floodplain within the current hydraulic study reach, was previously delineated on the 1991 FIRMs as a Zone A based on a 1980s-era study. In the 2016 Weld County FIS, the 2009 JLD LOMR, with a detailed 100-year floodplain analysis, became effective. The 1-percent annual chance (1-PAC) detailed floodplain, as delineated on the 2016 effective FIRM panels, starts at the confluence with the Cache la Poudre River and extends upstream along various flow paths to WCR 70 on the JLD-Main Channel and Hollister Lake Road/WCR 19 on the JLD-West Tributary.

During the review of the 2009 LOMR, FEMA recommended that a floodway not be defined in the Windsor Reach of the John Law Ditch Floodplain. FEMA cited the following reasons that would make defining and regulating a floodway difficult: a) the lack of a defined channel in many places such as in areas where the 100-year flooding depths are less than 3-feet (i.e. shallow flooding), b) the existence of multiple flow paths, and c) the presence of structures in the floodplain/floodway. Therefore, per FEMA guidelines: "*The Mapping Partner shall not calculate the 10-, 2-, or 0.2-percent-annual-chance flood elevations, delineate 0.2-percent-annual-chance floodplain boundaries or regulatory floodways, or develop Flood Profiles in shallow flooding areas*" [FEMA, April 2003, Section E.5].

Between 2009 and 2016 the Town of Windsor and Weld County locally regulated development in the John Law Floodplain utilizing the 2009 LOMR as the best available data. Development in the JLD floodplain was regulated utilizing the following minimum FEMA standard: "*Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1–30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-foot at any point within the community*" [FEMA, 44 CFR Section 60.3 (c) (10), October 1, 2013]. Specific implementation of the community's 'minimal rise' standard is described in the following section.

7.1 Current Study's Regulatory Background

The current study analyzes the revised condition for the JLD Floodplain in the Town of Windsor and Unincorporated Weld County. The current study did not modify the base hydrology for the John Law Drainage Basin. However, the current study does hydraulically redistribute the discharges amongst flow paths located within the study reach during several of the evaluated conditions. The largest redistribution of flows occurred between the effective and corrected conditions where the updated topography caused an approximately 35% shift in discharges from the Kodak L Path to the JLD C&SRR-Eastman reach. At the downstream current study limits, the proposed condition discharges increase by approximately 5% on the

C&SRR-Eastman Pk Reach, and decrease by approximately 5% on the Kodak A reach when compared to the pre-project discharge values.

Since a regulatory floodway is not effective in the Windsor reach of the JLD Floodplain; the Town of Windsor has requested development proposals to document a 'minimal-rise' in the effective 100-year water surface elevations. Minimal rise is defined by the Town of Windsor as one-half (since typically the applicant owns property on one side of the floodplain's thalweg or hydraulic baseline) of the allowable floodway surcharge. FEMA would allow a maximum cumulative rise in 100-year water surface elevations of 1-foot per 44 CFR Section 60.3 (c) (10). The Town of Windsor, between approximately 2008 to 2013. regulated development in the John Law Floodplain to the 1-foot surcharge limit.

However, the State of Colorado in January 2014 implemented a more stringent floodway surcharge of 0.5 feet. Therefore, per FEMA's and the State of Colorado's floodplain and stormwater regulations, the more stringent guideline governs. Therefore, the Town of Windsor since 2014, as a means of accommodating all potential development in the floodplain, has allowed rises up to 0.25 to a maximum of 0.30 feet. The current project has limited rises in BFEs to no more than 0.3 feet. Outside of the project area/reach rises in BFEs due to the project did not exceed 0.1 feet. It should be noted that the redistribution of discharges in the corrected effective analysis will result in changes to the BFEs downstream of the current study reach. Determining the changes in BFEs downstream of the current stude reach in the corrected condition in beyond the current scope of work.

The implication of this application for an 'allowable rise' for the current hydraulic study reach is the incorporation of the proposed Future Legends Project and its associated improvements. Specifically, this submittal is requesting that the Town of Windsor review and provide concurrence with the results and methods used to delineate the proposed condition 1-percent annual chance floodplains in support of an 'allowable rise' certification.

7.2 MT-2 Forms

During coordination for this Phase 2 submittal Weld County, as an adjacent jurisdiction, requested a copy of the Phase 3 submittal in July of 2020 instead of the current Phase 2 submittal. Draft MT-2 forms will be developed during compilation of the post construction LOMR application.

Historically, Weld County's policy has been to sign an MT-2 Form after the LOMR has been approved by FEMA. Weld County's MT-2 signature policy is explained in the letter provided in Appendix F.3. A review of this 'allowable rise' submittal will provide the opportunity to confirm the current local review processes of the local communities.

7.3 Property Owner Notifications

Since BFEs have changed in select areas within the detailed study reach, property owners along JLD Floodplain affected by these changes will be notified via a series of public announcements by the communities and FEMA. A draft copy of the public notification announcement will be developed during the compilation of the post construction LOMR.

VIII. REFERENCES

Anderson Consulting Engineers, Inc., Letter of Map Revision (LOMR) for the John Law Ditch in the Town of Windsor, Colorado, December 27, 2007, Revised per AD Letters dated: a) June 9, 2008; b) September 3, 2008; and c) April 21, 2009.

Anderson Consulting Engineers, Inc., Hydraulic Analysis for John Law Floodplain from Great Western Railroad to Weld County Road 21, March 24, 2017.

Colorado Water Conservation Board, Rules and Regulations for Regulatory Floodplains, in Colorado, Department of Natural Resources, November 10, 2010.

Federal Emergency Management Agency, 44 CFR Subchapter B-Insurance and Hazard Mitigation, Parts 59-78, NFIP Final Rules and Regulations, Part 60-Criteria for Land Management and Use & Part 65-Identification and Mapping of Special Hazard Areas, October 1, 2013 as updated.

Federal Emergency Management Agency, Flood Insurance Rate Map, Weld County, Colorado and Incorporated Areas, Panels 1482, 1484, 1501, & 1503 of 2250, Community-Panel No.s 080266, 080264, 080317, and 080184; January 20, 2016.

Federal Emergency Management Agency, Flood Insurance Study, Weld County, Colorado and Incorporated Areas, Vol. 1-3, Effective: January 20, 2016.

Federal Emergency Management Agency, Letter of Map Revision (LOMR) – John Law Ditch Floodplain Update, Town of Windsor and Weld County, Colorado, FEMA Case No.: 08-08-0233P, FEMA Letter 316-PMR Dated December 14, 2009.

Federal Emergency Management Agency, Flood Hazard Mapping Program Guidelines and Specifications for Flood Hazard Mapping Partners, April 2003 & updates 2009.

U.S. Department of the Army, Corps of Engineers, Hydrologic Engineering Center, HEC-RAS River Analysis System Hydraulic Reference Manual, Ver. 3.1.3, May 2005.

Appendix A

NATIONAL FLOOD INSURANCE PROGRAM

FEMA PRODUCTION AND TECHNICAL SERVICES CONTRACTOR

December 14, 2009

The Honorable Kelly Arnold
Manager, Town of Windsor
301 Walnut Street
Windsor, CO 80550

IN REPLY REFER TO:
Case No.: 08-08-0233P
Community: Town of Windsor, CO
Community No.: 080264

316-PMR

Dear Mr. Arnold:

This is in reference to a request for a revision to the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community. Information pertinent to this revision request is listed below.

Requester:	Mr. Chris Pauley, P.E., CFM Anderson Consulting Engineers, Inc.
Identifier:	John Law Ditch Floodplain Update
Flooding Sources:	Colorado and Southern Railroad Flow Path, Consolidated John Law Ditch, Energy Flow Path, Greeley No. 2 Canal, John Law Ditch, John Law Ditch – West Tributary, Kodak L Path, Kodak Road Split Flow, Railroad Flow Path, WCR 23 Flow Path, and Whitney Flow Path
FIRM Panel Affected:	080264 0005 A

At the request of FEMA, we have reviewed the information submitted in support of this request and determined that the FIRM and FIS report should be revised as a Physical Map Revision (PMR). FEMA is currently processing a Digital Flood Insurance Rate Map (DFIRM) for Weld County, Colorado and Incorporated Areas, and preliminary maps are scheduled to be delivered in spring 2010. Therefore, this PMR will be incorporated into the ongoing DFIRM.

As a result of this PMR, the flood hazard information will be revised for the following locations: along Colorado and Southern Railroad Flow Path from the limit of the detailed study to approximately 6,500 feet upstream of the limit of the detailed study; along Consolidated John Law Ditch from the confluence to approximately 2,160 feet upstream of the confluence with John Law Ditch; along Energy Flow Path from the confluence to approximately 3,060 feet upstream of the confluence with WCR 23 Flow Path; along Greeley No. 2 Canal from the limit of the detailed study to approximately 1,140 feet upstream of the limit of the detailed study; along John Law Ditch from the limit of the detailed study to approximately 7,580 feet upstream of the Great Western Railroad; along John Law Ditch – West Tributary from the confluence to approximately 2,390 feet upstream of the confluence with John Law Ditch; along Kodak L Path from the confluence to approximately 12,760 feet upstream of the confluence with the Cache La Poudre River; along Kodak Road Split Flow from its confluence to approximately 300 feet upstream of the confluence with Railroad Flow Path; along Railroad Flow Path from the

confluence to approximately 5,170 feet upstream of the confluence with Kodak L Path; along WCR 23 Flow Path from the confluence to approximately 9,830 feet upstream of the confluence with the Cache La Poudre River; and along Whitney Flow Path from the confluence to approximately 1,540 feet upstream of the confluence with WCR 23 Flow Path.

Because this revision request also affects the unincorporated areas of Weld County, a separate letter for that community was issued on the same date as this letter.

So that we may provide your community with the most up-to-date information possible, we request that your community review the affected FIRM panels and revised FIS report to determine if any additional changes are warranted. Examples of possible changes include updates to corporate limits or new streets. To assist us in processing the revised FIRM and FIS report in a timely manner, we request that your community submit changes within 30 days of the date of this letter. Please submit any requested changes, along with supporting documentation (e.g., annotated copies of FIRM panels, a corporate limits map, topographic mapping, "as-built" design plans, revised hydraulic analyses), to us at the address shown at the bottom of the first page.

Before we initiate the revision and republication process, we will review and incorporate, as appropriate, any requested changes to the affected FIRM panel or revised FIS report that are received during this 30-day period. We will send Preliminary copies of the revised FIRM and FIS report to your community for review. At that time, your community will have an additional 30 days to provide information to support other changes to the affected portions of the FIS report and maps. We will review all information submitted during that 30-day period and incorporate it, as appropriate, before the FIS report and maps are republished and distributed.

Your submittal of requested changes during the initial 30-day period will facilitate the revision and republication process. While it may be possible to incorporate requested changes later, it will likely cause significant delays in the revision and republication process. Therefore if, the data to support additional changes are not immediately available, or if additional time is needed, please inform us immediately.

If you have general questions about this case, the review and revision process, FEMA policy, or the National Flood Insurance Program, please call the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning this case, please contact your Revisions Coordinator for this request, Ms. Jaclyn Bloor, CFM, by e-mail at JBloor@mbakercorp.com or by telephone at (720) 479-3160.

Sincerely,

Syed Qayum

Syed Qayum, CFM
National LOMR Technical Manager
Michael Baker Jr., Inc.

cc: The Honorable Bill Garcia
Chairman, Weld County
Board of Commissioners

Mr. Dennis Wagner, P.E.
Director of Engineering
Town of Windsor

Mr. Chris Pauley, P.E., CFM
Senior Project Manager
Anderson Consulting Engineers, Inc.

NATIONAL FLOOD INSURANCE PROGRAM

FEMA PRODUCTION AND TECHNICAL SERVICES CONTRACTOR

December 14, 2009

The Honorable Bill Garcia
Chairman, Weld County
Board of Commissioners
915 Tenth Street
Greeley, CO 80632

IN REPLY REFER TO:
Case No.: 08-08-0233P
Community: Weld County, CO
Community No.: 080266

316-PMR

Dear Mr. Garcia:

This is in reference to a request for a revision to the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community. Information pertinent to this revision request is listed below.

Requester:	Mr. Chris Pauley, P.E., CFM Anderson Consulting Engineers, Inc.
Identifier:	John Law Ditch Floodplain Update
Flooding Sources:	Colorado and Southern Railroad Flow Path, Consolidated John Law Ditch, Energy Flow Path, Greeley No. 2 Canal, John Law Ditch, John Law Ditch – West Tributary, Kodak L Path, Kodak Road Split Flow, Railroad Flow Path, WCR 23 Flow Path, and Whitney Flow Path
FIRM Panels Affected:	080266 0605 D and 0608 D

At the request of FEMA, we have reviewed the information submitted in support of this request and determined that the FIRM and FIS report should be revised as a Physical Map Revision (PMR). FEMA is currently processing a Digital Flood Insurance Rate Map (DFIRM) for Weld County, Colorado and Incorporated Areas, and preliminary maps are scheduled to be delivered in spring 2010. Therefore, this PMR will be incorporated into the ongoing DFIRM.

As a result of this PMR, the flood hazard information will be revised for the following locations: along Colorado and Southern Railroad Flow Path from the limit of the detailed study to approximately 6,500 feet upstream of the limit of the detailed study; along Consolidated John Law Ditch from the confluence to approximately 2,160 feet upstream of the confluence with John Law Ditch; along Energy Flow Path from the confluence to approximately 3,060 feet upstream of the confluence with WCR 23 Flow Path; along Greeley No. 2 Canal from the limit of the detailed study to approximately 1,140 feet upstream of the limit of the detailed study; along John Law Ditch from the limit of the detailed study to approximately 7,580 feet upstream of the Great Western Railroad; along John Law Ditch – West Tributary from the confluence to approximately 2,390 feet upstream of the confluence with John Law Ditch; along Kodak L Path from the confluence to approximately 12,760 feet upstream of the confluence with the Cache La Poudre River; along Kodak Road Split Flow from its confluence to approximately

300 feet upstream of the confluence with Railroad Flow Path; along Railroad Flow Path from the confluence to approximately 5,170 feet upstream of the confluence with Kodak L Path; along WCR 23 Flow Path from the confluence to approximately 9,830 feet upstream of the confluence with the Cache La Poudre River; and along Whitney Flow Path from the confluence to approximately 1,540 feet upstream of the confluence with WCR 23 Flow Path.

Because this revision request also affects the Town of Windsor, a separate letter for that community was issued on the same date as this letter.

So that we may provide your community with the most up-to-date information possible, we request that your community review the affected FIRM panels and revised FIS report to determine if any additional changes are warranted. Examples of possible changes include updates to corporate limits or new streets. To assist us in processing the revised FIRM and FIS report in a timely manner, we request that your community submit changes within 30 days of the date of this letter. Please submit any requested changes, along with supporting documentation (e.g., annotated copies of FIRM panels, a corporate limits map, topographic mapping, "as-built" design plans, revised hydraulic analyses), to us at the address shown at the bottom of the first page.

Before we initiate the revision and republication process, we will review and incorporate, as appropriate, any requested changes to the affected FIRM panel or revised FIS report that are received during this 30-day period. We will send Preliminary copies of the revised FIRM and FIS report to your community for review. At that time, your community will have an additional 30 days to provide information to support other changes to the affected portions of the FIS report and maps. We will review all information submitted during that 30-day period and incorporate it, as appropriate, before the FIS report and maps are republished and distributed.

Your submittal of requested changes during the initial 30-day period will facilitate the revision and republication process. While it may be possible to incorporate requested changes later, it will likely cause significant delays in the revision and republication process. Therefore if, the data to support additional changes are not immediately available, or if additional time is needed, please inform us immediately.

If you have general questions about this case, the review and revision process, FEMA policy, or the National Flood Insurance Program, please call the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning this case, please contact your Revisions Coordinator for this request, Ms. Jaclyn Bloor, CFM, by e-mail at JBloor@mbakercorp.com or by telephone at (720) 479-3160.

Sincerely,

Syed Qayum

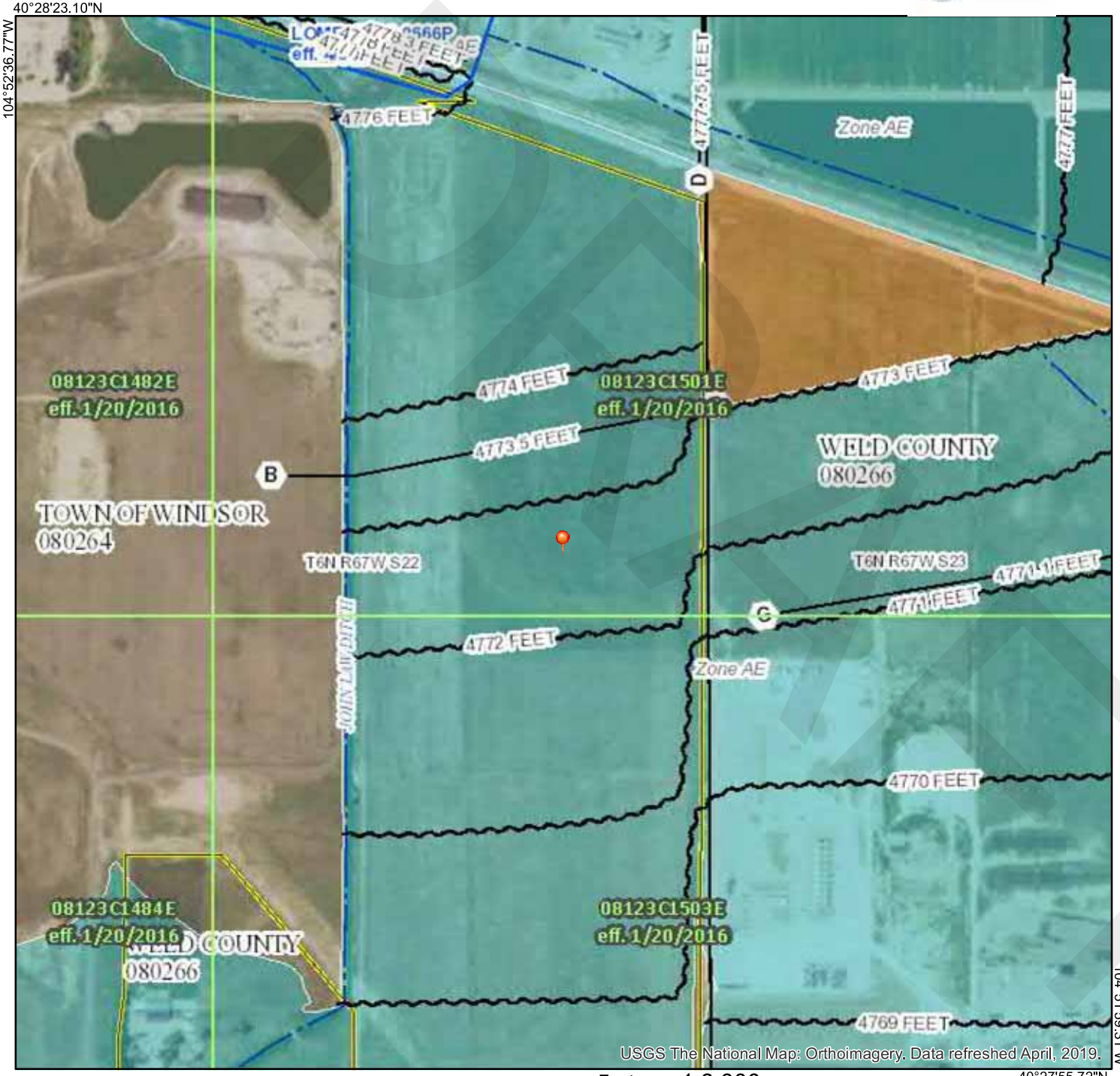
Syed Qayum, CFM
National LOMR Technical Manager
Michael Baker Jr., Inc.

cc: The Honorable Kelly Arnold
Manager, Town of Windsor

Mr. Dave Bauer, P.E., CFM
Floodplain Administrator
Weld County

Mr. Chris Pauley, P.E., CFM
Senior Project Manager
Anderson Consulting Engineers, Inc.

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 — Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

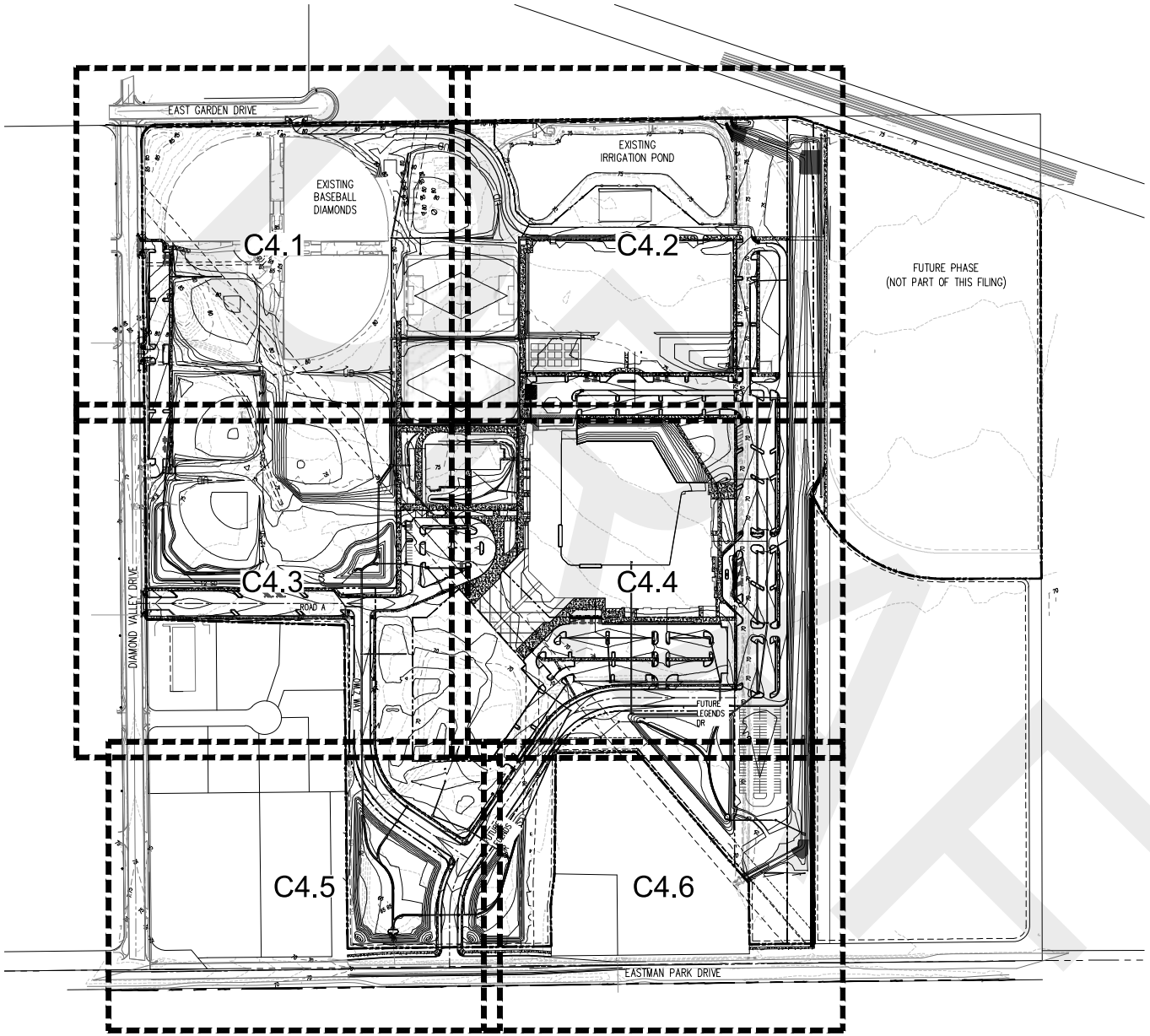
N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

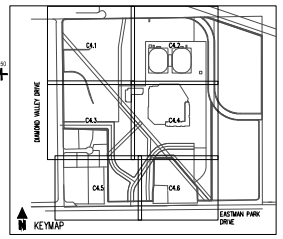
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/11/2020 at 3:06:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



N

SCALE: 1"=150'



LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR (5275)
- PROPOSED MINOR CONTOUR (76)
- EXISTING MAJOR CONTOUR 4775
- EXISTING MINOR CONTOUR 75
- PROPOSED STORM SEWER SD
- EXISTING STORM SEWER SD
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION 96.37
- EXISTING SPOT ELEVATION 96.37 TC
- PROPOSED SLOPES 2.0%

TRANSITION

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.37 = 4796.37).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL BMPS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

CALL UTILITY NOTIFICATION CENTER OF COLORADO

811

Know what's below. Call before you dig.

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBERS OF UNITS.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL

REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

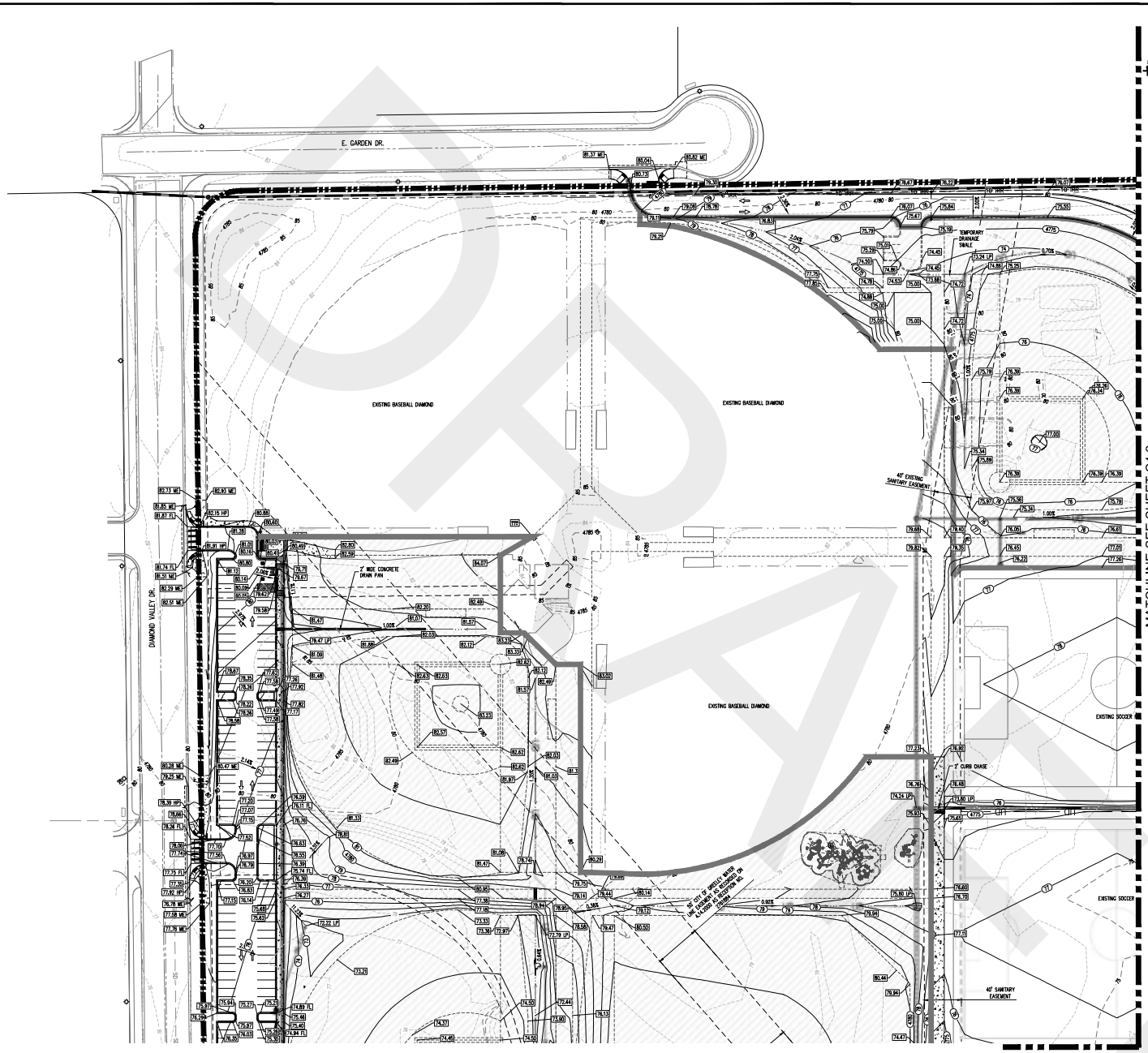
#	Date	Issue / Description	Init.

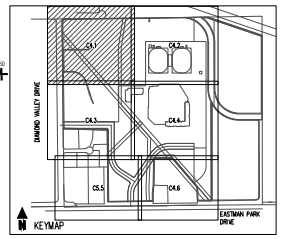
Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

OVERALL GRADING PLAN

C4.0

SHEET 20OF 105





LEGEND:

PROPOSED CURB AND GUTTER
PROPOSED CURB AND GUTTER - SPILL
PROPOSED RIGHT-OF-WAY
PROPOSED LOTLINE
EASEMENT LINE
PROPOSED MAJOR CONTOUR
PROPOSED MINOR CONTOUR
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
PROPOSED STORM SEWER
EXISTING STORM SEWER
PROPOSED MANHOLE
PROPOSED STORM INLET
EXISTING MANHOLE
PROPOSED CONCRETE CROSS PAN (TYP.)
PROPOSED SPOT ELEVATION
EXISTING SPOT ELEVATION
PROPOSED SLOPES

TRANSITION

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.87 = 4796.87).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL BMPS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3:
OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4:
OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 2

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

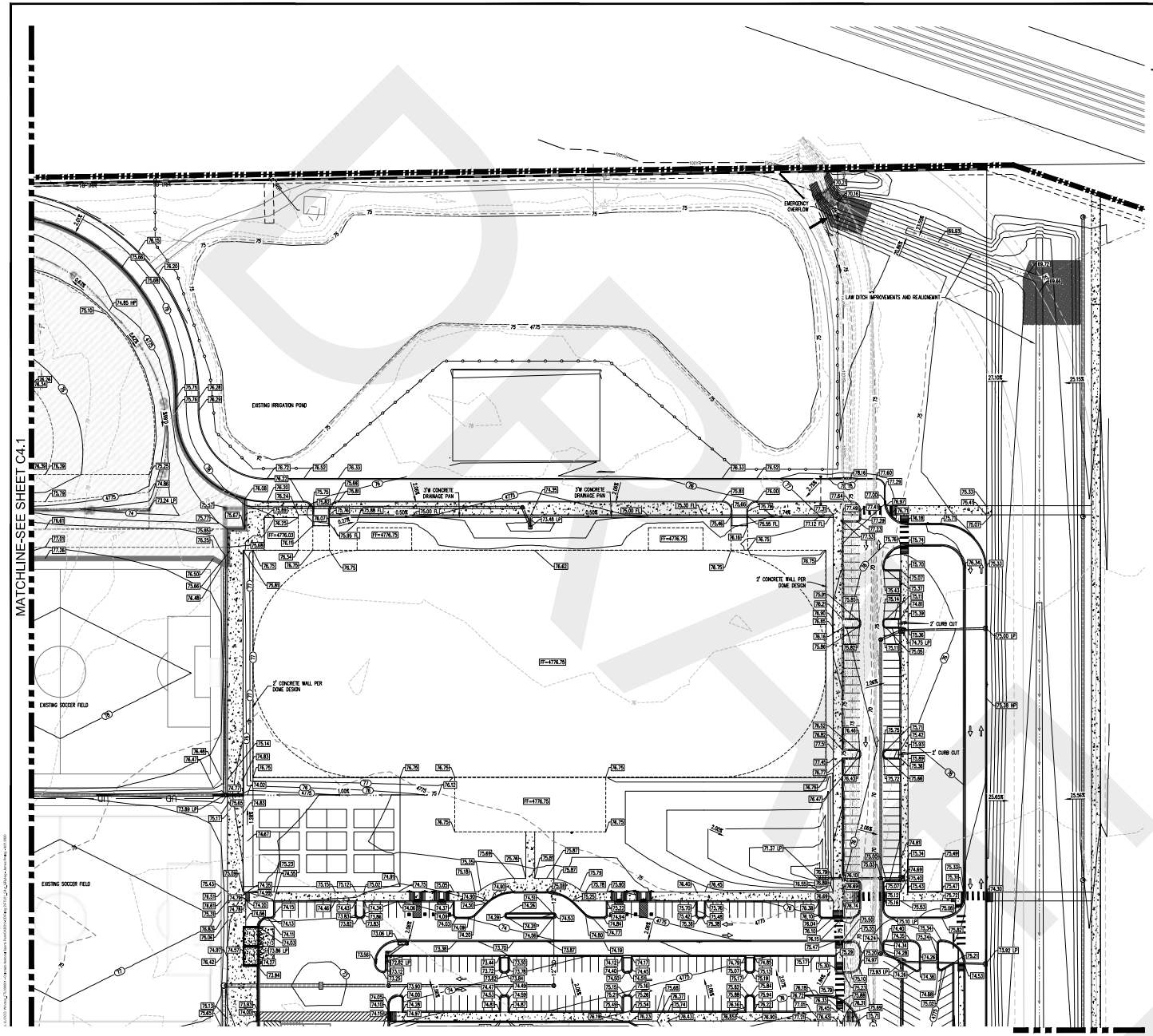
EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

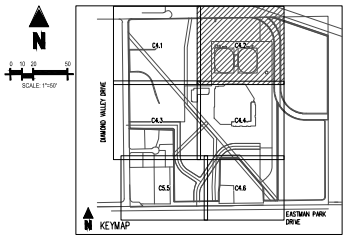
#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

DETAILED GRADING PLAN

C4.1
SHEET 21OF 105





LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES

TRANSITION

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.97 = 4796.97).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL DEVICES ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3: OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4: OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 2

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

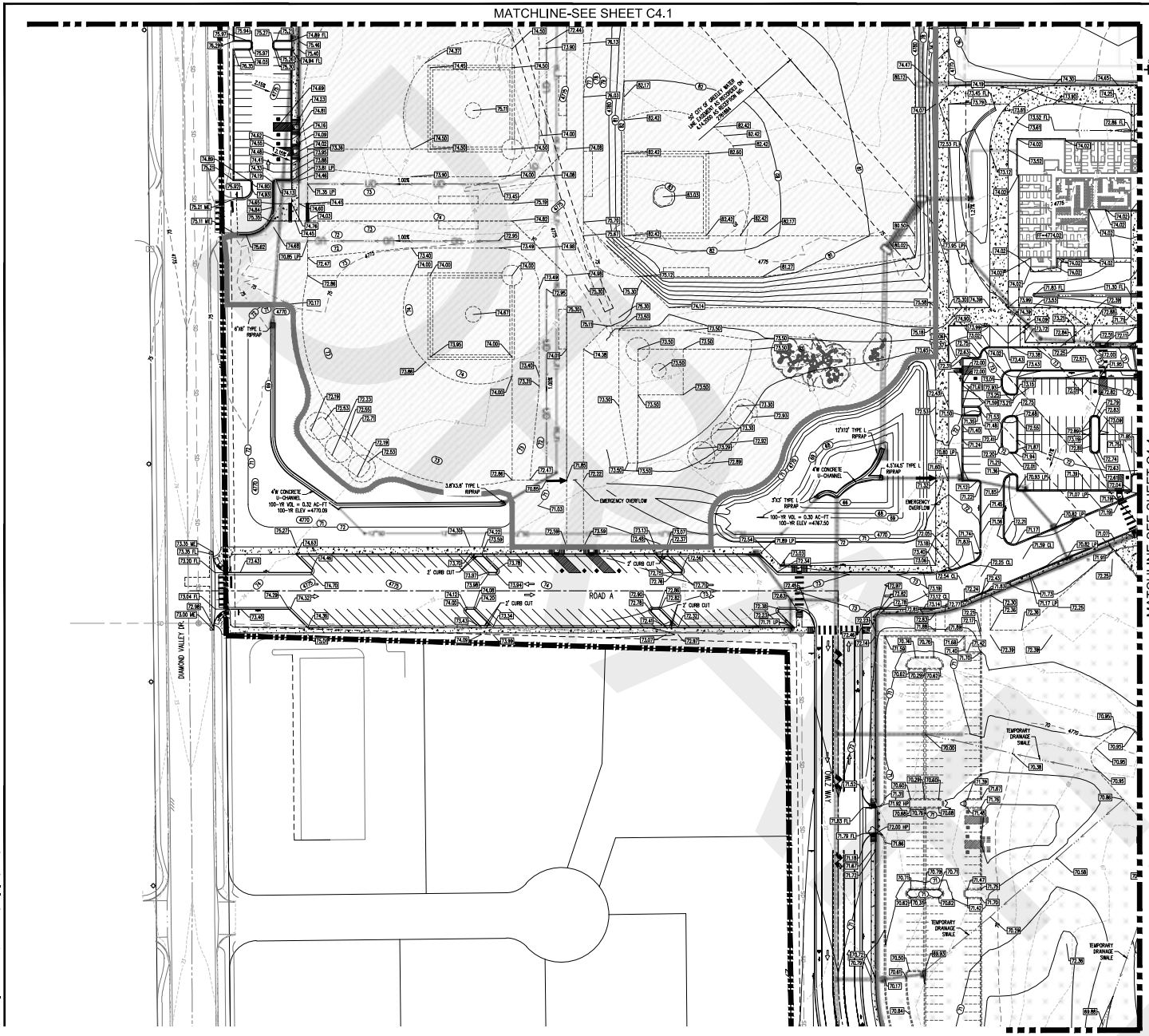
EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

DETAILED GRADING PLAN

C4.2
SHEET 22OF 105



LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.97 = 4796.97).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL BMPS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3: OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4: OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 2

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

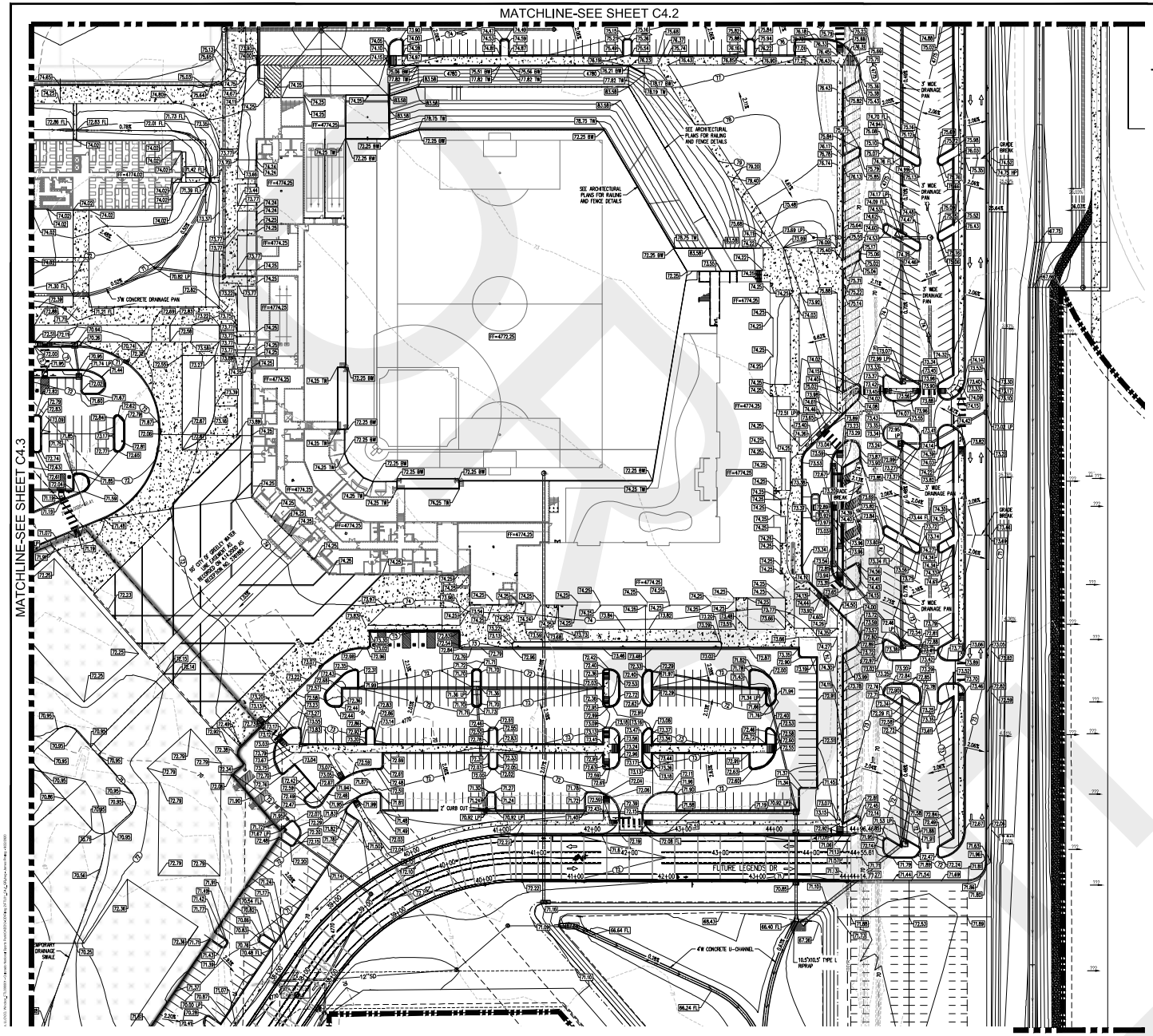
EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

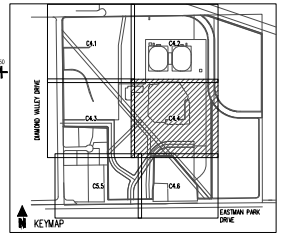
DETAILED GRADING PLAN

C4.3
SHEET 23OF 105



N

SCALE: 1"=50'



KEYMAP

LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES

TRANSITION

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.97 = 4796.97).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL BMPS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3:
OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4:
OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 3

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below.
Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

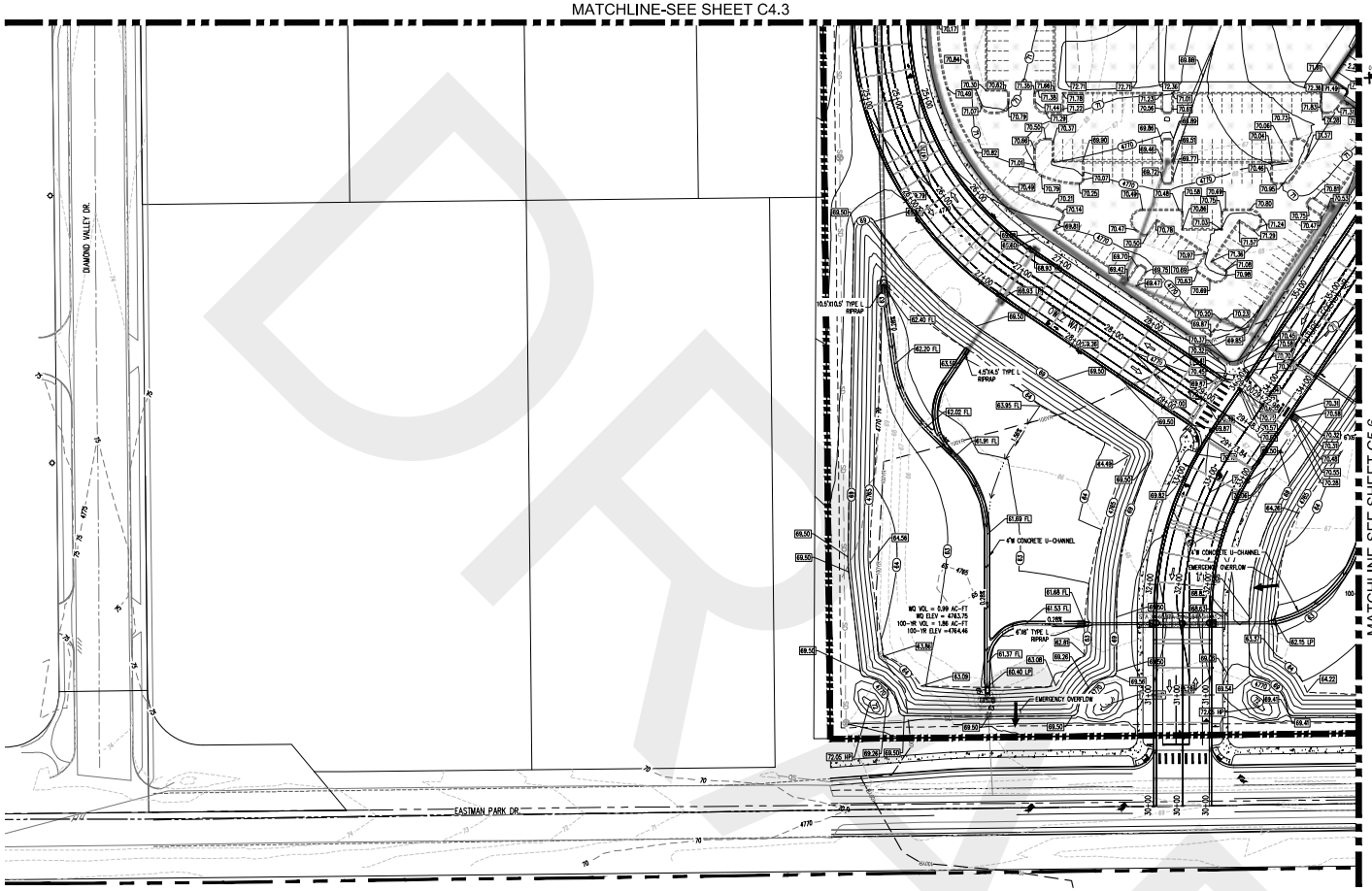
#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

DETAILED GRADING PLAN

C4.4

SHEET 24OF 105



LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.97 = 4796.97).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL MEANS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3:
OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4:
OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 2

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

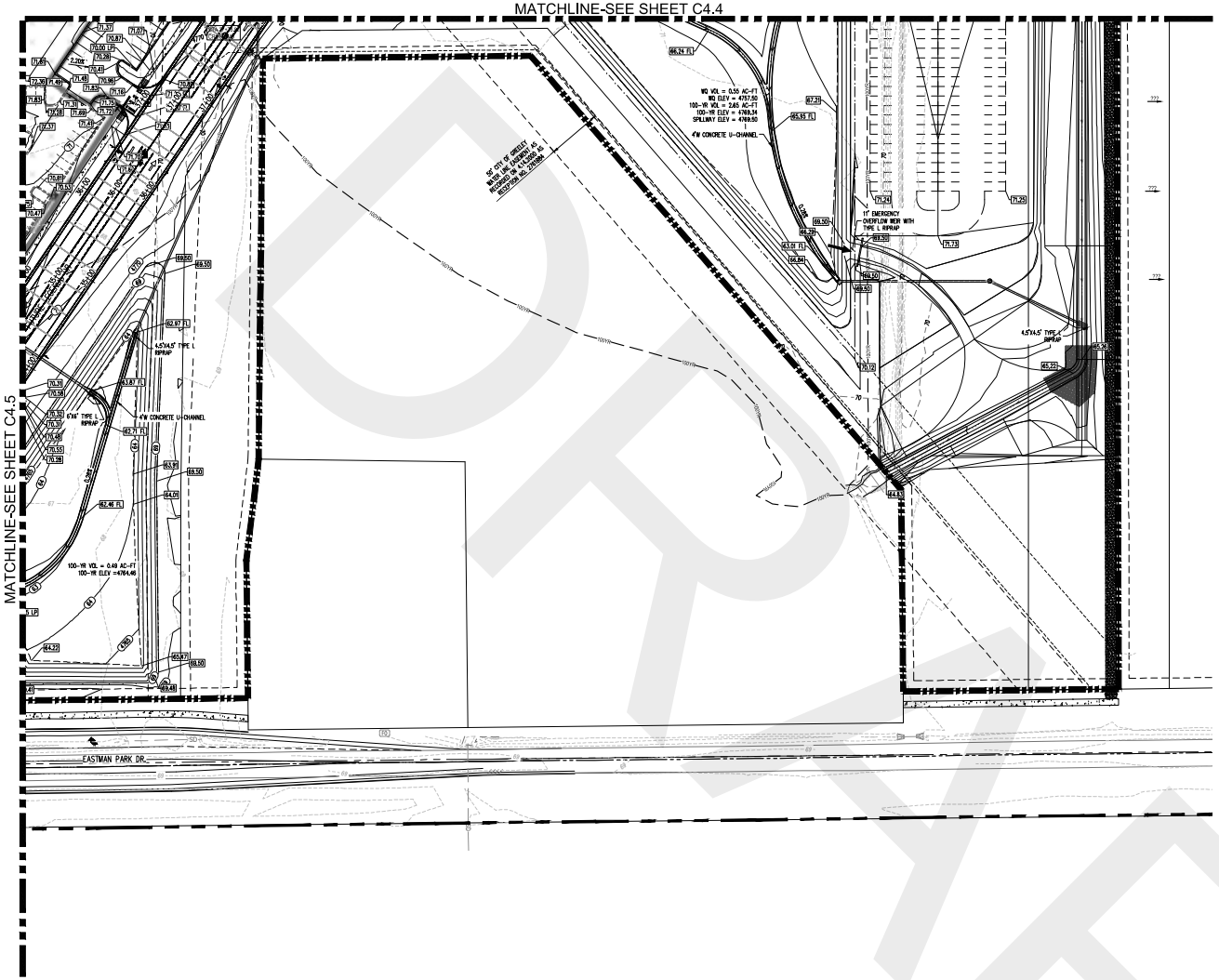
EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

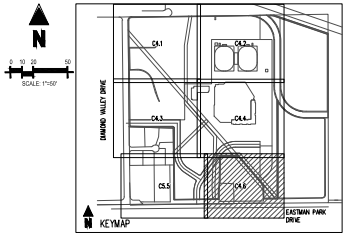
#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

DETAILED GRADING PLAN

C4.5
SHEET 25OF 105





LEGEND:

- PROPOSED CURB AND GUTTER
- PROPOSED CURB AND GUTTER - SPILL
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOTLINE
- EASEMENT LINE
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- PROPOSED MANHOLE
- PROPOSED STORM INLET
- EXISTING MANHOLE
- PROPOSED CONCRETE CROSS PAN (TYP.)
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES

NOTES:

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL ALL UTILITY COMPANIES (PUBLIC AND PRIVATE) PRIOR TO ANY CONSTRUCTION TO VERIFY EXACT UTILITY LOCATION.
2. ELEVATIONS SHOWN HAVE BEEN ABBREVIATED. THE ENTIRE ELEVATION IS THE ELEVATION SHOWN PLUS 4700 FEET (96.87 = 4796.87).
3. CONTOURS SHOWN OUTSIDE OF STREET R.O.W. ARE OVERLOT CONTOURS. CONTOURS SHOWN WITHIN THE STREET R.O.W. ARE TO FINISHED GRADE.
4. CURB AND GUTTER SPOT ELEVATIONS SHOWN ARE TO FLOWLINE. ALL OTHER SPOT ELEVATIONS ARE LOT CORNERS AND LOT TEMPLATE LOCATIONS, OR FINISHED GRADE FOR LANDSCAPE AREAS.
5. 4:1 MAX TIE TO EXISTING SURFACE AT END OF PHASE IF REQUIRED.
6. DISTURBED AREAS SHALL BE REVEGETATED PER THE APPROVED LANDSCAPE PLANS.
7. ALL SOILS EXPOSED DURING LAND DISTURBING ACTIVITY (STRIPPING, GRADING, UTILITY INSTALLATIONS, STOCKPILING, FILLING, ETC.) SHALL BE KEPT IN A ROUGHENED CONDITION BY RIPPING OR DISKING ALONG LAND CONTOURS UNTIL MULCH, VEGETATION, OR OTHER PERMANENT EROSION CONTROL BMPS ARE INSTALLED. NO SOILS IN AREAS OUTSIDE PROJECT STREET RIGHTS-OF-WAY SHALL REMAIN EXPOSED BY LAND DISTURBING ACTIVITY FOR MORE THAN THIRTY (30) DAYS BEFORE REQUIRED TEMPORARY OR PERMANENT EROSION CONTROL (E.G. SEED/MULCH, LANDSCAPING, ETC.) IS INSTALLED, UNLESS OTHERWISE APPROVED BY THE TOWN/COUNTY.
8. NO SOIL STOCKPILE SHALL EXCEED TEN (10) FEET IN HEIGHT. ALL SOIL STOCKPILES SHALL BE PROTECTED FROM SEDIMENT TRANSPORT BY SURFACE ROUGHENING, WATERING, AND PERIMETER SILT FENCING. ANY SOIL STOCKPILE REMAINING AFTER THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED.
9. ADJUST MANHOLE COVERS TO FINISHED GRADE AS NECESSARY. INSTALL 1' CONCRETE RING AROUND MANHOLE RISERS PER TOWN SPECIFICATIONS.
10. ADA PARKING STALLS HAVE A 2% MAXIMUM SLOPE IN ANY DIRECTION.
11. DETAILED GRADING IS PROVIDED FOR FUTURE FILINGS. CONTRACTOR IS TO CONSTRUCT SWALES TO LOW POINTS WHERE STORM DRAIN IS INSTALLED WITH PHASE 2.

PHASE 3: OVERLOT GRADING FOR THIS AREA AND DETAILED GRADING OF PROPOSED PONDS TO BE COMPLETED WITH PHASE 2

PHASE 4: OVERLOT GRADING FOR THIS AREA TO BE COMPLETED WITH PHASE 2

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

TOWN OF WINDSOR, COLORADO
DRAWING APPROVAL
REVIEW IS FOR GENERAL COMPLIANCE WITH TOWN STANDARDS. NO RESPONSIBILITY IS ASSUMED FOR CORRECTNESS OF DESIGN.

Engineering Manager — Date

Galloway
5265 Ronald Reagan Blvd, Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

NOT FOR CONSTRUCTION

DIAMOND VALLEY SUBDIVISION 5TH FILING
TRACT A - SITE PLAN PHASE 2
FUTURE LEGENDS PRIMARY FACILITIES
FUTURE LEGENDS, LLC

EASTMAN PARK DR & DIAMOND VALLEY DRIVE
WINDSOR, CO

#	Date	Issue / Description	Init.

Project No:	FTL000001
Drawn By:	NEW
Checked By:	JEP
Date:	06.19.2020

DETAILED GRADING PLAN

C4.6
SHEET 26OF 105

Appendix B

Table 3 – Datum Conversion Factors (*Continued*)

Stream/Reach	Minimum Conversion	Maximum Conversion	Average Conversion	Maximum Offset	Begin Station	End Station
Cache La Poudre LEMAYDS	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre LINC	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre Lowflow Channel	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre LPATH	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre River	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre River Interstate Highway 25 Divided Flow	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre River Split LPATH	2.93	3.15	3.0	0.11	Entire Reach	
Cache La Poudre River Split RPATH	2.93	3.15	3.0	0.11	Entire Reach	
Cedar Creek	3.45	3.46	3.5	0.00	Entire Reach	
Coal Creek	2.95	3.06	3.0	0.07	Entire Reach	
Cooper Slough	2.95	3.06	3.0	0.07	Entire Reach	
Cooper Slough Overflow	2.95	3.06	3.0	0.07	Entire Reach	
Dark Gulch	3.92	4.10	4.0	0.11	Entire Reach	
Devils Gulch	4.03	4.03	4.0	0.00	Entire Reach	

Table 2 – Summary of Discharges (Continued)

Flooding Source and Location	Drainage Area (Square Miles)	Peak Discharges (cfs) 10-Percent Annual Chance	2-Percent Annual Chance	1-Percent Annual Chance	0.2-Percent Annual Chance
Consolidated John Law Ditch					
At Confluence with John Law Ditch	--[1]	--[1]	--[1]	900	--[1]
At River Station 14651	--[1]	--[1]	--[1]	732	--[1]
Eaton Draw					
At Confluence with Cache La Poudre River	42.1	2,000	3,650	4,470	6,900
At Eaton	23.2	1,540	2,700	3,300	5,050
Greeley Canal No. 2					
Just Downstream of State Highway 382	--[1]	--[1]	--[1]	555	--[1]
Just Downstream of Divergence from John Law Ditch	--[1]	--[1]	--[1]	1,050	--[1]
John Law Ditch					
Upstream of C&S Railroad	40.2	--[1]	--[1]	3,948	--[1]
Upstream at Law Reservoir	34.1	--[1]	--[1]	4,443	--
John Law Ditch – Colorado and Southern Railroad Flow Path					
At River Station 565	--[1]	--[1]	--[1]	509	--[1]
At River Station 4370	--[1]	--[1]	--[1]	1,344	--[1]
At River Station 5675	--[1]	--[1]	--[1]	2,188	--[1]
At River Station 6330	--[1]	--[1]	--[1]	2,927	--[1]
John Law Ditch – FR Energy Flow Path					
At River Station 2054	--[1]	--[1]	--[1]	51	--[1]
John Law Ditch – FRE East Flow Path					
At River Station 493	--[1]	--[1]	--[1]	197	--[1]
At River Station 1301	--[1]	--[1]	--[1]	53	--[1]
John Law Ditch – FRE SE Flow Path					
At Confluence with John Law Ditch – GWD Flow Path	--[1]	--[1]	--[1]	111	--[1]

[1]Data Not Available

Table 2 – Summary of Discharges (Continued)

Flooding Source and Location	Drainage Area (Square Miles)	Peak Discharges (cfs) 10-Percent Annual Chance	2-Percent Annual Chance	1-Percent Annual Chance	0.2-Percent Annual Chance
John Law Ditch – FRE SW Flow Path					
At Confluence with John Law Ditch – Kodak L Path	--[1]	--[1]	--[1]	137	--[1]
John Law Ditch – GWD Flow Path					
At River Station 2412	--[1]	--[1]	--[1]	112	--[1]
At River Station 4457	--[1]	--[1]	--[1]	1	--[1]
John Law Ditch – Kodak L Path					
At Confluence with Cache La Poudre River	--[1]	--[1]	--[1]	2,043	--[1]
At River Station 3240	--[1]	--[1]	--[1]	1,907	--[1]
At River Station 3695	--[1]	--[1]	--[1]	1,588	--[1]
At River Station 7045	--[1]	--[1]	--[1]	1,538	--[1]
At River Station 8235	--[1]	--[1]	--[1]	2,036	--[1]
At River Station 8255	--[1]	--[1]	--[1]	2,045	--[1]
At River Station 9790	--[1]	--[1]	--[1]	2,120	--[1]
At River Station 9920	--[1]	--[1]	--[1]	2,649	--[1]
At River Station 10475	--[1]	--[1]	--[1]	2,987	--[1]
At River Station 12100	--[1]	--[1]	--[1]	2,698	--[1]
At River Station 12800	--[1]	--[1]	--[1]	1,586	--[1]
John Law Ditch – Kodak Road Split Flow					
At Confluence with John Law Ditch – Railroad Flow Path	--[1]	--[1]	--[1]	498	--[1]
John Law Ditch – Railroad Flow Path					
At Confluence with John Law Ditch – Kodak L Path	--[1]	--[1]	--[1]	318	--[1]
At River Station 2645	--[1]	--[1]	--[1]	368	--[1]
At River Station 2985	--[1]	--[1]	--[1]	419	--[1]
At River Station 3514	--[1]	--[1]	--[1]	561	--[1]
At River Station 3515	--[1]	--[1]	--[1]	63	--[1]
At River Station 3825	--[1]	--[1]	--[1]	104	--[1]
At River Station 5163	--[1]	--[1]	--[1]	76	--[1]

[1]Data Not Available

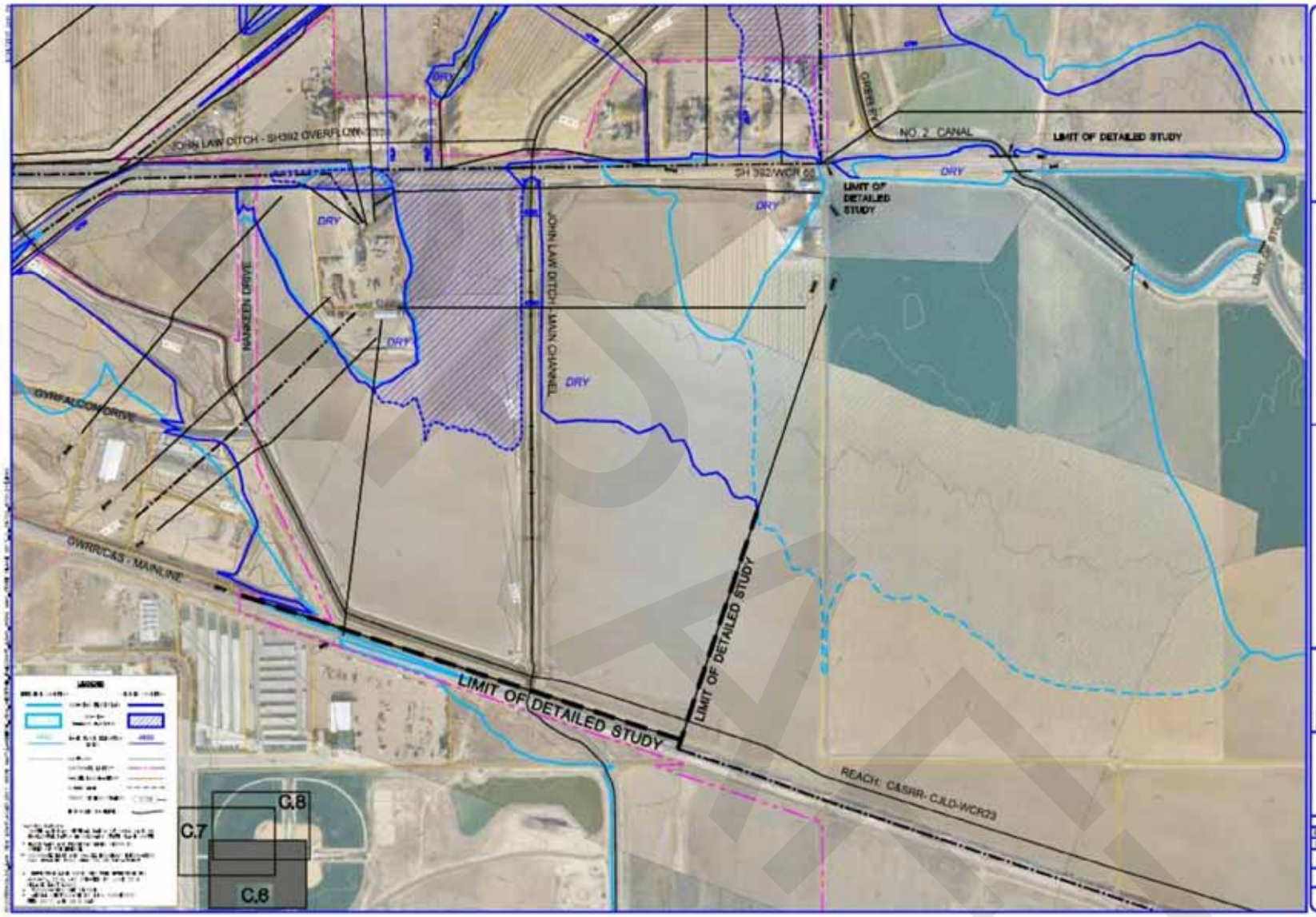
Appendix C

Galloway
Planning, Architecture, Engineering
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300 GallowayUS.com

DRAWN BY: PMO	PROJECT NUMBER: FTL000001	DIAMOND VALLEY SPORTS COMPLEX 801 DIAMOND VALLEY DRIVE WINDSOR, COLORADO 80550 ALLOWABLE RISE CERTIFICATION	EFFECTIVE FLOODPLAIN WORKMAP: 2009 LOMR FEMA CASE NO. 08-08-0233P
DESIGNED BY: PMO	PROJECT FILE: EC_FTL_MAP		
CHECKED BY: CJP	DATE: 11/6/2019		

SHEET C.1

Document Path: H:\Future Legends, LLC\CO, Windsor_FTL000001 - Colorado National Sports Park\WTR\GIS\EC\EFFECTIVE_CONDITIONS.mxd

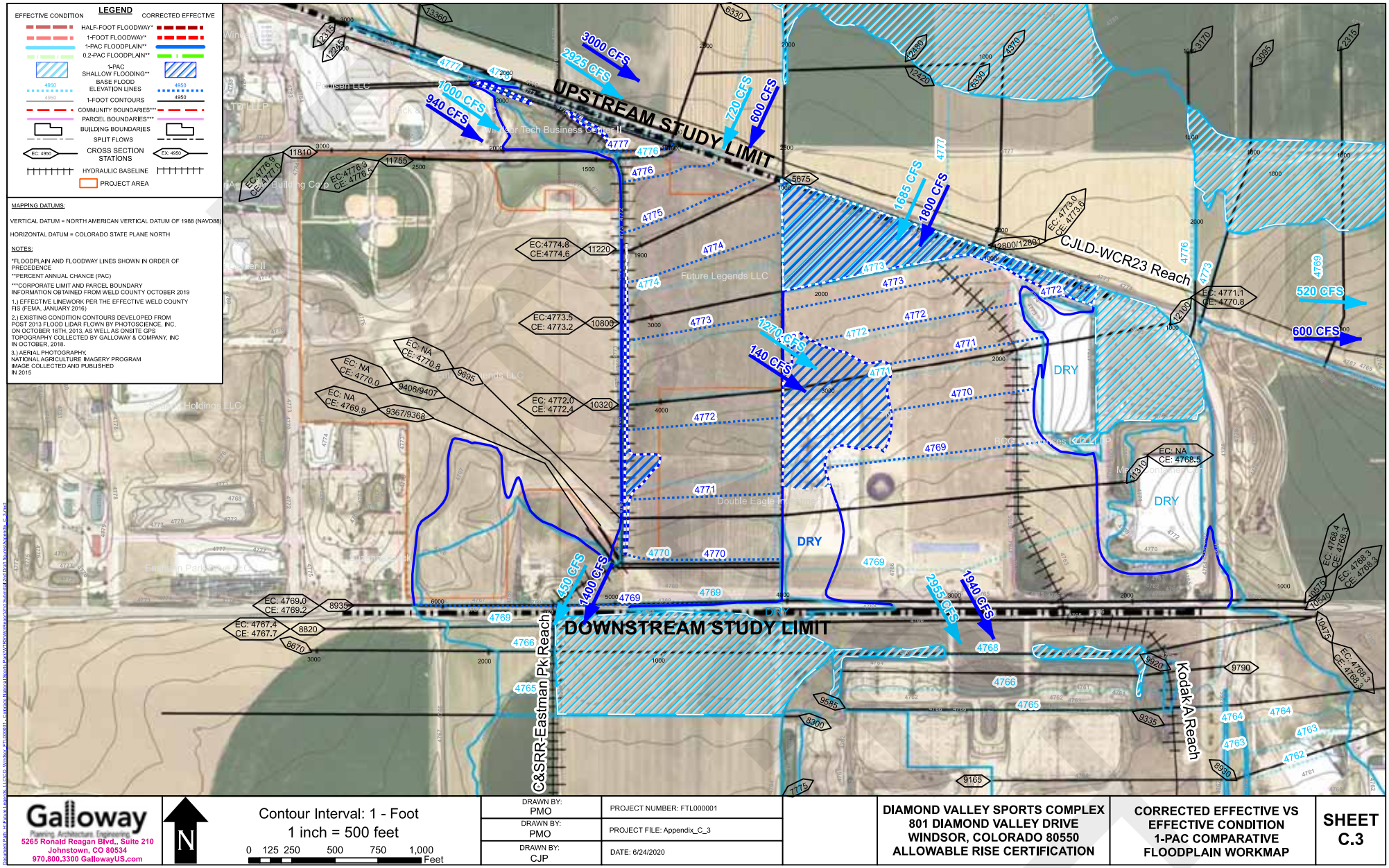


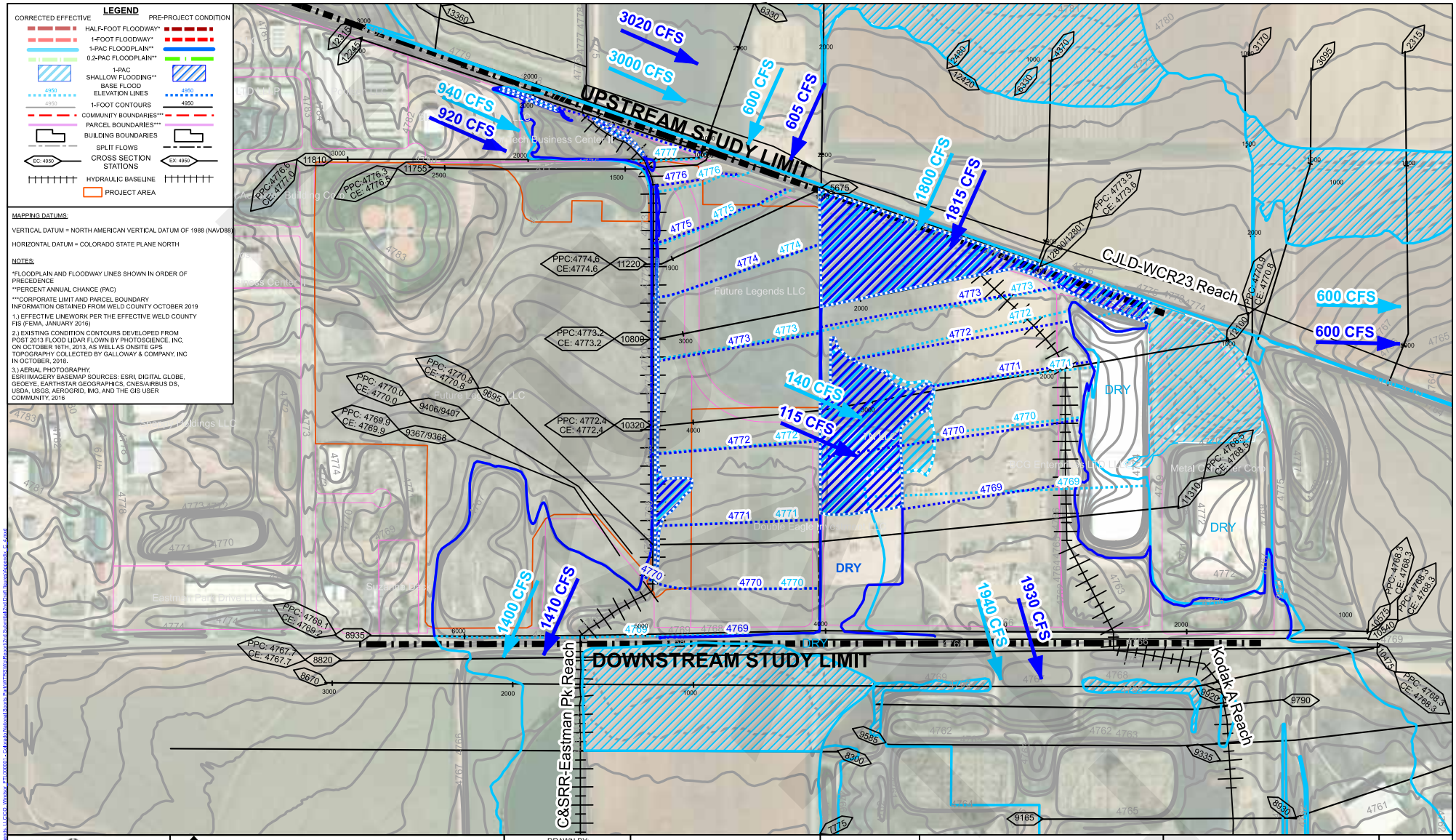
Document Path: H:\Future Legends, LLC\CO, Windsor_FTL000001 - Colorado National Sports Park\WTR\GIS\EC\EFFECTIVE_CONDITIONS.mxd

Galloway
Planning, Architecture, Engineering
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300 GallowayUS.com

DRAWN BY: PMO	PROJECT NUMBER: FTL000001	DIAMOND VALLEY SPORTS COMPLEX 801 DIAMOND VALLEY DRIVE WINDSOR, COLORADO 80550 ALLOWABLE RISE CERTIFICATION	EFFECTIVE FLOODPLAIN WORKMAP: 2017 LOMR
DESIGNED BY: PMO	PROJECT FILE: EC_FTL_MAP		
CHECKED BY: CJP	DATE: 11/6/2019		

SHEET C.2


LEGEND
EFFECTIVE CONDITION
CORRECTED EFFECTIVE
HALF-FOOT FLOODWAY*
1-FOOT FLOODWAY*
1-PAC FLOODPLAIN**
0.2-PAC FLOODPLAIN**
1-PAC SHALLOW FLOODING**
BASE FLOOD ELEVATION LINES
1-FOOT CONTOURS
COMMUNITY BOUNDARIES***
PARCEL BOUNDARIES***
BUILDING BOUNDARIES
SPLIT FLOWS
CROSS SECTION STATIONS
HYDRAULIC BASELINE
PROJECT AREA
MAPPING DATUMS:
VERTICAL DATUM = NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
HORIZONTAL DATUM = COLORADO STATE PLANE NORTH
NOTES:
*FLOODPLAIN AND FLOODWAY LINES SHOWN IN ORDER OF PRECEDENCE
**PERCENT ANNUAL CHANCE (PAC)
***CORPORATE LIMIT AND PARCEL BOUNDARY INFORMATION OBTAINED FROM WELD COUNTY OCTOBER 2019
1.) EFFECTIVE LINEWORK PER THE EFFECTIVE WELD COUNTY FIS (FEMA, JANUARY 2016)
2.) EXISTING CONDITION CONTOURS DEVELOPED FROM POST 2013 FLOOD LIDAR FLOWN BY PHOTOSCIENCE, INC. ON OCTOBER 16TH, 2013, AS WELL AS ONSITE GPS TOPOGRAPHY COLLECTED BY GALLOWAY & COMPANY, INC IN OCTOBER, 2018.
3.) AERIAL PHOTOGRAPHY: NATIONAL AGRICULTURE IMAGERY PROGRAM IMAGE COLLECTED AND PUBLISHED IN 2015
UPSTREAM STUDY LIMIT
DOWNSTREAM STUDY LIMIT
3000 CFS
2925 CFS
1000 CFS
940 CFS
720 CFS
600 CFS
1695 CFS
1800 CFS
1270 CFS
140 CFS
520 CFS
600 CFS
450 CFS
1400 CFS
2955 CFS
1940 CFS
CJLD-WCR23 Reach
C&SRR-Eastman Pk Reach
Kodak A Reach
DRY
Future Legends LLC
Double Eagle Apartments
Eastman Park Drive LLC
Galloway
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300 GallowayUS.com
N
Contour Interval: 1 - Foot
1 inch = 500 feet
0 125 250 500 750 1,000 Feet
DRAWN BY: PMO
DRAWN BY: PMO
DRAWN BY: CJP
PROJECT NUMBER: FTL000001
PROJECT FILE: Appendix_C_3
DATE: 6/24/2020
DIAMOND VALLEY SPORTS COMPLEX
801 DIAMOND VALLEY DRIVE
WINDSOR, COLORADO 80550
ALLOWABLE RISE CERTIFICATION
CORRECTED EFFECTIVE VS EFFECTIVE CONDITION 1-PAC COMPARATIVE FLOODPLAIN WORKMAP
SHEET C.3



Galloway
Planning Architecture Engineering
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300 GallowayUS.com

N

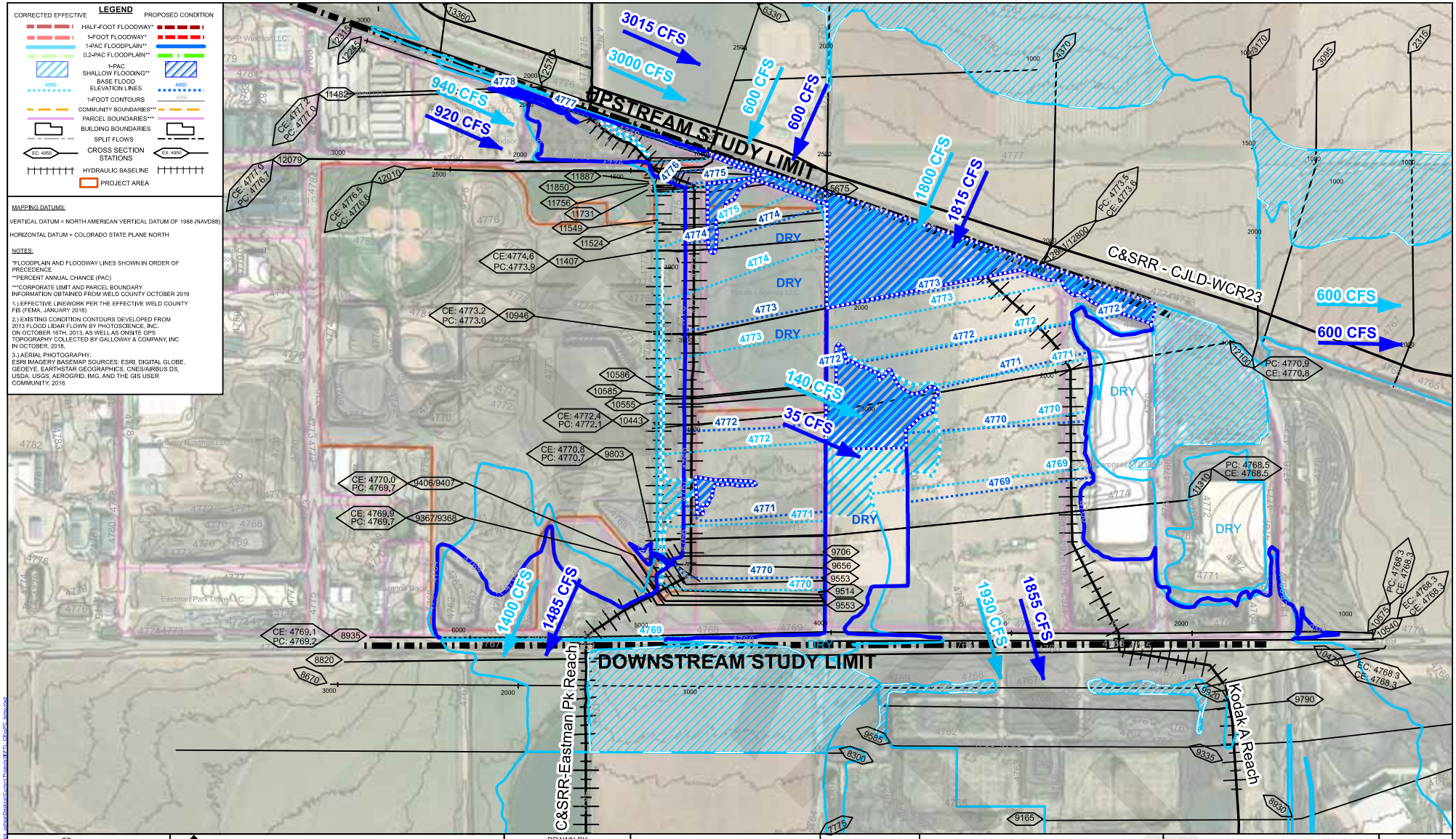
Contour Interval: 1 - Foot
1 inch = 500 feet
0 125 250 500 750 1,000 Feet

DRAWN BY: PMO	PROJECT NUMBER: FTL000001	
DRAWN BY: PMO	PROJECT FILE: Appendix_C_4.mxd	
DRAWN BY: CJP	DATE: 6/24/2020	

DIAMOND VALLEY SPORTS COMPLEX
801 DIAMOND VALLEY DRIVE
WINDSOR, COLORADO 80550
ALLOWABLE RISE CERTIFICATION

CORRECTED EFFECTIVE VS
PRE-PROJECT CONDITION
1-PAC COMPARATIVE
FLOODPLAIN WORKMAP

SHEET
C.4



Galloway
Planning Architecture Engineering
5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300 GallowayUS.com

N

Contour Interval: 1 - Foot
1 inch = 500 feet
0 125 250 500 750 1,000 Feet

DRAWN BY: PMO	PROJECT NUMBER: FTL000001
DRAWN BY: PMO	PROJECT FILE: Appendix_C5.mxd
DRAWN BY: CJP	DATE:6/24/2020

DIAMOND VALLEY SPORTS COMPLEX
801 DIAMOND VALLEY DRIVE
WINDSOR, COLORADO 80550
ALLOWABLE RISE CERTIFICATION

CORRECTED EFFECTIVE VS PROPOSED CONDITION 1-PAC FLOODPLAIN MAP

SHEET C.5

Appendix D

Galloway
Planning. Architecture. Engineering.

TABLE D.1: BASE FLOOD ELEVATIONS COMPARISON TABLE

Project Name :	Future Legends John Law Floodplain Hydraulic Analysis (in Support of an Allowable Rise Submittal)
Company:	Galloway & Company, Inc.
Completed By:	Patrick O'Shea, Water Resource Designer
FLOODING SOURCE(S):	John Law Channel
COMMUNITY(IES):	Town of Windsor

SOURCE DATA									COMPARISONS					LOCATION
HYDRAULIC CROSS-SECTION INFO.				100-YEAR BASE FLOOD ELEVATIONS (NAVD88)										
Effective Cross-Section ID	Effective Stream Station	Corrected Effective Stream Station	Post Project Stream Station	Effective Condition (EC)	Duplicate Effective (DE)	Corrected Effective (CE):	Pre-Project Condition (PPC)	Proposed Condition (PC)	DE vs. EC	CE vs. DE	PPC vs. CE	PC vs. CE	PC vs PPC	Notes
Kodak L Path	12801	12801	12801	4773.1	4773.1	4773.6	4773.5	4773.5	0.0	0.5	-0.1	-0.1	0.0	South of C&SRR Tracks
Kodak L Path	12800	12800	12800	4773.0	4773.0	4773.6	4773.5	4773.5	0.0	0.5	-0.1	-0.1	0.0	--
Kodak L Path	12100	12100	12100	4771.2	4771.1	4770.8	4770.9	4770.9	-0.1	-0.3	0.1	0.1	0.0	--
Kodak L Path	--	11310	11310	--	--	4768.5	4768.5	4768.5	--	--	0.1	0.1	0.0	--
Kodak L Path	10575	10575	10575	4768.4	4768.4	4768.3	4768.3	4768.3	0.0	0.0	0.0	0.0	0.0	North toe of Eastman Park
Kodak L Path	10540	10540	10540	4768.3	4768.3	4768.3	4768.3	4768.3	0.0	0.0	0.0	0.0	0.0	Crest of Eastman Park
Kodak L Path	10475	10475	10475	4768.3	4768.3	4768.3	4768.3	4768.3	0.0	0.0	0.0	0.0	0.0	South Toe of Eastman Park
John Law Ditch: C&SRR-Eastman	12315	12315	12570	4778.3	4778.3	4778.3	4778.3	4778.3	0.0	0.0	0.0	0.0	0.0	North toe of C&SRR tracks
John Law Ditch: C&SRR-Eastman	12280	12280	12531	Culvert	Culvert	Culvert	Culvert	Culvert	--	--	--	--	--	Culvert through C&SRR tracks
John Law Ditch: C&SRR-Eastman	12245	12245	12482	4776.9	4776.9	4777.2	4776.9	4777.0	0.0	0.3	-0.3	-0.2	0.0	Sorth toe of C&SRR tracks
John Law Ditch: C&SRR-Eastman	11810	11810	12079	4776.8	4776.9	4777.0	4776.6	4776.7	0.1	0.1	-0.4	-0.3	0.1	--
John Law Ditch: C&SRR-Eastman	11782	11782	12040	Culvert	Culvert	Culvert	Culvert	Culvert	--	--	--	--	--	Irrigation Ditch
John Law Ditch: C&SRR-Eastman	11755	11755	12010	4776.4	4776.3	4776.5	4776.3	4776.6	-0.1	0.2	-0.2	0.2	0.3	--
John Law Ditch: C&SRR-Eastman	--	--	11887	--	--	--	--	4776.0	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	11850	--	--	--	--	4775.7	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	11756	--	--	--	--	4774.7	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	11731	--	--	--	--	4774.6	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	11549	--	--	--	--	4774.2	--	--	--	--	--	Proposed Peddestrian Bridge #1
John Law Ditch: C&SRR-Eastman	--	--	11524	--	--	--	--	4774.2	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	11220	11220	11407	4774.8	4774.8	4774.6	4774.6	4773.9	0.0	-0.2	0.0	-0.8	-0.7	--
John Law Ditch: C&SRR-Eastman	10800	10800	10946	4773.5	4773.5	4773.2	4773.2	4773.0	0.0	-0.3	0.0	-0.2	-0.2	--
John Law Ditch: C&SRR-Eastman	--	--	10586	--	--	--	--	4772.4						
John Law Ditch: C&SRR-Eastman	--	--	10585	--	--	--	--	4772.3	--	--	--	--	--	Proposed Peddestrian Bridge #2
John Law Ditch: C&SRR-Eastman	--	--	10555	--	--	--	--	4772.3	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	10320	10320	10443	4771.9	4772.0	4772.4	4772.4	4772.1	0.1	0.4	0.0	-0.2	-0.2	--
John Law Ditch: C&SRR-Eastman	--	9695	9803	--	--	4770.8	4770.8	4770.7	--	--	0.0	-0.1	-0.1	--
John Law Ditch: C&SRR-Eastman	--	--	9706	--	--	--	--	4770.3	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	9656	--	--	--	--	4770.1	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	9553	--	--	--	--	4769.9	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	9514	--	--	--	--	4769.9	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	--	9452	--	--	--	--	4769.8	--	--	--	--	--	--
John Law Ditch: C&SRR-Eastman	--	9407	9407	--	--	4770.0	4770.0	4769.7	--	--	0.0	-0.2	-0.3	--
John Law Ditch: C&SRR-Eastman	--	9406	9406	--	--	4770.0	4770.0	4769.7	--	--	0.0	-0.3	-0.3	--
John Law Ditch: C&SRR-Eastman	--	9389	9389	Bridge	Bridge	Bridge	Bridge	Bridge	--	--	--	--	--	Exposed Water mains and irrigation pipes
John Law Ditch: C&SRR-Eastman	--	9368	9368	--	--	4769.9	4769.9	4769.7	--	--	0.0	-0.3	-0.2	--
John Law Ditch: C&SRR-Eastman	--	9367	9367	--	--	4769.9	4769.9	4769.7	--	--	0.0	-0.3	-0.2	--
John Law Ditch: C&SRR-Eastman	8935	8935	8935	4769.0	4769.0	4769.1	4769.1	4769.2	0.0	0.1	0.0	0.0	0.1	North toe of Eastman Park
John Law Ditch: C&SRR-Eastman	8880	8880	8880	Culvert	Culvert	Culvert	Culvert	Culvert	--	--	--	--	--	Crest of Eastman Park
John Law Ditch: C&SRR-Eastman	8820	8820	8820	4767.4	4767.4	4767.7	4767.7	4767.7	0.0	0.3	0.0	0.0	0.0	South Toe of Eastman Park

Galloway
Planning. Architecture. Engineering.

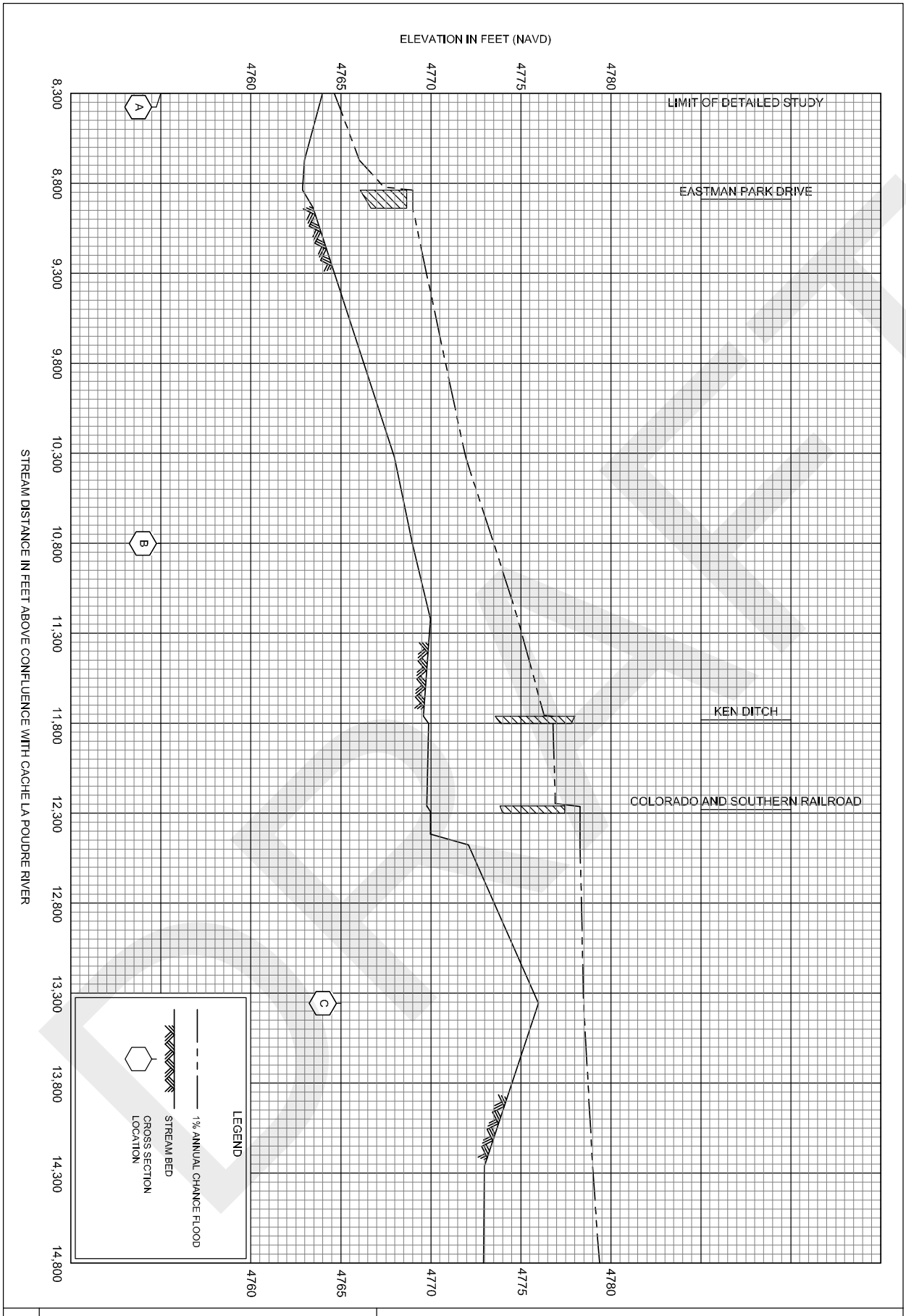
TABLE D.2: DISCHARGE COMPARISON TABLE - MAIN CHANNELS

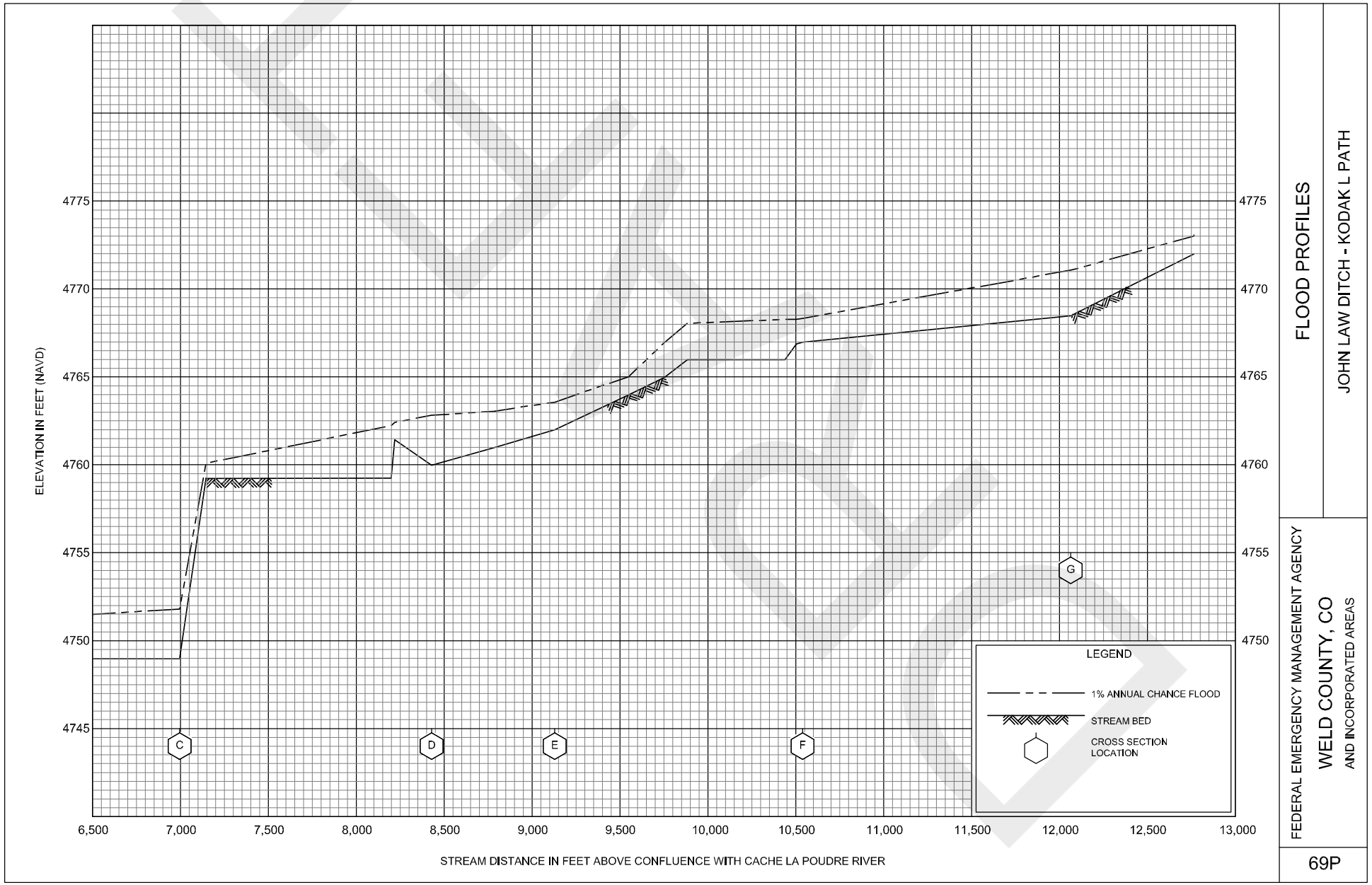
Project Name :	Future Legends John Law Floodplain Hydraulic Analysis (in Support of an Allowable Rise Submittal)
Company:	Galloway & Company, Inc.
Completed By:	Patrick O'Shea, Water Resource Designer
FLOODING SOURCE(S):	John Law Channel
COMMUNITY(IES):	City of Windsor

SOURCE DATA									COMPARISONS				
HYDRAULIC CROSS-SECTION INFO.				100-YEAR DISCHARGE (CFS)									
Effective Cross-Section ID	Effective Stream Station	Corrected Effective Stream Station	Post Project Stream Station	Effective Condition (EC)	Duplicate Effective (DE)	Corrected Effective (CE)	Pre-Project Condition (PPC)	Proposed Condition (PC)	DE vs. EC	CE vs. DE	PPC vs. CE	PC vs. CE	PC vs PPC
Kodak L Path	12801	12801	12801	1.0	1.0	1.0	1.0	1.0	0.0	0.0	0.0	0.0	0.0
Kodak L Path	12800	12800	12800	1589	1539.4	731.5	715.9	748.6	-49.6	-807.9	-15.5	17.2	32.7
Kodak L Path	12100	12100	12100	2695	2665.2	1865.8	1859.6	1843.3	-29.8	-799.4	-6.2	-22.5	-16.3
Kodak L Path	--	11310	11310	--		1920.4	1916.6	1847.5	--	--	-3.8	-72.9	-69.2
Kodak L Path	10575	10575	10575	2982	2955.9	1920.4	1916.6	1847.5	-26.1	-1035.5	-3.8	-72.9	-69.2
Kodak L Path	10540	10540	10540	2982	2955.9	1933.5	1930.2	1854.7	-26.1	-1035.5	-3.3	-78.8	-75.5
Kodak L Path	10475	10475	10475	2982	2955.9	1933.5	1930.2	1854.7	-26.1	-1022.4	-3.3	-78.8	-75.5
JLD C&SRR-EM	12315	12315	12570	984	1002.5	937.9	920.9	922.8	18.5	-64.6	-16.9	-15.1	1.9
JLD C&SRR-EM	12280	12280	12531	--	Culvert	Culvert	Culvert	Culvert	--	--	--	--	--
JLD C&SRR-EM	12245	12245	12482	984	1002.5	937.9	920.9	922.8	18.5	-64.6	-16.9	-15.1	1.9
JLD C&SRR-EM	11810	11810	12079	984	1002.5	937.9	920.9	922.8	18.5	-64.6	-16.9	-15.1	1.9
JLD C&SRR-EM	11783	11783	12040	--	Culvert	Culvert	Bridge	Bridge	--	--	--	--	--
JLD C&SRR-EM	11755	11755	12010	984	1002.5	937.9	920.9	922.8	18.5	-64.6	-16.9	-15.1	1.9
JLD C&SRR-EM	--	--	11887	--	--	--	--	1525.6	--	--	--	--	--
JLD C&SRR-EM	--	--	11850	--	--	--	--	1525.6	--	--	--	--	--
JLD C&SRR-EM	--	--	11756	--	--	--	--	1525.6	--	--	--	--	--
JLD C&SRR-EM	--	11375	11731	--	--	--	--	1525.6	--	--	--	--	--
JLD C&SRR-EM	--	11351	11549	--	--	--	--	1523.3	--	--	--	--	--
JLD C&SRR-EM	--	11337	11524	--	--	--	--	1523.3	--	--	--	--	--
JLD C&SRR-EM	11220	11220	11407	1741	1723.8	1536.5	1528.6	1509.8	-17.2	-187.3	-7.9	-26.7	-18.8
JLD C&SRR-EM	10800	10800	10946	1014	1013.3	1532.7	1525.0	1521.3	-0.7	519.4	-7.7	-11.4	-3.6
JLD C&SRR-EM	--	--	10586	--	--	--	--	1521.2					
JLD C&SRR-EM	--	10451	10585	--	--	--	--	1521.2	--	--	--	--	--
JLD C&SRR-EM	--	10434	10555	--	--	--	--	1521.2	--	--	--	--	--

SOURCE DATA									COMPARISONS				
HYDRAULIC CROSS-SECTION INFO.				100-YEAR DISCHARGE (CFS)									
Effective Cross-Section ID	Effective Stream Station	Corrected Effective Stream Station	Post Project Stream Station	Effective Condition (EC)	Duplicate Effective (DE)	Corrected Effective (CE)	Pre-Project Condition (PPC)	Proposed Condition (PC)	DE vs. EC	CE vs. DE	PPC vs. CE	PC vs. CE	PC vs PPC
JLD C&SRR-EM	10320	10320	10443	739	744.6	1490.1	1503.4	1499.8	5.6	745.5	13.3	9.7	-3.6
JLD C&SRR-EM	--	9695	9803	--	--	1410.7	1424.4	1495.6	--	--	13.7	84.9	71.3
JLD C&SRR-EM	--	--	9706	--	--	--	--	1495.6	--	--	--	--	--
JLD C&SRR-EM	--	--	9656	--	--	--	--	1495.6	--	--	--	--	--
JLD C&SRR-EM	--	--	9553	--	--	--	--	1495.6	--	--	--	--	--
JLD C&SRR-EM	--	--	9514	--	--	--	--	1495.6	--	--	--	--	--
JLD C&SRR-EM	--	--	9452	--	--	--	--	1495.6	--	--	--	--	--
JLD C&SRR-EM	--	9407	9407	--	--	1410.7	1424.4	1495.6	--	--	13.7	84.9	71.2
JLD C&SRR-EM	--	9406	9406	--	--	1410.7	1424.4	1495.6	--	--	13.7	84.9	71.2
JLD C&SRR-EM	--	9389	9389	--	--	Bridge	Bridge	Bridge	--	--	--	--	--
JLD C&SRR-EM	--	9368	9368	--	--	1410.7	1424.4	1495.6	--	--	13.7	84.9	71.2
JLD C&SRR-EM	--	9367	9367	--	--	1410.7	1424.4	1495.6	--	--	13.7	84.9	71.2
JLD C&SRR-EM	8940	8935	8935	452	453.9	1397.6	1410.8	1488.4	1.9	943.6	13.2	90.8	77.6
JLD C&SRR-EM	8880	8880	8880	--	Culvert	Culvert	Culvert	Culvert	--	--	--	--	--
JLD C&SRR-EM	8820	8820	8820	452	453.9	1397.6	1410.8	1488.4	1.9	943.6	13.2	90.8	77.6

Appendix E


ELEVATION IN FEET (NAVD)
4760
4765
4770
4775
4780
LIMIT OF DETAILED STUDY
EASTMAN PARK DRIVE
KEN DITCH
COLORADO AND SOUTHERN RAILROAD
A
B
C
LEGEND
1% ANNUAL CHANCE FLOOD
STREAM BED
CROSS SECTION LOCATION
STREAM DISTANCE IN FEET ABOVE CONFLUENCE WITH CACHE LA POUDRE RIVER
8,300
8,800
9,300
9,800
10,300
10,800
11,300
11,800
12,300
12,800
13,300
13,800
14,300
14,800



FLOOD PROFILES

JOHN LAW DITCH - KODAK L PATH

FEDERAL EMERGENCY MANAGEMENT AGENCY

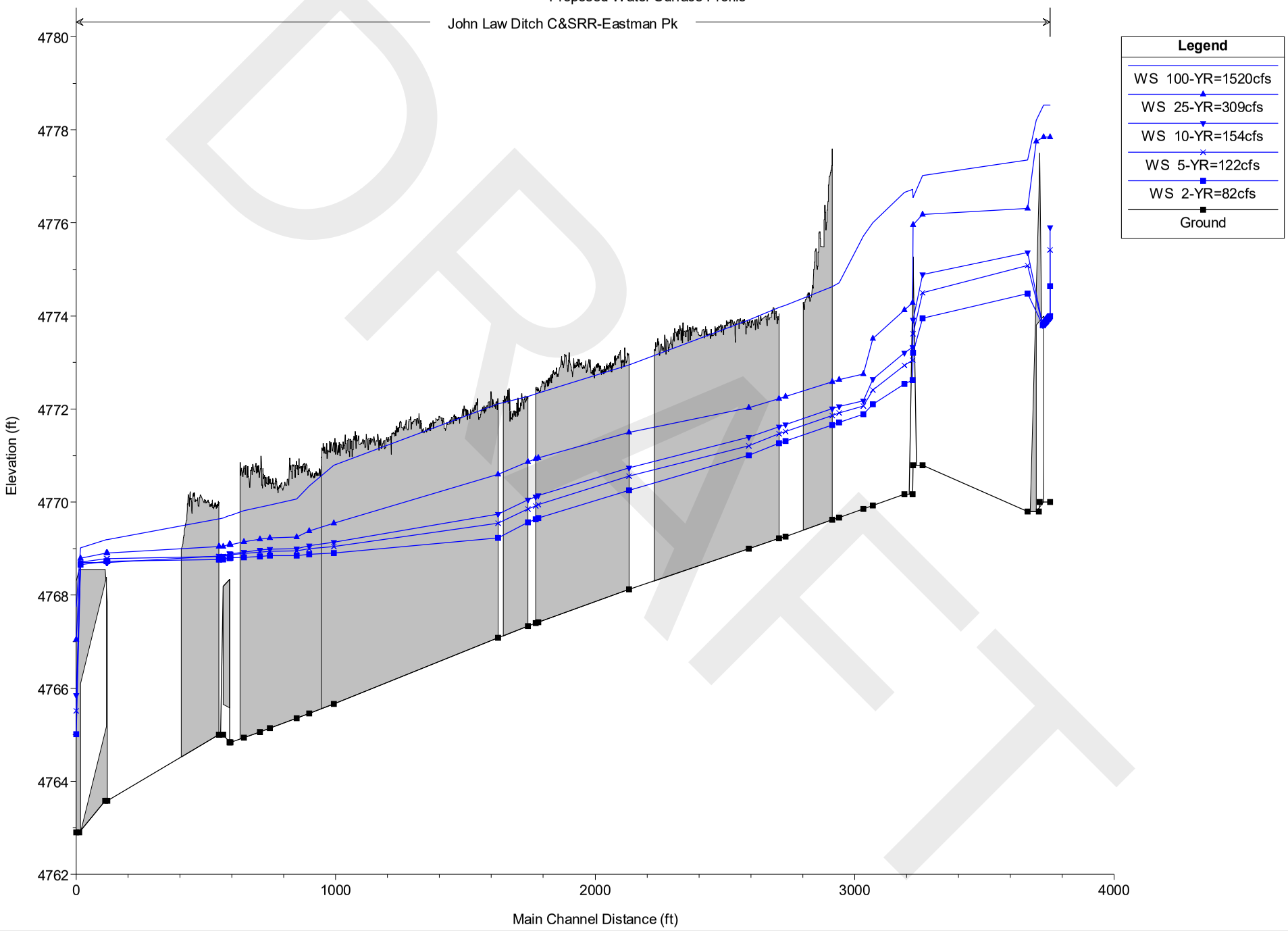
WELD COUNTY, CO

AND INCORPORATED AREAS

69P

FUTURE LEGENDS HYDRAULIC STUDY

Proposed Water Surface Profile



Appendix F

Galloway & Company, Inc.
"ALLOWABLE RISE" CERTIFICATION

This is to certify that I am a duly qualified registered professional engineer licensed to practice in the State of Colorado.

It is further to certify that the attached technical report supports the fact that the proposed/~~constructed~~ FUTURE LEGENDS SPORTS PARK, PHASE 2 (Name of Development) will minimally impact the 100-year flood elevations on the JOHN LAW CHANNEL (Name of Stream) at published or unpublished cross-sections in the FEMA Flood Insurance Study for Weld County dated JANUARY 20, 2016 (Study Date) and/or other "Best Available Data" in the vicinity of the proposed development beyond that allowed by FEMA regulations for flooding sources with established Base Flood Elevations and no regulatory floodway cited in 44 CFR 60.3(c)(10) or with a regulatory floodway cited in 44 CFR 60.3(d)(3).

Attached are the following document(s) that support my findings:

1. Report in support of the June 25, 2020 Floodplain Development Permit for Future Legends Sports Park Phase 2, with results comparing proposed base flood elevations with effective base flood elevations.

PE Stamp

Signature: _____

Name (printed): Chris J. Pauley

Company Name: Galloway & Company, Inc.

Date: 06/25/20

TOWN OF WINDSOR
FLOOD PLAIN DEVELOPMENT PERMIT
Application Information

Date: 6/25/2020

Parcel Number 080722416013, 080722416014, 080722008001 Permit Number

Owner Future Legends LLC - Jeff Katofski Phone Jeff: 818-990-1475 Larry: 720-592-2049

Address c/o Larry Thomas at Hansel Phelps: 1111 Diamond Valley Drive, Suite 101, Windsor, Colorado 80550

Contractor Galloway and Company, Inc. - Chris Pauley, PE, CFM Phone 970-800-3300 ext 3318

Address 5265 Ronald Reagan Blvd., Suite 210, Johnstown, Colorado 80534

Project Location/Directions 801 Diamond Valley Drive, Windsor, Colorado 80550

Project Description

_____ Single Family Residential	_____ New Construction	X Channelization
_____ Multi-Family Residential	_____ Substantial Improvement (>50%)	_____ Fill
_____ Manufactured (Mobile) Home	_____ Improvement (<50%)	_____ Bridge/Culvert
_____ Non-Residential	_____ Rehabilitation	_____ Levee

Other/Explanations Grading and channel construction in the John Law Floodplain associated with the Future Legends Sports Park Complex between GWRR and Eastman Park Drive.

Flood Hazard Data

Watercourse Name John Law Channel

The project is proposed in the NA Floodway NA Floodway Fringe

Base (100-year) flood elevation(s) at project site Between 4777 and 4767 feet (NAVD88)[Proposed Condition: Galloway 2020]

Elevation required for Lowest Floor NA / Floodproofing NA

Source Document/Report/Maps Effective, corrected effective, pre-project, and proposed floodplain documentation and maps are present in the report [Galloway, June 25,2020] included with this application.

Proposal Review Checklist

NA Site development plans depict the floodway and base flood elevations.

-- Engineering data is provided for map and floodway revisions. YES NA

NA Floodway certification and data document no increases in flood heights.

NA Subdivision proposals minimize flood damage and protect utilities.

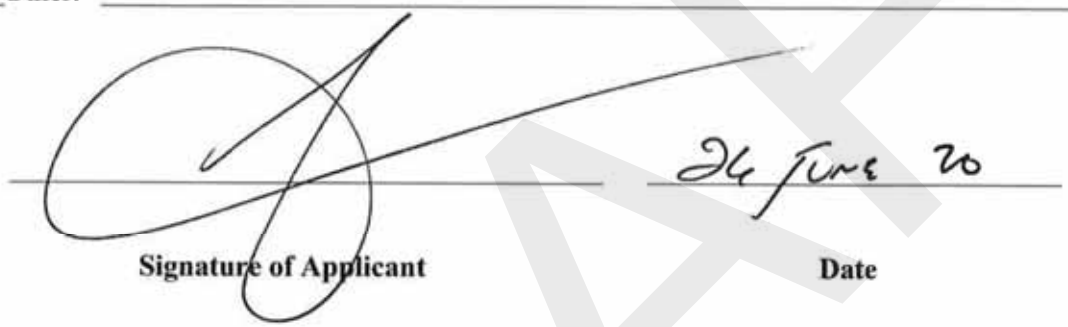
NA Lowest floor elevations are above the base (100-year) flood level.

NA Manufactured (mobile) homes are elevated and adequately anchored.

NA Non-residential floodproofing designs meet NFIP water-tight standards.

_____ All CDPHE stormwater discharge permits and a Town of Windsor Grading, Sediment, and Erosion Control Plan (GESCP) permit,(as applicable) have been obtained.

_____Other: _____



Signature of Applicant **Date**

Permit Action

_____ **Permit Approved:** The information submitted for the proposed project was reviewed and is in compliance with approved flood plan management standards (site development plans are on file).

_____ **Permit Denied:** The proposed project does not meet approved flood plain management standards (explanation is on file).

_____**Variance Granted:** A variance was granted from the base 100-year) flood elevations established by FEMA conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ _____

Signature of Flood Plain Administrator **Date**

Comments: _____

_____

Development Documentation

_____ **Map Revision Data.** Certified documentation by a registered professional engineer of as-built conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ **Fill Certificate.** A community official certified the elevation, compaction, slope and slope protection for all fill placed in the flood plain consistent with NFIP regulations Part 65.5 for flood insurance map revisions.

_____ **Elevation Certificate.** Certified as-built elevation of the building's lowest floor _____; floodproofing level _____. An Elevation Certificate (Part II) completed by a registered professional engineer or land surveyor certifying this elevation is on file.

_____ **Certificate of Occupancy or Compliance Issued** _____

Date

APPENDIX F
ACRONYMS