



COLORADO

Department of Transportation

Region 3
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Grand Junction, CO 81501-
2769

March 20, 2023

Aspen Mayor Torre
427 Rio Grande Place
Aspen, CO 81611

RE: February 13, 2023 City of Aspen Letter "Questions Regarding Entrance to Aspen"

Dear Mayor Torre:

Please find the responses to the questions posed in the referenced letter below. The question responses were prepared collaboratively with the Federal Highway Administration Colorado Division.

Record of Decision (ROD) and Preferred Alternative Processes

Under what circumstances would CDOT move forward with the Preferred Alternative without a vote of Aspen voters?

A vote is not required to move forward with the Preferred Alternative.

When the existing Castle Creek Bridge needs to be replaced the ROD Preferred Alternative will be constructed.

At what bridge sufficiency rating will CDOT begin consideration of new bridge construction?

The Statewide Bridge and Tunnel Enterprise (BTE), which was established in 2009 as the Colorado Bridge Enterprise, was initially modeled after the federal aid bridge replacement program in which a bridge was eligible for replacement funds after the sufficiency rating fell below 50. Since that time, the Enterprise's eligibility criteria was updated to align with the more recent federal definition of a poor bridge. If any of the three major structural components of a bridge (deck, superstructure, or substructure) is rated a 4 out of 9 or less (0-4 corresponds to poor, 5-6 is fair, and 7 and above is good), the entire bridge falls to poor condition and becomes eligible for Statewide Bridge and Tunnel Enterprise (BTE) funding for replacement.

The most recent 9/7/2022 inspection report has the following ratings: bridge deck (6), bridge superstructure (5), and bridge substructure (6), meaning that the bridge is not currently eligible for BTE funding. It should be noted that inspections of portions of the bridge superstructure and substructure were not possible during the September 2022 inspection date due to bridge repair construction lane closures at the bridge. The entire bridge will be reinspected in 2024 and a new inspection report will be prepared after the inspection.

A downgrade of the bridge deck, superstructure, or substructure from fair condition (rating of 5 or 6) to poor condition (rating of 4 or less) would occur if advanced section loss, deterioration, spalling

or scour are observed during future inspections. Since the superstructure is constructed from steel components, fatigue cracking in a primary structural element would also downgrade the structure to poor condition. A rating of poor does not indicate that the structure is unsafe or that it requires a load restriction or emergency repairs. If defect(s) are found that require monitoring, CDOT will increase the inspection frequency from a biennial inspection cycle to the appropriate interval to confirm that the bridge remains in safe operating condition. The load rating for the bridge would be revisited if defect(s) are observed that would reduce the load carrying capacity of the bridge. The need for a load restriction or load posting would be determined by the updated load rating.

Once the bridge is rated poor, it would enter the BTE eligibility pool and will be prioritized in a peerwise comparison with other structures in the statewide poor-rated bridge population. Through this process, the highest priority bridges from the statewide pool are identified. Projects are then selected, planned, and programmed as resources allow. It should also be noted that projects that are identified in the CDOT 10-year Vision Plan are prioritized by BTE.

Does CDOT, at that point, do a cost-benefit analysis of rehabilitation measures versus new construction?

The determination of the most appropriate treatment to address a poor-rated bridge (i.e. repair, rehabilitation, reconstruction, or replacement) is made through the project scoping and the structure selection processes. This would typically include a cost/benefit analysis of rehabilitation versus new bridge construction.

Would the same community objectives be considered in the analysis if a new Record of Decision were pursued?

If a new ROD were pursued then yes, the community objectives would be the same.

If a new NEPA process is required, the community objectives could be revised if desired.

What change threshold to the Preferred Alternative would trigger a new Environmental Impact Statement (EIS) and Record of Decision? For example, the City has received several questions from community members regarding the existing alignment and replacing the bridge where it is today.

A new EIS would be required if an alternative was not fully analyzed (resource impacts, etc) in the EIS. For example, an alternative that was screened out before resource impacts were fully analyzed.

Would reviewing an alignment at the existing bridge location trigger a new EIS/ROD?

Yes, because it was not fully analyzed with the EIS.

Can the existing section of the roadway from the roundabout remain in the current Preferred Alternative?

That was not part of the preferred alternative as defined. At a minimum a re-evaluation would need to be completed, or possibly a new EIS as there are impacts that were not previously identified and evaluated.



If we wanted to keep one general purpose lane and one dedicated transit lane inbound and two general purpose lanes and one dedicated bus lane outbound, would that trigger both a new EIS and ROD?

Yes, as this is an alternative that was not previously analyzed.

If a new corridor/alignment were pursued by the Aspen community/government, would a new EIS/ROD be required?

Yes, a new corridor/alignment alternative that was not previously analyzed will require a new EIS and ROD.

If so, would it be based on the Roaring Fork Valley's 2023 population and commuting needs and expected growth projected out 30 years?

A minimum of 20 years beyond the expected date of construction is required for the planning horizon. For example, 2045 or 2050 plan data could be used.

When an EIS/ROD outcome is challenged in court, how long does it typically take to see the matter resolved?

There are no "typical" court cases. Recent examples have ranged from 2 - 8 years.

What is the range that you have seen in recent years?

2 - 8 years.

Are there any recent examples to look to?

Every lawsuit is unique, it is not possible to give a good example of what will happen in a potential lawsuit on this project until we know what issues the plaintiffs are focused on.

Funding

Would CDOT/FHWA fund a new Record of Decision, or would local funding pay for a new EIS and ROD?

Local funding will be required to pay for a new EIS and ROD as federal and state funding has already provided for the required NEPA studies and mitigation for the ROD Preferred Alternative which was supported by several cooperating agencies.

How much did the last ROD cost the state for a similar sized project?

The supplemental EIS and new ROD for the US 160/550 connection in Durango took approximately 6 years. It took several years to figure out what needed to be studied and for the associated design considerations. The actual EIS/ROD study work was completed in approximately 2 years. The total cost was approximately \$2M.

How fiscally constrained is CDOT's ability to fulfill known, entitled, identified projects already on the Intermountain Transportation Planning Region list?



The IMTPR prioritizes projects in Garfield, Eagle, Lake, Summit and Pitkin Counties that utilize Region Priority Program funding. Currently there is only funding to advance preconstruction for roughly \$35.6 million of the \$153 million highway projects on the IMTPR 10-year plan list. This does not include the Rural Resurfacing or Transit projects.

The Entrance to Aspen and/or New Castle Creek Bridge project is not on the IMTPR 10-year planning list but it is in the 20-year long range plan.

Is there a process for the city and CDOT to partner on emergency egress planning?

CDOT will always be at the table to partner and collaborate with City or County agencies for their Incident Response planning.

Construction Timing

What are the criteria for the determination of expedited construction practices?

Expedited construction practices and accelerated bridge construction techniques are considered where maintaining and restoring vital transportation facilities is time sensitive. As with other project delivery considerations, cost/benefit is considered as expedited and accelerated construction adds considerable cost to a project.

If you need further information, please feel free to contact me.

Sincerely,



Jason C. Smith, P.E.

Director, Transportation Region 3

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