Memorandum

Subject	Castle Creek Bridge NEPA Process Options
Project Name	Castle Creek Bridge
Attention	City of Aspen
From	Jacobs
Date	April 2024
Copies to	Project File

1. Introduction

The purpose of this memorandum is to present options available to the City of Aspen to complete National Environmental Policy Act[1] (NEPA) requirements for replacement of the existing Castle Creek Bridge (CCB) and other improvements associated with the larger Entrance to Aspen (ETA) project. The Entrance to Aspen Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), which includes transportation improvements along State Highway (SH) 82 from Buttermilk to Rubey Park in downtown Aspen, was approved by FHWA in 1998. The Preferred Alternative (PA) that was identified in the 1998 ROD calls for rerouting SH 82 to connect to Main Street, which would be extended to the west and require construction of a new Castle Creek bridge. The PA is described in Section 2.1.2 of this document. Since the ROD was issued, several elements of the PA have been implemented as shown in Figure 1. The portion of the PA involving rerouting SH 82 and reconstructing a new bridge over Castle Creek remains to be completed.

> Because SH 82 is a state highway managed by CDOT and federal funds have been used to study and build Entrance to Aspen improvements, NEPA and other federal regulations will continue to apply to decision-making regarding improvements at the Castle Creek Bridge.

The existing Castle Creek bridge, constructed in 1961, is now approaching the end of its service life. When the bridge condition is rated poor through CDOT inspections, it will enter the Statewide Bridge and Tunnel Enterprise eligibility pool for funding and replacement. At that time, CDOT has indicated it would replace the bridge as directed in the PA, unless an alternate NEPA decision is made prior to the need for bridge replacement.

As discussed in Section 2.3.2, some city council members have expressed concern about the impacts associated with this final phase. In Summer 2023, the city hired Jacobs Engineering Group, Inc. (Jacobs) to assess options to rehabilitate or replace the existing Castle Creek Bridge, soften the S Curves through town, and evaluate NEPA implications of these and other alternate solutions to the PA.

The following courses of action related to the Castle Creek Bridge potentially are available to the City:

1. implement the PA identified in 1998 fully or in phases,
2. implement the PA identified in the 1998 ROD with minor changes,
3. study and implement alternatives that were considered previously in the 1997 FEIS and were either fully evaluated but not selected as the PA (Section **Error! Reference source not found.**) or dismissed during the alternatives screening process, or
4. study one or more new alternatives.

[1] *The National Environmental Policy Act (NEPA) of 1969 established a policy and framework for environmental planning and decision making by Federal agencies. More information can be found on FHWA's website.

This document presents NEPA considerations and requirements for each option including assumptions related to cost, schedule, and risks. This document does not include an evaluation of these alternatives. For context, a brief history of the NEPA decision-making process that has occurred since the 1990s, a summary of more recent public engagement by the City, and recent direction from the City Council are provided.

Any change or deviation from the PA and ROD would require close coordination and agreement from FHWA and CDOT. It also would require coordination with other corridor stakeholders and interests. Therefore, the NEPA decision making will involve other parties besides the City and, because FHWA is the federal lead agency for the ETA EIS, it will have final decision-making authority.

2. Background and History

The Entrance to Aspen project has received federal funding and undergone extensive study over the years in compliance with NEPA. This section summarizes the milestones and decisions that have occurred since project initiation.

2.1 History of the EIS

CDOT, in conjunction with FHWA, undertook the NEPA process for this project as follows:

1994: NEPA process initiated with extensive public input and supporting technical studies.

1995: Draft EIS (DEIS) released for public review and comment; DEIS evaluated:

- Three alternatives between Buttermilk and Maroon Creek Road (Area 1)
- Seven alternatives between Maroon Creek Road and the intersection of 7th and Main Street (Area 2)

1996: Draft Supplemental EIS released (DSEIS); evaluated three additional alternatives between Pitkin County airport and Rubey Park as a result of public/agency comments.

1997: Final EIS (FEIS) released for public review and comment.

1998: Record of Decision (ROD) released; PA is identified as a combination of highway and intersection improvements, a transit system, and an incremental transportation management program (more details in Section 2.2); PA includes constructing a new Castle Creek Bridge to the south and realigning SH 82 in conjunction with extending Main Street to the west.

2007: CDOT and FHWA conducted a reevaluation of the 1997 FEIS/1998 ROD and confirmed that the 1998 ROD PA remained valid. The reevaluation assessed whether:

- Any changes had occurred in project design concept or scope
- Any regulatory or environmental changes had occurred since the FEIS and ROD were published
- Whether those changes would result in any new or additional environmental impacts not previously identified and evaluated in the FEIS

2.1.1 EIS Alternatives Screening Process

In compliance with NEPA requirements, a range of reasonable alternatives were evaluated during the EIS process. A range of reasonable alternatives includes those that are "technically and economically feasible, and meet the purpose and need for the proposed action" (40 CFR § 1508.1). This is relevant to the City's decision-making on next steps for the CCB project because NEPA requirements vary depending on if alternatives were previously considered during the EIS and how far into the evaluation process they were considered. Also, the rationale for eliminating alternatives considered during the EIS process may shed light on their likelihood to be advanced in a new NEPA process.

In a City Council work session on November 28th, 2022, City staff presented information regarding the alternatives evaluation process that occurred during the EIS process. This information is summarized here; details regarding the alternatives process can be found in the work session packet.

CDOT developed options for alignment, laneage, profile, and travel mode. These options were evaluated under three screening levels (reality check, fatal flaw, and comparative) that applied progressively more demanding criteria. Options that passed the reality check and fatal flaw screens were combined to form alternatives for comparative screening.

- Reality Check: Eliminated options that were clearly unrealistic, inappropriate, or unreasonable due to physical constraints, funding, technology limitations, or impacts on private properties.
- Fatal Flaw: Eliminated options that did not:
  - Meet one or more of the 10 community objectives (see inset)
  - Solve the transportation problems and concerns identified for the project, and/or
  - Meet the project's purpose and need
- Comparative: Eliminated alternatives that were not logical when compared to other alternatives based on analysis of key environmental parameters and issues.

Local community objectives were identified during the EIS process and helped guide alternative evaluation. These include:

- Community Based Planning
- Transportation Capacity
- Safety
- Environmentally Sound Alternative
- Community Acceptability
- Financial Limitations
- Clean Air Act Requirements
- Emergency Access
- Livable Communities
- Phasing

The screening results from the 1995 DEIS are summarized in Table 1, along with the rationale for eliminating options from further consideration. Based on results of the alternatives screening, alternatives carried forward for detailed evaluation in the DEIS process included:

- Area 1: Buttermilk Ski Area to Maroon Creek Road
  - Alternative 1: No Action Alternative
  - Alternative 2: Existing Alignment
  - Alternative 3: Existing Alignment with a separate transit envelope
- Area 2: Maroon Creek Road to the intersection of 7th Street and Main Street
  - Alternative A: No Action Alternative
  - Alternative B: Existing Alignment[2]
  - Alternative C: Modified Direct alignment at grade
  - Alternative D: Modified Direct alignment at grade with separate transit envelope
  - Alternative E: Modified Direct alignment at grade with cut and cover tunnel
  - Alternative F: Modified Direct alignment, with a cut and cover segment, and with separate transit envelope
  - Alternative G: Two Improved Lanes on Existing Alignment and Transitway on the Modified direct alignment[3]

Figures depicting the Area 2 alternative alignments are included in Attachment 1.

[2] Eliminated in comparative screening, but evaluated in DEIS for comparative purposes.

[3] Eliminated in comparative screening, but evaluated in DEIS at the request of the City Council.

Table 1: EIS Screening Results

	SCREENING LEVEL			
OPTIONS	**1: Reality Check**	**2: Fatal Flaw**	**3: Comparative**	**Rationale for Eliminating**
Alignment[2]				
Denver & Rio Grande Western RR	⊗			Impacts to adjacent developments.
West of Maroon Creek Rd	⊗			Impacts to adjacent developments (open space).
Old Midland RR	⏩	⊗		▪ Extensive disruption to existing developments along Shadow Mountain and within Aspen downtown area. ▪ Financial constraints. ▪ Impacts to adjacent developments.
Existing[4]	⏩	⏩	⊗	▪ Community acceptability. ▪ Does not significantly improve safety because of existing "S curves." ▪ Does not address the need for alternative emergency access route.
Direct Connection (straight shot)	⏩	⏩	⊗	▪ Impacts to open space. ▪ Lack of community support.
Combination (split or couplet using the existing and direct or modified direct alignments)[5]	⏩	⏩	⊗	▪ Operational problems for Cemetery Lane traffic heading east on Hwy 82 (couplet). ▪ Operational problems splitting traffic at 7th Street and Main Street (split alignment).
Modified Direct	⏩	⏩	⏩	**Selected as alignment for the PA.**

[4] Eliminated in comparative screening, but evaluated in DEIS for comparative purposes.

[5] Split Alignment eliminated in comparative screening, but evaluated in DEIS at the request of the City Council. Couplet Alignment eliminated in comparative screening, but evaluated in SDEIS at the request of the City Council.

	SCREENING LEVEL			
OPTIONS	**1: Reality Check**	**2: Fatal Flaw**	**3: Comparative**	**Rationale for Eliminating**
Laneage				
2 Highway Lanes	⏩	⊗		▪ Did not meet the capacity requirements for future traffic demand. ▪ Did not meet the emergency access objective. ▪ Did not provide for future transit options and upgrades that are part of Aspen community plan.
3 Highway Lanes	⏩	⊗		▪ Would not provide the needed future traffic capacity (transit and private vehicles) for both directions of SH 82. ▪ Did not meet the phasing objective. ▪ Was unacceptable to the community because of the large number of signs required to safely implement and regulate the reversible lane.
2 Highway Lanes + 1 Dedicated Lane	⏩	⊗		Same as 3 Highway Lanes Option.
4 Highway Lanes	⏩	⊗		▪ Did not provide incentive for transit or carpool use considered essential to control traffic growth on SH 82. ▪ Not consistent with community-based planning goals. T
2 Highway Lanes + 2 Dedicated Lanes	⏩	⏩	⏩	**Selected as laneage for the PA.**
Profile				
Elevated	⊗			Unacceptable visual impacts.
Tunnel (greater than 700 feet long)	⊗			Unacceptable cost and construction impacts.
Cut and Cover	⏩	⏩	⏩	**Selected as part of profile for the PA.**
At-Grade	⏩	⏩	⏩	**Selected as part of profile for the PA.**
Mode				
Unproven Technology	⊗			In research and development; not in revenue service.

	SCREENING LEVEL			
OPTIONS	**1: Reality Check**	**2: Fatal Flaw**	**3: Comparative**	**Rationale for Eliminating**
Personal Rapid Transit	⊗			Same as Unproven Technologies.
Commuter Rail	⏩	⊗		Did not meet the capacity objective due to inability to operate efficiently in mixed flow traffic conditions.
Wire Slope Systems	⏩	⊗		Not acceptable as an in-town transit system visually, operationally, or financially.
Guided Busways	⏩	⏩	⊗	Did not compare favorably to other bus options for cost, maintenance, and community acceptability.
HOV	⏩	⏩	⏩	Passed comparative screen and was evaluated in DEIS.
Self-Propelled Buses	⏩	⏩	⏩	**Selected as an initial phase transit mode for the PA.**
Electric Trolley Buses	⏩	⏩	⏩	Passed comparative screen; not selected due to unacceptable visual impacts.
Light Rail Transit	⏩	⏩	⏩	**Selected as final phase transit mode for the PA.**

After the release of the DEIS, three additional alternatives were evaluated in a draft supplemental EIS (DSEIS). In addition to the modified direct alignment with cut and cover tunnel, a couplet alignment (one-way pair) with an at-grade profile was evaluated (Alternative H) along with a phased version of each of these alternatives that allowed for exclusive bus lanes as an interim phase if local support and/or funding is not available for the LRT system. Alternative H included two outbound highway lanes along the existing SH 82 alignment and one inbound highway lane plus the LRT envelope along the modified direct alignment. In the interim version of Alternative H, one vehicle lane and one dedicated bus lane would be implemented in each direction with the SH 82 alignment serving outbound traffic and the modified direct alignment serving inbound traffic.

Alternative H (the couplet alignment) was eliminated for the same reason this alignment was screened out in the comparative screening in the DEIS; operational problems. The phased options were eliminated due to lack of support from the community and the City Council. The phased approach was noted as adding cost and having unnecessary disruption to Section 4(f) resources compared to a non-phased approach. This decision regarding phasing was reversed in the ROD, and is included in the PA.

2.1.2 Preferred Alternative

The PA is a combination of highway and intersection improvements, a transit system, and an incremental transportation management program. Table 2 lists the various components of the PA. Figure 1 shows the PA components that have been implemented and Figure 2 shows elements of the last major uncompleted phase associated with a new Castle Creek Bridge.

Table 2: Elements of the Preferred Alternative

Highway Component	Transit System	Incremental Transportation Management Program
▪ Two-lane highway (one lane in each direction) along the existing SH 82 alignment from Buttermilk Ski Area to the Maroon Creek Bridge. ▪ Relocate existing Owl Creek Road and West Buttermilk Road to create a new combined intersection at SH 82 near Buttermilk Ski Area. ▪ Highway crosses Maroon Creek on a new bridge north of the existing bridge, then return to the existing alignment and continue to roundabout at Maroon Creek Road intersection. ▪ East of the roundabout, highway shifts southeast across the Marolt-Thomas property and through a cut-and-cover tunnel 400 feet long to connect with the intersection of 7th Street and Main Street via a new Castle Creek bridge.	▪ Light rail (LRT) system on the south side of the highway running between the new LRT maintenance center near Service Center Road and Rubey Park in downtown Aspen. ▪ The LRT system will be developed initially as two exclusive bus lanes one in each direction) if local support and/or funding are not available.	▪ Doubling of bus service between Aspen and El Jebel. ▪ Increased bus service in town and between Aspen and Snowmass Village. ▪ Expanded park-and-ride facilities throughout the valley. ▪ HOV lanes between Basalt and Buttermilk and preferential parking for HOVs. ▪ Rideshare matching program. ▪ In-town parking fees. ▪ Residential parking permit program, commuter incentive programs, and employer bus passes.

Figure 1: Preferred Alternative: Completed Improvements and Elements

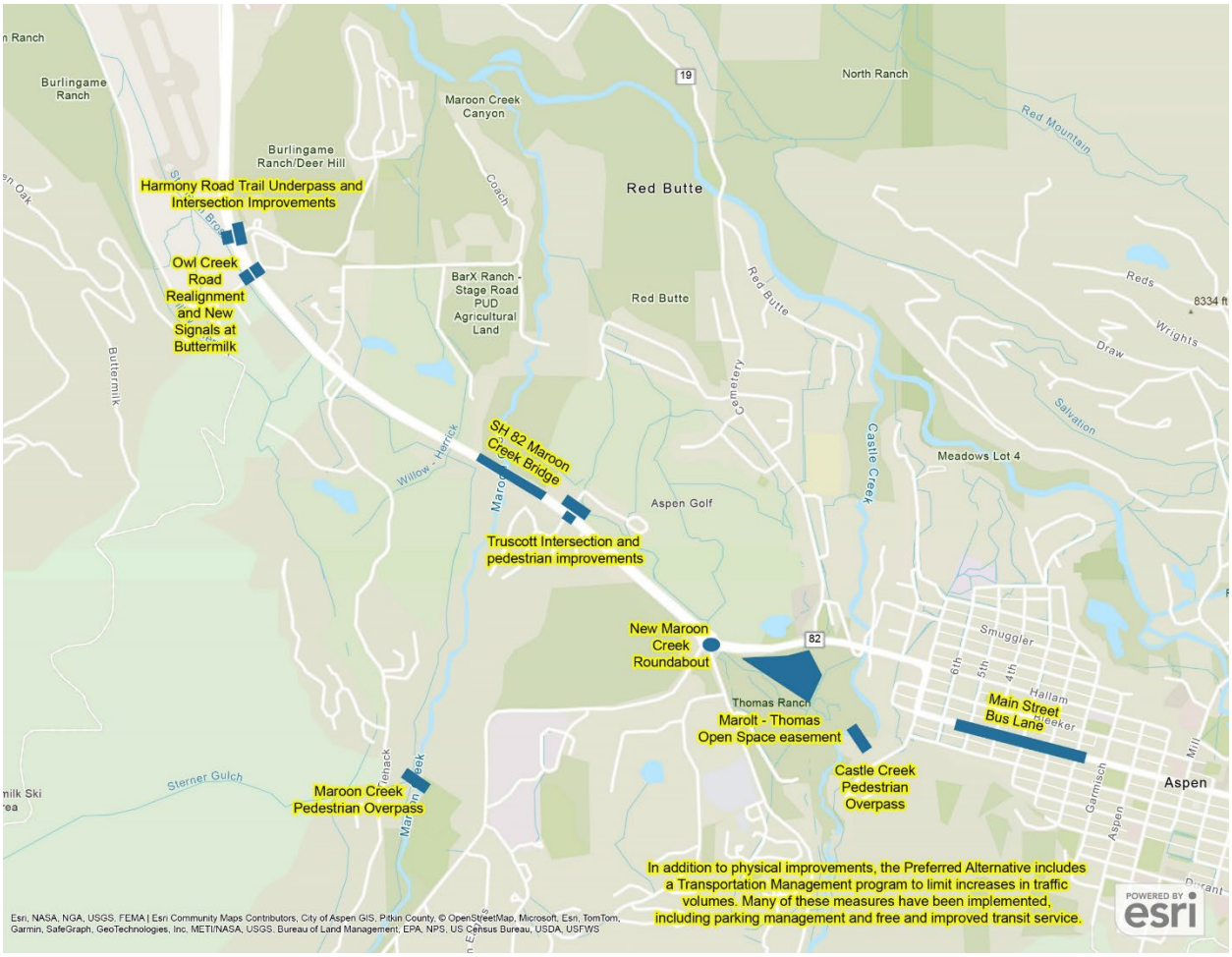
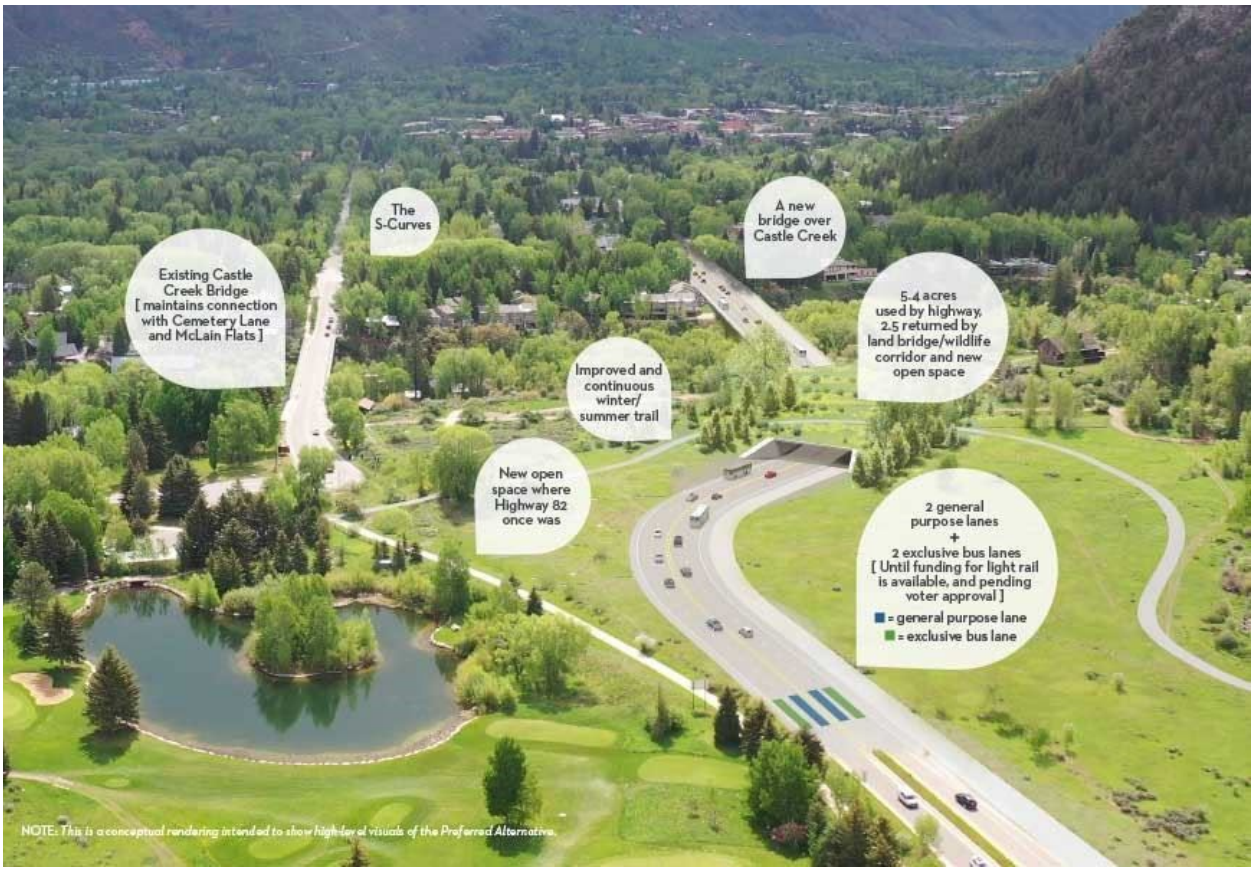


Figure 2: Preferred Alternative: Uncompleted Improvements



2.2 Community Support and Sentiment

Between 1975 and 2002, voters in Pitkin County and the City of Aspen weighed in on numerous transportation ballot measures pertaining to transit, parking, transportation right-of-way (ROW) across the Marolt and Thomas properties, and implementation of the PA.

Votes in the 1970s and 1980s showed support for transit rather than increasing the capacity of SH 82. Five votes in the 1990s yielded mixed results for transit support. Voters expressed concern about traffic impacts if transit options were not expanded. Voters also expressed a preference for use of transit in the valley and use of park-n-rides over expanding parking in Aspen. However, voters were not supportive of funding to develop transit systems. Sentiment on funding transit shifted in 2000, with strong support for 1) a tax measure to establish and fund a regional transit authority and 2) a bond measure that included funding for various bus improvements.

Voter opinions about conveying transportation ROW through the Marolt and Thomas properties have been mixed. This subject was put to the voters eight times between 1982 and 2001. Voters were mostly in favor of the 1990 and 1996 ballot measures, while results the other five years showed voters were predominantly opposed.

Voter opinions about realigning SH 82 at the entrance to Aspen have shifted over time. A 1990 vote showed strong support for the realignment as opposed to making improvements on the existing alignment. However, a 2002 vote showed support for "S-Curves" over "Modified-Direct."

2.3 Recent History/Events

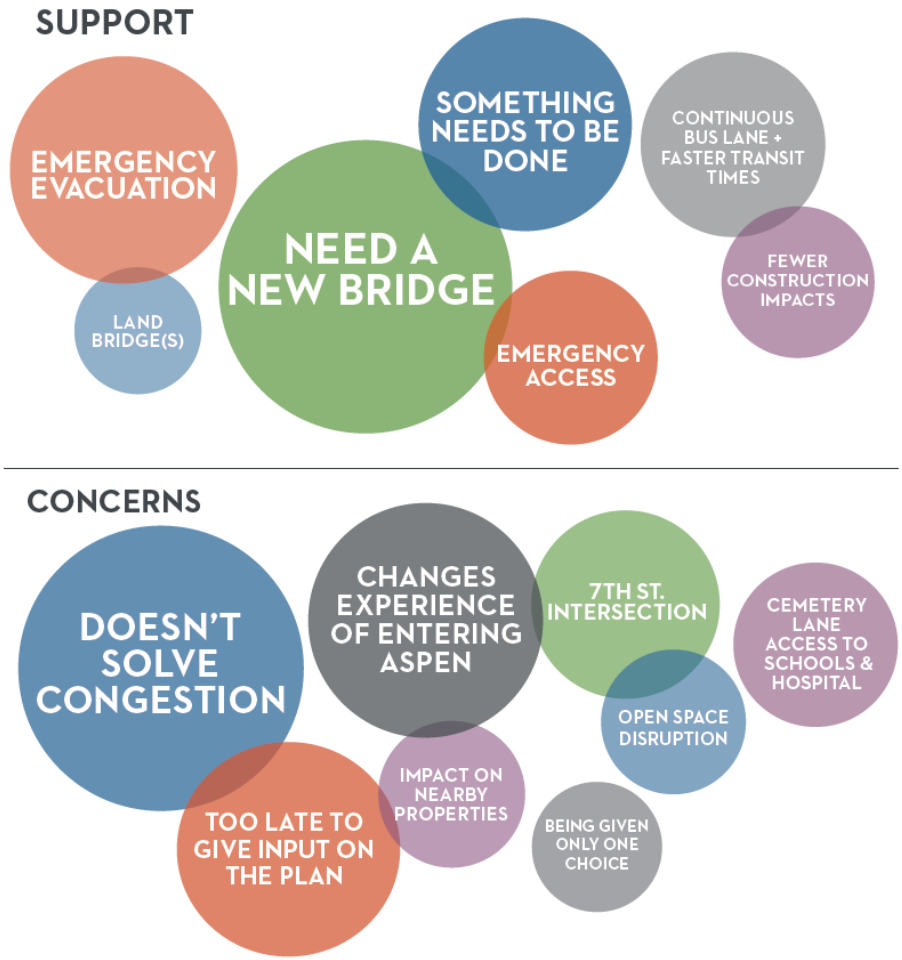
2.3.1 Public Awareness Campaign

More than 15 years had passed since the community was engaged regarding the Entrance to Aspen project when, in 2021, the City initiated a program to bring awareness to the community about the history and current state of the existing Castle Creek Bridge and future options for the Entrance to Aspen project. As identified in the *New Castle Creek Bridge Awareness Plan Summary | Phase 1* document, the following messages were relayed across communication channels (events, website, presentations, printed material, advertising) during the awareness phase of the project:

- The Castle Creek Bridge history, service life, and current state of repairs.
- The Record of Decision, 10 Project Objectives, and a detailed explanation of the Preferred Alternative.
- Marolt-Thomas Open Space right of way (ROW), land exchange and future opportunities for pedestrian access via a land bridge. This includes a new vote to change ROW usage from light rail to buses.
- Pros and cons of the Preferred Alternative - "It is not a silver bullet".
- If implemented, this project could negatively impact homeowners near the bridge and roadway.
- Transit-oriented solution that focuses on improved flow and travel times for buses and future technology.
- None of the 43 alternatives evaluated solve traffic congestion. The Preferred Alternative improves the flow of single occupancy vehicles.
- The timing of revisiting the project.
- Importance of improved emergency evacuation and access.
- The path forward for rebuilding the existing bridge or building the Preferred Alternative.

Figure 3 depicts a summary of the primary supports and concerns voiced by the public during the public awareness campaign. The sizes of the circle generally represent the number of comments related to that topic or theme. Details are provided in *The New Castle Creek Bridge Awareness Plan Summary | Phase 1* document. This document states: "The majority of those with whom we met felt it was time for a new bridge. Within this group, there were varying opinions about elements of the Preferred Alternative and the best path forward…".

Figure 3: Public Support and Concerns



Note: Concerns were difficult to rank as each special interest group or neighborhood had concerns about one issue based on their location, values, etc.

2.3.2 Recent Council Direction

Considering the divided community sentiment on the PA, city council opted not to advance implementing the last major PA phase (i.e. realigning SH 82 and constructing a new Castle Creek bridge) at this time. Some council members expressed concern about the impacts associated with this final phase. The city hired Jacobs Engineering to assess options to rehabilitate or replace the existing Castle Creek Bridge and soften the S Curves through town. In spring 2024, Jacobs will provide a report regarding the feasibility of replacement of the existing bridge in its current location, including a proposed schedule and cost for accelerated construction and three-lane bridge construction, in addition to other work to answer community questions that arose during the community awareness effort. The contract scope also includes a pre-NEPA Process Outline, including procedural paths forward considering cost, schedule and risks.

3. NEPA Process Options and Paths Forward

This section addresses the following options for moving forward with the CCB project:

1. implement the PA identified in 1998 ROD (interim phase with bus lanes) (Section **Error! Reference source not found.**),

2. implement the PA identified in the 1998 ROD with minor modifications (Section **Error! Reference source not found.**),
3. consider a different alternative than the PA:
    a. analyze impacts of an alternative or alternatives that had been originally considered previously in the 1997 EIS and were either fully analyzed but not selected as the PA (Section **Error! Reference source not found.**) or dismissed from analysis (Section **Error! Reference source not found.**), or
    b. analyze impacts of one or more new alternatives to identify a new PA (Section **Error! Reference source not found.**)

Table 3 summarizes these options and lists various considerations involved in each.

Separately from the options outlined in Table 3, the city could pursue improvements to address safety, congestion, emergency evacuation, and other entrance to Aspen issues. Table 4 includes examples of several improvement options that have been discussed. None of these options would address the issues with the aging Castle Creek bridge. Upon advancing any option, the city would need to provide FHWA and CDOT with documentation regarding how the proposed improvements relate to the PA from the 1998 ROD and explain how the improvement would not deviate or detract from the PA and its intent.

Table 3: Castle Creek Bridge - NEPA Process Options

NEPA Process Options	Examples/Description	Clearance Process	Approx. Timeline	ROM[6] Cost	Risks & Other Considerations
1. Implement Existing PA					
Implement PA (interim phase with bus lanes)	• Shift SH 82 to the southeast across the Marolt-Thomas property to connect with the intersection of 7th Street and Main Street. • Construct cut-and-cover tunnel 400 feet long and a new Castle Creek bridge. ▪ Implement Bus Rapid Transit (BRT) as interim step to future LRT.	Reevaluation	1 year	$ 1M	▪ This solution was selected by FHWA and endorsed by the City after extensive evaluation and public process as the best option to address the identified community goals ▪ Due to amount of time that has passed since ROD, community goals from FEIS/ROD may no longer reflect desires/priorities of current residents. This situation could warrant a new EIS. ▪ CDOT has stated no community vote needed to proceed with PA, which includes interim step of BRT; further analysis by the City attorney is needed to confirm if a vote is required before proceeding with BRT.
2. Modify PA					
Changes result in new significant impact	• Minor alignment shift with new significant impact.	SEIS/ROD	2 years	$2M	▪ Due to amount of time that has passed since ROD, community goals from FEIS/ROD may no longer reflect desires/priorities of current residents. This situation could warrant a new EIS. ▪ City is responsible for cost of SEIS/Revised ROD ▪ Changing original PA decision increases risk of litigation.

[6] ROM = Rough Order of Magnitude. ROM estimates for NEPA effort only; does not include final design. ROM estimates can vary considerably based on variables such as types and levels of traffic, design, and environmental analyses, extent of public outreach activities and controversy, and agencies reviews. Estimates intended to generally illustrate costs differences between different NEPA options.

NEPA Process Options	Examples/Description	Clearance Process	Approx. Timeline	ROM[6] Cost	Risks & Other Considerations
Changes result in increased (but not significant), same, or less impact	• Separate bridges for highway and LRT using the modified-direct alignment. • Change 24-hour dedicated bus lanes in PA to 24-hour or peak period Bus/HOV lane. • New transportation management options with no new significant impacts.	Reevaluation	1 – 1.5 years	$1-1.5 M	▪ Due to amount of time that has passed since ROD, community goals from EIS/ROD may no longer reflect desires/priorities of current residents. This situation could warrant a new EIS. ▪ City is responsible for Reevaluation cost. ▪ Changing original PA decision increases risk of litigation.
3. Consider a Different Alternative					
Consider Alternative Fully Evaluated in EIS	• Existing Alignment* (4-lanes) • Modified-Direct, At-Grade* • Modified-Direct, At-Grade with Separate Transit Envelope* • Modified-Direct, Cut-and-Cover Tunnel (no separate transit envelope)* • Two Improved Lanes on Existing Alignment; Transitway on Modified Direct Alignment, At-Grade (Split Alignment) • Two Improved Lanes on Existing Alignment; One Improved Lane plus Transitway on Modified Direct Alignment, At-Grade (Couplet Alignment) * These alternatives consist of two general highway lanes and two dedicated vehicle and/or transit lanes.	Revised ROD (with Reevaluation)	1 - 2 years	$1-2M	▪ Selection of a new alternative would require public involvement and input on reasons for changing alternatives. ▪ Due to amount of time that has passed since ROD, community goals from FEIS/ROD may no longer reflect desires/priorities of current residents. This situation could warrant a new EIS. ▪ Existing Alignment and Split Alignment were evaluated and did not pass the comparative screening in the DEIS. The existing alignment did not meet needs for safety or emergency access. The Split Alignment had substantial impacts and operational issues. These alternatives were only evaluated for comparative purposes. ▪ Alternative may be eliminated for same reasons as identified in FEIS. ▪ City is responsible for cost of Revised ROD/Reevaluation. ▪ FHWA could request reimbursement for original EIS costs, including mitigation already provided at open space and elsewhere.

NEPA Process Options	Examples/Description	Clearance Process	Approx. Timeline	ROM[6] Cost	Risks & Other Considerations
					▪ Changing original PA decision increases risk of litigation.
Consider Alternative Eliminated in Screening Process	• Replace existing bridge in-kind (Existing Alignment/2 Highway Lanes) • Three Highway Lanes (Reversible Lane)	New EIS/ROD	2+ years	$2-3M	▪ Given time since ROD, SEIS unlikely. ▪ New scoping process will reassess purpose and need, and community goals. ▪ Selection of a new alternative would require public involvement and input on reasons for changing alternatives. ▪ Alternative may be eliminated for same reasons as identified in FEIS. ▪ City is responsible for cost of new EIS/ROD. ▪ FHWA could request reimbursement for original EIS costs, including mitigation already provided at open space and elsewhere. ▪ Changing original PA decision increases risk of litigation. ▪ Risk of lane closures, weight restrictions, or CDOT implementation of PA increases over time due to ongoing deterioration of existing bridge.
Consider New Alternative	Aspen/Buttermilk Interchange alternative	New EIS/ROD	3+ years	$3-4M	▪ Same as Pursue Alternative Eliminated in Screening, except alternative(s) has not previously been screened and more time is likely required to develop the alternative.

Table 4: Implement Stand-Alone Improvements - NEPA Process Options

NEPA Process Options	Examples/Description	Clearance Process	Approx. Timeline	ROM[7] Cost	Risks & Other Considerations
Implement Improvements Separate from the PA	• S curve softening^ • Maroon Creek Roundabout HOV bypass lane (outbound traffic)^ • Emergency evacuation improvements to existing pedestrian bridge and Power Plant Road^	Categorial Exclusion (CE)+ CE/EA+ CE/ EA+	<1 year 1 year 1-1.5 year 1 year	$250-350K $1M $1M	▪ FHWA has confirmed that S Curve softening would not 'break' the ROD. ▪ Roundabout bypass would require Section 4(f) evaluation and alternatives analysis because of public golf course impacts. ▪ CE possible if designed to minimize impacts.

+ if project is a federal action
^does not address bridge issue

[7] ROM = Rough Order of Magnitude. ROM estimates for NEPA effort only; does not include final design. ROM estimates can vary considerably based on variables such as types and levels of traffic, design, and environmental analyses, extent of public outreach activities and controversy, and agencies reviews. Estimates intended to generally illustrate costs differences between different NEPA options.

4. Conclusions

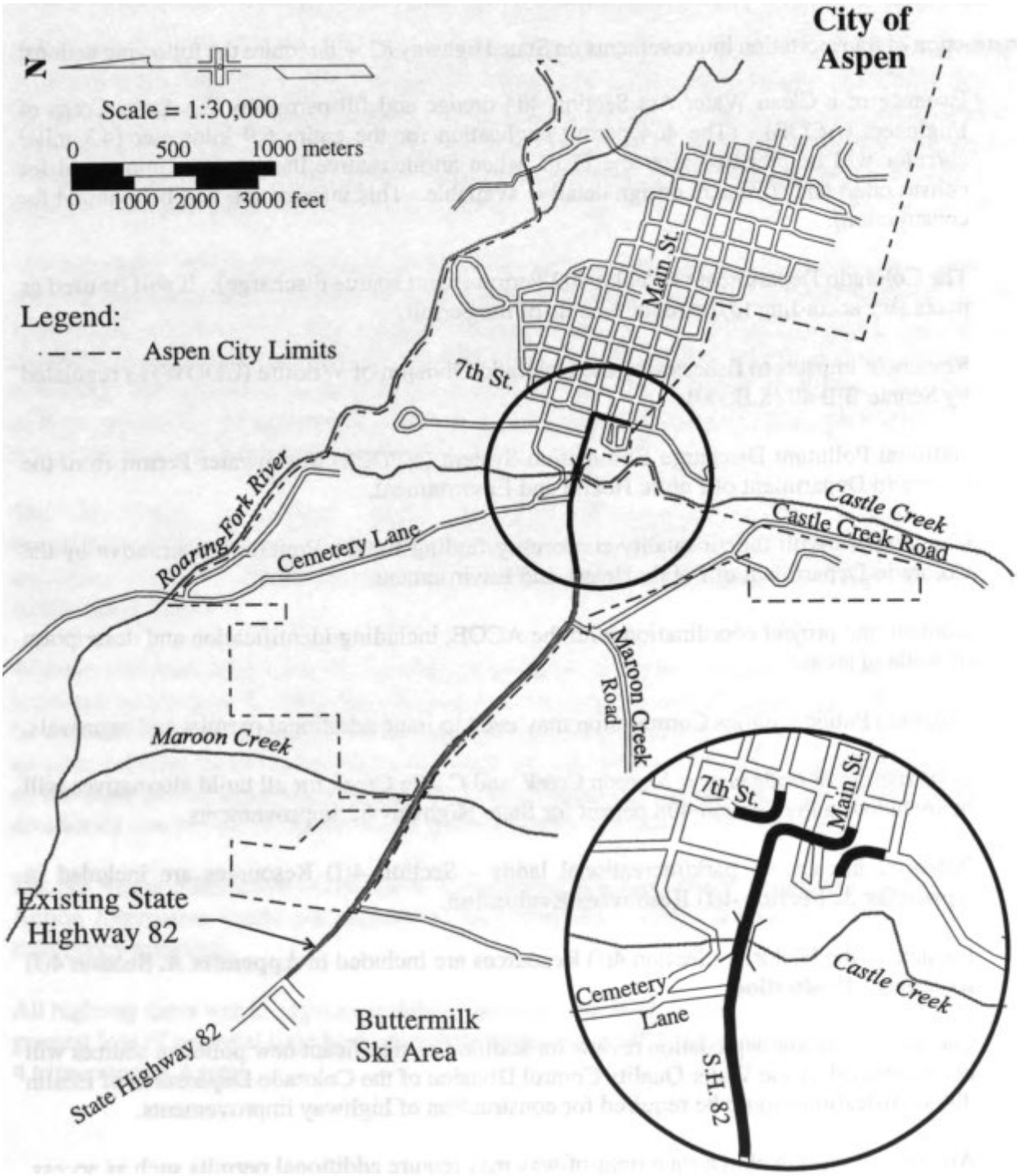
Confirming the approach for the final phase of the Entrance to Aspen is time critical as the Castle Creek Bridge nears the end of its service life. Because SH 82 is a state highway managed by CDOT and federal funds have been used to study and build Entrance to Aspen improvements, NEPA and other federal regulations will continue to apply to decision-making regarding improvements at the Castle Creek Bridge. When the bridge condition is rated poor through CDOT inspections, it will enter the Statewide Bridge and Tunnel Enterprise eligibility pool for funding and replacement. At that time, CDOT has indicated it would replace the bridge as directed in the PA, unless an alternate NEPA decision is made prior to the need for bridge replacement. Re-visiting the NEPA process (as outlined in Table 3) would require CDOT and FHWA oversight and participation and would not necessarily result in a different decision than is documented in the 1998 ROD. However, there may be valid reasons to re-visit the NEPA process beyond reevaluating the PA.

While the 1998 NEPA decision from the ROD was determined to be valid in 2007, that reevaluation is now 17 years old. The NEPA process options outlined in Table 3 are based on federal regulations, however, the amount of time that has passed may warrant a new NEPA process to solicit input from current stakeholders and the general public regarding issues to be addressed and alternatives for consideration. This is referred to as project scoping and generally occurs early in a NEPA process or as part of a pre-NEPA process. A refresh of earlier project scoping would enable current residents and users of SH 82 to have a voice in the transportation solutions for the Entrance to Aspen. This approach would address the mixed public support and sentiment regarding the PA expressed through multiple votes over the years and a 2021 public awareness campaign. During a March 5, 2024 meeting to discuss NEPA process options, FHWA acknowledged that a new NEPA process may be warranted to refresh project scoping efforts.

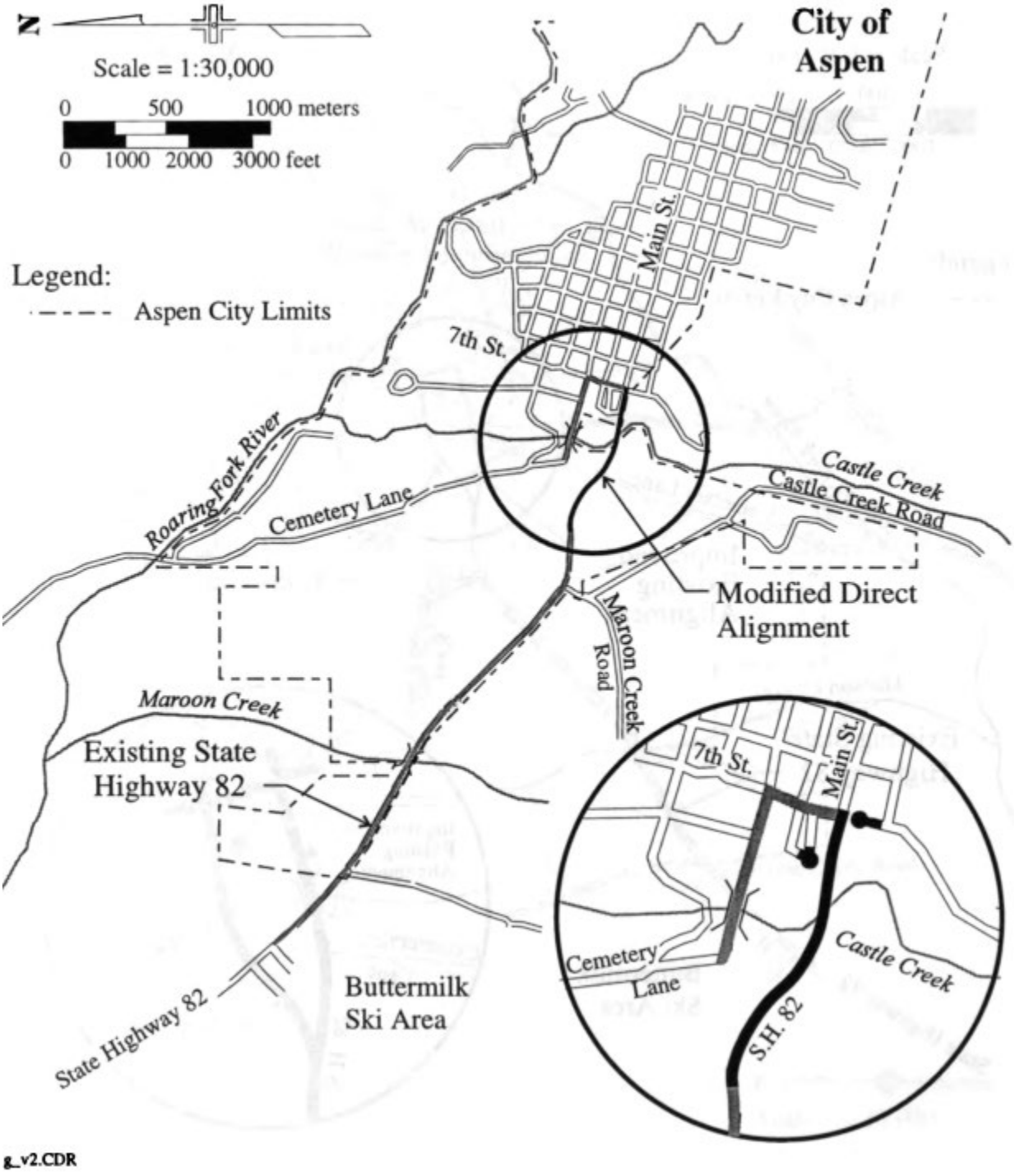
There is considerable merit to initiating project scoping outside a formal NEPA process. This approach would leave the ROD intact while the Council considers its options and would help to meet required NEPA processing timelines. NEPA regulations were amended in 2021 to include a one-year maximum for EAs and a two-year maximum for EISs. Given the potential for public controversy surrounding alternatives to improve the Entrance to Aspen, these timelines may be very difficult to achieve. Pre-NEPA studies to meet these deadlines, and confirm the NEPA class of action before initiating a NEPA process, have become increasingly common. If the City, in coordination with CDOT and FHWA, determines a new NEPA process is warranted, an early alternatives analysis would position the City to meet the NEPA deadlines and provide better information for FHWA to determine the NEPA class of action (EA vs. EIS). Examples of new or updated information that could inform decision making include traffic modelling and updated historic resources data. After considering public input and alternatives, if pursuing the PA is the desired outcome, this pre-NEPA work would be used in the EIS reevaluation.

Attachment 1: Alternative Exhibits from FEIS

Alternative B: Existing Alignment



Alternatives C, D, E, F: Modified Direct Alignment



Alternative G: Improved Existing Alignment and Transitway on Modified Direct Alignment