

Appendix C

Agency Coordination



United States Department of the Interior



FISH AND WILDLIFE SERVICE
COLORADO FIELD OFFICE/LAKEWOOD
P.O. BOX 25486, DENVER FEDERAL CENTER
DENVER, COLORADO 80225-0486

IN REPLY REFER TO:
ES/CO: CDOT
TAILS: 06E24000-2015-TA-0071

NOV 12 2014

Eva LaDow
Federal Highway Administration
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228

Dear Ms. LaDow:

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Fish and Wildlife Act of 1956 (916 U.S.C. 742(a)-754); Fish and Wildlife Coordination Act (FWCA - 16 U.S.C. 661-667(e)); National Environmental Policy Act of 1969 (NEPA - 42 U.S.C. 4321-4347); Department of Transportation Act (49 U.S.C. 1653(f)), and; Endangered Species Act of 1973, as amended (ESA - 50 CFR §402.14), as well as multiple Executive Orders, policies and guidelines, and interrelated statutes to ensure the conservation and enhancement of fish and wildlife resources (e.g., Migratory Bird Treaty Act (MBTA - 16 U.S.C. 703), and Bald and Golden Eagle Protection Act (BGEPA - 16 U.S.C. 668)), the Service reviewed your October 28, 2014, Glenwood Springs SH82/Grand Avenue Bridge Environmental Assessment.

On December 9, 2013, we agreed that the project is not likely to impact any federally listed species (06E24000-2014-I-0126). However, we also noted that should project plans change or if additional information regarding listed or proposed species becomes available, this determination could be reconsidered under the ESA. We request that prior to project construction, please contact the Colorado Field Office to request a review and extension. We appreciate your submitting this report to our office for review and comment. If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 236-4758.

Sincerely,

Susan C. Linner
Colorado Field Supervisor

ec: CDOT, HQ (Jeff Peterson)
Michael



November 20, 2014

Mr. Joseph Elsen
Colorado Department of Transportation
202 Centennial Street
Glenwood Springs, Colorado 81601

RE: SH 82/Grand Avenue Bridge Environmental Assessment

Dear Mr. Elsen:

On November 10, 2014 the Garfield County Board of County Commissioners ("Board") met to review the State Highway 82/Grand Avenue Bridge Environmental Assessment. Based on the Board's review, the Board would like to express its support for the EA's preferred alternative. In addition, the County would like to restate their commitment for financial support in the amount of \$3million for the funding of a portion of the planned pedestrian improvements. The County looks forward to seeing this project move forward in the near future.

Respectfully,

John Martin, Chair
Board of County Commissioners



COLORADO

Parks and Wildlife

Department of Natural Resources

Northwest Regional Office
711 Independent Avenue
Grand Junction, CO 81505

November 21, 2014

Joe Elsen, P.E.
Colorado Department of Transportation
202 Centennial Street
Glenwood Springs, CO 81601

RE: Grand Avenue Bridge Environmental Assessment

Dear Mr. Elsen,

Colorado Parks and Wildlife (CPW) has reviewed the Environmental Assessment prepared for the State Highway 82 Grand Avenue Bridge replacement project. CPW staff has been involved throughout the planning phase of the project and has commented on the proposed timeline. We appreciate the opportunity to provide input on this important project for the town of Glenwood Springs.

CPW would like to reiterate the following recommendations previously conveyed, and provide a few additional best management practices to help avoid, minimize, and mitigate the effects of the project on local wildlife and fish species:

- Conduct all in-stream work, including the installation of causeways and removal of existing bridge piers, within CPW's recommended timing window of August 15 to September 30 to avoid impacts to spawning fish species.
- Avoid constructing areas where fine sediment will accumulate to avoid creating habitat for tubifex worms, a host of the whirling disease parasite.
- Consider armoring causeways to protect against erosion during the spring run-off period.
- Utilize BMPs to minimize the release of sediment downstream for all disturbances within the ordinary high water mark. CPW recommends the use of coffer dams to "work in the dry" with appropriate measures to minimize sediment flushes while removing the dams.
- Disinfect all equipment that will be used in the river before and after it is moved onsite. Follow Senate Bill 40 guidelines as indicated in the EA.
- Remove the existing bridge structures which contain cliff and barn swallow nests outside of the nesting period to avoid destruction of occupied nest sites, or utilize another method in compliance with the Migratory Bird Treaty Act.
- Obtain fill material for causeway construction from a certified weed free source which is also free of any chemical contaminants.
- Consult with local fishing and river guides and outfitters to coordinate periods of river closures to minimize the impacts on individual recreationists and businesses.
- Remove non-native vegetation within the general area of the project including tamarisk and other state identified noxious weeds.



Additionally, CPW has proposed that CDOT explore two other possibilities during project planning to help mitigate the impacts of construction and increase opportunities for angling and recreation in the town of Glenwood Springs. First, an improved river access point on the south side of the river would provide anglers and river users with increased access. Project representatives indicated earlier that this would depend on permission from Union Pacific Rail Road and agreed to explore the option further. If possible, CPW still feels this would be an important addition to the proposed project. Second, there appears to be an opportunity to create/enhance trout habitat within the Colorado River by utilizing the removed boulders around the existing piers. CPW staff is available to help identify locations and strategies for constructing fish habitat structures in the river channel.

Colorado Parks and Wildlife appreciates the opportunity to provide input on this project and the applicant's desire to maintain Colorado's fish and wildlife resources. If there are any questions or needs for additional information do not hesitate to contact Land Use Specialist, Taylor Elm at (970) 947-2971 or District Wildlife Manager, Dan Cacho at (970) 456-7003.

Sincerely,



Ron D. Velarde,
Northwest Regional Manager

Cc. Mike Vanderhoof, CDOT Planning and Environmental Manager
Perry Will, Area 8 Wildlife Manager
Dan Cacho, District Wildlife Manager
Kendall Bakich, Aquatic Biologist
Taylor Elm, Land Use Specialist
File



COLORADO

Department of Transportation

Region 3, Planning and Environmental
222 South 6th Street
Room 317
Grand Junction, CO 81501

January 13, 2015

Ron D Velarde
Northwest Regional Manager
Northwest Regional Office
711 Independent Avenue
Grand Junction, CO 81505

RE: Grand Avenue Bridge Comments

Dear Mr. Velarde:

Thank you for your November 21, 2014 comment letter. CDOT intends to incorporate most of your recommendations into the Grand Avenue Bridge Replacement project. Specifically, we will construct the causeway to minimize sediment plumes and will include contract provisions that are aimed at managing the spread of invasive aquatics, noxious weeds, and to comply with Migratory Bird Treaty Act requirements.

We will not be able to incorporate two of your recommendations. An improved river access point for recreationists is not currently in our scope of work and while we support the notion of improved river access we do not consider it practical to add this type of activity to the bridge replacement project. It is outside of the purpose of the project and is further complicated by the need to cross the Union Pacific Railroad (UPRR) to gain river access. The UPRR is an operating railroad at this location and is also a historic property that is protected by the National Historic Preservation Act of 1966 and Section 4(f) of the Department of Transportation Act of 1966. The latter requires avoiding use of the property unless there are no prudent and feasible alternatives.

The second item we will not be able to accommodate is the recommendation to conduct all in-stream work during a timing window of August 15 to September 30. We were in the process of working out a new timing window with your staff at the time your letter was received. The reasons we will not be able to adhere to that recommendation are as follows:

- Our contractor estimates we will need one month to install the north causeway, and the same time frame for the south causeway, which is a total of 2 months of in-stream work and exceeds the recommended 45 day timing window.
- It is our goal to complete the project in two years. The recommended timing window would place constraints on construction activities in the river and will add time to the duration of the overall construction schedule. It is likely that one full year could be added to the project, which would increase impacts to roadway users. These constraints would also increase the overall cost of the project due to extended overhead, standby-time, and project contract administration costs.

In this instance, CDOT proposes a broad in stream work period that would avoid the spring trout spawning and high runoff period from March 1st and June 30th and allow work outside of that period. In any case, impacts during construction and removal of the causeways and the permanent restoration of the river banks will be minimized through application of Best Management Practices contained in CDOT's Revised 250 Specification for Sediment and Water Control. As design of the causeway continues to progress, CDOT and the Contractor will continue to reduce the footprint of the causeway to minimize in-stream impacts. We currently anticipate the overall area in the river for both causeways to be approximately 1.5 acres or less.



The total work time in the river for causeway installation and removal is estimated to be approximately three months over a two-year period. It will be very difficult to make an August 15-September 30 in-stream work period work due to a complex set of constraints not only for constructability, but our commitments to local business owners to close the bridge during the off season when few tourists are in town. Allowing CDOT a broader window would be extremely helpful for our agency to achieve the schedule and to minimize impacts to all resources.

We appreciate your agency's participation in the development of this project and plan to continue to involve you for input as we move into construction. We would appreciate a response if any of the information in this letter is not acceptable or requires additional discussion.

Sincerely,



Michael Vanderhoof
Region 3 Planning and Environmental Manager

Copies
Perry Will
Kendal Bakich
Taylor Elm
Dan Cacho





COLORADO

Parks and Wildlife

Department of Natural Resources

Northwest Regional Office
711 Independent Ave.
Grand Junction, CO 81505
P 970-255-6100 | F 970-255-6111

February 4, 2015

Michael Vanderhoof
Colorado Department of Transportation
222 South 6th Street, Room 317
Grand Junction, CO 81501

RE: Grand Avenue Bridge Comments

Dear Mr. Vanderhoof:

Colorado Parks and Wildlife appreciates your response sent January 16, 2015 to our concerns and recommendations for the Grand Avenue Bridge replacement project. We understand that CDOT has commitments to minimize impacts to both the local community and the natural environment that is highly valued by that community.

CPW understands that the unusual size and scope of the project is certainly a challenge to fit within our standard recommended stream disturbance window. To minimize impacts and allow flexibility, we would be amenable to incorporating flexibility into your construction period. One concern we have with the proposed construction period outside of the critical spring spawning period is that in years with low flows and high water temperatures, naturally stressful conditions can cause increased fish mortality observed and often reported first by community members. Construction activities that release sediment during these already stressful periods exacerbate fish mortality. To avoid this, we propose that any construction activities avoid impacts to the river during periods of high water temperature (temperatures reach or exceed 70 degrees F at any point during the day) and/or instream activities are suspended if CPW requests Voluntary Fishing Closures on the river. Ideally, instream work outside of CPW's recommended period would begin within the window and extend beyond the September 30th end date rather than starting before August 15th .

Furthermore, short periods of high turbidity have been well documented to disorientate fish, reduce habitat access, or result in physical sedimentation impacts in the water column or to spawning beds. To avoid this, BMPs should ensure that turbidity is minimized in the river outside of the immediate construction area. CPW would suggest that turbidity 100 meters downstream of the construction site should exhibit background conditions if BMPs are properly implemented. Any non-compliance should result in work stoppages that allow water conditions to return to "normal" or water clarity visually indistinguishable to that upstream of the project.

CPW also understands that limitations involving adjacent landowners prohibit the opportunity to enhance public river access in conjunction with this project. If future opportunities arise to



provide increased river access for the general public in this area, CPW still feels this is an important topic for exploration.

Thank you for your consideration of our outstanding natural resources in Glenwood Springs. Again, we believe the exceptional variables associated with this project allow for reasonable flexibility in construction timing and activity. We request that local personnel be contacted prior to any disturbance within the stream channel to address any immediate concerns and be fully informed for our constituents.

Sincerely,

A handwritten signature in cursive script that reads "Ron D. Velarde".

Ron D. Velarde, Northwest Regional Manager

cc: Perry Will, Area 8 Wildlife Manager
Dan Cacho, District Wildlife Manager
Kendall Bakich, Aquatic Biologist
Taylor Elm, Land Use Specialist File

OFFICE OF THE
BOARD OF COMMISSIONERS
970-328-8605
FAX: 970-328-8629
eagleadmin@eaglecounty.us
www.eaglecounty.us



JILL H. RYAN
KATHY CHANDLER-HENRY
SARA J. FISHER

December 16, 2014

Joe Elsen, P.E.
R3 Central Program Engineer
202 Centennial Street
Glenwood Springs, CO 81601

Re: Grand Ave Bridge Replacement Contribution

Dear Joe:

We're pleased to inform you that Eagle County will contribute \$300K (\$100K annually in 2016, 2017 and 2018) to the Grand Avenue Bridge Replacement Project. This regionally-important project will bring numerous benefits to many communities.

In these challenging economic times and with limited transportation funding, we're proud to be reliable partners with CDOT, and continue to improve public safety and quality of life for our citizens. As you know, safety is paramount to us and we have, in recent years, contributed \$6.03M to CDOT projects, including:

1. 2009 Edwards Interchange Phase I - \$640K (includes other local contributions)
2. 2009 Edwards Interchange Phase I Construction - \$1M in-kind land donation
3. 2009-2011 Eagle To Edwards Shoulder Addition Project - \$2.35M
4. 2013 Dotsero Roundabout \$410K
5. 2014 Edwards/Avon Shoulder Addition Project: \$530K (includes other local contributions)
6. 2015 Edwards Interchange Phase II Design - \$500K (includes other local contributions)
7. Edwards Interchange Phase II Construction - \$600K (includes other local contributions)

We look forward to many more success stories with CDOT. Thank you for your continued commitment to the safety and improvement of our state and federal highway system. Please do not hesitate to contact us or County Engineer, Eva Wilson, at 970-328-3560, for further discussion.

Sincerely,

Eagle County Board of Commissioners



Jill H. Ryan
Chairman



Sara J. Fisher
Commissioner



Kathy Chandler-Henry
Commissioner

cc: Dave Eller, CDOT R3 Transportation Director
Steve Olsen, CDOT R3 East Program Engineer
Martha Miller, CDOT R3 Eagle Resident Engineer



COLORADO
Department of Transportation
Division of Transportation Development

Environmental Programs Branch
4201 E. Arkansas Ave.
Shumate Building
Denver, CO 80222-3400
(303) 757-9281

February 27, 2015

Mr. Edward Nichols
State Historic Preservation Officer
Colorado Historical Society
1200 Broadway
Denver, CO 80203

SUBJECT: Additional Information, Section 106 Determinations of Effects and Notification of Section 4(f) *De Minimis*, CDOT Project FBR 0821-094, SH 82/Grand Avenue Bridge Replacement Environmental Assessment, Glenwood Springs (CHS #60723)

Dear Mr. Nichols:

You initially reviewed the Area of Potential Effects (APE) and eligibility and effects determinations for the project referenced above in August 2013, and reviewed additional information in March and August 2014. Since then, the APE has been slightly modified, modifications have been made to the construction easements required on three historic properties identified in the APE, and site form maps for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) have been revised. This submittal also includes some additional information regarding replacement of the existing pedestrian bridge.

REVISED AREA OF POTENTIAL EFFECTS

The APE boundary outlined in our March 2014 letter has been extended to the west to fully encompass the historic boundary for the Denver & Rio Grande Railroad (5GF1000.7). This revision was included in the Environmental Assessment (EA) without formal consultation with your office, but the change is minor and involves including a part of the documented resource that was previously excluded from the boundary. The APE boundary was also revised to encompass the extended historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7). With this change, the APE now encompasses the area east of the resource that was not previously included. This area will not be impacted by the project, but is included in the APE to allow for a contiguous APE boundary. The area contains the City of Glenwood Springs' former wastewater treatment plant, which is planned for redevelopment. A revised APE map is included herewith, and the updated areas are highlighted.

To be consistent with the revised APE, the historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) was modified to better reflect the resource description on the site form that includes the connection to the westbound Denver & Rio Grande Railroad mainline. The updated site form and maps for that resource are attached.

UPDATED EFFECTS INFORMATION

More detailed design and property information has led to minor changes to the effects described in previous consultation. Effects to three historic properties within the APE (Glenwood Hot Springs Historic District [5GF1050], Glenwood Hot Springs Bathhouse/Natatorium [5GF1050.2], and Denver & Rio Grande Railroad Tracks [5GF1000.7]) have been modified, and are summarized in Table 1 and

described below. Other effects to 5GF1050, 5GF1050.2 and 5GF1000.7 described in previous consultation remain valid.

Glenwood Hot Springs Historic District (5GF1050): The 14,795 square feet of temporary easement described in our August 2014 consultation, located along the north bank of the Colorado River within the Glenwood Hot Springs Historic District (5GF1050), is no longer required because it was determined that area is located within CDOT right-of-way. There are now only two temporary easements required within the historic district boundary, which were included in our August 2014 letter. The temporary easement that affects the Denver & Rio Grande Railroad (5GF1000.7) within the historic district has been slightly reduced in size, while the temporary easement located on the south side of the river is slightly larger, as noted in Table 1 below. These easements are needed for construction activities associated with the demolition of the existing bridges and construction of the new bridges.

There is also an additional effect to the historic district that was not previously discussed in consultation. Within the district boundary, a temporary pathway connecting the north end of the new pedestrian bridge to an existing sidewalk along Grand Avenue would be constructed. The portion of the temporary path that falls within the historic district boundary will be located within an existing City of Glenwood Springs easement. Therefore, no temporary easement will be required for the temporary pathway. The temporary path is planned to consist of a scaffold-type structure that will comply with the Americans with Disabilities Act. The path will remain in place for a large portion of the estimated 24- to 30-month construction phase, but less time than the overall construction period. Later in construction, a permanent pedestrian connection to 6th Street will be built west of the historic district boundary, the temporary path will be removed, and the area will be restored to preconstruction conditions. The new permanent pedestrian connection from the pedestrian bridge to 6th Street will be located outside the historic district boundary.

These easements require a temporary use of land but will not alter the qualities that make the Glenwood Hot Springs Historic District significant. Our initial finding of *no adverse effect* remains valid for this resource.

Denver & Rio Grande Railroad (5GF1000.7): In the March 2014 consultation, there was a single permanent aerial easement (0.01 acre) to the railroad. Also, the August 2014 consultation described a temporary aerial easement to the railroad. However, based on updated right-of-way information, neither of these easements would be considered "aerial." This does not change the effects; impacts in locations previously designated as aerial would still be limited to above-ground work. Further, our March 2014 consultation stated that three temporary easements totaling approximately 0.15 acre would be required on the railroad west of the bridges. Now only two temporary easements are required west of the bridges, and total approximately 0.21 acre. The use of these easements is the same as described in our previous consultation, which is to provide access to construction areas.

Three additional permanent easements will be required on the railroad that were not included in the previous consultation. One area is approximately 0.115 acre located under the existing highway bridge. Although this involves one area, a permanent easement is required from the two parties disputing property ownership, resulting in two permanent easements for this one area. The third permanent easement is approximately 0.037 acre located under the existing pedestrian bridge. These three permanent easements are needed to provide access to CDOT for ongoing bridge maintenance. In summary, there are now a total of four permanent easements (including two permanent easements for one area) and three temporary easement locations on the railroad, as noted in Table 1. These permanent and temporary easements will

not alter the qualities of significance of the railroad and a finding of *no adverse effect* is appropriate for this resource.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
Glenwood Hot Springs Historic District (5GF1050) and portion of Denver & Rio Grande Railroad (5GF1000.7) within the district				
Not labeled on map	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement along north bank of river of approximately 14,795 sf.	Area still affected but temporary easement of 14,795 sf not needed because this area falls within CDOT right-of-way.	Change due to more detailed ROW data
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement within river of approximately 2,625 feet.	Temporary easement in river slightly increased to approximately 2,651 sf / 0.061 acre	Slight increase in temporary impacts
		August 2014 submittal: On D&RG RR (Segment 5GF1000.7) a temporary easement of approximately 973 sf.	On D&RG RR (Segment 5GF1000.7) a slightly reduced temporary easement of approximately: 953 sf / 0.022 acre required from the railroad in an area that falls within the Historic District boundary	Slight reduction in temporary impacts
Total for Historic District (5GF1050):			3,604 sf / 0.083 acre	
Glenwood Hot Springs Bathhouse/Natatorium (5GF1050.2)				
TE-5C	Glenwood Hot Springs Lodge & Pool Inc.	August 2014 submittal: Temporary easement of approximately 2,370 sf	Temporary easement enlarged to approximately 3,049 sf / 0.070 acre	Minor increase in temporary impacts, but would occur to parking lot
Denver & Rio Grande Railroad Tracks (5GF1000.7)				
PE-5F **	Glenwood Hot Springs Lodge & Pool Inc.	The easements described to the right are a recent change that was not noted in previous consultation.	Two permanent easements encompassing one area of approximately 5,014 sf / 0.115 acre	Due to property ownership dispute, an easement must be obtained from both parties, <u>resulting in two easements for one area</u> . Easement needed to provide CDOT access for ongoing maintenance activities. No changes to effects.
PE-8B **	Union Pacific Railroad Co.			
PE-8A	Union Pacific Railroad Co.	The easement described to the right is a recent change that was not noted in previous consultation.	Under existing pedestrian bridge. Permanent easement of approx. 1,617 sf / 0.037 acre	Easement needed to provide CDOT access for ongoing maintenance activities.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
PE-8	Union Pacific Railroad Co.	March 2014 submittal: Permanent aerial easement about 0.01 acre	Permanent easement about the same size (357 sf / 0.008 acre) but is no longer considered an "aerial" easement	No change in use of this easement from previous consultation. Permanent easement is for area where new curved bridge would be located above railroad. Effects unchanged
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: East of bridges: 3,838 sf aerial easement east of ped bridge (separated into two areas: 2,865 sf and 973 sf)	East of bridges: Temporary easement reduced to approximately 2,587 sf / 0.059 acre, and is no longer considered an "aerial" easement	Slight reduction in temporary effects
TE-8	Union Pacific Railroad Co.	March 2014 submittal: West of bridges: Three temporary easements totaling 0.15 acre.	West of bridges: Now only two temporary easements totaling 9,096 sf / 0.21 acre: 5,014 sf / 0.115 acre 4,082 sf / 0.094 acre	Slight increase in temporary effects
Total for Denver & Rio Grande Railroad (5GF1000.7):			18,671 sf / 0.43 acre	

*TE = Temporary Easement, PE = Permanent Easement

** Listed twice under two property owners because parcel ownership is in dispute.

Modifications made to permanent and temporary easements for 5GF1050, 5GF1050.2 and 5GF1000.7 described in Table 1 are minor, and the project would still result in *no adverse effect* to these resources. Easements listed in Table 1 are shown on Figure 2.

PEDESTRIAN BRIDGE

In our August 2014 consultation letter, we indicated that the pedestrian bridge may be considered as a design option under the Build Alternative and, as such, it may or may not be replaced. This pedestrian bridge is not historic, but the dual elevators/stairway associated with the new pedestrian bridge's southern access were assessed as part of the no adverse effect determination for the Denver & Rio Grande Railroad Station (5GF1050.3) in our March 2014 letter. A rendering of the current elevator and stairs design is included for your information.

We indicated in our August 2014 letter that we will inform you once we know the final plan for the pedestrian bridge. Please note the pedestrian bridge will be replaced and is being included in the proposed action. Although the final design for the structure is subject to minor revisions, major design elements currently include the following:

- Pedestrian bridge piers will be diamond-shaped and will match the new Grand Avenue vehicular bridge piers.
- Stone/brick will be used on bridge piers. A concrete finish will be used at the bottom of the bridge piers (below stone) up to the high water line.

- An elevator tower with dual elevators and stairs will be used at the southern bridge access. A scissor ramp was previously considered but was eliminated to reduce visual impacts.
- A small utility room will be located near the elevator tower under the stairs.
- The pedestrian bridge will include four overlooks. Two of the overlooks will include clay tile roof structures.
- Black wrought-iron will be used for the approximate 4-foot 6-inch high hand rail along the length of the bridge.
- For the portion of the bridge that crosses I-70, an approximate 7-foot 10-inch tall mesh fence would be placed on the hand rail.
- For the portion of the bridge that crosses the railroad, an approximate 10-foot tall mesh fence would be placed on the hand rail.
- All utilities under the bridge will be screened.
- The underside of the bridge is designed to be pigeon proof.
- The box girders will be self-weathering steel or similar color.

Attached is a rendering of the pedestrian bridge that illustrates several of the design elements listed above. In our August 2013 consultation, we addressed the design of the new pedestrian bridge and a scissor ramp access in the effects determination for the Denver & Rio Grande Railroad Station (5GF1050.3, 413 7th Street) and the Glenwood Hot Springs Historic District (5GF1050). In our March 2014 consultation, we addressed the use of dual elevators/stairway in the effects determination for 5GF1050.3 but not 5GF1050. Further, the use of a utility room near the dual elevator/stairway is a recent design change that was not included in previous consultation. Effects determinations based on the pedestrian bridge design with dual elevator/stairway and utility room are included here.

Denver & Rio Grande Railroad Station (5GF1050.3): The dual elevators/stairway will be located approximately 200 feet from the train station. This increased distance (compared to the previous scissor ramp considered) results in reduced visual changes from the pedestrian bridge access to the train station. A small utility room will be located near the elevator tower and stairs, as shown on the enclosed rendering. The dual elevators/stairway and utility room are anticipated to result in minimal visual changes to buildings and viewers along 7th Street. The dual elevator/stairway and utility room will be visible from the railroad station and will constitute a change to the setting of the area near the south end of the proposed new highway and pedestrian bridges, but the visual change is minimal in the area of the railroad station and will not alter the qualities that make that property significant. For these reasons, CDOT has determined that the dual elevator/stairway and utility room at the pedestrian bridge will result in *no adverse effect* to 5GF1050.3.

Glenwood Hot Springs Historic District (5GF1050): The dual elevators/stairway and utility room located at the south end of the new pedestrian bridge will not be located within the Historic District boundary, and will not directly affect any of the NRHP-eligible properties or contributing properties within the historic district. The dual elevators/stairway and utility room will be a new visual change to the setting at the southern bridge access but this will not likely affect views from the historic district. For these reasons, CDOT has determined that the dual elevator/stairway and utility room will result in *no adverse effect* to 5GF1050.

SECTION 4(F) TEMPORARY OCCUPANCY EXCEPTION

In previous correspondence, we consulted with you regarding the application of the Section 4(f) temporary occupancy exception as outlined in 23 CFR 774.13 (d) for the following resources: Glenwood Hot Springs Historic District (5GF1050) and its contributing properties (5GF767, 5GF1000.7, 5GF1050.2, 5GF1050.3, 5GF2441, 5GF1258), Denver & Rio Grande Aspen Branch Railroad

(5GR1661.7) and Freight Depot (5GF5021). Due to changes to the nature of the easements outlined herein, CDOT has decided to address these resources in a Section 4(f) *de minimis* impact finding. A notification to this effect is included below.

NOTIFICATION OF SECTION 4(F) DE MINIMIS DETERMINATION

The project has been determined to have *no adverse effect* on the Glenwood Hot Springs District (5GF1050) and its associated resources (5GF767, 5GF1050.3, 5GF2441, 5GF1258), the Glenwood Hot Springs and Natatorium (5GF1050.2), the Denver & Rio Grande Railroad (5GF1000.7), the Denver & Rio Grande Aspen Branch Railroad (5GF1661.7) and Freight Depot (5GF5021). Based on the findings outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

We request your concurrence with these Determination of Effects. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act (as amended) and with the Advisory Council on Historic Preservation's regulations. This information has been forwarded concurrently to the consulting parties for review: the Glenwood Springs Historic Preservation Commission, Frontier Historical Society, and Colorado Preservation Inc. We will notify you of any responses received from these groups.

If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,


for Jane Hann, Manager
Environmental Programs Branch

Enclosures: Figure 1: APE Map
Figure 2: Easement Map
Rendering of proposed pedestrian bridge
Rendering of proposed elevators, stairway, and utility room at southern pedestrian bridge connection
Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) updated Management Data Form and maps

Figure 1 - Modified Area of Potential Effect and 5GF1661.7 boundary

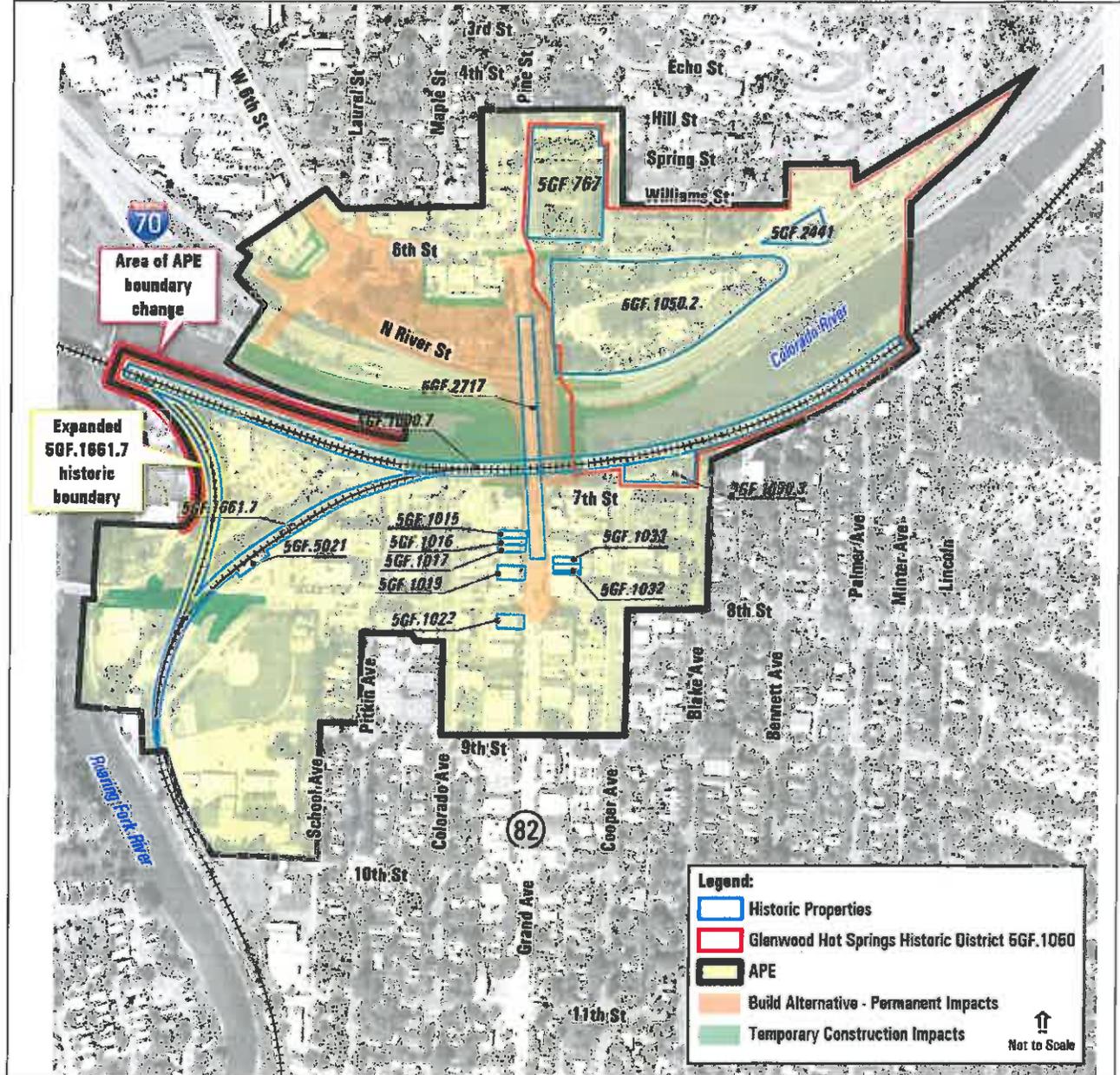
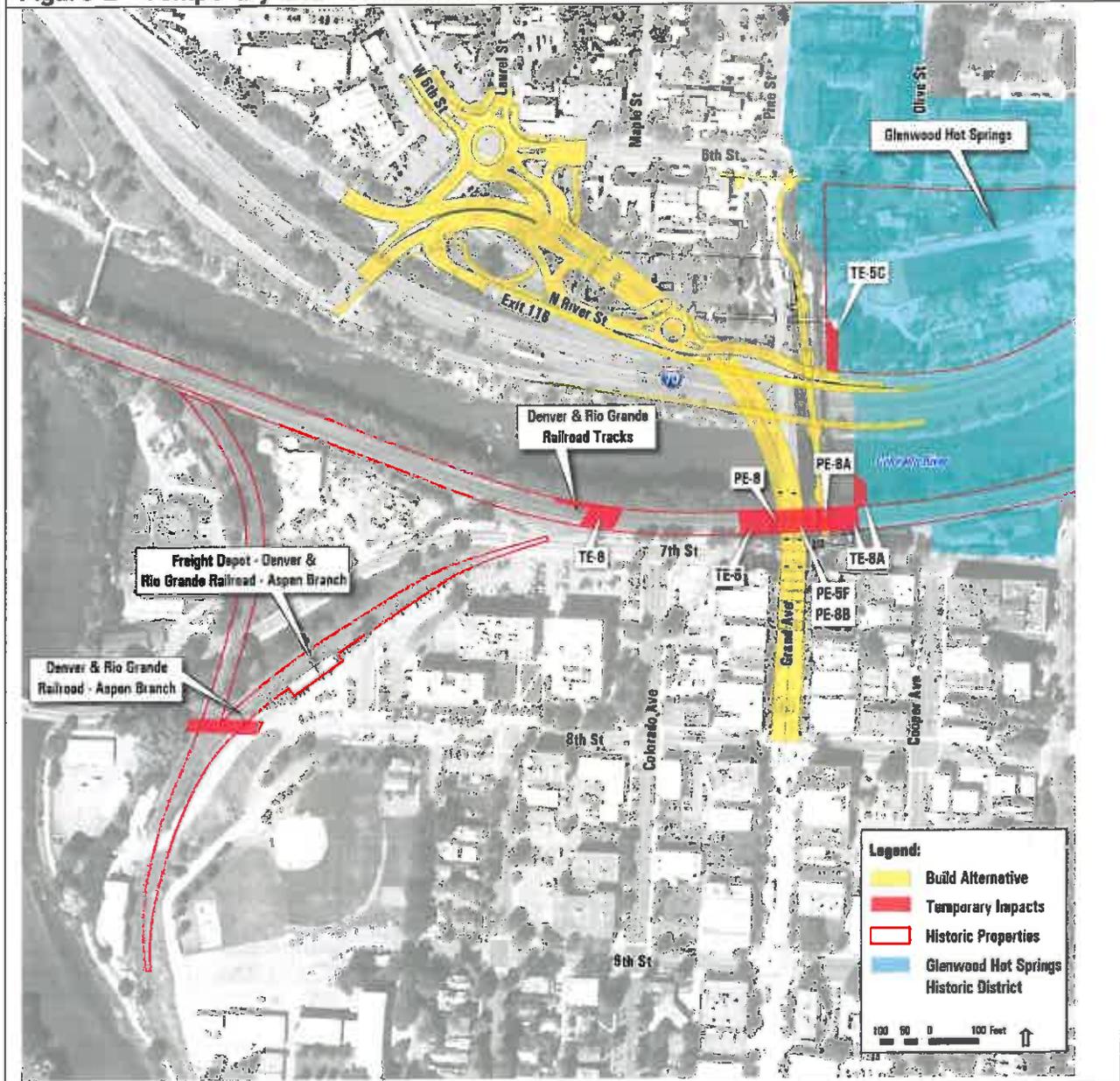


Figure 2 - Temporary and Permanent Easements



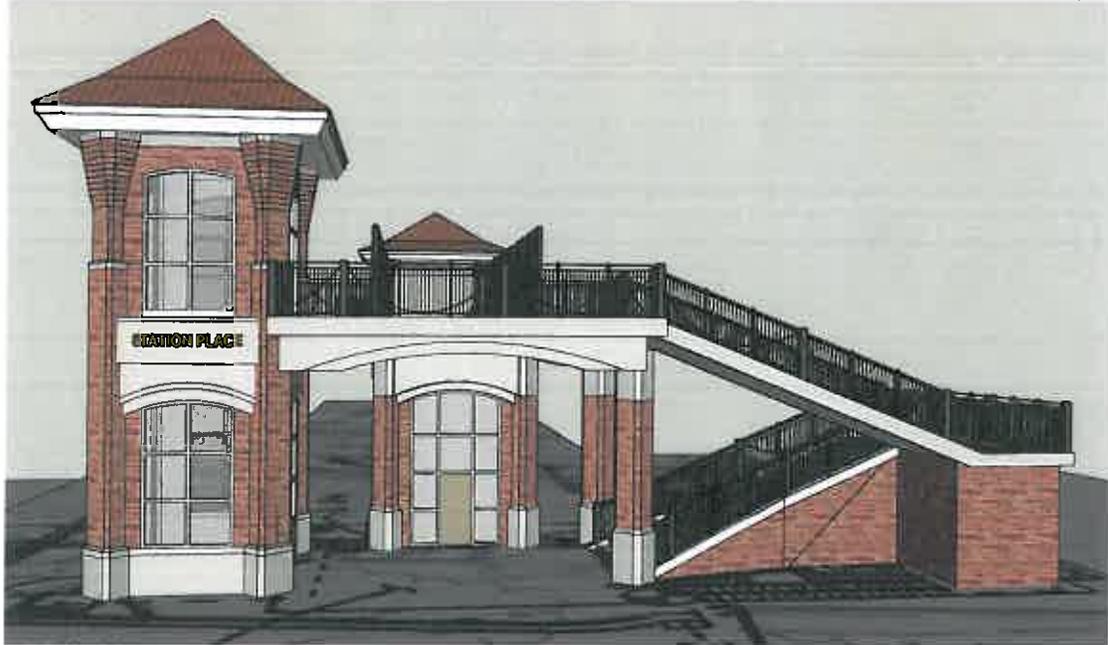
Rendering of pedestrian bridge



Source: Jacobs 2014

View from North River Street looking southwest toward pedestrian bridge. Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

Rendering of elevators, stairway, and utility room at southern pedestrian bridge connection



Source: AMEC, 2014

View from Grand Avenue looking north. Elevator tower is shown on the left, utility room is shown in center, and stairway is shown on the right. The Train Station is located to the east (to the right in this view). Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.



COLORADO

Department of Transportation

Division of Transportation Development

Environmental Programs Branch
4201 E. Arkansas Ave.
Shumate Building
Denver, CO 80222-3400
(303) 757-9281

February 27, 2015

Ms. Rachel Parris
Colorado Preservation Incorporated
1420 Ogden Street, Suite 103
Denver, CO 80218

SUBJECT: Additional Information, Section 106 Determinations of Effects and Notification of Section 4(f) *De Minimis*, CDOT Project FBR 0821-094, SH 82/Grand Avenue Bridge Replacement Environmental Assessment, Glenwood Springs (CHS #60723)

Dear Ms. Parris:

You initially reviewed the Area of Potential Effects (APE) and eligibility and effects determinations for the project referenced above in August 2013, and reviewed additional information in April and August 2014. Since then, the APE has been slightly modified, modifications have been made to the construction easements required on three historic properties identified in the APE, and site form maps for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) have been revised. This submittal also includes some additional information regarding replacement of the existing pedestrian bridge.

REVISED AREA OF POTENTIAL EFFECTS

The APE boundary outlined in our March 2014 letter has been extended to the west to fully encompass the historic boundary for the Denver & Rio Grande Railroad (5GF1000.7). This revision was included in the Environmental Assessment (EA) without formal consultation with SHPO and the consulting parties, but the change is minor and involves including a part of the documented resource that was previously excluded from the boundary. The APE boundary was also revised to encompass the extended historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7). With this change, the APE now encompasses the area east of the resource that was not previously included. This area will not be impacted by the project, but is included in the APE to allow for a contiguous APE boundary. The area contains the City of Glenwood Springs' former wastewater treatment plant, which is planned for redevelopment. A revised APE map is included herewith, and the updated areas are highlighted.

To be consistent with the revised APE, the historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) was modified to better reflect the resource description on the site form that includes the connection to the westbound Denver & Rio Grande Railroad mainline. The updated site form and maps for that resource are attached.

UPDATED EFFECTS INFORMATION

More detailed design and property information has led to minor changes to the effects described in previous consultation. Effects to three historic properties within the APE (Glenwood Hot Springs Historic District [5GF1050], Glenwood Hot Springs Bathhouse/Natatorium [5GF1050.2], and Denver & Rio Grande Railroad Tracks [5GF1000.7]) have been modified, and are summarized in Table 1 and described below. Other effects to 5GF1050, 5GF1050.2 and 5GF1000.7 described in previous consultation remain valid.

Glenwood Hot Springs Historic District (5GF1050): The 14,795 square feet of temporary easement described in our August 2014 consultation, located along the north bank of the Colorado River within the Glenwood Hot Springs Historic District (5GF1050), is no longer required because it was determined that area is located within CDOT right-of-way. There are now only two temporary easements required within the historic district boundary, which were included in our August 2014 letter. The temporary easement that affects the Denver & Rio Grande Railroad (5GF1000.7) within the historic district has been slightly reduced in size, while the temporary easement located on the south side of the river is slightly larger, as noted in Table 1 below. These easements are needed for construction activities associated with the demolition of the existing bridges and construction of the new bridges.

There is also an additional effect to the historic district that was not previously discussed in consultation. Within the district boundary, a temporary pathway connecting the north end of the new pedestrian bridge to an existing sidewalk along Grand Avenue would be constructed. The portion of the temporary path that falls within the historic district boundary will be located within an existing City of Glenwood Springs easement. Therefore, no temporary easement will be required for the temporary pathway. The temporary path is planned to consist of a scaffold-type structure that will comply with the Americans with Disabilities Act. The path will remain in place for a large portion of the estimated 24- to 30-month construction phase, but less time than the overall construction period. Later in construction, a permanent pedestrian connection to 6th Street will be built west of the historic district boundary, the temporary path will be removed, and the area will be restored to preconstruction conditions. The new permanent pedestrian connection from the pedestrian bridge to 6th Street will be located outside the historic district boundary.

These easements require a temporary use of land but will not alter the qualities that make the Glenwood Hot Springs Historic District significant. Our initial finding of *no adverse effect* remains valid for this resource.

Denver & Rio Grande Railroad (5GF1000.7): In the April 2014 consultation, there was a single permanent aerial easement (0.01 acre) to the railroad. Also, the August 2014 consultation described a temporary aerial easement to the railroad. However, based on updated right-of-way information, neither of these easements would be considered “aerial.” This does not change the effects; impacts in locations previously designated as aerial would still be limited to above-ground work. Further, our April 2014 consultation stated that three temporary easements totaling approximately 0.15 acre would be required on the railroad west of the bridges. Now only two temporary easements are required west of the bridges, and total approximately 0.21 acre. The use of these easements is the same as described in our previous consultation, which is to provide access to construction areas.

Three additional permanent easements will be required on the railroad that were not included in the previous consultation. One area is approximately 0.115 acre located under the existing highway bridge. Although this involves one area, a permanent easement is required from the two parties disputing property ownership, resulting in two permanent easements for this one area. The third permanent easement is approximately 0.037 acre located under the existing pedestrian bridge. These three permanent easements are needed to provide access to CDOT for ongoing bridge maintenance. In summary, there are now a total of four permanent easements (including two permanent easements for one area) and three temporary easement locations on the railroad, as noted in Table 1. These permanent and temporary easements will not alter the qualities of significance of the railroad and a finding of *no adverse effect* is appropriate for this resource.

Table 1 -- Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
Glenwood Hot Springs Historic District (5GF1050) and portion of Denver & Rio Grande Railroad (5GF1000.7) within the district				
Not labeled on map	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement along north bank of river of approximately 14,795 sf.	Area still affected but temporary easement of 14,795 sf not needed because this area falls within CDOT right-of-way.	Change due to more detailed ROW data
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement within river of approximately 2,625 feet.	Temporary easement in river slightly increased to approximately 2,651 sf / 0.061 acre	Slight increase in temporary impacts
		August 2014 submittal: On D&RG RR (Segment 5GF1000.7) a temporary easement of approximately 973 sf.	On D&RG RR (Segment 5GF1000.7) a slightly reduced temporary easement of approximately: 953 sf / 0.022 acre required from the railroad in an area that falls within the Historic District boundary	Slight reduction in temporary impacts
Total for Historic District (5GF1050):			3,604 sf / 0.083 acre	
Glenwood Hot Springs Bathhouse/Natatorium (5GF1050.2)				
TE-5C	Glenwood Hot Springs Lodge & Pool Inc.	August 2014 submittal: Temporary easement of approximately 2,370 sf	Temporary easement enlarged to approximately 3,049 sf / 0.070 acre	Minor increase in temporary impacts, but would occur to parking lot
Denver & Rio Grande Railroad Tracks (5GF1000.7)				
PE-5F **	Glenwood Hot Springs Lodge & Pool Inc.	The easements described to the right are a recent change that was not noted in previous consultation.	Two permanent easements encompassing one area of approximately 5,014 sf / 0.115 acre	Due to property ownership dispute, an easement must be obtained from both parties, <u>resulting in two easements for one area</u> . Easement needed to provide CDOT access for ongoing maintenance activities. No changes to effects.
PE-8B **	Union Pacific Railroad Co.			
PE-8A	Union Pacific Railroad Co.	The easement described to the right is a recent change that was not noted in previous consultation.	Under existing pedestrian bridge. Permanent easement of approx. 1,617 sf / 0.037 acre	Easement needed to provide CDOT access for ongoing maintenance activities.
PE-8	Union Pacific Railroad Co.	March 2014 submittal: Permanent aerial easement about 0.01 acre	Permanent easement about the same size (357 sf / 0.008 acre) but is no longer considered an "aerial" easement	No change in use of this easement from previous consultation. Permanent easement is for area where new

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				curved bridge would be located above railroad. Effects unchanged
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: East of bridges: 3,838 sf aerial easement east of ped bridge (separated into two areas: 2,865 sf and 973 sf)	East of bridges: Temporary easement reduced to approximately 2,587 sf / 0.059 acre, and is no longer considered an "aerial" easement	Slight reduction in temporary effects
TE-8	Union Pacific Railroad Co.	March 2014 submittal: West of bridges: Three temporary easements totaling 0.15 acre.	West of bridges: Now only two temporary easements totaling 9,096 sf / 0.21 acre: 5,014 sf / 0.115 acre 4,082 sf / 0.094 acre	Slight increase in temporary effects
Total for Denver & Rio Grande Railroad (5GF1000.7):			18,671 sf / 0.43 acre	

*TE = Temporary Easement, PE = Permanent Easement

** Listed twice under two property owners because parcel ownership is in dispute.

Modifications made to permanent and temporary easements for 5GF1050, 5GF1050.2 and 5GF1000.7 described in Table 1 are minor, and the project would still result in *no adverse effect* to these resources. Easements listed in Table 1 are shown on Figure 2.

PEDESTRIAN BRIDGE

In our August 2014 consultation letter, we indicated that the pedestrian bridge may be considered as a design option under the Build Alternative and, as such, it may or may not be replaced. This pedestrian bridge is not historic, but the dual elevators/stairway associated with the new pedestrian bridge's southern access were assessed as part of the no adverse effect determination for the Denver & Rio Grande Railroad Station (5GF1050.3) in our March 2014 letter. A rendering of the current elevator and stairs design is included for your information.

We indicated in our August 2014 letter that we will inform you once we know the final plan for the pedestrian bridge. Please note the pedestrian bridge will be replaced and is being included in the proposed action. Although the final design for the structure is subject to minor revisions, major design elements currently include the following:

- Pedestrian bridge piers will be diamond-shaped and will match the new Grand Avenue vehicular bridge piers.
- Stone/brick will be used on bridge piers. A concrete finish will be used at the bottom of the bridge piers (below stone) up to the high water line.
- An elevator tower with dual elevators and stairs will be used at the southern bridge access. A scissor ramp was previously considered but was eliminated to reduce visual impacts.
- A small utility room will be located near the elevator tower under the stairs.
- The pedestrian bridge will include four overlooks. Two of the overlooks will include clay tile roof structures.

- Black wrought-iron will be used for the approximate 4-foot 6-inch high hand rail along the length of the bridge.
- For the portion of the bridge that crosses I-70, an approximate 7-foot 10-inch tall mesh fence would be placed on the hand rail.
- For the portion of the bridge that crosses the railroad, an approximate 10-foot tall mesh fence would be placed on the hand rail.
- All utilities under the bridge will be screened.
- The underside of the bridge is designed to be pigeon proof.
- The box girders will be self-weathering steel or similar color.

Attached is a rendering of the pedestrian bridge that illustrates several of the design elements listed above. In our August 2013 consultation, we addressed the design of the new pedestrian bridge and a scissor ramp access in the effects determination for the Denver & Rio Grande Railroad Station (5GF1050.3, 413 7th Street) and the Glenwood Hot Springs Historic District (5GF1050). In our March 2014 consultation, we addressed the use of dual elevators/stairway in the effects determination for 5GF1050.3 but not 5GF1050. Further, the use of a utility room near the dual elevator/stairway is a recent design change that was not included in previous consultation. Effects determinations based on the pedestrian bridge design with dual elevator/stairway and utility room are included here.

Denver & Rio Grande Railroad Station (5GF1050.3): The dual elevators/stairway will be located approximately 200 feet from the train station. This increased distance (compared to the previous scissor ramp considered) results in reduced visual changes from the pedestrian bridge access to the train station. A small utility room will be located near the elevator tower and stairs, as shown on the enclosed rendering. The dual elevators/stairway and utility room are anticipated to result in minimal visual changes to buildings and viewers along 7th Street. The dual elevator/stairway and utility room will be visible from the railroad station and will constitute a change to the setting of the area near the south end of the proposed new highway and pedestrian bridges, but the visual change is minimal in the area of the railroad station and will not alter the qualities that make that property significant. For these reasons, CDOT has determined that the dual elevator/stairway and utility room at the pedestrian bridge will result in *no adverse effect* to 5GF1050.3.

Glenwood Hot Springs Historic District (5GF1050): The dual elevators/stairway and utility room located at the south end of the new pedestrian bridge will not be located within the Historic District boundary, and will not directly affect any of the NRHP-eligible properties or contributing properties within the historic district. The dual elevators/stairway and utility room will be a new visual change to the setting at the southern bridge access but this will not likely affect views from the historic district. For these reasons, CDOT has determined that the dual elevator/stairway and utility room will result in *no adverse effect* to 5GF1050.

SECTION 4(F) AND DE MINIMIS

Background

In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe,

Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) ("SAFETEA-LU"). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have "*de minimis*" impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its "Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources" which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA's determination and notification of *de minimis* impacts to Colorado Preservation Incorporated with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

NOTIFICATION OF SECTION 4(F) DE MINIMIS DETERMINATION

The project has been determined to have *no adverse effect* on the Glenwood Hot Springs District (5GF1050) and its associated resources (5GF767, 5GF1050.3, 5GF2441, 5GF1258), the Glenwood Hot Springs and Natatorium (5GF1050.2), the Denver & Rio Grande Railroad (5GF1000.7), the Denver & Rio Grande Aspen Branch Railroad (5GF1661.7) and Freight Depot (5GF5021). Based on the findings outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

As a statewide historic preservation organization, we welcome your comments on this updated information. Should you elect to respond, we request that you do so within 30 days of receipt of these materials. If you would like to respond via Email, that is acceptable. If we do not hear from you within that time frame, we will assume you do not plan to comment. This information has been forwarded concurrently to the State Historic Preservation Office and the other consulting parties for review.

If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,

Vanessa Henderson

JHC

Jane Hann, Manager
Environmental Programs Branch

Enclosures: Figure 1: APE Map
 Figure 2: Easement Map
 Rendering of proposed pedestrian bridge
 Rendering of proposed elevators, stairway, and utility room at southern pedestrian bridge connection
 Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) updated Management Data Form and maps

Figure 1 - Modified Area of Potential Effect and 5GF1661.7 boundary

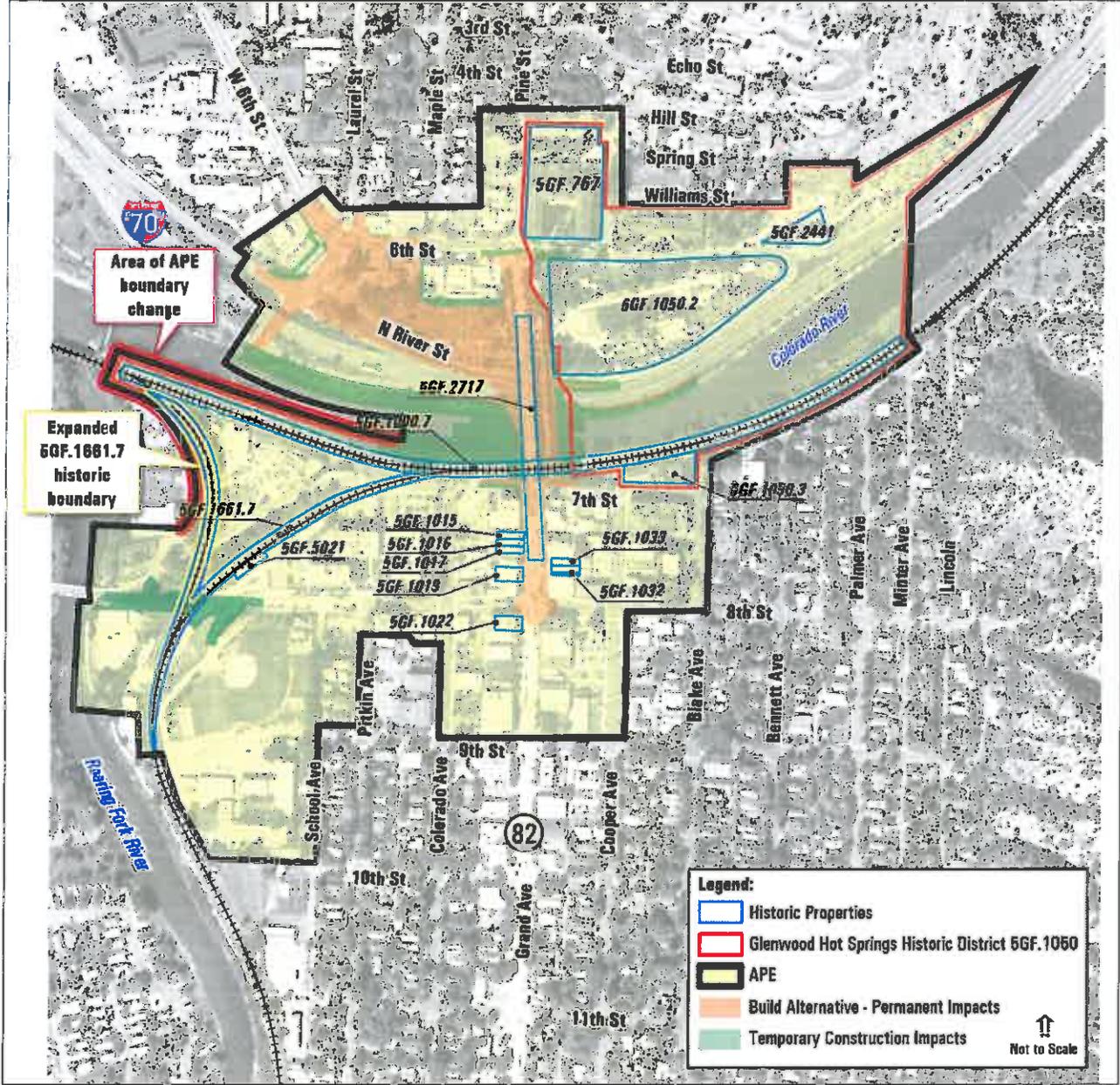
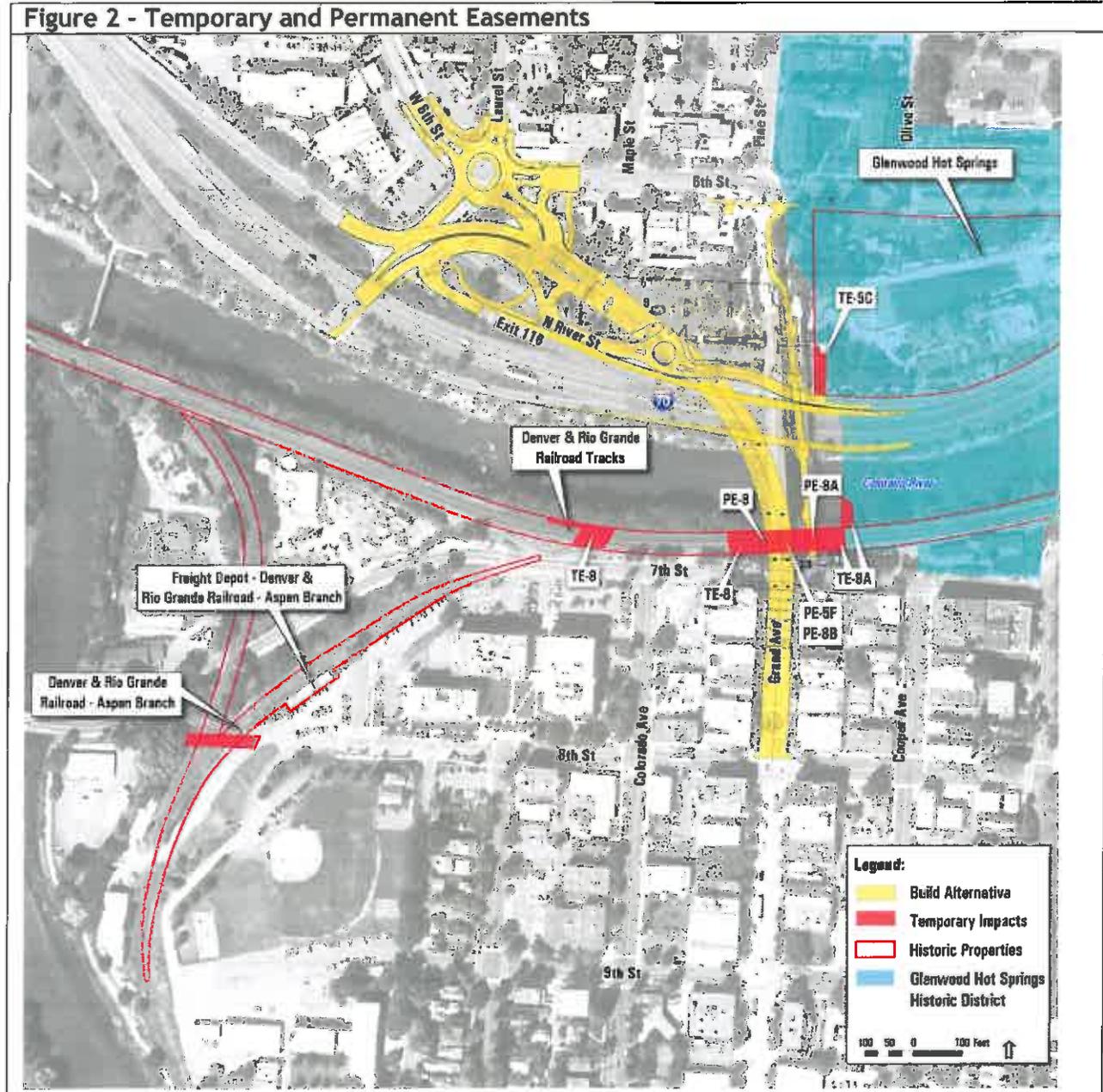


Figure 2 - Temporary and Permanent Easements



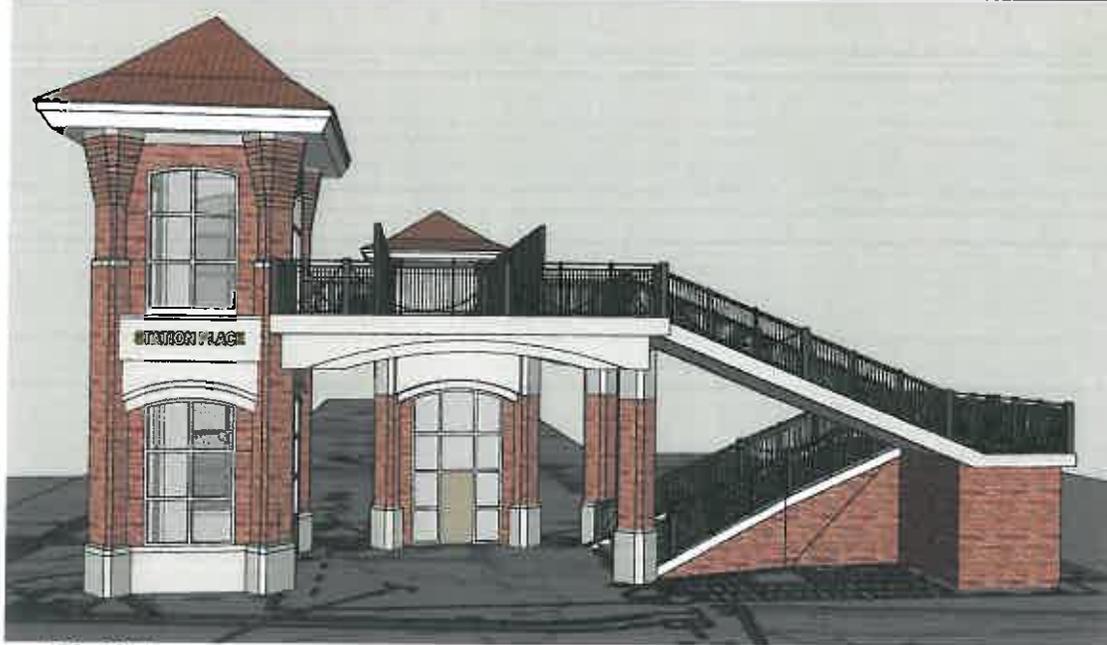
Rendering of pedestrian bridge



Source: Jacobs 2014

View from North River Street looking southwest toward pedestrian bridge. Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

Rendering of elevators, stairway, and utility room at southern pedestrian bridge connection



Source: AMEC, 2014

View from Grand Avenue looking north. Elevator tower is shown on the left, utility room is shown in center, and stairway is shown on the right. The Train Station is located to the east (to the right in this view). Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.



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February 27, 2015

Mr. John Martin
Mr. Tom Jankovsky
Board of County Commissioners
108 8th Street, Suite 213
Glenwood Springs, CO 81601

SUBJECT: Additional Information, Section 106 Determinations of Effects and Notification of Section 4(f) *De Minimis*, CDOT Project FBR 0821-094, SH 82/Grand Avenue Bridge Replacement Environmental Assessment, Glenwood Springs (CHS #60723)

Dear Mr. Martin and Mr. Jankovsky:

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described below. Other effects to 5GF1050, 5GF1050.2 and 5GF1000.7 described in previous consultation remain valid.

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- The box girders will be self-weathering steel or similar color.

Attached is a rendering of the pedestrian bridge that illustrates several of the design elements listed above. In our August 2013 consultation, we addressed the design of the new pedestrian bridge and a scissor ramp access in the effects determination for the Denver & Rio Grande Railroad Station (5GF1050.3, 413 7th Street) and the Glenwood Hot Springs Historic District (5GF1050). In our March 2014 consultation, we addressed the use of dual elevators/stairway in the effects determination for 5GF1050.3 but not 5GF1050. Further, the use of a utility room near the dual elevator/stairway is a recent design change that was not included in previous consultation. Effects determinations based on the pedestrian bridge design with dual elevator/stairway and utility room are included here.

Denver & Rio Grande Railroad Station (5GF1050.3): The dual elevators/stairway will be located approximately 200 feet from the train station. This increased distance (compared to the previous scissor ramp considered) results in reduced visual changes from the pedestrian bridge access to the train station. A small utility room will be located near the elevator tower and stairs, as shown on the enclosed rendering. The dual elevators/stairway and utility room are anticipated to result in minimal visual changes to buildings and viewers along 7th Street. The dual elevator/stairway and utility room will be visible from the railroad station and will constitute a change to the setting of the area near the south end of the proposed new highway and pedestrian bridges, but the visual change is minimal in the area of the railroad station and will not alter the qualities that make that property significant. For these reasons, CDOT has determined that the dual elevator/stairway and utility room at the pedestrian bridge will result in *no adverse effect* to 5GF1050.3.

Glenwood Hot Springs Historic District (5GF1050): The dual elevators/stairway and utility room located at the south end of the new pedestrian bridge will not be located within the Historic District boundary, and will not directly affect any of the NRHP-eligible properties or contributing properties within the historic district. The dual elevators/stairway and utility room will be a new visual change to the setting at the southern bridge access but this will not likely affect views from the historic district. For these reasons, CDOT has determined that the dual elevator/stairway and utility room will result in *no adverse effect* to 5GF1050.

SECTION 4(F) AND DE MINIMIS

Background

In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) (“SAFETEA-LU”). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have “*de minimis*” impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its “Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources” which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA’s intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA’s determination and notification of *de minimis* impacts to the Garfield County Commissioners with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

NOTIFICATION OF SECTION 4(F) DE MINIMIS DETERMINATION

The project has been determined to have *no adverse effect* on the Glenwood Hot Springs District (5GF1050) and its associated resources (5GF767, 5GF1050.3, 5GF2441, 5GF1258), the Glenwood Hot Springs and Natatorium (5GF1050.2), the Denver & Rio Grande Railroad (5GF1000.7), the Denver & Rio Grande Aspen Branch Railroad (5GF1661.7) and Freight Depot (5GF5021). Based on the findings outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

As county officials, we welcome your comments on this updated information. Should you elect to respond, we request that you do so within 30 days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. If you would like to respond via Email, that is acceptable. This information has been forwarded concurrently to the State Historic Preservation Office and the other consulting parties for review.

If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,



Jane Hann, Manager
Environmental Programs Branch

Enclosures: Figure 1: APE Map

Figure 2: Easement Map

Rendering of proposed pedestrian bridge

Rendering of proposed elevators, stairway, and utility room at southern pedestrian bridge connection

Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) updated Management Data Form and maps

Figure 1 - Modified Area of Potential Effect and 5GF1661.7 boundary

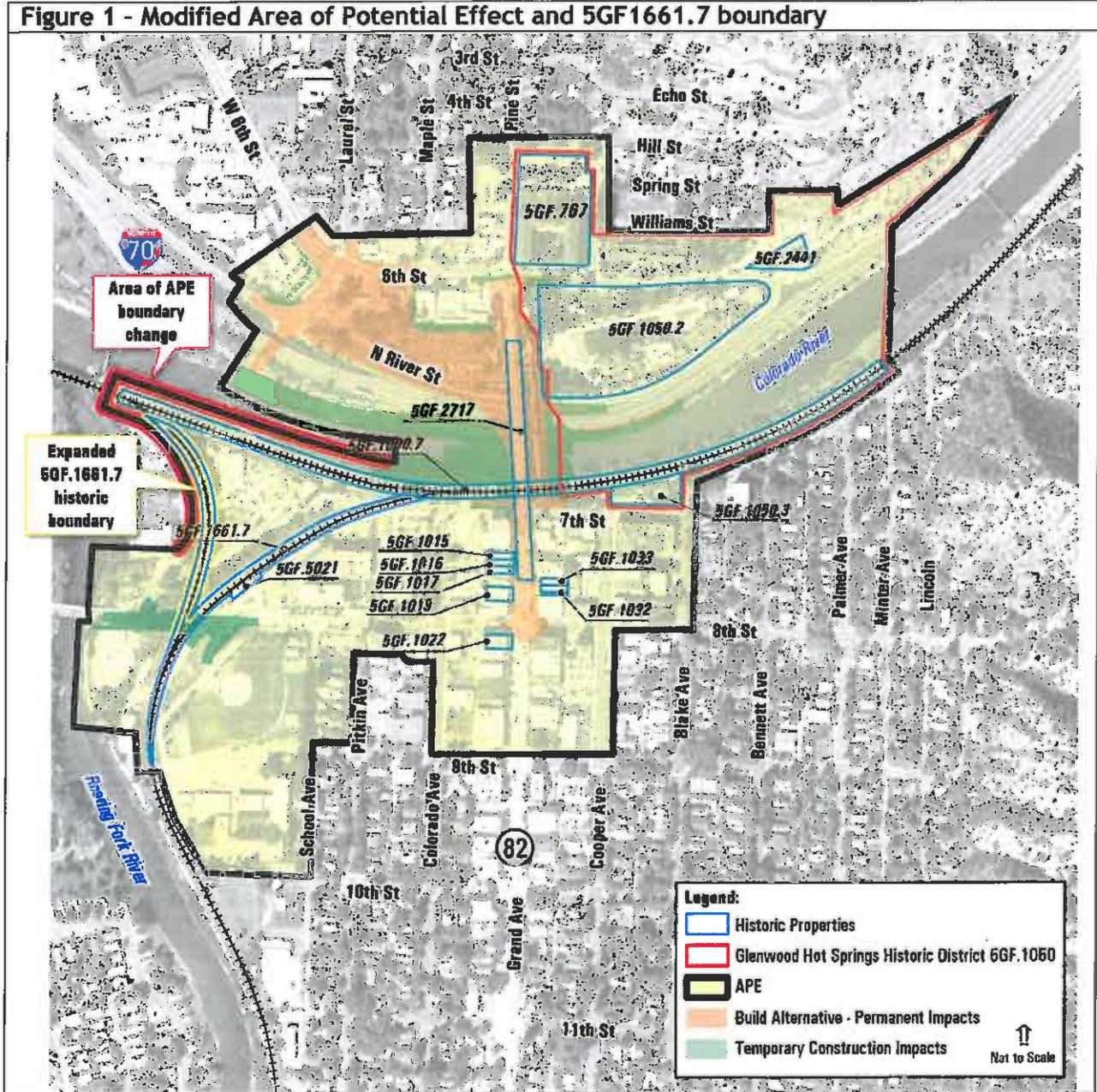
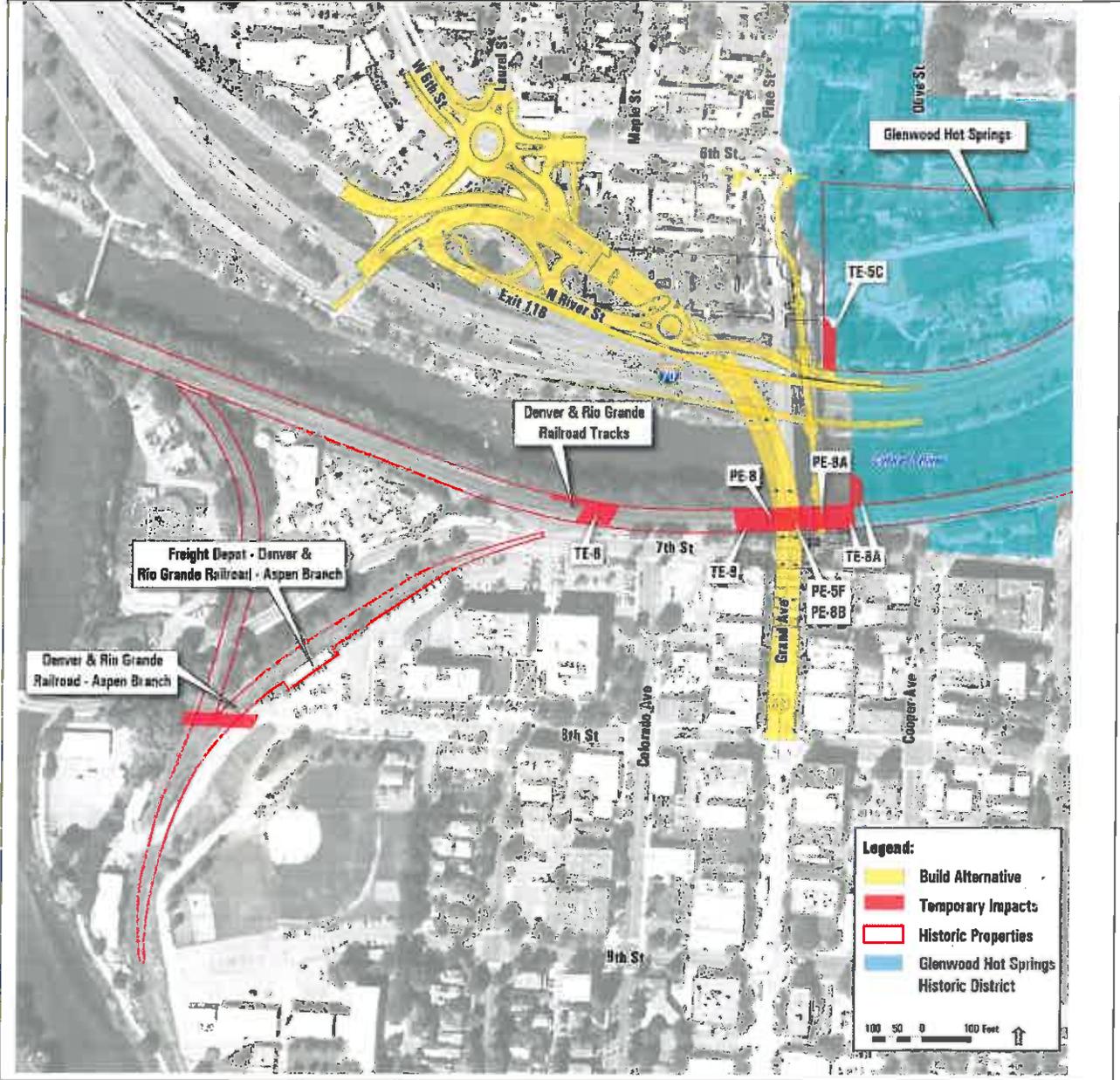


Figure 2 - Temporary and Permanent Easements



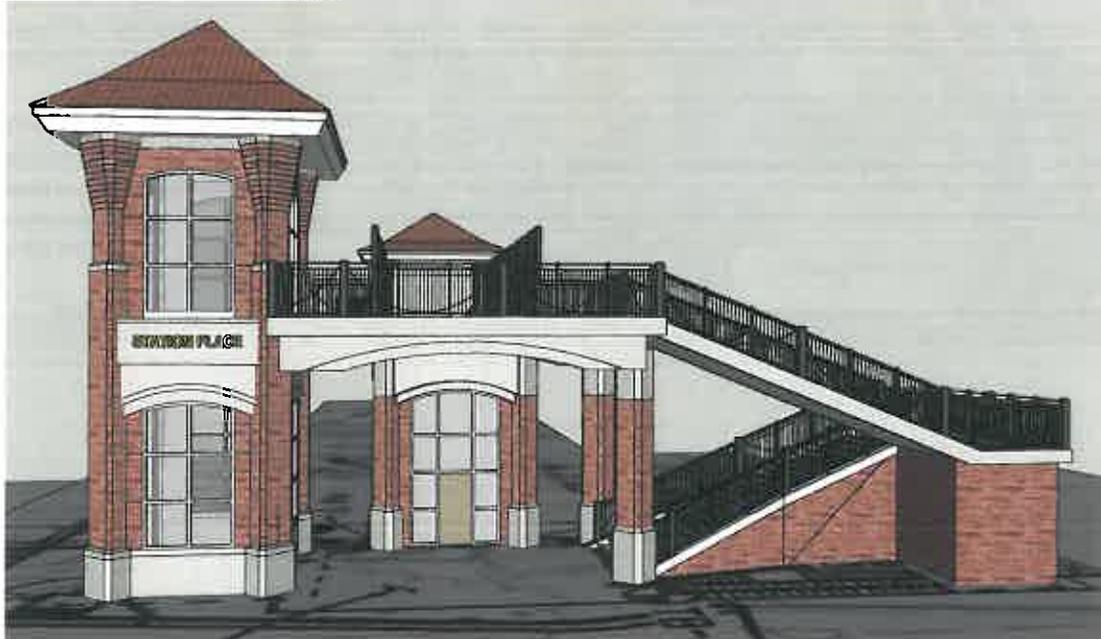
Rendering of pedestrian bridge



Source: Jacobs 2014

View from North River Street looking southwest toward pedestrian bridge. Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

Rendering of elevators, stairway, and utility room at southern pedestrian bridge connection



Source: AMEC, 2014

View from Grand Avenue looking north. Elevator tower is shown on the left, utility room is shown in center, and stairway is shown on the right. The Train Station is located to the east (to the right in this view). Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.



COLORADO

Department of Transportation

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Environmental Programs Branch
4201 E. Arkansas Ave.
Shumate Building
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February 27, 2015

Ms. Gretchen Ricehill
City of Glenwood Springs
Historic Preservation Commission
101 8th Street
Glenwood Springs, CO 81601

SUBJECT: Additional Information, Section 106 Determinations of Effects and Notification of Section 4(f) *De Minimis*, CDOT Project FBR 0821-094, SH 82/Grand Avenue Bridge Replacement Environmental Assessment, Glenwood Springs (CHS #60723)

Dear Ms. Ricehill:

You initially reviewed the Area of Potential Effects (APE) and eligibility and effects determinations for the project referenced above in August 2013, and reviewed additional information in April and August 2014. Since then, the APE has been slightly modified, modifications have been made to the construction easements required on three historic properties identified in the APE, and site form maps for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) have been revised. This submittal also includes some additional information regarding replacement of the existing pedestrian bridge.

REVISED AREA OF POTENTIAL EFFECTS

The APE boundary outlined in our March 2014 letter has been extended to the west to fully encompass the historic boundary for the Denver & Rio Grande Railroad (5GF1000.7). This revision was included in the Environmental Assessment (EA) without formal consultation with SHPO and the consulting parties, but the change is minor and involves including a part of the documented resource that was previously excluded from the boundary. The APE boundary was also revised to encompass the extended historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7). With this change, the APE now encompasses the area east of the resource that was not previously included. This area will not be impacted by the project, but is included in the APE to allow for a contiguous APE boundary. The area contains the City of Glenwood Springs' former wastewater treatment plant, which is planned for redevelopment. A revised APE map is included herewith, and the updated areas are highlighted.

To be consistent with the revised APE, the historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) was modified to better reflect the resource description on the site form that includes the connection to the westbound Denver & Rio Grande Railroad mainline. The updated site form and maps for that resource are attached.

UPDATED EFFECTS INFORMATION

More detailed design and property information has led to minor changes to the effects described in previous consultation. Effects to three historic properties within the APE (Glenwood Hot Springs Historic District [5GF1050], Glenwood Hot Springs Bathhouse/Natatorium [5GF1050.2], and Denver & Rio Grande Railroad Tracks [5GF1000.7]) have been modified, and are summarized in Table 1 and

described below. Other effects to 5GF1050, 5GF1050.2 and 5GF1000.7 described in previous consultation remain valid.

Glenwood Hot Springs Historic District (5GF1050): The 14,795 square feet of temporary easement described in our August 2014 consultation, located along the north bank of the Colorado River within the Glenwood Hot Springs Historic District (5GF1050), is no longer required because it was determined that area is located within CDOT right-of-way. There are now only two temporary easements required within the historic district boundary, which were included in our August 2014 letter. The temporary easement that affects the Denver & Rio Grande Railroad (5GF1000.7) within the historic district has been slightly reduced in size, while the temporary easement located on the south side of the river is slightly larger, as noted in Table 1 below. These easements are needed for construction activities associated with the demolition of the existing bridges and construction of the new bridges.

There is also an additional effect to the historic district that was not previously discussed in consultation. Within the district boundary, a temporary pathway connecting the north end of the new pedestrian bridge to an existing sidewalk along Grand Avenue would be constructed. The portion of the temporary path that falls within the historic district boundary will be located within an existing City of Glenwood Springs easement. Therefore, no temporary easement will be required for the temporary pathway. The temporary path is planned to consist of a scaffold-type structure that will comply with the Americans with Disabilities Act. The path will remain in place for a large portion of the estimated 24- to 30-month construction phase, but less time than the overall construction period. Later in construction, a permanent pedestrian connection to 6th Street will be built west of the historic district boundary, the temporary path will be removed, and the area will be restored to preconstruction conditions. The new permanent pedestrian connection from the pedestrian bridge to 6th Street will be located outside the historic district boundary.

These easements require a temporary use of land but will not alter the qualities that make the Glenwood Hot Springs Historic District significant. Our initial finding of *no adverse effect* remains valid for this resource.

Denver & Rio Grande Railroad (5GF1000.7): In the April 2014 consultation, there was a single permanent aerial easement (0.01 acre) to the railroad. Also, the August 2014 consultation described a temporary aerial easement to the railroad. However, based on updated right-of-way information, neither of these easements would be considered "aerial." This does not change the effects; impacts in locations previously designated as aerial would still be limited to above-ground work. Further, our April 2014 consultation stated that three temporary easements totaling approximately 0.15 acre would be required on the railroad west of the bridges. Now only two temporary easements are required west of the bridges, and total approximately 0.21 acre. The use of these easements is the same as described in our previous consultation, which is to provide access to construction areas.

Three additional permanent easements will be required on the railroad that were not included in the previous consultation. One area is approximately 0.115 acre located under the existing highway bridge. Although this involves one area, a permanent easement is required from the two parties disputing property ownership, resulting in two permanent easements for this one area. The third permanent easement is approximately 0.037 acre located under the existing pedestrian bridge. These three permanent easements are needed to provide access to CDOT for ongoing bridge maintenance. In summary, there are now a total of four permanent easements (including two permanent easements for one area) and three temporary easement locations on the railroad, as noted in Table 1. These permanent and temporary easements will

not alter the qualities of significance of the railroad and a finding of *no adverse effect* is appropriate for this resource.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
Glenwood Hot Springs Historic District (5GF1050) and portion of Denver & Rio Grande Railroad (5GF1000.7) within the district				
Not labeled on map	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement along north bank of river of approximately 14,795 sf.	Area still affected but temporary easement of 14,795 sf not needed because this area falls within CDOT right-of-way.	Change due to more detailed ROW data
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement within river of approximately 2,625 feet.	Temporary easement in river slightly increased to approximately 2,651 sf / 0.061 acre	Slight increase in temporary impacts
		August 2014 submittal: On D&RG RR (Segment 5GF1000.7) a temporary easement of approximately 973 sf.	On D&RG RR (Segment 5GF1000.7) a slightly reduced temporary easement of approximately: 953 sf / 0.022 acre required from the railroad in an area that falls within the Historic District boundary	Slight reduction in temporary impacts
Total for Historic District (5GF1050):			3,604 sf / 0.083 acre	
Glenwood Hot Springs Bathhouse/Natatorium (5GF1050.2)				
TE-5C	Glenwood Hot Springs Lodge & Pool Inc.	August 2014 submittal: Temporary easement of approximately 2,370 sf	Temporary easement enlarged to approximately 3,049 sf / 0.070 acre	Minor increase in temporary impacts, but would occur to parking lot
Denver & Rio Grande Railroad Tracks (5GF1000.7)				
PE-5F **	Glenwood Hot Springs Lodge & Pool Inc.	The easements described to the right are a recent change that was not noted in previous consultation.	Two permanent easements encompassing one area of approximately 5,014 sf / 0.115 acre	Due to property ownership dispute, an easement must be obtained from both parties, <u>resulting in two easements for one area</u> . Easement needed to provide CDOT access for ongoing maintenance activities. No changes to effects.
PE-8B **	Union Pacific Railroad Co.			
PE-8A	Union Pacific Railroad Co.	The easement described to the right is a recent change that was not noted in previous consultation.	Under existing pedestrian bridge. Permanent easement of approx. 1,617 sf / 0.037 acre	Easement needed to provide CDOT access for ongoing maintenance activities.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
PE-8	Union Pacific Railroad Co.	March 2014 submittal: Permanent aerial easement about 0.01 acre	Permanent easement about the same size (357 sf / 0.008 acre) but is no longer considered an “aerial” easement	No change in use of this easement from previous consultation. Permanent easement is for area where new curved bridge would be located above railroad. Effects unchanged
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: East of bridges: 3,838 sf aerial easement east of ped bridge (separated into two areas: 2,865 sf and 973 sf)	East of bridges: Temporary easement reduced to approximately 2,587 sf / 0.059 acre, and is no longer considered an “aerial” easement	Slight reduction in temporary effects
TE-8	Union Pacific Railroad Co.	March 2014 submittal: West of bridges: Three temporary easements totaling 0.15 acre.	West of bridges: Now only two temporary easements totaling 9,096 sf / 0.21 acre: 5,014 sf / 0.115 acre 4,082 sf / 0.094 acre	Slight increase in temporary effects
Total for Denver & Rio Grande Railroad (5GF1000.7):			18,671 sf / 0.43 acre	

*TE = Temporary Easement, PE = Permanent Easement

** Listed twice under two property owners because parcel ownership is in dispute.

Modifications made to permanent and temporary easements for 5GF1050, 5GF1050.2 and 5GF1000.7 described in Table 1 are minor, and the project would still result in *no adverse effect* to these resources. Easements listed in Table 1 are shown on Figure 2.

PEDESTRIAN BRIDGE

In our August 2014 consultation letter, we indicated that the pedestrian bridge may be considered as a design option under the Build Alternative and, as such, it may or may not be replaced. This pedestrian bridge is not historic, but the dual elevators/stairway associated with the new pedestrian bridge’s southern access were assessed as part of the no adverse effect determination for the Denver & Rio Grande Railroad Station (5GF1050.3) in our March 2014 letter. A rendering of the current elevator and stairs design is included for your information.

We indicated in our August 2014 letter that we will inform you once we know the final plan for the pedestrian bridge. Please note the pedestrian bridge will be replaced and is being included in the proposed action. Although the final design for the structure is subject to minor revisions, major design elements currently include the following:

- Pedestrian bridge piers will be diamond-shaped and will match the new Grand Avenue vehicular bridge piers.
- Stone/brick will be used on bridge piers. A concrete finish will be used at the bottom of the bridge piers (below stone) up to the high water line.

- An elevator tower with dual elevators and stairs will be used at the southern bridge access. A scissor ramp was previously considered but was eliminated to reduce visual impacts.
- A small utility room will be located near the elevator tower under the stairs.
- The pedestrian bridge will include four overlooks. Two of the overlooks will include clay tile roof structures.
- Black wrought-iron will be used for the approximate 4-foot 6-inch high hand rail along the length of the bridge.
- For the portion of the bridge that crosses I-70, an approximate 7-foot 10-inch tall mesh fence would be placed on the hand rail.
- For the portion of the bridge that crosses the railroad, an approximate 10-foot tall mesh fence would be placed on the hand rail.
- All utilities under the bridge will be screened.
- The underside of the bridge is designed to be pigeon proof.
- The box girders will be self-weathering steel or similar color.

Attached is a rendering of the pedestrian bridge that illustrates several of the design elements listed above. In our August 2013 consultation, we addressed the design of the new pedestrian bridge and a scissor ramp access in the effects determination for the Denver & Rio Grande Railroad Station (5GF1050.3, 413 7th Street) and the Glenwood Hot Springs Historic District (5GF1050). In our March 2014 consultation, we addressed the use of dual elevators/stairway in the effects determination for 5GF1050.3 but not 5GF1050. Further, the use of a utility room near the dual elevator/stairway is a recent design change that was not included in previous consultation. Effects determinations based on the pedestrian bridge design with dual elevator/stairway and utility room are included here.

Denver & Rio Grande Railroad Station (5GF1050.3): The dual elevators/stairway will be located approximately 200 feet from the train station. This increased distance (compared to the previous scissor ramp considered) results in reduced visual changes from the pedestrian bridge access to the train station. A small utility room will be located near the elevator tower and stairs, as shown on the enclosed rendering. The dual elevators/stairway and utility room are anticipated to result in minimal visual changes to buildings and viewers along 7th Street. The dual elevator/stairway and utility room will be visible from the railroad station and will constitute a change to the setting of the area near the south end of the proposed new highway and pedestrian bridges, but the visual change is minimal in the area of the railroad station and will not alter the qualities that make that property significant. For these reasons, CDOT has determined that the dual elevator/stairway and utility room at the pedestrian bridge will result in *no adverse effect* to 5GF1050.3.

Glenwood Hot Springs Historic District (5GF1050): The dual elevators/stairway and utility room located at the south end of the new pedestrian bridge will not be located within the Historic District boundary, and will not directly affect any of the NRHP-eligible properties or contributing properties within the historic district. The dual elevators/stairway and utility room will be a new visual change to the setting at the southern bridge access but this will not likely affect views from the historic district. For these reasons, CDOT has determined that the dual elevator/stairway and utility room will result in *no adverse effect* to 5GF1050.

SECTION 4(F) AND DE MINIMIS

Background

In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) (“SAFETEA-LU”). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have “*de minimis*” impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its “Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources” which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA’s intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA’s determination and notification of *de minimis* impacts to the Glenwood Springs Historic Preservation Commission with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

NOTIFICATION OF SECTION 4(F) DE MINIMIS DETERMINATION

The project has been determined to have *no adverse effect* on the Glenwood Hot Springs District (5GF1050) and its associated resources (5GF767, 5GF1050.3, 5GF2441, 5GF1258), the Glenwood Hot Springs and Natatorium (5GF1050.2), the Denver & Rio Grande Railroad (5GF1000.7), the Denver & Rio Grande Aspen Branch Railroad (5GF1661.7) and Freight Depot (5GF5021). Based on the findings outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

As a Section 106 consulting party, we welcome your comments on this updated information. Should you elect to respond, we request that you do so within 30 days of receipt of these materials. If you would like to respond via Email, that is acceptable. If we do not hear from you within that time frame, we will assume you do not plan to comment. This information has been forwarded concurrently to the State Historic Preservation Office and the other consulting parties for review.

If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,

Vanessa Henderson

for

Jane Hann, Manager
Environmental Programs Branch

Enclosures: Figure 1: APE Map
Figure 2: Easement Map

Rendering of proposed pedestrian bridge

Rendering of proposed elevators, stairway, and utility room at southern pedestrian bridge connection

Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) updated Management Data Form and maps

Figure 1 - Modified Area of Potential Effect and 5GF1661.7 boundary

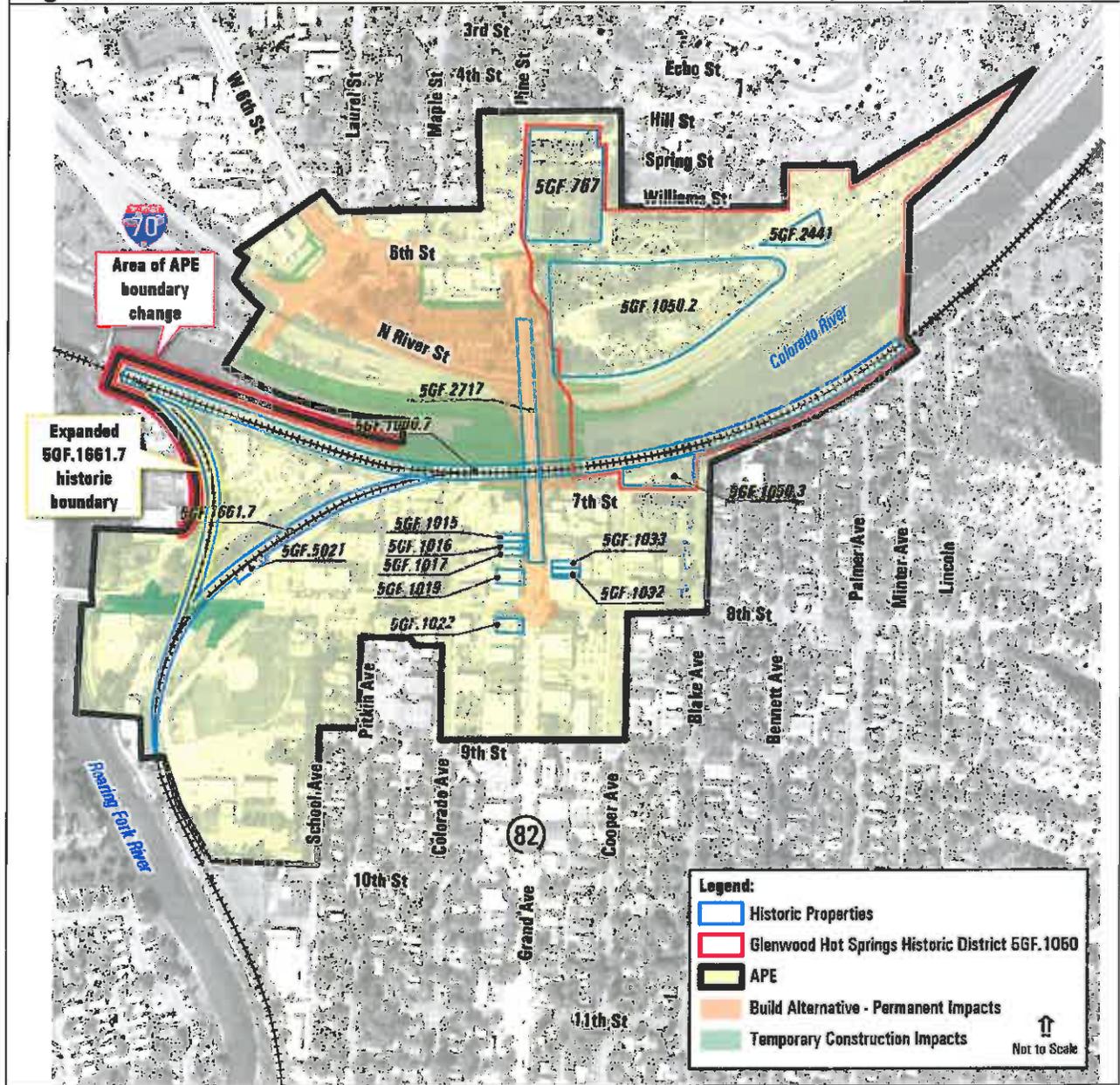
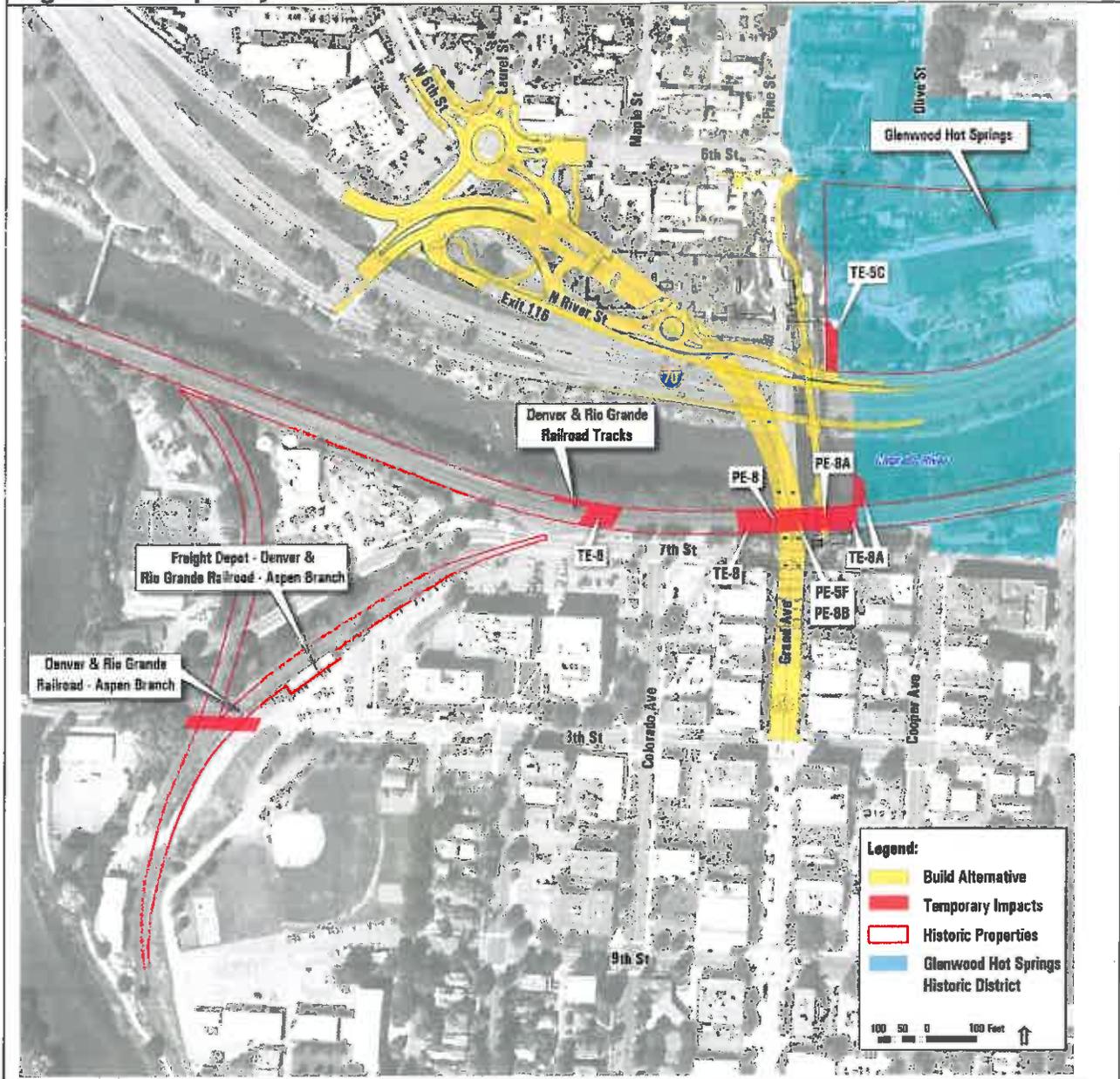


Figure 2 - Temporary and Permanent Easements



Rendering of pedestrian bridge



Source: Jacobs 2014

View from North River Street looking southwest toward pedestrian bridge. Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

Rendering of elevators, stairway, and utility room at southern pedestrian bridge connection



Source: AMEC, 2014

View from Grand Avenue looking north. Elevator tower is shown on the left, utility room is shown in center, and stairway is shown on the right. The Train Station is located to the east (to the right in this view). Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.



COLORADO

Department of Transportation

Division of Transportation Development

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Denver, CO 80222-3400
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February 27, 2015

Ms. Cindy Hines, Director
Frontier Historical Society
1001 Colorado Avenue
Glenwood Springs, CO81601

SUBJECT: Additional Information, Section 106 Determinations of Effects and Notification of Section 4(f) *De Minimis*, CDOT Project FBR 0821-094, SH 82/Grand Avenue Bridge Replacement Environmental Assessment, Glenwood Springs (CHS #60723)

Dear Ms. Hines:

You initially reviewed the Area of Potential Effects (APE) and eligibility and effects determinations for the project referenced above in August 2013, and reviewed additional information in April and August 2014. Since then, the APE has been slightly modified, modifications have been made to the construction easements required on three historic properties identified in the APE, and site form maps for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) have been revised. This submittal also includes some additional information regarding replacement of the existing pedestrian bridge.

REVISED AREA OF POTENTIAL EFFECTS

The APE boundary outlined in our March 2014 letter has been extended to the west to fully encompass the historic boundary for the Denver & Rio Grande Railroad (5GF1000.7). This revision was included in the Environmental Assessment (EA) without formal consultation with SHPO and the consulting parties, but the change is minor and involves including a part of the documented resource that was previously excluded from the boundary. The APE boundary was also revised to encompass the extended historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7). With this change, the APE now encompasses the area east of the resource that was not previously included. This area will not be impacted by the project, but is included in the APE to allow for a contiguous APE boundary. The area contains the City of Glenwood Springs' former wastewater treatment plant, which is planned for redevelopment. A revised APE map is included herewith, and the updated areas are highlighted.

To be consistent with the revised APE, the historic boundary for the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) was modified to better reflect the resource description on the site form that includes the connection to the westbound Denver & Rio Grande Railroad mainline. The updated site form and maps for that resource are attached.

UPDATED EFFECTS INFORMATION

More detailed design and property information has led to minor changes to the effects described in previous consultation. Effects to three historic properties within the APE (Glenwood Hot Springs Historic District [5GF1050], Glenwood Hot Springs Bathhouse/Natatorium [5GF1050.2], and Denver & Rio Grande Railroad Tracks [5GF1000.7]) have been modified, and are summarized in Table 1 and

described below. Other effects to 5GF1050, 5GF1050.2 and 5GF1000.7 described in previous consultation remain valid.

Glenwood Hot Springs Historic District (5GF1050): The 14,795 square feet of temporary easement described in our August 2014 consultation, located along the north bank of the Colorado River within the Glenwood Hot Springs Historic District (5GF1050), is no longer required because it was determined that area is located within CDOT right-of-way. There are now only two temporary easements required within the historic district boundary, which were included in our August 2014 letter. The temporary easement that affects the Denver & Rio Grande Railroad (5GF1000.7) within the historic district has been slightly reduced in size, while the temporary easement located on the south side of the river is slightly larger, as noted in Table 1 below. These easements are needed for construction activities associated with the demolition of the existing bridges and construction of the new bridges.

There is also an additional effect to the historic district that was not previously discussed in consultation. Within the district boundary, a temporary pathway connecting the north end of the new pedestrian bridge to an existing sidewalk along Grand Avenue would be constructed. The portion of the temporary path that falls within the historic district boundary will be located within an existing City of Glenwood Springs easement. Therefore, no temporary easement will be required for the temporary pathway. The temporary path is planned to consist of a scaffold-type structure that will comply with the Americans with Disabilities Act. The path will remain in place for a large portion of the estimated 24- to 30-month construction phase, but less time than the overall construction period. Later in construction, a permanent pedestrian connection to 6th Street will be built west of the historic district boundary, the temporary path will be removed, and the area will be restored to preconstruction conditions. The new permanent pedestrian connection from the pedestrian bridge to 6th Street will be located outside the historic district boundary.

These easements require a temporary use of land but will not alter the qualities that make the Glenwood Hot Springs Historic District significant. Our initial finding of *no adverse effect* remains valid for this resource.

Denver & Rio Grande Railroad (5GF1000.7): In the April 2014 consultation, there was a single permanent aerial easement (0.01 acre) to the railroad. Also, the August 2014 consultation described a temporary aerial easement to the railroad. However, based on updated right-of-way information, neither of these easements would be considered "aerial." This does not change the effects; impacts in locations previously designated as aerial would still be limited to above-ground work. Further, our April 2014 consultation stated that three temporary easements totaling approximately 0.15 acre would be required on the railroad west of the bridges. Now only two temporary easements are required west of the bridges, and total approximately 0.21 acre. The use of these easements is the same as described in our previous consultation, which is to provide access to construction areas.

Three additional permanent easements will be required on the railroad that were not included in the previous consultation. One area is approximately 0.115 acre located under the existing highway bridge. Although this involves one area, a permanent easement is required from the two parties disputing property ownership, resulting in two permanent easements for this one area. The third permanent easement is approximately 0.037 acre located under the existing pedestrian bridge. These three permanent easements are needed to provide access to CDOT for ongoing bridge maintenance. In summary, there are now a total of four permanent easements (including two permanent easements for one area) and three temporary easement locations on the railroad, as noted in Table 1. These permanent and temporary easements will

not alter the qualities of significance of the railroad and a finding of *no adverse effect* is appropriate for this resource.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
Glenwood Hot Springs Historic District (5GF1050) and portion of Denver & Rio Grande Railroad (5GF1000.7) within the district				
Not labeled on map	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement along north bank of river of approximately 14,795 sf.	Area still affected but temporary easement of 14,795 sf not needed because this area falls within CDOT right-of-way.	Change due to more detailed ROW data
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: Temporary easement within river of approximately 2,625 feet.	Temporary easement in river slightly increased to approximately 2,651 sf / 0.061 acre	Slight increase in temporary impacts
		August 2014 submittal: On D&RG RR (Segment 5GF1000.7) a temporary easement of approximately 973 sf.	On D&RG RR (Segment 5GF1000.7) a slightly reduced temporary easement of approximately: 953 sf / 0.022 acre required from the railroad in an area that falls within the Historic District boundary	Slight reduction in temporary impacts
Total for Historic District (5GF1050):			3,604 sf / 0.083 acre	
Glenwood Hot Springs Bathhouse/Natatorium (5GF1050.2)				
TE-5C	Glenwood Hot Springs Lodge & Pool Inc.	August 2014 submittal: Temporary easement of approximately 2,370 sf	Temporary easement enlarged to approximately 3,049 sf / 0.070 acre	Minor increase in temporary impacts, but would occur to parking lot
Denver & Rio Grande Railroad Tracks (5GF1000.7)				
PE-5F **	Glenwood Hot Springs Lodge & Pool Inc.	The easements described to the right are a recent change that was not noted in previous consultation.	Two permanent easements encompassing one area of approximately 5,014 sf / 0.115 acre	Due to property ownership dispute, an easement must be obtained from both parties, <u>resulting in two easements for one area</u> . Easement needed to provide CDOT access for ongoing maintenance activities. No changes to effects.
PE-8B **	Union Pacific Railroad Co.			
PE-8A	Union Pacific Railroad Co.	The easement described to the right is a recent change that was not noted in previous consultation.	Under existing pedestrian bridge. Permanent easement of approx. 1,617 sf / 0.037 acre	Easement needed to provide CDOT access for ongoing maintenance activities.

Table 1 – Easements Required on Historic Resources

Easement Number * (Figure 2)	Parcel Owner	Information in Previous Consultation	Modified Information (Easement, Square Feet / Acreage)	Notes
PE-8	Union Pacific Railroad Co.	March 2014 submittal: Permanent aerial easement about 0.01 acre	Permanent easement about the same size (357 sf / 0.008 acre) but is no longer considered an "aerial" easement	No change in use of this easement from previous consultation. Permanent easement is for area where new curved bridge would be located above railroad. Effects unchanged
TE-8A	Union Pacific Railroad Co.	August 2014 submittal: East of bridges: 3,838 sf aerial easement east of ped bridge (separated into two areas: 2,865 sf and 973 sf)	East of bridges: Temporary easement reduced to approximately 2,587 sf / 0.059 acre, and is no longer considered an "aerial" easement	Slight reduction in temporary effects
TE-8	Union Pacific Railroad Co.	March 2014 submittal: West of bridges: Three temporary easements totaling 0.15 acre.	West of bridges: Now only two temporary easements totaling 9,096 sf / 0.21 acre: 5,014 sf / 0.115 acre 4,082 sf / 0.094 acre	Slight increase in temporary effects
Total for Denver & Rio Grande Railroad (5GF1000.7):			18,671 sf / 0.43 acre	

*TE = Temporary Easement, PE = Permanent Easement

** Listed twice under two property owners because parcel ownership is in dispute.

Modifications made to permanent and temporary easements for 5GF1050, 5GF1050.2 and 5GF1000.7 described in Table 1 are minor, and the project would still result in *no adverse effect* to these resources. Easements listed in Table 1 are shown on Figure 2.

PEDESTRIAN BRIDGE

In our August 2014 consultation letter, we indicated that the pedestrian bridge may be considered as a design option under the Build Alternative and, as such, it may or may not be replaced. This pedestrian bridge is not historic, but the dual elevators/stairway associated with the new pedestrian bridge's southern access were assessed as part of the no adverse effect determination for the Denver & Rio Grande Railroad Station (5GF1050.3) in our March 2014 letter. A rendering of the current elevator and stairs design is included for your information.

We indicated in our August 2014 letter that we will inform you once we know the final plan for the pedestrian bridge. Please note the pedestrian bridge will be replaced and is being included in the proposed action. Although the final design for the structure is subject to minor revisions, major design elements currently include the following:

- Pedestrian bridge piers will be diamond-shaped and will match the new Grand Avenue vehicular bridge piers.
- Stone/brick will be used on bridge piers. A concrete finish will be used at the bottom of the bridge piers (below stone) up to the high water line.

- An elevator tower with dual elevators and stairs will be used at the southern bridge access. A scissor ramp was previously considered but was eliminated to reduce visual impacts.
- A small utility room will be located near the elevator tower under the stairs.
- The pedestrian bridge will include four overlooks. Two of the overlooks will include clay tile roof structures.
- Black wrought-iron will be used for the approximate 4-foot 6-inch high hand rail along the length of the bridge.
- For the portion of the bridge that crosses I-70, an approximate 7-foot 10-inch tall mesh fence would be placed on the hand rail.
- For the portion of the bridge that crosses the railroad, an approximate 10-foot tall mesh fence would be placed on the hand rail.
- All utilities under the bridge will be screened.
- The underside of the bridge is designed to be pigeon proof.
- The box girders will be self-weathering steel or similar color.

Attached is a rendering of the pedestrian bridge that illustrates several of the design elements listed above. In our August 2013 consultation, we addressed the design of the new pedestrian bridge and a scissor ramp access in the effects determination for the Denver & Rio Grande Railroad Station (5GF1050.3, 413 7th Street) and the Glenwood Hot Springs Historic District (5GF1050). In our March 2014 consultation, we addressed the use of dual elevators/stairway in the effects determination for 5GF1050.3 but not 5GF1050. Further, the use of a utility room near the dual elevator/stairway is a recent design change that was not included in previous consultation. Effects determinations based on the pedestrian bridge design with dual elevator/stairway and utility room are included here.

Denver & Rio Grande Railroad Station (5GF1050.3): The dual elevators/stairway will be located approximately 200 feet from the train station. This increased distance (compared to the previous scissor ramp considered) results in reduced visual changes from the pedestrian bridge access to the train station. A small utility room will be located near the elevator tower and stairs, as shown on the enclosed rendering. The dual elevators/stairway and utility room are anticipated to result in minimal visual changes to buildings and viewers along 7th Street. The dual elevator/stairway and utility room will be visible from the railroad station and will constitute a change to the setting of the area near the south end of the proposed new highway and pedestrian bridges, but the visual change is minimal in the area of the railroad station and will not alter the qualities that make that property significant. For these reasons, CDOT has determined that the dual elevator/stairway and utility room at the pedestrian bridge will result in *no adverse effect* to 5GF1050.3.

Glenwood Hot Springs Historic District (5GF1050): The dual elevators/stairway and utility room located at the south end of the new pedestrian bridge will not be located within the Historic District boundary, and will not directly affect any of the NRHP-eligible properties or contributing properties within the historic district. The dual elevators/stairway and utility room will be a new visual change to the setting at the southern bridge access but this will not likely affect views from the historic district. For these reasons, CDOT has determined that the dual elevator/stairway and utility room will result in *no adverse effect* to 5GF1050.

SECTION 4(F) AND DE MINIMIS

Background

In addition to Section 106 of the NHPA, FHWA must comply with Section 4(f), which is codified at both 49 U.S.C § 303 and 23 U.S.C. § 138. Congress amended Section 4(f) when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59, enacted August 10, 2005) (“SAFETEA-LU”). Section 6009 of SAFETEA-LU added a new subsection to Section 4(f), which authorizes FHWA to approve a project that uses Section 4(f) lands that are part of a historic property without preparation of an Avoidance Analysis, if it makes a finding that such uses would have “*de minimis*” impacts upon the Section 4(f) resource, with the concurrence of the SHPO.

On December 12, 2005, the Federal Highway Administration issued its “Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources” which indicates that a finding of *de minimis* can be made when the Section 106 process results in a *no adverse effect* or *no historic properties affected* determination, when the SHPO is informed of the FHWA’s intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination, and when FHWA has considered the views of any Section 106 consulting parties participating in the Section 106 process. This new provision of Section 4(f) and the associated guidance are in part the basis of this letter, and of FHWA’s determination and notification of *de minimis* impacts to the Frontier Historical Society with respect to the proposed project. At this time we are notifying the Section 106 consulting parties per section 6009(b)(2)(C). On March 12, 2008, FHWA issued a Final Rule on Section 4(f), which clarifies and implements the procedures for determining a *de minimis* impact. In addition the Final Rule moves the Section 4(f) regulation to 23 CFR 774.

NOTIFICATION OF SECTION 4(F) DE MINIMIS DETERMINATION

The project has been determined to have *no adverse effect* on the Glenwood Hot Springs District (5GF1050) and its associated resources (5GF767, 5GF1050.3, 5GF2441, 5GF1258), the Glenwood Hot Springs and Natatorium (5GF1050.2), the Denver & Rio Grande Railroad (5GF1000.7), the Denver & Rio Grande Aspen Branch Railroad (5GF1661.7) and Freight Depot (5GF5021). Based on the findings outlined above, FHWA may make a *de minimis* finding for the Section 4(f) requirements for this property.

As a local historical society and consulting party for this project, we welcome your comments on this updated information. Should you elect to respond, we request that you do so within 30 days of receipt of these materials. If you would like to respond via Email, that is acceptable. If we do not hear from you within that time frame, we will assume you do not plan to comment. This information has been forwarded concurrently to the State Historic Preservation Office and the other consulting parties for review.

If you have questions or require additional information in order to complete your review, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258 or lisa.schoch@state.co.us.

Very truly yours,

Vanessa Henderson

for

Jane Hann, Manager
Environmental Programs Branch

Enclosures: Figure 1: APE Map

Figure 2: Easement Map
Rendering of proposed pedestrian bridge
Rendering of proposed elevators, stairway, and utility room at southern pedestrian bridge connection
Denver & Rio Grande Railroad-Aspen Branch (SGF1661.7) updated Management Data Form and maps

Figure 1 - Modified Area of Potential Effect and 5GF1661.7 boundary

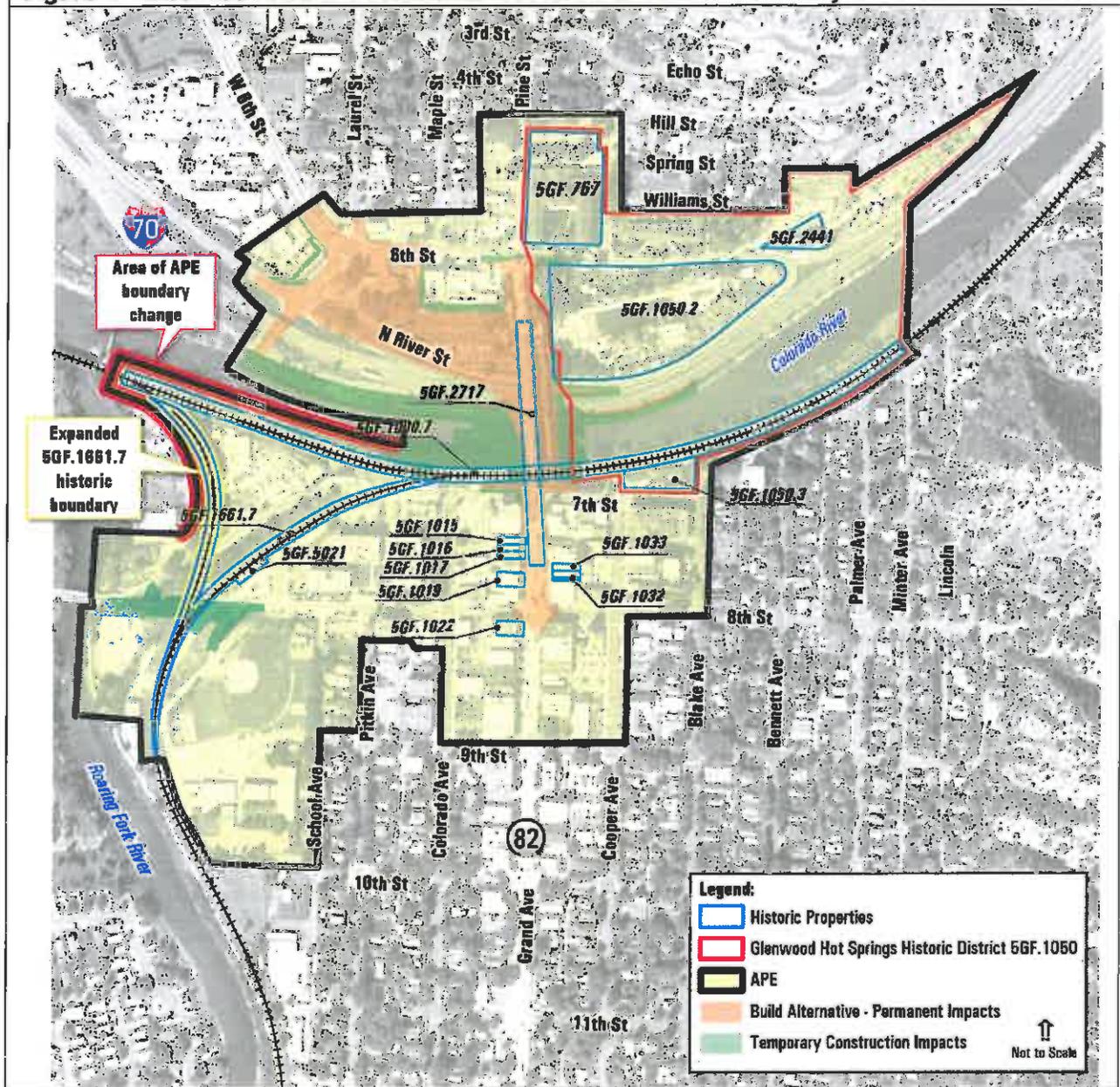
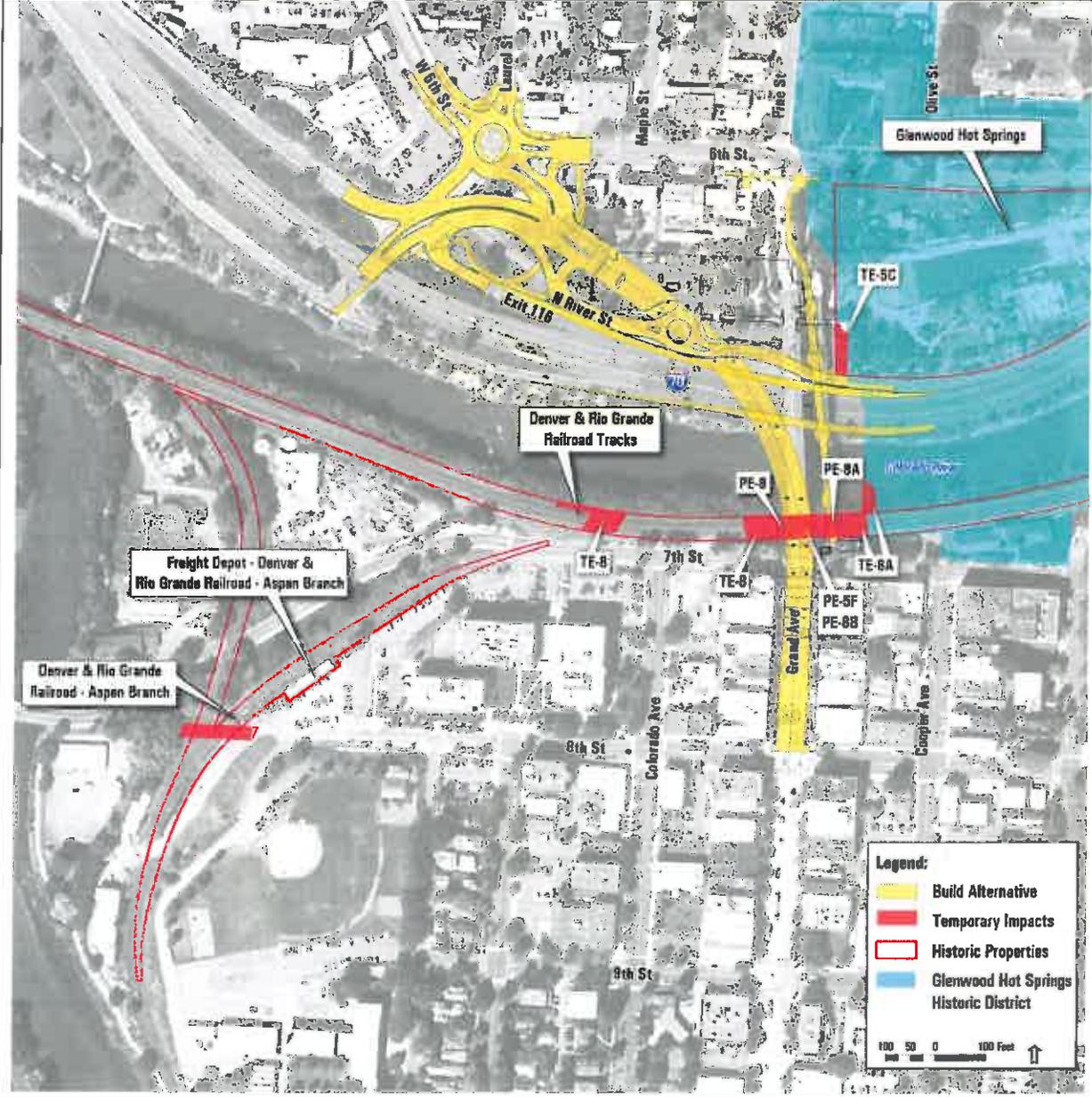


Figure 2 - Temporary and Permanent Easements



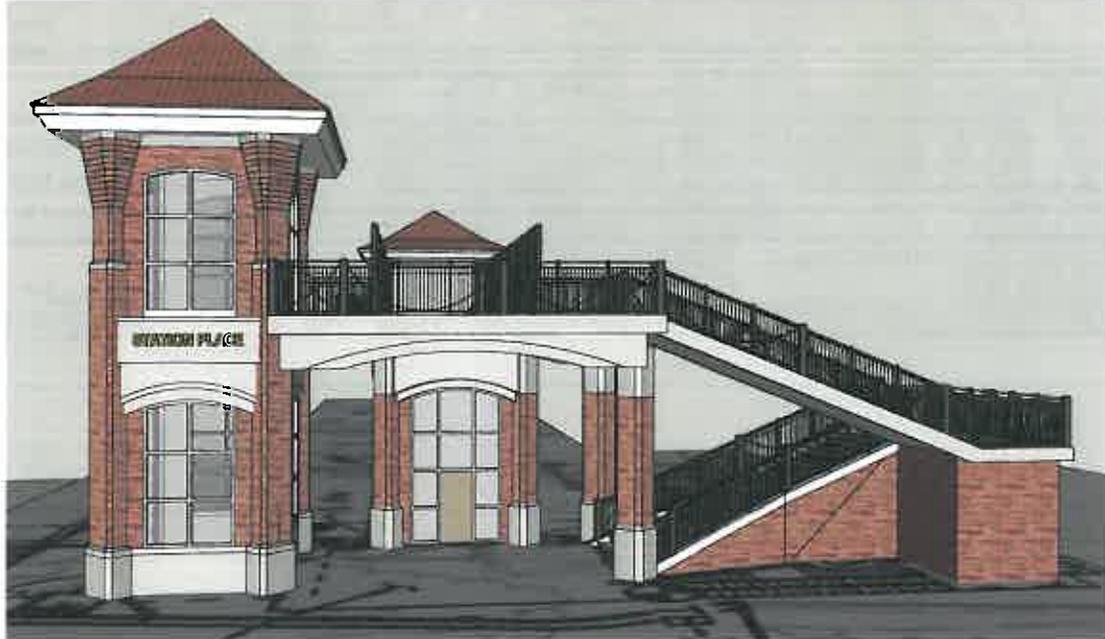
Rendering of pedestrian bridge



Source: Jacobs 2014

View from North River Street looking southwest toward pedestrian bridge. Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

Rendering of elevators, stairway, and utility room at southern pedestrian bridge connection



Source: AMEC, 2014

View from Grand Avenue looking north. Elevator tower is shown on the left, utility room is shown in center, and stairway is shown on the right. The Train Station is located to the east (to the right in this view). Final design is ongoing; minor changes to aesthetic treatments and urban design elements shown may occur.

From: **Rachel Parris** <rparris@coloradopreservation.org>

Date: Tue, Mar 3, 2015 at 11:51 AM

Subject: Addition Information, CDOT FBR 0821-094, Grand Avenue Bridge Replacement

To: lisa.schoch@state.co.us

Lisa,

On behalf of Colorado Preservation, Inc. I would like to concur with the effects determinations listed in the additional information for this project and have no further comment.

Best,

Rachel Parris

Preservation Services Director

[Colorado Preservation, Inc.](#) *30 years and going strong!*

1420 Ogden St., Suite 104

Denver, CO 80218

[303.893.4260](tel:303.893.4260), x236

Visit us at www.coloradopreservation.org



March 11, 2015

Jane Hann
Manager, Environmental Program Branch
Colorado Department of Transportation
Environmental Programs Branch
4201 East Arkansas Avenue
Denver, CO 80222

Re: Additional Information on Determinations of Eligibility and Effect, and Notification of Section 4(f) De Minimis, CDOT Project FBR 0821-094, SH 82/Grand Ave. Bridge Replacement Project (CHS #60723)

Dear Ms. Hann,

Thank you for your additional information correspondence dated and received on March 10, 2015 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed amendment to the previous Area of Potential Effects (APE) for the project. After review of the provided change in scope of work, we concur with the recommended finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 for resources 5GF.1050, 5GF.1050.2, and 5GF.1000.7. In regards to the construction of the pedestrian bridge, we concur with the recommended finding of *no adverse effect* [36 CFR 800.5(b)] under Section 106 for the resources 5GF.1050 and 5GF.1050.3. We acknowledge that FHWA intends to make a *de minimis* determination in respect to the requirements of Section 4(f).

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. 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. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in blue ink, appearing to read "E.C. Nichols".

Edward C. Nichols
State Historic Preservation Officer



Sent via regular mail and email to: lisa.schoch@state.co.us

March 16, 2015

Ms. Jane Hann, Manager
Environmental Programs Branch
Colorado Department of Transportation
4201 E Arkansas Avenue
Denver, Colorado 80222

RE: Additional Information, Section 106 - Project FBR 0821-094 – Grand Avenue Bridge Replacement – Glenwood Springs

Dear Ms. Hann:

In a letter dated February 27, 2015 you notified the City of Glenwood Springs Historic Preservation Commission of modifications to the APE boundary; changes to descriptions of effects on certain historic properties regarding easements necessary to carry-out the Grand Avenue Bridge project; and, updates to the pedestrian bridge design and determination of its visual effect on nearby historic buildings.

I have reviewed the information and, in all cases, concur with your findings of no adverse effect.

Thank you for the opportunity to review and comment. Please let me know if you have questions or need additional information.

Sincerely,

Gretchen E. Ricehill
Senior Planner
Community Development Dept.
970-384-6428.



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

March 26, 2015

12300 W. Dakota Ave., Ste. 180
Lakewood, Colorado 80228
720-963-3000

Mr. Reid Nelson
Advisory Council Historic Preservation
Director of Office of Federal Agency Programs
401 F Street NW, Suite 308
Washington, DC 20001

Attn: Najah Duvall Gabriel

SUBJECT: Documentation for Finding of Adverse Effect, CDOT Project FBR 0821-094, State Highway 82/Glenwood Springs Viaduct/Grand Avenue Bridge Replacement. Glenwood Springs, CO

Dear Mr. Nelson:

Transmitted herewith is the Documentation for Finding of Adverse Effect for the Colorado Department of Transportation (CDOT) project referenced above. According to 36 CFR 800, the proposed undertaking will result in adverse effects to seven properties:

1. Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge (5GF2717)
2. Silver Club Building, 715 Grand Avenue (5GF1015)
3. Palace Hotel, 717 Grand Avenue (5GF1016)
4. Parkison Building, 719 Grand Avenue (5GF1017)
5. Dougan Block/Sacred Grounds Coffeehouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019)
6. Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033)
7. Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032)

FHWA is submitting this Documentation for Finding of Adverse Effect pursuant to the Advisory Council Regulations, 36 CFR 800.6(a)(1). In accordance with the process set forth in the regulations, CDOT is in the process of identifying mitigation measures for the project as indicated in Item 5 of the enclosed documentation. Per 36 CFR 800.6(a)(1)(iii), the Council shall advise the agency official whether it will participate within 15 days of receipt of this documentation.

If there are any questions regarding this project, please contact CDOT Senior Staff Historian Lisa Schoch at (303) 512-4258.

Sincerely yours,



John M. Cater
Division Administrator

By: Shaun Cutting
Program Delivery Team Leader

Enclosures (Copy of DAE)

Cc: Brendan Feery, FHWA Area Engineer
Stephanie Gibson, FHWA Environmental Program Manager
Lisa Schoch, CDOT Environmental Programs Branch

DOCUMENTATION FOR FINDING OF ADVERSE EFFECT

**COLORADO DEPARTMENT OF TRANSPORTATION
Project FBR 0821-094
State Highway 82/ Grand Avenue Bridge Replacement
Environmental Assessment
Garfield County, Colorado
SA 18158**

**COLORADO DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PROGRAMS BRANCH
4201 EAST ARKANSAS AVENUE
DENVER, COLORADO 80222**

March 2015

DOCUMENTATION FOR FINDING OF ADVERSE EFFECT

This documentation is prepared in accordance with the Advisory Council regulations, Section 800.11(e), which stipulates the inclusion of the following items:

1. **A description of the undertaking, specifying the Federal involvement and its area of potential effects, including photographs, maps, and drawings, as necessary.**

Project Description

The project involves the replacement of the State Highway 82/Glenwood Springs Viaduct/Grand Avenue Bridge spanning the Colorado River. CDOT and the Federal Highway Administration (FHWA) are completing an Environmental Assessment process to document the environmental and social impacts of the proposed project. A project location map is included as **Attachment A**.

The Build Alternative would replace the SH 82/ Glenwood Springs Viaduct/Grand Avenue Bridge over the Colorado River with a four-lane bridge on a modified alignment. The new bridge design will include five spans with constant depth girders. The south end of the new bridge would start just north of the 8th Street/Grand Avenue intersection, continue on the existing alignment as it crosses 7th Street and the Union Pacific Railroad; curve west just past the railroad as it crosses the Colorado River, then touch down on the north side of the river near the 6th and Laurel Streets intersection, connecting to I-70 Exit 116.

The existing pedestrian bridge located immediately east of the highway bridge would also be replaced. The pedestrian bridge was constructed in 1985 and is not historic but design elements associated with a replacement bridge, including an elevator tower with dual elevators, stairs, and utility room, were assessed in the evaluation of effects for some of the historic properties in the project area of potential effects (APE).

The Build Alternative would reconfigure the signalized intersection where the new highway bridge would touch down north of the river at 6th and Laurel Streets. A grade-separated pedestrian connection is proposed in an underpass under the relocated intersection, connecting the sidewalks on the northeast and southwest sides. The sidewalk connection on the north side of the underpass comes out at grade and rises up to 6th Street. The Build Alternative also includes several improvements to existing facilities adjacent to the alignment and bridges as part of the construction detour route that would be used during the approximately 90-day bridge closure. Although constructed for the detour, several of these improvements would be permanent because they would also provide long-term transportation benefits, while several changes would only be in place during the detour period. The permanent improvements would be minor surface improvements and would occur within the existing road right-of-way.

Permanent improvements include the following: extending the I-70 westbound acceleration and deceleration lanes at Exit 116; extending the eastbound off-ramp deceleration lane at Exit 114; modifying the Exit 114 roundabouts to better accommodate large trucks. A temporary detour near the Yampah Vapor Caves is planned to allow I-70 traffic to bypass the bridge construction zone using 6th Street during periodic nighttime closures of I-70 for bridge demolition/construction. The detour would be built entirely within CDOT or City of Glenwood Springs right-of-way. The temporary changes would be removed and the original features restored or reconstructed at the end of the project. The project also includes a detour that extends 8th Street to the existing 8th Street bridge over the Roaring Fork River to provide a temporary

traffic detour during the approximate 90-day period when the Glenwood Springs Viaduct/Grand Avenue Bridge will be fully closed to traffic during construction.

Area of Potential Effects (APE):

The Area of Potential Effects (APE) was initially established in consultation with SHPO in February 2012 and was revised in March 2014 to account for effects related to the detour at 8th Street. The APE was modified a third time in February 2015 to include the entire historic boundaries of two railroads: the Denver & Rio Grande Railroad (5GF1000.7) and the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7). A map of the APE boundary is included as **Attachment B**.

2. A description of the steps taken to identify historic properties.

A Class III cultural resources survey of the project APE was conducted by Gail Keeley of Hermsen Consultants between December 2011 and August 2012, and finalized in a report dated April 2013. The survey resulted in the identification of 37 properties. Of these, fourteen properties are historic, including three properties previously listed on the National Register of Historic Places (NRHP) and eleven already eligible or determined eligible as part of this survey. Additional survey was conducted in early 2014 and resulted in the evaluation of two properties—a segment of the Denver & Rio Grande Railroad-Aspen Branch (5GF1661.7) and an associated freight depot (5GF5021). All of the aforementioned properties were intensively documented on the appropriate Colorado Office of Archaeology and Historic Preservation site forms.

There are adverse effects to seven properties, which are listed below:

1. Glenwood Springs Viaduct/Grand Avenue Bridge (5GF2717)
2. Silver Club Building, 715 Grand Avenue (5GF1015)
3. Palace Hotel, 717 Grand Avenue (5GF1016)
4. Parkison Building, 719 Grand Avenue (5GF1017)
5. Dougan Block/Sacred Grounds Coffeeshouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019)
6. Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033)
7. Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032)

The site forms for these properties are included as **Attachment C**.

3. A description of the undertaking's effects on historic properties.

Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge (5GF2717): This eligible property will be removed and replaced with a new structure. CDOT has determined that this change will result in an *adverse effect*. A discussion regarding why the bridge is being replaced as well as a review of alternatives that avoid the bridge is included under Item 5 of this report. The alternatives information will be used in the Section 4(f) Evaluation for this resource.

Silver Club Building (5GF1015, 715 Grand Ave.): The proposed bridge will be between 8.5 and 12.5 feet closer to this building. Currently the building is about 30 feet from the edge of the bridge; after construction it will be 21 feet from the west edge of the bridge. The profile of the new structure will be approximately 3-4 feet higher in front of the building than the existing configuration. CDOT has

determined that these changes will result in an *adverse effect* due to changes in the setting.

Palace Hotel (5GF1016, 717 Grand Ave.): The proposed bridge will be an average of 11 feet closer to this building. Currently it is about 30 feet from the edge of the bridge, whereas it will be an average of 19 feet from the west edge of the new bridge. The profile of the new bridge will be approximately 3-4 feet higher in front of this building than the existing bridge. CDOT has determined that these changes will result in an *adverse effect* due to changes in the setting.

Parkison Building (5GF1017, 719 Grand Ave.): The proposed bridge will be 12 feet closer to this building. Currently the building is about 30 feet from the edge of the bridge; after construction it will be 18 feet from the west edge of the bridge. The profile of the new bridge will be approximately 3-4 feet higher in front of the building than the existing bridge. CDOT has determined that these changes will result in an *adverse effect* due to changes in the setting.

Dougan Block / Sacred Grounds Coffeehouse/Dancing Bear Trading Post (5GF1019, 725-727 Grand Ave.): With construction of the proposed bridge, Grand Avenue will be about 2 feet closer to this building; the existing bridge lands just to the north. Grand Avenue is at-grade with the curb line about 22 feet from the middle of the building. The new bridge approach will be on retaining walls in front of the building, with the west curb line about 20 feet away. The profile of the new bridge will be approximately 1.5 feet higher in front of this building than the existing roadway, and a 1.5-2-foot bridge barrier will be added due to the elevation change; therefore the building front will be approximately 18 feet from the back of the bridge barrier. According to the noise analysis conducted for the project, the existing noise level at this property is 70.2 dBA, which is 0.8 dBA below FHWA's Noise Abatement Criteria of 71.0 dBA for this land use type. The 2035 noise levels at the property would be 72.3 dBA under the No Action Alternative and 72.8 dBA under the Build Alternative. Both alternatives would exceed the Noise Abatement Criteria; however, this slight increase would be imperceptible to the human ear. CDOT has determined that these changes will result in an *adverse effect* due to changes in the setting.

Springs Restaurant/Doc Holliday Tavern (5GF1033, 722-724 Grand Ave.): With construction of the proposed bridge, Grand Avenue will be 7 feet closer to this building, which is presently about 25.5 feet from the edge of Grand Avenue; after the bridge is built, that distance will be 18 feet. The profile of the new bridge will be approximately two feet higher in front of this building than the existing bridge. CDOT has determined that these changes will result in an *adverse effect* due to changes in the setting.

Ore Sampling Room/Narcissus Hair Studio (5GF1032, 726 Grand Ave.): With construction of the proposed bridge, Grand Avenue traffic will be about 2 ft. closer to this building. The existing bridge lands north of the building and Grand Avenue is at-grade, with the lanes about 22 feet away. The existing curb is about 8 feet away, and there is on-street parking and an access lane locally referred to as the "wing street" in front of the building. After the bridge is constructed, the wing street and parking under the existing bridge will be removed and the bridge approach will be on retaining walls in front of the building, with the east curb line about 20 feet away. The profile of the new bridge will be approximately 1.5 feet higher in front of the building than the existing roadway, and a 1.5-2 feet bridge barrier will be added due to the elevation change so the building front will be approximately 18 feet from the back of the bridge barrier. CDOT has determined that these changes will result in an *adverse effect* to 5GF1032.

4. A description of the affected historic properties, including information on the characteristics that qualify them for the National Register.

Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge (5GF2717): This riveted plate girder continuous bridge was built in 1953, replacing the earlier bridge over the river, which was built in 1891. The bridge is significant under Criterion A for its role in providing mobility and a way to transport supplies and products. The bridge was determined officially NRHP eligible in 2002.

Silver Club Building, 715 Grand Avenue (5GF1015): This building is significant under Criterion A as a prominent saloon in the early 1900s, and under Criterion C as a good example of pre-1900 brick commercial structures built in Glenwood Springs.

Palace Hotel, 717 Grand Avenue (5GF1016): This property is significant under Criterion A for its modest role in the commercial history of Glenwood Springs as an early brick building occupied for more than eight decades by numerous retail and service businesses. It also served as a rooming house during that time period. Under Criterion C, it is significant as an early example of a pre-1900 brick building built in Glenwood Springs.

Parkison Building, 719 Grand Avenue (5GF1017): The building is significant under Criterion C as an example of a commercial building with brick detailing typical of turn-of-the-19th century construction in western Colorado. Under Criterion A, the building is significant as an early building constructed at the turn of the 19th century that contributes to an understanding of early development in Glenwood Springs.

Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033): The building is significant under Criterion A for its role in understanding early development in Glenwood Springs, and is significant under Criterion C as an example of early commercial buildings in Glenwood Springs with its elaborate corbelling along the building's roofline.

Dougan Block/Sacred Grounds Coffeehouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019): The building is significant under Criterion A for its association with the development of Glenwood Springs at the turn of the 19th century. It is also significant under Criterion C as an example of turn-of-the-19th century commercial property featuring brick detailing and sandstone string course typical of construction during that period in western Colorado.

Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032): The building is the only remaining part of the Hotel Glenwood, an early landmark in Glenwood Springs that burned in 1949. The building is not eligible under Criterion B or C, but is significant under Criterion A for its association with the Hotel Glenwood, mining, and early development in Glenwood Springs.

5. An explanation of why the criteria of adverse effect were found applicable or inapplicable

Avoidance and minimization

In the development of the Build Alternative, the study team evaluated measures to minimize effects to the historic properties along the 700 block of Grand Avenue including the Silver Club Building, 715 Grand Avenue (5GF1015), Palace Hotel, 717 Grand Avenue (5GF1016), Parkison Building, 719 Grand Avenue (5GF1017), Glenwood Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033) Dougan Block/Sacred Grounds Coffeehouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019), and Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032). These

measures include the following considerations:

1. Reduce highway bridge lane widths in this area from the standard 12-foot width to 11 feet.
2. Design a thinner (shorter) bridge structure in this area to minimize the visual effect on the historic properties located on the 700 block of Grand Avenue.
3. Eliminate from consideration a pedestrian sidewalk and ramp attached to the east side of the highway bridge in this area. This would allow for a narrower overall bridge cross-section near the historic properties along the 700 block of Grand Avenue, creating more distance between those properties and the new bridge.
4. Eliminate from consideration a pedestrian ramp connecting the south end of the pedestrian bridge to 7th Street. The proposed elevators and stairs would reduce visual impacts to the historic properties along the 700 block of Grand Avenue and train station relative to the ramp.

The following analysis was conducted to evaluate the replacement of the Glenwood Springs Viaduct/Grand Avenue Bridge, including alternatives that would avoid the use of the bridge.

CDOT determined that the existing bridge needs to be replaced for the following reasons:

1. **Need to improve multi-modal connectivity between downtown Glenwood Springs, and the Roaring Fork Valley, with the historic Hot Springs pool area and I-70.** The Glenwood Springs Viaduct/Grand Avenue Bridge connects the Glenwood Hot Springs and Hotel Colorado area to the core downtown commercial corridor located south of the bridge along Grand Avenue. However, the bridge's condition impairs this connection for a variety of transportation users, as summarized below:
 - **Narrow lanes:** The bridge lane widths are substandard (9 feet 4 inches instead of the standard 12 feet) and there are no shoulders. In addition to impairing vehicle safety and mobility, these conditions limit the bridge's ability to provide connectivity because they force larger vehicles (buses, emergency service vehicles, oversized passenger vehicles, etc.) to cross over into the second lane, preventing two full lanes of traffic at certain times. These conditions also create an uncomfortable environment for drivers, limit drivers' ability to make emergency maneuvers, and limit the maneuverability of emergency service vehicles.
 - **Insufficient alternate routes:** The closest alternate routes across the river and I-70 are Devereux Road and Midland Avenue (Exit 114). Devereux Road does not cross the UPRR tracks, and Midland Avenue is more than 2.3 miles west of the Glenwood Springs Viaduct/Grand Avenue Bridge. Midland Avenue does not directly connect the downtown core area with the Glenwood Hot Springs area. No other alternate routes are currently planned or under construction, which means that trucks, buses, and emergency vehicles will continue to use the Glenwood Springs Viaduct/Grand Avenue Bridge for the foreseeable future because only the existing route provides the capacity and the connectivity needed to accommodate existing and future traffic needs.
 - **Traffic congestion:** Forecasted traffic growth of 2 percent per year would result in increased congestion on the bridge and its connecting streets, and worsen the bridge's ability to provide connectivity.

- 2. Bridge is functionally deficient.** The existing bridge was built in 1953 as a two-lane bridge with a sidewalk on each side. In 1969, the sidewalks were removed to add two more lanes. Originally designed for a 50-year lifespan, the 62-year-old bridge is deteriorating, requires more frequent repairs, and is becoming more susceptible to failure. Based on a 2013 bridge inspection and report, CDOT classified the bridge as “functionally obsolete.” This classification is the result of geometric deficiencies, all of which must be corrected for the bridge not to be considered functionally obsolete, and include: bridge is too narrow to accommodate four standard lane widths; vertical clearances are substandard at 7th Street and the UPRR tracks; and horizontal clearances are substandard because of the location of bridge piers related to I-70 travel lanes. These deficiencies resulted in an appraisal rating of 3 out of 9.

There is also a risk of bridge closure. There is potential that further deterioration of the bridge or damage to the bridge as a result of a collision could result in emergency closures for repairs. An emergency short- or long-term closure of the bridge would result in substantial travel impacts for local and regional SH 82 users, and could impact I-70 traffic. Depending on the types of repairs, traffic could be delayed intermittently or detoured completely. A full closure of I-70 would mean a 141-mile detour through Craig and Meeker via SH 13, US 40, and SH 131.

Further, the merging distance onto eastbound I-70 does not meet current standards. The bridge piers adjacent to the eastbound I-70 shoulder limit the length of the on ramp and merge/taper area. As a result, the distance to merge onto I-70 eastbound is too short. The current distance from the end of the ramp to the bridge piers is approximately 300 feet, making the acceleration/merge area less than 150 feet. This is about half of the current standard, which is approximately 300 to 500 feet of acceleration distance for a design speed of 50 mph.

Further, the bridge piers and footings are susceptible to scour. The predicted scour depth for a 100-year flood event for the pier in the river is over three feet below the footing. A recent hydraulic assessment found the bridge to be “scour critical,” meaning that the bridge foundations have been determined to be unstable for assessed, calculated, or observed scour conditions (AMEC, 2014). Specifically, erosion has been observed below the concrete footing that supports the piers in the river. The bridge needs to be monitored closely during and after a high water event or closed if monitoring is not feasible. In addition, the hydraulic analysis determined that the bridge is unstable at flow rates below a 500-year flood event. CDOT’s 2013 bridge inspection report (CDOT, 2013) rated the bridge’s piers and abutments a 6 out of 9 because the piers were showing deterioration, corrosion, and exposed reinforcing steel.

- 3. Bridge is structurally deficient:** The existing bridge load-carrying capacity is 55 percent of new bridge design standards. The bridge was designed in 1953 for two lanes of traffic using standards at the time. Current standards for a four-lane bridge require significantly more capacity. The bridge load capacity is substandard, but not low enough to require the bridge to be load posted or to limit the use by legal roadway traffic. The noted load carrying capacity of 55 percent of new bridge design standards is relative to frequent common loads that a bridge experiences. The bridge is capable of carrying higher loads on an infrequent basis.

The 2013 inspection included the following additional issues with the bridge’s condition:

- Substandard bridge rail.
- Deterioration of concrete curbs and piers, exposing reinforcing steel in places.

Corrosion on railing, girders, and bridge supports.

CDOT evaluated several alternatives that would avoid replacing the bridge. These alternatives, and reasons they were eliminated from further consideration, are summarized below:

1. **No Action Alternative:** This alternative would leave the existing bridge in place and construct no other alternate options for connecting the Hot Springs pool and Hotel Colorado area to the core commercial corridor located south of the bridge along Grand Avenue. Keeping the bridge would result in continued unacceptable safety risks to the general public, and limit vehicular, pedestrian, and bicyclist connectivity. While there are two alternate route options to the Glenwood Springs Viaduct/Grand Avenue Bridge, both alternate routes have a much lower capacity and require out-of-direction travel. Closing the bridge and relying on the other two alternative route options would result in extensive delays and safety concerns while traveling through Glenwood Springs over the Colorado River. These delays and safety concerns would reduce connectivity between downtown Glenwood Springs and the Roaring Fork Valley with the historic Hot Springs, the iconic Hotel Colorado, and I-70. Because of these issues, the No Action Alternative was eliminated.
2. **Rehabilitate Bridge:** Rehabilitating the bridge involves repairing or replacing known functional and structural deficiencies described earlier. However, it was determined that some deficiencies could not be fixed without rebuilding large parts or all of the bridge. For example, while the bridge could be widened to accommodate standard lane widths on the bridge, the piers that create safety hazards for I-70 traffic and river users could not be replaced without taking out the piers and, therefore, the bridge. As a result, this alternative would still result in a functionally obsolete bridge.

Also, the existing Glenwood Springs Viaduct/Grand Avenue Bridge is distinguished as a well-preserved, large-scale example of CHD beam bridge construction. Rehabilitation of the existing structure would require major improvements, including deck replacement, raising, and widening. Bridge rails would also need to be installed and girders would be rehabilitated where necessary. Measures to mitigate scour on the piers in the Colorado River and spalling, delamination, and corrosion along the entire bridge would be needed. These changes would alter the bridge's "well-preserved" state – a characteristic that contributed to the bridge's NRHP eligibility. Further, rehabilitating the bridge may be more costly than replacing the bridge. Because so much of the bridge needs work, the rehabilitation would be a massive undertaking, requiring extensive analysis, design, and major reconstruction. It is also likely that the rehabilitation might uncover other needs, making the costs highly variable.

Under the Rehabilitation Alternative, the bridge would still stand on its original piers and foundations, so it would have a shorter design life (approximately 30 years) than a new bridge, which would have a design life of 75 years. Also, it would provide fewer opportunities for incorporating bridge aesthetics that are in context with Glenwood Springs—an issue of considerable importance to stakeholders. Based on the above information, this alternative was eliminated.

3. Alternative Bridge Alignments West of the Glenwood Springs Viaduct/Grand Avenue Bridge. Alternative bridge alignments west of the Glenwood Springs Viaduct/Grand Avenue Bridge that were evaluated are summarized below:

- Alignment using the area at Exit 116 from west bound I-70 on the north side of the river and Colorado Avenue on the south side of the river. This alignment would result in excessive costs and steep grades to meet the UPRR clearance requirements. For these reasons, this alternative was eliminated.
- Alignment providing direct connection to downtown to and from I-70 to the west via two bridge structures connecting to either 8th Street or 9th Street near Bolitho Elementary School. The bridge would span I-70, the Colorado River and the railroad “wye” section located west of the intersection of 7th Street and Colorado Avenue. Under this alignment, the bridge would not be able to descend adequately to provide a direct connection to 8th or 9th Street. The bridge would therefore touch down between 8th and 9th Street with a slight curve to the east to meet street grade at 9th Street. This alignment would result in direct impacts to the elementary school and would require the acquisition of several homes near the intersection of Pitkin Avenue and 9th Street. In addition, the intersection of 9th Street and Grand Avenue would need to be widened, requiring the acquisition of the Colorado National Bank building. Existing traffic volumes and patterns along Grand Avenue, 6th Street and 9th Street would change as a result of this alignment. To accommodate the increase in traffic volumes of approximately 12,000 to 15,000 vehicles per day, all on-street parking along 9th Street would need to be removed. Traffic volumes along Grand Avenue and 6th Street would be reduced as traffic would access I-70 via the new alignment. This alternative was eliminated because it would result in substantial impacts to residential and commercial areas, existing travel patterns within Glenwood Springs on the south side of the river, and increased cost.
- Alignment using a 4-lane cross-section and either the intersection of 6th Street and Laurel or 6th Street and Maple on the north side of the river and Colorado Avenue on the south side of the river. The alignment would include an S-curve, connecting Colorado Avenue via 9th Street to Grand Avenue. This alignment would require additional right-of-way from Glenwood Springs on the south side of the river and result in increased noise and air quality impacts. In addition, this alignment has a greater potential for impacts to both historic and park resources. Existing travel patterns and volumes along Grand Avenue between 9th Avenue and 6th Avenue would change. Steep grades greater than 6 percent limit the north side options at 6th Street and Laurel. This alternative was eliminated because it would result in substantial impacts to downtown properties near the intersection of 9th Street and Grand Avenue, and increased potential impacts to historic and park resources. In addition, this alignment would result in additional impacts to existing travel patterns and increased cost.

Couplet Alternatives. Six couplet alternatives were evaluated that would use the existing Glenwood Springs Viaduct/Grand Avenue Bridge for one-way traffic. Most of these alternatives would require the bridge to be rehabilitated as described under the rehabilitation alternative described above. All couplet alternatives would result in substantial economic impacts because of the cost to construct a new bridge and to rehabilitate the existing bridge. The couplet alternatives would also not address the purpose and need for the project. The existing Glenwood Springs Viaduct/Grand Avenue Bridge would still exhibit unacceptable safety and operational problems as a result of the

pinch point created by the piers adjacent to I-70. The couplet alternatives evaluated are summarized below:

- Use existing Glenwood Springs Viaduct/Grand Avenue Bridge and built new bridge aligned to the intersection of 7th Street and Grand Avenue on the south side of the river, and Laurel and Pine on the north side of the river: This alternative would result in direct impacts to commercial properties on the north side of the river. As mentioned above, the inadequate horizontal clearance of the existing piers adjacent to I-70 would not be addressed during rehabilitation. Therefore, rehabilitation of the bridge would not address the functional and structural deficiencies of the bridge and therefore, would not meet the Purpose and Need of the project.
 - Use existing Glenwood Springs Viaduct/Grand Avenue Bridge and a new southbound bridge aligned to Colorado Avenue on the south side of the river and the intersection of Laurel Street and North River Street on the north side of the river and the intersection of Colorado and 9th Street on the south side of the river. This alternative would result in direct negative impacts to commercial properties on the north side of the river. Steep terrain on the south side of the river would create a steep climbing grade on the new southbound bridge. Traffic flow along Colorado Avenue to 9th Street would be poor due to the impacts of the one-way southbound bridge. Finally, the functional and structural deficiencies of the existing bridge would not be fully addressed.
 - Use existing Glenwood Springs Viaduct/Grand Avenue Bridge and a new southbound bridge aligned to Grand Avenue on the north side of the river and Colorado Ave on the South side. This alternative would result in negative direct impacts to residential and historic properties, parking and traffic circulation on the south side. Similar to Alternatives 4 and 5 functional and structural deficiencies would still exist on the Grand Avenue Bridge.
 - Use existing Glenwood Springs Viaduct/Grand Avenue Bridge and a new southbound bridge aligned to the intersection of 6th Street and Laurel Street on the north side of the river and Colorado Ave on the South side.
 - Alternative that would include the use of two new bridges. The bridge to the west would be aligned at the intersection of Pine Street and 6th Street on the north side and Colorado Avenue and 7th Street on the south side. The bridge to the east would utilize the same intersection on the north side and the intersection of Cooper Ave and 7th Street on the south side. Impacts of this alternative would be similar to the impacts of alternatives with alignments west and east of Grand Avenue Bridge mentioned above.
- 4. Alternative Bridge Alignments East of the Grand Avenue Bridge.** New bridge alignments located east of the Glenwood Springs Viaduct/Grand Avenue Bridge were developed and evaluated. Bridge alignments east of the existing bridge would need to follow Cooper or Blake Avenues. In evaluating eastern bridge options, it became apparent that any bridge in this area would directly impact several historic Section 4(f) properties, including the Glenwood Hot Springs Historic District (Site #5GF1050), Glenwood Hot Springs Bathhouse/Natatorium (Site #5GF 1050.2), Denver & Rio Grande Railroad Station (Site #5GF 1050.3), and possibly the Glenwood Springs Hydroelectric Plant (Site #5GF 2441), Hotel Colorado (Site #5GF 767) and Yampah Hot Springs Vapor Caves (Site #5GF 1258). Also, a new bridge touchdown along Cooper Avenue would result in a high level of impacts to adjacent businesses, and bridge alignments along Cooper or Blake

Avenue would move SH 82 into neighborhoods east of SH 82, increasing traffic in residential areas and resulting in a high level of social impacts. Further, the steep topography would complicate construction of a new bridge, resulting in higher construction costs. It was also determined that alignments east of Cooper Avenue would not meet the Purpose and Need element to connect downtown Glenwood Hot Springs and I-70. For these reasons, alternatives east of the existing bridge were eliminated because they would result in adverse effects to a higher number of other historic resources, alter existing travel and traffic patterns that would result in a higher level of economic and social impacts than replacement of the Grand Avenue Bridge, and would not meet the purpose and need.

Mitigation

CDOT conducted a telephone conference with Gretchen Ricehill of the City of Glenwood Springs Historic Preservation Commission (HPC) in June 2014 and subsequently attended a meeting to discuss mitigation with that organization in Glenwood Springs on October 13, 2014. While the HPC is interested in archival and interpretive mitigation, there was also interest in tree replacements and aesthetic treatments including use of natural materials (stone, brick) at the bridge landings and in public areas where people will be interacting near the new bridge and pedestrian bridge. The HPC also expressed an interest in re-purposing parts of the old bridge as public art. CDOT coordinated with the HPC again to refine some of the mitigation options and included those in the Memorandum of Agreement (MOA). The minutes from the October 13, 2014 meeting have been attached to this document.

For the Glenwood Springs Viaduct/Grand Avenue Bridge (5GF2717), CDOT will prepare Level II Archival Documentation as established by the Colorado Office of Archaeology and Historic Preservation in Form 1595. In consultation with the Glenwood Springs Historic Preservation Commission, CDOT has also agreed to develop and install an interpretive sign that addresses the development of bridge technology in Glenwood Springs at the Colorado River crossing. Archival photography will be completed for the six properties on Grand Avenue between 7th and 8th Streets to capture the current setting and condition of the properties. The SHPO and the HPC will have an opportunity to review the Level II documentation, the archival photography, and the interpretive mitigation, and copies of the final archival documentation will be provided to SHPO and a local library or archive.

The Glenwood Springs HPC requested some landscape mitigation to mitigate the loss of trees and visual effect to historic properties. They also requested that CDOT incorporate building materials into the new highway and pedestrian bridge design that are consistent with the character and appearance of existing materials in the City of Glenwood Springs downtown area. The details of these mitigation options are still being clarified.

The MOA will include these mitigation options and additional mitigation measures as consultation continues. The MOA will be circulated for draft review by SHPO, the US Army Corps of Engineers, FHWA and the consulting parties.

6. Copies or summaries of any views provided by consulting parties and the public.

The SHPO has concurred with the lead agency's determinations of effects, and the SHPO's written views are attached (**Attachment D**). Also included are comments from the consulting parties and meeting minutes from the October 13, 2014 mitigation meeting noted in Item 5 above. The following potential consulting parties were given an opportunity to comment on the project in August 2013, August 2014, April 2014, and February 2015: the Frontier Historical Society, the Garfield County Commissioners,

Colorado Preservation Incorporated, and the Glenwood Springs Historic Preservation Commission. Of these, only the Glenwood Springs HPC and Colorado Preservation Incorporated responded and their comments are included.



Preserving America's Heritage

April 21, 2015

Mr. John M. Cater
Division Administrator
Federal Highway Administration
Colorado Division
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228

Ref: *Proposed Highway 82/Glenwood Springs Viaduct/Grand Avenue Bridge Replacement
Glenwood Springs, Colorado*

Dear Mr. Cater:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Colorado State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Mr. Christopher Wilson at 202-517-0229 or via e-mail at cwilson@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

**MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE UNITED STATES ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT,
THE COLORADO STATE HISTORIC PRESERVATION OFFICER,
AND THE COLORADO DEPARTMENT OF TRANSPORTATION
REGARDING
CDOT PROJECT FBR 0821-094
GRAND AVENUE BRIDGE REPLACEMENT
GLENWOOD SPRINGS,
GARFIELD COUNTY, COLORADO**

WHEREAS, the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT) propose to construct CDOT Project FBR 0821-094, which involves the replacement of the existing State Highway 82 (SH 82)/Grand Avenue bridge spanning the Colorado River in the City of Glenwood Springs, Garfield County, Colorado (Project). The Project will replace the existing bridge with a new bridge that begins at the current southern touchdown point and then curves to the west to touch down north of the river at a location west of the existing bridge. The pedestrian bridge adjacent to the highway bridge will also be replaced on the same general alignment as the existing pedestrian bridge. The Project will improve the north and south connections for both bridges, and will change the 6th Street/Laurel intersection to a roundabout configuration as part of the SH 82/Grand Avenue bridge north connection improvements.

WHEREAS, the Colorado Department of Transportation (CDOT) carries out activities for Federal-Aid transportation projects on behalf of FHWA, including consultation under Section 106 of the National Historic Preservation Act (Section 106) (54 U.S.C . § 307108) and the Advisory Council on Historic Preservation's (Council) regulations (36 CFR Part 800), National Environmental Policy Act (NEPA) analysis, and construction contract administration; and FHWA has consulted with the CDOT regarding the effects of the Project on historic properties and has invited them to sign this MOA as a signatory; and

WHEREAS, the United States Army Corps of Engineers, Sacramento District (Corps) may issue a permit pursuant to Section 404 of the Clean Water Act (33 U.S.C § 1344) for the Project and has designated FHWA as the lead federal agency for the Project under Section 106; and

WHEREAS, the City of Glenwood Springs serves as a cooperating agency for the study and has been invited to sign this MOA as an invited signatory;

WHEREAS, CDOT, in consultation with the Colorado State Historic Preservation Officer (SHPO) and in accordance with 36 CFR § 800.4(a)(1), has established the Project's Area of Potential Effects (APE) as including all areas to be developed as part of the Project, including all right of way, temporary and permanent easements and construction staging areas; and

WHEREAS, CDOT, in consultation with the SHPO and in accordance with 36 CFR § 800.4(b) and § 800.4(c), has inventoried historic properties within the Project APE. A Class III cultural

resources survey of the project APE was conducted and resulted in the identification of thirty-eight (38) properties. Of these, there were twenty-three (23) properties determined not eligible and fifteen (15) eligible properties, including three (3) properties previously listed on the National Register of Historic Places (NRHP) and twelve (12) already eligible or determined eligible as part of this survey.

WHEREAS, CDOT has determined that the Project will have an adverse effect on the following seven historic properties, and has consulted with the SHPO, pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108):

Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge (5GF2717): This riveted plate girder continuous bridge was built in 1953, replacing the earlier bridge over the river, which was built in 1891. The bridge is significant under Criterion A for its role in providing mobility and a way to transport supplies and products. The bridge was previously determined eligible for listing in the NRHP in 2002 by the Colorado Department of Transportation in consultation with the Colorado State Historic Preservation Office.

Silver Club Building, 715 Grand Avenue (5GF1015): This building is significant under Criterion A as a prominent saloon in the early 1900s and under Criterion C as a good example of pre-1900 brick commercial structures built in Glenwood Springs.

Palace Hotel, 717 Grand Avenue (5GF1016): This property is significant under Criterion A for its modest role in the commercial history of Glenwood Springs as an early brick building occupied for more than eight decades by numerous retail and service businesses. It also served as a rooming house during that time period. Under Criterion C it is significant as an early example of a pre-1900 brick building built in Glenwood Springs.

Parkison Building, 719 Grand Avenue (5GF1017): The building is significant under Criterion C as an example of a commercial building with brick detailing typical of turn-of-the-century construction in western Colorado. Under Criterion A, the building is significant as an early building constructed at the turn of the 19th century that contributes to an understanding of early development in Glenwood Springs.

Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033): The building is significant under Criterion A for its role in understanding early development in Glenwood Springs, and is significant under Criterion C as an example of early commercial buildings in Glenwood Springs with its elaborate corbelling along the building's roofline.

Dougan Block/Sacred Grounds Coffeehouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019): The building is significant under Criterion A for its association with the development of Glenwood Springs at the turn of the 19th century. It is also significant under Criterion C as an example of turn of the 19th century commercial property featuring brick detailing and sandstone string-course typical of construction during that period in western Colorado.

Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032): The building is the only remaining part of the Hotel Glenwood, an early landmark in Glenwood Springs that burned in 1949. The building is significant under Criterion A for its association with the Hotel Glenwood, mining, and early development in Glenwood Springs; and

WHEREAS, in accordance with 36 CFR Section 800.6(a)(1), FHWA has notified the Council in correspondence dated March 26, 2015 of the adverse effect determinations with specified documentation, and in a letter dated April 21, 2015 the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii); and

WHEREAS, CDOT has consulted with the City of Glenwood Springs Historic Preservation Commission and has invited the City of Glenwood Springs to participate in this MOA as an invited signatory; and

WHEREAS, CDOT has consulted with Colorado Preservation Incorporated and has invited them to participate in this MOA as a concurring party, but they responded that they will not be participating in the MOA; and

WHEREAS, CDOT has also consulted with the Board of County Commissioners for Garfield County and the Frontier Historical Society but they did not comment on the project.

NOW, THEREFORE, FHWA, Corps, SHPO, and CDOT agree that the Project shall be implemented in accordance with the following stipulations in order to take into account the effect of the Project on historic properties.

STIPULATIONS

The FHWA shall ensure that the following stipulations are implemented:

I. AREA OF POTENTIAL EFFECTS

The Project's APE encompasses the parcels adjacent to 6th Street, Grand Avenue, and the area within the Hot Springs Historic District. The APE was developed in consultation with the State Historic Preservation Office and was defined to consider both direct and indirect effects. The APE is depicted in **Attachment A** to this MOA. Attachment A hereunder may be amended through consultation among the signatory parties without amending the MOA proper.

II. MITIGATION

A. ARCHIVAL DOCUMENTATION

The Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge (5GF2717) will be documented prior to construction so that there will be a permanent record of its present appearance and history. Recordation shall consist of archivally-stable medium format photography and a descriptive and historical narrative of the bridge. All documentation must be accepted by the SHPO prior to the start of construction. CDOT shall:

1. ensure that the Glenwood Springs Viaduct/SH 82/Grand Avenue Bridge will be documented in accordance with the standards required for Level II documentation found in *OAHP form #1595, Historical Resource Documentation: Standards for Level I, II, III Documentation*, and
2. ensure that all documentation activities will be performed or directly supervised by, architects, historians, photographers, and/or other professionals meeting the qualification standards for their field in the Secretary of Interior's Professional Qualifications Standards (36 CFR Part 61, Appendix A), and
3. provide originals of the documentation to the SHPO, the Frontier Historical Museum, the Glenwood Springs Historic Preservation Commission, and the Garfield County Library (Glenwood Springs Branch) by the end of December 2017.

B. ARCHIVAL PHOTOGRAPHY

The properties along Grand Avenue between 7th and 8th Streets shall be photographed prior to construction so that there will be a permanent record of their present appearance and setting. These include the following properties:

Silver Club Building, 715 Grand Avenue (5GF1015)

Palace Hotel, 717 Grand Avenue (5GF1016)

Parkison Building, 719 Grand Avenue (5GF1017)

Dougan Block/Sacred Grounds Coffeehouse/Dancing Bear Trading Post, 725-727 Grand Avenue (5GF1019)

Springs Restaurant/ Doc Holliday Tavern, 722-724 Grand Avenue (5GF1033)

Ore Sampling Room/Narcissus Hair Studio, 726 Grand Avenue (5GF1032)

Recordation shall consist of archivally-stable medium format photography and a photo log. All documentation must be accepted by the SHPO prior to the start of construction. CDOT shall:

1. ensure that the properties noted above will be documented in accordance with the photography standards required for Level II documentation found in *OAHP form #1595, Historical Resource Documentation: Standards for Level I, II, III Documentation*, and
2. ensure that all documentation activities will be performed or directly supervised by, architects, historians, photographers, and/or other professionals meeting the qualification standards for their field in the Secretary of Interior's Professional Qualifications Standards (36 CFR Part 61, Appendix A), and
3. provide originals of the photos to the SHPO, the Frontier Historical Museum, the Glenwood Springs Historic Preservation Commission, and the Garfield County Library (Glenwood Springs Branch) by the end of December 2017.

C. INTERPRETIVE MITIGATION

1. CDOT will consult with the City of Glenwood Springs Historic Preservation Commission and SHPO to develop content for an interpretive panel that addresses the broader history of bridge construction across the Colorado River. The design, format, content, and location of the sign will be determined in consultation with the SHPO. The final sign will be finalized and installed as part of the project by the end of December 2017.

D. LANDSCAPE AND STREETScape MITIGATION

1. CDOT shall install landscape features such as planter walls and tall shrubs and/or vines between 7th and 8th Streets to mitigate the loss of trees and visual effects to historic properties in this location. CDOT shall consult with the City of Glenwood Springs Historic Preservation Commission and SHPO regarding the design and location of the planter walls and the location and nature of the plantings. Consultation with SHPO and the Glenwood Springs Historic Preservation Commission will be completed by the end of December 2017.
2. CDOT shall incorporate building materials into the new highway and pedestrian bridge design that are consistent with the character and appearance of existing materials (e.g., stone, brick) used in buildings and features of the City of Glenwood Springs downtown area. CDOT shall consult with the City of Glenwood Springs Historic Preservation Commission and SHPO regarding the types of materials and how these are incorporated into the design of the new bridges. Consultation with SHPO and the Glenwood Springs Historic Preservation Commission will be completed by the end of December 2017.

III. DISCOVERIES AND UNANTICIPATED EFFECTS

If FHWA, or CDOT on behalf of FHWA, determines the Undertaking will affect a previously unidentified property that may be eligible for the NRHP, or affect a known historic property in an unanticipated manner, these agencies will address the discovery or unanticipated effect in accordance with 36 CFR § 800.13(b).

IV. ADMINISTRATIVE PROVISIONS

A. MONITORING AND REPORTING

Reporting for this agreement shall be included in the Section 106 Annual Tracking Report as provided in Section XIII (B) of the June 2014 *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Colorado State Historic Preservation Officer, and the Colorado Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act (NHPA) as it Pertains to the Administration of the Federal Aid Highway Program in Colorado*.

B. CONFIDENTIALITY

The MOA parties acknowledge that the historic properties covered by this MOA are subject to the provisions of Section 304 of the NHPA (54 U.S.C. § 307103), relating to the disclosure of information to the public about the location, character, or ownership of the historic resource. If the federal agency determines, after consultation with the Secretary of Interior, that the disclosure may risk harm to the historic resource, and, having so acknowledged, it will ensure that all actions and documentation prescribed by this MOA are consistent with said sections.

C. DISPUTE RESOLUTION

Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines, within 30 days, that such objection(s) cannot be resolved, FHWA will:

1. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by FHWA in reaching a final decision regarding the dispute.
2. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, FHWA may render a decision regarding the dispute. In reaching its decision, FHWA will take into account all comments regarding the dispute from the parties to the MOA.
3. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. FHWA will notify all parties of its decision in writing before implementing that portion of the Project subject to dispute under this stipulation. FHWA's decision will be final.

D. AMENDMENTS

Any signatory party to this MOA may propose that this MOA be amended, whereupon all signatory parties shall consult for no more than 30 days to consider such amendment. If any signatory to this MOA, including any invited signatory, determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR §800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation IV.E, below.

E. TERMINATION

1. If this MOA is not amended as provided for in Stipulation IV.D, or if a signatory party proposes termination of this MOA for other reasons, the signatory party proposing termination shall, in writing, notify the other MOA parties, explain the reasons for proposing termination, and consult with the other parties for at least 30 days to seek alternatives to termination.
2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with the terms of that agreement.
3. Should such consultation fail, the signatory party proposing termination may terminate this MOA by promptly notifying the other MOA parties in writing. Termination hereunder shall render this MOA without further force or effect.
4. If this MOA is terminated hereunder, and if FHWA determines that the Project will nonetheless proceed, then FHWA shall comply with the requirements of 36 CFR 800.3-800.6.

V. DURATION

1. This MOA shall take effect when FHWA files it with the Council.
2. Unless terminated pursuant to Stipulation IV.E, or superseded by an amended MOA, this MOA will remain in effect until FHWA, in consultation with the other signatory parties, determines that all of its stipulations have been satisfactorily fulfilled.
3. The terms of this MOA shall be satisfactorily fulfilled within five years following the date of execution by the signatory parties. If FHWA determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include continuation of the MOA as originally executed, amendment of the MOA, or termination. In the event of termination, FHWA will comply with Stipulation IV.E.4 if it determines that the Project will proceed notwithstanding termination of this MOA.
4. If the Project has not been implemented within five years following execution of this MOA, this MOA shall automatically terminate and have no further force or effect. This time frame can be expanded if agreed to in writing by the signatory parties prior to the expiration date. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the agreement and amend it in accordance with Stipulation IV.C.

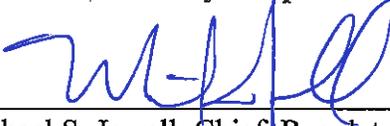
EXECUTION of this MOA by FHWA, Corps, SHPO, and CDOT, its filing with the Council pursuant to 36 CFR Section 800.6(b)(1)(iv) prior to FHWA's approval of this Project, and implementation of its terms shall evidence that the Corps and FHWA have taken into account the effects of this Project on historic properties and afforded the Council an opportunity to comment.

SIGNATORIES:

Federal Highway Administration

By:  Date 5/29/15
John M. Cater, P.E., Division Administrator

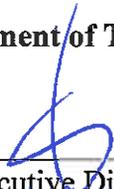
United States Army Corps of Engineers, Sacramento District

By:  Date 14 May 2015
Michael S. Jewell, Chief, Regulatory Division

Colorado State Historic Preservation Officer

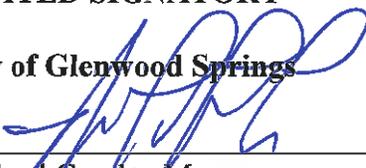
By:  Date May 21, 2015
for Edward Nichols, State Historic Preservation Officer

Colorado Department of Transportation

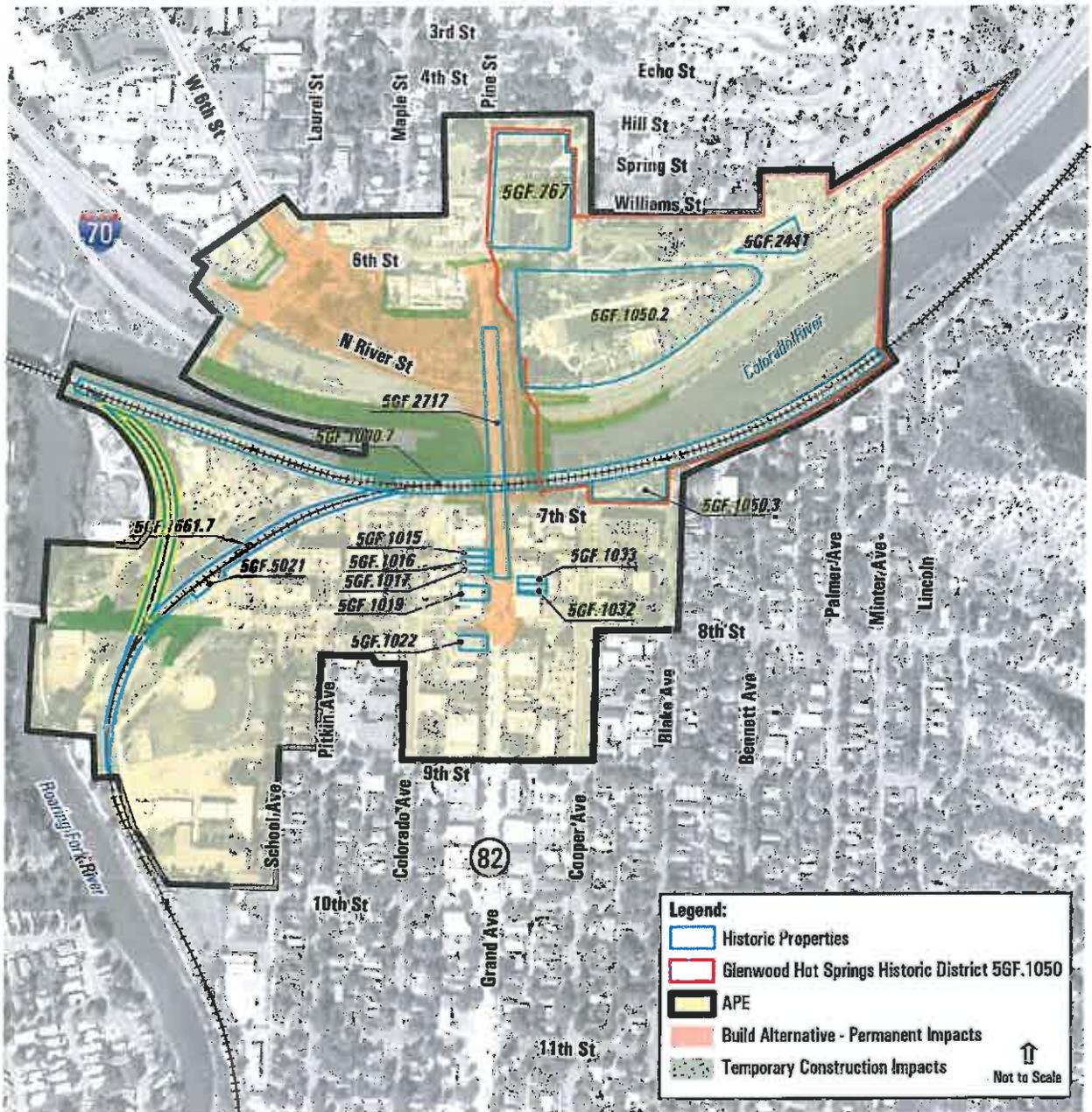
By:  Date _____
Shailen Bhatt, Executive Director

INVITED SIGNATORY

City of Glenwood Springs

By:  Date May 27, 2015
Michael Gamba, Mayor

**ATTACHMENT A
AREA OF POTENTIAL EFFECTS MAP**





CITY OF GLENWOOD SPRINGS

Department of Community Development

March 9, 2015

Stuart Gardner

CDOT Region 3

Hydraulics Engineer

606 South 9th Street

Grand Junction, CO 81501

RE: Grand Avenue Bridge - Temporary Causeways

Hi Stuart,

Thanks to you and John for taking the time on February 19th to show us the Flow 3D modelling for anticipated impacts with the temporary construction causeway for the duration of the Grand Avenue Bridge construction.

After discussing with this matter with our City staff and reviewing the Glenwood Springs Municipal Code, we do not believe that we have any authority to issue any kind of temporary permit for impacts of temporary construction related improvements in the regulatory floodplain.

The permanent bridge and associated facilities will require a floodplain development permit subject to the criteria outlined in the GSMC at *070.090. Flood Damage Prevention*. This application should be submitted in advance of the start of construction on the bridge.

Thanks for your communications in this matter.

Sincerely,

Andrew McGregor, Community Development Director, Floodplain Administrator

CC: John Sikora, AECOM