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**Facsimile Transmittal:**

**To:** Christa Dean **From:** Michael Hermes  
**Fax:** 1-202-565-9000 **Date:** August 24, 2005  
**Phone:** 1-202-565-1606 **Pages:** 4  
**Re:** STB order AB-547X **CC:**

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Hello Christa,

It was nice to talk to you the other day and thanks for your help with issue. Attached is our request for the STB board to remove the requirements imposed in STB order AB-547X in regards to the salvage of the tracks ties and otm from the rail corridor. Could you give me some idea how long it will take to get a reply from the board on this issue? We intend to salvage the track material in October 2005 and hope to have an answer by then. If you need any additional information please let me know. My office number is (970) 963-9012 and my email address is [Mhermes@rfta.com](mailto:Mhermes@rfta.com). I will be in touch soon

Best regards,

**Michael Hermes**  
**Director of Properties and Trails**  
**Roaring Fork Transportation Authority**

Roaring Fork Transportation Authority  
51 Service Center Drive  
Aspen, Colorado 81611

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CD



Wednesday, June 12, 2002

Surface Transportation Board  
C/O Christa Dean  
1925 K Street  
Suite 500  
Washington DC. 20423-0001

RE: STB order AB-547X

The Roaring Fork Transportation Authority (RFTA) owners of the Aspen Branch of the Denver Rio Grade and Western rail line that runs between Glenwood Springs and Woody Creek Colorado intends to salvage the tracks, tie and OTM from the rail corridor. As required by STB order AB-547X, RFTA has satisfied the requirements imposed by the STB to notify the National Geodetic Survey and satisfy section 106 and 4(f) of the National Historic Preservation Act prior to any salvage activities. Please see the attached letters as evidence of our compliance with the imposed requirements.

RFTA requests that the imposed requirements be lifted and that RFTA be allowed to salvage the tracks ties and OTM from the rail corridor.

If you have any questions or need additional information please contact me at my office. (970) 963-9012. Please address any written correspondence to:

Michael Hermes  
Director of Properties and Trails  
Roaring Fork Transportation Authority  
0766 Industry way  
Carbondale Colorado. 81623

Best Regards,

Michael Hermes  
Director of Properties and Trails  
Roaring Fork Transportation Authority

# MEMORANDUM

DEPARTMENT OF TRANSPORTATION

Environmental Programs Branch  
4201 East Arkansas Avenue  
Denver, Colorado 80222  
(303) 757-9259



**DATE:** July 13, 2005

**TO:** Tammie Smith, CDOT Region 3

**FROM:** Lisa Schoch, Environmental Programs Branch

**SUBJECT:** Section 106 and Section 4(f), Rio Grande Trail Project, Denver & Rio Grande Western Railroad, Aspen Branch, Eagle, Garfield, and Pitkin Counties

## Section 106 Coordination

This memo is to inform you that we have completed the Section 106 process for the project referenced above, which involves the removal of tracks, ties, and associated hardware from segments of the historic Aspen branch of the Denver & Rio Grande Western Railroad (D&RGW) (5EA198/5GF1661/5PT123) for the purpose of building a bicycle and pedestrian trail.

This project was initially evaluated by the State Historic Preservation Officer (SHPO) in a draft Environmental Impact Statement (DEIS) and a Corridor Investment Study (CIS) between 2000 and 2003. A Categorical Exclusion for the Rio Grande Trail was completed in June 2003. As you know, the original trail plan involved retaining the rail materials and building the trail on top of the grade. Since then, the Roaring Fork Transportation Authority (RFTA) has decided to salvage the rail materials, so FHWA and CDOT re-opened the Section 106 process to assess the impacts to the historic rail corridor.

In correspondence dated March 31, 2005, FHWA/CDOT determined that the salvage of the rails and the proposed trail construction would result in *no adverse effect* to the historic rail corridor. SHPO reviewed this initial request and asked that the trail construction plans be modified to minimize effects to the rail corridor. In a letter dated June 16, 2005, FHWA/CDOT indicated that RFTA would be willing to modify the trail construction so that it excludes a 3-foot-wide jogging trail and results in a 12-foot wide pedestrian/bicycle path that more closely matches the original rail bed width. The SHPO concurred that the salvage and revised trail construction plan would result in *no adverse effect* in correspondence dated June 16, 2005. Copies of all of these letters were previously forwarded to you, FHWA, and RFTA for your files.

During the Section 106 process, FHWA/CDOT also contacted a number of consulting parties about the project, including the Western Colorado Chapter of the National Railway Historical Society, the Glenwood Springs Historic Preservation Commission, Eagle County, the Aspen Historic Preservation Commission, the Town of Basalt Historic Preservation Board, and the Redstone Historic District Commission. Of these groups, only the Glenwood Springs Historic Preservation Commission and the National Railway Historical Society responded officially. We also received a number of letters from interested parties who were not initially identified or contacted as consulting parties, including several residents of Glenwood Springs and Aspen, and the Colorado Rail Passenger Association. Most of these individuals expressed concerns about the rail salvage and loss of historic integrity to the rail corridor. Several people indicated that a narrower trail would be a more acceptable alternative. All of these

response letters were forwarded to the SHPO to aid in their review of the project. We also forwarded the June 16<sup>th</sup> FHWA/CDOT revised trail construction information and the SHPO response to these interested parties for review but to date have received no additional comments on the project.

I believe FHWA and CDOT have complied with the Section 106 process for this project. SHPO has concurred that the project will result in *no adverse effect*, and the comments and concerns of the consulting and interested parties were taken into consideration. In the end, RFTA agreed to modify their trail construction so that the width of the proposed trail more closely matches the width of the original rail bed.

#### **Section 4(f) Assessment**

In consultation with FHWA, CDOT has determined that the salvage of the rails and the construction of the trail on the historic Denver & Rio Grande rail corridor does not constitute a "use" of this historic property. Therefore, no Section 4(f) evaluation is necessary.

Clearance to proceed with the work is recommended. Please contact me with any questions or concerns.

cc: Mike Hermes/Dan Blankenship, RFTA  
Monica Pavlik, FHWA  
File/CF/RF

