

Visual Resources Technical Report

**State Highway 82 / Entrance to Aspen
Environmental Reevaluation**

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**Colorado Department of Transportation, Region 3
and
Federal Highway Administration, Colorado Division**

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1.0 Affected Environment

This report provides a reevaluation of visual resources presented in the 1997 State Highway 82 Entrance to Aspen Final Environmental Impact Statement (FEIS) for the Preferred Alternative selected in the Record of Decision (ROD) issued in August 1998.

1.1 Methodology

The updated Pitkin County Land Use Code was reviewed for context of the Scenic View Protection Areas in the County. Maps were obtained from Pitkin County showing the location of scenic areas. The maps show scenic foreground areas, public view-planes, and ridgelines as seen from a list of public rights-of-way, including State Highway 82.

The *City of Aspen Area Community Plan* and applicable codes were reviewed to determine if there were specific elements that relate to visual quality or scenic protection. The policies/goals associated with the City of Aspen Area Community Plan are general and not specific to determining the existing condition of visual resources.

Additionally, a field reconnaissance trip was conducted July 10, 2006, to verify the existing visual resources as they were identified in the FEIS, pages IV-70 through IV-73.

1.2 Regulatory Overview

There have been no new or changed regulatory requirements for visual resource analysis since the publication of the 1997 FEIS; however, there have been updates to local policies related to visual resources.

Title 23 of the U.S. Code, Section 109(h), requires aesthetic values to be considered during project development. The Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA), Section 1508.8, Effects, also state that aesthetic effects should be considered. In addition, an analysis of visual impacts is required in an EIS by the Federal Highway Administration (FHWA) guidance in Technical Advisory T6640.8A, Guidance on Preparing and Processing Environmental and Section 4(f) Documents.

Pitkin County, through its Land Use Policy Guidelines (Pitkin County 2002), developed guidelines for scenic quality. Policies for protecting scenic quality and enacting the Ecological Bill of Rights (Pitkin County 2004) in Title 8, Article 2, Section 2-310 were adopted through the Pitkin County Land Use Code on July 5, 2006 in Section 7-20-120. The code established Scenic View Protection Areas that are intended to protect the visual areas and ridgelines from specific roads in the County, including State Highway 82, while protecting natural ridgeline silhouettes, ensuring new development is designed and located to complement the natural landscape and the natural features within the public view-plane, and reducing damage to the natural landforms and views throughout the County.

The City of Aspen through its *2000 Aspen Area Community Plan* (City of Aspen, 2000), has developed a policy that improves the community character and design through maintaining and creating places and opportunities for social interaction and lifestyle diversity as well as promoting a standard of design that is of the highest quality and is compatible with the historic features of the community and environment.

1.3 Description of the Existing Condition

The FEIS describes the visual resources of the project area as having two differing types of visual resources. The northwestern end of the corridor is dominated by cultivated pasture land, open space, a golf course, and moderate rural residential development leading up to and passing over Maroon and Castle Creeks. The viewshed extends beyond the immediate foreground and middle ground views to include distant hillsides, mountain peaks, and creek valleys. The foreground and middle ground views provide sharp contrasts to the background mountain views. Beyond Castle Creek, the views are dominated by the more urban development of the Aspen downtown and Main Street area including the Victorian style mountain cottages and historic downtown buildings. The FEIS notes the viewshed-defining tree canopy at the city entrance.

Within these two generally described visual character areas, the areas are further broken down into landscape units, including riparian, hillside, meadow/brush, and medium/high density development. These landscape units are generally located in the areas considered scenic view protection areas along State Highway 82 as identified by the County Land Use Code as shown in Figure 3 of that document, Scenic Protection Areas. The downtown area is not included in the scenic view protection areas identified by the County but does fall within the area where Aspen is concerned about design quality.

The visual resources identified in the project corridor and through the landscape units have not changed dramatically since the publication of the FEIS and ROD. The foreground and middle ground views are still moderately rural and open space up to the Castle Creek and Maroon Creek areas where the Aspen downtown is the primary foreground and middle ground view. There is still a sharp contrast between these foreground and middle ground views which are part of the “scenic view” scenic protection area. It is the contrast that helps create the quality views described in the FEIS and ROD.

Two components of the Preferred Alternative have been constructed since the publication of the FEIS and ROD: (1) Owl Creek Road and West Buttermilk Road have been relocated to create a new, signalized intersection with State Highway 82 near the Buttermilk Ski Area; and (2) the roundabout at the Maroon Creek Road intersection has been completed.

In addition, the Maroon Creek Bridge Replacement Project is currently under construction, scheduled for completion by spring of 2008. This project is being constructed as a bridge replacement without any increase in roadway capacity. However, it will accommodate the Entrance to Aspen Preferred Alternative in the future by removing the center median and re-striping for two general-purpose lanes and two exclusive bus lanes (see the Introduction to the Technical Report Volume for more detail).

The intersection of Truscott Drive and State Highway 82 was completed in 2001. While this intersection is not part of the Entrance to Aspen Project, its configuration accommodates the alignment for the east approach to the Maroon Creek Bridge Replacement Project.

A transportation easement across the Marolt-Thomas Open Space was conveyed from the City of Aspen to CDOT in August of 2002, as part of land exchange and mitigation agreements between CDOT and the City of Aspen and Pitkin County. (Refer to Appendix A and B in the 1998 Record of Decision for details of the open space conveyance agreements and mitigation commitments.)

2.0 Environmental Consequences

This section describes the potential operational (i.e., permanent) visual impacts of the Preferred Alternative selected in the 1998 ROD that have changed since the publication of the FEIS and ROD.

2.1 Methodology

The changes in existing conditions were compared to the operational impacts that might alter the existing visual resources when compared to the information presented for the Preferred Alternative selected in the 1998 ROD. Temporary visual impacts during project construction were not described in the FEIS and ROD and, therefore, are not discussed in this reevaluation.

2.2 Compliance with Regulations

As noted in the regulation section, the County and City regulations are specific to views looking toward vistas from the roads, not from the vistas looking toward the road. In other words, the visual concern is focused on residential and commercial development that is occurring in the area. Visual impacts from the proposed project were considered in the FEIS, ROD and this reevaluation, but are not covered by the visual or scenic regulations in the area.

2.3 Preferred Alternative

The FEIS (page V-52) identified little change or impact to visual resources from the project terminus at Service Center Road (near the Aspen/Pitkin County Airport) along State Highway 82 to west of Maroon Creek because of the existing highway corridor. Because the larger viewshed has remained relatively unchanged in this area and the views are created primarily by the contrast between the background and the foreground and middle ground views from the existing conditions noted in the FEIS, there is no change in the impact from that described in the 1997 FEIS. The analysis in the FEIS is consistent with the scenic view protection areas identified in the County's revised land use code. There would be little impact to visual resources along the State Highway 82.

Between Maroon Creek and downtown Aspen (intersection of 7th Street and Main Street), the 1997 FEIS notes that the alignment would make the State Highway 82 corridor appear more rural, in particular with the addition of the cut and cover tunnel through the Marolt-Thomas property. There would be no change in the impact as described in FEIS in this location of the corridor. This is consistent with the County Land Use Policy Guidelines and Ecological Bill of Rights which indicate a preference for the natural or rural visual appearances of the area.

Based on existing visual resources in the study area, there is no evidence of any substantive, long-term adverse effect on visual quality from the State Highway 82/Buttermilk intersection or roundabout construction.

The FEIS very specifically details the new visual elements that would be added to the foreground and middle ground views as a result of the light rail transit (LRT) system (pages V-52 through V-53). The FEIS notes that the addition of the LRT would add a new visual element and visual disruption to the downtown area. There would be no change in the impact detailed in the FEIS.

3.0 Mitigation Measures

The mitigation measures described in the 1997 FEIS and ROD (Page VI-5 of the FEIS and Page 35 of the ROD) have been implemented for components of the Preferred Alternative already constructed or currently under construction. These measures also would be implemented during construction of future components of the Preferred Alternative and are adequate to protect the visual resources in the project area. With a greater, current emphasis on design quality in the downtown by the City of Aspen, the design mitigation measures described in the 1998 ROD regarding the bus rapid transit (BRT) and the LRT systems will be even more important during project design. No additional mitigation would be needed based on current conditions and regulations.

4.0 Summary of Impacts and Mitigation

Impacts are summarized below in Table 4-1 as identified in both the FEIS and this reevaluation. Mitigation measures listed in the table are those from the 1998 ROD, unless additional measures are noted as being required due to findings of the reevaluation.

**Table 4-1
Summary of Impacts and Mitigation Measures**

| Topic | FEIS Impact | Reevaluation Impact | Mitigation Measures |
|-------------------------|--|----------------------------|--|
| Visual Resources | <p>Entire Project Corridor Landscaped median will enhance resident's and driver's experience Landscaped median will reduce visual scale of the roadway LRT will create a visual disruption because the hardware required to operate the system does not currently exist in the viewshed</p> <p>Main Street Trolley poles and overhead wires will create a visual disruption in the project corridor</p> <p>State Highway 82-Maroon Creek to intersection of 7th and Main Street Change character of State Highway 82 from an urban setting to a more rural setting Catenary poles will disrupt the unobstructed view of the Marolt-Thomas Property Cut-and-cover tunnel will mitigate some of the visual impact but a slight hump will be present</p> | No change. | <p>Cut-and-cover tunnel across Marolt-Thomas Property Minimum-width landscaped median Revegetation of all disturbed areas Adjust final roadway layout to save existing trees and vegetation groupings Create slopes that complement existing slopes Use building materials that complement the tones and textures of the area being traversed Adjust alignment to provide enhanced views and vistas for highway users Use aesthetically pleasing poles, station designs, and embedded track pavement surfacing where LRT system is located Provide landscaped or grass-covered sideslopes and medians within the LRT right-of-way Incorporate sensitive roadway design and detailing into the overall project when possible</p> |

5.0 Agency Coordination

Pitkin County was contacted during this visual resources analysis to obtain information on scenic protection areas within the study area.

6.0 References

- City of Aspen. 2000. 2000 Aspen Area Community Plan. February 28, 2000. Accessed at: <http://www.aspenpitkin.com/pdfs/depts/41/aacp.pdf> on July 5, 2006.
- Kraemer, Mike. 2006. Personal communication between Mike Kraemer, Planner, Pitkin County and Laura Lutz-Zimmerman, HDR Engineering regarding scenic protection areas. July 5, 2006.
- Pitkin County 2002. Pitkin County Land Use Policy Guidelines. Accessed at <http://www.aspenpitkoin.com/pdfs/depts/7/landusepolicyguidelines.pdf>.
- _____. July 23, 2004. Land Use Code, Title 8. Accessed at: <http://www.aspenpitkin.com/depts/71/> on July 3, 2006 by Laura Lutz-Zimmerman.
- _____. June 13, 2006. Land Use Code, Chapter 7 . Accessed at: http://www.aspenpitkin.com/pdfs/depts/7/chapter7_luc.pdf on July 3, 2006 by Laura Lutz-Zimmerman

7.0 List of Preparers

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