The Roaring Fork Transportation Authority "Draft" Access Control Plan (ACP)

RFTA Board of Director's Presentation

February 12, 2015

Railroad Corridor History

- On December 31, 1994, Pitkin County, Eagle County, Garfield County, The cities of Glenwood Springs and Aspen and the towns of Snowmass Village, Basalt and Carbondale established the Roaring Fork Railroad Holding Authority (RFRHA) with the ***SOLE PURPOSE*** of acquiring, managing and maintaining the historic Aspen Branch of the Denver & Western Rio Grande Railroad (D&RGW) Corridor as an active freight rail line ***which included an obligation to deliver freight on the line.***
- On June 26, 1997 an amended IGA was developed by the remaining member jurisdictions of RFRHA outlining the mutually agreed upon responsibilities for managing and maintaining the Railroad Corridor with the primary use designated as a "Public Transportation Corridor" and the secondary uses for "recreational opportunities and access to adjacent public lands." The IGA included this language:

Railroad Corridor History

- "The Governments shall continue to recognize any and all existing easements and licenses granted to any of the participating Governments and third parties by the existing owner upon purchase of the Property. If any one Government wishes to utilize all or a portion of the Property for a new or different use not enumerated in the Comprehensive Plan and within the jurisdiction of that Government described above it may do so provided that such a use is approved by the Board of Directors of the Roaring Fork Railroad Holding Authority, does not preclude the desired future uses as determined by the Board of Directors and is consistent with the obligations imposed by the funding sources.

Railroad Corridor History

- It is the responsibility of the Government proposing this new or different use to prove and otherwise insure that the use will not preclude any desired future use from occurring to the satisfaction of the Board of Directors. The Governments recognize the potential issues surrounding certain existing physical conditions of the Property, in particular existing proposed at-grade crossings by public right of-way and access. Placement, modification, improvement and/or relocation of at-grade crossings will be allowed provided that those improvements follow generally accepted standards, do not result in negatively impacting the primary use of the Property, and are consistent with the grant conditions from the various funding sources" (Printed copies of the IGA have been provided)

Railroad Corridor History

- On June 30, 1997, RFRHA finalized the purchase of The Aspen Branch of the Denver & Rio Grande Western Railroad (D&RGW) from the Southern Pacific Transportation Company using funds from a consortium of state and local interests as an operating freight line of Railroad pursuant to authority granted by the Surface Transportation Board (STB).
- RFHRA subsequently "railbanked" the line (preserved it for future rail reactivation and interim trail use) pursuant to 16 U.S.C. 1247(d) and a "Notice of Interim Trail Use" ("NITU") issued by the STB. Railbanking conferred all of the rights and privileges of an active freight railroad without the requirements to provide freight rail service on the line.

Railroad Corridor History

- RFRHA transferred ownership of the property to the Roaring Fork Transportation Authority (RFTA) in 2001pursuant to a NITU substituting RFTA for RFRHA as the “railbanking” entity
- The right to reactivate rail service was also transferred to RFTA pursuant to an applicable STB order
- RFTA and its member jurisdictions assumed the fiduciary and management responsibility to protect the Corridor’s Railbanked status and to keep the corridor intact for the benefit of all of the Roaring Fork Valley residents.

Railroad Corridor Comprehensive Plans

- The first version of the Comprehensive Plan was written by RFRHA in 2000 as a guide for all future uses of the Railroad Corridor and included:
  - The Requirements of the Conservation Easement placed on the Railroad Corridor as part of the grant agreement for funds received from the Great Outdoors Colorado (GOCO) to assist with acquisition of the Railroad Corridor
  - A plan for a continuous trail throughout the corridor that met the expressed recreation and transportation needs of the community, minimized the impacts to the resource and adjacent landowners, and provided a quality experience tor both residents and visiting users and
  - An ***Access Control Plan*** for management of the Railroad Corridor

Railroad Corridor Comprehensive Plans

- The purpose of the Access Control Plan was three-fold:
  - To protect the health and safety of the public using the railroad corridor;
  - To preserve the value of the transportation/recreation facilities by minimizing new crossings, ensuring safe operation and maintenance of existing crossings and consolidating crossings wherever practicable;
  - To preserve the open space and trail values of the corridor by avoiding adverse impacts to the open space, recreation, scenic and wildlife values, by avoiding impacts to the public enjoyment of the corridor, and where impacts could not be avoided, to mitigate those impacts to the greatest extent possible

Railroad Corridor Comprehensive Plans

- The 2000 version of the Comprehensive Plan was updated in 2005. The 2005 update included:
  - A transfer in ownership and management responsibility of the historic Railroad Corridor from RFRHA to RFTA
  - The Conservation Easement was removed and replaced by the Conservation Covenant in July 2001 and The Covenant Enforcement Commission (CEC) was created
  - Completion of trail construction by 2010.
    - Several Trail segments were constructed by local jurisdictions and by RFTA, and the entire Rio Grande Trail (RGT) was completed ahead of schedule in 2008

Railroad Corridor Comprehensive Plans

- With trail construction completed RFTA shifted focus to the construction and implementation of the new Bus Rapid Transit (BRT) ***Veloci*RFTA** system which began operation on September 3, 2013.
- Once the BRT system was up and running RFTA staff began working on an ***update*** to the 2005 Comprehensive Plan. The first section of the Comprehensive Plan to be updated is the Access Control Plan
- A "draft" update to the ***CURRENT*** version of the ACP has been completed and is posted online for a 30 day public comment period at the following link:

  http://www.rfta.com/traildocs.html

Railroad Corridor "Draft" Access Control Plan and Design Guidelines & Standards

- The "draft" update of the ACP shifts focus from managing the RGT within the RFTA owned Railroad Corridor to management of the Railroad Corridor as a whole in order to uphold and preserve the Railroad Corridor's "railbanked" and "designated trail" status pursuant to a Notice of Interim Trail Use ("NITU") under 16 U.S.C.1247(d), which was issued to RFTA by the Surface Transportation Board ("STB").

2000 - Table of Contents - Access Control Plan

Policy for Managing Railroad Crossings

Sections:

1.0 Title.
2.0 Purpose and Intent.
3.0 Authority.
4.0 Jurisdiction.
5.0 Interpretation, Conflict, and Separability.
6.0 Amendments.
7.0 Existing Crossings Defined.
8.0 New Crossings Defined.
9.0 Owner Defined.
10.0 Responsibility for Crossings.
11.0 Design Standards for Up-Grading Existing Crossings.
12.0 Consolidation of Crossings.
13.0 Crossing Improvements and Maintenance (Existing Crossings).
14.0 Crossing Repair Permits.
15.0 Closure of Crossings and Alternatives to Closure.
16.0 RFRHA Fees for Maintenance and Repair of Crossings.
17.0 Policy and Design Standards for New Crossings.
18.0 Permits for New Crossings and Consolidations.
19.0 Adjustments to Standards.
20.0 Coordination of Development Review With Local Jurisdictions

2005 - Table of Contents - Access Control Plan

The version CURRENTLY UTILIZED TO MANAGE THE RAILROAD CORRIDOR

POLICIES FOR MANAGING RAILROAD CORRIDOR CROSSINGS

1.0 Title.
2.0 Purpose and Intent.
3.0 Authority.
4.0 Jurisdiction.
5.0 Interpretation, Conflict, and Separability.
6.0 Amendments.
7.0 Existing Crossings Defined.
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14.0 Crossing Repair Permits.
15.0 Closure of Crossings and Alternatives to Closure.
16.0 Policy and Design Standards for New Crossings.
17.0 Permits for New Crossings and Consolidations.
18.0 Adjustments to Standards.
19.0 Coordination of Development Review with Local Jurisdictions.

2015 Table of Contents – Proposed Updates to the 2005 Access Control Plan

Policies for Managing Railroad Corridor Crossings

1.0 Title.
2.0 Purpose and Intent.
3.0 Authority.
4.0 Jurisdiction.
5.0 Interpretation, Conflict, and Separability.
6.0 Amendments.
7.0 Existing Crossings Defined.
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19.0 Coordination of Development Review with Local Jurisdictions.

Railroad Corridor "Draft" Access Control Plan and Design Guidelines & Standards

- The updates include:
  - More detailed information on "railbanking" and the obligations of managing the Railroad Corridor to ensure that the Corridor continues to meet the definitions of "railbanking" and RFTA's fiduciary responsibility to maintain the Corridor intact
  - More detailed information on the Great Outdoors Colorado (GOCO) funding and management of the areas specifically called out in the Conservation Covenant areas which make up 18.41 miles of the 33.4 miles and
  - Information related to the Rio Grande Trail and RFTA's ongoing maintenance and coordination efforts with other local jurisdictions

Railroad Corridor "Draft" Access Control Plan and Design Guidelines & Standards

- The updates also include an ***expansion*** on the ***current*** ACP policies which are:
  - To avoid any severance of the Railroad Corridor, either by property sale or transfer, by physical obstruction, by burdening the Corridor with unfunded and/or unaccounted for financial obligations or by alterations in the alignment and elevation of the roadbed incompatible with freight rail reactivation
  - Loss of the Railbanked status of the corridor could result in the loss of Federal land grant areas in the corridor which represent approximately 7 of the 33.4 miles of the corridor owned by RFTA

Railroad Corridor "Draft" Access Control Plan and Design Guidelines & Standards

- To minimize new at-grade crossings over the Corridor and to consolidate existing at-grade crossings where possible
- Ensure the safe operation of existing Railroad Corridor Crossings
- Ensure the safety of trail users at private and public at-grade crossings of the Railroad Corridor
- Implement the Conservation Covenant objectives by avoiding adverse impacts to the open space, recreation, scenic and wildlife values of the Railroad Corridor and
- To avoid future financial liability and costs to RFTA arising from third party use of the Railroad Corridor

Railroad Corridor "Draft" *Update* to the Access Control Plan and *Newly Developed* Design Guidelines & Standards

- In preparation for the updates to the current ACP, RFTA staff has been working closely with both Federal and State Rail attorneys and with Rail Engineers to ensure that the updates meet the intent of the obligations to "railbanking"
- Along with the updates to the CURRENT version of the ACP, RFTA has developed Design Guidelines & Standards (DG) to assist private and public entities with any requested uses of the Railroad Corridor

Railroad Corridor "Draft" Access Control Plan and Design Guidelines & Standards

- The Design Guidelines provide detailed design standards for all types of requested uses and an application process for each type of request
  - Crossings – Public and Private
  - Utilities – across and/or parallel to the Railroad Corridor
  - Encroachments – Across and/or parallel to the Railroad Corridor and
  - The DG contains an application process for any requested use of the Railroad Corridor.
  - The application process in the DG is similar to the Land Use process required by the Cities, Towns and Counties and/or CDOT for any new uses within their jurisdictions or Right of Ways.

RFTA Railroad Corridor

- Thank you for your time
- This ends our Presentation
- Please feel free to ask questions or provide your comments for the record