



Clear Creek County

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February 24, 2026

Piper Darlington, Director
Colorado Transportation Investment Office
2829 W. Howard Place
Denver, CO 80204

Sent Via E-Mail: piper.darlington@state.co.us

Re: CTIO Letter Dated November 19, 2025

Dear Mx. Darlington:

Thank you for your letter dated November 19, 2025. While the Clear Creek County Board of County Commissioners (“Board”) appreciates the concerns you raised in your letter, the Board respectfully disagrees with CTIO’s assertions, as explained in more detail below. These issues notwithstanding, the County would like to focus on ensuring that CTIO, CDOT, and Clear Creek County work through all permitting compliance issues together through the Context Sensitive Solutions (“CSS”) process to ensure CDOT’s compliance with Resolution 25-46 (the “1041 Permit”).

First, the Board does not agree that “it is not possible” for CTIO to use anything but the term “Express Lanes” on signage or in its branding for the Peak Period Shoulder Lanes (the “PPSLs”). CTIO has not demonstrated that the Manual on Uniform Traffic Control Devices (“MUTCD”) “requires” signage and branding that designates the PPSLs exclusively as “Express Lanes.” The MUTCD notes that when part-time travel on a shoulder is limited to certain classes of vehicles, the signage is *similar to* the signage for priced lanes. This guidance is not a mandate for “Express Lane” signage, nor does it mandate a certain manner of branding of the PPSLs.

Second, this Board does not agree with the apparent CTIO position that it may simply change the operational limits of the PPSLs without any further County approval. As we noted in our letter dated September 18, 2024, attached for your convenience, CDOT was required to apply for the 1041 Permit because without the recent approval, the proposed expanded use of the PPSLs would violate the previously-approved 1041 permit approved by Resolution 19-01, also attached.

The County notes that the appeal period for the Board’s final decision in Resolution 25-46 to conditionally approve the 1041 Permit expired on June 24, 2025. The County declines to revisit its decision and will not waive CDOT or CTIO’s compliance with each of the conditions of approval stated therein, including Condition #9 and Condition #2.

“Honoring Our Past, While Designing Our Future”

The CSS process adopted by CDOT for the I-70 mountain corridor is specifically required by Condition #2 but is also required for *any* action related to I-70, including the implementation of each of the other 1041 Permit requirements. The County looks forward to collaborating with CTIO and CDOT within that process to ensure that CTIO is compliance with all conditions of approval in Resolution 25-46 and to ensure CDOT's project may continue as contemplated under the 1041 permit.

Please contact the Board at your earliest convenience to initiate the CSS process. Our continued partnership is critical for both CDOT and Clear Creek County to achieve our individual and shared goals.

Sincerely,

**CLEAR CREEK COUNTY
BOARD OF COUNTY COMMISSIONERS**

Rebecca Lloyd, Chair

Jodie Hartman-Ball, Commissioner

George Marlin, Commissioner

- Encls. 1. Correspondence to CDOT dated September 18, 2024
2. Resolution 19-01