ROARING FORK RAILROAD CORRIDOR
CONSERVATION AREA ASSESSMENT
October 6, 2015

Prepared For:
Covenant Enforcement Commission
Roaring Fork Transportation Authority

Prepared By:

NEWLAND PROJECT RESOURCES, INC

I. Introduction, Approach to the Assessment

The Rio Grande Corridor is a 34-mile long stretch of property running from Glenwood Springs to Woody Creek, Colorado. The Roaring Fork Transportation Authority (RFTA) owns the corridor and is charged with maintaining the property for public transportation and recreation purposes. A trail is currently located on the corridor that enjoys heavy use by trail enthusiasts. As a part of the purchase of the corridor, RFTA and the Great Outdoors Colorado Trust Fund (GOCO), a funding partner, agreed to place a Covenant on approximately half of the corridor to preserve the "conservation values" on the property.

To monitor and enforce the covenant, RFTA created a Covenant Enforcement Commission (RFTA CEC) made up of representatives from each of the entities that the Authority serves. It is the responsibility of the Commission to meet annually to make an assessment of the rail corridor and to recommend to RFTA that it make any corrections necessary to ensure that the conservation values of the areas described within the Conservation Covenant are not compromised. An annual assessment of the nine Conservation Areas is conducted to determine if any potential violations exist. The report is then presented to and discussed by the RFTA CEC, usually in November.

The following report is a compilation of the assessment conducted in early October, 2015, of the nine Conservation Areas:

- Chapter II is a spreadsheet that summarizes any observed violations, and recommends remedies and actions to be taken to address these violations. The spreadsheet is a living document – a tool to be used by RFTA to track violations and the actions taken to resolve them.

- Chapter III is a summary of outstanding violations.

- Appendix A of this report describes the nine Conservation Areas.

- Appendix B of this report describes the 2015 visual inspection conducted of each Conservation Area. During the visual inspection, the corridor is assessed for any potential violations to the Conservation Areas as described in the Covenant. These potential violations include structures, fences, crossings, timber harvesting, mining activities, paving, roads, trash, weeds and "other improvements". These are referred to in the report as "potential" violations because further research will need to be made to determine if the potential violations are actually in the corridor or pre-date the purchase of the corridor (June 1, 1996). If the encroachment was present before June 1, 1996, the encroachment can remain on the corridor.

II. Observed Violations and Proposed Remedies

Following is a spreadsheet listing the potential violations to the Conservation Restriction observed in the field.

Column 1: Conservation Area (See APPENDIX A for detailed description of each Conservation Area).

Column 2: Categories of potential violations as described within the Conservation Restriction Covenant:

1) Construction of Buildings and/or Other Structures
2) Fences
3) New Crossings, Structures and/or Crossing Improvements
4) Harvesting of Timber
5) Mining
6) Paving and Road and Trail Construction (a public recreational trail running the length of the corridor is exempt)
7) Trash
8) Weeds
9) Other

Column 3: Description of any potential violation observed in the field within each category.

Column 4: Date when the violation was first noted and the location of the violation within the conservation area.

Column 5: Recommendation of a remedy that RFTA could follow to correct the potential violation.

Column 6: For use by RFTA staff to document the course of action followed to correct the potential violation.

Items highlighted in **bold** denote violations that were noticed to be present on the corridor during this year's inspection.

Conservation Area #1 MP 2.68 to 3.64	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Rosebud Cemetery to Buffalo Valley	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			
Conservation Area #2 MP 5.22 to 6.25	**Conservation Category**	**Observed Violation**	**Date and County Violation First Observed**	**Recommended Remedy**	**Documentation of Actions Taken To Correct Violation**
County Road 107 (Ironbridge) To CMC Intersection	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			
Conservation Area #3 MP 8.28 to 8.78	**Conservation Category**	**Observed Violation**	**Date and County Violation First Observed**	**Recommended Remedy**	**Documentation of Actions Taken To Correct Violation**
Bend in River near Cattle Creek	1) Construction of Buildings	None noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			
Conservation Area #4 MP 10.28 to 11.07	**Conservation Category**	**Observed Violation**	**Date and County Violation First Observed**	**Recommended Remedy**	**Documentation of Actions Taken To Correct Violation**
East of Aspen Glen to Sutank Bridge	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			

Conservation Area #5 MP 11.47 to 11.61	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Railroad Bridge and Approaches Across the Roaring Fork River	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	Possible camping on corridor Observed at Milepost 11.55	September 19, 2014	Investigate and determine Appropriate course of action.	**Upon investigation, the camp was located outside of the corridor boundary. The campir activity has also ceased as of October 2, 2015.**

Conservation Area #6 MP 15.92 to 21.60	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Catherine Store Bridge to Sopris Creek	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None noted			
	8) Weeds	None Noted			
	9) Other	**Berm and Structures on south side of Corridor still in ROW**	**October 2009 - 2015 MP 19.80 – 19.85 Eagle County**	**Negotiate License or have berm and structures relocated**	

Conservation Area #7 MP 21.97 to 24.88	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Sopris Creek to Wingo Junction	1) Construction of Buildings	None Noted			
	2) Fences	**Fence (metal T-posts with smooth wire) on or near corridor.**	**September 2013 and 2015 MP 23.22**	**Determine location of fence & contact landowner for removal, if on corridor.**	
	3) New Crossings	None Noted.			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None noted			
	9) Other	None Noted			

Conservation Area #8 MP 25.26 to 27.83	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Wingo Junction to Dart Ranch (Lower Snowmass Canyon)	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	3) New Crossings	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			

Conservation Area #9 MP 30.36 to 33.45	Conservation Category	Observed Violation	Date and County Violation First Observed	Recommended Remedy	Documentation of Actions Taken To Correct Violation
Phillips Curves (Upper Snowmass Canyon) to Woody Creek Road	1) Construction of Buildings	None Noted			
	2) Fences	None Noted			
	4) Harvesting of Timber	None Noted			
	5) Mining	None Noted			
	6) Paving, Roads, Trails	None Noted			
	7) Trash	None Noted			
	8) Weeds	None Noted			
	9) Other	None Noted			

III. Summary

Based on the visual inspection of the corridor, the following is a summary of the remaining violations on the corridor:

New Violations Noted.

No new violations were observed.

Violations Still in Place.

Conservation Area #6: A berm and structure are encroaching on the south side of the corridor.
Conservation Area #7: Fencing noted in Basalt High School area.

Violations Remedied.

The potential camping violation noted last year was investigated. The camping area was determined to be outside of the rail corridor property. In addition, no camping was observed during the 2015 assessment.

General Corridor Comments:

Overall the corridor is in outstanding condition. The trail is well used and maintained. Minor trash was noted along the highway in **Conservation Area #1**, but after reviewing the survey maps, it appears that the trash was primarily on adjacent Colorado Department of Transportation property.

Conservation Enforcement Commission Comments:

In regard to section 6, Commissioner George Newman asked about providing a license for the encroachment. Angela advised we cannot allow encroachments within the Covenant areas.

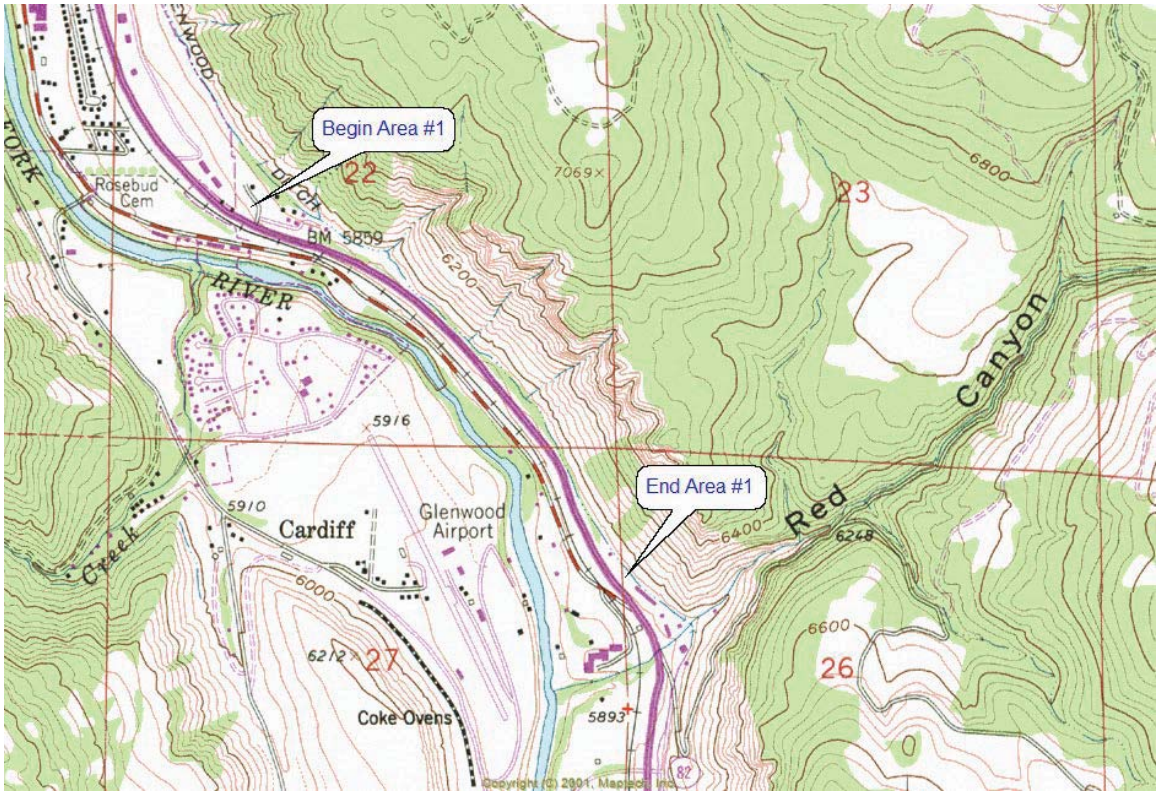
Commissioner Michael Owsley asked about the potential for RFTA to remove the encroachment since it has been there for so long. RFTA staff advised that letters have been sent and received between the owner and RFTA acknowledging that the owner would remove encroachments but it has not happened yet. Staff will continue to press the owner to remove the encroachments.

Commissioner Paul Holsinger, who is the trail manager for Pitkin County Open Space and Trails, said he would talk to the owner of the encroachment on Section 7 and see about removing the fence.

Appendix A:
Description of the Conservation Area By Section

CONSERVATION AREA #1: Milepost 2.68 to 3.64, (0.96 miles)
Rosebud Cemetery to Buffalo Valley

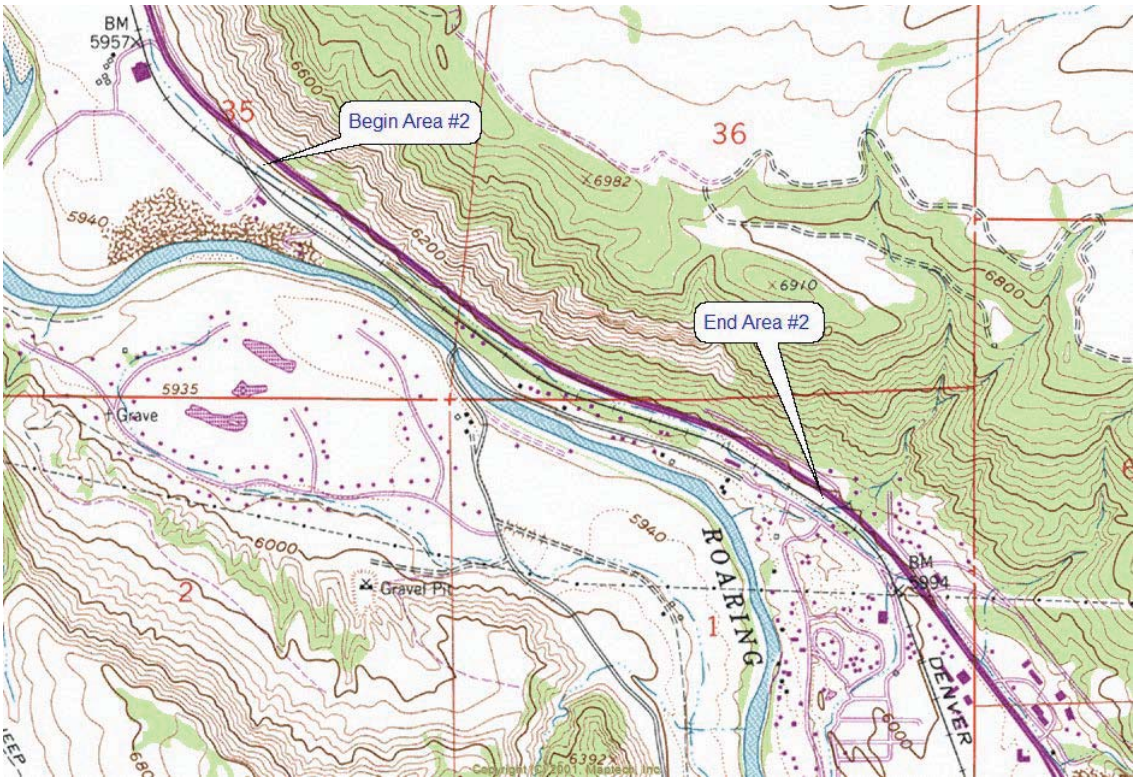
Running from the Glenwood Springs City Limits south to the intersection of Highway 82 and Grand Avenue (old Highway 82), this area is well vegetated by native, scrub oak dominated mountain-shrub vegetation that offers excellent habitat for birds and small animals. Outstanding views of Mount Sopris are also provided on this section of the railroad corridor. The generally steep but benched hillside also provides a natural buffer between Highway 82 and Grand Avenue. Direct river access is offered from the railroad corridor over Grand Avenue.



CONSERVATION AREA #2: Milepost 5.22 to 6.25, (1.39 miles)

County Road 107 (Ironbridge) to CMC Intersection

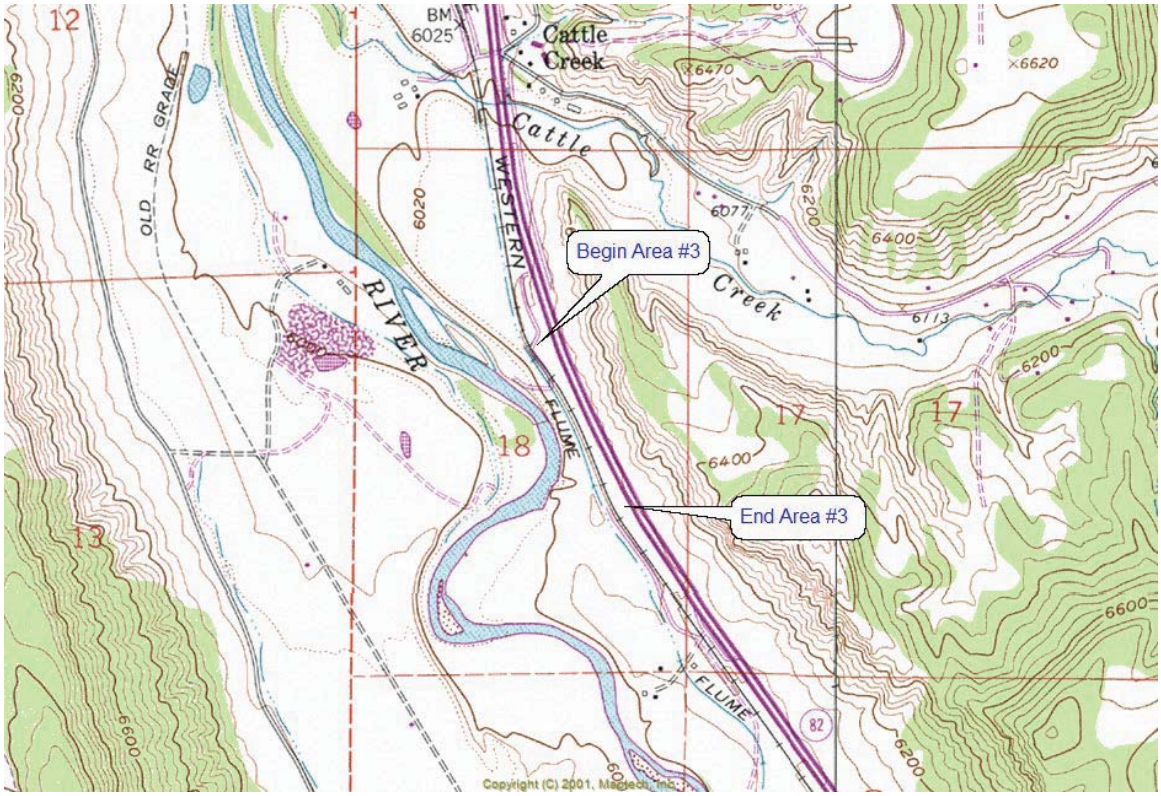
This section begins at the crossing of County Road 107 (known as Coryell Ranch Road) to a location about ¼-mile west of the CMC Road/Highway 82 intersection. This area is well vegetated by mature native, mountain-shrub and related plant species that offer excellent habitat for birds and small animals. The generally steep but benched hillside also provides an excellent, natural buffer between Highway 82 and County Road 107. Direct river access is offered from the railroad corridor over County Road 107. Dramatic views of Mount Sopris are also provided on this section of the railroad corridor.



CONSERVATION AREA #3: Milepost 8.28 to 8.78, (0.50 miles)

River Bend Near Cattle Creek

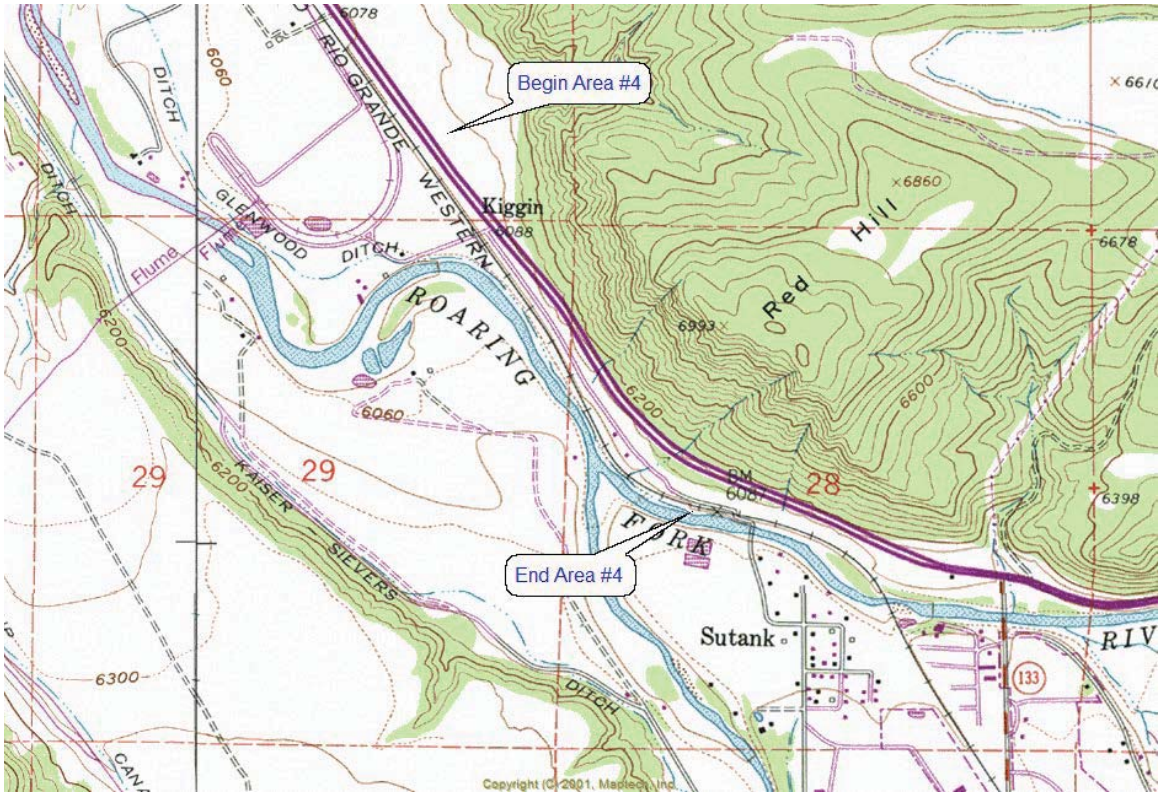
This section of the railroad corridor covers the broad bend in the Roaring Fork River between the Bair Chase property and the ranchette parcels near Aspen Glen. Sage shrubs are predominant in this section that are some of the most mature sage plants in the valley. The mountain shrub ecosystem on the corridor in this area provides excellent habitat for birds and small animals. The Roaring Fork River sweeps towards then away from the railroad corridor, providing access opportunity and riparian habitat protection. Outstanding views of Mount Sopris are also provided on this section of the railroad corridor.



CONSERVATION AREA #4: Milepost 10.28 to 11.07, (0.79 miles)

East of Aspen Glen to Sutank

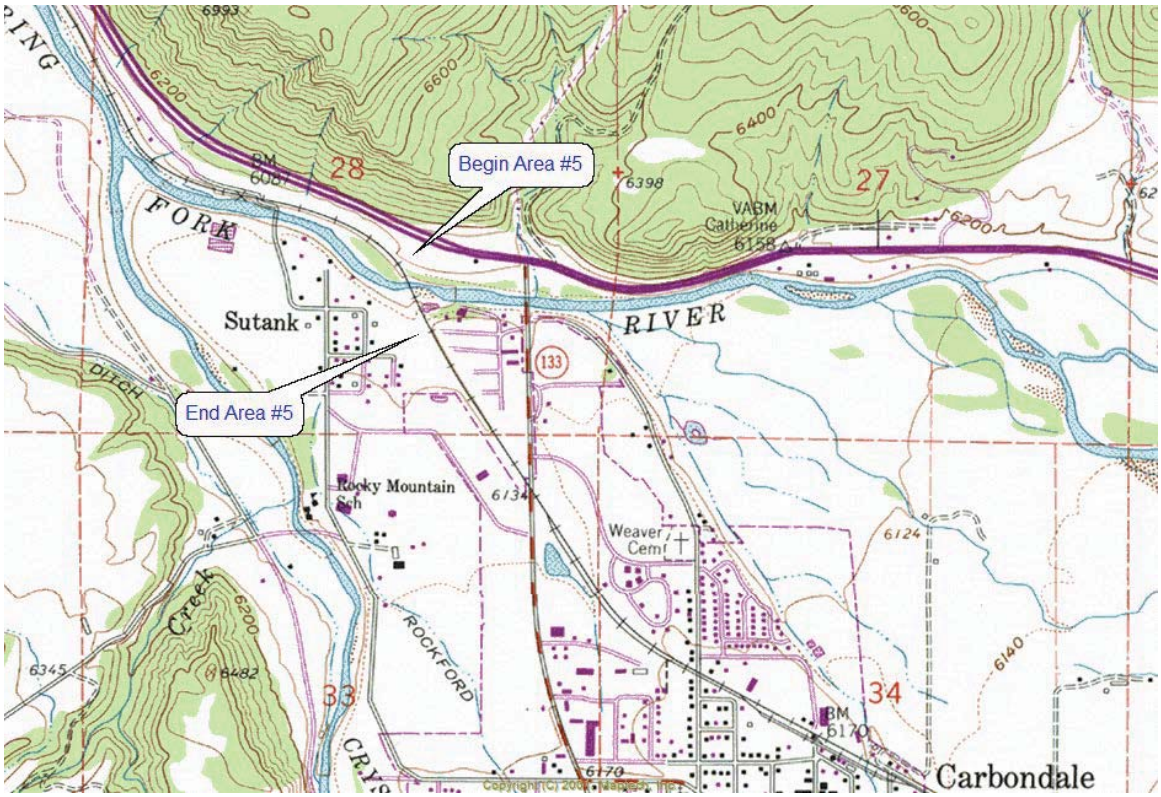
This section goes from about a ¾-mile south (up valley) of the Aspen Glen entrance to a private crossing located just below the confluence of the Crystal River and the Roaring Fork River. This area is well vegetated by mature native, mountain-shrub and related plant species that offer excellent habitat for birds and small animals. Direct access to the Roaring Fork River is provided over the moderately sloping hillside that the railroad corridor crosses. Two significant irrigation ditches also follow within the railroad corridor, providing wetlands and riparian habitat. Views of Mount Sopris and the confluence of the Crystal and the Roaring Fork rivers are also provided on this section of the railroad corridor.



CONSERVATION AREA #5: Milepost 11.47 to 11.61, (0.16 miles)

Railroad Bridge over Roaring Fork River

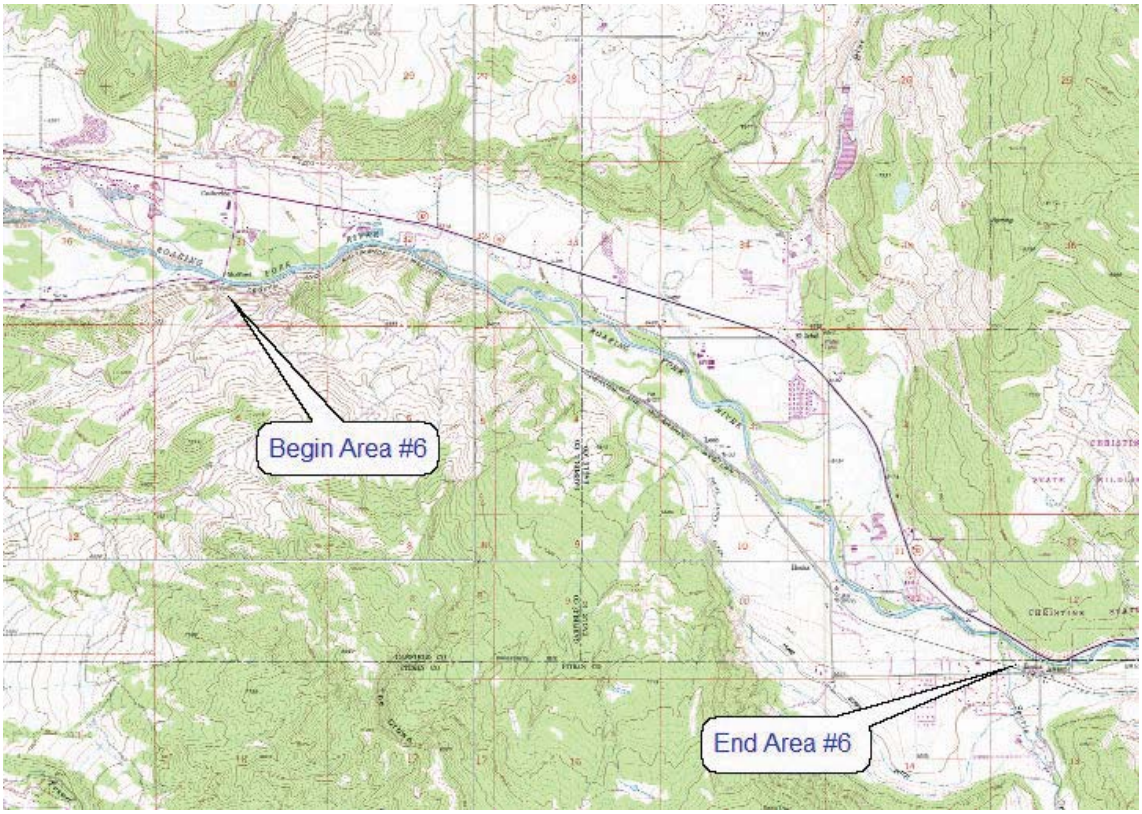
This section surrounds the Railroad Bridge at Sutank and offers excellent river and recreation access opportunities and preserves wetland and riparian habitat. Views of Mt. Sopris are provided on the bridge.



CONSERVATION AREA #6: Milepost 15.92 to 21.60, (5.76 miles)

Catherine Store Bridge to Sopris Creek

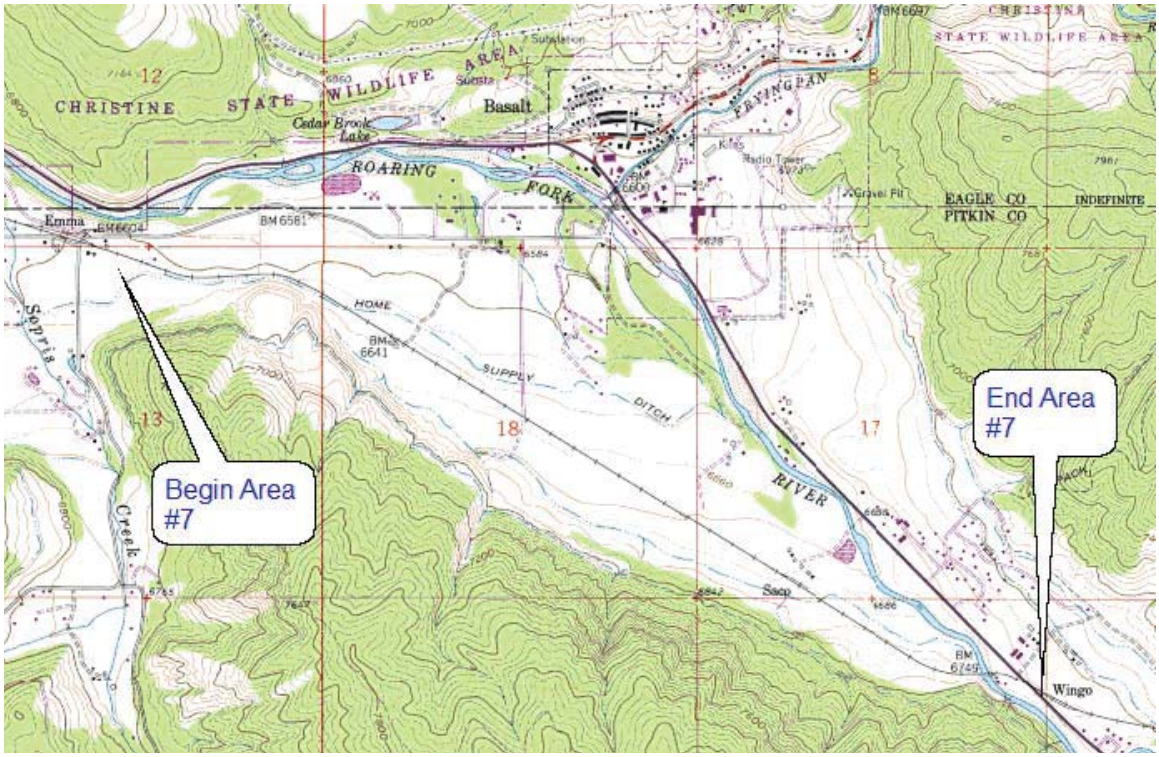
This section begins near the Catherine Store Bridge (County Road 100) and continues southeast to Emma Road including the Rock Bottom Ranch property. Rock Bottom Ranch is owned by a non-profit entity, the Aspen Center for Environmental Studies, as a nature preserve. The nature preserve is also encumbered by a Conservation Easement held be the Aspen Valley Land Trust (AVLT). The railroad corridor is nestled between a broad, riparian area of the Roaring Fork River and Bureau of Land Management property. A number of conservation values are provided within this section of the corridor including riparian and wetland habitat protection; access to river recreation opportunities; access to public lands; preservation of habitat critical to eagle, hawk and heron populations in the valley; and preservation of winter range migratory patterns for macro fauna (mule deer and elk).



CONSERVATION AREA #7: Milepost 21.97 to 24.88, (2.91 miles)

Sopris Creek to Wingo Junction

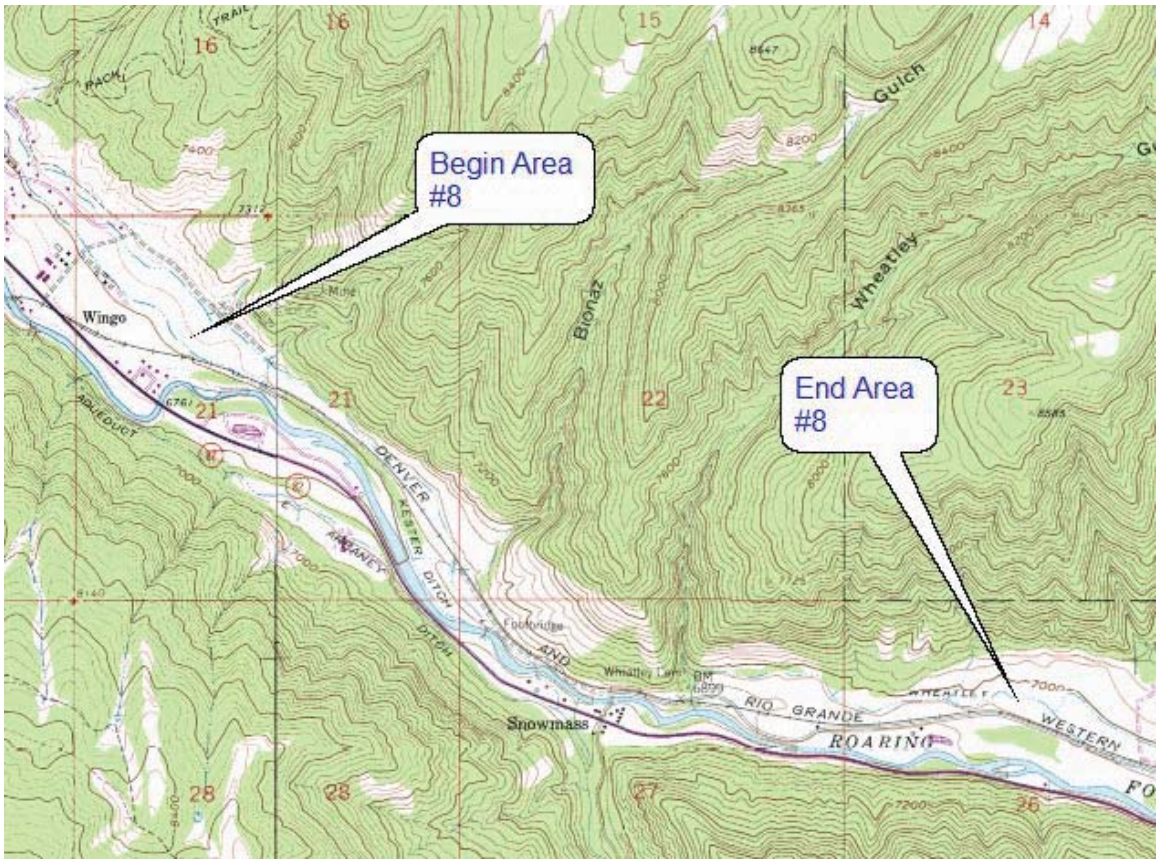
This section begins directly east of the Emma Road/Highway 82 intersection, continues toward the Basalt High School between ranch properties and federal lands and ends just east of the Wingo pedestrian bridge over Highway 82. A parcel of land owned by the Pitkin County Open Space and Trails Program along the corridor contains a conservation easement to preserve a known migratory route for mule deer and elk. Another portion of private property in this area now contains a golf course and very low-density housing. This area is well vegetated by mature native, mountain-shrub and related plant species that offer excellent habitat for birds and small animals.



CONSERVATION AREA #8: Milepost25.26 to 27.83, (2.65 miles)

Wingo Junction to Dart Ranch (Lower Snowmass Canyon)

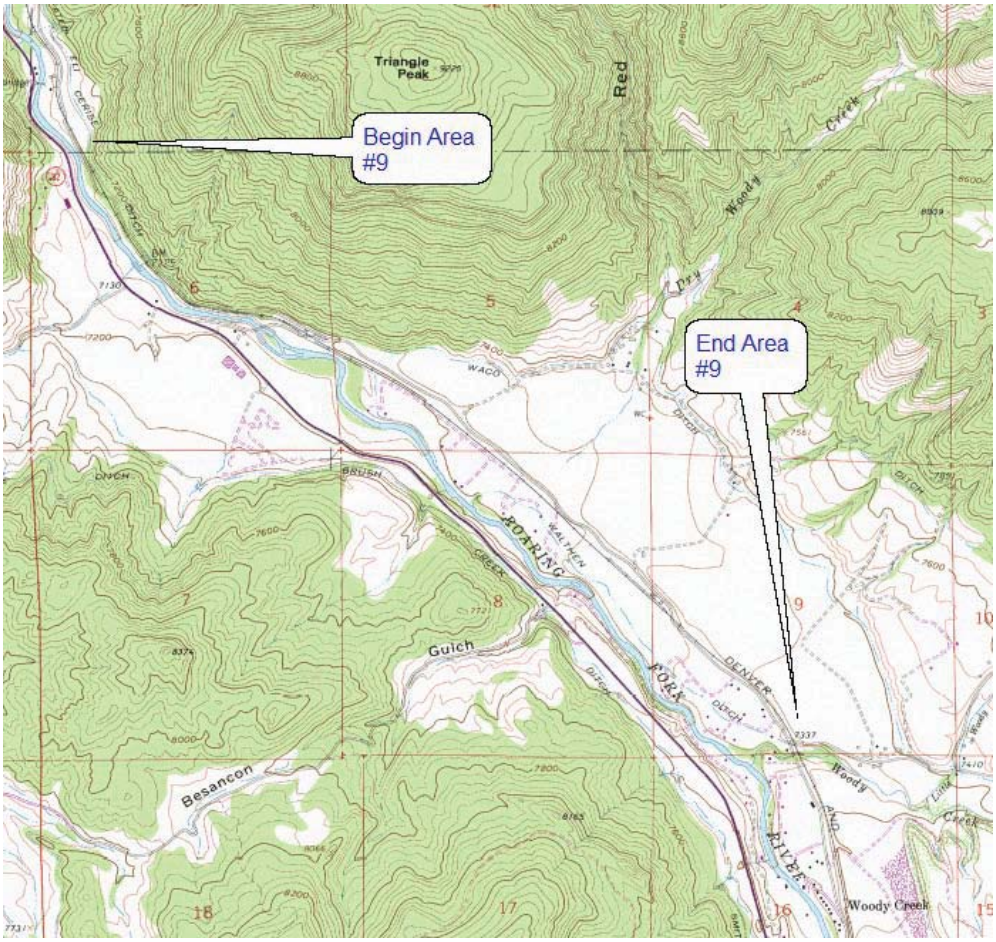
This section starts at the east side of the Wingo Subdivision and continues southeast to the end of the Dart Ranch on Lower River Road. Several conservation values are present on this section of the corridor, including habitat for birds and small animals along the interface between mountain shrub and grassland habitat; access to the Roaring Fork River for recreation; access to National Forest lands; and preservation of critical habitat for macro fauna (mule deer and elk). A significant portion of this section is surrounded by a conservation easement held by Pitkin County on the Dart Ranch. Riparian vegetation along the Roaring Fork is also present. The railroad corridor can access several fisherman easements along the Roaring Fork River.



CONSERVATION AREA #9: Milepost 30.36 to 33.45, (3.29 mi)

Phillips Curves (Upper Snowmass Canyon) to Woody Creek

This section begins near the crossing of Lower River Road, continues through the Woody Creek area until the end of the corridor at Woody Creek Road. The river side of this section contains mountain shrub and riparian vegetation that offers excellent habitat for birds and small animals. The railroad corridor is situated on a steep slope that comes down from Triangle Mountain (National Forest lands) and ends at the Roaring Fork River. The railroad corridor affords access to both the Roaring Fork River and National Forest lands. In addition, the railroad corridor can access several fisherman easements along the Roaring Fork River. The uphill side of the railroad corridor contains primarily steep shale hillside and includes or is adjacent to Lower River Road. In the Woody Creek area, the rail corridor is perched on a short but steep hillside that affords excellent views of the Elk Mountain range and Aspen-area ski resorts.



Appendix B: Potential Violations

Listed below are the potential violations of the conservation area as noted during visual inspection of the corridor in late September and early October of 2013. Each of the nine Conservation Areas are listed below. The potential violations are categorized in the order that they are described within the Conservation Restriction Agreement:

1) Construction of Buildings and/or Other Structures;
2) Fences;
3) New Crossings, Structures and/or Crossing Improvements;
4) Harvesting of Timber;
5) Mining;
6) Paving and Road and Trail Construction;
7) Trash;
8) Weeds;
9) Other.

CONSERVATION AREA #1: Milepost 2.68 to 3.64 (0.96 miles)

Beginning of Conservation Area #1, Milepost 2.68, looking south

☐ Construction of Buildings and/or Other Structures
☐ Fences
☐ New Crossings, Structures and/or Crossing Improvements
☐ Harvesting of Timber
☐ Mining
☐ Paving and Road and Trail Construction
☐ Trash
☐ Weeds
☐ Other

End of Conservation Area #1, Milepost 3.64 and looking north.

Minor trash located in short areas. This trash is obviously coming from the adjacent State Highway 82. The rail corridor is 200-feet wide in this area. However, the trash is for the most part located within an existing 75-foot wide easement to CDOT. The easement dates back to before the purchase of the rail corridor, so the use (and associated trash) is allowed under the Conservation Covenant.

CONSERVATION AREA #2: Milepost 5.22 to 6.25 (1.39 miles)

Beginning of Conservation Area #2, Milepost 5.22, looking south

- ☐ Construction of Buildings and/or Other Structures
- ☐ Fences
- ☐ New Crossings
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Other
- ☐ Trash
- ☐ Weeds
- ☐ Other

End of Conservation Area #2, Milepost 6.25 and looking north.

CONSERVATION AREA #3: Milepost 8.28 to 8.78 (0.50 miles)

Beginning of Conservation Area #3, Milepost 8.28, looking south

- ☐ Construction of Buildings and/or Other Structures
- ☐ Fences
- ☐ New Crossings, Structures, and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash
- ☐ Weeds
- ☐ Other

End of Conservation Area #3, Milepost 8.78 and looking north.

CONSERVATION AREA #4: Milepost 10.28 to 11.07 (0.79 miles)

Beginning of Conservation Area #4, Milepost 10.28, looking south

- ☐ Construction of Buildings and/or other Structures
- ☐ Fences
- ☐ New Crossings, Structures and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash
- ☐ Weeds
- ☐ Other

End of Conservation Area #4, Milepost 11.07 and looking north

CONSERVATION AREA #5: Milepost 11.47 to 11.61 (0.16 miles)

Beginning of Conservation Area #5, Milepost 11.47, looking south

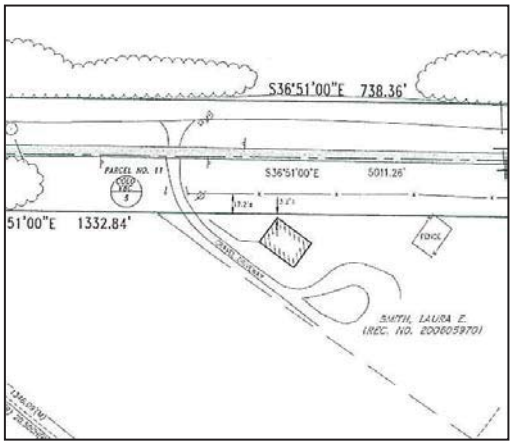
- ☐ Construction of Buildings and/or Other Structures
- ☐ Fences
- ☐ New Crossings, Structures and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash
- ☐ Weeds
- ☐ Other: The 2014 Assessment noted possible camping on corridor at Milepost 11.55. **Upon further investigation, the camp site was located outside the rail corridor property. The camping activities were not noticed during this year's assessment.**

End of Conservation Area #5, Milepost 11.61 and looking north

CONSERVATION AREA #6: Milepost 15.92 to 21.60 (5.76 miles)

Beginning of Conservation Area #6, Milepost 15.92, looking south

- ☐ Construction of Buildings and/or Other Structures.
- ☐ Fences
- ☐ New Crossings, Structures and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash
- ☐ Weeds.
- ☒ **Other: Berm and structure are encroaching on the south side of the corridor at MP 19.80.**



Berm and Fence along Corridor

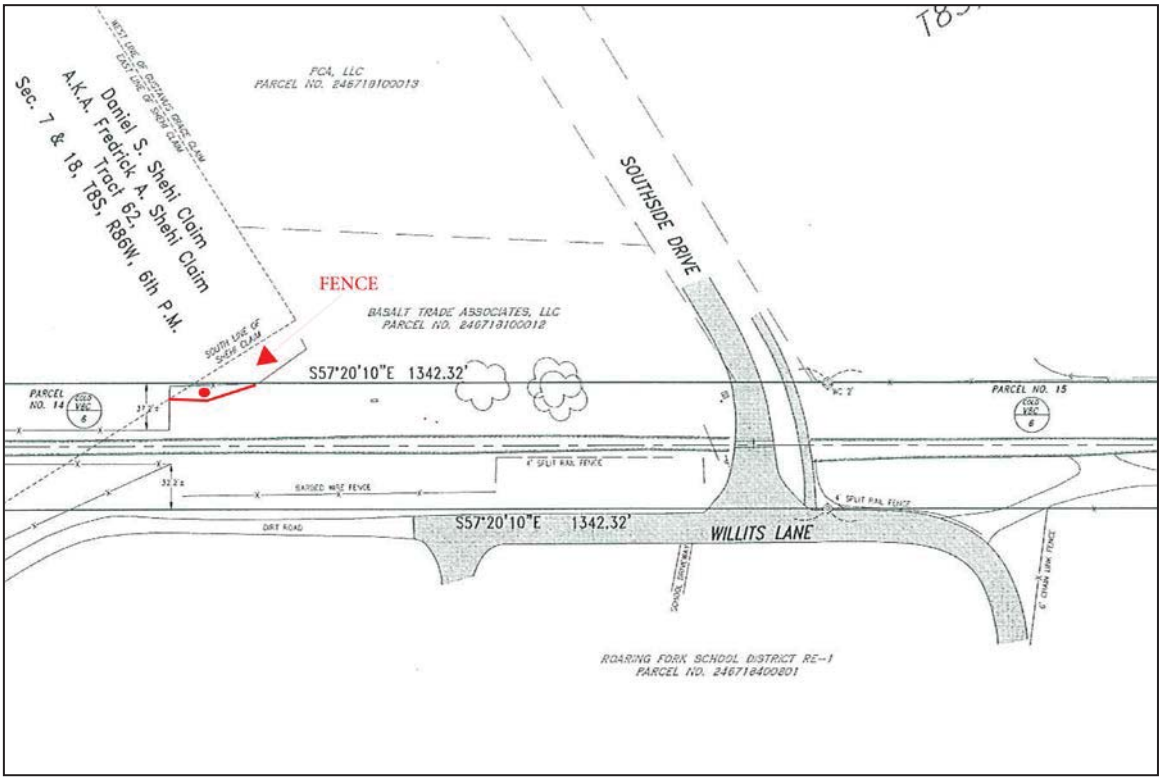
End of Conservation Area #6, Milepost 21.60 and looking north

CONSERVATION AREA #7: Milepost 21.97 to 24.88, (2.91 miles)

Beginning of Conservation Area #7, Milepost 21.97, looking south

☐ Construction of Buildings and/or Other Structures: No violations observed.
☒ **Fences: Short fence noticed, possibly in corridor. MP 23.22**

New section of smooth wire fence near Basalt High School



- ☐ New Crossings, Structures and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash:
- ☐ Weeds
- ☐ Other

End of Conservation Area #7, Milepost 24.88 and looking north

CONSERVATION AREA #8: Milepost 25.26 to 27.83 (2.65 miles)

Beginning of Conservation Area #8, Milepost 25.26, looking south

☐ Construction of Buildings and/or Other Structures
☐ Fences
☐ New Crossings, Structures and/or Crossing Improvements
☐ Harvesting of Timber
☐ Mining
☐ Paving and Road and Trail Construction
☐ Trash
☐ Weeds
☐ Other

End of Conservation Area #8, Milepost 27.83 and looking north

CONSERVATION AREA #9: Milepost 30.36 to 33.45 (3.29 miles)

Beginning of Conservation Area #9, Milepost 30.36, looking south

- ☐ Construction of Buildings and/or Other Structures
- ☐ Fences
- ☐ New Crossings, Structures and/or Crossing Improvements
- ☐ Harvesting of Timber
- ☐ Mining
- ☐ Paving and Road and Trail Construction
- ☐ Trash
- ☐ Weeds
- ☐ Other

End of Conservation Area #9, Milepost 33.45 and looking north