ROARING FORK RAILROAD CORRIDOR
CONSERVATION AREA ASSESSMENT
November 15, 2018

Prepared For:
Covenant Enforcement Commission
Roaring Fork Transportation Authority

Prepared By:
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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 assess 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.

This year new direction for RFTA has changed the assessment process. Beginning this year (2018) the assessment will cover the entire length of the corridor from the main line tracks in Glenwood Springs to the terminus of RFTA ownership at Woody Creek Road. The format of this report has also been modified to account for this change. This report will first summarize all active violations, showing which violations have been remedied, which are existing or continuing encroachments, and which anew encroachment first seen this year. Both the existing and new encroachments are detailed on separate Encroachment forms that describe the location, type of encroachment, background information on the encroachment, and a recommended remedy to resolve the issue.

Also included is Appendix A which describes the nine Conservation Areas.

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

Milepost	*Conservation Area*	*Description*
12.33	No	Gas Line Work
20.47	Area #6	Yard and Plant Waste
24.92	Area #7	Excavation and fill
31.88	Area #9	New connector trail

Violations Still in Place

Milepost	*Conservation Area*	*Description*
5.88	Area #2	Irrigation Lines
19.80	Area #6	Structure and berm in Corridor
23.22	Area #7	T-post Fence in Corridor

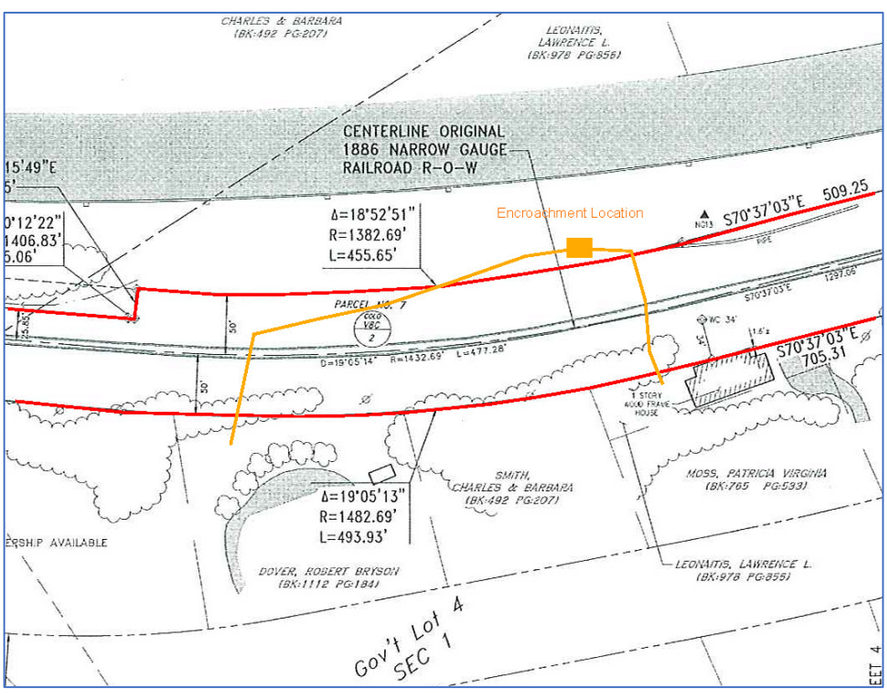
Violations Remedied

Milepost	*Conservation Area*	*Description*
5.75	Area #2	Structure in Corridor
11.83	Area #5	Graffiti and trash
17.48	Area #6	Fence near Corridor: determined to be outside Corridor
18.71	Area #6	New Trash Shed in Corridor
23.30	Area #6	ATV Crossing: Evidence of use not apparent during 2018 inspection
25.32	Area #8	Thistle infestation: Thistle have been eradicated.
31.26	Area #9	Furniture along railcar. Furniture has been removed.
31.87	Area #9	New trash shed near access. Structure is just outside rail corridor.

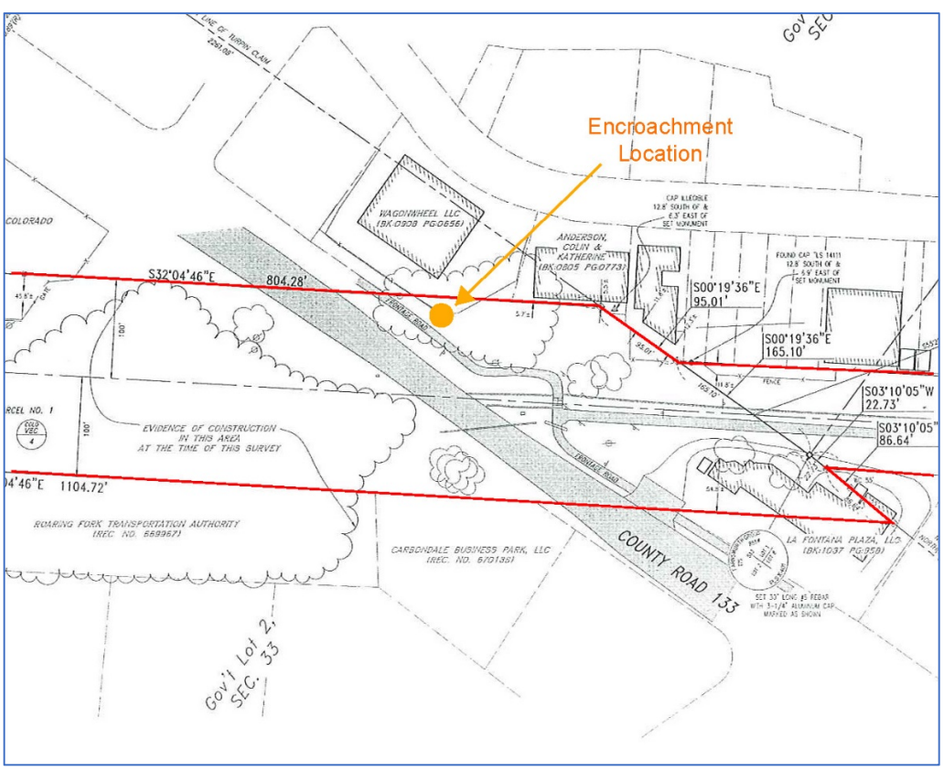
General Corridor Comments:

There were five new potential violations this year, but overall the corridor is in outstanding condition. The trail is well used and maintained; most notably, not weed infestations or trash accumulations were present.

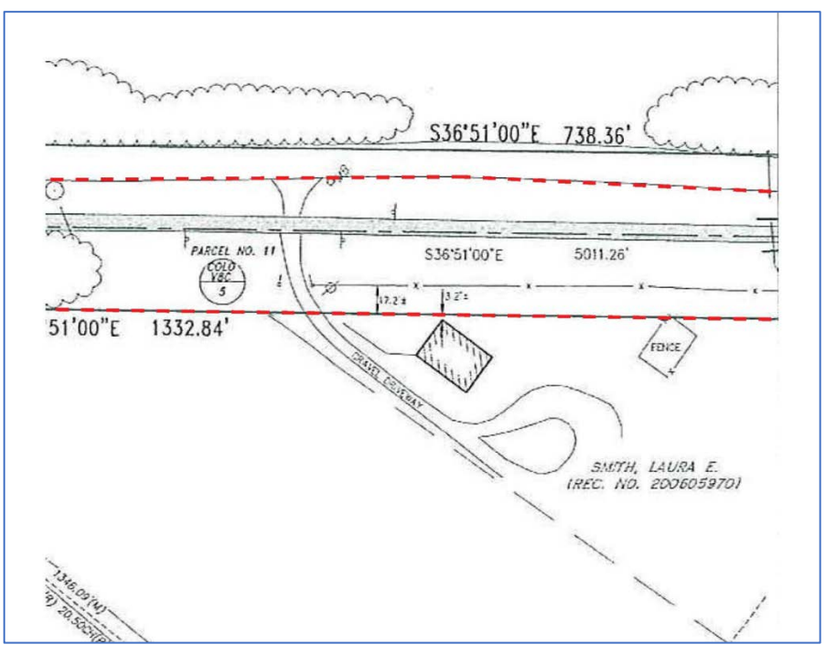
RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 1, 2018	**ENCROACHMENT**	**#1**
MILEPOST	5.88		
CONSERVATION AREA	Yes	Conservation Area #2: Ironbridge to CMC Road	
NEW/EXISTING	Existing since 2016		
TYPE OF ENCROACHMENT	Above ground irrigation pipes are feeding water from the Glenwood Ditch to two residences across the rail corridor. 		
BACKGROUND	This was first noticed during the corridor assessment in 2016.  Two properties on the north side of the rail corridor are taking water out of the Glenwood Ditch, which is located along the north side of the rail corridor. A review of state water right records does not show decrees for these specific properties, however, they likely have leased water from the Glenwood Ditch Company.		
RECOMMENDED REMEDY OR STEPS TAKEN	RFTA staff has been working with the property owners to clarify property boundaries, which are disputed in this area.		

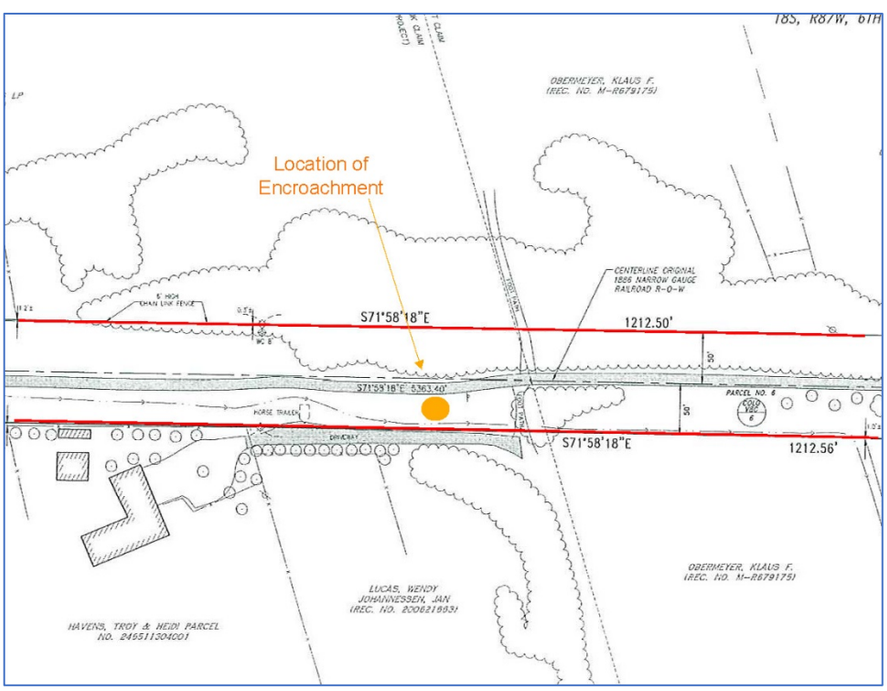
RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 1, 2018	**ENCROACHMENT**	**#2**
MILEPOST	12.33		
CONSERVATION AREA	No		
NEW/EXISTING	New		
TYPE OF ENCROACHMENT	Gas Company doing work on bike path along CO 133.		
BACKGROUND	Upon researching this possible encroachment, it appears to be within the 200-foot wide right-of-way owned by RFTA. 		
RECOMMENDED REMEDY	Brett Meredith discussed the situation with the gas employees on site.		

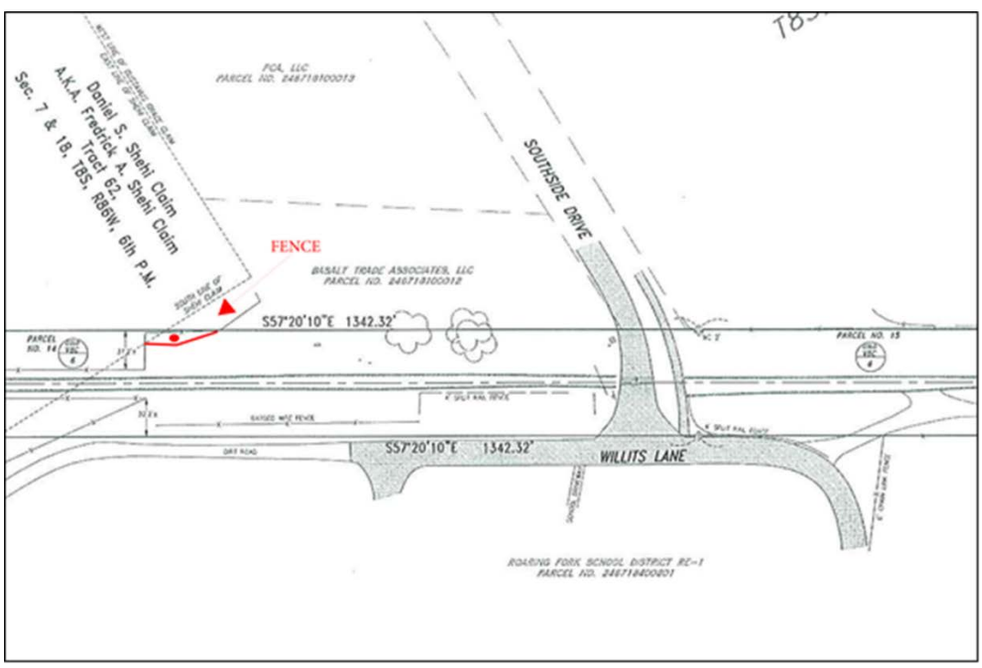
RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 1, 2018	**ENCROACHMENT**	**#3**
MILEPOST	19.80		
CONSERVATION AREA	Yes	Conservation Area #6: Catherine Store Bridge to Sopris Creek	
NEW/EXISTING	Existing since 1996		
TYPE OF ENCROACHMENT	Berm and structure in rail corridor. 		
BACKGROUND	Upon researching this possible encroachment, it appears to be within the 200-foot wide right-of-way owned by RFTA.  This issue has a history with the landowner, Michael Davies. Mr. Davies has been placing is trash cans within the right-of-way prior to pickup for several years and has apparently erected this structure to contain the trash in between pick-ups.		
RECOMMENDED REMEDY	Negotiate license or have berm and structure removed for rail corridor.		

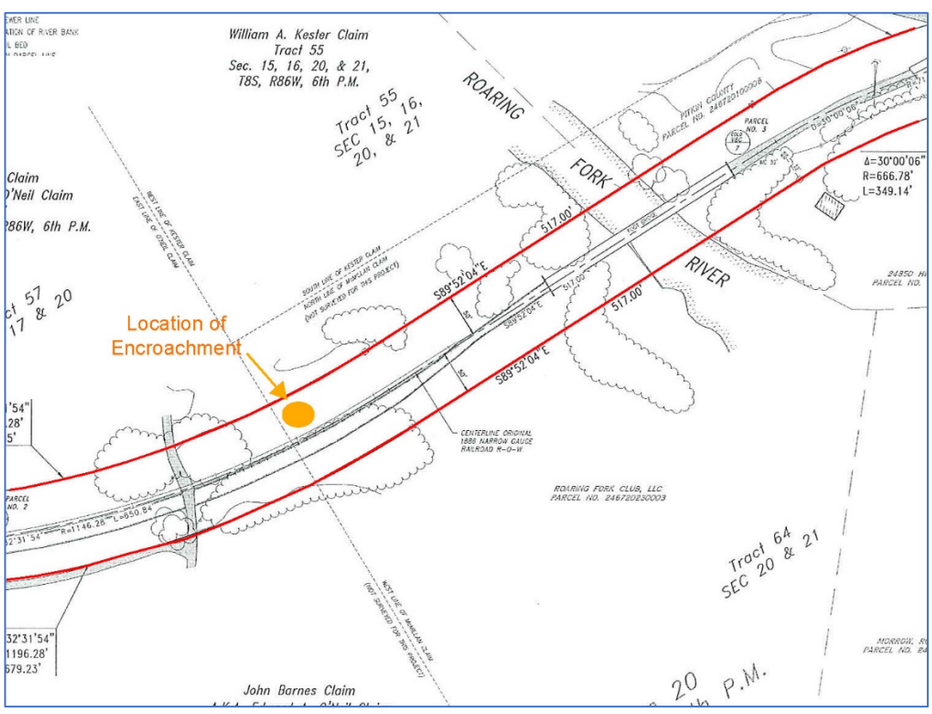
RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 1, 2018	**ENCROACHMENT**	**#4**
MILEPOST	20.47		
CONSERVATION AREA	Yes	Conservation Area #6: Catherine Store Bridge to Sopris Creek	
NEW/EXISTING	New		
TYPE OF ENCROACHMENT	Yes and plant waste left on rail corridor. 		
BACKGROUND	Upon researching this possible encroachment, it appears to be within the 100-foot wide right-of-way owned by RFTA.  This issue has a history with the landowner, Troy Havens. Mr. Havens has been using this area over the years to place yard waste.		
RECOMMENDED REMEDY	Perhaps this are could be used by RFTA as a rest stop or trailhead. Introducing such a use would prohibit the property owner from using it for its purposes.		

RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 1, 2018	**ENCROACHMENT**	**#5**
MILEPOST	23.22		
CONSERVATION AREA	Yes	Conservation Area #7: Sopris Creek to Wingo Junction	
NEW/EXISTING	Existing since 2013		
TYPE OF ENCROACHMENT	Fence has been placed for unknown reasons, probably by adjacent rancher. 		
BACKGROUND	The fence is also accompanied by a small “boneyard” of sorts – large rocks, shipping crates, old electric boxes, and an old mine car. 		
RECOMMENDED REMEDY OR STEPS TAKEN	RFTA staff should contact the rancher is discuss the matter.		

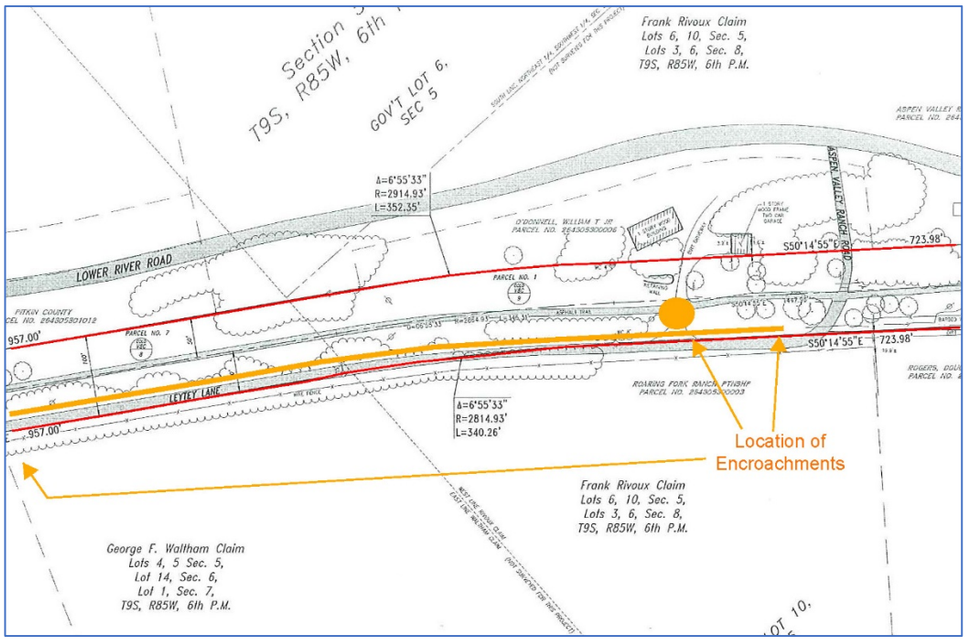
RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

DATE	October 12, 2018	**ENCROACHMENT**	**#6**
MILEPOST	24.92		
CONSERVATION AREA	Yes	Conservation Area #7: Sopris Creek to Wingo Junction	
NEW/EXISTING	New		
TYPE OF ENCROACHMENT	Excavation work is being conducted in the rail corridor as it passes through the Roaring Fork Club. This appears to be a putting green with underground irrigation, possibly being developed to grow repair sod for the greens. 		
BACKGROUND	The RFTA Survey shows the area of encroachment:  Several agreements between the Roaring Fork Club and the Roaring Fork Railroad Holding Authority (previous owner before RFTA acquisition) regarding the use of the rail corridor are recorded at the Pitkin County Clerks Office. They are as follows:		

	Private Road Crossing Agreement, 11-3-97; Reception #410337 Utilities Crossing Agreement, 11-3-97; Reception # 417352 Right-of-way Restoration Agreement 11-1-98; Reception #417353 Both the road and utility agreement allow access across the rail corridor at two specific locations of 30-feet in width. The Restoration Agreement requires the Roaring Fork Club to restore disturbance it had done to the corridor while constructing the golf course. None of the agreements allow the Roaring Fork Club to place further improvements, which the work witnessed during the assessment certainly qualifies as. The Restoration agreement also prohibits future encroachments by the Roaring Fork Club, and particularly excludes utilizing any part of the rail corridor for "golf course operations" (Paragraph 2, page 3).
RECOMMENDED REMEDY OR STEPS TAKEN	RFTA staff should contact the Roaring Fork Club and ask them to stop work in the corridor. Pitkin County should also be contacted to see if an Excavation permit was issued for this work. If so, RFTA should request the County stop work on this permit until the issue is resolved.

RFTA CORRIDOR ASSESSMENT
POTENTIAL COVENANT ENCROACHMENT

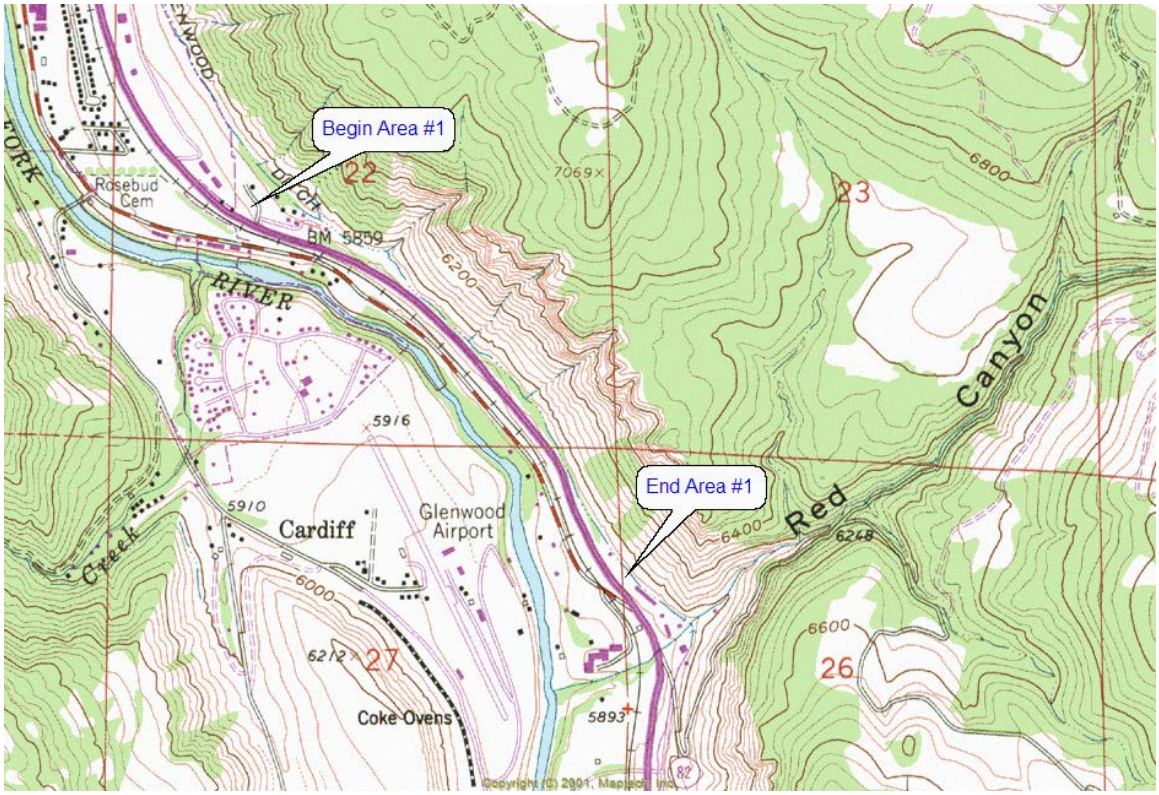
DATE	October 12, 2018	**ENCROACHMENT**	**#7**
MILEPOST	31.88		
CONSERVATION AREA	Yes	Conservation Area #9: Phillips Trailer Park to Woody Creek Road	
NEW/EXISTING	New and Existing		
TYPE OF ENCROACHMENT	An irrigation system has been placed in the rail corridor that was first noticed in 2017: A new private access point to the corridor was observed this year: 		

BACKGROUND	The RFTA Survey shows the area of encroachment:  The issue of trails placed to connect private property with the rail corridor is not new. After a few years of discussion on this, it was decided that the trails did not significantly impact the use and enjoyment of the corridor. However, in this case a very wide and substantial connection has been made, complete with ornamental vegetation and irrigation.
RECOMMENDED REMEDY OR STEPS TAKEN	Approach property owner to discuss the situation and possible remedies.

Appendix A: Description of the Conservation Areas

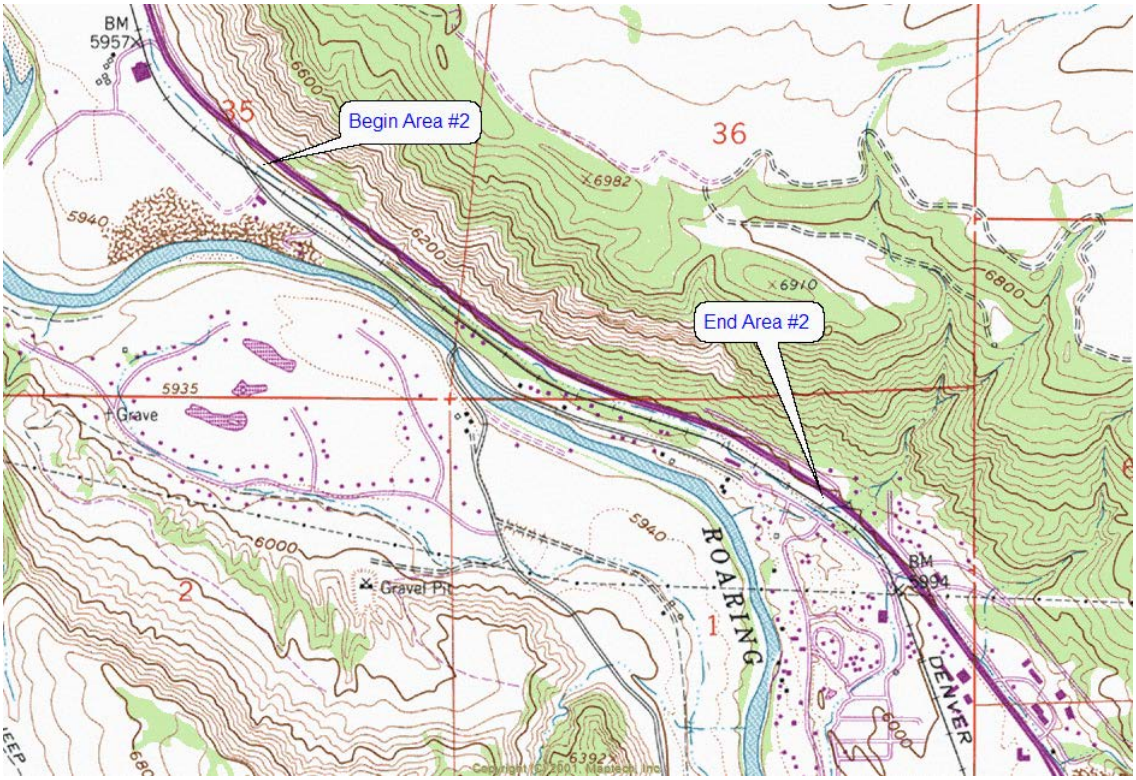
CONSERVATION AREA #1: Milepost 2.68 to 3.64, RxR Milepost 362.90 – 363.86 (0.96 miles)

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.



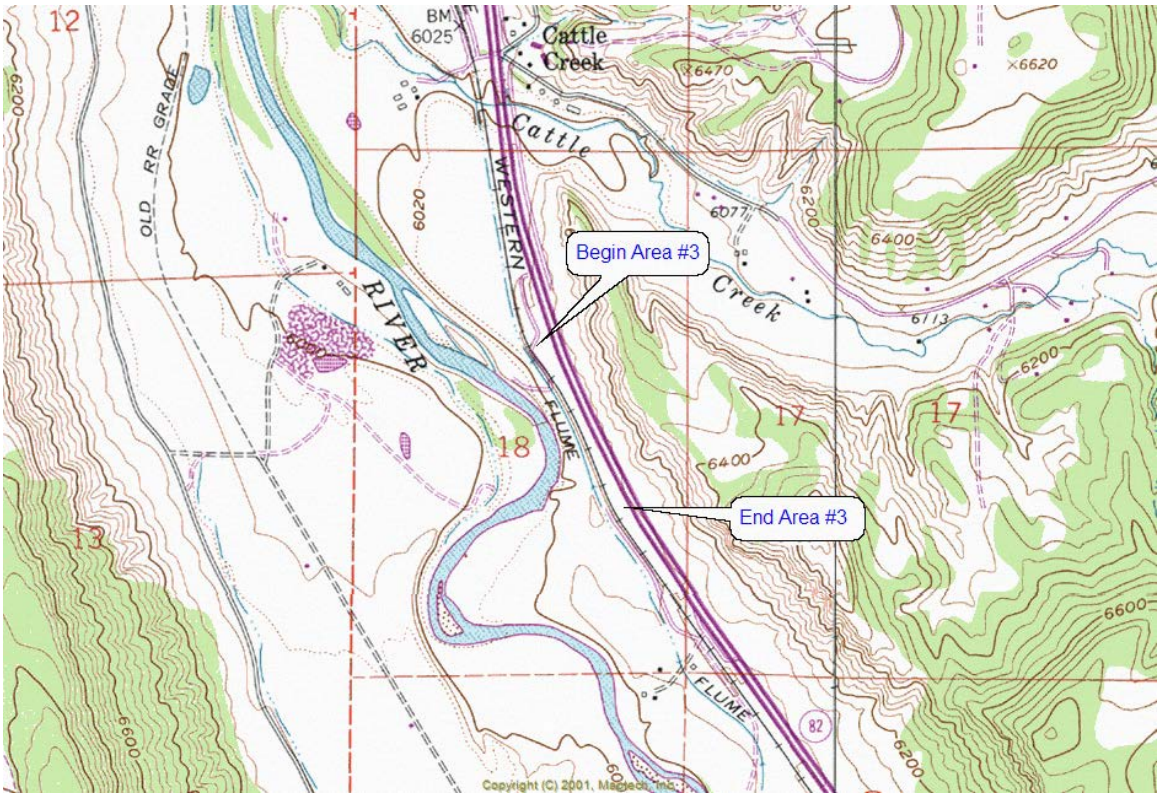
CONSERVATION AREA #2: Milepost 5.22 to 6.25, RxR Milepost 365.44 – 366.47 (1.39 miles)

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.



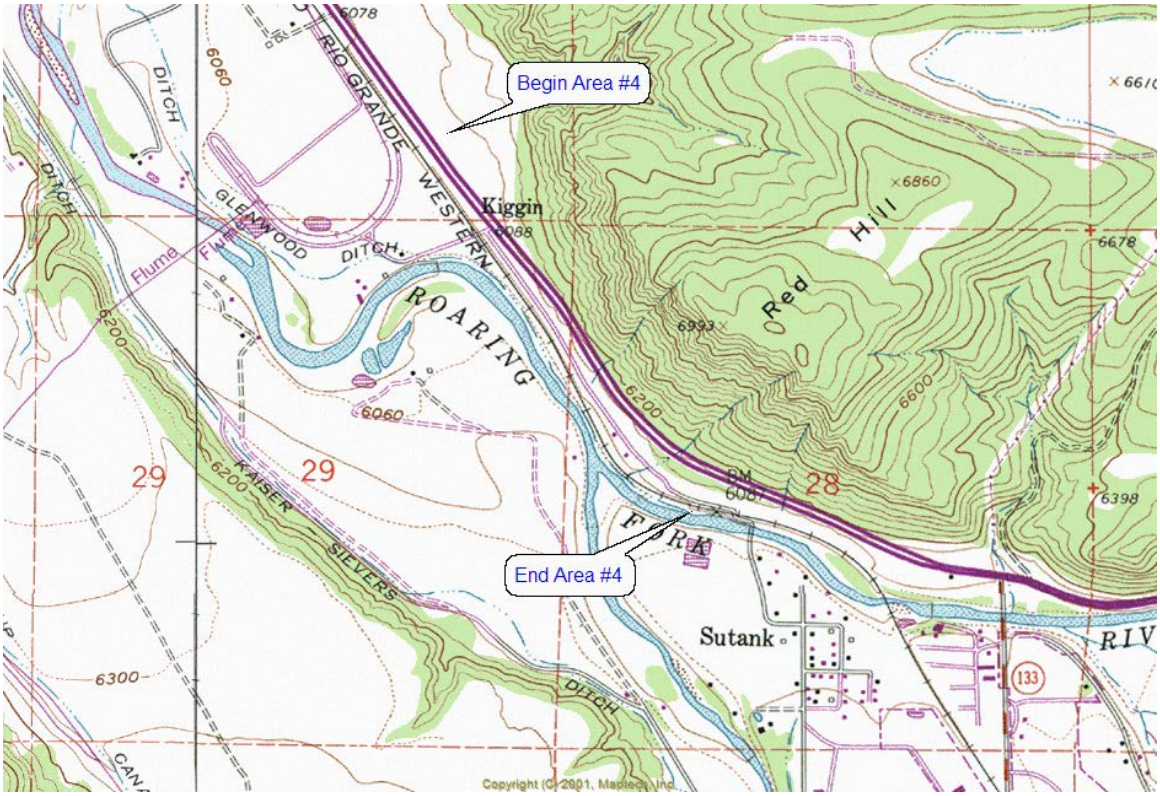
CONSERVATION AREA #3: Milepost 8.28 to 8.78, RxR Milepost 368.50 – 369.00 (0.50 miles)

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.



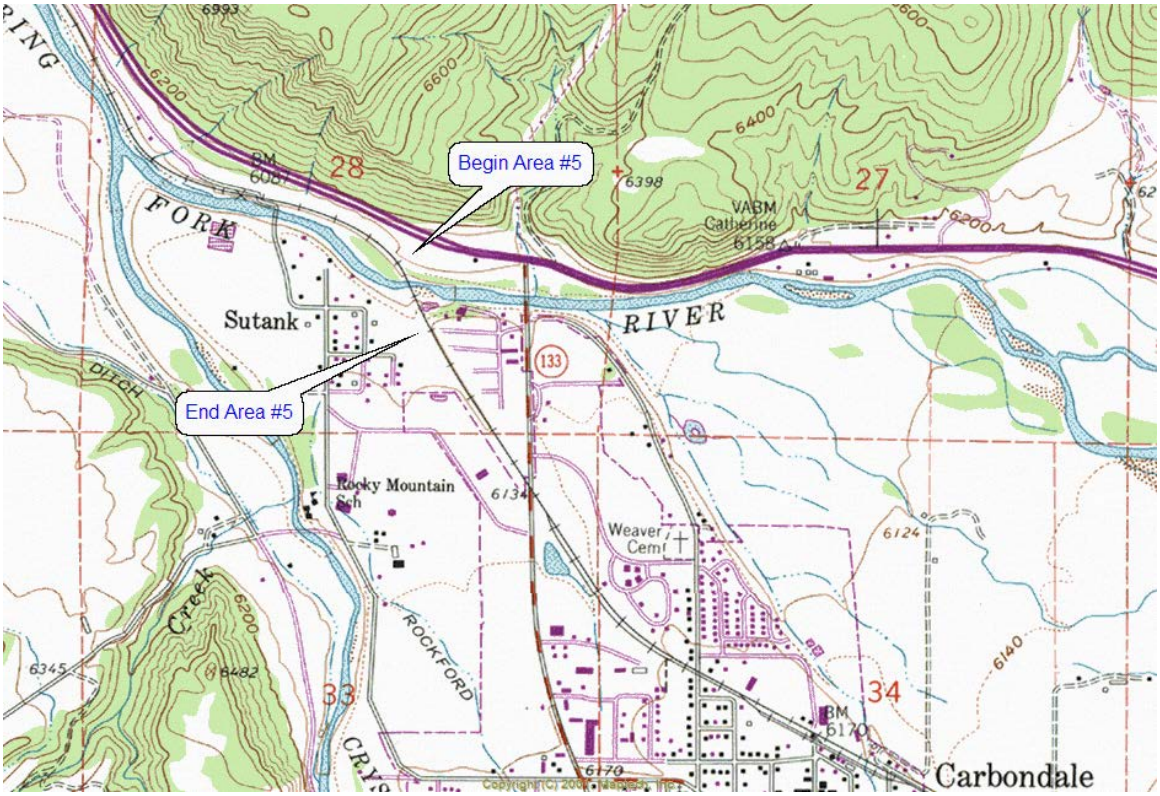
CONSERVATION AREA #4: Milepost 10.28 to 11.07, RxR Milepost 370.50 – 371.29 (0.79 miles)

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.



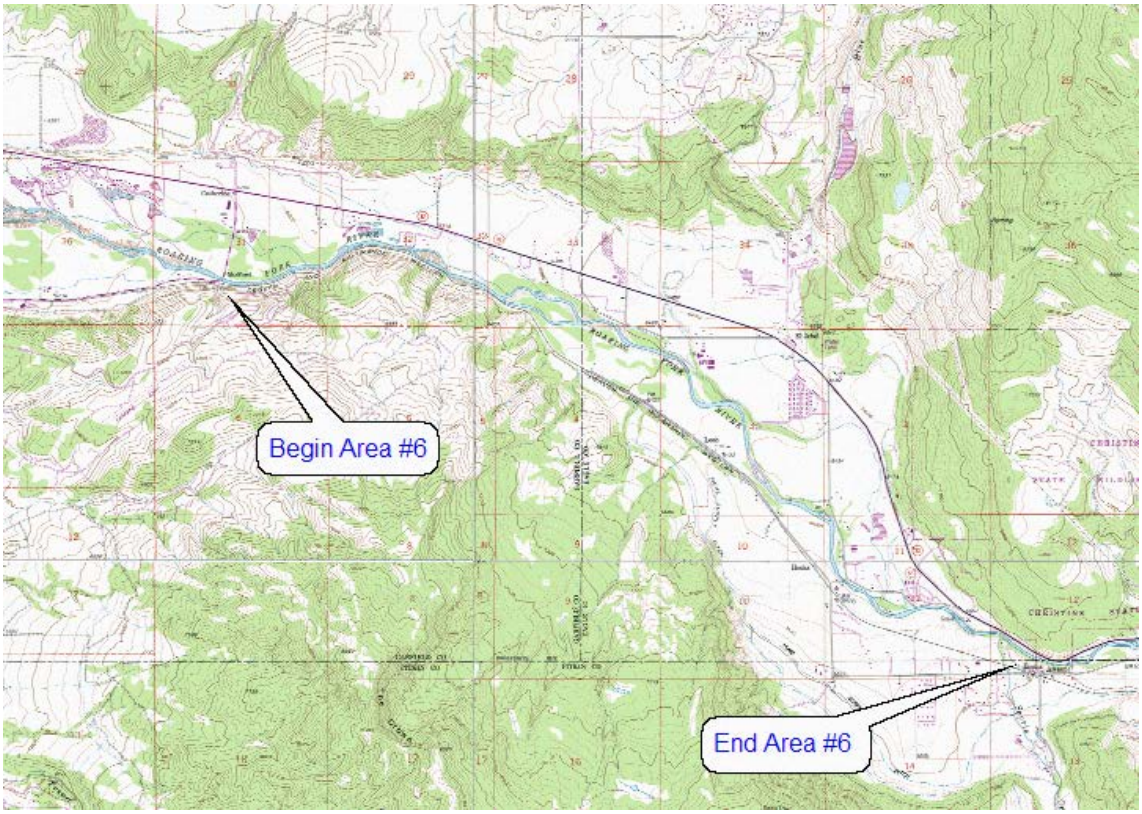
CONSERVATION AREA #5: Milepost 11.47 to 11.61, RxR Milepost 371.69 – 371.83 (0.16 miles)

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.



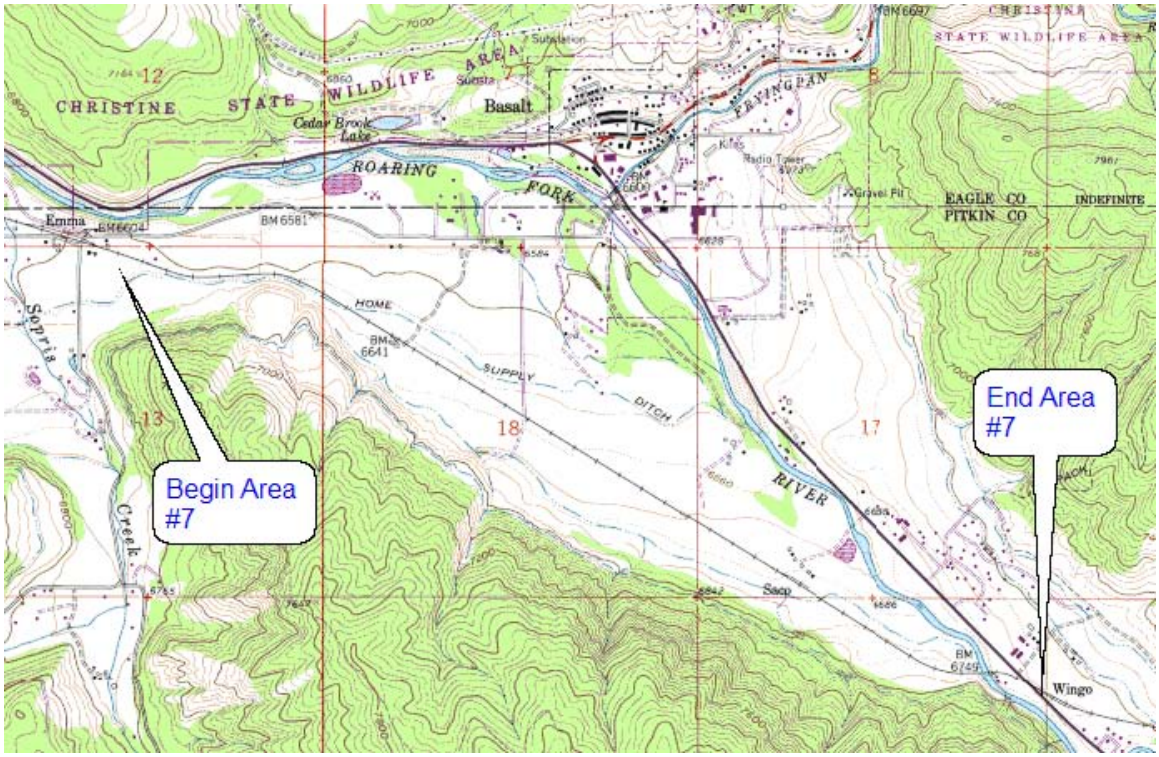
CONSERVATION AREA #6: Milepost 15.92 to 21.60, RxR Milepost 376.14 – 381.82 (5.76 miles)

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).



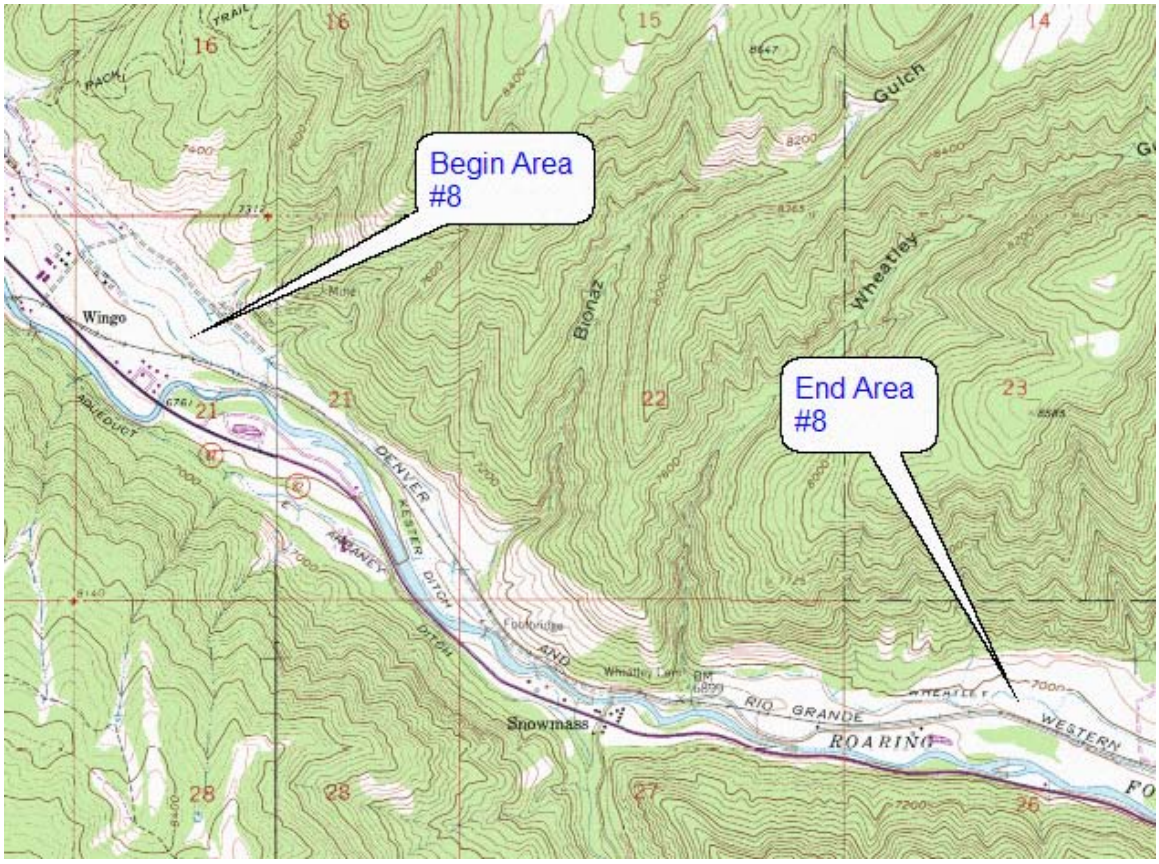
CONSERVATION AREA #7: Milepost 21.97 to 24.88, RxR Milepost 382.19 – 385.10 (2.91 miles)

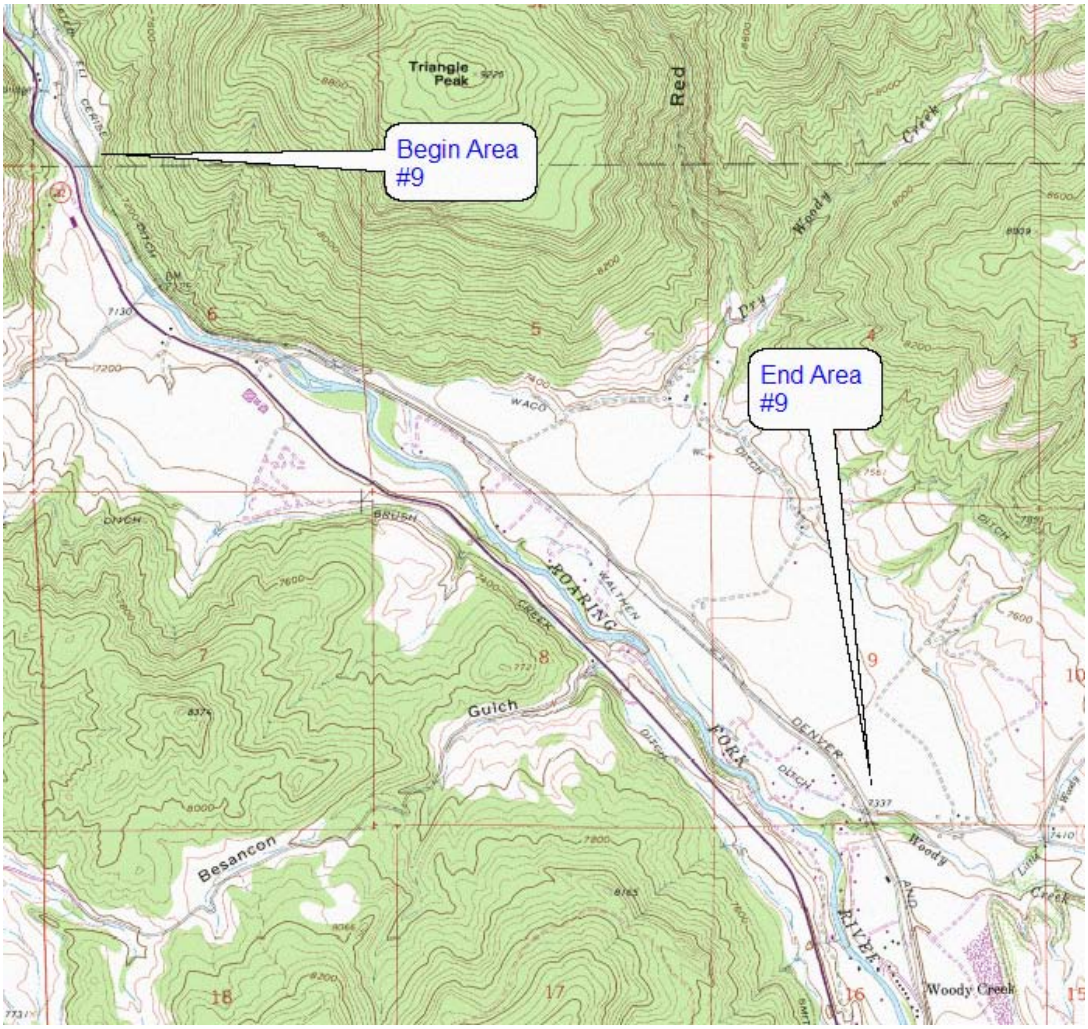
This section begins directly east of the Emma Road/Highway 82 intersection, continues toward the Basalt High School between ranch properties and federal lands and ends just east of the Wingo pedestrian bridge over Highway 82. A parcel of land owned by the Pitkin County Open Space and Trails Program along 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, RxR Milepost 385.48 – 388.05 (2.65 miles)

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, RxR Milepost 390.58 – 393.67 (3.29 mi)

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.